

**NOTICE OF REGULAR COUNCIL MEETING
CUMMING CITY COUNCIL
November 13, 2023 – 6:00 p.m.
Cumming City Hall, 649 N. 44th St., Cumming, IA***

ROLL CALL

APPROVAL OF AGENDA as presented and/or amended

PUBLIC COMMENT

PUBLIC HEARING

- A. Old Town Cumming Sanitary Sewer Project – Environmental Report and Project Overview

CONSENT ITEMS

- A. Minutes from the October 23rd, 2023 Regular Council Meeting
- B. Payment of Bills
- C. Approve Alcohol Permits for Lucky Wife Wine Slushies, Iowa Distilling Company and HyVee Fast & Fresh
- D. October 2023 Financial Statements
- E. October 2023 Sheriff's Report

BUSINESS ITEMS

- A. Resolution 2023-62 Memorandum of Agreement between the City of Cumming, City of West Des Moines, and Warren County for election precincts.
- B. City Hall Deck Repair Quotes for Discussion and Possible Motion
- C. Grading and Pipe Cleaning on Cumming Ave/G-14 adjacent to American Legion-Discussion and Possible Motion
- D. Resolution 2023-63 Approving Continued Agreement for Snow and Ice Removal for the City of Cumming

INFORMATIONAL ITEMS

- A. Update on No Parking Ordinance
- B. Cumming Avenue/G14 Corridor Study

REPORTS:

- A. Mayor B. Council C. Attorney D. City Administrator E. City Clerk

ADJOURN

UPCOMING ITEMS

- Annual Financial Review
- Urban Renewal Report
- Road Use/Streets Report
- Tax Increment Finance (TIF) Certifications to Warren County
- Schedule for FY 25 Budget and Capital Improvement Plan (CIP)
- Middlebrook Agrihood

*The City of Cumming welcomes public participation. If unable to attend this meeting in person, online and phone participation are available below. For questions, please contact City Hall at 649 N 44th Street, 515-981-9214 or email at nonstot@cumming.iowa.gov

Council Communication for November 13, 2023

SUBMITTED BY:

Rita Conner, City Administrator

SYNOPSIS:

The information below summarizes agenda items before Council for November 13, 2023. Standard housekeeping and consent agenda items may not be detailed here, but can always be requested for discussion by the public, Mayor and Council.

PUBLIC HEARING:

1. Old Town Cumming Sanitary Sewer Project

Background and general information: The hearing is intended to allow input from the public on the proposed project and in particular, the recently completed environmental review report by Braun Intertec (due to size, a paper copy of the full report is available from the City Clerk).

Council approved an agreement for service with McClure Engineering (MEC) for the project design on May 22, 2022 by Resolution No. 2023-31. MEC has been working on the development of the initial design, including survey work, records review, and coordination of the archeological and environmental reviews.

McClure Engineering will be at the meeting Monday evening to walk through the information and take any questions from Council or members or the public.

BUSINESS ITEMS

- A. Resolution No 2023-62 Memorandum of Agreement between the City of Cumming, the City of West Des Moines and Warren County for election precincts

In 2022, voters in Warren County approved changing the number of County Supervisors from three (3) to five (5). With this change, two additional districts are required (see accompanying map for this item).

- B. City Hall Deck Repair. A second quote for the repair work has been received. We will walk through the information with Council and determine if there is action to be taken to identify funding and timing. A partial source has been identified.
- C. Grading and Pipe Cleaning on Cumming Ave/G-14 adjacent to American Legion- Discussion and Possible Motion. We've worked with the Legion to identify a contractor and timing for the grading repair and cleanout of a clogged drainage pipe under G-14. This work falls as the City's responsibility under our 28 E Agreement with Warren County Engineering. Work needs to be completed yet this calendar year. Funding is estimated to come from City Road Use dollars.

D. Resolution 2023-63 Approving Continued Agreement for Snow and Ice Removal for the City of Cumming. This action retains the provider that was awarded the work in 2021. The amounts for the work are remain the same as the original bid, and there are materials remaining from prior season purchases.



