PUBLIC NOTICE

ORDINANCE NO. 677-21 AN ORDINANCE AMENDING **CHAPTER 50, NUISANCE** ABATEMENT PROCEDURE, AND ADDING A NEW CHAPTER 57, **CRIMINAL ACTIVITY NUISANCE** TO THE CODE OF ORDINANCES OF THE CITY OF POSTVILLE,

IOWA BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST-VILLE, IOWA:

Section 1. Purpose. The purpose of this Ordinance is to amend Chapter 50, Nuisance Abatement Procedure, and add a new Chapter 57. Criminal Activity Nuisance, to incorporate focused enforcement tools for use against owners of properties where criminal activity is a serious m1d continuing problem.

Section 2. Amendment. The Code of Ordinances of the City of Postville, Iowa is amended by adding the following language to various sections of Chapter 50:

50.02 NUISANCES ENUMERAT-ED. The following divisions include, but do not limit, the conditions which are deemed to be nuisances in the City:

Add new subsection:

(17) Any property where criminal activity is documented by the Police Department as a locus of criminal activity, based on reports collected of arrests, investigations of criminal activity and criminal calls for service, and which meets the definitions and criteria set forth in Chapter 57 of the Code of Ordinances. 50.03 OTHER CONDITIONS.

The following chapters of this code of ordinances contain regulations prohibiting or restricting other conditions which me deemed to be nuisances:

Add new subsection:

(6) Any property where criminal activity is documented by the Police Department as a locus of criminal activity, based on reports collected of arrests, investigations of criminal activity and criminal calls for service, and which meets the definitions and criteria set forth in Chapter 57 of the Code of Ordinm1ces. Section 3. Chapter Added.

A new Chapter 57 is hereby added to the City Code of Ordinances for the City of Postville, Iowa:

CHAPTER 57

CRIMINAL ACTIVITY NUISANCE 36.01: Definitions

36.02: Purpose 36.03: Enforcement And Adminis-

tration

36.04: Nonliability Of City 36.05: Penalty

57.01 CRIMINAL ACTIVITY NUI-SANCE

Property shall be deemed a Nuisance Property upon a determination by the Police Department and/ or City Code Enforcement staff that any one or more of the following subsections is true with respect to the Property:

1. More than one founded calls for service have been made concerning the following nuisance activities at or within one thousand (1,000) feet of the Property within a peri-od of twelve consecutive months, whether committed by an owner or lawful possessor of the property or a permittee of an owner or lawful possessor of the property, or if said activity is either caused, encouraged, permitted, or coordinated by

controlled substance in violation of Iowa Code Chapter 124;

b. Kidnapping as defined in Iowa Code Chapter 710: c. Arson as defined in Iowa Code

Chapter 712; d. Burglary as defined in Iowa

Code Chapter 713; e. Robbery as defined in Iowa

Code Chapter 711: f. Sex abuse as defined in Iowa

Code Chapter 709; g. Intimidation with a Dangerous Weapon as defined in Iowa Code

Section 708.6; h. Willful injury as defined in Iowa

Code Section 708.4; i. Sexual exploitation of a minor in violation of Iowa Code Section

728.12; j. Felony gambling in violation of

Iowa Code Chapter 725.7: k. Felony criminal mischief as defined in Iowa Code Chapter 716;

I. Animal contests in violation of Iowa Code Chapter 717D;

m. Possessing or carrying a dangerous weapon as defined in Iowa Code Section 724;

n. Riot as defined in Iowa Code Section 723.1: o. Failure to abate Odors or Offen-

sive Annoyances as defined in the Postville Municipal Code:

p. Owning, keeping or harboring a Dangerous Animal as defined in the Postville Municipal Code:

q. Prostitution as defined in Iowa Code Chapter 725.

r. Violations under any part of Iowa Code 706A.2.

s. Any false statements made concerning any criminal activity made to any law enforcement officer in violation of the Iowa Code.

2. More than two founded calls for service have been made concerning the following nuisance activities at or within one thousand five hundred (1,500) feet of the Property within a period of twelve consecutive months, whether committed by the owner or lawful possessor, of the property or permittee(s) of the owner or lawful possessor, or if said activity is whether caused, encouraged, permitted, or coordinated by the owner or person in lawful possession of the Property or a permittee(s) of an owner or person in lawful possession of the property:

a. Possession of a controlled substance in violation of Iowa Code Chapter 124:

b. Serious or aggravated misdemeanor criminal mischief as defined in Iowa Code Chapter 716:

c. Serious or aggravated misde meanor assault as defined in Iowa Code Chapter 708:

d. Serious or aggravated misdemeanor theft as defined in Iowa Code Chapter 714:

required to proceed under this Chapter, nor shall it be construed to mean the nuisance activity must be proven beyond a reasonable doubt. Rather, in determining whether a property is a nuisance property, the City staff or Police Department shall apply the criteria of this section using a preponderance of evidence as the standard of proof. Any determination pursuant to this section shall be subject to administrative appeal and/or Court review as set forth in

this Chapter. 57.02 PROHIBITIONS.

The following are hereby prohibited by this Chapter:

1. The creation or maintenance of or the failure to abate a nuisance 2. Interference, delay or hindrance of enforcement of this Chapter except to pursue appeal and/or review of administrative actions by the City

staff or the Police Department. 3. The termination of a lease agreement with a tenant or other retaliation against a tenant because that tenant notified or otherwise complained to law enforcement or other city officials that nuisance activity was occurring at the Property. The termination of a lease 4 agreement with a tenant or other

retaliation against a tenant because the tenant called for emergency assistance for themselves or on behalf of a person in need of emergency assistance. 57.03 INSPECTION OF PREM-

ISES.

The City staff or the Police Department is authorized to enter and remain upon private property to the extent reasonably necessary for the purpose of locating, identifying, investigating and documenting any nuisance activity as defined by this Chapter and, further, for the purpose of administering this Chapter, subject in any event to the limitations on that authority under other applicable law.

57.04 FINDING OF VIOLATION; NUISANCE PROPERTY ABATE-MENT PLAN.

1. Upon a threshold determination by the City staff or the Police Department that a Property meets the criteria set forth in Section 57.01, the City shall cause a Notice of Violation to be served upon the property owner in the manner provided by this Chapter. A courtesy copy of the Notice of Violation shall also be sent by regular mail to the occupant(s) of the Property in question at the ad-dress of the Properly in question, if different from the owners.

2. Upon the issuance of a Notice of Violation, the property owner may submit a Nuisance Property Abatement Plan specifying the corrective action the Properly Owner will take, including dates by which each corrective action shall be completed.

3. The City staff or the Police Department shall meet with any Property Owner who has submitted a Nuisance Property Abatement Plan to review the facts of the case and Corrective Action contemplated by the Plan.

4. The submission of a Nuisance Property Abatement Plan may be the basis for the City staff or the Police Department, pursuant to Subsection 57.05, to postpone by 15 days the imposition of charges otherwise due under Subsection 57.06.

57.05 NOTICE OF VIOLATION; CONTENTS.

The Notice of Violation required by this Chapter shall contain: 1. The location of the Nuisance

Property in question: 2. A description of what consti-

tutes the violation of this Chapter; 3. A statement that within 15 days following service of the Notice of Violation, the Property Owner shall be charged for future Founded Calls for Service to the Nuisance Property; provided, however, that if the Property Owner submits a Nuisance Property Abatement Plan, then the City may postpone by 15 days the date that Founded Calls for Service will be billed to the Property Owner.

