ADEL
THRIVE WITH US

NOTICE OF PUBLIC MEETING

The Adel City Council will meet in regular session at the Adel City Hall, 301 S. 10th St., Adel, Iowa, Monday, July 23, 2018, at 6:00 PM

AGENDA

COMMENTS FROM THE PUBLIC

CONSENT AGENDA

a) Consider Approval of City Council Minutes Dated July 10, 2018
b) Consider Approval of Ahlers & Cooney, P.C. Invoice dated June 22, 2018 to be Applied to Retainer

DEPARTMENT HEAD REPORT

Water Watch/Warning Update – Water Superintendent, Jordon Altenhofen

NEW BUSINESS

a) Consider Approval of Resolution No. 18-41, Fixing Date for Public Hearing Prior to Final Action on Project Approval to Consider a Public Improvement Project Which May Require Acquisition of Agricultural Land
b) Discussion/Possible Action on Sewer Rate Appeals regarding Deduct Water Meters
c) Consider Approval of Resolution No. 18-42, Approving Budget Transfers for City Attorney Services Retainer
d) Consider Approval of Resolution No. 18-43, Approving a Temporary Easement to Allow Construction of East Annexation Sewer Improvements – Andrew Johnson

OTHER BUSINESS

7/20/2018 11:15:30 AM

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DEPARTMENT HEAD REPORT

Water Watch/Warning Update – Water Superintendent, Jordon Altenhofen

Water Superintendent Jordon Altenhofen will be on hand to provide an update on the City's water system usage after the Water Watch went into effect on July 17, 2018.

NEW BUSINESS

a) Consider Approval of Resolution No. 18-41, Fixing Date for Public Hearing Prior to Final Action on Project Approval to Consider a Public Improvement Project Which May Require Acquisition of Agricultural Land

This resolution, which was prepared by City Attorney Kristine Stone, will set a public hearing for Tuesday, September 11 regarding the East Annex Sewer Extension project and several potentially affected properties. City staff is recommending approval.

b) Discussion/Possible Action on Sewer Rate Appeals regarding Deduct Water Meters

City Attorney Kristine Stone has recommended this agenda item regarding the council's recent policy on deduct water meters in Xenia Rural Water service territory.

c) Consider Approval of Resolution No. 18-42, Approving Budget Transfers for City Attorney Services Retainer

This resolution will make transfers for the quarterly City Attorney retainer payment. Finance Director Brittany Sandquist confirmed with the auditors that this is the proper procedure for making these payments. City staff is recommending approval.

d) Consider Approval of Resolution No. 18-43, Approving a Temporary Easement to Allow Construction of East Annexation Sewer Improvements – Andrew Johnson

This resolution, which was negotiated by McClure Engineering and reviewed by City Attorney Kristine Stone, approves a temporary easement for the East Annex Sewer Extension project. City staff is recommending approval.

OTHER BUSINESS

Adel City Council
July 10, 2018 – Meeting Minutes

The Adel City Council met in regular session at Adel City Hall, 301 S. 10th St., Adel, Iowa, on Tuesday, July 10, 2018 at 6:00 p.m. Mayor Peters called the meeting to order and the following answered roll: Ockerman, Christensen, McAdon, and Selby.

Staff Present: City Attorney Stone, City Administrator Brown, City Clerk Steele, Finance Director Sandquist, Public Works Director Overton, Police Chief Shepherd and Lieutenant Book.

PUBLIC HEARING

1. Southbridge PUD and Developer's Agreement
   Motion by Christensen, seconded by Selby, to go into public hearing
   Roll: Ayes-Unanimous. Motion carried.
   No written or oral comments were received.
   Motion by Christensen, seconded by Selby, to go out of public hearing
   Roll: Ayes-Unanimous. Motion carried.

MAYORAL RECOGNITION

Certificate for 5 Years of Service – Police Lieutenant Wade Book
Certificate for 5 Years of Service – City Administrator Anthony Brown
Certificate Presented to Outgoing Council Member – Mike Haynes

COMMENTS FROM THE PUBLIC

CONSENT AGENDA

a) Consider Approval of City Council Minutes Dated June 25, 2018
b) Consider Approval of June Bills and June 30, 2018, Treasurer's Report
c) Consider Approval of Special Class C Liquor License (Beer/Wine) for Italian Villages
d) Consider Approval of Class C Liquor License with Outdoor Service and Sunday Sales for Keasey's Hideaway Lounge
e) Consider Approval of Library Request for Touch a Truck Event in North City Hall Parking Lot – August 3, 2018 from 9:00 a.m. to 11:00 a.m.

Motion by Ockerman, seconded by McAdon, to approve the consent agenda
Roll: Ayes-Unanimous. Motion carried.

DEPARTMENT HEAD REPORT

1. Police Chief Shepherd gave council a report of calls received on fireworks from June 16, 2018 to July 8, 2018.
2. Public Works Director Overton gave council an update on water usage. He noted usage is close to having to put the water conservation ordinance in effect. He advised they will monitor over the weekend and review on Monday, July 16, to see if the water conservation ordinance needs to be put into effect.
3. Mayor Peters mentioned in the summer of 2015 Adel received 7 inches of rain and received 80+ calls reporting sewer backups in homes. This year, Adel received 5 inches of rain and did not received any calls of sewer backups. He remarked the work done on Main Street and S. 11th Street have greatly improved the City's infrastructure and improvements are consistently being made around Adel.

NEW BUSINESS

a) Hold Interviews with Council Candidates
   1. Melissa Heikes
   2. Daniel Miller
   3. Angie Walker-Springer

b) Consider Approval of Resolution No. 18-35, To Fill Council Vacancy by Appointment
Motion by Ockerman, seconded by McAdon, to appoint Daniel Miller to fill council vacancy

Motion by Selby, seconded by Christensen, to amend the main motion and appoint Melissa Heikes to fill council vacancy
Roll: Ayes-Selby. Nays-Ockerman, Christensen, McAdon. Motion to amend failed.