PUBLIC HEARING NOTICE

The City of Cumming will be holding a Public Hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan. These documents include design and environmental information related to the proposed improvements to the City's wastewater treatment system/water supply system.

The proposed project involves making improvements to the wastewater collection system to enhance its reliability, reduce expense, and to eliminate sources of infiltration and inflow in order to better safely and reliably operate the City of Cumming's wastewater collection system for at least the next 20 years.

The project includes construction of approximately 5,100 linear feet of new 8-inch diameter sanitary sewer main, construction of approximately 4,000 linear feet of 4-inch diameter private laterals, abandonment of the existing private septic tanks, and associated replacement of pavement.

The purpose of this Public Hearing is to inform area residents of the community of Cumming of this proposed action, discuss the actual cost and user fees associated with this project, and to address citizen's concerns, if any, with the plan.

The Public Hearing location and time are as follows:

November 13, 2023
Cumming City Hall
649 N 49th St
Cumming, Iowa 50061

All interested persons are encouraged to attend this hearing. Written comments on this proposal may also be submitted prior to the hearing. Questions regarding this hearing or the availability of documentation may be directed to the City Clerk's Office at 515-981-9214.

**OFFICIAL PUBLICATION
CITY OF CUMMING
Regular Council Meeting 10/23/2023
To be Approved at 11/13/2023 Meeting**

The regular City Council Meeting of the City of Cumming was held at Cumming City Hall 649 N. 44th St. on November 13, 2023 at 6:00PM. The meeting was called to order at 6:00 P.M. by Mayor Brent Highfill. Present at Roll Call: Council Members Larry “Dino” Goode, Jr., Kathie Hungerford, Charlie Ochanpaugh, and Thomas Cackler. Martin Squier absent. Motion made by Cackler, seconded by Goode, Jr. Approved agenda 4-0. Squier absent.

Public Comment: None

Public Hearings: None

Consent Items

Motion made by Hungerford, seconded by Cackler to Approve Consent Items: Minutes from the October 9th, 2023 meeting as amended, Payment of Bills, as corrected, Resolution 2023-61 Payment Application 4 for Cumming Avenue, approve Monday, October 30th as Beggar’s Night, ICAP (Iowa Communities Assurance Pool) Grant submittal. Approved 4-0. Squier absent.

Payment of Bills:

Type	Date	Vendor	Memo	Amount
Check	10/19/2023	Waste Solutions of Io...	Invoice 69849	-120.00
Check	10/19/2023	Waste Solutions of Io...	Invoice 71532	-120.00
Check	10/19/2023	Combined Systems ...	Invoice 161947	-37.25
Check	10/19/2023	PFM Financial Servic...	Invoice 127341	-6,500.00
Check	10/19/2023	Combined Systems ...	Invoice 161430	-37.81
Check	10/19/2023	McClure Engineering...	Invoice 148167	-
Check	10/19/2023	Corporate Warehous...	Invoice 32828	13,928.25
Check	10/19/2023	Corporate Warehous...	Invoice 32828	-519.85
Paycheck	10/19/2023	Cackler, Thomas		-207.79
Paycheck	10/19/2023	Ochanpaugh, Charlie		-207.79
Paycheck	10/19/2023	Squier, Martin		-287.28
Paycheck	10/19/2023	Conner, Rita		-2,199.57
Check	10/19/2023	ABC Pest Control	Inv# 69836 Balance	-30.00
Paycheck	10/19/2023	Onstot, Nichole		-1,067.02
Check	10/19/2023	First Net	Invoice 287321929420X10062023	-41.27
Check	10/19/2023	HostGator	Invoice 88577345	-11.22
Check	10/19/2023	ODP Business Soluti...	Inv 22940056	-999.37
Check	10/19/2023	City of Des Moines	Invoice 132685 10.3.23	-2,990.20
Check	10/19/2023	Waste Connections	Invoice 3567103T071 10.1.23	-3,561.55
Check	10/19/2023	N/Warren Town & C...	Invoice for Public Hearing Notice 11.13.23 SRF	-38.44
Check	10/19/2023	Koch Office Group	Invoice 479129	-19.43
Check	10/19/2023	Braun Intertec Corpo...	Old Town Sanitary Sewer Project Environmental Review	-3,237.51
Check	10/19/2023	US Bank	Invoice 512116690 Contract Payment	-197.60
Check	10/19/2023	Mike Pedersen MCP,...	Tree watering	-357.00
Check	10/19/2023	Mike Pedersen MCP,...	Mowing and grounds maintenance Payment #6	-4,786.00
Check	10/19/2023	Mike Pedersen MCP,...	Tree Watering	-357.00
Check	10/19/2023	Mike Pedersen MCP,...	Mowing and grounds maintenance #7	-4,786.00
Check	10/19/2023	Mike Pedersen MCP,...	Nuisance mowing	-225.00
Check	10/19/2023	Mike Pedersen MCP,...	Seeding at Mayor Tom Becker Park	-1,600.00
			Total	-
				53,256.20

