Hy-Vee Food Store **PUBLIC NOTICES**

IA State Withholding

Iowa One Call

Iowa DNR Water Supply Op

Iowa Workforce-Qtry Unemp Quarterly

Leon Chamber Of Commerce Srp Prize

Southwestern Community C Bls Renew

General Fund

Water Fund

Sewer Fund

ORDINANCE NO. 2023-3

AN ORDINANCE

AMENDING THE CODE

OF ORDINANCES OF

THE CITY OF LEON,

IOWA, BY AMENDING

PROVISIONS PERTAINING

TO ALCOHOLIC

BEVERAGE CONTROL

Council of the City of Leon,

MODIFIED. Section 45.01

of the Code of Ordinances

of the City of Leon, Iowa, is

repealed and the following

SONS UNDER LEGAL AGE.

As used in this section, "le-

gal age" means 21 years of

sons under legal age shall not

purchase or attempt to pur-

chase, consume, or individu-

ally or jointly have alcoholic

beverages in their posses-

sion or control; except in the

case of any alcoholic bever-

age given or dispensed to a

person under legal age with-

in a private home and with

and consent of the parent

or guardian, for beverage or

medicinal purposes or as ad-

ministered 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

luring the regular course of

the person's employment by

a retail alcohol licensee, or

wine or beer permittee under

(Code of Iowa, Sec.

knowledge, presence,

A person or per-

P E R

adopted in lieu thereof:

45.01

Be It Enacted by the City

SECTION 1. SECTION

Police Reserve Fund

Road Use Tax Fund

Landfill/Garbage Fund

Employee Benefits Fund

Iowa Library Association

Iowa-Des Moines Supply

Jeo Consulting Group

Leon Journal Reporter

Microbac Laboratories

National Assoc Of Sro

Napa Creston

Norris Quarries

Sport Wade Inc

U S Cellular

Ziegler Cat

Claims Total

Payroll Checks

Vessco

Standard Insurance

Watson Auto Parts

Quill Llc

Solutions

Main Street Apartments

Midwest Office Tech-Copys

Midwest Office Tech-Lease

Southern Iowa Towing/Rec

State Hygienic Laboratory

Tri-County Fire Equipment

WRD Landfill-Qrtly Alloc

Treasurer - State Of la

Jerico Services Inc.

CITY OF LEON **REGULAR COUNCIL MEETING** October 9, 2023

6:00 PM Mayor Bob Frey called meeting to order at 6:00 PM. Council members present were Jonathan Erb, Trevor Brown, Tonya Lindsey, Cody Cooper, and Daniel Moffett.

Motion by C Cooper seconded by T Lindsey to approve the agenda. All ayes, motion carried.

Motion by J Erb seconded by D Moffett to approve the consent agenda. All ayes, motion carried.

Motion by T Lindsey Moffett seconded by D approve RESOLUTION 2023-26: A RESOLUTION ADOPT A DEVELOP-**AGREEMENT** TWEEN THE CITY OF LEON AND ERB HOLDINGS, LLC FOR A PROJECT AT 208 N. MAIN STREET. T Lindsey, T Brown, C Cooper, and D Moffett, ayes; J Erb, abstain because he is part owner of SCIT Theater, motion car-

Motion by C Cooper seconded by T Brown to approve RESOLUTION 2023 27: A RESOLUTION SET-TING DATE AND TIME FOR A PUBLIC HEARING FOR THE PROPOSED FAÇADE GRANT FOR DOWNTOWN LEON. All ayes, motion car-Motion by J Erb second-

ed by C Cooper to approve RESOLUTION 2023-28: A RESOLUTION DECLARING A PORTION OF THE DOWN-TOWN AREA OF LEON AS A BLIGHTED AREA. All ayes, motion carried. Motion by C Cooper

seconded by T Brown to approve the Authorization of SICOG to Send Out RFQs for Architectural Design Services for Downtown Leon Façade Grant. All ayes, motion carried.

