

Tentative Agenda
Glenwood City Council Meeting
July 25, 2023
City Hall 5 N. Vine St
Committee Meeting 5:45 p.m.
Council Meeting 7:00 p.m.

Committee Meeting 5:45-7:00 p.m.

Public Works

- Jake Zimmerer - [Current Projects Update](#)

Public Admin

- Green Street Property
- [Open Records Request Policy](#) - [Staff Report](#)
- Food Truck Parking - [Ord 919](#) - [Possible Solutions](#)
- [Possible Square Parking](#)

Budget & Finance

- [FY24 Budget Amendment](#) - [Staff Report](#)
- Lodging Tax
- Western Iowa Networks Update

Council Meeting - 7:00 p.m.

1. Call to Order/Roll Call

2. Consent agenda - *All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion on these items unless a request is made prior to the time Council votes on the motion:*

- | | |
|---|---|
| a. Agenda | e. County's reappointment of Richard Crouch to P&Z Board, 5 year term ending 08/07/2028 |
| b. Abstract of Claims #2 | |
| c. Minutes of July 11, 2023 | f. Council's reappointment of John Bueltel to P&Z Board, 5 year term ending 08/07/2028 |
| d. Mills County Historical Society Liquor License Renewal | |

3. Allow visitors to address council

Visitors may address the Council at this time; however, comments will be limited to 3 minutes. As per Iowa's Open Meetings Law, Council can only listen during public comments and cannot take any action on items that are not posted on the agenda. Council may take issues under advisement and if needed refer them to a department head, Mayor's committee, or add them to a future agenda.

4. Kiwanis [Hiley Park Project](#) - DNR Reap Grant

- a. [Res 3639](#) a Resolution Supporting the Submittal of a REAP Grant for Hiley Park Improvements
- b. [Letter of support](#)
- c. [Kiwanis' Long Range Hiley Park Plans](#)

5. Julie Schutz - Aquatic Center Entry Fees

6. [Final Pay Request](#) to Mark Hughes Construction in the Amount of \$123,509.15 for Concession Stand at Rec Complex - [Staff Report](#)

7. Set Public Hearing for Adoption of [Comprehensive Plan](#) for August 8, 2023 at 7:00 p.m.

8. Committee Reports

a. Public Works - Kates

- i. Current Projects Update

b. Public Admin - Jackson

- i. Green Street Property
- ii. [Resolution 3638](#) Open Records Policy
- iii. Food Truck Parking

c. Budget & Finance - Smithers

- i. Set Public Hearing for [Amendment](#) to FY24 Budget ending June 30, 2023 for August 22, 2023 at 7:00 p.m.
- ii. Lodging Tax
- iii. Western Iowa Networks Update

9. Departmental Reports

a. Clark-Public Works

b. Johansen – Police Dept

- i. First Reading of [Ordinance 930](#) an Ordinance Amending the Code of Ordinances pertaining to Vehicle Stop Requirements within the City. (Adding Stop Signs on 4th, Elm & Nuckolls Streets)
- ii. Approval to advertise the 2011 Tahoe & 2013 Tahoe for sale via sealed bid, after vehicles are decommissioned
- iii. [Promotion](#) of Police Officer Dan Kammerer from Police Officer II to Police Officer III effective July 27, 2023 at \$28.92/hr per union contract
- iv. Cultivate Community Update

c. Painter – Library

d. Collins – Cemetery

- i. [7.19.2023 Cemetery Minutes](#)

e. Gray – Fire & Rescue/ Code enforcement

- i. 50% Matching DNR Grant for Wildland Fire Assistance up to \$4,500
- ii. [7.19.2023 P&Z Minutes](#)
- iii. [IMWCA Work Comp Safety Audit](#)

f. Mattox – Park

- i. [7.20.2023 Park Board Minutes](#)
- ii. Request for Budget Amendment for Park/Rec Budget - [FY23 Budget](#)
- iii. Park Board Recommendation to Purchase Storage Shed for Pickleball Courts, not to Exceed \$3,000
- iv. Park Board Recommendation to Purchase a 72” Scag Turf Tiger Mower from Uphoff Outdoor Power in the Amount \$15,039.20 - [FY24 Park Board Budget](#)

g. Farnan – Admin

- i. [Board Vacancies](#)
- ii. June 2023 Financials

10. Mayor Report

11. Motion to Adjourn Motion _____ Second _____ Ayes _____ Time: _____ PM

Order of agenda at discretion of Mayor

For hearing assistance contact City Hall seven business days prior to the meeting date.

