

ORDINANCE NO. 427-22 CITY OF MONONA

ORDINANCE NO. 427-22 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONONA, IOWA, BY AMENDING PROVISIONS PERTAINING TO ALCOHOLIC BEVERAGE CONTROL.

Be It Enacted by the City Council of the City of Monona, Iowa:

SECTION 1. SECTION MODIFIED. Section 45.01 of the Code of Ordinances of the City of Monona, Iowa, is repealed and the following adopted in lieu thereof:

45.01 PERSONS UNDER LEGAL AGE. As used in this section, "legal age" means 21 years of age or more.

1. A person or persons under legal age shall not purchase or attempt to purchase, consume, or individually or jointly have alcoholic beverages in their possession or control; except in the case of any alcoholic beverage given or dispensed to a person under legal age within a private home and with the knowledge, presence, and consent of the parent or guardian, for beverage or medicinal purposes or as administered to the person by either a physician or dentist for medicinal purposes and except to the extent that a person under legal age may handle alcoholic beverages during the regular course of the person's employment by a retail alcohol licensee, or wine or beer permittee under State laws.

(Code of Iowa, Sec. 123.47[3])
2. A person under legal age shall not misrepresent the person's age for the purpose of purchasing or attempting to purchase any alcoholic beverage from any retail alcohol licensee.

(Code of Iowa, Sec. 123.49[3])
3. Misrepresentation of Age. A person under legal age shall not misrepresent the person's age for the purpose of purchasing or attempting to purchase any alcoholic beverage from any liquor control licensee or wind or beer permittee.

(Code of Iowa, Sec. 123.49[3])
SECTION 2. SUBSECTION MODIFIED. Subsection 2 of Section 45.02 of the Code of Ordinances of the City of Monona, Iowa, is repealed and the following adopted in lieu thereof:

2. A person shall not use or consume alcoholic liquor, wine, or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place, except premises covered by a retail alcohol license. A person shall not possess or consume alcoholic liquors, wine, or beer on public school property or while attending

any public or private school-related function. A person shall not be intoxicated in a public place.

SECTION 3. SECTION MODIFIED. Section 120.03 of the Code of Ordinances of the City of Monona, Iowa, is repealed and the following adopted in lieu thereof:

120.03 INVESTIGATION. Upon receipt of an application for a retail alcohol license, the Clerk may forward it to the Police Chief, who shall then conduct an investigation and submit a written report as to the truth of the facts averred in the application. The Fire Chief may also inspect the premises to determine if they conform to the requirements of the City. The Council shall not approve an application for a license for any premises that does not conform to the applicable law and ordinances, resolutions, and regulations of the City.

(Code of Iowa, Sec. 123.30)
SECTION 4. SECTION MODIFIED. Section 120.04 of the Code of Ordinances of the City of Monona, Iowa, is repealed and the following adopted in lieu thereof:

120.04 ACTION BY COUNCIL. The Council shall either approve or disapprove the issuance of a retail alcohol license, shall endorse its approval or disapproval on the application, and shall forward the application with the necessary fee and bond, if required, to the Alcoholic Beverages Division.

(Code of Iowa, Sec. 123.32[2])
SECTION 5. SECTION MODIFIED. Section 120.05 of the Code of Ordinances of the City of Monona, is repealed and the following adopted in lieu thereof:

120.05 PROHIBITED SALES AND ACTS. A person holding a retail alcohol license and the person's agents or employees shall not do any of the following:

1. Sell, dispense, or give to any intoxicated person, or one simulating intoxication, any alcoholic beverage.

(Code of Iowa, Sec. 123.49[1])
2. Sell or dispense any alcoholic beverage on the premises covered by the license, or permit its consumption thereon between the hours of 2:00 a.m. and 6:00 a.m. on any day of the week.

(Code of Iowa, Sec. 123.49[2b])
3. Sell alcoholic beverages to any person on credit, except with a bona fide credit card. This provision does not apply to sales by a club to its members, to sales by a hotel or motel to bona fide registered guests, or to retail sales by the managing entity of a convention center, civic center, or events center.

