

Mason City Room, Mason City Public Library  
Mason City, Iowa

February 4, 2025  
7:00 P.M.

**City Council Meeting Comments:** City Council Meeting Comments: To view the Agenda for all meetings, visit [www.masoncity.net](http://www.masoncity.net) and click on the Agenda button. The public is invited to provide input on Council items only prior to the meeting or at the meeting during the public forum. Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/82326971950?pwd=yahwgas4rbsNC1bWKCLw5hShsaQuHQ.1>

Passcode:499486; Phone one-tap: +13092053325,,82326971950# US; +13126266799,,82326971950# US (Chicago)  
Join via audio: +1 309 205 3325 US; +1 312 626 6799 US (Chicago); +1 646 931 3860 US; +1 929 205 6099 US (New York); +1 301 715 8592 US (Washington DC); +1 305 224 1968 US; +1 669 900 6833 US (San Jose); +1 689 278 1000 US; +1 719 359 4580 US; +1 253 205 0468 US; +1 253 215 8782 US (Tacoma); +1 346 248 7799 US (Houston)  
+1 360 209 5623 US; +1 386 347 5053 US; +1 507 473 4847 US; +1 564 217 2000 US; +1 669 444 9171 US  
Webinar ID: 823 2697 1950; International numbers available: <https://us02web.zoom.us/j/82326971950?pwd=yahwgas4rbsNC1bWKCLw5hShsaQuHQ.1>

## AGENDA

### REGULAR MEETING OF THE CITY COUNCIL

*Our mission is to provide efficient and effective City services and infrastructure with sound fiscal policies that create an enjoyable quality of life in a safe and viable community*

#### ROLL CALL -

#### ADOPT AGENDA –

#### SPECIAL ITEMS –

1. Presentation on FY24 Annual Comprehensive Financial Report (ACFR)

**NOTICE TO PUBLIC: PUBLIC FORUM:** The Mayor and City Council welcome comments from the public only on agenda items during the public forum. You are asked to give your name, address, and the agenda item number or topic you are referring to on the agenda. Please keep your comments concise and limited to five minutes.

**CONSENT AGENDA -** All items listed under the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time Council votes on the motion.

2. MINUTES – Regular, Special and Closed Minutes of January 21, 2025; Worksession Minutes of January 16, and 28<sup>th</sup> and Special Minutes of January 28, 2025
3. CLAIMS dated January 23 and 30, 2025
4. PERMITS

5. Mayor recommending approval  
Appoint John Robbins to Zoning Board of Adjustment and Ray Stearns to the Housing Authority Board
6. Administrator recommending approval  
Approving the plan for audit accrual related transfers
7. Administrator recommending approval  
**Reso.** authorizing notice to bidders, fixing amount of bid security, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for construction of the “East Park Redevelopment Project No. 24-1019”
8. Administrator recommending approval  
**Reso.** approving a change order and accepting work and ordering payment for construction of the “28550 bike park and trails – bid package 1”
9. Administrator recommending approval  
**Reso.** approving the permanent placement of a piece of public art – Spiral Dance (River City Sculptures) in downtown Mason City
10. Administrator recommending approval  
**Reso.** approving the permanent placement of two pieces of public art – Harmony In Light and Resonance (River City sculptures) in downtown Mason City
11. Administrator recommending approval  
**Reso.** approving Purchase and Sale Agreement with Horizon Development, Inc., for sale and development of parcels 070335601500, 070335601600, and 070335601700 (Northbridge Site)

**PUBLIC HEARING -**

12. Administrator recommending approval  
**Reso.** approving disposition of city-owned property (537 4<sup>th</sup> Street NE) in the Forest Park Urban Renewal Area and authorization to execute the real estate purchase agreement with the North Iowa Corridor Housing Development Co.
13. Administrator recommending approval  
**Ord.** amending Title 12 of the City Code , it being the Zoning Ordinance of said city, and changing the boundaries of certain districts therein zoned Z3 General Urban District to Z4 Multi-Use District for property generally located in the 500 Block of N. Delaware Avenue (1<sup>st</sup>, 2<sup>nd</sup> or FINAL)

14. Administrator recommending approval  
**Ord.** amending Title 12 of the City Code it being the Zoning Ordinance of said city, and changing the boundaries of certain districts therein zoned Z5 Central Business District to Z3 General Urban District for property generally located in the 100 and 200 blocks of 2<sup>nd</sup> Street Southeast (1<sup>st</sup>, 2<sup>nd</sup> or FINAL)
15. Administrator recommending approval  
**Ord.** amending Title 12 of the City Code it being the Zoning Ordinance of said city, and changing the boundaries of certain districts therein zoned Z1 Agricultural to Z4 Multi-Use district for property generally located at the Southeast corner of the intersection of 4<sup>th</sup> Street SW and Lark Avenue in West Mason City (1<sup>st</sup>, 2<sup>nd</sup> or FINAL)

ACTION ITEMS –

16. Administrator recommending approval  
**Ord.** amending Title 12 of the City Code, it being the Zoning Ordinance of said city, and changing the boundaries of certain districts therein zoned Z6-R Restricted Industry to Z4 Multi-Use District for property generally located at 1300 12<sup>th</sup> Street NW (FINAL)
17. Administrator recommending approval  
**Ord.** amending the City Code by repealing Title 1, Chapter 5: Corporate Limits and adopting a new Chapter 5 in lieu thereof (FINAL)

Adjournment

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**NOTE:** City Council members and staff will be available for a period of time after adjournment to visit with citizens, answer questions and address concerns. *In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Mason City, upon 48 hour notice, will make reasonable accommodations for persons with special needs. Please call (641) 424-7102 if you need assistance.* Please note flash photography is not allowed during the meeting.

**City of Mason City  
Finance Department**

# Memorandum

To: Aaron Burnett, City Administrator  
From: Brent Hinson, Finance Director  
Date: January 27, 2025  
RE: Presentation on FY24 Annual Comprehensive Financial Report (ACFR)

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We are pleased to welcome Bonnie Schwieger, audit principal for Abdo, to our February 4 meeting for presentation of the FY24 Annual Comprehensive Financial Report (ACFR). This year's audit went very smoothly, and we were able to file on time and with no audit comments. We will have a related item on the meeting agenda for some interfund transfers related to the audit accruals, and Bonnie and I will also be available answer questions as needed on those items.

Abdo's presentation is attached. The full audit is available on our website at: <https://bit.ly/masoncityacfr24>.

**Attachments:**

Presentation from Abdo.



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Brent Hinson, Finance Director



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Reviewed and Recommend Approval



**Abdo**

*Lighting the path forward*

# City of Mason City

2024 Financial Statement Audit



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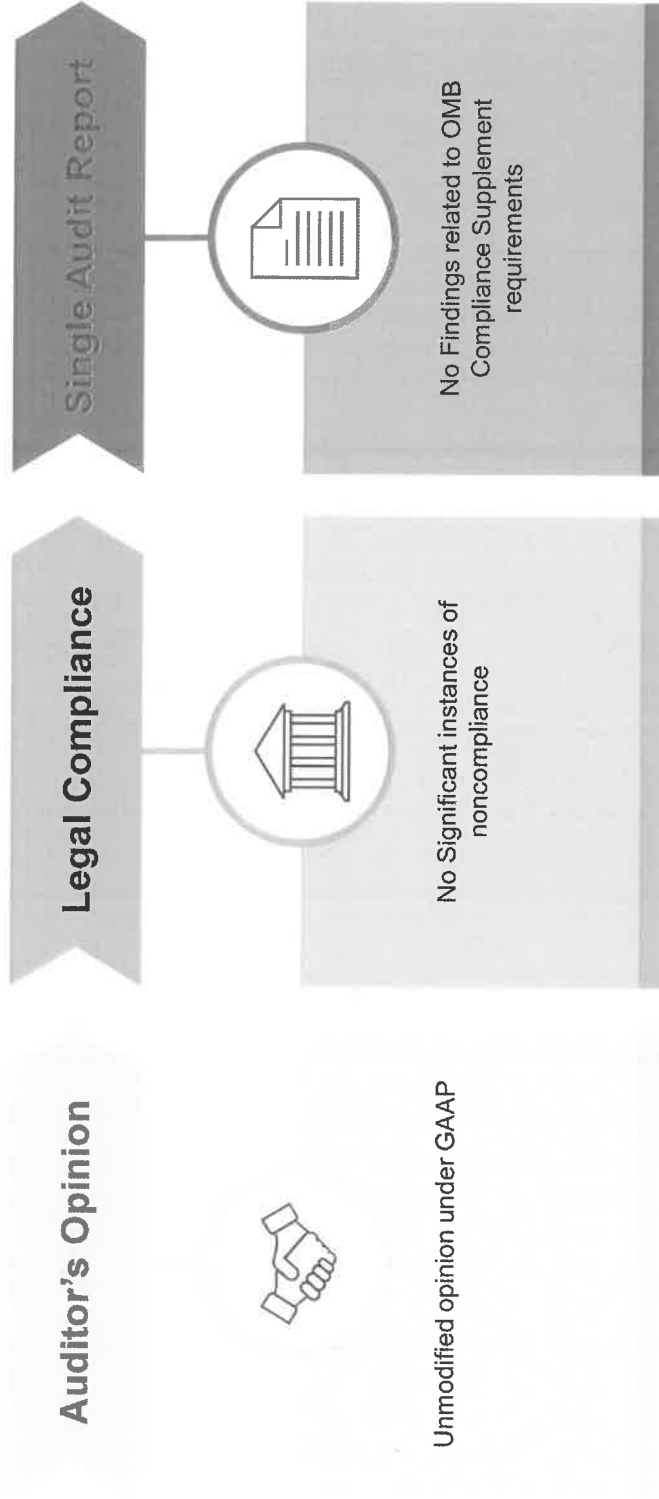
# Introduction

- Audit Results
- General Fund
- Other Governmental Funds
- Enterprise Funds

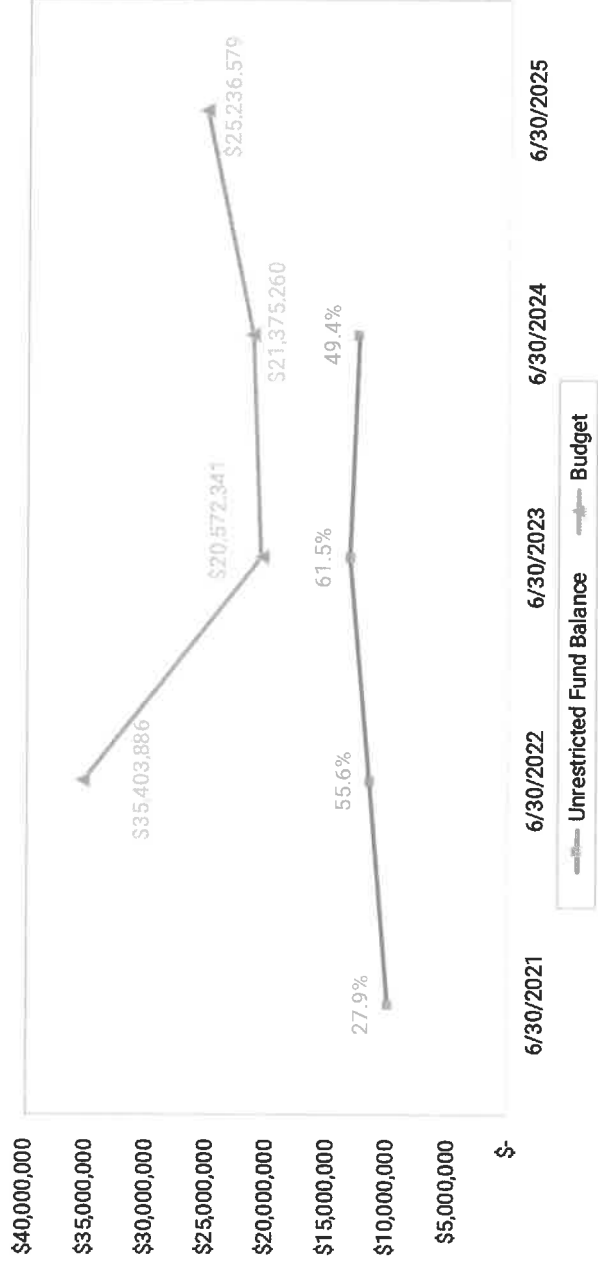


# Audit Results

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# General Fund Balances

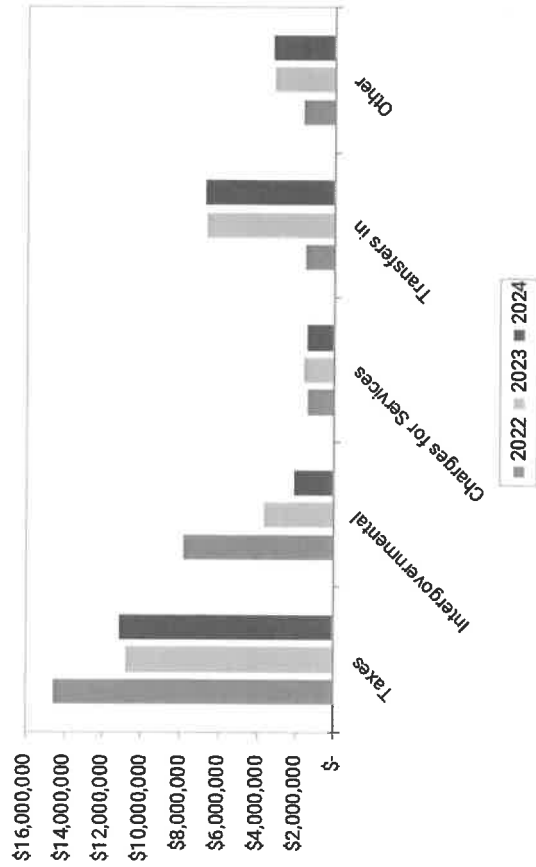
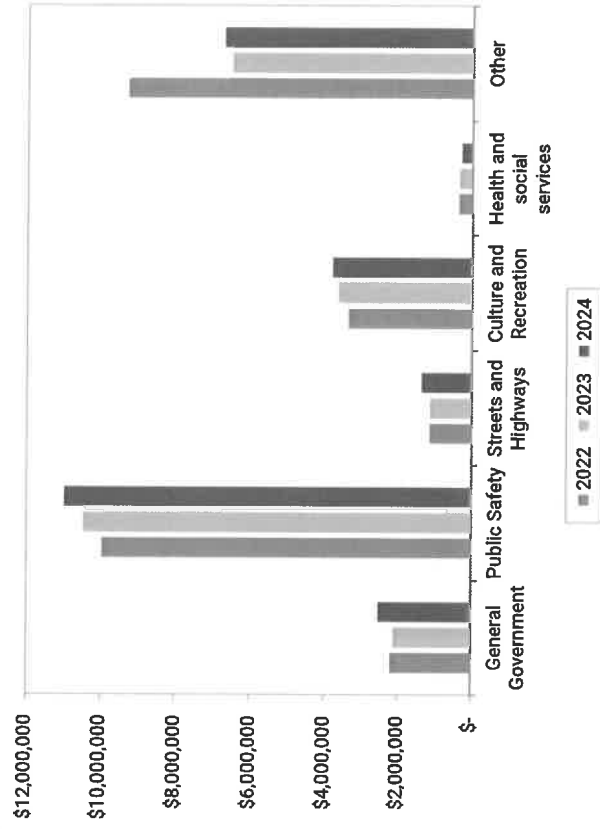


Note: Fund Balance above includes designated and undesignated General Fund balances

# General Fund Budget to Actual

	Final Budgeted Amounts	Actual Amounts	Variance with Final Budget
Revenues	\$ 16,368,918	\$ 16,617,836	\$ 248,918
Expenditures	<u>28,586,562</u>	<u>23,276,638</u>	<u>5,309,924</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(12,217,644)</u>	<u>(6,658,802)</u>	<u>5,558,842</u>
Other Financing Sources (Uses)			
Sale of capital assets	-	149	149
Bonds issued	1,418,600	1,303,200	(115,400)
Premium on bonds issued	-	115,400	115,400
Transfers in	6,307,008	6,769,467	462,459
Transfers out	<u>(1,490,033)</u>	<u>(2,403,467)</u>	<u>(913,434)</u>
Total Other Financing Sources (Uses)	<u>6,235,575</u>	<u>5,784,749</u>	<u>(450,826)</u>
Net Change in Fund Balances	<u>\$ (5,982,069)</u>	<u>(874,053)</u>	<u>\$ 5,108,016</u>
Fund Balances, July 1		<u>14,330,392</u>	
Fund Balances, June 30		<u>\$ 13,456,339</u>	

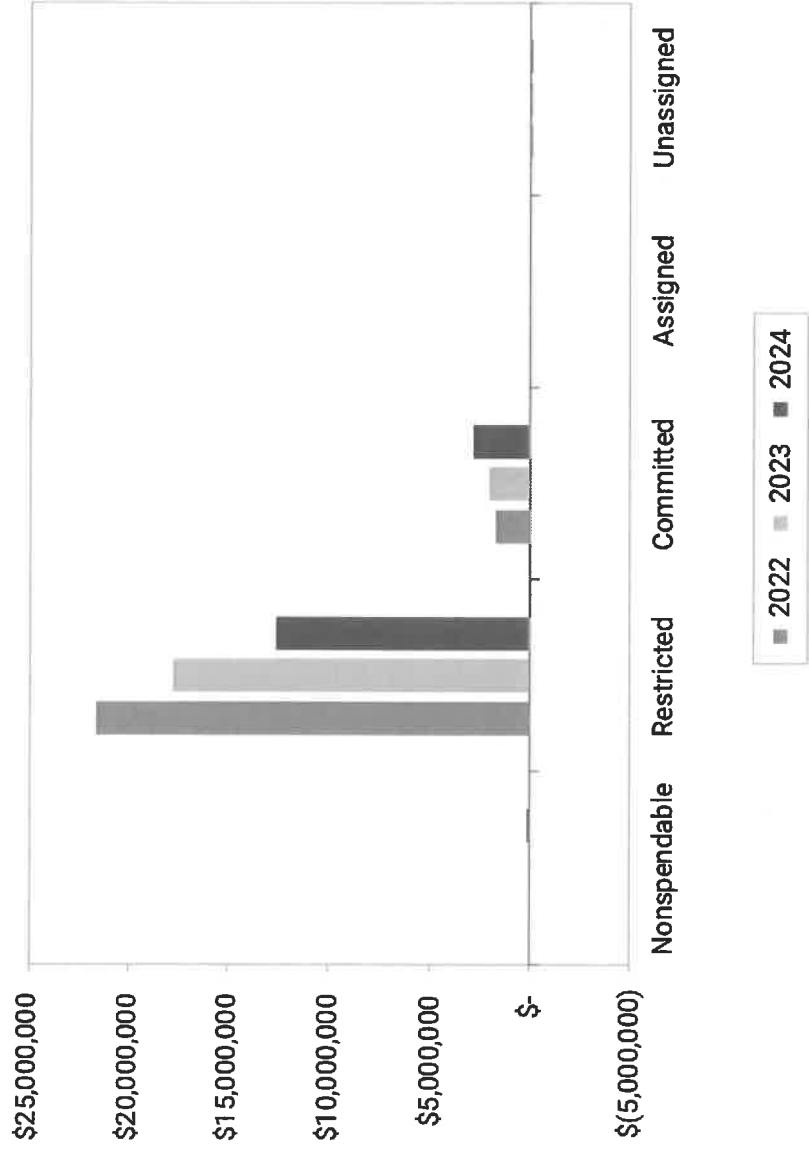
# General Fund Revenues and Expenditures by Type



# Special Revenue Fund Balances

Fund	Fund Balances June 30		Increase (Decrease)
	2024	2023	
Major Funds	\$ 464,699	\$ 726,233	\$ (261,534)
Local Option Sales tax			
Nonmajor Funds			
RC Renaissance	3,899,854	8,233,045	(4,333,191)
Road and Use Tax	2,553,623	2,724,142	(170,519)
ARPA	-	79,743	(79,743)
Unified TIF	311,162	(7,444)	318,606
Hotel & Motel Tax	334,310	293,220	41,090
Medical Cost	678,349	657,516	20,833
Police Retirement	2,232,271	2,548,171	(315,900)
Fire Retirement	2,011,115	2,327,411	(316,296)
Employee Retirement	26,328	79,626	(53,298)
Library Trust	417,827	480,996	(63,169)
Macnider Museum Foundation	1,340,333	1,147,841	192,492
Forest Park TIF District	4,437	4,437	-
Downtown Reinvestment	(122,540)	(73,175)	(49,365)
Southside Gateway	-	33,437	(33,437)
City Administered Grant	15,742	(135)	15,877
Housing Fund	121,074	128,069	(6,995)
22nd Stree SE Buyout	1,846	1,846	-
Softball Trust	2,460	3,117	(657)
Youth Southball Complex	122,434	115,629	6,805
Police Forfeitures	67,838	65,521	2,317
Emergency Levy	2,495	3,924	(1,429)
Corridor Revitalization Program	2,656	60,000	(57,344)
Downtown Revitalization Program	382,948	194,541	188,407
Pending forfeitures	44,972	-	44,972
Police Task Force	7,421	41,641	(34,220)
Police Task Force Equipment	40,734	20,890	19,844
Life Safety Program	469,548	-	469,548
<b>Total</b>	<b>\$ 15,433,936</b>	<b>\$ 19,890,242</b>	<b>\$ (4,456,306)</b>

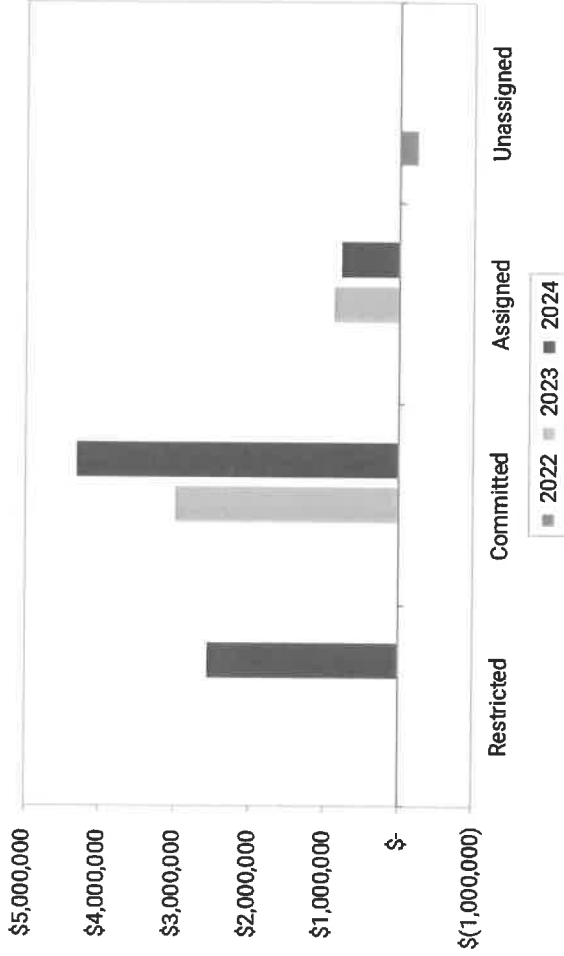
# Special Revenue Fund Balances





# Capital Projects Fund Balance

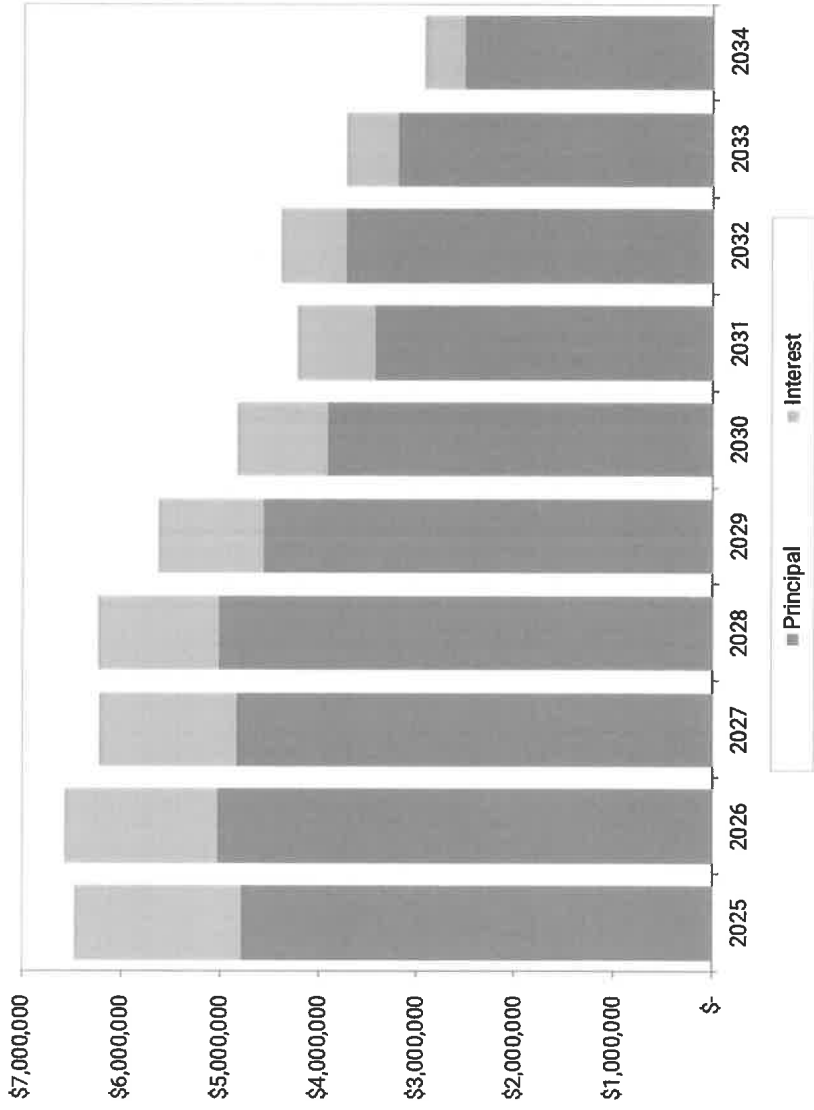
Fund	Fund Balances June 30		Increase (Decrease)
	2024	2023	
G.O. Capital Projects	\$1,327,053	\$ 892,088	\$ 434,965
LOSST Capital Projects	6,323,511	2,998,811	3,324,700
<b>Total</b>	<b>\$7,650,564</b>	<b>\$3,890,899</b>	<b>\$3,759,665</b>



# Debt Service Funds

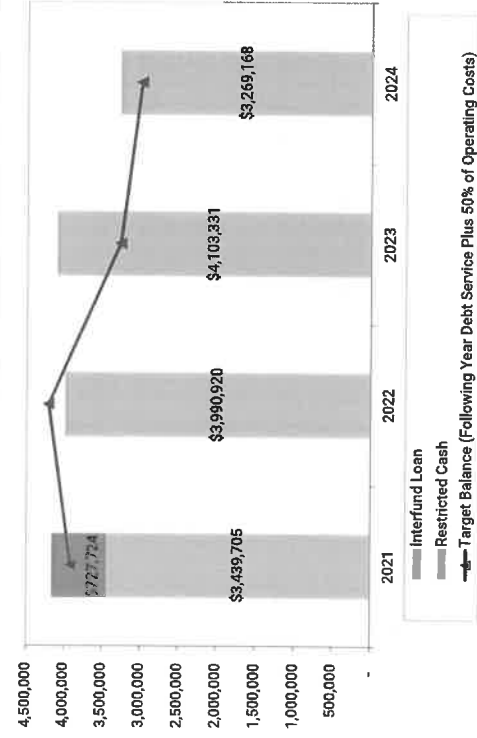
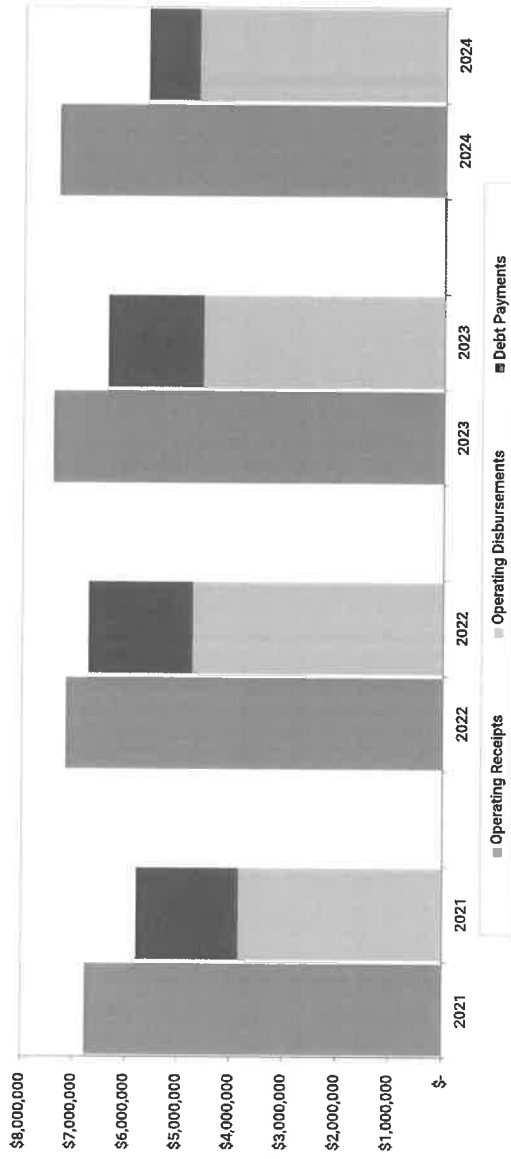
Debt Description	Outstanding Debt	Maturity Date
<b>G.O. Tax Increment Bonds</b>		
Taxable General Obligation Urban Renewal Bonds, Series 2019A	\$ 13,430,000	06/01/38
Taxable General Obligation Urban Renewal Bonds, Series 2019D	4,800,000	06/01/39
Taxable General Obligation Urban Renewal Bonds, Series 2021B	7,885,000	06/01/41
<b>Total G.O. Tax Increment Bonds</b>	<b>26,115,000</b>	
<b>G.O. Bonds</b>		
General Obligation Bonds, Series 2018	2,749,186	06/01/28
General Obligation Bonds, Series 2019B	2,425,000	06/01/29
General Obligation Bonds, Series 2019C	1,115,014	06/01/29
General Obligation Bonds, Series 2020A	3,260,219	06/01/30
General Obligation Bonds, Series 2021A	2,143,200	06/01/32
General Obligation Bonds, Series 2022	3,695,000	06/01/34
General Obligation Bonds, Series 2023A	6,022,470	06/01/33
General Obligation Bonds, Series 2023B	4,780,000	06/01/34
<b>Total G.O. Bonds</b>	<b>26,190,089</b>	
<b>Total All Debt Service Funds</b>	<b>\$ 52,305,089</b>	
<b>Future Interest on Debt</b>	<b>\$ 11,252,008</b>	

# Debt Service Funds



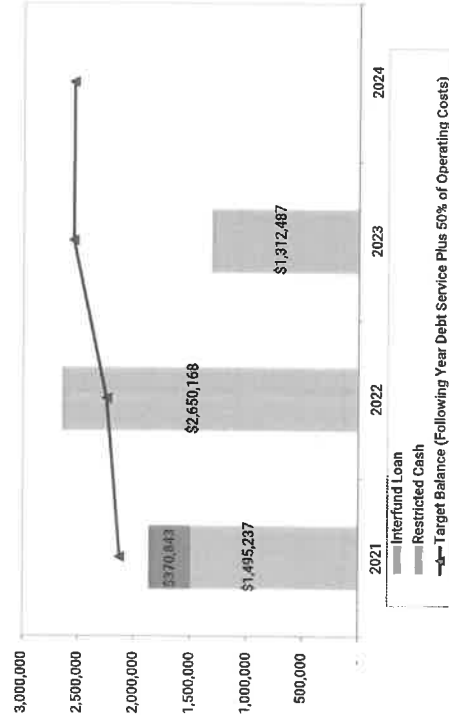
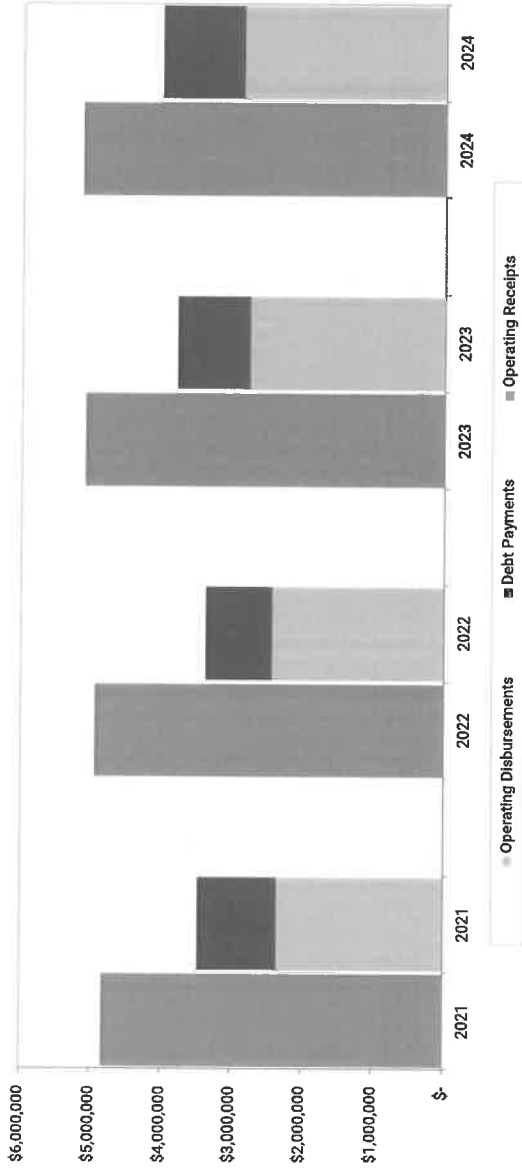
# Water Fund

## Cash Flows from Operations and Cash Balances



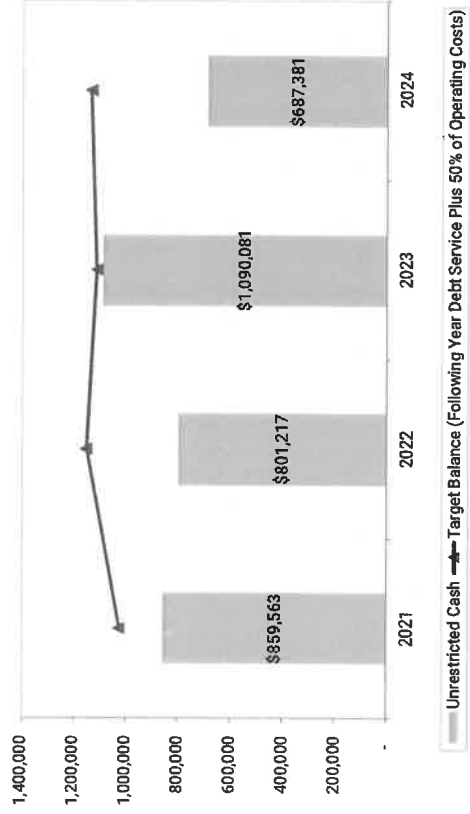
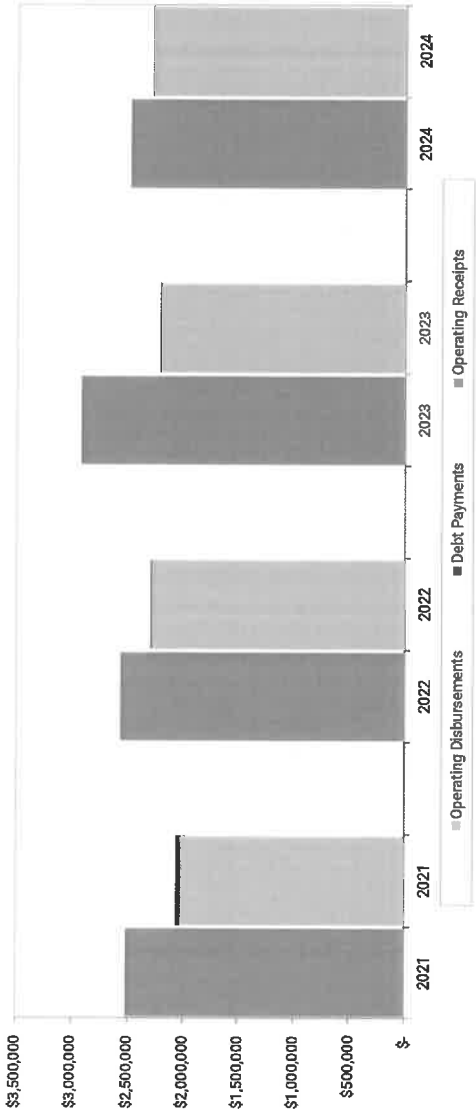
# Sewer Fund

