

MITCHELLVILLE CITY COUNCIL

REGULAR AGENDA

*** TENTATIVE AGENDA ***

Monday, May 16th, 2016 7:00 P.M. Regular Meeting
Council Chambers, Mitchellville City Hall, 204 Center Avenue N

ADA Compliance – Please inform the Staff prior to the meeting if you require any additional accommodations.}

1. CALL TO ORDER/ ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF TENTATIVE AGENDA
4. CONSENT AGENDA:
 - A. Approve Claims for Payments of: \$486,980.10 includes (1) regular payroll, April 30, 2016 Special Council Meeting Minutes and May 2, 2016 Council Minutes.
 - B. Approve Casey's General Store # 2177 Application for Cigarette/Tobacco Permit
 - C. Approve Dollar General Store # 12680 Application for Cigarette/Tobacco Permit
5. Public Audience General Comments-(Please Limit to 3 Minutes Each) No Council action.
6. Open Public Hearing on amending the current city budget for fiscal year ending June 30, 2016.
7. Close Public Hearing
8. Consider for approval Resolution 2016-32 Amending Current Budget for Fiscal Year Ending June 30, 2016 for the City of Mitchellville.
9. Consider for approval Resolution 2016-33 Authorizing Brick Gentry, P.C. and Billy Mallory to Take Any and All Actions Necessary to Address Ongoing Violations at the Redman Property.
10. Consider for approval Resolution 2016-34 Transferring Funds from Water to Debt Service
11. Consider for approval Resolution 2016-35 Transferring Funds from Sewer to Debt Service
12. Consider for approval Resolution 2016-36 Transferring Funds from EMS to Debt Service
13. Consider for approval Resolution 2016-37 Transferring Funds from General to Debt Service
14. Discuss the City's participation in DART
15. Consider for approval an application to the Mitchellville Fire Department from Jessica Carson
16. Consider for approval the first reading of Ordinance 2118, Amending City Code of Ordinance Chapter 25 City Tree Board, Chapter 135 Street Use and Maintenance, and Chapter 151 Trees.
17. Updates from Department Heads, Council Members and Mayor.
18. Public Audience General Comments-(Please Limit to 3 Minutes Each) No Council action.
19. Adjournment.

POSTED MAY 13, 2016

(NOTICE: THIS AGENDA IS SUBJECT TO CHANGE UP TO 24 HOURS PRIOR TO THE MEETING

**City Of Mitchellville
List of Bills Approved
May 16, 2016**

Aflac	Monthly & Qtrly Aflac	114.94
Altoona Fire Department	Paramedic Assts	761.25
American Test Center	DOT Inspections	489.00
Bancard	Reception/Supplies	977.95
Bankers Trust	Cent Ave/City Hall Loan Pymt	76,040.00
Brick Gentry	Legal Fees	663.17
Carpenter Uniform	Green & FD Uniforms	1,714.71
Carus	Chemicals	492.65
Century Link	Telecomm	559.28
City of Altoona	Building Permits	329.10
Copy System	Copier Maint	24.72
Craig, Mary	(2) Cleaning City hall	150.00
Des Moines Register	Publications	439.14
Des Moines Stamp	Bulk Rate/Bk Stamps	50.85
Dillavou, Tammi	Cemetery Maps	445.69
Elite Property Services	Mowing	2,240.00
Ferrellgas	Fuel	577.65
Fire Service Training Bureau	Twohey Registration Fee	25.00
Heartland Co-op	Fuel	1,364.87
Inland Truck Parts & Service	RearEnd Service, Brakes, DOT	2,180.34
Interstate Powersystems	Generator Repairs	3,256.76
Iowa Department of Revenue	Garnishment	297.20
Iowa Finance Authority	06/05Wtr,Swr/Rhb Ln Pymts	260,523.47
Iowa One Calls	Locates	54.90
Iowa Prison Industries	Supplies for Comm Ctr	140.30
IRS	May 6 Withholdings	4,939.51
Jetco	Well # 4	1,508.40
Keystone Laboratories	Chemicals/Testing	136.00
Legacy Bank	Lib/Amb Ln Pmts/Ret Cks	52,316.37
McManus	F250 Repairs	1,620.68
Mediacom	Lib Telecomm	128.15
Menards	Misc Supplies	250.57
Metro Waste Authority	Curb It	1,455.58
MIALG	FY16/17 Dues	421.60
MidAmeircan	Utility	5,508.25
Municipal Supply	Supplies	295.35
O Reilly Auto Parts	5740/E572 Fuel Pump	70.00
Office of Vehicle Services	Salvage Veh Exams	160.00
Payroll	Payroll 5/6/2016	42,448.30
Petty Cash	Postage	51.93
Polk County Public Works	7th St Sewer Loan Pymt	15,316.11
Porter Hardware	Tractor Rental	148.50
Praxair	O2	45.29
Pro Hydro Testing	Testing 44 Bottles	1,480.00
Quill	Supplies	108.04
Stevenson, Jeremy	Mileage/Meal Reimbursement	99.23
Tritech	Billing	550.00
U.S. Post Office	Stamps	147.00
Van Wall Equip	John Deere Z930	3,607.30
Zoll Medical Supplu	Annual Service	255.00