(Code of Iowa, Sec. 123.49[2c])
4. Employ a person under 18 years of age in the sale or serving of alcoholic beverages for consumption on the premises where sold.

(Code of Iowa, Sec. 123.49[2f])
5. In the case of a retail wine or beer permittee, knowingly allow the mixing or adding of alcohol or any alcoholic beverage to wine, beer, or any other beverage in or about the permittee's place of business.

(Code of Iowa, Sec. 123.49[2j])
6. Knowingly permit any gambling, except in accordance with Iowa law, or knowingly permit any solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit.

(Code of Iowa, Sec. 123.49[2a])
7. Knowingly permit or engage in any criminal activity on the premises covered by the license.

(Code of Iowa, Sec. 123.49[2j])
8. Keep on premises covered by a retail alcohol license any alcoholic liquor in any container except the original package purchased from the Alcoholic Beverages Division

and except mixed drinks or cocktails mixed on the premises for immediate consumption. However, mixed drinks or cocktails that are mixed on the premises and are not for immediate consumption may be consumed on the licensed premises, subject to rules adopted by the Alcoholic Beverages Division.

(Code of Iowa, Sec. 123.49[2d])
9. Reuse for packaging alcoholic liquor or wine any container or receptacle used originally for packaging alcoholic liquor or wine; or adulterate, by the addition of any substance, the contents or remaining contents of an original package of an alcoholic liquor or wine; or knowingly possess any original package that has been reused or adulterated.

(Code of Iowa, Sec. 123.49[2e])
10. Allow any person other than the licensee or employees of the licensee to use or keep on the licensed premises any alcoholic liquor in any bottle or other container that is designed for the transporting of such beverages, except as allowed by State law.

(Code of Iowa, Sec. 123.49[2g])
11. Sell, give, possess, or otherwise supply a machine that is used to vaporize an alcoholic beverage for the purpose of being consumed in a vaporized form.

(Code of Iowa, Sec. 123.49[2i])
SECTION 6. SECTION MODIFIED. Section 120.06 of the Code of Ordinances of the City of Monona, is repealed and the following adopted in lieu thereof:

na, is repealed and the following adopted in lieu thereof:

120.06 AMUSEMENT DEVICES. The following provisions pertain to electrical or mechanical amusement devices possessed and used in accordance with Chapter 99B of the Code of Iowa. (Said devices are allowed only in premises with a retail alcohol license, as specifically authorized in said Chapter 99B.)

(Code of Iowa, Sec. 99B.57)
1. As used in this section, "registered electrical or mechanical amusement device" means an electrical or mechanical device required to be registered with the Iowa Department of Inspection and Appeals, as provided in Section 99B.53 of the Code of Iowa.

2. It is unlawful for any person under the age of 21 to participate in the operation of a registered electrical or mechanical amusement device.

3. It is unlawful for any person owning or leasing a registered electrical or mechanical amusement device, or an employee of a person owning or leasing a registered electrical or mechanical amusement device, to knowingly allow a person under the age of 21 to participate in the operation of a registered electrical or mechanical amusement device.

4. It is unlawful for any person to knowingly participate in the operation of a registered electrical or mechanical amusement device with a person under the age of 21.

SECTION 7. 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 8. 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 on the 1st day of August, 2022, and approved this 1st day of August, 2022.

Grant Langhus, Mayor
ATTEST:
Barbara Collins, City Clerk

First Reading: 08-01-2022
Second Reading: Waived
Third Reading: Waived

I certify that the foregoing was published as Ordinance No. 427-22 on the 10th day of August, 2022.

Barbara Collins, City Clerk
Published August 10, 2022 in The Outlook, Monona.