## Cash Flows from Operations and Cash Balances



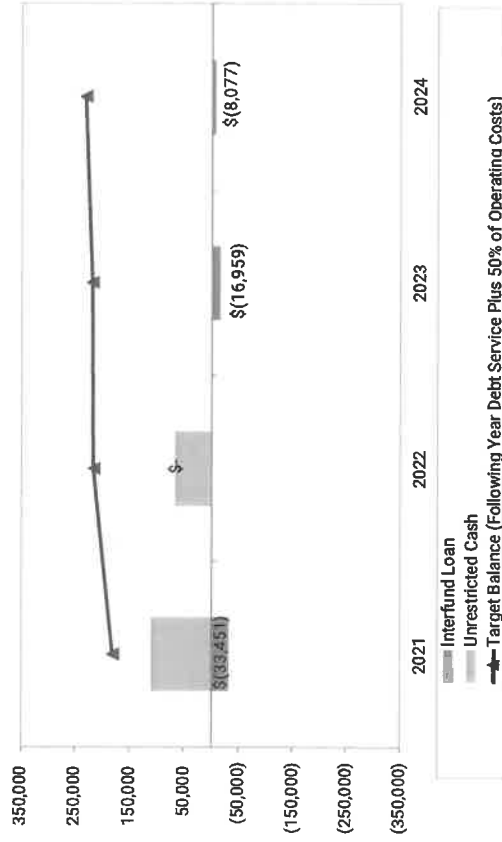
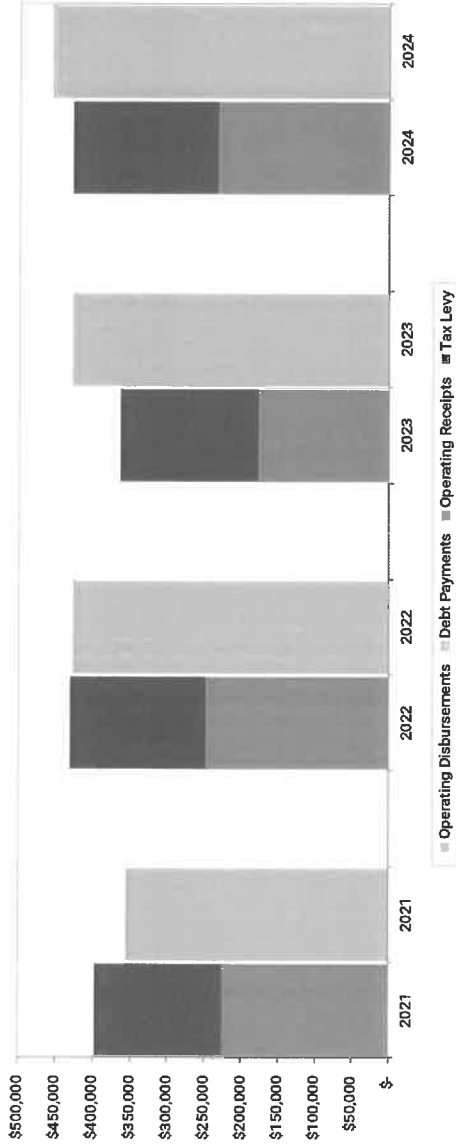
# Ambulance Fund

## Cash Flows from Operations and Cash Balances



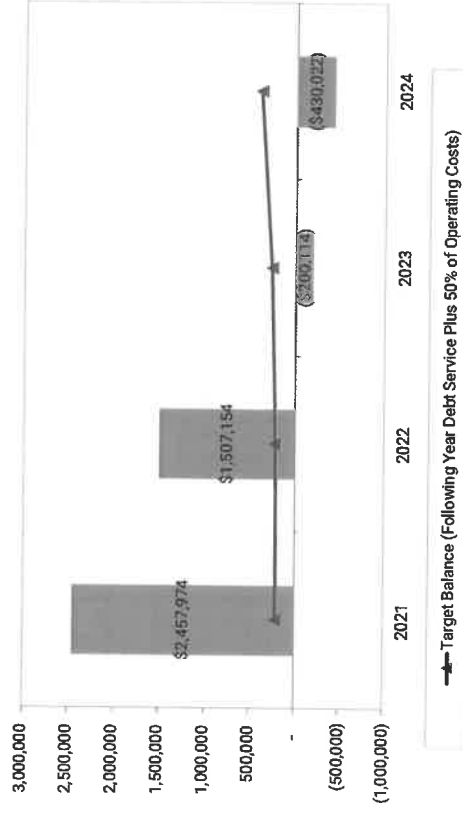
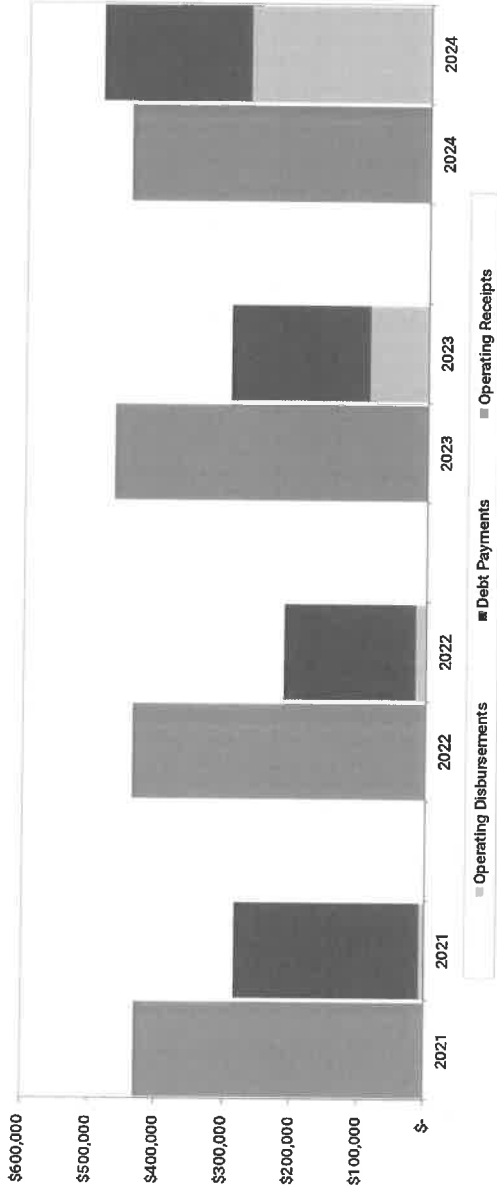
# Cemetery Fund

## Cash Flows from Operations and Cash Balances



# Storm Sewer Fund

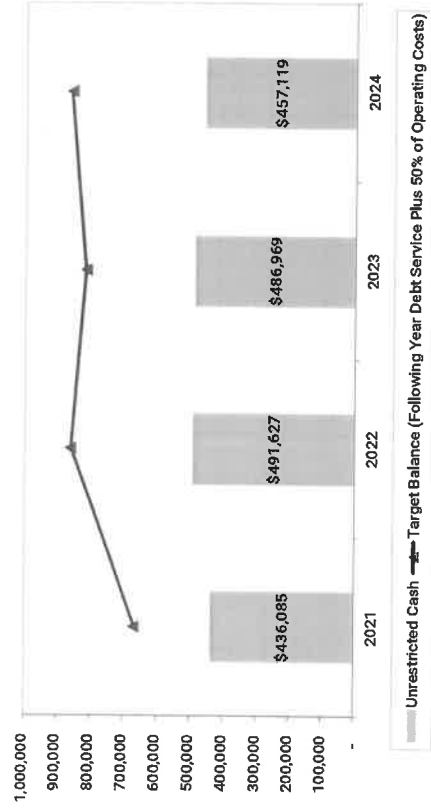
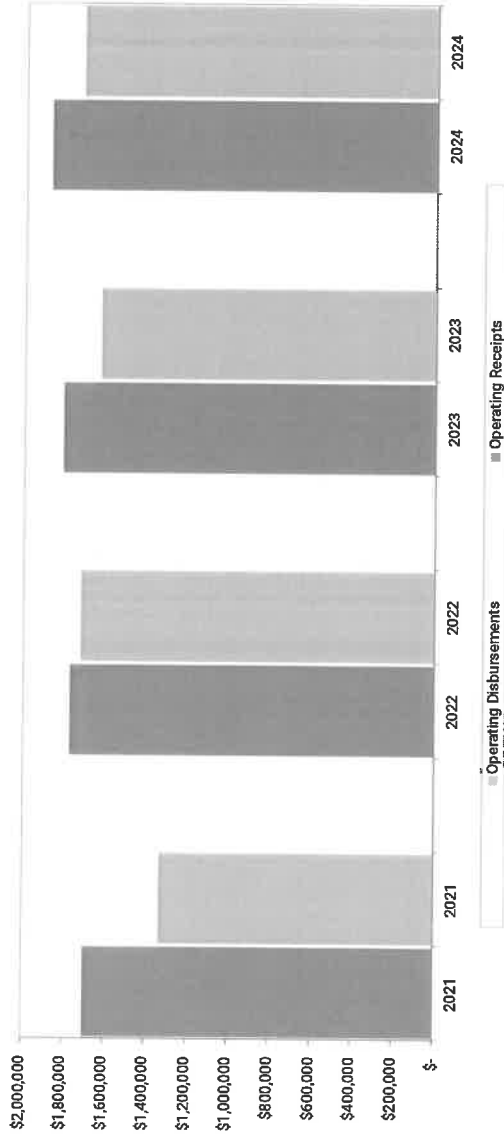
## Cash Flows from Operations and Cash Balances





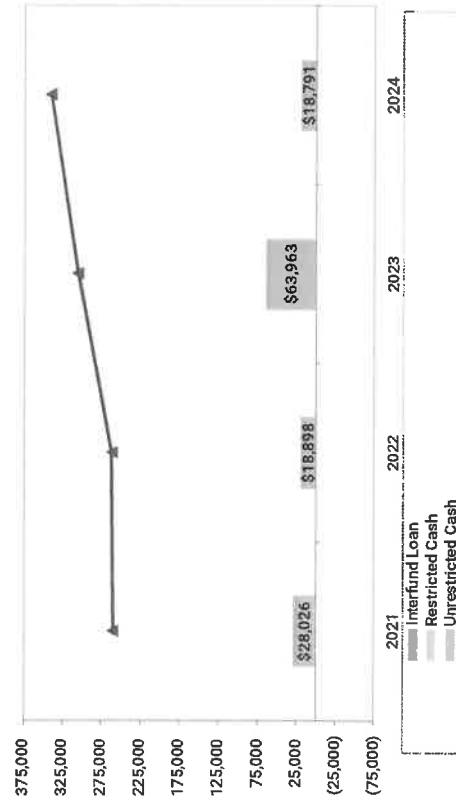
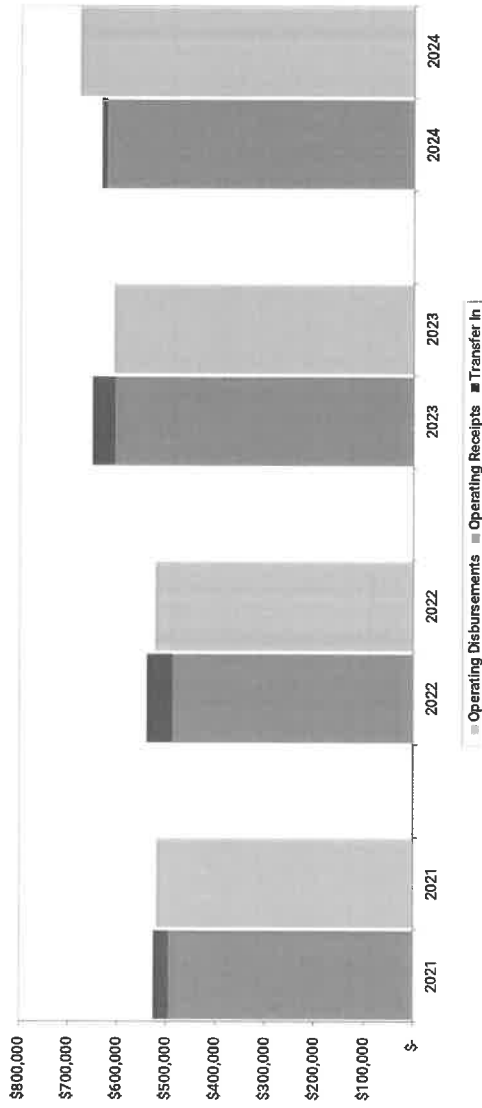
# Solid Waste Fund

## Cash Flows from Operations and Cash Balances



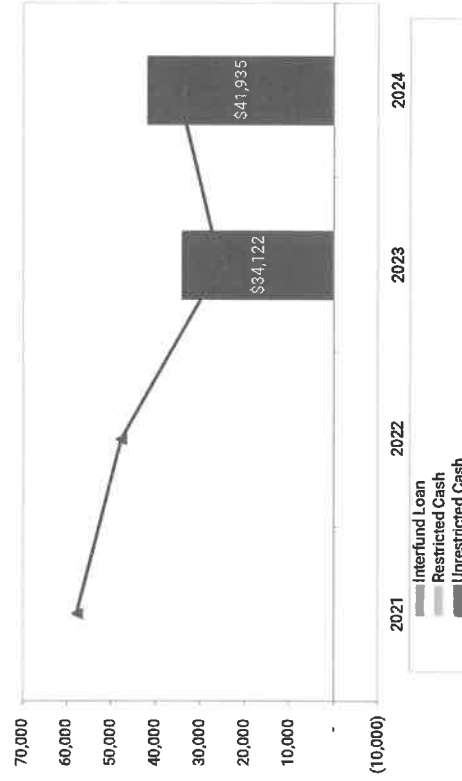
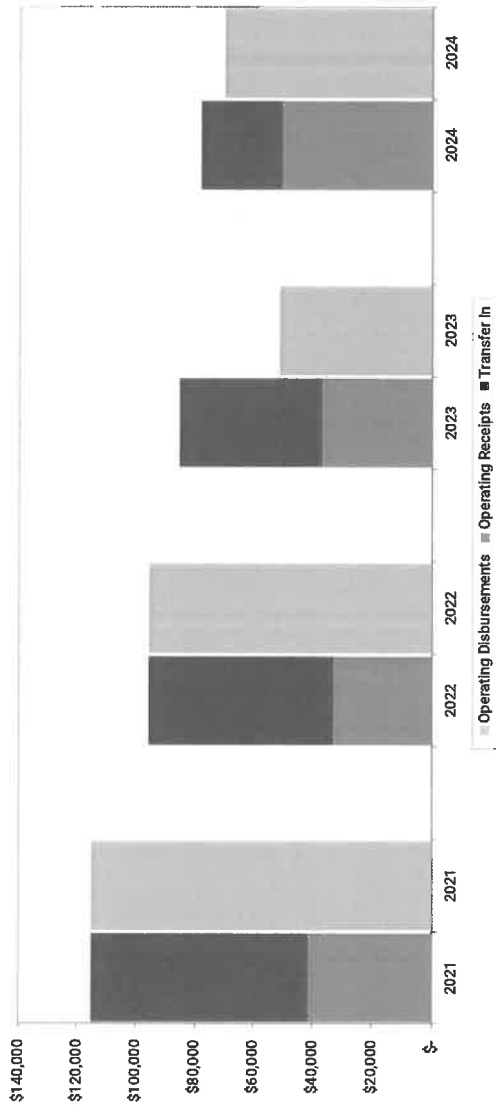
# Golf Course Fund

## Cash Flows from Operations and Cash Balances



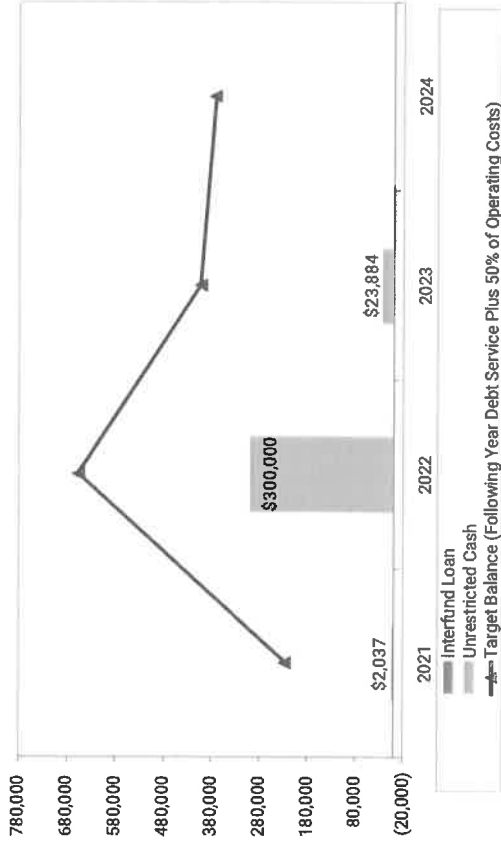
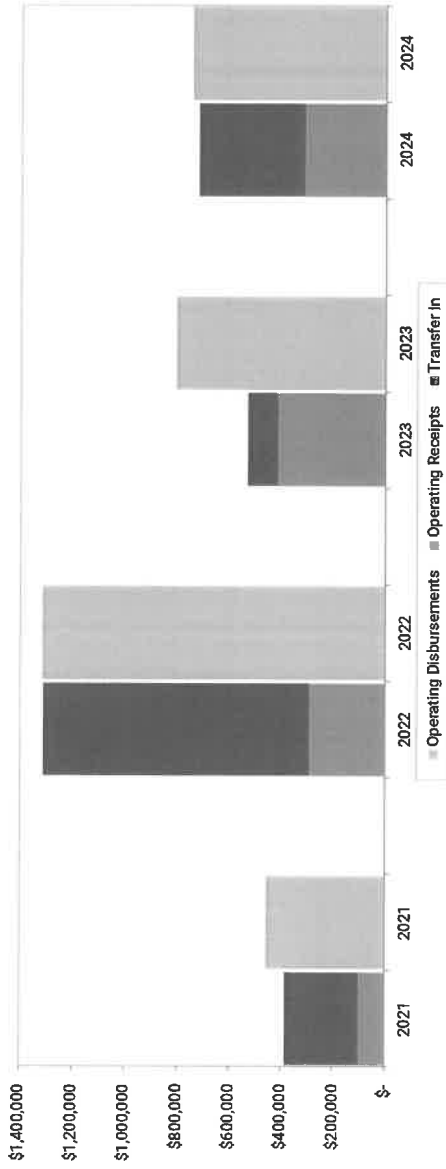
# Parking Lots Fund

## Cash Flows from Operations and Cash Balances



# RC Arena Fund

## Cash Flows from Operations and Cash Balances



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# Your Abdo Team



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Mason City Room, Mason City Public Library  
Mason City, Iowa

January 21, 2025  
7:00 P.M.

MINUTES  
REGULAR MEETING OF THE CITY COUNCIL

The City Council of the City of Mason City, Iowa, met in regular session pursuant to law and rules of said Council, in the Mason City Room of the Mason City Public Library, at 7:00 P.M., on January 21, 2025. The meeting was called to order by the Mayor Pro tem and on roll being called there were present, Paul Adams, Mayor Pro tem in the Chair, and the following Council Members: Jaszewski, Masson, Latham, Adams, Symonds. Absent: Schickel, Lee

**ADOPT AGENDA**

**It was moved by Masson and seconded by Jaszewski that the agenda be adopted.**

On roll call, the vote was as follows:

Yea: Masson, Jaszewski, Symonds, Latham Adams  
(Motion was declared carried.)

**PUBLIC FORUM**

The Mayor Pro tem asked if there were any comments.

There being no comments the Public Forum was declared closed.

**CITY ADMINISTRATOR’S MONTHLY REPORT**

1. Administrator Burnett presented the Monthly Activity Report.

Council comments and questions followed the report.

**CONSENT ITEMS**

Prior to adopting the Consent Agenda, Item #7 and #13 were removed to be acted upon separately.

The following Consent Agenda Items were Approved/Adopted:

2. **Minutes:** Regular Minutes of January 7, 2025, were presented.
3. **Claims:** Dated January 9, and 16, 2025 in the amount of \$1,817,212.43
4. **December 2024 Financials:**

**Finance Director:**

Attached are reports for the City’s financial condition and budgetary performance, updated through December 31, 2024. As of the end of December, we are at 54.69% of general

revenues and 48.46% of general expenditures with 50% of the year completed. In FY24 at this point, we were at 56.37% of general revenues and 47.01% of general expenditures.

While we are running behind last year, we are still where we should be from a general operating standpoint at the halfway point of the year- slightly higher than budget on revenues and slightly lower than budget on expenditures. In the General Fund, we are \$723,399 above in revenue pace, which is respectable at this point in the year. Our December payment of Local Option Sales and Service Tax (LOSST) was \$503,577.39 (we need an average of \$550,000 per month to keep to our budgeted pace), and we are now just slightly above pace for the year, with \$3,350,145.71 received versus a budget requirement of \$3,300,000 at this point. In other funds, highlights include us being strong on water and sewer revenues. We are slightly behind in storm sewer revenues, primarily because we delayed the start of the new rate structure for commercial and industrial. Those changes have been put in place for all billings after January 1 and we forecast to be slightly better in overall revenues than what was forecast when the rate ordinance was adopted. We expect to end the year with close to \$600K in revenues. We had assumed \$696K at budget, but also don't have underlying expenses needing covered by the increased revenue at this point- we are just building fund balance in anticipation of major future projects, including the North Central Storm Sewer Study recommendations. On the general expenditure side, we are running behind budget by \$236,753. A good deal of this underspending is related to open police officer positions, so we are pretty much running at budget if that variable were removed. Fund 070 Cemetery is ahead of budget on the expenditure side, but well ahead on the revenue side. This is the effect of headstone purchases and sales, which were not included in the original budget. Fund 020 Recreation and Fund 650 Golf are above budget due to seasonality. We are ahead of budget in 670 Arena solely due to contractual agreement/event payments. We had a slight decline in overall fund balance from November, which is typical this time of year. In an overall sense, we have \$54,131,793.49 in the City treasury at December 31, as compared to \$66,402,595.81 one year ago at this time. This spenddown of funds is proceeding as planned and relates to items such as the Destination Iowa projects, Fire Station, and ARPA projects. We continue to wait for reimbursement from the State of Iowa on the Destination Iowa and HOME Pilot Grant initiatives.

**5. Reappointment to ALT:**

**Mayor:**

The council is asked to confirm the following individuals to the appropriate boards and commissions. Applications are on file in the Clerks office.

<u>Name</u>	<u>Board or Commission</u>	<u>Reappt./New</u>	<u>Term</u>
Steven Schurtz	Active Living & Transportation	Reappt.	2028

**6. Appoint/Hire Swing Worker:**

**Public Works Director:**

Staff respectfully requests City Council approval to hire Max Heimbuch for the position of swing worker – sanitation at the January 21, 2025, Council Meeting. The position of Swing Worker – Sanitation was vacated with the transfer of Steven Diaz to a Street Maintenance position. Current employees were allowed to apply for the vacancy, none applied. External applicants were interviewed and Max Heimbuch was offered and ac-

cepted the position. The position is included in the Operating Budget. Approve Max Heimbuch as the successful applicant for the position of Swing Worker at the January 21, 2024, Council Meeting at the rate of \$29.53 per hour.

**8. Change Order Bike Park Building Package 3 (Wellhouse):**

**City Engineer:**

The recommendation is: that the City Council approves a prime contract change order for the addition of a ventilation fan and louver air exchange system for Well A3 wellhouse. The replacement of the wellhouse for Well A3 was bid as an alternate to the Bike Park and Trails Bid Package 3 project. Alternate D included the demolition and rebuilding of a new structure for Well A3 located adjacent to the newly constructed bike park. The original building design did not include a ventilation system necessary to meet the long-term needs of the building and internal well equipment and controls. The city directed ISG to design and prepare a plan sheet with specifications to meet the needs of the new building and the operational parameters of the well motor and equipment. The proposed HVAC system by change order, includes two louvered inserts with bird screen and motorized backdraft dampers. One of the two louvered units is equipped with a fan for air exchange as needed, to maintain a desired preset controlled atmosphere. A dampening mechanism is controlled through a temperature sensor. The exhaust fan is activated, and the motorized dampers are opened, when the building temperature exceeds a predetermined setting. The HVAC system will prolong the longevity of the internal well motor, equipment, and controls used for the operation of pumping water. The attached change order provides detailed items totaling \$14,327.50. The project is budgeted and being funded with Water Revenues. I respectfully request City Council's approval of Prime Contract Change Order #010 with Henkel Construction Co. for Bike Park and Trails Bid Package 3 – Alternate D, wellhouse exhaust fan.

**Reso. 25-6:**

Resolution No. 25-6, approving a change order with Henkel Construction Company for construction of the "Mason City Bike Park Building Package 3" (Wellhouse Exhaust Fan), was presented.

**9. Multiple Change Orders Bike Park Building Package 3:**

**City Engineer:**

The recommendation is: that the City Council approves multiple change orders associated with the Bike Park and Trails Bid Package 3 project. As site work, restoration and finishing components were being completed at the close of the construction season, the project encountered unknown conditions requiring change orders. The item accounting for the majority in the contract increase was topsoil that was used for finished grading and shaping of an area south of the bike park parking lot. Similar to other areas within the park construction zone was unknown, buried materials or abandoned building foundations, etc. from past years that created unsuitable conditions for promoting vegetative growth or in the locations of new utilities and/or amenities. One change order is for additional materials and labor related to the development of the bike park located at 1500 Elm Drive. It includes topsoil for covering and dressing of an area containing undesirable subsoils. A second change order is for the removal of unforeseen concrete at one of the parking lot light locations. A third change order associated with the project, within the bouldering ar-



ea, results in a decrease in the contract. The change order is for the deletion of a concrete slab on which the bouldering equipment was to be installed. The construction of the concrete slab will be completed at a time when the sizing of the bouldering equipment is known. The three change orders combined resulted in a contract increase of \$14,910.25. The original contract with Henkel Construction Company was in the amount of \$3,203,000.00. Prior and current change orders reflect a new contract amount of \$3,349,272.81. Change orders have resulted in a contract increase of 4.6%. The project is budgeted and is being funded with Local Option Sales and Service Tax Funds and a State Grant. I respectfully request City Council action approving Prime Contract Change Orders #008, #009, and #011 for materials and labor associated with the Bike Park and Trails Bid Package 3 project.

**Reso. 25-7:**

Resolution No. 25-7, approving change orders #008, #009 and #011 with Henkel Construction Company for construction of the “Mason City, was presented.

**10. Letter of Support Low-Income Housing Tax Credit (Horizon Development):**

**Development Services Director:**

Staff requests approval of the resolution authorizing the Mayor to sign a letter of support for the Low-Income Housing Tax Credit application by Horizon Development Group. In September of 2024, Staff issued a Request for Proposals to develop the 1.8 acres site on the west side of North Delaware Avenue, across Northbound US 65 from the Fareway store. The City received four proposals and recommended approval of the proposal from the Horizon Development Group for a low-income senior citizen development with 45 units. On November 19, 2024, the City Council approved Horizon’s proposal and authorized Staff to negotiate a purchase and sale agreement with them. Staff has been working with Horizon on this agreement and expect to have it on the February 4 Council agenda. The developer intends to apply for Low-Income Housing Tax Credits (LIHTC) to help finance the project. This is a Federal program that is administered at the state level by the Iowa Finance Authority and is highly competitive. Horizon will receive additional application points due to the City’s designation as an Iowa Thriving Community. Horizon has asked for a Letter of Support from the City. This support is needed to gain additional scoring points. The Letter of Support acknowledges Horizon’s LIHTC application and states the City’s support for the project. It notes that Horizon will be applying for other funding programs, and states the City’s support for all of its application efforts. There is no impact to the operating budget resulting from this action. Staff requests approval of the resolution authorizing the Mayor to sign a letter of support for the Low-Income Housing Tax Credit application by Horizon Development Group.

**Reso. 25-8:**

Resolution No. 25-8, authorizing the Mayor/Mayor Pro Tem to sign a Letter of Support for the Low-Income Housing Tax Credit application by Horizon Development, was presented.

**11. Certify Population in Annexed Territory to Iowa Treasurer of State:**

**Development Services Director:**

Staff recommends approval of the Resolution certifying the population of recently an-

nexed territory to the State Treasurer. On November 5, 2024, the City Council held a public hearing and approved a resolution annexing approximately 45 acres, located at the southeast corner of Iowa Highway 122 and Lark Avenue. This annexation became official on November 15, 2024, when it was acknowledged in writing by the Iowa Secretary of State. Iowa Code 312.3(4) requires the Mayor and City Council to certify the population of any annexed territory, as determined by the last certified federal census, to the Treasurer of State in order for apportionment of street construction funds to be adjusted. The 2020 Census shows that the property in question is within Tract 9502.01, Block Group 1, Block 2025 and Tract 9502.02, Block Group 2, Block 2005. According to the Census, there is no one living within the annexed territory. The land consists of the Tractor Supply store under construction, a portion of the IA 122 right-of-way, a portion of the Lark Avenue right-of-way, and the remainder farm land. The attached certifies to the Treasurer of State that there are no persons residing in the annexed area. There is no impact to the operating budget resulting from this action. Staff recommends approval of the Resolution certifying the population of recently annexed territory to the State Treasurer.

**Reso. 25-9:**

Resolution No. 25-9, certification of population in annexed territory to the Iowa Treasurer of State, was presented.

**12. DoRL 205 North Federal Avenue:**

**Development Services Director:**

Staff respectfully requests approval of a forgivable Downtown Revitalization Loan (DoRL) in the amount of \$30,000 for renovations at 205 North Federal Avenue (Splash Multi-Sport). The Forgivable Loan and Grant Review Committee recommends approval of the request. The owner of Splash Multi-Sport, Eric Follmuth, has applied for a DoRL loan for \$30,000 to renovate the façade of his building at 205 North Federal Avenue. The total cost of this project is estimated at \$100,331. The owner has provided a letter from Farmers State Bank pledging to meet the match requirement. The first floor of the building has an historically inappropriate treatment with light colored bricks and very narrow windows. In late November 2024, a vehicle left the roadway and struck the front of the building. The owner decided to replace the damaged façade with a design that is similar to the original storefront. He seeks a \$30,000 forgivable loan to fund this project. The Forgivable Loan and Grant Review Committee met on January 13 to consider this application. The Committee scored the application according to the Scoring Matrix used for DoRL and CoRL requests. Scores ranged from 35 to 48, with an average score of 42.9. A minimum score of 28 is required for consideration. The Committee recommends approval of the request. Staff concurs with this recommendation. There is no impact to the operating budget resulting from this action. The City Assessor determined that the project will increase the value of the building by \$15,790, a seven percent increase. Staff respectfully requests approval of a forgivable Downtown Revitalization Loan (DoRL) in the amount of \$30,000 for renovations at 205 North Federal Avenue (Splash Multi-Sport).

**Reso. 25-10:**

Resolution No. 25-10, authorizing approval of a forgivable loan to Eric Follmuth/Splash Real Estate, LLC for the rehabilitation of 205 North Federal Avenue in conjunction with the Downtown Revitalization Loan Program, was presented.

**14. RAISE Grant for Hwy 122/4<sup>th</sup> Street SW Corridor:**

**City Administrator:**

Approve the resolution supporting the city's application for Highway 122 grant funding through the DOT. The City has completed several studies and provided updates to the Iowa DOT about the need for improvements in the Highway 122 west corridor. These studies have provided a recommended path for improvements in the corridor and have been well received by the IDOT. As a result, the proposed project encompasses complete reconstruction of Highway 122 from Winnebago Way to Indianhead Drive. The federal DOT currently has several grant opportunities available for highway improvements and, in talks with the IDOT and DOT, it appears that the RAISE program would be a great fit for an application at this early timeframe. The project is loosely estimated to start construction in 6 years and the city staff believes the project has a strong chance of being funded in the IDOT's next 5-year plan. The IDOT is supporting this grant application as a potential of bringing federal funding into the project and a first step to committing funding. The project is currently included in the 5-year CIP, but is not scheduled for work for several years. Only preliminary studies and engineering are being expended in the current budget. I respectfully request the approval of the resolution of support for the grant application.

**Reso. 25-13:**

Resolution No. 25-13, support for an application for a grant through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program from the Department of Transportation for improvements to the Highway 122/4<sup>th</sup> Street SW Corridor, was presented.

**It was moved by Masson and seconded by Jaszewski that all items in the Consent Agenda be approved and Resolutions adopted.**

Yea: Masson, Jaszewski Adams, Latham, Symonds  
(Motion was declared carried.)

**7. Creation of New Fund:**

**Finance Director**

Authorize the creation of a new Fund 680- Southbridge Mall Operations in the City's chart of accounts. With the direction from Council regarding longer-term City stewardship of the Southbridge Mall property, it is appropriate to move the mall operations out of Fund 310, River City Renaissance capital projects, and into its own operations fund. We plan to reflect it this way in the proposed FY26 operating budget and would like Council's advance approval. The proposed resolution will not have a direct impact on the City's budget. Consider approval of the establishment of the proposed fund.

**It was moved by Latham and seconded by Jaszewski that Resolution No. 25-5, be adopted.**

Council Member Latham asked Finance Director Hinson to provide an overview with Hinson stating this action would essentially allow staff to track on an operating basis and was just part of the process of making something permanent.

The Mayor Pro tem called the question and the following Resolution was introduced.

**Reso. 25-5(ADOPTED):**

Resolution No. 25-5, establishing a new Fund within the City's Chart of Accounts, was presented.

On roll call, the vote was as follows:

Yea: Latham, Jaszewski, Symonds, Masson, Adams  
(Motion was declared carried.)

**13. Lease and Purchase of Assets – Suzie Q Café:**

**Planning & Zoning Manager:**

The Historic Preservation Commission respectfully recommends that the City Council approve the attached Lease Agreement and Asset Purchase Agreement related to the acquisition of the Suzie Q Restaurant, 14 2<sup>nd</sup> St. NW. Staff concurs with this recommendation. The agreements are attached. The Suzie Q Restaurant, located at 14 2<sup>nd</sup> St. NW, has been a presence in downtown Mason City since 1949. The building is a Valentine Diner that houses a small kitchen area and 9 customer seats. The Suzie Q is a contributing structure to the Downtown Mason City Historic District and is one of the distinctive places that makes downtown Mason City a one-of-a-kind place. The Suzie Q has been closed since April 24, 2023, when fire destroyed The Kirk Apartments. The Suzie Q sits on a portion of the same lot where The Kirk once stood; the site was leased from the owner of the Kirk. The restaurant's water service was extended from The Kirk and when the building was demolished, the water service was removed. It appears the Suzie Q has an independent sanitary sewer connection and that the sanitary sewer did not flow back to The Kirk. The property has been marketed by the owner since shortly after the fire. A group of local business owners and historians have attempted to find a new owner for the business who would keep the iconic diner in the downtown, but these efforts have been unsuccessful. The Historic Preservation Commission has met with the owner of the Suzie Q who has reiterated his desire to see the Suzie Q stay in the downtown as well. He also stated that he would like the Historic Preservation Commission to take ownership of the Suzie Q. While the Commission is empowered to accept real property, they cannot financially obligate the City; acquisition of the Suzie Q and its assets will need to be approved by the City Council and the assets will be held in the name of the City of Mason City. While the long-term use of the Suzie Q has not been determined, it is the intent of the Historic Preservation Commission to reestablish utilities to the building and develop a Request for Proposals for the reuse of the restaurant. The other assets acquired would be made available to a future occupant or sold. Any revenue would be used to offset the cost to acquire the assets and re-establish the utilities. It is not the intent of the Commission to entertain proposals that would remove the Suzie Q from the downtown. The Commission will also identify and apply for, where appropriate, grants to benefit the diner. To accomplish this, there are two agreements we request the Council to approve. The first agreement is a lease for the land under the Suzie Q. The Suzie Q has always been located on a leased parcel that is part of the larger parcel that The Kirk Apartments occupied. The Kirk property was recently sold to A2E3 Properties, LLC. The lease includes these provisions, along with additional provisions as outlined in the lease:

- An initial 1-year term with four annual 1-year renewals through 2030.
- The City has the right to maintain and operate the café and shed on the premises.
- The lease agreement grants the landlord the right to buy any improvements installed by the tenant with the purchase price being the amount paid by the City for the Suzie Q and the cost to the City to reestablish public utilities to the building.
- The landlord will have the right of first refusal if the City receives a bona fide offer from a third property.
- Rental payments are due the landlord beginning at \$250 per month. The rent rate will escalate in each subsequent year reaching a maximum of \$400 per month in the final year.
- Reconnection of the utilities is the responsibility of the City.

The lease agreement has been reviewed by the owner and has been approved. It will become effective upon the approval of the Council and execution by the Mayor and City Clerk. The second attached agreement is an Asset Purchase Agreement. This agreement lays out the terms for the City to acquire the assets of Suzie Qrew, LLC, the holding company for the Suzie Q. These assets generally include:

- Property, including the Suzie Q restaurant and the storage shed currently north of the Suzie Q.
- Tangible property including the contents of the restaurant, shed and a storage unit currently rented by Suzie Qrew, LLC.
- Intangible property including all rights, title and interest in and to all recipes, trade names such as Suzie Q Café, Suzie Qrew, LLC, or any variations of these names, any copyrights, patents, trademarks and other intellectual property as identified in the agreement. This includes the recipe for the Spic ‘n’ Span tenderloin.
- The seller’s rights under any contracts, equipment leases, agreements, arrangement, and understandings.
- Any prepaid expenses, deposits, and credits existing at the time of closing.
- All of the seller’s business documents and records.
- Any accounts receivable.