4. A statement that an aggrieved party may seek administrative appeal of the City staff or Police Department's determinations that the Property is a Nuisance Property Court review as authorized by Iowa law. 57.06 FOUNDED CALLS FOR SERVICE CHARGED TO NUI- SANCE PROPERTY. With respect to a Property for which a Notice of Violation has been duly served, the City staff or Police Department shall cause to be charged to the Property Owner all costs associated with founded calls for service to the Property, beginning on the date specified in the Notice of Violation and continuing thereafter until the expiration of one year from the date on the Notice of Violation. This provision shall not be construed so as to preclude an additional determination under that the Property is a nuisance property clue to additional nuisance activity. In the event of such an additional finding, the twelve-month (12) period shall run from date of the most

recent Notice of Violation. Notwithstanding the foregoing, the charges otherwise due under this section may be postponed by the City staff or the Police Department in accordance with 57.05, 3 and 4. EMERGENCY ABATE 57.07 MENT.

If it is determined by the City staff that an emergency exists by reason of the continuing presence or repeated occurrence of nuisance activity, the City may perform any action required under this Chapter to the extent reasonably necessary to abate the nuisance activity constituting the emergency. This provision shall not be construed so as to impose any duty upon the City to take such action. Emergency action pursuant to this section may be taken without prior notice or hearing. Notice of emergency action shall be provided to the property owner, along with an opportunity for hearing as provided in this Chapter. Subject to the provisions of this Chapter concerning Appeals of Administrative Actions or Decisions, if the amount shown by the statement has not been paid by the person within thirty days, it shall then be collected with, and in the same manner, as special taxes, or in the sole discretion of the City, in a court action for personal judgment against the owner

57.08 CORRECTIVE ACTION BY THE CITY; COLLECTION OF COSTS.

1. If a Property Owner who has been served with a Notice of Violation fails or refuses to prevent the recurrence of nuisance activity, and the City is capable of correcting or eliminating the nuisance activity, the City may take such lawful steps as are necessary and proper to Abate the Nuisance Activity upon 30 days notice to the property owner. This provision shall not be construed so as to impose any duty upon the City to take such corrective action. In so doing, the City shall keep an accurate account of the costs incurred in correcting or eliminating the nuisance activity. The City staff or the Police Department shall keep an itemized account of such costs. The salvage value, if any, of any item or items collected in connection with such action by the City shall be retained by the City and shall be applied as an offset against costs. In the event the salvage proceeds exceed the costs, any such excess shall be paid promptly to the propertv owner

2. In the event action is taken pursuant to this section, the City staff or the Police Department shall mail to the property owner an itemexpens curred, minus any salvage value, to the property owner demanding payment of the expense. Subject to the provisions of this Chapter con-

cerning Appeals of Administrative Actions or Decisions, if the amount shown by the statement has not been paid by the person within thirty (30) days, it shall then be collected with, and in the same manner, as special taxes, or in the sole discretion of the City, in a court action for personal judgment against the owner.

57.09 APPEALS OF ADMINIS-TRATIVE DECISIONS OR AC-TIONS.

1. Any person aggrieved by a decision or act of the City shall have the opportunity for hearing before a duly appointed hearing officer. Any aggrieved party may submit a re quest for a hearing which shall be in writing delivered to the City Administrator. If said request is received within the time stated in the notice of the action or decision in question, the hearing shall be held pursuant to this section; any request for hearing received thereafter shall not entitle the requesting party to a hearing.

2. Upon receipt of a timely request for hearing, the City Administrator shall set a hearing to be held before the City Administrator, acting as hearing officer, or the City Administrator's designee acting as hearing officer, within 30 days from said receipt and, further, shall give at least 10 davs'

Notice to the requesting party of the time, date and location of said hearing. The hearing may be reset by agreement of the requesting party, the City and the hearing of ficer, as confirmed in writing, but in no event shall the hearing be held any later than 60 days after the date of the action or decision being appealed.

3. At the time of hearing, the requesting party and the City staff or the Police Department shall be afforded the opportunity to present evidence and arguments. The formal rules of evidence and procedure shall not apply. Legal counsel shall not be required but shall be permitted.

4. Within thirty (30) days after the conclusion of an administrative hearing held pursuant to this section, the hearing officer shall make the following written findings which shall be based on a preponderance of the evidence as the standard of proof, and the City shall serve Notice thereof upon the appealing

party: a. Whether the determination of a nuisance property was correct; and b. Whether the action taken upon that determination was in accordance with all applicable law.

5. Any decision rendered by a hearing officer pursuant to this section shall be subject to further review by a Court in accordance with lowa law.

6. Where a person aggrieved by an action taken pursuant to this Chapter has made a request for an administrative hearing pursuant to this section or has sought further review by a Court as provided by lowa law, any charges for calls for service and any other administrative fees imposed pursuant to this Chapter shall be recorded, but the due date therefor and collection thereof shall be suspended pending the final outcome of any administrative hearing and/or Court review. 57.10 ALTERNATIVE MEANS OF

ENFORCEMENT.

including but not limited to the following:

1. Prosecution as a simple misdemeanor in accordance with Chapter 364 of the Iowa Code.

2. The filing of a Municipal Infraction in accordance with of the Postville Municipal Code and Chapter 364 of the Iowa Code, which may seek fines, injunctive relief against future violations, and other relief permitted at law.

3. Fines under subsection 2 shall be \$250 for any single offense which is a first offense; \$500 for any single offense which is a second of fense; \$750 for any single offense which is a third or subsequent offense. In the case of any condition which is a continuing violation in need of abatement, fines shall be \$250 for the first day following the elate of the first notice to abate, or from the filing elate of a Municipal Infraction action, whichever is first: \$500 for each subsequent day up to thirty (30) days in which the condition remains unabated: and \$750 for each subsequent day thereafter.

4. The Court may convert all fines to a personal judgment against the owner or person in lawful possession of the premises. 57.11 SERVICE OF NOTICE.

Except where expressly provided otherwise, notices required under this Chapter shall be served by one or more of the following methods:

1. Mailing by both regular mail and certified mail. as defined in Iowa Code Section 618.15 (2021), to the last known address of the Property Owner:

2. Hand delivery to the Property Owner;

3. Personal service on the Property Owner pursuant to Iowa Rule of Civil Procedure 1.305; or

4. Any other method of providina notice which results in the notice actually being received by the Propertv Owner.

Notice served by mail under this section is deemed completed ten (10) business days after the notice is deposited in the mail and postmarked for delivery, whether or not the recipient signs a receipt for the notice

Section 4. Repealer. All other sections of this Ordinance in conflict with these provisions shall be repealed.