PUBLIC NOTICE CITY OF MONONA

CITY OF MONONA REGULAR COUNCIL MEETING MONDAY, AUGUST 1, 2022

The Monona, Iowa, City Council met in regular session Monday, August 1, 2022, at 6:00 p.m. at Monona Community Center. Mayor Grant Langhus presided with John Elledge, Bridget Schlein, Andrew Meyer, Timothy Wright, and Preston Landt present.

Guests Present: John Jensen (Outlook), Audrey Posten (NIT), Ardie Kuhse, Brandi Folsom, Linda Landt, Ryan Johnson, Justin Birdnow, Isaac Brehmer, Jerica Miller, and Mandy Halverson (MCED), and Julie Lenth, Melody Davies, Chad Davies, Ande Davies, and Carol Grady.

1) Approve Consent Agenda Moved by Elledge, seconded by Landt, to approve consent agenda as listed. Carried Unanimously.

Agenda
• Council Minutes ~ July 18, 2022
• Prepaids/Warrants
• Darby Family Aquatic Center Endowment ~ June 2022 Fund Activity Statement
• Public Works Report ~ July 2022

PREPAID LIBRARY

ALLIANT ENERGY ELEC.	261.00
ALPINE COMMUNICATIONS, LC	
SECURITY SYSTEM MONITORING	29.95
BAKER & TAYLOR, INC.	
BOOKS	1,248.13
BIG RIVER MAGAZINE	
RENEWAL	36.00
BLACK HILLS/IOWA GAS UTILITY GAS SERVICE	197.00
CITY LAUNDRING CO.	
RUGS	88.17
CROELL, INC.	
4.75 CY W/ FIBER PERGOLA & PAD	719.98
LANDT, HEIDI	
REIMB BOOKS & SUPPLIES	127.09
DON MARTINDALE	
MOWING	152.00
LINDA MCCANN	
SPEAKER	45.00
MicroMarketing ASSOCIATES	
AUDIO BOOK CDS	31.99
MIDAMERICA BOOKS	
BOOKS	201.55
NEIT PHONE SERVICE	50.46
ORIENTAL TRADING COMPANY, INC.	
SPR SUPPLIES	59.94
OVERDRIVE	
11 EBOOKS & 4 AUDIOS	336.58
READER'S DIGEST	
SUBSCRIPTION	10.00
TRAPPE, SUSAN	
MILEAGE - CC LIBRARIES	59.67
Total	\$3,654.51

PREPAIDS

AFLAC	
AFLAC-PRETAX	237.10
ALLAMAKEE-CLAYTON ELECT COOP	
ELEC SERV	116.78
ALLIANT ENERGY	
ELEC.	10,021.00
CITY OF MONONA	
HLTH INS-PRETAX	542.60
CLAYTON COUNTY DEVELOPMENT GRP	
ANNUAL DINNER - BC	19.00
COMMUNITY INSURANCE OF MO	
AUDIT 22/23 & CHANGES	1,243.00
CROELL, INC.	
8.5 CY MEMORIAL SQUARES	1,915.30
DEARBORN NATIONAL LIFE INS. CO LIFE INSURANCE	178.90
FREEDOMBANK	
FED/FICA TAX	10,693.84
HSA EMPLOYEE	
HSA EMPLOYEE	100.00
HSA EMPLOYEE	
HSA EMPLOYEE	92.00
HSA EMPLOYEE	
HSA EMPLOYEE	200.00
IPERS IPERS	5,100.61
MARCO dba GREATAMERICA FINANC	
COPIER MAINTENANCE	262.00
MONONA CEMETERY	

ASSOCIATION	
2021/2022 PROPERTY TAX	1,605.01
MONONA POST OFFICE	
JULY UTILITY BILLING	283.66
PEOPLESERVICE	
CONTRACT FEE	22,609.00
PETTY CASH	
POSTAGE/POOL CONCESSION/ SUPPLY	142.10
TREASURER STATE OF IOWA	
SALES TAX	5,793.04
U.S. CELLULAR	
PHONE SERV	276.62
WELLMARK BL CROSS	
BL SHIELD PREM	7,572.99
ANDREW STROSCHN	
UB Refund	23.49
TOTAL	\$69,028.04