Business Items

Informational Items

Adjourn:

Motion by Cackler, seconded by Goode, Jr. to adjourn the meeting at 6:53 PM. Approved 4-0. Squier absent.

NEXT CITY COUNCIL MEETING: October 23, 2023, 6:00 pm at City Hall.

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

City of Cumming
Claims To Be Approved
All Transactions

Type	Date	Num	Name	Memo	Amount
Check	10/23/2023		Veenstra & Kimm Inc.	Project #41233-080 Invoice #11	-307.75
Check	10/23/2023		Veenstra & Kimm Inc.	Project #41233-089 Invoice #5	-422.59
Check	10/26/2023		Veenstra & Kimm Inc.	Project #41247 Invoice #3	-1,043.00
Check	10/26/2023		Veenstra & Kimm Inc.	Project #41250 Invoice #1	-3,397.00
Check	10/26/2023		Veenstra & Kimm Inc.	Project #41235 Invoice #70	-938.38
Check	10/26/2023		Midamerican Energy	October Invoice	-803.90
Check	10/27/2023		Iowa One Call	Invoice 255647	-108.00
Check	11/06/2023		US Bank	Invoice 514495621	-412.32
Check	11/06/2023		N/Warren Town & C...	Invoice 11.02.23	-210.80
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #1	-3,269.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #2	-9,807.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #3	-3,269.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #4	-14,010.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #5	-4,670.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41241 #6	-4,670.00
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41242 #1	-5,543.34
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41242 #2	-14,086.95
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41242 #3	-11,866.06
Check	11/06/2023		Veenstra & Kimm Inc.	Invoice 41242 #4	-18,513.37
Check	11/06/2023		Absolute Concrete C...	Partial Payment #4	-172,114.07
Check	11/08/2023		IMFOA	Nichole Onstot Membership	-50.00
Check	11/08/2023		Waste Connections	10/01/2023 - 10/31/2023	-3,447.45
Check	11/08/2023		Century Link	October Invoice	-252.76
Total					-273,212.74



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
HY-VEE, INC.	Hy-Vee Fast and Fresh	(515) 267-2949		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
5237 Cumming Avenue		Cumming	Warren	50061
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Parkway	West Des Moines	Iowa	50266	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2800	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
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SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jeremy Gosch	Urbandale	Iowa	50323	Vice Chairman, Chief Executive Officer	0.00	Yes
Michael Jurgens	Urbandale	Iowa	50322	Executive Vice President, Secretary, Chief Counsel	0.00	Yes
Andrew Schroeder	Johnston	Iowa	50131	SVP, Accounting, Controller	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
GETTIN' SLUSHED SOUTH OF 35 LLC	Lucky Wife Wine Slushies	(515) 321-1759		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
2701 Cumming Avenue		Cumming	Warren	50061
MAILING ADDRESS	CITY	STATE	ZIP	
1610 Timber Ridge Drive	Norwalk	Iowa	50211	