Virtually: <https://www.gotomeet.me/CityofGlenwood/> Phone: (786) 535-3211 Access Code: 738-827-117



STAFF REPORT

To: City Council, Mayor Kohn
From: Amber Farnan
Date: July 24, 2023
RE: Current Projects with Eagle Engineering

We have several ongoing projects with Eagle Engineering, Jamey Clark & I are meeting with Jake Zimmerer on Tuesday, July 25, 2023 at 5:00 p.m. to discuss them. Included in this discussion will be:

1. Maplewood Cir & Oak Ridge Park Roads – Discuss if the roads are ready to turn over to the City.
2. Locust Street – Discuss next steps, timeline.
3. FY23/24 Asphalt Projects – Discuss scope, set bid dates, timeline.
4. Fairview Creek Stabilization – Discuss options for west side stabilization.
5. Coolidge Street – Project is finished, and punch list items have been completed.
6. Pool – Discuss current operation, fall plans for additional repairs.
7. Chestnut Street Drainage – Discuss options for filling in holes/ravines.
8. Marian Heights – Discuss ongoing issues with drainage, sink holes, etc.
9. Pizza Hut/Runza – Updates on progress.

Our committee meeting will begin at 5:45 p.m. on Tuesday, July 25th. Jake will be joining us to continue discussion of the above topics and to answer any questions Council and/or the Mayor may have.

Amber Farnan
City Administrator/Finance Director
amber.farnan@cityofglenwood.org

5 N. Vine Street
Glenwood, IA 51534
(712) 527-4717



STAFF REPORT

To: City Council, Mayor Kohn
From: Amber Farnan
Date: July 24, 2023
RE: Open Records Request Policy

I am requesting approval of an open records request policy. This policy states that we follow [Chapter 22 of the Iowa Code](#), explains our procedures, notes who the custodian of records are, sets our fees for large requests and reiterates exemptions to open records request, per Iowa Code.

Many cities in Iowa have adopted an open records request policy and mirror Chapter 22, as this one does. This policy would help protect the city, assist the public in requesting records, give a timeline for responses and ensure that all open records requests are treated in the same manner.

In the past two weeks our office has handled three separate open records requests from three separate individuals. We have been seeing (as many cities have been) an uptick in requests for records. Two were in writing and one was verbally, we asked the citizen with the verbal request to put the request in writing, so we could provide the information they requested. This policy will include an open records request form for the public to fill out. All this information will be available on our website, at the Library, Police Department, Fire Department and City Hall.

Amber Farnan
City Administrator/Finance Director
amber.farnan@cityofglenwood.org

5 N. Vine Street
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RESOLUTION 3638

Public Records Policy

Purpose

The purpose of this Public Records Policy is to define the policies, procedures and fee structure associated with handling public records requests made to the City of Glenwood, Iowa (“City”).

The City of Glenwood is subject to Iowa’s “open records” law set forth in Iowa Code Chapter 22. Iowa Code Section 22.1 contains a broad definition of what is considered public record, which includes, “... all records, documents, tape or other information, stored or preserved in any medium.”

General Policy

It is the policy of the City to meet all reasonable requests for information and documents within the constraints of Iowa Code Chapter 22. This policy should be read in harmony with those provisions of Iowa Code Chapter 22 in effect at the time of the request.

The City recognizes the right of the public to access public records maintained by the City in accordance with state law. When the City responds to requests to inspect or copy records, costs are incurred by the City. This policy is adopted to balance these competing interests, to establish an orderly and consistent procedure for responding to public records requests and to support the adoption of a fee schedule designed to reimburse the City for actual costs incurred in responding to public records requests.

This policy does NOT apply to Glenwood Municipal Utilities nor certain police investigation reports, medical reports, and fire investigation reports which are subject to separate policies.

Custodian of Records

Iowa Code Section 22.1(2) requires government bodies to delegate an official or employee as its “lawful custodian” responsible for implementing the requirements of Iowa Code Chapter 22 and to provide that information to the public.

Requests for public records should be directed to the respective lawful custodian of such records. The following is contact information for each respective department and their custodian:

Department	Custodian	Location	Phone Number
Fire Department	Fire Chief	5 N. Vine Street	712-527-4717
Police Department	Police Chief	3 N. Vine Street	712-527-9920
Library	Library Director	109 N. Vine Street	712-527-5252
Public Works	Public Works Director	502 Nuckolls Street	712-527-4598
All other City Departments	City Clerk	5 N. Vine Street	712-527-4717

Any questions concerning the City's Public Records Policy, related procedures or fees should be directed to:

City Clerk
City of Glenwood
5 N. Vine Street
Glenwood, IA 51534
712-527-4717
cityclerk@cityofglenwood.org

General Procedure

This policy is not intended to preclude verbal responses to routine requests for information. In addition, under certain circumstances, documents may be provided without a written request. Those circumstances may include:

- Documents made generally available to the public at public meetings.
- Subject to approval by the Director/Supervisor, a specific department may establish separate departmental policy to allow verbal requests for public records maintained by that department which are routinely requested by the public as part of the department's normal course of operations.

