

PUBLIC NOTICE:
CITY OF LAKE CITY
ZONING VARIANCE

PUBLIC HEARING NOTICE
Notice is hereby given that the Board of Adjustment is holding a Public Hearing on the zoning variance request of Troy Ross for parcel number 863317126008 with the legal description of: 17-86-33 IRREG SURVEY TR N 1/4 NW 1/4 N OF RR W 70'.

The Zoning Variance, if granted by the Board of Adjustment, would waive for Parcel 863317126008, zoned M-1 (light industrial) and with the legal description of: 17-86-33 IRREG SURVEY TR N 1/4 NW 1/4 N OF RR W 70' and located across the street from the Country Club and next to Wood Brothers - all of the zoning requirements stipulated by 4.08 SUPPLEMENT USE REGULATIONS - ACCESSORY USES Point 2B of Ordinance 402 (Zoning Regulations), so that outdoor storage containers could be visible from the front of an adjoining property or from a public or private street and that outdoor storage containers would not be restricted to the rear lot.

The Board of Adjustment will meet at 7:30 a.m. on Monday, Oct. 23, 2023 in the Council Chambers at which time any citizen of Lake City, Iowa, or any other person having an interest in the zoning variance request may appear and be heard for or against it.

Published in The Graphic-Advocate on October 11, 2023

PROBATE:
JANET L. EGGENBERGER

THE IOWA DISTRICT COURT FOR CALHOUN COUNTY IN THE MATTER OF THE ESTATE OF JANET L. EGGENBERGER, Deceased
CASE NO. ESPR 502644
NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Janet L. Eggenberger, Deceased, who died on or about April 27, 2023:

You are hereby notified that on Sept. 22, 2023, the Last Will and Testament of Janet L. Eggenberger, deceased, bearing date of March 17, 2008, was admitted to probate in the above named court and that Stephen R. Eggenberger 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 of four months from the date of 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 Sept. 22, 2023
Stephen R. Eggenberger
Executor of Estate
3445 260th Street
Somers, IA 50586
Jake Thompson
ICIS#: AT0012001
Attorney for Executor
Thompson Law Firm, PLC
423 Court Street
P.O. Box 266
Rockwell City, IA 50579
Date of second publication:
Oct. 11, 2023

Published in The Graphic-Advocate on October 4, and 11, 2023

PROBATE:
BRADLEY T. BLEAM

THE IOWA DISTRICT COURT FOR CALHOUN COUNTY IN THE MATTER OF THE ESTATE OF BRADLEY T. BLEAM, Deceased
CASE NO. ESPR502643
NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Bradley T. Bleam, Deceased, who died on or about Sept. 5, 2023:

You are hereby notified that on Sept. 21, 2023, the Last Will and Testament of Bradley T. Bleam, deceased, bearing date of Dec. 31, 1992, was admitted to probate in the above named court and that Pamela S. Bleam 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 of four months from the date of 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 Sept. 29, 2023.
Pamela S. Bleam
Executor of Estate
6925 Twin Lakes Road
Rockwell City, IA 50579
Colin L. Hendricks,
ICIS#: AT0013776
Attorney for Executor
Kersten Hendricks PLLC
408 Fifth Street
Rockwell City, IA 50579
Date of second publication:
October 18, 2023

Published in The Graphic-Advocate on October 11, and 18, 2023

PUBLIC NOTICE:
CITY OF LAKE CITY
ORD. NO. 404

ORDINANCE NO. 404
AN ORDINANCE OF THE CITY OF LAKE CITY AMENDING THE ZONING OF 405 S. MICHIGAN WITH THE LEGAL DESCRIPTION OF O.T. BLOCK 32 LOT 5 FROM R-1 TO R-2

BE IT ENACTED by the Council of the City of Lake City, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the rezoning of the property located at 405 S. MICHIGAN with the legal description of O.T. BLOCK 32 LOT 5 from R-1 to R-2.

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

Section 3. Saving 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. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Council of the City of Lake City, Iowa, on the 2nd day of October, 2023.