Roll on main motion to appoint Daniel Miller to fill council vacancy: Ayes-Unanimous. Motion carried.

c) Oath of Office for Daniel Miller - Administered by Mayor James F. Peters

**** NOTE: Council Member Miller is active in roll calls ****

d) Discussion/Possible Action Regarding New TIF/Urban Renewal District for Southbridge PUD
Motion by Ockerman, seconded by McAdon, to direct City Attorney Stone to start planning for a New TIF/Urban Renewal District for Southbridge PUD
Roll: Ayes-Unanimous. Motion carried.

e) Consider Approval of Ordinance No. 327, Rezoning Request for Southbridge PUD from A-1 (Agricultural District) to P.U.D. (Planned Urban Development District) – First Reading
Motion by Ockerman, seconded by McAdon, to approve the first reading of Ordinance No. 327
Roll: Ayes-Unanimous. Motion carried.

f) Consider Approval of Resolution No. 18-36, Approving Preliminary Plat for Southbridge 3 PUD
Out of order due to Ordinance No. 327 receiving only the first reading of three. No action was taken.

g) Consider Approval of Special Event Application with Fee Waiver – AHeinz57 Annual Ruff Ride – August 25, 2018
Motion by Ockerman, seconded by Christensen, to approve fee waiver for AHeinz57 Annual Ruff Ride
Roll: Ayes-Unanimous. Motion carried.

h) Discussion/Possible Action Regarding Appeal Request of Storm Water Fees from Nick and Kadee Miller (24741 Quail Avenue), including Setting a Public Hearing for Tuesday, August 14 at 6:00 p.m.
Motion by Ockerman, seconded by Christensen, to approve setting a public hearing for appeal request of storm water fees on August 14, 2018 at 6:00 p.m.
Roll: Ayes-Unanimous. Motion carried.

i) Discussion/Possible Action on Offer to Purchase ROW Located East of 412 Prairie Street
Motion by Christensen, seconded by Selby, to approve setting a public hearing for sale of city owned real estate on August 14, 2018 at 6:00 p.m. and accept sealed bids through Wednesday, August 8, 2018.
Roll: Ayes-Unanimous. Motion carried.

j) Consider Approval of Setting Public Hearing Date for Rezoning Request for Brickyard Summit on August 14, 2018 at 6:00 p.m.
Motion by Miller, seconded by McAdon, to approve setting a public hearing for rezoning request for Brickyard Summit on August 14, 2018 at 6:00 p.m.
Roll: Ayes-Unanimous. Motion carried.

k) Consider Approval of Resolution No. 18-37, Authorizing an Agreement between the City and Ahlers & Cooney, P.C. for the Purpose of Obtaining Bond Counsel for Not to Exceed $16,603,000 Water Revenue Capital Loan Notes (USDA #3)
Motion by McAdon, seconded by Ockerman, to approve Resolution No. 18-37
Roll: Ayes-Unanimous. Motion carried.

l) Consider Approval of Resolution No. 18-38, Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed $16,603,000 Water Revenue Capital Loan Notes – August 14, 2018 at 6:00 p.m.
Motion by Christensen, seconded by McAdon, to approve Resolution No. 18-38
Roll: Ayes-Unanimous. Motion carried.

m) Consider Approval of Ordinance No. 328, Repealing Chapter 26 of the City Adel Code – Cable Television Commission – First Reading
Motion by Christensen, seconded by McAdon, to approve first reading of Ordinance No. 328
Roll: Ayes-Unanimous. Motion carried.

Motion by Christensen, seconded by Ockerman, to approve waiving the second and third readings and adopting Ordinance No. 328
Roll: Ayes-Unanimous. Motion carried.

n) Consider Approval of Resolution No. 18-39, Revising Policy 3.04.01 – Examination and Copying of Public Records
Motion by McAdon, seconded by Christensen, to approve Resolution No. 18-39
Roll: Ayes-Unanimous. Motion carried.

o) Consider Approval of Resolution No. 18-40, Approving and Accepting Easements Related to the East Annex Sewer Extension Project
Motion by Ockerman, seconded by Christensen, to approve Resolution No. 18-40
Roll: Ayes-Unanimous. Motion carried.

p) Consider Approval of Payment No. 3 for Storm Water Utility Improvements – Phase 1, Section 1
Payment No. 3 had not been received by City Staff so no action was taken.

q) Consider Approval of Change Order No. 2 for Storm Water Utility Improvements – Phase 1, Section 2
Motion by Ockerman, seconded by Christensen, to approve Change Order No. 2
Roll: Ayes-McAdon, Selby, Ockerman, Christensen. Council Miller abstained due to not having enough information. Motion carried.

r) Consider Approval of Payment No. 3 for Storm Water Utility Improvements – Phase 1, Section 2
Motion by Ockerman, seconded by McAdon, to approve Payment No. 3 in the amount of $132,396.20 payable to Progressive Structures, LLC.
Roll: Ayes-Unanimous. Motion carried.

s) Consider Approval of Payment No. 2 for Storm Water Utility Improvements – Phase 1, Section 3
Motion by Christensen, seconded by McAdon, to approve Payment No. 2 in the amount of $31,906.42 payable to Thorpe Water Development Co.
Roll: Ayes-Unanimous. Motion carried.

OTHER BUSINESS

1. Mayor Peters announced he will be attending a meeting with Iowa DOT, along with Council Member Christensen, City Administrator Brown, Public Works Director Overton and representatives from McClure Engineering.
2. Meeting adjourned 7:45 p.m.

