ADEL CITY COUNCIL AGENDA
301 S. 10th Street, Adel, IA 50003
Tuesday, July 16, 2019 at 6:00 p.m.

OATH OF OFFICE
1. Police Officer – Brandon Pickett

CONSENT AGENDA
a) Consider Approval of Resolution No. 19-54, Approving Budget Transfers for City Attorney Services
b) Consider Approval of Resolution No. 19-70, Street Closures for Special Event – Kick Fest at Keasey’s Hideaway
c) Consider Approval of Resolution No. 19-71, Closure of Public Parking Lot Next to Adel City Hall for the Adel Public Library Touch a Truck Event

DEPARTMENT HEAD REPORT
1. Water Conservation Plan Update

NEW BUSINESS
a) Consider Approval of Resolution No. 19-69, Approving Final Plat for Sargent’s Second Addition
b) Discussion of Water, Sewer, and Storm Water Rates – McClure Engineering & PFM

OTHER BUSINESS

ADJOURNMENT
Oath of Office

I,

Brandon Pickett

Do solemnly swear that I will support
The Constitution of the United States
And
The Constitution of the State of Iowa,
And that I will faithfully and impartially
To the best of my ability
Discharge all of the duties of the office of
Police Officer
In the City of Adel, Iowa,
As now or hereafter required by law.

____________________________________
Brandon Pickett

Subscribed and sworn to before me this 16th day of July, 2019

____________________________________
James F. Peters, Mayor
Resolution No. 19-54

A RESOLUTION APPROVING 2019 – 2020 BUDGET TRANSFERS

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

WHEREAS, the City of Adel pays Ahlers & Cooney, P.C. a quarterly retainer for City Attorney services out of the General Fund; and

WHEREAS, the City of Adel receives a monthly statement detailing the City Attorney services provided; and

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, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL, IOWA the proposed transfers for the reimbursement of legal fees be approved and authorize staff to complete said transfers.

Passed and approved this 16th day of July, 2019.

________________________________________
James F. Peters, Mayor

Attest: ________________________________
Angela Leopard, City Clerk
RE: ADEL, IOWA; CITY OF

For professional services rendered and costs advanced through June 19, 2019:

<table>
<thead>
<tr>
<th>MATTER #</th>
<th>MATTER DESCRIPTION</th>
<th>FEES</th>
<th>COSTS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000</td>
<td>GENERAL CITY ATTORNEY SERVICES</td>
<td>2,656.30</td>
<td>.00</td>
<td>2,656.30</td>
</tr>
<tr>
<td>1002</td>
<td>MEETING ATTENDANCE AND TRAVEL</td>
<td>525.00</td>
<td>44.08</td>
<td>569.08</td>
</tr>
<tr>
<td>1003</td>
<td>MEETING AGENDA / PACKET REVIEW</td>
<td>18.70</td>
<td>.00</td>
<td>18.70</td>
</tr>
<tr>
<td>1006</td>
<td>PROSECUTION MATTERS</td>
<td>25.00</td>
<td>.00</td>
<td>25.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>3,225.00</td>
<td>44.08</td>
<td>3,269.08</td>
</tr>
</tbody>
</table>

TOTAL THIS INVOICE $3,269.08

Trust Funds Held on Account $12,625.35
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Transfers In</td>
<td>$ - from RUT</td>
<td>RUT Professional Fees $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Water</td>
<td>Water Professional Fees $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Sewer</td>
<td>Sewer Professional Fees $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Stormwater</td>
<td>Stormwater Professional $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ 275.06 from East Annex San</td>
<td>East Annex San Util Ext $ 275.06</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Water Util Improv</td>
<td>Water Util Improv P1 - US $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Adel Hwy 169 Improv</td>
<td>Adel Hwy 169 Improv $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from New WWTP</td>
<td>New WWTP $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>General Transfers In</td>
<td>$ - from Stormwater Util Imp</td>
<td>Stormwater Util Improv $ -</td>
<td>to General Fund</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$275.06</td>
<td>TOTAL $275.06</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION NO. 19-70

RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS ADEL KICKFEST

WHEREAS, Iowa Code Section 364.12(2) states "a city shall keep all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons open, in repair and free from nuisance;" and

WHEREAS, Iowa Code Section 364.12(2)(a) states "public ways and grounds may be temporarily closed by resolution;" and

WHEREAS, Randy Keasey of Keasey’s Hideaway – representing the Adel Kickfest has requested closure of the following streets and parking spaces for the date(s) & time(s) listed below, in conjunction with the special event known as Adel Kickfest.

Saturday July 20, 2019 3:00 p.m. - 10:00 p.m.
Court St - between 9th St and 10th St in front of Keasey’s Hideaway

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 364.12(2)(a), the City Council of the City of Adel, Iowa does hereby temporarily close the streets as stated above.