Motion by T Lindsey seconded by T Brown to table extending the refuse contract with Jim's Sanitation to July 1, 2030. All ayes, motion carried. Motion by C Cooper sec-

onded by T Lindsey to approve ORDINANCE 2023-3: AN ORDINANCE AMENDING THE CODE OF ORDINANC-ES OF THE CITY OF LEON, IOWA, BY AMENDING PRO-VISIONS PERTAINING TO ALCOHOLIC BEVERAGE CONTROL. All ayes, motion

Motion by T Lindsey seconded by C Cooper to approve the Waiving of the 3rd Reading of ORDINANCE 2023-3. All ayes, motion

October 2023 Claims

1st Interstate Brad

1st Interstate John

1st Interstate Kyle 1st Interstate Lorrie

Agriland Fs Inc

Alliant Energy

Chem-Sult Inc

Christensen Lori

Baker And Taylor Books

Blue Cross/Blue Shield

Cengage Learning-Gale

Colonial Life & Accident

Decatur Co Recorder

Des Moines Register

Decatur Co Sheriff

Deere Credit Inc

Frank Dunn Co

GRM Networks

Healthies You

ACCOUNT TITLE

SEWER SINKING

Report Total

LANDFILL/GARBAGE

WASTE WATER COLLECTION

611

613

003

112

Hopkins & Huebner

Gilbert True Value

Delta Dental

Grainger

Gworks

Decatur Co Envronmtl Heal

Gilbert Home Comft-No Use

Ak Garage

1st Interstate Gregg

Motion by C Cooper seconded by T Brown to approve ORDINANCE 2023-4 AN ORDINANCE AMENDING THE CODE OF ORDINANC ES OF THE CITY OF LEON, IOWA, BY AMENDING PRO-VISIONS PERTAINING TO ALL-TERRAIN VEHICLES. All

Motion by J Erb sec-

Motion by T Lindsey T Brown to seconded by approve the Waiving of the 3rd Reading of ORDINANCE 2023-5. All ayes, motion carried.

Motion by J Erb seconded by C Cooper to approve ORDINANCE 2023-6: AN ORDINANCE AMENDING THE CODE OF ORDINANC-ES OF THE CITY OF LEON, IOWA, BY AMENDING PRO-VISIONS PERTAINING TO LIQUOR LICENSES AND CIGARETTE AND TOBACCO PERMITS. All ayes, motion carried.

ayes, motion carried.

seconded by T Brown to approve the Water Plant Disinfection Engineering Contract Proposal from JEO Consulting Group Inc in the amount \$17,200.00. All ayes, motion carried.

seconded by T Brown to approve RESOLUTION 2023-30: RESOLUTION APPROV-THE EMPLOYMENT OF TEMPORARY MOWING PERSONEL. All ayes, motion

Motion by J Erb seconded by T Brown to adjourn at 7:34 pm. All ayes, motion

ject to approval at the next regularly scheduled council meeting. >

ayes, motion carried.

Motion by J Erb seconded by T Brown to approve the Waiving of the 3rd Reading of ORDINANCE 2023-4. All ayes, motion carried.

onded by C Cooper to approve ORDINANCE 2023-5: AN ORDINANCE AMENDING THE CODE OF ORDINANC-ES OF THE CITY OF LEON, IOWA, BY AMENDING PRO-VISIONS PERTAINING TO FISCAL MANAGEMENT. All ayes, motion carried.

Motion by C Cooper

seconded by T Brown to approve the Waiving of the 3rd Reading of ORDINANCE 2023-6. All ayes, motion Motion by T Lindsey sec-

onded by J Erb to approve a RESOLUTION 2023-29: RESOLUTION REGARDING THE INTENT TO SELL REAL PROPERTY, setting a public hearing during the November 13th meeting regarding the sale of 2 lots on SE Poplar St east of the ball fields. All Motion by C Cooper

Motion by T Lindsey

< These minutes are sub-

Nno Ice	\$29.95
Shipping	\$10.00
Srp Pizza	\$377.51
Recorder	\$49.26
Printer	\$276.07
Aflac- Pre-Tax	\$44.10
Diesel/No Lead	\$5,428.13
Boat Wheels	\$120.00
Gas/Electric	
Service	\$13,375.75
Books	\$130.02
RC/RS- Aftr-Tay	\$17.830.53

Chemicals Community Center Contract Colonial Life

Pool Inspection 2 Quit Claim Deeds Communication \$1,596.74 Contract Mower Lease Delta Dental

Annual Subscription \$366.77 \$9,784.67 Fed/Fica Tax \$949.00 Patch Lighting Wire \$400.00 Transfer Pump \$640.97 Chem Pump \$708.83 Phone/Internet \$756.57 Annual Fee/ Support \$11,281.00 \$43.44

Harlequin Reader Service **Books** Healtiest Pre \$192.00 Hewlett's Quality Lawn Ca Pest Control \$50.00 Legal Fees \$144.00