Excluded from the contract are specific assets of the business as identified in the agreement. The City will not assume any of the Seller’s liabilities in this transaction. The purchase price for the assets is \$50,000. The on-going lease payments will be \$250 per month for the first year, \$275 per month for the second year; \$300 per month for the third year; \$350 per month for the fourth year; and \$400 per month for the fifth year. Utilities for the Suzie Q will also need to be re-established. This includes a new water service and verification that the sanitary sewer connection was independent of the Kirk. It also includes the cost to reenergize the shed which houses several of the restaurants freezers. The cost of this work is undetermined currently. Finally, the shed will need to be moved back to the location where it was at the time of the fire. During firefighting efforts, the shed was moved to the west to protect it. The current location lies outside the lease area; relocating it back to its prior location will put it in the lease area. The cost to move the shed will be minimal. These costs will be advanced from the DoRL Fund with later repayment from tenant lease payments resulting from the RFP and/or Hotel-Motel tax

funds. The Historic Preservation Commission respectfully requests that the Council approve both the Lease Agreement and the Asset Purchase Agreement. Staff concurs with this request.

**It was moved by Latham and seconded by Symonds that Resolution No. 25-11 and No. 25-12, be adopted.**

Council Member Latham requested staff provide an overview, advising he thought it thought it was great the City was acquiring this with Administrator Burnett outlining the history and highlights of the lease and purchase.

Council Member Latham thanked Planning and Zoning Manager Sandahl and Administrator Burnett for their hard work.

Council Member Jaszewski questioned ownership with Burnett stating it was similar to a mobile home where you owned the mobile home but rented the land it sat on. He also mentioned there was a fairly rapid out clause and the City could move the building if they needed the land to develop the lot.

Council Member Jaszewski asked if staff was considering other locations with Burnett stating should they need to move it they would look then, emphasizing it did need to be visible.

Council Member Adams asked if staff had sent an RFP for operations and inquired as to whether the City or HPC would retain it or sell with Burnett stating he would recommend retention, advising there were a lot of people very passionate about the building and the unique thing was it could be moved.

Council Member Masson asked if it was “shuttered” properly and in “turn key” shape with Sandahl stating there was a shed that had the freezers, but neither the shed or Suzie Q had rotten meat or food, but the shed and storage room were full of stuff. She also stated the electric service needed to be hooked back up and water service needed to be reestablished, but with a good cleaning it could be operational.

The Mayor Pro tem called the question and the following Resolution was introduced.

**Reso. 25-11(ADOPTED):**

Resolution No. 25-11, authorizing lease with A2E3 Properties, LLC for ground located at 14 2<sup>nd</sup> Street NW, was presented.

**Reso. 25-12(ADOPTED):**

Resolution No. 25-12, authorizing purchase of Suzie Q Café Assets from Suzie Qrew LLC, was presented.

On roll call, the vote was as follows:

Yea: Latham, Symonds, Jaszewski, Masson, Adams  
(Motion was declared carried.)

## PUBLIC HEARING

### 15. **Change of Zone 1300 12<sup>th</sup> Street NW Z6-R to Z4:**

#### **Planning & Zoning Administrator:**

The Planning and Zoning Commission held a public hearing on September 10, 2024, to consider rezoning property generally located in the 1300 block of 12<sup>th</sup> St. NW from Z6-R Restricted Industry Zoning District to Z4 Multi-Use Zoning District. The Commission voted unanimously to recommend that the City Council approve the rezoning. The Commission requests that the City Council conduct a public hearing on the request and then approve the attached ordinance. Council can approve the rezoning on 1<sup>st</sup>, 2<sup>nd</sup> or FINAL consideration. Staff concurs with this recommendation. For reasons explained below, staff is recommending that the Council waive 1<sup>st</sup> reading and approve on 2<sup>nd</sup> reading.

The staff report and minutes of the meeting are attached. The Council held a public hearing and approved the rezoning on first consideration at their regular meeting of January 7, 2025. Staff realized after the meeting that the legal description on the rezoning was incorrect; the first line of the legal description had inadvertently not been included in the public notice and the ordinance that was approved by the Council. After discussions with our attorney, who advised that the process be restarted, notice of a public hearing on January 21, 2025 has been redistributed within the statutory publication window. Staff is requesting that the Council hold another public hearing on the matter. In order to keep this rezoning on track, staff is requesting that the Council waive the 1<sup>st</sup> reading of the ordinance and approve the rezoning on 2<sup>nd</sup> reading.

Supplemental Information: The proposed rezoning is the first step in a more involved process to approve a specific development on the site. This process includes these steps:

- A minor subdivision is required to create a development parcel that coincides with the area being rezoned. The plat must comply with the underlying zoning; it cannot be approved until the rezoning is complete. It is the developer's goal to have this subdivision on the Council's February 4 agenda for consideration after final action on the rezoning request. Questions about the intersection improvements may delay the subdivision plat.
- The proposed development does not comply with several aspects of the proposed Z4 Multi-Use Zoning. The developer will need to submit applications to the Zoning Board of Adjustment for both a variance to the maximum width of the parking lot drive aisles, and a special exception for the front set back to accommodate the on-site detention and the additional parking lot drive aisle width. These applications cannot be accepted and considered by the Zoning Board of Adjustment until the rezoning is complete.
- The developer must obtain approval of a site plan for the proposed development. The Development Review Committee cannot approve the site plan until the rezoning is complete and the Zoning Board of Adjustment has approved any applications related to the development.

Review: The subject property, owned by Indianhead Farms, is in northwest Mason City and is bounded on the south by 12<sup>th</sup> St. NW. The property is part of the original Indianhead Farms and is currently used as a pasture. The property is located directly north of the Casey's convenience store located on the southwest corner of the intersection of N. Pierce Avenue and 12<sup>th</sup> St. NE. The Development Review Committee has reviewed a concept plan for a medium box retail development. The project is contingent on multiple approvals; the first is the successful rezoning of the property. In addition, this develop-

ment will also require the Council's approval of a minor subdivision plat and approval of a special exception and a variance by the Zoning Board of Adjustment. Those approvals cannot be granted until the rezoning is complete. The area abutting the subject property on the north side of 12<sup>th</sup> St. NW is zoned Z6-R Restricted Industry and is either developed or used for agricultural purposes while being held in reserve for future development. The area to the southwest is zoned Z1 Agriculture and is cultivated. The area directly to the south is zoned Z4 Multi-Use district and is home to a Casey's convenience store. The area to the southwest is zoned Z2 Sub-Urban District and is developed with freestanding homes. The purpose of the Z6 Industrial District is to promote the management and preservation of existing industrial facilities within Mason City, as well as the development and management of new ecologically responsible, sustainable employment centers. Restricted industry development consists of facilities whose manufacturing, assembly, storage, and distribution activities do not create appreciable nuisances or hazards, or that require a pleasant, hazard- and nuisance-free environment. Building forms and functions within the Z6 District require varying degrees of separation from residential and commercial/service districts due to their potential impacts. It is intended that the permitted functions be compatible and not detrimental to adjacent properties. The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities.

Comprehensive Plan Analysis: Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan includes six broad plan elements, a vision for these elements, and goals for each element. A summary of each plan element, and a brief analysis in the context of this request follows:

**Land Use:** Land use is the basis of planning for the future of the community in the context of the entire Joint Comprehensive Plan. The future land use map shows the vision for growth and development and considered economic trends, environmental conditions and public input. There are three important points for anyone using the Future Land Use Plan:

1. The future land use plan sometimes depicts new land uses for privately owned properties. The transition of these properties from their current use to the depicted use is expected to occur over time in response to market demands as property owners voluntarily sell, develop, or change the use of their land.
2. The plan is a generalized map. The future land use map should be interpreted generally and is not intended to provide the specificity or the rigidity of a zoning map or engineering document. The map should guide the zoning map with the Plan elements through an informed prediction and planning process.
3. The plan is a basis for land use decisions. The future land use plan, with the plan elements, is the basis for decisions by the Planning and Zoning Commission and the City Council. The plan is a critical part of the approval process for development proposals and zoning decisions.

The Future Land Use Plan identifies the area of the rezoning as "Agriculture." Agricul-



ture includes areas with existing farms and crop cultivation. In the unincorporated areas of the county, these areas are not proposed for change within the planning horizon of the Comprehensive Plan. However, the goal of this area within city limits is to allow agriculture as an interim use. The designation acts as a holding zone until urban development is feasible. We are now at that point with the subject property. The area on the south side of 12th St. NW is shown as “Mixed Business.” Mixed business is an area that supports a broad range of larger footprint commercial and light industrial areas. Development in this area should have access to arterial streets with the capacity for truck traffic. The Future Land Use section of the Plan also includes a discussion of policy area directions. The general area of the subject property is identified as a transitional area focused on production and enterprise. These areas serve as a center of employment and are vital to the local economy. A high degree of design is necessary to create inviting places.

**Exceptional Places:** The subject property is not in an area that has been identified as an exceptional place in the plan. However, the plan elements can be used to inspire a higher level of development in the general area of this rezoning, including adaption of the highway redevelopment prototypes found on page 96 of the plan.

**Mobility:** The vision for the North Iowa Corridor is a mobility system that provides an efficient, safe, and comfortable experience for users to reach their intended destinations. It does not appear that the proposed rezoning will move forward the mobility goals and objectives identified on page 100 of the plan. A trail segment is planned for the 12th St. NW corridor; the proposed rezoning should not interfere with the extension of this trail.

**Parks, Recreation, and Natural Resources:** Parks, recreation, and natural resources are fundamental to attracting and retaining residents. The vision for the North Iowa Corridor’s parks, recreation, and natural resource system is to develop as a premier amenity in Iowa and the region that builds on accessibility to unique natural and built features. The proposed rezoning will not specifically move forward the parks, recreation, and natural resources goals and objectives of the plan identified on page 124. The proposed rezoning will neither create or limit recreational enhancements and opportunities.

**Housing and Neighborhoods:** The vision for development within the North Iowa Corridor is to incorporate a variety of housing types for a range of housing choices. The proposed rezoning does move forward Goal 6 (page 142) of the housing plan element. This goal calls for connecting all neighborhoods with mobility options, public spaces, parks and commercial services. Commercial opportunities in the area are currently limited to the Casey’s convenience store. The rezoning will support additional retail opportunities to the area.

**Infrastructure and Public Facilities:** The vision for the North Iowa Corridor is a place that has state of the art facilities that maximize level of service for a high quality of life and supportive business environments. The subject property has access to public utilities including water, sewer, gas, and electricity. The abutting street has the capacity to accommodate additional traffic expected because of the rezoning. 12th St. NW is a minor arterial street. The proposed rezoning will move forward Goal 3 (page 156) of the infrastructure and public facilities plan element by creating private sector investment through strong public facilities and infrastructure.

Spot Zoning: Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

Public Comments: Staff has received comments from two persons regarding this application. The first came from Will Symonds prior to the Planning and Zoning Commission meeting. Mr. Symonds and his wife own a house within 350 feet of the property proposed for rezoning and had received the courtesy notice of the public hearing. Mr. Symonds stated his concerns about the lack of pedestrian connections to the proposed development and how traffic at the intersection of 12<sup>th</sup> St. NW and N. Pierce Avenue might be impacted. Staff provided information about the development review process and stressed that a rezoning should be judged by the appropriateness of the property for all uses allowed in the proposed zoning district. Staff also discussed the review process for the proposed development and the various entities that would be required to review and approve the development.

Fred Greder appeared at the Commission's public hearing and questioned the impact the proposed rezoning would have on his property. Mr. Greder owns property to the northeast of the subject property. He questioned the possibility of the access drive abutting the east side of the subject property being upgraded to a city street; Mr. Greder has an access easement over this drive to provide access to his property. Mr. Greder also stated that he would not object to a traffic signal at the intersection of 12<sup>th</sup> St. NW and N. Pierce Avenue.

Chapter 414.5, Code of Iowa, outlines the process to protest a rezoning. If a written protest against a change of zone is filed with the City Clerk and signed by the owners of twenty percent or more of the owners of the properties within the area considered for the proposed change, or twenty percent or more of the owners within 200 feet of the exterior boundaries of the property for which the rezoning is proposed, the rezoning must be approved by a favorable vote of at least three-fourths of all the members of the City Council. The protest must be filed before or at the public hearing. No written protests were submitted for this request prior to the January 7 public hearing. Consequently, the rezoning can be approved on a simple majority vote.

There should be no impact to the City's budget from this rezoning. Staff requests that the City Council conduct a public hearing on the proposed rezoning. Staff recommends that the Council waive the first reading of the ordinance with the corrected legal description and approve the rezoning on second consideration (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL).

The Public Hearing was held as per published notice.

Mayor Pro tem Adams asked if there were any written comments or objections.

There being no comments the Public Hearing was declared closed.

**It was moved by Masson and seconded by Jaszewski to waive First Reading of the Ordinance.**

The Mayor Pro tem called the question and on roll call, the vote was as follows:

Yea: Masson, Jaszewski, Adams, Symonds, Latham  
(Motion was declared carried.)

**It was moved by Latham and seconded by Jaszewski that the Ordinance be received and placed on file for Second Consideration.**

Latham stated he would like information regarding what was going to happen in that location as far as development and a time frame with Administrator Burnett stating the current recommendation was to change the zoning, but staff would make sure as development in that area moved forward that access issues were addressed.

Development Services Director Van Steenhuyse emphasized this was just the first step.

Council Member Symonds requested assurance that this was not just giving the “go-ahead” and that if there were deal breakers the City could say “No” with Van Steenhuyse stating that was correct, Engineering would need to give an access permit and they could not just plop down.

Council Member Adams asked if this was likely the last step the project would take with Burnett stating there would be no Development Agreement, however there would be future actions by Council and staff understood the access needed to be safe.

City Planner Sandahl clarified the Subdivision Plat would come back to the Council.

The Mayor Pro tem called the question and the following Ordinance was introduced.

**Ord. (2<sup>nd</sup> Consideration):**

An Ordinance amending Title 12 of the City Code, it being the Zoning Ordinance of said city, and changing the boundaries of certain districts therein zoned Z6-R Restricted Industry to Z4 Multi-Use District for property generally located at 1300 12th Street NW, was presented.

On roll call, the vote was as follows:

Yea: Latham, Jaszewski, Symonds, Adams, Masson  
(Motion was declared carried.)

**ACTION ITEMS**

**16. Amending Corporate Limits:**

**Development Services Director:**

Staff recommends approval of the amendment to Title 1 Chapter 5, Section 1-5-1, Corporate Limits, to amend the legal description of the City limits to include recently annexed territory (2<sup>nd</sup> or FINAL). The City Council approved this resolution on first consideration on January 7, 2025. On November 5, 2024, the City Council held a public hearing and approved a resolution annexing approximately 40 acres located at the southeast corner of Iowa Highway 122 and Lark Avenue. This annexation included the land currently being developed for the new Tractor Supply store. The remainder of the annexed land is owned by Cerro Gordo County. This annexation was 100 percent voluntary. Such annexations only require approval of a resolution of annexation after the City Council holds a public hearing. The resolution was forwarded to the Secretary of State and became complete upon acknowledgement of receipt by the Secretary of State. The City received this acknowledgement in writing on November 15, 2024. Therefore, the legal description of the City limits in Title 1, Chapter 5 of the City Code must be amended to include the newly annexed property. The attached legal description changes the description of the City limits to incorporate the annexation. The changes to accommodate the annexation are redlined and begin in Page 7 of the attached. There is no impact to the operating budget resulting from this action. Staff recommends approval of the amendment to Title 1 Chapter 5, Section 1-5-1, Corporate Limits; to amend the legal description of the City limits to include recently annexed territory (2<sup>nd</sup> or FINAL).

**It was moved by Jaszewski and seconded by Symonds that the Ordinance be received and placed on file for Second Consideration.**

The Mayor Pro tem called the question and the following Ordinance was introduced.

**Ord. (2<sup>nd</sup> Consideration):**

An Ordinance amending the City Code by repealing Title 1, Chapter 5: Corporate Limits and adopting a new Chapter 5 in lieu thereof was presented.

On roll call, the vote was as follows:

Yea: Jaszewski, Symonds, Latham, Adams, Masson  
(Motion was declared carried.)

**17. SOO Green HVDC Link Franchise:**

**City Engineer:**

The recommendation is: that the City Council approves the Electrical Franchise between SOO Green HVDC Link ProjectCo, LCC and the City of Mason City. SOO Green HVDC Link ProjectCo, LCC has developed, designed and permitted for an underground bipolar high voltage direct current (HVDC) transmission system in partnership with the Canadian Pacific Kansas City (CPKC) Railroad. The utility will primarily occupy CPKC right of way. The project was first introduced to the City of Mason City in January of 2020, and later in the spring of 2020 to the public through a series of Public Information Meetings which were held in each of the eight counties where the link will be installed. The SOO Green HVDC Link is a 350-mile 2,100 MW, 525KV underground high-voltage direct current (HVDC) transmission line running along existing rail corridors from Iowa to Illinois. The SOO Green HVDC Link will utilize modern grid technology to build the

first link of a national HVDC clean energy power grid. The link will connect the nation's two largest power markets – MISO in the Midwest, and PJM in the east – the SOO Green HVDC Link is intended to help meet America's growing demand for affordable, zero-carbon electricity. When completed, the project will transfer wind turbine and solar electrical power generated in the Midwest from a facility location west of Mason City to Yorkville, Illinois. The approximate 350-mile route will utilize CPKC Railroad and Iowa Department of Transportation rights of ways. The proposed 6.4-mile route through the City of Mason City is all within CPKC Railroad right of way, crossing eight city streets. SOO Green filed its application for its proposed underground electric transmission line on September 24, 2020, in Docket No. E-22436. The franchise petition process was paused at SOO Green's request in February 2021 and resumed in September 2022. The City of Mason City received a letter dated March 30, 2023, stating, SOO Green in accordance with Iowa Administrative Code 199-Chapter 11 is hereby notifying you that a revised petition to construct an electric transmission line in Cerro Gordo County, Iowa is being submitted to the Iowa Utilities Board. The Iowa Utilities Board (IUB) issued an order approving a petition for a franchise to construct, maintain, and operate a new electric transmission line in Iowa by SOO Green HVDC Link Project Co, LLC (SOO Green). SOO Green is also required to secure franchise agreements with each of the municipalities its utility passes through. The petition referred to as the SOO Green transmission line project in Docket No. E-22436, proposes to build approximately 174 miles of 525 kV underground high voltage direct current (HVDC) electric transmission line in Allamakee, Cerro Gordo, Chickasaw, Clayton, Dubuque, Floyd, Jackson, and Winneshiek counties in Iowa, and continue into Illinois. The order finds that the proposed line is necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the interest of the public. The order also states that the franchise granted by the IUB is subject to a condition that the electric transmission line operates as a merchant line under Iowa Code 478.6A, and SOO Green must both provide prior notice and receive IUB approval before changing the business model of operation of the franchise. Failure to comply will result in the automatic termination of the granted franchise. The IUB retains jurisdiction in this docket under Iowa Code chapter 478 and may at any time during the franchise period make such further orders as necessary, including but not limited to modification of the franchise line to something other than a merchant line or review of requests for additional eminent domain authority. The Electric Franchise shall be effective for twenty-five (25) years from the effective date, which is the approval and passage of the ordinance in accordance with Iowa law, written acceptance by SOO Green, publication, and notice by SOO Green. The Electric Franchise provides permissions for SOO Green to construct, reconstruct, repair, replace, maintain and operate in the City of Mason City the necessary conduits and other appliances or equipment for the transmission of electric current and communication facilities and the right to construct, reconstruct, relocate, repair, replace, maintain and operate the facilities under the streets, avenues, alleys and public places and in certain railroad right of way in the City of Mason City. The Electric Franchise provides terms that protect the City of Mason City against claims of liability, demands, losses, damage, cost and expenses that may occur due to the negligent acts or omissions by SOO Green in the use or occupancy of the streets, avenues, alleys and public places in the city. The City of Mason City (City) has also negotiated terms with SOO Green that involves and includes the City's direct input regarding positioning of their utility crossing the City's streets and location and separation from city utilities, prior to commencing any construction. All coordination of construction will require the prior approval of the City Engineer. In addition to terms involving existing

utilities, the City has also negotiated for the installation of a buried blank conduit along the project route that can at any time in the future be utilized by the City for fiber communication purposes. See Exhibit B for the proposed fiber conduit route and limits. From west to east, the conduit terminus are near the Hoover Booster Station located in the Central Heights area and near the Mason City Reclamation Facility located on Birch Drive. The ordinance was presented to the City Council for their January 7, 2025, meeting. The ordinance was approved on 1<sup>st</sup> Consideration leaving two remaining approvals or further action to meet the required three readings for passage. The remaining meetings for the council's consideration on the ordinance are January 21, 2025, and January 28, 2025. There is no impact on the operating budget resulting from this action. I respectfully request the City Council's action to approve an Electrical Franchise by ordinance, between SOO Green HVDC Link ProjectCo, LCC and the City of Mason City. Approve on 2<sup>nd</sup> Consideration.

**It was moved by Jaszewski and seconded by Symonds that the Ordinance be received and placed on file for Second Consideration.**

Council Member Masson questioned if there had been any new public comment with Administrator Burnett stating there had not.

Council Member Jaszewski requested confirmation that it would not cost the city anything with Burnett stating there would be no cost to the City unless the City chose to install fiber.

Council Member Jaszewski inquired about the installation with City Engineer Rahm stating overall there were three different installation methods and explained what those were.

The Mayor Pro tem called the question and the following Ordinance was introduced.

**Ord. (2<sup>nd</sup> Consideration):**

An Ordinance granting to SOO Green HVDC Link PROJECTCO, LLC, its successors and assigns, the right and franchise pursuant to Iowa Code Section 364.2(4) to construct, reconstruct, relocate, repair, replace, maintain and operate in the city of Mason City, Cerro Gordo County, Iowa, a transmission system for the transmission of electric energy and communication facilities and the right to construct, reconstruct, relocate, repair, replace, maintain, operate, the necessary conduits and other appliances or equipment for the transmission of electric current and communication facilities under certain streets, avenues, alleys and public places and in a certain railroad right of way in the city of Mason City, Cerro Gordo County, Iowa within the city as the boundaries are now and may hereafter exist, for the period of twenty-five (25) years ("franchise" or "ordinance"), was presented.

On roll call, the vote was as follows:

Yea: Jaszewski, Symonds, Masson, Latham, Adams  
(Motion was declared carried.)

**ADJOURN**

The Mayor Pro tem adjourned the meeting at 7:40 p.m.

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Paul Adams, Mayor Pro tem

ATTEST:

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Aaron Burnett, City Clerk

MINUTES  
SPECIAL MEETING OF THE CITY COUNCIL

The City Council of the City of Mason City, Iowa, met in special session pursuant to law and rules of said Council, in the Mason City 1<sup>st</sup> Floor Classroom of the Public Library at 6:01 P.M., on January 21, 2025. The meeting was called to order by the Mayor Pro tem and on roll being called there were present, Pro tem Paul Adams in the Chair, and the following Council Members: Masson, Adams, Symonds, Latham. Absent: Schickel, Lee, Jaszewski (arrived at 6:26 p.m.).

**ADOPT AGENDA**

**It was moved by Latham and seconded by Symonds that the agenda be adopted.**

On roll call, the vote was as follows:

Yea: Latham, Symonds, Masson, Adams  
(Motion was declared carried.)

**Closed Session: It was moved by Latham and seconded by Masson that Council proceed into closed session pursuant to Chapter 20.17(3), Code of Iowa for negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitrators.**

The Mayor Pro tem called the question and on roll call the vote was as follows:

Yea: Latham, Masson, Adams, Symonds  
(Motion was declared carried.)

Council adjourned to closed session at 6:02 P.M.

Council reconvened in open session at 6:52 P.M.

**ADJOURN**

The Mayor Pro tem adjourned at 6:52 P.M.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk



Mason City Public Library, 1st Floor Classroom  
Mason City, Iowa

January 21, 2025  
6:03 P.M.

MINUTES  
CLOSED MEETING OF THE CITY COUNCIL

The City Council of the City of Mason City, Iowa, met in closed session pursuant to law and rules of said Council, in the Mason City Room of the Mason City Public Library 1st Floor Classroom, at 6:03 P.M., on January 21, 2025. The meeting was called to order by the Mayor Pro tem Adams and on roll being called there were present, Paul Adams, Mayor Pro tem in the Chair, and the following Council Members: Masson, Symonds, Latham, Adams. Absent: Mayor Schickel, Lee, Jaszewski (arrived 6:26 p.m.).

**CLOSED SESSION**

The Mayor Pro tem noted the Council had entered into Closed Session upon an affirmative vote during the open session of a Special Council Meeting pursuant to Chapter 20.17(3), Code of Iowa for negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitrators.

6:26 p.m. Council Member Jaszewski entered Council Chambers.

The matter was discussed.

**It was moved by Jaszewski and seconded Symonds that Council return to open session at 6:52 P.M.**

On roll call, the vote was as follows:

Yea: Jaszewski, Symonds, Latham, Adams, Masson  
(Motion was declared carried.)

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

MINUTES  
COUNCIL WORKSESSION

The City Council of the City of Mason City, Iowa, met in Worksession pursuant to law and rules of said Council, in the 2<sup>nd</sup> Floor Conference Room of City Hall at 6:03 P.M., on January 16, 2025. The meeting was called to order by the Mayor and on roll being called, there were present, Mayor in the Chair Schickel and the following Council Members: Lee, Latham, Adams, Symonds, Jaszewski. Absent: Masson.

**Finance Director:**

<b>Overview of Funding</b>	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>FY29</b>	<b>FY30</b>	<b>Total</b>
Expenditures by Fiscal Year	\$73.7M	\$28.0M	\$30.5M	\$19.2M	\$31.4M	<b>\$182.8M</b>
<i>Funding*:</i>						
Federal/State Grants	\$1.9M	\$1.8M	\$5.7M	\$720K	\$4.6M	\$14.71M
Private Grants	\$0	\$0	\$5K	\$0	\$0	\$0.05M
G.O. Bonds	\$8.3M	\$11.3M	\$6.3M	\$5.0M	\$14.7M	\$45.63M
SRF Loans	\$48.9M	\$0	\$5.6M	\$0	\$0	\$54.51M
TIF Certification	\$1.7M	\$1.8M	\$2.6M	\$2.6M	\$2.8M	\$11.51M
Road Use Fund	\$1.4M	\$930K	\$840K	\$650K	\$1.1M	\$4.95M
Water Fund	\$2.8M	\$2.3M	\$1.9M	\$2M	\$1.4M	\$10.36M
Sewer Fund	\$2.8M	\$2.4M	\$2.2M	\$2.4M	\$2.1M	\$11.90M
LOSST Fund	\$2.1M	\$2.3M	\$2.1M	\$2M	\$1.8M	\$10.67M
Hotel Tax Fund	\$260K	\$260K	\$260K	\$260K	\$260K	\$1.31M
Storm Sewer Fund	\$465K	\$470K	\$820K	\$655K	\$655K	\$3.06M
Sanitation Fund	\$805K	\$0	\$490K	\$490K	\$490K	\$2.28M
General Projects	\$1.2M	\$1.3M	\$1.4M	\$1.3M	\$770K	\$5.98M
EMS & Hazmat RV	\$455K	\$535K	\$20K	\$455K	\$10K	\$1.48M
All Other Sources	\$640K	\$2.7M	\$260K	\$570K	\$205K	\$4.42M

<b>Proposed CIP Highlights</b>	<b>FY</b>	<b>Investment</b>	<b>Funding</b>
Police Vehicle Replacement	26-30	\$1.10M	\$1.10M General Projects
Fire Aerial Truck	26, 29	\$2.25M	\$500K G.O. (FY26) \$1.75M G.O. (FY29)
Ambulance Replacement (3 Units + Related Equipment)	26-27,29	\$1M	\$1M EMS Revenue
Highway 122 West Planning & Constr.	26,28-30	\$9.71M	\$500K Federal Grant, \$8.8M TIF-Backed G.O., \$410K Carryover
Highway 122 Mercy Reconstruction (Yr 2 of 2)	27	\$4.5M	\$2.5M TIF-Backed G.O., \$2M Carryover
Street Rehab Program (4 Projects)	26, 28-30	\$6M	\$4.7M G.O., \$500K Water, \$800K Sewer
U.S. 65/South Federal Reconstruction (Yr 2 of 2)	26	\$1.67M	\$1.23M TIF-Backed G.O., \$325K Water, \$120K Sewer
Pierce/12 <sup>th</sup> NW Intersection & Shared-Use Path	26	\$1.15M	\$760K G.O., \$385K Carryover
19 <sup>th</sup> SW Improvements	27	\$1.5M	\$1.18M G.O., \$125K Water,

<b>Proposed CIP Highlights</b>	<b>FY</b>	<b>Investment</b>	<b>Funding</b>
			\$200K Sewer
Penn Avenue Street & Utility Project	26-27	\$1.38M	\$800K State Grant, \$450K G.O., \$125K RUT
O&M Vehicle Replacement	26-30	\$2.04M	\$1.94M G.O., \$100K RUT
Airport- Runway 18/36 Pavement Rehab	27-28	\$5.94M	\$5.36M Federal Grant, \$577K G.O.
Airport- Runway 12/30 Pavement Rehab	30	\$4.66M	\$4.2M Federal Grant, \$466K G.O.
Library- Facility Maintenance	26-28	\$375K	\$375K General Projects
Golf Irrigation System Replacement	27	\$1M	\$1M LOSST G.O.
Pool Repairs, Phase 1	30	\$2.3M	\$2.3M LOSST G.O.
Transit Buses	26-30	\$2.18M	\$1.9M Federal Grant, \$64K General Projects, \$263K Transit Levy
Conference Center Improvements	26-27	\$5.15M	\$5M TIF-Backed G.O., \$150K Carryover
Southbridge Theatre Refresh	26	\$300K	\$300K G.O.
EDR Water Treatment Upgrades	25-26	\$14.9M	\$125K Water, \$14.8M SRF Loan
North Central Stormwater Improvements	28	\$2.8M	\$2.8M G.O.
Sewer Collection System Maintenance	26-30	\$6.7M	\$6.7M Sewer
Sewer- Water Reclamation Nutrient Reduction Improvements (Yr 3 of 3)	26	\$29.5M	\$29.5M SRF Loan
Sewer- 43 <sup>rd</sup> SW Lift Station	26	\$4.63M	\$4.63M SRF Loan
Sanitation- Automated Collection/ Vehicle Replacement	26	\$3.56M	\$2.75M G.O., \$805K Sanitation

#### **Underlying Assumptions of Plan**

Tax Rate	Levy held steady; there is significant pressure from FY28 on.
General Obligation Debt	Within adopted financial policies for levy rate; seek to reduce G.O. usage for smaller projects & equipment, gradually reduce G.O. debt load to 50% or less of legal capacity with strategies in place.
Fund Balances	Within adopted financial policies, with minor temporary variances as projects are completed and rate increases come into effect.
All Utilities	Proposed use of current rate plans.

\* Explanation of acronyms used: RV=Revenue; G.O.= General Obligation Bonds; SRF= State Revolving Fund Loan; TIF= Tax Increment Financing; RUT = Road Use Tax; LOSST= Local Option Sales & Service Tax; EMS= Emergency Medical Services (Ambulance) fees.

Finance Director Hinson stated staff was trying to fit a lot in this 5 year plan and it was heavily influenced by the Water and Sewer Plant projects. He outlined the CIP Executive Summary as talking points, noting it was \$183 million over 5 years. He stated there was also funding and GO bond issuance of \$45 million and mentioned as a comparison that the last plan was \$40 million and reviewed the projects related to the increase. He referenced the State revolving fund loans emphasizing a very significant amount was sewer and water plant improvements and drilling a new well. Also, he stated the city was using TIF significantly, but still in a controlled way. Regarding Sanitation, there would be some major things and they were using some of that Sanitation Fund balance to pay for upgrades to automated collection.

Hinson reviewed each project and the high points with Council questions and comments interspersed regarding the biggest area of concern (Wastewater Plant), what was planned for the Piere/12<sup>th</sup> NW Intersection and Shared Use Path and the impact to Alliant's lines, Transit Buses, Conference Center Improvements and Theatre Refresh, the status of the Water Reclamation Nutrient Reduction Improvements project and the Sanitation Automated Collection/Vehicle Replacement System. Discussion also took place regarding what the State was looking at far as legislation and economic development.

Hinson concluded his comments by stating this was a very good plan and everything that needed to be in was in.

**ADJOURN**

The Mayor adjourned the meeting at 7:20 P.M.

\_\_\_\_\_  
Bill Schickel, Mayor

ATTEST:

\_\_\_\_\_  
Aaron, Burnett, City Clerk

MINUTES  
SPECIAL MEETING OF THE CITY COUNCIL

The City Council of the City of Mason City, Iowa, met in Special session pursuant to law and rules of said Council, in the 2<sup>nd</sup> Floor Conference Room of City Hall at 6:00 P.M. on January 28, 2025. The meeting was called to order by the Mayor Pro tem and on roll being called there were present, Paul Adams Mayor Pro tem in the Chair, and the following Council Members: Adams, Masson, Symonds, Latham, Lee, Jaszewski (arrived 6:04 p.m.). Mayor Schickel was present via zoom. Absent: None.

**ADOPT AGENDA**

**It was moved by Masson and seconded by Latham that the Agenda be adopted.**

The Mayor called the question and on roll call, the vote was as follows:

Yea: Masson, Latham, Lee, Adams, Symonds  
(Motion was declared carried.)

**1. Electrical Franchise with SOO Green HVDC Link ProjectCo.:**

**City Engineer:**

The recommendation is: that the City Council approves the Electrical Franchise between SOO Green HVDC Link ProjectCo, LCC and the City of Mason City. SOO Green HVDC Link ProjectCo, LCC has developed, designed and permitted for an underground bipolar high voltage direct current (HVDC) transmission system in partnership with the Canadian Pacific Kansas City (CPKC) Railroad. The utility will primarily occupy CPKC right of way. The project was first introduced to the City of Mason City in January of 2020, and later in the spring of 2020 to the public through a series of Public Information Meetings which were held in each of the eight counties where the link will be installed. The SOO Green HVDC Link is a 350-mile 2,100 MW, 525KV underground high-voltage direct current (HVDC) transmission line running along existing rail corridors from Iowa to Illinois. The SOO Green HVDC Link will utilize modern grid technology to build the first link of a national HVDC clean energy power grid. The link will connect the nation's two largest power markets – MISO in the Midwest, and PJM in the east – the SOO Green HVDC Link is intended to help meet America's growing demand for affordable, zero-carbon electricity. When completed, the project will transfer wind turbine and solar electrical power generated in the Midwest from a facility location west of Mason City to Yorkville, Illinois. The approximate 350-mile route will utilize CPKC Railroad and Iowa Department of Transportation rights of ways. The proposed 6.4-mile route through the City of Mason City is all within CPKC Railroad right of way, crossing eight city streets. SOO Green filed its application for its proposed underground electric transmission line on September 24, 2020, in Docket No. E-22436. The franchise petition process was paused at SOO Green's request in February 2021 and resumed in September 2022. The City of Mason City received a letter dated March 30, 2023, stating, SOO Green in accordance with Iowa Administrative Code 199-Chapter 11 is hereby notifying you that a revised petition to construct an electric transmission line in Cerro Gordo County, Iowa is being submitted to the Iowa Utilities Board. The Iowa Utilities Board (IUB) issued an order approving a petition for a franchise to construct, maintain, and operate a new electric

transmission line in Iowa by SOO Green HVDC Link Project Co, LLC (SOO Green). SOO Green is also required to secure franchise agreements with each of the municipalities its utility passes through. The petition referred to as the SOO Green transmission line project in Docket No. E-22436, proposes to build approximately 174 miles of 525 kV underground high voltage direct current (HVDC) electric transmission line in Allamakee, Cerro Gordo, Chickasaw, Clayton, Dubuque, Floyd, Jackson, and Winneshiek counties in Iowa, and continue into Illinois. The order finds that the proposed line is necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the interest of the public. The order also states that the franchise granted by the IUB is subject to a condition that the electric transmission line operates as a merchant line under Iowa Code 478.6A, and SOO Green must both provide prior notice and receive IUB approval before changing the business model of operation of the franchise. Failure to comply will result in the automatic termination of the granted franchise. The IUB retains jurisdiction in this docket under Iowa Code chapter 478 and may at any time during the franchise period make such further orders as necessary, including but not limited to modification of the franchise line to something other than a merchant line or review of requests for additional eminent domain authority. The Electric Franchise shall be effective for twenty-five (25) years from the effective date, which is the approval and passage of the ordinance in accordance with Iowa law, written acceptance by SOO Green, publication, and notice by SOO Green. The Electric Franchise provides permissions for SOO Green to construct, reconstruct, repair, replace, maintain and operate in the City of Mason City the necessary conduits and other appliances or equipment for the transmission of electric current and communication facilities and the right to construct, reconstruct, relocate, repair, replace, maintain and operate the facilities under the streets, avenues, alleys and public places and in certain railroad right of way in the City of Mason City. The Electric Franchise provides terms that protect the City of Mason City against claims of liability, demands, losses, damage, cost and expenses that may occur due to the negligent acts or omissions by SOO Green in the use or occupancy of the streets, avenues, alleys and public places in the city. The City of Mason City (City) has also negotiated terms with SOO Green that involves and includes the City's direct input regarding positioning of their utility crossing the City's streets and location and separation from city utilities, prior to commencing any construction. All coordination of construction will require the prior approval of the City Engineer. In addition to terms involving existing utilities, the City has also negotiated for the installation of a buried blank conduit along the project route that can at any time in the future be utilized by the City for fiber communication purposes. See Exhibit B for the proposed fiber conduit route and limits. From west to east, the conduit terminus are near the Hoover Booster Station located in the Central Heights area and near the Mason City Reclamation Facility located on Birch Drive. The ordinance was first presented to the City Council on January 7, 2025. The City Council has since approved the passage of the ordinance on 1st and 2nd consideration. There is no impact on the operating budget resulting from this action. I respectfully request the City Council's action to approve an Electrical Franchise by ordinance, between SOO Green HVDC Link ProjectCo, LCC and the City of Mason City. Approve on 3<sup>rd</sup> (Final) Consideration.