Dated this date: ____________________________

______________________________
James F. Peters, Mayor

ATTEST:

______________________________
Angela Leopard, City Clerk
City of Adel
Special Event Permit Application

Please complete this form and submit it to the City Clerk's Office, 301 South 10th Street, Adel, IA 50003 at least 30 days prior to the proposed event.

Event Name: Adel Kickfest  Date of Event: 7-20-19

Sponsor/Contact: Randy Keasby

Address: 24531 N. Ave  City: Dallas Center  State: IA  Zip: 50063

Day Phone:  515-993-0023  Cell Phone:  515-993-0023

Email Address

Type of Event:
Check all that apply

- Parade:  
- Athletic Event:  
- Walk/Run:  
- Fair/Festival:  
- Outdoor Concert:  
- Kick Test:  
- Other:  

Event Description: Please attach additional pages if necessary

Kick Boxing
In a ring with a referee

Please attach a map of the event layout that includes details like tent locations, kiosks, sound stage, etc.

Estimated Attendance: 125

Admission Registration Fees: Yes  No  Amount: $5.00

Will alcohol be served or sold? Yes  No

A liquor permit and Dram Shop Insurance are required for the sale of alcohol to the public during any event where an admission fee is charged. City Council approval is required for sale or service of alcohol. Certified police officers are required by the Chief of Police, at the applicant's expense, for all events requiring an alcohol license. Please contact the Chief of Police to confirm the number of certified police officers needed for your event at 515-993-6723.
City of Adel
Special Event Permit Application

✓ Will you be using outdoor tents greater than 200 square feet? Yes ___ No ___
✓ Will you be using an outdoor canopy greater than 400 square feet? Yes ___ No ___
Location of the tent or canopy must be coordinated with the City Staff. If using a tent, permission must be
granted before tent stakes are drilled or pounded into parking lots or grounds, and the applicant must pay for
any repairs associated with the installation of the tent.

✓ Will you be using inflatable rides or devices: Yes ___ No ___
Location of the inflatable must be coordinated with City Staff.

✓ Will you need access to a water source? Yes ___ No ___
If yes, what is the water to be used for? ____________________

*** Additional charges may apply. ***

✓ Will you be using live amplified sound? Yes ___ No ___
If yes, a sound permit is required as noted in City Ordinance Chapter 43. The Sound Permit Form is included in
the packet. Please complete and return with fees.

✓ Will you need access to electricity? Yes ___ No ___
If yes, please explain. Electricity is limited. Please be specific regarding equipment used and amperage needed.
On site power may be insufficient to meet all electrical needs.

✓ Will your event have fireworks or pyrotechnics? Yes ___ No ___
If yes, explain the location and type of fireworks/pyrotechnics:
List competent Operator’s name, phone, and email:

✓ Will you need temporary street closures? Yes ___ No ___
***Additional fee of $25 will apply***
If yes, please list the requested street closures (i.e., Main St between 9th St and 10th St) I will put
Barricades at 9th court to 10th court have
in front of our building

✓ Notification of Businesses and/or Residents
If the event requires street closures, all businesses and residents must be notified of the street closures and
directed to contact the City Clerk with any concerns or complaints. Please advise how you plan to notify
(door-to-door, mailer/flyer, etc.) If using a mailer/flyer, please attach a copy for review.
All Business are closed that day on Court St.
City of Adel
Special Event Permit Application

✓ Sanitation: Number of portable toilets / kybos provided: / 
Garbage collection plans: I will pick up
I have 10 - 24 Dumpsters

✓ Is there any special set-up that you will need the City to provide? Yes / No
If yes, please explain in detail. Note: Any volunteers/event staff along a race route or road will be required to wear a high-visibility clothes on the outermost part of their clothing.
Plastic fence leaves plenty. Please 4 or Barricades

SPECIAL EVENT PERMIT – FEE SCHEDULE

<table>
<thead>
<tr>
<th>NON-REFUNDABLE FEES:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Event Permit Application Fee</td>
<td>$75.00</td>
</tr>
<tr>
<td>Street Closure Fee</td>
<td>$25.00</td>
</tr>
<tr>
<td>Late Fee (application received 14-30 days prior to event)</td>
<td>$15.00</td>
</tr>
<tr>
<td>Late Fee (application received less than 14 days prior to event)</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

REFUNDABLE FEES:

Refundable Deposit (separate payment) $100.00

TOTAL NON-REFUNDABLE FEES DUE: $115.00
TOTAL REFUNDABLE FEES DUE: $100.00

Please make check payable to the City of Adel

*** Fees for all City, Chamber, ADM School, and Dallas County events will be waived.
However, the late fee charges will still apply ***

Request for Fee Waiver

The below criteria must be met in order to be considered for a fee waiver. Only City Council can approve a partial or full fee waiver. NOTE: Late fee charges will still apply.

