



**REGULAR  
CITY COUNCIL MEETING  
AGENDA**

**Monday, October 9, 2023 6:30 P.M  
Carlisle City Hall Council Chamber, 100 N. 1<sup>st</sup> St.**

Join Zoom Meeting - <https://zoom.us/j/9951930479> Meeting ID: 995 193 0479

One tap mobile – Call 1-312-626-6799, enter 995 193 0479# when prompted

We encourage all videoconferencing or calling in to let staff know who you are for the record and then mute your microphone or phone until you would like to speak to provide a better overall experience.

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**The following agenda items will be considered:**

**CALL MEETING TO ORDER / ROLL CALL BY CITY CLERK**

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION**

(Participants are asked to use podium and state name and address. Comments limited to 3 minutes.)

**PRESENTATIONS**

Swearing in Ceremony for Firefighter/EMT Brandon Sjullie

**CONSENT AGENDA & POSSIBLE ACTION** (Council may pull any item on consent agenda for separate action)

- Approval of Council Minutes for September 25, 2023
- Approval of Bills in Amount of \$113,325.15
- Approval of Warren County County Drug Task Force and Warren County Special Response Team Agreement
- Approval of Pay Application #10 for Scotch Ridge Road Intersection Improvement Project In Amount Not To Exceed \$268,392.30
- Approval of Resolution 10092023001 tax abatement application for 1305 Meadow View Dr. Carlisle, IA 50047

**OLD AND NEW BUSINESS & POSSIBLE ACTION**

- Discussion and Possible Action Request for Sidewalk Encroachment for La Villa
- Discussion and Possible Action on Official Trick or Treat Time
- Discussion and Possible Action On Ordinance Adding Provisions Pertaining to Utility Vehicles (UTVs)
  - Possible Action on Waiving 3<sup>rd</sup> Reading
- Discussion and Possible Action On Tax Abatement Resolution 20230911006 for 610 S 8<sup>th</sup> St., Carlisle, IA 50047
  - Remove Item From Table

**DEPARTMENT REPORTS**

Nuisance Abatement Update (Deven & Bob)

**CITY ATTORNEY REPORT**



**UPCOMING EVENTS AND INFORMATION OF NOTE TO COUNCIL**

Chamber Pub Crawl – Oct. 19 – 5 PM – Starts at Stadium View

Holiday Craft Show – Oct. 21 – 9 AM – 2 PM – Community Building

Hometown Pride Hayrides & Haunted Trail – Oct. 21 – 3-9 PM – Scotch Ridge Nature Park

Friends of Carlisle Library Book Sale – Oct. 27 10 AM – 5 PM & Oct. 28 9 AM – 4 PM – American Legion

PumpkinFest – Oct. 28 – 1-3 PM - Downtown

Not So Spooky Room – Oct. 28 – 1-3 PM – Carlisle Public Library

**ADJOURNMENT**

\*\* PLEASE NOTE THAT THIS AGENDA MAY CHANGE UP TO 24 HOURS PRIOR TO THE MEETING \*\*

# **CITY OF CARLISLE REGULAR CITY COUNCIL MEETING MINUTES**

**September 25, 2023; 6:30 P.M**

**Carlisle 100 N 1<sup>st</sup> Street, Carlisle, IA**

Roll Call: Elected Officials present; Mayor Drew Merrifield, Justin Brower, Doug Hammerand, Ruth Randleman, Dan McCulloch, and Robert Van Ryswyk constituting a quorum. Also present; City Clerk Shalee Crispen, City Admin. Deven Markley, City Attorney Robert Stuyvesant, and Public Works Sup. Tony Rhinehart. Mayor Merrifield called the meeting to order at 6:30 P.M.

## **PRESENTATIONS**

Des Moines Metropolitan Planning Organization Dylan Mullenix 420 Watson Powell Jr. Way Ste 200, Des Moines, IA 50309 presented on the updates with the MPO. Dylan spoke on the committees the MPO has such as policy & executive, grants, funding, and purple heart highway.

**CONSENT AGENDA & POSSIBLE ACTION** (Council may pull any item on consent agenda for separate action) Motion by Hammerand, seconded by Brower to approve the following consent agenda items,

Approval of Council Minutes for June 12, 2023, June 26, 2023, and July 10, 2023.

Approval of Bills in Amount of \$93,913.48

Approval of Change Order #8 for Scotch Ridge Road Intersection Improvement Project In Amount Not To Exceed \$7,793.00

## **OLD AND NEW BUSINESS & POSSIBLE ACTION**

Matt Thomas with Civil Design Advantage 4121 NW Urbandale Dr. Urbandale, IA 50322 spoke on Site Plan For Plat of Survey for Parcel "F" In Part of the West ½ of the Northwest ¼ in Section 17-T77N-R23W explaining that it is a retracement survey to correct the property lines that are currently recorded with Warren County. No Planning & Zoning meeting took place. Motion by Randleman, seconded by Hammerand to approve. Motion carried unanimously on a roll call vote.

Staff spoke about Site Plan For PDM Metals 2023 Granular Surfacing Expansion noting that Mitch from Fox Strand stating they need to go back to the beginning process. No action taken.

Motion by Hammerand, seconded by Randleman to remove from table. Motion carried unanimously on a roll call vote. Council discussed Utility Reimbursement Request for Don Prine, was found that downstairs toilet has been running, usage at the property stops when the toilet water supply is shut off. No action was taken.

Motion by McCulloch, seconded by Brower to remove Tax Abatement Resolution 20230911006 for 610 S 8<sup>th</sup> St., Carlisle, IA 50047 from table. Motion carried unanimously on a roll call vote. Council discussed option of giving them the remaining time of the tax abatement. City Attorney Robert Stuyvesant will get more information from the county on how to do the resolution wording, requested to table. Motion by McCulloch, seconded by Hammerand to table. Motion carried unanimously on a roll call vote.

Motion by McCulloch, seconded by Randleman to remove Discussion and Possible Action On Ambulance Quotes from table. Motion carried unanimously on a roll call vote. Chief Glover spoke with Feld Fire and they agreed to honor their original quoted price. No action needed.

Council discussed Ordinance Adding Provisions Pertaining to Utility Vehicles (UTVs). Doug Hammerand gave update on what the committee discussed for the UTV ordinance. Sunset clause, speed limits, seatbelts, and no lap sitting were brought up. Fines of at least \$250.00 were brought up and what all falls under that with speeding and other violations that may occur. Council asked City Attorney to investigate the wording for the seatbelt. Motion by Brower, seconded by McCulloch to approve first reading for ordinance adding provisions pertaining to utility vehicles removing wording of OEM or equivalent to state seatbelts not waiving the second or third reading. Motion carried unanimously on a roll call vote.

### **DEPARTMENT REPORTS**

Planning & Zoning Commission Chair Has Requested Creation Of An Attendance Policy – Quorum have been an issue for P&Z as of late. Staff will be working on getting an attendance policy in place for all boards.

Doug Hammerand thanked Ruth Randleman for all the work with MPO and getting the funding for the City over the years.

Dan McCulloch asked about the lights being put back up on Hwy 5 that were taken down during the project.

Ruth, Deven, and Drew attended the Iowa League of Cities Conference with more to come on that at a later date.

### **CITY ATTORNEY REPORT**

Robert noted we received the settlement check from Waste Management.

### **UPCOMING EVENTS AND INFORMATION OF NOTE TO COUNCIL**

.October 24<sup>th</sup> there will be a candidate forum at the Wildcat Activity Center for upcoming City/School election.

Mayor Merrifield asked how many candidates turned in papers and whom they were. Shalee noted that four candidates turned in papers for the upcoming election. Andrya Carter, Krista Beck, Daniel Carver, and Beth Sauter.

Motion by Hammerand, seconded by Randleman to Adjourn at 8:16 PM. Motion carried unanimously on roll call vote.

