

**NOTICE OF REGULAR COUNCIL MEETING  
CUMMING CITY COUNCIL  
March 11, 2024 – 6:00 p.m.  
Cumming City Hall, 649 N. 44<sup>th</sup> St., Cumming, IA\***

**ROLL CALL**

**APPROVAL OF AGENDA** as presented and/or amended

**PUBLIC COMMENT**-Up to 5 minutes to address the Council on items not included on this agenda

**PUBLIC HEARING**-None

**CONSENT ITEMS**

- A. Minutes from the February 26, 2024 Regular Council Meeting
- B. Minutes from the February 26, 2024 Closed Session
- C. Payment of Bills

**BUSINESS ITEMS**

**INFORMATIONAL**

**REPORTS:**

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

**ADJOURNMENT**

**UPCOMING ITEMS**

Middlebrook Agrihood Development Agreement  
Max Levy Public Hearing April 8, 2024  
Budget Adoption Public Hearing April 22, 2024

\*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 44<sup>th</sup> Street, 515-981-9214 or email at [nonstot@cumming.iowa.gov](mailto:nonstot@cumming.iowa.gov)

Join Zoom Meeting  
<https://us02web.zoom.us/j/2382663968>  
Meeting ID: 238 266 3968

**OFFICIAL PUBLICATION  
CITY OF CUMMING  
Regular Council Meeting 02/12/2024  
To be Approved at 02/26/2024 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 February 26, 2024 at 6:00PM. The meeting was called to order at 6:00 P.M. by Mayor Brent Highfill. Present at Roll Call: Council Members Kathie Hungerford via Zoom, Charlie Ochanpaugh, Thomas Cackler, Martin Squier via Zoom and Larry Goode, Jr. via Zoom. Motion to approve agenda by Cackler, seconded by Ochanpaugh. Approved 5-0.

**Public Comment:** None

**Public Hearings:** None

**Consent Items**

Motion made by Cackler, seconded by Hungerford to Approve Consent Items: Minutes from the February 12<sup>th</sup>, 2024 Regular Council Meeting; Payment of Bills, and Approve Alcohol License for Middlebrook Mercantile. Approved 5-0.

**Payment of Bills:**

Type	Date	Vendor	Memo	Amount
Check	02/15/2024	Veenstra & Kimm Inc.	Middlebrook Mainstreet Preliminary Plat: September 17, 2023 ...	-608.00
Check	02/15/2024	Veenstra & Kimm Inc.	GWC Plat 5 - Construction Review: October 15 to November ...	-1,113.02
Check	02/15/2024	Veenstra & Kimm Inc.	Plat 5 - Construction Review November 12 - December 16, 20...	-3,091.00
Check	02/15/2024	Veenstra & Kimm Inc.	Middlebrook Mainstreet - October 15 - November 11, 2023	-440.00
Check	02/15/2024	Veenstra & Kimm Inc.	GWC 5 - July 16, 2023 - August 19, 2023	-220.00
Check	02/15/2024	Veenstra & Kimm Inc.	Middlebrook West - March 19 to April 15	-76.50
Check	02/16/2024	Veenstra & Kimm Inc.	Casey's Store #4333: September 17, 2023 to October 14, 2023	-662.88
Check	02/16/2024	Iowa One Call	Invoice 259521	-37.80
Check	02/16/2024	Veenstra & Kimm Inc.	41242-8, 41242-9, 41242-7	-24,345.04
Check	02/16/2024	Veenstra & Kimm Inc.	41242-6	-14,616.25
Check	02/16/2024	Veenstra & Kimm Inc.	41241-8	-2,335.00
Check	02/16/2024	Century Link	February 2024	-282.02
			<b>Total</b>	<b>-47,827.51</b>

**Business Items**

- A. Motion made by Cackler, seconded by Goode, Jr to approve Resolution 2024-10 Approving Site Plan for Middlebrook Mainstreet Lofts. Loft buildings will have 5,000 square foot of commercial space on first floor, with lofts above. There will be a total of 26 units, ranging from 1 bedroom to 3 bedrooms. Construction to start in July with a completion date by 2025. The units will not be rent restricted or income restricted.
- B. Motion made by Cackler, seconded by Goode, Jr to approve Resolution 2024-11 Approving Site Plan for Middlebrook for Middlebrook Office Building. There will be no restricted parking within the Mainstreet for loft residents or offices. The requirement for parking spots is 2 spots per 1,000 feet.
- C. No Motion taken for Preliminary Development Agreement, however, the item was discussed. DHC I, LLC is proposing an estimated \$13.5 million project including the construction of streets, water mains, sanitary sewer, and storm sewer, as well as the construction of a two-

story professional office building and a two-story mixed-use building with 26 residential units and street-level commercial/retail space. Two additional lots on the new block will be marketed for commercial, office, and mixed-use or retail uses. The project also includes construction of a multi-use trail along the south side of Cumming Avenue from N. 50<sup>th</sup> Street to the Great Western Trail. The project was awarded \$834,723 in State of Iowa Workforce Housing Tax Credits (WHTC) for the 26 residential units in August 2023. The City of Cumming provides a local match for this funding of \$1000 per unit (\$26,000). This amount is included in the total. The preliminary terms provide for a schedule of 75% of project-generated tax increment rebate payments from new taxable valuation for 15 years. This requires DHC 1, LLC to obtain all financing, construct the projects, and then receive a portion of the new taxes created over the 15-year term to assist with debt service payments as the properties become and remain revenue generators. The remainder of new taxes will go to the City of Cumming and other taxing entities. The project will also receive a grant of \$125,000 for the construction of the multi-use trail. The extension of South 44<sup>th</sup> Street provides a critical link to Old Town Cumming; this will expand business opportunities and expand parking options.

### **Motion to Move into Closed Session**

- A. Motion made by Cackler, seconded by Goode, Jr. to adjourn into Closed Session at 7:05PM. Approved 5-0.

### **Motion to Return to Regular Meeting**

- A. Motion by

### **Motion to Adjourn into Worksession**

- A. Motion by Cackler, seconded by Ochanpaugh to adjourn into Worksession at 7:20PM.

### **Worksession for FY25 Budget**

- A. During the worksession council discussed the road budget, possibly adding more to this item. There was a discussion around Local Option Sales Tax regarding the new convenience

### **Motion to Adjourn Worksession**

- A. Motion by Cackler, seconded by Squier to adjourn the Worksession at 8:19PM.

### **Adjourn:**

Motion by Cackler, seconded by Ochanpaugh to adjourn the meeting at 8:20PM.

NEXT CITY COUNCIL MEETING: February 26, 2024, 6:00 pm at City Hall.

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Brent Highfill, Mayor

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Attest: Nichole Onstot, City Clerk

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**Motion to Move into Closed Session**

- A. Motion made by Cackler, seconded by Goode, Jr. to adjourn into Closed Session Iowa Code section 21.5(1)(c).at 7:05PM. Approved 5-0.

**Motion to Return to Regular Meeting**

- A. Motion made by Hungerford, seconded by Squier to go out of Closed Session at 7:18 P.M. No action was taken in the Closed Session.

NEXT CITY COUNCIL MEETING: March 11, 2024, 6:00 pm at City Hall.

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Brent Highfill, Mayor

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Attest: Nichole Onstot, City Clerk

9:36 AM

03/06/24

# City of Cumming Claims To Be Approved All Transactions

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Type	Date	Num	Name	Memo	Amount
Check	03/04/2024		Combined Systems ...	Invoice 164199	-15.15
Check	03/04/2024		First Net	Invboice 287321929420	-41.27
Check	03/04/2024		Veenstra & Kimm Inc.	Invoice 41235-74	-2,124.93
Check	03/04/2024		Veenstra & Kimm Inc.	Invoice 41247-5	-2,706.00
Check	03/04/2024		Veenstra & Kimm Inc.	Invoice 41250-4	-880.00
Check	03/04/2024		Midamerican Energy	February 2024	-807.49
Check	03/04/2024		US Bank	Invoice 523644268	-197.60
Check	03/04/2024		Elan Financial Servic...	February 2024	-79.99
Liability Check	03/05/2024	To Print	Iowa Department of ...	Q3 - Q4	-2,309.28
Liability Check	03/05/2024	To Print	United States Treasury	Q3 - Q4 Taxes	-13,515.32
<b>Total</b>					<b>-22,677.03</b>

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# **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 February 2024. It is compiled from Deputy's Logs and Records from the Sheriff's Office. 21 Calls For Service (CFS's) were received or initiated by Deputies for the month. They include:**

**PLEASE SEE ATTACHED FOR CFS INFORMATION**

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

**Officers spent in excess of 29 hours in the City of Cumming for the month.**

**Officers patrolled in excess of 234 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](mailto:joec@warrencountvia.org)**

**Respectfully,  
Sheriff Joseph C. Carico**

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

Date	Call Type	CFS Loc Adr	Inc #	How Cleared
2/13/2024 1:13:54 AM	BUILDING / PARK CHECK	600 N 44TH ST		COMPLETED
2/13/2024 1:48:24 PM	TRAFFIC STOP	5000 CUMMING AVE		WARNING ISSUED
2/14/2024 2:49:42 AM	BUILDING / PARK CHECK	649 N 44TH ST		CLEARED
2/15/2024 12:23:27 AM	SUSPICIOUS	4500 CUMMING AVE	I-2024-0060	REPORT/INCIDENT WCSO
2/17/2024 12:47:17 AM	BROKEN DOWN VEHICLE	5700 CUMMING AVE		CLEARED
2/17/2024 1:13:21 AM	BUILDING / PARK CHECK	121 N 44TH ST		CLEARED
2/18/2024 1:41:48 AM	BUILDING / PARK CHECK	117 N 44TH ST		CLEARED
2/18/2024 1:52:17 AM	TRAFFIC STOP	S 44TH PL/CUMMING AVE		WARNING ISSUED
2/20/2024 6:13:33 PM	BUILDING / PARK CHECK	4200-4299 N GREENLEE AVE		CLEARED
2/22/2024 1:36:47 AM	BUILDING / PARK CHECK	429 N 44TH ST		COMPLETED
2/24/2024 7:44:34 AM	BUILDING / PARK CHECK	CITY OF CUMMING IOWA		CLEARED
2/25/2024 4:41:17 AM	SUSPICIOUS	4125 CUMMING AVE		CLEARED
2/25/2024 9:42:25 PM	BUILDING / PARK CHECK	649 N 44TH ST		COMPLETED
2/26/2024 4:17:40 AM	BUILDING / PARK CHECK	600 N 44TH ST		CLEARED
2/4/2024 1:58:00 PM	TRAFFIC STOP	2000 CUMMING AVE		WARNING ISSUED
2/4/2024 6:12:44 PM	BUILDING / PARK CHECK	4200-4299 N GREENLEE AVE		COMPLETED
2/4/2024 9:55:51 PM	TRAFFIC STOP	4125 CUMMING AVE		WARNING ISSUED
2/4/2024 10:09:49 PM	BUILDING / PARK CHECK	649 N 44TH ST		CLEARED
2/5/2024 12:50:15 PM	CIVIL ISSUE	347 N 44TH ST		ADVISED
2/5/2024 7:40:48 PM	FRAUDULENT ACTIVITY	224 N 29TH ST		NO REPORT
2/8/2024 1:33:59 AM	BUILDING / PARK CHECK	649 N 44TH ST		CLEARED



# PROGRESS REPORT #1

## CUMMING OLD TOWN SANITARY IMPROVEMENTS

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<b>Date:</b>	March 1, 2024	<b>McClure Project #:</b>	2023000167-000
<b>To:</b>	Rita Conner City Administrator 649 N. 44 <sup>th</sup> Street Cumming, IA 50061	<b>From:</b>	Alex Schlader, PE Project Manager 335 SE Oralabor Rd. Ankeny, IA 50021
<b>Email:</b>	rconner@cumming.iowa.gov	<b>Principal:</b>	Cody Forch, PE
<b>Date Range of Report:</b>	January 8, 2024 – February 24, 2024		

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### 1. SUMMARY OF WORK DONE LAST PERIOD

- a. Preparation of preliminary design plan sheets.
  - i. Typical roadway sections
  - ii. Road plan and profiles
  - iii. Horizontal layout of storm sewer and sanitary sewer
  - iv. Sidewalk ramp layouts
  - v. Cross sections
- b. Internal review of plan sheets.
- c. Preparing preliminary opinion of probable costs.
- d. General internal project management and coordination.

### 2. FORECAST OF ACTIVITIES PLANNED FOR NEXT PERIOD

- a. Preliminary design submittal.
- b. Design Review Meeting with City.
- c. Plan and Attendance of Public Interest Meeting.
- d. Prepare Easement Agreements.

### 3. SCOPE CHANGES / VALUE ADDED

- a. None

### 4. INPUT NEEDED / ACTION ITEMS

- a. Schedule Design Review Meeting

### 5. UPCOMING SCHEDULE MILESTONES

- a. Preliminary Design
- b. Public Interest Meeting
- c. Proceed with Final Design