Criteria
- The event is sponsored by a non-profit agency or organization.
- Proceeds from the event will benefit a local charity, non-profit organization, fundraisers/benefits for local resident/families, or civic organizations.
  (Local = within ADM School District area)

To request a fee waiver, a written request must be received with the following information
- Requesting a partial or full fee waiver. If requesting a partial fee waiver, please advise how much you are requesting to be waived.
- The reason for requesting a partial or full fee waiver.
- What local charity or organization will be receiving the proceeds?
City of Adel
Special Event Permit Application

I hereby certify the above statements are true and correct, to the best of my knowledge, and that false statements(s) may be grounds for denial of the application. It is understood the activities at all times during the event shall comply with all applicable City ordinances. It is further understood the individual and the organization or association will be responsible for any and all damages arising as a result of this event.

In accordance with the executed Indemnification and Hold Harmless Agreement, the applicant hereby waives any and all claims which the applicant may have as a result of this event against the City of Adel, Iowa its officers, agents, employees, or board members. It is further understood a certificate of public liability insurance will be required before conducting the proposed event.

I have been advised of the requirements for the conduct of a special event in the City of Adel and I, or the organization I represent, have met or will meet all requirements established by the City. Further, I understand that if all requirements are not met, the Special Event Permit can be canceled by the City at any time including at the start of or during the event. If this event is sponsored by an organization, I hereby certify I have the legal authority to represent the applicant and/or the participants, and I have read the requirements for issuance of the permit and the Hold Harmless Agreement, understand their provisions, and freely and voluntarily sign this application.

It is further understood the City of Adel Administrator or City Clerk has the authority to grant or deny permission for this event unless alcohol is being served or main streets are being barricaded.

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randy Koasey</td>
<td>Randy Koasey</td>
<td>July 5th 2019</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CITY USE ONLY – TO BE COMPLETED BY CLERK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete Special Event Permit Application</td>
</tr>
<tr>
<td>Indemnification / Hold Harmless Agreement completed</td>
</tr>
<tr>
<td>Certificate of Insurance $500,000 / $1,000,000 naming City as additional insured</td>
</tr>
<tr>
<td>Refundable Deposit Received</td>
</tr>
<tr>
<td>Total Non-Refundable Fees Due</td>
</tr>
<tr>
<td>Paid</td>
</tr>
<tr>
<td>APPROVED</td>
</tr>
</tbody>
</table>

SIGNATURE

DATE

COPIES: City Administrator / Police Chief / Public Works / Fire Chief
City of Adel
Hold Harmless Agreement

WHEREAS, the City of Adel, Iowa (City) owns certain real property and public right-of-way which are under the direction and control of the Adel City Council.

WHEREAS, (the "Organization") desires to use and occupy certain property containing the facilities and grounds at, 911 Center St, Adel (Location)

WHEREAS, the City is willing to grant to the Organization the right to use and occupy the location provided the City, its officers, employees and agents, (collectively called "City" and any applicable Boards and its Board Members, (collectively called "Board.")

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, the City and the Organization agree as follows:

1. The City hereby grants to the Organization the right to use and occupy the facilities and grounds identified above for a period commencing the 20th day of July, 2019, and ending on the 20th day of July, 2020, for the purpose of the Organization activities.

2. In consideration of the use and occupancy of the facilities and grounds, the Organization does hereby agree to protect, indemnify, save, defend and hold harmless the City, its officers, employees and agents, (City) and / or the Board, its Board Members, employees and agents from and against any and all liability, losses, damages, injury, bodily injury, property damage, costs, expenses, attorney fees, judgments, awards, claims, suits, actions or other things whatsoever developed, brought or asserted by any person, firm, corporation, entity or estate, against the City or Boards which the City and the Boards may suffer, incur, or sustain by reason of, occasioned by, arising out of, resulting from or relating to directly or indirectly from the performance, undertakings, activity, omission, negligence, fault, or misconduct by the Organization, its officers, employees, agents, contractors, or the failure of the Organization to pay taxes, assessments, sales tax, withholding taxes or other public charges levied or assessed by reason of the operation of the activities or programs by the Organization.

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

Dated this 5th day of July, 2019.