Section 5. Severability. If any section, provisions or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall have no effect on the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law. PASSED AND APPROVED this 8

day of November, 2021. /s/ Leigh Rekow, Mayor

ATTEST: /s/ Darcy Radloff, City Clerk

CERTIFICATION

I, Darcy Radloff, City Clerk, do hereby certify the above is a true and correct copy of Ordinance No. 677-21 which was passed by the Postville City Council this 8 day of November, 2021 and published in the Postville Herald this 17 day of November, 2021

/s/ Darcy Radloff, City Clerk

session of the Property or a per-mittee(s) of an owner or person in lawful possession of the property: a. Manufacture or delivery of a

egating, otherwise limiting any conditions or sanctions imposed pursuant to this Chapter, this Chapter may also be enforced by any lawful means

ORDINANCE 695-21 ELECTRIC FRANCHISE (TRANSMISSION SYSTEM)

1.01 GRANT OF FRANCHISE There is hereby granted to SOO GREEN HVDC LINK PROJECT-CO, LLC, hereinafter referred to as "SOO Green" or the "Company," its successors and assigns the right and franchise to construct, reconstruct, repair, replace, maintain and operate in the City of Postville, Iowa ("City"), the necessary conduits, and other appliances or equipment for the transmission of electric current and communication facilities (collectively, the "Facilities") and the right to construct, reconstruct, relocate, repair, replace, maintain and operate the Facilities under the streets avenues allevs and public places and in a certain railroad right of way in the City of Postville, Allamakee County, Iowa, This franchise shall be effective for a twenty-five (25) year period from and after the effective elate defined in Section 1.014 herein ("Effective Date"). SOO Green is also granted the right of eminent domain as provided in Iowa Code Section 364.2(4) as reasonably necessary to carry out the purposes of this franchise ("Franchise" or "Ordinance").

1.02 PLACEMENT OF FACIL-TIES; INDEMNIFICATION. The ITIES: Facilities shall be placed and maintained so as not to unnecessarily interfere with travel on the streets. alleys, and public places in the City or unnecessarily interfere with the proper use of the ...same: including ordinary drainage, or with the sewers, underground...pipe, and... other property of the City, and the Company shall hold the City free and harmless from all damages arising from the negligent acts or omissions of the Company in the installation or maintenance of the Facilities

1.03 EXCAVATIONS. In making any excavations in any street, allev, or public place, the Company shall comply with section\35.09 of the Postville Code of Ordinances, except that SOO Green will not be required to submit an application. SOO Green shall protect the site while work is in progress, shall not unnecessarily obstruct the use of streets, and shall back-fill all openings in such manner as to prevent settling or depressions in surface, pavement, or sidewalk of such excavations with same materials, restoring the condition as nearly as practical.

1.04 RELOCATION FOR CITY PROJECT. The Company shall, at its cost and expense, locate and relocate its Facilities in. on. over or under any public street or alley or other public place in the City in such a manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of the street or alley

or any public improvement of, in or about any such street or alley or reasonably promoting the efficient operation of any such improvement ("City Project") The Company shall not be required to relocate, at its cost and expense, Company facilities in the public right-of-way that have been relocated at company expense at the direction of the City in the previous three (3) years. The City and the Company desire to minimize, to the fullest extent possible, the risk that any of the Facilities would require relocation for the purposes of a future City Project. The City has reviewed the engineering plans for the Facilities and used its best available information to identify any areas where a City Project may occur during the term of this franchise and could potentially result in a Facilities relocation. The City and the Company will work together to revise the location of the Facilities prior to construction to reduce the risk of any conflict. For future City Projects, the following will apply:

a. In developing a City Project, the City shall consider reasonable alternatives so as not arbitrarily to cause the Company unreasonable additional expense.

b. If there is a potential conflict between a City Project and the Facilities, the City and the Company will work together to identify alternatives that would avoid relocation of Facilities. When such alternative is available, SOO Green will have the option to pay the incremental cost, if any, associated with the alternative to avoid relocation and the City will implement that alternative if SOO Green so elects.

c. If a relocation of Facilities cannot be avoided, the City will provide a reasonable alternative location for the Company's facilities within City right-of-way. The Company shall be solely responsible for any additional cost to the City as determined by the City Engineer in the City Engineer's sole discretion for providing such alternative location. If the alternative location the City can provide within the City right-of-way is not acceptable to the Company, the Company is granted the power of eminent domain to acquire the land rights necessary to relocate the Facilities to a suitable location. The Compm1v will not be required to deactivate and relocate existing -Facilities until the relocated Facilities are operational.

RELOCATION FOR PRI-1.05 VATE PROJECT. If the City orders or requests the Company to relocate its Facilities for the primary benefit of a commercial or private project, or as the result of the initial request of a commercial or private developer or other non-public entity, the City shall require advance payment to the Company for all construction and transactions costs and the provision of an alternative location for the Facilities of such relocation from such developer or other non-public entity as a precondition to relocating the Facilities. If such pre-payment is made, the Company will not be required to deactivate and relocate existing Facilities until the relocated Facilities are operational.

PUBLIC NOTICE

1.06 VACATION OF PUBLIC RIGHT-OF-WAY. The City shall give the Company reasonable advance written notice to vacate a public right-of-way. Vacating a public right-of-way shall not deprive the Company of its right to operate and maintain existing Facilities within the vacated right-of~ way and the City shall grant the Company a utility easement in the vacated public right-of-way until the City orders or requests the Company to relocate its Facilities. If such relocation is for the primary benefit of a commercial or private project, or as the result of the initial request of a commercial or private developer or other non-public entity Section 1.05 of this Franchise shall control. If the relocation is for a Public Project, Section 1.04 shall control.

VEGETATION MANAGE-1.07 MENT. The Company is authorized and empowered to prune or remove at Company expense any trees, shrubs, or vegetation extending over or into any street, alley, rightof-way, or public grounds to construct and operate the transmission line and to maintain electric reliability, safety, or restore utility service. Any such pruning or removal shall be done in accordance with accepted safety and utility industry standards and federal and state laws, rules, and regulations.

NON-EXCLUSIVITY. The 1.08 franchise granted by this Ordinance shall not be exclusive

1.09 RELATION TO OTHER OR-DINANCES. If there is any direct conflict between this ordinance and any other ordinances, this ordinance controls. 1.010 ASSIGNMENTS. No sale,

assignment or lease of this franchise shall be effective until it is approved by the city council and after the Company has filed in the office of the city clerk written notice of the proposed sale, transfer, disposition or assignment, such notice to clearly summarize the proposed procedure and the terms and conditions thereof.

Such approval by the city council shall not be unreasonably withheld. The proposed vendor, assignee or lessee shall similarly file an instrument, duly executed, reciting such proposal, accepting the terms of this franchise and agreeing to perform all the conditions thereof. This provision shall not apply, however, to collateral assignments in connection with a project financing of the project.