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Drew Merrifield, Mayor

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Shalee Crispen, City Clerk

NOTE: Minutes are unofficial until approved by Council-final approval may include corrections as necessary

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE	GENERAL FUND	IOWA LAW ENFORCEMENT ACADEMY	PD REZKALLA TRAINING	7,100.00
			LASER RESOURCES LLC	PD PRINTING - SEPT 89.06
			CYBER SOLUTIONS, LLC	PD SEPTEMBER SERVICES 4,338.29
			CARLISLE AUTO WASH, LLC	PD CAR WASH TOKENS 150.00
			AXON ENTERPRISE, INC.	PD TASER 4,275.76
			SERVICE PROVIDERS ASSOCIATION	PD CLEANING SERVICES 235.00
			GALL'S INC.	PD HAUSER - HAT 68.99
				PD KOCH - HAT 68.99
				PD KOCH 171.56
				PD KOCH 2.21
				PD KOCH 5.45
				PD LOOMIS 68.99
				PD LARSON 59.29
				PD OPERATIONS 39.48
				PD GASOHOL 6,357.10
				PD ROAD TAX 719.40
				PD KOCH NOTARY RENEWAL <u>30.00</u>
	TOTAL: 23,779.57			
FIRE DEPARTMENT	GENERAL FUND	JAMES OIL COMPANY	FD GASOHOL 71.58	
			FD ROAD TAX <u>8.10</u>	
			TOTAL: 79.68	
EMS	GENERAL FUND	BOUND TREE MEDICAL LLC	EMS MED RESTOCK 27.90	
			EMS MED RESTOCK 190.12	
			EMS MED RESTOCK 45.72	
			IOWA MEDICAID ENTERPRISE	FD GEMT 1,484.50
			CYBER SOLUTIONS, LLC	EMS IT 1,410.73
			BENJAMAN BAGLEY	EMT CLASS REIMBURSEMENT 100.99
			IOWA FIREFIGHTERS ASSOCIATION	FD IFA DUES <u>238.00</u>
			TOTAL: 3,497.96	
BUILDING INSPECTIONS	GENERAL FUND	SAFE BUILDING COMPLIANCE AND TECHNOLOG	SEPT BLDG PERMITS <u>1,115.50</u>	
			TOTAL: 1,115.50	
SOLID WASTE	GENERAL FUND	METRO WASTE AUTHORITY	AUG MONTHLY CURB-IT 6,878.10	
			SEPT CURB-IT! <u>6,878.10</u>	
			TOTAL: 13,756.20	
PARKS	GENERAL FUND	MICHAEL T OLSON	WEED CONTROL - REC CTR & P 2,337.00	
			WASTE SOLUTIONS OF IOWA	RESTROOMS 196.00
			AMAZON CAPITAL SERVICES	PICKLEBALL NETS & BALLS 202.97
			MASON MCMILLEN	MILEAGE 9/18 & 9/19 IAPRA 167.68
			CHECKERED FLAG EMBROIDERY & SCREEN PRI	REC LEAGUE T-SHIRTS 186.50
			JAMES OIL COMPANY	PARKS GASOHOL 455.97
				PARKS ROAD TAX <u>51.60</u>
TOTAL: 3,597.72				
COMMUNITY CENTER	GENERAL FUND	ROBERTS HEATING & COOLING	COMM BLDG A/C BLOWER MOTO 636.65	
			JEFFRIES CLEANING LLC	COMM BLDG CLEANING SERVICE <u>375.00</u>
			TOTAL: 1,011.65	
ECONOMIC DEVELOPMENT	GENERAL FUND	MIDAMERICAN ENERGY COMPANY	FRONTLINE ROAD LIGHT - CAS <u>6,887.67</u>	
			TOTAL: 6,887.67	
CITY COUNCIL	GENERAL FUND	RUTH RANDLEMAN	RUTH RANDLEMAN 172.92	

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	172.92
LEGAL SERVICES	GENERAL FUND	AHLERS & COONEY PC	SCHEDULE M REVIEW	393.75
		STUYVESANT, STRONG, KRAPFL & CARDA, PL	SEPT LEGAL	878.50
			SEPT LEGAL	<u>214.00</u>
			TOTAL:	1,486.25
CITY HALL	GENERAL FUND	LARRYS WINDOW SERVICE INC	CH WINDOW CLEANING	45.00
		CYBER SOLUTIONS, LLC	CH, EL, PW, PARKS MONTHLY	3,435.74
			KEYBOARD - DEVEN	67.20
			WASTE TONER CARTRAGE	58.00
		DEVEN MARKLEY	MILEAGE- ILOC CONF -CR 9-2	172.92
		SERVICE PROVIDERS ASSOCIATION	CH MONTHLY CLEANING	275.00
		MASON MCMILLEN	FUNERAL FLOWERS	<u>53.50</u>
			TOTAL:	4,107.36
STREET DEPARTMENT	ROAD USE TAX	CYBER SOLUTIONS, LLC	PW LAPTOP	511.01
		CAPITAL ONE TRADE CREDIT	PW PRESSURE WASHER HOSE	37.80
		CAPITAL CITY EQUIPMENT	PW HYDRO FITTINGS	45.59
		IOWA ONE CALL	PW AUG LOCATES	26.17
		JAMES OIL COMPANY	STREETS GASOHOL	2,128.75
			STREETS ROAD TAX	<u>240.90</u>
			TOTAL:	2,990.22
INVALID DEPARTMENT	LOCAL OPTION SALES	BRUENING ROCK PRODUCTS INC	PW VET'S MEMORIAL CONCRETE	985.20
			PW VET'S MEMORIAL CONCRETE	1,923.94
		MICHEAL V KILLEN	PW VETS MEMORIAL CONCRETE	12,300.00
		LOGAN CONTRACTORS SUPPLY INC	PW VETS MEMORIAL CONCRETE	750.00
			PW VETS MEMORIAL CONCRETE	965.00
			PW VETS MEMORIAL CONCRETE	736.50
		MENARDS - DES MOINES	PW VETS MEMORIAL CONCRETE	59.56
		NORWALK READY-MIXED CONC	PW VETS MEMORIAL CONCRETE	3,675.00
			PW VETS MEMORIAL CONCRETE	1,837.50
			PW VETS MEMORIAL CONCRETE	3,013.50
			PW VETS MEMORIAL CONCRETE	2,940.00
			PW VETS MEMORIAL CONCRETE	2,499.00
			PW VETS MEMORIAL CONCRETE	<u>1,770.00</u>
			TOTAL:	33,455.20
ARPA BROADBAND	ARPA BROADBAND	LARRY FLECK & SON TRUCKING	SRNP RESTROOM SITE	<u>552.36</u>
			TOTAL:	552.36
WATER DEPARTMENT	WATER FUND	HAWKINS WATER TREATMENT	PW TREATMENT CHEMICAL	632.51
		CYBER SOLUTIONS, LLC	PW LAPTOP	510.99
		AMAZON CAPITAL SERVICES	PW DYE TABLETS	22.53
		CAPITAL ONE TRADE CREDIT	PW PRESSURE WASHER HOSE	37.80
		CAPITAL CITY EQUIPMENT	PW HYDRO FITTINGS	45.59
		IOWA DEPARTMENT OF NATURAL RESOURCES	WATER USE PERMIT #3105	115.00
		IOWA ONE CALL	PW AUG LOCATES	26.17
		JAMES OIL COMPANY	WATER GASOHOL	689.26
			WATER ROAD TAX	78.00
		MICHEAL V KILLEN	PW 2 MAIN BREAKS - MARKET	<u>2,850.00</u>
			TOTAL:	5,007.85
SEWER DEPARTMENT	SEWER FUND	CYBER SOLUTIONS, LLC	PW LAPTOP	510.99
		ACCUJET LLC	PW 6TH & SCHOOL LINES	688.69

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		CAPITAL ONE TRADE CREDIT	PW PRESSURE WASHER HOSE	37.80
		CAPITAL CITY EQUIPMENT	PW HYDRO FITTINGS	45.59
		IOWA ONE CALL	PW AUG LOCATES	26.16
		JAMES OIL COMPANY	SEWER GASOHOL	689.26
			SEWER ROAD TAX	<u>78.00</u>
			TOTAL:	2,076.49
ELECTRIC DEPARTMENT	ELECTRIC UTILITY F	ARAMARK UNIFORM SERVICES	EL MAT SERVICE	144.09
		SPRINGER PEST SOLUTIONS	EL PEST CONTROL	41.80
		STUART C IRBY COMPANY	EL SECONDARY WIRE STOCK	5,120.00
			EL SECONDARY CONNECTORS ST	252.00
			EL STREET LIGHT WIRE STOCK	590.00
		KIELKOPF ADVISORY SERVICES, LLC	MEAN REP	1,423.23
		SERVICE PROVIDERS ASSOCIATION	EL OCT CLEANING SERVICE	214.00
		HEARTLAND CO-OP	EL GRASS SEED FOR RESTURAT	211.60
		IOWA ONE CALL	EL AUG LOCATES	45.20
		JAMES OIL COMPANY	EL GASOHOL	1,534.93
			EL ROAD TAX	<u>173.70</u>
			TOTAL:	9,750.55

===== FUND TOTALS =====

001	GENERAL FUND	59,492.48
110	ROAD USE TAX	2,990.22
121	LOCAL OPTION SALES TAX	33,455.20
301	ARPA BROADBAND	552.36
600	WATER FUND	5,007.85
610	SEWER FUND	2,076.49
630	ELECTRIC UTILITY FUND	9,750.55