Total Bills To Be Paid

486,980.10

General Fund	22,799.61
Library General	2,456.35
EMS General	1,611.54
Road Use Fund	8,315.05
Employee Benefits	5,132.04
Debt Service	197,457.22
Payroll Clearing	19,994.77
Sewer Rehab Project	114.94
Water	13,914.06
Water Sinking	123,603.75
Sewer	23,840.77
Sewer Sinking	67,740.00
Total Expenditure By Fund	486,980.10

City Of Mitchellville

City Council Bills

May 16th, 2016

Payroll Expense

5/6/2016

Public Works Comp Earned - 2	42,448.30
Police Overtime - 22	
Police Part-Time - 12	
City Hall Overtime - 4	
Library Hours Part Time - 102.5	
	<hr/>
	42,448.30

Prepays

Aflac	Monthly & Qtrly Aflac	114.94
Legacy Bank	Returned Checks	78.87
Iowa Department of Revenue	Garnishment	297.20
IRS	May 6 Withholdings	4,939.51
Mediacom	Lib Telecomm	128.15
MidAmerican Energy	Lib Gas/Electric	174.04
U.S. Post Office	Stamps	147.00
Iowa Finance Authority	Water 2006 SRF Loan Pymt	52,852.50
Iowa Finance Authority	Water 2005 SRF Loan Pymt	123,603.75
Iowa Finance Authority	Sewer 2004 SRF Loan Pymt	67,740.00
Iowa Finance Authority	Sewer Rehabk 2015 Loan Pymt	16,327.22
Bankers Trust	Cent Ave/City Hall Loan Pymt	76,040.00
Polk County Public Works	7th St Sewer Loan Pymt	15,316.11
Legacy Bank	Library Loan Pymt	30,637.50
Legacy Bank	Ambulance Loan Pymt	21,600.00

Total Prepaid

452,445.09

Police Dept.

Brick Gentry	Legal Fees	488.17
Carpenter Uniforms	Green Uniform	823.99
Heartland Co-op	Fuel	471.83
MidAmerican	Utility	171.98
Office of Vehicle Services	Salvage Veh Exams	160.00
Petty Cash	Postage	4.90
Stevenson, Jeremy	Mileage/Meal Reimbursement	99.23

Total

2,220.10

Fire Dept.

Altoona Fire Department	Paramedic Assts	761.25
Carpenter Uniform	FD Uniforms	890.72
Copy System	Copier Maint	24.72
Fire Service Training Bureau	Twohey Registration Fee	25.00
Heartland Co-op		266.72
Inland Truck Parts & Service	RearEnd Service, Brakes, DOT	2,180.34
Menards	Misc Supplies	168.31
MidAmerican	Utility	171.98
O Reilly Auto Parts	5740/E572 Fuel Pump	82.88
Praxair	O2	45.29
Pro Hydro Testing	Testing 44 Bottles	1,480.00
Tritech	Billing	550.00
Zoll Medical Supplu	Annual Service	255.00