WARRANTS

JO AMSDEN	
TACTICAL CAPS X 4	85.40
BLACK HILLS/IOWA GAS UTILITY GAS SERVICE	1,553.77
BODENSTEINER IMPLEMENT COMPANY	
D ZTRAK MOWER OIL & FILTER	51.49
CAPITAL SANITARY SUPPLY	
TP & PAPER TOWELS	237.38
CARRICO AQUATIC RESOURCES	
6' BFV LEVER HANDEL X2	674.52
CITY LAUNDRING CO.	
CLEANING SUPPLIES	124.06
CLAYT CO HEALTH & ZONING POOL & SLIDE INSPECTION	400.50
BARBARA COLLINS	
MS OFFICE HOME & BUSINESS 2021	432.93
COUNTRY VIEW DAIRY	
3 CS FROZEN YOGURT	390.00
DON'S TRUCK SALES	
'06 DUMP TRUCK REPR RUSTD BODY	1,598.46
RANDY A. EVANSON	
TRAINING MEAL REIMB	11.82
FISK'S FARM & HOME SUPPLY PAINT/ SUPPLIES/ CONCESSIONS	330.25
FREEDOMBANK	
HSA PAYMENT 3RD QTR	7,318.75
HACKETT'S PORTA POTTY RENTAL	
RENTALS 15 JUN - 15 JUL	180.00
HAWKINS, INC.	
CHEMICALS	1,330.99
IOWA ASSN. OF MUNICIPAL UTILIT	
ISEP JUL - SEPT QTR SAFETY TRA	597.33
IOWA CODIFICATION, INC.	
LC22 - ALCOHOLIC BEVERG CONTRL	132.00
IOWA DEPT. OF NATURAL RESOURCE NPDES	210.00
IOWA ONE CALL	
LOCATES MAY & JUN X 45	40.50

KEYSTONE LABORATORIES

TESTING - POOL	13.75
KREGEL ELECTRIC, INC.	
EXHAUST FAN MECH RM/ OUTLETS	2,236.47
MB CONSTRUCTION, INC.	
S PAGE @ LBCC CONCRETE & REBAR	8,734.97
MID-AMERICA PUBLISHING CORP. MINUTES 7/5	419.95
MIKE J. EGAN	
TRAINING MEAL REIMB	11.82
MYERS-COX CO.	
CANDY - POOL	448.45
T & K CAHOON NAPA AUTO PARTS	
ENDLOADER GREASE FITTING	4.49
NEIT PHONE SERVICE	1,094.16
OUTDOOR CREATIONS	
8 TREES	2,500.00
LIME ROCK SPRINGS CO.	
POP - POOL	307.64
QUILLIN'S	
CONCESSIONS & FUEL	272.17
RANDALL SCOTT MUNSON JET/WAC/VIDEO 22767/ JET 333'X2	6,411.15
RECREATION SUPPLY COMPANY	
TESTING CHEMICALS	25.56
SCANTRON	
UP RECEIPT PRINTR ANNUAL	

SRV	210.00
SCHILLER LAW OFFICE LEGAL FEES	659.20
SMITTY'S OIL & TIRE	
WHITE EXPLORER OIL CHANGE	51.95
SOPHIE LANDT	
INK CARTRIDGE	28.47
YEOMENS INC DBA SPORTS WORLD	
4 CAPS LOGO & PATCHES	71.96
STOREY KENWORTHY/ MATT PARROTT	
OFFICE SUPPLIES	173.59
TIESKOETTER LAWN CARE	
SPRING WEED CONTROL/ SPRAY	990.00
UNITED FLOW TECHN. EES BUYER	
CHECK FLAP KIT X 4	1,444.00
UPPER EXPLORER/LAND REGIONAL	

