





## PUBLIC NOTICE

City of Union

### MINUTES UNION CITY COUNCIL REGULAR MEETING

Mayor Stephanie Carson called the meeting to order at 6:30pm Tuesday July 14, 2020 at the Union City Hall. The Pledge of Allegiance was recited.

Roll Call: Tom Bays, Alan Donaldson, Andy Clemons, Cindy Clemons, Candy Wait. All present. Also present were 8 residents, John Benson City Maintenance, and City Clerk Colleen Eagan.

Public Comments: Questions about ditch maintenance and dumpster permits. A Clemons moved to approve the agenda, second by Wait 4 Ayes, Donaldson absent. Motion passed.

Bays moved second by Donaldson, to approve Consent Agenda: June Regular Meeting and Special Meeting Minutes and Claims Paid. 5 Ayes, motion carried.

Reports: Mayor; the pump at the lagoon has been fixed. New swings have been installed at the park. Clerk; End of Fiscal Year and End of Month financials given. Leftover funds for Fire Department and the Ambulance were transferred to Equipment funds. Thanks to Dave's and John for fixing the flag pole. Maintenance; Multiple trees need to be trimmed in town. Clean-up continues for Tar Heel Days and streets patched. Grass has been replanted in the park. Nuisance; Abatements have been sent and liens will be filed. Fire Department; tires need to be replaced on tanker and bids will be pursued. Water/Wastewater and Sheriff Reports in packet.

Discuss and Action:

1. Agenda Requests:

A. Diana Blackburn requested water repair billing be reconsidered for owners. Insurance will not pay for repair to the main. Discussion only no action taken.

B. Megan Cross Beauty shop in home. Resident did not appear.

C. Floyd Hammers presented a petition to establish a Drainage Ditch District. Lee Gallentine from Clapsaddle-Garber Associates explained the different options available to resolve the problems.

2. Lagoon issues/ pump Update/concerns to JEO: JEO representatives discussed basket, pump and wiring issues with the Sewer Rehab Project. Pipe to be televised Wiring will be reviewed. JEO will address issues after additional research

has been taken.

3. Tree removal: Council discussed City Tree Ordinance Chapter 23.05 DUTY TO TRIM TREES. The owner or agent of abutting property shall keep the trees on or overhanging the street trimmed so that all branches will be at least fifteen (15) feet above the surface of the street and eight (8) feet above the sidewalk. Numerous properties are in violation of this ordinance. Residents will be informed of the need to trim trees to the specifics of the ordinance. If no action was taken, the City will trim branches and assess the costs to the property owner.

4. Emergency Siren Update

5. Water Leak update

6. Davis Street paving and patch update

7. Revise ordinance 90.12 to repair street in emergency situation

8. Fire Station Garage door replacement

9. Division of Township monies

10. Part-Time Maintenance position

11. Library Board; Backoff resigning and approval of Goodlaxson

Income: 51,562.44

General -3426.72, Ambulance 2989.91, Capital 1664.39, Fire Department 730.30, Garbage 509.29, Landfill 10984.53, Library 1527.74, Pool Operating 1664.39, Road Use Tax 1901.38, Employee Benefit 51.93, LOST 3328.78, Emergency Fund 20.25, Ambulance Vehicle 19307.46, Fire Truck 17563.78, Water Sinking 581.99, Water -99.06, Sewer Sinking 977.03, Sewer 1005.27.

Expense: 138,802.96

General 6803.03, Ambulance 20,698.11, Capital 7077.31, Fire Department 18484.02, Garbage 1007.50, Landfill 3126.50, Library 4664.38, Pool Operating 12.09, Road Use Tax 1597.17, Employee Benefit 541.27, LOST 3328.78, Emergency Fund 20.25, Water Sinking 18,335.00, Water 1717.02, Sewer Sinking 37157.28, Sewer 14233.25.

Independent Claims Paid: Library; Alliant Energy, utilities 106.67, Micro Marketing, DVD's 154.60, B&G HVAC, spring check furnace 85.00, Gavin Backoff, assisting with craft program 30.00, Gavin Backoff, assisting with craft program 30.00, American Express, books, DVD's, CDs, supplies, periodicals 1563.95, Laura Newby, craft supplies 16.28, Laura

Newby, reimbursement time and mileage 500.00, Heart of Iowa, phone 47.02, City of Union, payroll reimbursement 2128.18; Ambulance, George Wait, calls 68.00, Lisa Thompson, calls 78.00, Andrew Clemons, calls 59.50, Junior Prusha, calls 25.50, Lisa Thomson, calls 69.50, Junior Prusha, calls 84.50, Andrew Clemons, calls 54.00, Lisa Thompson, calls 104.50, Darlene Bradley, paperwork 50.00, Heart of Iowa, phone 6.75; Fire Department; Sam's Club, card renewal, Midwest Fire Extinguisher, equipment check 12.00, Union Fire Department, Transfer 2000.00.