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 GRAND TOTAL: 113,325.15  
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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ACCUJET LLC	PW 6TH & SCHOOL LINES	SEWER FUND	SEWER DEPARTMENT	<u>688.69</u>
			TOTAL:	688.69
AHLERS & COONEY PC	SCHEDULE M REVIEW	GENERAL FUND	LEGAL SERVICES	<u>393.75</u>
			TOTAL:	393.75
AMAZON CAPITAL SERVICES	PICKLEBALL NETS & BALLS	GENERAL FUND	PARKS	202.97
	PW DYE TABLETS	WATER FUND	WATER DEPARTMENT	<u>22.53</u>
			TOTAL:	225.50
ARAMARK UNIFORM SERVICES	EL MAT SERVICE	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>144.09</u>
			TOTAL:	144.09
AXON ENTERPRISE, INC.	PD TASER	GENERAL FUND	POLICE	<u>4,275.76</u>
			TOTAL:	4,275.76
BENJAMAN BAGLEY	EMT CLASS REIMBURSEMENT	GENERAL FUND	EMS	<u>100.99</u>
			TOTAL:	100.99
BOUND TREE MEDICAL LLC	EMS MED RESTOCK	GENERAL FUND	EMS	27.90
	EMS MED RESTOCK	GENERAL FUND	EMS	190.12
	EMS MED RESTOCK	GENERAL FUND	EMS	<u>45.72</u>
			TOTAL:	263.74
BRUENING ROCK PRODUCTS INC	PW VET'S MEMORIAL CONCRETE LOCAL OPTION SALES	INVALID DEPARTMENT		985.20
	PW VET'S MEMORIAL CONCRETE LOCAL OPTION SALES	INVALID DEPARTMENT		<u>1,923.94</u>
			TOTAL:	2,909.14
CAPITAL CITY EQUIPMENT	PW HYDRO FITTINGS	ROAD USE TAX	STREET DEPARTMENT	45.59
	PW HYDRO FITTINGS	WATER FUND	WATER DEPARTMENT	45.59
	PW HYDRO FITTINGS	SEWER FUND	SEWER DEPARTMENT	<u>45.59</u>
			TOTAL:	136.77
CAPITAL ONE TRADE CREDIT	PW PRESSURE WASHER HOSE	ROAD USE TAX	STREET DEPARTMENT	37.80
	PW PRESSURE WASHER HOSE	WATER FUND	WATER DEPARTMENT	37.80
	PW PRESSURE WASHER HOSE	SEWER FUND	SEWER DEPARTMENT	<u>37.80</u>
			TOTAL:	113.40
CARLISLE AUTO WASH, LLC	PD CAR WASH TOKENS	GENERAL FUND	POLICE	<u>150.00</u>
			TOTAL:	150.00
CHECKERED FLAG EMBROIDERY & SCREEN PRI	REC LEAGUE T-SHIRTS	GENERAL FUND	PARKS	<u>186.50</u>
			TOTAL:	186.50
CYBER SOLUTIONS, LLC	PD SEPTEMBER SERVICES	GENERAL FUND	POLICE	4,338.29



VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
GALL'S INC.	PD HAUSER - HAT	GENERAL FUND	POLICE	68.99
	PD KOCH - HAT	GENERAL FUND	POLICE	68.99
	PD KOCH	GENERAL FUND	POLICE	171.56
	PD KOCH	GENERAL FUND	POLICE	2.21
	PD KOCH	GENERAL FUND	POLICE	5.45
	PD LOOMIS	GENERAL FUND	POLICE	68.99
	PD LARSON	GENERAL FUND	POLICE	59.29
	PD OPERATIONS	GENERAL FUND	POLICE	<u>39.48</u>
			TOTAL:	484.96
HAWKINS WATER TREATMENT	PW TREATMENT CHEMICAL	WATER FUND	WATER DEPARTMENT	<u>632.51</u>
			TOTAL:	632.51
HEARTLAND CO-OP	EL GRASS SEED FOR RESTURAT	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>211.60</u>
			TOTAL:	211.60
IOWA DEPARTMENT OF NATURAL RESOURCES	WATER USE PERMIT #3105	WATER FUND	WATER DEPARTMENT	<u>115.00</u>
			TOTAL:	115.00
IOWA FIREFIGHTERS ASSOCIATION	FD IFA DUES	GENERAL FUND	EMS	<u>238.00</u>
			TOTAL:	238.00
IOWA LAW ENFORCEMENT ACADEMY	PD REZKALLA TRAINING	GENERAL FUND	POLICE	<u>7,100.00</u>
			TOTAL:	7,100.00
IOWA MEDICAID ENTERPRISE	FD GEMT	GENERAL FUND	EMS	<u>1,484.50</u>
			TOTAL:	1,484.50
IOWA ONE CALL	PW AUG LOCATES	ROAD USE TAX	STREET DEPARTMENT	26.17
	PW AUG LOCATES	WATER FUND	WATER DEPARTMENT	26.17
	PW AUG LOCATES	SEWER FUND	SEWER DEPARTMENT	26.16
	EL AUG LOCATES	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>45.20</u>
			TOTAL:	123.70
JAMES OIL COMPANY	PD GASOHOL	GENERAL FUND	POLICE	6,357.10
	PD ROAD TAX	GENERAL FUND	POLICE	719.40
	FD GASOHOL	GENERAL FUND	FIRE DEPARTMENT	71.58
	FD ROAD TAX	GENERAL FUND	FIRE DEPARTMENT	8.10
	PARKS GASOHOL	GENERAL FUND	PARKS	455.97
	PARKS ROAD TAX	GENERAL FUND	PARKS	51.60
	STREETS GASOHOL	ROAD USE TAX	STREET DEPARTMENT	2,128.75
	STREETS ROAD TAX	ROAD USE TAX	STREET DEPARTMENT	240.90
	WATER GASOHOL	WATER FUND	WATER DEPARTMENT	689.26
	WATER ROAD TAX	WATER FUND	WATER DEPARTMENT	78.00
	SEWER GASOHOL	SEWER FUND	SEWER DEPARTMENT	689.26

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
LARRY FLECK & SON TRUCKING	SRNP RESTROOM SITE	ARPA BROADBAND	ARPA BROADBAND	<u>552.36</u>
			TOTAL:	552.36
LARRYS WINDOW SERVICE INC	CH WINDOW CLEANING	GENERAL FUND	CITY HALL	<u>45.00</u>
			TOTAL:	45.00
LASER RESOURCES LLC	PD PRINTING - SEPT	GENERAL FUND	POLICE	<u>89.06</u>
			TOTAL:	89.06
LOGAN CONTRACTORS SUPPLY INC	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	750.00
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	965.00
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	<u>736.50</u>
			TOTAL:	2,451.50
MASON MCMILLEN	MILEAGE 9/18 & 9/19 IAPRA	GENERAL FUND	PARKS	167.68
	FUNERAL FLOWERS	GENERAL FUND	CITY HALL	<u>53.50</u>
			TOTAL:	221.18
MENARDS - DES MOINES	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	<u>59.56</u>
			TOTAL:	59.56
METRO WASTE AUTHORITY	AUG MONTHLY CURB-IT	GENERAL FUND	SOLID WASTE	6,878.10
	SEPT CURB-IT!	GENERAL FUND	SOLID WASTE	<u>6,878.10</u>
			TOTAL:	13,756.20
MICHAEL T OLSON	WEED CONTROL - REC CTR & P	GENERAL FUND	PARKS	<u>2,337.00</u>
			TOTAL:	2,337.00
MICHEAL V KILLEN	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	12,300.00
	PW 2 MAIN BREAKS - MARKET	WATER FUND	WATER DEPARTMENT	<u>2,850.00</u>
			TOTAL:	15,150.00
MIDAMERICAN ENERGY COMPANY	FRONTLINE ROAD LIGHT - CAS	GENERAL FUND	ECONOMIC DEVELOPMENT	<u>6,887.67</u>
			TOTAL:	6,887.67
NORWALK READY-MIXED CONC	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	3,675.00
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	1,837.50
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	3,013.50
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	2,940.00
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	2,499.00
	PW VETS MEMORIAL CONCRETE	LOCAL OPTION SALES	INVALID DEPARTMENT	<u>1,770.00</u>
			TOTAL:	15,735.00
ROBERTS HEATING & COOLING	COMM BLDG A/C BLOWER MOTO	GENERAL FUND	COMMUNITY CENTER	<u>636.65</u>
			TOTAL:	636.65