_____
James Peters, Mayor

Attest: _____
Jackie Steele, City Clerk

AHLERS COONEY
ATTORNEYS

AHLERS & COONEY, P.C.
100 COURT AVENUE, SUITE 600
DES MOINES, IOWA 50309-2231
515-243-7611

FEDERAL ID 42-1323559

June 22, 2018

CITY OF ADEL, IOWA
CITY ADMINISTRATOR
P.O. BOX 248
301 S. TENTH STREET
ADEL, IA 50003

Invoice #: 748809
Client #: 10113
Billing Attorney: KRS

INVOICE SUMMARY

RE: ADEL, IOWA; CITY OF

For professional services rendered and costs advanced through June 19, 2018:

MATTER #	MATTER DESCRIPTION	FEES	COSTS	TOTAL
1000	GENERAL CITY ATTORNEY SERVICES	3,852.20	.00	~~3,852.20~~
1001	DEVELOPMENT / ZONING MATTERS	1,005.40	.00	1,005.40 ZON
1002	MEETING ATTENDANCE AND TRAVEL	761.00	82.84	843.84 FIN
1003	MEETING AGENDA / PACKET REVIEW	243.10	.00	243.10 FIN
TOTAL		**5,861.70**	**82.84**	**5,944.54**

TOTAL THIS INVOICE **$ 5,944.54**

FIN - 12.55 x 195.54 = 2454.09 + 843.84 + 243.10 = 3541.1
POL - .60 x 195.54 = 117.32
FIRE - 1.00 x 195.54 = 195.54
SWR - 2.02 x 195.54 = 394.99
RUT - 2.53 x 195.54 = 494.72
H_2O - 1.00 x 195.54 = 195.54
3852.20

Resolution No. 18-41

RESOLUTION FIXING DATE FOR PUBLIC HEARING PRIOR TO FINAL ACTION ON PROJECT APPROVAL TO CONSIDER A PUBLIC IMPROVEMENT PROJECT WHICH MAY REQUIRE ACQUISITION OF AGRICULTURAL LAND.

WHEREAS, Chapter 6B, Code of Iowa, requires a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improvement project to hold a public hearing prior to project approval at which interested parties may express their views regarding the project and regarding the proposed acquisition of property, and

WHEREAS, the City of Adel has before it consideration of a public improvement project which may require acquisition of agricultural land, and

WHEREAS, with respect to said public improvement project, the City of Adel has not made a decision to fund any final site-specific design nor has it selected a final route or location,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL:

Section 1. That the City Council shall conduct a public hearing in the City Council Chambers located at City Hall, 301 S. 10th Street, Adel, Iowa at 6:00 pm on September 11, 2018 for the purpose of receiving comments from members of the public and any person with an interest in real estate which may be acquired by use of powers of eminent domain or otherwise on the question of whether to proceed with the following described project and authorize the use of powers of eminent domain in connection therewith, to wit:

> Construction of sanitary sewer main lines, a pump station and related infrastructure known as the East Annex Sewer Improvements Project. This project will be constructed South of Highway 6 and East of the Raccoon River. Portions of the project will be constructed outside of the city limits.

Section 2. The City Clerk is hereby directed to mail notice of said hearing to the record owners and contract purchasers of record at least thirty days prior to hearing and not more than fourteen nor less than seven days prior to mailing said notice to search the records of the Dallas County Auditor to ascertain the names of the owners of record and contract purchasers. The City Clerk is also hereby directed to publish notice as required by law not less than four nor more than twenty days prior to the date set for hearing.

Section 3. The notices hereby ordered shall be in substantially the form attached hereto as Exhibit A.

Passed and approved this 23rd day of July, 2018.

_____
James F. Peters, Mayor

Attest: _____
Jackie Steele, City Clerk

NOTICE OF INTENT TO CONSIDER WHETHER TO COMMENCE A PUBLIC IMPROVEMENT PROJECT TO CONSTRUCT THE EAST ANNEX SEWER IMPROVEMENTS IN THE CITY OF ADEL AND WHETHER TO ACQUIRE AGRICULTURAL LAND FOR THE PROJECT

To Members of the Public, Representatives of the Media That Have Requested Notice of Public Meetings, All Other Persons, Companies or Corporations Having Any Interest In or owning any of the following described Real Estate, And to the Property Owners and Contract Purchasers of Record of the Affected Agricultural Land Identified by Location or Address Below As Shown In the Records of the County Auditor Not Less Than Seven (7) Nor More Than Fourteen (14) Days Prior to the Date of Mailing:

	Owner Name	**Address**
1.	Ann Sturgeon Kreager	29325 Puckerbrush Road Adel, Iowa
2.	River Farms, LC	29311 Prospect Circle Adel, Iowa
3.		
4.		
5.		

Under the provisions of Chapter 6B of the Iowa Code, a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improvement project is required to give notice of intent to commence the project to all owners of such agricultural land whose properties may be acquired in whole or in part for the project.

1. DESCRIPTION OF THE PROJECT. The project, tentatively identify as the East Annex Sewer Improvements Project consists of the construction of sanitary sewer main lines, a pump

station and related infrastructure. **NOTICE IS HEREBY GIVEN** to the above identified owners of agricultural land that the City Council of the City of Adel will consider authorizing the commencement of the project.

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the project is approved by the City Council of the City of Adel, then the City will be required to acquire property for the project improvements. Upon review of Dallas County property records, it appears that agricultural land owned by the above identified persons may have to be acquired in whole or in part for the project. The City Council will attempt to purchase the required agricultural land by good faith negotiations, and it may condemn those properties which it is unable to purchase. The proposed location of the public improvement comprising the project is shown on a conceptual drawing of the project which is now on file in the office of the City Clerk, City Hall, 301 S. 10th Street, Adel, Iowa and is available for public inspection.

3. PROCESS TO DECIDE WHETHER TO PROCEED WITH THE PROJECT AND WHETHER TO ACQUIRE PROPERTY; ACTION REQUIRED TO PROCEED WITH PROJECT; OPPORTUNITY FOR PUBLIC INPUT.

In making the decision to proceed with the project and to authorize the acquisition of property and property interests, the City of Adel is required to hold a public hearing. The City of Adel shall conduct a public hearing before City Council in the City Hall located at 301 S. 10th Street, Adel, Iowa at 6:00 p.m. on September 11, 2018, for the purpose of giving persons interested in the proposed project the opportunity to present their views regarding the project, and regarding the proposed acquisition of property for the project, In order for the City to proceed with the above described project and commence the acquisition of property for the project, the City Council will be required to approve the project and authorize acquisition of private property for the project by resolution. The City Council is scheduled to consider adoption of the resolution initiating the above described project following the public hearing.

If the project is approved by the City Council, a value of impacted property will be established as required by law as compensation to be paid for property or property interests that are needed for the project. The City will offer no less than the established value and will attempt to purchase only the needed property by good faith negotiations. If the City is unable to acquire properties needed for the project by negotiation, the City will acquire those properties by condemnation.

4. STATEMENT OF RIGHTS.

STATEMENT OF PROPERTY OWNER'S RIGHTS

Just as the law grants certain entities the right to acquire private property, you as the owner of the property have certain rights. You have the right to:

1. Receive just compensation for the taking of property. (Iowa Constitution, Article I, section 18)

2. An offer to purchase which may not be less than the lowest appraisal of the fair market value of the property.

3. Receive a copy of the appraisal, if an appraisal is required, upon which the acquiring agency's determination of just compensation is based not less than ten days before being contacted by the acquiring agency's acquisition agent.

4. An opportunity to accompany at least one appraiser of the acquiring agency who appraises your property when an appraisal is required.

5. Participate in good-faith negotiations with the acquiring agency before the acquiring agency begins condemnation proceedings.

6. A determination of just compensation by an impartial compensation commission and the right to appeal its award to the district court if you cannot agree on a purchase price with the acquiring agency.

7. A review by the compensation commission of the necessity for the condemnation if your property is agricultural land being condemned for industry.

8. Payment of the agreed upon purchase price or, if condemned, a deposit of the compensation commission award before you are required to surrender possession of the property.

9. Reimbursement for expenses incidental to transferring title to the acquiring agency.

10. Reimbursement of certain litigation expenses: (a) if the award of the compensation commissioners exceeds 110 percent of the acquiring agency's final offer before condemnation; and (b) if the award on appeal in court is more than the compensation commissioners' award.

11. At least 90 days' written notice to vacate occupied property.

12. Relocation services and payments, if you are eligible to receive them, and the right to appeal your eligibility for and amount of the payments.

The rights set out in this statement are not claimed to be a full and complete list or explanation of an owner's rights under the law. They are derived from Iowa Code chapters 6A, 6B and 316. For a more thorough presentation of an owner's rights, you should refer directly to the Iowa Code or contact an attorney of your choice.

5. CONTACT PERSON.

Persons desiring further information regarding the proposed public improvement project or the impact on their property identified above may contact:

Name of Contact Person: Anthony Brown, City Administrator

Address of Contact Person: 301 S. 10th Street
Adel, Iowa 50003

Telephone # of Contact Person (515) 993-4525

This Notice is given by authority of the City Council of the City of Adel.

Published in the [NAME OF NEWSPAPER] on this date [DATE OF PUBLICATION OF NOTICE, WHICH MUST BE A DATE NOT LESS THAN FOUR (4) NOR MORE THAN TWENTY (20) DAYS PRIOR TO THE PUBLIC HEARING DATE].
Publisher's Affidavit of Publication is attached hereto.

Mailed to all affected Property Owners on this date: [DATE OF MAILING NOTICE TO ALL PROPERTY OWNERS, WHICH MUST BE A DATE NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE PUBLIC HEARING].

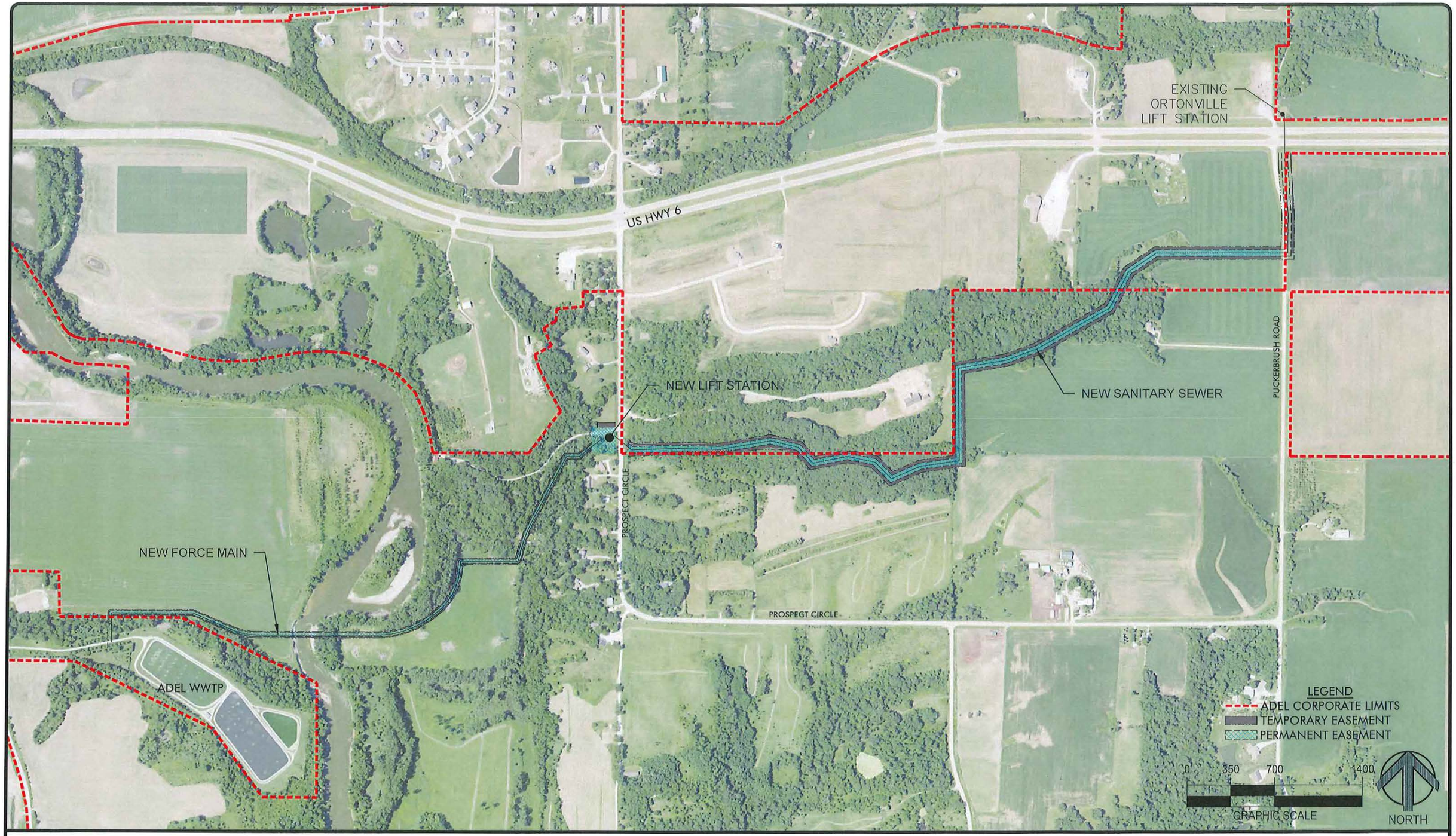
PROOF OF SERVICE

THE UNDERSIGNED CERTIFIES THAT THE FOREGOING INSTRUMENT WAS SERVED UPON ALL PARTIES TO THE ABOVE CAUSE AT THEIR RESPECTIVE ADDRESSES DISCLOSED ABOVE ON THIS DATE: _____, 20__

BY: _____ U.S. MAIL _____ FAX
_____ HAND DELIVERED _____ PRIVATE CARRIER

SIGNATURE

01501584-1\\10113-083



East Adel Sanitary Utility Improvements
City of Adel, IA

Resolution No. 18-42

A RESOLUTION APPROVING 2018 – 2019 BUDGET TRANSFERS

WHEREAS, on May 8, 2018, the City Council appointed Ahlers & Cooney, P.C. as City Attorney.

WHEREAS, the City of Adel pays Ahlers & Cooney, P.C. a quarterly retainer for city attorney services out of the general fund.

WHEREAS, the City of Adel receives a monthly statement detailing the city attorney services provided.

WHEREAS, city staff is recommending the amount attributable to other funds be transferred back to the general fund upon receipt of the attached monthly statement.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Adel, Iowa on this 23rd day of July, 2018, that the proposed transfers for the reimbursement of legal fees be approved and authorize staff to complete said transfers.

Passed and approved this 23rd day of July, 2018.

_____
James F. Peters, Mayor

Attest: _____
Jackie Steele, City Clerk

TRANSFERS IN	07-23-2018 Transfers - 2018/2019 Budget			TRANSFERS OUT	07-23-2018 Transfers - 2018/2019 Budget		
PROJECTS				GENERAL			
001-4-690-4-4836	General Transfers In	$494.72	from RUT	110-5-210-2-6407	RUT Professional Fees	$494.72	to General Fund
001-4-690-4-4836	General Transfers In	$195.54	from Water	600-5-810-2-6407	Water Professional Fees	$195.54	to General Fund
001-4-690-4-4836	General Transfers In	$394.99	from Sewer	610-5-815-2-6407	Sewer Professional Fees	$394.99	to General Fund
001-4-690-4-4836	General Transfers In	$0.00	from Stormwater	615-5-820-2-6407	Stormwater Professional	$0.00	to General Fund
TOTAL		$1,085.25			**TOTAL**	$1,085.25	

AHLERS COONEY
ATTORNEYS

AHLERS & COONEY, P.C.
100 COURT AVENUE, SUITE 600
DES MOINES, IOWA 50309-2231
515-243-7611

FEDERAL ID 42-1323559

June 22, 2018

CITY OF ADEL, IOWA
CITY ADMINISTRATOR
P.O. BOX 248
301 S. TENTH STREET
ADEL, IA 50003

Invoice #: 748809
Client #: 10113
Billing Attorney: KRS

INVOICE SUMMARY

RE: ADEL, IOWA; CITY OF

For professional services rendered and costs advanced through June 19, 2018:

MATTER #	MATTER DESCRIPTION	FEES	COSTS	TOTAL
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RUT - 2.53 x 195.54 = 494.72
H_2O - 1.00 x 195.54 = 195.54
3852.20

Invoice #: 748809 June 22, 2018
GENERAL CITY ATTORNEY SERVICES

Client.Matter: 10113.1000

RE: GENERAL CITY ATTORNEY SERVICES

PROFESSIONAL SERVICES

DATE	ATTY	HOURS	DESCRIPTION OF SERVICES RENDERED	
5/09/18	KRS	.80	WORK ON MEMO REGARDING FILLING COUNCIL VACANCY	FIN
5/10/18	KRS	.60	CONTINUE WORKING ON MEMO REGARDING COUNCIL VACANCY	FIN
5/17/18	KRS	.40	RECEIVE, REVIEW AND RESPOND TO EMAIL FROM CITY ADMINISTRATOR; SEND MEMO REGARDING COUNCIL VACANCY TO MAYOR PETERS AND MR. BROWN	FIN
5/18/18	KRS	2.20	PREPARE FOR MEETING WITH CITY ADMINISTRATOR AND MAYOR; ATTEND MEETING WITH MAYOR AND CITY ADMINISTRATOR AT ADEL CITY HALL	FIN
5/21/18	KRS	.70	RECEIVE AND REVIEW WEEKLY UPDATE EMAIL AND ATTACHMENTS FROM CITY ADMINISTRATOR; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM MS. ANDERSON	FIN
5/29/18	KRS	.20	SEND EMAIL TO CITY ADMINISTRATOR REGARDING SPECIAL ASSESSMENT MEETING	FIN
5/31/18	KRS	.20	TELEPHONE CALL FROM CHIEF SHEPHERD REGARDING MILITARY PAY	POL
6/04/18	KRS	1.40	REVIEW COUNCIL AGENDA MATTERS; RECEIVE, REVIEW AND RESPOND TO EMAILS FROM CITY ADMINISTRATOR; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM POLICE CHIEF REGARDING MILITARY LEAVE OF ABSENCE	FIN 1.0 POL .4
6/06/18	KRS	.70	RECEIVE, REVIEW AND RESPOND TO EMAIL FROM CITY ADMINISTRATOR REGARDING DEPARTMENT HEAD MEETINGS; BEGIN REVIEWING AT&T GENERATOR MATTER	FIN
6/07/18	KRS	.60	REVIEW AND COMMENT ON AT&T GENERATOR REQUEST; CHECK ON STATUS OF PENDING CITATIONS	FIN
6/11/18	KRS	.40	RECEIVE, REVIEW AND RESPOND TO EMAIL FROM CITY ADMINISTRATOR REGARDING PUBLIC RECORDS REQUEST; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM MR. SCHUG REGARDING SAME	FIN

FIN - 7.60
POL - .60
8.20

Invoice #: 748809 June 22, 2018
GENERAL CITY ATTORNEY SERVICES

DATE	ATTY	HOURS	DESCRIPTION OF SERVICES RENDERED	
6/12/18	KRS	1.30	PREPARE FOR CITY COUNCIL MEETING ATTENDANCE; TELEPHONE CALL FROM CITY ADMINISTRATOR REGARDING PENDING ITEMS	FIN
6/13/18	KRS	2.20	MEETING WITH DEPARTMENT HEADS REGARDING PENDING ITEMS; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM MR. BRONS REGARDING UTILITY EASEMENTS; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM CITY ADMINISTRATOR REGARDING ASSESSMENT QUESTIONS	SWR - .35 FIN - 1.5 RUT - .3
6/14/18	KRS	1.00	RECEIVE AND REVIEW EMAILS FROM MR. JOHNSON REGARDING SPECIAL ASSESSMENT; PREPARE AND SEND EMAIL TO MR. JOHNSON REGARDING SAME; RECEIVE, REVIEW AND RESPOND TO FOLLOW UP EMAIL FROM MR. JOHNSON; RECEIVE, REVIEW AND RESPOND TO EMAIL FROM MR. BRONS REGARDING PROJECT EASEMENTS	RUT .7 SWR .2
6/15/18	KRS	1.00	WORK ON PUBLIC RECORDS REQUEST RELATED TO 169 PROJECT; RECEIVE, REVIEW AND RESPOND TO EMAILS FROM CITY ADMINISTRATOR; BEGIN REVIEWING EASEMENTS FOR SANITARY SEWER EXTENSION PROJECT	RUT .43 FIN .15 SWR .4
6/18/18	KRS	2.70	REVIEW CITY ADMINISTRATOR'S WEEKLY UPDATE; RECEIVE AND REVIEW EMAILS FROM CITY ADMINISTRATOR; WORK ON PUBLIC RECORDS REQUEST REGARDING 169 PROJECT; BEGIN REVIEWING EASEMENT AGREEMENTS FOR SANITARY SEWER PROJECT	FIN - .70 RUT - 1.06 SWR - 1.0
6/19/18	KRS	3.30	WORK ON PUBLIC RECORDS POLICY; REVIEW ADAMS TOWNSHIP REFUND REQUEST INFORMATION; WORK ON WATER SERVICE LINE LETTER FOR PROPERTY ON GREENE STREET	FIN - 1.30 FIRE - 1.00 H2O - 1.00

19.70

TOTAL FEES **$ 3,852.20**

TOTAL THIS MATTER **$ 3,852.20 ÷ 19.70 = 195.54/hr**

FIN - 4.95
SWR - 2.02
RUT - 2.53
H2O - 1.00
FIRE - 1.00
11.50

Invoice #: 748809 June 22, 2018
DEVELOPMENT / ZONING MATTERS

Client.Matter: 10113.1001

RE: DEVELOPMENT / ZONING MATTERS

PROFESSIONAL SERVICES

DATE	ATTY	HOURS	DESCRIPTION OF SERVICES RENDERED
5/23/18	KRS	1.00	RECEIVE AND REVIEW EMAIL AND PUD DOCUMENTS FROM MR. NICHOLS; TELEPHONE CALL TO MR. NICHOLS TO DISCUSS PUD PROPOSAL
6/07/18	KRS	1.40	BEGIN WORKING ON PUD ORDINANCE FOR SOUTHBRIDGE DEVELOPMENT
6/08/18	KRS	1.90	MEETING WITH MR. BROWN AND MR. NICHOLS REGARDING SOUTHBRIDGE DEVELOPMENT; WORK ON SOUTHBRIDGE PUD
6/11/18	KRS	.70	CONTINUE WORKING ON SOUTHBRIDGE PUD ORDINANCE
6/13/18	KRS	.20	WORK ON REVISIONS TO SOUTHBRIDGE PUD ORDINANCE; SEND COPY TO CITY ADMINISTRATOR

TOTAL FEES	**$ 1,005.40**
TOTAL THIS MATTER	**$ 1,005.40**

ZON

Invoice #: 748809 June 22, 2018
MEETING ATTENDANCE AND TRAVEL

Client.Matter: 10113.1002

RE: MEETING ATTENDANCE AND TRAVEL

PROFESSIONAL SERVICES

DATE	ATTY	HOURS	DESCRIPTION OF SERVICES RENDERED
5/18/18	KRS	.80	TRAVEL FROM OFFICE TO ADEL FOR MEETING; RETURN TO HOME
6/08/18	KRS	.80	TRAVEL FROM HOME TO ADEL FOR MEETING WITH MR. BROWN AND MR. NICHOLS; RETURN TRAVEL TO OFFICE
6/12/18	KRS	2.30	TRAVEL TO ADEL FOR CITY COUNCIL MEETING; ATTEND CITY COUNCIL MEETING; TRAVEL TO HOME
6/13/18	KRS	.80	TRAVEL TO ADEL FROM HOME FOR MEETING WITH DEPARTMENT HEADS; RETURN TRAVEL TO OFFICE

TOTAL FEES **$ 761.00**

EXPENSES

	DESCRIPTION	AMOUNT
5/18/18	TRAVEL EXPENSE - MILEAGE TO/FROM ADEL FOR MEETING	20.71
6/08/18	TRAVEL EXPENSE - MILEAG TO/FROM ADEL FOR MEETING	20.71
6/12/18	TRAVEL EXPENSE - MILEAGE TO/FROM ADEL FOR CITY COUNCIL MTG	20.71
6/13/18	TRAVEL EXPENSE - MILEAGE TO/FROM ADEL FOR DEPARTMENT HEAD MTG	20.71

TOTAL EXPENSES **$ 82.84**

TOTAL THIS MATTER **$ 843.84**

Invoice #: 748809 June 22, 2018
MEETING AGENDA / PACKET REVIEW

Client.Matter: 10113.1003

RE: MEETING AGENDA / PACKET REVIEW

PROFESSIONAL SERVICES

DATE	ATTY	HOURS	DESCRIPTION OF SERVICES RENDERED
6/01/18	KRS	.70	REVIEW AND COMMENT ON TENTATIVE AGENDA ITEMS FOR JUNE 12 COUNCIL MEETING
6/11/18	KRS	.60	REVIEW COUNCIL PACKET AND AGENDA FOR JUNE 12 MEETING

TOTAL FEES **$ 243.10**

TOTAL THIS MATTER **$ 243.10**

AHLERS COONEY
ATTORNEYS

AHLERS & COONEY, P.C.
100 COURT AVENUE, SUITE 600
DES MOINES, IOWA 50309-2231
515-243-7611

FEDERAL ID 42-1323559

June 22, 2018

CITY OF ADEL, IOWA
CITY ADMINISTRATOR
P.O. BOX 248
301 S. TENTH STREET
ADEL, IA 50003

Invoice #:	748809
Client #:	10113
Billing Attorney:	KRS

REMITTANCE ADVICE

For professional services rendered through June 19, 2018

RE: ADEL, IOWA; CITY OF

TOTAL THIS INVOICE **$ 5,944.54**

Please return the page with payment payable to AHLERS & COONEY, P.C.

Resolution No. 18-43

A RESOLUTION APPROVING AND ACCEPTING EASEMENTS RELATED TO THE EAST ANNEX SEWER EXTENSION PROJECT

WHEREAS, the City of Adel plans to complete a sanitary sewer extension project known as the "East Annex Sewer Extension Project" and temporary and permanent easements are necessary for the construction and future maintenance of this project;

WHEREAS, easement agreements have been reached with several of the landowners impacted by this project and the City Council wishes to formally accept and approve these agreements.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL, IOWA, that the attached easement agreements are hereby approved and accepted for the East Annex Sewer Extension Project:

1. A temporary construction easement from Andrew E. Johnson and Julie B. Johnson.

Passed and approved this 23rd day of July, 2018.

_____
James F. Peters, Mayor

Attest: _____
Jackie Steele, City Clerk

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That ANDREW E. JOHNSON and JULIE B. JOHNSON , (hereinafter called "Grantor") in consideration of the sum of SIX THOUSAND DOLLARS AND NO CENTS ($6,000.00) and other valuable consideration, to be paid by the City of Adel, Iowa upon final approval and acceptance of this easement by the City of Adel City Council, do hereby convey unto the City of Adel, Iowa, a municipal corporation, (hereinafter called "Jurisdiction") a Temporary Construction Easement and right-of-way upon, over, under, through and across the real property legally described as:

See legal description attached hereto in Exhibit "EXH-04" (hereinafter called "Easement Area").

This Easement shall be subject to the following terms and conditions:

1. PURPOSE OF EASEMENT. A sanitary sewer shall be constructed on property directly adjacent to the above described property. This easement is granted for the purpose of allowing the Jurisdiction, its agents, employees, and contractors a right of temporary entry over the Easement Area to facilitate the hauling, transporting, constructing and storage of material and equipment of the proposed sanitary sewer.

2. PROPERTY TO BE RESTORED. The Jurisdiction upon completion of the project shall restore the easement area in good and workmanlike manner to its original condition as nearly as possible, including but not limited to the restoration of lawns by seeding, complete restoration of any driveways, fences or other structures damaged by the Jurisdiction during the course of construction, except those items listed in paragraph 3 below for which the Jurisdiction shall instead compensate Grantor.

3. COMPENSATION TO GRANTOR. Grantor and Jurisdiction agree that the following items shall not be restored by Jurisdiction but are instead compensated for as indicated by the consideration set forth in this easement: NONE

It is understood and agreed that the consideration set forth in this Easement constitutes full and adequate compensation for damages to the items listed in this paragraph.

4. TERM OF EASEMENT. The rights granted to the Jurisdiction under this Easement shall terminate 90 days after the previously described sanitary sewer project has been completed or 24 months from the date of acceptance of this Easement by the Jurisdiction, whichever occurs first.

SIGNED this 19th day of July, 2018.