Written Request

All parties requesting any City records are asked to complete and submit a written Request for Examination and Copying of Public Records Form, to allow the City to promptly and accurately respond. Written requests are not limited to the attached form but use of the form is highly encouraged to ensure sufficient clarity of public records requests. The City reserves the right to seek clarification of any public records requests before responding to the request. The City reserves the right to deny any public records request if the request is sufficiently vague or unclear that the City cannot reasonably determine what records have been requested.

Routine and Non-Routine Records Requests

- A. Routine Requests. Routine records requests are those that are expected to be completed within 30 minutes and involve less than 10 pages of material. Routine records requests may be handled directly by the department involved with notice of the request. Examples of routine records requests include but are not limited to

requests for meeting minutes or agendas, and requests for copies of specific resolutions or ordinances.

- B. Non-Routine Requests. Non-routine records requests are those that are expected to take longer than 30 minutes to complete or involve more than 10 pages of material. City staff should provide a copy of any non-routine records request to the City Clerk immediately upon receipt. The City Clerk will coordinate the response to all non-routine records requests with affected departments through the chain of command.

Requestor's Options for Examining or Copying Records

In-person Examination of Records. Persons seeking public records within the control of the City may examine such records at City Hall between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except City holidays, and appointments are required. In-person examinations will be coordinated by the City Clerk. Adequate notice is required for in-person examinations as prior review and redaction of confidential or otherwise protected information may need to occur prior to a requestor's in-person review. In-person examinations will be supervised by City staff and conducted in a manner as directed by staff to prevent destruction, misappropriation, manipulation or disorganization of the original materials. After examination, persons seeking copies of public records need to specifically and clearly indicate which records are requested for copying.

Personal Review Not Required. Requestors are not required by law to be personally present for the examination of records and, therefore, may ask that the City examine its records and provide copies of records that correspond to the request in accordance with the terms and conditions of this policy.

Timing of Response

The City will strive to respond to public records requests within twenty (20) calendar days and make a good faith effort to provide access to public records as soon as possible.

The time to locate a record can vary considerably depending on the specificity of the request, the number of potentially responsive documents, the age of the documents, the location of the documents, and whether documents are stored electronically.

City staff are not expected to abandon or neglect their regular public duties to comply with a public records request and thus need sufficient time to make and deliver requested copies.

If the requested material potentially contains confidential information or is otherwise exempt from disclosure, additional time may be required for review and possible redacting of the material.

In the event that a request for an audio recording, video recording or any other form or medium, that the City determines will require additional time to process and produce, the requester will be notified of both the delay and any additional cost within a reasonable time.

Disclaimer of Responsibility for Requestors Use of Information Obtained from the City

Although records provided to a requestor may be deemed to be “open” or “public” records within the meaning of Iowa Code Chapter 22, the City recommends that any use of information provided by the City comply with all local, state, and federal laws, including but not limited to laws related to privacy, harassment, discrimination, debt collection, libel, slander and tort.

Exceptions

Any requests for an exception or deviation from this policy must be approved in advance by the City Administrator.

Exemptions

There are exceptions that protect certain records and documents from public disclosure. A number of these exceptions are listed in Iowa Code Chapter 22; others are provided elsewhere in the Iowa Code or by federal statute. Federal laws protect certain types of personal information from disclosure unless a law enforcement subpoena is provided. Additionally, various categories of information routinely handled by the City are considered confidential and therefore protected from disclosure. These categories include but are not limited to:

- A. Confidential business information of the City.
- B. Personnel records;
- C. Personal identification information;
- D. City Attorney communications that are protected by state or federal law;
- E. Customer usage or consumption data;
- F. Confidential information received from other municipalities, utilities, regulatory agencies or law enforcement;
- G. Copyrighted material or trade secrets;
- H. Data processing software, except for records otherwise considered public and separable from the software; and
- I. Homeland security and emergency management plans.

Disclosure of certain security related information to the public may increase risks to employees, visitors, persons or property and therefore must be protected. The City shall not disclose confidential information developed and maintained by the City concerning security procedures and emergency preparedness in response to the public records request if disclosure could reasonably be expected to jeopardize such employees, visitors, persons, or property. Only information that has a reasonable likelihood of compromising or jeopardizing safety and security should be withheld under this policy.