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	CH MONTHLY CLEANING	GENERAL FUND	CITY HALL	275.00
	EL OCT CLEANING SERVICE	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>214.00</u>
			TOTAL:	724.00
SPRINGER PEST SOLUTIONS	EL PEST CONTROL	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>41.80</u>
			TOTAL:	41.80
STUART C IRBY COMPANY	EL SECONDARY WIRE STOCK	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	5,120.00
	EL SECONDARY CONNECTORS ST	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	252.00
	EL STREET LIGHT WIRE STOCK	ELECTRIC UTILITY F	ELECTRIC DEPARTMENT	<u>590.00</u>
			TOTAL:	5,962.00
STUYVESANT, STRONG, KRAPFL & CARDA, PL	SEPT LEGAL	GENERAL FUND	LEGAL SERVICES	878.50
	SEPT LEGAL	GENERAL FUND	LEGAL SERVICES	<u>214.00</u>
			TOTAL:	1,092.50
WASTE SOLUTIONS OF IOWA	RESTROOMS	GENERAL FUND	PARKS	<u>196.00</u>
			TOTAL:	196.00

===== FUND TOTALS =====

001	GENERAL FUND	59,492.48
110	ROAD USE TAX	2,990.22
121	LOCAL OPTION SALES TAX	33,455.20
301	ARPA BROADBAND	552.36
600	WATER FUND	5,007.85
610	SEWER FUND	2,076.49
630	ELECTRIC UTILITY FUND	9,750.55

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GRAND TOTAL:	113,325.15
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RESOLUTION APPROVING WARREN COUNTY DRUG TASK FORCE  
AND WARREN COUNTY SPECIAL RESPONSE TEAM AGREEMENT

WHEREAS, the Warren County Attorney's Office, the Warren County Sheriff's Office, the City of Indianola Police Department, and the City of Carlisle Police Department have been in discussions to establish a County Drug Task Force and Special Response Team; and

WHEREAS, the parties now desire to enter into an agreement establishing the Task Force and the Special Response Team; and

WHEREAS, City Staff has received and reviewed a proposed agreement establishing the Task Force and the Special Response Team which is now recommended for approval.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Carlisle, Iowa that the agreement establishing the Warren County Task Force and Special Response Team is hereby approved and Chief Matt Koch is hereby authorized to enter into said agreement on behalf of the City.

PASSED AND APPROVED this 9<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
Drew Merrifield, MAYOR

ATTEST:

\_\_\_\_\_  
Shalee Crispen, CITY CLERK

**WARREN COUNTY  
COUNTY DRUG TASK FORCE AND  
WARREN COUNTY SPECIAL RESPONSE TEAM AGREEMENT**

**ARTICLE I - LEGAL BASIS**

**Section 1. Memorandum of Understanding.**

This agreement is made pursuant to a Memorandum of Understanding between the entities of the Warren County Attorney's Office, the Warren County Sheriff's Office, City of Indianola Police Department, and the City of Carlisle Police Department and such other parties as may be joined hereto by an amendment of this agreement.

**Section 2. Name**

The entities hereinafter created by this agreement shall be known as the Warren County Drug Task Force and the Warren County Special Response Team.

**Section 3. Preamble**

The parties to this agreement share a common interest and desire to jointly operate a drug task force and a special response team in Warren County, Iowa.

**ARTICLE II - IMPLEMENTATION OF THE AGREEMENT**

**Section 1.**

Other law enforcement agencies may become a part of this agreement upon the unanimous consent of the parties to this agreement.

**Section 2.**

Special funding shall be required in order to be a party of this agreement as stated in Article VII.

**ARTICLE III - COMMENCEMENT OF OPERATIONS**

**Section 1. Commencement**

The parties to this agreement hereby agree that the agreement shall take effect upon the parties named hereto signing onto the agreement, and the recording of a copy of the Agreement with the Warren County Recorder.

## **ARTICLE IV - DURATION AND AMENDMENT OF THE AGREEMENT**

### **Section 1. Duration**

Unless otherwise terminated according to the provisions contained in Article VIII of this document, this agreement shall commence on October 1, 2023, and shall continue in effect from year to year under the terms and conditions provided by this unless this Agreement is terminated or modified by those parties involved.

### **Section 2. Amendment**

This agreement shall be subject to amendment by the **unanimous** approval of all parties hereto. The agreement may be amended to include new members by the unanimous consent of the existing members.

## **ARTICLE V - PURPOSE**

### **Section 1. Purpose of the Agreement**

The purpose of this agreement is to permit and provide for the investigation of drug related offenses. This agreement also creates a special response team that will provide an organized and safe response to incidents where entry into structures is necessary to affect a warrant or otherwise. Indianola and Carlisle officers assigned to the drug task force and special response team are allowed to operate outside of the jurisdiction of the officers' employing agency to fulfill the aims of this agreement. Nothing in this agreement should be interpreted as creating a "routine patrol" as described in Iowa Code Section 804.7. Warren County deputies continue to have jurisdiction in all of Warren County.

### **Section 2. Other Agreements**

This agreement is not intended to supersede or otherwise invalidate any other agreements in which the parties to this agreement may be participating.

## **ARTICLE VI - ADMINISTRATION**

### **Section 1. Board of Directors**

This agreement shall be administered, as necessary, by the members of this agreement. Only departments providing full-time or part-time drug investigators and the Warren County Attorney will vote on matters related to the drug task force. All departments and the Warren County Attorney will vote on matters related to the special response team. Matters being moved will be defeated in the event of a tie vote. The Board of Directors will meet at a minimum of once a quarter.

## **Section 2. Standard Operating Procedures**

The Board of Directors shall adopt the standard operating procedures for both the drug task force and the special response team.

## **Section 3. Participation**

The Board of Directors acknowledge that training is of the utmost importance and will allow the personnel assigned to the drug task force and the special response team time to attend training. The coordinators for the drug task force and special response team will propose a training schedule by December 1 of each year that will schedule the training dates for the following year. Team members assigned to the drug task force and/or the special response team will be expected to attend all trainings. Absence from training on two consecutive months for reasons not related to a long-term injury will result in the member being suspended from the team. A meeting will be set with the Board of Directors to allow the member the opportunity to explain why he/she should remain on the task force or special response team. The Board of Directors will vote on the matter at the conclusion of the meeting.

## **ARTICLE VII - FUNDING**

### **Section 1. Funding**

The Warren County Attorney will provide funding through an ARPA fund established by the Warren County Board of Supervisors. The Board of Directors will establish a budget for the drug task force and for the special response team by January 15 of each year. Operations and equipment not funded through the ARPA funds will be provided by the individual departments.

## **ARTICLE VIII - TERMINATION OF THE AGREEMENT**

### **Section 1. Termination of the Agreement**

This agreement shall be in full force and effect upon execution by all parties hereto and the filing and recording thereof as provided. Any party may withdraw from the agreement by giving a minimum of three (3) months' notice to the remaining parties.

***I have read the above agreement and I agree to be bound by the terms and conditions of the agreement.***

\_\_\_\_\_  
*Douglas A. Eichholz, Warren County Attorney*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Brian Sher, Chief, Indianola Police Department*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Joseph Carico, Warren County Sheriff*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Matt Koch, Chief, Carlisle Police Department*

\_\_\_\_\_  
*Date*





# McClure Engineering Co.

## Detailed Payment

91-1105-608

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<b>Description</b>	STBG-SWAP-1105(608)--SG-91, Acct ID- 38175, Letting Date- December 21, 2021 In the City of Carlisle, Scotch Ridge Road PCC Grade & Replace MEC Project #: 20615007 McClure Project Folder: N:\Projects\CAR 20615007\Design\Excel\20615007_C01.xlsm
<b>Payment Number</b>	10
<b>Pay Period</b>	07/31/2023 to 09/06/2023
<b>Prime Contractor</b>	STERNQUIST CONSTRUCTION, INC. 1110 N. 14TH ST. INDIANOLA, IA 50125-0000
<b>Payment Status</b>	Pending
<b>Awarded Project Amount</b>	\$2,304,635.25
<b>Authorized Amount</b>	\$2,385,703.53
<b>Remarks</b>	The following items have been deleted due to lack of certifications.  <ol style="list-style-type: none"><li>1. Item 0430, Subdrain Riser, Approved Source<ol style="list-style-type: none"><li>1. 4EA in Stage 5</li><li>2. Daily Report 9/1/23</li></ol></li></ol>