LAST MONTH

END BALANCE

53,962.64

151,354.40

3,502,379.78

.00

123.47[3]) 2. A person under BC/BS- Aftr-Tax \$17,830.53 legal age shall not misrep-\$103.45 resent the person's age for \$7,631.43 the purpose of purchasing or attempting to purchase any \$216.67 alcoholic beverage from any \$365.28

TREASURER'S REPORT

DISBURSED

CALENDAR 9/2023, FISCAL 3/2024

\$270.00

\$34.00

\$347.41

\$675.92

State laws.

retail alcohol licensee. Iowa, Sec. (Code of 123.49[3])

SECTION 2. SUBSEC-TION MODIFIED. Subsection 2 of Section 45.02 of the Code of Ordinances of the City of Leon, 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

CHANGE IN

LIABILITY

.00

.00

.00

.00

52,867.67

156,081.26

3,481,473.87

.00

ENDING

BALANCE

316,775.75

10,600.59

83,022.05

48,127.38

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.

Concessions

State Taxes

One Calls

Ipers

Rehab

Conference Fee

Annual Use Fee

Unemployment

Tissue/Towels

Sanitary Sewer

Calc Chloride

Publications

Copier Contract

Binder/Clips/Pads

Tires/Oil Chg/Fltr

Service Extingsher \$1,044.00

System Maint

Fltr/Seperator/

Standard Ins

Sales Tax

Cell Phones

Pumphead

Def/Oil/Fltr

Quarterly

Allocation

Checks

Track Loader

Total Payroll

Water Testing

Copier Lease

Srp Prizes

Testing

Seal Kit

Sro Trng

Oil Chg

Road Rock

Dues/Conference

\$1,845.75

\$350.00

\$115.00

\$525.00

\$415.24

\$222.07

\$10,630.28

\$2,687.50

\$975.00

\$178.92

\$330.00

\$112.91

\$128.43

\$255.41

\$550.00

\$527.26

\$175.00

\$360.66

\$147.60

\$216.00

\$432.87

\$206.79

\$2,689.14

\$1,252.12

\$4,555.00

\$58,305.00

\$43,138.92

\$39,533.09

\$97,212.28

\$34,910.52

\$26,555.55

\$12,353.59

\$74.92

\$279.12

\$210,919.07

\$3,100.81

\$10.00

\$32.26

\$1,079.00

\$50.00

\$32.50

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

TIGATION. 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, SECTION 4. SECTION

MODIFIED. Section 120.04 of the Code of Ordinances of the City of Leon, 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 Leon, is repealed and the following adopted in lieu thereof:

PROHIB-120.05 ITED 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 bever-(Code of Iowa, Sec.

123.49[1]) 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 bev-

erages 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])

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])

In the case of a retail wine or beer permittee, knowingly allow the mixing or adding of alcohol or any beer, or any other beverage

alcoholic beverage to wine, in or about the permittee's place of business. (Code of Iowa, Sec.

123.49[2i]) Knowingly permit any gambling, except in accordance with lowa law, or

knowingly permit any solici-

tation 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])

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 of the State Department of Commerce 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])

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, 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. sess, 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[21])

12. Permit or allow any person under 21 years of age to remain upon licensed premises unless over 50 percent of the dollar volume of the business establishment comes from the sale and serving of prepared foods. This provision does not apply to holders of a class "C" beer permit only. SECTION 6. SECTION

MODIFIED. Section 120.06 of the Code of Ordinances of the City of Leon, is repealed and the following adopted in lieu thereof: AMUSE-

MENT 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 alco hol license, as specifically authorized in said Chapter (Code of Iowa, Sec.

99B.57) As used in this sec-

tion, "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.

It is unlawful for any person under the age of 21 to participate in the operation of a registered electrical or mechanical amusement device. 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. SEVER-ABILITY 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 EF FECTIVE. 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 9th day of October 2023, and approved this 11th day of October, 2023.

1t38 Oct. 18, 2023

ORDINANCE NO. 2023-4 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEON, IOWA, BY **AMENDING PROVISIONS** PERTAINING TO ALL-**TERRAIN VEHICLES**

Be It Enacted by the City Council of the City of Leon,

SUBSEC-

SECTION 1. TION MODIFIED. Subsection 2 of Section 78.02 of the Code of Ordinances of the City of Leon, Iowa, is repealed and the following adopted in lieu thereof: "UTV" means a motorized vehicle, with not

less than four and not more than eight non-highway tires or rubberized tracks, that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "Off-road utility vehicle" or "UTV" includes the following vehicles: (Code of Iowa, Sec.

