

AGENDA

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

ORAL COMMENTS

- A. **Agenda items** (*step to podium after recognition, state name, address, speak clearly – 5 minutes maximum*)
- B. **Non-agenda items** (*step to podium after recognition, state name, address, speak clearly – 5 minutes maximum*)

APPROVAL OF CONSENT AGENDA

- 1. **Approve Bills**
- 2. **Approve Minutes** City Council Meeting - August 7, 2023
- 3. **Receive & File Minutes** James Kennedy Public Library Board of Trustees Meeting - July 12, 2023
- 4. **Receive & File Minutes** James Kennedy Public Library Board of Trustees Special Meeting - July 12, 2023
- 5. **Parade Permit** Beckman Catholic High School Homecoming Parade - September 29, 2023
- 6. **Blasting Permit** Bennett Explosives, Inc. - September 2023
- 7. **Class B Retail Alcohol License (LG)** Quik and Handi
- 8. **Special Class B Retail Native Wine License (WBN)** Ace Hardware
- 9. **Class C Retail Alcohol License (LC)** O So Good Winery
- 10. **Request** from Bar Raising Fitness and FrasherVa to use public streets for 3rd Annual Pink Run and Rally Breast Cancer 5K – October 14, 2023
- 11. **Authorize Mayor to Sign** Change Order No. 3 - Dyersville East Road Utility Extension 2022 - Contract C Water Pumping Station - F.L. Krapfl, Inc. - \$6,080.28
- 12. **Authorize Mayor to Sign** Contract Payment No. 5 to F.L. Krapfl, Inc. in the amount of \$526,699.37 for Dyersville East Road Utility Extension 2022 - Contract C Water Pumping Station

- 13. Authorize Mayor to Sign** Contract Payment No. 10 to Portzen Construction, Inc. in the amount of \$72,469.36 for Dyersville East Road Utility Extension 2022 - Contract D Lift Station and Linear Sewer Onsite
- 14. Authorize Mayor to Sign** Contract Payment No. 6 to Tschiggfrie Excavating Co. in the amount of \$10,757.67 for Dyersville East Road Utility Extension 2022 - Sanitary Sewer & Force Main
- 15. Authorize Mayor to Sign** Contract Payment No. 6 to Top Grade Excavating, Inc. in the amount of \$5,177.50 for Dyersville East Road Utility Extension 2022 - Contract E Water and Sewer
- 16. Authorize Mayor to Sign** Rural Innovation Scale-Up Grant Program to support PEI's application for the "Field of Opportunities Implementation" project
- 17. Accept Resignation** JoAnn Woodward, Wastewater Operator, effective August 2, 2023
- 18. Receive & File** Staff Report - Police - August 2023
- 19. Receive & File** Staff Report - Parks & Recreation - August 2023
- 20. Receive & File** Staff Report - Library - August 2023
- 21. Receive & File** Staff Report - Public Works - August 2023
- 22. Receive & File** Staff Report - City Administrator - August 2023

ACTION ITEMS

- 23. Ordinance No. 855** amending Chapter 127 of the Code of Ordinances of Dyersville, Iowa, by Amending Adult Entertainment Facilities. Second Reading
- 24. Waive Third Reading** of Ordinance No. 855
- 25. Resolution No. 57-23** approving grant agreement amendment one between the Iowa Department of Homeland Security and Emergency Management and the City of Dyersville.

COUNCIL COMMENTS

ADJOURNMENT



Dyersville, IA

Expense Approval Register

Item 1.

Packet: APPKT01444 - 08.21.23 Bills List AP

| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|---|----------------|------------------------------------|-------------------|---------------------------|---------------|
| Fund: 001 - GENERAL FUND | | | | | |
| Department: 110 - POLICE | | | | | |
| GALLS | 025154452 | Jacket | 001-5-110-1-61811 | SCHROEDER UNIFORMS | 121.89 |
| GALLS | 025169152 | Uniform Belt | 001-5-110-1-61811 | SCHROEDER UNIFORMS | 48.98 |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-110-1-64080 | INSURANCE PREMIUM | 35.00 |
| ACCESS SYSTEMS | 34613579 | Copy Machine Lease | 001-5-110-1-65060 | OFFICE SUPPLIES | 23.50 |
| MIDWEST RADAR & EQUIPM... | 172183 | Radar Calibration | 001-5-110-1-65407 | DEPARTMENT SUPPLIES | 120.00 |
| JOHN DEERE FINANCIAL | 5560630 | Dog Food | 001-5-110-1-65407 | DEPARTMENT SUPPLIES | 15.99 |
| Department 110 - POLICE Total: | | | | | 365.36 |
| Department: 150 - FIRE | | | | | |
| J & L LUMBER | 157808 | Softener Salt | 001-5-150-1-63180 | BUILDINGS/GROUNDS MAIN... | 15.90 |
| ACE HOMEWORKS | 253881 | Fasteners/Painting Supplies | 001-5-150-1-63180 | BUILDINGS/GROUNDS MAIN... | 78.28 |
| ACE HOMEWORKS | 253535 | Batteries | 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 104.93 |
| ACE HOMEWORKS | 253589 | Batteries | 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 41.98 |
| MIDWEST BREATHING AIR LLC | 26980 | Air Test | 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 442.71 |
| Department 150 - FIRE Total: | | | | | 683.80 |
| Department: 210 - TRANSPORTATION | | | | | |
| GIANT WASH | 3237 | Vorwald Uniforms | 001-5-210-2-61806 | VORWALD TJ UNIFORMS | 7.88 |
| GIANT WASH | 3237 | Maahs Uniforms | 001-5-210-2-61807 | MAAHS UNIFORMS | 4.98 |
| HENDERSON TRUCK EQUIPM... | 381298 | Parts & Labor to Install Heat... | 001-5-210-2-63320 | VEHICLE REPAIRS | 361.46 |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-210-2-64080 | INSURANCE PREMIUM | 10.95 |
| UNITY POINT CLINIC - OCCU... | 190335 | Drug Testing | 001-5-210-2-64122 | DRUG TESTING | 84.00 |
| SPAHN & ROSE LUMBER CO | 1487451 | Quikrete | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 27.05 |
| SPAHN & ROSE LUMBER CO | 1488178 | Quikrete | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 19.86 |
| SPAHN & ROSE LUMBER CO | 1488246 | Quikrete | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 6.62 |
| SPAHN & ROSE LUMBER CO | 1488288 | Quikrete | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 19.86 |
| ACE HOMEWORKS | 254105 | Box/Cover/Surge Protector | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 26.89 |
| ACE HOMEWORKS | 2541171 | Fasteners | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 31.12 |
| ACE HOMEWORKS | 254458 | Light Control/Hose Clamp | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 25.47 |
| JOHN DEERE FINANCIAL | 5565965 | Splatter Screen | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 6.99 |
| SHERWIN-WILLIAMS | 7979-2 | Paint Strainer | 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 107.60 |
| Department 210 - TRANSPORTATION Total: | | | | | 740.73 |
| Department: 410 - LIBRARY | | | | | |
| GIANT WASH | 3237 | Floor Mats - Library | 001-5-410-4-63750 | MAINTENANCE | 6.91 |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-410-4-64080 | INSURANCE PREMIUM | 15.00 |
| ACCESS SYSTEMS | 34486965 | Copier Lease | 001-5-410-4-64316 | CONTRACTS | 166.17 |
| HANSEL CLEANING SERVICES ... | 07.07.23 | Cleaning Services - 07.03.23 ... | 001-5-410-4-64322 | CONTRACTED SERVICES | 200.00 |
| HANSEL CLEANING SERVICES ... | 07.14.23 | Cleaning Services 07.10.23 - ... | 001-5-410-4-64322 | CONTRACTED SERVICES | 200.00 |
| HANSEL CLEANING SERVICES ... | 07.21.23 | Cleaning Services 07.17.23 - ... | 001-5-410-4-64322 | CONTRACTED SERVICES | 200.00 |
| HANSEL CLEANING SERVICES ... | 07.28.23 | Cleaning Services - 07.24.23 - ... | 001-5-410-4-64322 | CONTRACTED SERVICES | 200.00 |
| DUBUQUE COUNTY LIBRARY... | 07.12.23 | Marketing - Postcards | 001-5-410-4-65060 | OFFICE SUPPLIES | 57.30 |
| BAKER & TAYLOR BOOKS | 0003285308 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | -19.24 |
| CENTER POINT PUBLISHING | 2029910 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 55.37 |
| BAKER & TAYLOR BOOKS | 20374674609 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 86.37 |
| BAKER & TAYLOR BOOKS | 2037579542 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 84.64 |
| BAKER & TAYLOR BOOKS | 2037639923 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 504.90 |
| BAKER & TAYLOR BOOKS | 2037643427 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 5.99 |
| BAKER & TAYLOR BOOKS | 2037643428 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 33.62 |
| BAKER & TAYLOR BOOKS | 2037643431 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 15.96 |
| BAKER & TAYLOR BOOKS | 2037643432 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 34.19 |
| BAKER & TAYLOR BOOKS | 2037643435 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 33.63 |
| BAKER & TAYLOR BOOKS | 2037643439 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 33.06 |
| BAKER & TAYLOR BOOKS | 2037643452 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 15.96 |

Expense Approval Register

Packet: APPKT01444 - 08.21.

Item 1.

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| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|--|----------------|--------------------|-------------------|---------------------------|-----------------|
| BAKER & TAYLOR BOOKS | 2037649699 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 145.12 |
| BAKER & TAYLOR BOOKS | 2037649699 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 42.12 |
| BAKER & TAYLOR BOOKS | 2037649718 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 85.91 |
| BAKER & TAYLOR BOOKS | 2037655782 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 4.19 |
| BAKER & TAYLOR BOOKS | 2037659852 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 18.60 |
| BAKER & TAYLOR BOOKS | 2037659852 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 100.31 |
| BAKER & TAYLOR BOOKS | 2037659852 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 79.97 |
| BAKER & TAYLOR BOOKS | 2037659852 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 39.56 |
| BAKER & TAYLOR BOOKS | 2037670032 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 14.82 |
| BAKER & TAYLOR BOOKS | 2037670032 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 22.78 |
| BAKER & TAYLOR BOOKS | 2037670032 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 50.13 |
| BAKER & TAYLOR BOOKS | 2037670032 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 18.99 |
| BAKER & TAYLOR BOOKS | 2037672331 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 15.39 |
| BAKER & TAYLOR BOOKS | 2037672331 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 49.01 |
| BAKER & TAYLOR BOOKS | 2037674624 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 161.42 |
| PLAYAWAY PRODUCTS | 437168 | Audio Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 116.98 |
| INGRAM LIBRARY SERVICES | 62943677 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 591.46 |
| INGRAM LIBRARY SERVICES | 62950444 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 161.80 |
| INGRAM LIBRARY SERVICES | 62950444 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 322.27 |
| INGRAM LIBRARY SERVICES | 76643328 | Books - Returned | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | -155.98 |
| WORLD TRADE PRESS | INV678869 | Databases | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 255.00 |
| Department 410 - LIBRARY Total: | | | | | 4,069.68 |

Department: 430 - PARKS

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|--------------------------------------|----------------|--------------------------|-------------------|----------------------------|------------------|
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-430-4-64080 | INSURANCE PREMIUM | 2.50 |
| NOSBISCH, LYNN | 08.06.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 100.00 |
| NIEMAN, TIM | 08.06.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 100.00 |
| WOLF, RUSS | 08.06.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 100.00 |
| NABER, MATT | 08.06.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 100.00 |
| WERNER, RON | 08.13.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 125.00 |
| NOSBISCH, LYNN | 08.13.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 100.00 |
| WOLF, RUSS | 08.13.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 160.00 |
| NIEMAN, TIM | 08.13.23 | Referee Fees | 001-5-430-4-64323 | COACHES/UMPIRES | 125.00 |
| ACE HOMEWORKS | 254189 | Insulation/Cable ties | 001-5-430-4-65407 | DEPARTMENT SUPPLIES | 47.79 |
| ACE HOMEWORKS | 254466 | Hook Holder/Air Freshner | 001-5-430-4-65407 | DEPARTMENT SUPPLIES | 7.70 |
| BSN SPORTS/COLLEGIATE PA... | 922375756 | Goalie Shirts/Nets/Balls | 001-5-430-4-65409 | SOCCER PROGRAM SUPPLIES | 758.90 |
| SPAHN & ROSE LUMBER CO | 1461832 | Athletic Field Marker | 001-5-430-4-65410 | SOFTBALL PROGRAM SUPPLI... | 173.25 |
| SPAHN & ROSE LUMBER CO | 1455621 | Athletic Field Marker | 001-5-430-4-65411 | BASEBALL PROGRAM SUPPLI... | 173.25 |
| SPAHN & ROSE LUMBER CO | 1466698 | Athletic Field Marker | 001-5-430-4-65411 | BASEBALL PROGRAM SUPPLI... | 173.25 |
| CRESCENT ELECTRIC SUPPLY | 5511309214.001 | Lights - Legacy Square | 001-5-430-4-67274 | CAPITAL IMPROVEMENTS/E... | 38,101.93 |
| Department 430 - PARKS Total: | | | | | 40,348.57 |

Department: 445 - AQUATIC CENTER

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|---|---------------|----------------------|-------------------|---------------------------|-----------------|
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-445-4-64080 | INSURANCE PREMIUM | 2.50 |
| ATLANTIC COCA COLA | 4042454 | Concession Supplies | 001-5-445-4-65414 | CONCESSION STAND SUPPLIES | 80.20 |
| MYERS-COX COMPANY | 561264 | Concession Supplies | 001-5-445-4-65414 | CONCESSION STAND SUPPLIES | 208.67 |
| MYERS-COX COMPANY | 562754 | Concession Supplies | 001-5-445-4-65414 | CONCESSION STAND SUPPLIES | 198.19 |
| CRESCENT ELECTRIC SUPPLY | 551127800.002 | Mini Circuit Breaker | 001-5-445-4-67274 | CAPITAL IMPROVEMENTS/E... | 770.00 |
| Department 445 - AQUATIC CENTER Total: | | | | | 1,259.56 |

Department: 460 - COMMUNITY CENTER

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|---|------------------|---------------------------------|-------------------|---------------------|---------------|
| TJ CLEANING SERVICES | 08.10.23 Soc Ctr | Cleaning Services Wk of 8/4to.. | 001-5-460-4-64322 | CONTRACTED SERVICES | 250.00 |
| TJ CLEANING SERVICES | 08.17.23 Soc Ctr | Cleaning Services Wk of 8/11 .. | 001-5-460-4-64322 | CONTRACTED SERVICES | 150.00 |
| GIANT WASH | 3237 | Floor Mats - Social Center | 001-5-460-4-64322 | CONTRACTED SERVICES | 6.91 |
| Department 460 - COMMUNITY CENTER Total: | | | | | 406.91 |

Department: 620 - CLERK, TREAS & FINANCE

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|---|----------|--------------------|-------------------|-----------------|--------------|
| ACCESS SYSTEMS | 34613579 | Copy Machine Lease | 001-5-620-6-65060 | OFFICE SUPPLIES | 23.48 |
| Department 620 - CLERK, TREAS & FINANCE Total: | | | | | 23.48 |

Department: 640 - CITY ATTORNEY

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|--|----------|------------------------|-------------------|------------|---------------|
| FUERSTE CAREW COYLE JUE... | 08.09.23 | Legal Fees - Ollendick | 001-5-640-6-64110 | LEGAL FEES | 148.50 |
| Department 640 - CITY ATTORNEY Total: | | | | | 148.50 |

Expense Approval Register

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| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|--|----------------|----------------------------------|-------------------|-----------------------------|------------------|
| Department: 650 - CITY HALL & GEN BLDGS | | | | | |
| TJ CLEANING SERVICES | 08.10.23 City | Cleaning Services Wk of 8/4 t... | 001-5-650-6-63100 | BUILDING MAINTENANCE | 200.00 |
| TJ CLEANING SERVICES | 08.17.23 City | Cleaning Service - Wk of 8/11... | 001-5-650-6-63100 | BUILDING MAINTENANCE | 200.00 |
| GIANT WASH | 3237 | Floor Mats - City Hall | 001-5-650-6-63100 | BUILDING MAINTENANCE | 13.50 |
| AIRESPRING | 175095670 | Phone | 001-5-650-6-63730 | TELEPHONE | 329.17 |
| Department 650 - CITY HALL & GEN BLDGS Total: | | | | | 742.67 |
| Department: 660 - TORT LIABILITY | | | | | |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 001-5-660-6-64080 | INSURANCE PREMIUM | 1.75 |
| Department 660 - TORT LIABILITY Total: | | | | | 1.75 |
| Department: 670 - OTHER GENERAL GOVT | | | | | |
| ACCESS SYSTEMS | 34613580 | Copy Machine Lease | 001-5-670-6-64316 | CONTRACTS | 233.35 |
| Department 670 - OTHER GENERAL GOVT Total: | | | | | 233.35 |
| Fund 001 - GENERAL FUND Total: | | | | | 49,024.36 |
| Fund: 002 - LIBRARY TRUST FUND | | | | | |
| Department: 410 - LIBRARY | | | | | |
| FAREWAY STORES INC | 00088064 | Program Refreshments | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 8.88 |
| POTTER, MARY | 07.16.23 | Program Stipend & Supplies | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 160.00 |
| SCHRANDT, DAWN | 07.17.23 | Program Supplies - Kim's Par... | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 35.19 |
| VONDERHAAR, SHIRLEY | 07.18.23 | Candy Fundraiser | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 119.24 |
| ROMA LOGO, LLC | 07.18.23 | Fundraiser - t-shirt | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 10.70 |
| SCHRANDT, DAWN | 07.27.2023 | Reception | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 76.65 |
| RANDY'S NEIGHBORHOOD ... | 0905 | Program Refreshments | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 17.75 |
| HERITAGE PRINTING CO | 111988 | StoryWalk | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 29.00 |
| CENTER POINT PUBLISHING | 2029910 | Boekholder Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 25.32 |
| BAKER & TAYLOR BOOKS | 2037579542 | Westermeyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 17.10 |
| BAKER & TAYLOR BOOKS | 2037639923 | Werner Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 16.52 |
| BAKER & TAYLOR BOOKS | 2037639923 | Adopt A Book | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.96 |
| BAKER & TAYLOR BOOKS | 2037643427 | Westermeyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 17.10 |
| BAKER & TAYLOR BOOKS | 2037643428 | Westermeyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 17.10 |
| BAKER & TAYLOR BOOKS | 2037643431 | Westermeyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.93 |
| BAKER & TAYLOR BOOKS | 2037643432 | Love My Library | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 16.53 |
| BAKER & TAYLOR BOOKS | 2037643432 | Wesetrmyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 16.52 |
| BAKER & TAYLOR BOOKS | 2037643437 | McCool Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.96 |
| BAKER & TAYLOR BOOKS | 2037643439 | Westermeyer Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.96 |
| BAKER & TAYLOR BOOKS | 2037659852 | McCool Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.39 |
| BAKER & TAYLOR BOOKS | 2037659852 | Lion's Club | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 39.99 |
| BAKER & TAYLOR BOOKS | 2037659852 | Adopt A Book | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 11.99 |
| ACE HOMEWORKS | 253378 | StoryWalk | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 3.90 |
| KANOPY INC | 359521-PPU | Streaming Media | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 35.00 |
| HOOPLA BY MIDWEST TAPE | 504150014 | Streaming Services | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 238.02 |
| SWANK MOVIE LICENSING U... | BO 1997930 | Public Performance License | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 286.00 |
| Department 410 - LIBRARY Total: | | | | | 1,277.70 |
| Fund 002 - LIBRARY TRUST FUND Total: | | | | | 1,277.70 |
| Fund: 112 - TRUST AND AGENCY FUND | | | | | |
| Department: 460 - COMMUNITY CENTER | | | | | |
| ROLING, MADDIE | 08.05.23 | Social Center Refund | 112-5-460-4-64811 | SOCIAL CENTER DEPOSIT RE... | 100.00 |
| ELITE DENTAL PC | 08.06.23 | Social Center Refund | 112-5-460-4-64811 | SOCIAL CENTER DEPOSIT RE... | 100.00 |
| NEUHAUS, THERESA | 08.12.23 | Social Center Refund | 112-5-460-4-64811 | SOCIAL CENTER DEPOSIT RE... | 100.00 |
| OLBERDING, DARLENE | 08062023 | Social Center Refund | 112-5-460-4-64811 | SOCIAL CENTER DEPOSIT RE... | 100.00 |
| Department 460 - COMMUNITY CENTER Total: | | | | | 400.00 |
| Fund 112 - TRUST AND AGENCY FUND Total: | | | | | 400.00 |
| Fund: 301 - CAPITAL PROJECTS FUND | | | | | |
| Department: 723 - CAPITAL PROJECT | | | | | |
| IMPACT7G | 31134 | Wetland Monitoring | 301-5-723-8-64063 | ENGINEERS FEES | 570.00 |
| IMPACT7G | 31173 | BRIC Flood Mitigation | 301-5-723-8-64063 | ENGINEERS FEES | 17,500.00 |

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Item 1.

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| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|---|----------------|---------------------------|-------------------|----------------|-----------|
| RDG PLANNING & DESIGN | 54813 | BRIC Watershed - Services | 301-5-723-8-64063 | ENGINEERS FEES | 1,500.00 |
| Department 723 - CAPITAL PROJECT Total: | | | | | 19,570.00 |
| Fund 301 - CAPITAL PROJECTS FUND Total: | | | | | 19,570.00 |

Fund: 600 - WATER FUND

Department: 810 - WATER

| | | | | | |
|-------------------------------|-------------|--------------------------|-------------------|---------------------|-----------|
| GIANT WASH | 3237 | Recker Uniforms | 600-5-810-9-61809 | RECKER UNIFORMS | 4.98 |
| GIANT WASH | 3237 | Herbers Uniforms | 600-5-810-9-61814 | HERBERS UNIFORMS | 7.88 |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 600-5-810-9-64080 | INSURANCE PREMIUM | 15.02 |
| MICROBAC LABORATORIES | NT2312567 | Testing | 600-5-810-9-64317 | TESTING | 135.75 |
| ACCESS SYSTEMS | 34613579 | Copy Machine Lease | 600-5-810-9-65060 | OFFICE SUPPLIES | 23.48 |
| VESSCO INC | 091784 | Pumphead | 600-5-810-9-65407 | DEPARTMENT SUPPLIES | 318.71 |
| SPAHN & ROSE LUMBER CO | 1460532 | Lumber/Building Supplies | 600-5-810-9-65407 | DEPARTMENT SUPPLIES | 323.48 |
| USA BLUE BOOK | INV00080936 | Testing Supplies | 600-5-810-9-65407 | DEPARTMENT SUPPLIES | 263.02 |
| METERING & TECHNOLOGY ... | INV3108 | Meter & Cable | 600-5-810-9-67811 | WELL REPAIRS | 4,773.97 |
| FERGUSON WATERWORKS #... | 0449471 | Water Meters | 600-5-810-9-67814 | WATER METERS | 10,679.18 |
| Department 810 - WATER Total: | | | | | 16,545.47 |
| Fund 600 - WATER FUND Total: | | | | | 16,545.47 |

Fund: 610 - SEWER FUND

Department: 815 - SEWER

| | | | | | |
|-------------------------------|------------|-----------------------|-------------------|---------------------------|-----------|
| GIANT WASH | 3237 | Woodward Uniforms | 610-5-815-9-61810 | WOODWARD UNIFORMS | 13.68 |
| GIANT WASH | 3237 | Reicher Uniforms | 610-5-815-9-61813 | REICHER UNIFORMS | 7.88 |
| WINCAN LLC | 8024 | WinCan Annual Fee | 610-5-815-9-62100 | DUES/SUBSCRIPTIONS | 9,250.00 |
| JOHN DEERE FINANCIAL | 5563397 | Bulb | 610-5-815-9-63320 | VEHICLE REPAIRS | 5.49 |
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 610-5-815-9-64080 | INSURANCE PREMIUM | 15.03 |
| MICROBAC LABORATORIES | NT2312684 | Testing | 610-5-815-9-64317 | TESTING | 532.00 |
| MC2 | 0043406-IN | Repair Trojan System | 610-5-815-9-64322 | CONTRACTED SERVICES | 840.00 |
| ACCESS SYSTEMS | 34613579 | Copy Machine Lease | 610-5-815-9-65060 | OFFICE SUPPLIES | 23.48 |
| J & R RENTAL | 0090309 | Control Board/Filters | 610-5-815-9-65407 | DEPARTMENT SUPPLIES | 530.87 |
| JOHN DEERE FINANCIAL | 5564155 | Hardware/Hook/Tape | 610-5-815-9-65407 | DEPARTMENT SUPPLIES | 77.37 |
| BELL BANK EQUIPMENT FIN... | 87656 | Sewer Jetter | 610-5-815-9-67274 | CAPITAL IMPROVEMENTS/E... | 4,689.80 |
| Department 815 - SEWER Total: | | | | | 15,985.60 |
| Fund 610 - SEWER FUND Total: | | | | | 15,985.60 |

Fund: 670 - SOLID WASTE FUND

Department: 840 - SOLID WASTE

| | | | | | |
|-------------------------------------|------------|--------------------|-------------------|---------------------|------------|
| PREFERRED HEALTH CHOICES... | 0000007075 | HRA Admin | 670-5-840-9-65060 | OFFICE SUPPLIES | 2.25 |
| ACCESS SYSTEMS | 34613579 | Copy Machine Lease | 670-5-840-9-65407 | DEPARTMENT SUPPLIES | 23.48 |
| Department 840 - SOLID WASTE Total: | | | | | 25.73 |
| Fund 670 - SOLID WASTE FUND Total: | | | | | 25.73 |
| Grand Total: | | | | | 102,828.86 |

Fund Summary

| Fund | Expense Amount |
|-----------------------------|-------------------|
| 001 - GENERAL FUND | 49,024.36 |
| 002 - LIBRARY TRUST FUND | 1,277.70 |
| 112 - TRUST AND AGENCY FUND | 400.00 |
| 301 - CAPITAL PROJECTS FUND | 19,570.00 |
| 600 - WATER FUND | 16,545.47 |
| 610 - SEWER FUND | 15,985.60 |
| 670 - SOLID WASTE FUND | 25.73 |
| Grand Total: | 102,828.86 |

Account Summary

| Account Number | Account Name | Expense Amount |
|-------------------|--------------------------|----------------|
| 001-5-110-1-61811 | SCHROEDER UNIFORMS | 170.87 |
| 001-5-110-1-64080 | INSURANCE PREMIUM | 35.00 |
| 001-5-110-1-65060 | OFFICE SUPPLIES | 23.50 |
| 001-5-110-1-65407 | DEPARTMENT SUPPLIES | 135.99 |
| 001-5-150-1-63180 | BUILDINGS/GROUNDS ... | 94.18 |
| 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 589.62 |
| 001-5-210-2-61806 | VORWALD TJ UNIFORMS | 7.88 |
| 001-5-210-2-61807 | MAAHS UNIFORMS | 4.98 |
| 001-5-210-2-63320 | VEHICLE REPAIRS | 361.46 |
| 001-5-210-2-64080 | INSURANCE PREMIUM | 10.95 |
| 001-5-210-2-64122 | DRUG TESTING | 84.00 |
| 001-5-210-2-65407 | DEPARTMENT SUPPLIES | 271.46 |
| 001-5-410-4-63750 | MAINTENANCE | 6.91 |
| 001-5-410-4-64080 | INSURANCE PREMIUM | 15.00 |
| 001-5-410-4-64316 | CONTRACTS | 166.17 |
| 001-5-410-4-64322 | CONTRACTED SERVICES | 800.00 |
| 001-5-410-4-65060 | OFFICE SUPPLIES | 57.30 |
| 001-5-410-4-67701 | BOOKS/FILMS/RECORDS... | 3,024.30 |
| 001-5-430-4-64080 | INSURANCE PREMIUM | 2.50 |
| 001-5-430-4-64323 | COACHES/UMPIRES | 910.00 |
| 001-5-430-4-65407 | DEPARTMENT SUPPLIES | 55.49 |
| 001-5-430-4-65409 | SOCCER PROGRAM SUP... | 758.90 |
| 001-5-430-4-65410 | SOFTBALL PROGRAM SU... | 173.25 |
| 001-5-430-4-65411 | BASEBALL PROGRAM SU... | 346.50 |
| 001-5-430-4-67274 | CAPITAL IMPROVEMENT... | 38,101.93 |
| 001-5-445-4-64080 | INSURANCE PREMIUM | 2.50 |
| 001-5-445-4-65414 | CONCESSION STAND SU... | 487.06 |
| 001-5-445-4-67274 | CAPITAL IMPROVEMENT... | 770.00 |
| 001-5-460-4-64322 | CONTRACTED SERVICES | 406.91 |
| 001-5-620-6-65060 | OFFICE SUPPLIES | 23.48 |
| 001-5-640-6-64110 | LEGAL FEES | 148.50 |
| 001-5-650-6-63100 | BUILDING MAINTENANCE | 413.50 |
| 001-5-650-6-63730 | TELEPHONE | 329.17 |
| 001-5-660-6-64080 | INSURANCE PREMIUM | 1.75 |
| 001-5-670-6-64316 | CONTRACTS | 233.35 |
| 002-5-410-4-67700 | LIBRARY TRUST EXPENDI... | 1,277.70 |
| 112-5-460-4-64811 | SOCIAL CENTER DEPOSIT... | 400.00 |
| 301-5-723-8-64063 | ENGINEERS FEES | 19,570.00 |
| 600-5-810-9-61809 | RECKER UNIFORMS | 4.98 |
| 600-5-810-9-61814 | HERBERS UNIFORMS | 7.88 |
| 600-5-810-9-64080 | INSURANCE PREMIUM | 15.02 |
| 600-5-810-9-64317 | TESTING | 135.75 |
| 600-5-810-9-65060 | OFFICE SUPPLIES | 23.48 |
| 600-5-810-9-65407 | DEPARTMENT SUPPLIES | 905.21 |
| 600-5-810-9-67811 | WELL REPAIRS | 4,773.97 |
| 600-5-810-9-67814 | WATER METERS | 10,679.18 |
| 610-5-815-9-61810 | WOODWARD UNIFORMS | 13.68 |
| 610-5-815-9-61813 | REICHER UNIFORMS | 7.88 |

Account Summary

| Account Number | Account Name | Expense Amount |
|---------------------|------------------------|-------------------|
| 610-5-815-9-62100 | DUES/SUBSCRIPTIONS | 9,250.00 |
| 610-5-815-9-63320 | VEHICLE REPAIRS | 5.49 |
| 610-5-815-9-64080 | INSURANCE PREMIUM | 15.03 |
| 610-5-815-9-64317 | TESTING | 532.00 |
| 610-5-815-9-64322 | CONTRACTED SERVICES | 840.00 |
| 610-5-815-9-65060 | OFFICE SUPPLIES | 23.48 |
| 610-5-815-9-65407 | DEPARTMENT SUPPLIES | 608.24 |
| 610-5-815-9-67274 | CAPITAL IMPROVEMENT... | 4,689.80 |
| 670-5-840-9-65060 | OFFICE SUPPLIES | 2.25 |
| 670-5-840-9-65407 | DEPARTMENT SUPPLIES | 23.48 |
| Grand Total: | | 102,828.86 |

Project Account Summary

| Project Account Key | Expense Amount |
|---------------------|-------------------|
| **None** | 97,026.86 |
| 301R3006.053.00 | 1,500.00 |
| 410AB | 116.98 |
| 410AF | 1,056.27 |
| 410AN | 256.21 |
| 410LP | 73.97 |
| 410PF | 761.94 |
| 410PN | 161.80 |
| 410R | 255.00 |
| 410TAAB | 27.95 |
| 410TMEM | 172.90 |
| 410TPROG | 1,076.85 |
| 410YAF | 237.23 |
| 410YAN | 104.90 |
| Grand Total: | 102,828.86 |



Dyersville, IA

Expense Approval Register

Item 1.