1.011 CONFIDENTIAL INFORMA-TION. Upon reasonable request. the Company shall provide the City,

on a project-specific basis, with information indicating the horizontal location relative to boundaries of the right-of-way of all equipment which the Company owns or over which it has control located within City right-of-way. The Company and City recognize the information provided may, under current lowa law, constitute public records, but that nonetheless, some information provided may be confidential under state or federal law, or both. Therefore, the City shall not release any information with respect to the location or type of equipment which the Company owns or controls in City right-of-way that the Company certifies may constitute a trade secret or which may otherwise be protected from public disclosure by state or federal law. The City further agrees that no documents, maps, or information provided to the City by the Company shall be made available to the public or other entities if such documents or information are exempt from disclosure under applicable state or federal law. Any documents, maps, or other information submitted to the City which the Company regards as exempt or protected from public disclosure shall be clearly marked as Confidential by the Company. Upon request of the City, the Company shall provide citation to legal authority supporting its designation. The City shall inform the Company of any request for disclosure of such confidential documents, and upon notification from the City of any request or legal action regarding such

confidential information. 1.012 SEVERABILITY. If any of the provisions of this franchise are for any reason declared to be illegal or void, the lawful provisions of this franchise, which are severable from said unlawful provisions, shall be and remain in full force and effect. the same as if the franchise contained no illegal or void provisions. 1.013 NOTICES: Any written no-

tice required by this Franchise shall be sent by first class mail to the persons and addresses below For SOO Green

Raj Rajan

Vice President- Project Development Direct Connect Development

Company 1600 Utica AveS, 9th Floor

St. Louis Park MN 55416 City Clerk's Office 147 N. Lawler Street

PO Box 242 Postville, IA 52162

1.014 EFFECTIVE AND BIND-ING. This Ordinance and the rights and privileges herein granted shall become effective and binding upon its approval, passage in accordance with Iowa law the written acceptance by the Company, publication, and notice by the Company as provided below. The City shall provide the Company with an original signed and sealed copy of this Ordinance within ten (10) days of its final passage. The Company shall, within thirty (30) days after the City Council approval of this Ordinance, file in the office of the clerk of the city, its acceptance in writing of all the terms and provisions of this Ordinance. Following City Council approval and Company acceptance, this Ordinance shall be published in accordance with the Code of Iowa The Effective Date of this Ordi nance shall be the earlier of (a) the elate the Company provides written notice to the City Manager that any mobilization, staging, or construction of the Facilities will commence within the City limits or (b) December 31, 2026. In the event the Company does not file its written acceptance of this Ordinance within thirty (30) days after its approval by the City Council this Ordinance shall be void and of no effect.

1.015 COMPLETE AGREEMENT. This franchise ordinance sets forth and constitutes the entire agreement between the Company and the City of Postville with respect to the rights contained herein, and may not be superseded, modified or otherwise amended without the approval and acceptance of the

Company. 1.016 PUBLICATION EXPENS-ES. The expense of the publication of this Ordinance shall be paid by the Company

1.017 RENEWAL. The City and the Company will meet at least 12 months prior to the expiration of this Franchise to discuss renewal of the

Franchise. 1.018 ENTIRE AGREEMENT. This Ordinance sets forth and constitutes the entire agreement between the Company and the City with respect to the rights contained herein, and may not be superseded, modified, or otherwise amended without the approval and acceptance of the Company. In no event shall the City enact any ordinance or place any limitations, either operationally or through the assessment of fees, that create additional burdens upon the Company, or that delay utility operations.

ACCEPTANCE

SOO Green HVDC Link Project-Co, LLC hereby accepts for itself, its lessees, successors and assigns, all of the terms, conditions and provision of Ordinance No. 695.21, passed by the City Council of the City of Postville, Iowa on the 8 day of November, 2021, granting a franchise to SOO Green HVDC Link ProjectCo, LLC. Dated this 8 day of November,

Published November 17, 2021 in the Postville Herald.

Published November 17, 2021 in the Postville Herald.

PUBLIC NOTICE

PUBLIC NOTICE

An auction will be held at 9:30 a.m. on November 19, 2021 at 415 W. Stoneman St., Postville, Iowa 52162. There will be a 2006 Mustang, 2005 Toyota Camry, 1976 Dodge Monaco, and 2005 Lincoln Aviator

Published November 10 and November 17, 2021 in the Postville Herald

PUBLIC NOTICE

POSTVILLE SWIMMING POOL CLAIMS OF OCTOBER 2021			
Mid-America Publishing			
Claims Aug 21	34.48		
Alliant Energy Utility	28.56		
TOTAL	63.04		

Published November 17, 2021 in the Postville Herald.

PUBLIC NOTICE

POSTVILLE PUBLIC LIBRARY CLAIMS OF OCTOBER 2021

OLAINIO OF OOTOBLIC 2021
Cindy Berns Wages\$2,168.10
Carrie Sholly Wages \$1,222.99
City of Postville Wages\$810.41
Alliant Engery electric \$279.99
NEIT telephone/internet\$113.45
Black Hills Energy gas\$46.63
Mid-America Publishing
legal\$16.31
Elsbernd Pest Control
pest\$35.00
Tri-State Business
copy machine\$61.78
Baker & Taylor books\$842.87
Elan 305.22
office supplies\$110.20
books\$195.02
The lowan magazine\$24.00
A&S Lawn lawn mowing \$90.00
McCalls Quilting
magazine\$24.98
DEMCO supplies\$151.24
Petty Cash 133.54
postage\$69.70
supplies\$63.84
Storey Kenworthy
supplies\$40.77
TOTAL\$6,367.28

Published November 17, 2021 in the Postville Herald.



PUBLIC NOTICE

POSTVILLE BOARD OF EDUCATION MEETING REGULAR SCHEDULED MEETING AT 6:00 P.M. FINE ARTS LOBBY (BROADCAST ON HTTPS://TINYURL.COM/ POSTVILLESCHOOLBOARD) NOVEMBER 8, 2021

Vice-President Deering called the regular meeting of the Postville Board of Education to order at 6:00 PM, on Monday, November 8, 2021, with the following members present: Amy Loera, Travis Koenig, and Staci Malcom. Members absent: Anthony Gericke.

Motion by Malcom, second by Koenig, to approve the agenda. Carried unanimously.

Motion by Koenig, and by Malcom, to approve the consent agenda. Carried unanimously.

a. Approve October 11, 2021 special meeting minutes and the regular meeting minutes. b. Approve the monthly invoices and financial reports (reviewed by Jessica Deering). c. Approve the hiring of Kim Kleve/Asst Girls' Basketball; Jaime Ramos/Asst Boys Basketball; Miski Ali/PT Educational Interpreter. d. Approve the resignation of Jim Trappe/Bus Driver. e. Approve the transfer of Julie Wolff/PT Paraeducator. f. Approve the donations as listed. g. Approve the early graduation requests for Justen Martinez and Austin Schutte. h. Approve the

overnight trip for the Iowa State Thespian Festival at UNI in Cedar Falls on November 12, 2021 through November 13, 2021. Mr. Dugger welcomed Greg Lage as a newly elected board member, taking his place on the board in December, along with Larry Schultz. Postville has been staying below a 5% total illness rate. Mrs. Schutte shared that the elementary had 91% attendance rate for parent teacher conferences. The PBIS team recently fundraised and were able to purchase every elementary student a t-shirt to promote the PBIS program during monthly Pirate Pride assemblies. Mr. Knudtson provided the board information on NICC college course enrollment options. Kudos for a successful fall drama, CLUE, Postville CSD will host their 45th annual Veteran's

Day Program. Motion by Loera, second by Koenig, to approve the Teacher Early Retirement Plan for FY22. Carried

unanimously. Vice-President Deering opened the public hearing for the Instructional Support Program at 6:19 PM. No public comments were given.

Motion by Koenig, second by Malcom, to close the public hearing at 6:21 PM. Motion by Malcom, second by

Loera, to approve the resolution to continue participation in the Instructional Support Program for FY25FY29. Carried unanimously

Motion by Loera, second by Koenig, to approve Glen Lansing as the designated person to manage the district's asbestos management plan and to approve the contract with Impact7G for asbestos monitoring and removal during the summer 2022. Carried unanimously.