General Claims Paid: Gateway Insurance, Fire Department and Ambulance policy 3040.00, OmniSite, wireless service 276.00, Iowa Codification, update codes 1300, KB Underground, waiter main repair 2790, Alliant Energy, utilities 1562.46, John Benson, reimburse supplies for park project 346.42, Dennis Carson, daily readings 535.80, ClerkBooks, support hours 750, DMK Enterprises, fuel misc supplies 152.75, Eldora Hardware, misc supplies 41.28, Kim Faris, haul rock 60.28, Gehrke Quarries, rock 218.52, Hardin County Sheriff, monthly contract 785.73, Heart of Iowa, internet/phone 2.86, Innovative Ag 529.29, IA Dept of Natural Resources, annual fee 45.34, Iowa League of Cities, membership 427, Iowa One Call, emails 18, Kelly Kendall Construction, remove and replace concrete city park 8300, Keystone Laboratories, water/sewer testing 91.75, Knights Sanitation, garbage pickup 1017.50, Mid-America Publishing, minutes 99.26, NAPA Auto Parts, air tank 49.99, NIRG, dues 198.50, Rhonda Guy, water/wastewater 723.00, Union Fire Department, 6-month contribution 450, USIC Locating Services, utility locates 326.42, Utility Equipment Company, water repairs/hydrants 4962.47, Vaux Welding, shut off wrench 54.97, VISA, swings, payroll fees, USPS, tire repair 982.91, HCSB, ACH fees 5, QuickBooks Payroll Service, payroll 1585.47, QuickBooks Payroll Service, payroll 1720.98, United States Treasury, withholding 915.24, IPERS, contributions 668.51, IA Dept of Finance, withholding 252.00, QuickBooks Payroll Service, payroll 1568.48, Iowa Dept of Finance, sales tax 890.

(Ledger – July 28, 2020)

## PUBLIC NOTICE

Hardin County Board of Supervisors

### PUBLIC NOTICE

The Hardin County Board of Supervisors will hold a special meeting and public hearing on the following proposed Ordinance No. 29 Amendment on August 10, 2020 at 9:01 A.M. This meeting will be held remotely via Zoom. Please contact 641-939-8108 for information. Other items on the agenda for the special meeting will include: first consideration of the proposed Ordinance No. 29 Amendment; motion to waive second reading; and motion to set final consideration of the proposed Ordinance No. 29 Amendment for August 12, 2020 at 9:00 A.M.

Summary of Hardin County Proposed Amended Article XXIII of Ordinance No. 29, Entitled  
ARTICLE XXIII. NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEM PERMITTED USES AND COMMERCIAL CONDITIONAL USE WIND ENERGY CONVERSION SYSTEM STANDARDS.

Pursuant to Iowa Code 331.302(6) and Hardin County Ordinance No. 1, Section 2, the following is a summary of the proposed amended Article XXIII of Ordinance 29, which will become codified if adopted by the Hardin County Board of Supervisors. The full text of the proposed Article XXIII of Ordinance 29, may be viewed during regular business hours at the entry of the Hardin County Courthouse, 1215 Edgington Avenue, Suite 1, Eldora, Iowa 50827, and at the office of the Hardin County Auditor, Hardin County Courthouse, 1215 Edgington Avenue, Suite 1, Eldora, Iowa 50827. It may also be viewed by going to the following link: <https://tinyurl.com/y7sofdzn>.

Article XXIII of Ordinance 29 provides standards and procedures for non-commercial and commercial wind energy conversion systems (WECS) in Hardin County, Iowa. The provisions are to be enforced by the Zoning Director. Article XXIII is divided into nine (9) Sections:

(1) Purpose; (2) Definitions; (3) Permitted Uses for Non-Commercial WECS; (4) Conditional Use

Permits for Non-Commercial and Commercial WECS; (5) Procedures; (6) Recording Requirement; (7) Fees; (8) Severability Clause; and (9) Effective Date.

Section 1. PURPOSE.

The purpose of this Article is to provide a regulatory means for the construction and operation of large and small wind energy facilities in Hardin County, subject to reasonable restrictions, which will preserve the public health, safety, and welfare. Hardin County adopts these provisions to promote the effective and efficient use of the County's wind energy resource.

Section 2. DEFINITIONS.

This section defines the following terms: Commercial WECS (C-WECS), Dwelling Unit, Facility Owner, Facility Operator, Feeder Line, Meteorological Tower, Non-Commercial WECS, Non-Dwelling Unit, Private Park, Property Line, Public Drainage System, Rotor Diameter, Setback, Total Height, Tower

Height, Wind Energy Conversion System (WECS), Wind Turbine.

Section 3. "A", AGRICULTURAL DISTRICT; "R-1", SINGLE-FAMILY RESIDENTIAL; "R-2", MULTI-FAMILY RESIDENTIAL; "R-3", MOBILE HOME PARK DISTRICT; "C", COMMERCIAL DISTRICT; "M", MANUFACTURING DISTRICT.

