

ORDINANCE: City of Sigourney

AN ORDINANCE AMENDING TITLE VI – PHYSICAL ENVIRONMENT CHAPTER 5 UTILITIES – BILLING CHARGES

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SIGOURNEY, IOWA:

SECTION 1. PURPOSE. AMENDMENT to Title VI – Physical Environment, Chapter 5 Utilities – BILLING CHARGES of the City Code of Sigourney. Section 6-5-10 RATE OF SEWER RENT AND MANNER OF PAYMENT is amended to increase the amount of sewer rent.

6-5-10 RATE OF SEWER RENT AND MANNER OF PAYMENT

The rent shall be paid with the water bill at the same time as payment of the water bill is due, and under the same condition as to penalty for late payment, at the office of the City Clerk, beginning with the next payment after the enactment of this ordinance, or, if connection has not been made, after the connection to the sewer system is made. The rates are established as follows:

1. All sewer consumer users shall pay according to the following rates:

July 1, 2019 – June 30, 2020 Rate: The minimum charge per month shall be billed at \$23.88. In addition, each user shall pay a user charge rate for operation, maintenance and replacement of \$5.25 per 1,000 gallons of water metered for each user within the sewer district created, and \$35.82 minimum, plus \$7.88 per 1,000 gallons of water metered, for each user outside of the sewer district.

July 1, 2020 – June 30, 2021 Rate: The minimum charge per month shall be billed at \$24.60. In addition, each user shall pay a user charge rate for operation, maintenance and replacement of \$5.25 per 1,000 gallons of water metered for each user within the sewer district created, and \$36.90 minimum, plus \$7.88 per 1,000 gallons of water metered, for each user outside of the sewer district.

July 1, 2021 – June 30, 2022 Rate: The minimum charge per month shall be billed at \$25.34. In addition, each user shall pay a user charge rate for operation, maintenance and replacement of \$5.50 per 1,000 gallons of water metered for each user within the sewer district created, and \$38.01 minimum, plus \$8.25 per 1,000 gallons of water metered, for each user outside of the sewer district.

July 1, 2022 – June 30, 2023 Rate: The minimum charge per month shall be billed at \$26.10. In addition, each user shall pay a user charge rate for operation, maintenance and replacement of \$5.50 per 1,000 gallons of water metered for each user within the sewer district created, and \$39.15 minimum,

plus \$8.25 per 1,000 gallons of water metered, for each user outside of the sewer district.

July 1, 2023 – June 30, 2024 Rate: The minimum charge per month shall be billed at \$26.88. In addition, each user shall pay a user charge rate for operation, maintenance and replacement of \$5.50 per 1,000 gallons of water metered for each user within the sewer district created, and \$40.32 minimum, plus \$8.25 per 1,000 gallons of water metered, for each user outside of the sewer district.

2. For all commercial users, user charges shall be based on water used during the current month. If a commercial or industrial user has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for the user may be based on a wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense, and in a manner acceptable to the City.

3. The rent shall be paid with the water bill at the time the payment of the water bill is due, and under the same conditions, beginning with the next payment after an enactment of the Ordinance or if connection has not been made, after connection to the sewer system is made.

4. Where, in the judgment of the City Council, special conditions exist that would make the application of the basic sewer rental inequitable or unfair to either the City or the sewer user, a special rate may be established by the City. Such rates shall be subject to approval by resolution of the City Council.

Special rates shall be established in the same way for all sewer users under like situations and shall take into account the quantity of wastewater and its strength, and the City's discharge permit limitations. Whenever sewer users desire special rates they shall at their own expense supply the information required by the Council to establish special rates. Whenever the City desires to establish special rates the sewer user shall cooperate with the City in obtaining the necessary information at the expense of the City.

5. The basic user charge rates established in the Ordinance shall apply to all who have available the City's wastewater treatment system. Because of the requirements for debt service, reserve, and replacement funds, in the event the water is turned off at the curbstop, or the water meter pulled to prevent water usage, the minimum basic sewer rate is payable.

6. The amount of rent charged shall constitute a lien upon that property served by the sewer system, and that amount shall be col-

lected in the same manner as other taxes if payment is not made when due. Water and sewage services to the property for which rent has not been paid may be suspended until that payment is made.

7. All users shall be billed monthly. Billings for any particular month shall be made within seven days after the end of that month. Payments are due when the billings are made. Any payment not received within fifteen days after the billing is made shall be delinquent. Failure to pay sewer rental within fifteen days after date of the statement, shall incur penalty at the rate of ten percent (10%), and is subject to a disconnection of water after the second unpaid billing and notice issued by the City.

8. The City Council Finance Committee shall review the rates being charged annually to ensure adequacy, proportionality and appropriate distribution of operation, maintenance and replacement funds.

9. All parties understand that the user charge system takes precedence over any terms or conditions of agreements or contracts between the City of Sigourney and the users.

10. There shall be a surcharge established to ensure adequacy of funds to meet requirements of the sewer department. That surcharge shall be \$3.00 per month for each user and \$4.50 per month for each user outside the city limits. This surcharge shall be reviewed annually at the same time rates are reviewed. Surcharge shall be designated as a repair fund dedicated exclusively to addressing extraneous flows (inflow and infiltration) and to a Capital Improvements Project Fund for improvements to the wastewater treatment system.

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 on July 1, 2021 from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED BY the Sigourney City Council this 2nd day of June 2021.

*Douglas L. Glandon, Mayor,
City of Sigourney
Attest: Angela K. Alderson,
City Clerk*

Published in The News-Review on Wednesday, June 9, 2021

PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS THE IOWA DISTRICT COURT FOR KEOKUK COUNTY IN THE MATTER OF THE ESTATE OF ROBERT L. BAUGHMAN, Deceased.