CLERK'S MTG FUND	25.00
USDA RURAL DEVELOPMENT LBCC LOAN	1,058.00
WEX BANK FUEL	2,334.72
WILLIAMS CARPET CLEANING JANITORIAL SERV/ CC/ CH/ LIB	182.00
ZIEGLER INC SEALS	262.08
Total	\$45,852.70

2) Hearing of Delegations None

3) Third Quarter MCED Funding

After much discussion, it was moved by Wright, seconded by Schlein to approve \$12,000.00 (\$3,000.00 per quarter) contribution to the Monona Chamber and Economic Development (MCED) for the city's 2022/2023 budget. It was also discussed that if the Monona Chamber and Economic Development experienced any difficulties with their finances to ask to be on another agency letter on. YAYS ~ Four, NAYS ~ One. Motion Carried.

4) State of Iowa Economic Development Town Visit

MCED Director, Ardie Kuhse, talked to the council about a visit she has lined up with two people from the Iowa Economic Development team. They will come from Des Moines and spend an afternoon and evening looking over Monona's downtown. They will arrive around 1:00 p.m. and be welcomed to Monona, at 2:00 they will walk downtown with community leaders and business and building owners. At 3:15 they will convene alone to discuss Monona and then reconvene at 5:15 to make a presentation to anyone (including the public) on their recommendations. They will stay as long as needed to answer questions. There is a \$300.00 fee for this visit and Ardie asked the council if they would be willing to pay this fee. It was moved by Elledge, seconded by Wright to approve the \$300.00 fee. Carried Unanimously.

5) Approve Appointment to Monona Gardens and Trail Board

Jim Langhus sought council's approval on appointing, Carol Gorman, to the Monona Public Gardens & Trails committee. It was moved by Meyer, seconded by Landt, to approve the appointment of Carol Gorman to the Monona Public Gardens & Trails Committee. YAYS ~ Four, Bridget Schlein abstained.

6) Issue with Heavy Rain Washing Out Trails

Jim Langhus, Chairperson, for the Monona Parks and Trails Committee was unable to attend the meeting but he wanted to let the council know of the issues the heavy rains have caused to parts of the trails. Over thirty-seven tons of rock has been hauled in over several weeks to help with the erosion issues the heavy rain has cause to several sections of the walking trail and the parking lot located north of the swimming pool. A big thank you to Brain Meyer for his time and use of his equipment to help with the repair of the trail. The trail committee is submitting a full application

to the Upper Mississippi Gaming Corporation for some grant money to help with hard surfacing some of the trail. Langhus hopes the hard surfacing of the trail will help with further erosion issues.

7) Ad for Hiring Public Works Director

Longtime city employee, Randy Evanson, will be retiring at the end of the year. City Administrator Collins presented an ad to be posted in The Outlook, stating that the city would be accepting applications for a full-time public works director. After a few changes to the ad, it was moved by Elledge, seconded by Meyer to approve the advertising of the position beginning August 10th and ending at 4:00 p.m. on August 31, 2022. Carried Unanimously.

8) Job Description for Public Works Director

Administrator Collins presented the council with an updated copy of a job description for the position of Public Works Director. After some minor changes it was moved by Landt, seconded by Wright to approve the job description for a Public Works Director. Carried Unanimously.

9) Ordinance Code Amendment Reflecting 2022 Iowa Legislative Changes

Once a year Simmering-Cory & Iowa Codification sends the current edition of the summary of bills passed by the Iowa General Assembly that could potentially affect city codes. The city attorney than looks over the list and recommends to the city which changes he feels the city should adopt. This year there was two recommended changes to the City Code of Ordinances and City Attorney Schiller recommend the adoptions of one of the changes. The other change was regarding the operation of ATVs and UTVs, which did not affect the cities current ordinance. It was moved by Meyer, seconded by Schlein to approve the first reading of the following ordinance:

Ordinance No. 427-22 Amending Provisions Pertaining to Alcoholic Beverage Control.