321I.1) "Off-road utility

vehicle - Type 1" includes vehicles with a total dry weight of 1,200 pounds or less and a width of 50 inches or less. "Off-road B. vehicle - Type 2" includes

vehicles, other than Type 1 vehicles, with a total dry weight of 2,000 pounds or less and a width of 65 inches or less. "Off-road C. vehicle - Type 3" includes

vehicles with a total dry

weight of more than 2,000 pounds or a width of more than 65 inches, or both. SECTION 2. SECTION MODIFIED. Section 78.03 of the Code of Ordinances of the City of Leon, Iowa, is

repealed and the following adopted in lieu thereof: OPERA 78.03 TION OF GOLF CARTS AND UTVS PERMITTED. Golf carts and UTVs may be operated upon the streets of the City by persons possessing a valid lowa operator's license and at least 18 years

of age, except as prohibited in Section 78.08. SECTION 3. SECTION REPEALED. Section78.09 of the Code of Ordinances

of the City of Leon, Iowa, is repealed. SECTION 4. SEVER-ABILITY 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 in-

valid or unconstitutional.

SECTION 5. WHEN EF FECTIVE. 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 9th day of October 2023, and approved this 11th day of October, 2023. 1t38 Oct. 18, 2023

THE COURTHOUSE **REPORT**

MAGISTRATE (continued from

page 8) \$1,248.44.

Joshua

Brandt Woodburn, Redding, IA, failure to maintain or use safety belts adult. Total \$199.75.

Trusty, Eagleville, MO, speeding 55 or under zone (1 thru 5 over). Total \$121.75. Kirby Nathan Or-

Preston Dewayne

lan Whitebear, Kansas City, MO, failure to (continued on page 10)

DECATUR TITLE SERVICES

ABSTRACTS OF TITLE formerly Elson and Fulton

Prompt and experienced abstracting services

for all of Decatur County. Member: Iowa Title Guaranty Division; American and Iowa Land Title Association.

Only complete set of records in **Decatur County** (641) 446-4621

GENERAL 313,715.71 37,718.98 34,658.94 POLICE RESERVE 10,687.50 .00 86.91 .00 ROAD USE TAX 148,110.95 28,976.13 94,065.03 .00 EMPLOYEE BENEFITS 60,791.88 11,059.41 23,723.91 .00

RECEIVED

119	EMEKGENCY FUND	48,649.73	547.21	.00	.00	49,196.94	
121	LOCAL OPTION SALES TAX	518,689.60	19,787.96	.00	.00	538,477.56	
122	LOST BOND RESERVE	.00	.00	.00	.00	.00	
123	LOST SINKING FUND (POOL	.00	.00	.00	.00	.00	
125	TAX INCREMENT FINANCING	15,040.72	.00	.00	.00	15,040.72	
160	ECONOMIC DEVELOPEMENT	4,496.21	.00	.00	.00	4,496.21	
166	EXPENDABLE TRUST FIRE	3,703.10	.00	.00	.00	3,703.10	
167	EXPENDABLE TRUST-LIBRAR	17,811.40	.00	.00	.00	17,811.40	
168	EXPENDABLE TRUST PARK/R	42,567.31	.00	.00	.00	42,567.31	
169	EXPENDABLE TRUST CEMETE	3,591.36	.00	.00	.00	3,591.36	
200	DEBT SERVICE	23,681.97	2,879.37	.00	.00	26,561.34	
300	CAPITAL IMPROVEMENT RES	2,320.43	.00	.00	.00	2,320.43	
301	CAPITAL PROJECT FUND	475.72	.00	.00	.00	475.72	
302	CAPITAL IMPROVEMENT PRO	.00	.00	.00	.00	.00	
303	STREET CAPITAL PROJECT	.00	.00	.00	.00	.00	
304	CAPITAL RESERVE	.00	.00	.00	.00	.00	
500	NON EXPEND TRUST LIBRAR	17,707.30	.00	.00	.00	17,707.30	
505	NON EXPEND TRUST CEMETE	53,908.18	.42	.00	.00	53,908.60	
COO	WATED	1 015 001 27	E0 640 01	46 EUJ E0	00	1 027 051 60	

1,015,001.37 46,592.58 1,027,051.60 WATER 58,642.81 .00 600 601 WATER SINKING 23,394.98 .06 .00 .00 23,395.04 972,717.32 42,585.07 27.607.85 987.694.54 610 SEWER .00

.03

.00

31,668.51

233,865.96

1,095.00

26,941.65

254,771.87

.00