CASE NO. ESPR038304

To All Persons Interested in the Estate of Robert L. Baughman, Deceased, who died on or about February 14, 2021:

You are hereby notified that on May 18, 2021, the Last Will and Testament of Robert L. Baughman, deceased, bearing date of July 27, 2020, was admitted to probate in the above named court and that Larry Carey was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this 14th day of May, 2021.

Ashlea Anna Matthes,
Administrator of the Estate
1571 Walnut Drive
Marengo, IA 52301

John C. Wagner,
ICIS PIN No: AT0008238

Attorney for the Administrator
600 39th Avenue, P.O. Box 262
Amana, IA 52203

Date of second publication
16th day of June, 2021

Probate Code Section 230

Published in The News-Review on Wednesday, June 9 and June 16, 2021

Larry Carey,
Executor of Estate
22689 210TH Street
Sigourney, IA 52591

John N. Wehr, ICIS# 0008299
Attorney for Executor
116 E Washington
PO Box 245
Sigourney, IA 52591

Date of second publication
June 9, 2021

Probate Code Section 304

Published in The News-Review on Wednesday, June 2 and June 9, 2021

PROBATE

NOTICE OF APPOINTMENT OF ADMINISTRATOR AND NOTICE TO CREDITORS THE IOWA DISTRICT COURT KEOKUK COUNTY IN THE MATTER OF THE ESTATE OF WILLIAM RUSSELL KUDES, Deceased.

Probate No. ESPR038301

To All Persons Interested in the Estate of WILLIAM RUSSELL KUDDES, Deceased, who died on or about April 2, 2021:

You are hereby notified that on the 14th day of May, 2021, the undersigned was appointed Administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur four months from the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this 14th day of May, 2021.

Ashlea Anna Matthes,
Administrator of the Estate
1571 Walnut Drive
Marengo, IA 52301

John C. Wagner,
ICIS PIN No: AT0008238

Attorney for the Administrator
600 39th Avenue, P.O. Box 262
Amana, IA 52203

Date of second publication
16th day of June, 2021

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PROCEEDINGS: Keokuk Co.

KEOKUK COUNTY BOARD PROCEEDINGS May 24, 2021

The Keokuk County Board of Supervisors met in regular session, Monday, May 24, 2021 in the Board Room of the Courthouse. Present were: Michael C. Hadley, Fred Snakenberg and Christy Bates, County Auditor. Daryl Wood was absent.

Hadley moved, Snakenberg seconded to approve the agenda. All ayes and motion carried. RD Keep, News-Review, was present.

Snakenberg moved, Hadley seconded to approve proposal to donate and transfer the following certificates of purchase at tax sale to the City of What Cheer, Iowa, Certificate numbered 2014242 dated 06/16/2014 for lots 1 & 2 block 3 & 11' E-W x 120' N-S E side, B. Casey's Addition to the City of What Cheer, in Keokuk County, Iowa, and locally known as 402 South Broad Street, What Cheer, Iowa; Certificate numbered 2018194 dated 06/18/2018 for lot 1 block 8 J.M. Johnston's 2nd Addition to the City of What Cheer, in Keokuk County, Iowa, and locally known as 401 West Johnston Street, What Cheer, Iowa; Certificate numbered 2018197 dated 06/18/2018 for lot 2 block 8 J.M. Johnston's 2nd Addition to the City of What Cheer, in Keokuk County, Iowa, and locally known as 403 West Johnston Street, What Cheer, Iowa, subject to payment of publication costs, transfer fees and token property taxes and to set the public hearing as June 14, 2021 at 8:31 a.m. in the Boardroom, 1st floor of the Keokuk County Courthouse as submitted. All ayes and motion carried.

Hadley moved, Snakenberg seconded to approve proposed transfer process that Keokuk County compromise and cancel certificate of purchase at tax sale designated #2015210 pertaining to the west half of lot 5 in block 18 of the original plat of the city of Sigourney, in Keokuk County, Iowa, to Forrest Gibson and McKenzie Gibson in exchange for the payment of \$15,000 plus \$10 transfer fee and publication costs in full and complete satisfaction of any and all

outstanding, unpaid property tax, special assessment, penalty, interest and costs thereon and to set the public hearing as June 14, 2021 at 8:40 a.m. in the Boardroom, 1st floor of the Keokuk County Courthouse as submitted. All ayes and motion carried.

Snakenberg moved, Hadley seconded to approve the minutes of May 17, 2021 as submitted. All ayes and motion carried.

Met with Engineer McGuire regarding the Keokuk County Highway Department happenings as follows: reviewed dust control procedure; working on updating the roadside vegetation plan; bridge replacement project north of Kewick is nearing complete removal and the Lacey pavement project is scheduled for the end of June.

Hadley moved, Snakenberg seconded to approve signing the U.S. Department of the Treasury Coronavirus Local Fiscal Recovery Funds document that estimates \$1,987,149 in American Rescue Plan Act funds to be allocated to Keokuk County. All ayes and motion carried.

Various board and committee reports were held. Snakenberg participated in Early Childhood of Iowa (ECI) and SADC meetings. Hadley attended a Semco meeting last week.

Discussion of old/new business and public comment was held. Community Services Administrator Gilliland was present to discuss SF 619, new mental health legislation that includes a reduction of FY22 maximum mental health levy from \$42.60 to \$21.14.

On vote and motion Hadley adjourned the meeting at 10:00 a.m.

Monday, May 31st the Courthouse is closed to observe the Memorial Day holiday. The Board meeting will be held on Tuesday, June 1, 2021.

The above and foregoing information is a summary of the minutes taken at the above indicated meeting. The full and complete set of minutes is available at the Keokuk County Auditor's Office and www.keokukcountyia.com.

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