Packet: APPKT01438 - 08.21.23 Bills IH

| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|---|-----------------|----------------------------------|-------------------|---------------------------|-----------------|
| Fund: 001 - GENERAL FUND | | | | | |
| Department: 110 - POLICE | | | | | |
| VISA | 07.2023 | CC - Uniform Items | 001-5-110-1-61801 | SIITARI UNIFORMS | 197.47 |
| ALLIANT ENERGY | 07.27.23 | Wifi Electricity | 001-5-110-1-63710 | ELECTRICITY | 44.19 |
| BLACK HILLS ENERGY | 07.2023 | Police - Natural Gas | 001-5-110-1-63711 | GAS HEAT | 35.69 |
| Department 110 - POLICE Total: | | | | | 277.35 |
| Department: 150 - FIRE | | | | | |
| BLACK HILLS ENERGY | 07.2023 | Fire Dept - Natural Gas | 001-5-150-1-63711 | GAS HEAT | 35.69 |
| VISA | 07.2023 | CC - Postage | 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 28.75 |
| Department 150 - FIRE Total: | | | | | 64.44 |
| Department: 180 - MISC. COMMUNITY PROTECTION | | | | | |
| ALLIANT ENERGY | 07.27.23 | Community Protection Electr... | 001-5-180-1-63710 | ELECTRICITY | 1,649.70 |
| Department 180 - MISC. COMMUNITY PROTECTION Total: | | | | | 1,649.70 |
| Department: 210 - TRANSPORTATION | | | | | |
| BLACK HILLS ENERGY | 07.2023 | Public Works - Natural Gas | 001-5-210-2-63711 | GAS HEAT | 35.26 |
| Department 210 - TRANSPORTATION Total: | | | | | 35.26 |
| Department: 410 - LIBRARY | | | | | |
| BLACK HILLS ENERGY | 07.2023 | Library - Natural Gas | 001-5-410-4-63711 | GAS HEAT | 41.68 |
| AMAZON | 1KXC-T46W-G7YP | Supplies | 001-5-410-4-65060 | OFFICE SUPPLIES | 256.12 |
| AMAZON | 1KXC-T46W-G7YP | Programs | 001-5-410-4-65060 | OFFICE SUPPLIES | 225.19 |
| BICYCLING | 08.01.2023 | Subscription - 1 yr | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 15.00 |
| HOT ROD MAGAZINE | 08.01.23 | Subscription - 2 yr | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 16.00 |
| IOWAN MAGAZINE | 08.01.23 | Subscription - 1 yr | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 24.00 |
| NATURAL HISTORY | 08.01.23 | Subscription - 1 yr | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 34.95 |
| SALEM PRESS | 185660 | Reference | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 489.25 |
| AMAZON | 1G4K-VYGM-1RPV | Returned Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | -14.45 |
| AMAZON | 1KXC-T46W-G7YP | Games | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 211.85 |
| AMAZON | 1KXC-T46W-G7YP | Library of Things | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 73.89 |
| AMAZON | 1KXC-T46W-G7YP | DVD | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 444.86 |
| AMAZON | 1KXC-T46W-G7YP | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 110.85 |
| AMAZON | 1KXC-T46W-G7YP | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 18.17 |
| AMAZON | 1KXC-T46W-G7YP | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 47.02 |
| AMAZON | 1KXC-T46W-G7YP | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 115.59 |
| AMAZON | 1KXC-T46W-G7YP | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 69.04 |
| CENGAGE LEARNING | 81526434 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 46.38 |
| CENGAGE LEARNING | 81547422 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 53.58 |
| CENGAGE LEARNING | 81583515 | Books | 001-5-410-4-67701 | BOOKS/FILMS/RECORDS/SU... | 51.18 |
| Department 410 - LIBRARY Total: | | | | | 2,330.15 |
| Department: 430 - PARKS | | | | | |
| IOWA PARKS & RECREATION... | 08.2023 | IPRA Fall Conference Registra... | 001-5-430-4-62300 | MEETINGS/TRAINING | 87.50 |
| ALLIANT ENERGY | 07.27.23 | Park Electricity | 001-5-430-4-63710 | ELECTRICITY | 134.53 |
| Department 430 - PARKS Total: | | | | | 222.03 |
| Department: 445 - AQUATIC CENTER | | | | | |
| IOWA PARKS & RECREATION... | 08.2023 | IPRA Fall Conference Registra... | 001-5-445-4-62300 | MEETINGS/TRAINING | 87.50 |
| BLACK HILLS ENERGY | 07.2023 | Pool - Natural Gas | 001-5-445-4-63711 | GAS HEAT | 490.34 |
| Department 445 - AQUATIC CENTER Total: | | | | | 577.84 |
| Department: 460 - COMMUNITY CENTER | | | | | |
| BLACK HILLS ENERGY | 07.2023 | Social Center - Natural Gas | 001-5-460-4-63711 | GAS HEAT | 39.11 |
| WINDSTREAM | 07.2023 Soc Ctr | Phone | 001-5-460-4-63730 | TELEPHONE | 126.09 |
| Department 460 - COMMUNITY CENTER Total: | | | | | 165.20 |
| Department: 650 - CITY HALL & GEN BLDGS | | | | | |
| VISA | 07.2023 | CC - Snapchat Geofilter Credit | 001-5-650-6-63324 | MISC. EXPENDITURES | -41.57 |

Expense Approval Register

Packet: APPKT01438 - 08 Item 1. H

| Vendor Name | Payable Number | Description (Item) | Account Number | Account Name | Amount |
|--|----------------|--------------------------------|-------------------|---------------------------|-----------|
| BLACK HILLS ENERGY | 07.2023 | City Hall - Natural Gas | 001-5-650-6-63711 | GAS HEAT | 37.40 |
| BLACK HILLS ENERGY | 07.2023 | Museum - Natural Gas | 001-5-650-6-63711 | GAS HEAT | 35.26 |
| MAQUOKETA VALLEY ELECTR... | 08.2023 Fire | Fiber Optic - Business Ultra | 001-5-650-6-63730 | TELEPHONE | 399.45 |
| MAQUOKETA VALLEY ELECTR... | 08.2023 FOD | Internet- Field of Dreams | 001-5-650-6-63730 | TELEPHONE | 379.55 |
| IMON COMMUNICATIONS LLC | 3148558 | Internet Services | 001-5-650-6-63730 | TELEPHONE | 1,005.00 |
| Department 650 - CITY HALL & GEN BLDGS Total: | | | | | 1,815.09 |
| Department: 670 - OTHER GENERAL GOVT | | | | | |
| DYERSVILLE YOUNG PROFESS... | 08.2023 | August Luncheon | 001-5-670-6-62300 | MEETINGS/TRAINING | 10.00 |
| Department 670 - OTHER GENERAL GOVT Total: | | | | | 10.00 |
| Fund 001 - GENERAL FUND Total: | | | | | 7,147.06 |
| Fund: 002 - LIBRARY TRUST FUND | | | | | |
| Department: 410 - LIBRARY | | | | | |
| VISA | 07.2023 | CC - Supplies | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 27.46 |
| VISA | 07.2023 | CC - Facebook Marketing | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 15.66 |
| GREATHOUSE OF MUSIC | 09.21.2023 | Program Stipend | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 250.00 |
| AMAZON | 1KXC-T46W-G7YP | Reception | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 58.07 |
| AMAZON | 1KXC-T46W-G7YP | Storywalk | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 28.87 |
| AMAZON | 1KXC-T46W-G7YP | Summer Reading Program | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 182.98 |
| CENGAGE LEARNING | 81526434 | Kroeger Memorial | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 28.79 |
| CENGAGE LEARNING | 81526434 | Books - Lion's Club Donation | 002-5-410-4-67700 | LIBRARY TRUST EXPENDITURE | 56.78 |
| Department 410 - LIBRARY Total: | | | | | 648.61 |
| Fund 002 - LIBRARY TRUST FUND Total: | | | | | 648.61 |
| Fund: 110 - ROAD USE FUND | | | | | |
| Department: 180 - MISC. COMMUNITY PROTECTION | | | | | |
| ALLIANT ENERGY | 07.27.23 | Road Use Electricity (70%) | 110-5-180-1-63710 | ELECTRICITY | 3,849.29 |
| Department 180 - MISC. COMMUNITY PROTECTION Total: | | | | | 3,849.29 |
| Fund 110 - ROAD USE FUND Total: | | | | | 3,849.29 |
| Fund: 128 - CDBG | | | | | |
| Department: 958 - CAPITAL OUTLAY | | | | | |
| AMERICAN LEGION POST 137 | 08.17.23 | Building Renovation | 128-5-958-1-68014 | ARPA | 11,861.25 |
| Department 958 - CAPITAL OUTLAY Total: | | | | | 11,861.25 |
| Fund 128 - CDBG Total: | | | | | 11,861.25 |
| Fund: 600 - WATER FUND | | | | | |
| Department: 810 - WATER | | | | | |
| MAQUOKETA VALLEY ELECTR... | 07.2023 - 1 | Well 5 Electricity | 600-5-810-9-63710 | ELECTRICITY | 1,766.69 |
| BLACK HILLS ENERGY | 07.2023 | Water/Am Legion - Natural G... | 600-5-810-9-63711 | GAS HEAT | 35.69 |
| Department 810 - WATER Total: | | | | | 1,802.38 |
| Fund 600 - WATER FUND Total: | | | | | 1,802.38 |
| Fund: 610 - SEWER FUND | | | | | |
| Department: 815 - SEWER | | | | | |
| MAQUOKETA VALLEY ELECTR... | 07.2023 - 1 | Wastewater Electricity | 610-5-815-9-63710 | ELECTRICITY | 854.40 |
| ALLIANT ENERGY | 07.27.23 | Wastewater Electricity | 610-5-815-9-63710 | ELECTRICITY | 82.28 |
| Department 815 - SEWER Total: | | | | | 936.68 |
| Fund 610 - SEWER FUND Total: | | | | | 936.68 |
| Grand Total: | | | | | 26,245.27 |

Fund Summary

| Fund | Expense Amount |
|--------------------------|-----------------------|
| 001 - GENERAL FUND | 7,147.06 |
| 002 - LIBRARY TRUST FUND | 648.61 |
| 110 - ROAD USE FUND | 3,849.29 |
| 128 - CDBG | 11,861.25 |
| 600 - WATER FUND | 1,802.38 |
| 610 - SEWER FUND | 936.68 |
| Grand Total: | 26,245.27 |

Account Summary

| Account Number | Account Name | Expense Amount |
|-------------------|--------------------------|----------------|
| 001-5-110-1-61801 | SIITARI UNIFORMS | 197.47 |
| 001-5-110-1-63710 | ELECTRICITY | 44.19 |
| 001-5-110-1-63711 | GAS HEAT | 35.69 |
| 001-5-150-1-63711 | GAS HEAT | 35.69 |
| 001-5-150-1-65407 | DEPARTMENT SUPPLIES | 28.75 |
| 001-5-180-1-63710 | ELECTRICITY | 1,649.70 |
| 001-5-210-2-63711 | GAS HEAT | 35.26 |
| 001-5-410-4-63711 | GAS HEAT | 41.68 |
| 001-5-410-4-65060 | OFFICE SUPPLIES | 481.31 |
| 001-5-410-4-67701 | BOOKS/FILMS/RECORDS... | 1,807.16 |
| 001-5-430-4-62300 | MEETINGS/TRAINING | 87.50 |
| 001-5-430-4-63710 | ELECTRICITY | 134.53 |
| 001-5-445-4-62300 | MEETINGS/TRAINING | 87.50 |
| 001-5-445-4-63711 | GAS HEAT | 490.34 |
| 001-5-460-4-63711 | GAS HEAT | 39.11 |
| 001-5-460-4-63730 | TELEPHONE | 126.09 |
| 001-5-650-6-63324 | MISC. EXPENDITURES | -41.57 |
| 001-5-650-6-63711 | GAS HEAT | 72.66 |
| 001-5-650-6-63730 | TELEPHONE | 1,784.00 |
| 001-5-670-6-62300 | MEETINGS/TRAINING | 10.00 |
| 002-5-410-4-67700 | LIBRARY TRUST EXPENDI... | 648.61 |
| 110-5-180-1-63710 | ELECTRICITY | 3,849.29 |
| 128-5-958-1-68014 | ARPA | 11,861.25 |
| 600-5-810-9-63710 | ELECTRICITY | 1,766.69 |
| 600-5-810-9-63711 | GAS HEAT | 35.69 |
| 610-5-815-9-63710 | ELECTRICITY | 936.68 |
| Grand Total: | | 26,245.27 |

Project Account Summary

| Project Account Key | Expense Amount |
|----------------------------|-----------------------|
| **None** | 23,911.31 |
| 410AF | 69.04 |
| 410AN | 101.14 |
| 410DVD | 444.86 |
| 410GAMES | 211.85 |
| 410LP | 151.14 |
| 410PF | 110.85 |
| 410R | 489.25 |
| 410SS | 73.89 |
| 410SUB | 55.00 |
| 410TMEM | 56.78 |
| 410TPROG | 504.97 |
| 410YAF | 47.02 |
| 410YAN | 18.17 |
| Grand Total: | 26,245.27 |



Dyersville, IA

UBPKT01630 - Refunds 01 UBPKT01629 Disconnect

| Account | Name | Date | Check # | Amount | Code | Receipt | Amount | Type |
|------------------|----------------|------------------------|---------|--------|------|---------|--------|------------------------|
| 02-100018-02 | Genene, Joseph | | 0 | 82.12 | | | 82.12 | Generated From Billing |
| Total Refunds: 1 | | Total Refunded Amount: | | 82.12 | | | | |

Revenue Code Summary

| Revenue Code | Amount |
|------------------------|--------|
| 996 - Unapplied Credit | 82.12 |
| Revenue Total: | 82.12 |

Fidelity Bank and Trust
Credit Card Payment

Item 1.

| Posting Date | Trans Date | Merchant Name | Description | Amount |
|--------------|---------------------------|----------------------|--|------------------|
| XXXX-0714 | Shirley Vonderhaar | | | |
| 8/1/2023 | 7/31/2023 | FACEBK KG664Q7W82 | Facebook Marketing Ads | \$ 15.66 |
| 7/23/2023 | 7/20/2023 | SAMSLUB.COM | Friends of the Library - Refreshments | \$ 27.46 |
| | | | | \$ 43.12 |
| XXXX-0706 | Brent Schroeder | | | |
| 7/13/2023 | 7/12/2023 | Amazon.com*5M6KG37C3 | Siitari - Uniforms | \$ 197.47 |
| | | | | \$ 197.47 |
| XXXX-0680 | Mick Michel | | | |
| | | | | |
| | | | | |
| XXXX-0698 | John Wandsnider | | | |
| | | | | |
| | | | | |
| XXXX-0672 | Tricia Maiers | | | |
| 7/20/2023 | 7/19/2023 | USPS PO 1826910840 | Fire Postage - mail ladder truck check | \$ 28.75 |
| | | | | \$ 28.75 |
| | | | | |
| | | | Grand Total | \$ 269.34 |
| 4/11/2023 | 4/11/2023 | SNAPCHAT GEOFILTERS | If You Build It Exhibit REFUND | \$ (41.57) |
| | | | | \$ (41.57) |
| | | | | |
| | | | | \$ 227.77 |

MINUTES

CALL TO ORDER – ROLL CALL

PRESENT Mayor Jeff Jacque, Council Member Jim Gibbs, Council Member Jenni Ostwinkle Silva, Council Member Mike English, Council Member Mike Oberbroeckling, Council Member Tom Westhoff

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion made by Council Member English to approve Monday, August 7, 2023 agenda as presented
Seconded by Council Member Ostwinkle Silva.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

ORAL COMMENTS

Joe Ertl, 507 13th Avenue SE, why are we changing our laws? I am told it is because we cannot discriminate on how people dress. I do not care how people dress. Can you name someone that has been discriminated against for how they dressed or why do we need to change our laws. Why do drag queens want to read to children? The city council should have three readings on the ordinance so people have an opportunity to speak. He asks St. Michael to pray for our children.

Nick Kuennen, 304 E Bridge St, Elkader, reference from the Bible Luke 17: 1-3 and he is very concerned about this. Shared with council because they now have to make a decision on the safety of our youth. He has two children and concerned has heck about this. God has reserved a spot in hell for everybody. It is our choices that will determine if we end up there.

Zachary Lujan, PO Box 494, Manchester, doctor in Delaware County, no reason to scandalize the youth. We have to protect our youth at all costs. We have no idea what kind of flood gates will open if we change the law. ACLU has no power or authority. They are bullying with deep pockets. Pray the council makes the right decision and think about the kids.

APPROVAL OF CONSENT AGENDA

Motion made by Council Member Oberbroeckling to approve the Consent Agenda as amended Seconded by Council Member Gibbs with pulling invoice in the amount of \$100.00 to Judy Wilhelm.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

1. Approve Bills; 2. Approve Minutes City Council Meeting - July 17, 2023; **3. Class C Beer Permit (BC)** Sundstop II; **4. Fireworks Permit** Dyersville Golf & Country Club (Steve Salter) - August 21, 2023; **5. Request** from Timothy Wilhelm of Classic Revival Auto Restorations to close off 2nd St NE in front of Textile Brewery and 2nd Ave NE in front of the Fuse, and also closing off the parking lot East of Textile Brewery for a Car Show on Saturday, September 23, 2023 from 11:00 am - 4:00 pm.; **6. Request** from Brown's Hometown Victory Foundation to hold a "Dinner on the Bridge" event Wednesday, September 13, 2023 on the David Vorwald Memorial Bridge from 6 pm to 9 pm.; **7. Miscellaneous Correspondence** Request from the City Clerk to move the regularly scheduled Council Meeting on Labor Day, Monday, September 4, 2023 to Tuesday, September 5, 2023 at 6:00 pm.; **8. Miscellaneous Correspondence** Greater Dubuque Development Corporation Newsletter - July 2023; **9. Miscellaneous Correspondence** ECIA Spotlight - July 2023; **10. Miscellaneous Correspondence** Keep Iowa Beautiful Newsletter - July 2023

| | | |
|----------------|-------------|--------------|
| Access Systems | Contract | \$ 139.74 |
| Ace Homeworks | Supplies | \$ 433.84 |
| Alliant Energy | Electricity | \$ 16,912.93 |

| | | |
|-------------------------------------|-------------------------|--------------|
| American Legion Post 137 | Renovation | \$ 14,718.91 |
| Automatic Systems Co | Supplies | \$ 14,270.00 |
| Bard Materials | Rock/Lime/Sand/Concrete | \$ 168.67 |
| Bi-County Disposal Inc | Garbage / Recycling | \$ 26,376.65 |
| Breier, Christina | Refunds | \$ 75.00 |
| BSN Sports/Collegiate Pacific | Supplies | \$ 5,199.99 |
| Capital Sanitary Supply | Supplies | \$ 675.20 |
| Carquest Auto Parts | Supplies | \$ 79.42 |
| ChargePoint | Renewal | \$ 690.00 |
| Clemen, Tammy | Refund | \$ 100.00 |
| Computer Doctors Inc | Computer Work | \$ 343.00 |
| Crescent Electric Supply | Supplies | \$ 7,108.90 |
| Diamond Vogel | Supplies | \$ 915.00 |
| Dolphin, Neil | Reimbursement | \$ 300.00 |
| Dubuque Fire Equipment Inc | Inspection | \$ 251.00 |
| Dyersville Area Historical Society | Funding | \$ 3,000.00 |
| Dyersville Commercial | Legal Notices/Ads | \$ 210.12 |
| Dyersville Red Jackets | Supplies | \$ 22.31 |
| Eagle Point Energy 5 | Solar Energy | \$ 3,847.51 |
| East Central Intergovernmental Assn | Professional Services | \$ 3,330.45 |
| Farmers Shipping Assn | Supplies | \$ 600.00 |
| Fire Service Training Bureau | Training | \$ 450.00 |
| Giant Wash | Uniforms/Floor Mats | \$ 210.74 |
| Hawkeye Alarm & Signal Company | Contracted Service | \$ 300.00 |
| Hawkins Water Treatment | Supplies | \$ 2,447.98 |
| Hefel Portable Services LLC | Contracted Service | \$ 3,547.00 |
| Honkomp, Jeremy | Reimbursement | \$ 77.25 |
| Imon Communications LLC | Fiber Optic Internet | \$ 1,005.00 |
| Iowa Base Inc | Supplies | \$ 4,809.00 |
| Iowa Dept of Natural Resources | Annual Fee | \$ 1,275.00 |
| Iowa One Call | One Call Locates | \$ 116.10 |
| J & J Lawn Care | Mowing Contract | \$ 10,783.50 |
| J & R Rental | Rental Equipment | \$ 1,552.00 |
| Jam Systems & Midland Doors | Maintenance | \$ 62.71 |
| Jeff's Auto Service | Vehicle Maintenance | \$ 1,085.90 |
| Jochum, Rick | Reimbursement | \$ 300.00 |
| John Deere Financial | Supplies | \$ 1,765.45 |
| Jumbo Visual Projection | Service | \$ 300.00 |
| Knipper, Delaine | Refund | \$ 100.00 |
| Landmark Turf Services | Contracted Service | \$ 1,956.00 |
| Lexipol | Annual Fee | \$ 663.32 |
| Macqueen Equipment | Equipment Rent | \$ 500.00 |
| Maquoketa Valley Electric Coop | Fiber Optic | \$ 1,056.72 |
| Medical Associates Clinic | Testing | \$ 52.00 |
| Metering & Technology Solutions | Supplies | \$ 694.03 |
| Microbac Laboratories | Testing | \$ 971.25 |
| MM Mechanical | Supplies/Labor | \$ 23,806.00 |
| Mr. Lock & Key | Supplies/Labor | \$ 214.99 |
| Naber, Matt | Referee Fees | \$ 175.00 |
| Nieman, Tim | Referee Fees | \$ 75.00 |
| Nosbisch, Lynn | Referee Fees | \$ 275.00 |
| Origin Design Co | Engineer Fees | \$ 28,347.87 |
| Paul's Pest Control | Contracted Service | \$ 115.00 |

| | | |
|----------------------------------|-----------------------|---------------|
| Pet Waste Eliminator | Supplies | \$ 319.99 |
| Pettinger, Joan or Russ | Refund | \$ 100.00 |
| Preferred Health Choices LLC | HRA | \$ 100.00 |
| RDG Planning & Design | Professional Services | \$ 298,240.21 |
| Recker Construction | Supplies/Labor | \$ 4,100.00 |
| Rediger, Mary Pat | Refund | \$ 100.00 |
| Reliance Standard | Insurance | \$ 838.02 |
| Schwan's Home Service | Concession Supplies | \$ 543.61 |
| Secretary of State | Notary Renewal | \$ 30.00 |
| Siitari, Andrew | Reimbursement | \$ 547.59 |
| Simmering-Cory Iowa Codification | Codification | \$ 475.00 |
| Sodawasser, Jon | Reimbursement | \$ 300.00 |
| Spahn & Rose Lumber Co | Supplies | \$ 189.35 |
| Speer Financial | Financial Services | \$ 335.00 |
| Steger Construction | Contracted Service | \$ 16,335.00 |
| Tauke Motors | Vehicle Maintenance | \$ 577.95 |
| Telegraph Herald | Legals/Ads | \$ 141.86 |
| The Battery Center | Supplies | \$ 67.90 |
| TJ Cleaning Services | Cleaning Services | \$ 1,070.00 |
| Travel Dubuque | Marketing | \$ 15,000.00 |
| Verizon Wireless | Cell Phone | \$ 946.66 |
| Volkens Inc | Contracted Service | \$ 250.00 |
| White Cap LP | Supplies | \$ 30.24 |
| WHKS & Co | Engineer Fees | \$ 2,937.62 |
| Willenborg, Janice | Refund | \$ 100.00 |
| Windstream | Phone | \$ 568.20 |
| Wolf, Russ | Referee Fees | \$ 275.00 |
| Wolff, Ashten | Refund | \$ 100.00 |
| Zarnoth Brush Works Inc | Supplies | \$ 418.70 |

| | |
|-----------------------------|---------------|
| 001 - General Fund | \$ 78,574.74 |
| 110 - Road Use Fund | \$ 1,508.36 |
| 112 - Trust and Agency Fund | \$ 600.00 |
| 128 - CDBG | \$ 31,901.91 |
| 301 - Capital Projects Fund | \$ 324,970.20 |
| 600 - Water Fund | \$ 23,642.65 |
| 602 - Water Capital Fund | \$ 37,046.50 |
| 610 - Sewer Fund | \$ 6,554.35 |
| 612 - Sewer Capital Fund | \$ 2,938.75 |
| 670 - Solid Waste Fund | \$ 26,158.89 |
| Grand Total: | \$ 533,896.35 |

ACTION ITEMS

11. Ordinance No. 855 amending Chapter 127 of the Code of Ordinances of Dyersville, Iowa, by Amending Adult Entertainment Facilities. First Reading.

Joe Ertl, 507 13th Avenue SE, believes the council needs to let the public speak.

Chris Link, 412 1st Avenue W, you said it was a very limited area they could be in. Where is the area limited to?

Joe Ertl, 507 13th Avenue SE, was Mr. Westhoff's reading the first reading? Can you add anything in there about what kind of books can be read?

Nick Kuennen, 304 E Bridge St, Elkader, can drag queens be in a business? How does the City approve businesses? We are all called to protect.

Chris Salrin, 1120 18th Street SE, thank you addressing this and I would hope we are more proactive on the law. Would like time to have this digested and see what the restricted 2,000 ft. area looks like.

Dayla Salrin, 1120 18th Street SE, wants to understand the dress of someone and does that count towards the sexual content.

Eric Loeffelholz, 119 Royal Oaks Court, Guttenberg, would this pertain to the Field of Dreams, point is if you are going to bring people in from all over the world. He does not want to see any adult entertainment.

Joe Ertl, 507 13th Avenue SE, thanked the council for having an open meeting and letting the people speak tonight.

Robert Meisch, 1315 13th Ave NE, one of the concerns he has is with the content of some children's book reading.

Nick Kuennen, 304 E Bridge St, Elkader, could you add in the word transvestite or cross dresser in the Ordinance? He is not aware of an Ordinance in Elkader. Fears that this could be a grooming operation.

Zachary Lujan, PO Box 494, Manchester, understands that we can't govern morality the job is to mitigate the situation and not get into any hot water. Is there a way to require approval before something is read?

Chris Link, 412 1st Avenue W, say they were going to have a storybook hour he was wondering if people could protest?

Motion made by Council Member English to waive first reading Seconded by Council Member Westhoff.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

Motion made by Council Member English to approve first reading Seconded by Council Member Westhoff.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

12. Waive Second Reading of Ordinance No. 855

No action taken

13. Waive Third Reading of Ordinance No. 855

No action taken

14. 6:00 P.M. Public Hearing to approve or deny the zoning amendment to adjust the number of the Planning and Zoning Commission

Motion made by Council Member English to open Public Hearing Seconded by Council Member Westhoff.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

With there being no written or oral comments received Motion made by Council Member Ostwinkle Silva to close Public Hearing Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

15. Ordinance No. 856 amending Section 23.01 of the Code of Ordinances of Dyersville, Iowa by revising Planning and Zoning Commission

Motion made by Council Member Oberbroeckling waive first reading Seconded by Council Member Gibbs.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

Motion made by Council Member English to approve first reading Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

16. Waive Second Reading of Ordinance No. 856

Motion made by Council Member Gibbs to waive and approve second reading Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

17. Waive Third Reading of Ordinance No. 856

Motion made by Council Member Oberbroeckling to waive and approve third reading Seconded by Council Member Gibbs.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

18. 6:00 P.M. Public Hearing to approve or deny the zoning amendment to adjust the number of members of the Board of Adjustment

Motion made by Council Member Oberbroeckling to open Public Hearing Seconded by Council Member Gibbs.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

With there being no written or oral comments received Motion made by Council Member English to close Public Hearing Seconded by Council Member Ostwinkle Silva.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

19. Ordinance No. 857 amending Section 165.03.03 of the Code of Ordinances of Dyersville, Iowa, by revising Board of Adjustment, Board created.

Motion made by Council Member Oberbroeckling to waive first reading Seconded by Council Member Ostwinkle Silva.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

Motion made by Council Member English to approve Seconded by Council Member Ostwinkle Silva.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

20. Waive Second Reading of Ordinance No. 857

Motion made by Council Member Gibbs to waive and approve Seconded by Council Member Westhoff.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

21. Waive Third Reading of Ordinance No. 857

Motion made by Council Member Ostwinkle Silva to waive and approve Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

22. Resolution No. 56-23 approving amended Agreement 2 for Engineering Services for Water Infrastructure Improvements between the City of Dyersville and Origin Design Company.

Motion made by Council Member Westhoff to approve Seconded by Council Member Gibbs.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

23. Discussion and Possible Action on Letter of Support to Dubuque County Conservation Requesting for Paving Heritage Trail from Dyersville Trail Head to Prier Road as a Pilot Project

Motion made by Council Member Oberbroeckling to approve Seconded by Council Member Gibbs.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

24. Discussion and Possible Action for Request for Financial Support for Dyersville Fire Department 125th Anniversary Event and Beyond the Game Event from Dyersville Events, Inc.

Motion made by Council Member Westhoff to approve Seconded by Council Member Oberbroeckling.
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

COUNCIL COMMENTS

ADJOURNMENT

Motion made by Council Member English to adjourn at 7:50 pm Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

Jeff Jacque Mayor

ATTEST:

Tricia L. Maiers, City Clerk / Treasurer

**James Kennedy Public Library
Board of Trustees
Minutes of the July 12, 2023 Regular Meeting**

The regular monthly meeting of the Board of Trustees of the James Kennedy Public Library was held on Wednesday, July 12, 2023 in the Program Room. Present: Kami Boffeli, Sue Engelbrecht, Beth Gudenkauf, Sally Kelly, Karen Kramer, Ray Kruse, Catherine O’Hea, Alex Wiezorek, Danielle Will, and Library Director Shirley Vonderhaar. Absent: none.

1. Board President Catherine O’Hea called the meeting to order at 6:05 pm.
2. Consider approval of Agenda
 - Kruse MOVED “Approval of Agenda” seconded by Kramer.
 - Ayes: Boffeli, Engelbrecht, Gudenkauf, Kelly, Kramer, Kruse, O’Hea, Wiezorek, and Will.
 - Nays: None
 - Motion CARRIED
3. Agenda Consent Calendar
 - Correspondence and Communication
 - An invitation to the Retirement Celebration for Librarian Kim Benton-Hermesen was shared.
 - Approve minutes of previous meeting: June 14, 2023 regular meeting
 - Approve June Librarian’s report
 - Approve bills:
 - June bills submitted June 27, 2022
 - July bills
 - Claims report for June
 - June and July credit card claims
 - Budget reports
 - June city report
 - June library report
 - July library report
 - Trust account reports
 - June bank statements – did not come in so other reports not presented
 - June balance report – not presented
 - Trust account expenditure report – not presented
 - June donations report – not presented
 - Program reports
 - June report of programs and attendance
 - June WhoFi Program Overview
 - July schedule of events
 - Schedule for upcoming programs
 - Quarterly contract use reports
 - Statistics by city/residence area
 - Statistics by contract/service area
 - Grant report – no report
 - Friends of the Library report
 - JKPL Endowment report

Wiezorek MOVED "Approval of Agenda consent" seconded by Gudenkauf.

Ayes: Boffeli, Engelbrecht, Gudenkauf, Kelly, Kramer, Kruse, O'Hea, Wiezorek, and Will.

Nays: None

Motion CARRIED

4. Consider approval of library wages and salaries effective the first pay period of July, 2023
The Personnel Committee MOVED "Approval of library wages and salaries presented, effective the first pay period of July, 2023." No second needed since motion came from committee.
Ayes: Boffeli, Engelbrecht, Gudenkauf, Kelly, Kramer, Kruse, O'Hea, Wiezorek, and Will.
Nays: None
Motion CARRIED
5. Executive committee report — no report
6. Finance committee report — no report
7. Fundraising committee report
 - Notes from July 10, 2023 Electronic Committee Discussion
8. Furnishings, Art, & Facilities committee report — no report
9. Marketing committee report
 - Notes from June 2023 Electronic Committee Discussion
10. Personnel committee report
 - Notes from June 2023 Electronic Committee Discussion
11. Policy committee report — no report
12. Strategic planning report — no report
13. Meetings and training
 - City council attendance
 - August 7: Will
 - Upcoming
 - ARSL
 - Shirley registered in-person
 - Staff may do virtual
 - ILA
 - In Dubuque this year so there should be plenty of staff/board participation
 - Recently attended
14. Oral presentations
15. Adjournment
 - Engelbrecht MOVED to adjourn seconded by Kramer. Meeting ADJOURNED by O'Hea at 6:43 pm.



Danielle Will, Secretary

**James Kennedy Public Library
Board of Trustees
Minutes of the July 12, 2023 Special Meeting**

A special meeting of the Board of Trustees of the James Kennedy Public Library was held on Wednesday, July 12, 2023 in the Program Room. Present: Kami Boffeli, Sue Engelbrecht, Beth Gudenkauf, Sally Kelly, Karen Kramer, Ray Kruse, Catherine O'Hea, Alex Wiezorek, Danielle Will, and Library Director Shirley Vonderhaar. Absent: none.