**It was moved by Latham and seconded by Masson that Ordinance No. 25-01, be adopted.**

Administrator Burnett and City Engineer Rahm provided an overview.

Council Member Masson questioned the anticipated start date with Burnett stating there were a lot of moving pieces and Rahm advising staff expected to see something in 2026.

Council Member Jaszewski entered Council chambers at 6:04 p.m.

The Mayor Pro tem called the question and the following Ordinance was introduced.

**Ord. 25-01(ADOPTED):**

Ordinance No. 25-01, granting to SOO Green HVDC Link PROJECTCO, LLC, its successors and assigns, the right and franchise pursuant to Iowa Code Section 364.2(4) to construct, reconstruct, relocate, repair, replace, maintain and operate in the city of Mason City, Cerro Gordo County, Iowa, a transmission system for the transmission of electric energy and communication facilities and the right to construct, reconstruct, relocate, repair, replace, maintain, operate, the necessary conduits and other appliances or equipment for the transmission of electric current and communication facilities under certain streets, avenues, alleys and public places and in a certain railroad right of way in the city of Mason City, Cerro Gordo County, Iowa within the city as the boundaries are now and may hereafter exist, for the period of twenty-five (25) years ("franchise" or "ordinance"), was presented.

On roll call, the vote was as follows:

Yea: Latham, Masson, Jaszewski, Symonds, Adams, Lee  
(Motion was declared carried.)

**ADJOURN**

The Mayor Pro tem adjourned the meeting at 6:05 P.M.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

MINUTES  
COUNCIL WORKSESSION

The City Council of the City of Mason City, Iowa, met in Worksession pursuant to law and rules of said Council, in the 2<sup>nd</sup> Floor Conference Room of City Hall at 7:00 P.M., on January 28, 2023. The meeting was called to order by the Mayor Pro tem and on roll being called, there were present, Mayor Pro tem Adams in the Chair and the following Council Members: Masson, Jaszewski, Latham, Adams. Absent: Mayor Schickel, Lee (arrived 7:14 p.m.) and Symonds.

Administrator Burnett stated it had been a challenging year and fortunately the city was in good financial position.

**1. FY 2026 Budget Overview:**

- a. The General Fund Budget is balanced with a projected 6/30/26 fund balance of \$6,500,000.00 or 42.12% of general revenues.
- b. Property Tax Levy is slightly down at \$13.97792/\$1,000 valuation.
- c. We are showing a 3.25% increase in base wages for non-union.
- d. Net of transfers, General Fund spending is up \$54,169.95 (0.37%).  
To balance the General Fund, we have allocated more salaries to Road Use, Water, Sewer, and Storm Sewer than in the past.
- e. We are in a good position in the Fund 800, Employee Health Care due to past measures taken, and recommend no increase in premiums for FY26
- f. Funding is included for all FY26 proposed CIP projects. Total capital projects are estimated at \$73.5 million. This includes \$35.8 million for wastewater improvements and \$15.7 million for drinking water improvements.
- h. Total budgeted expenditures are estimated at \$128.3 million excluding transfers between funds, as compared to \$101.9 million re-estimated expenditures in FY25.
- i. Rate increases for utilities are as per adopted rate plan. The current rate plan runs through FY27, so rates will next be discussed in the FY28 budget process.

**General Fund Budget:**

- a. Revenues: \$15,433,707.69
- b. Expenditures: \$15,433,707.69
- c. Estimated balance at 7/1/25: \$6,500,000.00
- d. Estimated balance at 6/30/2026: \$6,500,000.00
- e. Fund balance remains strong and stable at 42.12% of budgeted revenues. All fund balance shown is undesignated.
- f. State of Iowa attacks on local revenue have continued and may get worse in the future. We have compensated for now on the General Fund constraints by allocating a portion of salaries for IT, GIS, HR, and Engineering field staff to Road Use, Water and Sewer. However, additional revenue sources will likely be needed in the future, such as a utility franchise fee.
- g. No new positions are budgeted, except that vacant positions, such as Police, continue to be fully budgeted. A new position of Deputy City Engineer is recommended to be added but will not be paid from the General Fund.
- h. The City allocates salaries for certain administrative positions between various funds in the recognition that those positions work across the organization and should not be



paid fully by property taxes. For example, the City Administrator position has been budgeted 55% in the General Fund and 15% each in Road Use, Water, and Sewer.

i. However, with continued attacks on property tax revenue, it was necessary to re-examine these allocations. The following positions currently paid 100% in the General Fund were targeted: IT Staff, GIS Staff, Human Resources Staff, Engineering Field Staff. These represent the bulk but are not all-inclusive of the changes made. All changes were made with equity between funds in mind.

**COMPENSATION STUDY UPDATE:** Hinson reviewed the salary allocations and the reason for the recommended adjustments.

**DEPUTY CITY ENGINEER POSITION:** Hinson reviewed the creation of a “Deputy City Engineer” position that came about because of the increased heavy workload and departmental succession planning. Burnett stressed this position was not meant to replace the hiring of firms like WHKS and others for specialty work and instead it was really about managing all the projects. He also stressed it important to allocate funds for this position going into next year.

**UTILITY FRANCHISE FEE:** Hinson and Burnett reviewed the information provided, acknowledging that due to stagnating property taxes and legislative changes, it was inevitable the City would need to pursue additional revenue streams to maintain current service levels and the most widely used alternative revenue stream was the implementation of a franchise fee on gas and electric bills, explaining the fee could be up to 5% and was passed on by the utility to its customers. Staff outlined the process and stated this was being presented now for future discussion.

Discussion followed regarding how the franchise fee could be used, how it would affect residential versus industry, what the average increase would be to the homeowner, and clarification that staff was just introducing the topic for future discussion and nothing was in the FY26 budget.

**GENERAL FUND BUDGET DETAIL BY DEPARTMENT:** Hinson reviewed the changes.

**GENERAL FUND OPERATING SUB-FUND DETAILS:** Hinson mentioned Library and Museum had increased due to the salary adjustments.

**GENERAL REVENUES AND EXPENDITURES SHARE BY DEPARTMENT:** Hinson reviewed the funds by department, noting property taxes were paying the bills with the largest expenditures being Police and Fire.

**TAX RATE COMPARISON: CURRENT VS. PROPOSED:** Hinson stated the FY25 City rate was 13.98329 with FY26 being 13.97792.

**OUTSIDE ENTITY FUNDING:** Burnett reviewed the recommendation for Outside Entity Funding, pointing out North Iowa Corridor had changed last year and was now TIF funded. He stressed he had done his best to navigate the consideration of the Council and explained the two big items were \$50,000 in funding for the YMCA and \$50,000 for the Childcare Works Initiative. He stated the YMCA had some great fund-raising efforts and their 3-year plan was realistic and well thought out. He mentioned the plan was for 3 years only and if they didn’t hit their goals, it would go away the next year, and stressed Tammy had done a great job with the YMCA. Regarding the Childcare Works Initiative, he stated he was asking for one more year of funding, emphasizing it was incredibly successful, and the Chamber had done a great job with it.

He reviewed what has decreased from last year, pointing out Mason City Youth Baseball was

held flat, and the Senior Center contribution was half of last year as was the North Iowa Events Center, noting he would recommend sunseting that. He further stated the Northern Lights Homeless Shelter, the NIACC Pappajohn Center and Crisis Intervention (submitted a request) were not included for funding.

Masson asked if thought was given to funding Youth Baseball through Parks and Recreation with Burnett stating it was “robbing Peter to pay Paul” and Hinson stating the reality was property tax was paying for that.

Lee questioned if the city took over MC Youth Baseball would it cost more with Latham stating it would.

Lee stated he struggled with this but would support it.

Discussion followed regarding how much money was spent in the community (hotels and restaurants) with Adams stating most of the Youth Baseball teams were local now and did not think it was generating \$10,000 in the community.

Latham pointed out MC Youth Baseball kept the diamonds mowed and there was some benefit with the travel teams. He also stressed the importance of supporting the youth.

Further discussion followed regarding the fund balance and LOSST.

It was the consensus of the Council to move forward with what was presented by Burnett and Hinson.

**LOCAL OPTION SALES & SERVICE TAX:** Hinson reviewed LOSST revenues, stating the projected receipts as of 12/31/24 were \$6,700,291.42 and re-estimated for budget purposes to \$6,600,000.00. The FY26 proposed Budget was \$6,600,000.00. The Regarding Proposed uses for FY26 were as follows:

General Fund/Tax Relief: \$4,342,235.36

General Fund Capital Projects Fund 015: \$517,125.00

Debt Service: \$1,260,280.00

LOSST Capital Projects Fund 325: \$619,500.00

Operational Support for Golf Fund 650 and Arena Fund 670: \$144,743.26

**EMPLOYEE HEALTH INSURANCE BUDGET:** Hinson stressed there was a good balance and believed the partnership with NIACOG was successful, emphasizing it was expected to save significant amounts in the future due to the prescription drug savings.

Discussion followed regarding spouses and retirees.

**ROAD USE TAX FUND:** Hinson stated the fund was consistent and in good shape and mentioned staff did do a little trimming and reduced the Road Use contributions in the FY26-FY30 CIP from \$4.7 million to \$4.2 million in the last CIP to prevent large future drawdowns. In addition, they were allocating additional salaries to the Road Use Tax Fund to relieve pressure on the General Fund in a manner staff anticipated would be sustainable. \*

**DEBT SERVICE FUND:** Hinson stated the City had \$9,011,300 in Debt Service payments for the year. The planned 2025 GO issuance was for \$8.54 million, with payments to begin in

FY26, adding staff was transferring \$5,000,000 into Debt Service to hold property taxes down. The total Debt Service levy responsibility was \$4,083,415, advising the levy was under pressure to fit all the necessary projects into the CIP and had exhausted the pay-as-you-go financing sources. He also stated the City was at 52% of its legal Debt limit and that was super responsible, noting Mason City was on the low end of communities our size.

**WATER FUND BUDGET:** Hinson stated this Fund was good and in strong shape overall and in year four of a five-year rate plan of 2.5% increase.

**SEWER FUND BUDGET:** Hinson stated the fund was tighter with staff building a fund balance to be ready for the nutrient reduction improvements at the Water Reclamation Plant, but noted it was still in an okay position. He also mentioned the Sewer Sinking 615 Fund had \$853,080 in payments for 2009 SRF Loan and those payments would greatly increase in the future due to SRF issuance for the Water Reclamation Plant and 43<sup>rd</sup> Street Lift Station Project.

**STORM SEWER FUND BUDGET:** Hinson stated this Fund balance would grow over the next few years and mentioned this was the first year of the new Equivalent Residential Unit (ERU) based system (two businesses had signed up). He advised staff planned to build the fund balance over the next few years in anticipation of projects identified in the North Central Stormwater Study and had also allocated significant salaries to this fund for the first time including O&M and Engineering staff amounting to \$139,000.

**SANITATION BUDGET:** Hinson stated big things were happening with this fund (automated collection system) explaining it was budgeted out of Fund 320 (G.O. Capital Projects) for \$3,555,000, utilizing G.O. Bond funds and the trade value of existing equipment. He also mentioned the city was in year 4 of a 5-year rate plan increase of 3%.

Discussion followed regarding why it was needed, safety factors, the benefits to property owners and the impact on recycling.

**AMBULANCE BUDGET:** Hinson stated this fund continued to do okay (flat revenue), but was under some pressure and might need G.O. Bond funds in the future to cover the rising cost of equipment.

**GOLF & ARENA BUDGET:** Hinson stated Golf was paying its way and the Arena had a budgeted transfer in LOSST of \$120,000 with Burnett emphasizing utilities had been twice than what was expected and there was a lot to adjust for, but it was getting to where it needed to be.

Discussion followed regarding what was on the docket for the summer schedule at the Arena.

**2. FY 2025 – FY 2029 CAPITAL IMPROVEMENTS:** Hinson stated there were a couple items City Engineer Rahm had requested that were now included and that was the 43<sup>rd</sup> Street SW Water Tower and a Well Siting Study. In addition, he stated Rahm felt from review of conditions in the field it was fine to take a year off of doing the Street Panel and Curb Replacement which would have \$320,000 in Road Use.

Hinson also commented on the Emerald Ash Borer situation stating staff was proposing the city do an aggressive special assessment program and explained how that would work.

It was the consensus of the Council to proceed with what had been presented.

The Mayor Pro tem adjourned the meeting at 8:01 p.m.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

Report Criteria:  
Report type: GL detail

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>ABC LOCK SERVICE</b>							
01/23/2025	97437	REPAIR DOORS	10820	010.1103.2150	BUILDING REPAIRS AN	839.97	839.97
Total ABC LOCK SERVICE:							839.97
<b>ABSOLUTE WASTE REMOVAL</b>							
01/23/2025	97438	TRASH SERVICE	1907357	070.4504.3990	MISCELLANEOUS EXP	114.71	114.71
Total ABSOLUTE WASTE REMOVAL:							114.71
<b>ACCESS SYSTEMS LEASING</b>							
01/23/2025	97439	SHARP COPIER LEASE 3	38374406	010.1501.3019	OFFICE SUPPLIES	241.90	241.90
Total ACCESS SYSTEMS LEASING:							241.90
<b>ACCURATE AIR CONDITIONING</b>							
01/23/2025	97440	FURNACE REPAIR	3707	820.9601.2150	BUILDING REPAIRS AN	225.12	225.12
Total ACCURATE AIR CONDITIONING:							225.12
<b>ALLIANT UTILITIES-IPC</b>							
01/23/2025	97441	Pebble Creek Dr St Lite	0201941000	110.2301.2180	ELECTRICITY	84.09	84.09
01/23/2025	97441	5th & Monroe - Lift Station	0429580000	610.8125.2620	SUMP PUMP ELECTRI	254.08	254.08
01/23/2025	97441	Parkers Woods	0430521000	020.4304.2160	GAS & ELECTRICITY	26.24	26.24
01/23/2025	97441	SB MALL 100 S FEDERAL	0491351550	310.7537.2160	GAS & ELECTRICITY	8,360.87	8,360.87
01/23/2025	97441	99 4th St. N.W. ST LT MTR	1058641000	110.2301.2180	ELECTRICITY	77.78	77.78
01/23/2025	97441	GAS & ELEC TRICITY	1060221000	030.4101.2160	GAS & ELECTRICITY	2,236.61	2,236.61
01/23/2025	97441	4010 9th Street S.W. Street	1324477774	110.2301.2180	ELECTRICITY	43.46	43.46
01/23/2025	97441	3920 4th St Welcome Sign	1401841000	110.2100.2160	GAS & ELECTRICITY	31.41	31.41
01/23/2025	97441	80 S Monroe Ave Street Lig	1961666416	110.2301.2180	ELECTRICITY	65.60	65.60
01/23/2025	97441	Lakeview	2061390000	610.8123.2630	LIFT STATION ELECTR	70.26	70.26
01/23/2025	97441	Wtr Treatment Pklan	2498021000	600.8001.2160	GAS & ELECTRICITY	34,864.33	34,864.33
01/23/2025	97441	Morgan Park Playground	2517441000	020.4304.2160	GAS & ELECTRICITY	18.30	18.30
01/23/2025	97441	115 N Fed Strtscape temp	2539501000	110.2301.2180	ELECTRICITY	62.79	62.79
01/23/2025	97441	Black Pond Monitor	2789201000	600.8001.2160	GAS & ELECTRICITY	29.30	29.30
01/23/2025	97441	N Federal Welcome Sign	3150390000	110.2100.2160	GAS & ELECTRICITY	29.16	29.16
01/23/2025	97441	15th St Tower & Booster	3189490000	600.8001.2160	GAS & ELECTRICITY	2,574.91	2,574.91
01/23/2025	97441	Eisenhower Tower	4251490000	600.8001.2160	GAS & ELECTRICITY	161.66	161.66
01/23/2025	97441	West Park Monitor	4479941000	600.8001.2160	GAS & ELECTRICITY	29.64	29.64
01/23/2025	97441	490 N Enterprise Aly St lite	4887551000	110.2301.2180	ELECTRICITY	68.74	68.74
01/23/2025	97441	Sewer	5283331000	610.8121.2160	GAS & ELECTRICITY	23,196.88	23,196.88
01/23/2025	97441	Lakeview lift station	5918301000	610.8123.2630	LIFT STATION ELECTR	257.28	257.28
01/23/2025	97441	Shop	7427621000	070.4501.2160	GAS & ELECTRICITY	749.60	749.60
01/23/2025	97441	Asbury	7906980000	110.2301.2180	ELECTRICITY	141.08	141.08
01/23/2025	97441	West Park Tennis Courts	7985711000	020.4304.2160	GAS & ELECTRICITY	30.77	30.77
01/23/2025	97441	Kiwanis Park 622 14th NE	8210925528	020.4304.2160	GAS & ELECTRICITY	30.56	30.56
01/23/2025	97441	Timber Creek Dr St Lite	8292201000	110.2301.2180	ELECTRICITY	31.10	31.10
01/23/2025	97441	Norwest Lot	8421651000	630.8202.2180	ELECTRICITY	55.23	55.23
01/23/2025	97441	2750 S Birch Drive ACB	8620801000	010.1901.2160	GAS & ELECTRICITY	2,487.60	2,487.60
01/23/2025	97441	2020 S Federal Booster	9468001000	600.8001.2160	GAS & ELECTRICITY	1,487.15	1,487.15
01/23/2025	97441	Office & lites	9539841000	070.4501.2160	GAS & ELECTRICITY	182.27	182.27
01/23/2025	97441	13 14th St NW Parking Lot	9896326441	630.8201.2180	ELECTRICITY	179.18	179.18

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
Total ALLIANT UTILITIES-IPC:							77,917.93
<b>APOLLO WATER SERVICES LLC</b>							
01/23/2025	97442	BUILDING SUPPLIES	AR022801	030.4101.3090	BUILDING SUPPLIES	100.00	100.00
Total APOLLO WATER SERVICES LLC:							100.00
<b>ARNOLD MOTOR SUPPLY</b>							
01/23/2025	97443	ROTORS	05JV003056	110.2107.3044	M/E SUPPLIES	70.49	70.49
01/23/2025	97443	FUSES	05NV138557	600.8012.3044	M/E SUPPLIES	49.43	49.43
Total ARNOLD MOTOR SUPPLY:							119.92
<b>B &amp; F FASTENER SUPPLY CO</b>							
01/23/2025	97444	SCREWS	31054128-00	820.9601.3530	GARAGE SUPPLIES	30.90	30.90
01/23/2025	97444	SCREWS	31054175-00	820.9601.3530	GARAGE SUPPLIES	11.40	11.40
01/23/2025	97444	CONNECTOR	31054272-00	110.2107.3044	M/E SUPPLIES	86.74	86.74
01/23/2025	97444	SCREWS NUTS WASHER	31054287-00	110.2107.3044	M/E SUPPLIES	23.20	23.20
Total B & F FASTENER SUPPLY CO:							152.24
<b>BAKER &amp; TAYLOR ENTERTAINMENT</b>							
01/23/2025	97445	BOOKS	2038744054	030.4101.4020	BOOKS	604.78	604.78
01/23/2025	97445	LIBRARY TRUST BOOKS	2038744054	510.4101.4020	BOOKS	17.70	17.70
01/23/2025	97445	BOOKS	2038753584	030.4101.4020	BOOKS	914.68	914.68
01/23/2025	97445	BOOKS	2038763588	030.4101.4020	BOOKS	413.31	413.31
01/23/2025	97445	BOOKS	2038770186	030.4101.4020	BOOKS	492.07	492.07
01/23/2025	97445	BOOKS	2038781571	030.4101.4020	BOOKS	406.42	406.42
01/23/2025	97445	AV	H71092410	030.4101.4021	AUDIO/VISUAL	109.85	109.85
01/23/2025	97445	AV	H71238920	030.4101.4021	AUDIO/VISUAL	56.67	56.67
01/23/2025	97445	AV	H71293600	030.4101.4021	AUDIO/VISUAL	118.93	118.93
01/23/2025	97445	AV	H71324970	030.4101.4021	AUDIO/VISUAL	104.93	104.93
01/23/2025	97445	AV	H71360450	030.4101.4021	AUDIO/VISUAL	78.35	78.35
01/23/2025	97445	AV	H71417060	030.4101.4021	AUDIO/VISUAL	17.49	17.49
01/23/2025	97445	AV	H71429370	030.4101.4021	AUDIO/VISUAL	74.17	74.17
01/23/2025	97445	AV	H71460710	030.4101.4021	AUDIO/VISUAL	14.69	14.69
Total BAKER & TAYLOR ENTERTAINMENT:							3,424.04
<b>BATTERIES PLUS BULBS</b>							
01/23/2025	97446	2331 BTTRS	P79172594	010.1503.3044	M/E SUPPLIES	8.00	8.00
01/23/2025	97446	FIRE BLDG. BTTRS	P79172594	010.1502.2150	BUILDING REPAIRS AN	16.32	16.32
Total BATTERIES PLUS BULBS:							24.32
<b>BAUER BUILT TIRE CENTER</b>							
01/23/2025	97447	GRADE TIRES DISPOSAL	820087942	110.2107.2140	M/E REPAIRS	500.00-	500.00-
01/23/2025	97447	TIRE REPAIR	820088394	020.4308.3044	M/E SUPPLIES	43.47	43.47
01/23/2025	97447	TIRES	820088424	020.4308.2140	M/E REPAIRS	387.92	387.92
01/23/2025	97447	TIRE REPAIR	820088587	640.8305.2140	M/E REPAIRS	80.40	80.40
Total BAUER BUILT TIRE CENTER:							11.79
<b>BETZ, MICHAEL</b>							
01/23/2025	97448	LIBRARY TRUST GRANT	76	510.4101.2910	GRANT PAYMENTS	200.00	200.00

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>Total BETZ, MICHAEL:</b>							<b>200.00</b>
<b>BLAZEK ELECTRIC</b>							
01/23/2025	97449	BUILDING MAINTENANC	2572	030.4101.2190	REPAIRS AND MAINTEN	1,269.96	1,269.96
<b>Total BLAZEK ELECTRIC:</b>							<b>1,269.96</b>
<b>BMI</b>							
01/23/2025	97450	ARENA MUSIC LIC FEE	57169116	670.8921.2740	PROFESSIONAL SERV	43.00	43.00
<b>Total BMI:</b>							<b>43.00</b>
<b>BOOKPAGE</b>							
01/23/2025	97451	PERIODICALS & SUBSCR	S84866	030.4101.2260	PERIODICALS AND SU	414.00	414.00
<b>Total BOOKPAGE:</b>							<b>414.00</b>
<b>BOUND TREE MEDICAL LLC</b>							
01/23/2025	97452	EMS SUPPLIES	85625782	660.1509.3070	MEDICAL SUPPLIES	104.67	104.67
01/23/2025	97452	AMBULANCE COT EQUIP	85625783	660.1509.3044	M/E SUPPLIES	34.58	34.58
01/23/2025	97452	EMS SUPPLIES	85627395	660.1509.3070	MEDICAL SUPPLIES	107.58	107.58
<b>Total BOUND TREE MEDICAL LLC:</b>							<b>246.83</b>
<b>BRADS AUTO REPAIR</b>							
01/23/2025	97453	TIRE REPAIR	I017731	010.1102.2140	M/E REPAIRS	63.79	63.79
<b>Total BRADS AUTO REPAIR:</b>							<b>63.79</b>
<b>BRINKLEY, JEFF</b>							
01/23/2025	97454	RECRUITMENT EVENT L	01182025	010.1101.3990	MISCELLANEOUS EXP	85.26	85.26
<b>Total BRINKLEY, JEFF:</b>							<b>85.26</b>
<b>BRINKMAN, CHRIS</b>							
01/23/2025	97455	PARA RECERT APP FEE	IOWDPH015	660.1507.2080	EDUCATION AND TRAI	25.00	25.00
<b>Total BRINKMAN, CHRIS:</b>							<b>25.00</b>
<b>BROTHERS MARKET INC</b>							
01/23/2025	97456	UPS	124184	600.8001.3990	MISCELLANEOUS EXP	14.58	14.58
01/23/2025	97456	WATER REPAIR	124209	020.4304.1220	GROUND MAINTENANCE	17.97	17.97
01/23/2025	97456	THREAD LOCK FLUID	124217	600.8001.2190	REPAIRS AND MAINTEN	9.99	9.99
01/23/2025	97456	PIPE	124228	610.8121.3110	MAINTENANCE MATER	26.99	26.99
01/23/2025	97456	HAND WARMER FOR SA	124257	600.8001.3990	MISCELLANEOUS EXP	12.95	12.95
01/23/2025	97456	CAR WAX	124260	110.2107.3044	M/E SUPPLIES	21.57	21.57
01/23/2025	97456	BOUND TREE UPS RETU	124261	660.1507.2300	POSTAGE	61.72	61.72
01/23/2025	97456	PIPE FITTING	124267	610.8121.3110	MAINTENANCE MATER	2.99	2.99
<b>Total BROTHERS MARKET INC:</b>							<b>168.76</b>
<b>C &amp; D OIL</b>							
01/23/2025	97457	RECYCLE OIL FIL	57276	110.2107.3044	M/E SUPPLIES	140.00	140.00
<b>Total C &amp; D OIL:</b>							<b>140.00</b>

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>CARDIO PARTNERS INC</b>							
01/23/2025	97458	ZM REFRESH PACK FOR	INV3544229	070.4504.3990	MISCELLANEOUS EXP	294.30	294.30
Total CARDIO PARTNERS INC:							294.30
<b>CENTRAL LOCK &amp; KEY</b>							
01/23/2025	97459	BUILDING MAINTENANC	E10835	030.4101.2190	REPAIRS AND MAINTEN	145.00	145.00
Total CENTRAL LOCK & KEY:							145.00
<b>CFRA</b>							
01/23/2025	97460	PERIODICALS	INV145567	030.4101.2260	PERIODICALS AND SU	480.00	480.00
Total CFRA:							480.00
<b>CHOICE/ACRL SUBSCRIPTIONS</b>							
01/23/2025	97461	PERIODICALS & SUBSCR	1100089055	030.4101.2260	PERIODICALS AND SU	184.95	184.95
Total CHOICE/ACRL SUBSCRIPTIONS:							184.95
<b>CITY OF MASON CITY</b>							
01/23/2025	97462	POLICE	01/24/25 FIC	112.1101.1040	FICA	2,869.23	2,869.23
01/23/2025	97462	FIRE	01/24/25 FIC	112.1501.1040	FICA	1,738.78	1,738.78
01/23/2025	97462	BUILDING INSPECTOR	01/24/25 FIC	112.1701.1040	FICA	153.05	153.05
01/23/2025	97462	ANIMAL CONTROL	01/24/25 FIC	112.1901.1040	FICA	210.33	210.33
01/23/2025	97462	ELECTRICAL INSPECTO	01/24/25 FIC	112.1904.1040	FICA	359.86	359.86
01/23/2025	97462	PLUMBING INSPECTOR	01/24/25 FIC	112.1907.1040	FICA	224.79	224.79
01/23/2025	97462	NEIGHBORHOOD SERVI	01/24/25 FIC	112.1911.1040	FICA	394.19	394.19
01/23/2025	97462	TRAFFIC CONTROL	01/24/25 FIC	112.2404.1040	FICA	190.09	190.09
01/23/2025	97462	ENGINEERING	01/24/25 FIC	112.2601.1040	FICA	937.17	937.17
01/23/2025	97462	HEALTH DEPARTMENT	01/24/25 FIC	112.3401.1040	FICA	163.78	163.78
01/23/2025	97462	YOUTH TASK FORCE	01/24/25 FIC	010.3900.1040	FICA	310.44	310.44
01/23/2025	97462	PLANNING & ZONING	01/24/25 FIC	112.5401.1040	FICA	992.19	992.19
01/23/2025	97462	TRANSIT	01/24/25 FIC	080.5801.1040	FICA	147.57	147.57
01/23/2025	97462	CITY TRANSIT	01/24/25 FIC	080.5802.1040	FICA	974.22	974.22
01/23/2025	97462	MAYOR & COUNCIL	01/24/25 FIC	112.6101.1040	FICA	52.07	52.07
01/23/2025	97462	CITY ADMINISTRATOR	01/24/25 FIC	112.6105.1040	FICA	853.19	853.19
01/23/2025	97462	FINANCE	01/24/25 FIC	112.6201.1040	FICA	1,180.91	1,180.91
01/23/2025	97462	INFORMATION TECH	01/24/25 FIC	112.6202.1040	FICA	209.51	209.51
01/23/2025	97462	GIS TECHNOLOGY	01/24/25 FIC	112.6203.1040	FICA	181.56	181.56
01/23/2025	97462	CITY CLERK	01/24/25 FIC	112.6204.1040	FICA	236.36	236.36
01/23/2025	97462	HUMAN RESOURCES	01/24/25 FIC	112.6401.1040	FICA	584.12	584.12
01/23/2025	97462	PARKS	01/24/25 FIC	112.4301.1040	FICA	1,018.93	1,018.93
01/23/2025	97462	RECREATION	01/24/25 FIC	112.4401.1040	FICA	1,256.73	1,256.73
01/23/2025	97462	SWIMMING POOL	01/24/25 FIC	112.4401.1040	FICA	10.32	10.32
01/23/2025	97462	LIBRARY	01/24/25 FIC	030.4101.1040	FICA	2,278.30	2,278.30
01/23/2025	97462	MUSEUM	01/24/25 FIC	040.4202.1040	FICA	735.20	735.20
01/23/2025	97462	MUSEUM GRANTS	01/24/25 FIC	040.4222.1040	FICA	127.78	127.78
01/23/2025	97462	AIRPORT	01/24/25 FIC	050.2801.1040	FICA	1,067.04	1,067.04
01/23/2025	97462	CEMETERY	01/24/25 FIC	070.4501.1040	FICA	630.51	630.51
01/23/2025	97462	STREET	01/24/25 FIC	110.2105.1040	FICA	3,650.91	3,650.91
01/23/2025	97462	CDBG-OOREHAB	01/24/25 FIC	147.5917.1040	FICA	25.84	25.84
01/23/2025	97462	CITY ADMINISTERED GR	01/24/25 FIC	142.5910.1040	FICA	15.79	15.79
01/23/2025	97462	R C RENAISSANCE	01/24/25 FIC	310.7537.1040	FICA	368.22	368.22
01/23/2025	97462	WATER	01/24/25 FIC	600.8012.1040	FICA	3,929.65	3,929.65
01/23/2025	97462	WATER-MR	01/24/25 FIC	600.8012.1040	FICA	208.94	208.94
01/23/2025	97462	WATER-SO	01/24/25 FIC	600.8012.1040	FICA	154.78	154.78



Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
01/23/2025	97462	SEWER-SO	01/24/25 FIC	610.8121.1040	FICA	154.77	154.77
01/23/2025	97462	SEWER	01/24/25 FIC	610.8121.1040	FICA	2,845.37	2,845.37
01/23/2025	97462	SANITARY SEWER MAIN	01/24/25 FIC	610.8123.1040	FICA	162.00	162.00
01/23/2025	97462	PARKING	01/24/25 FIC	630.8203.1040	FICA	120.85	120.85
01/23/2025	97462	SANITATION	01/24/25 FIC	640.8305.1040	FICA	1,952.29	1,952.29
01/23/2025	97462	GOLF COURSE	01/24/25 FIC	650.8901.1040	FICA	398.55	398.55
01/23/2025	97462	FIRE-AMBULANCE	01/24/25 FIC	660.1507.1040	FICA	464.30	464.30
01/23/2025	97462	REC ARENA	01/24/25 FIC	670.8921.1040	FICA	299.32	299.32
01/23/2025	97462	INTERNAL SERV	01/24/25 FIC	820.9601.1040	FICA	545.59	545.59

Total CITY OF MASON CITY:

35,385.39

CITY OF MASON CITY IPERS

01/23/2025	97463	POLICE	01/24/2025 I	112.1101.1050	IPERS	1,186.79	1,186.79
01/23/2025	97463	FIRE	01/24/2025 I	112.1501.1050	IPERS	151.93	151.93
01/23/2025	97463	BUILDING INSPECTOR	01/24/2025 I	112.1701.1050	IPERS	209.87	209.87
01/23/2025	97463	ANIMAL CONTROL	01/24/2025 I	112.1901.1050	IPERS	291.65	291.65
01/23/2025	97463	ELECTRICAL INSPECTO	01/24/2025 I	112.1904.1050	IPERS	250.42	250.42
01/23/2025	97463	PLUMBING INSPECTOR	01/24/2025 I	112.1907.1050	IPERS	307.44	307.44
01/23/2025	97463	NEIGHBORHOOD SERVI	01/24/2025 I	112.1911.1050	IPERS	536.54	536.54
01/23/2025	97463	TRAFFIC CONTROL	01/24/2025 I	112.2404.1050	IPERS	234.56	234.56
01/23/2025	97463	ENGINEERING	01/24/2025 I	112.2601.1050	IPERS	1,237.63	1,237.63
01/23/2025	97463	HEALTH DEPARTMENT	01/24/2025 I	112.3401.1050	IPERS	234.56	234.56
01/23/2025	97463	YOUTH TASK FORCE	01/24/2025 I	010.3900.1050	IPERS	438.47	438.47
01/23/2025	97463	PLANNING & ZONING	01/24/2025 I	112.5401.1050	IPERS	1,342.00	1,342.00
01/23/2025	97463	TRANSIT	01/24/2025 I	080.5801.1050	IPERS	191.37	191.37
01/23/2025	97463	CITY TRANSIT	01/24/2025 I	080.5802.1050	IPERS	1,202.17	1,202.17
01/23/2025	97463	MAYOR & COUNCIL	01/24/2025 I	112.6101.1050	IPERS	339.05	339.05
01/23/2025	97463	CITY ADMINISTRATOR	01/24/2025 I	112.6105.1050	IPERS	1,130.55	1,130.55
01/23/2025	97463	FINANCE	01/24/2025 I	112.6201.1050	IPERS	1,557.91	1,557.91
01/23/2025	97463	INFORMATION TECH	01/24/2025 I	112.6202.1050	IPERS	281.91	281.91
01/23/2025	97463	GIS TECH	01/24/2025 I	112.6203.1050	IPERS	237.13	237.13
01/23/2025	97463	CITY CLERK	01/24/2025 I	112.6204.1050	IPERS	312.96	312.96
01/23/2025	97463	HUMAN RESOURCES	01/24/2025 I	112.6401.1050	IPERS	827.56	827.56
01/23/2025	97463	PARKS	01/24/2025 I	112.4301.1050	IPERS	1,363.33	1,363.33
01/23/2025	97463	RECREATION	01/24/2025 I	112.4401.1050	IPERS	1,363.64	1,363.64
01/23/2025	97463	LIBRARY	01/24/2025 I	030.4101.1050	IPERS	3,095.08	3,095.08
01/23/2025	97463	MUSEUM	01/24/2025 I	040.4202.1050	IPERS	1,027.46	1,027.46
01/23/2025	97463	MUSEUM GRANTS	01/24/2025 I	040.4222.1050	IPERS	181.33	181.33
01/23/2025	97463	AIRPORT	01/24/2025 I	050.2801.1050	IPERS	1,388.78	1,388.78
01/23/2025	97463	CEMETERY	01/24/2025 I	070.4501.1050	IPERS	847.53	847.53
01/23/2025	97463	STREET	01/24/2025 I	110.2105.1050	IPERS	4,904.94	4,904.94
01/23/2025	97463	R C RENAISSANCE	01/24/2025 I	310.7537.1050	IPERS	396.86	396.86
01/23/2025	97463	CITY ADMINISTERED GR	01/24/2025 I	142.5910.1050	IPERS	22.48	22.48
01/23/2025	97463	LHAP	01/24/2025 I	147.5917.1050	IPERS	36.78	36.78
01/23/2025	97463	WATER	01/24/2025 I	600.8012.1050	IPERS	5,265.99	5,265.99
01/23/2025	97463	WATER-MR	01/24/2025 I	600.8012.1050	IPERS	257.82	257.82
01/23/2025	97463	WATER-SO	01/24/2025 I	600.8012.1050	IPERS	205.04	205.04
01/23/2025	97463	SEWER-SO	01/24/2025 I	610.8121.1050	IPERS	205.04	205.04
01/23/2025	97463	SEWER	01/24/2025 I	610.8121.1050	IPERS	3,773.81	3,773.81
01/23/2025	97463	SANITARY SEWER MAIN	01/24/2025 I	610.8123.1050	IPERS	215.45	215.45
01/23/2025	97463	PARKING	01/24/2025 I	630.8203.1050	IPERS	165.24	165.24
01/23/2025	97463	SANITATION	01/24/2025 I	640.8305.1050	IPERS	2,630.98	2,630.98
01/23/2025	97463	GOLF COURSE	01/24/2025 I	650.8901.1050	IPERS	551.96	551.96
01/23/2025	97463	AMBULANCE	01/24/2025 I	660.1507.1050	IPERS	102.56	102.56
01/23/2025	97463	RCR ARENA	01/24/2025 I	670.8921.1050	IPERS	247.03	247.03
01/23/2025	97463	INTERNAL SERVICE	01/24/2025 I	820.9601.1050	IPERS	725.43	725.43