Motion by Koenig, second by Loera, to approve a special education contract for the 2021-2022 school year with Decorah Community School District. Carried unanimous-

Motion by Koenig, second by Mal-com, to approve the contract with Lifeline for audio and video upgrade at the Recreation Center Community Room at an estimated cost of \$16,000. Carried unanimously.

Motion by Loera, second by Koe-nig, to approve 1st reading of updated board policies: 105, 200.1, 200.1R1, 210.8, 212, 212.1, rescind 307, 401.4, 502.4, and 606.6. Carried unanimously.

The next regular board meeting will be held on December 13, 2021, at 6:00 P.M. at the Postville Fine Arts Center Lobby. Motion by Koenig, second by Mal-

com, to adjourn the meeting at 6:28 PM Carried unanimously Anthony Gericke, President

Melissa Fettkether, Secretary

Published November 17, 2021 in the Postville Herald.

Council At-Large Member for 4

PUBLIC NOTICE

MINUTES OF THE ALLAMAKEE COUNTY BOARD OF SUPERVISORS MONDAY, NOVEMBER 8, 2021 (UNOFFICIAL)

Board members present: Byrnes, Reiser and Schellhammer. All members voting "AYE" unless noted. Meeting called to order by Schell-

hammer, followed by the Pledge of Allegiance 21.386-Motion Reiser/Second

Byrnes to approve today's agenda, and the minutes from November 1, 2021. Motion carried.

The following people were present at various times throughout the meeting in person: Joseph Moses Standard newspaper, Janel Eglseder – 1st Deputy Auditor, Laurie Moody, Jon Luchsinger, Val Reinke, Stephanie Runkle, Corey Snitker and Brian Ridenour. Public Comment:

Val Reinke discussed the 2 new businesses that have opened up in Waukon. PAWS UP pet supplies owned by Tracey Tepesch opened on Saturday, November 6th. The Blend Waukon opened up a couple weeks ago.

21.387-Motion Byrnes/Second Reiser to approve Weed Commissioner 2021 report. Motion carried.

Val Reinke discussed Global Entrepreneurships Week of November 8-13. There will be a ribbon cutting at Lansing Office Works in Lansing on Wednesday around 3:30ish.

21.388-Motion Reiser/Second Byrnes to appoint Teresa Severson to Planning & Zoning Commission for term ending 9/30/2025, and Jack Knight to Planning & Zoning Commission for term ending 9/30/2026. Motion carried.

21.389-Motion Byrnes/Second Reiser to approve signing a letter

Byrnes to approve the Fuel Margin Quotes for Calendar year 2022 and 2023. Motion carried.

Department Head updates: Brian Ridenour discussed late farm activities on the gravel roads and commented on with the fiber optic being installed the roads are a little tore up. They are trying the best they can to fix them up. Livingood Bridge project is going well. They are currently hauling sand to Waterville. Larry Schellhammer talked about the solar project. Stephanie Runkle discussed an upcomina Corey Snitker discussed Rodeo. the weather and upcoming meet-ings that he has. Janel Eglseder from Auditor's office reported on a successful City-School election and the post-election audit confirmed the results of the voting equipment, and reminded Supervisors that next week's meeting on November 15 will be held at Postville Library.

21.391-Motion Byrnes/Second Reiser to adjourn. Motion carried. Larry Schellhammer, Chairperson ATTEST:

> Janel Eglseder, 1st Deputy Auditor

MONDAY, NOVEMBER 8, 2021 12:00 p.m.

Present: Janel Eglseder - 1st Deputy Auditor, Schellhammer, Reiser and Byrnes.

called meeting Schellhammer to order as Board of Canvassers. The Board met to perform the firsttier canvass of the results of the November 2, 2021 City-School election. Jurisdictions entirely in Allamakee County will have winners declared today. A second-tier canvass will be held Monday, November 15 for jurisdictions with voters years; Lansing: Lisa Welsh, Steve Murray and Michael J. Manning as Council At-Large Members for 4 years; New Albin: Alberto Whitlatch as Mayor for 2 years; Diane Erbe as Treasurer for 2 years; George Blair and Debra Crane as Council At-Large Members for 4 years; Maria Stahl as County At-Large To Fill A Vacancy for remaining 2 years; Waterville: Dave Monserud as Mayor for 2 years; Jeff Mitchell, David Christianson, Robbie Burrett, Jaclyn Hilleshiem and Jodi Van Iten as Council At-Large Members for 2 years; Waukon: Pat Stone as Mayor for 2 years; Kevin Johnson as Council At-Large Member for 4 years; Andrew Sires as Council At-Large Member To Fill A Vacancy for remaining 2 years; Stephen Wiedner as Council Ward 1 Member for 4 years; Arvid Hatlan as Council Ward 3 Member for 4 years; and Patty Nordheim and James H. Sewick as Hospital Trustees for 4 years; Eastern Allamakee School District: Melanie Mauss as Director At-Large for 4 years; Arla Wagner as Director District 3 for 4 years. Motion carried.

There will be a second-tier canvass on November 15 to declare winners of races which cross county lines for which Allamakee County is the control county: Allamakee Community School District, Postville Community School District and City of Postville. MFL-Marmac and Decorah School District and NICC Director District results from Allamakee County will be sent to the corresponding control counties to be used in their second-tier canvass.

19.393-Motion Reiser/Second Byrnes to adjourn meeting as Board

REGULAR MEETING OF THE CITY COUNCIL OF POSTVILLE, IOWA NOVEMBER 8, 2021

1. A regular meeting of the City Council of Postville, Iowa, in the Council Chambers at 147 N. Lawler St. on November 8, 2021, beginning at 7:00 p.m. with Mayor Rekow presiding.

2. On call of the roll, the following Council Members were present: Don Miller, Ross Malcom, and Larry Moore. Absent: Mary Engstrom & Zev Frimerman.

3. Council Member Malcom made a motion to approve the agenda as posted by the Clerk. Seconded by Moore. Carried 3:0.

4. Maggie Burger from Speer Financial called in to the meeting to provide an update on the city's Tax Increment Financing (TIF).

5. Council Member Miller made a motion for the Rural Fire Department/Volunteer Corporation to use the money received for sale of equipment ("ATV") towards the purchase of the new equipment, and signified that this would be a gesture of the City agreeing with the sale and new purchase. The City / Rural Fire Department / Volunteer Corporation are going to own the equipment 50/50 but the Clty is going to carry the insurance. Seconded by Moore. Carried 3:0.

6. Chris Hackman gave a presentation about the use of the American Rescue Plan funding. Chris indicated that a project involving E Greene St Sewer Trunk, and issues found this year while televising where of the utmost importance. Chris asked to be able to enter into an engineering agreement with Veenstra & Kimm for the projects. As well Chris mentioned the need for an easement agreement that would be located by the E Greene St apartments. Council Member Moore motioned the approval of entrance into the agreement with Veenstra & Kimm for the E Greene St Sewer Trunk & related projects. Seconded By Malcom. Carried 3:0. 7. Chris Hoffert from Hall Roberts

Son asked the Council for permission to install a Holding Tank at 301 Mott Street. Council Member Malcom motioned to approve the installation of the Holding Tank and move forward with the project. Seconded by Miller. Carried 3:0.