1. Board President Catherine O'Hea called the meeting to order at 6:00 pm.
2. Consider approval of Agenda
Kramer MOVED "Approval of Agenda" seconded by Engelbrecht.
Ayes: Boffeli, Engelbrecht, Gudenkauf, Kelly, Kramer, Kruse, O'Hea, Wiezorek, and Will.
Nays: None
Motion CARRIED
3. Welcome new board member – This agenda item was included in error as there are no new Board members.
4. Elections of officers
 - o The following were nominated for office:
 - President: Catherine O'Hea
 - Vice president: Alex Wiezorek
 - Secretary: Danielle Will
 - Gudenkauf MOVED "that nominations be closed and that the nominees be elected by acclamation" seconded by Kramer.
Ayes: Boffeli, Engelbrecht, Gudenkauf, Kelly, Kramer, Kruse, O'Hea, Wiezorek, and Will.
Nays: None
Motion CARRIED
5. Adjournment
 - o Kramer MOVED to adjourn seconded by Kelly. Meeting ADJOURNED by O'Hea at 6:05 pm.



Danielle Will, Secretary



340 1st Avenue East, Dyersville, Iowa 52040 • Phone: 563-875-7724 • Fax: 563-875-8238

www.cityofdyersville.com

CITY OF DYERSVILLE

PARADE PERMIT

This Parade Permit is issued to **Beckman High School** in accordance with the provisions as set out in Chapter 60.08 of the Dyersville Municipal Code, paragraphs 1 through 4 and receipt of Certificate of Insurance naming City of Dyersville, Iowa as additional insured for the purpose of **2023 Homecoming Parade** in the City of Dyersville.

Effective date of this permit shall be **September 29, 2023**.

Permit Holder

Jeff Jacque, Mayor

Aug 1st 2023

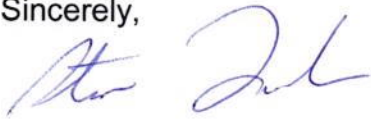
Dear Dyersville City Council,

Beckman High School is celebrating Homecoming 2023 on September 25th –Sept 29th. We request permission to hold our annual parade on Friday, Sept 29rd at 2pm.

The parade will depart at 2 p.m. from the Beckman parking lot. The parade route takes 13th Avenue to 6th Street N., to 1st Avenue E., and onto 3rd Street S.W.

Thank you for your consideration of this request.

Sincerely,



Steven Lueck
Assistant Principal

Certificate of Coverage

Date: 8/14/2023

| | |
|---|--|
| Certificate Holder Archdiocese of Dubuque and All Other Corporations of which the Archbishop is President Chancery Office 1229 Mt. Loretta Ave. Dubuque, IA 52003 | This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below. |
| Covered Location Beckman High School 1325 9th Street SE Dyersville, IA 52040 | Company Affording Coverage THE CATHOLIC MUTUAL RELIEF SOCIETY OF AMERICA 10843 OLD MILL RD OMAHA, NE 68154 |

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

| | Type of Coverage | Certificate Number | Coverage Effective Date | Coverage Expiration Date | Limits | |
|--|--|--------------------|-------------------------|--------------------------|----------------------------|---------|
| | Property | | | | Real & Personal Property | |
| | D. General Liability | 8525 | 7/1/2023 | 7/1/2024 | Each Occurrence | 500,000 |
| | <input checked="" type="checkbox"/> Occurrence | | | | General Aggregate | |
| | <input type="checkbox"/> Claims Made | | | | Products-Comp/OP Agg | |
| | | | | | Personal & Adv Injury | |
| | | | | | Fire Damage (Any one fire) | |
| | | | | | Med Exp (Any one person) | |
| | Excess Liability | 8525 | 7/1/2023 | 7/1/2024 | Each Occurrence | 500,000 |
| | | | | | Annual Aggregate | |
| | Other | | | | Each Occurrence | |
| | | | | | Claims Made | |
| | | | | | Annual Aggregate | |
| | | | | | Limit/Coverage | |

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)

Coverage verified for Beckman High School's Homecoming Parade on Friday, September 29, 2023 beginning from Beckman High School Parking Lot at approximately 2:00 PM and ending at St. Francis Xavier Parking Lot at approximately 3:00 PM following the specified route: Beckman High School parking lot to 13th Ave. , 13th Ave. to 6th St. N, 6th St. N to 1st Ave. E., 1st Ave. E to 3rd St. SW.

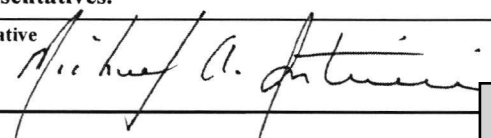
Holder of Certificate

Cancellation

City of Dyersville
 340 1st Avenue E
 Dyersville, IA 52040

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative



0079004227



340 1st Avenue East, Dyersville, Iowa 52040 • Phone: 563-875-7724 • Fax: 563-875-8238

www.cityofdyersville.com

BENNETT EXPLOSIVES, INC. has made application for a permit to possess blasting explosives within the corporate limits of the City of Dyersville, Iowa.

BENNETT EXPLOSIVES, INC. is in compliance with Code of Ordinances Chapter 127.03 requirements.

BENNETT EXPLOSIVES, INC. has filed with the City Council:

1. A copy of Application for Permit to Use Explosives within the State of Iowa. (Form required by Chapter 101A Code of Iowa).
2. Surety bond in the amount of \$10,000.00.
3. Certificate of Insurance has been filed with the City of Dyersville.
4. Verification of direct supervision of blasting.

Having fulfilled the requirements of the Code of Ordinance Chapter 127.03, the City Council hereby authorized the issuance of a blasting permit, which shall be good from September 1, 2023 through September 30, 2023.

Approved by the City Council of the City of Dyersville, Iowa this 21st day of August, 2023.

Sandy Oberbroeckling

From: Mike Cole <mcole@bennettexplosives.com>
Sent: Thursday, August 17, 2023 3:22 PM
To: Sandy Oberbroeckling
Subject: Sept. 2023 Blasting Permit

Sandy

Bennett Explosives Inc. would like to request a Blasting Permit from the City of Dyersville Ia. for the Month of September 2023.

Thank You

Bennett
Explosives Inc.

Mike Cole

General Manager | Bennett Explosives

📍 1951 210th Street, Manchester, IA 52057
📞 563-927-4062 📠 319-551-9955
✉ mcole@bennettexplosives.com
🌐 www.quicksupplyco.com



State of Iowa

Alcoholic Beverages Division

Item 7.

Applicant

| | | | | |
|--------------------------|---------------------------|----------------|---------|-------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | | |
| MCDERMOTT OIL CO. | Quik And Handi | (563) 852-3510 | | |
| ADDRESS OF PREMISES | PREMISES SUITE/APT NUMBER | CITY | COUNTY | ZIP |
| 725 9th Street Southeast | | Dyersville | Dubuque | 52040 |
| MAILING ADDRESS | CITY | STATE | ZIP | |
| 1501 1st Avenue East | Cascade | Iowa | 52033 | |

Contact Person

| | | |
|-------------|----------------|---------------------------|
| NAME | PHONE | EMAIL |
| Tim Lambert | (563) 852-3510 | tlambert@mcdermottoil.com |

License Information

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

| | | |
|--------------------------|---------------------------|----------------------|
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS |
| Aug 14, 2023 | Aug 13, 2024 | |

SUB-PERMITS

Class B Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

| NAME | CITY | STATE | ZIP | POSITION | % OF OWNERSHIP | U.S. CITIZEN |
|-----------------|--------|-------|-------|-----------|----------------|--------------|
| Jason McDermott | Peosta | Iowa | 52068 | President | 59.00 | Yes |
| Aaron McDermott | Marion | Iowa | 52302 | Director | 35.00 | 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

Item 8.

Applicant

| | | | | |
|---------------------------|---------------------------|----------------|---------|-------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | | |
| NIEMANN FOODS, INC. | Ace Hardware #664 | (217) 221-5788 | | |
| ADDRESS OF PREMISES | PREMISES SUITE/APT NUMBER | CITY | COUNTY | ZIP |
| 615 16th Avenue Southeast | | Dyersville | Dubuque | 52040 |
| MAILING ADDRESS | CITY | STATE | ZIP | |
| 1501 North 12th Street | Quincy | Illinois | 62301 | |

Contact Person

| | | |
|----------------|----------------|---------------------------------|
| NAME | PHONE | EMAIL |
| Haley Gallaher | (217) 221-5788 | riskmanagement@niemannfoods.com |

License Information

| | | | |
|----------------|--|----------|------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE | TERM | STATUS |
| | Special Class B Retail Native Wine License | 12 Month | Submitted to Local Authority |

| | | |
|--------------------------|---------------------------|----------------------|
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS |
| Sep 12, 2023 | Sep 11, 2024 | |

SUB-PERMITS

Special Class B Retail Native Wine License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

| NAME | CITY | STATE | ZIP | POSITION | % OF OWNERSHIP | U.S. CITIZEN |
|----------------------|-------------|----------|-------|--------------------------|----------------|--------------|
| Christopher Niemann | Quincy | Illinois | 62305 | EVP & CFO | 2.06 | Yes |
| Richard Niemann, Jr. | Monroe City | Missouri | 63456 | Chairman, President, CEO | 2.06 | 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

Item 9.

Applicant

| | | | | |
|----------------------------|-----------------------|---------------------------|------------|---------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | | |
| O SO GOOD WINERY LLC | O So Good Winery, LLC | (563) 599-1262 | | |
| ADDRESS OF PREMISES | | PREMISES SUITE/APT NUMBER | CITY | COUNTY |
| 2093 20th Avenue Southeast | | | Dyersville | Dubuque |
| | | | | ZIP |
| | | | | 52040 |
| MAILING ADDRESS | CITY | STATE | ZIP | |
| 2093 20th Avenue Southeast | Dyersville | Iowa | 52040 | |

Contact Person

| | | |
|--------------------|----------------|-------------------------|
| NAME | PHONE | EMAIL |
| Karie A. Ostwinkle | (563) 875-2232 | karie@osogoodwinery.com |

License Information

| | | | |
|--------------------------------|--------------------------------|----------------------|-------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE | TERM | STATUS |
| LC0048880 | Class C Retail Alcohol License | 12 Month | Pending Dramshop Review |
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS | |
| Oct 11, 2023 | Oct 10, 2024 | | |
| SUB-PERMITS | | | |
| Class C Retail Alcohol License | | | |



State of Iowa

Alcoholic Beverages Division

Item 9.

PRIVILEGES

Outdoor Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

| NAME | CITY | STATE | ZIP | POSITION | % OF OWNERSHIP | U.S. CITIZEN |
|-----------------|------------|-------|-------|----------|----------------|--------------|
| Lee Ostwinkle | Dyersville | Iowa | 52040 | Owner | 49.00 | Yes |
| Karie Ostwinkle | Dyersville | Iowa | 52040 | Owner | 51.00 | Yes |

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

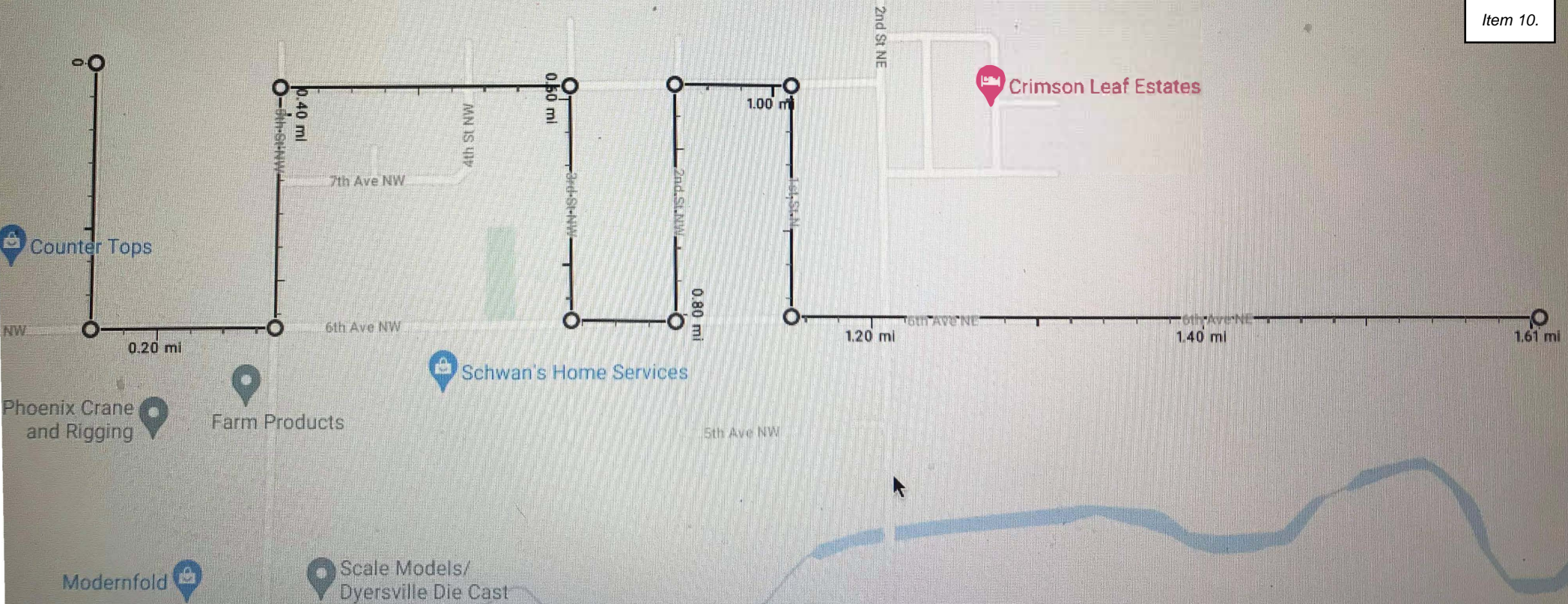
OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



CHANGE ORDER

| | |
|------------------|---------------|
| Change Order No: | 3 |
| Date: | July 31, 2023 |
| Agreement Date: | July 5, 2022 |

| | | |
|-------------|---|-----------|
| Owner: | City of Dyersville, Iowa | |
| | Dyersville East Road Utility Extension 2022 | |
| Project: | Contract C Water Pumping Station | No. 21168 |
| Contractor: | F.L. Krapfl, Inc. | |

The following changes are hereby made to the CONTRACT DOCUMENTS:

| | | |
|--|----------|-----------------|
| Valve Vault - Gauge Assembly (quantity 2) | Lump Sum | \$ 602.95 |
| Valve Vault Sidewall (quantity 2) | Lump Sum | 3,295.88 |
| Drain Fittings for Day Tank and Bulk Tank (quantity 2) | Lump Sum | 442.04 |
| Door Closure SCUSH | Lump Sum | 223.10 |
| CL2 Backflow Preventer | Lump Sum | 371.48 |
| Exchange CL2 Pump | Lump Sum | <u>1,144.83</u> |

| | | |
|---------------------------------|--|-------------------|
| TOTAL CHANGE ORDER NO. 3 | | \$6,080.28 |
|---------------------------------|--|-------------------|

Justification:

The above construction plan modifications were required due to either existing conditions or regulatory requirements.

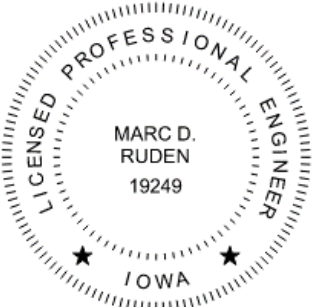
Change to CONTRACT PRICE:

| | |
|--|------------------------|
| Original CONTRACT PRICE | \$ 1,315,000.00 |
| Current CONTRACT PRICE adjusted by previous CHANGE ORDER | \$ 1,316,294.72 |
| The CONTRACT PRICE due to this CHANGE ORDER will be INCREASED by | \$ 6,080.28 |
| The new CONTRACT PRICE including this CHANGE ORDER will be | <u>\$ 1,322,375.00</u> |

Change to CONTRACT TIME:

The CONTRACT TIME will remain unchanged. The project shall be substantially complete by July 1, 2023 (except standby generator). Final completion shall be August 1, 2023 (including standby generator).

Change Order Recommended for Acceptance:

| | |
|---|--|
|  | <p>I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.</p> <p>FOR Origin Design Co.</p> <p style="text-align: right;">8/8/2023</p> |
| | <p>Marc D. Ruden, P.E. Date License Number 19249 My license renewal date is December 31, 2024 Pages or sheets covered by this seal: Change Order No. 3</p> |

Accepted and/or Requested:

CONTRACTOR F.L. Krapfl, Inc.

BY _____

Signature

NAME Cory Krapfl

TITLE President

DATE _____

Accepted and/or Requested:

OWNER City of Dyersville, Iowa

Attest:

BY _____

Signature

BY _____

Signature

NAME Tricia Maiers

NAME: Jeff Jacque

TITLE: Mayor

TITLE City Clerk

DATE _____

CONTRACTOR'S PAYMENT FORM

PREPARED BY: ORIGIN DESIGN CO.

Item 12.

CONTRACT PAYMENT NO.

5

PAGE 1/3

| | |
|-------------------|---|
| OWNER: | CITY OF DYERSVILLE, IOWA |
| PROJECT: | DYERSVILLE EAST ROAD UTILITY EXT. 2022 CONTRACT C WATER PUMPING STATION |
| ORIGIN DESIGN NO: | 21168C |

| | |
|-------------|----------------------|
| CONTRACTOR: | F.L. KRAPFL, INC. |
| ADDRESS: | P.O. BOX 303 |
| | DYERSVILLE, IA 52040 |

| |
|---|
| PROJECT COMPLETION DATE |
| ORIGINAL: SUBSTANTIAL COMPLETION JULY 1, 2023 |
| FINAL COMPLETION AUGUST 1, 2023 |
| REVISED: |

| |
|--------------------------|
| AMOUNT OF CONTRACT |
| ORIGINAL: \$1,315,000.00 |
| REVISED: \$1,322,375.00 |

| |
|--------------------|
| DATES OF PAYMENT |
| FROM: JULY 1, 2023 |
| TO: JULY 31, 2023 |

DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|--|---------------|------|-------------|----------------|-------------|-------------|-------------|---------------|-------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Topsoil, On-site | 340 | CY | \$6.00 | 170 | \$1,020.00 | 100 | \$600.00 | 270 | \$1,620.00 | 79% |
| 2 | Excavation, Class 10 | 320 | CY | \$5.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 3 | Subbase, Gradation 14 | 300 | TON | \$23.50 | 0 | \$0.00 | 29.85 | \$701.48 | 29.85 | \$701.48 | 10% |
| 4 | Replacement of Unsuitable Backfill Material | 300 | TON | \$8.00 | 29.95 | \$239.60 | 341.9 | \$2,735.20 | 371.85 | \$2,974.80 | 124% |
| 5 | Exploratory Excavation | 10 | HRS | \$315.00 | 5 | \$1,575.00 | 5 | \$1,575.00 | 10 | \$3,150.00 | 100% |
| 6 | Sanitary Sewer Gravity Service, Trenched, PVC SDR 26, 4" | 10 | LF | \$103.00 | 10 | \$1,030.00 | 0 | \$0.00 | 10 | \$1,030.00 | 100% |
| 7 | Sanitary Sewer Force Service, Trenched, HDPE SDR 9, 1.25" | 40 | LF | \$64.50 | 40 | \$2,580.00 | 0 | \$0.00 | 40 | \$2,580.00 | 100% |
| 8 | Sanitary Sewer Cleanout | 1 | EA | \$488.00 | 1 | \$488.00 | 0 | \$0.00 | 1 | \$488.00 | 100% |
| 9 | Pipe Culvert, Trenched, DIP, 8" | 40 | LF | \$57.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 10 | Water Main, Trenched, PVC, 6" | 45 | LF | \$92.00 | 0 | \$0.00 | 37.33 | \$3,434.36 | 37.33 | \$3,434.36 | 83% |
| 11 | Water Main, Trenched, DIP, 6" | 20 | LF | \$80.00 | 0 | \$0.00 | 13.88 | \$1,110.40 | 13.88 | \$1,110.40 | 69% |
| 12 | Water Main, Trenched, PVC, 8" | 35 | LF | \$100.00 | 0 | \$0.00 | 31.42 | \$3,142.00 | 31.42 | \$3,142.00 | 90% |
| 13 | Water Main, Trenched, DIP, 8" | 5 | LF | \$275.00 | 5 | \$1,375.00 | 0 | \$0.00 | 5 | \$1,375.00 | 100% |
| 14 | Water Main, Trenched, PVC, 12-Inch | 140 | LF | \$98.00 | 0 | \$0.00 | 145.44 | \$14,253.12 | 145.44 | \$14,253.12 | 104% |
| 15 | Water Main, Trenched, DIP, 12-Inch | 15 | LF | \$142.00 | 15 | \$2,130.00 | 0 | \$0.00 | 15 | \$2,130.00 | 100% |
| 16 | Fitting, Compact DI MJ, Various Sizes | 2500 | LBS | \$6.50 | 0 | \$0.00 | 2523 | \$16,399.50 | 2523 | \$16,399.50 | 101% |
| 17 | Water Service Pipe, Copper, 1/2-Inch | 20 | LF | \$45.00 | 0 | \$0.00 | 20 | \$900.00 | 20 | \$900.00 | 100% |
| 18 | Water Service Corporation, Ball Style Bronze, 1/2 Inch | 1 | EA | \$450.00 | 0 | \$0.00 | 1 | \$450.00 | 1 | \$450.00 | 100% |
| 19 | Water Service Curb Stop/Box, Ball Type Minn. Pattern, 1/2 Inch | 1 | EA | \$320.00 | 0 | \$0.00 | 1 | \$320.00 | 1 | \$320.00 | 100% |
| 20 | Valve, Resilient Seat Gate Valve, 6 Inch | 3 | EA | \$1,850.00 | 0 | \$0.00 | 3 | \$5,550.00 | 3 | \$5,550.00 | 100% |
| 21 | Valve, Resilient Seat Gate Valve, 8 Inch | 1 | EA | \$2,195.00 | 0 | \$0.00 | 1 | \$2,195.00 | 1 | \$2,195.00 | 100% |
| 22 | Valve, Resilient Seat Gate Valve, 12 Inch | 4 | EA | \$3,650.00 | 0 | \$0.00 | 5 | \$18,250.00 | 5 | \$18,250.00 | 125% |
| 23 | Sanitary Sewer Lift Station | 1 | EA | \$19,160.00 | 1 | \$19,160.00 | 0 | \$0.00 | 1 | \$19,160.00 | 100% |
| 24 | PCC Thickened Edge Sidewalk | 42 | SY | \$87.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 25 | Driveway, Paved, PCC, 6 Inch | 635 | SY | \$65.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |

TOTAL WORK COMPLETED (PAGE 1)

\$71,616.06

\$101,213.66

CONTRACT PAYMENT NO.**5****DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE**

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|---|---------------|------|--------------|----------------|--------------|-------------|--------------|---------------|--------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 26 | PCC Transformer Pad | 7 | SY | \$157.00 | 0 | \$0.00 | 6.22 | \$976.54 | 6.22 | \$976.54 | 89% |
| 27 | PCC Generator Pad | 20 | SY | \$157.00 | 0 | \$0.00 | 13.36 | \$2,097.52 | 13.36 | \$2,097.52 | 67% |
| 28 | Full Depth Patches | 15 | SY | \$155.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 29 | Temporary Traffic Control | 1 | LS | \$900.00 | 0 | \$0.00 | 1 | \$900.00 | 1 | \$900.00 | 100% |
| 30 | Conventional Seeding, Seeding, Fertilizing, and Mulching | 2025 | SY | \$3.00 | 0 | \$0.00 | 618 | \$1,854.00 | 618 | \$1,854.00 | 31% |
| 31 | Stabilized Construction Entrance | 50 | SY | \$9.50 | 50 | \$475.00 | 0 | \$0.00 | 50 | \$475.00 | 100% |
| 32 | Inlet Protection Device, Surface Applied | 2 | EA | \$55.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 33 | Inlet Protection Device, Maintenance | 2 | EA | \$80.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 34 | Silt Fence or Silt Fence Ditch Check | 550 | LF | \$2.35 | 100 | \$235.00 | 0 | \$0.00 | 100 | \$235.00 | 18% |
| 35 | Silt Fence or Silt Fence Ditch Check, Removal of Sediment | 550 | LF | \$1.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 36 | Silt Fence or Silt Fence Ditch Check, Removal of Device | 550 | LF | \$1.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 37 | Mobilization | 1 | LS | \$63,684.00 | 0.5 | \$31,842.00 | 0.25 | \$15,921.00 | 0.75 | \$47,763.00 | 75% |
| 38 | Maintenance of Postal Service | 1 | LS | \$300.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 39 | Concrete Washout | 1 | LS | \$500.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 40 | Water Pumping Station | 1 | LS | \$842,986.60 | 0.45 | \$379,343.97 | 0.45 | \$379,343.97 | 0.9 | \$758,687.94 | 90% |
| 41 | Electric, Complete | 1 | LS | \$92,673.90 | 0.25 | \$23,168.48 | 0.25 | \$23,168.48 | 0.5 | \$46,336.95 | 50% |
| 42 | Controls, Installation | 1 | LS | \$4,742.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 43 | Standby Generator | 1 | LS | \$82,800.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 44 | Precast PCC Control Valve Structure | 2 | EA | \$27,000.00 | 0 | \$0.00 | 2 | \$54,000.00 | 2 | \$54,000.00 | 100% |
| 45 | Bollard | 8 | EA | \$400.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |

TOTAL WORK COMPLETED (PAGE 2)**\$478,261.51****\$913,325.95****TOTAL WORK COMPLETED TO DATE****\$549,877.57****\$1,014,539.61**

CONTRACT PAYMENT NO.

5

Item 12.

DETAILED ESTIMATE OF CHANGE ORDER WORK COMPLETED TO DATE

| CH. ORD. NO. | CHANGE ORDER ITEM DESCRIPTION | CHANGE ORDER ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|--------------|--|-------------------|------|------------|----------------|----------|-------------|------------|---------------|------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Grounding to generator | 1 | LS | \$644.00 | 0 | \$0.00 | 1 | \$644.00 | 1 | \$644.00 | 100% |
| 2 | 2' Simplex Extension to Pump Station | 1 | LS | \$650.72 | 1 | \$650.72 | 0 | \$0.00 | 1 | \$650.72 | 100% |
| 3 | Valve Vault - Gauge Assembly (quantity 2) | 1 | LS | \$602.95 | 0 | \$0.00 | 1 | \$602.95 | 1 | \$602.95 | 100% |
| 3 | Valve Vault Sidewall (quantity 2) | 1 | LS | \$3,295.88 | 0 | \$0.00 | 1 | \$3,295.88 | 1 | \$3,295.88 | 100% |
| 3 | Drain Fittings for Day Tank and Bulk Tank (quantity 2) | 1 | LS | \$442.04 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 3 | Door Closure SCUSH | 1 | LS | \$223.10 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 3 | CL2 Backflow Preventer | 1 | LS | \$371.48 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 3 | Exchange CL 2 Pump | 1 | LS | \$1,144.83 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |

TOTAL CHANGE ORDER WORK

\$4,542.83

\$5,193.55

TOTAL CONTRACT AND CHANGE ORDER WORK PERFORMED TO DATE

\$1,019,733.16

Less: Amount Retained Per Contract 5%

\$50,986.66

Value of Stored Materials (See Attached List)

\$0.00

Less: Stored Materials Amount Retained Per Contract 5%

\$0.00

Net Amount Earned to Date

\$968,746.50

Less: Previous Amount Earned

\$442,047.13

BALANCE DUE TO CONTRACTOR THIS PAYMENT

\$526,699.37

CERTIFICATION OF CONTRACTOR: The undersigned contractor certifies that to the best of his knowledge, information and belief the work covered by this Contract Payment has been completed in accordance with the Contract Documents for this project; that this Contract Payment is a true and correct statement of the amount of the work completed to the date of this Contract Payment and that the amounts paid to the contractor will be utilized by him to pay for labor, materials, equipment and subcontracts involved in the performance of this contract.

CONTRACTOR: F.L. KRAPFL, INC.

BY: _____

TITLE: _____

DATE: _____

RECOMMENDATION OF ENGINEER: In accordance with the Contract Documents for this project, the undersigned recommends payment to the Contractor of the balance due this payment as shown.

ORIGIN DESIGN CO.

BY: _____

TITLE: Water Resource Team Leader

DATE: 8/8/2023

Marc Ruden, PE

APPROVAL OF OWNER: CITY OF DYERSVILLE, IOWA

AMOUNT PAID _____

BY: _____

TITLE: _____

DATE: _____

CONTRACTOR'S PAYMENT FORM

PREPARED BY: ORIGIN DESIGN CO.

Item 13.

CONTRACT PAYMENT NO.