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
Total CITY OF MASON CITY IPERS:							41,477.03
<b>CIVIC SYSTEMS LLC</b>							
01/23/2025	97464	SEMI ANNUAL SUPPORT	INV-02101	010.6401.2740	PROFESSIONAL SERV	2,235.00	2,235.00
01/23/2025	97464	SEMI ANNUAL SUPPORT	INV-02101	610.8121.2311	EQUIPMENT RENTAL	2,235.00	2,235.00
01/23/2025	97464	SEMI ANNUAL SUPPORT	INV-02101	640.8305.2311	EQUIPMENT RENTAL	2,235.00	2,235.00
01/23/2025	97464	SEMI ANNUAL SUPPORT	INV-02101	600.8011.2311	EQUIPMENT RENTAL	2,235.00	2,235.00
01/23/2025	97464	SEMI ANNUAL SUPPORT	INV-02101	010.6201.2311	EQUIPMENT RENTAL	2,235.00	2,235.00
Total CIVIC SYSTEMS LLC:							11,175.00
<b>CLEAR LAKE SANITARY DISTRICT</b>							
01/23/2025	97465	WATER SAMPLES	24-0399	600.8001.3990	MISCELLANEOUS EXP	88.00	88.00
Total CLEAR LAKE SANITARY DISTRICT:							88.00
<b>COLUMN SOFTWARE PBC</b>							
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	39.33	39.33
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	261.15	261.15
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	245.42	245.42
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	96.65	96.65
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	254.07	254.07
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	149.61	149.61
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	27.53	27.53
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	292.62	292.62
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	246.20	246.20
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	332.73	332.73
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	115.63	115.63
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	356.33	356.33
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	160.47	160.47
01/23/2025	97466	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	339.81	339.81
01/23/2025	97466	GLOBE	1ACBCB4B-	010.5401.2030	DUES & PUBLICATION	149.61	149.61
01/23/2025	97466	GLOBE	1ACBCB4B-	010.5401.2030	DUES & PUBLICATION	66.86	66.86
01/23/2025	97466	GLOBE	1ACBCB4B-	010.5401.2030	DUES & PUBLICATION	67.52	67.52
01/23/2025	97466	GLOBE	1ACBCB4B-	010.5401.2030	DUES & PUBLICATION	31.78	31.78
01/23/2025	97466	GLOBE	1ACBCB4B-	010.5401.2030	DUES & PUBLICATION	66.86	66.86
Total COLUMN SOFTWARE PBC:							3,300.18
<b>CONSOLIDATED ELECTRICAL DIST</b>							
01/23/2025	97467	LIGHTS	1181932	610.8121.2190	REPAIRS AND MAINTEN	90.57	90.57
Total CONSOLIDATED ELECTRICAL DIST:							90.57
<b>CONTROL PRINT</b>							
01/23/2025	97468	LIBRARY TRUST MISCEL	21952	510.4101.3990	MISCELLANEOUS EXP	2,400.00	2,400.00
01/23/2025	97468	ARENA MARKETING	22022	670.8921.2740	PROFESSIONAL SERV	130.00	130.00
Total CONTROL PRINT:							2,530.00
<b>CORE &amp; MAIN LP</b>							
01/23/2025	97469	SEWER PIPE	W275832	610.8121.3110	MAINTENANCE MATER	784.86	784.86
Total CORE & MAIN LP:							784.86

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>CROSSER,SAM</b>							
01/23/2025	97470	LIBRARY TRUST GRANT	12302024	510.4101.2910	GRANT PAYMENTS	300.00	300.00
Total CROSSER,SAM:							300.00
<b>CULLIGAN MASON CITY</b>							
01/23/2025	97471	BUILDING SUPPLIES	394-0541163	030.4101.3090	BUILDING SUPPLIES	45.00	45.00
Total CULLIGAN MASON CITY:							45.00
<b>CYCLONE TURF AND PEST INC</b>							
01/23/2025	97472	WINTER FERT.	9377	110.2105.3250	WEED CONTROL MAT	486.00	486.00
01/23/2025	97472	RAY RORICK FERTILIZER	9378	020.4408.3035	OTHER SUPPLIES	920.00	920.00
Total CYCLONE TURF AND PEST INC:							1,406.00
<b>DECKER SPORTING GOODS</b>							
01/23/2025	97473	RECREATION YOUTH SHI	AAN032744-	020.4408.3035	OTHER SUPPLIES	60.00	60.00
Total DECKER SPORTING GOODS:							60.00
<b>DEIKE IMPLEMENT CO</b>							
01/23/2025	97474	HIGHLAND MOTOR SUPP	01-18103	650.8908.3044	M/E SUPPLIES	213.48	213.48
Total DEIKE IMPLEMENT CO:							213.48
<b>DES MOINES REGISTER, THE</b>							
01/23/2025	97475	PERIODICALS	DM1302377	030.4101.2260	PERIODICALS AND SU	74.14	74.14
01/23/2025	97475	PERIODICALS	DM1302377	030.4101.2260	PERIODICALS AND SU	45.84	45.84
Total DES MOINES REGISTER, THE:							119.98
<b>DIXON ENGINEERING INC</b>							
01/23/2025	97476	WATER TWR MAINT-43R	25-0071	603.8061.4622	TOWERS	7,250.00	7,250.00
Total DIXON ENGINEERING INC:							7,250.00
<b>ECHO GROUP INC</b>							
01/23/2025	97477	BULBS	S011016324.	110.2107.2140	M/E REPAIRS	124.38	124.38
01/23/2025	97477	4' LED LIGHTS	S011016375.	600.8042.3590	MATERIAL	97.89	97.89
Total ECHO GROUP INC:							222.27
<b>ELECTRONIC ENGINEERING CO</b>							
01/23/2025	97478	FLASHLIGHT REPAIR	449001120-1	010.1101.2090	EQUIPMENT MAINTEN	15.95	15.95
01/23/2025	97478	RADIO IOANER INSTALLE	449001188-1	010.1102.2130	RADIO MAINTENANCE	824.95	824.95
01/23/2025	97478	RADIO AND INSTALL	449001261-1	110.2107.1250	M/E LABOR	1,001.37	1,001.37
01/23/2025	97478	BROKEN CLIP	449001307-1	010.1101.2090	EQUIPMENT MAINTEN	15.95	15.95
01/23/2025	97478	REPAIR FLASHLIGHT	449001509-1	010.1101.2090	EQUIPMENT MAINTEN	15.95	15.95
01/23/2025	97478	INSTSALL RADIOS	449001825-1	110.2107.2140	M/E REPAIRS	2,666.94	2,666.94
Total ELECTRONIC ENGINEERING CO:							4,541.11
<b>ELSBERND,RANDY</b>							
01/23/2025	97479	PARA RECERT APP FEE	IOWDPH015	660.1507.2080	EDUCATION AND TRAI	25.00	25.00

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
Total ELSBERND,RANDY:							25.00
<b>EMSLRC</b>							
01/23/2025	97480	INSTR. CARD ACLS (1)	49602	660.1507.2080	EDUCATION AND TRAI	25.00	25.00
01/23/2025	97480	BLS, ACLS, PALS INSTR.	49603	660.1507.2080	EDUCATION AND TRAI	75.00	75.00
Total EMSLRC:							100.00
<b>EUROFINS ENVIRONMENT TESTING</b>							
01/23/2025	97481	SPECIAL TESTING WHKS	3100146247	613.8125.4690	NUTRIENT REDUCTIO	281.00	281.00
Total EUROFINS ENVIRONMENT TESTING:							281.00
<b>FASTENAL COMPANY</b>							
01/23/2025	97482	ELECTRICAL SUPPLIES	333357	110.2101.4670	STREET LIGHTING	50.92	50.92
01/23/2025	97482	BOLTS	333403	610.8121.3110	MAINTENANCE MATER	13.95	13.95
01/23/2025	97482	PAINT	333414	600.8002.3310	TOOLS AND SUPPLIES	17.08	17.08
01/23/2025	97482	BOLTS	333447	610.8121.3110	MAINTENANCE MATER	31.54	31.54
01/23/2025	97482	BOLTS	333466	610.8121.3110	MAINTENANCE MATER	62.64	62.64
01/23/2025	97482	BLDG. RPR.	333503	010.1502.2150	BUILDING REPAIRS AN	.44	.44
Total FASTENAL COMPANY:							176.57
<b>FBINAA</b>							
01/23/2025	97483	DUES	38972 2025	010.1101.2030	DUES & PUBLICATION	125.00	125.00
Total FBINAA:							125.00
<b>FEDERAL FIRE EQUIPMENT COMPANY</b>							
01/23/2025	97484	FIRE EXTINGUISHERS	20344	110.2109.1130	BUILDING MAINTENAN	50.00	50.00
Total FEDERAL FIRE EQUIPMENT COMPANY:							50.00
<b>FLOYD &amp; LEONARD AUTO ELECTRIC</b>							
01/23/2025	97485	FILE	178027	820.9601.3310	TOOLS AND SUPPLIES	21.08	21.08
01/23/2025	97485	HANDLE	178042	020.4308.3044	M/E SUPPLIES	43.54	43.54
01/23/2025	97485	SAW BLADES	178088	110.2115.3310	TOOLS AND SUPPLIES	119.99	119.99
Total FLOYD & LEONARD AUTO ELECTRIC:							184.61
<b>GALLS</b>							
01/23/2025	97486	UNIFORMS	029167729	010.1101.3990	MISCELLANEOUS EXP	144.32	144.32
01/23/2025	97486	MULTI CAM JACKETS	030144097	542.1111.4090	POLICE EQUIPMENT	2,034.22	2,034.22
Total GALLS:							2,178.54
<b>GFC LEASING - WI</b>							
01/23/2025	97487	COPIER MAINTENANCE	100987378	010.1101.2090	EQUIPMENT MAINTEN	533.89	533.89
01/23/2025	97487	LIBRARY TRUST PHOTO	100987379	510.4101.3019	OFFICE SUPPLIES	328.35	328.35
Total GFC LEASING - WI:							862.24
<b>GORDON FLESCH COMPANY INC</b>							
01/23/2025	97488	LIBRARY TRUST PHOTO	IN14987462	510.4101.3019	OFFICE SUPPLIES	297.07	297.07

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
Total GORDON FLESCH COMPANY INC:							297.07
<b>GOVERNMENTJOBS.COM INC</b>							
01/23/2025	97489	PROFESSIONAL SERVIC	INV-45417	010.6401.2740	PROFESSIONAL SERV	5,949.90	5,949.90
Total GOVERNMENTJOBS.COM INC:							5,949.90
<b>GRAINGER</b>							
01/23/2025	97490	CHECK VALVES/KEYS	9373927459	600.8001.2190	REPAIRS AND MAINTENANCE	374.89	374.89
01/23/2025	97490	GLOVES	9376130168	600.8042.3590	MATERIAL	300.00	300.00
01/23/2025	97490	SLING	9376940541	110.2105.3019	OFFICE SUPPLIES	18.61	18.61
Total GRAINGER:							693.50
<b>GREATAMERICA FINANCIAL SVCS</b>							
01/23/2025	97491	COPIER	38313051	110.2109.2190	REPAIRS AND MAINTENANCE	77.25	77.25
Total GREATAMERICA FINANCIAL SVCS:							77.25
<b>HACH CHEMICAL COMPANY</b>							
01/23/2025	97492	REAGENTS	14318493	600.8001.3170	CHEMICALS	229.05	229.05
Total HACH CHEMICAL COMPANY:							229.05
<b>HAWKEYE COMMUNITY COLLEGE</b>							
01/23/2025	97493	K CORNICK PARAMEDIC	15156 01172	660.1507.2080	EDUCATION AND TRAINING	3,450.00	3,450.00
Total HAWKEYE COMMUNITY COLLEGE:							3,450.00
<b>HEWETT WHOLESALE INC</b>							
01/23/2025	97494	ARENA CONCESSIONS	217661	670.8923.3135	CONCESSION SUPPLIES	1,102.18	1,102.18
01/23/2025	97494	ARENA CONCESSIONS	218339	670.8923.3135	CONCESSION SUPPLIES	878.68	878.68
01/23/2025	97494	ARENA CONCESSIONS	218340	670.8923.3135	CONCESSION SUPPLIES	621.00	621.00
Total HEWETT WHOLESALE INC:							2,601.86
<b>HY-VEE 1413</b>							
01/23/2025	97495	WELLNESS SUPPLIES	4882291256	010.6401.1260	WELLNESS PROGRAM	16.93	16.93
01/23/2025	97495	MUSEUM	4882314489	040.4216.3019	OFFICE SUPPLIES	117.74	117.74
01/23/2025	97495	MUSEUM	4882330915	040.4216.3019	OFFICE SUPPLIES	22.73	22.73
01/23/2025	97495	WINTER BREAK CAMP	4882645186	020.4408.3035	OTHER SUPPLIES	140.01	140.01
01/23/2025	97495	EMPLOYEE REC	4883543404	010.6401.3880	EMPLOYEE RECOGNITION	49.99	49.99
Total HY-VEE 1413:							347.40
<b>HY-VEE DRUGSTORE 7056</b>							
01/23/2025	97496	DISTILLED WATER	5800094818	610.8121.3070	LABORATORY SUPPLIES	60.70	60.70
01/23/2025	97496	DISTILLED WATER	5800145842	610.8121.3070	LABORATORY SUPPLIES	70.84	70.84
Total HY-VEE DRUGSTORE 7056:							131.54
<b>HY-VEE WEST 1410</b>							
01/23/2025	97497	457 SANDWICHES	5899212922	020.4304.4680	OTHER IMPROVEMENTS	60.00	60.00
Total HY-VEE WEST 1410:							60.00

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>IOWA SOCIETY OF FIRE SERVICE INSTRUCTORS</b>							
01/23/2025	97498	R ELSBERND 2025 INST.	120924	010.1501.2060	TRAVEL AND CONFER	140.00	140.00
Total IOWA SOCIETY OF FIRE SERVICE INSTRUCTORS:							140.00
<b>J &amp; J MACHINING WELDING</b>							
01/23/2025	97499	STEEL TRUCK 54	85283	110.2107.3044	M/E SUPPLIES	48.96	48.96
01/23/2025	97499	STEEL	85310	110.2107.3044	M/E SUPPLIES	23.16	23.16
01/23/2025	97499	TAP PIPE	85343	610.8121.2190	REPAIRS AND MAINTEN	150.00	150.00
Total J & J MACHINING WELDING:							222.12
<b>J F AHERN CO</b>							
01/23/2025	97500	SB MALL	704547	310.7537.3990	MISCELLANEOUS EXP	680.00	680.00
Total J F AHERN CO:							680.00
<b>JCL SOLUTIONS - JANITOR'S CLOSET</b>							
01/23/2025	97501	SB MALL JANITORIAL	1382426	310.7537.3990	MISCELLANEOUS EXP	91.69	91.69
01/23/2025	97501	SB MALL JANITORIAL	1383217	310.7537.3990	MISCELLANEOUS EXP	29.35	29.35
Total JCL SOLUTIONS - JANITOR'S CLOSET:							121.04
<b>JENSEN, KELLIE</b>							
01/23/2025	97502	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
Total JENSEN, KELLIE:							30.00
<b>JOHANNIS, SOPHIE</b>							
01/23/2025	97503	INSTRUCTOR PAY: SPEC	DECEMBER	040.4215.2740	PROFESSIONAL SERV	127.50	127.50
Total JOHANNIS, SOPHIE:							127.50
<b>KIBBLE EQUIPMENT LLC</b>							
01/23/2025	97504	TRACTOR REPAIR	849738	610.8121.2140	M/E REPAIRS	1,812.46	1,812.46
Total KIBBLE EQUIPMENT LLC:							1,812.46
<b>KINGLAND CONSTRUCTION SERVICES</b>							
01/23/2025	97505	REMODEL	PAY 15 1231	015.1103.4510	BUILDING IMPROVEM	22,248.27	22,248.27
Total KINGLAND CONSTRUCTION SERVICES:							22,248.27
<b>KOFOOT, JET</b>							
01/23/2025	97506	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
Total KOFOOT, JET:							30.00
<b>KRONOS SAASHR INC</b>							
01/23/2025	97507	UKG	12348108	010.6201.2311	EQUIPMENT RENTAL	950.00	950.00
01/23/2025	97507	UKG	12348108	600.8011.2311	EQUIPMENT RENTAL	950.00	950.00
01/23/2025	97507	UKG	12348108	610.8121.2311	EQUIPMENT RENTAL	950.00	950.00
01/23/2025	97507	UKG	12348108	640.8305.2311	EQUIPMENT RENTAL	950.00	950.00
Total KRONOS SAASHR INC:							3,800.00

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>LEDOUX SIGNS</b>							
01/23/2025	97508	TRUCK STICKERS	20241370	110.2107.3044	M/E SUPPLIES	274.00	274.00
01/23/2025	97508	#49 SIGN	20241396	110.2107.3044	M/E SUPPLIES	20.00	20.00
Total LEDOUX SIGNS:							294.00
<b>LIBRARY IDEAS LLC</b>							
01/23/2025	97509	LIBRARY TRUST GRANT	116042	510.4101.2910	GRANT PAYMENTS	13,170.00	13,170.00
Total LIBRARY IDEAS LLC:							13,170.00
<b>LIFE-ASSIST INC</b>							
01/23/2025	97510	EMS SUPPLIES	1544020	660.1509.3070	MEDICAL SUPPLIES	180.68	180.68
Total LIFE-ASSIST INC:							180.68
<b>M C COMMUNITY SCHOOL DIST</b>							
01/23/2025	97511	GYM RENTAL	2448-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2449-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2451-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2452-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2453-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2454-25	020.4408.2470	CUSTODIAN EXPENSE	225.00	225.00
01/23/2025	97511	GYM RENTAL	2455-25	020.4408.2470	CUSTODIAN EXPENSE	150.00	150.00
01/23/2025	97511	GYM RENTAL	2456-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2457-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2458-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2459-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2460-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2461-25	020.4408.2470	CUSTODIAN EXPENSE	187.50	187.50
01/23/2025	97511	GYM RENTAL	2465-25	020.4408.2470	CUSTODIAN EXPENSE	339.95	339.95
01/23/2025	97511	GYM RENTAL	2466-25	020.4408.2470	CUSTODIAN EXPENSE	450.00	450.00
Total M C COMMUNITY SCHOOL DIST:							3,414.95
<b>MAIN STREET MASON CITY</b>							
01/23/2025	97512	2024 12 ALLOCATION	FY25-011520	120.6900.5180	TOURISM GRANT	3,541.00	3,541.00
Total MAIN STREET MASON CITY:							3,541.00
<b>MARCO INC</b>							
01/23/2025	97513	COPIER - CONTRACT-JA	INV1341251	010.2601.2722	COPY CHARGE	101.38	101.38
01/23/2025	97513	COPIER CONTRACT	INV1342007	610.8121.3019	OFFICE SUPPLIES	58.75	58.75
Total MARCO INC:							160.13
<b>MARKWALTER, MARY</b>							
01/23/2025	97514	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
Total MARKWALTER, MARY:							30.00
<b>MASON CITY PUBLIC UTILITIES</b>							
01/23/2025	97515	WATER	276-2160-01	030.4101.2162	WATER/SEWER UTILIT	163.55	163.55
01/23/2025	97515	UTILITIES	363-4960-02	010.1901.2162	WATER/SEWER UTILIT	178.70	178.70
Total MASON CITY PUBLIC UTILITIES:							342.25

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<b>MATEER, WILLIAM E</b>							
01/23/2025	97516	LEARNING TO THROW "A	1.9-2.27.25	040.4215.2740	PROFESSIONAL SERV	288.00	288.00
Total MATEER, WILLIAM E:							288.00
<b>MCCOLLOUGH, CALISTA</b>							
01/23/2025	97517	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
Total MCCOLLOUGH, CALISTA:							30.00
<b>MCMASTER-CARR SUPPLY</b>							
01/23/2025	97518	PIPE PLUG	39025770	610.8121.3110	MAINTENANCE MATER	72.40	72.40
01/23/2025	97518	PIPE PLUG	39049980	610.8121.3110	MAINTENANCE MATER	113.09	113.09
01/23/2025	97518	FITTINGS	39052944	610.8121.3110	MAINTENANCE MATER	278.04	278.04
Total MCMASTER-CARR SUPPLY:							463.53
<b>MEDIACOM</b>							
01/23/2025	97519	WIFI	8384960010	010.1101.2100	INVESTIGATION FUND	5.99	5.99
Total MEDIACOM:							5.99
<b>MELENEY, KORY</b>							
01/23/2025	97520	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
Total MELENEY, KORY:							30.00
<b>MENARDS</b>							
01/23/2025	97521	WRENCHS	23767	600.8002.3310	TOOLS AND SUPPLIES	14.94	14.94
01/23/2025	97521	HAND TOOLS	23767	600.8042.3590	MATERIAL	130.78	130.78
01/23/2025	97521	KEY-SHOP RETURN	24080	010.1502.2150	BUILDING REPAIRS AN	4.07-	4.07-
01/23/2025	97521	PIPE FITTINGS	24133	610.8121.2190	REPAIRS AND MAINTEN	15.27	15.27
01/23/2025	97521	SUPPLIES	24148 01102	010.1103.2150	BUILDING REPAIRS AN	25.14	25.14
01/23/2025	97521	HIGHLAND MOTOR SUPP	24153	650.8908.3044	M/E SUPPLIES	28.77	28.77
01/23/2025	97521	TOOL BOX, CLENER PRO	24163	070.4504.3310	TOOLS AND SUPPLIES	47.93	47.93
01/23/2025	97521	WATER LINE	24331 01132	020.4304.1220	GROUNDS MAINTENA	15.66	15.66
01/23/2025	97521	SB MALL SUPPLIES	24384	310.7537.3990	MISCELLANEOUS EXP	26.57	26.57
01/23/2025	97521	WATER DISPENSER	24398	600.8041.3060	SUPPLIES & LAUNDRY	159.00	159.00
01/23/2025	97521	WRENCHES	24398	600.8011.3060	SUPPLIES & LAUNDRY	17.58	17.58
01/23/2025	97521	DRILL BIT	24398	620.8125.3990	MISCELLANEOUS EXP	44.97	44.97
01/23/2025	97521	PLY WOOD	24398	600.8042.3590	MATERIAL	1,339.20	1,339.20
01/23/2025	97521	SUPPLIES	24451	010.1103.3060	SUPPLIES & LAUNDRY	19.94	19.94
01/23/2025	97521	BLDG. & SHOP SUPPLIES	24536	010.1502.2150	BUILDING REPAIRS AN	52.25	52.25
01/23/2025	97521	APPRTS. SUPPLIES	24536	010.1503.3044	M/E SUPPLIES	27.88	27.88
01/23/2025	97521	2307 SAND TUBE	24536	010.1503.3044	M/E SUPPLIES	8.96	8.96
01/23/2025	97521	LADDER	24539	110.2107.3260	SHOP SUPPLIES	59.99	59.99
01/23/2025	97521	SUPPLIES	24601	010.1103.2150	BUILDING REPAIRS AN	14.98	14.98
01/23/2025	97521	GOLF COURSE MAINTEN	24623	650.8904.3110	MAINTENANCE MATER	36.42	36.42
01/23/2025	97521	HIGHLAND CLUBHOUSE	24767	650.8906.3035	OTHER SUPPLIES	45.40	45.40
01/23/2025	97521	PIPE FITTINGS	24837 01212	610.8121.3110	MAINTENANCE MATER	7.57	7.57
Total MENARDS:							2,135.13
<b>MICROBAC LABORATORIES INC</b>							
01/23/2025	97522	WATER SAMPLES	NT2500354	600.8001.3990	MISCELLANEOUS EXP	87.50	87.50
01/23/2025	97522	WATER SAMPLES	NT2500355	600.8001.3990	MISCELLANEOUS EXP	87.50	87.50



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<b>Total MICROBAC LABORATORIES INC:</b>							<b>175.00</b>
<b>MIDWEST NORTH IOWA JANITORIAL</b>							
01/23/2025	97523	ARENA JANITORIAL	4933	670.8923.2723	CONTRACTUAL AGRE	3,650.00	3,650.00
01/23/2025	97523	TRANSIT STATION CLEA	4934	080.5802.2740	PROFESSIONAL SERV	789.00	789.00
01/23/2025	97523	CITY HALL JANITORIAL	4935	010.6501.2470	CUSTODIAN EXPENSE	5,833.33	5,833.33
<b>Total MIDWEST NORTH IOWA JANITORIAL:</b>							<b>10,272.33</b>
<b>MIDWEST TAPE</b>							
01/23/2025	97524	A/V	506532864	030.4101.4021	AUDIO/VISUAL	170.96	170.96
01/23/2025	97524	DIGITAL INFO	506552545	030.4101.3058	DIGITAL INFORMATION	4,065.51	4,065.51
01/23/2025	97524	A/V	506560980	030.4101.4021	AUDIO/VISUAL	39.99	39.99
01/23/2025	97524	A/V	506587114	030.4101.4021	AUDIO/VISUAL	89.98	89.98
<b>Total MIDWEST TAPE:</b>							<b>4,366.44</b>
<b>MOTION INDUSTRIES INC</b>							
01/23/2025	97525	BELT	IA07-000285	110.2107.3044	M/E SUPPLIES	394.77	394.77
01/23/2025	97525	LIFTING HOOK	IA07-000286	110.2107.3044	M/E SUPPLIES	257.54	257.54
<b>Total MOTION INDUSTRIES INC:</b>							<b>652.31</b>
<b>MTI DISTRIBUTING INC</b>							
01/23/2025	97526	HIGHLAND GREENSMAS	1406421-00	325.4350.4040	MOTOR EQUIPMENT	42,483.48	42,483.48
<b>Total MTI DISTRIBUTING INC:</b>							<b>42,483.48</b>
<b>MULLIN, GORDON</b>							
01/23/2025	97527	PHONE EXPENSE	JANUARY 20	030.4101.2040	PHONE EXPENSE	30.00	30.00
<b>Total MULLIN, GORDON:</b>							<b>30.00</b>
<b>MUNICIPAL FIRE AND POLICE</b>							
01/23/2025	97528	CITY SHARE 1/24/25	1/24/2025	660.1507.5661	PAYMENT TO MFPRS	7,175.47	7,175.47
01/23/2025	97528	CITY SHARE 1/24/25	1/24/2025	114.1101.5661	PAYMENT TO MFPRS	30,075.65	30,075.65
01/23/2025	97528	CITY SHARE 1/24/25	1/24/2025	116.1501.5661	PAYMENT TO MFPRS	23,254.28	23,254.28
<b>Total MUNICIPAL FIRE AND POLICE:</b>							<b>60,505.40</b>
<b>NAPA AUTO PARTS</b>							
01/23/2025	97529	FILTERS	427940	110.2107.3044	M/E SUPPLIES	118.37	118.37
01/23/2025	97529	RELAY	428335	110.2107.3260	SHOP SUPPLIES	58.18	58.18
01/23/2025	97529	COUPLER	430811	110.2107.3044	M/E SUPPLIES	23.48	23.48
01/23/2025	97529	BULBS	432674	110.2107.3044	M/E SUPPLIES	22.53	22.53
01/23/2025	97529	CLEANER	433748	110.2105.3060	SUPPLIES & LAUNDRY	20.80	20.80
01/23/2025	97529	WIRE	434056	110.2107.3044	M/E SUPPLIES	114.65	114.65
01/23/2025	97529	FILTERS	434183	110.2107.3044	M/E SUPPLIES	38.96	38.96
01/23/2025	97529	MIRROR	434201	110.2107.3044	M/E SUPPLIES	34.44	34.44
01/23/2025	97529	TRUCK 91	434317	640.8305.3044	M/E SUPPLIES	77.93	77.93
01/23/2025	97529	OIL FILTER	434393	820.9601.3260	SHOP SUPPLIES	233.79	233.79
01/23/2025	97529	BELT	434487	110.2107.3044	M/E SUPPLIES	24.41	24.41
01/23/2025	97529	ZIP TIES	434545	110.2115.3310	TOOLS AND SUPPLIES	13.97	13.97
01/23/2025	97529	FILTERS	434546	640.8305.3044	M/E SUPPLIES	78.17	78.17
01/23/2025	97529	CARB CLEANER	434547	600.8042.3590	MATERIAL	48.69	48.69
01/23/2025	97529	HYD FITTINGS	434602	820.9601.3260	SHOP SUPPLIES	350.67	350.67

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01/23/2025	97529	AIR FRESHNERS, RV AN	434910	600.8042.3590	MATERIAL	124.99	124.99
01/23/2025	97529	RV ANTIFREEZE	435058	600.8042.3590	MATERIAL	65.44	65.44
01/23/2025	97529	FILTERS	435120	110.2107.3044	M/E SUPPLIES	50.76	50.76
Total NAPA AUTO PARTS:							1,500.23
<b>NASSCO INC</b>							
01/23/2025	97530	BUILDING SUPPLIES	6508448	030.4101.3090	BUILDING SUPPLIES	672.95	672.95
Total NASSCO INC:							672.95
<b>NEAL SIMMONS MUSIC</b>							
01/23/2025	97531	LIBRARY TRUST GRANT	3	510.4101.2910	GRANT PAYMENTS	200.00	200.00
Total NEAL SIMMONS MUSIC:							200.00
<b>NORTH CENTRAL INTERNATIONAL</b>							
01/23/2025	97532	SENSOR	X223018186:	110.2107.3044	M/E SUPPLIES	196.08	196.08
01/23/2025	97532	AIR DRYER	X223018201:	110.2107.3044	M/E SUPPLIES	195.09	195.09
01/23/2025	97532	SPRING BRAKE	X223018210:	110.2107.3044	M/E SUPPLIES	97.74	97.74
01/23/2025	97532	HOSE	X223018229:	110.2107.3044	M/E SUPPLIES	27.66	27.66
01/23/2025	97532	RADIATOR 87	X223018297:	110.2107.3044	M/E SUPPLIES	726.52	726.52
01/23/2025	97532	SENSOR	X223018306:	110.2107.3044	M/E SUPPLIES	112.78	112.78
01/23/2025	97532	SEAT	X223018323:	600.8012.3044	M/E SUPPLIES	384.35	384.35
Total NORTH CENTRAL INTERNATIONAL:							1,740.22
<b>NORTH IOWA BROADCASTING INC</b>							
01/23/2025	97533	ADVERTISING HOLIDAY	24120453, 2	070.4501.2020	ADVERTISING (GENER	275.00	275.00
Total NORTH IOWA BROADCASTING INC:							275.00
<b>NORTH RISK PARTNERS</b>							
01/23/2025	97534	FIRE 411 ADMIN	4648	117.1501.2010	MEDICAL SERVICE	1,858.71	1,858.71
01/23/2025	97534	FIRE 411 CLAIMS	4648	117.1501.2010	MEDICAL SERVICE	22,176.82	22,176.82
01/23/2025	97534	POLICE 411 ADMIN	4648	117.1101.2010	MEDICAL SERVICE	505.84	505.84
01/23/2025	97534	POLICE 411 CLAIMS	4648	117.1101.2010	MEDICAL SERVICE	4,370.66	4,370.66
Total NORTH RISK PARTNERS:							28,912.03
<b>O'HERRON CO INC, RAY</b>							
01/23/2025	97535	UNIFORMS	2388576	010.1101.3990	MISCELLANEOUS EXP	602.13	602.13
01/23/2025	97535	UNIFORMS	2389022	010.1101.3990	MISCELLANEOUS EXP	38.15	38.15
Total O'HERRON CO INC, RAY:							640.28
<b>ONDER, BROOKE</b>							
01/23/2025	97536	INSTRUCTOR PAY KIDS	011625	040.4215.2740	PROFESSIONAL SERV	45.00	45.00
Total ONDER, BROOKE:							45.00
<b>O'REILLY AUTO PARTS</b>							
01/23/2025	97537	2307 TAILGATE	296616	010.1503.2140	M/E REPAIRS	29.01	29.01
01/23/2025	97537	APPRTS. WIPER FLD.	296616	010.1503.3044	M/E SUPPLIES	13.98	13.98
01/23/2025	97537	HEET FOR DIGESTERS	297527	610.8121.3110	MAINTENANCE MATER	126.55	126.55

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Total O'REILLY AUTO PARTS:							169.54
<b>OVERDRIVE</b>							
01/23/2025	97538	DIGITAL	06497CO250	030.4101.3058	DIGITAL INFORMATION	166.23	166.23
Total OVERDRIVE:							166.23
<b>OVERHEAD DOOR CO OF MASON CITY</b>							
01/23/2025	97539	DOOR SPRINGS AND INS	167485-000	110.2109.1130	BUILDING MAINTENAN	2,345.00	2,345.00
Total OVERHEAD DOOR CO OF MASON CITY:							2,345.00
<b>PASTPERFECT SOFTWARE</b>							
01/23/2025	97540	DIGITAL INFORMATION	90630362	030.4101.3058	DIGITAL INFORMATION	1,620.00	1,620.00
Total PASTPERFECT SOFTWARE:							1,620.00
<b>PETRO BLEND CORP</b>							
01/23/2025	97541	OIL	199587	820.9601.3260	SHOP SUPPLIES	2,180.20	2,180.20
Total PETRO BLEND CORP:							2,180.20
<b>PETTY CASH-MUSEUM</b>							
01/23/2025	97542	GAS	01162025	040.4203.2190	REPAIRS AND MAINTEN	6.00	6.00
Total PETTY CASH-MUSEUM:							6.00
<b>PLUMB SUPPLY</b>							
01/23/2025	97543	PVC PIPE	S100814196.	610.8121.2190	REPAIRS AND MAINTEN	429.50	429.50
01/23/2025	97543	PVC PIPE	S100814216.	610.8121.2190	REPAIRS AND MAINTEN	111.24	111.24
01/23/2025	97543	PVC PIPE	S100814216.	610.8121.2190	REPAIRS AND MAINTEN	111.24-	111.24-
Total PLUMB SUPPLY:							429.50
<b>PLUNKETTS PEST CONTROL INC</b>							
01/23/2025	97544	BUILDING MAINTENANC	8950819	030.4101.2190	REPAIRS AND MAINTEN	112.35	112.35
Total PLUNKETTS PEST CONTROL INC:							112.35
<b>PORTILLO, JAVIER</b>							
01/23/2025	97545	PERMIT REFUND: 2242 2	BP2024-265	010.1701.5510	REFUNDS	325.30	325.30
Total PORTILLO, JAVIER:							325.30
<b>PPG ARCHITECTURAL FINISHES</b>							
01/23/2025	97546	PAINT	9832200031	020.4304.3110	MAINTENANCE MATER	46.95	46.95
01/23/2025	97546	PAINT	9832200032	110.2109.1130	BUILDING MAINTENAN	46.95	46.95
Total PPG ARCHITECTURAL FINISHES:							93.90
<b>QUILL CORPORATION</b>							
01/23/2025	97547	BUILDING SUPPLIES	41937660	030.4101.3090	BUILDING SUPPLIES	223.36	223.36
01/23/2025	97547	OFFICE SUPPLIES	41982492	030.4101.3019	OFFICE SUPPLIES	7.58	7.58
01/23/2025	97547	LIBRARY TRUST MISCEL	42004355	510.4101.3990	MISCELLANEOUS EXP	139.05	139.05
01/23/2025	97547	TONER	42180378	600.8042.3590	MATERIAL	272.99	272.99
01/23/2025	97547	TONER	42180378	010.6401.3019	OFFICE SUPPLIES	294.99	294.99