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
<b>Section: 0001 - STBG-SWAP-1105(608)--SG-91, Acct ID- 38175, Roadway Items</b>										
0010	2101-0850001	ACRE	\$8,160.000	2.300	0.000	2.300	2.300	2.300	\$0.00	\$18,768.00
CLEARING AND GRUBBING										
0020	2102-2625000	CY	\$20.500	3,268.000	1,600.000	1,668.000	3,268.000	3,268.000	\$32,800.00	\$66,994.00
EMBANKMENT-IN-PLACE										
0030	2102-2710070	CY	\$14.500	4,321.000	3,121.000	1,200.000	4,321.000	4,321.000	\$45,254.50	\$62,654.50
EXCAVATION, CLASS 10, ROADWAY AND BORROW										
0040	2105-8425015	CY	\$14.500	2,116.000	1,496.000	620.000	2,116.000	2,116.000	\$21,692.00	\$30,682.00
TOPSOIL, STRIP, SALVAGE AND SPREAD										
0050	2107-0875000	CY	\$2.000	3,268.000	0.000	3,268.000	3,268.000	3,268.000	\$0.00	\$6,536.00
COMPACTION WITH MOISTURE AND DENSITY CONTROL										
0060	2115-0100000	CY	\$56.000	1,658.000	224.600	1,205.000	1,429.600	1,429.600	\$12,577.60	\$80,057.60
MODIFIED SUBBASE										
0070	2121-7425010	TON	\$33.000	66.500	0.000	966.300	966.300	966.300	\$0.00	\$31,887.90
GRANULAR SHOULDERS, TYPE A										
0080	2123-7450000	STA	\$1,300.000	4.100	0.000	0.000	0.000	0.000	\$0.00	\$0.00
SHOULDER CONSTRUCTION, EARTH										
0090	2123-7450020	STA	\$615.000	3.400	0.000	3.400	3.400	3.400	\$0.00	\$2,091.00
SHOULDER FINISHING, EARTH										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0100	2213-6745500	STA	\$335.000	3.400	0.000	3.400	3.400	3.400	\$0.00	\$1,139.00
REMOVAL OF CURB										
0110	2213-7100400	EACH	\$510.000	1.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
RELOCATION OF MAIL BOXES										
0120	2301-1033080	SY	\$70.000	8,538.300	4,244.000	3,729.000	7,973.000	7,973.000	\$297,080.00	\$558,110.00
STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 3 DURABILITY, 8 IN.										
0130	2301-1033080	SY	\$165.500	225.000	225.000	0.000	225.000	225.000	\$37,237.50	\$37,237.50
STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 3 DURABILITY, 8 IN.: COLORED PC CONCRETE ROUNDABOUT										
0140	2301-4875006	SY	\$86.500	880.000	408.400	365.000	773.400	773.400	\$35,326.60	\$66,899.10
MEDIAN, P.C. CONCRETE, 6 IN.										
0150	2301-6911722	LS	\$6,000.000	1.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
PORTLAND CEMENT CONCRETE PAVEMENT SAMPLES										
0160	2302-1200080	SY	\$95.000	293.600	0.000	293.600	293.600	293.600	\$0.00	\$27,892.00
PORTLAND CEMENT CONCRETE PAVEMENT WIDENING, 8 IN.: BLUESTEM DRIVE										
0170	2302-1200100	SY	\$135.000	428.500	-69.570	798.870	729.300	729.300	-\$9,392.00	\$98,455.50
PORTLAND CEMENT CONCRETE PAVEMENT WIDENING, 10 IN.: IA HIGHWAY 5 TURN LANE										
0180	2315-8275055	TON	\$35.750	40.000	40.000	0.000	40.000	40.000	\$1,430.00	\$1,430.00
SURFACING, DRIVEWAY										
0190	2401-6745830	LF	\$30.000	581.000	0.000	581.000	581.000	581.000	\$0.00	\$17,430.00
REMOVAL OF P.C. CONCRETE MEDIAN BARRIER										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0200	2401-6745910	EACH	\$105.000	16.000	4.000	7.000	11.000	11.000	\$420.00	\$1,155.00
REMOVAL OF SIGN										
0210	2402-2720100	CY	\$12.500	10.000	10.000	0.000	10.000	10.000	\$125.00	\$125.00
EXCAVATION, CLASS 20, FOR ROADWAY PIPE CULVERT										
0220	2416-0100015	EACH	\$1,428.000	3.000	0.000	5.000	5.000	5.000	\$0.00	\$7,140.00
APRONS, CONCRETE, 15 IN. DIA.										
0230	2416-0100018	EACH	\$1,938.000	2.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
APRONS, CONCRETE, 18 IN. DIA.										
0240	2416-0100024	EACH	\$2,346.000	2.000	0.000	2.000	2.000	2.000	\$0.00	\$4,692.00
APRONS, CONCRETE, 24 IN. DIA.										
0250	2416-0102242	EACH	\$2,754.000	2.000	0.000	2.000	2.000	2.000	\$0.00	\$5,508.00
APRON, LOW CLEARANCE CONCRETE, EQUIVALENT DIAMETER 42 IN.										
0260	2416-1160015	LF	\$102.000	28.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
CULVERT, CONCRETE ENTRANCE PIPE, 15 IN. DIA.										
0270	2416-1160018	LF	\$178.500	18.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
CULVERT, CONCRETE ENTRANCE PIPE, 18 IN. DIA.										
0280	2416-1160024	LF	\$194.000	32.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
CULVERT, CONCRETE ENTRANCE PIPE, 24 IN. DIA.										
0290	2431-0000100	SF	\$32.000	900.000	0.000	854.900	854.900	854.900	\$0.00	\$27,356.80
SEGMENTAL BLOCK RETAINING WALL										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0300	2435-0140148	EACH	\$4,080.000	4.000	0.000	4.000	4.000	4.000	\$0.00	\$16,320.00
MANHOLE, STORM SEWER, SW-401, 48 IN.										
0310	2435-0140172	EACH	\$6,800.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$6,800.00
MANHOLE, STORM SEWER, SW-401, 72 IN.										
0320	2435-0140196	EACH	\$10,710.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$10,710.00
MANHOLE, STORM SEWER, SW-401, 96 IN.										
0330	2435-0250100	EACH	\$4,080.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$4,080.00
INTAKE, SW-501										
0340	2435-0250500	EACH	\$5,916.000	8.000	0.000	8.000	8.000	8.000	\$0.00	\$47,328.00
INTAKE, SW-505										
0350	2435-0250600	EACH	\$9,180.000	5.000	0.000	5.000	5.000	5.000	\$0.00	\$45,900.00
INTAKE, SW-506										
0360	2435-0250704	EACH	\$3,060.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$3,060.00
INTAKE, SW-507, TOP ONLY										
0370	2435-0250900	EACH	\$7,940.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$7,940.00
INTAKE, SW-509										
0380	2435-0250910	EACH	\$7,140.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$7,140.00
INTAKE, SW-509 MODIFIED										
0390	2435-0251224	EACH	\$2,550.000	1.000	1.000	0.000	1.000	1.000	\$2,550.00	\$2,550.00
INTAKE, SW-512, 24 IN.: TYPE 3B CASTING										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0400	2435-0600010	EACH	\$1,632.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
MANHOLE ADJUSTMENT, MINOR										
0410	2435-0600120	EACH	\$2,244.000	2.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
INTAKE ADJUSTMENT, MAJOR										
0420	2502-8212306	LF	\$20.500	1,589.600	0.000	1,419.000	1,419.000	1,419.000	\$0.00	\$29,089.50
SUBDRAIN, STANDARD, PERFORATED, 6 IN., AS PER PLAN										
0430	2502-8221006	EACH	\$663.000	5.000	0.000	1.000	1.000	1.000	\$0.00	\$663.00
SUBDRAIN RISER, 6 IN., AS PER PLAN										
0440	2502-8221303	EACH	\$204.000	11.000	0.000	11.000	11.000	11.000	\$0.00	\$2,244.00
SUBDRAIN OUTLET, DR-303										
0450	2503-0114215	LF	\$76.500	621.000	0.000	552.000	552.000	552.000	\$0.00	\$42,228.00
STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 15 IN.										
0460	2503-0114218	LF	\$81.750	216.000	0.000	200.000	200.000	200.000	\$0.00	\$16,350.00
STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 18 IN.										
0470	2503-0114224	LF	\$97.000	274.000	0.000	243.000	243.000	243.000	\$0.00	\$23,571.00
STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 24 IN.										
0480	2503-0114230	LF	\$112.250	113.000	0.000	109.000	109.000	109.000	\$0.00	\$12,235.25
STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 30 IN.										
0490	2503-0116342	LF	\$255.000	204.000	0.000	149.000	149.000	149.000	\$0.00	\$37,995.00
STORM SEWER GRAVITY MAIN, TRENCHED, 2000D LOW CLEARANCE CONCRETE PIPE, EQUIVALENT DIAMETER 42 IN.										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0500	2503-0200036	LF	\$31.000	355.000	0.000	315.000	315.000	315.000	\$0.00	\$9,765.00
REMOVE STORM SEWER PIPE LESS THAN OR EQUAL TO 36 IN.										
0510	2503-0200136	LF	\$41.000	89.000	0.000	16.000	16.000	16.000	\$0.00	\$656.00
REMOVE STORM SEWER PIPE GREATER THAN 36 IN.										
0520	2510-6745850	SY	\$9.000	5,900.000	0.000	6,592.500	6,592.500	6,592.500	\$0.00	\$59,332.50
REMOVAL OF PAVEMENT										
0530	2510-6750600	EACH	\$1,224.000	5.000	0.000	3.000	3.000	3.000	\$0.00	\$3,672.00
REMOVAL OF INTAKES AND UTILITY ACCESSES										
0540	2511-6745900	SY	\$8.500	122.000	0.000	215.400	215.400	215.400	\$0.00	\$1,830.90
REMOVAL OF SIDEWALK										
0550	2511-7526004	SY	\$40.000	2,150.700	2,149.000	0.000	2,149.000	2,149.000	\$85,960.00	\$85,960.00
SIDEWALK, P.C. CONCRETE, 4 IN.										
0560	2511-7526006	SY	\$175.000	142.900	275.100	0.000	275.100	275.100	\$48,142.50	\$48,142.50
SIDEWALK, P.C. CONCRETE, 6 IN.										
0570	2511-7528101	SF	\$51.000	324.000	333.000	0.000	333.000	333.000	\$16,983.00	\$16,983.00
DETECTABLE WARNINGS										
0580	2512-1725256	LF	\$30.000	2,522.100	1,324.100	950.000	2,274.100	2,274.100	\$39,723.00	\$68,223.00
CURB AND GUTTER, P.C. CONCRETE, 2.5 FT.										
0590	2515-2475006	SY	\$51.000	97.000	145.000	0.000	145.000	145.000	\$7,395.00	\$7,395.00
DRIVEWAY, P.C. CONCRETE, 6 IN.										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0600	2515-6745600	SY	\$8.000	91.000	0.000	91.000	91.000	91.000	\$0.00	\$728.00
REMOVAL OF PAVED DRIVEWAY										
0610	2524-9100010	EACH	\$306.000	2.000	2.000	0.000	2.000	2.000	\$612.00	\$612.00
OBJECT MARKER, TYPE 1										
0620	2524-9276010	LF	\$12.500	429.000	429.000	0.000	429.000	429.000	\$5,362.50	\$5,362.50
PERFORATED SQUARE STEEL TUBE POSTS										
0630	2524-9276027	EACH	\$408.000	23.000	23.000	0.000	23.000	23.000	\$9,384.00	\$9,384.00
PERFORATED SQUARE STEEL TUBE POST ANCHOR, TRIANGULAR SLIP BASE ASSEMBLY										
0640	2524-9325001	SF	\$15.500	231.000	231.000	0.000	231.000	231.000	\$3,580.50	\$3,580.50
TYPE A SIGNS, SHEET ALUMINUM										
0650	2524-9325150	EACH	\$204.000	3.000	3.000	0.000	3.000	3.000	\$612.00	\$612.00
INSTALL TYPE A SIGN										
0660	2525-0000100	LS	\$230,000.000	1.000	0.250	0.750	1.000	1.000	\$57,500.00	\$230,000.00
TRAFFIC SIGNALIZATION										
0670	2526-8285000	LS	\$26,000.000	1.000	0.250	0.750	1.000	1.000	\$6,500.00	\$26,000.00
CONSTRUCTION SURVEY										
0680	2527-9263109	STA	\$92.000	59.810	59.810	0.000	59.810	59.810	\$5,502.52	\$5,502.52
PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED										
0690	2527-9263154	EACH	\$326.500	42.000	42.000	0.000	42.000	42.000	\$13,713.00	\$13,713.00
PRE-CUT SYMBOLS AND LEGENDS, PREFORMED POLYMER MARKING MATERIAL										



Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0700	2528-2518000	EACH	\$204.000	3.000	0.000	3.000	3.000	3.000	\$0.00	\$612.00
SAFETY CLOSURE										
0710	2528-8445110	LS	\$16,014.000	1.000	0.000	0.750	0.750	0.750	\$0.00	\$12,010.50
TRAFFIC CONTROL										
0720	2528-8445113	EACH	\$515.000	5.000	0.000	19.000	19.000	19.000	\$0.00	\$9,785.00
FLAGGERS										
0730	2528-9290050	CDAY	\$102.000	56.000	0.000	167.000	167.000	167.000	\$0.00	\$17,034.00
PORTABLE DYNAMIC MESSAGE SIGN (PDMS)										
0740	2533-4980005	LS	\$125,000.000	1.000	0.000	0.900	0.900	0.900	\$0.00	\$112,500.00
MOBILIZATION										
0750	2555-0000010	LS	\$3,000.000	1.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
DELIVER AND STOCKPILE SALVAGED MATERIALS										
0760	2599-9999005	EACH	\$1,020.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$1,020.00
('EACH' ITEM): CONNECT TO EXISTING PIPE										
0770	2599-9999005	EACH	\$3,570.000	3.000	0.000	3.000	3.000	3.000	\$0.00	\$10,710.00
('EACH' ITEM): FIRE HYDRANT RELOCATION										
0780	2599-9999005	EACH	\$1,020.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$1,020.00
('EACH' ITEM): YARD HYDRANT REMOVAL AND ABANDONMENT										
0790	2599-9999010	LS	\$3,570.000	1.000	1.000	0.000	1.000	1.000	\$3,570.00	\$3,570.00
('LUMP SUM' ITEM): 2 INCH DIA. TRENCHED ELECTRICAL CONDUIT AND HANDHOLE										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0800	2599-9999010	LS	\$5,000.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$5,000.00
('LUMP SUM' ITEM): CARLISLE MIDDLE SCHOOL SIGN REMOVAL										
0810	2601-2634100	ACRE	\$2,550.000	2.200	0.000	0.000	0.000	0.000	\$0.00	\$0.00
MULCHING										
0820	2601-2636044	ACRE	\$2,703.000	2.300	0.000	0.000	0.000	0.000	\$0.00	\$0.00
SEEDING AND FERTILIZING (URBAN)										
0830	2601-2642120	ACRE	\$1,530.000	2.300	0.000	0.000	0.000	0.000	\$0.00	\$0.00
STABILIZING CROP - SEEDING AND FERTILIZING (URBAN)										
0840	2602-0000020	LF	\$1.800	2,023.000	0.000	147.000	147.000	147.000	\$0.00	\$264.60
SILT FENCE										
0850	2602-0000071	LF	\$0.100	1,011.500	0.000	0.000	0.000	0.000	\$0.00	\$0.00
REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS										
0860	2602-0000101	LF	\$0.100	202.300	0.000	0.000	0.000	0.000	\$0.00	\$0.00
MAINTENANCE OF SILT FENCE OR SILT FENCE FOR DITCH CHECK										
0870	2602-0000530	EACH	\$178.500	18.000	16.000	14.000	30.000	30.000	\$2,856.00	\$5,355.00
GRATE INTAKE SEDIMENT FILTER BAG										
0880	2602-0000540	EACH	\$41.000	18.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
MAINTENANCE OF GRATE INTAKE SEDIMENT FILTER BAG										
0890	2602-0000550	EACH	\$26.000	18.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
REMOVAL OF GRATE INTAKE SEDIMENT FILTER BAG										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
0900	2602-0010010	EACH	\$500.000	1.000	1.000	4.000	5.000	5.000	\$500.00	\$2,500.00
MOBILIZATIONS, EROSION CONTROL										
0910	2602-0010020	EACH	\$1,000.000	1.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
MOBILIZATIONS, EMERGENCY EROSION CONTROL										
8005	2599-9999010	LS	\$10,296.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$10,296.00
('LUMP SUM' ITEM): Temp Power for Signals										
8008	2599-9999020	TON	\$786.260	3.690	0.000	3.690	3.690	3.690	\$0.00	\$2,901.30
('TONS' ITEM): HMA Cold Patch for Safety Wedge										
8009	2602-0000309	LF	\$3.850	500.000	0.000	635.000	635.000	635.000	\$0.00	\$2,444.75
PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 IN. DIA.										
8010	2506-4984000	CY	\$330.000	32.000	0.000	32.000	32.000	32.000	\$0.00	\$10,560.00
FLOWABLE MORTAR										
8015	2599-9999005	EACH	\$200.000	4.000	0.000	4.000	4.000	4.000	\$0.00	\$800.00
('EACH' ITEM): Core Drill Hole for Subdrain Tie In										
8020	2599-9999010	LS	\$3,795.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$3,795.00
('LUMP SUM' ITEM): Detour for Stage 4A										
8030	2212-5070321	SF	\$8.333	63.000	0.000	63.000	63.000	63.000	\$0.00	\$524.98
PATCHES, PARTIAL-DEPTH REPAIR, P.C.C.										
8040	2435-0600020	EACH	\$3,300.000	2.000	0.000	2.000	2.000	2.000	\$0.00	\$6,600.00
MANHOLE ADJUSTMENT, MAJOR										