The following information shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:

- A. Architectural, engineering or construction diagrams not otherwise publicly available;
- B. Information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures of the City;
- C. Information about alarm and security systems such as key or electronic codes, passwords, wiring diagrams, system specifications, security cameras and security camera footage, electronic door systems and security procedures and planning related to such systems;
- D. Information about security systems governing information technology systems, including hardware, software, passwords and protocols;
- E. Information about specific threats, assessments of specific threats, and plans for addressing specific threats held by the City, recognized threat assessment team or other authorized group of individuals;
- F. Information about the location of hazardous materials such as controlled substances, radioactive materials, toxic materials, explosives and other hazardous biological materials;
- G. Information about protocols related to cash, cash handling, cash equivalents and property with unique or extraordinary value;
- H. Assessments of security vulnerability of the City, City assets, or systems.

Disclosure of Security Related Information

Security related information may be disclosed to an authorized contractor or other governmental entity when necessary to maintain or improve operations of the City.

Fees for Examining and Copying of Public Records

Iowa Code Section 22.3(1) permits a government body to, “adopt and enforce reasonable rules regarding the examination and copying of the records and the protection of the records against damage or disorganization.”

Furthermore, Iowa Code Section 22.3(2) states that a government body may, “charge a reasonable fee for the services of the lawful custodian or the custodian’s authorized designee in supervising the examination and copying of the records.”

Types of Fees

All legal, reasonable expenses for the examination or copying of records shall be paid by the party requesting the records.

Two types of fees may be charged in responding to a public records request – a Labor Service Fee and a Copy Fee.

Labor Service Fee – Supervising Examination of and Copying of Records

Parties requesting records will be charged for the personnel expenses related to the search, retrieval, preparation, copying, and supervision of examination of records. Requestors will be charged the effective hourly wage rate of the staff member(s) for requests which take more than 30 minutes to fulfill in any one month. The wage rate shall be prorated to the nearest 15 minutes. Hourly wage rates are set annually by the City's "salary resolution". The Labor Service Fee rate does not include the cost of employee benefits. A requester shall not have the right to request that particular employees perform the services.

Copy Fee

Parties will be charged the applicable fees for requested photocopies and electronic copies. A copy of the fee schedule for copies of records is attached.

Fee Schedule

- Fees for photocopies: \$.25 per page for black and white copies and \$0.50 per page for color copies.
- A fee for records provided on a USB flash drive is \$10.00; USB must be provided by the City, the City will not accept USBs provided by the requester.
- Postage – Actual cost of postage, if the City is requested to mail copies of records, records will be sent via certified mail.
- Routinely prepared or bound reports – Actual cost to produce.
- Special requests for records mapping requests, and other non-traditional methods of providing information may incur additional costs.

Additional Costs

The City reserves the right to amend the fee schedule at any time in the event of unanticipated expenses.

Any costs not covered by the above fee schedule shall be charged to the requestor based on the actual costs incurred by the City, including but not limited to all amounts charged to the City by third parties in connection with the fulfillment of any records request. This may include expenses of legal services utilized for the review and/or redaction of legally protected confidential information.

Prepayment and Advanced Deposits

- A. Parties requesting information will be given an estimated cost of fees to provide said information. The final amount due may vary based on the time and resources required to provide the documents or other unanticipated costs.
- B. If the party is only requesting photocopies which will take less than 30 minutes to provide, the requester shall be provided with a bill for the photocopies, which shall be paid before the photocopies will be released.
- C. If the City estimates the fees for the requested services will be greater than twenty-five dollars (\$25.00), the City may require the requestor to make an advance deposit to cover all or part of the estimated fees. If a deposit is required, no work will begin on a request until the deposit is received.
- D. Any funds collected by the City in excess of the actual fees will be refunded to

the requestor in a timely manner. If the actual costs incurred by the City to respond to the request are more than the deposit or prepayment amount, the City shall charge the requestor for all additional costs.

- E. If any requestor has not paid a previous amount due under this policy, the City shall require full payment of the previous amount due plus a full deposit for estimated services before processing a new request.

Cumulative Charges

Charges for responding to public records requests are cumulative to the extent they reflect the actual cost to the City. For example, if a one-page document takes 45 minutes to locate and the requestor wants the document copied and mailed, the charges will include labor service charges for 15 minutes of retrieval services (first 30 minutes at no charge); \$0.25 for a black and white photocopy (or whatever the photocopy copy fee is at such time); and the applicable postage charge for certified mail delivery.

Electronic Media Requests

All open record requests that are responded to by electronic media shall be provided in a format that prevents the document from being altered.

DULY PASSED AND APPROVED THIS 25th Day of July, 2023.

Ron Kohn, Mayor

Attest:

City Clerk



STAFF REPORT

To: City Council, Mayor
From: Amber Farnan
Date: July 25, 2023
RE: Food Truck Ordinance

Currently

May be parked on public property or street (non-residential side) as approved in the licensing application or as part of a city approved event under a public property special event permit issued.