8. Council Member Moore made a motion to enter into a Public Hearing regarding the SOO Green Agreements. Seconded by Miller. Carried 3:0.

9. Presentation by Neil Jones and Raj Rajan, SOO Green Project was given to the Council. After the presentation, there was a time for public comment. In which, Bob Schroeder gave his support for the project and the fact that they are staying out of "Bloody Run".

Council member Moore 10. moved to adopt Ordinance #695-21. An ordinance to grant SOO Green HVDC LINK PROJECTCO, LLC the right and franchise to construct, reconstruct, repair, replace, maintain and operate in the City of Postville, Iowa, Seconded by Miller, The roll was called ayes: Miller, Malcom Moore. Nays: None. Absent: Engstrom and Frimerman, Carried 3:0. Council Member Moore then made a motion to waive the 2nd and 3rd reading and adopt the final ordinance #695-21. Seconded by Malcom. The roll was called ayes:

PUBLIC NOTICE

EXCISE TAX...

..4,421.01

#2" package for fire extinguishers as provided in the quotes by Chief Ellis in the amount of \$2,700.00. Seconded by Malcom. Carried 3:0 16. Chaim Cyprys presented information to the Council regarding his dangerous building designation. He appealed that the building should not have such a designation. The council decided without having a building inspector or the Zoning Administrator, Darcy Radloff, present, the issue would not be able to be resolved. The council wants to do an onsite inspection. The council decided to table the issue for the December Council meeting.

17. Council Member Malcom motioned to re-sign the contract with A&S Lawn Care for another year, at the same rate of \$549.00 per mowing. Seconded by Miller. The roll was called ayes: Miller, Malcom, Moore, Navs: None, Absent: Engstrom and Frimerman. Carried 3:0. Council Member Moore 18. motioned to approve Ordinance

#677-21. An ordinance amending Chapter 50, Nuisance Abatement Procedure, and adding a new Chapter 57, Criminal Activity Nuisance, to the Code of Ordinances of the City of Postville, Iowa, Seconded by Malcom. The roll was called ayes: Miller, Malcom, Moore. Nays: None, Absent: Frimerman and Engstrom. Carried 3:0. Council Member Malcom moved to waive the 2nd and 3rd readings and final adopt Ordinance #677-21. Seconded by Miller. The roll was called ayes Miller, Malcom, Moore, Navs; None: Absent: Frimerman and Engstrom. Carried 3:0.

19. Council Member Malcom made a motion to approve the consent agenda.

a. Approval of the minutes of the meeting of October 11, 2021 and Special Meeting of October 18, 2021.

b. Departmental reports for the month of September 2021 (1) Treasurer and Clerk

- (2 Police (3) Swimming Pool
- (4) Zoning Administrator(5) Public Works
- (6) Library
- (7) Fire Department
- c. Claims and Transfers for November 8, 2021.
- d. Mortgage Release Hector Vargas, 280 Lybrand St. e. Pay request Restyling Special-

ist in the amount of \$7,200, owner occupied grant, 247 E Greene. Seconded by Moore. Carried 3:0.

20. Council Member Malcom made a motion to approve the resolution for money to pay claims. Seconded by Moore. The roll was called ayes: Miller, Engstrom, Malcom, Frimerman and Moore. Nays: None. Carried 3:0.

CASH RECEIPTS October 2021	for month of
GENERAL	293,773.27
LIBRARY	16,551.11
SWIMMING POOL	72
RUT	
EMERGENCY	5,354.52
LOST	25,098.34
WATER	53,045.55
SEWER	83,527.59
STORM WATER	2,956.29
CAPITAL PROJECT	13,386.34
DEBT SERVICE	35,895.01
TIF	52,829.91
TRUST & AGENCY	72 083 14

TRUST & AGENCY72,083.14

STOREY KENWORTHY OFFICE SUPPLIES..... .6.75 MUNICIPAL SUPPLY INC .536.2 UTILITY BILLING EXPENSE .222.1 DAVY LABORATORIES TESTING904.25 CITY LAUNDERING CO. FIRST AID SUPPLIES .376.6 PETTY CASH-POLICY PETTY CASH .. .25.75 U.S. CELLULAR CELL PHONE SERVICE ... 439.92 NICC TRAINING FLORES92.5 IAMU NISA OCT-DEC 21726 DECORAH ELECTRIC ALARM DIGESTER PANEL .5,056.66 WWTF5,056 BODENSTEINER IMPLEMENT OIL FILTER/CHAIN..... FISK FARM & HOME .186.44 CLOCK CH .. .51.98 JEREMY POWERS OWNER OCCUPIED GRANT7,200.00 T & K CAHOON INC **OIL/FILTER/BLADES**. SPEE-DEE SHIPPING 101.16 A&S LAWN CARE LAWN MOWING.. ..1.062.00 MEYER CONCRETE LLC 400 BLOCK BOODY TO BANCROFT......9,295.00 NORTHEAST IOWA TELEPHONE ..9,295.00 ..558.21 HEALTH INSURANCE ... 9,539.42 AVESIS 3RD PART HEALTH INSURANCE 159.47 MONONA COMPUTER SERVICES COMPUTER SERVICES...506.27 RIVER CITY PAVING 2021 STREET REPAIRS SUPPLIES32.9 BASE INSURANCE ADMIN... .58 HANKES GARAGE DOORS OVERHEAD DOOR STREET DEPT.....4,23 ELSBERND PEST CONTROL ...4.237.51 PEST CONTROL..... DEARBORN NATIONAL .70 LIFE INSURANCE .. .390.88 TOWN & COUNTRY SANITATION GARBAGE COLLECTION OCTOBER10,577.00 SEMA EQUIPMENT INC .268.63 MOWER PARTS ... MID-AMERICA PUBLISHING FUEL676.31 ZACH STEFFANS REIMBURSEMENT. ..14.54 CASEY'S GENERAL STORES FUEL .64.1 GRAYBILL COMMUNICATIONS USB CABLE POLICE68.5 ACCESS SYSTEMS COPY MACHINE221.78 NICOLASA ACAHUA TEPOLE UTILITY DEPOSIT REFUND 65.1 GWORKS2.891.41 AXON ENTERPRISE LL PELLING CO. HI PERFORMANCE BLACKTOP SEWER JET CLEANING TOOLS ..633.05 JESSICA DUNDEE

of support for Rural Waukon fiber projects. Motion carried. Engineer Ridenour presented

quotes for calendar year 2022 and 2023 for diesel and gasohol fuel

margin for the 8 Divisions. 21.390-Motion Reiser/Second both inside and outside Allamakee County. 21.392-Motion Byrnes/Second

Reiser to declare the following duly elected at the November 2, 2021 Citv-School election: Harpers Ferry: Jerry C. Valley as Mayor for 2 years; Kenneth Barta and Alan Garin as of Canvassers. Motion carried. Larry Schellhammer, Chairperson ATTEST: Janel Eglseder,

1st Deputy Auditor Published November 17, 2021 in the Postville Herald

mission and Board of Adjustment.