Total

6,902.21

City Of Mitchellville

City Council Bills

May 16th, 2016

Church

MidAmerican

Utility

21.59

Total

21.59

Park

Menards

Supplies/Paint/Toilet Seat

82.26

MidAmerican

Utility

66.69

Total

148.95

Cemetery

Dillavou, Tammi

Cemetery Maps

445.69

Elite Property Services

Mowing

2,240.00

Total

2,685.69

Sanitation

Metro Waste Authority

Curb It

1,455.58

Total

1,455.58

P & A, Clerk

Bancard

Reception/Supplies

137.64

Brick Gentry

Legal Fees

175.00

Century Link

Telecomm

252.64

City of Altoona

Building Permits

329.10

Craig, Mary

(2) Cleaning City hall

150.00

Des Moines Stamp

Bulk Rate/Bk Stamps

50.85

Iowa Prison Industries

Supplies for Comm Ctr

140.30

Des Moines Register

Publications

333.25

MIALG

FY16/17 Dues

421.60

MidAmerican

Utillity

112.62

Petty Cash

Postage

40.35

Total

2,143.35

Roads

American Test Center

DOT Inspections

489.00

Bancard

Disc Harrow

275.67

Century Link

Telecomm

136.18

Ferrellgas

Fuel

192.55

Heartland Co-op

Fuel

208.78

McManus

F250 Repairs

540.23

MidAmerican

Utility

1,673.26

O Reilly Auto Parts

Auto Parts

-12.88

Van Wall Equip

John Deere Z930

3,607.30

Total

7,110.09

City Of Mitchellville

City Council Bills

May 16th, 2016

Water

Bancard	Disc Harrow/Supplies	288.98
Carus	Chemicals	492.65
Century Link	Telecomm	60.82
Des Moines Register	Publications	105.89
Ferrellgas	Fuel	192.55
Heartland Co-op	Fuel	208.77
Interstate Powersystems	Generator Repairs	3,256.76
Iowa One Calls	Locates	27.45
Jetco	Well # 4	1,508.40
McManus	F250 Repairs	540.22
MidAmerican	Utility	1,633.27
Petty Cash	Postage	6.68
Porter Hardware	Tractor Rental	148.50
Quill	Supplies	108.04
Total		8,578.98

Sewer

Bancard	Disc Harrow	275.66
Century Link	Telecomm	109.64
Ferrellgas	Propane	192.55
Heartland Co-op	Fuel	208.77
Iowa One Calls	Locates	27.45
Keystone Laboratories	Chemicals/Testing	136.00
McManus	F250 Repairs	540.23
MidAmerican	Utility	1,482.82
Municipal Supply	Supplies	295.35
Total		3,268.47

Total Bills To Be Paid

34,535.01

Grand Total

486,980.10

City Of Mitchellville

City Council Bills

May 16th, 2016

Estimated Balances as of May 13, 2016

FUND	FUND BALANCE	EXPENDITURE	TOTAL
General Fund	672,797.06	(13,965.93)	658,831.13
Library - General	44,390.30	0.00	44,390.30
EMS - General	(82,381.08)	(1,611.54)	(83,992.62)
Road Use	243,551.85	(7,110.09)	236,441.76
Employee Benefits	115,197.54	0.00	115,197.54
Emergency Levy Fund	13,715.72	0.00	13,715.72
FEMA	0.00	0.00	0.00
Special Assessment	918.00	0.00	918.00
Tax Increment Financing (TIF)	11,722.71	0.00	11,722.71
Low to Moderate Income (LMI)	33,210.96	0.00	33,210.96
Urban Renewal	3,401.32	0.00	3,401.32
Urban Renewal Area	0.00	0.00	0.00
Railroad Crossing Repair fund	0.00	0.00	0.00
Fire Truck Replacement fund	148,486.95	0.00	148,486.95
Police Car Replacement fund	29,371.12	0.00	29,371.12
Debt Service	(116,572.41)	0.00	(116,572.41)
Urban Service Area Fund	0.00	0.00	0.00
Library Renovation fund	0.00	0.00	0.00
center ave project fund	0.00	0.00	0.00
city hall project fund	0.00	0.00	0.00
Sewer Rehab Project Fund	(34,292.50)	0.00	(34,292.50)
cemetery - perpetual care	41,242.54	0.00	41,242.54
Water fund	147,821.55	(8,578.98)	139,242.57
Utility Deposits	42,545.80	0.00	42,545.80
Water Capital project	0.00	0.00	0.00
Water sinking	9,171.27	0.00	9,171.27
Sewer fund	385,772.22	(3,268.47)	382,503.75
Sewer sinking	3,218.66	0.00	3,218.66
payroll clearing	(3,580.68)	0.00	(3,580.68)
Blake Trust	64,820.09	0.00	64,820.09
Library Memorial T&A	24,362.08	0.00	24,362.08
Thomas Mitchell Historic Soc	<u>13,657.07</u>	<u>0.00</u>	<u>13,657.07</u>
TOTAL	1,812,548.14	(34,535.01)	1,778,013.13



SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 07 / 01 / 2016 through June 30, 2017

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA: CASEY'S MARKETING COMPANY, DBA CASEY'S GENERAL STORE # 2177

Physical Location Address: 309 CENTER AVE S City: MITCHELLVILLE ZIP: 50169

Mailing Address: PO BOX 3001 City: ANKENY State: IA ZIP: 50021

Business Phone Number: (_____) 5159677908

Legal Ownership Information:

Type of Ownership: Sole Proprietor Partnership Corporation LLC LLP

Name of sole proprietor, partnership, corporation, LLC, or LLP: CASEY'S MARKETING COMPANY

Mailing Address: PO BOX 3001 City: ANKENY State: IA ZIP: 50021

Phone Number: (515) 446-6728 Fax Number: (515) 965-6205 Email: MICHELLE.ROGNESS@CASEY'S.COM

Retail Information:

Types of Sales: Over-the-counter Vending machine

Types of Products Sold: (Check all that apply)

Cigarettes Tobacco Alternative Nicotine Products Vapor Products

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store Bar Convenience store/gas station Drug store
Grocery store Hotel/motel Liquor store Restaurant Tobacco store

Has vending machine that assembles cigarettes Other _____

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

SIGNATURE OF OWNER(S), PARTNER(S), OR CORPORATE OFFICIAL(S)

Name (please print): JULIA L. JACKOWSKI, SECRETARY FOR CASEY'S MARKETING CO. _____ Name (please print): _____

Signature: Julia L. Jackowski Signature: _____

Date: 5/2/2016 Date: _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: _____
- Fill in the date the permit was approved by the council or board: _____
- Fill in the permit number issued by the city/county: _____
- Fill in the name of the city or county issuing the permit: _____

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

6/30

Jul-June 2017



Iowa Department of Revenue
https://tax.iowa.gov

City of Mitchellville
204 Center Ave. N
Mitchellville, IA
50169

12680

Iowa Retail Permit Application For
Cigarette/Tobacco/Nicotine/Vapor

SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 07 / 01 / 2016 through June 30, 2017

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA: Dollar General Store #12680 Fee: \$75.00
Physical Location Address: 307 Center Ave. S City: Mitchellville ZIP: 50169
Mailing Address: 100 Mission Ridge City: Goodlettsville State: TN ZIP: 37072
Business Phone Number: (615) 855-4000

Legal Ownership Information:

Type of Ownership: Sole Proprietor Partnership Corporation LLC LLP
Name of sole proprietor, partnership, corporation, LLC, or LLP: Dolgenercorp, LLC
Mailing Address: 100 Mission Ridge City: Goodlettsville State: TN ZIP: 37072
Phone Number: (615) 855-4000 Fax Number: (877) 364-4130 Email: @dollargeneral.com
tax-beerandwinelicense

Retail Information:

Types of Sales: Over-the-counter Vending machine
Types of Products Sold: (Check all that apply)
Cigarettes Tobacco Alternative Nicotine Products Vapor Products