Prohibited from parking within 100 feet of any facade or outdoor seating of a ground level establishment that sells prepared food or beverages without approval from the food establishment owner. Applies to one hour before the establishment opens and one hour after it closes

Opportunities

Allow parking of food trucks on certain streets, set by Council. Would need to decide which streets, if in residential or not. If we had a list of street parking, then the applications could be approved by City Hall and not have to go through Council each time.

Get permission from the Park Board to allow food trucks at the Park or at ballfields. Would need to know how many and length of time. Have a list so City Hall can approve without going to Park Board each time.

Allow parking on the square, in designated areas – create list.

Challenges

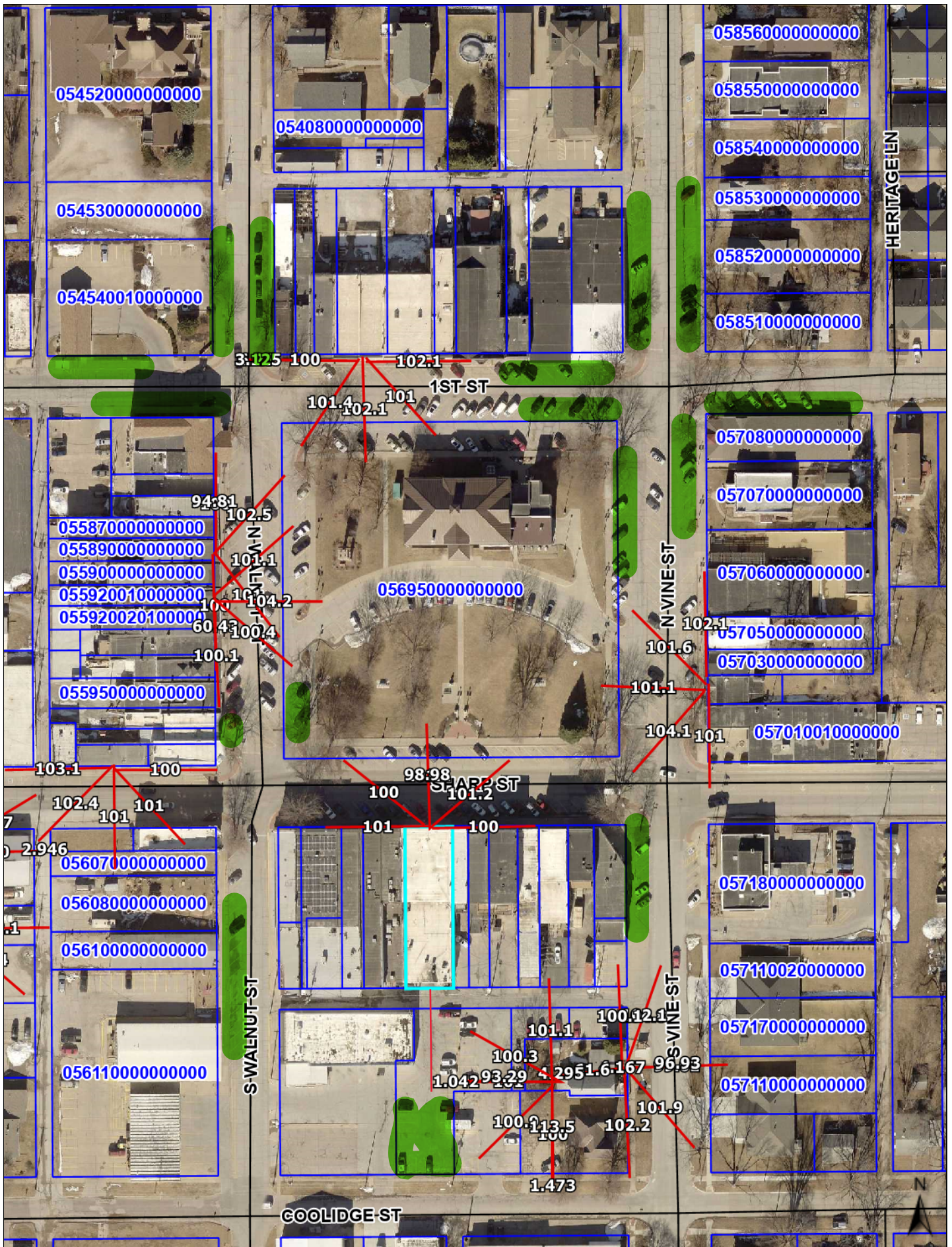
Most cities allow food truck parking only in commercial areas and on private property. Some allow for streets, with permission and in non-residential areas. Glenwood does not have a lot of commercial areas, nor do our streets allow for parking a food truck, due to the width and disruption of traffic flow.

Parking on the square, there are only a few areas on the square that are not 100' away from restaurants or bars - applies to one hour before the establishment opens and one hour after it closes.