10

PAGE 1/4

| | |
|-------------------|---|
| OWNER: | CITY OF DYERSVILLE, IOWA |
| PROJECT: | DYERSVILLE EAST ROAD UTILITY EXTENSION 2022 |
| | CONTRACT D LIFT STATION AND LINEAR SEWER ONSITE |
| ORIGIN DESIGN NO: | 20080 |

| | |
|-------------|----------------------------|
| CONTRACTOR: | PORTZEN CONSTRUCTION, INC. |
| ADDRESS: | 205 STONE VALLEY DR. |
| | DUBUQUE, IA 52003-9746 |

| |
|--|
| PROJECT COMPLETION DATE |
| Original: SUBSTANTIAL COMPLETION: APRIL 15, 2023 |
| FINAL COMPLETION: MAY 15, 2023 |
| Revised: |

| |
|--------------------------|
| AMOUNT OF CONTRACT |
| ORIGINAL: \$1,597,625.69 |
| REVISED: \$1,660,334.50 |

| |
|------------------|
| DATES OF PAYMENT |
| FROM: 6/1/2023 |
| TO: 7/31/2023 |

DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|--|---------------|------|--------------|----------------|--------------|-------------|--------|---------------|--------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Topsoil, On-site | 2570 | CY | \$17.67 | 2570 | \$45,411.90 | 0 | \$0.00 | 2570 | \$45,411.90 | 100% |
| 2 | Excavation, Class 10 | 1590 | CY | \$16.62 | 1590 | \$26,425.80 | 0 | \$0.00 | 1590 | \$26,425.80 | 100% |
| 3 | Subgrade Preparation | 590 | SY | \$2.50 | 590 | \$1,475.00 | 0 | \$0.00 | 590 | \$1,475.00 | 100% |
| 4 | Subbase, Sub-base Course | 205 | TON | \$19.48 | 205 | \$3,993.40 | 0 | \$0.00 | 205 | \$3,993.40 | 100% |
| 5 | Subbase, Base Course | 95 | TON | \$19.50 | 95 | \$1,852.50 | 0 | \$0.00 | 95 | \$1,852.50 | 100% |
| 6 | Removal of Known Pipe Culvert, CMP, 48-in | 85 | LF | \$40.00 | 85 | \$3,400.00 | 0 | \$0.00 | 85 | \$3,400.00 | 100% |
| 7 | Rock Excavation | 350 | CY | \$84.25 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 8 | Replacement of Unsuitable Backfill Material | 640 | TON | \$25.10 | 1312.9 | \$32,953.79 | 0 | \$0.00 | 1312.9 | \$32,953.79 | 205% |
| 9 | Sanitary Sewer Gravity Main, Trenched, PVC, 12-in | 3338 | LF | \$80.73 | 3083 | \$248,890.59 | 0 | \$0.00 | 3083 | \$248,890.59 | 92% |
| 10 | Sanitary Sewer Force Main, Trenched, PVC, 6-in | 1375 | LF | \$60.06 | 1366 | \$82,041.96 | 0 | \$0.00 | 1366 | \$82,041.96 | 99% |
| 11 | Pipe Culvert, Trenched, CMP, 48-in | 76 | LF | \$234.07 | 148 | \$34,642.36 | 0 | \$0.00 | 148 | \$34,642.36 | 195% |
| 12 | Pipe Apron, CMP, 48-in | 4 | EA | \$3,116.10 | 4 | \$12,464.40 | 0 | \$0.00 | 4 | \$12,464.40 | 100% |
| 13 | Water Main, Trenched, PVC, 12-in | 95 | LF | \$152.32 | 92.17 | \$14,039.33 | 0 | \$0.00 | 92.17 | \$14,039.33 | 97% |
| 14 | Water Main, Trenched, DI, 12-in | 12 | LF | \$360.81 | 12 | \$4,329.72 | 0 | \$0.00 | 12 | \$4,329.72 | 100% |
| 15 | Fittings, Compact DI, MJ, Various Sizes | 650 | LBS | \$24.15 | 956 | \$23,087.40 | 0 | \$0.00 | 956 | \$23,087.40 | 147% |
| 16 | Water Service Pipe, Copper, 3/4-in | 50 | LF | \$38.92 | 54 | \$2,101.68 | 0 | \$0.00 | 54 | \$2,101.68 | 108% |
| 17 | Water Service Pipe, HDPE, 1/4-in | 15 | LF | \$183.05 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 18 | Water Service Corporation, Ball Style, 3/4-in | 1 | EA | \$927.50 | 1 | \$927.50 | 0 | \$0.00 | 1 | \$927.50 | 100% |
| 19 | Water Service Curb Stop & Box, Minneapolis, 3/4-in | 1 | EA | \$503.00 | 1 | \$503.00 | 0 | \$0.00 | 1 | \$503.00 | 100% |
| 20 | Valve, Gate Valve, 12-in | 2 | EA | \$4,141.00 | 2 | \$8,282.00 | 0 | \$0.00 | 2 | \$8,282.00 | 100% |
| 21 | Flushing Device (Blowoff), 3/4-in | 1 | EA | \$1,473.00 | 1 | \$1,473.00 | 0 | \$0.00 | 1 | \$1,473.00 | 100% |
| 22 | Manhole, SW-301, 48-in | 181 | VF | \$767.69 | 181.32 | \$139,197.55 | 0 | \$0.00 | 181.32 | \$139,197.55 | 100% |
| 23 | Drop Connection | 1 | EA | \$4,162.00 | 1 | \$4,162.00 | 0 | \$0.00 | 1 | \$4,162.00 | 100% |
| 24 | Sanitary Sewer Lift Station | 1 | EA | \$390,974.00 | 0.98 | \$383,154.52 | 0 | \$0.00 | 0.98 | \$383,154.52 | 98% |

TOTAL WORK COMPLETED (PAGE 1)

\$0.00

\$1,074,809.40

CONTRACT PAYMENT NO.
10

 PAGE **Item 13.**
DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|---|---------------|------|--------------|----------------|--------------|-------------|-------------|---------------|--------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 25 | Pavement, HMA | 165 | TON | \$100.00 | 147.25 | \$14,725.00 | 0 | \$0.00 | 147.25 | \$14,725.00 | 89% |
| 26 | Removal of Driveway | 71 | SY | \$15.00 | 71 | \$1,065.00 | 0 | \$0.00 | 71 | \$1,065.00 | 100% |
| 27 | Driveway, Granular | 23 | TON | \$19.53 | 165.58 | \$3,233.78 | 0 | \$0.00 | 165.58 | \$3,233.78 | 720% |
| 28 | Temporary Traffic Control | 1 | LS | \$3,570.00 | 1 | \$3,570.00 | 0 | \$0.00 | 1 | \$3,570.00 | 100% |
| 29 | Conventional Seeding, Seeding, Fertilizing, and Mulching | 2 | AC | \$2,100.00 | 2.4 | \$5,040.00 | 0 | \$0.00 | 2.4 | \$5,040.00 | 120% |
| 30 | SWPPP Management | 1 | LS | \$500.00 | 0.9 | \$450.00 | 0 | \$0.00 | 0.9 | \$450.00 | 90% |
| 31 | Riprap, Erosion Stone | 30 | TON | \$24.48 | 26.73 | \$654.35 | 0 | \$0.00 | 26.73 | \$654.35 | 89% |
| 32 | Riprap, Class D | 75 | TON | \$25.48 | 147.61 | \$3,761.10 | 0 | \$0.00 | 147.61 | \$3,761.10 | 197% |
| 33 | Silt Fence or Silt Fence Ditch Check | 3552 | LF | \$1.60 | 3707 | \$5,931.20 | 0 | \$0.00 | 3707 | \$5,931.20 | 104% |
| 34 | Silt Fence or Silt Fence Ditch Check, Removal of Sediment | 3552 | LF | \$0.02 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 35 | Silt Fence or Silt Fence Ditch Check, Removal of Device | 3552 | LF | \$0.02 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 36 | Stabilized Construction Entrance | 1 | EA | \$2,000.00 | 1 | \$2,000.00 | 0 | \$0.00 | 1 | \$2,000.00 | 100% |
| 37 | Inlet Protection Device, Surface | 3 | EA | \$210.00 | 4 | \$840.00 | 0 | \$0.00 | 4 | \$840.00 | 133% |
| 38 | Inlet Protection Device, Maintenance | 3 | EA | \$105.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 39 | Mobilization | 1 | LS | \$102,800.00 | 1 | \$102,800.00 | 0 | \$0.00 | 1 | \$102,800.00 | 100% |
| 40 | Concrete Washout | 1 | LS | \$1,500.00 | 1 | \$1,500.00 | 0 | \$0.00 | 1 | \$1,500.00 | 100% |
| 41 | Exploratory Excavation | 30 | HRS | \$273.00 | 12 | \$3,276.00 | 0 | \$0.00 | 12 | \$3,276.00 | 40% |
| 42 | Control Valve Station, Precast 72" ID | 1 | EA | \$53,845.00 | 0.89 | \$47,922.05 | 0 | \$0.00 | 0.89 | \$47,922.05 | 89% |
| 43 | Generator Pad | 1 | LS | \$16,075.00 | 1 | \$16,075.00 | 0 | \$0.00 | 1 | \$16,075.00 | 100% |
| 44 | Transformer Pad | 1 | LS | \$2,530.00 | 1 | \$2,530.00 | 0 | \$0.00 | 1 | \$2,530.00 | 100% |
| 45 | Control Building | 1 | LS | \$115,200.00 | 0.98 | \$112,896.00 | 0 | \$0.00 | 0.98 | \$112,896.00 | 98% |
| 46 | Electrical, Complete | 1 | LS | \$47,300.00 | 0.96 | \$45,408.00 | 0 | \$0.00 | 0.96 | \$45,408.00 | 96% |
| 47 | Controls, Complete | 1 | LS | \$21,000.00 | 0 | \$0.00 | 0.15 | \$3,150.00 | 0.15 | \$3,150.00 | 15% |
| 48 | Generator and ATS | 1 | LS | \$96,600.00 | 0.25 | \$24,150.00 | 0.75 | \$72,450.00 | 1 | \$96,600.00 | 100% |

TOTAL WORK COMPLETED (PAGE 2)
\$75,600.00
\$473,427.48
TOTAL WORK COMPLETED TO DATE
\$75,600.00
\$1,548,236.88

CONTRACT PAYMENT NO.**10**

PAGE 3/4

DETAILED ESTIMATE OF CHANGE ORDER WORK COMPLETED TO DATE

| CH. ORD. NO. | CHANGE ORDER ITEM DESCRIPTION | CHANGE ORDER ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|--------------|--|-------------------|------|-------------|----------------|-------------|-------------|----------|---------------|-------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Replace Bases of Manholes 38 and 39 | 1 | LS | \$8,580.00 | 1 | \$8,580.00 | 0 | \$0.00 | 1 | \$8,580.00 | 100% |
| 1 | 12" PVC C900 Sanitary Sewer Gravity Main | | LF | \$118.73 | 232 | \$27,545.36 | 0 | \$0.00 | 232 | \$27,545.36 | |
| 2 | Wood Chip Replacement at Field of Dreams parking area | 1 | LS | \$5,580.00 | 1 | \$5,580.00 | 0 | \$0.00 | 1 | \$5,580.00 | 100% |
| 2 | Add Flushing Station | 1 | LS | \$18,377.78 | 0.94 | \$17,275.11 | 0 | \$0.00 | 0.94 | \$17,275.11 | 94% |
| 3 | Add Manhole Anti-Flotation Ballast | 8 | EA | \$3,650.00 | 8 | \$29,200.00 | 0 | \$0.00 | 8 | \$29,200.00 | 100% |
| 4 | Modify conduit & cable schedule to coordinate with System Integrator | 1 | LS | \$971.03 | 1 | \$971.03 | 0 | \$0.00 | 1 | \$971.03 | 100% |
| 5 | Grounding to generator | 1 | LS | \$683.54 | 0 | \$0.00 | 1 | \$683.54 | 1 | \$683.54 | 100% |
| 6 | Add metal stair and platform for wet well at pump station site | 1 | LS | \$23,206.70 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |

TOTAL CHANGE ORDER WORK**\$683.54****\$89,835.04****TOTAL CONTRACT AND CHANGE ORDER WORK PERFORMED TO DATE**

\$1,638,071.92

Less: Amount Retained Per Contract 5%

\$81,903.60

Value of Stored Materials (See Attached List)

\$0.00

Less: Stored Materials Amount Retained Per Contract 5%

\$0.00

Net Amount Earned to Date

\$1,556,168.32

Less: Previous Amount Earned

\$1,483,698.96

BALANCE DUE TO CONTRACTOR THIS PAYMENT**\$72,469.36**

CERTIFICATION OF CONTRACTOR: The undersigned contractor certifies that to the best of his knowledge, information and belief the work covered by this Contract Payment has been completed in accordance with the Contract Documents for this project; that this Contract Payment is a true and correct statement of the amount of the work completed to the date of this Contract Payment and that the amounts paid to the contractor will be utilized by him to pay for labor, materials, equipment and subcontracts involved in the performance of this contract.

CONTRACTOR: PORTZEN CONSTRUCTION, INC.

BY: _____

TITLE: _____

DATE: _____

RECOMMENDATION OF ENGINEER: In accordance with the Contract Documents for this project, the undersigned recommends payment to the Contractor of the balance due this payment as shown.

ORIGIN DESIGN CO.

BY: _____

TITLE: Water Resource Team Leader

DATE: 8/8/2023

Marc Ruden, P.E.

APPROVAL OF OWNER: CITY OF DYERSVILLE, IOWA

AMOUNT PAID _____

BY: _____

TITLE: _____

DATE: _____

CONTRACT PAYMENT NO.

10

LIST OF STORED MATERIALS

[illegible]

CONTRACTOR'S PAYMENT FORM

PREPARED BY: ORIGIN DESIGN CO.

Item 14.

CONTRACT PAYMENT NO.

6

PAGE 1/3

| | |
|-------------------|---|
| OWNER: | CITY OF DYERSVILLE, IOWA |
| PROJECT: | DYERSVILLE EAST ROAD UTILITY EXTENSION 2022 SANITARY SEWER & FORCE MAIN |
| ORIGIN DESIGN NO: | 20080 |

| | |
|-------------|----------------------------|
| CONTRACTOR: | TSCHIGGFRIE EXCAVATING CO. |
| ADDRESS: | 425 JULIEN DUBUQUE DRIVE |
| | DUBUQUE, IA 52003 |

| |
|---|
| PROJECT COMPLETION DATE |
| Original: APRIL 15, 2023 (SUBSTANTIAL COMPLETION) |
| Revised: MAY 15, 2023 (FINAL COMPLETION) |

| |
|--------------------------|
| AMOUNT OF CONTRACT |
| ORIGINAL: \$1,094,955.20 |
| REVISED: \$1,140,067.12 |

| |
|------------------|
| DATES OF PAYMENT |
| FROM: 5/1/2023 |
| TO: 8/11/2023 |

DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CHANGE ORDERS | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|---|---------------|---------------|------|-------------|----------------|--------------|-------------|------------|---------------|--------------|---------|
| | | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Topsoil, On-site | | 5500 | CY | \$6.00 | 5500 | \$33,000.00 | 0 | \$0.00 | 5500 | \$33,000.00 | 100% |
| 2 | Removal of Known Pipe Culvert, CMP, Various | | 588 | LF | \$7.30 | 588 | \$4,292.40 | 0 | \$0.00 | 588 | \$4,292.40 | 100% |
| 3 | Rock Excavation | | 14000 | CY | \$0.01 | 361.2 | \$3.61 | 0 | \$0.00 | 361.2 | \$3.61 | 3% |
| 4 | Replacement of Unsuitable Backfill Material | | 25500 | TON | \$0.01 | 1161.83 | \$11.62 | 0 | \$0.00 | 1161.83 | \$11.62 | 5% |
| 5 | Sanitary Sewer Gravity Main, Trenched, PVC, 12" | CO 4 | 8714 | LF | \$71.00 | 8714 | \$618,694.00 | 0 | \$0.00 | 8714 | \$618,694.00 | 100% |
| 6 | Sanitary Sewer Force Main, Trenched, PVC, 6" | CO 5 | 3980.83 | LF | \$39.00 | 3950 | \$154,050.00 | 30.83 | \$1,202.37 | 3980.83 | \$155,252.37 | 100% |
| 7 | Sanitary Sewer Force Main, Trenchless, PVC, 6" | CO 4 | 120 | LF | \$91.00 | 120 | \$10,920.00 | 0 | \$0.00 | 120 | \$10,920.00 | 100% |
| 8 | Sewage Air Release Valve and Pit | | 1 | EA | \$9,600.00 | 1 | \$9,600.00 | 0 | \$0.00 | 1 | \$9,600.00 | 100% |
| 9 | Pipe Culvert, Trenched, CMP, 15" | | 31 | LF | \$52.00 | 31 | \$1,612.00 | 0 | \$0.00 | 31 | \$1,612.00 | 100% |
| 10 | Pipe Culvert, Trenched, CMP, 18" | | 363 | LF | \$59.00 | 363 | \$21,417.00 | 0 | \$0.00 | 363 | \$21,417.00 | 100% |
| 11 | Pipe Culvert, Trenched, CMP, 24" | CO 1 | 75 | LF | \$74.00 | 75 | \$5,550.00 | 0 | \$0.00 | 75 | \$5,550.00 | 100% |
| 12 | Pipe Apron, CMP, 15" | | 2 | EA | \$240.00 | 2 | \$480.00 | 0 | \$0.00 | 2 | \$480.00 | 100% |
| 13 | Pipe Apron, CMP, 18" | | 16 | EA | \$260.00 | 16 | \$4,160.00 | 0 | \$0.00 | 16 | \$4,160.00 | 100% |
| 14 | Pipe Apron, CMP, 24" | | 4 | EA | \$380.00 | 4 | \$1,520.00 | 0 | \$0.00 | 4 | \$1,520.00 | 100% |
| 15 | Manhole, SW-301, 48" | | 260 | VF | \$540.00 | 255.63 | \$138,040.20 | 0 | \$0.00 | 255.63 | \$138,040.20 | 98% |
| 16 | Removal of Driveway | | 518 | SY | \$4.60 | 202.65 | \$932.19 | 0 | \$0.00 | 202.65 | \$932.19 | 39% |
| 17 | Driveway, Paved, Asphalt, 4" | | 33 | SY | \$53.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 18 | Driveway, Paved, Concrete, 4" | | 72 | SY | \$65.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 19 | Driveway, Paved, Concrete, 6" | CO 5 | 142.34 | SY | \$75.00 | 90 | \$6,750.00 | 52.34 | \$3,925.50 | 142.34 | \$10,675.50 | 100% |
| 20 | Driveway, Granular | CO 4 | 283.65 | TON | \$17.00 | 283.65 | \$4,822.05 | 0 | \$0.00 | 283.65 | \$4,822.05 | 100% |
| 21 | Temporary Traffic Control | | 1 | LS | \$12,000.00 | 1 | \$12,000.00 | 0 | \$0.00 | 1 | \$12,000.00 | 100% |
| 22 | Conventional Seeding, Seeding, Fertilizing, and Mulching | | 6.8 | AC | \$1,900.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 23 | SWPPP Management | | 1 | LS | \$1,600.00 | 1 | \$1,600.00 | 0 | \$0.00 | 1 | \$1,600.00 | 100% |
| 24 | Silt Fence or Silt Fence Ditch Check | | 1600 | LF | \$2.10 | 976 | \$2,049.60 | 0 | \$0.00 | 976 | \$2,049.60 | 61% |
| 25 | Silt Fence or Silt Fence Ditch Check, Removal of Sediment | | 1600 | LF | \$0.01 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 26 | Silt Fence or Silt Fence Ditch Check, Removal of Device | | 1600 | LF | \$0.21 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |

TOTAL WORK COMPLETED (PAGE 1)

\$5,127.87

\$1,036,632.54

CONTRACT PAYMENT NO.**6****DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE**

| ITEM NO. | CONTRACT ITEM DESCRIPTION | | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|--------------------------------------|----------------|---------------|------|-------------|----------------|-------------|-------------|----------|---------------|-------------|---------|
| | | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 27 | Inlet Protection Device, Surface | CO 1, 5 | 15 | EA | \$180.00 | 13 | \$2,340.00 | 2 | \$360.00 | 15 | \$2,700.00 | 100% |
| 28 | Inlet Protection Device, Maintenance | CO 5 | 15 | EA | \$11.00 | 12 | \$132.00 | 3 | \$33.00 | 15 | \$165.00 | 100% |
| 29 | Mobilization | | 1 | LS | \$36,800.00 | 1 | \$36,800.00 | 0 | \$0.00 | 1 | \$36,800.00 | 100% |
| 30 | Maintenance of Postal Service | | 1 | LS | \$450.00 | 1 | \$450.00 | 0 | \$0.00 | 1 | \$450.00 | 100% |
| 31 | Concrete Washout | | 1 | LS | \$400.00 | 1 | \$400.00 | 0 | \$0.00 | 1 | \$400.00 | 100% |
| 32 | Exploratory Excavation | | 30 | HR | \$84.00 | 30 | \$2,520.00 | 0 | \$0.00 | 30 | \$2,520.00 | 100% |

TOTAL WORK COMPLETED (PAGE 2)**\$393.00****\$43,035.00****TOTAL WORK COMPLETED TO DATE****\$5,520.87****\$1,079,667.54****DETAILED ESTIMATE OF CHANGE ORDER WORK COMPLETED TO DATE**

| CH. ORD. NO. | CHANGE ORDER ITEM DESCRIPTION | | CHANGE ORDER ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|--------------|--|--|-------------------|------|------------|----------------|-------------|-------------|------------|---------------|-------------|---------|
| | | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Quantity increase for Bid Items 11 & 27 - see above items | | ---- | ---- | ----- | ---- | ----- | ---- | ----- | ---- | ----- | ---- |
| 2 | Cast-in-Place Antiflotation Bases to Select Manholes | | 6 | EA | \$1,000.00 | 6 | \$6,000.00 | 0 | \$0.00 | 6 | \$6,000.00 | 100% |
| 3 | 6" Perforated Drain Tile | | 600 | LF | \$17.00 | 600 | \$10,200.00 | 0 | \$0.00 | 600 | \$10,200.00 | 100% |
| 3 | Hickenbottom Drain/Rodent Guard | | 1 | LS | \$320.00 | 1 | \$320.00 | 0 | \$0.00 | 1 | \$320.00 | 100% |
| 4 | Quantity increase for Bid Items 5, 7 & 20 - see above items | | ---- | ---- | ----- | ---- | ----- | ---- | ----- | ---- | ----- | ---- |
| 4 | Granular Shoulder Repair | | | | | | | | | | | |
| | Granular Shoulder | | 325 | TON | \$23.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| | Mobilization | | 1 | LS | \$1,000.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 4 | Manhole Riser (Manhole Barrel Section - 1' Riser) | | 1 | LS | \$2,500.00 | 1 | \$2,500.00 | 0 | \$0.00 | 1 | \$2,500.00 | 100% |
| 4 | 6" Perforated Drain Tile | | 100 | LF | \$19.00 | 100 | \$1,900.00 | 0 | \$0.00 | 100 | \$1,900.00 | 100% |
| 5 | Quantity increase for Bid Items 6, 19, 27, 28 - see bid items | | ---- | ---- | ----- | ---- | ----- | ---- | ----- | ---- | ----- | ---- |
| 5 | Additional Grading @ 30512 Dyersville East Road | | 1 | LS | \$5,021.00 | 0 | \$0.00 | 1 | \$5,021.00 | 1 | \$5,021.00 | 100% |
| 5 | Fittings - ductile iron fitting connections to force main system | | 68 | LBS | \$11.50 | 0 | \$0.00 | 68 | \$782.00 | 68 | \$782.00 | 100% |

TOTAL CHANGE ORDER WORK**\$5,803.00****\$26,723.00****TOTAL CONTRACT AND CHANGE ORDER WORK PERFORMED TO DATE**

Less: Amount Retained Per Contract 5%

\$1,106,390.54

\$55,319.53

Value of Stored Materials (See Attached List)

\$0.00

Less: Stored Materials Amount Retained Per Contract 5%

\$0.00

Net Amount Earned to Date

\$1,051,071.01

Less: Previous Amount Earned

\$1,040,313.34

BALANCE DUE TO CONTRACTOR THIS PAYMENT**\$10,757.67**

CONTRACT PAYMENT NO.

6

CERTIFICATION OF CONTRACTOR: The undersigned contractor certifies that to the best of his knowledge, information and belief the work covered by this Contract Payment has been completed in accordance with the Contract Documents for this project; that this Contract Payment is a true and correct statement of the amount of the work completed to the date of this Contract Payment and that the amounts paid to the contractor will be utilized by him to pay for labor, materials, equipment and subcontracts involved in the performance of this contract.

CONTRACTOR: TSCHIGGFRIE EXCAVATING CO.

BY: _____

TITLE: _____

DATE: _____

RECOMMENDATION OF ENGINEER: In accordance with the Contract Documents for this project, the undersigned recommends payment to the Contractor of the balance due this payment as shown.

ORIGIN DESIGN CO.

BY: _____
Marc Ruden, P.E.

TITLE: Water Resources Team Leader

DATE: 8/11/2023

APPROVAL OF OWNER: CITY OF DYERSVILLE, IOWA

AMOUNT PAID _____

BY: _____

TITLE: _____

DATE: _____

CONTRACTOR'S PAYMENT FORM**PREPARED BY: ORIGIN DESIGN CO.****CONTRACT PAYMENT NO.****6**

PAGE 1/4

| |
|---|
| OWNER: CITY OF DYERSVILLE, IOWA |
| PROJECT: DYERSVILLE EAST ROAD UTILITY EXTENSION 2022 CONTRACT E WATER AND SEWER |
| ORIGIN DESIGN NO: 21168 |

| |
|--|
| CONTRACTOR: TOP GRADE EXCAVATING, INC. |
| ADDRESS: 971 9TH AVENUE NW |
| FARLEY, IA 52046 |

| |
|--------------------------|
| PROJECT COMPLETION DATE |
| Original: April 15, 2024 |
| Revised: |

| |
|--------------------------|
| AMOUNT OF CONTRACT |
| ORIGINAL: \$1,611,807.50 |
| REVISED: \$1,791,807.50 |

| |
|------------------|
| DATES OF PAYMENT |
| FROM: 6/24/2023 |
| TO: 7/31/2023 |

DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|--|---------------|------|------------|----------------|--------------|-------------|----------|---------------|--------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Topsoil, On-Site | 4300 | CY | \$3.00 | 4300 | \$12,900.00 | 0 | \$0.00 | 4300 | \$12,900.00 | 100% |
| 2 | Granular Stabilization | 500 | TON | \$17.40 | 449.65 | \$7,823.91 | 0 | \$0.00 | 449.65 | \$7,823.91 | 90% |
| 3 | Subbase, Gradation 14 | 100 | TON | \$16.00 | 77.91 | \$1,246.56 | 0 | \$0.00 | 77.91 | \$1,246.56 | 78% |
| 4 | Rock Excavation | 750 | CY | \$0.10 | 96.75 | \$9.68 | 0 | \$0.00 | 96.75 | \$9.68 | 13% |
| 5 | Trench Foundation | 750 | TON | \$0.10 | 430.99 | \$43.10 | 0 | \$0.00 | 430.99 | \$43.10 | 57% |
| 6 | Replacement of Unsuitable Backfill Material | 14650 | TON | \$16.00 | 14679.06 | \$234,864.96 | 0 | \$0.00 | 14679.06 | \$234,864.96 | 100% |
| 7 | Exploratory Excavation | 20 | HRS | \$75.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 8 | Sanitary Sewer Gravity Main, Trenched, PVC, 8" | 970 | LF | \$42.00 | 1016.25 | \$42,682.50 | 0 | \$0.00 | 1016.25 | \$42,682.50 | 105% |
| 9 | Sanitary Sewer Gravity Main, Trenched, PVC, 10" | 5610 | LF | \$53.00 | 5463.33 | \$289,556.49 | 0 | \$0.00 | 5463.33 | \$289,556.49 | 97% |
| 10 | Sanitary Sewer Gravity Main, Trenched, PVC, 12" | 790 | LF | \$43.00 | 784.5 | \$33,733.50 | 0 | \$0.00 | 784.5 | \$33,733.50 | 99% |
| 11 | Sanitary Sewer Service Stub, PVC, 6" | 140 | LF | \$33.00 | 140 | \$4,620.00 | 0 | \$0.00 | 140 | \$4,620.00 | 100% |
| 12 | Water Main, Trenched, DIP, 6" | 640 | LF | \$0.01 | 283.5 | \$2.84 | 0 | \$0.00 | 283.5 | \$2.84 | 44% |
| 13 | Water Main, Trenched, PVC, 6" | 50 | LF | \$27.00 | 378.5 | \$10,219.50 | 0 | \$0.00 | 378.5 | \$10,219.50 | 757% |
| 14 | Water Main, Trenched, PVC, 12" | 9170 | LF | \$57.00 | 9117.83 | \$519,716.31 | 0 | \$0.00 | 9117.83 | \$519,716.31 | 99% |
| 15 | Fitting, Compact DI MJ, Various Sizes | 5,500 | LBS | \$7.75 | 4527 | \$35,084.25 | 0 | \$0.00 | 4527 | \$35,084.25 | 82% |
| 16 | Water Service Pipe, HDPE, 1.5" | 50 | LF | \$34.00 | 50 | \$1,700.00 | 0 | \$0.00 | 50 | \$1,700.00 | 100% |
| 17 | Water Service Corporation, Ball Style, 1.5" | 1 | EA | \$500.00 | 1 | \$500.00 | 0 | \$0.00 | 1 | \$500.00 | 100% |
| 18 | Water Service Curb Stop & Box, Minneapolis Style, 1.5" | 1 | EA | \$750.00 | 1 | \$750.00 | 0 | \$0.00 | 1 | \$750.00 | 100% |
| 19 | Valve, Resilient Seat Gate Valve, 6" | 18 | EA | \$1,500.00 | 21 | \$31,500.00 | 0 | \$0.00 | 21 | \$31,500.00 | 117% |
| 20 | Valve, Resilient Seat Gate Valve, 12" | 17 | EA | \$3,600.00 | 18 | \$64,800.00 | 0 | \$0.00 | 18 | \$64,800.00 | 106% |
| 21 | Fire Hydrant Assembly | 12 | EA | \$4,200.00 | 12 | \$50,400.00 | 0 | \$0.00 | 12 | \$50,400.00 | 100% |
| 22 | Manhole, SW-301, 48" | 285 | VF | \$550.00 | 303.4 | \$166,870.00 | 0 | \$0.00 | 303.4 | \$166,870.00 | 106% |
| 23 | Driveway, Granular | 2150 | TON | \$16.00 | 2146.1 | \$34,337.60 | 0 | \$0.00 | 2146.1 | \$34,337.60 | 100% |
| 24 | Full Depth Patches | 200 | SY | \$45.00 | 99 | \$4,455.00 | 0 | \$0.00 | 99 | \$4,455.00 | 50% |
| 25 | Painted Pavement Markings, Solvent/Waterborne | 1 | LS | \$350.00 | 0 | \$0.00 | 1 | \$350.00 | 1 | \$350.00 | 100% |

TOTAL WORK COMPLETED (PAGE 1)**\$350.00****\$1,548,166.20**

CONTRACT PAYMENT NO.

6

PAGE 2/4

DETAILED ESTIMATE OF CONTRACT WORK COMPLETED TO DATE

| ITEM NO. | CONTRACT ITEM DESCRIPTION | CONTRACT ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|----------|---|---------------|------|-------------|----------------|-------------|-------------|------------|---------------|-------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 26 | Temporary Traffic Control | 1 | LS | \$1,500.00 | 1 | \$1,500.00 | 0 | \$0.00 | 1 | \$1,500.00 | 100% |
| 27 | Conventional Seeding, Seeding, Fertilizing & Mulching | 5.3 | AC | \$1,400.00 | 13.08 | \$18,312.00 | 0 | \$0.00 | 13.08 | \$18,312.00 | 247% |
| 28 | SWPPP Management | 1 | LS | \$1,500.00 | 1 | \$1,500.00 | 0 | \$0.00 | 1 | \$1,500.00 | 100% |
| 29 | Silt Fence or Silt Fence Ditch Check | 3550 | LF | \$1.50 | 1962 | \$2,943.00 | 0 | \$0.00 | 1962 | \$2,943.00 | 55% |
| 30 | Silt Fence or Silt Fence Ditch Check, Removal of Sediment | 3550 | LF | \$0.01 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 31 | Silt Fence or Silt Fence Ditch Check, Removal of Device | 3550 | LF | \$0.01 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0% |
| 32 | Stabilized Construction Entrance | 120 | SY | \$3.00 | 120 | \$360.00 | 0 | \$0.00 | 120 | \$360.00 | 100% |
| 33 | Inlet Protection Device, Surface-Applied | 5 | EA | \$0.01 | 5 | \$0.05 | 0 | \$0.00 | 5 | \$0.05 | 100% |
| 34 | Inlet Protection Device, Maintenance | 5 | EA | \$0.01 | 5 | \$0.05 | 0 | \$0.00 | 5 | \$0.05 | 100% |
| 35 | Mobilization | 1 | LS | \$51,000.00 | 0.9 | \$45,900.00 | 0.1 | \$5,100.00 | 1 | \$51,000.00 | 100% |

TOTAL WORK COMPLETED (PAGE 2)

\$5,100.00

\$75,615.10

TOTAL WORK COMPLETED TO DATE

\$5,450.00

\$1,623,781.30

DETAILED ESTIMATE OF CHANGE ORDER WORK COMPLETED TO DATE

| CH. ORD. NO. | CHANGE ORDER ITEM DESCRIPTION | CHANGE ORDER ITEM | | | PREVIOUS TOTAL | | THIS PERIOD | | TOTAL TO DATE | | PERCENT |
|--------------|--|-------------------|------|--------------|----------------|--------------|-------------|--------|---------------|--------------|---------|
| | | QUANTITY | UNIT | UNIT COST | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| 1 | Additional water and sewer utility services to MLB stadium | 1 | LS | \$180,000.00 | 1 | \$180,000.00 | 0 | \$0.00 | 1 | \$180,000.00 | 100% |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

TOTAL CHANGE ORDER WORK

\$0.00

\$180,000.00

TOTAL CONTRACT AND CHANGE ORDER WORK PERFORMED TO DATE

Less: Amount Retained Per Contract 5%

\$1,803,781.30

\$90,189.07

Value of Stored Materials (See Attached List)

\$0.00

Less: Stored Materials Amount Retained Per Contract 5%

\$0.00

Net Amount Earned to Date

\$1,713,592.23

Less: Previous Amount Earned

\$1,708,414.73

BALANCE DUE TO CONTRACTOR THIS PAYMENT

\$5,177.50

CONTRACT PAYMENT NO.

6

PAGE 3/4

CERTIFICATION OF CONTRACTOR: The undersigned contractor certifies that to the best of his knowledge, information and belief the work covered by this Contract Payment has been completed in accordance with the Contract Documents for this project; that this Contract Payment is a true and correct statement of the amount of the work completed to the date of this Contract Payment and that the amounts paid to the contractor will be utilized by him to pay for labor, materials, equipment and subcontracts involved in the performance of this contract.

CONTRACTOR: TOP GRADE EXCAVATING

BY: _____

TITLE: _____

DATE: _____

RECOMMENDATION OF ENGINEER: In accordance with the Contract Documents for this project, the undersigned recommends payment to the Contractor of the balance due this payment as shown.

ORIGIN DESIGN CO.

BY: _____

TITLE: Water Resources Team LeaderDATE: 8/8/2023

Marc Ruden, PE

APPROVAL OF OWNER: CITY OF DYERSVILLE, IOWA

AMOUNT PAID _____

BY: _____

TITLE: _____

DATE: _____

6

PAGE 4/4

LIST OF STORED MATERIALS

| Supplier | Invoice No. | Total Invoice | | Total Stored On-Site |
|--|-------------|-----------------------|----------------------------------|----------------------|
| J & R Supply | 2211439-IN | \$480,455.50 | less materials installed to date | \$0.00 |
| J & R Supply | 2211442-IN | \$187,583.00 | less materials installed to date | \$0.00 |
| Rinker Materials | 26224940 | \$28,685.80 | less materials installed to date | \$0.00 |
| Rinker Materials | 26231660 | \$13,639.10 | less materials installed to date | \$0.00 |
| COPIES OF THE ABOVE INVOICES INCLUDED WITH PAYMENT NO. 1 | | | | |
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| | | TOTAL STORED MATERIAL | | \$0.00 |

Good Morning!

ECIA is writing a rural-innovation scale-up grant to fund the "Field of Opportunities Implementation" initiative. In this past year we worked with Prosperity Eastern Iowa to develop a database of assets in our rural communities; developed an interactive map of the assets; and determined short- and long-term goals for the region, all responding to the \$80 million Field of Dreams Development in Dyersville to encourage tourism opportunities in the rural communities.