Contact Person

NAME	PHONE	EMAIL
Holly Rasavong	(515) 321-1759	luckywifewineslushies7@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Special Class C Retail Alcohol License	5 Day	Submitted to Local Authority

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Nov 22, 2023	Nov 26, 2023	

SUB-PERMITS

Special Class C Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Holly Rasavong	Norwalk	Iowa	50211	Owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Founders Insurance Company

POLICY EFFECTIVE DATE

Nov 22, 2023

POLICY EXPIRATION DATE

Nov 27, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

WARREN COUNTY

PHONE 515-961-1122

**OFFICE OF
JOSEPH C. CARICO, SHERIFF**

**POST OFFICE BOX 337
INDIANOLA, IOWA 50125**

**Brent Highfill, Mayor
P.O. Box 100
Cumming, IA 50061**

Mayor Highfill,

The attached report summarizes the activities in and around the community for the month of October 2023. It is compiled from Deputy's Logs and Records from the Sheriff's Office. 8 Calls For Service (CFS's) were received or initiated by Deputies for the month. They include:

PLEASE SEE ATTACHED FOR CFS INFORMATION

Zero Citations and/or Warnings were written for Traffic Violations that occurred within the City of Cumming proper.

Officers spent in excess of 28 hours in the City of Cumming for the month.

Officers patrolled in excess of 202 Miles within the city limits of Cumming for the month.

If you have questions, points of concern, or additional requests from your Sheriff's Office, please contact me at 515.690.9211 or joec@warrencountvia.org

**Respectfully,
Sheriff Joseph C. Carico**

cfs by date,community (community=contract town) - WARREN C

Date	Call Type	CFS Loc Adr	Inc #	How Cleared
10/2/2023 3:40:30 AM	BUILDING / PARK CHECK	100-699 N 44TH ST		CLEARED
10/5/2023 7:36:47 PM	SUSPICIOUS	100-449 S 44TH PL		CLEARED
10/12/2023 2:18:26 AM	BUILDING / PARK CHECK	117 N 44TH ST		COMPLETED
10/18/2023 2:19:03 PM	BUILDING / PARK CHECK	2700 N BRIER LN		CLEARED
10/18/2023 11:03:11 PM	BUILDING / PARK CHECK	CITY OF CUMMING		COMPLETED
10/19/2023 1:55:58 AM	SUSPICIOUS PERSON	5251 CUMMING AVE		ADVISED
10/21/2023 3:08:04 PM	BUILDING / PARK CHECK	2700 N BRIER LN		CLEARED
10/22/2023 1:33:44 AM	BUILDING / PARK CHECK	649 N 44TH ST		COMPLETED

City of Cumming
Balance Sheet by Fund (Fiscal Year-to-Date)
 July through October 2023