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount	
01/23/2025	97547	LENS CLEANER	42181430	600.8042.3590	MATERIAL	91.96	91.96	
01/23/2025	97547	KEYBOARD,MOUSE	42193888	110.2105.3019	OFFICE SUPPLIES	94.99	94.99	
01/23/2025	97547	TONER	42205088	020.4301.3019	OFFICE SUPPLIES	118.99	118.99	
01/23/2025	97547	NOTE PAD,CLIPBOARD	42205088	600.8042.3590	MATERIAL	.02	.02	
01/23/2025	97547	MONITOR	42206707	110.2105.3019	OFFICE SUPPLIES	149.99	149.99	
01/23/2025	97547	TONER	42315044	010.6105.3019	OFFICE SUPPLIES	742.83	742.83	
01/23/2025	97547	OFFICE SUPPLIES	42315044	600.8042.3590	MATERIAL	99.48	99.48	
01/23/2025	97547	PLANER	42316518	010.1101.3019	OFFICE SUPPLIES	29.99	29.99	
01/23/2025	97547	STAPLES, TAB DIVIDERS,	42337820	600.8042.3590	MATERIAL	24.01	24.01	
01/23/2025	97547	MOUSE, KEYBORD TRAY	42337820	110.2105.3019	OFFICE SUPPLIES	78.78	78.78	
Total QUILL CORPORATION:							2,369.01	
<b>RELIANT FIRE APPARATUS INC</b>								
01/23/2025	97548	2317 LIGHT TOWER RPR	5WI001061	010.1503.2140	M/E REPAIRS	2,625.31	2,625.31	
Total RELIANT FIRE APPARATUS INC:							2,625.31	
<b>RITE WAY LAWN SERVICE</b>								
01/23/2025	97549	CITIZEN SNOW REMOVA	3219	020.4304.2740	PROFESSIONAL SERV	317.60	317.60	
01/23/2025	97549	CITY PROPERTY SNOW	3233	020.4304.2740	PROFESSIONAL SERV	1,194.00	1,194.00	
Total RITE WAY LAWN SERVICE:							1,511.60	
<b>RIVER CITY AUTO SUPPLY</b>								
01/23/2025	97550	BELT FOR 87	253647	110.2107.3044	M/E SUPPLIES	37.92	37.92	
01/23/2025	97550	2306 CORE RET	920658	010.1503.2140	M/E REPAIRS	17.64	17.64	
01/23/2025	97550	TRUCK BATTERY	921175	610.8121.3044	M/E SUPPLIES	198.31	198.31	
Total RIVER CITY AUTO SUPPLY:							218.59	
<b>RIVER CITY COMMUNICATIONS</b>								
01/23/2025	97551	PHONE EXPENSE	105504	030.4101.2040	PHONE EXPENSE	45.00	45.00	
01/23/2025	97551	2025 MAINT AGRMT FIBE	105529	010.6900.3990	MISCELLANEOUS EXP	2,775.53	2,775.53	
Total RIVER CITY COMMUNICATIONS:							2,820.53	
<b>RIVER CITY DEVELOPMENT LTD</b>								
01/23/2025	97552	HOUSE CLEANUP FOR R	4653	010.1702.2550	DEMOLITIONS	3,500.00	3,500.00	
Total RIVER CITY DEVELOPMENT LTD:							3,500.00	
<b>RIVER VALLEY REMODELERS LLC</b>								
01/23/2025	97553	PERMIT REFUND: 1304 1	BP2024-539	010.1701.5510	REFUNDS	221.35	221.35	
Total RIVER VALLEY REMODELERS LLC:							221.35	
<b>ROUTER12 NETWORKS LLC</b>								
01/23/2025	97554	DIGITAL	100655	030.4101.3058	DIGITAL INFORMATION	190.00	190.00	
Total ROUTER12 NETWORKS LLC:							190.00	
<b>RSM US LLP</b>								
01/23/2025	97555	MCI-IT OBSERVABILITY S	CI-10825206	015.6900.4060	OFFICE EQUIPMENT	430.00	430.00	
Total RSM US LLP:							430.00	

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>SBERAL, MATTHEW</b>							
01/23/2025	97556	MILEAGE	01/14-01/16/	600.8002.2060	TRAVEL AND CONFER	179.20	179.20
01/23/2025	97556	PER DIEM	01/14-01/16/	600.8002.2060	TRAVEL AND CONFER	80.00	80.00
Total SBERAL, MATTHEW:							259.20
<b>SCHUMACHER ELEVATOR CO</b>							
01/23/2025	97557	BUILDING REPAIRS AND	90636579	030.4101.2190	REPAIRS AND MAINTEN	651.12	651.12
Total SCHUMACHER ELEVATOR CO:							651.12
<b>SHORT ELLIOTT HENDRICKSON INC</b>							
01/23/2025	97558	PROFESSIONAL SERVIC	474070	620.8125.4610	STORM SEWERS	1,498.70	1,498.70
01/23/2025	97558	PROFESSIONAL SERVIC	481403	613.8125.4535	LIFT STATION IMPROV	21,450.08	21,450.08
01/23/2025	97558	PROFESSIONAL SERVIC	481405	603.8061.4510	BUILDING & PLANT IM	3,026.77	3,026.77
Total SHORT ELLIOTT HENDRICKSON INC:							25,975.55
<b>SHRED RIGHT</b>							
01/23/2025	97559	SHREDDING-DEC 2024	0040154	010.6501.3990	MISCELLANEOUS EXP	80.35	80.35
01/23/2025	97559	SHREDDING	0040161	010.1101.3990	MISCELLANEOUS EXP	76.11	76.11
01/23/2025	97559	SHREDDING SERVS. JAN	0040163	660.1507.3019	OFFICE SUPPLIES	97.68	97.68
Total SHRED RIGHT:							254.14
<b>STAR TRIBUNE</b>							
01/23/2025	97560	PERIODICALS & SUBSCR	9517926 01.	030.4101.2260	PERIODICALS AND SU	261.72	261.72
Total STAR TRIBUNE:							261.72
<b>STELLAR TRUCK &amp; TRAILER</b>							
01/23/2025	97561	SHACKLE	48487	110.2115.3310	TOOLS AND SUPPLIES	12.66	12.66
Total STELLAR TRUCK & TRAILER:							12.66
<b>SUN POWERED SOLUTIONS I LLC</b>							
01/23/2025	97562	GAS & ELECTRICITY	70001-2024-	030.4101.2160	GAS & ELECTRICITY	140.49	140.49
Total SUN POWERED SOLUTIONS I LLC:							140.49
<b>TEREX SERVICES</b>							
01/23/2025	97563	BOOM CYL REPAIR 87	7499745	110.2101.4860	TREES	20,752.50	20,752.50
Total TEREX SERVICES:							20,752.50
<b>TITAN MACHINERY</b>							
01/23/2025	97564	DIFFUSER	PS0585183-	610.8121.3044	M/E SUPPLIES	71.03	71.03
Total TITAN MACHINERY:							71.03
<b>TQ TECHNOLOGIES</b>							
01/23/2025	97565	TECHNOLOGY	TQTINV2234	030.4101.3057	COMPUTER MAINTEN	153.25	153.25
Total TQ TECHNOLOGIES:							153.25
<b>TRUCK CENTER COMPANIES</b>							
01/23/2025	97566	ABS TEST	RA30003168	110.2107.1250	M/E LABOR	342.13	342.13

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
01/23/2025	97566	PLUG, TERMINAL, CABLE	XA30021127	110.2107.3044	M/E SUPPLIES	9.13	9.13
<b>Total TRUCK CENTER COMPANIES:</b>							<b>351.26</b>
<b>USA BLUEBOOK</b>							
01/23/2025	97567	UTILITY LOCATING FLAG	INV0057799	110.2103.2360	TRAFFIC SIGNAL REP	750.47	750.47
01/23/2025	97567	UTILITY LOCATING FLAG	INV0057799	110.2101.4670	STREET LIGHTING	750.47	750.47
01/23/2025	97567	UTILITY LOCATING FLAG	INV0057799	610.8123.3990	MISCELLANEOUS EXP	750.47	750.47
01/23/2025	97567	UTILITY LOCATING FLAG	INV0057799	600.8001.3990	MISCELLANEOUS EXP	750.46	750.46
01/23/2025	97567	FILTER CARTRIDGES	INV0057928	600.8001.2190	REPAIRS AND MAINT	425.42	425.42
01/23/2025	97567	FILTER CARTRIDGES	INV0057930	600.8001.2190	REPAIRS AND MAINT	442.00	442.00
01/23/2025	97567	LAB SUPPLIES	INV0058350	610.8121.3070	LABORATORY SUPPLI	72.56	72.56
01/23/2025	97567	LAB SUPPLIES	INV0058749	610.8121.3070	LABORATORY SUPPLI	646.01	646.01
<b>Total USA BLUEBOOK:</b>							<b>4,587.86</b>
<b>VESTIS</b>							
01/23/2025	97568	RUGS	6340368473	010.2601.2740	PROFESSIONAL SERV	49.10	49.10
01/23/2025	97568	UNIFORMS	6340370139	110.2105.3060	SUPPLIES & LAUNDRY	124.03	124.03
01/23/2025	97568	UNIFORMS	6340370140	110.2105.3060	SUPPLIES & LAUNDRY	133.16	133.16
01/23/2025	97568	BROUWER PAYROLL	6340370140	110.2105.3060	SUPPLIES & LAUNDRY	12.66-	12.66-
01/23/2025	97568	AVERY PAYROLL	6340370140	110.2105.3060	SUPPLIES & LAUNDRY	12.66-	12.66-
01/23/2025	97568	WILCOX PAYROLL	6340370140	110.2105.3060	SUPPLIES & LAUNDRY	20.26-	20.26-
01/23/2025	97568	RUEHLOW PAYROLL	6340370140	110.2105.3060	SUPPLIES & LAUNDRY	12.66-	12.66-
01/23/2025	97568	UNIFORMS	6340370141	600.8012.2410	UNIFORM RENTAL	102.98	102.98
01/23/2025	97568	UNIFORMS	6340370142	640.8305.2410	UNIFORM RENTAL	116.58	116.58
01/23/2025	97568	UNIFORMS & MATS	6340370609	610.8121.3060	SUPPLIES & LAUNDRY	200.14	200.14
01/23/2025	97568	UNIFORMS	6340373145	110.2105.3060	SUPPLIES & LAUNDRY	284.54	284.54
01/23/2025	97568	UNIFORMS & MATS	6340373146	110.2105.3060	SUPPLIES & LAUNDRY	133.16	133.16
01/23/2025	97568	UNIFORMS	6340373147	600.8012.2410	UNIFORM RENTAL	102.98	102.98
01/23/2025	97568	UNIFORMS	6340373148	640.8305.2410	UNIFORM RENTAL	116.58	116.58
01/23/2025	97568	UNIFORMS & MATS	6340373633	600.8001.3060	SUPPLIES & LAUNDRY	181.07	181.07
01/23/2025	97568	UNIFORMS & MATS	6340373644	610.8121.3060	SUPPLIES & LAUNDRY	200.14	200.14
01/23/2025	97568	RUGS	6340374295	010.6501.3060	SUPPLIES & LAUNDRY	33.10	33.10
<b>Total VESTIS:</b>							<b>1,719.32</b>
<b>VISIT MASON CITY</b>							
01/23/2025	97569	2024 12 ALLOCATION	FY2025-09	120.6900.5180	TOURISM GRANT	35,934.20	35,934.20
<b>Total VISIT MASON CITY:</b>							<b>35,934.20</b>
<b>VISUAL EDGE IT</b>							
01/23/2025	97570	COPIER	24AR233463	110.2109.2190	REPAIRS AND MAINT	53.76	53.76
<b>Total VISUAL EDGE IT:</b>							<b>53.76</b>
<b>WEBWISE SOLUTIONS INC</b>							
01/23/2025	97571	ARENA WEBSITE	9332	670.8921.2740	PROFESSIONAL SERV	325.00	325.00
<b>Total WEBWISE SOLUTIONS INC:</b>							<b>325.00</b>
<b>WEX BANK</b>							
01/23/2025	97572	AMB FUEL-WEX 12.25.20	101775046	660.1509.3750	FUEL	135.32	135.32
<b>Total WEX BANK:</b>							<b>135.32</b>

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>WORLD TRADE PRESS</b>							
01/23/2025	97573	DIGITAL INFO.	INV681523	030.4101.3058	DIGITAL INFORMATION	309.00	309.00
Total WORLD TRADE PRESS:							309.00
<b>ZIEGLER</b>							
01/23/2025	97574	GASKET CREDIT	CM00025136	110.2107.3044	M/E SUPPLIES	48.42-	48.42-
01/23/2025	97574	COUPLING ASSEMBLY	IN001767674	110.2107.3044	M/E SUPPLIES	198.26	198.26
Total ZIEGLER:							149.84
Grand Totals:							532,941.54

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

Dated: \_\_\_\_\_

Approved by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Report Criteria:

Report type: GL detail

Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
<b>ALL STAR PEST CONTROL</b>							
01/30/2025	97576	MONTHLY PEST CONTR	200422254	110.2404.2150	BUILDING REPAIRS AN	75.00	75.00
Total ALL STAR PEST CONTROL:							75.00
<b>ALLIANT UTILITIES-IPC</b>							
01/30/2025	97577	EAST GATE	7090989568	050.2810.2180	ELECTRICITY	47.75	47.75
Total ALLIANT UTILITIES-IPC:							47.75
<b>AMERICAN ALLIANCE OF MUSEUMS</b>							
01/30/2025	97578	ANNUAL DUES	2025	040.4202.2030	DUES & PUBLICATION	300.00	300.00
Total AMERICAN ALLIANCE OF MUSEUMS:							300.00
<b>AMERICAN BANKERS INSURANCE COMPANY</b>							
01/30/2025	97579	FLOOD INSURANCE PRE	8705889829	610.8121.2170	BUILDING INSURANCE	5,324.00	5,324.00
Total AMERICAN BANKERS INSURANCE COMPANY:							5,324.00
<b>ANIMAL MEDICAL HOSPITAL OF</b>							
01/30/2025	97580	VET FEES	212337	010.1901.2672	VETERINARIAN FEES	297.07	297.07
Total ANIMAL MEDICAL HOSPITAL OF:							297.07
<b>ARNOLD MOTOR SUPPLY</b>							
01/30/2025	97581	BACKHOE WIRING	05NV138776	600.8012.3044	M/E SUPPLIES	16.54	16.54
01/30/2025	97581	COMPRESSOR OIL	05NV138851	600.8001.2190	REPAIRS AND MAINT	49.97	49.97
01/30/2025	97581	WRENCHES	05NV139278	110.2115.3310	TOOLS AND SUPPLIES	28.00	28.00
01/30/2025	97581	RATCHET	05NV139281	110.2115.3310	TOOLS AND SUPPLIES	27.43	27.43
Total ARNOLD MOTOR SUPPLY:							121.94
<b>AUTOMATIC SYSTEMS</b>							
01/30/2025	97582	POLYMER TANK TRANSD	042858	610.8121.2190	REPAIRS AND MAINT	3,189.10	3,189.10
Total AUTOMATIC SYSTEMS:							3,189.10
<b>B &amp; F FASTENER SUPPLY CO</b>							
01/30/2025	97583	SCREWS	31054175-01	820.9601.3310	TOOLS AND SUPPLIES	.50	.50
Total B & F FASTENER SUPPLY CO:							.50
<b>BATTERIES PLUS BULBS</b>							
01/30/2025	97584	2412 FLASHLIGHT BATTE	P79547249	660.1509.3044	M/E SUPPLIES	8.00	8.00
01/30/2025	97584	EMS BATTERIES FOR BL	P79711506	660.1508.3035	OTHER SUPPLIES	21.82	21.82
01/30/2025	97584	FIRE BATTERIES FOR BL	P79711506	010.1502.3035	OTHER SUPPLIES	21.82	21.82
Total BATTERIES PLUS BULBS:							51.64
<b>BAUER BUILT TIRE CENTER</b>							
01/30/2025	97585	2302 FLAT TIRE RPR.	820088656	010.1503.2140	M/E REPAIRS	41.10	41.10



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Total BAUER BUILT TIRE CENTER:							41.10
<b>BDP</b>							
01/30/2025	97586	RAIL SEALS	IN000612	610.8121.3110	MAINTENANCE MATER	262.16	262.16
Total BDP:							262.16
<b>BOUND TREE MEDICAL LLC</b>							
01/30/2025	97587	EMS SUPPLIES	85631134	660.1509.3070	MEDICAL SUPPLIES	71.19	71.19
01/30/2025	97587	EMS SUPPLIES	85631135	660.1509.3070	MEDICAL SUPPLIES	85.00	85.00
01/30/2025	97587	EMS SUPPLIES	85636724	660.1509.3070	MEDICAL SUPPLIES	377.54	377.54
Total BOUND TREE MEDICAL LLC:							533.73
<b>BROTHERS MARKET INC</b>							
01/30/2025	97588	HARDWARE	124293	610.8121.3110	MAINTENANCE MATER	7.80	7.80
01/30/2025	97588	PAINT	124294	610.8121.3110	MAINTENANCE MATER	6.44	6.44
01/30/2025	97588	SAFE ANTIFREEZE	124318	600.8001.2190	REPAIRS AND MAINTEN	15.18	15.18
Total BROTHERS MARKET INC:							29.42
<b>CEM CORP</b>							
01/30/2025	97589	LAB SUPPLIES	100039577	610.8121.3070	LABORATORY SUPPLI	250.96	250.96
Total CEM CORP:							250.96
<b>CENTRAL LOCK &amp; KEY</b>							
01/30/2025	97590	TWO COPIES OF THE KE	120597	010.5401.3990	MISCELLANEOUS EXP	8.00	8.00
Total CENTRAL LOCK & KEY:							8.00
<b>CITY OF MASON CITY</b>							
01/30/2025	500001	1/3/2025 CLAIMS	01032025	800.9401.5265	HEALTH CARE CLAIMS	57,357.15	57,357.15
01/30/2025	500001	1/10/2025 CLAIMS	01102025	800.9401.5265	HEALTH CARE CLAIMS	62,088.67	62,088.67
01/30/2025	500001	01/17/2025 CLAIMS	01172025	800.9401.5265	HEALTH CARE CLAIMS	51,521.65	51,521.65
01/30/2025	500001	1/24/2025 CLAIMS	01242025	800.9401.5265	HEALTH CARE CLAIMS	87,860.75	87,860.75
01/30/2025	500000	12/6/2024 CLAIMS	12062024	800.9401.5265	HEALTH CARE CLAIMS	122,920.52	122,920.52
01/30/2025	500000	12/13/2024 CLAIMS	12132024	800.9401.5265	HEALTH CARE CLAIMS	117,841.07	117,841.07
01/30/2025	500000	12/20/2024 CLAIMS	12202024	800.9401.5265	HEALTH CARE CLAIMS	180,689.62	180,689.62
01/30/2025	500001	12/27/2024 CLAIMS	12272024	800.9401.5265	HEALTH CARE CLAIMS	114,675.02	114,675.02
Total CITY OF MASON CITY:							794,954.45
<b>CITY OF MASON CITY - DHS IME</b>							
01/30/2025	500001	JAN 2025 STATE SHARE	01 2025	660.1507.5511	SERVICE EXPENSES	14,963.44	14,963.44
01/30/2025	500001	JULY 24-DEC 24 ADJ	01 2025	660.1507.5511	SERVICE EXPENSES	156.64	156.64
01/30/2025	500001	FEBRUARY 2025 STATE S	02 2025	660.1507.5511	SERVICE EXPENSES	14,963.44	14,963.44
01/30/2025	500001	DEC 24 STATE SHARE	12 2024	660.1507.5511	SERVICE EXPENSES	14,282.18	14,282.18
Total CITY OF MASON CITY - DHS IME:							44,052.42
<b>COLUMN SOFTWARE PBC</b>							
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	63.55	63.55
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	55.61	55.61
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	62.23	62.23
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	25.16	25.16

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01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	52.30	52.30
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2800	RECORDING FEES	43.03	43.03
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	25.16	25.16
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	53.62	53.62
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	24.49	24.49
01/30/2025	97591	GLOBE	1ACBCB4B-	010.6900.2790	LEGAL PUBLICATIONS	143.16	143.16
Total COLUMN SOFTWARE PBC:							548.31
<b>CONSOLIDATED ELECTRICAL DIST</b>							
01/30/2025	97592	BLADE DISPENSER	1182387	110.2115.3310	TOOLS AND SUPPLIES	13.64	13.64
01/30/2025	97592	LIGHTS	1183280	010.1901.2150	BUILDING REPAIRS AN	211.60	211.60
Total CONSOLIDATED ELECTRICAL DIST:							225.24
<b>CONTINENTAL CLAY CO</b>							
01/30/2025	97593	CLAY CHEMICALS	INV0002026	040.4215.3019	OFFICE SUPPLIES	414.29	414.29
01/30/2025	97593	CLAY CHEMICALS	INV0002026	040.4215.3019	OFFICE SUPPLIES	201.50	201.50
01/30/2025	97593	CLAY CHEMICALS	RTN0002031	040.4215.3019	OFFICE SUPPLIES	425.62-	425.62-
Total CONTINENTAL CLAY CO:							190.17
<b>CORNICK, KATRINA</b>							
01/30/2025	97594	PARA CLASS - FUEL	6138712	660.1509.3750	FUEL	10.00	10.00
Total CORNICK, KATRINA:							10.00
<b>CROWLEY, TOM</b>							
01/30/2025	97595	COUNCIL MEETING VIDE	250122	010.6101.2050	CONTRACT LABOR	600.00	600.00
Total CROWLEY, TOM:							600.00
<b>DAHLEY, JUDITH KAY</b>							
01/30/2025	97596	PROF SRVC - TRANSCRI	01212025	010.6204.2740	PROFESSIONAL SERV	58.00	58.00
Total DAHLEY, JUDITH KAY:							58.00
<b>DALEY'S PLUMBING INC</b>							
01/30/2025	97597	SB MALL-LEAKY SHUT O	347682	310.7537.3990	MISCELLANEOUS EXP	90.00	90.00
Total DALEY'S PLUMBING INC:							90.00
<b>DIAMOND VOGEL INC</b>							
01/30/2025	97598	HIGHLAND CLUBHOUSE	270346061	650.8906.2150	BUILDING REPAIRS AN	24.36	24.36
01/30/2025	97598	HIGHLAND CLUBHOUSE	270346130	650.8906.2150	BUILDING REPAIRS AN	40.19	40.19
Total DIAMOND VOGEL INC:							64.55
<b>ECHO GROUP INC</b>							
01/30/2025	97599	4' LED LIGHTS	S011016375.	010.6501.2190	REPAIRS AND MAINTEN	90.36	90.36
01/30/2025	97599	4' LED LIGHTS	S011027789.	600.8042.3590	MATERIAL	37.65	37.65
Total ECHO GROUP INC:							128.01
<b>EMSLRC</b>							
01/30/2025	97600	AHA CARDS	49632	660.1507.2080	EDUCATION AND TRAI	38.50	38.50
01/30/2025	97600	AHA CARDS	49633	660.1507.2080	EDUCATION AND TRAI	8.50	8.50

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01/30/2025	97600	AHA CARDS	49650	660.1507.2080	EDUCATION AND TRAI	51.00	51.00
01/30/2025	97600	CPR CARDS	49702	010.1101.2080	EDUCATION AND TRAI	102.00	102.00
01/30/2025	97600	CPR CARDS	49708	010.1101.2080	EDUCATION AND TRAI	110.50	110.50
Total EMSLRC:							310.50
<b>FASTENAL COMPANY</b>							
01/30/2025	97601	BOLTS	333582	610.8121.3110	MAINTENANCE MATER	17.84	17.84
01/30/2025	97601	SCREWS AND WASHERS	333626	110.2107.3044	M/E SUPPLIES	31.45	31.45
Total FASTENAL COMPANY:							49.29
<b>FEDERAL FIRE EQUIPMENT COMPANY</b>							
01/30/2025	97602	ANNUAL INSPECTION FI	20328	070.4504.3990	MISCELLANEOUS EXP	145.00	145.00
01/30/2025	97602	ANNUAL INSPECTION FI	20331	070.4504.3990	MISCELLANEOUS EXP	106.00	106.00
01/30/2025	97602	ANNUAL FIRE EXTINGUI	20382	010.6501.2190	REPAIRS AND MAINTEN	252.00	252.00
01/30/2025	97602	ANNUAL FIRE EXTINGUI	20383	010.2601.2090	EQUIPMENT MAINTEN	66.00	66.00
Total FEDERAL FIRE EQUIPMENT COMPANY:							569.00
<b>FERGUSON WATERWORKS 2516</b>							
01/30/2025	97603	RADIO READ WATER ME	0494285	600.8011.3199	WATER METERS	3,444.76	3,444.76
Total FERGUSON WATERWORKS 2516:							3,444.76
<b>FLOYD &amp; LEONARD AUTO ELECTRIC</b>							
01/30/2025	97604	2341 CHAINSAW BLADE	178240	020.4304.1220	GROUNDS MAINTENA	33.99	33.99
Total FLOYD & LEONARD AUTO ELECTRIC:							33.99
<b>GALLS</b>							
01/30/2025	97605	UNIFORMS	030222020	010.1101.3990	MISCELLANEOUS EXP	58.35	58.35
01/30/2025	97605	UNIFORMS	030222041	010.1101.3990	MISCELLANEOUS EXP	73.34	73.34
01/30/2025	97605	SOG UNIFORM JACKETS	030238404	542.1111.4090	POLICE EQUIPMENT	226.02	226.02
01/30/2025	97605	SOG UNIFORM PANT	030238514	542.1111.4090	POLICE EQUIPMENT	163.53	163.53
01/30/2025	97605	SOG UNIFORM JACKET	030263009	542.1111.4090	POLICE EQUIPMENT	452.05	452.05
Total GALLS:							973.29
<b>GFC LEASING - WI</b>							
01/30/2025	97606	COPIER LEASE	I00984822	010.5401.4060	OFFICE EQUIPMENT	134.64	134.64
01/30/2025	97606	COPIER LEASE	I00984822	010.5401.2720	OFFICE EQUIPMENT M	196.08	196.08
01/30/2025	97606	LEXMARK COPIER LEAS	I00990494	010.1501.3019	OFFICE SUPPLIES	27.18	27.18
Total GFC LEASING - WI:							357.90
<b>GRAINGER</b>							
01/30/2025	97607	GLOVES	9357035964	600.8042.3590	MATERIAL	120.00	120.00
01/30/2025	97607	KEY HOLDERS	9381320051	110.2115.3310	TOOLS AND SUPPLIES	140.50	140.50
Total GRAINGER:							260.50
<b>HAWKI STORAGE</b>							
01/30/2025	97608	SUZIE Q STORAGE UNIT	01012025	155.7518.3990	MISCELLANEOUS EXP	79.18	79.18
Total HAWKI STORAGE:							79.18

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<b>HEARTLAND TIRE</b>							
01/30/2025	97609	TIRE REPAIR	270030581	110.2107.2140	M/E REPAIRS	248.99	248.99
Total HEARTLAND TIRE:							248.99
<b>HEWETT WHOLESALE INC</b>							
01/30/2025	97610	ARENA CONCESSIONS	218616	670.8923.3135	CONCESSION SUPPLI	996.45	996.45
Total HEWETT WHOLESALE INC:							996.45
<b>HOTSY EQUIPMENT COMPANY</b>							
01/30/2025	97611	POWER WASHER REPAI	69589	110.2109.2190	REPAIRS AND MAINTEN	475.82	475.82
Total HOTSY EQUIPMENT COMPANY:							475.82
<b>HUBER SUPPLY COMPANY</b>							
01/30/2025	97612	OXY TANK REFILL	3197174	660.1509.3070	MEDICAL SUPPLIES	101.89	101.89
01/30/2025	97612	TANK LEASE	3197462	600.8002.3310	TOOLS AND SUPPLIES	42.88	42.88
Total HUBER SUPPLY COMPANY:							144.77
<b>HUMANE SOCIETY OF NORTH IOWA</b>							
01/30/2025	97613	28E AGRMNT	MARCH 202	010.1901.2671	BOARDING FEES	13,609.48	13,609.48
Total HUMANE SOCIETY OF NORTH IOWA:							13,609.48
<b>HUNTINGTON NATIONAL BANK, THE</b>							
01/30/2025	97614	003-0694524-102 VIN #58	1494300	015.6900.3990	MISCELLANEOUS EXP	763.25	763.25
01/30/2025	97614	003-0694524-103 VIN #58	1494300	015.6900.3990	MISCELLANEOUS EXP	763.25	763.25
01/30/2025	97614	003-0694524-101 VIN #58	1519006	015.6900.3990	MISCELLANEOUS EXP	763.25	763.25
Total HUNTINGTON NATIONAL BANK, THE:							2,289.75
<b>IOWA GCSA</b>							
01/30/2025	97615	HIGHLAND PROFESSION	03946	650.8901.2030	DUES & PUBLICATION	150.00	150.00
Total IQWA GCSA:							150.00
<b>IOWA ONE CALL</b>							
01/30/2025	97616	UTILITY LOCATES-WATE	268190	600.8001.3990	MISCELLANEOUS EXP	169.20	169.20
01/30/2025	97616	UTILITY LOCATES-SEWE	269369	610.8123.3990	MISCELLANEOUS EXP	160.20	160.20
Total IQWA ONE CALL:							329.40
<b>J &amp; J MACHINING WELDING</b>							
01/30/2025	97617	DRILLED AND BORED	85369	110.2117.2190	REPAIRS AND MAINTEN	768.30	768.30
Total J & J MACHINING WELDING:							768.30
<b>J F AHERN CO</b>							
01/30/2025	97618	FIRE PROTECTON	705509	310.7537.3990	MISCELLANEOUS EXP	501.00	501.00
Total J F AHERN CO:							501.00
<b>JCL SOLUTIONS - JANITOR'S CLOSET</b>							
01/30/2025	97619	SB MALL JANITORIAL	1383663	310.7537.3990	MISCELLANEOUS EXP	45.55	45.55

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Total JGL SOLUTIONS - JANITOR'S CLOSET:							45.55
<b>LANDFILL OF NORTH IOWA</b>							
01/30/2025	97620	ANNUAL DEWS	3921	640.8301.2580	AGENCY DUES	36,906.30	36,906.30
Total LANDFILL OF NORTH IOWA:							36,906.30
<b>LIFE-ASSIST INC</b>							
01/30/2025	97621	EMS SUPPLIES	1545979	660.1509.3070	MEDICAL SUPPLIES	190.00	190.00
01/30/2025	97621	EMS SUPPLIES	1547217	660.1509.3070	MEDICAL SUPPLIES	158.00	158.00
Total LIFE-ASSIST INC:							348.00
<b>LOU'S GLOVES INC</b>							
01/30/2025	97622	GLOVES	058313	010.1101.3045	IDENT DEPARTMENT S	314.00	314.00
Total LOU'S GLOVES INC:							314.00
<b>LYNCH DALLAS PC</b>							
01/30/2025	97623	LEGAL EXPENSE	221064	010.6101.2660	LEGAL EXPENSE	320.00	320.00
01/30/2025	97623	LEGAL EXPENSE	221065	010.6101.2660	LEGAL EXPENSE	7,875.84	7,875.84
01/30/2025	97623	LEGAL EXPENSE	221066	010.6101.2660	LEGAL EXPENSE	2,248.20	2,248.20
Total LYNCH DALLAS PC:							10,444.04
<b>MACQUEEN EQUIPMENT INC</b>							
01/30/2025	97624	PPE-R MERRILL	P42421	010.1501.3035	OTHER SUPPLIES	3,947.50	3,947.50
Total MACQUEEN EQUIPMENT INC:							3,947.50
<b>MARCO INC</b>							
01/30/2025	97625	COPIER	INV1343005	010.6206.3019	OFFICE SUPPLIES	125.28	125.28
01/30/2025	97625	RECREATION COPIER C	INV1343005	020.4401.2440	RECREATIONS PUBLI	1,230.38	1,230.38
01/30/2025	97625	RECREATION COPIER C	INV1344444	020.4401.3035	OTHER SUPPLIES	104.74	104.74
Total MARCO INC:							1,460.40
<b>MASON CITY FORD LINCOLN MERCURY</b>							
01/30/2025	97626	MOTOR ASY	5037071 1 G	110.2107.3044	M/E SUPPLIES	75.34	75.34
Total MASON CITY FORD LINCOLN MERCURY:							75.34
<b>MASON CITY POWERSPORTS</b>							
01/30/2025	97627	OIL CHANGE KIT	111350	020.4308.3044	M/E SUPPLIES	47.99	47.99
Total MASON CITY POWERSPORTS:							47.99
<b>MASON CITY PUBLIC UTILITIES</b>							
01/30/2025	97628	UTILITIES	224-3760-04	020.4306.2150	BUILDING REPAIRS AN	244.92	244.92
01/30/2025	97628	UTILITIES	224-3780-01	010.6501.2162	WATER/SEWER UTILIT	239.34	239.34
Total MASON CITY PUBLIC UTILITIES:							484.26
<b>MC ELECTRIC</b>							
01/30/2025	97629	REC OFFICE LIGHTING	1888	020.4412.2150	BUILDING REPAIRS AN	107.50	107.50

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Total MC ELECTRIC:							107.50
<b>MCMaster-CARR SUPPLY</b>							
01/30/2025	97630	TAGS	39539184	610.8121.3110	MAINTENANCE MATER	25.73	25.73
Total MCMaster-CARR SUPPLY:							25.73
<b>MEDIA COM</b>							
01/30/2025	97631	WIFI 8384960010090649	8384960010	020.4410.3130	CAMPGROUND SUPPL	197.97	197.97
01/30/2025	97631	WIFI 8384960010093395	8384960010	015.6900.4060	OFFICE EQUIPMENT	28.55	28.55
Total MEDIA COM:							226.52
<b>MENARDS</b>							
01/30/2025	97632	AMB APPRTS. HD PLUGS	23764	660.1509.3044	M/E SUPPLIES	43.25	43.25
01/30/2025	97632	BLDG/SHOP MAINT. SUP	23764	010.1502.2150	BUILDING REPAIRS AN	53.94	53.94
01/30/2025	97632	GLOVES/CLEANER	23921	600.8001.3990	MISCELLANEOUS EXP	15.69	15.69
01/30/2025	97632	BLDG/SHOP	24084	010.1502.2150	BUILDING REPAIRS AN	39.49	39.49
01/30/2025	97632	BLDG/SHOP	24084	660.1508.2150	BUILDING REPAIRS AN	39.49	39.49
01/30/2025	97632	ELECTRICAL INSPECTO	24480	010.1904.3019	OFFICE SUPPLIES	25.99	25.99
01/30/2025	97632	CTOP BASALT SLATE AN	24537 01162	070.4504.2140	M/E REPAIRS	68.98	68.98
01/30/2025	97632	GLOVES AND TOOLS	24549	110.2115.3310	TOOLS AND SUPPLIES	37.46	37.46
01/30/2025	97632	PIPE WRAP/HEAT TAPE/B	24621 01172	600.8001.2190	REPAIRS AND MAINT	34.87	34.87
01/30/2025	97632	MENARDS RETURN	24901	010.1502.2150	BUILDING REPAIRS AN	3.39-	3.39-
01/30/2025	97632	BLDG/SHOP	24904	010.1502.2150	BUILDING REPAIRS AN	42.45	42.45
01/30/2025	97632	BLDG/SHOP	24904	660.1508.2150	BUILDING REPAIRS AN	42.44	42.44
01/30/2025	97632	PIPE WRAP/HEAT TAPE/E	24927	600.8001.2190	REPAIRS AND MAINT	57.21	57.21
01/30/2025	97632	TRASH CAN	24976	640.8305.3990	MISCELLANEOUS EXP	19.99	19.99
01/30/2025	97632	HEATER EISENHOWER T	25046	600.8001.2190	REPAIRS AND MAINT	19.99	19.99
Total MENARDS:							537.85
<b>MICROBAC LABORATORIES INC</b>							
01/30/2025	97633	WATER SAMPLES	NT2500534	600.8001.3990	MISCELLANEOUS EXP	38.00	38.00
01/30/2025	97633	WATER SAMPLES	NT2500535	600.8001.3990	MISCELLANEOUS EXP	54.50	54.50
Total MICROBAC LABORATORIES INC:							92.50
<b>MN-IOWA ELECTRIC MOTORS EQUIPMENT</b>							
01/30/2025	97634	MOTOR REPAIR	RI-5243	610.8121.2190	REPAIRS AND MAINT	266.24	266.24
Total MN-IOWA ELECTRIC MOTORS EQUIPMENT:							266.24
<b>NAPA AUTO PARTS</b>							
01/30/2025	97635	FILTERS	435144	640.8305.3044	M/E SUPPLIES	58.29	58.29
01/30/2025	97635	TARP STRAPS	435291	600.8042.3590	MATERIAL	42.39	42.39
01/30/2025	97635	OIL FILTER	435714	600.8001.2190	REPAIRS AND MAINT	5.22	5.22
01/30/2025	97635	FILTERS	435715	820.9601.3044	M/E SUPPLIES	7.92	7.92
01/30/2025	97635	FILTERS	435716	110.2107.3044	M/E SUPPLIES	39.39	39.39
01/30/2025	97635	FILTERS	435717	640.8305.3044	M/E SUPPLIES	118.07	118.07
01/30/2025	97635	FUSES	435758	110.2107.3044	M/E SUPPLIES	28.40	28.40
01/30/2025	97635	PRY BARS	435971	600.8001.3990	MISCELLANEOUS EXP	109.74	109.74
Total NAPA AUTO PARTS:							409.42