PERMITTED USES: This section establishes limitations and requirements for the permitted uses of Non-Commercial WECS, including: Tower Height, Setback; Noise; Engineer Certification; Compliance with FAA Regulations; Compliance with National Electric Code; and Utility Notification.

Section 4. CONDITIONAL USE PERMITS FOR NON-COMMERCIAL WECS AND C-WECS STANDARDS.

This section establishes limitations and requirements for conditional use permits of Non-Commercial and Commercial WECS, including setbacks (Table 1) and zoning restrictions (Table 2).

1. GENERAL REQUIREMENTS

The requirements of this Ordinance shall apply to all WECS proposed after the effective date of this Ordinance. WECS for which a required permit has been properly issued prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance; provided, that any such pre-existing C-WECS, which does not provide energy for a continuous period of twelve (12) months, shall meet the requirements of this Ordinance prior to recommencing production of energy. Also, no modification or alteration to an existing WECS shall be allowed without full compliance with this Ordinance. The Hardin County Zoning Director shall be responsible for creating a Conditional Use Permit Application for WECS to ensure substantial compliance with this ordinance.

The general requirements for Commercial WECS, including: Color and Finish; Tower configuration; Lighting; Signage; Feeder Lines; Waste Disposal; Minimum Ground Clearance; Signal Interference; Federal Aviation Administration; Electrical Codes and Standards; Safety; Noise; local agent.

This section also contains a Subsection titled "Avoidance and Mitigation of Damages to Public Infrastructure". It establishes requirements to protect roads and drainage systems in the county, and to place financial security requirements on the developer.

This section also contains a Subsection titled "Discontinuation and Decommissioning". It establishes when a discontinued wind turbine must be removed and to what depth below ground level it must be removed. It also establishes and placed upon the developer financial security requirements to ensure proper decommissioning.

Section 5. PROCEDURES.

This section sets forth the application process to obtain a conditional use permit. In part, it states:

"A Conditional Use Permit Application must be submitted for each individual ap-

plicable Wind Turbine with the applicable fee. This does not prohibit joint proceedings, including notices, public hearings, reviews and approvals as appropriate. The Director is hereby authorized to establish the content and form of the Conditional Use Permit Application consistent with this ordinance."

It also establishes procedures for stakeholder notification and participation. In part, it states:

"The Facility Owner/Facility Operator shall be responsible for obtaining and submitting to the Director, at the time the Conditional Use Permit Application is made, showing the names and last known addresses of the owners of all property within 5,280 feet (1 mile) of the perimeter of the total project development site containing wind energy device(s). Prior to the approval for such Conditional Use Permit, notice shall be given by the Director by ordinary mail to all adjacent property owners and owners of property within 5,280 feet (1 mile) of the proposed site(s) for which the conditional use is requested.

"The WECS applicant is responsible in notifying the following state, federal, and local agencies of their planned project and allowing said entities 120 days to do a preliminary review. Documentation of notification by certified mail to these agencies, and any reports from the agencies must be provided to the county 30 days prior to the Board of Adjustment first public hearing on the matter. If the entity does not act within 120 days, the plan may be deemed approved by the entity. It is recommended that any issues be addressed prior to the public hearing. Army Corps of Engineers; Bureau of Land Management; U.S. Fish and Wildlife; U.S. Department of Agriculture (Local FSA and NRCS); Environmental Protection Administration (EPA); Federal Communications Commission (FCC); National Weather Service; Iowa Pipeline Association; Iowa Department of Natural Resources; Hardin County Conservation Board; Hardin County E911 Service Board; Hardin County Emergency Management Commission; Private and Public Hardin County Drainage District Trustees; Hardin County Drainage Clerk; Hardin County and local EMS Fire and Rescue; Hardin County Engineer's Office; Hardin County Solid Waste Commission; Hardin County Board of Health; Iowa River Trail – Hardin Commission; Pioneer Cemetery Commission; Iowa Falls Airport; Eldora Airport; Ackley Airport; Radcliffe Airport; South Fork Watershed Alliance"

Section 6. RECORDING REQUIREMENT

This section requires that the applicant record the location and depth of all structures and utilities for each Commercial WECS, as well as the date and depth of removal upon decommissioning.

Section 7. FEES.

Fee shall be set by resolution.

Section 8. SEVERABILITY CLAUSE.

Section 9. EFFECTIVE DATE.

TABLE 1

Property Lines*	2 X Total Height	Greater of Manufacturer's Recommended Property Line Setback or 1.3 X Total Height	2 X Total Height
Dwelling Units'	Greater of Manufacturer's Recommended Safety Setback Distance or 3X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height	Greater of Manufacturer's Recommended Safety Setback Distance or 3 X Total Height
Non-Dwelling Units'	2 X Total Height	2 X Total Height	2 X Total Height
Public Right-of-Way**	2 X Total Height	2 X Total Height	2 X Total Height
Communication or Electrical Lines	2 X Total Height	2 X Total Height	2 X Total Height
Private Park	2 X Total Height	2 X Total Height	2 X Total Height

(Ledger - July 28, 2020)