We are asking for a signed letter of support by your Mayor if possible. We are NOT asking for local match or anything else, just a letter of support. See sample attached.

Could you please provide by August 24th?

If you have any questions, please let me know.

Thank you for your partnership!

Holly

Holly M. McPherson, MAC

Director of Human Resources & Program Development

East Central Intergovernmental Association (ECIA)

7600 Commerce Park

Dubuque, IA 52002

Office: 563-690-5738

Cell: 563-543-0000

Email: hmcpherson@ecia.org





340 1st Avenue East, Dyersville, Iowa 52040 • Phone: 563-875-7724 • Fax: 563-875-8238

www.cityofdyersville.com

August 16, 2023

Dear Rural Innovation Scale-Up Grant Review Committee:

The City of Dyersville is supportive of Prosperity Eastern Iowa's (PEI's) application to the Rural Innovation Scale-Up Grant Program to fund the "Field of Opportunities Implementation" Initiative. In this past year we worked with PEI to develop a database of assets in our rural communities; developed an interactive map of the assets; and determined short- and long-term goals for the region, all responding to the \$80 million Field of Dreams Development in Dyersville to encourage tourism opportunities in the rural communities.

The Field of Dreams development will have a ripple impact on our small rural communities. This is a tremendous opportunity for the rural communities to support the Field of Dreams but to also benefit and grow as a result of this tremendous investment. In the discussions and meetings we held over this past year, it was determined a uniform consistent marketing message is necessary for our rural communities and a vehicle for visitors to find the hidden "treasures" and assets in the smaller communities in the region. It was determined to partner with the larger conventions and visitor's bureau in the region, Travel Dubuque, made the most sense as they have a relationship with the Field of Dreams and work regionally in Wisconsin and Illinois. Travel Dubuque hosts a database on their website that can be integrated with the regional assets database developed this past year and they have experience and can lead and guide the rural communities in developing regional tours and regional marketing materials. Funding from the Scale-Up grant program will enable us to develop a robust marketing campaign and an integrated web site to attract visitors from the Field of Dreams to our rural communities.

We encourage the Rural Innovation Scale-Up Grant Program to support PEI's application for the "Field of Opportunities Implementation" project as it aligns with the priorities of growing and investing in rural Iowa. Thank you for your consideration.

Sincerely,

Jeff Jacque
Mayor

July 19, 2023

To John Wandsnider (Public Works Director),

Please accept this letter as a formal notification that I am resigning from my full time position as Wastewater Operator/Public Works Crew Member. My last day will be Tuesday, August 2nd. It has been an eye opening experience to work at the City of Dyersville. I have had the opportunity to meet and work with many great people, learn several new things and got to experience a different wastewater plant than what I was used to.

I appreciate the opportunities I've been provided working for the City of Dyersville. I was lucky enough to obtain my Wastewater grade 2 license and my Water Distribution and groundwater grade 2 licenses through the Iowa DNR.

Please let me know if I can be of any assistance during this transition. Thank you for all your guidance. I wish you the best, and look forward to keeping in touch.

Sincerely,

JoAnn Woodward

Dyersville Police Department Monthly Report

July 15th – August 15th, 2023

New Vehicle –

The marked 2019 Dodge Charger was taken out of service and will be replaced with a new Charger. Currently, the 2019 is at Racom being disassembled. We will then take the new Charger in and have the old equipment reinstalled. Upon completion, the car will go to Manchester to have decals applied before being put back in service.

This will be the last year for the Charger, so we will begin looking at what type of vehicle we will be moving forward with in the future. Whatever vehicle is chosen, we will have to replace a lot of the vehicle specific equipment in the car (cage, console, etc.) which will add to the expense of the replacement vehicle.

Update – Racom encountered a problem when reassembling the equipment in the new Charger. The old console will not properly fit into the new squad. The retired squad had a large video screen in the dashboard, which Dodge discontinued unbeknownst to the dealer or the department. A new console (which holds our radio and other equipment) had to be reordered. This change affected several departments across the nation, and the supplier of the needed console was not prepared for the increased demand. The console is on backorder and will not arrive until approximately September 5th. This pushes delivery of the new car back. We have arranged to take the squad (which is completed except for the console) to the decal installers while we wait for the part to arrive. All of this is unfortunate, but we have become accustomed to supply chain issues over the past few years and have plans in place to work around the delay.

Speed Feedback Sign Program –

The police department has begun working with the IDOT's new Speed Feedback Sign Program. I have attached information about the program with this report. We have applied to have these signs installed on Highway 52. The south location will be in front of Tomy, where the speed limit slows to 35 mph. The north location will be at Dyersville East Road, where the speed limit slows to 25 mph.

No Update

In Car Video –

We're still working with Axon to set up a date for the install of the new in-car video systems. Racom was going to install the first one, however we discovered having them do the install would void the warranty, as they are not factory authorized installers. We are confident that the installation will take place very soon.

Update – Because of the delay in the part that was backordered for the new squad car, we have moved the date of the installation back to 9/29. AXON representatives will be here in Dyersville to install the cameras in all of our squad cars at one time.

Veteran's Motorcycle Ride –

Assisted with a motorcycle ride out of Cedar Rapids on behalf of Veterans. The group traveled through Dyersville, stopping at the Social Center for a lunch put on by the VFW. (July 22)

Police Department Tours –

Asst. Chief Dupont gave tours of the PD to four daycare groups from here in Dyersville.

Field of Dreams Movie Site –

Officers provided security and public relations during the Field of Dreams events sponsored by beyond the game. Fans were able to watch several games, a homerun derby and cornhole games. Several former MLB players were on site to interact with the numerous fans in attendance over the three days. (August 11 – 13)

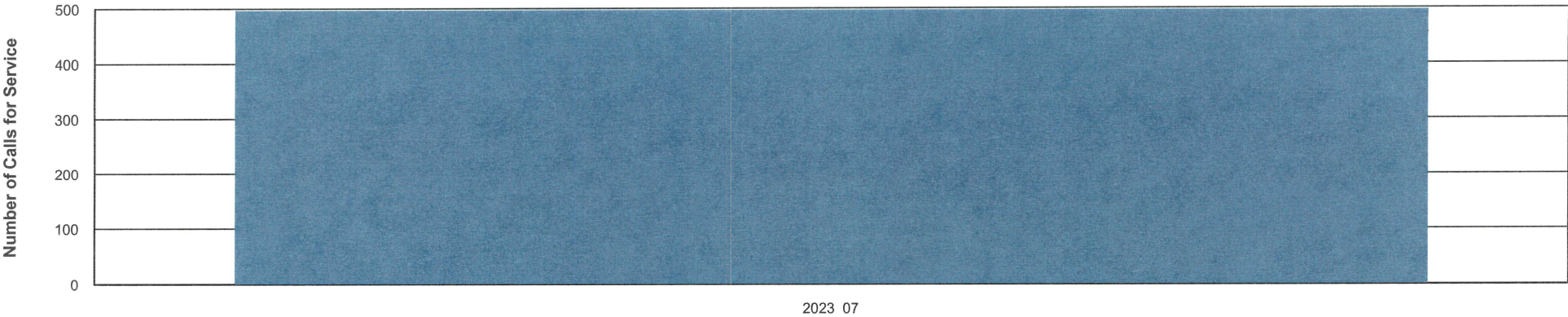
Dyersville Fire Department 125th Anniversary –

The police department provided extra attention and traffic control for the numerous events of the Anniversary. Officers were onsite to answer questions and provide security at the water-ball contest, afternoon music, the parade and the concert in the park. The event was very well attended and no major incidents were reported.

DYERSVILLE POLICE DEPT
Call Type Monthly Comparison
07/01/2023 thru 07/31/2023
Agency Code: All Agency Type: All

Item 18.

CFS / Month



| | 2023 Jul | Total |
|----------|----------|-------|
| ACCH&R | 1 | 1 |
| ACCPD | 3 | 3 |
| ACCPI | 1 | 1 |
| ALARM | 3 | 3 |
| AMB | 15 | 15 |
| ANIMAL | 14 | 14 |
| ATL | 11 | 11 |
| BCHK | 63 | 63 |
| BURGLARY | 2 | 2 |
| CAI | 24 | 24 |

| | 2023 Jul | Total |
|----------|-------------|-------|
| CIVIL | 3 | 3 |
| CRIMMIS | 3 | 3 |
| DELASSIS | 6 | 6 |
| DISORDER | 1 | 1 |
| DOMASSAU | 1 | 1 |
| DUBASSIS | 5 | 5 |
| ESCORT | 1 | 1 |
| FIRE | 2 | 2 |
| FIREW | 12 | 12 |
| FOLLOWUP | 10 | 10 |
| FOUND | 4 | 4 |
| FRAUD | 4 | 4 |
| HARASS | 3 | 3 |
| INFO | 5 | 5 |
| ISPASSIS | 1 | 1 |
| LOST | 1 | 1 |
| MENTAL | 3 | 3 |
| MOTASSIS | 7 | 7 |
| NEIGHBOR | 2 | 2 |
| NOISE | 1 | 1 |
| NUI | 10 | 10 |
| OAA | 1 | 1 |
| OPEN | 2 | 2 |
| OTHER | 4 | 4 |

| | 2023 Jul | Total |
|----------|-------------|-------|
| PARK | 2 | 2 |
| PATROL | 71 | 71 |
| PBX | 5 | 5 |
| PEACE | 1 | 1 |
| PUBSERV | 7 | 7 |
| RADA | 7 | 7 |
| RECKLESS | 1 | 1 |
| ROADHAZ | 9 | 9 |
| SALVAGE | 2 | 2 |
| SCAM | 1 | 1 |
| SUSP | 11 | 11 |
| THEFT | 2 | 2 |
| TRAFFIC | 6 | 6 |
| TRES | 3 | 3 |
| TS | 117 | 117 |
| VACATION | 8 | 8 |
| VD | 3 | 3 |
| WA | 2 | 2 |
| WELFARE | 10 | 10 |
| Total | 497 | 497 |

DYERSVILLE POLICE DEPT

Citation Report

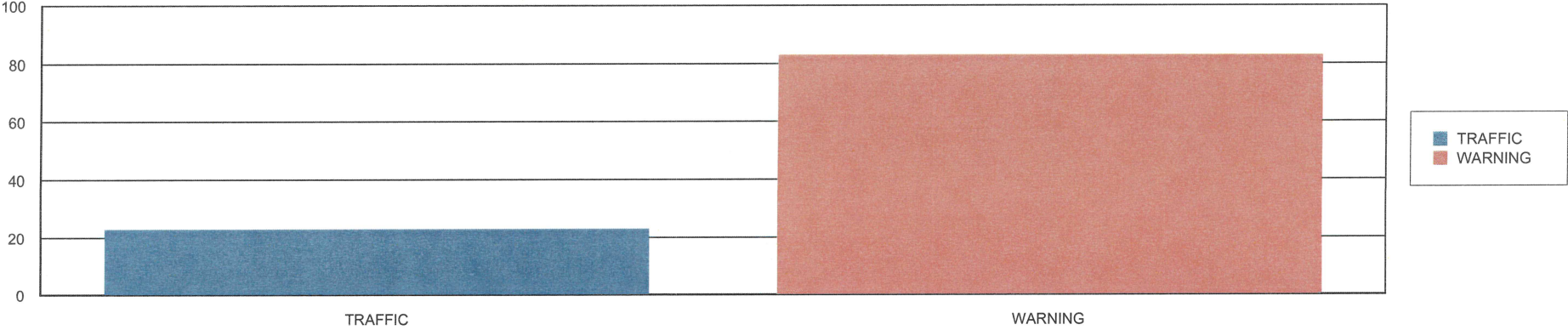
07/01/2023 thru 07/31/2023

Item 18.

| Charge Section Code | | # of Municipal | # of Traffic | # of Warning | # of Parking | *****SEX***** | | *****RACE***** | | |
|---------------------|--------------------------------|-------------------|-----------------|-----------------|-----------------|---------------|--------|----------------|-------|-------|
| | | | | | | Male | Female | White | Black | Other |
| 321.17 | OPERATE NON REGISTERED VEHICLE | 0 | 1 | 2 | 0 | 3 | 0 | 2 | 1 | 0 |
| 321.174A | 321.174A | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 0 |
| 321.20B | PROVIDE PROOF FINANCIAL LIABIL | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 |
| 321.218(1) | DRIVING UNDER SUSPENSION | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| 321.257(2)(a) | FAIL TO OBEY STEADY RED LIGHT | 0 | 0 | 3 | 0 | 1 | 2 | 3 | 0 | 0 |
| 321.285 | SPEEDING | 0 | 1 | 11 | 0 | 8 | 4 | 12 | 0 | 0 |
| 321.302 | OVERTAKING AND PASSING | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 |
| 321.321 | FAILURE TO YIELD ENT THRU HWY | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 0 |
| 321.322(1) | FAIL OBEY STOP SIGN/YIELD ROW | 0 | 0 | 4 | 0 | 2 | 2 | 4 | 0 | 0 |
| 321.37 | FAIL TO DISPLAY REGIST PLATE | 0 | 0 | 3 | 0 | 2 | 1 | 3 | 0 | 0 |
| 321.385 | INSUFFICIENT # OF HEADLAMPS | 0 | 0 | 9 | 0 | 7 | 2 | 9 | 0 | 0 |
| 321.387 | IMPROPER REAR LAMPS | 0 | 0 | 29 | 0 | 16 | 13 | 27 | 2 | 0 |
| 321.436 | DEFECTIVE/UNAUTH MUFFLER SYSTE | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 |
| 321.445 | FAIL TO USE SEAT BELTS-ADULT | 0 | 0 | 2 | 0 | 1 | 1 | 2 | 0 | 0 |
| 321.98(1)(a) | OPERATE W/O REGISTRATION/PLATE | 0 | 0 | 6 | 0 | 2 | 4 | 6 | 0 | 0 |
| 62.01(11) | D-OPERATE VEH W/ EXPIRED LICEN | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 0 |
| DY/62.01(1) | DY/62.01(1) | 0 | 1 | 1 | 0 | 1 | 1 | 2 | 0 | 0 |
| DY/62.01(109) | DY/62.01(109) | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 0 |
| DY/62.01(11) | DY/62.01(11) | 0 | 4 | 0 | 0 | 3 | 1 | 2 | 2 | 0 |
| DY/62.01(15) | DY/62.01(15) | 0 | 3 | 0 | 0 | 2 | 1 | 0 | 2 | 1 |
| DY/62.01(2)-A | DY/62.01(2)-A | 0 | 7 | 0 | 0 | 5 | 2 | 4 | 3 | 0 |
| DY/62.01(5) | DY/62.01(5) | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 |
| DY/63.01-B | DY/63.01-B | 0 | 3 | 0 | 0 | 2 | 1 | 2 | 1 | 0 |
| DY/63.01-C | DY/63.01-C | 0 | 0 | 4 | 0 | 1 | 3 | 3 | 0 | 1 |
| DY/63.01-D | DY/63.01-D | 0 | 0 | 2 | 0 | 1 | 1 | 1 | 1 | 0 |
| DY/63.01-F | DY/63.01-F | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Total | | 0 | 23 | 83 | 0 | 63 | 43 | 91 | 13 | 2 |

CITATION TYPE COUNT

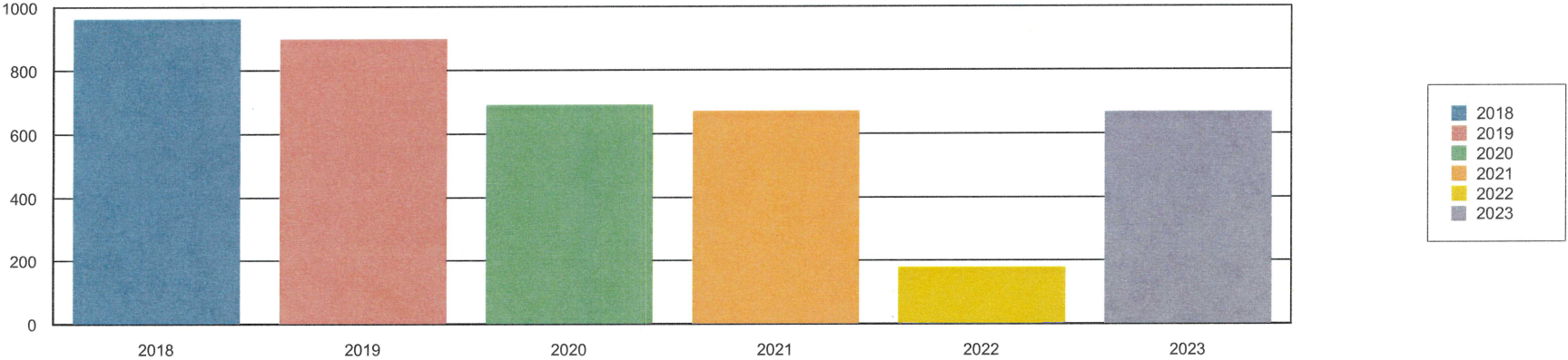
Item 18.



Citations for the last 5 years

| | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Total |
|---------|------|------|------|------|------|------|-------|
| Traffic | 261 | 215 | 124 | 277 | 86 | 163 | 1,126 |
| Warning | 701 | 682 | 567 | 393 | 91 | 503 | 2,937 |
| Parking | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| Total | 962 | 897 | 691 | 670 | 177 | 667 | 4,064 |

CITATIONS PER YEAR



DYERSVILLE POLICE DEPT

Arrest Report

07/01/2023 thru 07/31/2023

Item 18.

| IBR Code | # of Arrests | *****SEX***** | | *****RACE***** | | | *****ETHNIC***** | |
|------------------------|--------------|---------------|--------|----------------|-------|-------|------------------|-----|
| | | Male | Female | Black | White | Other | Hisp | Non |
| 11A-Forcible Rape | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 1 |
| 13A-Aggravated Assault | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 1 |
| INFO-INFORMATION ONLY | 2 | 2 | 0 | 1 | 1 | 0 | 0 | 2 |
| Total | 4 | 3 | 1 | 1 | 2 | 1 | 0 | 4 |

Breakout of Arrest Charges "THIS IS NOT A COUNT OF ARREST, BUT A COUNT OF ARREST CHARGES"

| IBR Code | Count | % |
|--------------------------|-------|--------|
| 11A - Forcible Rape | 2 | 28.57% |
| 11D - Forcible Fondling | 2 | 28.57% |
| 13A - Aggravated Assault | 1 | 14.29% |
| INFO - INFORMATION ONLY | 2 | 28.57% |
| Total | 7 | |

| Arrest for the last 5 years | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Total |
|-----------------------------|------|------|------|------|------|------|-------|
| Total | 162 | 92 | 75 | 101 | 67 | 35 | 532 |

Memorandum

TO: City Council, Parks and Recreation Commission
From: Adam Huehnergath, Parks and Recreation Manager
RE: Monthly Directors Report July 2023
CC: Mick Michel, City Administrator
Date: August 21, 2023

Field of Dreams Tournaments:

The hosting of the Field of Dreams youth tournaments ended July 30th after 10 weeks of weekend action. Every weekend we hosted tournaments with 14-64 teams on the Dyersville diamonds. Three of the weekends included 13/14 year olds and some of those games were played at Jenk Field, Beckman HS and surrounding communities. The summer staff and myself groomed diamonds over 180 times and hosted approximately 650 games. The FoD staff was more organized this year and had some great interns that helped us out with field maintenance. The partnership is working great. Special thanks to Connor Grover for the last two years of getting up at 530am on the weekends and keeping our parks/fields immaculate. He will be missed next summer.

Aquatic Center:

The Aquatic Center last day was Sunday, August 13 and ended with our annual Doggy Dip with pets allowed to enjoy the pool. Overall, the pool season was a success. The two new managers (Lainey Link and Lexi Kramer) did a great job navigating lifeguarding and managing duties. They are both planning to come back next summer and have some good ideas for improvement. I will take their recommendations and some of mine to the Park and Recreation Commission to discuss changes for 2024. Adult swim times and requirements will be looked over. Also, our goal is to increase attendance next year. Different events, themes and programs will be looked at. Another special thanks to the other Certified Pool Operator Terry Recker who was the main pool technician. The pool was never closed for chemical imbalance or maintenance issues.

Soccer Saturday:

Saturday, August 19th started the annual tradition of “Soccer Saturday.” Over 900 kids from around the area will play at Westside Park this year. Our 7 fields will host 40 matches each Saturday. The regular season lasts 6 weeks with playoffs scheduled for September 30th and October 7th. Thanks to Russ Wolfe who organizes all of the referees and keeps control of the action every Saturday. There is a slight shortage on referees this fall since some of our younger referees have moved on. Next spring there will be a push to capture some younger referees. Doing a little research, this year is the 37th edition of the Dyersville Soccer Program.



320 1st Ave E
Dyersville, Iowa 52040

Phone: 563-875-8...
Fax: 563-875-6162

Item 20.

librarian@dyersville.lib.ia.us

Web: www.dyersville.lib.ia.us

**James Kennedy Public Library
Report to the Mayor and City Council
August 21, 2023**

Highlights from the Librarian's Report to the Board of Trustees for July 2023 are:

- 8,268 items were checked out. This is a 6.2% decrease from July 2022. Fiscal year to date, circulation is down 6.2%
- 40 library cards were issued to new patrons. Fiscal year to date, 40 new library cards have been issued.
- 70 programs were offered in person, virtually, remotely, and as activity kits. 2,331 people engaged with these activities.
- Four public access computers and three children's computers were available and were used for 193 hours and 464 sessions. Year to date computers were used for 193 hours and 464 sessions.
- WiFi Use: 271 sessions, 236 visits, and 63 unique users
- There were 5,780 library visits.

Upcoming Events:

Enclosed please find a copy of the August events schedule, as well as a preliminary schedule of events planned for September. Some of the programs scheduled include a 10-week series on dementia prevention, a pen and ink drawing program, participating in the Conservation Field Day event, a family friendly musical program and special activities for National Coloring Day and National Coffee Day. Special activities are also being planned for Library Card Sign-up Month

Prepared by: Shirley Vonderhaar, Library Director

JAMES KENNEDY PUBLIC LIBRARY MONTHLY REPORT

Librarian's report to the Board of Trustees

Month: July-23
 YTD: July-22 to July-23
 Previous YTD: July-21 to July-22

Library visits

Month 5780 (↑ 13.3%)
 YTD 5780 (↑ 13.3%)

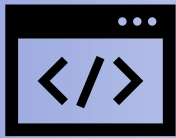
Items loaned

8268 (↓ 6.2%)
 8268 (↓ 6.2%)

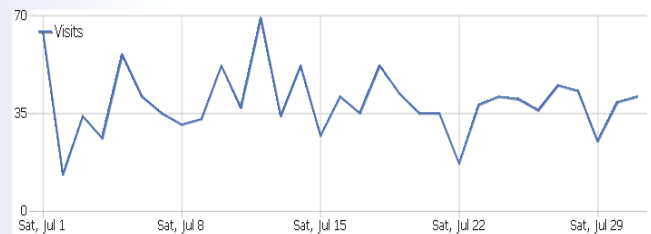
Library cards issued

| City resident | Total |
|---------------|-------------|
| 18 | 40 (↓ 4.8%) |
| 18 | 40 (↓ 4.8%) |

Website traffic



| Visits | Average visit duration |
|--------|------------------------|
| 1209 | 1:19 |



Computer use



| Hours | | | Sessions | | |
|-------|-----|-----------|----------|-----|-----------|
| Month | YTD | Prev. YTD | Month | YTD | Prev. YTD |
| 193 | 193 | 137 | 464 | 464 | 413 |

Wifi use



| Sessions | | Visits | | Unique visitors | |
|----------|-----|--------|-----|-----------------|-----|
| Month | YTD | Month | YTD | Month | YTD |
| 271 | 271 | 236 | 236 | 63 | 63 |

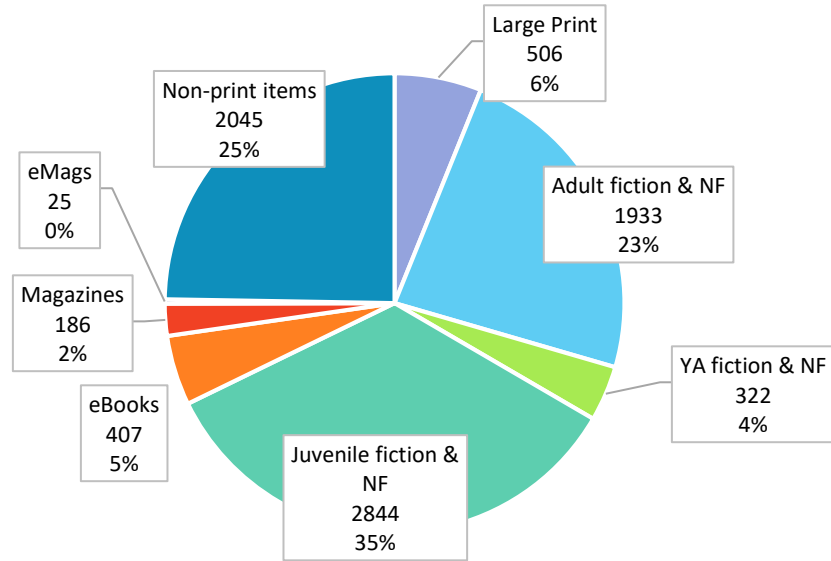
Meeting room use



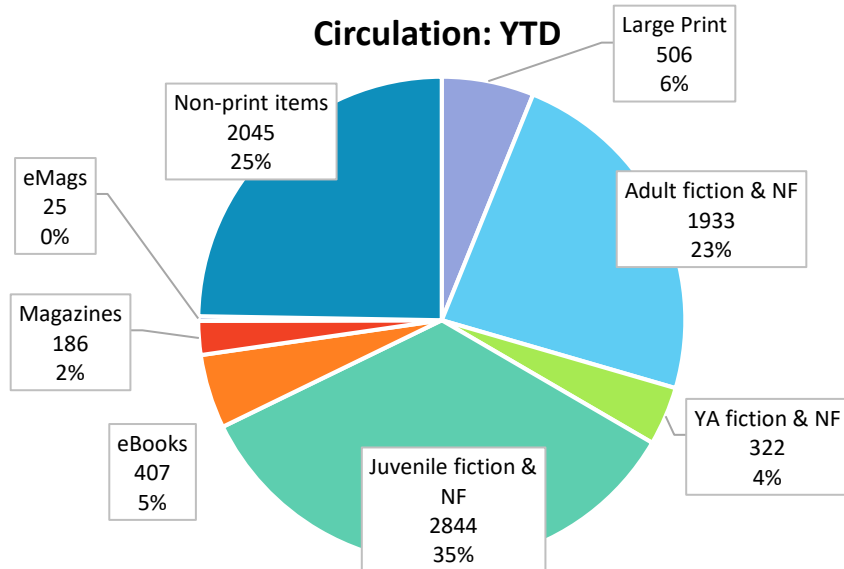
| Month | YTD | Prev. YTD |
|-------|-----|-----------|
| 65 | 65 | 35 |

Circulation

Circulation: Month



Circulation: YTD



| Non-print items | Month | YTD |
|-----------------------|-------------|-------------|
| eAudio | 505 | 63 |
| Adult & YA audio | 63 | 36 |
| Juvenile audio & kits | 36 | 693 |
| Adult & YA video | 693 | 320 |
| Juvenile video & DVD | 320 | 428 |
| Games, LoT, etc. | 428 | 2045 |
| Total | 2045 | 3585 |

Music

Downloads: 6
Streams: 0
Total YTD: 6



Video (film and TV)

Downloads: 2
YTD: 2



Visits: 122
YTD: 122



Online Learning

Sessions: 18
YTD: 18



Languages

Sessions: 11
YTD: 11



Genealogy

Visits: 446
YTD: 446



Collection

Items purchased

Month: 203
YTD: 203

Items donated

Month: 16
YTD: 16
Prev. YTD: 51

Items withdrawn

| | Month | YTD |
|--------------|-----------|-----------|
| Books | 8 | 8 |
| Audio | 0 | 0 |
| Video | 2 | 2 |
| Other | 0 | 0 |
| Total | 10 | 10 |

Summary of additions

| | Large print | Adult fiction | Adult & YA NF | YA fiction | Juvenile fiction | Juvenile NF | eBook & eAudio | Adult & YA audio | Juvenile audio | Adult & YA video | Juvenile video | CDs, games, misc. | Total |
|----------------|-------------|---------------|---------------|------------|------------------|-------------|----------------|------------------|----------------|------------------|----------------|-------------------|-------|
| Current month | 10 | 67 | 13 | 27 | 48 | 13 | 13 | 0 | 0 | 17 | 8 | 3 | 219 |
| Previous month | 13 | 61 | 26 | 2 | 85 | 19 | 11 | 6 | 0 | 10 | 1 | 7 | 241 |
| Current YTD | 10 | 67 | 13 | 27 | 48 | 13 | 13 | 0 | 0 | 17 | 8 | 3 | 219 |
| Previous YTD | 13 | 133 | 26 | 14 | 62 | 22 | 14 | 8 | 0 | 40 | 9 | 9 | 350 |

Programming

Take and Make & Recorded Programs



| Program | Views | Engagements | Views | Prep time (hrs) | Kits |
|---|-------|-------------|-------|-----------------|------|
| *Adult Crafternoon - Seashell Frame (A) | 72 | 3 | 6 | 1 | 11 |
| CS: Egg carton dinosaurs(C.) | 125 | 4 | 3 | 2 | 60 |
| KCC - MiniBooks (C.) | 96 | 6 | 3 | 3 | 40 |
| *Upcycled Greeting Cards (GI) | NA | NA | NA | NA | 25 |

*program included in-person component

Virtual/Sharing/Passive or Kit programs

| Program | Kits or Participants | Prep time (hours) |
|------------------------------------|----------------------|-------------------|
| Coloring, Creating, & Doing (A) | 244 | 3.25 |
| Get Puzzled (A) | 57 | 0.25 |
| FYV**: Reading Recommendations (A) | 10 | 0.25 |
| FYV: Favorite Format (A) | 121 | 1 |
| StoryWalk® - Bikes for Sale(C) | 806 | 6 |

Funded by DRA, Friends of the JKPL, and Osterhaus Memorial

Zoom programs

| Program | Attendance | Prep time (hours) |
|---|------------|-------------------|
| Third Thursday Lou Henry Hoover's Whitehouse (A) | 0 | NA |
| Virtual Visits with All Iowa Reads Authors - 3 sessions | 1 | 0.75 |

** FYV is Find Your Voice - Summer Library Program events

In-Person and Hybrid Programs

| Program | Attendance | Prep time (hours) |
|--|------------|-------------------|
| Story Time - in person onsite (PreK) - 8 sessions | 48 | 15.25(+1.25 vol) |
| Wee Read- in person onsite (PreK) - 4 sessions | 83 | 3 (+.5 vol) |
| Building Creativity One Block at a Time - in person onsite (C.) | 11 | 1.5 |
| Hybrid Sit & Stitch - 4 sessions - in person and Zoom(A) | 22 | 1 |
| Books for Lunch: <i>Firekeeper's Daughter</i> - in person and Zoom (A) | 9 | 1.5 |
| Hybrid Dungeons & Dragons - in person and Discord (GI) | 2 | 0.5 |
| Inspirational Fiction book club- in person and Zoom (A) | 6 | 1.75 |
| Game Night - in person onsite (GI) | 14 | 3.5 |
| Strength Training for Older Adults - 9 sessions - in person (A) | 109 | 9 |
| Ellen Kennedy Living Center program - in person off site (A) | 3 | 1.5 |
| Bingo Party - in person onsite (A) | 19 | 3 |
| JKPL Writing Group - in person and Zoom (A) | 8 | 2 |
| *Adult Crafternoon - in person, kit, and recorded content (A) | 3 | 2 |
| *Upcycled Greeting Cards - in person and kit (GI) | 13 | 2 |
| Euchre / Dominos Party - in person onsite (A) - 5 sessions | 23 | 0.75 |
| Summer Tea - in person onsite (A) | 45 | 5 (+15 vol) |
| Strings Club - in person onsite (A) | 5 | .25 (+2 vol) |
| MercyOne Senior Care program - in person, off site (A) | 9 | 1.75 |
| 80 for Brady: Movie Showing - in person onsite (GI) | 3 | 0.5 |
| Pop-Up Library at Farmer's Market - 2 sessions - in person offsite(GI) | 72 | 5 |
| Art in the Park: Crayon Rubbings - in person offsite (C.) | 14 | 3 |
| Historic Tales of Old Dubuque - in person onsite (A) | 6 | 1.5 |
| Nerf War - in person onsite (YA) | 20 | 4.5 |
| FYV with Rock Painting - in person onsite (C.) - 2 sessions | 82 | 3 (+1.5 vol) |
| FYV with Rock Painting: Kid Project - in person onsite (C.) | 26 | 0.75 |
| Drawing Happiness - in person onsite (A) - 2 sessions | 15 | 2.75 (+27 vol) |
| Pop-Up at Downtown Summer Nights - in person offsite (GI) | 154 | 4 (+4 vol) |
| TACKL Fun & Games at DTSN - in person offsite (C.) | 200 | 5 (+18 vol) |
| Unlocking Brain Fitness: Dementia Prevention - in person onsite(A) | 9 | 1.5 (+2 vol) |
| FYV with Tiny Art for Kids- in person onsite (C.) | 10 | 3.5 |
| World Wide Knit in Public Day - in person onsite (A) | 7 | .25 (+2 vol) |
| World of Bubbles - in person offsite (C.) | 400 | 2.5 (+8.75 vol) |
| Teen Quiz Bowl - in person onsite (YA) | 13 | 8 |
| DACF Presentation - in person onsite (A) | 12 | 0.75 |
| FYV with Creek Stomping - in person offsite (C.) | 70 | 1.75 (+4 vol) |
| Exotic Animals with Dr. Bechtel - in person onsite (C.) | 135 | 4 (+.75 vol) |
| Visits to DES Summer School - in person offsite (C.) - 6 sessions | 78 | 9.5 (+1 vol) |
| Pop-Up at Downtown Market - in person offsite (GI) | 182 | 7 (+12 vol) |
| FYV with Book Spine Poetry - in person onsite (C.) | 5 | 3 (+.25 vol) |

Upcoming Events in August:

August 1—31: Adult Summer Library Program Continues!

The theme for this year's summer program is *Find Your Voice!* Our voices have power. We use our voices to share stories, express ourselves, and spark change. Our voices include not only the sounds we make, but the words we write, the art we create, the movements we perform, and the actions we take each day to impact our world. The goal of the adult summer library program is to encourage patrons to read for pleasure, help them maintain and improve their reading skills, encourage them to become lifelong library users, and establish reading as a foundation for lifelong success. Join us this summer at the JKPL for fun and learning and find your voice! Everyone 18 and older is encouraged to participate in the program.

- The program runs through August 31.
- Adults are welcome to register throughout the summer.
- Participants will receive a bookbag, bookmark, and a free book just for registering.
- Use the paper log to track books read and activities completed to earn prizes:
 - *For each item completed, the participant's name will be entered into the prize drawing.
 - *For each four items completed, participants will be able to select an item from the prize box or another book.
 - *Participants completing at least sixteen activities, which must include reading at least four books, will have completed the program. They will earn a special prize and have their name entered into the grand prize drawing for the Book Lover's Basket and other prizes.
- The adult summer library program is sponsored by the Friends of the James Kennedy Public Library.



August 1—31: Find Your Voice: Reading Recommendations! For this year's adult summer library program, we have added a special Reading Recommendations activity! When you finish a book you love, pick up a "Read This" bookmark and share why it should be read. Give the bookmark to a staff member to get your name entered into a drawing for a JKPL themed swag bag that will include a tote bag, book journal, adopt-a-book form, and more! Staff will put the bookmark in the appropriate book and display them in the library for others to discover and enjoy!

August 1—31: Find Your Voice: Support Your Favorite Library Program! During the month of August, library visitors are encouraged to share their voice by voting on their favorite program that is offered at least monthly. Do you enjoy participating in a book club or story time? Coming to a movie? Participating in an exercise class? Playing cards or other games? Let us know by voting for your favorite! Visitors of all ages are welcome to vote each time they visit the library by putting a pom pom in the jar that represents their favorite. Each vote also earns an entry into a drawing to win a library swag bag that will include JKPL themed items such as a tote bag, book journal, book mark, and more.



August 1—31: Creation Station Craft—Prize Winning Pigs. Stop in and craft in the Creation Station at the library or grab a kit and create at home! This month's craft are blue-ribboned pigs and other livestock made of pom-poms and craft foam. Kit includes all supplies (except for hot glue) and instructions. A video demonstration will also be available to view on the JKPL Facebook and YouTube channel. Kits available while supplies last.

August 1—31: Kids Can Craft—Daisy Chain. Kids age 9 and up are invited to stop in the library and make decorative daisy chains using egg cartons and yarn! There will be kits to take home if you don't wish to craft in the library. A video demonstration of this craft will be available to view on the JKPL Facebook and YouTube channel. Kits available while supplies last.

August 1—31: Coloring, Creating and Doing @ Your Library. The JKPL is continuing to offer coloring pages, dot to dot, crosswords, sudoku, and other activity pages available for you to enjoy at the library or at home. They are intended for adults and teens. Each pack will include at least 10 different items and are available while supplies last. If you want to work on the activities while at the library, colored pencils, markers, and more are available in the Creation Station or to check out from the front desk.

August 1—31: Get Puzzled @ Your Library. Stop in the library this month to help us put together a new jigsaw puzzle. This month's puzzle is *Peace & Tranquility*. The puzzle is located on the table under the skylight and everyone is welcome to add a piece or two or more. Everyone who works on the puzzle is encouraged to put their name into a drawing to win the puzzle. Please stop at the front desk to get your name entered.

Tuesday, August 1: Dungeons and Dragons Players Club @ 6:00 pm. Join us for this monthly gaming event for D & D players that meets in-person or you can join remotely via Discord. This group meets the first Tuesday of every month and new players of all ages and skill levels are welcome. The library has materials available but feel free to bring your own. To join via Discord, contact Paul at Pzurawski@dyersville.lib.ia.us by 2:00 pm the day of the program to receive the server invite.



Wednesdays, August 2, 9, 16, 23, 30: Sit and Stitch from 1:00—3:00 pm. Grab your hobby or craft and join other crafters at this fun gathering. There are lots of laughs, great company, conversation, and even some crafting! Participants are welcome to attend in person in the Hoffman Room or remotely via Zoom. New members are welcome to join at any time. If you are a new participant and wish to join virtually, please email librarian@dyersville.lib.ia.us by 10 am on the date of the gathering and an invitation will be emailed to you. The same Zoom room link is used each week.



Thursdays, August 3 & 17: Pop-Up @ the Farmer's Market from 3:00—5:00 pm. The JKPL will be reaching out to the community by visiting the Dyersville Farmer's Market on the first and third Thursdays in August! Visitors will learn about what the library has to offer, get questions answered, and select a free book to keep from the pop-up library. Take-and-make activities may also be available. The library is a hotspot and provide WiFi Access. The JKPL Pop-Up Library is sponsored in part by a grant from the Dyersville Area Community Foundation and partnership with the Dyersville Campaign for Grade Level Reading and the Friends of the JKPL.

Item 20.



Thursday, August 3: Art in the Park from 3:00—4:00 pm. Join us at the library's booth at the Dyersville Farmer's Market to get creative! This month kids will make art with pinecones and wikki stix. All ages welcome.

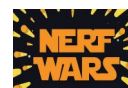
Thursdays and Mondays, August 3, 7, 10, 14, 17, 21, 24, 28, 31: Strength Training for Older Adults @ 10:00 am. Older adults of any age and fitness level are invited to join this special exercise program made possible by a partnership between the Geri-Fit® Company and the James Kennedy Public Library. Participants will exercise to a Geri-Fit® DVD and most of the exercises will be performed seated in a chair. There is no dancing or aerobics involved. Classes are held on Mondays and Thursdays and last approximately 45 minutes. For best results, participants should attend as many of the sessions as possible. Each participant will need a set of 2 or 3-pound dumbbell weights, a medium weight stretch band, and water to drink. Space is limited so registration is required.

Fridays, August 4, 11, 18, 25: Euchre Card Party & Games from 1:00—3:30 pm. Join us Friday afternoons for cards, dominoes, or other games in the Hoffman Room. Come meet, teach, and play with other players. The library has some games or you are welcome to bring your own.

Saturday, August 5: Family Movies @ Your Library presents "Herbie Fully Loaded" @ 1:00 pm. Though a third-generation member of a NASCAR family, Maggie Peyton has always been forbidden from following her racing dreams by her overprotective father. After discovering the irresistible Herbie in a junkyard, they form a magical team that will save her family and rewrite the racing record books! Rated G (101 minutes).



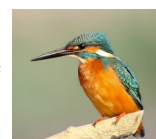
Saturday, August 5: Nerf War @ Your Library from 4:00-6:00 pm. Bring your Nerf gun and ammo and head to the library for this bi-monthly Nerf War! Participants must be 13 or older and anyone under 18 must have a signed parental waiver. Registration requested as 10 people are required to hold the program and a max of 20 is allowed. Walk-ins welcome, if space allows. Participants must provide their own Nerf guns and ammo but no modifications to darts or guns to increase range or hitting power will be allowed. Guns with excessive hitting power will not be allowed.



Monday, August 7: Books for Lunch Book Discussion @ 12:00 noon. This group gathers on the first Monday of each month at noon. This month the group will discuss *Lessons in Chemistry* by Bonnie Garmus. Copies of the book are available to borrow from the library. Participants are welcome to attend in person or remotely via Zoom. New members are welcome to join at any time. If you need a link to the Zoom room, please email librarian@dyersville.lib.ia.us by 10:00 am on the day of the program and an invitation to the Zoom room will be emailed to you.

Tuesday, August 8: Birding Hike at New Wine Park @ 5:30 pm

Join the JKPL and Dubuque County Conservation (DCC) at New Wine Park outside of Dyersville for a casual guided hike as we find birds and identify what they are. DCC will provide binoculars and bird identification books for the hike. They will also share other resources that they use within the conservation field to ID birds year-round. All ages are welcome but children under 16 need an adult companion. Space is available for up to 20 people so registration is required. Please register by 4 pm on August 8.



Tuesday, August 8: A Circle Bouquet: Creativity with Pen and Ink from 6:00—8:00 pm

Using the circle as a "foundation" for our drawings, class participants will create simple yet beautiful images of nature. The drawings look complicated, but each one will be broken down into easy-to-follow steps by the instructor, Dianne Kramer. No art experience is necessary! This class is for adults and there is a maximum of 16 participants in the class. Registration is required to attend, please register by 7:00 pm on August 7. Attendees will need to bring the following materials: pencil, eraser, fine-tipped black pen, colored pencils. All other materials will be supplied.



Tuesday, August 8: Inspirational Fiction: A Novel Approach to Faith Book Club @ 7:00 pm. Join us for this book club that features a variety of books that weave religious faith into the characters and storylines. For this month we will be reading *The House at the End of the Moor* by Michelle Griep. Books are available to borrow from the library. Participants are welcome to attend in person or remotely via Zoom. If you want to attend via Zoom and haven't attended before, please register by 12 noon on the day of the program at <https://bit.ly/NOVELAPPROACH> so a link to the Zoom room can be emailed to you.

Thursday, August 10: Upcycled Greeting Cards 1:00—2:00 pm. Want a unique card for someone special? Join us at the library and discover how to use the front of an old greeting card combined with glue and cardstock to make an entirely new card. Each card kit includes a greeting card front with coordinating cardstock and an envelope. We will have kits in the Creation Station to make or to take and make, while supplies last.

Thursday, August 10: Landscape Painting for Teens @ 5:00 pm

Enjoy some music and refreshments as you follow along with staff member, Sam, in this live painting tutorial. Participants of all painting levels will be making and taking home a forest scene. All materials will be provided, except for painting aprons, so please remember to dress appropriately. Ages 12-18 only. Registration is required as this program is limited to 10 participants.



Friday, August 11: Building Creativity One Block at a Time: a LEGO® program from 11:00 am—12:00 pm. This month's theme is *Family Trip*. This program is for all ages but children under 7 must be accompanied by an adult or older partner. This LEGO® program is part of a monthly LEGO® building block program at the library sponsored by DuTrac Community Credit Union. Each month there is a theme to help inspire creativity. Photos of the creations are displayed in the children's area of the library and on the library's social media pages. All children who participate have their names entered into a quarterly drawing for a special LEGO® related prize provided by DuTrac.

70



Friday, August 11 & Saturday, August 12: Stuffed Animal Sleepover & Pajama Story Time

Stuffed Animal Sleepover Drop-off from 9:00 am—5:00 pm

Kids of all ages are invited to bring their teddy bear or other stuffed animal to the library, and leave them to party all night at the library! Stuffed animals may be dropped off at the library any time on Friday, August 11 between 9:00 am—5:00 pm. Animals may be picked up at the story time on August 12 or any time on August 12 between 9:00 am—3:00 pm. Each stuffie will return home with a photograph of their library hijinks. All ages welcome.

Saturday, August 12: Pajama Story Time @ 10:00 am

Stay in your jammies and bring your stuffie (or pick up the stuffie who stayed overnight at the library) for a fun stuffed animal story time. Donuts and juice will be provided. All ages welcome.

Item 20.



August 12—September 11: Westside Park StoryWalk®: “Can I Be Your Dog?” by Tory Cummings. Families are invited to walk the StoryWalk® at Westside Park which begins south of the parking lot by the baseball diamond. Walk the trail and read the story to your children. Scan the QR code on the last post and answer the questions to be entered into a monthly prize drawing. No QR scanner? No problem! Use the tiny url listed below the QR code, answer the questions and be entered into the prize drawing. New stories go up monthly. *The StoryWalk® is made possible by the Dubuque Racing Association, Friends of the Library, and the Richard Osterhaus Memorial Fund. The StoryWalk® Project was created by Anne Ferguson of Montpelier, VT and developed in collaboration with the Kellogg-Hubbard Library. Storywalk® is a registered service mark owned by Ms. Ferguson.*

Monday, August 14: Adult Crafternoon: Sticker by Number from 1:00—3:00 pm. Join us this month to create your own work of art where you use numbered stickers to make a picture. This craft is similar to coloring or painting by number but you use stickers instead. Stop in the library to select and make a picture of your choice. If you prefer, you can pick up a take-and-make kit and create on your own at home. Kits will be available while supplies last.

Tuesday, August 15: Diamond Painting For Kids @ 10:00 am

Diamond painting has been described as a combination of paint by number and cross stitch except instead of paints or thread, artists use faceted beads to make beautiful and glittery art. Kids ages 7-12 can come to the library to diamond paint a keychain or cartoon animal. Children under 9 need an adult helper. Registration is requested as supplies are limited. Walk-ins will be welcome if space allows.



Wednesday, August 16: Musical Instrument Petting Zoo 4:00—6:00 pm

Did you know that the library has musical instruments in the Library of Things collection? Join us for this program where you can try out all the instruments the library owns! Try out a ukulele, acoustic guitar, mandolin, hand drums and more to see if you are interested in checking them out. Some restrictions apply for checking out instruments. All who are ages 10 and up are welcome!



Thursday, August 17: Spotlight on the Famous Flour Sacks @ 6:00 pm. The Herbert Hoover Presidential Library and Museum's entire collection of decorated Belgian Relief flour sacks from World War I is the subject of this month's Third Thursday series. The flour sacks were subjected to a close examination in June 2022. The researchers studied every detail and counted 360 items in this unique collection of American and Canadian flour sacks decorated by Belgian schoolgirls, women and artists. Come hear about what they found! They'll reveal the identity of the Belgian schoolgirls who painted and embroidered the sacks and special attention will be given to paintings of emerging, now famous, Belgian artists and exquisite embroideries. This is the third of three 3rd Thursday summertime 'Best Of' programs. This program originally aired in December of 2022. The JKPL has partnered with the Hoover Presidential Library to present their 3rd Thursday Virtual Programs. Registration is required so please register at <https://bit.ly/TTFFlour>.

Saturday, August 19: Kim's Farewell Reception from 12:00—3:00 pm

Kimshiro (Kim) Benton-Hermesen, our children's librarian at the JKPL, is retiring after 33 years with the Library! To celebrate we are hosting a public Open House Reception in her honor. Refreshments provided. All are welcome!



Monday, August 21: Bingo Party from 1:00—3:00 pm. Come enjoy bingo at the JKPL! There is a two card limit, there is no cost to play, and there are prizes! Registration is recommended as space is limited. Bring your friends!



Tuesday, August 22: JKPL Writing Group @ 6:30 pm. Join us this month in person at the library, or remotely via Zoom, for a sharing session with writers of all types including poetry, memoir, fiction, or nonfiction. New members are welcome to join at any time. If you want to participate via Zoom, please register by 11:00 am on the day of the event at <https://bit.ly/JKPLwriting>.

Friday, August 25: Game Night @ Your Library from 6:00—9:00 pm. Bring your favorite game (card game, board game, role playing game, or video game) and meet, teach, and play with others! Game night is held on the 4th Friday of every month. All ages welcome but those under the age of 7 need a teen or adult companion.



Saturday, August 26: Pop-Up @ the Dyersville Downtown Market from 8:00 am —12:00 noon. The James Kennedy Public Library will be reaching out to the community by bringing a pop-up library to the Market. Visitors will be able to find out more about what the library has to offer, and select a free book to keep. The JKPL will also have a hotspot running to provide WiFi Access. The JKPL Pop-Up Library is sponsored in part by a grant from the Dyersville Area Community Foundation and partnership with the Dyersville Campaign for Grade Level Reading and the Friends of the JKPL. Our participation at this event is weather permitting.

Saturday, August 26: Diamond Painting For Adults & Teens @ 1:00 pm

Diamond painting has been described as a combination of paint by number and cross stitch except instead of paints or thread, artists use faceted beads to make beautiful and glittery art. Adults and teens are invited to get in on the fun by coming to this special program where they will make a beautiful bookmark. This program is for those 13 and older. Registration is encouraged as supplies will be available for no more than 20 participants. Walk-ins welcome as supplies allow.

Item 20.



Monday, August 28: Monday Movies presents "Hidden Figures" @ 1:00 pm. In this 2016 film, three female African-American mathematicians provide crucial calculations for NASA's space race against the Soviets, all while dealing with the racist and sexist assumptions of their white co-workers. Rated PG. (127 min.) All ages welcome but children must have an adult companion.

Monday, August 28: Strings Club @ 6:00 pm. Do you have a ukulele, guitar or other string instrument that you would like to play more often? Do you want to grow your skills by jamming with others? Then come join the JKPL Strings Club! Teen and adult musicians of all skill levels are welcome. NOTE: This is not a class but a jam session so participants should know basic chords. Facilitated by Sue Engelbrecht and Gary Bramel. This group typically meets on the fourth Monday of each month. Registration requested. Walk-ins are welcome as space allows.

Upcoming EVENTS

Unlocking Brain Fitness: KEYS to Dementia Prevention Thursdays, September 7—November 9 from 1:00—3:00 pm

Join us for this 10-week evidence based course developed by doctors to help people aged 55 and older make lifestyle changes to reduce their risk of developing Alzheimer's and other forms of dementia. The KEYS dementia prevention course was started at the YMCA of Greater Des Moines and will be presented by Vickie Tracey, RN, BS and other local experts, including a dietician, fitness professional, health and wellness coach, and pharmacist. Participants must be 55 or older in good cognitive health and able to commit to attend the 10 in-person sessions. Registration fee of \$20.00 per participant is required by YMCA but may be refunded to those who attend at least 9 of the sessions, upon request. Registration is required as a maximum of 15 participants are allowed. Sponsored in part by Nightingale Drug and the Asbury Hy-Vee Store.



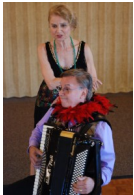
An Autumn Illustration: Creativity with Pen and Ink Wednesday, September 6 @ 6:00 pm

Join us as we celebrate the coming of autumn in a creative way! In this art class we will learn to draw fall flowers, grasses, and pumpkins and then incorporate them into a beautiful seasonal illustration using pen and ink. Led by Dianne Kramer. Registration is required as there is only space for 16 participants. More details to come!



You Do Speak English, Don't You? Cabaret Show Thursday, September 21 @ 6:00 pm

Mark and Helena Greathouse, an international musical performing duo, present their one-hour performance, "You Do Speak English, Don't You?", a family friendly, lively cabaret style variety show. The show is basically a love story of how the two met in Europe, eventually married, and moved to Mark's native Oregon, where they live today. A Question-and-Answer session follows the performance, with Helena sharing what her life was like growing behind the Iron Curtain and making it to the West. The show features Mark's own songs, Czech folk songs, as well as several familiar songs and parts of instrumental numbers. The songs are all interspersed with short, humorous dialogues highlighting challenges Helena and Mark have experienced in their lives as a Czech-American couple.



Want to stay current on all that is going on at the library? Here's how:

- *Sign up for our weekly email newsletter
- *Visit our website at www.dyersville.lib.ia.us (Use the QR code to see our events)
- *Like us on Facebook
- *Follow us on Twitter: @dyersvillelib
- *Follow us on Instagram: jameskennedylibrary
- *Follow us on Goodreads: James Kennedy Public Library
- *Follow us on YouTube: James Kennedy Public Library



| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|--|--|--|--|---|---|---|
| <div>Summer Library Program for adults continues through August 31!!</div> | | 1 Dungeons & Dragons @ 6pm | 2 Sit & Stitch @ 1pm | 3 Strength Training @ 10am Pop-Up @ Farmer's Market from 3-5pm Art in the Park from 3-4pm | 4 Euchre Card Party from 1-3:30pm | 5 <i>Herbie Fully Loaded</i> (G) @ 1pm Nerf War @ 4pm |
| 6 | 7 Strength Training @ 10am Books For Lunch @ 12pm | 8 Birding Hike @ 5:30pm A Circle Bouquet @ 6pm A Novel Approach to Faith book club @ 7pm | 9 Sit & Stitch @ 1pm | 10 Strength Training @ 10am Upcycled Greeting Cards from 1-2pm Landscape Painting for Teens @ 5pm | 11 Stuffed Animal Sleepover Drop-off from 9am-5pm Building Creativity One Block at a Time: a LEGO® program from 11am-12pm Euchre Card Party from 1-3:30pm | 12 Pajama Story Time @ 10am |
| 13 | 14 Strength Training @ 10am Adult Crafternoon from 1-3pm | 15 Diamond Painting for Kids @ 10am | 16 Sit & Stitch @ 1pm Musical Instrument Petting Zoo from 4-6pm | 17 Strength Training @ 10am Pop-Up @ Farmer's Market from 3-5pm Famous Flour Sacks @ 6pm | 18 Euchre Card Party from 1-3:30pm | <div>Kim's Farewell Reception Open House from 12-3pm</div> |
| 20 | 21 Strength Training @ 10am Bingo Party from 1-3pm | 22 JKPL Writing Group @ 6pm | 23 Sit & Stitch @ 1pm | 24 Strength Training @ 10am | 25 Euchre Card Party from 1-3:30pm Game Night from 6-9pm | 26 Pop-Up @ Downtown Market from 8am-12pm Diamond Painting for Adults & Teens @ 1pm |
| 27 | 28 Strength Training @ 10am <i>Hidden Figures</i> (PG) @ 1pm Strings Club @ 6pm | 29 | 30 Sit & Stitch @ 1pm | 31 Strength Training @ 10am | <div>August 1—31</div> <ul style="list-style-type: none"> • Get Puzzled • Coloring, Creating, Doing • Westside Park StoryWalk® | <div>August 1—31</div> <ul style="list-style-type: none"> • Prize Pig craft kit • Daisy Chain craft kit |

Tentative Schedule of Events for SEPTEMBER 2023

September 1-30: Library Card Sign-up Month @ Your Library! Get in Your Element this September—sign up for a library card! From borrowing books, ebooks, and museum passes to getting homework help, learning new skills, or attending story time, a library card helps you do more of what you enjoy. Get a library card and dive into a new hobby. Use your library card to tinker in a maker space and spark your creativity. A library card is your most important school supply—it's elemental, really—and everyone should have one! Sign up for a library card in September and receive a special bookmark and gift. This month we will be hosting an *Elemental* coloring contest. Pick up a coloring sheet from the library, color it, and return it to the library by September 29. Sheets will be put on display in the library as they are turned in. All participants will receive an *Elemental* sticker and have their name entered into a drawing to win a themed prize.

September 1-30: Creation Station Craft. Stop in and craft in the Creation Station at the library or grab a kit and create at home! This month's craft to be decided. Kit includes most supplies and instructions. A video demonstration will also be available to view on the JKPL Facebook and YouTube channel. Kits available while supplies last.

September 1-30: Kids Can Craft: Kids age 9 and up are invited to stop in the library and make a special project. There will be kits to take home if you don't wish to make the craft in the library. A video demonstration of this craft will be available to view on the JKPL Facebook and YouTube channel. Kits available while supplies last.

September 1-30: Westside Park StoryWalk®: Title to be announced. Families are invited to walk the StoryWalk® at Westside Park which begins south of the parking lot by the baseball diamond. Walk the trail and read the story to your children. Scan the QR code on the last post and answer the questions to be entered into a monthly prize drawing. No QR scanner? No problem! Use the tiny url listed below the QR code, answer the questions and be entered into the prize drawing. New stories go up monthly. The StoryWalk® is made possible by the Dubuque Racing Association, Friends of the Library, and the Richard Osterhaus Memorial Fund. The StoryWalk® Project was created by Anne Ferguson of Montpelier, VT and developed in collaboration with the Kellogg-Hubbard Library. Storywalk® is a registered service mark owned by Ms. Ferguson.

September 1-30: Coloring, Creating and Doing @ Your Library. The JKPL is continuing to offer coloring pages, dot to dot, crosswords, sudoku, and other activity pages available for you to enjoy at the library or at home. They are intended for adults and teens. Each pack will include at least 10 different items and are available while supplies last. If you want to work on the activities while at the library, colored pencils, markers, and more are available in the Creation Station or to check out from the front desk.

September 1-30: Get Puzzled @ Your Library. Stop in the library this month to help us put together a new jigsaw puzzle. This month's puzzle is *TBA*. The puzzle is located on the table under the skylight and everyone is welcome to add a piece or two or more. Everyone who works on the puzzle is encouraged to put their name into a drawing to win the puzzle. Please stop at the front desk to get your name entered.

September 1: Wreath-it-Up Fundraiser Begins! Showcase your special talents and put your creativity to work at this library fundraising event! Pick up a wreath from the library, decorate it any way you like, and return it to the library. Or decorate a wreath of your own and donate it to the library. Wreaths can be seasonal, thematic, or just anything that appeals to you! And although we focus on wreaths, other decorative wall hangings are welcome. Items will be accepted anytime in October. A silent auction of the donated items will be held in the library from October 9 to November 12. Photos of all donations will be posted on the library website and social media and remote bidding in the silent auction may be offered. The Donor Reception and start of voting for ribbons will be on Sunday, October 15. The auction ends promptly at 3:00 pm on Sunday, November 12 or November 19.

Fridays, September 1, 8, 15, 22, 29: Euchre Card Party & Games from 1:00-3:30 pm. Join us Friday afternoons for cards, dominoes, or other games in the Hoffman Room. Come meet, teach, and play with other players. The library has some games or you are welcome to bring your own.

Sunday, September 3 & Monday, September 4: Library is closed for Labor Day

Tuesday, September 5: Dungeons and Dragons Players Club @ 6:00 pm. Join us for this monthly gaming event for D & D players that meets in-person or you can join remotely via Discord. This group meets the first Tuesday of every month and new players of all ages and skill levels are welcome. The library has materials available but feel free to bring your own. To join via Discord, contact Paul at Pzurawski@dyersville.lib.ia.us by 2:00 pm the day of the program to receive the server invite.

Wednesdays, September 6, 13, 20, 27: Sit and Stitch from 1:00—3:00 pm. Grab your hobby or craft and join other crafters at this fun gathering. There are lots of laughs, great company, conversation, and even some crafting! Participants are welcome to attend in person in the Hoffman Room or remotely via Zoom. New members are welcome to join at any time. If you are a new participant and wish to join virtually, please email librarian@dyersville.lib.ia.us by 10 am on the date of the gathering and an invitation will be emailed to you. The same Zoom room link is used each week.

Wednesday, September 6: An Autumn Illustration: Creativity with Pen and Ink @ 6:00 pm. Join us as we celebrate the coming of autumn in a creative way! In this art class we will learn to draw fall flowers, grasses, and pumpkins and then incorporate them into a beautiful seasonal illustration using pen and ink. No art experience is necessary! Each pattern in the class project will be broken down into easy-to-follow steps by the class leader, Dianne Kramer. This class is for adults and there is a maximum of 16 participants in the class. Registration is required to attend, please register by 7:00 pm on September 5. Attendees will need to bring the following materials: pencil, eraser, fine-tipped black pen, colored pencils. All other materials will be supplied.

Thursdays and Mondays, September 7, 11, 14, 18, 21, 25, 28: Strength Training for Older Adults @ 10:00 am. Older adults of any age and fitness level are invited to join this special exercise program made possible by a partnership between the Geri-Fit® Company

and the James Kennedy Public Library. Participants will exercise to a Geri-Fit® DVD and most of the exercises will be performed seated in a chair. There is no dancing or aerobics involved. Classes are held on Mondays and Thursdays and last approximately 45 minutes. For best results, participants should attend as many of the sessions as possible. Each participant will need a set of 2 or 3-pound dumbbell weights, a medium weight stretch band, and water to drink. Space is limited so registration is required. **Note: not meeting on September 4 due to the Labor Day holiday.**

Thursdays, September 7 - November 9: Unlocking Brain Fitness - KEYS to Dementia Prevention from 1:00 - 3:00 pm. Join us for this 10-week evidence-based course developed by doctors to help people aged 55 and older make lifestyle changes to reduce their risk of developing Alzheimer's and other forms of dementia. The KEYS dementia prevention course was started at the YMCA of Greater Des Moines and will be presented by Vickie Tracey, RN, BS along with other local experts, including a dietitian, fitness professional, health and wellness coach, and pharmacist. Participants must be 55 or older in good cognitive health and able to commit to attend the 10 in-person sessions. Sessions are 2 hours each. Registration fee of \$20.00 per participant is required by YMCA but may be refunded upon request, to those who attend at least 9 of the sessions. Registration is required as a maximum of 15 participants are allowed. Please contact the library at (563)875-8912 for more information or to register. Sponsored in part by Nightingale Drug and the Asbury Hy-Vee Store.

Saturday, September 9: Movies @ Your Library presents "Love Again" @ 1:00 pm. Dealing with the loss of her fiancé, Mira sends a series of romantic texts to his old cell phone number, not realizing the number was reassigned to Rob's new work phone. A journalist, Rob is captivated by the honesty in the beautifully confessional texts. So when he's assigned to write a profile of megastar Celine Dion, he enlists her help in figuring out how to meet Mira in person and win her heart. Rated PG-13 (102 minutes).

Sunday, September 10: Building Creativity One Block at a Time: a LEGO® program from 1:30 pm to 2:30 pm. This month's theme is "Favorite class". This program is for all ages but children under 7 must be accompanied by an adult or older partner. This LEGO® program is part of a monthly LEGO® building block program at the library sponsored by DuTrac Community Credit Union. Each month there is a theme to help inspire creativity. Photos of the creations are displayed in the children's area of the library and on the library's social media pages. All children who participate have their names entered into a quarterly drawing for a special LEGO® related prize provided by DuTrac.

Sunday, September 10: Adult Summer Library Program Finale from 1:30 to 3:30. Participants in the Adult Summer Reading program are invited to this special open house to celebrate the end of the program. Participants have until 5 pm on Friday, September 8 to submit their forms documenting items read or activities completed prior to September 1. Prizes will be drawn and available to pick up during this open house and at the library during the rest of September. Refreshments and simple activities will be available. Date to be confirmed.

Monday, September 11: Books for Lunch Book Discussion @ 12:00 noon. This group gathers on the first Monday of each month at noon. This month the group will discuss

Such a Fun Age by Kiley Reid. Copies of the book are available to borrow from the library. Participants are welcome to attend in person or remotely via Zoom. New members are welcome to join at any time. If you need a link to the Zoom room, please email librarian@dyersville.lib.ia.us by 10:00 am on the day of the program and an invitation to the Zoom room will be emailed to you. Note: Meeting this month is 1 week later due to holiday.

Monday, September 11: Adult Crafternoon from 1:00-3:00 pm. Stop in the library to create and take home your finished project. Project to be decided. If you prefer, you can pick up a take-and-make kit and craft on your own at home. The instructional video for how to do the craft will be posted on both the library's Facebook and YouTube pages starting September 12th and kits will be available while supplies last.

Tuesday, September 12: Inspirational Fiction: A Novel Approach to Faith Book Club @ 7:00 pm. Join us for this book club that features a variety of books that weave religious faith into the characters and storylines. For this month we will be reading *The Sweet Life* by Suzanne Woods Fisher. Books are available to borrow from the library. Participants are welcome to attend in person or remotely via Zoom. If you want to attend via Zoom and haven't attended before, please register by 12 noon on the day of the program at <https://bit.ly/NOVELAPPROACH> so a link to the Zoom room can be emailed to you.