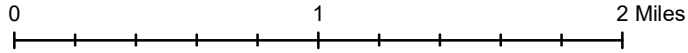
	<u>Governmenta...</u>	<u>Proprietary F...</u>	<u>TOTAL</u>
ASSETS			
Current Assets			
Checking/Savings			
0001110 · Operating Checking	444,916.31	326,161.78	771,078.09
0001111 · Savings	1,028.94		1,028.94
0001112 · Money Market	818,165.62		818,165.62
Total Checking/Savings	<u>1,264,110.87</u>	<u>326,161.78</u>	<u>1,590,272.65</u>
Accounts Receivable			
1220 · Accounts Receivable	134,915.29	12,582.13	147,497.42
Total Accounts Receivable	<u>134,915.29</u>	<u>12,582.13</u>	<u>147,497.42</u>
Other Current Assets			
Undeposited Funds	22,292.07		22,292.07
Total Other Current Assets	<u>22,292.07</u>		<u>22,292.07</u>
Total Current Assets	<u>1,421,318.23</u>	<u>338,743.91</u>	<u>1,760,062.14</u>
TOTAL ASSETS	<u>1,421,318.23</u>	<u>338,743.91</u>	<u>1,760,062.14</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
2120 · Accrued Payroll Taxes	18,830.68		18,830.68
Total Other Current Liabilities	<u>18,830.68</u>		<u>18,830.68</u>
Total Current Liabilities	<u>18,830.68</u>		<u>18,830.68</u>
Total Liabilities	<u>18,830.68</u>		<u>18,830.68</u>
Equity			
001-999 · Fund Balances			
001-109 · General Funds	1,734,894.53		1,734,894.53
110-199 · Special Revenue Funds	-1,823.32		-1,823.32
200-299 · Debt Service Funds	-216,109.79		-216,109.79
300-399 · Capital Projects Funds	-114,473.87		-114,473.87
600-799 · Enterprise and Utility Funds		338,743.91	338,743.91
Total 001-999 · Fund Balances	<u>1,402,487.55</u>	<u>338,743.91</u>	<u>1,741,231.46</u>
Total Equity	<u>1,402,487.55</u>	<u>338,743.91</u>	<u>1,741,231.46</u>
TOTAL LIABILITIES & EQUITY	<u>1,421,318.23</u>	<u>338,743.91</u>	<u>1,760,062.14</u>

City of Cumming
Profit & Loss by Fund (Fiscal Year-to-Date)
 July through October 2023

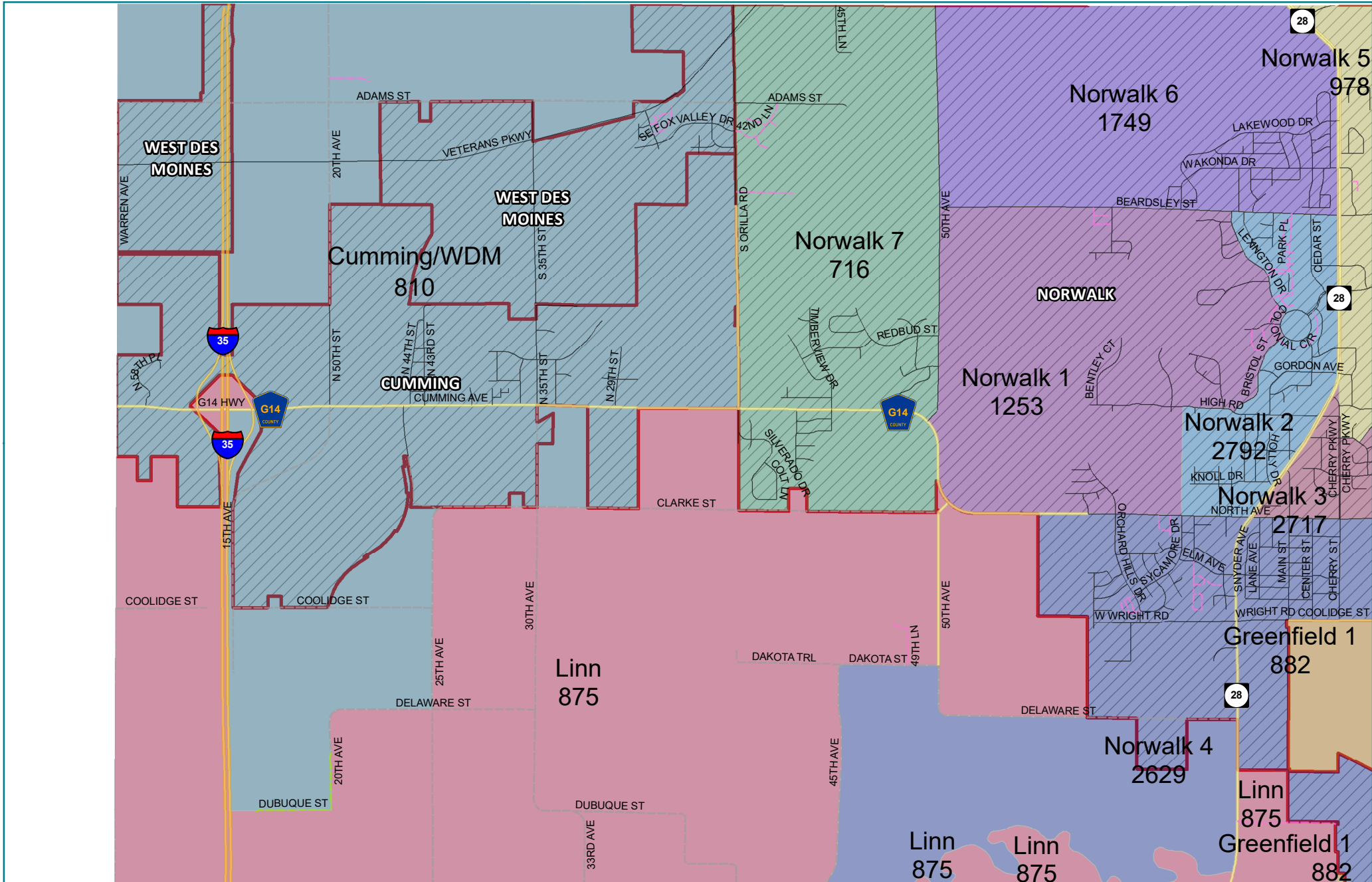
	<u>Governmental Funds</u>	<u>Proprietar...</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
A · Taxes	307,109.20		307,109.20
B · Licenses & Permits	13,450.35		13,450.35
C · Use of Money & Property	11,053.43		11,053.43
D · Intergovernmental	20,259.11		20,259.11
E · Charges for Services	85,290.95	9,935.93	95,226.88
G · Miscellaneous Revenues	953,600.89		953,600.89
Total Income	<u>1,390,763.93</u>	<u>9,935.93</u>	<u>1,400,699.86</u>
Gross Profit	1,390,763.93	9,935.93	1,400,699.86
Expense			
100-799 · Governmental Activities	721,655.96		721,655.96
800 · Business Type Activities	33,782.85	5,980.00	39,762.85
Total Expense	<u>755,438.81</u>	<u>5,980.00</u>	<u>761,418.81</u>
Net Ordinary Income	635,325.12	3,955.93	639,281.05
Other Income/Expense			
Other Expense			
Fund Balance Transfer	635,325.12	3,955.93	639,281.05
Total Other Expense	<u>635,325.12</u>	<u>3,955.93</u>	<u>639,281.05</u>
Net Other Income	<u>-635,325.12</u>	<u>-3,955.93</u>	<u>-639,281.05</u>
Net Income	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>