TION USES AND STRUCTURES:

2. With the exception of Churches.

anything permitted in an R-2 district

provided that all requirements are in

Sec. 205 (C-1) Commercial Cen-

tral Business District: SPECIAL EXCEPTION USES

2. With the exception of Churches,

anything permitted in an R-2 district

provided that all requirements are in

9 Those special exception uses

and structures deemed appropriate

by the Planning and Zoning Com-

Sec. 206 (C-2) Commercial-

SPECIAL EXCEPTION USES

2. With the exception of Churches,

anything permitted in an R-2 district

provided that all requirements are in

7. Those special exception uses

and structures deemed appropriate

by the Planning and Zoning Com-

Sec. 207 (I-1) Light Industrial Dis-

SPECIAL EXCEPTION USES

7. Those special exception uses

and structures deemed appropriate

by the Planning and Zoning Com-

Sec. 208 (I-2) Heavy Industrial

SPECIAL EXCEPTION USES

PASSED AND APPROVED this 8

CITY OF POSTVILLE, IOWA

By: Leigh Rekow

mission and Board of Adjustment.

mission and Board of Adjustment.

compliance with an R-2 district.

mission and Board of Adjustment.

Highway Commercial District:

AND STRUCTURES

AND STRUCTURES

AND STRUCTURES

day of November, 2021.

trict

District:

ATTEST

compliance with an R-2 district.

compliance with an R-2 district.

AND STRUCTURES

204.32 SPECIAL EXCEP-

Sec.

Miller Malcom Moore Navs None Absent: Engstrom and Frimerman. Carried 3:0

11. Council discussed the Cooperation Agreement & Mutual Release with SOO Green, but did not take action. The mayor then closed the

Public Hearing. 12. Council Member Moore Motioned to adopt Ordinance #696-21 An Ordinance amending Chapter 167 (Zoning Ordinance) of the City Code of Ordinances, relating to permitted and special uses to ensure harmony with the City's Zoning districts, protect the public health and welfare, and to increase the economic opportunities for the City and its citizens. Seconded by Miller. The roll was called ayes: Miller, Malcom, Moore. Nays: None. Absent: Engstrom and Frimerman. Carried 3:0. Moore then motioned to waive the 2nd and 3rd readings and final adopt Ordinance 696-21. Seconded by Malcom. The roll was called ayes: Miller, Malcom, Moore. Navs: None: Absent: Frimerman and Engstrom. Carried 3:0.

13. Council Member Moore made a motion to approve bid from Dervin's Construction & Insulation, LLC, for the Turner Hall door project at the rate of \$2,064.99 for the project. Seconded by Miller. Carried 3:0

14. Council Member Miller motioned to adopt Resolution 1338-21. A resolution requesting funding from the American Rescue Plan. Seconded by Miller. The roll was called ayes: Miller, Malcom, Moore. Navs: None, Absent: Frimerman and Engstrom. Carried 3:0.

15. Police Chief Ellis provided a Purchase Request for four PBT Intoximeters and for the purchase of four new fire extinguishers for the Police. Council member Malcom made a motion to approve the request for the PBT Intoximeters in the amount of \$1,625.00. Seconded by Moore. Carried 3:0. Council member Moore motioned to approve the purchase of the "Option

RESOLUTION FOR THE APPRO-PRIATION OF MONEY

BE IT RESOLVED by the City Council of the City of Postville, lowa, that there is hereby appropriated out of any funds in the City Treasury not otherwise appropriated in payment of all bills and miscellaneous claims this day allowed: GENERAL FUND ...51.614.62 ROAD USE FUND. .25,492.03

LOCAL OPTION SALES TAX SEWER FUND22,127.81 TRANSFERS – (610) USDA IND WW Sewer to Sewer Sinking-\$27.844

Dated at Postville, Iowa, this 8th day of November 2021. Attest: Brock Rogness-Waters,

Deputy Clerk Leigh Rekow Mayor

CLAIMS OF OCTOBER 11, 2021 ALLIANT ENERGY

ELECTRIC SERVICE ... 16,684.21 BLACK HILLS ENERGY

NATURAL GAS SERVICE
BODLEY EQUIPMENT & REPAIR
LEAF WAGON REPAIR39.1
CENTURY LINK
TELEPHONE SERVICE 87.56
FIDELITY BANK-941
FED/FICA TAX11,020.92
COMPLETE CLEANING
CLEANING295
ELECTRIC MOTOR SHOP
SCHOOL FLASHERS REPAIR
325 15

HACH COMPANY
CHEMICALS756.22
HAWKINS INC.
CHEMICALS420.23
IPERS POLICE IPERS7,033.31
JOHN'S APPLIANCE
CHAIN SHARPENING30
JOHN'S HARDWARE CENTER
KEYSTONE LABORATORIES INC
WATER TESTING51.2
TREASURER - STATE OF IOWA

COMMUNITY HEART & SOUL150

TLR-15 POLICE EQUIP......351

UTILITY DEPOSIT REFUND

HIGHLAND ARMS

FELECIA DEJONG

.....31.66

PAYROLL CHECKS PAYROLL CHECKS ON 10/22/2021....14,847.83 PAYROLL CHECKS PAYROLL CHECKS ON 11/01/2021..... ..3,134.45 PAYROLL CHECKS PAYROLL CHECKS ON 11/05/2021.. ..16.292.37 CLAIMS TOTAL. ..227,038.16

21. Council Member Malcom made a motion to go into Closed Session pursuant to section 21.5 (1) (j) of the Iowa Code, to discuss the purchase of or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the government would receive for that property. Seconded by Moore. The roll was called ayes: Miller, Malcom, Moore. Nays: None: Absent: Frimerman and Engstrom. Carried 3:0.

22. Council Member Moore made a motion to re-enter Open Session. Seconded by Malcom. The roll was called ayes: Miller, Malcom, Moore. Navs: None: Absent: Frimerman and Engstrom. Carried 3:0.

23. Council Member Miller made a motion for the City Clerk to hire a Building Inspector, in order to proceed forward with the matter discussed in the closed session. Seconded by Moore. Carried 3:0.

There being no further business on the agenda to come before the Council, Council Member Malcom made a motion that the meeting be adjourned. The motion was seconded by Miller. Carried unanimously. Adjournment 9:46 p.m. LEIGH REKOW, MAYOR

:ATTEST BROCK ROGNESS-WATERS, DEPUTY CLERK

Published November 17, 2021 in the Postville Herald.

ORDINANCE NO. 696-21 AN ORDINANCE AMENDING CHAPTER 167 (ZONING ORDINANCE) OF THE CITY CODE OF ORDINANCES

WHEREAS, the City Council has determined that it is in the best interests of the City and the residents of the City of Postville to update and modernize various sections of Chapter 167 (Zoning Ordinance) addressing permitted and special uses to ensure harmony with the City's zoning districts, protect the public health and welfare, and to increase the economic opportunities for the City and its citizens; and

WHEREAS the City Council has deemed it necessary to amend certain provisions of the City Code Chapter 167 (Zoning Ordinance) where applicable to carry out those objectives listed above.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POSTVILLE, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend and replace certain zoning provisions of Chapter 167 of the City Code to promote uniformity between the City's zoning districts and the uses permitted therein, as well as to provide additional clarity to the Board of Adjustment and City staff responsible for carrying out and enforcing the zoning ordinances of the City of Postville, Iowa.

To further effectuate the City's purpose above, certain sections of the City Code of Ordinances must be amended and/or added to provide for the efficient regulation of the zoning districts within the city limits of Postville, Iowa.