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store Bar Convenience store/gas station Drug store
Grocery store Hotel/motel Liquor store Restaurant Tobacco store
Has vending machine that assembles cigarettes Other Retail Merchandise

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

SIGNATURE OF OWNER(S), PARTNER(S), OR CORPORATE OFFICIAL (S)

Name (please print): Lawrence Gatta Name (I Vendor #309915
Signature: *Lawrence Gatta* Signatu Invoice #201712680TOBCITY43
Date: 4/8/16 Date: Batch #11298 \$75.00

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY -- MUST BE COMPLETE

- Fill in the amount paid for the permit: _____
- Fill in the date the permit was approved by the council or board: _____
- Fill in the permit number issued by the city/county: _____
- Fill in the name of the city or county issuing the permit: _____

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: lapledge@iowaabd.com
- Fax: 515-281-7375

RESOLUTION 2016-32

A RESOLUTION AMENDING CURRENT BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2016 FOR THE CITY OF MITCHELLVILLE

WHEREAS, The City Council has reviewed its current year's financial standing and has received several departmental requests for adjustments to this year's activities, and,

WHEREAS, the City has published notice of a hearing on May 4th, 2016 and that a Public Hearing was held on May 16th, 2016.

NOW, THEREFORE, Be it Adopted and Resolved by the Mitchellville City Council that the budget for fiscal year ending June 30, 2016 is amended as noted on the attached Budget Amendment detail forms.

BE IT FURTHER RESOLVED, that the City Clerk submit a copy of this resolution and detail state forms to the Polk and Jasper County Auditors.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

**NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT CITY BUDGET**

The City Council of MITCHELLVILLE in POLK & JASPER County, Iowa
will meet at MITCHELLVILLE CITY HALL
at 7:00 PM on 5/16/2016
(hour) (Date)

,for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2016
(year)
by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

	Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources			
Taxes Levied on Property	1 648,998		648,998
Less: Uncollected Property Taxes-Levy Year	2 0		0
Net Current Property Taxes	3 648,998	0	648,998
Delinquent Property Taxes	4 0		0
TIF Revenues	5 27,614		27,614
Other City Taxes	6 53,471		53,471
Licenses & Permits	7 7,650		7,650
Use of Money and Property	8 3,250		3,250
Intergovernmental	9 299,004	226,223	525,227
Charges for Services	10 1,053,660		1,053,660
Special Assessments	11 0		0
Miscellaneous	12 8,800	87,571	96,371
Other Financing Sources	13 0	53,369	53,369
Transfers In	14 368,074	126,371	494,445
Total Revenues and Other Sources	15 2,470,521	493,534	2,964,055
Expenditures & Other Financing Uses			
Public Safety	16 450,034	27,435	477,469
Public Works	17 306,237	86,706	392,943
Health and Social Services	18 1,500		1,500
Culture and Recreation	19 135,814	16,022	151,836
Community and Economic Development	20 29,575		29,575
General Government	21 90,511	10,000	100,511
Debt Service	22 217,853		217,853
Capital Projects	23 0	135,000	135,000
Total Government Activities Expenditures	24 1,231,524	275,163	1,506,687
Business Type / Enterprises	25 870,842		870,842
Total Gov Activities & Business Expenditures	26 2,102,366	275,163	2,377,529
Transfers Out	27 368,074	126,371	494,445
Total Expenditures/Transfers Out	28 2,470,440	401,534	2,871,974
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	29 81	92,000	92,081
Beginning Fund Balance July 1	30 1,254,630		1,254,630
Ending Fund Balance June 30	31 1,254,711	92,000	1,346,711

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

Revenue increases due to CDBG grant, SRF loan proceeds, increase road use tax revenue, GTSB grant money, police fines, salvage vehicle inspections, Park & Rec grant, EMS Assoc reimbursement, and donations to the library, Thomas Mitchell Historical Society and the police. Expense increases due to extra street projects, library and Park & Rec purchases from grant funds, sewer rehab project that extended into 2016, changes in funding categories for city hall payroll, EMS equip purchases, and police social programs

There will be no increase in tax levies to be paid in the current fiscal year named above related to the proposed budget amendment. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget.