Thursday, September 14: National Coloring Day Coloring Party from 10:00 am to 7:00 pm. September 14 is universally recognized as National Coloring Day, when people can take a moment to relax, breathe, and color away. National Coloring Day is all about setting aside some time for ourselves to relax and color. Get creative with paper and crayons, colored pencils or markers. To help you relax during this special day, the library will have coloring pages for all ages available to pick up and take home. For those wanting to color in the library, markers, coloring pencils, crayons and more will be available to check out at the front desk or in the Creation Station. Everyone who participates is encouraged to sign up at the front desk to get their name entered into a drawing to win a JKPL coloring book and set of twistable crayons or colored pencils.

Thursday, September 14: Mobile Food Pantry @ Your Library from 2:30-3:30 pm. The James Kennedy Public library is partnering with the Dubuque Salvation Army to bring a mobile food pantry to Dyersville! A food pantry will be set up inside the Hoffman Room at the library with fresh fruits and vegetables. Everyone is welcome!

Sunday, September 17: Conservation Field Day with Dubuque County Conservation from 10:30 to 5 pm. – JKPL will take the pop-up library and activities to this special event. Details to be confirmed.

Monday, September 18: Bingo Party from 1:00-3:00 pm. Come enjoy bingo at the JKPL! There is a two-card limit, there is no cost to play, and there are prizes! Registration is recommended as space is limited. Bring your friends!

Monday, September 18: Cricut with Christopher @ 6:00 pm. Come learn about the Cricut Maker from local expert Lisa Christopher. This month's project to be confirmed. Participants should be 14 or older but children age 8 and up are welcome if accompanied by an

adult. Registration is recommended as attendance is limited to 10. Walk-ins welcome if space and materials allow. Cricut with Christopher will typically be held monthly on the third Monday of each month.

Thursday, September 21: "You Do Speak English, Don't You?" Cabaret Show @ 6:00 pm. Mark and Helena Greathouse, an international musical performing duo, present their one-hour performance, *You Do Speak English, Don't You?*, a family friendly, lively cabaret style variety show. The show is basically a love story of how the two met in Europe, eventually married, and moved to Mark's native Oregon, where they live today. A Question-and-Answer session follows the performance, with Helena sharing what her life was like growing up behind the Iron Curtain and making it to the West. The show features Mark's own songs, Czech folk songs, as well as several familiar songs and parts of instrumental numbers. The songs are all interspersed with short, humorous dialogues highlighting challenges Helena and Mark have experienced in their lives as a Czech-American couple.

Friday, September 22: Game Night @ Your Library @ 6:00 pm. Bring your favorite game (card game, board game, role playing game, or video game) and meet, teach, and play with others! Game night is held on the 4th Friday of every month. All ages welcome but those under the age of 7 need a teen or adult companion.

Saturday, September 23: Family Movies @ Your Library presents "The Little Mermaid" @ 1:00 pm. Ariel is a mermaid princess who is curious about all things human. So Ariel asks the sea witch Ursula to take her voice in exchange for legs, as this is the only way she can explore the human world of Eric, her love interest. This is the 2023 live-action version. Rated PG (120 minutes).

Monday, September 25: Monday movies @ 1:00 pm. Join us on the 4th month of each month at 1 pm as we share a film connected with or selected by the Books For Lunch Group. All ages welcome but children must have an adult companion. This month's selection to be decided.

Monday, September 25: Strings Club @ 6:00 pm. Do you have a ukulele, guitar or other string instrument that you would like to play more often? Do you want to grow your skills by jamming with others? Then come join the JKPL Strings Club! Teen and adult musicians of all skill levels are welcome. NOTE: This is not a class but a jam session so participants should know basic chords. Facilitated by Sue Engelbrecht and Gary Bramel. This group typically meets on the fourth Monday of each month. Registration requested. Walk-ins are welcome as space allows.

Tuesday, September 26: JKPL Writing Group @ 6:30 pm. Join us this month in person at the library, or remotely via Zoom, for a sharing session with writers of all types including poetry, memoir, fiction, or nonfiction. New members are welcome to join at any time. If you want to participate via Zoom, please register by 11:00 am on the day of the event at <https://bit.ly/JKPLwriting>.

Friday, September 29: National Coffee Day Celebration! The JKPL is excited to partner with Brew & Brew to celebrate National Coffee Day. National Coffee Days held annually on September 29 and celebrates coffee and the joy it brings to people all over the

world. Celebrate by enjoying a coffee-based beverage at a Dyersville coffee shop for a discount! Show your JKPL library card at Brew & Brew only on September 29 to receive \$1.00 off the purchase of any coffee beverage. The JKPL will also put together a coffee themed activity packet for you to enjoy. Packets will be available starting September 26 and will be available while supplies last. Confirm with B & B.

Saturday, September 30: Pop-Up at the Dyersville Downtown Market from 8:00 am - 12:00 pm. The James Kennedy Public Library will be reaching out to the community by bringing a pop-up library to the Market. Visitors will be able to find out more about what the library has to offer, and select a free book to keep. The JKPL will also have a hotspot running to provide WiFi Access. Members of TACKL will also be selling library tote bags and other items to raise funds for library programs, collections and services. The JKPL Pop-Up Library is sponsored in part by a grant from the Dyersville Area Community Foundation and partnership with the Dyersville Campaign for Grade Level Reading and the Friends of the JKPL. Our participation at this event is weather permitting.

To: Mayor Jacque and City Council Members
Cc: Mick Michel, City Administrator
From: John F. Wandsnider, PE – Public Works Director/City Engineer
Date: August 16, 2023
Subject: Public Works Report: July 12 – August 15, 2023

Things have been operating well, for the most part, over the last month or so in the Public Works Department.

Operation and Maintenance of Fleet, Highways, Streets, Alleys, Parks, Trails, Rivers, Creeks, etc.

Mike Maahs and TJ Vorwald, along with part-time summer help, have continued to do an excellent job with normal summertime and regular activities on the streets, parks and trails. This is the last week for Ben, Connor left last week, and Padraig was done a couple weeks ago – we will miss them all.

We took delivery on two vehicles over the last month. One of our long-awaited material-spreading dump trucks finally made it through manufacturing and arrived last week. In addition, a new ¾-ton pick-up for the Street's department was delivered a few weeks ago. It is very important that we keep up with our vehicles and equipment replacement plan that was begun by the Mayor/City Council, the City Administrator, and my predecessor years ago. This program helps to allow us to have the reliability needed to perform our operations and maintenance responsibilities at optimum efficiency and effectiveness. On behalf of Public Works (and the Citizens of Dyersville), thank you for supporting this program.

As was mentioned at a previous meeting, many wayfinding signs have been installed around town – 17, to be exact. These are the 3-foot wide signs designed for placement along low-speed streets. We have taken delivery of another 7 signs (4-foot width, higher speed roads). We are awaiting the final 6, larger signs for along US 52. Once received, we plan to complete the installation process. We have also been freshening up the pavement marking all around town.

Operation and Maintenance of Drinking Water and Wastewater Disposal Systems, and the Aquatic Center

The Drinking Water source, storage, treatment, and distribution systems are serving the City well, thanks to the excellent work of Terry Recker and Joe Reicher, along with part-time summer help. They have been working to maintain the system, including flushing fire hydrants and exercising water valves. Swimming pool maintenance has also been a continual effort, and now we are in the process of preparing it for the off-season. Please refer to the below report from Water Operations.

The Wastewater collection, pumping, treatment, and disposal systems are operating well, thanks to the excellent work of Tim Herbers, with help from Joe (JoAnn left the City earlier this month. We are working toward replacing her soon). Please refer to the below report for last month from Wastewater Operations.

Status of Improvement Projects – 'In-House Design'

Downtown Streetscape Rehabilitation (Added 4/23)

We intend to perform the rehabilitation out of our operations budget, and phase it over about 5 years. I will be meeting with a contractor next week concerning the first phase of the project – the 3rd and the 4th Street intersections of the streetscape portion (behind the curb to the building line). All 6 limestone medallions will be reset, this time on concrete, and the cracked and deteriorating buff-colored handicap panels will be replaced with black powder-coated cast-iron panels.

5th Avenue NE - Dyersville East Rd (Added 2/23)

The contractor plans to begin work after Labor Day, to avoid the heavier tourist traffic.

Wayfinding Signs Project (Added 12/22, though in-progress for years)

Discussed above.

Hwy 52 Manhole Replacement at 2nd Avenue (Added 11/21)

We had pavement cores taken around the manhole and determined that there exists concrete pavement under the asphalt. This requires that we patch the pavement in two steps, which will take several days. The Iowa DOT has suggested that we close the road and detour traffic while this work is being done. This prompted us to look into the possibility of a manhole rehabilitation. So we met with a specialist and are awaiting costs for this. We are also evaluating the reliability of the process with other communities that have used it for decades.

Downtown Businesses Accessibility – (Added June, 2021)

Working toward including recommendations into the sidewalk program.

Legacy Square – Stage (Added Spring 2021)

This project is nearly complete. Lights have yet to be installed.

Status of Improvement Projects – ‘Outside Design’

20 West Industrial Park, Phase III Rise Grant App. (Added August, 2022)

Contract A including sanitary sewer and water has been completed. Contract B that includes grading and erosion control is substantially complete. Contract C (RISE eligible) will include a double box culvert and is planned to be bid in August with 2023 construction. Contract D (also RISE eligible) including roadway storm sewer, concrete paving, and lighting will be bid this year and should be substantially complete by June 30, 2024. Origin will provide and administer construction admin and observation as required during construction.

1st Avenue W. Bridge Over Bear Creek (Added May, 2022)

Contract documents are in the mail. Taylor has not indicated a start-date as yet, but we expect it will be soon - utility locates have already been requested.

3rd Avenue SW Bridge (Added to list in February, 2022)

Awaiting further evaluation

Field of Dreams Stormwater Wetland and Mitigation (Added to list in April, 2020)

Project substantially complete. Temporary erosion control seeding has been placed. Permanent bluegrass seeding has been completed both north and south of Beltline Rd. Native seeding was performed in late November 2022. A live streaming camera of the site is available for viewing at:

<https://video.nest.com/live/G4AGPm8tkR>

Dyersville East Road Water and Sewer Extension 2020 (Added to list March, 2020)

Most of the linear projects are nearly finished. Work continues on the wastewater lift station and the water booster station.

Bear Creek Restoration (SRF Sponsored Project)

Construction for this project is complete. The contractor will perform mowing and vegetation management in 2023 for maintenance on the wetland prairie. Typical prairie seeding takes 3 years to be fully established with intended growth of flowers and grasses. The project performed well to capture sediment without significant channel erosion in the 2023 spring flood. A video camera is mounted near 3rd St. with a public video link for anyone to monitor. <https://www.senserasystems.com/public/embed/M78018326A93>

Respectfully submitted,

John F. Wandsnider, PE - Public Works Director / City Engineer

Email: jwandsnider@cityofdyersville.com

cell: 563-587-9131

Memorandum

To: Mayor, City Council Members and City Administrator

From: Terry Recker, Water Operator

Date: August 3, 2023

Subject: **Water Operation July 2023 Report**

Water Pumped

| | |
|------------------------------|--------------------|
| Total Water Pumped for Month | 13,468,000 Gallons |
| Average Pumped per Day | 434,000 Gallons |
| Maximum Daily Pumped | 540,000 Gallons |

Chlorine Testing

| | |
|--|-----------|
| Average Free Chlorine in the System – | 1.26 mg/l |
| Average total Chlorine in the System - | 1.34 mg/l |

Polyphosphate

| | |
|--------------------------------|-----------|
| Average Residual at Well #4 | 0.94 mg/l |
|--------------------------------|-----------|

Water Call Outs

0 for the month
Total for the year – 4

Water Main Breaks

0 for the month
Total for the year – 2

Water Activities

104- Line Locates Completed
87-Water Work Orders Completed

Operations and Maintenance

Bacteria samples were taken, and the results were negative. The monthly operating report was completed and sent to the DNR. Preventative maintenance was completed at Well#4 and #5, including exercising water valves and doing well draw down at both wells. Daily rounds were completed for the month at both wells. Meter reading was also completed this month. Progress on the new water booster building is progressing nicely.

Water Operator,
Terry Recker

Memorandum

To: Mayor, City Council Members and City Administrator

From: Wastewater Operator

Date: 8/8/23

Subject: **Wastewater Operations –**

Influent Flows

Total Treated for Month 13,574,000 Gallons

Average Flow per Day 437,000 Gallons

Maximum Daily Flow 552,000 Gallons

Average Influent Biochemical Oxygen Demand 290 mg/l

Plant loading pounds per day of 1155 lbs. plant design loading 2400 lbs. per day

Average Influent Total Suspended Solids 323 mg/l.

Plant loading pounds per day 1275 lbs. plant design loading 3600 lbs. per day.

Average Influent Total Nitrogen 21 mg/l

Plant loading pounds per day 95 lbs.

Average Influent Phosphorous 15 mg/l.

Plant loading pounds per day 66 lbs.

Effluent Testing

| | | |
|--------------------------|-------------------|------------------------------|
| C.B.O.D. Monthly Average | .8 mg/l | Limit - 25 mg/l |
| T.S.S. Monthly Average | 0 mg/l | Limit - 30 mg/l |
| Ammonia Monthly Average | 0 mg/l | Limit – 13 mg/l |
| Total Nitrogen | 13.83lbs per day | Yearly Average 88lbs per day |
| Phosphorus | 2.23lbs per day | Yearly Average 24lbs per day |
| E-coli | Not required mg/l | Limit 126 MPN |

Sewer Call Outs – 1 for the month at the Treatment Plant.

Total for the year – 8

We had another complete lost of power to the plant. That make this the forth one this year, looking forward maybe to upgrade to a generator to backup the plant as the transfer switch is not working. We have backup generators on Well 4 and on the booster station so with that said the wastewater is still being created so it would be a good idea to have the wastewater plant not able to lose power. When we lose power, the main lift will start to backup and the without the oxidation rotors turning our treatment process starts to die off. With sewer jetting completed for the year now we begin to camera that section we just completed. And continue routine maintenance.



340 1st Avenue East, Dyersville, Iowa 52040 • Phone: 563-875-7724 • Fax: 563-875-8238

www.cityofdyersville.com

Memorandum

TO: Mayor Jeff Jacque and City Council
 From: Mick J. Michel, City Administrator
 RE: City Administrator's Report
 Date: August 18, 2023

Below is an update of top priority projects that the City Council has determined at its last strategic planning and goal-setting session held on January 24, 2022.

Initiatives or Programs:

1. *Hire Public Works crew member to replace an employee that left. **We will be advertising for this position in September 2023.***
2. *Bring all four water & wastewater Public Works staff up to Grade 2 water & wastewater operator licensure. Water and Sewer employees are continuing to take their tests to get licensed. Terry Recker is now fully licensed in water and wastewater.*
3. *Review and update SOP & SOG's at Fire Department. Nothing has been done at this time.*
4. *Continue implementation of nutrient reduction improvements through minor operation changes at the wastewater treatment plant. The Public Works Department is meeting the State's suggested guidelines. I reviewed the last two wastewater reports, and the city is well below the suggested guidelines. The previous changes to the plant are working.*
5. *Replace 8 brick manholes. This is on the public works department schedule. The public works department replaced several brick manholes in FY22. Public Works Department is moving forward with this project as time and budget dollars allow. I have placed in FY24 budget the same dollars as in FY23 to replace brick manholes. We will be replacing the more difficult ones in FY24 and beyond. **I recently spoke with the public works director regarding the manhole on HWY 52. After careful consideration, it seems that we have found a solution that won't involve removing the manhole. We are currently in the process of obtaining quotes from a regional contractor.***

6. *Upgrade building-entry keypads across Public Works Department.* Nothing has been done at this time.
7. *Develop plan for replacing failing fire hydrants and valves.* I will follow up with the public works department.
8. *Integrate Wincan camera data with Cartegraph data management system.* I will follow up with the public works department.
9. *Continue to evaluate how we can get more done, be more efficient, be more effective, under the budget that we have.* I have been looking at ways to trim costs with the limited staff.
10. *Continue residential building projects/housing.* Several permits have been approved by a Developer to build some apartments on some infill lots. I have been continuing to work with DEDC and a developer about bringing more workforce housing in the area. The City is looking at modifying the Urban Revitalization Plan to meet modified State requirements. I had a conversation with Dorsey and Whitney and the plan update is not feasible at this time due to how the Iowa Code is written. I will be having a conversation with our State elected officials on possible revisions to the Code.
11. *Plan to extend water & infrastructure to Field of Dreams Movie Site.* The City has four contracts approved. EDA approved the City's request to modify our sewer grant. Construction has been going well at the lift station, and the sewer main installation projects. Sewer EDA project has been going well with little disruptions to local traffic. The inside FoD work should begin sometime in Spring 2023. **I have been working with City Attorney to close on the Lumber Specialties property; we hope to have this done by the end of August 2023.**
12. *Support recreation opportunities.* Score boards have been completed at Candy Cane Park and Commercial Club Park. Pickleball Courts are being used at Candy Cane Park. Finally, pool features designs have been submitted to the City and we are waiting for State of Iowa signoff on them. State signed off on the slide. Adam and the vendor are working on getting the slide manufacturer. We will be installing it in Spring 2023.
13. *Amendment of policies for development agreements—length and amount of tax abatements.* Nothing has been done at this time.
14. *Work with Dubuque County to pave Heritage Trail.* Dubuque County Conservation has been working on funding for this project. Conservation board turned down a grant submittal request from ECIA. I'm waiting to see if the board would still like to move ahead with the paving of the trail. **I sent the letter approved by the city council. I'm waiting to be added to the Board agenda.**

15. *Continue implementation of wage & benefits study for all departments.* I prepared the FY23 wage schedule during the budget process and we are looking at implementing it on July 1, 2022. City Clerk has been monitoring the changes to the City health insurance program. Salaries Resolution has been prepared for FY23 budget. The City Council approved Medical Associates Health Plan renewal for 2023. Public Safety Committee met and they wanted me to work with GOV HR USA to prepare an agreement. **The city council approved the agreement with GOV HR USA. I have a scheduled meeting with them in late August 2023.**
16. *Increase general fund revenues.* This is an ongoing process through economic development opportunities. The State of Iowa passed a new property tax reform bill. I talked with the State officials about the possible side effects of the new legislation, but I'm still waiting on the Iowa League of Cities breakdown on the new law.
17. *Create five-year plan for street construction/refurbishment.* Nothing has been done at this time. Public Works Director gave me a couple of budget estimates on several large projects street projects. I'm working with him on getting the project detail and trying to find outside funding. Public Works Director has submitted the RCTP grant. No update on the grant. **Dubuque County has approved the RCTP grant and the grant agreement. The contractor will begin work sometime in September 2023.**
18. *City Square development and completion.* The sidewalk portion of the project has been completed. City Engineer has submitted the plans and specifications for the stage project. Mayor is working on getting sponsors for the stage. I'm working with Public Works Department on lighting design, and I had a conversation with contractor on the stage construction. The stage improvements are complete, and the lights will be installed sometime in July 2023. **The LED lights and controller will be installed in September 2023.**
19. *Pickleball courts.* Park and Recreation Manager has worked on a local grant. He has also worked with our vendors on the fence and painting of the courts. We will also maintain pickleball painting lines at the tennis court. Pickleball court has been painted. The lights will be installed sometime in the fall 2022. Light bases are installed, the concrete edge has been installed, and we are in the process of order seating with shades. This project has been completed.
20. *Completion of Heritage Trail upgrade and connection to Trail System.* City was approved to modify our grant from the RPA8 Council. Origin Design has been working on draft plans and submitting them to the IADOT for their review and consideration. Plans and specs have been approved by the Council. I have submitted the IADOT agreement for Council review and consideration. Council has approved the plans and they have been submitted to the State. We are working on the construction documents. The contractor is substantially complete,

and the engineer and the city had a project inspection. The project closeout will be at the end of June 2023. This project has been completed.

21. *Continue to pursue install of three new bridges: 12th to 13th Ave; 7th Street; and, Beltline Road Railroad Overpass.* City submitted an updated RAISE grant to USDOT for their review and consideration. Fingers crossed. We were not awarded the RAISE grant for this year. RAISE grant has been submitted. WHKS and I will be working with our federal officials to push this grant out of review and into the consideration category. We were not awarded the RAISE grant this year. We will be working with USDOT on a debrief meeting to see how we can improve the grant application for next year.
22. *Budget and plan for sidewalk replacement program, new sidewalk construction, and trail connection.* Nothing has been done at this time.
23. Support EMT's: Ambulance service to investigate full-time paramedic availability. I attended a 28E Board meeting to discuss this matter and City will be looking more into this matter. I have been assisting Bi-County Ambulance on creating a job description and other necessary information for the creation of a full-time position. I have prepared a job description and other necessary information to advertise for a full-time paramedic. No further action at this time.
24. *UTV Ordinance.* Task is completed and no further action.
25. *Review costs for municipal fines and fees.* Nothing has been done at this time.
26. *Improvements to the creeks and rivers through town for appearance and recreation.* City has submitted EDA grant for recreation opportunities, but we didn't make the cut this year. City has resubmitted a BRIC planning grant and we hope to hear by the end of August 2022. City has been awarded the BRIC planning grant. Grant agreements has been submitted. RFQ is completed and Impact 7G was awarded the project. **I am working with Impact 7G on the project.**
27. *Purchase small sewer jetter trailer.* City Council has approved the purchase of sewer jetter trailer. I'm working with the lease company and our supplier to finalize the necessary paperwork. City purchased the jetter, and the lease agreements have been implemented. Task is completed and no further action.
28. *New brick Westside Park ball field dugouts.* Contractor has started to install four dugouts this year. This project is complete.
29. *Concession Stand/Restroom Facility for Commercial Club fields.* We added this project to the FY23 budget. City will need to upgrade our lease agreement with Commercial Club Board prior to moving this project forward. I had a meeting

- with several Commercial Club Board members, and they have submitted a proposal. Staff is evaluating the proposal.
30. *Replace two 2014 snowplows and material spreaders.* City Council approved the purchase of one snowplow. City Council has approved moving forward with another snowplow. The financing agreement is completed on the first snowplow. **The second snowplow is still being manufactured. The City Clerk and I will start with the financing process with Fidelity Bank for the second snowplow.**
 31. *Rehab 1st Avenue West Bridge over Bear Creek.* City Council has approved WHKS agreement and they are working on their assessment report. Assessment report is complete, and we forward the matter to the City Council for their review and consideration. WHKS is working on option 6 cost estimates for a replacement of the bridge without trail. Delaware County engineer's office reviewed the plans and found that the selected city council option is appropriate. The City Council will consider bonding this project at a future date. Funds are in place, and WHKS is working on designs and construction documents. Bid documents are complete, and the City Council is reviewing the materials. Bid was opened and the City Council is reviewing and considering awarding the project to Taylor Construction. **WHKS, Public Works Director, and I found a solution to the price overrun. The contractor will be issuing a change order showing that price reduction.**
 32. *Complete SCADA system for all water and wastewater facilities.* Public Works Department and I have been working with Origin Design and our supplier on making sure we right size the project and that it ties in with the Field of Dreams projects. SCADA quote has been approved as part of the Field of Dreams project and the City is moving forward with getting the necessary software to complete this task.
 33. *Continue economic development programs.* Twin Steeples project is moving along very well and it is really reshaping our downtown area. DEDC and I are working on some business relocation activities at our industrial parks. These relocations will allow for more jobs in our area. **I'm still devoting a considerable amount of time working with Go the Distance management team on their proposed project, along with This is Iowa Ballpark on the construction of a permanent stadium.** The State of Iowa awarded a \$12.5 million Destination Iowa Grant to City of Dyersville and This is Iowa Ballpark towards the construction of a stadium. City of Dyersville was award a \$12 million Enhance Iowa grant for the ballpark project. **Finally, DEDC and I are working with several developers on bringing a business to the City.**
 34. *Annexation study.* City held an informational meeting at the Social Center and the draft plan will be considered by the Planning and Zoning Commission and then to the City Council for review and consideration.

35. *Update Subdivision Ordinance.* RDG has the first draft done and I'm working on getting that completed by the end of December 2021 due to other priority projects. I have submitted the draft ordinance to planning and zoning, and they are recommending that the Council and Commission meet to make sure everyone is on the same page.
36. *Review water and sewer rates.* I have been working with Lori Panton on this project and we are gathering data. However Covid-19 issues have delayed the completion of the study. We will forward our findings to the Water & Sewer Committee.
37. *Continue with the development of City Asset System.* I have continued to work with the Public Works Department on their database software; pavement inspection data from Cyclomedia, pavement marking, street sign data are currently being worked on. I have been working with the Public Works Department on helping them get the Water and Sewer plant data added to the management software. Also, we are updating sign, pavement marking data to it. Finally, road condition data will be updated in the system. We are reviewing the data to help develop a proposed action plan based on sidewalk data to propose to the City Council. **Street pavement collection data was entered into OMS from 2019, and 2022.**
38. *Reconstruct 16th Avenue SE at the shopping mall.* No action has been done at this time.
39. *Splash Pad and other toddler opportunities at the Aquatic Center.* City Council has approved the quote and action plan for this project. The project is being engineered and product has been ordered. The installation should be in late August 2022. This project is completed.
40. *Additional/improved Westside Park lighting.* We ordered lights and we are waiting to free up some staff time to install the project. Public Works and I had a meeting to discuss location and site plans to development this project. Public Works will be working with lighting consultant on location placement of lights. I had a meeting with the public works department staff and we have a plan to install the lights in June/July 2023.

ORDINANCE NO. 855

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF DYERSVILLE CHAPTER 127 – ADULT ENTERTAINMENT FACILITIES

SECTION 1. AMENDMENT OF ORDINANCE. Chapter 127 of the municipal ordinances of the City of Dyersville, Iowa, is hereby amended as follows. Section 127.02 is hereby deleted, and the below is substituted in its place.

127.02 DEFINITIONS.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. “Adult Amusement or Entertainment” means a live performance of amusement or entertainment distinguished or characterized by an emphasis on acts or material depicting, describing, or relating to sex acts or specified anatomical areas.
2. “Adult entertainment facilities” includes but is not limited to the following:
 - A. Adult bookstore means an establishment having as the primary portion of its stock in trade, books, magazines, and other periodicals which are substantially devoted to the depiction of specified sexual activities and specified anatomical areas.
 - B. Adult business means any business or establishment where a specified sexual activity or specified anatomical area is displayed.
 - C. Adult motel means a motel or similar establishment offering public accommodations for any form of consideration which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
 - D. Adult movie theatre means any theatre, arcade, or similar establishment where an enclosed building or open-air facility is used for presenting material in the form of motion picture film, videotape, or similar means which is substantially devoted to the depiction of specified sexual activities and specified anatomical areas, for observation by persons therein.
 - E. Adult news rack means any coin-operated machine or device which dispenses material substantially devoted to the depiction of specified sexual activities and specified anatomical areas.

- F. Adult nightclub means any club, cabaret, nightclub, bar, restaurant, or similar establishment where an enclosed building at which Adult amusement or entertainment is provided or performed.
 - G. Adult entertainment cabaret means a public or private establishment that is licensed to serve food and/or alcoholic beverages, at which Adult amusement or entertainment is provided or performed.
 - H. Body shop or model studio means any public or private establishment which describes itself as a body shop or model studio; or where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, or where for any form of consideration or gratuity, nude and seminude dancing, readings, counseling sessions, body painting, and other activities that present materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas are provided for observation by or communication to persons paying such consideration or gratuity.
3. "Specified anatomical area" means less than completely and opaquely covered human genitalia, mature human buttocks, and a mature human breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.
4. "Specified sexual activities" means any of the following conditions:
- A. Human genitals in a state of sexual stimulation or arousal.
 - B. Acts or representations of acts of human masturbation, sexual intercourse or sodomy, bestiality, oral copulation, or flagellation.
 - C. Fondling or erotic touching of human genitals, pubic region, buttock, or female breast.
 - D. Minors engaged in a prohibited sexual act or simulation of a prohibited sexual act.
 - E. Excretory functions as part of or in connection with any activities set forth in Paragraphs A through D of this subsection.

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. EFFECTIVE DATE. This ordinance shall be in effect from and after its final

passage, approval, and publication as provided by law.

Passed and approved by the City Council of the City of Dyersville, Iowa, the ____ day of

_____, _____.

Jeff Jacque, Mayor

ATTEST:

Tricia L. Maiers, City Clerk

MARK J. WILLGING
A. THEODORE HUINKER
JENNY L. WEISS †
EDWARD F. HENRY *
STEPHAN E. ALT ‡
MICHAEL J. MULERT

June 30, 2023

WILLIAM C. FUERSTE (1923-2011)
ALLAN J. CAREW (1933-2015)
ROBERT L. SUDMEIER (RETIRED)
DOUGLAS M. HENRY (RETIRED)

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City of Dyersville
Attn: City Council
340 1st Ave E
Dyersville, IA 52040

Re: ACLU Challenge to Dyersville Ordinance § 127.02(1)(G)

Dear Members of the Dyersville, Iowa City Council:

We have been asked to provide our opinion and recommendation regarding the letter received by the City of Dyersville from the American Civil Liberties Union ("ACLU") dated June 20, 2023 (the "Letter"), regarding § 127.02(1)(G) of the Ordinances of the City of Dyersville (the "Ordinance"), specifically the reference therein to "male or female impersonators, or similar entertainers." We have reviewed the letter from the ACLU, the referenced Ordinance, and the relevant cases and statutes and herein provide our opinion and recommendation.

The Letter raises three ways in which the ACLU seeks to challenge § 127.02(1)(G): as an unconstitutional content-based restriction, as overbroad, and as a violation of equal protection and targeted attack on the LGBTQ community. This opinion will address all three alleged issues.

Content-Based Restriction

The ACLU's claim that the Ordinance in question is unconstitutional because it is content-based and not narrowly tailored to further a compelling government interest is incorrect. The Ordinance at issue in this matter is not complete prohibition of adult entertainment facilities, but rather a "time, place, and manner" restriction. It does not

City of Dyersville
June 30, 2023

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prohibit the referenced facilities from existing within the city, it merely sets certain limitations as to where such an establishment can be located. It is a longstanding principal in US courts that this type of restriction can be permissible. See *City of Renton v. Playtime Theatres, Inc.* 475 US 41 (1986). After determining that the ordinance constitutes a time, place, and manner restriction, as defined by the Court in *Renton*, we must determine whether the Ordinance is content-neutral. Here, the courts have consistently held that similar ordinances, focused on the secondary effects of adult entertainment venues, are content-neutral because they do not target the content of speech, but rather they target those secondary effects. This is clearly the purpose of the City of Dyersville Ordinance, as stated in §127.01 Purpose, stating:

It is recognized that adult entertainment facilities have certain objectionable side effects which render these facilities incompatible with residential and family-oriented uses, when the adult facilities are located directly adjacent to such uses. This chapter seeks to ensure that residential and family-oriented uses and adult entertainment facilities will be located in separate and compatible locations.

Because the object of the Ordinance is to combat the side effects of adult entertainment facilities and not to simply prohibit the existence of such facilities, the Ordinance is a content-neutral time, place, and manner restriction.

The ACLU cites as support for its position a Tennessee District Court case that is not controlling on any Iowa state or federal courts or indeed any courts within the Eight Circuit. Additionally, the statute challenged in the Tennessee court is substantially different than the Ordinance at issue here; the Tennessee statute included language directly referencing the content of the behavior it sought to limit within the text of the statute (“‘Adult cabaret entertainment’ . . . Means adult-oriented performances that are harmful to minors . . .”). Because the case itself is not controlling and the laws referenced therein are substantially different than the Ordinance, this argument should be disregarded.

Applying the standards set out by the US Supreme Court in *Renton* and consistently upheld, it is clear that the Ordinance is a permissible content-neutral time, place, and manner restriction.

Overbreadth

The ACLU next asserts that the Ordinance is unconstitutional because it is overbroad. Here, the ACLU may be correct and we recommend an amendment to the

City of Dyersville
June 30, 2023

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Ordinance to ensure it cannot be challenged on constitutional grounds. As stated in the Letter, the Ordinance targets any establishment that “is licensed to serve food and/or alcoholic beverages, which features . . . male or female impersonators, or similar entertainers.” Because the Ordinance does not make reference to the type of performance, limiting such performances to explicit or obscene material, and targets any business that is licensed to serve food or alcohol, this language could be found to be overbroad.

In order to protect against this challenge, we recommend amending the Ordinance to include a definition of “Adult Content” and to reference such definition as applicable. We have enclosed herewith a red-lined draft of a proposed amendment for your review.