SECTION 2. SECTIONS AMEND-ED. The following sections of the City Code of Ordinances are hereby amended as follows, with strikethrough text indicating language removed from the Ordinance and underlined text indicating language added:

ARTICLE 2

ZONING DISTRICTS

Sec. 201 (A-1) Agricultural District: SPECIAL EXCEPTION USES AND STRUCTURES

10. Those special exception uses and structures deemed appropriate by the Planning and Zoning Com-mission and Board of Adjustment. Sec. 202 (R-1) Residential District:

SPECIAL EXCEPTION USES AND STRUCTURES 4. Those special exception uses

PUBLIC NOTICE

and structures deemed appropriate by the Planning and Zoning Commission and Board of Adjustment. 5. Those special exception uses and structures deemed appropriate by the Planning and Zoning Commission and Board of Adjustment.

ARTICLE 11 DEFINITIONS

Sec 1101 DEFINITIONS

15. Church: A Place of religious worship not necessarily limited to a particular denomination or faith. SECTION 3. REPEALER All or-

dinances or parts of ordinances in conflict with this ordinance arc hereby repealed.

SECTION 4. SEVERABILITY. 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 AND APPROVED this 8

day of November, 2021. Leigh Rekow, Mayor

ATTEST: Darcy Radloff, City Clerk

CERTIFICATION

I, Darcy Radloff, City Clerk, do hereby certify the above is a true and correct copy of Ordinance No. 696-21 which was passed by the Postville City Council this 8 day of November. 2021 and published in the Postville Herald this 17 day of November, 2021.

/s/ Darcy Radloff, City Clerk Sec. 203 (R-2) General Residential District:

PERMITTED PRINCIPAL USES AND STRUCTURES

5. Churches 1 space for every 5 seats in the main auditorium SPECIAL EXCEPTION AND STRUCTURES USES

9. Churches, temples and similar

places of worship with one (1) off street parking space for every 5 seats in the main auditorium

14. Those special exception uses and structures deemed appropriate by the Planning and Zoning Comthe Postville Herald.

Darcy Radloff, City Clerk CERTIFICATION

I, Darcy Radloff, City Clerk, do hereby certify the above is a true and correct copy of Ordinance No. 696-21 which was passed by the Postville City Council this 8 day of November, 2021 and published in the Postville Herald this 17 day of November, 2021 .

/s/ Darcy Radloff, City Clerk

Published November 17, 2021 in

PUBLIC NOTICE

POSTVILLE COMMUNITY SCHOOL DISTRICT NOVEMBER 8, 2021 INVOICES APPROVED	Mississippi Welders Supply Co., Industrial Arts supplies161.91 MUELLER, SUSANNE
GENERAL FUND	Title III Payment
A & S Lawn Care	NICC
Lawn Care	Driver Education2,433.00
Ahlers & Cooney, P.C.	Northeast Iowa Telephone Co.
Legal services1,394.00	Internet
Alliant Energy	Orkin Pest control1,082.30
Electricity 11,939.25	P.Q.L. Inc
Amazon.Com, LLC	Maintenance supplies422.82
Nurse Supplies	Palas Service & Repair
B & K Heating & Plumbing, Inc.	Parts
Maintenance supplies21.35	Postmaster Postage8.70
Birdnow Chevrolet	Postville Community School - Cash
Vehicle repair118.76	Book Fair Cash Box113.00
BMO HARRIS MASTERCARD	Quill Corporation
Supplies1,669.00	Superintendent office997.61
Capital One FCS supplies 22.73	Salinas, Lindsay
Casey's General Store	Travel reimbursement12.20
Climate-Piza for Conference	Scholastic Book Fairs - 15
	Book Fair849.76
City Laundering Co.	SchoolSystems, LLC
Cleaning services	Elementary Office services
City of Postville Water2,203.93	
Dalco	SCHULTZ, LINDSEY
Maintenance supplies491.45	Jr. High supplies154.64
Decorah Community Schools	Schumacher Elevator Company
Tuition2,919.00 Decorah News Company	Inspection fees460.00 Solis Escamilla, Josefina
Publication	Migrant supplies
Eastern Allamakee Community	Timberline Billing Service LLC
Conference Honor Band59.50	Medicaid billing service378.66
Egeland Tiling, Doug	Tri-State Business Machines
Maintenance repairs	Copier services730.96
Farmers Union Cooperative	Truck Country of Iowa
Diesel1,780.23	Repair parts
GRIMES, ALEYA	Turkey Valley Community School
Title III payment72.00	Instructional Services6,743.56
Groth Music	Verizon Wireless
Elem Music Suppl191.08	Hot Spots - GEER285.38
Impact7G	West Side Waukon Lumber, Inc.
Inspection fee2,581.25	Maintenance supplies288.00
Iowa Department of Human	Wilke's FCS supplies
Services	WoodRiver Energy, LLC
Non-Federal Share Medicaid 2,080.88	Natural Gas1,156.58
Iowa Pupil Transportation	STUDENT ACTIVITY FUND
FY22 Membership220.00	Amazon.Com, LLC
Iowa Safe Schools	PBIS145.18
Professional services	BMO HARRIS MASTERCARD
Lansing, Glen Cell Phone70.00	Thespian supplies1,267.24
Malcom Enterprises, Inc.	Brodbeck, Denne
Garbage collection630.00	Football official80.00
MARTIN, RAEANNE	Crestwood Community School
Title III reimbursement	CC Entry Fee90.00
Medical Enterprises, Inc.	Epic Wear PBIS Supplies
Drug Testing50.00	
Mid-America Publishing Corp.	Halverson, Jason
Publication expense	Football official
Minikwu, Joy Title III Kabort Paymont 36.00	Hudl Athletic Services4,450.00
Title III Kahort Payment36.00	Iowa FFA Association

FFA Dues and Fees
Soccer membership
Luchsinger, Danielle
Cheerleader supplies100.00
MADOLE, ROBIN
Volleyball official
NORCOSTSO, INC
Drama Supplies
Nordschow, Marissa
Volleyball official
Pipho, Amy
Volleyball official
Riceville Community Schools
VB Tournament Entry Fee 90.00
Rodenberg, Jamie
Football official80.00
Skeeter Kell Sporting Goods
Football supplies874.38
South Winneshiek Comm. Schools
CC Entry Fee120.00
Utermark, Sue
Volleyball official100.00
MANAGEMENT FUND LEVY

MANAGEMENT FUND LE Petersburg Agency, A & J

clorobarg/ igeney, / la c
Instructional work comp
Instructional work comp
4,207.00

PHYSICAL PLANT & EQUIPMENT EnCompass LLC
PO Software1,500.00 Gericke, Anthony
Building rent
Fixture updates2,750.00 Lifeline Audio Video Technologies
Fixture updates
Fixture updates42,645.00 Tierney
Furniture/Fixture updates21,350.00
SCHOOL NUTRITION FUND

Bilden, Erling
FFVP food225.00
BMO HARRIS MASTERCARD
Food34.30
EMS Detergent Services
General supplies131.00
Iowa Food Hub Food975.20
Martin Brothers Distributing Co.,
General supplies20,635.95
Prairie Farms Dairy, Inc.
Food2,111.89
Wilker, Fred FFVP food250.00

Published November	17,	2021	in
the Postville Herald.			