<=== TYPE N

City Clerk/ Finance Officer Name

RESOLUTION 2016-33

A RESOLUTION AUTHORIZING BRICK GENTRY, P.C. AND BILLY MALLORY TO TAKE ANY AND ALL ACTIONS NECESSARY TO ADDRESS ONGOING VIOLATIONS AT THE REDMAN PROPERTY

WHEREAS, the following legally described property is owned by George Redman (Mr. Redman):

All of Blocks 3, 4, and 5 (except the South 300 feet thereof) and also the West 75 feet of Block 2, all in Seminary Plat, Town of Mitchellville, Polk County, Iowa;

And

The North 226 feet of vacated Oak Street, 75 feet in width, lying South of the South line of Block 2 in Seminary Plat, Town of Mitchellville, Polk County, Iowa

WHEREAS, Mr. Redman has permitted individuals to live in a storage unit/shipping container placed upon the above described property, without having first requested or obtained a rental inspection, a rental inspections certificate, or a certificate of occupancy for the same; and

WHEREAS, such actions constitute a violation of City Code sections 159.07, 159.11 and 155.0; and

WHEREAS, City staff has attempted to work with Mr. Redman to abate the violation on multiple occasions, to no avail; and

WHEREAS, the City wished to bring Mr. Redman's property into compliance with the above referenced code provisions.

NOW, THEREFORE, Be it Resolved, that Brick Gentry, P.C. and Billy Mallory are hereby authorized and directed to proceed with any and all actions necessary against the owners, the parties in possession, and any other proper parties, to address ongoing violations at property legally described above, including but not limited to, the filing of a municipal infraction.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

RESOLUTION 2016-34

**A RESOLUTION TRANSFERRING FUNDS FROM WATER TO DEBT SERVICE FOR
FISCAL YEAR 2016**

WHEREAS, the City Council approves transfers between funds and the accounting system should now indicate the appropriate transfer,

NOW, THEREFORE, Be it Adopted and Resolved by the Mitchellville City Council that the City Clerk be directed to make said transfer as follows:

CASH TRANSFERS:

Transferred from: Water – Cash 600-1110

Transferred to: Debt Service – Cash 200-1110

Amount: \$61,297.50

Explanation of Activity: Transfer out of water to debt service for loan paid out of debt service.

All resolutions in conflict with this resolution are hereby repealed. This resolution shall be effective June 1, 2016.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

RESOLUTION 2016-35

**A RESOLUTION TRANSFERRING FUNDS FROM SEWER TO DEBT SERVICE FOR
FISCAL YEAR 2016**

WHEREAS, the City Council approves transfers between funds and the accounting system should now indicate the appropriate transfer,

NOW, THEREFORE, Be it Adopted and Resolved by the Mitchellville City Council that the City Clerk be directed to make said transfer as follows:

CASH TRANSFERS:

Transferred from: Sewer – Cash 610-1110

Transferred to: Debt Service – Cash 200-1110

Amount: \$16,327.22

Explanation of Activity: Transfer out of sewer to debt service for loan paid out of debt service.

All resolutions in conflict with this resolution are hereby repealed. This resolution shall be effective June 1, 2016.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

RESOLUTION 2016-36

**A RESOLUTION TRANSFERRING FUNDS FROM EMS TO DEBT SERVICE FOR FISCAL
YEAR 2016**

WHEREAS, the City Council approves transfers between funds and the accounting system should now indicate the appropriate transfer,

NOW, THEREFORE, Be it Adopted and Resolved by the Mitchellville City Council that the City Clerk be directed to make said transfer as follows:

CASH TRANSFERS:

Transferred from: EMS GENERAL – Cash 007-1110

Transferred to: Debt Service – Cash 200-1110

Amount: \$23,200.00

Explanation of Activity: Transfer out of EMS General to debt service for loan paid out of debt service.