Line Number	Item ID	Unit	Unit Price	Authorized Quantity	Current Paid Quantity	Previous Paid Quantity	Total Quantity Paid To Date	Total Quantity Placed To Date	Current Payment Amount	Total Amount Paid To Date
8050	2599-9999010	LS	\$2,750.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$2,750.00
('LUMP SUM' ITEM): Remove and Relocate Revetment										
8060	2599-9999010	LS	\$3,780.000	1.000	0.000	1.000	1.000	1.000	\$0.00	\$3,780.00
('LUMP SUM' ITEM): Bluestem Detour										
8070	2304-0101000	SY	\$80.000	505.000	0.000	505.000	505.000	505.000	\$0.00	\$40,400.00
TEMPORARY PAVEMENT										
8080	2599-9999010	LS	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
('LUMP SUM' ITEM): Retaining Wall Engineering										
8090	2599-9999005	EACH	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
('EACH' ITEM): D-Section Pipe										
8100	2518-6891820	EACH	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
PERMANENT ROAD CLOSURE, URBAN, SI-182										
8110	2599-9999010	LS	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
('LUMP SUM' ITEM): Additional Stage 4 Traffic Control										
8120	2599-9999005	EACH	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
('EACH' ITEM): Traffic Control Price Adjustment										
8130	2599-9999010	LS	\$0.000	0.000	0.000	0.000	0.000	0.000	\$0.00	\$0.00
('LUMP SUM' ITEM): Additional Clearing and Grubbing-Thompson Driveway										
<b>Section Totals:</b>									\$784,997.22	\$2,334,132.20
<b>Total Payments:</b>									\$784,997.22	\$2,334,132.20

# Time Charges

Time Limit	Original Deadline	Authorized Deadline	Charges This Period	Damages This Period	Days Completed To Date	Days Remaining To Date	Damages To Date
Working Days, Late Start Date - 05/09/2022, Liquidated Damage Rate - 1,500	105.0 Days	165.0 Days	6.0 Days	\$0.00	180.0 Days	-15.0 Days	\$0.00
<b>Total Damages:</b>							\$0.00

# Summary

<b>Current Approved Work:</b>	\$784,997.22
<b>Current Stockpile Advancement:</b>	\$0.00
<b>Current Stockpile Recovery:</b>	\$0.00
<b>Current Retainage:</b>	\$0.00
<b>Current Retainage Released:</b>	\$0.00
<b>Current Liquidated Damages:</b>	\$0.00
<b>Current Adjustment:</b>	\$0.00
<b>Current Payment:</b>	\$784,997.22
<b>Previous Payment:</b>	\$268,392.30

<b>Approved Work To Date:</b>	\$2,334,132.20
<b>Stockpile Advancement To Date:</b>	\$0.00
<b>Stockpile Recovery To Date:</b>	\$0.00
<b>Retainage To Date:</b>	\$30,000.00
<b>Retainage Released To Date:</b>	\$0.00
<b>Liquidated Damages To Date:</b>	\$0.00
<b>Adjustments To Date:</b>	\$0.00
<b>Payments To Date:</b>	\$2,304,132.20
<b>Previous Payments To Date:</b>	\$1,519,134.98

**Funding Details**

<b>91-1105-608-CAT-1 91-1105-608-CAT-1 91-1105-608:</b>	\$735,219.72	<b>91-1105-608-CAT-1 91-1105-608-CAT-1 91-1105-608 To Date:</b>	\$2,284,354.70
<b>91-1105-608-CAT-2 91-1105-608-CAT-2 91-1105-608:</b>	\$49,777.50	<b>91-1105-608-CAT-2 91-1105-608-CAT-2 91-1105-608 To Date:</b>	\$49,777.50
<b>Current Payment:</b>	\$784,997.22	<b>Payments To Date:</b>	\$2,334,132.20

The undersigned Contractor certifies that the work covered by this Partial Payment Estimate has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for work for which previous Partial Payment Estimates were issued and payments received from the Owner, and that current payment shown herein is now due.

\_\_\_\_\_  
 McClure Engineering Company Date

\_\_\_\_\_  
 Sternquist Construction Date

\_\_\_\_\_  
 City of Carlisle Date

RESOLUTION 10092023001 TO APPROVE TAX ABATEMENT FOR  
CONSTRUCTION OF A NEW RESIDENTIAL DWELLING

WHEREAS, on May 29, 1990, the City of Carlisle, Warren County, Iowa did adopt an Urban Revitalization Plan with a tax abatement provision to encourage improvements to single family dwellings and commercial property; and,

WHEREAS, Jacob Murillo and Amber Patterson, has submitted an application for tax abatement for new construction of residential property within the City of Carlisle, Warren County, Iowa, in conformance with the City's Plan.

NOW, THEREFORE, be it resolved by the City Council of Carlisle, Iowa, that tax abatement be granted to Jacob Murillo and Amber Patterson, for the property located in Carlisle, Iowa and legally described as follows, to-wit:

Lot 1 in DANAMERE FARMS PLAT 10, an Official Plat, now included in  
and forming a part of the City of Carlisle, Iowa

Locally known as: 1305 Meadow View Dr, Carlisle, Iowa 50047

BE IT FURTHER RESOLVED that a certified copy of this resolution with a copy of Jacob Murillo and Amber Patterson's application for abatement attached thereto shall be forwarded to the Warren County Assessor.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Drew Merrifield, MAYOR

ATTEST:

\_\_\_\_\_  
Shalee Crispen, CITY CLERK

Rec 9/11/2023



CITY OF CARLISLE APPLICATION FOR TAX ABATEMENT UNDER THE URBAN REVITALIZATION PLAN FOR

Prior approval for Intended Improvements  Approval of Improvements Completed

Address of Property: 1305 Meadow View Dr Carlisle, IA 50047

Legal Description of Property: 9-77-23 CARLISLE DANAMERE FARMS PLAT 10 LOT 1

Title Holder or Contract Buyer: Jacob Murillo and Amber Patterson

Address of Owner (if different than above) same

Phone Number (to be reached during the day) 515-669-9906

Existing Property Use:  Residential  Commercial  Industrial  Vacant

Proposed Property Use:  Residential  Commercial  Industrial

(check two)  Rental  Owner-Occupied

Nature of Improvements:  New Construction  Addition  General Improvements

If residential; choose between:  New Construction, 5-year 100% or  Renovations on Existing 5-year declining

Describe Improvements: new build

Estimated or Actual Date of Completion: July 31st, 2023

Estimated or Actual Cost of Improvements: \$350,000

If rental property, complete the following: Number of Units: NA

Tenants occupying the building when purchased (or present tenants if unknown)/Date of tenant occupancy/Relocation benefits received by eligible tenants: (to be continued on a separate page if necessary).

TENANT DATE OF OCCUPANCY RELOCATION BENEFITS

SIGNED: [Signature] Owner

[Signature] Co-Owner

CITY COUNCIL

Application Approved/Disapproved Reason (if disapproved)

City Council Date (as attested by the City Clerk)

ASSESSOR

Present Assessed Value Assessed Value with Improvements Eligible or Non-Eligible for Tax Abatement (circle one)

Assessor Date



# ORDINANCE NO.

## AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARLISLE, IOWA, BY ADDING PROVISIONS PERTAINING TO UTILITY VEHICLES (UTVs)

BE IT ENACTED by the City Council of the City of Carlisle, Iowa:

**SECTION 1.** The Code of Ordinances of the City of Carlisle, Iowa, are amended by adding a new Chapter 78, entitled “Utility Vehicles (UTVs)” which is here adopted to read as follows:

### CHAPTER 78

#### UTILITY VEHICLES (UTVs)

**78.01 Purpose**

**78.02 Definitions**

**78.03 General Regulations**

**78.04 Place of Operation**

**78.05 Required Equipment**

**78.06 Speed**

**78.07 Violation of a Stop Signal**

**78.08 Negligence**

**78.09 Accident Reports**

**78.10 Penalty**

**78.11 Limitations of Liability**

**78.12 Effective Dates and Termination**

**78.01 PURPOSE.** The purpose of this chapter is to permit the operation of utility vehicles (UTVs) on certain streets in the City. This chapter applies whenever a UTV is operated on any street or alley, subject to those exceptions stated herein.

**78.02 DEFINITIONS.** For use in this chapter the following terms are defined:

1. “All-terrain vehicle” or “ATV” means a motorized vehicle, with not less than three and not more than six non-highway tires, that is limited in engine displacement to less than 1,000 cubic centimeters and in total dry weight to less than 1,200 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

*(Code of Iowa, Sec. 321I.1)*

2. “Off-road motorcycle” means a two-wheeled motor vehicle that has a seat or saddle designed to be straddled by the operator and handlebars for steering control and that is intended by the manufacturer for use on natural terrain. “Off-road motorcycle” includes a motorcycle that was originally issued a certificate of title and registered for highway use under Chapter 321 of the *Code of Iowa*, but which contains design features that enable operation over natural terrain. An operator of an off-road motorcycle is also subject to the provisions of this chapter governing the operation of all-terrain vehicles.