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<b>NASSCO INC</b>							
01/30/2025	97636	COPY PAPER	6513861	600.8042.3590	MATERIAL	426.51	426.51
01/30/2025	97636	TP, PAPER TOWELS, COP	6514894	600.8042.3590	MATERIAL	714.99	714.99
Total NASSCO INC:							1,141.50
<b>NATURAL PLUS</b>							
01/30/2025	97637	457 GARDENS	451	020.4304.4680	OTHER IMPROVEMEN	1,436.40	1,436.40
Total NATURAL PLUS:							1,436.40
<b>NORTH CENTRAL INTERNATIONAL</b>							
01/30/2025	97638	BRAKES	X223018347:	640.8305.2140	M/E REPAIRS	1,366.36	1,366.36
01/30/2025	97638	FILTER	X223018347:	640.8305.3044	M/E SUPPLIES	18.94	18.94
01/30/2025	97638	BRAKE PARTS	X223018347:	640.8305.2140	M/E REPAIRS	261.14	261.14
01/30/2025	97638	CORE RETURN	X223018352:	640.8305.2140	M/E REPAIRS	90.00-	90.00-
01/30/2025	97638	FILTER	X223018353:	640.8305.3044	M/E SUPPLIES	16.15	16.15
01/30/2025	97638	RETURN	X223018354:	640.8305.2140	M/E REPAIRS	18.94-	18.94-
01/30/2025	97638	CORE RETURN	X223018359:	640.8305.2140	M/E REPAIRS	100.00-	100.00-
Total NORTH CENTRAL INTERNATIONAL:							1,453.65
<b>PACKARD ELECTRIC</b>							
01/30/2025	97639	GEN SET REPAIR	45553	610.8121.2190	REPAIRS AND MAINT	200.00	200.00
Total PACKARD ELECTRIC:							200.00
<b>PETRO BLEND CORP</b>							
01/30/2025	97640	CLEANER	199675	110.2105.3060	SUPPLIES & LAUNDRY	89.16	89.16
01/30/2025	97640	OIL	199753	600.8001.2190	REPAIRS AND MAINT	138.70	138.70
Total PETRO BLEND CORP:							227.86
<b>PETTY CASH - AMBULANCE</b>							
01/30/2025	97641	MEAL REIMBURSEMENT	1233989	660.1507.2060	TRAVEL AND CONFER	13.71	13.71
01/30/2025	97641	MEAL REIMBURSEMENT	1233990	660.1507.2060	TRAVEL AND CONFER	16.44	16.44
Total PETTY CASH - AMBULANCE:							30.15
<b>QUILL CORPORATION</b>							
01/30/2025	97642	SIGN HOLDER	42291835	020.4401.3019	OFFICE SUPPLIES	23.79	23.79
01/30/2025	97642	PRINTER	42389004	110.2105.3019	OFFICE SUPPLIES	120.99	120.99
01/30/2025	97642	OFFICE SUPPLIES	42390252	110.2105.3019	OFFICE SUPPLIES	35.38	35.38
Total QUILL CORPORATION:							180.16
<b>RELIANT FIRE APPARATUS INC</b>							
01/30/2025	97643	2315 RPRS.	INV-IA-578	010.1503.2140	M/E REPAIRS	1,472.23	1,472.23
01/30/2025	97643	2316 VALVE RPRS.	INV-IA-603	010.1503.2140	M/E REPAIRS	228.34	228.34
Total RELIANT FIRE APPARATUS INC:							1,700.57
<b>RIVER CITY AUTO SUPPLY</b>							
01/30/2025	97644	DOOR LATCH	258102	110.2107.3044	M/E SUPPLIES	66.41	66.41
01/30/2025	97644	ACD BAIT	920757	110.2107.3044	M/E SUPPLIES	151.73	151.73
01/30/2025	97644	BATTERIES	921309	110.2107.3044	M/E SUPPLIES	380.16	380.16
01/30/2025	97644	CORE RETURN	921371	110.2107.3044	M/E SUPPLIES	207.72-	207.72-

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01/30/2025	97644	2415 BATTERY	921547	660.1509.2140	M/E REPAIRS	362.13	362.13
01/30/2025	97644	BLADE	921596	110.2107.3044	M/E SUPPLIES	23.42	23.42
01/30/2025	97644	HAND SCRUB	921659	110.2115.3310	TOOLS AND SUPPLIES	114.42	114.42
01/30/2025	97644	THREAD SEAL	921787	110.2115.3310	TOOLS AND SUPPLIES	10.46	10.46
01/30/2025	97644	LOCK ASSEMBLY	921844	110.2107.3044	M/E SUPPLIES	209.29	209.29
01/30/2025	97644	GASKET MAKER	921893	110.2115.3310	TOOLS AND SUPPLIES	61.05	61.05
Total RIVER CITY AUTO SUPPLY:							1,171.35
<b>ROTO-ROOTER</b>							
01/30/2025	97645	UNCLOGGED TOILET	49955	080.5802.2740	PROFESSIONAL SERV	100.00	100.00
Total ROTO-ROOTER:							100.00
<b>RSM US LLP</b>							
01/30/2025	97646	MICROSOFT DEFENDER	CI-10834808	010.6202.3019	OFFICE SUPPLIES	37.20	37.20
Total RSM US LLP:							37.20
<b>RUSH,BOB</b>							
01/30/2025	97647	PARA RECERT APP FEE	IOWDPH015	660.1507.2080	EDUCATION AND TRAI	25.00	25.00
Total RUSH,BOB:							25.00
<b>SANCO EQUIPMENT LLC</b>							
01/30/2025	97648	DEMOLITION 1444 N FED	SIM-883	010.1702.2550	DEMOLITIONS	3,480.00	3,480.00
Total SANCO EQUIPMENT LLC:							3,480.00
<b>SCHILLER,MATTHEW J</b>							
01/30/2025	97649	CONTRACTUAL	JAN 2025	660.1507.2740	PROFESSIONAL SERV	1,500.00	1,500.00
Total SCHILLER,MATTHEW J:							1,500.00
<b>SCHUMACHER ELEVATOR CO</b>							
01/30/2025	97650	ELEVATOR MAINTENANC	90636056	010.6501.2201	ELAVATOR MAINTENA	967.40	967.40
Total SCHUMACHER ELEVATOR CO:							967.40
<b>SKYBLUE SOLUTIONS</b>							
01/30/2025	97651	PHONE	10818061	010.1101.2040	PHONE EXPENSE	647.73	647.73
Total SKYBLUE SOLUTIONS:							647.73
<b>SNAP ON TOOLS</b>							
01/30/2025	97652	TOOLS	01162598523	820.9601.3310	TOOLS AND SUPPLIES	886.97	886.97
01/30/2025	97652	SOCKETS AND TAP	0123259868	820.9601.3310	TOOLS AND SUPPLIES	121.75	121.75
Total SNAP ON TOOLS:							1,008.72
<b>TITAN MACHINERY</b>							
01/30/2025	97653	BACKHOE BUCKETY CYL	PS0602136-	110.2107.3044	M/E SUPPLIES	531.18	531.18
Total TITAN MACHINERY:							531.18
<b>VAN VLIET, CLAIRE</b>							
01/30/2025	97654	ART PURCHASE	012825	520.4238.3990	MISCELLANEOUS EXP	2,500.00	2,500.00



Check Issue Date	Check Number	Description	Invoice Number	GL Acct	GL Acct Title	Invoice Amount	Check Amount
01/30/2025	97654	SHIPPING FOR ART	012825	040.4211.2300	POSTAGE	60.00	60.00
Total VAN VLIET, CLAIRE:							2,560.00
<b>VANWALL EQUIPMENT</b>							
01/30/2025	97655	O RING	6454041	020.4308.3044	M/E SUPPLIES	3.72	3.72
Total VANWALL EQUIPMENT:							3.72
<b>VESTIS</b>							
01/30/2025	97656	RUGS	6340374293	010.5401.2720	OFFICE EQUIPMENT M	105.40	105.40
01/30/2025	97656	UNIFORMS & MATS	6340375975	110.2105.3060	SUPPLIES & LAUNDRY	124.03	124.03
01/30/2025	97656	UNIFORMS	6340375976	600.8012.2410	UNIFORM RENTAL	133.16	133.16
01/30/2025	97656	UNIFORMS	6340375978	640.8305.2410	UNIFORM RENTAL	116.58	116.58
01/30/2025	97656	UNIFORMS & MATS	6340376442	600.8001.3060	SUPPLIES & LAUNDRY	145.63	145.63
01/30/2025	97656	UNIFORMS & MATS	6340376454	610.8121.3060	SUPPLIES & LAUNDRY	200.14	200.14
Total VESTIS:							824.94
<b>VOLGISTICS INC</b>							
01/30/2025	97657	6 MONTHS SRVC 4/14/20	96693698	010.6105.3120	VOLUNTEER COORDI	318.00	318.00
Total VOLGISTICS INC:							318.00
<b>WALLACE HOLLAND KASTLER</b>							
01/30/2025	97658	PROFESSIONAL SERVIC	53399	325.2101.4925	DESTINATION IOWA	2,769.28	2,769.28
01/30/2025	97658	PROFESSIONAL SERVIC	53431	320.2101.4550	BRIDGE IMPROVEMEN	515.13	515.13
Total WALLACE HOLLAND KASTLER:							3,284.41
<b>WEBWISE SOLUTIONS INC</b>							
01/30/2025	97659	ARENA WEBSITE	9347	670.8921.2740	PROFESSIONAL SERV	382.00	382.00
Total WEBWISE SOLUTIONS INC:							382.00
<b>WEX BANK</b>							
01/30/2025	97660	AMB FUEL-WEX 1/2025	102409499	660.1509.3750	FUEL	75.84	75.84
Total WEX BANK:							75.84
<b>WOLLNER, THOMAS</b>							
01/30/2025	97661	PARA RECERT APP FEE	233435	660.1507.2080	EDUCATION AND TRAI	25.00	25.00
Total WOLLNER, THOMAS:							25.00
<b>ZIEGLER</b>							
01/30/2025	97662	GASKET CREDIT	CM00025177	110.2107.3044	M/E SUPPLIES	236.05-	236.05-
01/30/2025	97662	HYDRO HOSE	IN001779667	640.8305.2140	M/E REPAIRS	151.76	151.76
01/30/2025	97662	MOUNT AND HARNESS	IN001779897	110.2107.3044	M/E SUPPLIES	279.49	279.49
01/30/2025	97662	REGULATOR AND GASKE	IN001779899	110.2107.3044	M/E SUPPLIES	26.88	26.88
01/30/2025	97662	FILTERS	IN001781098	110.2107.3044	M/E SUPPLIES	70.94	70.94
Total ZIEGLER:							293.02
Grand Totals:							956,390.83

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

Dated: \_\_\_\_\_

Approved by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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City of Mason City  
City Clerk

# Memorandum

From: Aaron Burnett, City Administrator  
Date: February 4, 2025  
RE: Permits

**Recommendation:**

The following permits/renewals are submitted for approval.

- |                                                                  |                                                 |
|------------------------------------------------------------------|-------------------------------------------------|
| Brix Wine & Whiskey<br>28 East State Street                      | Class C Retail, Outdoor Service                 |
| Dollar General Store #6730<br>305 N. Federal Avenue              | Class B Retail                                  |
| Dollar General Store #23916<br>1710 South Federal Avenue         | Class B Retail                                  |
| The Phoenix Bar<br>631 6 <sup>th</sup> Street Southwest          | Class C Retail Alcohol                          |
| River City Lounge<br>116 N Federal Avenue                        | Class C Retail Alcohol                          |
| Margaritas Mexican Restaurant & Bar<br>1911 South Federal Avenue | Special Class C Retail Alcohol, Outdoor Service |

**Council Action Requested:**

Approve the recommendation.

/s/Aaron Burnett  
Reviewed and Recommend Approval



# Memorandum

From: Bill Schickel, Mayor  
Date: February 4, 2025  
RE: Appointments/Reappointments to Boards and Commissions

---

The council is asked to confirm the following individuals to the appropriate boards and commissions. Applications are on file in the Clerks office.

<u>Name</u>	<u>Board or Commission</u>	<u>Reappt./New</u>	<u>Term</u>
John Robbins (TFV Arian Schuessler)	ZBA	New	2027
Ray Stearns	Housing Authority Board	New	2029

/s/Bill Schickel  
Reviewed and Recommend Approval

## Diana L. Black

---

**From:** FormBuilder@MunicipalNotices.com  
**Sent:** Thursday, January 23, 2025 11:00 AM  
**To:** Diana L. Black; Pamela Stecker  
**Subject:** Application for Appointment

### Form Information:

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**Form URL:**

<https://masoncityia.municipalone.com/forms.aspx?fid=517&catid=482>

**Form Name:**

Application for Appointment

**Form Text:**

Fill out the following online form in order to apply for a Mason City Board or Commission position.

You may also [download a printable PDF application](#) and drop it off or mail it to City Hall, 10 1st Street NW, Mason City, IA 50401.

### User Submitted Content:

---

**Name (First, Middle, Last):**

John Robbins

**Address:**

525 6th Street SW

**Home Phone:**

515-290-1164

**Business Phone:**

641-423-0491

**Email Address:**

[jrobbins@niacog.org](mailto:jrobbins@niacog.org)

**Occupation:**

Community Planner, NIACOG

**Education:**

BA History/Graduate work in Community & Regional Planning

**Why do you want to serve on a Mason City Board or Commission?**

Appropriate experience in the community development/planning. Desire to help community prosper.

**List organizations you have participated. Include offices and position**

Mason City Jaycees - Membership Chair Cerro Gordo County - Zoning Administrator ISU Graduate  
Community and Regional Planning Club - Treasurer

**Please place a check next to the Mason City boards and commissions on which you would be willing to**

Planning & Zoning Commission (5 year term starting April 1) | Zoning Board of Adjustment (5 year term starting April 1) |

Sent from IP Address: 159.242.43.49

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Diana L. Black

---

**From:** FormBuilder@MunicipalNotices.com  
**Sent:** Wednesday, January 29, 2025 11:47 AM  
**To:** Diana L. Black; Pamela Stecker  
**Subject:** Application for Appointment

### Form Information:

---

**Form URL:**  
<https://www.masoncity.net/forms.aspx?fid=517&catid=482>

**Form Name:**  
Application for Appointment

**Form Text:**  
Fill out the following online form in order to apply for a Mason City Board or Commission position.

You may also [download a printable PDF application](#) and drop it off or mail it to City Hall, 10 1st Street NW, Mason City, IA 50401.

### User Submitted Content:

---

**Name (First, Middle, Last):**  
Ray Stearns

**Address:**  
1407 N Hampshire Place

**Home Phone:**  
641-512-6233

**Business Phone:**  
641-424-9400

**Email Address:**  
ray.stearns@century21.com

**Occupation:**  
Realtor

**Education:**  
High school and Licensed Realtor & continuing Ed

**Why do you want to serve on a Mason City Board or Commission?**  
To give back to the Community.

**List organizations you have participated. Include offices and position**

Greater Mason City Board of Realtors I was on the board for 5 years Starting at Director then Treasurer, Vice President and President.

**Please place a check next to the Mason City boards and commissions on which you would be willing to**

Housing Commission (2 year term starting April 1) |

Sent from IP Address: 159.242.42.174

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City of Mason City  
Finance Department

## Memorandum

To: Aaron Burnett, City Administrator  
From: Brent Hinson, Finance Director  
Date: January 27, 2025  
RE: Audit Accrual-Related Transfers

---

Per a recommendation from our auditors at Abdo, we are now posting all of the audit adjustments/accruals to the financial system for the first time. This provides for financials that tie out to the audited numbers and is definitely the right way to provide for the most accurate financials. However, it does involve a number of operational adjustments, especially in this first year where Abdo has provided accruals from numerous previous years for posting.

The basic item to know in understanding this topic is that while the City operates on the cash basis of accounting, our auditors convert these cash basis financials to modified accrual (for governmental funds) or accrual basis (for enterprise funds) as per Generally Accepted Accounting Procedures (GAAP) that are required in order to qualify for the Certificate of Achievement (COA) in Financial Reporting the City has received from the Government Finance Officers' Association (GFOA) for each of the past 30+ years.

Accrual basis of accounting delves into many areas that are not relevant in cash-basis accounting, including amortized cost of assets, other post-employment benefit (OPEB) costs, depreciation, etc. It also deals with different timing for revenue and expenditure recognition than cash-basis accounting, which can change the relative fund balances or even the overall fund balance for a particular reporting period.

The result of posting of the FY23 and FY24 audit adjustments was generally that Debt Service Fund 210 had its fund balance greatly increased, while the fund balances in Water 600, Sewer 610, and Storm Sewer 620 in particular were greatly reduced. There were many other effects in other funds, but those were the most profound. After analyzing the issues involved and meeting with Abdo on the topic, our staff developed

a plan for interfund transfers that will properly restore the individual fund balances to the desired levels, and received Abdo's general concurrence that the proposed transfers are appropriate. We recommend that the City Council approve the attached plan for transfers. We have incorporated the proposed plan into the recommended FY26 operating budget projections.

**Attachments:**

Proposed Transfers  
Resolution



---

Brent Hinson, Finance Director



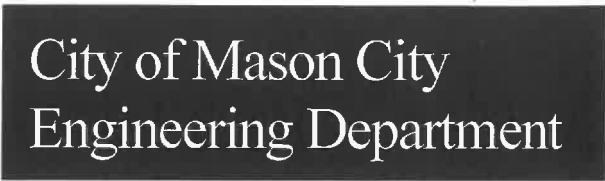
---

Reviewed and Recommend Approval

CITY OF MASON CITY, IOWA  
 FY25 Transfers- Compensate for Audit  
 Accruals

1/27/2025 17:01

FUND	6/30/2024 Cash Basis Fund Balance	6/30/2024 Accrual Basis Fund Balance	Proposed Transfers In	Proposed Transfers Out	7/1/2024 Fund Balance
010-GENERAL FUND	6,500,000.00	6,717,127.00	128,770.00	345,897.00	6,500,000.00
015- GENERAL- CAPITAL IMPROVMNT	5,301,726.70	5,010,893.70	290,833.00	-	5,301,726.70
020- RECREATION	493,481.75	485,605.75	-	-	485,605.75
030- LIBRARY	160,063.27	156,035.27	50,000.00	-	206,035.27
040- MUSEUM	56,583.60	55,423.60	178,717.00	-	234,140.60
050- AIRPORT	784,997.74	890,058.74	-	100,000.00	790,058.74
070- CEMETERY	62,284.36	(9,008.64)	100,000.00	-	90,991.36
090- TORT LIABILITY	442,243.97	525,259.97	-	-	525,259.97
110- ROAD USE TAX	2,269,090.40	2,438,390.40	-	8,581.00	2,429,809.40
112- EMPLOYEE RETIREMENT	21,565.95	21,565.95	-	-	21,565.95
114- POLICE RETIREMENT	2,109,795.05	2,081,279.05	-	-	2,081,279.05
116- FIRE RETIREMENT	1,865,530.31	1,839,462.31	-	-	1,839,462.31
117- 411 MEDICAL COST	685,596.55	670,830.55	-	-	670,830.55
119- EMERGENCY LEVY	-	-	-	-	-
120- HOTEL/MOTEL TAX	208,576.71	208,576.71	-	-	208,576.71
121- LOCAL OPTION SALES & SRVC	100,000.00	(150,719.00)	341,000.00	-	190,281.00
127- FOREST PARK TIF	4,438.80	4,438.80	-	-	4,438.80
130- UNIFIED TIF	305,335.58	323,668.58	-	-	323,668.58
131- DOWNTOWN REINVESTMENT TIF	21,074.38	21,074.38	-	-	21,074.38
132- SOUTHSIDE GATEWAY TIF	-	-	-	-	-
142- CITY ADMINISTERED GRANTS	22,652.08	22,652.08	-	-	22,652.08
144- PDM/FEMA	-	-	-	-	-
146- ADDI	-	-	-	-	-
147- HOUSING FUND	124,221.86	118,577.86	6,000.00	-	124,577.86
149- ESGP GRANT FUND	-	-	-	-	-
150- HGMP VOLUNTARY ACQ-DEMO	-	-	-	-	-
151- FMA VOLUNTARY ACQ-DEMO	-	-	-	-	-
152- 22ND STREET BUYOUT	1,846.04	1,846.04	-	-	1,846.04
154- CORRIDOR REVITE PROGRAM	2,656.14	2,656.14	-	-	2,656.14
155- DOWNTOWN REVITE PROGRAM	412,947.52	412,947.52	-	-	412,947.52
156- BUILDING RENOV LIFE SAFETY	469,547.60	469,547.60	-	-	469,547.60
210- DEBT SERVICE	417,592.53	5,941,250.53	11,646.00	5,535,304.00	417,592.53
310- RIVER CITY RENAISSANCE	4,185,105.82	3,853,481.82	331,624.00	-	4,185,105.82
315- ARPA CAPITAL PROJ	885,402.30	857,157.30	-	-	857,157.30
320- G.O. CAPITAL PROJECTS	4,619,307.95	4,651,142.95	-	31,835.00	4,619,307.95
325- LOSST CAPITAL PROJECTS	7,027,195.59	6,954,127.59	73,068.00	-	7,027,195.59
500- CEMETERY PERPETUAL CARE	546,508.34	595,705.34	-	48,000.00	547,705.34
510- LIBRARY TRUST	383,457.05	429,775.05	-	20,000.00	409,775.05
520- MUSEUM TRUST	1,160,292.48	1,298,037.48	-	85,000.00	1,213,037.48
530- SOFTBALL TRUST	4,264.93	4,264.93	-	-	4,264.93
535- YOUTH SOFTBALL COMPLEX	127,877.16	125,155.16	-	-	125,155.16
540- POLICE FORFEITURES	68,574.35	67,102.35	1,472.00	-	68,574.35
541- PENDING FORFEITURE	45,439.33	44,505.33	934.00	-	45,439.33
542- POLICE TASK FORCE	13,059.56	9,974.56	3,085.00	-	13,059.56
543- POLICE TASK FORCE EQUIP	40,734.09	40,734.09	-	-	40,734.09
600- WATER	1,868,427.40	(1,313,953.60)	3,182,381.00	-	1,868,427.40
601- WATER DEPOSITS	81,119.81	81,119.81	-	-	81,119.81
603- WATER CAPITAL PROJECTS	5,232,501.79	4,990,632.79	241,869.00	-	5,232,501.79
605- WATER DEBT SINKING	-	158,728.00	-	158,728.00	-
610- SEWER	577,384.40	(456,856.60)	1,034,241.00	-	577,384.40
613- SEWER CAPITAL PROJECTS	277,677.15	257,518.15	-	-	257,518.15
615- SEWER SINKING	-	329,157.00	20,189.00	349,346.00	-
620- STORM SEWER	195,242.22	(430,022.78)	625,265.00	-	195,242.22
630- PARKING	41,935.35	41,935.35	-	-	41,935.35
640- SANITATION	462,585.57	451,651.57	-	-	451,651.57
650- GOLF COURSE IMPROV TRUST	19,509.23	18,073.23	-	-	18,073.23
660- FIRE-AMBULANCE SERVICES	736,472.80	675,143.80	61,329.00	-	736,472.80
670- RC RENAISSANCE ARENA	-	(268.00)	268.00	-	-
800- EMPLOYEE HEALTH CARE TRUST	3,034,344.09	3,059,616.09	-	-	3,059,616.09
820- INTERNAL SERVICE	53,670.30	53,670.30	-	-	53,670.30
840- UNEMPLOYMENT SELF-INS	89,792.32	88,760.32	-	-	88,760.32
<b>TOTAL BALANCE</b>	<b>54,621,730.27</b>	<b>55,195,510.27</b>	<b>6,682,691.00</b>	<b>6,682,691.00</b>	<b>55,195,510.27</b>



# Memorandum

To: Aaron Burnett, City Administrator  
From: Mark A. Rahm, P.E., City Engineer  
Date: January 29, 2025  
RE: East Park Redevelopment

---

**Recommendation:**

The recommendation is: that the City Council approves the plans and specifications and sets a public hearing date for the East Park Redevelopment project.

**Review:**

The Mason City Engineering Department has completed plans and specifications for the East Park Redevelopment project. City Council’s approval of the plans and specifications is now being requested. In addition, a public hearing is being requested for March 4, 2025.

The general extent of the work involves site clearing and grubbing; the demolition of three single family homes, including detached garages and outbuildings; disconnection of water and sewer services; installation of new water and sewer services; remove and replace PCC pavement patches, curb and gutter and sidewalk; demolition of block retaining wall; construct modular block retaining wall; embankment shaping and grading, site restoration and hydraulic seeding; and all incidentals within the parameters of the East Park Redevelopment project located within the City of Mason City.

**Budget Impact:**

The Engineer’s Opinion of Probable Cost for the East Park Redevelopment project is \$306,937.00. The project is budgeted and funded with G.O. Bonds.

**Council Action Requested:**

I respectfully request the City Council’s approval of the project plans and specifications; and in addition, that the City Council set March 4, 2025, as the public hearing date for the East Park Redevelopment project.

**Attachments:**

Notice of Hearing and Letting



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Mark A. Rahm, P.E., City Engineer



---

Reviewed and Recommend Approval

RESOLUTION NO. 25 –

A RESOLUTION AUTHORIZING NOTICE TO BIDDERS, FIXING AMOUNT OF BID SECURITY, AND ORDERING CLERK TO PUBLISH NOTICE AND FIXING A DATE FOR RECEIVING SAME, AND FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS FOR CONSTRUCTION OF THE “EAST PARK REDEVELOPMENT PROJECT NO. 24-1019”

BE IT RESOLVED by the Council of the City of Mason City, Iowa that the “East Park Redevelopment Project No. 24-1019”, in the City of Mason City, Iowa is hereby ordered to be advertised for bids for construction.

BE IT FURTHER RESOLVED, that the detailed plans and specifications as proposed by the Engineer, for the construction of the “East Park Redevelopment Project No. 24-1019”, and the proposed form of contract and Notice to Bidders, be and the same are hereby ordered placed on file in the office of the Clerk for public inspection.

BE IT FURTHER RESOLVED, that the amount of the security to accompany each bid shall be in an amount which shall conform to the provisions of the notice to bidders hereby approved as a part of said specifications.

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby directed to post a notice to bidders once in a relevant contractor plan room service with statewide circulation, a relevant construction lead generating service with statewide circulation, and on an internet site sponsored by either the City or a statewide association that represents the City. Posting shall be not less than thirteen days nor more than forty-five days prior to February 25, 2025 which is hereby fixed as the date for receiving bids. The bids are to be filed prior to 2:00 P.M. on such date.

The City Council hereby delegates to the City Clerk or his/her designee the duty of receiving, opening, and tabulating bids for construction of the project. Bids shall be received and opened as provided in the public notice and the results of the bids shall be considered at the meeting of this Council on March 4, 2025 at 7:00 P.M.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to publish notice of hearing once in said newspaper, said publication to be not less than four clear days nor more than twenty days prior to the date hereinafter fixed as the date for a public hearing on the plans, specifications, form of contract and estimate of costs for said project, said hearing to be held at 7:00 o'clock P.M. on March 4, 2025. PASSED AND APPROVED this 4<sup>th</sup> day of February, 2025.

---

Paul Adams, Mayor Pro tem

ATTEST:

---

Aaron Burnett, City Clerk

NOTICE OF HEARING AND LETTING TO BIDDERS  
 EAST PARK REDEVELOPMENT  
PROJECT NO. 24-1019  
 MASON CITY, IOWA

Public notice is hereby given that sealed proposals will be received by the City of Mason City, Iowa, at the office of the City Clerk, City Hall, 10 1st Street NW, Mason City, IA 50401, until 2:00 p.m. CDT, on the 25th day of February, 2025 for furnishing materials and labor for the East Park Redevelopment in said City, as described in plans and specifications therefore now on file in the office of the City Clerk. Proposals will be acted upon by the City Council at a meeting to be held in the Mason City Room, Mason City Public Library, 225 2nd Street SE, Mason City, Iowa, beginning at 7:00 p.m., on the 4th day of March 2025.

At said time and place, a public hearing will also be held on the 4th day of March 2025 for proposed plans, specifications, and proposed form of the contract for said East Park Redevelopment, and at said hearing, any interested person may appear and file objections thereto or to the cost of said improvements.

Please check the posted agenda in advance of the March 4, 2025 meeting for any updates to the manner in which the public may access the hearing.

The general extent of the work involves site clearing and grubbing; the demolition of three single family homes, including detached garages and outbuildings; disconnection of water and sewer services; installation of new water and sewer services; remove and replace PCC pavement patches, curb and gutter and sidewalk; demolition of block retaining wall; construct modular block retaining wall; embankment shaping and grading, site restoration and seeding; and all incidentals within the parameters of the East Park Redevelopment project located within the City of Mason City.

The kinds of materials proposed to be used and the approximate amounts are as set out in these specifications, the "Special Provisions", and the "Price Schedule", which by this reference are made a part of this proposal.

<u>ITEM</u>	<u>ITEM DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>
1.	Full Depth Saw Cut	LF	344
2.	2' PCC Curb and Gutter, Remove and Replace	LF	64
3.	Sidewalk, PCC, 4"	SY	282
4.	Modular Block Retaining Wall	SF	265
5.	Removal of Metal Pole	EACH	3
6.	Removal of Block Retaining Wall	LS	1
7.	Removal of Modular Block Flat Surface	SY	74
8.	Removal of Fence, Chain link	LF	402
9.	Removal of Fence, Wire	LF	122
10.	Remove Pavement and Replace with 8" PCC (M-Mix)	SY	84
11.	Pavement Removal	SY	531
12.	Sanitary Sewer Service, Disconnect	EACH	3
13.	Sanitary Sewer Service, Wye 8"x4"	EACH	2
14.	Sanitary Sewer Service, 4"	LF	66
15.	Water Service, Disconnect	EACH	7
16.	Tap Water Main and Install 1" Corporation	EACH	3
17.	Water Service, 1" Copper	LF	93
18.	Install Road Box	EACH	3

19. Clearing and Grubbing	UNIT	179
20. 543 4th Street NE Demolition	LS	1
21. 545 4th Street NE Demolition	LS	1
22. 613 4th Street NE Demolition	LS	1
23. Perimeter and Slope Sediment Control Device, 9"	LF	333
24. Solid Rock Excavation	CY	650
25. Excavation, Class 10, Waste	CY	1,241
26. Excavation, Class 13, Waste	CY	10
27. Granular Backfill Material	TON	404
28. Hydraulic Seeding	ACRE	0.40
29. Topsoil, Strip, Salvage and Spread	CY	43
30. Topsoil, Furnish and Spread	TON	225
31. Traffic Control	LS	1

The method of construction shall be by contract. All work is to be done in strict compliance with plans and specifications prepared by the City Engineer of Mason City, Iowa, which have heretofore been approved by the City Council and are now on file for public examination in the office of the City Clerk.

All work shall be done in accordance with the latest version of the City of Mason City Standard Specifications and the Iowa Department of Transportation, Standard Specifications for Highway and Bridge Construction.

Each bid must be made out on a Proposal Form, furnished by the City and obtained at the office of the City Clerk.

Each proposal shall be sealed in an envelope marked, "Proposal for East Park Redevelopment, Project No. 24-1019, Mason City, Iowa". Each bid must be accompanied, in a separate envelope, by a bidding check or bid bond in an amount not less than ten percent (10%) of the bid price, said check being either a cashier's check or a check certified by a bank in Iowa or a bank chartered under the laws of the United States, or a Certified Share Draft drawn on a credit union in Iowa or chartered under the laws of the United States, and made payable to the City Treasurer of the City of Mason City, Iowa, as a security that the bidder will furnish the required bonds and enter a contract within ten (10) days after the award of the contract.

Payment for said "East Park Redevelopment" will be made from G.O. Bonds from the City of Mason City, Iowa, or from such other funds as may be legally used for such purposes. Monthly estimates will be made by the City Engineer, and payment will be made to the contractor in the amount of ninety-five percent (95%) of said estimate on or about ten (10) days thereafter. Payment shall not be made for materials stored off or on site. Final payment will be made no sooner than thirty (30) days following final acceptance of the work by the City of Mason City.

Bidders shall not be permitted to withdraw their bids for a period of forty-five (45) days after the same are opened.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa.

Pursuant to Chapter 73 of the Code of Iowa, out-of-state bidders are hereby advised of the Iowa Bidding Preference Law extending to Iowa firms any preference out-of-state competitors receive in their own states. Such preference may be (a) strict preference, (b) reciprocal preference, or combination preference and reciprocal. Application of such preference will be extended for any "public improvement" as defined in Chapter 73A.1 of the Code of Iowa.



Failure to submit a fully completed Bidder Status Form with the bid may result in the bid being deemed nonresponsive and rejected.

The established DBE goal for this project is 0% of the total amount bid.

The City of Mason City, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Prospective bidders' or contractor's attention is specifically called to the Mason City Human Rights Commission Specifications which mandates that female and minority business enterprises shall be afforded the maximum opportunity to participate in the performance of this project. Prospective bidders' or contractor's attention is also directed to the fact that the Mason City Human Rights Commission will notify firms designated as Minority, Women, and/or Disadvantaged Business Enterprises, of this project and determine if they are interested in participating as subcontractors for this project. Prospective bidders or contractors shall then be notified by the Commission of those interested parties.

The successful bidder will be required to furnish a performance and maintenance bond in an amount equal to one hundred percent (100%) of the contract price. Said bond is to be issued by a responsible surety approved by the City Council, and shall guarantee the faithful performance of the contract and the terms and conditions therein contained, and shall guarantee the prompt payment of all materials and labor and protect and save harmless the city from claims and damages of any kind caused by the operation of the contractor. Said bond shall also guarantee the maintenance of the improvements constructed for a period of two (2) years for all underground work and four (4) years for all pavement from and after its completion and acceptance by the city.

Bidders shall be expected to comply with Chapters 91C and 103A of the Code of Iowa concerning the registration and bonding of construction contractors and the successful bidder shall be required to supply the City of Mason City with proof of said compliance.

The bidders' attention is called to the prompt payment to the subcontractors, under Chapter 573.12 of the Code of Iowa.

The final completion date for the project is August 19, 2025.

Plans and specifications governing the construction of the proposed improvements have been prepared by the City Engineer of Mason City, Iowa, which plans and specifications are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed in compliance therewith.

Copies of said plans and specifications are now on file in the office of the City Clerk, City Hall, 10 1st Street NW, Mason City, Iowa, for examination by bidders. A refundable deposit of \$25 will be required for the Plans and Project Manual. To receive a refund both the Plans and Project Manual must be returned in complete and reusable condition within fourteen days of the award of the project.

**All bids shall NOT include Iowa State Sales Tax for materials used in the project. Upon award, the successful bidder shall immediately provide a listing of subcontractors and associated**

**Federal ID or Social Security Numbers for both the contractor and subcontractors. The city will register the contractor and subcontractors with the Iowa Department of Revenue and will provide appropriate certificates to the contractor for distribution and use.**

The City of Mason City reserves the right to reject any and all bids and to waive technicalities and irregularities.

Published upon order of the City Council of the City of Mason City, Iowa.

Aaron Burnett, City Clerk  
City of Mason City, Iowa

City of Mason City  
Engineering Department

# Memorandum

To: Aaron Burnett, City Administrator  
From: Mark A. Rahm, P.E., City Engineer  
Date: January 29, 2025  
RE: Bike Park and Trails Bid Package 1

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**Recommendation:**

The recommendation is: that the City Council accept the project and approve final payment, including Change Order No. 4, with Rock Solid Trail Contracting, LLC, of Denver, Colorado, for the Bike Park and Trails Bid Package 1 project.

**Review:**

The Bike Park and Trails Bid Package 1 project was completed in October of 2024, and the final pay request is now prepared for Rock Solid Trail Contracting, LLC. The final payment amount is \$241,705.42.

The Bike Park and Trails Bid Package 1 project included three main locations: The Riverhawk, Evans Preserve, and Marstens Trail areas.

The extent of the work involved the furnishing of labor and new materials for natural surfaced mountain bike trails, wooden boardwalks, parking lot, signage, and all other work, in accordance with the contract documents. The work also included the furnishing of labor and new materials for changes and additions to the project through change orders.

Four Change Orders occurred over the course of the project, with two resulting in increases to original contract.

- Change Order No. 1 included the removal of a stairway to modify the layout, improving the riding experience of the Marsten Trail. The change order also included the installation of 2-15" culvert for improved drainage. No cost associated with the change order.
- Change Order No. 2 included additional work and design at two trail locations, Riverhawk and Evans Preserve. The first involved an extension of the Riverhawk Trail which resulted in the trailhead being relocated nearer to the

high school parking lot entrance. The purpose was to draw attention to the trailhead and the investment in the trail systems for Mason City. This resulted in a contract increase of \$36,310.50.