SIGNED: Tyler Holm, Mayor
ATTEST: Jacob Matthews, City Clerk

First Reading: 9/18/2023
Second Reading: Waived 10/2/2023
Third Reading: 10/2/2023

Published in The Graphic-Advocate on October 11, 2023

PUBLIC NOTICE:
CITY OF LAKE CITY
ORD. NO. 405

ORDINANCE NO. 405
AN ORDINANCE AMENDING LAKE CITY'S ZONING ORDINANCE 402 CHAPTER 3.09 HIGH-DENSITY RESIDENTIAL DISTRICT (R-2)

Section 1. Ordinance 402 is Amended as Thus:

Provision A(2) of Chapter 3.09 High-Density Residential District amended to read as "For two-unit dwellings - 10,000 square feet, unless on a corner lot in which case the minimum lot area may be less than 10,000 square feet, but must be greater than 8,499 square feet; R-2 corner lots with less than 10,000 square feet retain all the use privileges of R-1 as defined by the Chapter 2.10 Permitted Use Chart, but R-2 use privileges are solely restricted to the construction of Duplex Residential Units.

Provision E of Chapter 3.09 High-Density District amended to read as "Rear Yard. The minimum rear yard shall be 10 feet."

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. In all other respects, the Code of Ordinances of the City of Lake City shall remain in effect.

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 and approval and publication as provided by law.

Passed by the Council of the City of Lake City, Iowa on the 2nd day of October, 2023.

SIGNED: Tyler Holm, Mayor
ATTEST: Jacob Matthews, City Clerk

First Reading: 9-18-2023
Second Reading:
Waived 10-2-2023
Third Reading: 10-2-2023

Published in The Graphic-Advocate on October 11, 2023

PROCEEDINGS:
LAKE CITY COUNCIL • OCT. 2 MINUTES / CLAIMS

Lake City Council Proceedings
Monday, Oct. 2, 2023

Subject to Council Approval at the Next Regular Meeting

The City Council of Lake City, Iowa met in regular session at 5 p.m. with Mayor Holm presiding. The following Council members were present: Bellinghausen, Gorden (arrived at 5:05 p.m.), Daniel, Wilson, and Bruns. CA Matthews, Chief of Police Schaffer, and Interim Public Works Director Janssen were also present.

Consent Agenda: Motion by Bruns and seconded by Wilson to approve the Consent Agenda consisting of the following: Agenda, Minutes from the Sept. 18, 2023 Regular Meeting, and the Summary List of Claims. All Ayes. Nays-None. MC.

Public Hearing: None.
Citizens to Address the Council: None.

Guest Business: None.

Council Agenda: Brief discussion occurred on whether to Repealing Ordinance 388 thereby making Council's start time 6 p.m. all year 'round. Bruns, Daniel, Bellinghausen, and Wilson all indicated they would like to repeal Ordinance 388. Gorden was absent for the discussion. CA Matthews indicated that he would bring an ordinance to set Council meetings for 6 p.m. year 'round to Council for their consideration. Due to Iowa law concerning the required notice necessary for public hearings (necessary for any proposed ordinances), the soonest Council can consider passing this new ordinance would be at the Nov. 6 meeting. If passed at that meeting, starting with the Nov. 20 meeting and going forward all regular meetings of Council would start at 6 p.m. Daniel motioned to approve the Morrow Hunting Permit, Schleisman Hunting Permit, and Blair Hunting Permit. Seconded by Bellinghausen. All Ayes. Nays-None. MC. Bruns noted that everything was in order with the Redenius Building permit. Bellinghausen motioned to approve the Redenius Building Permit. Seconded by Daniel. All Ayes. Nays-None. MC.

Several members of Council spoke about Lee's tremendous efforts in helping the City out and thanked her for her service. Council directed CA Matthews to send a gift

basket and card to her. Tami Green of the Community Building Board addressed Council and presented an even more affordable option for the curtains that Council has previously approved and discussed Ramthun Construction finishing the window installation for the Community Building. Bruns motioned to approve these requests of the Community Building Board. Bellinghausen seconded. All Ayes. Nays-None. MC.