Violations of Equal Protection

The Letter alleges that the Ordinance violates both the Iowa and U.S. Constitutions because it targets the LGBTQ community and was enacted with animus toward such community. This allegation does not survive initial review. The Ordinance does not seek to place any burden on any person as a result of such person’s sex or gender, and nothing contained in the Ordinance or any records surrounding the adoption of the Ordinance suggests any animus toward any group as a fueling factor for the Ordinance.

The ACLU cites numerous cases in support of this allegation, however almost none of those cases are controlling in any state or federal court in Iowa. Further, many of the cases cited by the ACLU reference transgender or gender-nonconforming persons and discrimination against such persons. The only Iowa cases cited by the ACLU revolve around treatment of transgender persons. These factors are irrelevant to this matter. The Ordinance does not make reference to nor does it target transgender or gender-nonconforming persons.

Conclusion

Two out of the three challenges raised by the ACLU to the Ordinance are wholly inaccurate. The Ordinance is a permissible, content-neutral time, place, and manner restriction on certain types of businesses and does not prohibit such businesses from existing anywhere within the city, but rather limits available locations of businesses that the city has determined are incompatible with family-oriented activity. The Ordinance does not violate equal protections of LGBTQ persons and there is no indication that the Ordinance was motivated by animus toward any group.

We do recommend that the Ordinance be amended as it could be construed by a

City of Dyersville
June 30, 2023

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court as overbroad. We have enclosed herewith a proposed red-lined amendment to the Ordinance.

Than you for giving us the opportunity to assist in this matter and please do not hesitate to contact the undersigned should you have nay questions or require further assistance.

Very truly yours,

FUERSTE, CAREW,
JUERGENS & SUDMEIER, P.C.

BY:


EDWARD F. HENRY

EFH/
Enclosures

June 30, 2023

Mayor Jacque and City Council Members
City of Dyersville
Memorial Building
340 1st Avenue East
Dyersville, IA 52040

RE: Recommendation to Amend Chapter 127 of the Code of Ordinances

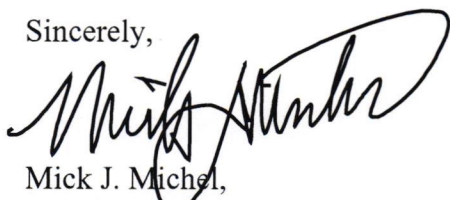
Dear Honorable Mayor Jacque and Council Members:

I am writing to offer my recommendation regarding the proposed amendment to Chapter 127 of the City Code. After reviewing concerns raised by the American Civil Liberties Union (ACLU) in their letter and evaluating the legal opinion from Assistant City Attorney Ed Henry, it is advisable for the City Council to amend the existing ordinance.

To add clarity and prevent any possible legal issues, I suggest following our Assistant City Attorney's recommendations by making precise modifications to the wording of the ordinance. By including a distinct explanation of "Adult Content" and utilizing it, when necessary, we can handle concerns regarding potential vagueness and strengthen the ordinance's constitutionality.

Thank you for considering my recommendation. Please feel free to contact me if you have any questions or require any further information.

Sincerely,



Mick J. Michel,
City Administrator



Iowa

505 Fifth Avenue, Suite 808
Des Moines, IA 50309-2317
www.aclu-ia.org

June 20, 2023

Delivered via email to City Council members at the following addresses:

jjacque@cityofdyersville.com; twesthoff@cityofdyersville.com;
jostwinklesilva@cityofdyersville.com; jgibbs@cityofdyersville.com;
menglish@cityofdyersville.com; moberbroeckling@cityofdyersville.com

CC: City Attorney

gdavis@locherlaw.com

RE: Dyersville Ordinance § 127.02(1)(G)

Dear Councilpersons:

I am writing on behalf of the ACLU of Iowa regarding the City of Dyersville (“the City”) Ordinance § 127.02(1)(G) (“the Ordinance”).

This Ordinance regulates any “adult entertainment cabaret” which includes “a public or private establishment that is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers.” Dyersville, Ia. Mun. Code § 127.02(1)(G) (2022). It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the City, the operation of an adult entertainment facility, without first having obtained a separate license from the City. Dyersville, Ia. Mun. Code § 127.12(1) (2022). “Any person, including but not limited to a licensee and a performer, who actually engages in the providing of goods or services to the public in connection with the adult entertainment facility must file an application for an adult entertainment employee permit with the police department upon a form provided by the police department and shall tender the correct permit fee, as provided in Section 127.11 to the City Clerk who shall issue a receipt which shall be attached to the application filed with the police department.” Dyersville, Ia. Mun. Code § 127.13(1)(A) (2022). Individual business owners who violate this prohibition are subject to a penalty for a zoning violation, including the loss of permits. Dyersville, Ia. Mun. Code § 165.12 (2022).

The Ordinance states that the City Council's legislative purpose is "to ensure that residential and family-oriented uses and adult entertainment facilities will be located in separate and compatible locations" because, "adult entertainment facilities have certain objectionable side effects which render these facilities incompatible with residential and family-oriented uses, when the adult facilities are located directly adjacent to such uses." Dyersville, Ia. Mun. Code § 127.01 (2022).

The Ordinance is unconstitutional under the U.S. and Iowa Constitutions for at least three reasons, as explained in detail below. First, the Ordinance is an unconstitutional government infringement on speech protected by the First Amendment to the United States Constitution and the Iowa Constitution, because it is a content-based restriction and is not narrowly tailored to serve a compelling government interest. Second, the Ordinance is overbroad because it encompasses all "male or female impersonators, or similar entertainers" under prohibited adult cabaret, regardless of whether the expression is sexually explicit or not. Third, it violates equal protection because it targets the LGBTQ community on the basis of sex and gender expression and is motivated by animus toward the LGBTQ community. The City should promptly amend the Ordinance to remove any reference to "male or female impersonators, or similar entertainers".

At least one other city has already repealed a similarly unconstitutional ordinance, and three other cities we've contacted are in the process of doing the same. Following a notification letter from the ACLU of Iowa, Eagle Grove amended its ordinance to remove "female and male impersonators" from the definition of adult entertainment. (See Ex. 1). Like the ordinance in Eagle Grove, the City's Ordinance raises serious freedom of speech concerns and attempts to regulate protected activities of residents in the City, which concerns ultimately prove fatal to the constitutionality of the Ordinance. This City should follow the example of Eagle Grove and amend the Ordinance at once.

I. The Ordinance is unconstitutional because it is a content-based restriction and is not narrowly tailored to further a compelling government interest.

The Ordinance violates free speech under the First Amendment and Iowa Constitution because it is a content-based restriction on protected expression and is not narrowly tailored. It restricts protected speech of a particular subject matter. The prohibited conduct cannot be defined without referencing the content of the speech.

Courts have reviewed challenges to the constitutionality of local regulations of sexual or adult-oriented businesses. See *Richland Bookmart, Inc. v. Knox County*, 555 F.3d 512, 520 (6th Cir. 2009); *Deja Vu of Nashville, Inc. v. Metro. Gov't of Nashville & Davidson County*, 274 F.3d 377, 396 (6th Cir. 2001). While such speech is protected as free speech and expression by the First Amendment, the Supreme Court has held that governments may regulate sexual or erotic speech and expression if those regulations are intended to address the "adverse secondary effects of such expression, so long as the restrictions placed on expression survive intermediate scrutiny." *Entertainment Productions, Inc. v. Shelby County*, 588 F.3d 372, 378 (6th Cir. 2009) (citing *United States v. O'Brien*, 391 U.S. 367, 377 (1968); *City of Renton v. Playtime Theatres*, 475 U.S. 41, 47 (1986)). However, a federal court has recently recognized this doctrine did not apply to a similar anti-drag law. *Friends of Georges, Inc. v. Mulroy*, 2023 WL 3790583, at *26 (W.D. Tenn. June 2,

2023). The secondary effects doctrine did not save the law because the court found that the “predominate concerns involved the suppression of unpopular views of those who wish to impersonate a gender that is different from the one with which they were born.” *Id.*

The Iowa Supreme Court has recognized that the right to free speech under article I, section 7 of the Iowa Constitution, while interpreted independently, is at least coextensive with the analogous federal constitutional right. *City of West Des Moines v. Engler*, 641 N.W.2d 803, 805 (Iowa 2002); *Bierman v. Weier*, 826 N.W.2d 436, 451 (Iowa 2013) (holding article I, section 7 “generally imposes the same restrictions on the regulation of speech as does the federal constitution”) (quoting *State v. Milner*, 571 N.W.2d 7, 12 (Iowa 1997)); *Iowans for Tax Relief v. Campaign Fin. Disclosure Comm’n*, 331 N.W.2d 862, 868 (Iowa 1983) (stating that “the applicable [F]irst [A]mendment standard” was “the same” as that for article I, section 7).

Content-based laws, which target speech based on its communicative content, are subject to strict scrutiny: they are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve a compelling state interest. *Reed v. Town of Gilbert*, 576 U.S. 155, 171 (2015); *City of Los Angeles v. Alameda Books*, 535 U.S. 425, 434 (2002); *R.A.V. v. City of St. Paul*, 505 U.S. 377, 382 (1992). By contrast, “[t]he principal inquiry in determining content neutrality ... is whether the government has adopted a regulation of speech because of disagreement with the message it conveys.” *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989) (citing *Clark v. Community for Creative Non-Violence*, 468 U.S. 288, 295 (1984)). Regulation of expressive activity is content-neutral if it is “justified without reference to the content of the regulated speech.” *Clark*, 468 U.S. at 293.

“[E]ven a regulation neutral on its face may be content based if its manifest purpose is to regulate speech because of the message it conveys.” *Turner Broad. Sys., Inc. v. FCC*, 512 U.S. 622, 645 (1994). The Court has recognized a category of laws that, though facially seemingly content-neutral, will be considered content-based regulations of speech: laws that cannot be “justified without reference to the content of the regulated speech” or that were adopted by the government “because of disagreement with the message [the speech] conveys,” *Ward*, 491 U.S. at 791. Those laws, like laws that are content-based on their face, must also satisfy strict scrutiny. *Reed*, 135 S. Ct. at 2227. The courts have clarified that they don’t rest on the government’s assertion of a facially content-neutral purpose: “[E]ven when a government supplies a content-neutral justification for the regulation, that justification is not given controlling weight without further inquiry.” *Whitton v. City of Gladstone*, 54 F.3d 1400, 1406 (8th Cir. 1995) (finding durational limits governing political signs but not commercial signs to be content-based, despite the city’s assertion of a facially content-neutral purpose “in maintaining traffic safely and preserving aesthetic beauty”) (citing *City of Cincinnati v. Discovery Network, Inc.*, 507 U.S. 410, 430 (1993) (rejecting city’s argument that a restriction on the use of newsracks selling commercial handbills but not newspapers could be justified by a facially content-neutral purpose “to limit the total number of newsracks” for “safety and esthetics”).

Recently a federal district court found a similar law was a facially content-based restriction and unconstitutional under a strict scrutiny analysis. *Friends of George’s*, 2023 WL 3790583, at *1 (granting a permanent injunction). Tennessee passed a law criminalizing the performance of “adult cabaret entertainment” in any location where the adult cabaret entertainment could be viewed by a person who is not an adult, and defining “adult cabaret entertainment” to include

“female and male impersonators”. T.C.A. § 7-51-1401. The Court found that while the state has a compelling state interest in protecting the physical and psychological well-being of minors, the law was not narrowly tailored or the least restrictive means to serve its compelling interest. *Friends of Georges*, 2023 WL 3790583, at *28.

Like the law in *Friends of George’s*, this Ordinance is a content-based restriction because it targets the speech of “male or female impersonators” (or “similar performers”) based on its communicative content: the same speech or expression, if performed or expressed by non “male or female impersonators”, is not prohibited. This Ordinance effectively prohibits all drag performances in the City. The inclusion of impersonators in the definition is not aimed at regulating sexually explicit or obscene expression, but rather to regulate expression by “impersonators” or “similar performers” only. By doing so, it targets only certain types of obscenity, as well as altogether non-obscene expression, and thus is a content-based restriction that warrants strict scrutiny.

Because the Ordinance is content-based and warrants strict scrutiny, it is the City’s burden to demonstrate that the Ordinance furthers a compelling governmental interest and is narrowly tailored to that end. The City cannot do so. The Ordinance “seeks to ensure that residential and family-oriented uses and adult entertainment facilities will be located in separate and compatible locations.” Dyersville, Ia. Mun. Code § 127.01 (2022). However, there are already laws regulate obscenity and sexually explicit conduct and materials. Lawmakers have not identified any other compelling interest in enacting this Ordinance. There is no justification for the law’s treatment of “male and female impersonators” as “objectionable” without reference to the content of the speech being regulated. The motivation for this ordinance was plainly to further the City’s desire to restrict “male or female impersonators” from performing because of a disagreement with the message they convey and regulate them entirely out of existence within the City.

Further, even if the City could identify a compelling governmental interest in prohibiting non-obscene expression by “male or female impersonators”, the law fails strict scrutiny because it is not narrowly tailored. Instead of enforcing existing laws prohibiting obscenity or indecent exposure in front of minors, the City seeks to prevent any drag entertainment from being performed because of the content. Drag shows are predominantly not obscene. In fact they generally are characterized by clothed performers singing, dancing, and performing comedy.

Failing both prongs of strict scrutiny analysis, the Ordinance violates the free speech and expression guarantees of the U.S. and Iowa Constitutions.

II. The Ordinance is unconstitutionally overboard.

The Ordinance is also unconstitutionally overbroad, because artistic expression is not sexual or erotic in nature simply because it involves “male or female impersonators, or similar entertainers”. A law is unconstitutionally overbroad if it sweeps in more speech than is necessary to satisfy the government’s interest, regulating both protected and unprotected speech. *See Broadrick v. Oklahoma*, 413 U.S. 601,610 (1973). “Adult entertainment cabaret” is defined as “a public or private establishment that is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers.” Dyersville, Ia. Mun. Code § 127.02(1)(G) (2022). In a recent case a court granted a permanent

injunction finding a similar law unconstitutionally overbroad. *Friends of George's*, 2023 WL 3790583, at *31-32.

Undoubtedly, the City may regulate businesses that regularly purvey “sexually explicit but non-obscene speech, such as adult publications and adult videos, and second, ‘symbolic speech’ or ‘expressive conduct,’ such as nude dancing” through zoning restrictions. *Richland Bookmart, Inc.*, 555 F.3d at 520. However, the plain language of the Ordinance regulates speech and expression beyond that which could reasonably be considered “sexually explicit” expression.

The Ordinance regulates any production that includes “male or female impersonators” as a prohibited “adult cabaret”, without regard for whether any such speech or expression has a “sexually explicit” component. It prohibits adult cabaret entertainment without any exceptions, sweeping broadly, without any narrowing language. An underlying issue with the Ordinance is that drag performances are not inherently sexually explicit by nature; they typically feature fully-clothed performers singing, dancing, and performing comedy bits. For example, in Des Moines drag performances have become a part of the annual *CelebrAsian* festival, which is a family friendly drag event that celebrates Asian cultures. At this festival the performance by “male or female impersonators” is catered to people of all ages and is used to showcase culture and tradition. Additionally, expression by “male or female impersonators” is a time-honored tradition in artistic works, going back millennia. Drag has been present in western culture dating back to Ancient Greek theatrical productions, and the earliest productions of William Shakespeare’s plays. Speech by “male or female impersonators” is a form of artistic expression long protected by the First Amendment and the Iowa Constitution.

Because the Ordinance sweeps in far more protected speech than is necessary to satisfy the government’s interest, it is unconstitutionally overbroad.

III. The Ordinance violates equal protection because it targets LGBTQ people based on sex and gender and is motivated by animus.

Finally, the Ordinance violates the both the U.S. and Iowa Constitution’s equal protection guarantees because: (1) it facially discriminates against the LGBTQ community on the basis of sex and/or gender by regulating drag performances out of existence within the City and (2) was motivated by animus toward this group.

Because sex-based classifications are quasi-suspect, they are subject to a form of heightened scrutiny. *G.G. ex rel Grimm v. Gloucester Cty. Sch. Bd.*, 654 F. App’x 606, 607 (4th Cir. 2016); *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 440-441 (1985). Specifically, they are subject to intermediate scrutiny “with teeth”, meaning that they “fail[] unless [they are] substantially related to a sufficiently important governmental interest.” *See Id.* at 441. In addition, to survive intermediate scrutiny, the state must provide an “exceedingly persuasive justification” for its classification. *See United States v. Virginia*, 518 U.S. 515, 534 (1996). Federal courts across the country have recognized claims of sex discrimination brought under the Fourteenth Amendment by individuals, who, by definition, do not adhere to the stereotypes associated with their sex assigned at birth. *Grimm v. Gloucester Cnty. Sch. Bd.*, 972 F.3d 586, 612 (4th Cir. 2020), *cert. denied sub nom. Gloucester Cnty. Sch. Bd. v. Grimm*, No. 20–116, 2021 WL 2637992 (U.S. June 28, 2021) (declining certiorari in a case in which the Fourth Circuit expressly held that

“transgender people constitute a discrete group with immutable characteristics” subject to heightened scrutiny under Fourteenth Amendment equal protection); *Bd. of Educ. of the Highland Local Sch. Dist. v. United States Dep’t of Educ.*, 208 F. Supp. 3d 850, 874 (S.D. Ohio 2016), *stay denied*, 845 F.3d 217, 222 (6th Cir. 2016); *Evancho v. Pine–Richland Sch. Dist.*, 237 F. Supp. 3d 267, 288 (W.D. Pa. 2017); *A.H. v. Minersville Area Sch. Dist.*, 290 F. Supp. 3d 321, 331 (M.D. Pa. 2017); *M.A.B. v. Bd. of Educ. of Talbot Cnty.*, 286 F. Supp. 3d 704, 718–22 (D. Md. 2018); *F.V. v. 81 F.V. v. Barron*, 286 F. Supp. 3d 1131, 1142–45 (D. Idaho 2018) and *decision clarified sub nom. F.V. v. Jeppesen*, 477 F. Supp. 3d 1144 (D. Idaho 2020); *Karnoski v. Trump*, 926 F.3d 1180, 1200–01 (9th Cir. 2019); *Stone v. Trump*, 400 F. Supp. 3d 317, 355 (D. Md. 2019); *Ray v. McCloud*, No. 2:18–CV–272, 2020 WL 8172750, at *8–9 (S.D. Ohio Dec. 16, 2020).

Applying a similar analysis, the U.S. Supreme Court and numerous federal circuit courts of appeal have recognized that discrimination against someone because they are transgender is sex discrimination under Title VII and Title IX. *Bostock v. Clayton Cty., Georgia*, 140 S. Ct. 1731, 1739 (2020) (“holding that discrimination against someone because they are transgender is sex discrimination”). While these cases are often brought by transgender people, courts have used transgender status as an umbrella to also include drag queens and kings, and “male or female impersonators”. *Oiler v. Winn–Dixie La., Inc.*, No. 00–3114, 2002 WL 31098541 (E.D. La. Sept. 16, 2002).

The Iowa Constitution’s equal protection guarantee, found in Art. I, sections 1 and 6, is at least as protective as its federal counterpart found in the Fourteenth Amendment to the United States Constitution. *Varnum v. Brien*, 763 N.W.2d 862, 896 (Iowa 2009) (“legislative classifications based on sexual orientation must be examined under a heightened level of scrutiny under the Iowa Constitution.”). Iowa’s constitutional promise of equal protection is essentially a direction that all persons similarly situated should be treated alike under the law. *Gartner v. Iowa Dep’t of Pub. Health*, 830 N.W.2d 335, 351 (Iowa 2013). More precisely, the equal protection guarantee requires “that laws treat alike all people who are similarly situated with respect to the legitimate purposes of the law.” *Varnum*, 763 N.W.2d at 882 (quotation marks omitted); *Bowers v. Polk County Bd. of Supervisors*, 638 N.W.2d 682, 689 (Iowa 2002).

In two separate cases we’ve litigated, Iowa district courts have recognized that under the test set out by the Iowa Supreme Court in *Varnum*, classifications based on transgender status demand heightened scrutiny. *Vasquez et al. v. Iowa Dep’t of Hum. Servs.*, No. CVCV061729 at *22-33 (Polk Co. Dist. Ct. Nov. 19, 2021), *available at* https://www.aclu-ia.org/sites/default/files/vasquez_covington_order.pdf, *appeal dismissed*, __ N.W.2d __, 2023 WL 3397460 (Iowa May 12, 2023) (leaving district court decision undisturbed); *Good et. al v. Iowa Dep’t of Hum. Servs.*, Nos. CVCV054956, CVCV055470 (consolidated) at *26 (Polk Co. Dist. Ct. Jun. 6, 2018), *available at* <https://www.aclu.org/cases/good-v-iowa-dept-human-services?document=good-v-iowa-department-human-services-ruling-petitions-judicial-review>, *aff’d* 924 N.W.2d 853, 862-63 (Iowa 2019) (affirming on state statutory civil rights grounds without reaching constitutional question). Applying a similar analysis under the Iowa Civil Rights Act as applied under equal protection, the Iowa Supreme Court has also found that discrimination against transgender employee in employer-provided healthcare benefits and use of restroom and locker room facilities at work was prohibited gender identity discrimination. *Vroegh v. Iowa Dep’t of Corr.*, 972 N.W.2d 686, 704 (Iowa 2022) (upholding jury verdict and \$120,000 damages award).

In sum, because the Ordinance facially classifies on the basis of sex, gender, and sex- and gender-based stereotypes, it violates federal and state constitutional guarantees of equal protection.

This Ordinance also violates equal protection for a second, independent reason: it targets a disadvantaged group, LGBTQ drag performers, based purely on animus toward that group as undesirable. Even absent a suspect classification, a statute that targets a disadvantaged group based purely on animus toward that group is categorically prohibited under equal protection. The U.S. Supreme Court has long recognized that a law is irrational, and categorically violates equal protection, if its purpose is to target a disadvantaged group. *See United States v. Windsor*, 570 U.S. 744, 770 (2013) (“[A] bare [legislative] desire to harm a politically unpopular group cannot’ justify disparate treatment of that group.”) (quoting *U. S. Dep’t of Agric. v. Moreno*, 413 U.S. 528, 534-535 (1973); *Cleburne*, 473 U.S. at 448 (“[M]ere negative attitudes, or fear . . . are not permissible bases for [a statutory classification].”); *Romer v. Evans*, 517 U.S. 620, 632 (1996) (amendment that was “inexplicable by anything but animus toward the class it affect[ed] . . . lack[ed] a rational relationship to legitimate state interests”).

Here, on its face the Ordinance targets LGBTQ drag performers based on dislike for the group. Drag has become specifically linked with the LGBTQ community, and drag performers often perform in bars and spaces that specifically cater to the community. The City Council’s express purpose in passing the Ordinance is “to ensure that residential and family-oriented uses and adult entertainment facilities will be located in separate and compatible locations.” Dyersville, Ia. Mun. Code § 127.01 (2022). As already discussed, there is nothing inherently obscene or even sexually explicit about “male or female imperson[ation]”—and nothing “objectionable” about “male or female impersonators”—including everything from drag comedy acts to Shakespearean productions, that the youth need to be protected from. The Ordinance simply perpetuates a history of animus against the LGBTQ community as demonstrated by the pretextual nature of the asserted motives for the Ordinance. There are already laws prohibiting obscenity and this Ordinance does not generally prohibit obscenity but rather targets only by LGBTQ drag performers. Thus, there is no reason offered for the facially discriminatory classification but bare animus, and the Ordinance cannot pass constitutional muster.

The City should promptly remove all references to “male or female impersonators” from the Ordinance.

This City should follow the recent example of Eagle Grove, Iowa. After the ACLU learned that the City was enforcing the unconstitutional ordinance, we contacted legal counsel for the city, which, to its great credit, agreed to repeal the unconstitutional ordinance to avoid future violations. (See Ex. 1). We have also reached out to three other cities that are currently in the process of repealing their own anti-drag ordinances. Had these cities not taken the step to amend the ordinances, they risked liability for officials that enforced them without realizing they were unconstitutional. The City faces similar risks here.

We encourage you not to allow the Ordinance to stay on the books with the intention not to enforce it. It is important to remove the unconstitutional ordinance from the municipal code to protect residents from constitutional violations, and to protect the city and its officers from liability.

For these reasons, we urge the City to, at minimum, remove all references to “male or female impersonators and similar entertainers” from the Ordinance. A court would likely find that the restriction of these performances under the Ordinance is content-based and overbroad in violation of free speech, and violates equal protection.

Thank you for your attention to this important matter. I ask that you inform me within 14 days of the date of this letter that you agree not to enforce the ordinance as written, and that you will promptly take the necessary action to amend the ordinance as requested.

Please contact me with any questions about this matter by phone or email at shefali.aurora@aclu-ia.org.

Sincerely,



Shefali Aurora

Staff Attorney

ACLU of Iowa Foundation, Inc.
505 Fifth Ave., Ste. 808
Des Moines, IA 50309-2317
Telephone: (515) 207-0567
Fax: (515) 243-8506

CHAPTER 124

ADULT ENTERTAINMENT BUSINESSES

124.01 Location Restricted

124.02 Definitions

124.03 Establishment of Adult Entertainment
Businesses

124.04 Violations

124.01 LOCATION RESTRICTED.

Any adult entertainment business which is distinguished or characterized by an emphasis on sex acts or specified anatomical areas shall not be established in any district zoned for residential use or within 1,000 feet of another business, school, church, public park, day care center, nursery school, or any type of dwelling.

124.02 DEFINITIONS.

1. Definitions of adult entertainment businesses include the following:

A. "Adult amusement or entertainment" means an amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to sex acts or specified anatomical areas, including, but not limited to, topless or bottomless dancers, exotic dancers, strippers, male or female impersonators, or similar entertainment.

B. "Adult bookstore" means an establishment having as a significant portion of its stock in trade books, magazines, and other periodicals or goods and items held for sale which are distinguished or characterized by their emphasis on matters depicting or describing sex acts or specified anatomical areas.

C. "Adult hotel or motel" means any building or vehicle with accommodations used for the temporary occupancy of one or more individuals and is an establishment where material is presented that is distinguished or characterized by an emphasis on depicting or describing sex acts or specified anatomical areas for observation by the accommodated individuals.

D. "Adult motion picture arcade" means any building or vehicle to which the public is permitted or invited where coin or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing sex acts or specified anatomical areas.

E. "Adult motion picture theater" means an enclosed building or vehicle used for presenting material distinguished or characterized by an emphasis on matter depicting or describing sex acts or specified anatomical areas.

F. "Adult photo studio" means an establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing specified anatomical areas or sex acts.

G. "Massage parlor" means any building, room, place, vehicle, or establishment, where manipulated massage or manipulated exercise is practiced for pay upon the human body with an emphasis on sex acts or specified anatomical areas by anyone not a duly licensed physician, osteopath, chiropractor, registered nurse or practical nurse operating under a physician's direction, physical therapist, podiatrist, registered speech pathologist, or physical or occupational therapist who treats only patients recommended by a licensed physician and operates only under such physician's direction, whether with or without the use of mechanical, therapeutic, or bathing devices. The term does not include regular licensed medical clinics, nursing homes, beauty parlors, or barber shops.

H. "Sexual encounter center" means any business, agency, or persons who for any form of consideration provides a place where three or more persons may congregate, assemble or associate for the purpose of engaging in sex acts or exposing specified anatomical areas.

Item 23.

2. Definitions of sex acts and specified anatomical areas are as follows:

A. "Sex act" means any sexual contact, actual or simulated, either natural or deviate, between two or more persons, or between a person and an animal, by penetration of the penis into the vagina or anus, or by contact between the mouth or tongue and genitalia or anus, or by contact between a finger or hand of one person and the genitalia of another, or by the use of artificial or substitute sexual organs in contact with the genitalia or anus.

B. "Specified anatomical areas" include human genitals, pubic region, buttocks, and the female breast below a point immediately above the top of the areola.

124.03 ESTABLISHMENT OF ADULT ENTERTAINMENT BUSINESSES.

1. The establishment of an adult entertainment business shall include the opening of such business as a new business, the relocation of such business, or the conversion of an existing business location to any of the uses described as an adult entertainment business.
2. Measurement of the 1,000-foot restriction shall be taken on a direct line from the property line of such adult entertainment business to the point on the property line of another business, school, church, public park, day care center, nursery school, or any type of dwelling.
3. All adult entertainment businesses shall have their openings, entries, windows, etc., constructed, located, covered, or screened in such a manner as to prevent a view into the interior of such building from any pedestrian sidewalk, walkway, street, or other public or semi-public area. Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public from the pedestrian sidewalks, walkways, or other public or semi-public area.
4. No alcohol shall be permitted in any adult entertainment business, unless specifically authorized by Iowa law. This prohibition applies equally to the proprietor and the patrons of the business.
5. No minors shall be permitted in any entertainment business.

124.04 VIOLATIONS.

Each day that a person is in violation of this chapter shall be considered a separate violation.

ORDINANCE NO. 2021-__

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EAGLE GROVE, IOWA BY AMENDING PROVISIONS PERTAINING TO THE ADULT ENTERTAINMENT BUSINESSES

BE IT ENACTED by the City Council of the City of Eagle Grove, Iowa:

SECTION 1. SECTIONS MODIFIED. Sections 124.01, 124.02(1)(A), and 124.03 of the Code of Ordinances of the City of Eagle Grove, Iowa, is repealed and the following adopted in lieu thereof:

124.01 LOCATION RESTRICTED.

Any adult entertainment business shall not be established in any district zoned for residential use or within 1,000 feet of another business, school, church, public park, day care center, nursery school, or any type of dwelling.

124.02 DEFINITIONS.

1. Definitions of adult entertainment businesses include the following:

A. "Adult amusement or entertainment" means an amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to sex acts or specified anatomical areas, including, without limitation, topless or bottomless dancers, exotic dancers, strippers, or similar entertainment.

124.03 ESTABLISHMENT OF ADULT ENTERTAINMENT BUSINESSES.

1. The establishment of an adult entertainment business shall include the opening of such business as a new business, the relocation of such business, or the conversion of an existing business location to any of the uses described as an adult entertainment business. The conversion of an existing business location to an adult entertainment business shall include the isolated, intermittent, temporary, or sporadic use of an existing business location, in whole or in part, for any of the uses described as an adult entertainment business.

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

SECTION 3. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the ____ day of _____, 2021, and approved this ____ day of _____, 2021.

Sandra McGrath, Mayor

ATTEST:

Bryce Davis

City Administrator/Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 2021-____ on the ____ day of _____, 2021.

City Clerk

RESOLUTION NO. 57-23

Approving Grant Agreement Amendment One between
Iowa Department of Homeland Security and Emergency Management
and
City of Dyersville

WHEREAS, a grant agreement between the City and Iowa Department of Homeland Security and Emergency Management has been approved on December 5, 2022; and,

WHEREAS, the City of Dyersville is seeking a grant time extension: and,

WHEREAS, the grant agreement amendment one has been prepared; and,

WHEREAS, this City Council has reviewed and considered the grant agreement amendment one; and,

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Dyersville, Iowa, as follows:

Section 1. The grant agreement amendment one is hereby approved. The Mayor is hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of legal counsel and Mayor, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 2. The City Administrator is hereby approved as the authorized representative for the City of Dyersville.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and Approved August 21, 2023.

Jeff Jacque, Mayor

Attest:

Tricia L. Maiers, City Clerk

Amendment Number One**SUBAWARD AGREEMENT****Between****Iowa Department of Homeland Security and Emergency Management (HSEMD)****And****City of Dyersville****SUBAWARD AGREEMENT NO: EMK-2021-BR-041-0010****PROJECT TITLE: Dyersville Flood Mitigation****PERFORMANCE PERIOD START DATE: 09/14/2022****PERFORMANCE PERIOD END DATE: 03/31/2024 (as amended)**

This is Amendment Number One to the above-referenced Subaward Agreement (AGREEMENT) between Iowa Department of Homeland Security and Emergency Management (HSEMD) and the City of Dyersville (SUBRECIPIENT). The original AGREEMENT was executed on 12/7/2022.

Page 3 of 30, III. Period of Performance, paragraph 1, of said AGREEMENT is amended to read:

The approved Period of Performance for this subaward is from ***09/14/2022 through 03/31/2024***. All work must be completed prior to the end of the Period of Performance. HSEMD will not reimburse the SUBRECIPIENT for costs that are obligated or incurred outside of the Period of Performance.

All other paragraphs in said AGREEMENT remain unchanged.

IN WITNESS WHEREOF, HSEMD, the SUBRECIPIENT, and the AUTHORIZED REPRESENTATIVE have executed this AGREEMENT by the signatures of authorized persons of the entities and on the date indicated below:

Iowa Department of Homeland Security and
Emergency Management:

City of Dyersville:

Dennis Harper
Division Administrator

Jeff Jacque
Mayor

Date

Date

Authorized Representative (optional)

Date