*(Code of Iowa, Sec. 321I.1)*

3. “Off-road utility vehicle” or “UTV” means a motorized vehicle, with not less than four and not more than eight low pressure tires, that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. “Off-road utility vehicle” does not include dune buggies, golf carts, go carts, low-speed vehicles, mini trucks, mini bikes or tracked vehicles. “Off-road utility vehicle” or Utility Vehicle (UTV)

means a motorized vehicle, with not less than four (4) nonhighway tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total - highway dry weight to not more than two thousand (2,000) pounds and that has a seat that is of bucket or bench design not intended to be straddled by the operator, a steering wheel or control levers for control, and is equipped with a manufactured equipped bed or cargo box for hauling materials. The Chief of Police shall have the final say on whether a vehicle meets this definition.

4. "Operate" means to ride in or on, other than as a passenger, use, or control the operation of an UTV in any manner, whether or not the UTV is moving.
5. "Operator" means a person who operates or is in actual physical control of UTV.
6. "Person" means an individual, partnership, firm, corporation, association, any body of persons, whether incorporated or not, and the state, its agencies, and political subdivisions.
7. "Street or Highway" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular travel, except in public areas in which the boundary shall be thirty-three (33) feet each side of the center line of the roadway.

**78.03 GENERAL REGULATIONS.** UTVs may be operated upon the streets of the City by persons possessing a valid Iowa operator's license, and at least eighteen (18) years of age, except as prohibited in Section 78.04 of this chapter. No person shall operate an UTV within the City in violation of the provisions of Chapter 321I of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

**78.04 PLACE OF OPERATION.** UTVs shall not be operated upon Highway 5 except to cross. Any person operating a properly equipped UTV on City streets or alleys shall adhere to all traffic signs and signals, all other City of Carlisle and State of Iowa traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic or the direction of a Fire Department officer during a fire.

This chapter forbids the operation of UTVs on:

1. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor vehicles, unless permission is granted by the Chief of Police.
2. Sidewalks.
3. Green space within city parks or any other land owned by the City, unless permission is granted by the Chief of Police.
4. Private property without the consent of the property owner.
5. Railroad Right-of-way and UTV's shall not be operated on an operating railroad right-of-way. An UTV may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provision of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

**78.05 REQUIRED EQUIPMENT.** Operators of UTVs must adhere to the following equipment requirements and restrictions while operating UTVs within the City limits:

1. Operators of UTVs within City limits must be 18 years of age or older and possess a valid driver's license.

2. A person shall not operate a UTV within the City limits unless the operator has proof of insurance complying with that required of an operator of a motor vehicle pursuant to applicable provisions of the Iowa Code, Rules and Regulations, including but not limited to Iowa Code §§ 321.20B and 321A.21.
3. Owners of UTVs operated within City limits shall register their UTV with the Iowa Department of Natural Resources, and proof of such registration shall be displayed and provided, upon request, to any peace officer requesting it. Out-of-state UTV operators must display and provide appropriate proof of registration from their home state upon request by any peace officer.
4. A person shall not operate a UTV on any road, street, highway or interstate prohibited by the State of Iowa.
5. UTVs must display lighted headlamps and taillamps at all times while the vehicle is operated on City streets or highways.
6. UTVs must be equipped with:
  - a. Operational turn signal lamps with a manually operated switch controlled by the driver.
  - b. Properly operating speedometer and odometer calibrated in miles per hour and miles respectively and shall be fully illuminated when the headlamp(s) are activated.
  - c. Operational horn with a switch controlled by the driver.
  - d. Operational and adequate brakes to stop and hold the UTV in a stopped position.
  - e. Two operational headlamps and taillamps must be affixed to each side on the front and back of the UTV. Taillamps shall be red and include a stop lamp actuated by pressing the brake pedal. The use of light bars, spotlights, or decorative lights is not permitted while the UTV is being operated on City streets or highways.
  - f. Rear-facing mirror providing the operator with a clear view of the rear.
  - g. Shall be equipped with seat belts, for restraining each occupant of the vehicle in the event of an accident.
  - h. A system of structural members designed to reduce the likelihood than an occupant would be crushed as the result of a rollover of the vehicle.
  - i. A muffler that shall limit engine noise to not more than 86 decibels, as measured on the "A" scale of the American National Standards Institute (ANSI), incorporated, publications S1.4-1961, general purpose sound level meters, at a distance of 50 feet.
7. All occupants, except as noted below, must wear safety belts or safety harnesses which meet the definition of a safety belt or safety harness set forth by Iowa Code § 321.445 while the UTV is in motion.
  - a. Children under one year old and weighing less than 20 pounds must be secured in a rear-facing child restraint system while the UTV is motion.
  - b. Children ages one to six years must be secured in a child restraint system (safety seat or booster seat) while the UTV is in motion.
  - c. A child restraint system is a specially designed seating system, including a belt positioning seat or booster seat which meets federal motor vehicle safety standards. The child restraint system must be used in accordance with the manufacturer's instructions, the child must be secured in the child restraint, and the child restraint must be properly secured to the UTV.

- d. No animals will be transported in the cargo portion, bed or attached trailer of a UTV unless they are contained within an enclosure secured to the UTV.
8. No seat shall be used by more than one person at a time.
9. No person may ride on the lap of another.
10. The number of passengers in a UTV shall not exceed the number of factory-installed seats in the UTV.
11. No cargo, materials, supplies, or other items may be transported on UTVs without being properly restrained.
12. UTV operators shall not allow any person in the cargo portion, bed or on an attached trailer while the UTV is being operated.
13. UTV doors or nets must be closed during operation if so equipped.
14. UTV operators shall not operate a UTV equipped with metal studded tires and/or tire chains on or alongside any City street or highway.
15. No open containers of alcohol shall be allowed while the UTV is being operated.
16. Drivers may not operate a UTV under the influence of intoxicating liquor or narcotics or habit-forming drugs as prescribed under Iowa Code Chapter 321J.
17. No UTV will be operated in a careless or reckless manner so as to: endanger any person; cause injury or damage to person or property; create unnecessary skidding or sliding; or cause a wheel or wheels to lose traction or contact with the ground.

**78.06 SPEED.** No UTVs shall be operated on any City street at a speed in excess of posted speed limits.

**78.07 VIOLATION OF A STOP SIGNAL.** A person, after having received a visual or audible signal from a peace officer to come to a stop, shall not operate an ATV, snowmobile or UTV in willful or wanton disregard of the signal or interfere with or endanger the officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer.

**78.08 NEGLIGENCE.** The owner and operator of an UTV shall be liable for any injury or damage occasioned by the negligent operation of the UTV.

**78.09 ACCIDENT REPORTS.** Whenever any UTV is involved in an accident resulting in injury or death to anyone or property damage amounting to \$1,500 or more, either the owner, operator or someone acting on their behalf shall immediately notify a law enforcement officer and shall file an accident report within 48 hours in accordance with state law.

**78.10 PENALTY.** All violations of any provision(s) of Chapter 78 are hereby declared simple misdemeanors punishable by a fine of at least \$250 plus surcharge and court costs.

**78.11 LIMITATION OF LIABILITY OF CITY AND ADJOINING OWNERS.** The city and the owners or tenants of property adjoining public lands or right-of-way of a public street or roadway and their agents and employees owe no duty of care to keep public lands, ditches, or land contiguous to a street or roadway under the control of the city safe for entry or use by persons operating an UTV, or to give any warning of a dangerous condition, use, structure, or activity on the premises to persons entering for such purposes, except in the case of willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity. This section does not create a duty of care or grounds for liability on behalf of the city, or owners or tenants of property adjoining public lands or the right-of-way of public street or roadways and their agents and employees for injury to persons or property in the operation of an UTV in a ditch or on land contiguous to a street or roadway under the control of the city. The city, and the owners or tenants of property adjoining public lands or the right-of-way of a public street or roadway and their agents and employees are not liable for the operation of an UTV.

**78.12 EFFECTIVE DATES AND TERMINATION.** This chapter shall on remain in effect from the effective date of passage, pursuant to Iowa Code 380.6, for a period of twenty-four (24) months after said date.

**SECTION 2. SEVERABILITY CLAUSE.** If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional.

**SECTION 3. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED and APPROVED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Attest:

\_\_\_\_\_  
Shalee Crispen, City Clerk

\_\_\_\_\_  
Drew Merrifield, Mayor

1<sup>st</sup> Reading Passed: September 25, 2023

2<sup>nd</sup> Reading Passed:

3<sup>rd</sup> Reading Passed:

Published: