

**NOTICE OF REGULAR COUNCIL MEETING**

**CUMMING CITY COUNCIL**

**March 9, 2020 – 7:00 p.m.**

**Cumming City Hall, 649 N 43<sup>rd</sup> St, Cumming Iowa**

This is a tentative agenda only, which is subject to change. The final City Council agenda will be posted at least 24 hours prior to commencement of the meeting.

- I. **ROLL CALL**
- II. **APPROVAL OF AGENDA** as presented and/or amended
- III. **PUBLIC COMMENT**
- IV. **BOARDS AND COMMISSIONS REPORTS**
  - A. Park and Recreation
  - B. Planning and Zoning
- V. **CONSENT ITEMS**
  - A. 2/10/20 Council Meeting Minutes
  - B. February 2020 IPERS Wage & Contribution Report
  - C. February 2020 Fund Balance Report
  - D. 2/16/20 & 3/01/20 Calculation & Verification Journals
  - E. 2/14/20 & 2/28/20 Accounts Payable Claims Reports
  - F. Correction of Error in Legal Description of Resolution 2020-20
  - G. Lawn Care Bid
  - H. Planning and Zoning Workshop Fee
- VI. **ACTION/DISCUSSION ITEMS**
  - A. **Second Reading of Ordinance 2020-01** Amending the Code of Ordinances, City of Cumming, IA by Amending Provisions pertaining to Chapter 165.07 Adoption of Official Zoning Map with option to waive the third reading with motion for clerk to post.
  - B. **Resolution 2020-23** Set a Date (March 30, 2020) for a Public Hearing to Approve Amendment of City Budget for Fiscal Year 2019-2020
  - C. **Resolution 2020-27** Set a Date (March 30, 2020) for a Public Hearing to Approve City Budget for Fiscal Year 2020-2021
  - D. **Resolution 2020-25** Support of Application for Tuition Reimbursement from the Iowa Municipal Professionals Institute
  - E. **Resolution 2020-26** Authorizing Wages for a City Employee
  - F. Donation to IMPACT Community Action Partnership
  - G. Revised Painting of the Water Tower bid discussion
  - H. CST Block hours bid discussion
  - I. Planning and Zoning Resource Equipment bid discussion
  - J. .Gov Website and email discussion
  - K. MSA Available Dates for Open House discussion
- VII. **REPORTS:**
  - A. Mayor
  - B. Council
  - C. Attorney
  - D. Clerk
- VIII. **PUBLIC COMMENT**

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- IX. UPCOMING CITY COUNCIL MEETING: Work Session:** March 11, 2020, 7:00 p.m. at City Hall, **Special Meeting:** March 30<sup>th</sup>, 2020, 7:00 p.m. at City Hall

- X. ADJOURN**



**OFFICIAL PUBLICATION  
CITY OF CUMMING  
Regular Council Meeting 2/10/2020  
To be Approved at 3/9/20 Regular Meeting**

The Regular City Council Meeting of the City of Cumming was held at Cumming City Hall, 649 N. 44<sup>th</sup> St., on Monday, February 10, 2020. The Meeting was called to order at 7:00 P.M. by Mayor Tom Becker. Present at Roll Call: Thomas Cackler, Brent Highfill, and Charlie Ochanpaugh. Dino Goode and Kathie Hungerford were absent. Motion made by Cackler, seconded by Highfill to approve the agenda as presented. Approved 3-0.

**Consent Items:**

Motion made by Cackler, seconded by Ochanpaugh to approve the Consent items: 1/27/20 Special Council Meeting Minutes, January 2020 IPERS Wage & Contribution Report, January 2020 Fund Balance Report, 1/16/20, & 1/31/20 Calculation & Verification Journals, 1/16/20, & 1/31/20 Accts Payable Claims Reports. Approved 3-0.

**Expenditures:**

Angie Ritchie	Supplies Reimbursement	136.50
Beeler Trucking	Pot Hole Repair	187.30
Century Link	Phone & Internet	242.18
City of Norwalk	Chamber of Commerce Membership	500.00
Combined Systems Technology	Jan-March 2020 Antivirus	18.00
Donald Sandor	Contract Services 1/14-1/30	3,894.88
GWorks	November Training	95.00
IPERS	IPERS	950.43
IRS	FED/FICA Taxes	1,122.61
MidAmerican Energy	Utilities/Street Lights	698.89
N/Warren Town & Country News	12/16/19 Meeting Minutes	21.48
N/Warren Town & Country News	1/16/20 Max Levy Publication	73.50
Payroll	1/6-2/3 Payroll	1,701.93
Office of the Auditor of State of Iowa	Periodic Exam Fee	1,200.00
Skinner Law Office PC	Legal Fees & Consultant Reimburse	11,534.12
Treasurer, State of Iowa	December Sales Tax	5.00
US Bank	Copier Lease	118.64
Veenstra & Kimm Inc.	GWC Plat 2&3 12/15/19-1/18/20	326.00
Warren Co. Treasurer	1 <sup>st</sup> FY20 Sheriff 28E Payment	4,364.50
Warren Co. Snow Removal	Snow Removal 1/10 & 1/15	2,440.00
Warren Co. Snow Removal	Snow Removal 1/17, 19, 22, 24-25	5,408.85
Waste Connections, Inc.	Garbage & Recycling	2,209.46
	<b>General Fund Total</b>	<b>8,916.90</b>
City of Des Moines	WRA Payment	6,446.00
Iowa One Call	Underground Line Loc.	29.70
	<b>Sewer Total</b>	<b>6,475.70</b>
<b>Paid Total</b>		<b>43,724.97</b>

**Action Items**

- A. The Mayor opened the Public Hearing: Amending the Code of Ordinances, City of Cumming, IA by Amending Chapter 165.07 Adoption of the Official Zoning Map at 7:01 p.m. Motion by Cackler, seconded by Ochanpaugh to close the Public Hearing at 7:02 p.m. Approved 3-0. No written or public comments were made.
- B. Motion by Ochanpaugh, seconded by Highfill to approve the first reading of **Ordinance 2020-01** Amending the Code of Ordinances, City of Cumming, IA by Amending Provisions pertaining to Chapter 165.07 Adoption of Official Zoning Map. Approved 3-0.

- C. Motion by Cackler, seconded by Highfill to approve **Resolution 2020-15** Approve Great Western Crossing Plat 4 Preliminary Plat of Survey. Approved 3-0.
- D. Motion by Cackler, seconded by Ochanpaugh to approve **Resolution 2020-20** Approve Parcel 'M' Plat of Survey. Approved 3-0.
- E. Motion by Cackler, seconded by Ochanpaugh to approve **Resolution 2020-22** Approve Parcel 'P' Plat of Survey contingent with the receipt of the signed pre-annexation document. Approved 3-0.
- F. Motion by Cackler, seconded by Ochanpaugh to approve **Resolution 2020-16** Approving and Authorizing Balance Transfers. Approved 3-0.
- G. City Employee Pay Range Discussion was held.
- H. Motion by Highfill, seconded by Cackler to approve amended **Resolution 2020-19** Authorizing City Pay Ranges. Amendments made: Deputy Clerk range \$10-\$25 an hour, effective immediately. Approved 3-0.
- I. **Presentation:** Hometown Pride Committee Members: Craig Olson, Natasha Adams, Lisa Olson presented artist Ben Schuh's proposal for painting the Cumming Water Tower. Motion by Highfill, seconded by Cackler to give their assent of a letter of support. Approved 3-0.
- J. Motion by Cackler, seconded by Ochanpaugh to approve **Resolution 2020-21** Approving City Administrator/City Clerk/Finance Director Amended Job Descriptions with motion to post. Approved 3-0.
- K. Motion by Cackler and seconded by Ochanpaugh to give their assent of a letter of a support to the Homebuilder's Expo.
- L. Water Tower painting bids were discussed. Request was made for another quote with alternate base coat color.
- M. Radar speed sign discussion was tabled.
- N. Motion by Cackler, seconded Highfill to accept the bid from CSI for office computer upgrades. Approved 3-0.
- O. Waste Connections was discussed, meeting requested.
- P. Motion by Cackler, seconded by Highfill to approve prepayment to Office Depot for supplies in the amount of \$500.00.
- Q. Motion by Cackler, seconded by Ochanpaugh to approve **Resolution 2020-17** Set a Date (March 9, 2020) for a Public Hearing on Amendment of the Current City Budget for the Fiscal Year Ending June 30, 2020. Approved 3-0.
- R. Motion by Cackler, seconded by Highfill to approve **Resolution 2020-18** Set a Date (March 9, 2020) for a Public Hearing to Approve City Budget for Fiscal Year 2020-2021. Approved 3-0.

**Reports:** Council – Confirmation on snow removal processes and spring road clean up; City Administrator – Phase 3 – Sewer lines, PNI Schedule FY21, Interest payments, TIF and GO Bonds; P&Z – Get quote for iPads for P&Z, Post P&Z available position online.

**Upcoming City Council Meetings:** Regular Meeting, March 9, 2020 at 7:00 p.m. at City Hall;

Motion made by Ochanpaugh, seconded by Highfill to Adjourn at 9:14 pm. Approved 3-0.

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Tom Becker, Mayor

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Attest: Angie Ritchie, Deputy Clerk



**Wage & Contribution Report**

Effective Date: 02/01/2020  
 Generated On: 02/28/2020 09:45:43  
 Due Date:2020-03-16  
 WAGE REPORT FEBRUARY 2020  
 Report Status: Initial  
 Trans#: 120844310  
 Date Released: null  
 Member Count: 4  
 Report Source: ESS - manual

Employer Name: 91308 CITY OF CUMMING

**Wage History Summary**

Agreement	Occupation Code	Period Wages	Employer Contributions	Member Contributions	Funds Total
MONTHLY Cities	01-Regular	\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34
MONTHLY Cities	17-Part-time Elected Officials	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Totals</b>		\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34

**Cash Summary**

Fund	Due	Paid	Balance
<b>Employer Contributions</b>	\$ 219.85	\$ 0.00	\$ 219.85
<b>Member Contributions</b>	\$ 146.49	\$ 0.00	\$ 146.49
<b>Totals</b>	\$ 366.34	\$ 0.00	\$ 366.34

**Wage & Contribution Report**

Effective Date: 02/01/2020  
 Generated On: 02/28/2020 09:45:43  
 Due Date:2020-03-16  
 WAGE REPORT FEBRUARY 2020  
 Report Status: Initial  
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Employer Name: 91308 CITY OF CUMMING

Agreement	Occupation Code	Period Wages	Employer Contributions	Member Contributions	Funds Total
MONTHLY Cities	01-Regular	\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34
MONTHLY Cities	17-Part-time Elected Officials	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Feb 1, 2020	BECKER, THOMAS B	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Feb 1, 2020	HUNGERFORD, KATHIE E	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Feb 1, 2020	RITCHIE, ANGIE	\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34
Feb 1, 2020	SWISHER, RACHELLE E	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
		\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34
Totals:		\$ 2,328.87	\$ 219.85	\$ 146.49	\$ 366.34



BANK NAME FUND GL NAME	DECEMBER CASH BALANCE	JANUARY RECEIPTS	JANUARY DISBURSMENTS	JANUARY CASH BALANCE	INVOICES PAID	BANK BALANCE	2020 BUDGET
CITY STATE BANK							
001 CHECKING - GENERAL	700,039.84-	544.49	27,572.67	727,068.02-	25,144.64		365,485
110 CHECKING - ROAD USE	64,719.06	0.00	0.00	64,719.06			60,000
112 CHECKING - EMPLOYEE BENEFIT	6,710.22	0.00	398.00	6,312.22			20,340
119 CHECKING - EMERGENCY	4,154.93	0.00	0.00	4,154.93			7,449
121 CHECKING - LOCAL OPTION TAX	124,283.13	0.00	0.00	124,283.13			
125 CHECKING - TIF	109,450.86	0.00	0.00	109,450.86			101,100
167 CHECKING - PARKS & REC	0.00	0.00	0.00	0.00			
200 CHECKING - DEBT SERVICE	31,046.78	0.00	0.00	31,046.78			56,575
301 CHECKING - CP SEWER	7,792.03	0.00	0.00	7,792.03			
302 CHECKING - PHASE II SEWER PROJ	0.00	0.00	0.00	0.00			101,100
303 CHECKING - WATER PROJECT	127,539.13	0.00	0.00	127,539.13			
600 CHECKING - WATER	205,922.08	0.00	0.00	205,922.08			350
601 CHECKING - WATER CAPITAL PROJ	0.00	0.00	0.00	0.00			
610 CHECKING - SEWER	147,754.22	0.00	18.00	147,736.22	18.00		45,000
CITY STATE BANK TOTALS	129,332.60	544.49	27,988.67	101,888.42	25,162.64	76,725.78	757,399
=====							
TOTAL OF ALL BANKS	129,332.60	544.49	27,988.67	101,888.42	25,162.64	76,725.78	757,399
=====							

EMP NO	NAME	HOURS	RATE	METH	EXTEND	C-CTR	W-CMP	CL	ID	ABRV	DESCRIPTION	AUTO	MESSAGE
13	ANGIE RITCHIE	64.23	17.4500	H	1120.81	62010		1	1	HRWP	HOURLY W/PENS	A	
	DEDUCTS:		6.2900	P	70.50	61010		4	1	IPER	IPERS	A	
			9.4400	P	105.80						BENEFIT		
PAY TOTAL	GROSS PAY	DEDS	FED TAX	SS TAX	MED TAX	STATE TAX	EIC PAY	NET PAY	HOURS	OT HRS	MTX	MCK	
	1120.81	70.50	42.72	69.49	16.25	37.00	.00	884.85	64.23	.00	N	N	
TOTALS	1120.81	70.50	42.72	69.49	16.25	37.00	.00	884.85	64.23	.00			
				69.49	16.25	EMPLOYER SS/MED TAX							
				138.98	32.50	TOTAL SS/MED TAX							

TOT EMPLOYEES PROCESSED 1

ID	DEDUCTION DESC	DED AMT	BEN AMT
1	IPERS	70.50	105.80
	TOTAL	70.50	105.80

EMP NO	NAME	HOURS	RATE	METH	EXTEND	C-CTR	W-CMP	CL	ID	ABRV	DESCRIPTION	AUTO	MESSAGE											
13	ANGIE RITCHIE	69.23	17.4500	H	1208.06	62010			1	1	HRWP	HOURLY W/PENS	A											
	DEDUCTS:		6.2900	P	75.99	61010			4	1	IPER	IPERS	A											
			9.4400	P	114.04							BENEFIT												
PAY TOTAL	GROSS PAY	1208.06	DEDS	75.99	FED TAX	50.90	SS TAX	74.90	MED TAX	17.52	STATE TAX	42.00	EIC PAY	.00	NET PAY	946.75	HOURS	69.23	OT HRS	.00	MTX	N	MCK	N

TOTALS	1208.06	75.99	50.90	74.90	17.52	42.00	.00	946.75	69.23	.00				
				74.90	17.52	EMPLOYER SS/MED TAX								
				149.80	35.04	TOTAL SS/MED TAX								

TOT EMPLOYEES PROCESSED 1

ID	DEDUCTION DESC	DED AMT	BEN AMT
1	IPERS	75.99	114.04
	TOTAL	75.99	114.04

**CLAIMS REPORT**  
Vendor Checks: 2/14/2020- 2/14/2020

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
ANGIE RITCHIE	SUPPLIES REIMBURSE		64.19	5843	2/14/20
COMBINED SYSTEMS TECHNOLOGY	HARDWARE/SOFTWARE		3,133.36	5844	2/14/20
DONALD SANDOR	1/31-2/12 Invoice		2,715.60	5845	2/14/20
IA ASSOCIATION OF COUNCIL	JOB POSTING		50.00	5846	2/14/20
N/WARREN TOWN & COUNTY NEWS	1/13 MEETING MINUTES		118.62	5847	2/14/20
OFFICE DEPOT	PREPAY OFFICE SUPPLIES		500.00	5848	2/14/20
TOM BECKER	SUPPLIES REIMBURSE		28.37	5849	2/14/20
US BANK	Copier Lease		118.64	5850	2/14/20
WARREN COUNTY OIL	OIL CITY HALL 2/5/20		302.12	5851	2/14/20
WASTE CONNECTIONS INC	Garbage & Recycling		2,221.36	5852	2/14/20
	001 GENERAL TOTAL		9,252.26		
			=====		
	Accounts Payable Total		9,252.26		
			=====		
	Payroll Checks				
	-----				
	001 GENERAL		884.85		
			-----		
	Total Paid On: 2/14/20		884.85		
			=====		
	Report Total		10,137.11		
			=====		



**CLAIMS REPORT**  
**CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
001	GENERAL	10,137.11
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	TOTAL FUNDS	10,137.11

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
CENTURY LINK	Phone & Internet		242.18	5855	2/28/20
DILIGENT GWC, LLC	3 SPOTS SPEAKING EVENT		60.00	5856	2/28/20
DONALD SANDOR	2/13-2/27 CONSULTING WAGES		1,810.40	5857	2/28/20
IPERS	IPERS		366.33	5854	2/28/20
IRS	FED/FICA TAX		449.94	176	2/28/20
MIDAMERICAN ENERGY	TRAFFIC SIGNALS		693.50	5859	2/28/20
N/WARREN TOWN & COUNTY NEWS	2/10/20 MEETING MINUTES		95.27	5860	2/28/20
SKINNER LAW OFFICE PC	LEGAL FEES 1/15-2/17		3,216.26	5861	2/28/20
TOM BECKER	REPLACE STOP SIGN		15.00	5864	2/28/20
VEENSTRA & KIMM INC	EN SER PH3 SEWER 1/19-2/15		9,033.44	5862	2/28/20
WARREN COUNTY SNOW REMOVAL	2/12 SNOW REMOVAL		360.00	5863	2/28/20

001 GENERAL TOTAL 16,342.32

SEWER					
IOWA ONE CALL	UNDERGROUND LINE LOC.		18.00	5858	2/28/20

610 SEWER TOTAL 18.00

=====  
Accounts Payable Total 16,360.32

Payroll Checks

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001 GENERAL 946.75

Total Paid On: 2/28/20 946.75

=====  
Report Total 17,307.07  
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**CLAIMS REPORT**  
**CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
001	GENERAL	17,289.07
610	SEWER	18.00
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	TOTAL FUNDS	17,307.07

## Resolution 2020-20 City of Cumming

### Resolution Approving Plat of Survey Parcel "M" in Warren County, Iowa

**WHEREAS**, there was filed in the Office of the City Clerk of the City of Cumming, Warren County, Iowa, a registered land surveyor's plat of survey known as Parcel "M"; and

**WHEREAS**, the real estate comprising said plat is described as follows:

**Parcel 'M'**, a part of the West ½ Section 17, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., partially located in the City of Cumming, Warren County, Iowa, that is more particularly described as follows:

Beginning at the West ¼ corner of Section 17, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., City of Cumming, Warren County Iowa; thence S60°13'43"W, 935.91 feet; thence N00°00'24"E, 2131.55 feet to the South right-of-way line of Cumming Avenue, as it is presently established; thence N89°49'19"E, 759.80 feet along said South right-of-way line; thence S00°10'23"E, 363.00 feet; thence N89°49'30"E, 230.01 feet to the West right-of-way line of the abandoned Chicago Great Western Railroad, and to a non-tangent 3870.66 feet radius curve concave to the Northeast; thence Southeasterly 429.37 feet along said curve, and along said West right-of-way line, said curve having a chord length of 429.15 feet and a chord bearing of S06°01'10"E; thence S09°11'50"E, 298.10 feet along said west right-of-way line; thence S89°39'09"W, 334.42 feet; thence S00°59'49"E, 920.05 feet; thence N89°48'17"E, 415.43 feet to the West line of said abandoned Chicago Great Western Railroad right-of-way, and to a non-tangent 1809.96 feet radius curve concave to the Southwest; thence Southeasterly 234.21 feet along said curve, and along said West right-of-way line, said curve having a chord length of 234.05 feet and a chord bearing of S03°11'39"E; thence S89°32'38"E, 50.00 feet along said West right-of-way line, to a non-tangent 1859.96 feet radius curve concave to the Northwest; thence Southwesterly 1061.96 feet along said curve, and along said West right-of-way line, said curve having a chord length of 1047.59 feet and a chord bearing of S16°52'06"W; thence N57°05'34"W, 50.03 feet along said West right-of-way line, to a non-tangent 1809.96 feet radius curve concave to the Northwest; thence Southwesterly 773.62 feet along said curve, and along said West right-of-way line, said curve having a chord length of 767.75 feet and a chord bearing of S45°27'42"W; thence S57°42'24"W, 270.67 feet along said West right-of-way line; thence S89°12'41"E, 91.97 feet along said West right-of-way line; thence S57°47'25"W, 332.75 feet along said West right-of-way line, to a 1686.88 feet radius curve concave to the Southeast; thence Southwesterly 1111.29 feet along said curve, and along said West right-of-way line, said curve having a chord length of 1091.30 feet and a chord bearing of S38°50'57"W; thence S19°59'22"W, 234.50 feet along said West right-of-way line to the West line of Section 17 Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., City of Cumming, Warren County, Iowa; thence N00°27'05"E, 2546.74 feet along said West line to the West ¼ corner of said Section 17, and to the Point of the Beginning.

Said tract of land contains 119.690 acres more or less.

Said tract of land being subject to any and all easements of record.

**WHEREAS**, the City Council of the City of Cumming, Warren County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Cumming, Warren County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City Council of the City of Cumming, Warren County, Iowa.



## Resolution 2020-20 City of Cumming

### Resolution Approving Plat of Survey Parcel "M" in Warren County, Iowa

**WHEREAS**, there was filed in the Office of the City Clerk of the City of Cumming, Warren County, Iowa, a registered land surveyor's plat of survey known as Parcel "M"; and

**WHEREAS**, the real estate comprising said plat is described as follows:

**Parcel 'M'**, a part of the West ½ Section 17, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., located in, Warren County, Iowa, that is more particularly described as follows:

Beginning at the West ¼ corner of Section 17, Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., Warren County Iowa; thence S60°13'43"W, 935.91 feet; thence N00°00'24"E, 2131.55 feet to the South right-of-way line of Cumming Avenue, as it is presently established; thence N89°49'19"E, 759.80 feet along said South right-of-way; thence S00°10'23"E, 363.00 feet; thence N89°49'30"E, 230.01 feet to the West right-of-way line of the abandoned Chicago Great Western Railroad, and to a non-tangent 3870.66 feet radius curve concave to the Northeast; thence Southeasterly 429.37 feet along said curve, and along said West right-of-way line, said curve having a chord length of 429.15 feet and a chord bearing of S06°01'10"E; thence S09°11'50"E, 298.10 feet along said west right-of-way line; thence S89°39'09"W, 334.42 feet; thence S00°59'49"E, 920.05 feet; thence N89°48'17"E, 415.43 feet to the West line of said abandoned Chicago Great Western Railroad right-of-way, and to a non-tangent 1809.96 feet radius curve concave to the Southwest; thence Southeasterly 234.21 feet along said curve, and along said West right-of-way line, said curve having a chord length of 234.05 feet and a chord bearing of S03°11'39"E; thence S89°32'38"E, 50.00 feet along said West right-of-way line, to a non-tangent 1859.96 feet radius curve concave to the Northwest; thence Southwesterly 1061.96 feet along said curve, and along said West right-of-way line, said curve having a chord length of 1047.59 feet and a chord bearing of S16°52'06"W; thence N57°05'34"W, 50.03 feet along said West right-of-way line, to a non-tangent 1809.96 feet radius curve concave to the Northwest; thence Southwesterly 773.62 feet along said curve, and along said West right-of-way line, said curve having a chord length of 767.75 feet and a chord bearing of S45°27'42"W; thence S57°42'24"W, 270.67 feet along said West right-of-way line; thence S89°12'41"E, 91.97 feet along said West right-of-way line; thence S57°47'25"W, 332.75 feet along said West right-of-way line, to a 1686.88 feet radius curve concave to the Southeast; thence Southwesterly 1111.29 feet along said curve, and along said West right-of-way line, said curve having a chord length of 1091.30 feet and a chord bearing of S38°50'57"W; thence S19°59'22"W, 234.50 feet along said West right-of-way line to the West line of Section 17 Township 77 North, Range 25 West of the 5<sup>th</sup> P.M., Warren County, Iowa; thence N00°27'05"E, 2546.74 feet along said West line to the West ¼ corner of said Section 17, and to the Point of the Beginning.

Said tract of land contains 119.690 acres more or less.

Said tract of land being subject to any and all easements of record.

**WHEREAS**, the City Council of the City of Cumming, Warren County, Iowa, finds that said plat conforms to the provisions of the Ordinances of the City of Cumming, Warren County, Iowa, and that the plat, papers and documents presented therewith should be approved by the City Council of the City of Cumming, Warren County, Iowa.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cumming, Warren County, Iowa:

1. Said Plat, known as Parcel "M" prepared in connection with said plat is hereby approved.

3. The City of Cumming, Warren County, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County documents which should be filed and recorded in connection therewith.

Passed and Approved, this 10<sup>th</sup> day of February, 2020.



Tom Becker, Mayor

Attest:



---

Angie Ritchie, Deputy Clerk

# Ford Lawn & Paint

Kirk Ford, owner  
11496 R57 HWY  
Indianola, IA  
641-344-2712

## Lawn Care Bid

Address:

City of Cumming  
PO Box 100  
Cumming, IA 50061  
515-981-9214

Date: 3/6/2020

Dear City of Cumming:

Thank you again for the opportunity to place a lawn care bid for your city property. Below is a schedule I have prepared for the bid for the year 2020.

Location	Service(s)	Unit Cost (\$)
City Park – 649 N 44 <sup>th</sup> Street	Mowing, Trimming, Blowing grass off paved surfaces	\$65.00
North side of the street – N. Fernwood Drive	Mowing, Trimming, Blowing grass off paved surfaces	\$35.00
<b>Total:</b>		<b>\$100.00</b>

I may be contacted via phone at 641-344-2712 or email: [kirkford101@gmail.com](mailto:kirkford101@gmail.com) for any further discussion or negotiations of items.

Sincerely,



Kirk Ford, owner



## Proforma Registration Invoice

City of Cumming  
Angie Ritchie  
649 N. 44th Street  
PO Box 100  
Cumming IA \*\*\* 50061

Account: 00111966  
Amount Due: \$65.00  
Order: 167082

Introduction to Planning & Zoning for Local Officials Workshop  
(15215)

Start-End: Tue 03/03/2020 - Tue 04/21/2020

Description	Units	Rate	Charges
<b>Ritchie, Angie (City of Cumming)</b>			
Ankeny - Courtyard by Marriott, 2405 SE Creekview Dr, Ankeny, IA 50021 (Ankeny - Courtyard by Marriott, 2405 SE Creekview Dr, Ankeny, IA 50021) 3/24 05:30 PM - 3/24 08:45 PM	1.00 PRS	\$65.00 EA	\$65.00
Registration Options (Event Registration)	1.00 PRS	0.00 EA	0.00
		<b>Total For Registration:</b>	<b>\$65.00</b>
		<b>Total For Order 167082:</b>	<b>\$65.00</b>

### Invoice Summary

<b>Total Services:</b>	\$65.00
<b>Total Taxes:</b>	\$0.00
<b>Total Charges:</b>	\$65.00
<b>Total Payments:</b>	\$0.00
<b>Total Amount Due:</b>	\$65.00

### Products and Services

Payment can be made by mailing a check made payable to **Iowa State University** to:

Iowa State University  
Registration Services  
1601 Golden Aspen Drive, Suite 110  
Ames, IA 50010  
515-294-6222

For questions about this invoice, please contact Registration Services at 515-294-6222 or by email at [registrations@iastate.edu](mailto:registrations@iastate.edu).



# NOTICE OF PUBLIC HEARING CITY OF CUMMING

## APPROVAL OF THE PROPOSED BUDGET FOR FISCAL YEAR 2020-2021

Notice is hereby given that the City Council of the City of Cumming, Iowa, will conduct a public hearing on Monday, March 9<sup>th</sup>, 2020, 7:00 P.M., at City Hall, 649 N. 44<sup>th</sup> Street, Cumming, Iowa, to receive comments on the following:

### **Approving the proposed Budget for Fiscal Year 2020-2021**

Additional information regarding this request may be obtained by contacting the City Clerk at 981-9214.

Anyone wishing to comment on this matter should attend this hearing or submit written comments at any time prior to the hearing. Send comments to City of Cumming, P.O. Box 100, Cumming, IA. 50061

**Resolution 2020-09  
City of Cumming**

**Set a Date for a Public Hearing to Amend the  
Code of Ordinances, City of Cumming, Iowa, by Amending  
Chapter 165.07 Adoption of Official Zoning Map**

**WHEREAS**, The City Council desires to consider amending Chapter 165.07 – Adoption of Official Zoning Map, and

**WHEREAS**, Iowa Law requires a Public Hearing be held before the Council prior to amending any changes in the Code of Ordinances,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of City of Cumming, Iowa, as follows:

Section 1. This Council will meet at the Cumming City Hall, Cumming, Iowa, on the 10<sup>th</sup> day of February, 2020, 7:00 P.M. at which time and place it will hold a public hearing on amending the Code of Ordinances for the City of Cumming.

Section 2. The City Clerk shall post notice of said hearing, which posting shall be at the three public places in said City which have been permanently designated by ordinance.

Passed and approved this 13<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
Tom Becker, Mayor

Attest:

\_\_\_\_\_  
Donald Sandor, City Administrator

# NOTICE OF PUBLIC HEARING

## CITY OF CUMMING

### AMENDING CHAPTER 165.07 ADOPTION OF OFFICIAL ZONING MAP

Notice is hereby given that the City Council of the City of Cumming, Iowa, will conduct a public hearing on Monday, February 10, 2020, 7:00 P.M., at City Hall, 649 N. 44<sup>th</sup> Street, Cumming, Iowa, to receive comments on the following:

Amending the City of Cumming's Code of Ordinances,  
Chapter 165.07, Adoption of Official Zoning Map

Additional information regarding this request may be obtained by contacting the City Clerk at 981-9214.

Anyone wishing to comment on this matter should attend this hearing or submit written comments at any time prior to the hearing. Send comments to City of Cumming, P. O. Box 100, Cumming, IA. 50061

# RECOMMENDATION BY THE PLANNING & ZONING COMMISSION

Recommendation:  Aye {Yes} 5  Nay {No} 0  
How Many How Many

UPDATING of THE ZONING MAP.

- CHANGE REVEIZ/DILIGENT PROPERTY FROM A-1 to PUD
- CHANGE I-1 WEST of TRAIL TO A-1
- REMOVE PUD CROSS-HATCH FROM THE CALLISON PLATS WITHIN DOWNTOWN AREA.

Has never been done. Needs to go to Council.

By City Attorney

By City Planner

Requested Action To Be Taken By The City Council:

- Motion
- Resolution
- Ordinance

Date: 3/20/13

Signature: [Signature]

Chair/Vice Chair/Secretary



**City of Cumming**  
**Planning and Zoning Commission**  
**March 20<sup>th</sup>, 2018 Minutes**  
To Be Approved at the April 17<sup>th</sup>, 2018 Regular Meeting

The Cumming Planning and Zoning Commission had a regularly scheduled meeting on March 20<sup>th</sup>, 2018 at 7:00 p.m. The meeting was held in the City Hall located at 649 N. 44<sup>th</sup> St., Cumming, IA.

The meeting was called to order by the Chair, Brad Hopkey, at 7:03 p.m.

**I. ROLL CALL:**

Present: Brad Hopkey, Brent Highfill, Karen McKinney, Jill Stanford, and Jeff Scandrett

Absent: Holly DeHamer, and Ethan Roos

**II. APPROVAL OF AGENDA:**

Agenda A moved to after C by Brad Hopkey.

Motion to approve Agenda with edits by Highfill, and second by McKinney. All Ayes.

**III. PUBLIC COMMENT:**

John Hendrickson (Des Moines Metro Electric): They would like to demo the old bus barn on their property and install a new metal building to match their most recent new building on the opposite side of their current office. The current office would remain and the two buildings would be stand alone. The new Architectural Standard would make the new building not match the current, newer, building. John will discuss this with Rachelle to see what the variance steps are. John mentioned that the building would meet the setback requirements. Brad recommended that John put together a site plan for review by the City Engineer. John will work with Rachelle on the requirements of this drawing.

**IV. CONSENT ITEMS:**

- A. 10/24/17 Minutes**
- B. 12/19/17 Minutes**
- C. 1/16/18 Minutes**
- D. 2/7/18 Minutes**

Motion to pass based on revisions to 2/7/18. Motion by Highfill, second by McKinney. All Ayes. (Stanford abstained)

**V. ACTION/DISCUSSION ITEMS:**

**A. Rezoning of the Industrial District I-1 to A-1 Agricultural District**

- Motion to pass by McKinney, second by Scandrett. All Ayes.

**B. Updating the Zoning Map**

**1. Update the Zoning map for the Great Wester Crossing PUD from A-1 to the PUD.**

- Motion to pass by McKinney, second by Scandrett. All Ayes.

**2. Remove the crosshatch in the R-1 area.**

- Motion to pass by McKinney, second by Scandrett. All Ayes.

**C. Landscaping & Buffer Requirements – Section 170.28:**

- The notes were reviewed from the January 2018 meeting. We will get corrections made and review the edits.

**D. Parking Lot Requirements**

- We may not have sufficient guidelines for what needs to be used to install a new paved lot in an existing lot (i.e. gravel lot to pavement).

- We will get some examples from other areas to review and recommend a way to communicate these requirements.

**E. Sign Ordinance**

- MSA has combined the codes as requested. These were discussed. There are many places where the codes verbiage, definitions, etc. need to be modified to match Cumming's nomenclature. There are also formatting items in the sign area calculation that need to be corrected. The P&Z members will continue to review this and be prepared to discuss in a future meeting.

**VI. UPCOMING PLANNING & ZONING MEETING:**

The next regular P and Z meeting is scheduled for April 17<sup>th</sup>, 2018 at 7 pm.

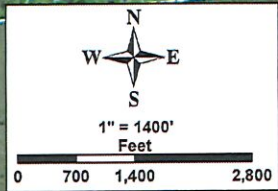
**VII. ADJOURN:**

Motion by McKinney, second by Stanford to adjourn. All Ayes. Motion Carried. The meeting was adjourned at 8:12 pm.

Respectfully Submitted,

Jeff Scandrett





**LEGEND**

- CORPORATE LIMITS (CUMMING)
- CORPORATE LIMITS (NORWALK)
- CORPORATE LIMITS (WDM)

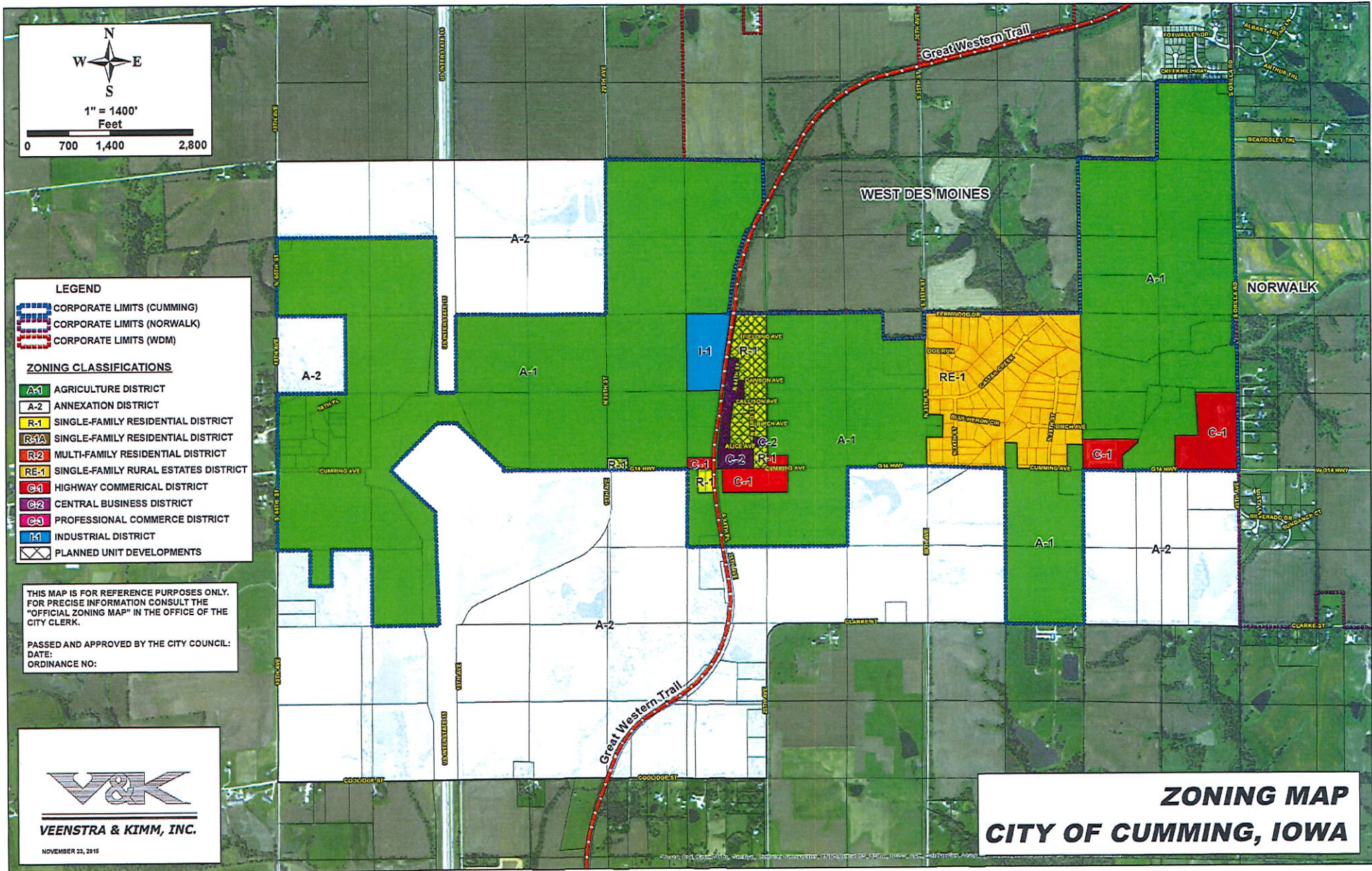
**ZONING CLASSIFICATIONS**

- A-1 AGRICULTURE DISTRICT
- A-2 ANNEXATION DISTRICT
- R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT
- R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT
- R-2 MULTI-FAMILY RESIDENTIAL DISTRICT
- RE-1 SINGLE-FAMILY RURAL ESTATES DISTRICT
- C-1 HIGHWAY COMMERCIAL DISTRICT
- C-2 CENTRAL BUSINESS DISTRICT
- C-3 PROFESSIONAL COMMERCE DISTRICT
- I-1 INDUSTRIAL DISTRICT
- PLANNED UNIT DEVELOPMENTS

THIS MAP IS FOR REFERENCE PURPOSES ONLY.  
FOR PRECISE INFORMATION CONSULT THE  
"OFFICIAL ZONING MAP" IN THE OFFICE OF THE  
CITY CLERK.

PASSED AND APPROVED BY THE CITY COUNCIL:  
DATE:  
ORDINANCE NO:

**VEENSTRA & KIMM, INC.**  
NOVEMBER 23, 2015



**ZONING MAP  
CITY OF CUMMING, IOWA**



# ORDINANCE 2020-01

## AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CUMMING, IOWA, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 165.07 ADOPTION OF OFFICIAL ZONING MAP

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

**SECTION 1. CHAPTER MODIFIED.** Chapter 165.07 of the Code of Ordinances of the City of Cumming, Iowa, is repealed and the following adopted in lieu thereof: See Attached Chapter 165.06 Establishment of Districts.

**SECTION 2. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged 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 Council the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Tom Becker, Mayor

ATTEST:

\_\_\_\_\_  
Donald Sandor, City Administrator

First Reading:

Second Reading:

Third Reading:

I certify that the foregoing was published as Ordinance 2019-07 on the \_\_\_\_\_ of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Angie Ritchie, Deputy Clerk



**165.06 ESTABLISHMENT OF DISTRICTS.** The City is divided into districts, designated as follows:

- A-1 Agricultural District
- A-2 Annexation District
- R-1 Single-Family Residential District
- R-2 Two-Family Residential District
- R-3 Multi-Family Residential District
- RE-1 Single-Family Rural Estates District
- C-1 Highway Commercial District
- C-2 Central Business District
- C-3 Community Commercial District
- C-4 Professional Commerce Business District
- I-1 General Industrial District
- PUD Planned Unit Developments District

The locations and boundaries of these districts are shown on the official zoning map.

**165.07 ADOPTION OF OFFICIAL ZONING MAP.** The official zoning map, along with the explanatory material thereon, is hereby adopted by reference and declared to be a part of this chapter.

**165.08 IDENTIFICATION OF OFFICIAL ZONING MAP.** The official zoning map shall be identified by the signature of the Mayor attested by the City Clerk, under the following statement:

This is to certify that this is the official zoning map referred to in Section 165.07 of the Zoning Ordinance of the City of Cumming, Iowa, as adopted \_\_\_\_\_.

The official zoning map shall be on file in the office of the Clerk and shall be the final authority as to the current zoning status of land, buildings, and other structures in the City.

**165.09 CHANGES IN OFFICIAL ZONING MAP.** No changes in the official zoning map shall be made except as may be required by amendments to this Zoning Ordinance under Section 165.45. If required, such changes shall be promptly made and the ordinance number, nature of change, and date of change shall be noted on the map, approving such change in the official zoning map. Any unauthorized change of any kind whatsoever in the official zoning map by any person shall constitute a violation of this Zoning Ordinance. *(See Editor's Note at the end of this chapter for ordinances amending the zoning Map.)*

**165.10 INTERPRETATION OF DISTRICT BOUNDARIES.** Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following township lines or section lines shall be construed as following such township lines or section lines.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

5. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 4 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

6. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections 1 through 5 of this section, the Board of Adjustment shall interpret the district boundaries.

7. Where a district boundary divides a lot of record which was in single ownership at the time of the effective date of the Zoning Ordinance, the Board may permit, as a special exception or variance, the extension of the regulations for either portion of the lot, not to exceed 30 feet beyond the district boundary.

**165.11 SCHEDULES OF DISTRICT REGULATIONS.** The schedules in the following sections of this chapter are hereby adopted and declared to be a part of this Zoning Ordinance:

1. Section 165.12 – A-1 Agricultural District
2. Section 165.13 – A-2 Annexation District
3. Section 165.14 – R-1 Single-Family Residential District
4. Section 165.15 – R-2 Two-Family Residential District
5. Section 165.16 – R-3 Multi-Family Residential District
6. Section 165.17 – RE-1 Single-Family Rural Estates District
7. Section 165.18 – C-1 Highway Commercial District
8. Section 165.19 – C-2 Central Business District
9. Section 165.20 – C-3 Community Commercial District
10. Section 165.21 – C-4 Professional Commerce Business District
11. Section 165.22 – I-1 General Industrial District
12. Section 165.23 – PUD Planned Unit Developments District

[The next page is 717]

**165.12 A-1 AGRICULTURAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all A-1 Agricultural Zoning Districts. The A-1 Zoning District is intended and designed to preserve existing agricultural lands. This district is also intended for areas where public sanitary sewer service is not planned.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the A-1 Agricultural District:

A. Agricultural, horticulture, dairy farming, livestock farming, poultry farming, general farming, and other agricultural activities excluding commercial feedlots and confinements.

B. Single-family dwellings provided that no temporary buildings, trailers, mobile homes, tents, portable, or potentially portable structures shall be used for dwelling purposes.

C. Parks, playgrounds, or playfields.

D. Fairgrounds and campgrounds.

E. Cemetery, mausoleum, church, or other place of worship.

F. Public and parochial schools, elementary and secondary and other educational institutions having established current curriculum the same as ordinarily given in the public school system, but excluding boarding schools, nursery schools and child care centers provided that all principal buildings are set back a minimum of 75 feet from all property lines and the minimum lot size be no less than 10 acres.

G. Public library.

H. Private non-commercial recreational areas and centers, including country clubs, swimming pools, golf courses, and riding stables.

I. Forests, wildlife preserves, and wetlands.

2. Permitted Accessory Uses. Following are the accessory uses and structures permitted in the A-1 Agricultural District:

A. Farm buildings incidental to agricultural uses.

B. Private garages.

C. Private swimming pools and tennis courts.

D. Temporary roadside stand for the display and sale of agricultural products produced on the property, with the condition that area for parking is provided off the public street.

E. Private greenhouses not operated for commercial purposes.

F. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district, not involving the conduct of business on the premises, except home occupations, and located on the same lot or a contiguous lot under the same ownership.



G. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

3. Special Exception Uses and Structures. The following use may be permitted in the A-1 Agricultural District, subject to the approval of a special exception permit by the Board of Adjustment in accordance with subsections 165.42(2) and (3), after notice and public hearing.

A. Public utilities, but not including equipment storage or maintenance yards and building or general administrative and sales offices, provided that any substation or building shall meet the front and rear yard requirements for dwellings and shall provide side yard of no less than 25 feet.

4. Maximum Height Regulations. The maximum height for structures in the A-1 Agricultural District is two and one-half stories or 35 feet. The maximum height for accessory structures in the A-1 Agricultural Districts is 45 feet.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the A-1 Agricultural District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback	Street Side Corner Lot	Rear Yard Setback
All uses	30 acres	660 feet	75 feet	50 feet	100 feet	75 feet

6. Special Requirements. No construction compliance certificate shall be issued for a dwelling unit in the A-1 Agricultural District for any parcel of land that is designated for commercial or industrial uses on the future land use plan of the City.

7. Wastewater Treatment Requirements. The lot area shall be increased by such amount as determined necessary by the County Health Officer to provide an adequate absorption field for a septic tank installation.

8. Sign Regulations. See Section 165.27.

9. Green Space and Buffer Requirements. See Section 165.29.

10. Off-Street Parking and Loading. See Section 165.47.

11. Architectural Standards. See Chapter 166.

12. Site Plan Requirements. See Section 165.48.

13. Special Exception Permits. See subsections 165.42(2) and (3).

[The next page is 723]



**165.13 A-2 ANNEXATION DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all A-2 Annexation Zoning Districts. The A-2 Annexation District is intended and designed to control the form and direction of future development so that City regulations (Zoning Ordinance, Building Code, etc.) could be used to ensure a beneficial effect for the City.

1. Principal Permitted Uses and Structures. Those uses of structures or land listed in this section shall be permitted in the A-2 Annexation District.

A. Those uses of structures and land permitted in the Agricultural District within Madison or Warren County, respectively, shall be permitted in the A-2 District.

(1) Residences constructed for occupation by a person engaged in farming or in a family farm operation.

(2) Nonconforming preexisting residences may be continued in residential use.

(3) Nonconforming preexisting businesses may be continued in commercial use.

B. Those uses of structures or land prior to annexation shall be permitted to continue for as long as the property remains in the same family ownership, undivided, and not rezoned by request of the property owner. Eventually the property must become subject to the regulations and services necessary to the health, welfare, safety, and convenience of the general public. At that time the City may rezone such property whenever municipal services become available.

C. Those uses of new structures or land after annexation may be permitted if:

(1) The use is not inconsistent with the purposes set forth in this section.

(2) The use does not seriously interfere with other operations within the area.

(3) The use does not materially alter the stability of the overall land use plan in the area.

2. Permitted Accessory Uses. Permitted accessory uses include uses of land or structures customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.

3. Sign Regulations. See Section 165.27.

4. Green Space and Buffer Requirements. See Section 165.29.

5. Off-Street Parking and Loading. See Section 165.47.

6. Architectural Standards. See Chapter 166.

7. Site Plan Requirements. See Section 165.48.

8. Special Exception Permits. See subsections 165.42(2) and (3).

**165.14 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all R-1 Single-Family Residential Zoning Districts, including the R-1 (80), R-1 (90), and R-1 (100) Zoning Districts. The R-1 Zoning Districts are intended and designed to preserve single-family residential neighborhoods, and to promote new single-family residential neighborhoods with a desired diversity of single-family housing sizes and costs.

1. Principal Permitted Uses. Only the use of structures or land listed in this subsection shall be permitted in the R-1 Zoning Districts of R-1 (80), R-1 (90), and R-1 (100).
  - A. A single-family dwelling on each lot or building site. No temporary buildings, trailers, mobile homes, tents, portable or potentially portable structures shall be used for dwelling purposes.
  - B. Parks, playgrounds, golf courses, and recreation areas.
  - C. Agricultural uses, provided that no sense of odors or dust are created; provided, however, no agricultural uses are permitted on platted lots with water and/or sewer connections except gardens established for the primary use of the property owner.
  - D. Community meeting or recreational building.
  - E. Churches, chapels, temples, synagogues, and similar places of worship and associated residence of clergy or ordained official of the religious organization.
  - F. School buildings used for accredited educational purposes.
  - G. Swimming, and tennis clubs or country clubs, and similar public and non-commercial privately owned uses.
  - H. Group quarters with more than four persons who are not related by blood or marriage and do not constitute a family as defined by this chapter shall not be permitted unless such use is permitted by over-riding State law, and if such use has adequate parking and meets all other site development requirements of this chapter.
2. Permitted Accessory Uses. The following uses may exist as part of or accessory to the permitted use:
  - A. Normal accessory buildings and structures for a dwelling, religious place of worship, and school similar to and including one private garage or carport, swimming pools, one storage building, children's playhouse, radio and television receiving antennas, barbecue pits, playground equipment, and tennis courts. Accessory structures for nonresidential uses are subject to review by the City for compliance with architectural standards. Whenever multiple accessory structures for nonresidential uses are proposed with the principal use, the accessory structures are subject to site plan review by the Planning and Zoning Commission and City Council, which may include compliance with architectural requirements for cumulative accessory floor area upon a recommendation from the Commission.



B. Normal accessory buildings and structures for public recreation areas such as refreshment stands, playground equipment, all-weather shelters, tennis courts, and barbecue pits.

C. Normal accessory buildings and structures associated with the keeping of domestic animals similar to and including cats, dogs, birds, and tropical fish.

D. Private flower and vegetable gardening for non-commercial gain.

E. Private greenhouses and horticultural nurseries not exceeding 300 square feet for non-commercial gain.

F. Day care home.

G. The taking of boarders or the leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed two per dwelling unit.

H. Home occupations permitted and limited by Section 165.26 of this chapter.

I. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

J. Temporary use of a structure within a new subdivision as a job office and real estate office for the subject subdivision, which use shall terminate upon completion or abandonment of the project.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the R-1 Single-Family Residential District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. No building shall exceed 35 feet in height, and no accessory structure shall exceed 15 feet in height, unless a greater height is permitted for a special exception.

5. Bulk Regulations. The following minimum requirements shall be observed for single-family dwellings in each of the following R-1 Single-Family Residential Districts and, other uses in any of the R-1 Districts:

Single-Family Dwellings and Other Uses	Intended Density	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Least Width on Any One Side	Street Side, Corner Lot	Sum of Both Side Yard Setbacks	Rear Yard Setback
R-1(80)	3.0 units/acre	10,000 square feet	80 feet	35 feet	10 feet	25 feet	20 feet	35 feet
R-1(90)	2.6 units/acre	11,250 square feet	90 feet	35 feet	12 feet	25 feet	25 feet	35 feet
R-1(100)	2.0 units/acre	15,000 square feet	100 feet	40 feet	12 feet	25 feet	25 feet	40 feet
Other Uses	*	80,000 square feet	200 feet	50 feet	50 feet	*	100 feet	50 feet
Schools	*	10 acres	*	75 feet	50 feet	*	*	50 feet

6. Bulk Regulations for Accessory Structures. The cumulative total gross floor area of all permitted detached accessory structures shall not exceed 10 percent of the lot area, and occupy more than 30 percent of the rear yard. Accessory structures greater than 1,000 square feet shall be subject to the approval of a special exception permit by the Board of Adjustment in accordance with Section 165.42 after notice and public hearing. In no instance shall the accessory structure exceed the principal structure in building area or gross floor area.
7. Sign Regulations. See Section 165.27.
8. Green Space and Buffer Requirements. See Section 165.29.
9. Off-Street Parking and Loading. See Section 165.47.
10. Architectural Standards. See Chapter 166.
11. Site Plan Requirements. See Section 165.48.
12. Exception Permits. See subsections 165.42(2) and (3).

[The next page is 737]



**165.15 R-2 TWO-FAMILY RESIDENTIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter which are applicable, shall apply in the R-2, Two-Family Residential District. The R-2 Zoning District is intended and designed to preserve certain medium density residential areas with two-family dwellings, and permit additional areas to develop with two-family dwellings.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the R-2 District.
  - A. Any use permitted in the R-1 Zoning District, provided such use shall comply with the minimum requirements of the R-2 Zoning District.
  - B. Two-family dwellings.
2. Permitted Accessory Uses. The following uses may exist as part of, or accessory to the principal permitted and special exceptions:
  - A. All accessory uses permitted in and as limited in the R-1 Zoning Districts.
3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the R-2 Two-Family Residential District in accordance with subsections 165.42(2) and (3), after notice and public hearing.
4. Maximum Height Regulations. No principal building shall exceed 35 feet in height, and no accessory structure shall exceed 15 feet in height, unless a greater height is permitted for a special exception.
5. Bulk Regulations. The following minimum requirements shall be observed for the R-2, Two-Family Residential District:

Principal Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Least Width on Any One Side	Sum of Both Side Yard Setbacks	Rear Yard Setback
Day Care Center	40,000 square feet	150 feet	35 feet	25 feet	50 feet	35 feet
Multiple-Family Townhouses	*	*	*	*	*	*
Other Uses	80,000 square feet	200 feet	35 feet	50 feet	100 feet	35 feet

\* Two-Family Townhouse - a townhouse, with two attached dwelling units, wherein the owner of the dwelling unit owns the lot beneath the dwelling unit, shall be permitted in the R-2 District provided the lot for one dwelling has a minimum area of 6,250 square feet, minimum width of 50 feet and minimum side yard setback of zero feet at the side lot line where the two dwellings are attached. Public street frontage shall not be required for townhouse lots which are part of a complex which does not require a public street as part of the City's transportation network and is master planned with a private common roadway serving the townhouse lots and maintained by an association of townhouse homeowners. A private, common roadway serving a complex of two-family townhouse dwellings shall not be greater than 600 feet in length for a cul-de-sac and 1,320 feet for a through street, which shall be intended to serve only dwellings within the complex. Individual townhouse lots shall not have minimum setback, lot width and area requirements, provided the tract of land

encompassing the townhouse lots and common areas has public street frontage; a minimum width of 100 feet; a minimum area of 40,000 square feet; maximum density of five dwelling units per acre, minimum separation of 15 feet between residential buildings; minimum separation of 25 feet between a residential building and common private roadways; and a minimum building setback of 30 feet from all boundaries of the complex, including public streets. The development of a townhouse complex shall require the approval of a site plan in accordance with the provisions of Section 165.48, Site Plans, and approval of Homeowners Association documents by the City, which establish provisions for maintenance of common areas.

6. Sign Regulations. See Section 165.27.
7. Green Space and Buffer Requirements. See Section 165.29.
8. Off-Street Parking and Loading. See Section 165.47.
9. Architectural Standards. See Chapter 166.
10. Site Plan Requirements. See Section 165.48.
11. Special Exception Permits. See subsections 165.42(2) and (3).

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**165.16 R-3 MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter which are applicable, shall apply in the R-3 Medium Density Multiple-Family Residential District. The R-3 Zoning District is intended and designed for medium density residential areas of the City now developed with multiple-family dwellings and to permit additional areas to develop with medium density multiple-family dwellings.

1. Principal Permitted Uses. Only the use of structures or land listed in this subsection shall be permitted in the R-3 Zoning District.
  - A. Any principal permitted use in the R-2, Two-Family Residential District, except one-family dwellings, and such use shall comply with the minimum requirements of the R-2 District.
  - B. Multiple-family dwellings not exceeding four dwelling units per acre of lot area excluding public street right-of-way and provided apartment buildings have no greater than six dwelling units per building.
  - C. Day care center, day nursery or nursery school licensed by the State of Iowa, provided no building, structure, or accessory use for property so used is located less than 25 feet from any adjoining RE-1, R-1, or R-2 District boundary; and provided there is established and well maintained in connection therewith a completely fenced play lot of no less than 1,000 square feet in area for the first 20 or fewer children under care, with 25 square feet added to such play lot area for each additional designated child capacity of the principal building.
  - D. Churches, chapels, temples, synagogues, and similar places of worship.
  - E. Public and parochial schools (elementary and secondary), colleges and universities.
  - F. Cemeteries, including mausoleums and crematoriums.
  - G. Golf, swimming, and tennis clubs on country clubs and similar public and non-commercial privately owned uses.
  - H. Museums and libraries not operated for profit.
  - I. Buildings and uses owned by a city, county, state or other political subdivision which are operated for the social benefit or convenience of the public, but excluding equipment storage yards and garages which are operated and maintained for the necessary business and industrial service of the community.
2. Permitted Accessory Uses. The following uses may exist as part of, or in accessory to the principal permitted or special exceptions.
  - A. All accessory uses permitted in and as limited in the R-2 Zoning District, provided such use shall comply with the minimum requirements of the R-3 Zoning District.
  - B. Management and sales offices associated and accessory to a multiple-family residential dwelling complex.
  - C. Recreation and service centers when provided as part of a multiple-family complex are limited primarily for use by residents and their guests.



3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the R-3 Multiple-Family Residential District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. No principal building shall exceed 35 feet in height, and no accessory structure shall exceed 15 feet in height, unless a greater height is permitted for a special exceptions.

5. Bulk Regulations. The following minimum bulk requirements shall be observed in the R-3 Medium Density Multiple-Family Dwelling District:

Principal Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Least Width on Any One Side	Sum of Both Side Yard Setbacks	Rear Yard Setback
Day Care Center	40,000 square feet	150 feet	35 feet	25 feet	50 feet	35 feet
Other Uses	80,000 square feet	200 feet	35 feet	50 feet	100 feet	35 feet

6. Sign Regulations. See Section 165.27.

7. Green Space and Buffer Requirements. See Section 165.29.

8. Off-Street Parking and Loading. See Section 165.47.

9. Architectural Standards. See Chapter 166.

10. Site Plan Requirements. See Section 165.48.

11. Special Exception Permits. See subsections 165.42(2) and (3).

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**165.17 RE-1 SINGLE-FAMILY RURAL ESTATES DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all RE-1 Single-Family Rural Estates Zoning Districts. The RE-1 Zoning District is intended and designed to preserve existing single-family residential neighborhoods and to promote new single-family residential neighborhoods with large estate lots that are rural in character. This district is also intended for areas where public sanitary sewer service is not planned.

1. Principal Permitted Uses. Only the use of structures or land listed in this subsection shall be permitted in the RE-1 Zoning Districts.

A. A single-family dwelling on each lot. No temporary buildings, trailers, mobile homes, tents, portable or potentially portable structures shall be used for dwelling purposes.

B. Publicly owned parks, playgrounds, golf courses, swimming pools and recreation areas. (Site Plan shall be reviewed by the Planning and Zoning Commission and approved by the City Council.)

C. Agricultural crops, truck farming, tree farms, and orchards, provided that no offensive odors are created, and provided further that no retail sales are permitted on the premises.

D. Churches, chapels, temples, synagogues and similar places of worship and associated residence of clergy or ordained official of the religious organization. (Site Plan shall be reviewed by the Commission and approved by the Council.)

E. Public and parochial elementary, junior high and middle schools. (Site Plan shall be reviewed by the Commission and approved by the Council.)

F. Golf, swimming, and tennis clubs or country clubs, and similar public and non-commercial privately owned uses. (Site Plan shall be reviewed by the Commission and approved by the City Council.)

G. Group quarters with more than four persons who are not related by blood, marriage, or adoption and do not constitute a family as defined by this chapter are not permitted unless such use is permitted by over-riding State law, and if such use has adequate parking and meets all other site development requirements of this chapter. (Site Plan shall be reviewed by the Commission and approved by the Council.)

2. Permitted Accessory Uses. The following uses may exist as part of or in accessory to the permitted use:

A. Normal accessory buildings and structures for a dwelling, religious place of worship and school, similar to and including one private garage or carport, swimming pools, one storage building, children's playhouse, radio and television receiving antennas, barbecue pits, playground equipment, and tennis courts.

B. Normal accessory buildings and structures for recreation areas such as refreshment stands, playground equipment, all-weather shelters, tennis courts, and barbecue pits.

- C. Normal accessory buildings and structures to a residential use associated with the keeping of domestic animals similar to and including cats, dogs, birds, and tropical fish.
- D. Private flower and vegetable gardening.
- E. Private greenhouses and horticultural nurseries not exceeding 300 square feet of floor area.
- F. Day care home as an accessory use in a dwelling unit where care, protection and supervision are provided, for a fee, at least twice a week to less than seven children at one time.
- G. The taking of boarders or the leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed two per dwelling unit.
- H. Home occupations as defined by this chapter.
- I. Private stable, provided such building is located not less than 50 feet from the principal building of the lot under ownership, and such building is not located less than 100 feet from an existing dwelling not located on the lot under ownership, or 50 feet from the lot boundary, whichever is greater.
- J. One horse for each one acre of land in excess of the minimum required lot area. No horse shall be permitted for the minimum lot area.
- K. Private kennels, provided such building and fenced ground area are located not less than 200 feet from all property lines.
- L. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- M. Temporary use of a structure within a new subdivision as a job office and real estate office for the subject subdivision, which use shall terminate upon completion or abandonment of the project.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the RE-1 Single-Family Rural Estates District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. No building shall exceed 35 feet in height, and no accessory structure shall exceed 15 feet in height, unless a greater height is permitted for a special exception.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the RE-1 Single-Family Rural Estates District:

Use	Intended Density	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback, Least Width on Any One Side	Sum of Both Side Yard Setbacks	Rear Yard Setback
Single-Family Dwellings	1.0 unit/acre	43,560 square feet	125 feet	35 feet	20 feet	40 feet	50 feet
Other Uses	*	80,000 square feet	200 feet	75 feet	50 feet	100 feet	50 feet



6. Bulk Regulations for Accessory Structures. The cumulative total gross floor area of all permitted detached accessory structures shall not exceed 10 percent of the lot area or occupy more than 30 percent of the rear yard. Accessory structures greater than 1,500 square feet shall be subject to the approval of a special exception use and structure permit by the Board. In no instance shall the accessory structure exceed the principal structure in height or gross building floor area.

7. Wastewater Treatment Requirements. A lot served by a public or community water system and not served by a public or community sanitary sewer system shall have a minimum lot area of one acre (43,560 square feet) and adequate area available to provide space for a permitted on-site treatment system with an on-site septic tank and absorption field for wastewater disposal. A lot not served by a public or community water and sanitary sewer system shall have a minimum lot area of 10 acres to provide adequate space to accommodate an on-site septic tank and absorption field for wastewater disposal and to protect any on-site or neighboring water supply well. In areas where public sanitary sewer is available, installation of sanitary sewer facilities are required.

8. Sign Regulations. See Section 165.27.

9. Green Space and Buffer Requirements. See Section 165.29.

10. Off-Street Parking and Loading. See Section 165.47.

11. Architectural Standards. See Chapter 166.

12. Site Plan Requirements. See Section 165.48.

13. Special Exception Permits. See subsections 165.42(2) and (3).

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**165.18 C-1 HIGHWAY COMMERCIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all C-1 Highway Commercial Zoning District. The C-1 District is established as a district which the principal use of land is for establishments offering accommodations, supplies, or services to motorists, and for certain specialized uses such as retail outlets, extensive commercial amusements, and service establishments which although serving the entire community and its trading area do not and should not locate in other C Districts. The C-1 Highway Commercial District will ordinarily be located along numbered State or federal highways or other highways designated as major streets.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the C-1, Highway Commercial District:

A. Any principal permitted use in the C-2 Zoning District, provided such use shall comply with the minimum requirements of the C-1 Zoning District.

B. The following retail, commercial, and service establishments and uses:

- (1) Amusement parks, and outdoor stadiums and arenas.
- (2) Automobile, trailer, motorcycle, boat, and farm implement establishments for display, hire, rental, and sales (including sales lots); including all repair work in connection with personal or customers' vehicles.
- (3) Carpenter and cabinetmaking shops.
- (4) Car washes, including self-service.
- (5) Educational center, other than elementary and secondary schools
- (6) Gas stations or service stations
- (7) Golf courses
- (8) Greenhouses and plant nursery
- (9) Health and fitness club with indoor facilities
- (10) Hotels and motels
- (11) Lumber yards, retail only
- (12) Monument sales yards
- (13) Public auction buildings or rooms. (Does not include animal, vehicle auctions.)
- (14) Mini-warehouse
- (15) Small repair shop, including but not limited to bicycle, motorcycle, lawn mower, and garden tractor repair. All activities must be confined inside the buildings, including storage of parts and machines.
- (16) Any use which is found by the Zoning Administrator to be a use similar to one of the above named uses, and in his/her opinion, conforms to the intent of this section.

2. Permitted Accessory Uses. Following are the permitted accessory uses and structures permitted in the C-1 Highway Commercial District:

A. Any accessory use permitted in the C-2 Zoning District, providing such use shall comply with the minimum requirements of the C-1 Zoning District.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the C-1 Highway Commercial District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. The maximum height for principal structures in the C-1 Highway Commercial District is three stories or 35 feet.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the C-1 Highway Commercial District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback	Street Side Corner Lot	Rear Yard Setback
Schools, churches, other public or semi-public buildings	10 acres		75 feet	50 feet		50 feet
All other uses	20,000 square feet	125 feet	50 feet	*	30 feet	*
* No side or rear yard, except where apartments are above a store or shop, a rear yard of 20 feet shall be provided and where adjacent to an Agricultural zoning district or Residential zoning district, a side yard of 10 feet and a rear yard of 20 feet shall be provided or as specified in the buffer regulations.						

6. Frontage Road Requirement. Lots directly abutting arterial streets shall not exceed one drive access onto each such arterial street except as provided below. Common drives between adjacent landowners shall in lieu of individual drives be located with the common property line as the centerline of the drive and required to be located a minimum of 125 feet from any other drive as measured from centerline to centerline. One additional drive access may be permitted for a lot with continuous frontage in excess of 300 feet, or two additional drive accesses for continuous frontage in excess of 600 feet, if proper spacing is provided.

7. Sign Regulations. See Section 165.27.

8. Green Space and Buffer Requirements. See Section 165.29.

9. Off-Street Parking and Loading. See Section 165.47.

10. Architectural Standards. See Chapter 166.

11. Site Plan Requirements. See Section 165.48.

12. Special Exception Permits. See subsections 165.42(2) and (3).



**165.19 C-2 CENTRAL BUSINESS DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all of the C-2 Central Business Zoning District.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the C-2, Central Business District:

- A. Antique stores.
- B. Artists, architectural, engineering and surveying services.
- C. Automotive display, sales, service and repair.
- D. Automotive paint and body shops.
- E. Dry cleaners and laundry.
- F. Custom cabinetry, furniture upholstery and repair.
- G. Clubs, lodges, rental halls, and religious organizations.
- H. Banks, savings and loans, and other financial institutions with drive-in facilities and free-standing ATM machines permitted.
- I. Retail or variety stores.
- J. Formal wear and costume rental.
- K. Hardware stores.
- L. Personal services.
- M. Professional and semi-professional office buildings.
- N. Medical, dental, chiropractic, and veterinary clinics.
- O. Restaurants, cafe, tavern and catering services.
- P. Public buildings owned by federal, State, County, City or other political subdivision that is operated for the social benefit or convenience of the public and utilities but not including storage or maintenance yards or buildings.
- Q. Repair and restoration shops.
- R. Museums and libraries.
- S. Postal service (local substation of the United States) or private parcel post delivery service.
- T. Mini-warehousing for storage and outside storage within fencing. Anything stored outside of the building must be out of public sight from the street.
- U. Plumbing, heating and cooling sales, service and repair shops.
- V. Hotels or bed and breakfast inns, wherein guest rooms and dwelling units shall not be located on the first floor of the building.
- W. Printing, publishing and engraving.
- X. Dance or music studios.
- Y. Dwelling unit with a store or shop.

- Z. Community amusements.
  - AA. Small engine sales, service and rental.
  - BB. Manufacturing, assembling, compounding, processing, repairing and packaging uses that are contained within a building and create no offensive noise, dust, odor, vibration or electrical interference.
  - CC. Tool, die, machine shop, welding and metal fabrication.
  - DD. Any use which is found by the Zoning Administrator to be similar to one of the above named uses and conforms to the intent of this section.
2. Permitted Accessory Uses. Following are the permitted accessory uses and structures permitted in the C-2 Central Business District:
- A. Uses and structures clearly incidental and necessary to their permitted principal uses or structures of this district.
  - B. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
  - C. Temporary buildings used in conjunction with construction work, provided that such buildings shall be removed upon the completion or abandonment of the construction work.
3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the C-2 Central Business District in accordance with subsections 165.42(2) and (3).
4. Minimum Lot Area and Width. There are no minimum requirements for lot area and width in the C-2 Central Business District.
5. Minimum Required Front, Side and Rear Yards. Following are the minimum requirements for front, side, and rear yards in the C-2 Central Business District:
- A. Front: five feet.
  - B. Side street, corner lot: five feet.
6. Maximum Height. The maximum height for structures in the C-2 Central Business District is 2 1/2 stories or 35 feet.
7. Permitted Signs. Permitted signs in the C-2 Central Business District are described in the City sign regulations. (See Section 165.27.)
8. Minimum Required Off-Street Parking. The minimum off-street parking requirements for permitted principal uses and structures in the C-2 Central Business District are: two spaces provided for each business. (See Section 165.47)
9. Buffer and Green Space Requirements. The minimum buffer and green space requirements for permitted principal uses and structures in the C-2 Central Business District are described in the City buffer and green space regulations. (See Section 165.29 of this chapter.)
10. Architectural Standards. See Chapter 166.
11. Site Plan Requirements. See Section 165.48.

**165.20 C-3 COMMUNITY COMMERCIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all C-3 Community Commercial Zoning District. The C-3 District is intended to provide a wide range of commercial and retail uses and services for residents of the community and outside the community, and has performance standards that encourage quality of building design, site design, and construction aesthetically compatible with the desired character of the area.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the C-3, Community Commercial District:

A. Residential dwellings not exceeding six dwelling units per acre of total lot area, in addition to any other permitted use which may be located on the first floor of a building. Dwelling units shall not be located on the first floor of a building in order to preserve the first floor area for permitted nonresidential uses.

B. The following retail commercial and service establishments and uses:

- (1) Antique stores, but not including refinishing or refurbishing.
- (2) Artists' and architectural supply.
- (3) Automobile parts store; no repair work on site permitted.
- (4) Banks, savings and loans and other financial institutions with drive-in facilities permitted.
- (5) Bars and night clubs.
- (6) Billiard parlors and pool halls.
- (7) Clothing and accessory stores, including storage and repair of fur garments, but not including trading in furs.
- (8) Commercial art galleries.
- (9) Computers, typewriters, copiers, and similar office equipment retail sales and service.
- (10) Department or variety stores.
- (11) Electrical repair shops.
- (12) Floor covering stores, primarily engaged in retail sales and incidental installation, but not including establishments primarily engaged in installing or supplying building contractors.
- (13) Formal wear and costume rental.
- (14) Fruit stores and vegetable markets, provided that no outdoor or open-air display, sales, or storage shall be permitted except by special exception permit.
- (15) Grocery and food stores.
- (16) Hardware stores.
- (17) Hot tub or sauna sales, but not including swimming pools.
- (18) Household appliance stores.



- (19) Household furniture, retail sales but not including cabinets.
- (20) Household improvement products stores, i.e., paint, glass and wallpaper stores, retail sales to the general public only.
- (21) Interior decorations, including retail sales of draperies and curtains.
- (22) Luggage and leather goods.
- (23) Music or dance schools or studios, including instruction and exercise classes, but not including ballrooms or dance halls.
- (24) Office furniture, and supplies, retail sales only.
- (25) Pet shops, but not including boarding or outdoor kennels.
- (26) Postal service (local substation of United States) or private parcel post delivery service.
- (27) Radio, television, and music stores.
- (28) Sporting goods stores and bicycle shops, but not including sales of motorized vehicles.
- (29) Theaters; does not include drive-in theaters.
- (30) Toy stores.
- (31) Veterinarian clinics for household pets on an out-patient basis only; no overnight boarding or lodging except by special exceptions permit.
- (32) Any use which is found by the Zoning Administrator to be similar to one of the above named uses, and in his/her opinion, conforms to the intent of this section.

2. Permitted Accessory Uses. Following are the permitted accessory uses and structures permitted in the C-3 Community Commercial District:

A. Retail establishments and refreshment stands accessory to principal buildings; provided, however, there shall be no access to such place of retail use except from the inside of the principal building, complex, or internal courtyard, nor shall any identification signage, display of stock, goods or advertising for such be so arranged that it can be viewed from outside the principal building.

B. Storage areas incidental to the principal use, but not to exceed a floor area which is equal to 25 percent of the floor area used by the principal use, and such storage shall be wholly contained within the principal building.

C. Temporary use of buildings or trailers for uses incidental to construction work, which buildings or trailers shall be removed upon the completion or abandonment of the construction work.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the C-3 Community Commercial District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. The maximum height for principal structures in the C-3 Community Commercial District is three stories or 35 feet.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the C-3 Community Commercial District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback	Street Side Corner Lot	Rear Yard Setback
All uses	20,000 square feet	100 feet	30 feet	10 feet	20 feet	35 feet

6. Frontage Road Requirement. Lots directly abutting arterial streets shall not exceed one drive access onto each such arterial street except as provided below. Common drives between adjacent landowners shall in lieu of individual drives be located with the common property line as the centerline of the drive and required to be located a minimum of 125 feet from any other drive as measured from centerline to centerline. One additional drive access may be permitted for a lot with continuous frontage in excess of 300 feet, or two additional drive accesses for continuous frontage in excess of 600 feet, if proper spacing is provided.

7. Sign Regulations. See Section 165.27.
8. Green Space and Buffer Requirements. See Section 165.29.
9. Off-Street Parking and Loading. See Section 165.47.
10. Architectural Standards. See Chapter 166.
11. Site Plan Requirements. See Section 165.48.
12. Special Exception Permits. See subsections 165.42(2) and (3).

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**165.21 C-4 PROFESSIONAL COMMERCE BUSINESS DISTRICT REGULATIONS.**

The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all C-4 Professional Commerce Business Zoning District. The C-4 District is established as a district intended to serve both neighborhoods and the community with the development of professional, semi-professional, and public service buildings and office buildings.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the C-4, Professional Commerce Business District:

- A. Professional and semi-professional office buildings for the following:
- (1) Abstract title.
  - (2) Accountants and Bookkeeping.
  - (3) Actuaries.
  - (4) Advertising agencies.
  - (5) Adjusters (insurance).
  - (6) Aerial survey and photography.
  - (7) Appraisers - no sale or rental of any type of merchandise or equipment.
  - (8) Architects.
  - (9) Attorneys.
  - (10) Auditors.
  - (11) Banks and financial institutions.
  - (12) Blueprinting and photocopying services.
  - (13) Business analysts - counselors or brokers.
  - (14) Business associations and other membership organizations.
  - (15) Building contractors, office only (no shops or storage).
  - (16) Chiropractors.
  - (17) Commercial photography, art and graphics.
  - (18) Consulates.
  - (19) Counseling, child guidance and family service.
  - (20) Court reporter and public stenographers.
  - (21) Credit reporting.
  - (22) Dentists.
  - (23) Detective agencies and investigating services.
  - (24) Drafting and plan services.
  - (25) Engineers, professional.
  - (26) Insurance and bonds.



- (27) Legal services.
- (28) Management, consulting, and public relations services.
- (29) Manufacturer's agents.
- (30) Market research.
- (31) Medical doctors and practitioners.
- (32) Model agencies or schools.
- (33) Mortgage brokers.
- (34) Notary public.
- (35) Opticians.
- (36) Optometrists.
- (37) Podiatrists.
- (38) Public libraries.
- (39) Public relations.
- (40) Radio and television production and broadcast studios.
- (41) Real estate agents and brokers.
- (42) Real estate management.
- (43) Secretarial services.
- (44) Shoppers information services.
- (45) Social service bureaus.
- (46) Stock broker exchanges, investment services.
- (47) Surveying.
- (48) Tax consultants.
- (49) Telephone answering services.
- (50) Theater ticket agencies.
- (51) Travel agencies.
- (52) Zoning consultants.

B. Clinics or group medical centers, including dental clinics, but not including animal clinics.

C. Day care center, day nursery or nursery school, licensed in the State of Iowa, provided no building, structure, or accessory use for property so used is located less than 25 feet from any other principal building on any other lot in an R District; and provided there is established and well maintained in connection therewith a completely fenced play lot of no fewer than 1,000 square feet in area for the first 20 or fewer children under care, with 25 square feet added to such play lot area for each additional designated child capacity of the principal building.

- D. Professional business training school, whose functions are wholly contained within the structures, or otherwise effectively conceals its functions from visual, olfactory, or auditory observation outside the premises.
- E. Health and athletic fitness centers and clubs with all indoor facilities.
- F. Church, chapel, temple, synagogue and similar place of worship, and associated residence of clergy or ordained official of the religious organizations.
- G. Funeral homes and mortuaries.
- H. Buildings and uses owned by a County, City and County, City or other political subdivision which are operated for the social benefit or convenience of the public, but excluding equipment storage yards and garages which are operated and maintained for the necessary business and industrial service of the community.
- I. Museums and libraries not operated for profit.
- J. Swimming, athletic, and tennis clubs or country clubs and similar public and privately owned uses with outdoor facilities, by special exception permit.
- K. Any use which is found by the Zoning Administrator to be similar to one of the above named uses and, in his/her opinion, conforms to the intent of this subsection.

2. Permitted Accessory Uses. Following are the permitted accessory uses and structures permitted in the C-4 Professional Commerce District:

- A. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district, and located on the same lot or a contiguous lot under the same ownership.
- B. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the C-4 Professional Commerce Business District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. The maximum height for principal structures in the C-4 Professional Commerce District is four stories or 45 feet.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the C-4 Professional Commerce District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback	Street Side Corner Lot	Rear Yard Setback
All uses	20,000 square feet	125 feet	50 feet	15 feet	30 feet	45 feet

6. Frontage Road Requirement. Lots directly abutting arterial streets shall not exceed one drive access onto each such arterial street except as provided below.

Common drives between adjacent landowners shall in lieu of individual drives be located with the common property line as the centerline of the drive and required to be located a minimum of 125 feet from any other drive as measured from centerline to centerline. One additional drive access may be permitted for a lot with continuous frontage in excess of 300 feet, or two additional drive accesses for continuous frontage in excess of 600 feet, if proper spacing is provided.

7. Sign Regulations. See Section 165.27.
8. Green Space and Buffer Requirements. See Section 165.29.
9. Off-Street Parking and Loading. See Section 165.47.
10. Architectural Standards. See Chapter 166.
11. Site Plan Requirements. See Section 165.48.
12. Special Exception Permits. See subsections 165.42(2) and (3).

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**165.22 I-1 GENERAL INDUSTRIAL DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all I-1 General Industrial Zoning Districts. The I-1 District is intended to provide areas of the City suitable for activities and uses of a general industrial nature.

1. Principal Permitted Uses and Structures. Following are the principal uses and structures permitted in the I-1, General Industrial District:

A. Any use permitted in the C-1 Zoning Districts, provided such use shall comply with the minimum requirements of the I-1 District.

B. Manufacturing and processing uses that are contained within a building and create no offensive noise, dust, odor, or vibration or create electrical interference.

C. Animal hospital or kennel.

D. Wholesaling and warehousing but not including the bulk storage of liquid fertilizer or petroleum product under pressure.

E. Farm implement display, sales, service and repair.

F. Lumber yard and building material sale and storage.

G. Truck display, sales, repair and storage.

H. Grain storage bins.

I. Grain elevator and feed mill.

J. Welding and repair shop.

K. Tool, die, and machine shop.

L. Railroads and public utilities including storage and maintenance yards.

M. Contractor's storage yard.

N. Automobile paint and body shops.

O. Plumbing, heating, air conditioning and sheet metal shops.

2. Permitted Accessory Uses. Following are the permitted accessory uses and structures permitted in the C-1 Highway Commercial District:

A. Uses and structures clearly incidental and necessary to the permitted principal uses or structure of this district.

B. Temporary buildings used in conjunction with construction work, provided that such buildings are removed promptly upon completion of the construction work.

C. Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.

3. Special Exception Uses and Structures. Special exception uses and structures are permitted in the I-1 General Industrial District in accordance with subsections 165.42(2) and (3), after notice and public hearing.

4. Maximum Height Regulations. The maximum height for principal structures in the I-1 General Industrial District is 45 feet.

5. Bulk Regulations. The following minimum requirements shall be observed for permitted uses in the I-1 General Industrial District:

Use	Lot Area	Lot Width	Front Yard Setback	Side Yard Setback	Street Side Corner Lot	Rear Yard Setback
All uses	100,000 square feet	300 feet	50 feet	50 feet	100 feet	50 feet

A. Multiple occupancy of a lot by more than one principal building shall be permitted, only if the site is developed as a complex with a master plan for the building site submitted for approval by the City with restrictions placed upon the property requiring that buildings are compatible in architectural design and use of exterior materials; organized in close physical proximity, utilizing a centrally planned open space, landscape plan and parking plan to serve and maintain a unified master plan concept, and provided parking areas are not located between buildings within the complex.

6. Sign Regulations. See Section 165.27.
7. Green Space and Buffer Requirements. See Section 165.29.
8. Off-Street Parking and Loading. See Section 165.47.
9. Architectural Standards. See Chapter 166.
10. Site Plan Requirements. See Section 165.48.
11. Special Exception Permits. See subsections 165.42(2) and (3).

[The next page is 791]

**165.23 PUD PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS.** The regulations set forth in this section or elsewhere in this chapter, which are applicable, shall apply in all PUD Planned Unit Development Zoning District. The PUD District is intended to provide for the development or redevelopment of land under the control and in accordance with a Master Plan and development guidelines and standards in which the land uses, transportation elements, building densities, arrangements, and types are set out in a unified plan, which may provide greater flexibility of land use, transfer of development rights within the PUD, bulk regulations, and building locations than the conventional zoning district may permit. The PUD District is intended to: maximize benefits from the use of open spaces; maximize aesthetics; encourage certain architectural standards for buildings, permit mixed uses and diversity of bulk regulations without endangering the health, safety, welfare, and land value of surrounding and internal properties. A PUD may consist of a mix of land uses of residential building types, commercial, and limited industrial, provided such Planned Unit Development is compatible with the Comprehensive Plan of the City.

1. Minimum Size, Land Use and Maximum Density. A PUD shall consist of at least 10 acres, land use types compatible with the Comprehensive Plan of the City, and the density of the PUD shall not be in excess of the density permitted by this section and compatible with the Comprehensive Plan. A Planned Unit Development may include multiple-family or two-family dwellings in areas designated as R-1 zoning in the Comprehensive Plan, if the proposed land use is compatible with land uses adjoining and outside the PUD, and the dwelling unit density of the PUD is not greater than 10 percent greater than the maximum density permitted by the underlying zoning as set forth in this subsection. The maximum number of dwelling units permitted in a PUD in areas of the City designated as RE-1, R-1, and R-2 shall be based on the following maximum dwelling unit per acre density by proposed zoning district:

<u>Zoning District</u>	<u>Maximum District Density</u>
RE-1	1 dwelling unit per acre
R-1 (100)	2 dwelling units per acre
R-2 (90)	2.6 dwelling units per acre
R-1(80)	3 dwelling units per acre

2. Master Plan. As part of a proposed Planned Unit Development rezoning of land in the City of Cumming, a Master Plan shall be prepared and 15 copies submitted to the City which shows the generalized overall land use plan for development of the area of the proposed PUD and shall include the following information:

- A. A vicinity map of sufficient scale to show site boundaries and the zoning of adjacent properties within 1,000 feet.
- B. Dimensions, legal descriptions, acreage, existing zoning, land use, and ownership of the area of the proposed PUD; and existing zoning, land use, and ownership of contiguous properties within 200 feet. The Master Plan shall be submitted on paper sheets of 24 inches by 36 inches.
- C. The location and delineation of each parcel proposed with different land uses and bulk regulations, and a schedule of the proposed land use and bulk regulations for each parcel set forth by ordinance.



D. Existing and proposed location of streets, pedestrian ways, trails, parks, recreation areas, open space, buffers, parking areas, schools, and anticipated traffic generation.

E. Area and number of dwelling units, and anticipated floor area of nonresidential buildings by parcel.

F. Existing tree masses, water channels, drainageways, flood hazard areas, and other topographic or environmentally important characteristics.

G. Proposed privately owned common areas and public ownership areas, including open space, park land, and school sites.

H. Location of existing or proposed municipal utilities to serve the PUD and adjoining properties, including sanitary sewer, storm sewer, water, gas, electric and telephone/fiber optic service.

I. In addition to storm sewer facilities, other required storm water management facilities and requirements shall be shown and/or explained on the Master Plan.

J. Dimensions of all street right-of-way and paving widths, including all proposed easements.

K. Staging schedule of development, including anticipated year construction shall be initiated and the phasing of development planned to be implemented.

L. Landscape areas proposed as part of small-scale PUD proposals to include general location of shrubs, trees and earth berms.

M. Delineate the traffic impacts that would result from the project and how they can be mitigated.

3. Rules, Regulations and Guidelines for Land Use and Performance. In conjunction with the submittal of Master Plan illustrating the location of each development parcel, there shall be prepared rules, regulations and guidelines for the development of the PUD, and such matters shall be part of the consideration by the Planning and Zoning Commission and the City Council and incorporated within an ordinance providing for the rezoning of the property to a PUD. The rules, regulations and guidelines shall set forth the permitted land use, bulk regulations, transfer of development rights within the area of the PUD, height requirements, open space and landscaping requirements, architectural standards, sign regulations, buffer requirements, off street parking and loading requirements, and other performance standards as required by the City for each parcel designated within the Master Plan. Any rules, regulations and guidelines set forth within the ordinance and Master Plan approved by the City Council providing for the rezoning shall be binding on the property owner, their heirs, successors or assigns, and shall be recorded at the Office of the County Recorder.

4. Process for City Review of Planned Unit Development. The Zoning Administrator or other delegated City personnel shall review the submitted PUD proposal; may discuss any suggestions or provide additional information to the Developer, and shall file a report together with the applicant's proposal to the Planning and Zoning Commission.

A. The Planning and Zoning Commission, after receipt of the report from the Zoning Administrator, or other delegated City personnel, and receipt of the PUD proposal, shall consider the presentation and give special attention to the following:

- (1) Compatibility with Comprehensive Plan.
- (2) Land use and density.
- (3) Building types, functions, architecture, buffers and arrangement.
- (4) Provision and use of open space and landscaping.
- (5) Access to and from the site, and traffic circulation.
- (6) General relationship to surrounding area.

B. The Planning and Zoning Commission may approve or disapprove the PUD Master Plan and associated development rules, regulations and guidelines as submitted, or may require the developer to modify, alter, adjust or amend the proposed Master Plan and associated rules, regulations and guidelines, as the Commission deems necessary, in order to preserve the harmonious intent and purpose of this Zoning Ordinance and the Comprehensive Plan of the City.

C. An application for approval of PUD shall be deemed a petition for rezoning to the PUD Zoning District, but prior to an affirmative report from the Commission the applicant shall file the necessary petition as prescribed in Amendments, Section 165.45.

D. Before any report is forwarded to the City Council by the Planning and Zoning Commission pertaining to an application submitted for a PUD, said Commission shall determine if such proposal is compatible with the Comprehensive Plan or if such proposal represents a substantial change to the Comprehensive Plan. The Commission shall hold a public hearing, giving notice as provided by law for a rezoning.

E. After a complete review by the Planning and Zoning Commission, a written recommendation and report giving reasons as to their action shall be filed with the City Council.

F. Within a period of 60 days after the City Council has received a report from the Planning and Zoning Commission, together with the proposed Master Plan, and rules, regulations, and guidelines of the PUD development, a public hearing shall be held by the City Council in accordance with the provisions of Section 165.45. The City Council shall then approve or deny the application, in accordance with Section 165.45.

5. Recording of Master Plan and Associated Rules, Regulations and Guidelines. The ordinance providing for the rezoning of property to the PUD Zoning District and the associated Master Plan, Rules, Regulations, and Guidelines as approved by the City Council shall be recorded at the Office of the County Recorder and shall be binding on the property owners, their heirs, successors or assigns.

6. Modifications. Any proposed modifications in the approved PUD shall first be reviewed by the Planning and Zoning Commission. Said proposed modification along with a report from the Commission shall then be forwarded to the City Council with appropriate recommendations. The City Council shall then take such appropriate action

on the proposed modification and their decision shall be final. No modification may be considered that is more than a 10 percent increase in density or change of uses on the site without a public hearing as required of a rezoning procedure. A public hearing may be required before the City Council on any modification, if determined by the Council. All modifications and adjustments shall be recorded at the Office of the County Recorder as required of the original rezoning.

[The next page is 801]



**165.24 SUPPLEMENTAL DISTRICT REGULATIONS.** The following provisions, regulations, or exceptions apply equally to all districts except as hereinafter provided.

1. **Visibility at Intersection.** On a corner lot in any district except the OC, Original Cumming District, no fence, wall, hedge, or other planting or structure that will obstruct vision between a height of two feet and ten feet above the centerline grades of the intersecting streets shall be erected, placed, or maintained within the triangular area formed by connecting the right-of-way lines at points which are 25 feet distant from the intersection of the right-of-way lines and measured along the right-of-way lines.
2. **Accessory Buildings.** No accessory building shall be erected in any required front yard. No separate accessory buildings shall be erected within three feet of any side yard property line or five feet of any rear yard property line, or occupy more than 30 percent of the required rear yard, or exceed 16 feet in height.
3. **More Than One Principal Structure on a Lot.** In any district, more than one principal structure housing a permitted principal use may be erected on a single lot provided that the area, yard, and other requirements of this chapter are met for each structure as though it were on an individual lot.
4. **Height Regulation Exception.** The height limitations contained in this chapter do not apply to spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing, or other structures placed above the roof level and not intended for human occupancy.
5. **Use of Public Right-of-Way.** No portion of the public road, street, or alley right-of-way shall be used or occupied by an abutting use of land or structure for storage or display purposes, or to provide any parking or loading space required by this chapter, or for any other purpose that would obstruct the use or maintenance of the public right-of-way.
6. **Mailboxes and Structures in Public Rights-of-Way.** The construction or installation of any structure, except mailboxes, public sidewalks and driveway approaches, by any person other than an employee or agent of the City, County, or State government having jurisdiction shall not be permitted within the public street right-of-way, unless authorized by the City Council. Mailboxes located within the right-of-way of any public street within the City corporate limits shall have support structures that are constructed to readily break or bend without creating significant damage to a vehicle or a danger to its passengers upon impact with the mailbox. Mailboxes with a single four by four-inch or 4 and one-fourth-inch diameter wooden post or a metal post with a size no greater than a two-inch diameter standard-strength steel pipe and buried no more than 24 inches into the ground will be acceptable as a mailbox support within the right-of-way of any public street. A metal post shall not be fitted with an anchor plate, but it may have an anti-twist device that extends no more than 10 inches below the ground surface. The post-to-box attachment details should be of sufficient strength to prevent the box from separating from the post top if the installation is struck by a vehicle. Mailbox supports shall not be set in concrete, and shall not be constructed of brick, concrete, stone, or masonry of any type in the public right-of-way of any public street. Mailboxes within the right-of-way of any public street shall be located on the non-parking side of the roadway. The bottom of the box shall be set at an elevation established by the U.S. Postal Service, usually four feet above the roadway surface. On curbed streets, the roadside face of the mailbox shall be set back from the face of curb a distance of six to eight inches, and support structure 12 inches or more. On residential streets without curbs or all-weather shoulders, the roadside face of the mailbox shall be set back six to eight inches and support structure 12 inches or more behind the edge of pavement or graveled surface. On paved roads with drivable all-weather shoulders, the mailboxes shall be set back six to eight inches and support structure 12 inches or more from the edge of the shoulder. Where a mailbox is located at a driveway entrance, it shall be



placed on the far side of the driveway in the direction of the delivery route. Mailboxes shall maintain a minimum setback of 25 feet from the radius of an intersecting street.

7. **Proposed Use Not Covered In This Chapter.** Any proposed use not covered in this chapter as a permitted use or special exception shall be referred to the Commission for a recommendation as to the proper district in which such use should be permitted and the chapter amended as provided in Section 165.45 before a permit is issued for such proposed use.
8. **Buildings to Have Access.** Every building hereafter erected or structurally altered shall be on a lot or parcel having a frontage on a public street or road.
9. **Mobile Homes or Trailers.** Mobile homes occupied as a permanent or temporary place of residence shall be located only in an approved mobile home park or mobile home subdivision unless otherwise provided in this chapter and occupied travel trailers and camping trailers shall be located only in an approved tourist or trailer campground.
10. **Hedges and Fences.** Fences or hedges shall not exceed four feet in height in any required front yard and shall not exceed six feet in height in any required side or rear yard, subject to the further restriction of subsection 1 of this section.
11. **Loading.** All businesses except those in the OC District shall provide adequate off-street loading for all vehicles so that no public thoroughfare will be blocked at any time.
12. **Minimum Dwelling Dimensions.** The first floor of a residential dwelling shall not be less than 24 feet by 32 feet, exclusive of garages.

**165.25 APPLICATION OF DISTRICT REGULATIONS.** The regulations and restrictions of this chapter shall apply as follows:

1. **Regulations to be Uniformly Applied.** The regulations set by this chapter shall apply uniformly to each class or kind of structure or land, and particularly within each district, except as hereinafter provided.
2. **All Uses and Structures to Conform.** No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
3. **Height, Density or Yards Shall Not Be Violated.** No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, or to have narrower or smaller rear yards, front yards, side yards, or other open spaces, than herein required or in any other manner contrary to the provisions of this chapter.
4. **Separate Yards, Open Spaces and Off-Street Parking Required.** No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a yard, open space, or off-street parking, or loading space similarly required for any other building.
5. **Minimum Yards and Lot Areas May Not Be Reduced.** No yard or lot existing at the time of passage of this Zoning Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Zoning Ordinance shall meet at least the minimum requirement established by these regulations.
6. **Parking Requirements.** No parking space required by this chapter in a residential district shall be provided in any required front yard, within the required side yard along the street side of a corner lot, or within five feet of an interior side or rear lot line. No parking space required by this

chapter or any merchandise, display or exterior storage shall be provided in any required front yard or in the first five feet inside the property line of any required side or rear yard in a C-1 District.

7. Propane Tanks. All propane tanks over 500 gallons in capacity installed within the incorporated City shall be located at least 25 feet from any building or structure which is used as a business or residence and shall comply with all structures setback requirements for lot lines. (Small tanks shall be installed at least 10 feet from any building or structure.) All installations and hook-ups for such propane tanks must pass inspection by the Zoning Administrator and Fire Chief. Standards adopted are those adopted by the State of Iowa for such installations and hook-ups.



**RESOLUTION 2020-23  
CITY OF CUMMING**

**Set a Date for a Public Hearing on Amendment of the Current City  
Budget for the Fiscal Year Ending June 30, 2019**

**WHEREAS**, The annual budget for the City of Cumming, Iowa, for fiscal year 2019-2020, was adopted on March 11, 2019, and

**WHEREAS**, A budget amendment is required due to expenses exceeding the amounts originally budgeted in certain programs, and

**WHEREAS**, The Code of Iowa requires cities to hold a public hearing whenever an amendment is made to the adopted budget,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of City of Cumming, Iowa, as follows:

Section 1. This Council will meet at the Cumming City Hall, 649 N. 44<sup>th</sup> Street, Cumming, Iowa, on the 30<sup>th</sup> day of March, 2020, at 7:00 P.M. at which time and place it will hold a public hearing to receive comments on amending the Current City Budget for the Fiscal Year Ending June 30, 2020.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be in the newspaper by which has been permanently designated by ordinance, which publication shall be not less than ten (10) nor more than twenty (20) days before the date set for the hearing.

Passed and approved this 9<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Tom Becker, Mayor

Attest: \_\_\_\_\_  
Donald Sandor, City Administrator

**NOTICE OF PUBLIC HEARING  
AMENDMENT OF FY2019-2020 CITY BUDGET**

The City Council of Cumming in WARREN County, Iowa  
will meet at Cumming City Hall, 649 North 44th Street, Cumming, Iowa  
at 7:00 pm on 3/30/2020  
(hour) (Date)

, for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2020  
(year)  
by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.  
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

	Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
<b>Revenues &amp; Other Financing Sources</b>			
Taxes Levied on Property 1	311,422		311,422
Less: Uncollected Property Taxes-Levy Year 2	0		0
<b>Net Current Property Taxes 3</b>	<b>311,422</b>	<b>0</b>	<b>311,422</b>
Delinquent Property Taxes 4	0		0
TIF Revenues 5	101,100		101,100
Other City Taxes 6	37,434		37,434
Licenses & Permits 7	15,575		15,575
Use of Money and Property 8	16,100		16,100
Intergovernmental 9	29,867		29,867
Charges for Services 10	51,000		51,000
Special Assessments 11	0		0
Miscellaneous 12	15,500		15,500
Other Financing Sources 13	0		0
Transfers In 14	108,549	600,000	708,549
<b>Total Revenues and Other Sources 15</b>	<b>686,547</b>	<b>600,000</b>	<b>1,286,547</b>
<b>Expenditures &amp; Other Financing Uses</b>			
Public Safety 16	48,394		48,394
Public Works 17	147,200		147,200
Health and Social Services 18	2,300		2,300
Culture and Recreation 19	16,641		16,641
Community and Economic Development 20	55,750		55,750
General Government 21	175,540	0	175,540
Debt Service 22	157,675		157,675
Capital Projects 23	0	525,000	525,000
Total Government Activities Expenditures 24	603,500	525,000	1,128,500
Business Type / Enterprises 25	45,350		45,350
<b>Total Gov Activities &amp; Business Expenditures 26</b>	<b>648,850</b>	<b>525,000</b>	<b>1,173,850</b>
Transfers Out 27	108,549	600,000	708,549
<b>Total Expenditures/Transfers Out 28</b>	<b>757,399</b>	<b>1,125,000</b>	<b>1,882,399</b>
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year 29</b>	<b>-70,852</b>	<b>-525,000</b>	<b>-595,852</b>
Beginning Fund Balance July 1 30	482,181		482,181
Ending Fund Balance June 30 31	411,329	-525,000	-113,671

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

\$300,000 transfer from General Fund (001) to Water Project fund (303). \$300,000 transfer from TIF fund (125) to General fund (001) to repay loan. \$525,000 estimated payment from Water Project fund (303).

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

Donald Sandor, City Administrator  
City Clerk/ Finance Officer Name

**RESOLUTION 2020-27**  
**City of Cumming**

**SET A DATE FOR A PUBLIC HEARING ON THE PROPOSED BUDGET  
FOR FISCAL YEAR 2020-2021**

**WHEREAS**, The Code of Iowa requires cities to hold a public hearing on proposed budgets, and

**WHEREAS**, a date must be set for the Public Hearing,

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of Cumming, Iowa, as follows:

Section 1. This Council will meet at the Cumming City Hall, 649 N. 44<sup>th</sup> Street, Cumming, Iowa, on the 30<sup>th</sup> day of March, 2020, at 7:00 P.M. at which time and place it will hold a public hearing on the proposed Budget for Fiscal Year 2020-2021.

Section 2. The City Clerk shall post notice of said hearing, which posting shall be at the three public places in said City which have been permanently designated by ordinance, such notice being in the form attached to this resolution, and such posting shall be not less than 10 days nor more than 20 days before the date set for public hearing.

Passed and approved this 9<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Tom Becker, Mayor

Attest:

\_\_\_\_\_  
Donald Sandor, City Administrator



# NOTICE OF PUBLIC HEARING CITY OF CUMMING

## APPROVAL OF THE PROPOSED BUDGET FOR FISCAL YEAR 2020-2021

Notice is hereby given that the City Council of the City of Cumming, Iowa, will conduct a public hearing on Monday, March 30<sup>th</sup>, 2020, 7:00 P.M., at City Hall, 649 N. 44<sup>th</sup> Street, Cumming, Iowa, to receive comments on the following:

### **Approving the proposed Budget for Fiscal Year 2020-2021**

Additional information regarding this request may be obtained by contacting the City Clerk at 981-9214.

Anyone wishing to comment on this matter should attend this hearing or submit written comments at any time prior to the hearing. Send comments to City of Cumming, P.O. Box 100, Cumming, IA. 50061

# NOTICE OF PUBLIC HEARING BUDGET ESTIMATE

FISCAL YEAR BEGINNING JULY 1, 2020 - ENDING JUNE 30, 2021

City of Cumming, Iowa

The City Council will conduct a public hearing on the proposed Budget at City Hall  
on 3/30/2020 at 7:00 p.m.  
(Date) xx/xx/xx (hour)

The Budget Estimate Summary of proposed receipts and expenditures is shown below.  
Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor,  
City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property . . . . . \$ 11.30483

The estimated tax levy rate per \$1000 valuation on Agricultural land is . . . . . \$ 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

515-981-9214  
phone number

Donald Sandor, City Administrator  
City Clerk/Finance Officer's NAME

		Budget FY 2021	Re-estimated FY 2020	Actual FY 2019
		(a)	(b)	(c)
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	300,318	313,475	191,533
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
<b>Net Current Property Taxes</b>	<b>3</b>	<b>300,318</b>	<b>313,475</b>	<b>191,533</b>
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	183,400	101,100	448,877
Other City Taxes	6	37,355	39,810	35,414
Licenses & Permits	7	0	0	9,386
Use of Money and Property	8	0	0	25,143
Intergovernmental	9	26,000	26,000	28,960
Charges for Fees & Service	10	97,647	105,000	50,579
Special Assessments	11	0	0	0
Miscellaneous	12	25,000	0	35,871
Other Financing Sources	13	0	0	5,000
Transfers In	14	190,042	708,449	100,153
<b>Total Revenues and Other Sources</b>	<b>15</b>	<b>859,762</b>	<b>1,293,834</b>	<b>930,916</b>
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	48,348	48,394	29,678
Public Works	17	100,700	100,200	151,870
Health and Social Services	18	2,100	1,800	1,320
Culture and Recreation	19	16,167	16,641	11,174
Community and Economic Development	20	11,250	55,750	22,588
General Government	21	187,525	204,800	129,995
Debt Service	22	240,515	157,757	0
Capital Projects	23	0	300,000	154,893
<b>Total Government Activities Expenditures</b>	<b>24</b>	<b>606,605</b>	<b>885,342</b>	<b>501,518</b>
Business Type / Enterprises	25	43,250	245,350	32,930
<b>Total ALL Expenditures</b>	<b>26</b>	<b>649,855</b>	<b>1,130,692</b>	<b>534,448</b>
Transfers Out	27	190,042	708,449	100,153
<b>Total ALL Expenditures/Transfers Out</b>	<b>28</b>	<b>839,897</b>	<b>1,839,141</b>	<b>634,601</b>
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out</b>	<b>29</b>	<b>19,865</b>	<b>-545,307</b>	<b>296,315</b>
Beginning Fund Balance July 1	30	560,397	1,105,704	809,389
<b>Ending Fund Balance June 30</b>	<b>31</b>	<b>580,262</b>	<b>560,397</b>	<b>1,105,704</b>

## RESOLUTION 2020-25

### City of Cumming

#### RESOLUTION IN SUPPORT OF APPLICATION FOR TUITION REIMBURSEMENT FROM THE IOWA MUNICIPAL PROFESSIONALS INSTITUTE

Be it Resolved by the City of Cumming

**WHEREAS**, the City recognizes that Iowa local governments are required to comply with multiple federal, state and local laws and agency rules, and

**WHEREAS** training is provided annually by the Iowa Municipal Professionals Institute and sponsored by the Iowa Municipal Finance Officers Association and the Iowa League of Cities, and

**WHEREAS** the City Council hereby encourages Angie Ritchie to seek a tuition scholarship to assist the financing of such training, and

**WHEREAS** provisions have been made in the City's budget in support of providing this important training to include travel, housing, meals and salary while attending, and

**WHEREAS** the Council is aware that all scholarships are awarded on a reimbursement basis. It is understood that upon successful completion of at least thirty hours of classes at the Institute in July 2020, the city will be reimbursed for the amount of the scholarship awarded within 30 days, and

**WHEREAS**, applicants must show proof from their municipality that they are authorized to attend the Institute

**NOW**, therefore, the City of Cumming does hereby authorize a tuition scholarship application be submitted before the deadline of April 1, and pledges city support for all those expenses mentioned above during attendance at the Iowa Municipal Professionals Institute in July 2020.

Passed and approved this 9<sup>th</sup> day of March, 2020

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Tom Becker, Mayor

Attest:

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Donald Sandor, City Administrator



The Iowa Municipal Professionals Institute (IMPI) and the Iowa Municipal Finance Officers Association (IMFOA) also have tuition scholarships available for 2020 on a reimbursable basis. The IMPI scholarships are open to ALL Iowa municipal clerks or staff within their office. The IMFOA scholarships are open to members of IMFOA (see [IMFOA.org](http://IMFOA.org) for details on membership). To be eligible for a tuition reimbursement scholarship, participants must demonstrate their city's support to attend, register for and successfully complete at least 30 hours of classes. **The deadline for submission is April 1, 2020.** Please E-Mail or mail your completed application and the resolution of support from the City Council to: Sara Shonrock, Office of State and Local Government Programs, Iowa State University Extension, 2321 N. Loop Drive, Suite 121, Ames, IA 50010-8218 or email to [sshonroc@iastate.edu](mailto:sshonroc@iastate.edu).

Scholarships are awarded based upon need with the following criteria in mind:

1. Council and/or self-financing of Institute registration fees is not available or overly burdensome to the municipal or individual budget;
2. Attendance at Institute may not occur without scholarship assistance;
3. Only one application can be submitted from a municipality
4. A prior scholarship has not been awarded to the applicant
5. Reimbursement will be made to the municipality within 30 days of successful completing coursework

Applications will be approved at the April IMFOA board meeting. No person shall be able to receive more than one scholarship. Receipt of the IIMC scholarship will take preference over the IMFOA or IMPI scholarships. If a person is chosen to receive more than one scholarship, he/she must accept the IIMC scholarship and the IMFOA or IMPI scholarship will be given to an alternate. If you receive a scholarship from IIMC, please contact Sara Shonrock so an alternate can be notified as soon as possible.

**IOWA MUNICIPAL PROFESSIONALS INSTITUTE (the "Institute") and  
Iowa Municipal Finance Officers Association (IMFOA)  
2020 SCHOLARSHIP APPLICATION**

Name \_\_\_\_\_

Title (explain if different than Municipal Clerk) \_\_\_\_\_

Municipal employer \_\_\_\_\_ Population \_\_\_\_\_

Street address or P.O. Box \_\_\_\_\_

City/State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone office (\_\_\_\_) \_\_\_\_\_

Email address \_\_\_\_\_

Date assumed present position \_\_\_\_\_

Education (circle one) H.S. Grad 13 14 15 16 16+

Degrees Completed \_\_\_\_\_

Other \_\_\_\_\_

I plan to register for \_\_\_\_\_ (#) hours of the 2020 Institute training. *(Note: To be eligible for a scholarship, a participant must register for and attend at least 30 hours.)*

If you do not receive a scholarship, will you still be able to attend the 2020 Iowa Municipal Professionals Institute? Yes \_\_\_\_\_ No \_\_\_\_\_

Have you received prior scholarship assistance? Yes \_\_\_\_\_ No \_\_\_\_\_

Has the Council passed a resolution of support (both of time and financial support) for attendance at the 2020 Institute, including travel, housing, registration not covered by a scholarship, and meals not covered by the registration? Note: A sample resolution can be found at: <http://www.oslgp.iastate.edu>

For the selection committee, please describe factors that should be considered in assessing your financial need for this scholarship.

\_\_\_\_\_  
\_\_\_\_\_

Are you a member of IMFOA? Yes \_\_\_\_\_ No \_\_\_\_\_  
(IMFOA membership is not required for scholarships awarded from the Institute)

All scholarships are awarded on a reimbursement basis. It is understood that upon successful completion of at least 30 hours of classes at the Institute in July 2020, the city will be reimbursed for the amount of the scholarship within 30 days.

By signing this application, I (we) agree to the terms set forth above and certify that all information is correct.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

***DEADLINE for both IMFOA and IMPI Scholarships is April 1, 2020***

Please E-mail OR mail your completed application and the resolution of support from the City Council to: Sara Shonrock, Office of State and Local Government Programs, Iowa State University Extension, 2321 N. Loop Drive, Suite 121, Ames, IA 50010-8218 or email to [sshonroc@iastate.edu](mailto:sshonroc@iastate.edu). All applications must be received by April 1, 2020 at 5:00 pm to be considered.

For additional questions about the Iowa Municipal Professionals Institute please visit [www.oslgp.iastate.edu](http://www.oslgp.iastate.edu) or call: Sara Shonrock, Office of State and Local Government Programs, Iowa State University Extension and Outreach at (515) 294-1844.



## July 20 Monday



7/20/2020 8:00 AM

[Remove](#)**Elements of a City Financial System WK1** **In Itinerary**

BA101MPI: Elements of a City Financial System -- Is it a puzzle or a maze? No, it's not chemistry class, but the elements do have individual components that blend together to make something else. The financial system is made of many pieces. How they all fit together is critical to the understanding of your role as a city clerk. This session will be the basis of future sessions, introducing the many facets of the financial system and their interdependence. Conflicts with BA120, BA140 and BA155.

**Category:** July 20 Monday  
**Price:** 128.00  
**Time:** 8:00 AM - 5:15 PM

## July 21 Tuesday



7/21/2020 8:00 AM

[Remove](#)**Understanding Legal Terms WK1** **In Itinerary**

BA130MPI: Understanding Legal Terms -- This session will provide information and material ranging from the very general to the very specific about federal, state and local laws and regulations and focus on the manner in which they are related to each other. The presentation will attempt to explain the significance of legislative, judicial and administrative laws at the federal, state and local level and will seek to make participants aware of the limitations which are imposed on local government, in spite of the existence of Home Rule for cities. There will be an approximate 45-minute break for lunch on your own. Conflicts with BA145 and BA149.

**Category:** July 21 Tuesday  
**Price:** 96.00  
**Time:** 8:00 AM - 3:00 PM

7/21/2020 3:15 PM

[Remove](#)**Intergovernmental Relations WK1** **In Itinerary**

FX220MPI: Intergovernmental Relations | Cooperating with other local units of government and interacting with state administrative agencies and legislative processes have become a regular part of city administration. This session will explore the opportunities and challenges in intergovernmental cooperation at the local level and discuss strategies for effectively dealing with state government. Conflicts with BA149.

**Category:** July 21 Tuesday  
**Price:** 32.00  
**Time:** 3:15 PM - 5:15 PM

## July 22 Wednesday



7/22/2020 8:00 AM

[Remove](#)**Group Dynamics & Team Building WK1** **In Itinerary**

BA150MPI: Group Dynamics & Team Building -- This highly interactive session will explore how people interact and arrive at decisions in groups. Participants will begin by examining the types of groups and situations they deal with in their own communities. They will then learn about different "personality types" and how these types affect the way people think and relate to one another. Next, they will examine the positive and negative roles individuals play in groups and how these roles can impede or improve decision-making. And last, they will learn about principles and techniques for effective communication when working with groups and how difficult situations can be remedied. There will be an approximate 45-minute break for lunch on your own. Conflicts with BA120-2 and FX250.

**Category:** July 22 Wednesday  
**Price:** 128.00  
**Time:** 8:00 AM - 5:15 PM

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7/23/2020 10:15 AM

[Remove](#)

**Administrative Law WK1** **In Itinerary**

FX201MPI: Administrative Law -- This presentation will give a broad overview of policy-making by state agencies and the key elements of Iowa's Administrative Procedures Act (Iowa Code Chapter 17 A). This is followed by the details of the rule-making process and the public right to participate in that process. Conflicts with BA125.

**Category:** July 23 Thursday  
**Price:** 32.00  
**Time:** 10:15 AM - 12:15 PM

7/23/2020 1:00 PM

[Remove](#)

**E-Reporting & Communications for the Clerk's Office WK1** **In Itinerary**

FX290MPI: E-Reporting & Communications for the Clerk's Office -- This class offers an overview of various report and communication techniques needed to efficiently fulfill the requirements of electronic report generation and filings expected of city government. Conflicts with BA110.

**Category:** July 23 Thursday  
**Price:** 64.00  
**Time:** 1:00 PM - 5:15 PM

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**July 24 Friday**

A

7/24/2020 8:00 AM

[Remove](#)

**The Fine Art of Negotiations WK1** **In Itinerary**

FX230MPI: The Fine Art of Negotiations -- Whether we recognize it or not, city officials spend much time in negotiations on various topics. We may not call it "negotiations," but there are conflicts, disagreements, differences of opinion, mistakes and problems that require negotiations in order to resolve and put it behind us. From project change orders, controversial ordinance, 28E agreements, to vendor and union contracts, all requires a bit of artistic ability to negotiate. There will be an approximate 45-minute break for lunch on your own. Conflicts with FX240.

**Category:** July 24 Friday  
**Price:** 64.00  
**Time:** 8:00 AM - 12:15 PM

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## July 27 Monday



7/27/2020 8:00 AM

[Remove](#)

### [Iowa City Budgeting System & Capital Planning, Budgeting WK2](#) **In Itinerary**

FN401MPI: Iowa City Budgeting System & Capital Planning and Budgeting -- A capital improvement plan (CIP) is a long-range plan for the acquisition and development of capital projects. The CIP is basically the link between the community's physical development and its comprehensive and fiscal plans. This session will focus on the benefits of a CIP, the legal aspects, content of a CIP report, the preparation process, a suggested timetable and funding sources. Examples of capital improvement plans will be available for review and comment. There will be an approximate 45-minute break for lunch on your own. Conflicts with CL320, CL325 and FN409.

**Category:** July 27 Monday  
**Price:** 96.00  
**Time:** 8:00 AM - 3:00 PM

7/27/2020 3:15 PM

[Remove](#)

### [Clerks Roles in Elections WK2](#) **In Itinerary**

CL329MPI: Clerks Roles in Elections -- This session will cover the following items: method of nominations, filing deadlines, questions – ballot issues, distributing nomination papers, receiving nomination papers, certification to Auditor, canvass & abstracts, cost reimbursement, representing. Conflicts with FN409.

**Category:** July 27 Monday  
**Price:** 32.00  
**Time:** 3:15 PM - 5:15 PM

## July 28 Tuesday



7/28/2020 8:00 AM

[Remove](#)

### [Financing Options and Economic Development WK2](#) **In Itinerary**

FN406MPI: Financing Options and Economic Development -- The primary purpose of the session will be to introduce participants to a wide variety of state statutes, which govern the ways in which cities may borrow money to finance various projects. A secondary focus will be on federal laws and regulations, which determine whether or not the interest income from bonds or other debt issued by a city, will be exempt from federal income taxation. Conflicts with CL310.

**Category:** July 28 Tuesday  
**Price:** 64.00  
**Time:** 8:00 AM - 12:15 PM

7/28/2020 3:15 PM

[Remove](#)

### [Writing Resolutions & Ordinances WK2](#) **In Itinerary**

CL315MPI: Writing Resolutions and Ordinances -- This course will compare and contrast the use of ordinances, resolutions, and motions which cities use to set policy or take action on various matters. The course will highlight certain technical requirements relating to ordinances, resolutions and motions, and will also address practical considerations in their use. The course will include a discussion of the use of WHEREAS clauses to explain the factual background and history of a matter being acted on by the city council. Finally, the course will include instruction on and an opportunity to engage in the drafting of an ordinance and resolution and notice documents and document templates. Other sample documents are included in the course materials for the general references of course participants. Conflicts with FN415.

**Category:** July 28 Tuesday  
**Price:** 32.00  
**Time:** 3:15 PM - 5:15 PM



7/29/2020 8:00 AM

[Remove](#)**Office Administration/P&Z/Nuisance WK2** **In Itinerary**

CL330MPI: Office Administration/P&Z/Nuisance -- Today's office professional has to successfully balance the daily tasks of increasingly complex jobs, provide good customer service, deal with constant interruptions plus maintain a worker friendly environment. According to the latest research this multi-tasking often leaves the office personnel "feeling exhausted, ineffective, and ultimately, deeply unsatisfied." Participants in this workshop will identify the "biggest" problems in their offices and as a group explore options for setting professional work boundaries without building fences. There will be an approximate 45-minute break for lunch on your own. Conflicts with FN110.

**Category:** July 29 Wednesday  
**Price:** 96.00  
**Time:** 8:00 AM - 3:00 PM

7/29/2020 3:15 PM

[Remove](#)**Parliamentary Procedures WK2** **In Itinerary**

CL301MPI: Parliamentary Procedures -- This parliamentary procedure workshop will include: Basic principles underlying parliamentary procedure, techniques to expedite business, maintain order and ensure justice for all, basic parliamentary information on how to handle motions, types of motions, correct verbiage and votes required, rules of debate to make sure that business is accomplished properly and fairly, answers to individual questions regarding procedure in your meetings. Conflicts with FN110.

**Category:** July 29 Wednesday  
**Price:** 48.00  
**Time:** 3:15 PM - 6:15 PM

[Proceed to Checkout](#)

## Shopping Cart

### Items

Item	Quantity	Price	Total	
<a href="#">Iowa Municipal Professionals Institute 2020 - Angie Ritchie</a>	1	912.00	912.00	<a href="#">Remove</a>

[Update](#)

### Cart Charges

Item Total	912.00
Shipping	0.00
Handling	0.00
<b>TRANSACTION GRAND TOTAL</b>	<b>912.00</b>

Promotional Code:

[Apply](#)

### Payment Details

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**RESOLUTION 2020-26**  
**City of Cumming**

**A RESOLUTION AUTHORIZING WAGES FOR A CITY EMPLOYEE**

**Whereas** the City Council of the City of Cumming, Iowa has deliberated and found that the following wage for the following employee of the City of Cumming shall be paid beginning March 9, 2019:

<u>Employee Name</u>	<u>Position</u>	<u>Wage</u>
Angie Ritchie	Deputy City Clerk	\$ _____ per hour

**And Whereas**, The City Clerk of the City of Cumming is hereby authorized to issue checks, less legally required or authorized deductions from the amount set out above, on the days of the payroll, and to make contributions to IPERS (if applicable), Social Security and Medicare, or other purposes required by law or authorized by the City Council all subject to audit and review of the City Council.

Passed and approved this 9<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Tom Becker, Mayor

Attest:

\_\_\_\_\_  
Donald Sandor, City Administrator





March 3, 2020

City of Cumming  
649 N 44<sup>th</sup> St  
Cumming, IA 50061

IMPACT Community Action Partnership (formerly Red Rock Area Community Action Program) is seeking your continued financial support for this fiscal year. IMPACT is a local organization that has been proud to serve Warren County low-income residents since 1964.

Our agency helps relieve the financial burden many face while meeting their basic needs. We offer programs that help families overcome utility disconnections, emergency food shortages, and scarcity of personal hygiene supplies. This past year, we also received funding for rent, school supplies, and heating/cooling emergencies.

The coming year will continue to be problematic for our low-income households. Families in Cumming struggle to cope with the rising cost of food, utilities, and housing. This problem is only compounded with increasing medical, transportation, and child care costs. 2 individuals in Cumming qualified to receive services from us – which are households that fall below the 175% poverty guideline. To meet this guideline, a family of four earned less than \$45,063 and a family of one earned less than \$21,858. Because of our thorough intake processes, we know over 90% of the families we served have are currently employed or receive a fixed income through Social Security, etc.

We are requesting a total of \$28 in financial support to help us continue these vital programs. This request is based on \$14 per person served in Cumming for the past fiscal year. As a community-based program, we rely on your assistance.

Thank you again for your past support of our low-income families, and for your consideration of our request for continued support of IMPACT programs and services to the residents of Cumming to meet their most basic needs.

Sincerely,

Jessica Luckey

Direct Service Coordinator  
jluckey@impactcap.org

RECEIVED MAR - 5 2020

# CENTRAL TANK COATINGS, INC

"General Water Tower Maintenance"

Kelly Koehn, Owner 22528 Canoe Rd. Elgin, Iowa 52141

## CONTRACT

THIS AGREEMENT made this 4<sup>th</sup> day of MARCH, 2020 by and between CENTRAL TANK COATINGS, INC. of Elgin, Iowa, hereinafter called CONTRACTOR and CITY OF CUMMING, IOWA hereinafter called the OWNER.

**WITNESSETH- IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:**  
Contractor hereby agrees to furnish labor, insurance, material and use of equipment to perform the following work: Exterior surfaces of the 84,000 gallon standpipe including, balcony and all other framework to be cleaned in accordance with the latest revisions of the Steel Structures Painting Council for Surface Preparation Specifications No. 2, Hand Tool Cleaning and then to be painted one spot coat of Tnemec Series 118 Uni Bond Mastic and then to be paint one Intermediate coat of Tnemec Series 118 Uni Bond Mastic paint and one complete finish coat of Tnemec Series 1028 Enduratone paint.....\$14,500.00

Owner to select single color  
To be pressure washed using 4000 lb. psi.  
Owner to help in blocking streets and moving cars.

The present sign on tank to be repainted the same as it now appears..... \$1,500.00

Contractor guarantees all work performed under this contract for a period of 2 years from the date of acceptance by the Owner and in the event any faulty materials or workmanship are found within this period, Contractor shall place in a satisfactory condition all such work when notified by the Owner without expense to the Owner.

**Lead Base Paint Disclaimer:** In the event that lead paint is on the water tank or tower, any additional means of lead containment or disposal costs will born upon the Owner.  
Contractor agrees to carry workmen's compensation, public liability, property damage and unemployment insurance and to pay all social security tax due on its employees engaged in performing this contract.  
Contractor is an independent contractor hereunder and neither it nor its employees engaged in performing this contract shall at any time during the performance hereof become employees of the Owner.  
Owner agrees to clear and make accessible to CONTRACTOR the working area and when requested by Contractor's foreman, to furnish police protection in keeping the area clear of spectators, pedestrians, motor vehicles or trespassers while the work is in progress. CONTRACTOR is authorized and shall have the right to erect barricades around the working area and to keep everyone away from the working site except those persons authorized by OWNER. During any exterior painting, OWNER shall remove any vehicles in the area which might receive paint damage.  
Owner shall provide effective protection for the employees of the CONTRACTOR against all power circuits about or near or within the proximity of the structure to be maintained hereunder.  
OWNER shall effectively insulate and/or de-energize and ground all electrical power circuits located within a ten (10) foot proximity of the structure to be maintained hereunder and shall be obligated for the expense thereof.  
OWNER shall contact Power Company or responsible party to shut off power or move powerlines so that CONTRACTOR may perform necessary work without danger to employees or disruption of service.  
OWNER shall furnish at its cost at the working site for the use of CONTRACTOR all electricity and water required by CONTRACTOR to enable it to perform this contract  
OWNER agrees that CONTRACTOR shall, as soon as possible, proceed to carry out the provisions of this contract. Upon CONTRACTOR completing the work hereinabove specified, it shall notify the OWNER of that fact and on the same date that notice of completion is received by OWNER, the work shall be inspected and accepted or rejected, OWNER shall notify CONTRACTORS home office at Elgin, Iowa, by certified mail, document carrier or facsimile letter and if no objections are received by CONTRACTOR from OWNER within forty eight (48) hours after date of completing the work, then it is mutually agreed by both parties that the work was accepted and approved by OWNER.  
\*\*CENTRAL TANK COATINGS, INC. will not be liable for any equipment on the structure other than that of the Owner, for example antennas.

Upon OWNER accepting the work of CONTRACTOR to be performed hereunder, OWNER agrees to pay CONTRACTOR

### The sum of PRICES STATED ABOVE Dollars

**(\$PRICES STATED ABOVE) as payment in full for all of the above specified labor and materials.**

If, in the progress of the work hereinabove specified, OWNER directs additional work be done by CONTRACTOR, the additional work shall be paid for in addition to the hereinabove stated contract price at the same time that the contract price is paid.  
All sums due under this contract shall bear interest at the rate of eight (8) percent per annum at the expiration of thirty (30) days from and after the date on which CONTRACTORS work is completed.  
If OWNER is a public body or public agency, it represents that this contract: has been approved by and is being entered into at the direction and in behalf of the political body.  
This contract shall not be binding upon CONTRACTOR until accepted and signed by and officer of CONTRACTOR at the home office in rural Elgin, Clayton County, State of Iowa.  
No changes, alterations, erasures or indentures of any kind shall be made on the contract when returned to the home office of CONTRACTOR except the date of acceptance and CONTRACTOR'S signature.  
This agreement embodies the entire contract between the parties and no oral agreements, representations or warranties heretofore or hereafter made shall be binding unless reduced to writing, signed by the parties and attached hereto

WITNESS OUR HANDS on the date aforesaid.

CENTRAL TANK COATINGS, INC.  
Has negotiated this contract

Central Tank Coatings, Inc. accepts and executes  
this contract at Elgin, Iowa on this \_\_\_\_\_ day of \_\_\_\_\_ 2020

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Name of Owner's Representative TITLE

\_\_\_\_\_  
Name of Contractors Representative TITLE



## CUMMING WATER TOWER MURAL AGREEMENT

THIS CONTRACT is made at Warren County, Iowa, this \_\_\_ day of \_\_\_\_\_, 2020, (the "Effective Date") by and between **City of Cumming**, a city in Warren County, Iowa (hereinafter referred to as the "CUMMING") and **Plum Forward Corporation**, an Iowa corporation with an address at 1031 Lost Lake Drive, Polk City, Iowa, 50226 (hereinafter referred to as the "ARTIST"). The foregoing parties may be referred to individually herein as "Party" and collectively herein as "Parties."

### RECITALS

WHEREAS, CUMMING seeks to promote a great quality of life for its residents and visitors through art installations within its community;

WHEREAS, CUMMING owns the water tower structure located on the premises surrounding or abutting 649 N 44th Street in Cumming, Iowa, (hereinafter referred to as the "Structure") as well as the underlying real property located at or about said address;

WHEREAS, ARTIST is a designer and muralist that designs and installs murals;

WHEREAS, the Parties desire to install a mural on the Structure;

WHEREAS, ARTIST has designed a mural and identified materials for installation of said mural on the Structure (attached as Schedule A); and

WHEREAS, the Parties have approved of the mural design that is attached as Schedule A (hereinafter referred to as the "Mural");

NOW THEREFORE, in consideration of the mutual promises and conditions contained in this Agreement, the Parties agree as follows:

#### **1. Services and Payment.**

- a. ARTIST shall provide the materials and labor to install the Mural on the Structure during the Installation Period as defined below.
- b. CUMMING shall pay the ARTIST the total sum of \$12,500.00 for ARTIST's design, rendering and installation of the Mural.
  - i. CUMMING shall distribute the payments to the ARTIST according to the following payment plan:



1. \$2,500.00 shall be paid to ARTIST within three days for the Effective Date.
  2. \$3,750.00 shall be paid to ARTIST on or before \_\_\_\_\_, 2020 (45 days before the Commencement Date as defined below.)
  3. \$6,250.00 shall be paid within the thirty days following the Completion Date as defined below.
- c. The duties and responsibilities of preparing the Structure for the installation of the Mural shall be as follows:
- i. CUMMING shall obtain all necessary licenses and approval for the Mural installation from any parties or interests including, but not limited to state or municipal entities, that encumber any property that shall be affected by the installation of the Mural.
  - ii. CUMMING shall provide all labor to prepare the Structure for installation of the Mural.
  - iii. CUMMING shall provide paint and labor to install a base coat on the Structure in a tone similar to Behr Aztec Sky P490-4.
  - iv. CUMMING shall provide a telescopic lift that is in good working order and capable of safely extending beyond the height of the Structure prior to the Commencement Date and through the Completion Date as defined below.
- d. ARTIST, having knowledge and experience in the area of installing murals, may advise CUMMING in the performance of its duties listed herein. ARTIST has no authority to contract on behalf of CUMMING. ARTIST's consultation(s) shall not create a responsibility in ARTIST that supersedes the duties of CUMMING as described above. Further, any consult of ARTIST shall in no way make ARTIST liable for the acts or omissions of the parties that have been employed by CUMMING.

## **2. Installation Period.**

- a. Notwithstanding any delays arising from the actions or omissions of CUMMING, or third parties, or delays arising from ARTIST's agents suffering injury, illness or death or otherwise naturally occurring climatic or catastrophic events, the dates listed below shall signify the period of installation (herein referenced as "Installation Period").
  - i. ARTIST shall commence installation of the Mural on or about \_\_\_\_\_, 2020, a date to be referenced throughout this Agreement as the "Commencement Date."
  - ii. ARTIST shall complete installation of the Mural by \_\_\_\_\_, 2020, a date to be referenced throughout this Agreement as the "Completion Date."

**3. Muralist.**

- a. Ben Schuh, an agent of ARTIST, shall create and install the Mural.
- b. ARTIST may hire subcontractors to assist in the installation of the Mural.

**4. Insurance.**

- a. Upon request of CUMMING, ARTIST shall provide a certificate of liability insurance with a minimum of a \$1,000,000.00 limit per occurrence naming CUMMING as additionally insured.

**5. Termination.**

- a. CUMMING may terminate this Agreement upon five days written notice to all Parties, which shall be deemed effective with proof of receipt.
- b. The date indicated in the notice referenced in paragraph 5(a) above shall be the Termination Date.
- c. The payment plan outlined above represents payments due to ARTIST for its time, materials, equipment, renderings and actual services performed from the Effective Date through the Completion Date.
  - i. In the event of Termination Date being prior to the due date for the second installment payment of \$3,750.00, ARTIST shall be due the first installment of \$2,500.00.
  - ii. In the event of Termination Date being after the due date for the second installment payment of \$3,750.00 and prior to the due date for the third and final installment payment of \$6,250.00, ARTIST shall be due the combined \$6,250.00 of the first and second installment.
  - iii. In the event of the Termination Date being after the Commencement Date, the entire sum of \$12,500.00 shall be due and owing to ARTIST.

**6. Additional Disclosures, Duties, and Acknowledgements.**

- a. The Parties acknowledge that slight variations to the Mural may occur as a result of the ARTIST's creative process.
- b. ARTIST may include a signature of "SCHUH 20" on the Mural.
- c. The Parties acknowledge that the short-term and long-term quality of the Mural will be affected either positively by having prepared and cleaned the Structure prior to installation or negatively by failing to prepare and clean the Structure prior to installation. ARTIST is under no duty to prepare and clean the Structure at any point and CUMMING has been advised by ARTIST to inspect and prepare the Structure prior to the installation date.
- d. Any licensing, easements, permits or approval required by private parties or the local, state, or federal government regarding the concept or content



featured in Schedule A shall be the responsibility of CUMMING. In the event that any portion of the Mural or its concept are found to be noncompliant with any of the above entities and the project is ordered to stop, CUMMING shall obtain the proper permissions or the ARTIST may alter the Mural to complete the Mural such that it is compliant with the appropriate entity's requirements.

**7. Duties upon completion of Mural.**

- a. ARTIST has no duty to repair or maintain the Mural upon the passing of the Completion Date.
- b. CUMMING shall assume all responsibility in restoring the property surrounding the Structure in the event of any damages sustained on or around the Structure, including but not limited to damages to the grass or landscaping, during the ARTIST's installation of the Mural.

**8. Fundraising and Licensing.**

- a. ARTIST and Ben Schuh reserve all intellectual property rights in the Mural.
- b. CUMMING shall obtain separate, written approval from ARTIST or Ben Schuh prior to selling the Mural artwork, depictions of the Mural, or other derivative works.
  - i. As of the Effective Date, the Parties have discussed potential terms for licensing, use, and possible fundraising ventures, such arrangements shall be governed by an agreement separate and apart from this Agreement.
- c. If CUMMING would like to use the artwork for its advertising or other items (e.g. websites or promotional materials not for sale) they may do so as long as there is a credit to "Ben Schuh" on or near the depiction.

**9. Representations, Warranties, and Covenants.**

- a. CUMMING has the authority to grant ARTIST reasonable access to the Structure and represents that its effectuation of this Agreement shall bind all titleholders and any parties holding an interest to the Structure and its surrounding premises to this Agreement.

**10. Miscellaneous Provisions.**

- a. This Agreement constitutes the entire agreement between CUMMING and ARTIST with respect to the Mural and supersedes all prior written and oral agreements between the Parties regarding the Mural.



- b. If any part of this Agreement is found to be void, voidable, invalid, or unenforceable, such portion shall be severed from the Agreement, and the remaining portions shall remain in full force, and enforceable as if they were a separate agreement.
- c. All the terms and provisions of this Agreement shall be binding and inure to the benefit of, and be enforceable by each Party as well as each Party's respective successors and assigns.

DRAFT  
NOT FOR  
SIGNATURE

**To:** All US Sales Personnel

**From:** Behr Cares Team

**Re:** Product Donation

In order to satisfy the Masco charitable policy, changes to the Home Depot donation policy and to meet tax requirements for product donations, we have updated our in-kind donation policy.

The following paint donation criteria will be followed:

- 501 (c)(3) charities only (schools, churches, sports teams, etc. do not typically qualify); and
- Charities may be considered for a product donation every three years.
- The charity must represent that:
  - It is a U.S. nonprofit charity that is a tax-exempt 501(c)(3) charitable corporation that is qualified to receive tax-deductible contributions; it is not a private foundation;
  - The donated inventory will be used in a manner related to our organization's exempt purpose and solely for the care of the ill, the needy, or minors;
  - It will NOT transfer the donated inventory in exchange for money, property, or other services; and
  - It will maintain adequate books and records to show the time and manner of distribution of the property, which will be made available to the Internal Revenue Service upon request.
- The charity must provide:
  - Proof of 501(c)3 status;
  - A formal written donation request on its letterhead (electronic version ok); and
  - A completed product donation request form (Only Behr color names are accepted – no color matching or competitors' colors please.)
- If approved, the charity must complete the Donation Acknowledgement Form *before* the paint order is processed;
- Please allow two to three weeks for processing/delivery of the order;
- At Home Depot's request, product donations will no longer be processed via RGA or taken from store shelves; and
- Approved donations will only be shipped to the nearest store, or will-called at a DC.

Please be careful not to commit the company to any donations before approval, and direct all requests or questions to [BehrCares@behr.com](mailto:BehrCares@behr.com).

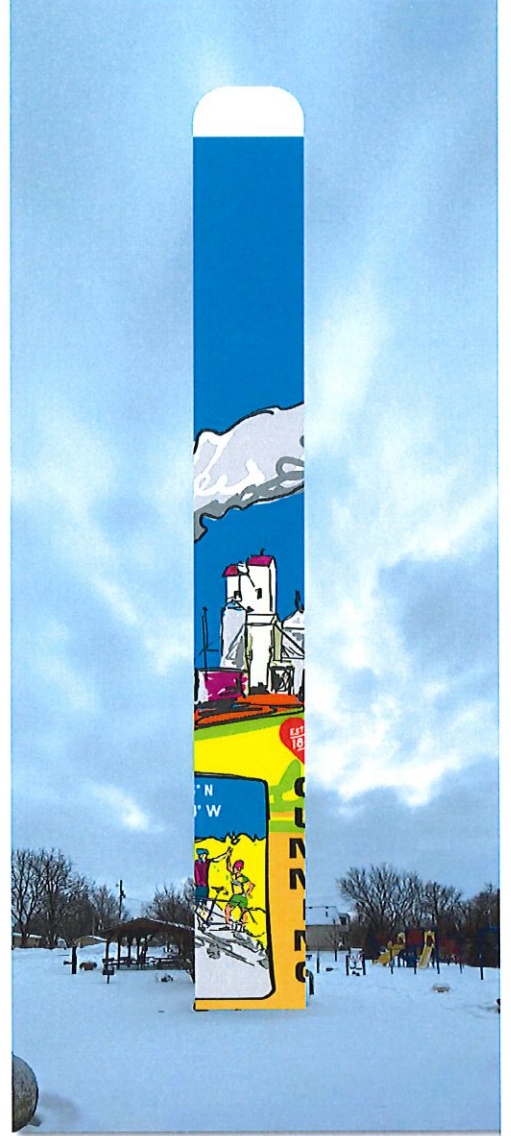
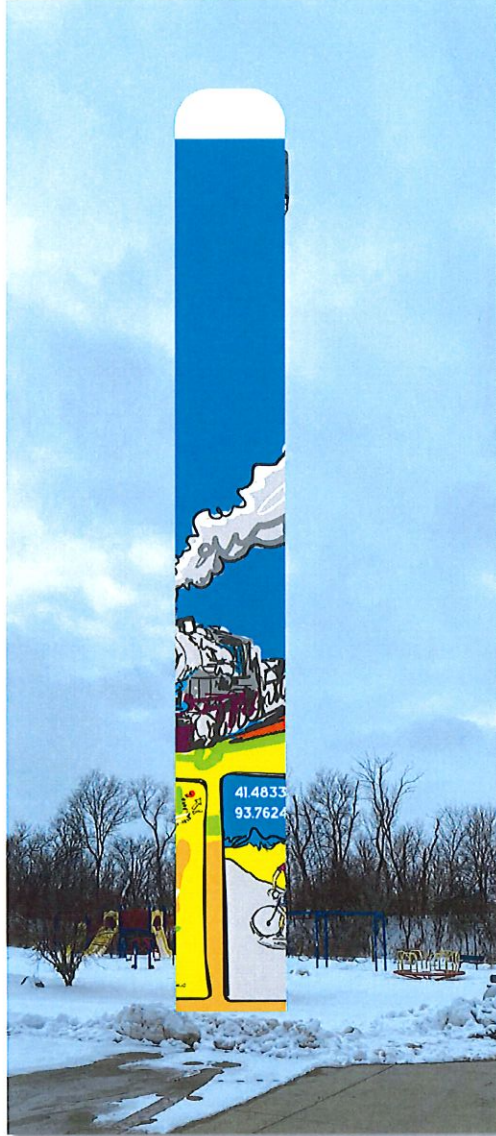
Thank you in advance for your adherence to these policy changes.

Behr Cares team





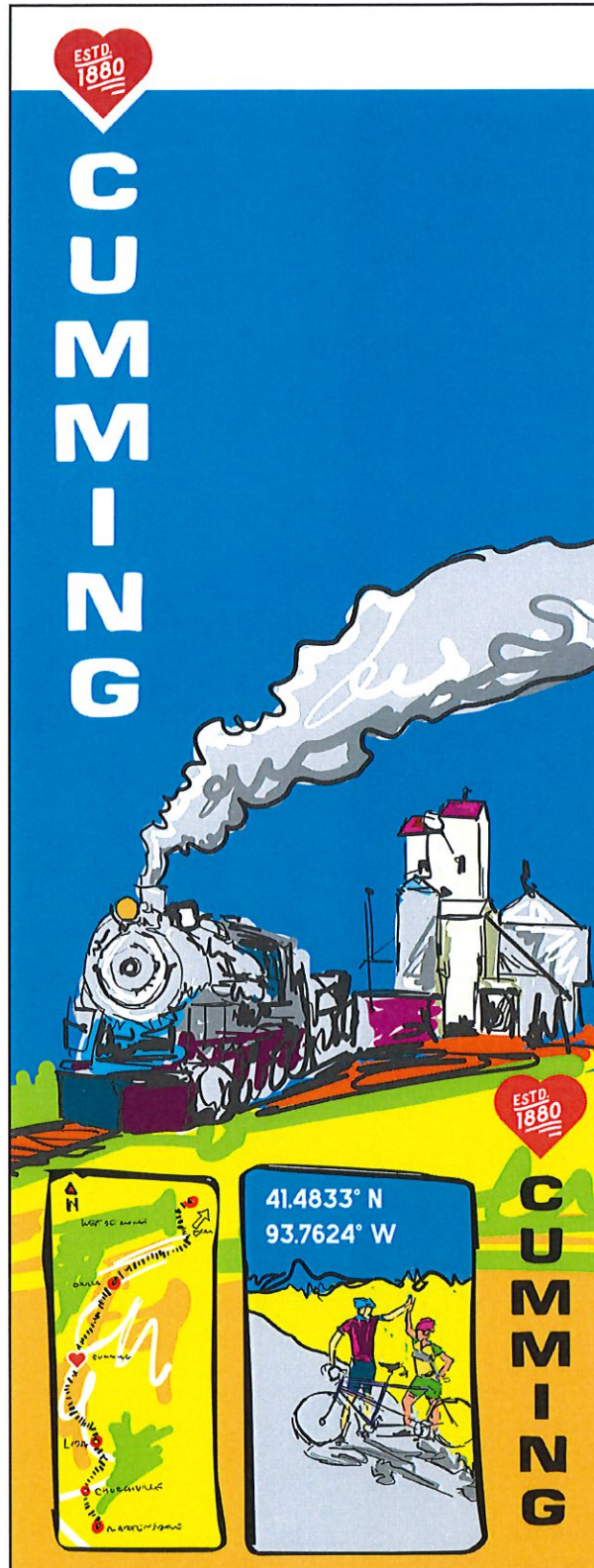














10:49 AM  
02/27/20  
Accrual Basis

**Combined Systems Technology, Inc**  
**Customer Open Balance**  
**All Transactions**

---

Type	Date	Num	Due Date	Open Balance
City of Cumming				
Invoice	02/13/2020	137648	02/13/2020	2,500.00
Payment	02/18/2020	5844		-1,177.36
Total City of Cumming				1,322.64
<b>TOTAL</b>				<b>1,322.64</b>

---

## Angie Ritchie

---

**From:** Lori Bruening <lbruening@cstoncall.com>  
**Sent:** Wednesday, February 26, 2020 4:11 PM  
**To:** DeputyClerk@Cumming-Iowa.com  
**Subject:** CST Invoice 137826 - PAID IN FULL  
**Attachments:** 137826 City of Cumming.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Angie,

Please find attached Invoice 137826. I have applied the payment you sent in from the quote you received. **This invoice is for your records only.**

Tomorrow after we have done our sync I will send you an open balance so you know how much is due on your account.

You still have invoice 137648	\$2,500.00 open on your account.
This invoice was 137826	\$1,956.00
Your prepayment based off the quote was	<del>(\$3,133.36)</del>
Balance left due on your account is	\$ 1,322.64

Thank you,  
Lori



**Lori Bruening | Administrative Assistant**

Email: [lbruening@cstoncall.com](mailto:lbruening@cstoncall.com) | [www.cstoncall.com](http://www.cstoncall.com)

Main: 515-270-5300 | Fax: 515-254-0500

**Combined Systems Technology** 2165 NW 108th Street, Suite D Clive, Iowa 50325

***"Celebrating Over 39 Years of Technology Excellence!"***

**Confidentiality Notice:** This email and its attachments (if any) contain confidential information of the sender. The information is intended only for the use by the direct addresses of the original sender of this email. If you are not an intended recipient of the original sender (or responsible for delivering the message to such person), you are hereby notified that any review, disclosure, copying, distribution, or the taking of any action in reliance of the contents of and attachments to this email is strictly prohibited. If you have received this email in error, please immediately notify the sender at the address shown herein and permanently delete any copies of this email (digital or paper) in your possession.



Combined Systems Technology, Inc.  
 2165 NW 108th Street  
 Suite D  
 Clive, IA 50325  
 (515) 270-5300

**PAID**

<b>Date</b>	<b>Invoice</b>
02/26/2020	137826
<b>Account</b>	
City of Cumming	

<b>Bill To:</b>
City of Cumming Attn: Angie Ritchie 649 N 44th Street PO Box 100 Cumming, IA 50061 United States

<b>Ship To</b>
City of Cumming 649 N 44th Street PO Box 100 Cumming, IA 50061 United States

<b>Due Date</b>	<b>PO Number</b>	<b>Reference</b>	
NET ON RECEIPT			

Products & Other Charges	Quantity	Price	Amount
Billable Products & Other Charges			
Dell OptiPlex 3070 SFF w/ M.2 256GB SSD	2.00	\$729.00	\$1,458.00
Intel Core i5-9500 6 Cores/up to 4.4GHz/65W			
Windows 10 Professional 64 English			
8GB (1X8GB) 2666MHz DDR4 UDIMM Non-ECC Memory			
M.2 256GB PCIe NVMe Class 35 Solid State Drive			
Intel Integrated Graphics, Additional VGA Video Port			
8x DVD+/-RW 9.5mm Optical Disk Drive			
Cyberlink Media Suite Essentials for Windows 10 and DVD drive			
Dell KB216 Wired Multi-Media Keyboard, Dell MS116 Wired Mouse			
Dell Limited Hardware Warranty Plus Service, Onsite Service After Remote Diagnosis - 3 Years Serial Number(s): 9MG3T13, BP15T13			
Microsoft Office Home and Business 2019 License WIN, Suite Includes: Microsoft Excel, Microsoft Outlook, Microsoft Powerpoint, Microsoft Word, Microsoft OneNote - Boxed [Medialess].	2.00	\$249.00	\$498.00
<b>Total Products &amp; Other Charges:</b>			<b>\$1,956.00</b>
Make checks payable to Combined Systems Technology, Inc.	<b>Invoice Subtotal:</b>		\$1,956.00
	<b>Sales Tax:</b>		\$0.00
	<b>Invoice Total:</b>		<b>\$1,956.00</b>
	<b>Payments:</b>		(\$1,956.00)
	<b>Credits:</b>		\$0.00
	<b>Balance Due:</b>		<b>\$0.00</b>

A restocking charge of up to 25% may be applied to all returned equipment or cancelled agreements. All invoices are subject to a finance charge of 1.5% per month, or 18% per annum when past due. Any account placed for collection will also incur collection fees.

NOTE: If you choose to pay by credit card, a 3.5% handling fee will be charged.

Thank you for doing business with CST! "Celebrating Over 39 Years of Technology Excellence!"





2165 NW 108th Street, Suite D, Des Moines, IA 50325  
t. 515-270-5300 f. 515-254-0500

# QUOTE

**Number** AAAQ16899

**Date** Feb 18, 2020

### Sold To

**City of Cumming**  
Angie Ritchie  
649 N 44th Street  
PO Box 100  
Cumming, IA 50061  
United States

**Phone** (515) 981-9214  
**Fax** (515) 981-4981

### Ship To

**City of Cumming**  
Angie Ritchie  
649 N 44th Street  
PO Box 100  
Cumming, IA 50061  
United States

**Phone** (515) 981-9214  
**Fax** (515) 981-4981

Here is the quote you requested.

Salesperson	P.O. Number	Ship Via	Terms
Chris Colton			Net on Receipt

Line	Qty	Description	Unit Price	Ext. Price
1	10	Block Time Renewal	\$130.00	\$1,300.00
2	20	Block Time Renewal	\$125.00	\$2,500.00

<b>SubTotal</b>	\$3,800.00
<b>Tax</b>	\$228.00
<b>Shipping</b>	\$0.00
<b>Total</b>	<b>\$4,028.00</b>

Please contact me if I can be of further assistance.

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED MANUFACTURER'S WARRANTY, COVERING PARTS AND FOR HARDWARE ONLY - WE SPECIFICALLY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 25% RESTOCKING FEE WITH ORIGINAL PACKAGING.

**Proprietary and Confidential**



# Apple, Inc.

**SHIP TO:**

ANGIE RITCHIE  
 DEPUTYCLERK@CUMMING-IOWA.COM  
 IOWA PLANNING AND ZONING COMMITTEE

**PREPARED BY:**

Luke Donnelly  
 sales\_administration@apple.com

Quote <b>Iowa_1492-01</b>	Quote Date 2/17/2020	Valid Until 3/18/2020	Customer #	SEA #
------------------------------	-------------------------	--------------------------	------------	-------

This quote is a pricing reference and is not available online. Create your own quote with equivalent pricing and order online at [ecommerce.apple.com](http://ecommerce.apple.com)

Item Description	Est. Ship	Part Number	Item Price	Qty	Disc Price	Extended Price
IA Contract NASPO Master #MNWNC-102						
10.2-inch iPad Wi-Fi 32GB - Space Gray	In Stock	MW742LL/A	\$299.00	7		\$2,093.00
OtterBox Symmetry Series Case for iPad (7th Generation)	In Stock	HNKU2ZM/A	\$69.95	7		\$489.65

Subtotal	\$2,582.65
Tax Exempt	
Est Shipping	Free
<b>Total</b>	<b>\$2,582.65</b>

SUGGESTED OPTIONS:	Est. Ship	Part Number	Item Price	Qty	Disc Price	Extended Price
2-Year AppleCare+ for iPad / iPad Air / iPad mini	Automatically registered	S6531LL/A	\$59.00	7		\$413.00

Suggested Items      \$413.00

The entire contents of this publication are Copyright (C) 2007, 2008 by Apple Inc. As a condition of receiving this document, you agree that you will not duplicate, download to a database, transmit electronically, or disseminate by any means whatsoever any portion of this document to anyone other than employees of your company, nor will you use any information in this document other than as necessary to transact business with Apple Inc.

GovOffice  
2112 Broadway St  
NE #250  
Minneapolis MN 55413  
United States

# Invoice

#INV10894

PO#  
1/31/2020

**Bill To**

City of Cumming  
649 N 44th St.  
Cumming IA 50061  
United States

**TOTAL**

**\$700.00**

**Due Date: 3/1/2020**

**Terms**

Net 30

**Due Date**

3/1/2020

Quantity	Item	Amount
14	<b>GovOffice Email Service</b> 2020 Email Account	\$700.00

Please make checks payable to GovOffice & remit payment to:

Government Brands Shared Services  
Attn: GovOffice Accounts Receivable  
P.O. Box 25477  
Tampa, FL 33622

For questions, please contact Shey Settles  
(770)293-1824  
ssettles@governmentbrands.com

**Subtotal** \$700.00

**Total** \$700.00

RECEIVED FEB - 3 2020



INV10894



GovOffice  
2112 Broadway St  
NE #250  
Minneapolis MN 55413  
United States

# Invoice

#INV10820

PO#  
1/1/2020

**Bill To**

City of Cumming  
649 N 44th St.  
Cumming IA 50061  
United States

**TOTAL**

**\$525.00**

**Due Date: 1/31/2020**

**Terms**

Net 30

**Due Date**

1/31/2020

Quantity	Item	Amount
1	<b>GovOffice 1 yr website hosting</b> Annual Hosting Fee 2020	\$525.00

Please make checks payable to GovOffice & remit payment to:

Government Brands Shared Services  
Attn: GovOffice Accounts Receivable  
P.O. Box 25477  
Tampa, FL 33622

For questions, please contact Shey Settles  
(770)293-1824  
ssettles@governmentbrands.com

**Subtotal** \$525.00

**Total** \$525.00



INV10820

City of Cumming  
649 N. 44<sup>th</sup> Street  
Cumming, IA 50061  
(515) 981-9214

February 19, 2020

.Gov Domain Registration  
c/o Verisign, Inc.  
12061 Bluemont Way  
Reston, Virginia 20190

Dear Domain Manager,

As for the City of Cumming, Iowa, I formally request that authority over the cityofcumming.ia.gov second-level domain name be delegated to the City of Cumming, Iowa. I attest that I am the highest-ranking elected official for Cumming, IA.

This domain name will be used for our City website as well as email addresses. The use of this domain is consistent with the City of Cumming Internet policy. In addition, I will ensure the content of the requested domain name conforms to the .gov policy.

By requesting this domain name, I acknowledge that I will be responsible for payment of the annual \$400 domain fee. I understand that if I wish to retire my domain, I must submit a written request to registrar@dotgov.gov. If a written request is not submitted, I understand that I will continue to be responsible for all accrued domain fees.

The following individuals will be listed as points of contact for cityofcumming.ia.gov. It is understood that the contact information must remain valid and up to date, and that administrative, billing, and technical points of contact will be unique.

Administrative Point of Contact:

Angie Ritchie  
Deputy Clerk  
649 N. 44<sup>th</sup> St./P.O. Box 100  
Cumming, IA 50061  
515-981-9214  
[deputyclerk@cumming-iowa.com](mailto:deputyclerk@cumming-iowa.com) (presently)

Billing Point of Contact  
Same as above

Technical Point of Contact:

Chris Colton

CST

2165 NW 108<sup>th</sup> Street, Suite D

Des Moines, IA 50325

(515) 270-5300

[ccolton@cstoncall.com](mailto:ccolton@cstoncall.com)

Security Point of Contact:

Chris Colton with CST

[ccolton@cstoncall.com](mailto:ccolton@cstoncall.com)

Sincerely,

Tom Becker

Mayor





Site Backup

Backup Your Hard Work. (Powered By CodeGuard) — Included Free!  
\$0.00/mo (Billed Annually @ \$0.00)

It's insurance for your website. Get daily automated website backup for all web files and databases with a 1-click restore.

5. Enter a Coupon Code

SNAPPYW579 Validated

6. Review Order Details

24/7/365 Phone, LiveChat, Email Support		FREE!
Instant Account Activation		FREE!
Money Back Guarantee!		45 Days
Standard - 2 sites: 36 Months	\$574.20	\$286.18
	Subtotal:	\$574.20
	Discount:	-\$288.02
	Estimated Tax:	\$18.89
	<b>Amount Due:</b>	<b>\$305.07</b>

Introductory prices apply to the first term. Money-back guarantee applies to hosting and domain privacy. All plans and products automatically renew unless you cancel. The renewal will be for the same term length and at the regular rates reflected in your Billing Portal. The payment method you provide today, or we have on file, will be used for renewals, unless you change it or cancel. You may cancel at any time by logging into your online billing portal or calling customer support at (866) 96-GATOR.

You have read and agree to HostGator's [Terms of Service](http://www.hostgator.com/tos) and [Cancellation Policy](http://www.hostgator.com/tos#cancellations) and acknowledge receipt of the [Privacy Policy](https://www.endurance.com/privacy/privacy).

By clicking "Checkout Now" you agree to have your personal information transferred and stored in the United States, which is necessary to provide you with the services under our agreement with you.

Registrar Rights & Responsibilities (<http://www.icann.org/en/resources/registrars/registrar-rights/benefits>) | Registrar Educational Information (<http://www.icann.org/en/resources/registrars/registrar-rights/educational>)  
Do Not Sell My Info (<https://endurance.clarip.com/dsr/create>) | Automated Renewal Policy & Guide (<http://support.hostgator.com/articles/hosting-guide/lets-get-started/domain-names-buy-sell-manage/how-do-i-renew-my-domain-name>) | Expiration Policy & Guide (<http://support.hostgator.com/articles/hosting-guide/lets-get-started/domain-names-buy-sell-manage/what-happens-if-my-domain-name-expires>)

Copyright 2020 HostGator.com LLC. All Rights Reserved. (<http://www.hostgator.com>)

Hostgator - 2 sites, 36 months @ 7.95 month

= 286.18

Plan ~~renew~~ renews @ 9.95 a month in 2023

Immense Impact, LLC.  
P.O. Box 121034  
Arlington TX 76012



## ImmenseImpact

Home of RuralWaterImpact.com &  
MunicipalImpact.com

City of Cumming  
Attn: Angie Ritchie  
PO Box 100  
Cumming IA 50061

Website Proposal #	20-0224MOU
Website Proposal Date	February 24, 2020
<b>Website Proposal Total (USD)</b>	<b>\$898.45</b>

Item	Description	Unit Cost	Quantity	Line Total
Municipal Impact Annual-Tier 1	Tier 1 Annual Website Subscription - (Pop. 0-1,500) Includes Hosting, Unlimited Customer Support, All Website Software Updates & Upgrades	599.40	1	599.40
Muni Impact Tier 1 Set Up Fee	Website Set Up Fee - One Time Charge, Does Not Include Content Transfer	349.00	1	349.00
Municipal Impact T1 Giving Back	MI Customer Appreciation T1- 1 Month Free with Annual Subscription (\$49.95)	-49.95	1	-49.95
<b>Website Proposal Total (USD)</b>				<b>\$898.45</b>

### Terms

Subsequent Annual Renewal Subscriptions \$549.45 per current pricing.

NO RISK 30-Day 100% Money-Back Guarantee-No Contracts, No Cancellation Fees-EVER. Prices subject to change without notice.

Questions? Give us a call at (888) 551-4815 or email us at [support@ruralwaterimpact.com](mailto:support@ruralwaterimpact.com).

### Notes

New Subscriptions Always Receive a 14 Day Free Trial!

Immense Impact, LLC. (Home of Municipal Impact) appreciates City of Cumming's consideration of our website subscription services.

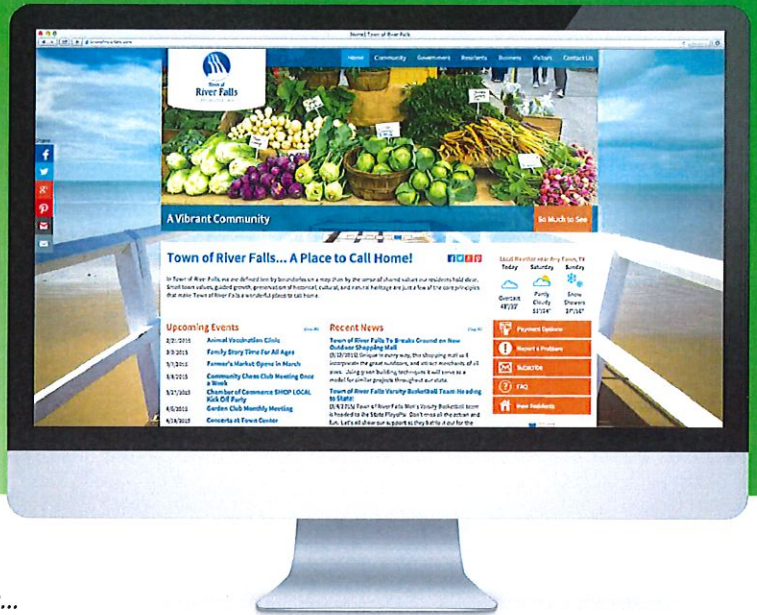
Municipal Impact Websites - Positively Impacting Communities across North America!



# "We're the Website People!"

## A SUPERIOR WEBSITE FOR YOUR CITY OR TOWN IS NOW EASY & AFFORDABLE!

MUNICIPAL IMPACT provides beautiful, mobile-friendly websites for small towns and communities – *all at a very affordable price*. Kick back while we do all the work and setup, then make updates yourself as often as you want. Secure hosting and unlimited support are included, too. *You'll never hire an expensive web designer again!*



Here are just some of the features your website includes...



### Responsive Design

Our site designs are optimized for display across all devices, and are easy to customize.



### Send Alerts

Keep your residents up-to-date by sending news and alerts via email or text message.



### Accept Payments

Streamline collections and give residents the convenience of making online payments.\*



### Easy Updates

Make changes to your site any time you want, without the need of a programmer.



### Forms & Reports

Save *time* and *money* by posting your CCR and other documents online.



### Unlimited Support

Our customer service is fast, friendly and unlimited, so your website is worry-free!

PLUS: We launch your website in just 3 days – or it's free!



## MunicipalImpact.com

Smart Websites for Smart Communities™

For pricing and information, visit us online at  
[www.municipalimpact.com](http://www.municipalimpact.com)  
or call us at 1-888-551-4815 today!



\*Additional fees may apply for online billing/payments.