All resolutions in conflict with this resolution are hereby repealed. This resolution shall be effective June 1, 2016.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

RESOLUTION 2016-37

**A RESOLUTION TRANSFERRING FUNDS FROM GENERAL FUND TO DEBT SERVICE
FOR FISCAL YEAR 2016**

WHEREAS, the City Council approves transfers between funds and the accounting system should now indicate the appropriate transfer,

NOW, THEREFORE, Be it Adopted and Resolved by the Mitchellville City Council that the City Clerk be directed to make said transfer as follows:

CASH TRANSFERS:

Transferred from: GENERAL – Cash 001-1110

Transferred to: Debt Service – Cash 200-1110

Amount: \$16,600.00

Explanation of Activity: Transfer out of General to debt service for Center Ave/City Hall loan paid out of debt service.

All resolutions in conflict with this resolution are hereby repealed. This resolution shall be effective June 1, 2016.

Passed and approved this 16th day of May, 2016.

Jon Woods, Mayor

ATTEST:

Tammi Dillavou, Interim City Clerk

ORDINANCE # 2118

AN ORDINANCE AMENDING CITY CODE OF ORDINANCE CHAPTER 25 CITY TREE BOARD, CHAPTER 135 STREET USE AND MAINTENANCE AND CHAPTER 151 TREES

WHEREAS, the city code of the City of Mitchellville has three Chapters (25, 135, and 151) that deal, in some manner, with issues relating to trees,

WHEREAS, the City Council wishes to revise, amend, and clarify the chapters of the city code of Mitchellville that relates to trees,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mitchellville that the city code reads as follows:

CHAPTER 25, CITY TREE BOARD

Municipal Code Section 25.04 is amended to read as follows:

Duties and Responsibilities. It is the responsibility of the Board to study, investigate, and to develop and/or update annually a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees, shrubs, vegetation along the City streets or on any City property. Yearly plans should be reviewed and approved by the City Council annually. The Board, when requested by the Council, shall consider, investigate, make findings, report, and recommend upon any special matter or question coming within the scope of its work. All recommendations are done as an advisory inquiry only, it is the authority of the City Council for city tree care.

Municipal Code Section 25.05 is amended to read as follows:

Operation. The Board shall choose its own officers, make its own regulations and keep a journal of its proceedings. A majority of the members shall be quorum for the transaction of business.

Municipal Code Section 25.06 is removed in its entirety.

CHAPTER 135, STREET USE AND MAINTENANCE

Municipal Code Section 135.10 is amended to read as follows:

Maintenance of Parking or Terrace. It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines upon the public streets, except that the abutting property owner shall not be required to remove diseased trees or dead wood on publicly owned property or right-of-way. Maintenance includes timely mowing, trimming trees and shrubs and picking up litter. The City has the authority to remove trees that are dead or diseased and that are on city right-of-way. If a tree should be found to be dead or diseased, the City will give the property owner a ten (10) day notice when applicable.

Municipal Code Section 135.11 is amended to read as follows:

Failure to Maintain Parking or Terrace. If the abutting property owner does not perform an action required under the above section within thirty (30) days, the City may perform the required action and assess the cost against the abutting property for collection in the same manner as a property tax.

CHAPTER 151 TREES

Municipal Code Section 151.02 is amended to read as follows:

Street Tree Species to be Planted. No person shall plant any tree in the parking or street without a permit issued by the City Council. A list of official street trees can be obtained at City Hall upon request.

Municipal Code Section 151.08 is amended to read as follows:

Public Tree Care. The City has a right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, square and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring action be taken within thirty (30) days. If such action is not taken within the time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax. The City Tree Board may make recommendations or requests for a tree to be removed, trimmed or treated to the City Council. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with this chapter.

Municipal Code Section 151.09 is amended to read as follows:

Tree Topping. It is unlawful as a normal practice for any person or City department to top any street tree, park tree or other tree on public property. Topping is defined as the sever cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this section at the determination of the City Council.

Municipal Code Section 151.13 is removed in its entirety.

All ordinances or part of ordinances in conflict with the provision of this ordinance are hereby repealed. Should any section, part or provision of this ordinance be judged invalid, such adjudication shall not affect the validity of the remainder of this ordinance.

This ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2016

Mayor Jon Woods

ATTEST:

Tammi Dillavou, Interim City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

Publish Date: _____