CUMMING/WDM/TWP Agreement



Legend



**Resolution 2023-63
City of Cumming**

**Approving and Authorizing Execution of an Agreement for
Snow and Ice Removal for the City of Cumming**

WHEREAS, by Resolution 2021-68 on October 25, 2021 City Council approved Agreement for Snow and Ice Removal with Dan Voss & Jim Kean;

WHEREAS, the bid costs will continue through the 2023-2024 snow season and the costs will remain as shown below;

Charges associated with this bid:

Truck with blade	\$ 85.00 per hour
Snow blower/walks	\$ 50.00 per hour
Pay Loader w/16' blade	\$ 175.00 per hour
End loader (large)	\$ 100.00 per hour
4WDR Tractor w/Loader	\$ 150.00 per hour
Dump Truck	\$ 105.00 per hour
Sand w/calcium	\$ 190.00 per ton
Ice Melt	\$ 25/50# bag

WHEREAS, the City Council, City of Cumming, Iowa, does believe it is in the best interest of the to continue this agreement for snow and ice removal services from November 9, 2023 through April 30, 2024;

THEREFORE, BE IT RESOLVED that snow and ice removal service by Dan Voss and Jim Kean will occur according the associated charges from November 13, 2023 through April 30, 2023.

Passed and approved this 13th day of November, 2023.

Brent Highfill, Mayor

Attest:

Nichole Onstot, City Clerk