By [Signature]
City Clerk

By [Signature]
Organization Representative
## Contact Information

<table>
<thead>
<tr>
<th>NAME/BUSINESS</th>
<th>EMAIL ADDRESS</th>
<th>PHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CITY OF ADEL CONTACTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st Point of Contact – Chamber/Bike Committee</td>
<td><a href="mailto:chamber@adelpartners.org">chamber@adelpartners.org</a></td>
<td>515-993-5472</td>
</tr>
<tr>
<td>City Hall – Angela Leopard, City Clerk</td>
<td><a href="mailto:aleopard@adeliowa.org">aleopard@adeliowa.org</a></td>
<td>515-993-4525</td>
</tr>
<tr>
<td>Adel Police Department – Gordy Shepherd, Chief</td>
<td><a href="mailto:adelpolice@adeliowa.org">adelpolice@adeliowa.org</a></td>
<td>515-993-6723</td>
</tr>
<tr>
<td>Fire Chief – Braden Nemechek</td>
<td><a href="mailto:bnemechek@adeliowa.org">bnemechek@adeliowa.org</a></td>
<td>515-993-6723</td>
</tr>
<tr>
<td>Mayor – Jim Peters</td>
<td><a href="mailto:jpeters@adeliowa.org">jpeters@adeliowa.org</a></td>
<td>515-993-4436</td>
</tr>
<tr>
<td><strong>DALLAS COUNTY CONTACTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st Point of Contact – Mike Wallace, Dallas Co. Conservation</td>
<td><a href="mailto:mike.wallace@dallascountyiowa.gov">mike.wallace@dallascountyiowa.gov</a></td>
<td>515-465-3577</td>
</tr>
<tr>
<td>Dallas County Sheriff Office – Chad Leonard, Sheriff</td>
<td></td>
<td>515-993-4567</td>
</tr>
<tr>
<td>Dallas County EMS – Mike Thomason</td>
<td></td>
<td>515-229-4409</td>
</tr>
<tr>
<td>Dallas County Road Department – Al Miller</td>
<td></td>
<td>515-993-4289</td>
</tr>
</tbody>
</table>
CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 06/28/2019

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
River Valley Insurance, LLC
819 Main Street
Adel IA 50003

INSURED
Keasey's Hidaaway LLC DBA Keasey's Hidaaway Lounge
911 Court St
Ste 3
Adel IA 50003

INSURER(S) AFFORDING COVERAGE
INSURER A: Illinois Casualty Company 15571

COVERAGES

<table>
<thead>
<tr>
<th>INSR TYPE OF INSURANCE</th>
<th>ADD'L LIMIT</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF (MM/DD/YYYY)</th>
<th>POLICY EXP (MM/DD/YYYY)</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td>EACH OCCURRENCE</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DAMAGE TO RENTED PREMISES (Per occurrence)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MED EXP (Any one person)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PERSONAL &amp; ADV INJURY</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GENERAL AGGREGATE</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PRODUCTS - COMPO SPEC</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUTOMOBILE LIABILITY</td>
<td>COMBINED SINGLE LIMIT (If accident)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BODILY INJURY (Per person)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BODILY INJURY (Per accident)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>PROPERTY DAMAGE (Per accident)</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EACH OCCURRENCE</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AGGREGATE</td>
<td>$ -</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

WORKERS COMPENSATION AND EMPLOYERS' LIABILITY

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Kick Fest Event Held 07/20/2019 per LL AI 06 09 14 attached

CERTIFICATE HOLDER CANCELLATION

City of Adel
301 South 10th St
PO Box 248
Adel IA 50003

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.
POLICY NUMBER: LL98563  EFFECTIVE DATE FOR THIS ENDORSEMENT: July 18, 2019

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

LIQUOR LIABILITY COVERAGE FORM

SCHEDULE

Designated Person or Organization:

City of Adel
301 South 10th St
PO Box 248
Adel, IA 50003

A. The following is added to Section D. Who Is An Insured, Paragraph 2, in the Liquor Liability Coverage Form:

f. Any person or organization designated in the Schedule of this endorsement but only with respect to their liability for your activities arising out of the selling, serving or furnishing of any alcoholic beverages at "your premises".

B. Limits Of Insurance for the person or organization designated in the Schedule of this endorsement are those specified in the contract or agreement with you, if applicable, or in this Policy, whichever is less. These Limits Of Insurance are inclusive of and are not in addition to the Limits Of Insurance shown in the Declarations.

OTHER TERMS

All other terms of your Policy remain the same.

Countersigned by:

ILLINOIS CASUALTY COMPANY
225 20th Street, PO Box 5018
Rock Island, IL 61204-5018

By:

Tom Berry

IMPORTANT – ATTACH THIS ENDORSEMENT TO YOUR POLICY
RESOLUTION NO. 19-71

RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS ADEL PUBLIC LIBRARY TOUCH A TRUCK EVENT

WHEREAS, Iowa Code Section 364.12(2) states "a city shall keep all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons open, in repair and free from nuisance;" and

WHEREAS, Iowa Code Section 364.12(2)(a) states "public ways and grounds may be temporarily closed by resolution;" and

WHEREAS, the Adel Public Library has requested closure of the following streets and/or parking spaces for the date(s) & time(s) listed below, in conjunction with the special event known as the Adel Public Library Touch A Truck Event.

Thursday August 1, 2019
7:00 a.m. – 11:00 a.m.
City Hall Public Parking Lot

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 364.12(2)(a), the City Council of the City of Adel, Iowa does hereby temporarily close the streets as stated above.

Dated this date: ____________________________

________________________________________
James F. Peters, Mayor

ATTEST:

________________________________________
Angela Leopard, City Clerk
Adel Public Library Touch a Truck Event - Parking Lot Closure

Ordinance No. 319

AN ORDINANCE ESTABLISHING A WATER CONSERVATION PLAN

WHEREAS, the City Council of the City of Adel, Iowa, recognizes that supplies of potable water are essential for the health, safety and welfare of its citizens; and

WHEREAS, the City of Adel’s Water Utility has limited capacity and from time to time during and following drought conditions or due to equipment failure, the City’s water supply may become significantly and seriously depleted such that there is an insufficient supply of water to meet all customary and usual demands; and

WHEREAS, the City deems it essential to protect the safety of its citizens in the event that the limited capacity of the Water Utility may be threatened.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADEL, STATE OF IOWA:

Section 1. That the Municipal Code of Adel, Iowa be and is hereby amended by adding thereto a new chapter to be known as Chapter 93, relating to the City’s Water Conservation Plan, as follows:

“CHAPTER 93
WATER CONSERVATION PLAN

93.01 Purpose
93.02 Definitions
93.03 Water Shortages
93.04 Conditions
93.05 General Procedure
93.06 Surcharges
93.07 Water Appeal
93.08 Repealer Clause
93.09 Severability Clause
93.10 Effective Date

93.01 PURPOSE. The purpose of this chapter is to impose a Water Conservation Plan within the City of Adel, Iowa.

93.02 DEFINITIONS. The following terms are defined for use in this chapter:

1. “Customer” means any person, company, or organization using processed potable water supplied by the City of Adel.

2. “Consumed” means water has passed through a customer’s meter or is otherwise furnished by the City’s Water Utility.

3. “Domestic Water Use” means water use for personal needs or for household purposes such as drinking, bathing, heating, cooking, or sanitation.

4. “Commercial and Industrial Use” means water used to produce goods or to furnish services by any establishment having financial profit as a primary aim.

93.03 WATER SHORTAGES. Under the conditions set forth in this Ordinance, the City Administrator and Public Works Director, in consultation with the Water Department personnel, may find, and by Proclamation declare, a public Water Watch, Water Warning, or Water Emergency, during which time the following measures and provisions shall be in effect to prevent depleting the water supply for human consumption and sanitation and to produce an orderly and equitable reduction of water consumption.
Immediately upon the issuance of such a Proclamation, regulations and restrictions set forth under this Ordinance shall become effective and remain in effect until the water shortage is terminated and the Proclamation rescinded.

Water uses, regulated or prohibited under the Ordinance, are considered to be non-essential and continuation of such uses during time of water shortage is deemed to constitute a waste of water, subjecting the users to surcharges, disconnection costs and excess consumption fees.

93.04 CONDITIONS.

1. Water Watch: A Water Watch may be declared when a water shortage or equipment failure poses a potential threat to the ability of the water system to meet the needs of its customers currently or in the foreseeable future. Indicators of the need to impose a Water Watch include but are not limited to:
   
   A. System operating at 70% of pumping capacity.
   
   B. Moderate decrease in the pumping water levels of wells.
   
   C. Moderate decrease in the recovery rate of water levels in wells.

2. Water Warning: A Tier I or Tier II Water Warning may be declared when a water shortage or equipment failure poses a serious threat to the ability of the water system to meet the needs of its customers currently and in the foreseeable future. Indicators of the need to impose a Tier I Water Warning include but are not limited to:

   A. System operating at 80% of pumping capacity.
   
   B. Significant decrease in the pumping water level of wells.
   
   C. Significant decrease in the recovery rate of water levels in wells.

Indicators of the need to impose a Tier II Water Warning include but are not limited to:

   A. Severe system emergencies (e.g., chemical spill).
   
   B. Major system failure in feeder mains or treatment plant.
   
   C. Other factors which pose a significant threat to the ability of the Water Utility to furnish adequate supplies of potable processed water.

3. Water Emergency: A Water Emergency may be declared when a water shortage or equipment failure poses a severe and immediate threat to the ability of the water system to meet the needs of its customers. Indicators of the need to impose a Water Emergency include but are not limited to:

   A. System operation at 90% of pumping capacity.
   
   B. Serious decrease in the recovery rate of water level in wells.
C. Major system failure in feeder mains or treatment plant.

D. Other factors which pose a significant threat to the ability of the Water Utility to furnish adequate supplies of potable processed water.

93.05 GENERAL PROCEDURE. In the time during or following drought conditions or equipment failure, the following procedures shall be followed:

1. Water Watch: Under a Water Watch, all customers of the municipal water service are encouraged to limit or curtail all nonessential uses of water in order to conserve precious water resources during the time of shortage.

   A. No watering of lawns, shrubs, or gardens between the hours of 8:00 a.m. and 8:00 p.m.

   B. Car washing is prohibited except in commercial establishments that provide that service.

   C. No water should be used to fill private swimming pools, children’s wading pools, or any other outdoor pool or pond.

   D. No water should be used to wash streets, parking lots, driveways, sidewalks, or building exteriors.

   E. No water should be used for nonessential cleaning of commercial and industrial equipment, machinery, and interior spaces.

   F. Water should be served at restaurants only upon the request of the customer.

2. Water Warning – Tier I: Under a Tier I Water Warning, no person shall use potable processed water of the municipal water service in any manner contrary to the following:

   A. Outdoor watering or irrigation of lawn is prohibited.

   B. Car washing is prohibited except in commercial establishments that provide that service.

   C. No water shall be used to fill private swimming pools, children’s wading pools, reflecting pools, or any other pool or pond.

   D. No water shall be used to wash streets, parking lots, driveways, sidewalks, or building exteriors.

   E. No water shall be used for nonessential cleaning of commercial and industrial equipment, machinery, and interior spaces.

   F. Water shall be served at restaurants only upon the request of the customer.

   G. Tank load water sales may be curtailed or eliminated.

Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than the City water utility, such as water
condensed from the atmosphere by air conditioners or collected from rain or snow, may be used without restriction.

3. **Water Warning – Tier II:** Under a Tier II Water Warning, no person shall use potable processed water of the municipal water service in any manner contrary to the following:

   A. All outside water use, except for domestic, sanitation, and fire is prohibited.

   B. All commercial and industrial uses of water not essential in providing products or services are prohibited.

   C. Irrigation, of absolutely all forms, is prohibited.

   D. Recreational and leisure water use, including lawn and golf course watering and other incidental or recreational use is prohibited.

   E. Water use not necessary for the preservation of life or the general welfare of the community is prohibited.

4. **Water Emergency:** Under a Water Emergency, Tier I and Tier II Water Warning use restrictions shall in effect and, in addition, all violations that occur under a water emergency shall fall under, for a first offense, the second violation rule and shall have double the surcharge rates listed. All violations and misuse of public drinking water shall be considered a direct threat to public health and service will be discontinued immediately. Service shall resume only when all fines and fees have been paid for. Any further subsequent violations which are considered a threat to public health shall result in service disconnect and shall only be lifted after requirements for safety assurances have been set in place by the City Administrator and the Public Works Director and met by the owner once all fees and fines have been paid.

5. The City of Adel Water Department has the right, at any given time with just cause, to disconnect service to various non-vital/recreational services for the purpose of water preservation in times of need. These non-vital/recreational services may be, but not limited to:

   A. Irrigation for recreational fields and any agreements of irrigation.

   B. Public restrooms serviced by the City of Adel.

   C. Water fountains and spigots provided by the City of Adel for recreational use.

   D. Water supply to camp ground facilities.

   E. Water supply to the public pool.

93.06 **SURCHARGES.** The following surcharges shall be applied for violations of Water Warning use restrictions imposed under this chapter. Violations during a Water Emergency are considered a minimum “second violation” and are double the rates listed below.

1. **First Violation:** For a first violation, the Water Utility shall issue a written notice of violation to the water user violating the water use restrictions imposed during a Water Watch, Water Warning, or Water Emergency.
2. Second Violation: For a second violation within a twelve month period, an administrative surcharge shall be imposed on the customer's account in an amount of one hundred dollars ($100.00) plus two hundred percent (200%) of the fiscal year's highest month's water bill.

3. Subsequent Violation: For any subsequent violation within a twelve month period, an administrative surcharge shall be imposed in an amount equal to five hundred dollars ($500.00) plus two hundred percent (200%) of the fiscal year's highest month's water bill, and, in addition, the utility shall interrupt water service to the customer at the premises at which the violation occurred. Service shall not be restored until the customer has paid the surcharge and the reconnection fee and has provided reasonable assurance that future violations of Water Watch, Water Warning, or Water Emergency use restrictions will not occur.

Any customer charged with a violation of the Water Watch, Water Warning, or Water Emergency use restriction may request a hearing before the Adel City Council. The council may conclude that a violation did not occur or that the circumstances under which the violation occurred warrant a complete or partial mitigation of the administrative surcharge.

93.07 WATER APPEAL. The Adel City Council shall oversee appeals of any action taken pursuant to a Water Watch, Water Warning or Water Emergency; however, if a customer is charged with a municipal infraction relating to this ordinance, that proceeding shall be conducted pursuant to Section 364.22 of the Code of Iowa. Appeals shall be requested in writing and delivered to the City Clerk within the time stated in the notice, or it will be conclusively presumed that the directive or surcharge must be followed as ordered. The hearing shall be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if the directive or surcharge are found valid, it shall be ordered and fulfilled within a reasonable time under the circumstances.

93.08 REDUCTION IN FLOW OF WATER TO ANY PERSON. The Water Department, under authorization of the City Administrator and the Public Works Director, may reduce or disconnect the flow of water to any customer determined to be using water in any manner not in accordance with this ordinance during a Water Watch, Water Warning, or Water Emergency or for any matter that may be deemed a risk to public health. All unmetered usage, without absolute consent from the City, is considered a threat to public health and may receive a reduction of flow or disconnect of flow if a Water Watch, Water Warning, or Water Emergency is or is not in affect.

This reduction or potential disconnection may occur with or without notice, as judgement of severity has been decided by the City Administrator and the Public Works Director with the assistance of the Water Department.

93.08 REPEALER CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

93.09 SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity if the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

93.10 EFFECTIVE DATE. This ordinance shall be effective from and after the final passage, approval and publication as provided by law.”
Section 2. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance.

Section 3. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved by the Adel City Council this 13th day of June, 2017

James F. Peters, Mayor

Attest: Jackie Steele, City Clerk

1st Reading 4-11-2017
2nd Reading 5-9-2017
3rd Reading 6-13-2017

I certify that the foregoing was published as Ordinance No. 319 in the Dallas County News on the 17th day of June, 2017.

Jackie Steele, City Clerk
During the recent and forecasted hot and dry weather, the City has experienced high water demands. As a result, the City of Adel is implementing a Water Watch which is the first stage of conservation under the recently approved Water Conservation Plan. To view the entire Water Conservation Plan, please visit https://adeliowa.org/

The following information sheet has been prepared to answer some questions you may have about the Water Conservation Plan and Water Watch.

WHAT IS IT?
Under the Water Watch, all customers of the municipal water service are encouraged to limit or curtail all non-essential uses of water in order to conserve water during the time of shortage.

LAWN IRRIGATION, WHAT SHOULD I DO?
As part of the water watch, all customers are encouraged to limit or curtail lawn watering as follows:

• Avoid lawn watering during the hottest part of the day. When you water your lawn during daytime hours, the majority of water is lost to evaporation. Limit watering to the hours of 8:00 pm through 8:00 am.

• Alternate days of lawn watering based upon your address. It is encouraged that you irrigate under a system where even numbered addresses water only on even days of the month, and odd numbered addresses water only on odd numbered days of the month. For example, if your house number is 802, it is encouraged that you water on the 2nd, 4th, 6th day of the month, and so on.

ARE THERE OTHER WATER USES WHICH SHOULD BE LIMITED?
Yes. It is encouraged to limit the filling of private pools, washing of surfaces (streets, parking lots, driveways, buildings, etc.), and washing of cars except at commercial establishments.

WHAT DOES THIS MEAN?
The enactment of a Water Watch within the Water Conservation Plan is a voluntary reduction of water. If successful, there would not be any further voluntary or involuntary restrictions upon the use of water. It is hoped that this step will be short term in duration if the weather cooperates.

WHAT IF WE JUST APPLIED SOD TO OUR YARD?
You should water every other day for a few hours as identified previously until the new grass is established and has taken root. This is when you can no longer pull up loose sod. Any excess water puddling or flowing down the curb/street is a sign of over-watering.

WHAT IF WE DON'T COMPLY AS REQUESTED? WILL WE GET A TICKET OR BE PENALIZED?
As a Water Watch is a request for voluntary reduction of water, there is no penalty for non-compliance. However, if there is continued hot and dry weather, it is possible that non-voluntary water conservation measures identified in the Water Warning and Water Emergency portions of the Water Conservation Plan may be necessary.

WHOM SHOULD I CONTACT WITH QUESTIONS?
If you have questions or concerns you are asked to contact the City of Adel at 515-993-4525. We are also available from 8:30 – 4:30 M-F at Adel City Hall located at 301 S. 10th Street to answer questions. You may also read the entire Water Conservation Plan on the City of Adel website at the following link https://adeliowa.org/
Resolution No. 19-69

RESOLUTION APPROVING FINAL PLAT FOR SARGENT’S SECOND ADDITION

WHEREAS, a subdivision plat for a parcel of land was submitted by Roy Sargent; hereinafter referred to as Developer; and

WHEREAS, the Developer submitted a preliminary plat, known as Sargent’s Second Addition, located in Dallas County but within the City of Adel’s two-mile planning boundary; and

WHEREAS, the Developer is proposing to subdivide with residential lots; and

WHEREAS, on April 9, 2019, the Adel City Council approved Resolution No. 19-28, which approved the preliminary plat; and

WHEREAS, on June 12, 2019, the Planning & Zoning Commission recommended approval of the final plat; and

WHEREAS, the members of the City Council of the City of Adel, Iowa, have reviewed and approved the final plat for Sargent’s Second Addition.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Adel, Iowa, that the final plat be formally approved.

Passed and approved this 16th day of July, 2019.

James F. Peters, Mayor

Attest: 

Angela Leopard, City Clerk
Dear Council Members:

July 1, 2019

During the June 12, 2019, the Planning and Zoning Commission reviewed the Final Plat for Sargent Second Addition.

This land division was within our 2-mile territory and was required to have a dry system to be installed. McClure's Engineering has reviewed the final plat and it is in compliant by our regulations. The Planning and Zoning voted unanimously that this plat should be forwarded for approval to the Adel City Council.

I would recommend Council to approve Sargent Second Addition.

Respectfully Steve Nichols
GENERAL NOTES:

3. ANY CITY (GENERAL/STANDARD) NOTES SHALL GOVERN IF DISCREPANCIES ARE FOUND IN CONSTRUCTION DRAWING NOTES AND/OR CONTRACTOR'S DRAWINGS.

1. SEE THE 'CITY OF ADEL NOTES' ON SHEET 1.

2. SEE THE 'DALLAS COUNTY NOTES' ON SHEET 2.

CITY OF ADEL NOTES:

IOWA SUDAS STANDARDS AND SPECIFICATIONS SHALL GOVERN.

RELIEVE THE CONTRACTOR(S) OF THIS REQUIREMENT.

COUNTY STANDARD SPECIFICATIONS AND/OR DETAILS SHALL GOVERN IF DISCREPANCIES ARE FOUND IN THE CONTRACTOR'S AND/or DESIGNER'S DRAWING NOTES.

IOWA SUDAS STANDARDS AND SPECIFICATIONS AS MODIFIED AND STATE CODES, ORDINANCES, REGULATIONS, AND RULES, INCLUDING ALL CURB DROPS AND SIDEWALK/SHARED USE PATH INFORMATIONS, SHALL GOVERN.

GENERAL SURVEYING NOTES:

GENERAL SURVEYING NOTES:

T/P = TOP OF (UTILITY) PIPE

WTR = WATERMAIN OR WATER SERVICE

RCP = REINFORCED CONCRETE PIPE

SMF = STORMWATER MANAGEMENT FACILITY

INV::: INVERT/FLOWLINE

HWL = HIGHWATER LEVEL

FOC = FACE OF CURB

PE OR PEP = POLYETHYLENE (PIPE)

GND = GROUND

EOP::: EDGE OF PAVEMENT

ESMT OR EASE = EASEMENT

CISP OR GIP = CAST-IRON (SOIL) PIPE

CIP = CAST-IN-PLACE (CONCRETE)

MODIFIED IOWA STATE PLANE SOUTH (U.S. SURVEY FEET). COORDINATES DEDUCT THE COST FROM THE AMOUNT DUE TO THE CONTRACTOR(S).

EQUIPMENT WITHIN THE RIGHT-OF-WAY (PROPOSED OR EXISTING). PROJECT SITE, AND TO PERFORM ANY NECESSARY MITIGATION PRIOR TO INSTALLATION.

ARCHITECT; AND SHALL CONSULT WITH OWNER'S PERSONNEL AND UTILITY ENGINEER'S APPROVAL FOR THE CHANGE AS WELL AS FINANCIAL COMMITMENT($) FROM THE OWNER/DEVELOPER, OR OTHERS, FOR THIS DRAWING NOT TO BE PERMITTED.

WATER MAINS, SEWER, AND SERVICE METER BOXES, ETC. SHALL BE IN ACCORDANCE WITH THE TERMS OF SAID AGREEMENT.

3. HORIZONTAL CONTROL- THE PROJECT COORDINATE SYSTEM IS THE MODIFIED IOWA STATE PLANE SOUTH (U.S. SURVEY FEET). COORDINATES.