Roll Call: AYES ~ Four, NAYES ~ One

It was then moved by Meyer, Seconded by Elledge to waive the second and third readings and adopt the ordinance once published in the August 10, 2022, issue of The Outlook.

Roll Call: AYES ~ Five, NAYES ~ None. Ordinance was adopted and will become effective after publication.

10) Dog Bite Agreement

Regarding a dog bit incident on May 7th. The council received a report from the Good Dog Center regarding an evaluation of the dog on May 24th and another evaluation after the completion of a seven-week obedience class on July 24th. After looking over the reports, it was moved by Wright, seconded by Elledge to approve a "DOG BITE AGREEMENT" allowing the dog to remain in the city under certain conditions. Carried Unanimously.

Mayor/Council/Clerk Notes:
• Depending on grant deadline, the work on hard surfacing the campsites and adding an ADA parking spot at Gateway Park will start around August 22nd or right after the Labor Day Weekend.

• Sidewalk issue by TJ Pizza was fixed last Thursday/Friday.

Hearing no further comments, Mayor Langhus declared meeting adjourned at 7:18 p.m.

Next regular council meeting was scheduled for Monday, August 15, 2022, at 6:00 p.m. at the Monona Community Center.

Barbara Collins, City Administrator
Published August 10, 2022 in The Outlook, Monona.

PUBLIC NOTICE CITY OF LUANA

LUANA CITY COUNCIL MINUTES OF AUGUST 4, 2022

The Luana City Council held their regular monthly meeting Thursday August 4, 2022, at 7:00 pm. with Council Members Lonnie Baede, Kevin Boddicker, Todd Olson, Jackie Radloff-Schneider, Luke Steege present. Absent: None.

Mayor Jerry Schroeder called meeting to order at 7:00 pm.

Minutes of July meeting were reviewed and approved upon a motion by Radloff-Schneider second by Steege, carried unanimously.

Steege motioned to pay all monthly claims totaling \$19,560.69, Boddicker second, carried unanimously. Receipts for the month totaled \$17,339.95. Baede motioned to pass Res. 8-2022 T.O.F, Olson second, carried unanimously.

Steege motioned to approve street dance and outdoor liquor license for Luana Tavern for Luana Daze, Boddicker second, carried unanimously. Olson abstained from voting.

Baede motioned to approve building permit for 24' X 25' garage at 509 Main Street, Olson second building permit, carried unanimously.

Olson motioned to approve Street Financial Report completed by Administrator Humble and Res. SFR2022, Boddicker second, carried unanimously.

Administrator Humble informed council of GASB77 TIF totals.

Council reviewed parking ordinance violations within the city. Consensus of council to proceed with parking violations according to city code.

Council discussed un-mowed lawns and grass clippings being placed/blown into city streets. Violators will be contacted.

Estate auction will be held August 20th with part of Church Street starting at the intersection of Main Street will be blocked off for event.

With the recent violation of fire-

works being used within the city limits, residents are reminded that according to City Code 3.4.3 It shall be unlawful for any person to use or explode any fireworks except from 12:01 A.M. till 11:59 P.M. on the calendar day of July 4th of each year.

Next regular Council meeting will be held September 1, 2022, at 7:00 pm.

Mayor Schroeder adjourned the meeting at 7:45 pm.

Tammy Humble, City Administrator

Monthly Expenditures	Expenditures
\$19,560.69:	Alliant Energy \$2,111.15; Black Hills Energy \$156.37; Certified Letters \$7.85; Federal Taxes \$1,444.90; Grinnell Mutual \$3,241.00 (Firetruck insurance); Hankes Garage Doors \$278.88 (Repairs); IPERS \$1,474.22; Jeff Kleinow \$389.22 (Reimbursement); John Deere Financial \$206.66 (City and Fire Dept. supplies); Kwik Trip \$520.79 (Fuel); Luana Cemetery \$325.58 (Taxes received); Martins Flag \$161.71 (