Discussion ensued between Council and CA Matthews on Ordinances 404 and 405. Bruns motioned to Approve Waiving the Second Reading of Ordinance 404 and Approve the Third and Final Reading of and Passing of Ordinance 404: An Ordinance Rezoning the lot located at 405 S. Michigan with a legal description of O. T. BLOCK 32 LOT 5 from R-1 to R-2. Seconded by Daniel. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC. Wilson motioned to Approve Waiving the Second Reading of Ordinance 405 and Approve the Third and Final Reading of and Passing of Ordinance 405: An Ordinance Amending Section 3.09 High-Density Residential Districts (R-2) of Ordinance 402. Seconded by Bruns. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson, Nays-None. MC.

Discussion ensued between Council and CA Matthews concerning Resolution 2023-57. Daniel motioned to approve Resolution 2023-57: Resolution To Approve And Adopt City Council Rules Of Procedures For City Council Meetings. Seconded by Gorden. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson, Nays-None. MC.

Gorden asked CA Matthews concerning Resolution 2023-60 and how it would record in the accounting system and under what line item in the budget. CA Matthews explained a special line item was created in the budget to account for funds donated to the City via Venmo that will be used to construct Pickleball Courts at Goins Park in the future. Daniel motioned to approve Resolution 2023-60: Resolution To Approve The Creation And Use Of A Venmo Account Linked To The City Of Lake City's UBI Bank Account

For The Purpose Of Collecting Donated Funds For The Construction Of Special Projects. Seconded by Bellinghausen. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

Louis Anders addressed Council concerning Resolution 2023-61. Council asked Louis questions concerning his 12-acre property and the maximum limit of each animal type requested. After hearing his answers, discussion ensued and Council determined the animal limit he was requesting was reasonable. Daniel motioned to approve Resolution 2023-61: Resolution To Approve A Greater Animal Per Acre Limit For Louis and Denise Anders In Accordance With Chapter 4.02 Supplemental Use Regulations - Agricultural Uses Point 2B Of The Zoning Regulations Regarding The Limit Of Animals Per Acres. Seconded by Gorden. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

CA Matthews explained many surrounding communities have a permanent seasonal aquatic center manager and that by hiring someone who will be the manager year after year, we can expect to see a more consistent experience for residents at the pool. CA Matthews explained Resolution 2023-62 if passed would give him permission to start advertising for the position and hire someone for it. Bruns motioned to approve Resolution 2023-62: Resolution To Approve The Hiring Of A Permanent Seasonal Aquatic Center Manager. Wilson seconded. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

Councilperson Bellinghausen led the discussion on Resolution 2023-63 and shared with Council his findings concerning Matt Wendy's businesses in other communities. He shared that Matt had improved each community by developing and building businesses in them. Discussion ensued between Council on the matter. CA Matthews explained Resolution 2023-63 is Council's way of formally asking the Board of Adjustment to reconsider their decision made on Sept. 14, 2023. The 9-14-2023 decision did not grant the property owner the variance request that the prop-

erty owner had requested. This request was made in order to sell the property to Matt Wendy so that Matt could have permission to build the proposed business in the same manner in Lake City like he had in other communities. Bellinghausen motioned to approve Resolution 2023-63: Resolution To Issue A Remand Concerning The Board Of Adjustment's Sept. 14, 2023 Decision. Seconded by Bruns. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

CA Matthews explained Resolution 2023-64 would only apply to City Hall and that state code permitted the city to charge the actual cost of printing public documents. CA Matthews mentioned the proposed cost for printed public documents was under 2 cents per page for a Black and White print and under 8 cents per page for a color print. Bellinghausen motioned to approve Resolution 2023-64: Resolution To Address The Replication Costs Of Documents That Take Less Than 30 Minutes To Procure. Seconded by Wilson. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