Amber Farnan

City Administrator/Finance Director
amber.farnan@cityofglenwood.org

5 N. Vine Street
Glenwood, IA 51534
(712) 527-4717



ORDINANCE NO. 919

**AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES OF THE
CITY OF GLENWOOD, IOWA, BY ADDING NEW CHAPTER 122A
REGARDING "MOBILE FOOD VENDORS"**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GLENWOOD, IOWA:**

Section 1. The Glenwood City Code is hereby amended by adding Chapter 122A to read in full as follows:

**CHAPTER 122A
"MOBILE FOOD VENDORS"**

122A.01. DEFINITIONS.

"MOBILE FOOD VENDOR": A person engaged in the business of selling food or beverages from a mobile food unit (self-contained motorized vehicle, trailer or pushcart).

"PUSHCART": A pushcart is a non-motorized vehicle with dimensions not exceeding 4 feet in width and 8 feet in length and 8 feet in height and being capable of being moved and kept under control by one person traveling on foot.

122A.02. MOBILE FOOD UNIT LICENSE REQUIRED.

It shall be unlawful for any person to engage in the sale of food or beverages from a mobile food unit without first obtaining a mobile food unit license. A mobile food unit license issued by the city clerk or the city clerk's designee shall be subject to the following:

- A. A mobile food unit license is an annual license that expires on December 31st each year.
- B. Each mobile food unit shall be licensed separately. No license transfer is allowed.
- C. Each mobile food unit shall comply with State of Iowa inspection requirements and display its state license in full view of the public in or on the unit.
- D. Each mobile food unit shall have a working fire suppression system.

122A.03. MOBILE FOOD UNIT LICENSING APPLICATION:

- A. Filing: Application requests shall be filed with city hall. No application request shall be accepted for filing and processing unless it conforms to the requirements of this chapter. This would include a complete and true application, all of the required materials and information prescribed, and is accompanied by the required fees.

B. Timely Submittal: Unless otherwise provided herein, applications must be submitted not less than seven (7) calendar days prior to the proposed start date of the mobile food unit activities. The city reserves the right to reject any applications that have not been timely submitted to the city.

C. Application Contents: Application shall be made on a form provided by the city and shall include:

1. Full name of the applicant.
2. Applicant's contact information including mailing address, phone numbers and e-mail address.
3. Photographs of the mobile food unit from the front, side and back.
4. Make, model, and year of vehicle to be used and the license plate number (if required).
5. Overall size of the vehicle; to include length, width, and height.

D. Right to Appeal: Any applicant whose application for license was disapproved may appeal to the City Council at its next regularly scheduled meeting by filing with the city clerk or the city clerk's designee a written request for an appeal to the City Council at least seven (7) days prior to the meeting. As a result of this appeal, the City Council may affirm, modify or reverse the decision of the clerk not to issue the license. If the application for license is denied, the applicant is not eligible for the issuance of a license under this chapter for a period of one year from the date of notification that the license application was disapproved, was served in person or deposited in U.S. mail.

E. Applications Deemed Withdrawn: Any application received shall be deemed withdrawn if it has been held in abeyance, awaiting the submittal of additional requested information from the applicant, and if the applicant has not communicated in writing with the city and made reasonable progress within thirty (30) days from the last notification from the city to the applicant. The application fee is nonrefundable. Any application deemed withdrawn shall require submission of a new application and fees to begin a new review and approval process.

F. Issuance of License: Upon completion of the review process and a determination of compliance with the applicable regulations, the city clerk or the city clerk's designee will issue a mobile food unit license.

122A.04. MOBILE FOOD VENDOR LOCATIONS.

A. Mobile Food Units On Public Property: A mobile food unit (non-pushcart) may be parked on public property or street (on a non-residential side) as approved in the licensing application or as part of a city approved event under a public property special event permit issued by the City of Glenwood. Mobile units also are prohibited from parking within 100 feet of any facade or outdoor seating of a ground level establishment that sells prepared food or beverages (this only applies from one hour before the establishment's opening to an hour after closing) without approval from the food establishment owner.

B. Pushcarts are permitted to operate within city parks, walkway or greenways as well as private property (with property owner approval). However, a minimum forty-eight inch (48") open walkway must be maintained for passing pedestrians. The placement of the pushcart shall be in such a manner so as to minimize encroachment into the forty-eight inch (48") walkway by patrons waiting in line for service from the pushcart. Requests for authorization to vend within a city park or greenway (not as part of a city permitted public property special event) may be submitted no less than five (5) days and no more than fifteen (15) days prior to the requested day of vending. Pushcarts are prohibited from operating in the north marina parking and access area and the south marina parking and access area.

C. No Mobile Food Unit shall be left unattended or stored on any site overnight, unless that property is under the ownership or control of (by way of a lease or other contractual agreement) the operator of the unit and is being done so in compliance with all other city code requirements or the mobile food unit is a participant in a multiple (contiguous) day, city permitted, public property special event. Any mobile food unit found unattended shall be considered in violation of these regulations and subject to license revocation, towing, or any other action legally allowed.

D. Music and Sound Making Devices: The use of music or sound making devices as a part of a mobile food unit shall be prohibited, unless expressly allowed as part of an approved event.

E. Mobile Food Unit Performance Standards: Persons conducting business from a mobile food unit must do so in compliance with the following standards:

1. The mobile food vendor must obtain expressed written consent of the property owner or lessee to use the property on which they propose to operate or from the City if a pushcart on public property. The written consent must be kept in the unit at all times that the unit is on the property. Written consent does not excuse or permit the violation of any other imposable regulations.

the site, obstructing access to fire hydrants, impeding entering and exiting from a building, creating a visual impediment for the motoring public at drive entrances, intersections, pedestrian crossings, or similar movement and access.

122A.05. PROPERTY OWNER/LESSEE RESPONSIBILITY.

By allowing the mobile food unit on their property, the property owner or lessee jointly and severally with the vendor are responsible for compliance with this chapter and to ensure the safety of pedestrians and access of emergency vehicles to and around the site. Failure to do so could result in the property owner or lessee being party to any enforcement actions or penalties allowed by law.

122A.06. LICENSE FEES.

At the time of the submittal of a license application, the applicant shall pay to the city the applicable license fee in addition to any applicable inspection fee(s). The fee schedule will be set by resolution and may be modified from time to time with approval by resolution of the City Council.

Any licensee who surrenders their license prior to the date of expiration shall not be entitled to a refund of any portion of the fee.

122A.07. COMPLIANCE WITH THE LAW.

Each Mobile Food Unit vendor shall comply with all applicable federal, state, and local laws, regulations, and rules.

122A.08. SUSPENSION OR REVOCATION OF LICENSE.

Any license issued under the provisions of this chapter may be suspended or revoked by the city as follows:

A. Grounds: The city administrator or the city administrator's designee may suspend or revoke any license issued under this chapter, for any of, but not limited to, the following reasons:

1. The licensee has made fraudulent statements in his/her application for the license or in the conduct of his/her business.
2. The licensee has violated this chapter or any other chapter of this code or has otherwise conducted his/her business in an unlawful manner.
3. The licensee has conducted his/her business in such manner as to endanger the public welfare, safety, order, or morals.
4. The city administrator or the city administrator's designee has received and investigated three (3) or more found complaints during the licensed period related to the manner in which the licensee is conducting business.

B. Notice of Suspension or Revocation; Right to Appeal: The city administrator or the city administrator's designee shall cause notice of the license revocation to be served in person by a city official or by mail to the licensee's local address, which notice shall specify the reason(s) for such action, at which time operations of the licensee must cease within the corporate limits of the city of Glenwood. The licensee may appeal the revocation of the license to the city council at its next regularly scheduled meeting by filing with the city administrator or the city administrator's designee a written request for an appeal to the city council at least seven (7) days prior to the meeting. The city council may affirm, modify or reverse the decision of the city administrator or the city administrator's designee to revoke such license. If a license is revoked, no refund of any license fee paid shall be made. Upon the revocation of a license, the licensee is not eligible for the issuance of a new license under this chapter for a period of one year from the date the license revocation is served in person or deposited in the U.S. mail.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

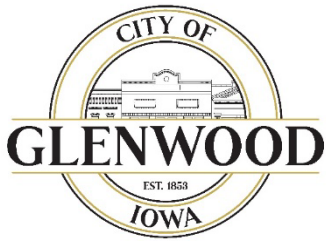
Section 3. This ordinance shall be in full force and effect after passage, approval and publication as provided by law.

PASSED AND ADOPTED at Glenwood, Iowa, this 12th day of July, 2022.

Ron Kohn
Ron Kohn, Mayor

ATTEST:

Jennie K
City Clerk



STAFF REPORT

To: City Council, Mayor Kohn
From: Amber Farnan
Date: July 24, 2023
RE: FY24 Budget Amendment

I am requesting the Council set a date for a budget amendment public hearing on August 22, 2023 to amend our current budget. Best practice is to amend a budget as soon as there is a deviation or we are aware of a deviation to the budget. Rule of thumb is to amend the budget before the money is spent.

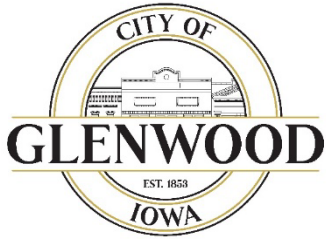
I am proposing the following amendments:

1. Downtown Revitalization Project – no change in amount. However, I had budgeted for those funds to run through the general fund (001). I am proposing we run it through a capital improvement fund (312). This would keep the funds separate from the general fund and any grant monies or property owner contributions would stay in the 312 fund and be easier and cleaner to track.
2. Several of our police cars were damaged in the hailstorm, we turned in a claim for repairs. ICAP sent us checks for the repairs in the amount of \$19,900, repairs will not exceed \$25,000. I am requesting amending the revenue side to reflect the \$19,900 that was received and the expense side to reflect the \$25,000 in repairs to the vehicles.
3. The bridges for the Trails project were not finished in FY23 as anticipated, they are scheduled for Oct/Nov of 2023 for placement, with payout during the current fiscal year. The budget needs to reflect \$415,000 in expenses for FY24.
4. Library repairs have been delayed due to material availability, we had budgeted for these repairs in FY23. We need to amend FY24 to reflect \$50,000 in expenses for the shelving, paint and other repairs due to water damage.
5. The concession stand at the rec complex was not completed in FY23 as anticipated. We will need to add \$125,000 to FY24 for the final payout.

Amber Farnan
City Administrator/Finance Director
amber.farnan@cityofglenwood.org

5 N. Vine Street
Glenwood, IA 51534
(712) 527-4717

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET				
City of GLENWOOD				
Fiscal Year July 1, 2023 - June 30, 2024				
The City of GLENWOOD will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2024				
Meeting Date/Time: 8/22/2023 07:00 PM		Contact: Amber Farnan		Phone: (712) 527-4717
Meeting Location: City Hall 5 N. Vine Street Glenwood, IA 51534				
There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult https://dom.iowa.gov/local-gov-appeals .				
REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	2,972,731	0	2,972,731
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	2,972,731	0	2,972,731
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	44,000	0	44,000
Other City Taxes	6	967,684	0	967,684
Licenses & Permits	7	60,700	0	60,700
Use of Money & Property	8	6,500	0	6,500
Intergovernmental	9	16,386,149	0	16,386,149
Charges for Service	10	499,500	0	499,500
Special Assessments	11	8,246	0	8,246
Miscellaneous	12	1,235,700	19,900	1,255,600
Other Financing Sources	13	500	0	500
Transfers In	14	559,943	0	559,943
Total Revenues & Other Sources	15	22,741,653	19,900	22,761,553
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	2,618,458	25,000	2,643,458
Public Works	17	2,191,250	0	2,191,250
Health and Social Services	18	0	0	0
Culture and Recreation	19	1,335,548	590,000	1,925,548
Community and Economic Development	20	514,500	-458,000	56,500
General Government	21	700,000	0	700,000
Debt Service	22	650,046	0	650,046
Capital Projects	23	15,000,000	458,000	15,458,000
Total Government Activities Expenditures	24	23,009,802	615,000	23,624,802
Business Type/Enterprise	25	0	0	0
Total Gov Activities & Business Expenditures	26	23,009,802	615,000	23,624,802
Transfers Out	27	559,943	0	559,943
Total Expenditures/Transfers Out	28	23,569,745	615,000	24,184,745
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-828,092	-595,100	-1,423,192
Beginning Fund Balance July 1, 2023	30	5,891,468	0	5,891,468
Ending Fund Balance June 30, 2024	31	5,063,376	-595,100	4,468,276
Explanation of Changes: Amending budget to reflect changing the Downtown Revitalization Project from the General Fund to Capital Improvement, amounts are the same (\$458,000). Added \$19,900 to misc revenue, due to hail damage insurance claims for PD vehicles and added \$25,000 in Public Safety expenditures due to hail damage repairs to PD vehicles, the City will have to pay insurance deductibles for these repairs. Mills County Trails bridges were not placed in FY23 as expected and budgeted for, bridge placement is set for fall of 2023 amending budget to reflect \$415,000. Repairs to Library from water damage was budgeted for FY23, but supply issues caused a delay in those repairs, amending to reflect \$50,000 for those repairs. The concession stand at the rec complex were not finished in FY23, amending the budget to reflect the final payment for the concession stand \$125,000.				



STAFF REPORT

To: City Council, Mayor
From: Amber Farnan
Date: July 25, 2023
RE: Lodging Tax / Western Iowa Networks Update

If Council is interested in having a lodging tax added to the ballot in November. I am seeking permission to work with Bond Counsel to prepare the required documents and guide us through this process.

Western Iowa Networks is working with Mills County to bring fiber to and through Glenwood. If the City is interested, they would like to have the City contribute directly to Mills County for this project. They have a good working relationship with Mills County and have worked with them directly to bring fiber to the surrounding areas. Further information will be available in the following weeks.

Amber Farnan

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