Andrew E Johnson
Printed Name

Signature

Julie B. Johnson
Printed Name

Signature

GARY R BRONS
Commission Number 806303
My Commission Expires
September 6, 2020

STATE OF)
) ss
COUNTY OF Dallas)

On this 19 day of July, 2018 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared

Andrew E Johnson and Julie B Johnson,

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF

MY COMMISSION EXPIRES: September 6, 2020

ACCEPTANCE BY CITY

STATE OF IOWA)
) ss
COUNTY OF _____)

I, _____, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City of Adel City Council by Resolution and Roll Call No. _____, passed on the ____ day of _____, 2018, and this certificate is made

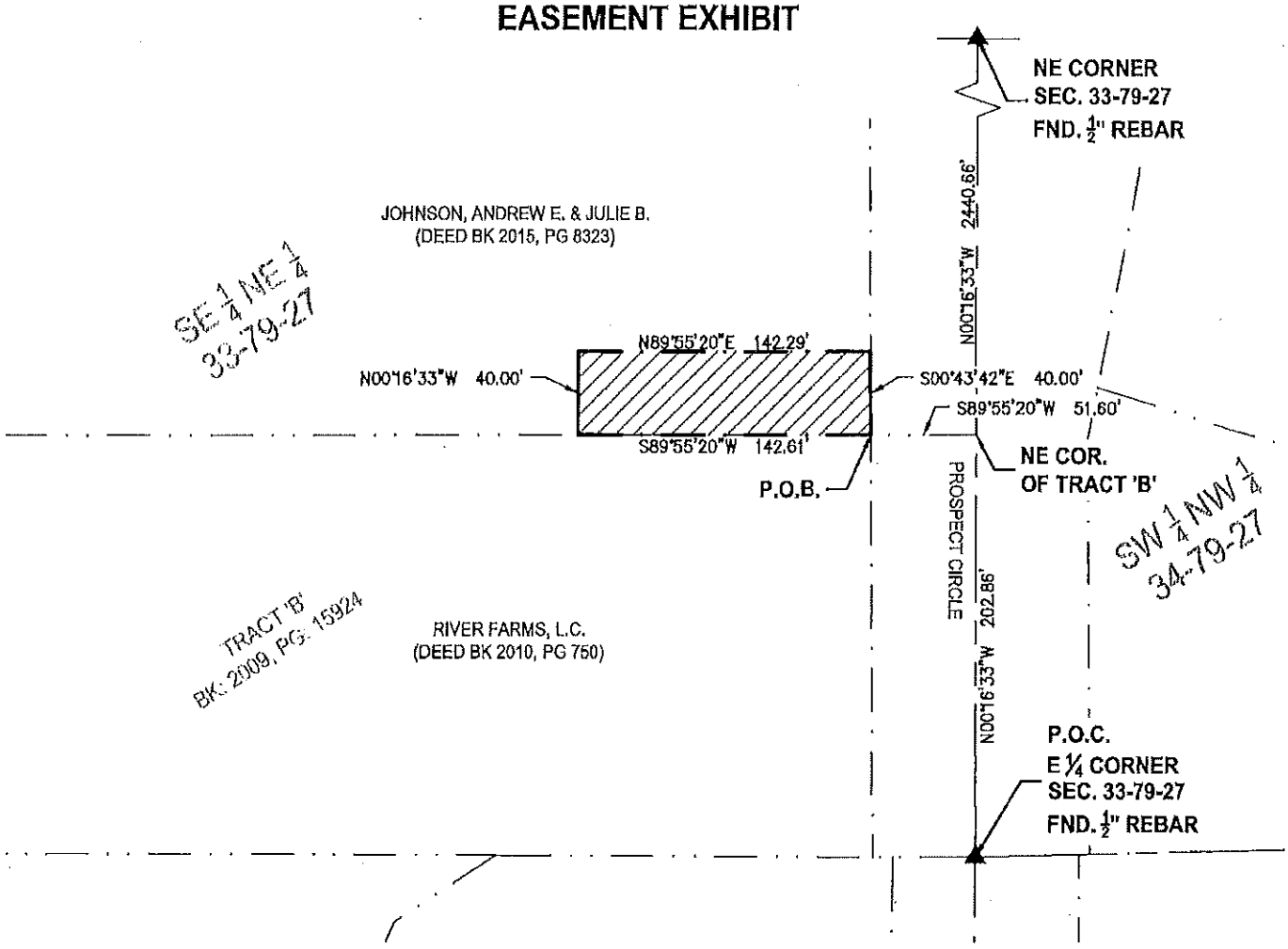
pursuant to authority contained in the Resolution.

Signed this ____ day of _____, 2018.

_____

Authorized Signature of _____

EASEMENT EXHIBIT



EASEMENT DESCRIPTION

A TEMPORARY CONSTRUCTION EASEMENT BEING A PART OF THE LAND DESCRIBED IN BOOK 2015, PAGE 8323 IN DALLAS COUNTY RECORDS, BEING LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 27 WEST OF THE 5TH P.M., COUNTY OF DALLAS, STATE OF IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER N00°16'33"W, 202.86 FEET TO THE NORTHEAST CORNER OF TRACT 'B' AS RECORDED IN BOOK 2009, PAGE 15924 OF THE DALLAS COUNTY RECORDERS OFFICE; THENCE ALONG THE NORTH LINE OF SAID TRACT 'B' S89°55'20"W, 51.60 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF PROSPECT CIRCLE, THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S89°55'20"W, 142.61 FEET; THENCE N00°16'33"W, 40.00 FEET; THENCE N89°55'20"E, 142.29 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF PROSPECT CIRCLE; THENCE ALONG SAID WESTERLY LINE S00°43'42"E, 40.00 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 5,698 SQUARE FEET AND IS SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD. TEMPORARY CONSTRUCTION EASEMENT IS BEING ACQUIRED BY THE CITY OF ADEL FOR THE EAST ANNEX LIFT STATION PROJECT.

NORTH

0 40 80

(IN FEET)
1 inch = 80 ft.

LEGEND

- PROPERTY LINE
- EXIST. EASEMENT
- SECTION LINE
- EASEMENT AREA

DRAWING PATH: O:\Projects\ADL_20317006-00\Design\Exhibits\Easements\Temp_Ease

McCLURE ENGINEERING CO.
building strong communities.
1740 Lininger Lane
North Liberty, Iowa 52317
319-626-9090
fax 319-626-9095

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TEMPORARY CONSTRUCTION EASEMENT
ADEL, IOWA
ADL 20317006
07/18/2018

REVISIONS	
ENGINEER: A. POTTER	DRAWN BY: B. VAN SICKLE
CHECKED BY: J. DEWEY	FIELD BOOK NO.: ----

SHEET NO.
EXH-04