Bruns motioned to approve Resolution 2023-65: Resolution To Support Compassionate Municipal Code And Ordinance Enforcement. Seconded by Bellinghausen. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson, Nays-None. MC. This Resolution is invitation for all charitable organizations in Lake City to partner with the City in an effort to help connect residents in need (whose property has been found to be not in compliance with ordinances) with those with labor and means to compassionately help bring properties back into compliance with the ordinance. As stated in the Resolution, "The City believes that by working together with charitable organizations, we can keep Lake City safe, inviting, and beautiful for all. When a charitable organization volunteers to resolve a property with ordinance issues, the City can temporarily delay enforcement so that neighborly care and compassion can be extended to those who are truly in need. We invite you to partner with the City so that we can administer justice within our community in a

more compassionate and merciful way to those who are in the greatest need of help. This plan is a vehicle for Lake City's need for justice, compassion, and mercy to meet, in perfect harmony complete."

CA Matthews explained that a once a year 1 hour paid holiday party would benefit city employees and that Resolution 2023-66 would amend the Policy handbook to allow the City to offer such an event to its employees. Mayor Holm asked if alcohol would be permitted by Resolution 2023-66 and CA Matthews explained the Resolution strictly prohibited that. Bruns motioned to approve Resolution 2023-66: Resolution To Amend The June 2023 Employee Policy Handbook. Seconded by Wilson. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

CA Matthews explained that the League of Cities has looked over the proposed Fee schedule set forth in Resolution 2023-67 and that they were reasonable with what other communities are charging. He also mentioned based on his research these charges are in line with nearby communities. Daniel motioned to approve Resolution 2023-67: Resolution To Set The 2024 Fees For City Permits /Certificates/Requests. Seconded by Bellinghausen. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson, Nays-None. MC. The new fee schedule for permits, certificates, and requests will go into effect on Jan. 1, 2024.

Daniel motioned to approve Resolution 2023-68: Resolution To Approve The Volunteer Liability Waiver Form. Seconded by Bellinghausen. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson, Nays-None. MC.

Council discussed with Chief of Police Schaffer the costs and benefits of properly outfitting the police vehicle that has been budgeted for purchase this year. Schaffer explained that inventory shortages are causing delays and elevated

pricing beyond what we had originally budgeted for. Bruns motioned to approve Resolution 2023-71: Resolution To Approve Exceeding Capital Budget For Police Vehicle. Seconded by Daniel. Roll Call Vote. Ayes: Bellinghausen, Gorden, Bruns, Daniel, Wilson. Nays-None. MC.

City Administrator Discussion/ Action Items: CA Matthews informed the Council that Jalisco plans to re-open around Oct. 9 with bar hours from 10 a.m. to midnight. They also plan to start serving Mexican and American food by the end of October. CA Matthews also informed the Council that no bids were received for the tree removal project. He will re-advertise it in hopes of receiving one or two bids.

Adjourn: With no further business, Bellinghausen motioned to adjourn the meeting. Seconded by Bruns. All Ayes. Nays-none. MC. The meeting adjourned at 5:55 p.m.

Next Meeting: The next council meeting is scheduled for Monday, Oct. 16, 2023 at 5 p.m. in the City Hall Chambers.

Tyler Holm, Mayor
Jacob Matthews, Clerk
Claims Report
10/2/2023

Vendor	Amount
Access Systems Leasing.....	353.91
Carroll Cleaning Supply.....	377.61
IA Dept of Natural Resources...	175
Dannette Ellis	990
God's Wood	3,456.00
Hach Company.....	1,529.96
Kendall & Tami Holm	600
Ice Technologies, Inc.	80.22
Jack's Uniforms & Equipment.....	
.....	110.14
Michelle Johnson.....	65
Lauver Law.....	875
M&S Daisy Hauling.....	11,322.00
Manson Public Library	80.4
Mid-America Publishing Corp.....	
.....	283.5
Sensus USA Inc.....	600
Visa.....	1,828.96
Accounts Payable Total	22,727.70
Payroll Checks	17,768.40
**** Report Total ****	40,496.10

Published in The Graphic-Advocate on October 11, 2023