The second part of Change Order No. 2 involved design changes related to two water crossings. The crossings exceeded the maximum span of the boardwalks specified in the original plans. The design change utilized two forty-eight-inch culverts with wall stone sides. This created a safer and improved riding experience, and the culverts will outlast the life of a wooden bridge. This resulted in a contract increase of \$7,700.00. The total cost of the approved Change Order No. 2 was \$44,010.50. The actual completed cost was \$49,951.15.

- Changes Order No. 3 was for an extension and adjustment of time due to weather delays and change in the scope of work which included the Riverhawk Trail relocation. No cost associated with the change order.
- Change Order No. 4 is an account of over/under amounts in the Base Bid quantities. The change order also includes costs for labor and materials added to the project. The change order provides a review of the balance between the base-bid contract amounts and the actual amounts installed during the project. The total cost of the project is the sum of the base bid with Alternates A and B, as well as costs associated with Change Orders 1 through 4. Change Order No. 4 results in a net increase of \$9,870.55 to the original contract.

Including the four change orders, the total cost of the project was \$576,614.72 or 8.5% over the original contract amount.

The changes made to the original design and construction plans were made to deliver a project for Mason City that would fully utilize the funds available and to provide the best user experience with the longest lasting trail system and features possible. During the project there were also situations where the designs or trail layout were not buildable due to water levels or other unknown conditions discovered during excavation. Due to the unique nature of the project, changes were inevitable but quickly resolved through the trail building experience and expertise of the Rock Solid Team, ISG, City Staff and the North Iowa Human Power Trails Group.

**Budget Impact:**

The project is budgeted and is being funded with Local Option Sales and Service Tax Funds and a State Grant. The original contract amount was \$522,733.67, the project as completed is \$576,614.72.

**Council Action Requested:**

I respectfully request that the City Council accept the project and approve the final payment, including Change Order No. 4, with Rock Solid Trail Contracting, LLC, of Denver, Colorado in the amount of \$241,705.42.

**Attachments:**

Change Order No. 4

Final Payment Request



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Mark A. Rahm, P.E., City Engineer



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Reviewed and Recommend Approval



ENGINEERS' JOINT CONTRACT DOCUMENTS COMMITTEE

### Contractor's Application for Payment No. 24-007-04

Application Period	4/20/2024 - 10/19/2024	Application Date	12/19/2024
To (Owner)	Mason City	From (Contractor)	Koek Solid Trail Contracting, LLC.
Project	Mason City Bike Trails Bid Package #1	Contract	
Owner's Contract No.	Mason City Bike Trails Bid Package #1	Contractor's Project No.	24.007.1A.MasonCity.TrailsPhase I
		Engineer's Project No.	

### Application for Payment Change Order Summary

Approval Change Orders Number	Additions	Deductions	Net Change
1			
2	\$4,010.50		
3			
4	\$9,870.55		
<b>TOTALS</b>			
NET CHANGE BY CHANGE ORDERS	\$53,881.05		\$53,881.05

### Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment.

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment, free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interests, or encumbrances), and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature: B. Orl Date: 12/19/2024

- ORIGINAL CONTRACT PRICE..... \$ 5522,733.67
- Net change by Change Orders..... \$ 53,881
- Current Contract Price (Line 1 + 2)..... \$ 576,614.72
- TOTAL COMPLETED AND STORED TO DATE  
(Column F total on Progress Estimates)..... \$ 576,614.72
- RETAINAGE:
  - a.  Work Completed..... \$
  - b. 15%  Stored Material..... \$
  - c. Total Retainage (Line 5.a + Line 5.b)..... \$
- AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ 576,614.72
- LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 334,500.30
- AMOUNT DUE THIS APPLICATION..... \$ 241,705.42
- BALANCE TO FINISH, PLUS RETAINAGE  
(Column G total on Progress Estimates + Line 5.c above)..... \$

Payment of: \$ 241,705.42 (Line 8 or other - attach explanation of the other amount)

is recommended by: WRL (Engineer) 1/28/25 (Date)

Payment of: \$ 241,705.42 (Line 8 or other - attach explanation of the other amount)

is approved by: Mark A. Pal (Owner) 01/28/2025 (Date)

Approved by: \_\_\_\_\_ (Funding Partner) \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ (Funding Partner) \_\_\_\_\_ (Date)

# Progress Estimate - Unit Price Work

# Contractor's Application

For (Contract): Mason City Bike Trails Bid Package #1

Application Number: 24-007-04

Application Period: 4/20/2024 - 10/19/2024

Application Date: 12/19/2024

Bid Item No.	Item Description	Contract Information			Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
		Item Quantity	Units	Unit Price							
1	Clearing and Grubbing	1.00	LS	\$26,840.00	1.00	\$26,840.00		\$26,840	100%		
2	Excavation, Class 10	520.00	CY	\$19.36	426.00	\$8,247.36		\$8,247	82%	\$1,820	
3	Subgrade Preparation	1,559.00	SY	\$2.19	1,170.00	\$2,562.30		\$2,562	75%	\$852	
4	Subbase, Modified, 6"	1,447.00	SY	\$8.21	1,130.00	\$9,277.30		\$9,277	78%	\$2,603	
5	Pipe Culvert, Trenched HDPE, 15"	8.00	LF	\$68.75	8.00	\$550.00		\$550	100%		
6	Pavement, PCC 6"	152.00	SY	\$77.07	59.00	\$4,547.13		\$4,547	39%	\$7,168	
7	Aggregate Surfacing, Granular 3"	524.00	SY	\$14.59	40.00	\$583.60		\$584	8%	\$7,062	
8	Crusher Fines Surfacing, Granular 6"	52.00	SY	\$16.50		\$858.00				\$858	
9	Driveway, Paved, Concrete, 6" Thickness	161.00	SY	\$166.02	85.00	\$14,111.70		\$14,112	53%	\$12,618	
10	Heavy Duty Aggregate Surfacing, Granular, 8"	701.00	SY	\$18.67	701.00	\$13,087.67		\$13,088	100%		
11	Painted Pavement Markings, Solvent/Waterborne	1.00	LS	\$2,750.00	1.00	\$2,750.00		\$2,750	100%		
12	Type A Sign, Sheet Aluminum	2.00	EA	\$165.00	2.00	\$330.00		\$330	100%		
13	Conventional Seeding   Seeding, Fertilizing & Mulching	4.25	AC	\$4,791.60	5.51	\$26,401.72		\$26,402	130%	-\$6,037	
14	Hydraulic Seeding   Seeding, Fertilizing & Mulching	1.50	AC	\$5,989.50		\$8,984.25				\$8,984	
15	SWPPP Preparation	1.00	LS	\$550.00	1.00	\$550.00		\$550	100%		
16	SWPPP Management	1.00	LS	\$550.00	1.00	\$550.00		\$550	100%		
17	Temporary RBCP, Type 2 D	2,420.00	SY	\$4.46	2,450.00	\$10,927.00		\$10,927	101%	-\$134	
18	Wattle, Straw, 9"	1,500.00	LF	\$3.30	1,500.00	\$4,950.00		\$4,950	100%		
19	Stabilized Construction Entrance	50.00	SY	\$41.25	50.00	\$2,062.50		\$2,063	100%		
20	Removal & Reinstallation of Existing Chainlink	100.00	LF	\$34.10	50.00	\$1,705.00		\$1,705	50%	\$1,705	
21	Limestone Retaining Wall	210.00	SF	\$84.07	105.00	\$8,827.35		\$8,827	50%	\$8,827	
22	Demolition Work	1.00	LS	\$7,370.00	1.00	\$7,370.00		\$7,370	100%		
23	Mobilization	1.00	LS	\$16,500.00	1.00	\$16,500.00		\$16,500	100%		
24	Concrete Washout	1.00	LS	\$1,540.00	1.00	\$1,540.00		\$1,540	100%		
25	Trail Marker	14.00	EA	\$82.50		\$1,155.00				\$1,155	
26	Mountain Bike Optimized Trail   Beginner	10,643.00	LF	\$10.73	10,643.00	\$114,199.39		\$114,199	100%		
27	Mountain Bike Optimized Trail   Intermediate	4,227.00	LF	\$11.88	2,430.00	\$28,868.40		\$28,868	51%	\$27,288	
28	Mountain Bike Optimized Trail   Advanced or Gravity / Jump Line	930.00	LF	\$17.08	930.00	\$15,884.40		\$15,884	100%		
29	Wooden Boardwalk	135.00	LF	\$110.00		\$14,850.00				\$14,850	
30	Fence 2-Rail Split	340.00	LF	\$16.90	150.00	\$2,535.00		\$2,535	44%	\$3,211	
31	Landscape Edger	460.00	LF	\$8.32	122.00	\$1,015.04		\$1,015	27%	\$2,812	
A1	ALTERNATE A   FLAGSTONE PAVING	340.00	SY	\$264.00	283.89	\$74,946.96		\$74,947	83%	\$14,813	
B1	ALTERNATE B   LIMESTONE SEAT BOULDER	48.00	EA	\$220.00	61.00	\$13,420.00		\$13,420	127%	-\$2,860	
CO-2	MTBO Beginner Tread   Riverhawk Adjustment	500.00	LF	\$10.73	500.00	\$5,365.00		\$5,365	100%		
CO-2	Imported Clay Cap Tread Surfacing   Riverhawk	150.00	CY	\$45.00	150.00	\$6,750.00		\$6,750	100%		

**Progress Estimate - Unit Price Work**

**Contractor's Application**

For (Contract):		Mason City Bike Trails Bid Package #1		Application Number: 24-007-04							
Application Period: 4/20/2024 - 10/19/2024		Application Date: 12/19/2024									
Item		Contract Information		F							
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
CO-2	Imported Top Soil   Riverhawk	50.00	CY	\$65.00	\$3,250.00	50.00	\$3,250.00		\$3,250	100%	
CO-2	Conventional Seeding   Seeding, Fertilizing & Mulching - CO	0.50	AC	\$4,791.00	\$2,395.50	0.50	\$2,395.50		\$2,396	100%	
CO-2	Wall Stone   17" x 24" x 36"   Riverhawk	30.00	EA	\$325.00	\$9,750.00	13.00	\$4,225.00		\$4,225	43%	\$5,525
CO-2	3" Flagstone   Riverhawk	45.00	SY	\$165.00	\$7,425.00	16.61	\$2,740.65		\$2,741	37%	\$4,684
CO-2	Pipe Culvert, Trenched HDPE, 15"   Riverhawk	20.00	LF	\$68.75	\$1,375.00	20.00	\$1,375.00		\$1,375	100%	
CO-2	10" Pipe Culvert, Trenched HDPE, 48"   Evans	2.00	EA	\$1,525.00	\$3,050.00	2.00	\$3,050.00		\$3,050	100%	
CO-2	Limestone Wall Stone   Evans Culverts	41.00	EA	\$325.00	\$13,325.00	39.00	\$12,675.00		\$12,675	95%	\$650
CO-2	Limestone Wall Stone   Evans South Hub Retaining Wall	14.00	EA	\$325.00	\$4,550.00	20.00	\$6,500.00		\$6,500	143%	-\$1,950
CO-2	Limestone Sitting Stone   Evans South Hub	5.00	EA	\$325.00	\$1,625.00	5.00	\$1,625.00		\$1,625	100%	
CO-2	Remove Boardwalk   Evans	(484.00)	SY	\$14.59	-\$7,061.56						-\$7,062
CO-4	Aggregate Surfacing, Granular 3"   Reduction	(52.00)	SY	\$16.50	-\$858.00						-\$858
CO-4	Crusher Fines Surfacing, Granular 6"   Reduction	(1.50)	AC	\$5,989.50	-\$8,984.25						-\$8,984
CO-4	Hydraulic Seeding   Seeding, Fertilizing & Mulching	(50.00)	LF	\$34.10	-\$1,705.00						-\$1,705
CO-4	Reinstallation of Existing Chainlink	(105.00)	SF	\$84.07	-\$8,827.35						-\$8,827
CO-4	Limestone Retaining Wall   Reduction	(14.00)	EA	\$82.50	-\$1,155.00	787.40	\$8,448.80		\$8,449	100%	-\$1,155
CO-4	Trail Marker   Reduction	787.40	LF	\$10.73	\$8,448.80						
CO-4	MTBO   Beginner   Increase	(2,297.00)	LF	\$11.88	-\$27,288.36						-\$27,288
CO-4	MTBO   Intermediate   Decrease	1,310.00	LF	\$17.08	\$22,374.80	1310.00	\$22,374.80		\$22,375	100%	
CO-4	MTBO   Advanced or Gravity Tread   Increase		LF	\$110.00							
CO-4	Wooden Boardwalk	(190.00)	LF	\$16.90	-\$3,211.00						-\$3,211
CO-4	Fence 2-Rail Split   Reduction	(338.00)	LF	\$8.32	-\$2,812.16						-\$2,812
CO-4	Landscape Edger   Reductions	1.00	LS	\$4,665.00	\$4,665.00	1.00	\$4,665.00		\$4,665	100%	
CO-4	Parking Lot Culvert   12"x42" SDR35 w/filared ends	15.29	TONS	\$35.00	\$535.15	15.29	\$535.15		\$535	100%	
CO-4	Class A Roadstone	300.00	CY	\$20.00	\$6,000.00	300.00	\$6,000.00		\$6,000	100%	
CO-4	Imported Clay Cap Tread Surfacing   Rapids	10.00	Days	\$25,000.00	\$25,000.00	10.00	\$25,000.00		\$25,000	100%	
CO-4	Clay Capping Labor   Rapids	150.00	CY	\$20.00	\$3,000.00	150.00	\$3,000.00		\$3,000	100%	
CO-4	Imported Clay Cap Tread Surfacing   Evans	3.00	Days	\$2,500.00	\$7,500.00	3.00	\$7,500.00		\$7,500	100%	
CO-4	Clay Capping Labor   Evans	30.00	EA	\$300.00	\$9,000.00	30.00	\$9,000.00		\$9,000	100%	
CO-4	Cedar Trail Sign Post   Materials	8.00	Days	\$2,500.00	\$20,000.00	8.00	\$20,000.00		\$20,000	100%	
CO-4	Rip Rap   Evans	2.00	Days	\$2,500.00	\$5,000.00	2.00	\$5,000.00		\$5,000	100%	
CO-4	Harvested Stone Retaining Wall   Evans East Hub				\$616,365.24		\$576,614.72		\$576,614.72	1451%	\$39,751
<b>Totals</b>											



Project Number: 23-28550 Mason City Bike Park and Trails - Bid Package 1  
 Project Location: Mason City, IA 50401  
 Last Revised: 1/15/25

Bid Item No.	Item	Quantity	Unit	Rock Solid Trail Contracting LLC		Installed Quantity	
				Bid Unit Price	Bid Contract Amount	Installed Qty Total	Installed Amount
Base Bid							
1	CLEARING AND GRUBBING	1	LS	\$ 26,840.00	\$ 26,840.00	1.0	\$ 26,840.00
2	EXCAVATION, CLASS 10	520	CY	\$ 19.36	\$ 10,067.20	426.0	\$ 8,247.36
3	SUBGRADE PREPARATION	1559	SY	\$ 2.19	\$ 3,414.21	1170.0	\$ 2,562.30
4	SUBBASE, MODIFIED, 6"	1447	SY	\$ 8.21	\$ 11,879.87	1130.0	\$ 9,277.30
5	PIPE CULVERT, TRENCHED, HDPE, 15"	8	LF	\$ 68.75	\$ 550.00	8.0	\$ 550.00
6	PAVEMENT, PCC, 6"	152	SY	\$ 77.07	\$ 11,714.64	59.0	\$ 4,547.13
7	AGGREGATE SURFACING, GRANULAR, 3"	524	SY	\$ 14.59	\$ 7,645.16	40.0	\$ 583.60
8	CRUSHER FINES SURFACING, GRANULAR, 6"	52	SY	\$ 16.50	\$ 858.00	0.0	\$ -
9	DRIVEWAY, PAVED, CONCRETE, 6" (THICKNESS)	161	SY	\$ 166.02	\$ 26,729.22	85.0	\$ 14,111.70
10	HEAVY DUTY AGGREGATE SURFACING, GRANULAR, 8"	701	SY	\$ 18.67	\$ 13,087.67	701.0	\$ 13,087.67
11	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	1	LS	\$ 2,750.00	\$ 2,750.00	1.0	\$ 2,750.00
12	TYPE A SIGN, SHEET ALUMINUM	2	EA	\$ 165.00	\$ 330.00	2.0	\$ 330.00
13	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING	4.25	AC	\$ 4,791.60	\$ 20,364.30	5.51	\$ 26,401.72
14	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	1.50	AC	\$ 5,989.50	\$ 8,984.25	0.00	\$ -
15	SWPPP PREPARATION	1	LS	\$ 550.00	\$ 550.00	1.00	\$ 550.00
16	SWPPP MANAGEMENT	1	LS	\$ 550.00	\$ 550.00	1.00	\$ 550.00
17	TEMPORARY RECP, TYPE 2.D	2420	SY	\$ 4.46	\$ 10,793.20	2450.0	\$ 10,927.00
18	WATTLE, STRAW, 9"	1500	LF	\$ 3.30	\$ 4,950.00	1500.0	\$ 4,950.00
19	STABILIZED CONSTRUCTION ENTRANCE	50.00	SY	\$ 41.25	\$ 2,062.50	50.0	\$ 2,062.50
20	REMOVAL AND REINSTALLATION OF EXISTING FENCE, CHAINLINK	100.0	LF	\$ 34.10	\$ 3,410.00	50.0	\$ 1,705.00
21	LIMESTONE RETAINING WALL	210	SF	\$ 84.07	\$ 17,654.70	105.0	\$ 8,827.35
22	DEMOLITION WORK	1	LS	\$ 7,370.00	\$ 7,370.00	1.0	\$ 7,370.00
23	MOBILIZATION	1	LS	\$ 16,500.00	\$ 16,500.00	1.0	\$ 16,500.00
24	CONCRETE WASHOUT	1	LS	\$ 1,540.00	\$ 1,540.00	1.0	\$ 1,540.00
25	TRAIL MARKER	14	EA	\$ 82.50	\$ 1,155.00	0.0	\$ -
26	MOUNTAIN BIKE OPTIMIZED TRAIL - BEGINNER	10643	LF	\$ 10.73	\$ 114,199.39	10643.0	\$ 114,199.39
27	MOUNTAIN BIKE OPTIMIZED TRAIL - INTERMEDIATE	4727	LF	\$ 11.88	\$ 56,156.76	2430.0	\$ 28,868.40
28	MOUNTAIN BIKE OPTIMIZED TRAIL - ADVANCED TRAIL OR GRAVITY / JUMP	930	LF	\$ 17.08	\$ 15,884.40	930.0	\$ 15,884.40
29	WOODEN BOARDWALK	135	LF	\$ 110.00	\$ 14,850.00	0.0	\$ -
30	FENCE 2-RAIL SPLIT	340	LF	\$ 16.90	\$ 5,746.00	150.0	\$ 2,535.00
31	LANDSCAPE EDGER	460	LF	\$ 8.32	\$ 3,827.20	122.0	\$ 1,015.04
	<b>Subtotal Base Bid</b>				<b>\$ 422,413.67</b>		<b>\$ 326,772.86</b>

Quantities  
 Mason City Bike Park and Trails - Bid Package 1  
 Mason City, Iowa





**CHANGE ORDER NO.: 4**

Owner: City of Mason City, Iowa  
 Engineer: ISG  
 Contractor: Rock Solid Trail Contracting, LLC  
 Project:  
 Contract Name: Bike Park & Trails Bid Package 1  
 Date Issued:

Owner's Project No.: 28550  
 Engineer's Project No.:  
 Contractor's Project No.: 24.007

Effective Date of Change Order:

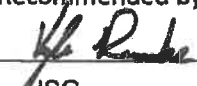
The Contract is modified as follows upon execution of this Change Order:

Description: *Adjust contract quantities to match constructed quantities and add time and materials for additional scope of work.*


Attachments: Change Order #4 Explanation

Change in Contract Price	Change in Contract Time
Original Contract Price: \$ \$522,733.67	Original Contract Times: Substantial Completion: 9/1/2024 Ready for final payment: 10/30/24
Increase / <del>Decrease</del> from previously approved Change Orders No. 0 to No. 3  \$ 44,010.50	[Increase] <del>{Decrease}</del> from previously approved Change Orders No.1 to No. 3  Substantial Completion: 11/1/24 Ready for final payment: 12/30/24
Contract Price prior to this Change Order:  \$ 566,744.17	Contract Times prior to this Change Order: Substantial Completion: 11/1/24 Ready for final payment: 12/30/24
<b>Increase</b> this Change Order: Order: \$9,870.55	[Increase] this Change Order: Substantial Completion: No Change Ready for final payment: No Change
Contract Price incorporating this Change Order:  \$ 576,614.72	Contract Times with all approved Change Orders: Substantial Completion: 11/1/24 Ready for final payment: 12/30/24


Recommended by Engineer (if required)

By:   
 Title: ISG  
 Date: 1/15/25

Accepted by Contractor

Brian Clemishire  
 Project Manager  
1/15/2025 

Authorized by Owner

By:   
 Title: City Engineer  
 Date: 01/28/2025

Approved by Funding Agency (if applicable)

\_\_\_\_\_  
 \_\_\_\_\_

Mason City Trails – Phase 1  
Rock Solid Trail Contracting, LLC

**Change Order Request #4 Rev1**

**Final Change Order to Balance Quantities**

Below is a list of changes in quantities to match the as-built scope.

This change order request is referenced in the current pay application request as well. Please let us know if you have any questions.

Thank you for your consideration.

Brian Clemishire  
Project Manager  
Rock Solid Trail Contracting, LLC  
918-637-7450  
[brian@rocksolidtrails.com](mailto:brian@rocksolidtrails.com)

RESOLUTION NO. 25 –

A RESOLUTION APPROVING A CHANGE ORDER AND ACCEPTING WORK AND ORDERING PAYMENT FOR CONSTRUCTION OF THE “28550 BIKE PARK AND TRAILS – BID PACKAGE 1”

WHEREAS, the City Council of the City of Mason City, Iowa did adopt Resolution No. 23-242 on the 21<sup>st</sup> day of November 2023, awarding a contract to Rock Solid Trail Contracting, LLC of Copper Harbor, MI for the “28550 Bike Park and Trails – Bid Package 1” Project, and

WHEREAS, a change order was necessary, and

WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and contract and plans and specifications;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mason City, Iowa:

Section 1: That the change order in the total amount of \$53,881.05 for said project be and are hereby accepted and approved.

Section 2: That said project is hereby accepted as having been fully completed in accordance with the said plans, specifications, and contract. The total contract cost of the project payable under said contract is hereby determined to be \$576,614.72.

Section 3: That the Mayor Pro tem is authorized and the Clerk hereby directed to execute the necessary documents.

PASSED AND APPROVED this 20<sup>th</sup> day of February, 2025.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

City of Mason City  
Development Services Dept.

# Memorandum

To: Aaron Burnett, City Administrator  
From: Tricia Sandahl, Planning and Zoning Manager  
Through: Steven J. Van Steenhuyse, Development Services Director *SV*  
Date: January 27, 2025, for the Council meeting of February 4, 2025  
RE: Recommendation for the permanent placement of public art – Spiral Dance

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**Recommendation:**

The Planning and Zoning Commission has approved and recommends the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found in the attached Planning and Zoning Commission staff report. A site plan showing the proposed location is included as well. Staff respectfully request, per the recommendation from the Planning and Zoning Commission, that the Council approve placement of the sculpture near the entrance to Southbridge Mall.

**Review:**

River City Sculptures on Parade is proposing to place a sculpture entitled “Spiral Dance” near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. A different version of the sculpture was part of the 2024-2025 sculpture walk and was displayed on W. State St. on the north side of the Principal building until it was vandalized. River City Sculptures has acquired a new bronze casting of the sculpture with a white coating to display on a limestone pedestal located in a parking lot island across from the mall entrance. The bronze casting will make the sculpture more resistant to vandalism. Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Section 2-2-4-C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The Planning and Zoning Commission reviewed the request at their regular January 14, 2025, meeting and recommended unanimously that the sculpture installations be placed as proposed.

**Budget Impact:**

There is no budget impact arising from the Commission's recommendation.

**Council Action Requested:**

The Planning and Zoning Commission respectfully requests that the City Council approve the placement of the sculpture as proposed. Staff concurs with this request.

**Attachments:**

- Planning and Zoning Commission Staff Report
- Draft minutes of the January 14, 2025 Planning and Zoning Commission meeting.

*Tricia Sandahl*

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Tricia Sandahl, Planning and Zoning Manager

*Aaron Burnett*

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Reviewed and Recommend Approval



**Mason City Planning & Zoning Commission  
Staff Report**

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**DATE:** January 7, 2025

**File No.:** 25-M-02

**APPLICANT:** River City Sculptures on Parade

**REQUEST:** Request for recommendation for the permanent placement of art on public property.

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**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

River City Sculptures on Parade is proposing to place a sculpture entitled "Spiral Dance" near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.



**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

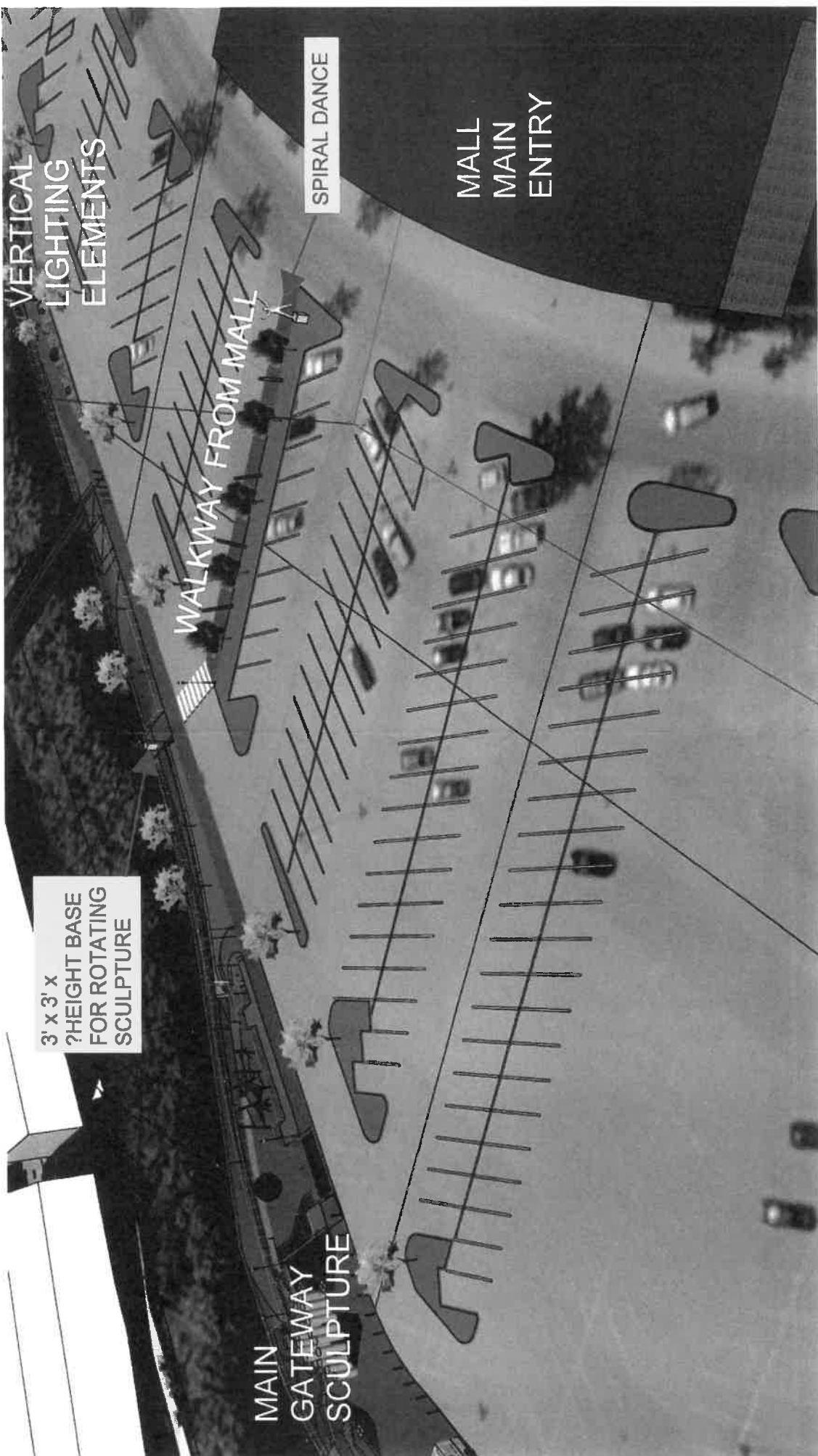
**Requested Action:** Staff respectfully requests that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property

or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommends that Commission recommend to the City Council that “Spiral Dance” be permanently placed as proposed.



River City Sculptures on Parade



VERTICAL  
LIGHTING  
ELEMENTS

WALKWAY FROM MALL

SPIRAL DANCE

MALL  
MAIN  
ENTRY

3' x 3' x  
?HEIGHT BASE  
FOR ROTATING  
SCULPTURE

MAIN  
GATEWAY  
SCULPTURE



DRAFT

MINUTES

MASON CITY PLANNING & ZONING COMMISSION

In Person Meeting

Tuesday, January 14, 2025, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Changes of Zone**

**4.1 RZ2025-01- City of Mason City:** a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

## DRAFT

Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law



## DRAFT

Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

## DRAFT

challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.2 RZ2025-02- City of Mason City:** a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuyse informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

## DRAFT

**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as

## DRAFT

“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

## DRAFT

the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr.- stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.3 RZ2025-03- Gregory Gomery:** a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

## DRAFT

Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

## DRAFT

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

## DRAFT

the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2<sup>nd</sup> St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2<sup>nd</sup> St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that ~~those~~ there were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:



## DRAFT

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

### Item 5: Miscellaneous

**5.1 25-M-01- Permanent Placement of Public Art:** a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled "Harmony in Light." This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called "Resonance." The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

## DRAFT

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures ~~might~~ will be. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

DRAFT

Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**5.2 25-M-02- Permanent Placement of Public Art:** a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission’s recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

## DRAFT

River City Sculptures on Parade is proposing to place a sculpture entitled "Spiral Dance" near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that "Spiral Dance" be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuyse asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being ~~cast~~ cast in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey

Yes

Wessman

Yes

DRAFT

Ragain	Yes
Worden	Yes
Niedermayer	Yes

**5.3 Discussion:** meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

**Item 6: Staff Update**

None.

**Item 7: Adjourn**

The meeting adjourned at **8:01 pm**.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

RESOLUTION NO. 25 -

A RESOLUTION APPROVING THE PERMANENT PLACEMENT OF A PIECE OF PUBLIC ART – SPIRAL DANCE (RIVER CITY SCULPTURES) IN DOWNTOWN MASON CITY

WHEREAS, on the 7<sup>th</sup> day of August, 2012 the City Council of the City of Mason City, approved Resolution No. 12-181, a resolution of support and financial commitment for the funding of River City Sculptures on Parade, and

WHEREAS, A piece of public art is being presented by River City Sculptures on Parade for permanent display, and

WHEREAS, the Planning and Zoning Commission has reviewed the request and unanimously agreed the sculptures be placed as proposed described in Section 1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mason City, Iowa:

Section 1: That the placement of public art – Spiral Dance (River City Sculptures) in the following location be and the same is hereby approved:

Near the entrance to Southbridge Mall.

PASSED AND APPROVED, this 4<sup>th</sup> day of February, 2025


\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

City of Mason City  
Development Services Dept.

# Memorandum

To: Aaron Burnett, City Administrator  
From: Tricia Sandahl, Planning and Zoning Manager  
Through: Steven J. Van Steenhuyse, Development Services Director   
Date: January 27, 2025, for the Council meeting of February 4, 2025  
RE: Recommendation for the permanent placement of two public art installations

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**Recommendation:**

The Planning and Zoning Commission has approved and recommends the permanent placement of two art installations associated with the Riverwalk project in downtown Mason City. Staff respectfully request, per the recommendation from the Planning and Zoning Commission, that the Council approve placement of the two installations. Rendering of the installations and site plans are included in the attached Planning and Zoning Commission staff report.

**Review:**

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled “Harmony in Light.” This installation features 19 large stainless steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called “Resonance.” The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments and then extend northward drawing pedestrians to the south entrance of Southbridge Mall.

Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Section 2-2-4-C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

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The Planning and Zoning Commission reviewed the request at their regular January 14, 2025, meeting and recommended unanimously that the sculpture installations be placed as proposed.

**Budget Impact:**

There is no budget impact arising from the Commission's recommendation.

**Council Action Requested:**

The Planning and Zoning Commission respectfully requests that the City Council approve the placement of the sculptures as proposed. Staff concurs with this request.

**Attachments:**

- Planning and Zoning Commission Staff Report
- Draft minutes of the January 14, 2025 Planning and Zoning Commission meeting.

*Tricia Sandahl*

Tricia Sandahl, Planning and Zoning Manager



Reviewed and Recommend Approval



**Mason City Planning & Zoning Commission  
Staff Report**

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**DATE:** January 7, 2025

**File No.:** 25-M-01

**APPLICANT:** City of Mason City

**REQUEST:** Request for recommendation for the permanent placement of art on public property.

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**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission’s recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

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**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both

sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

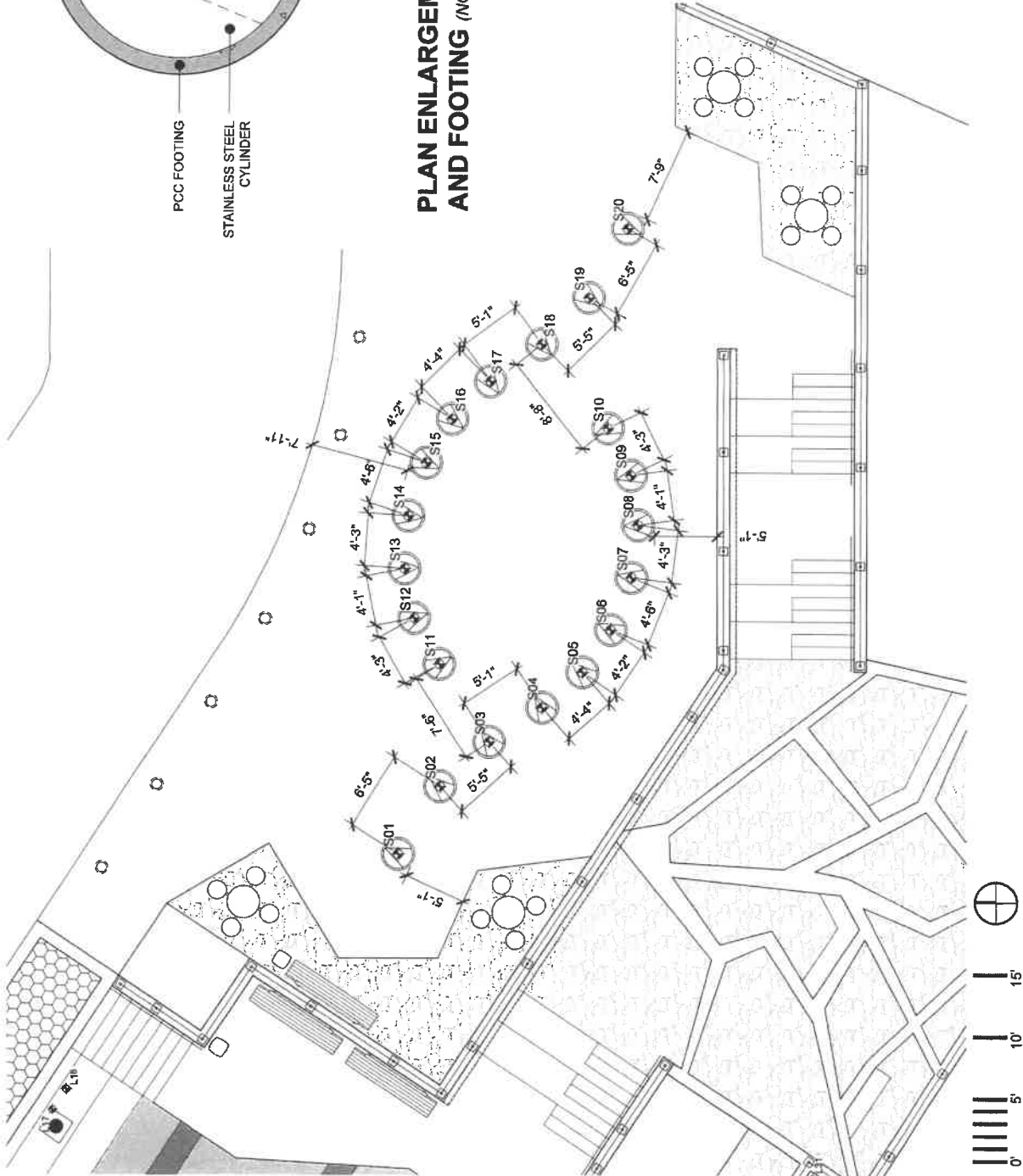
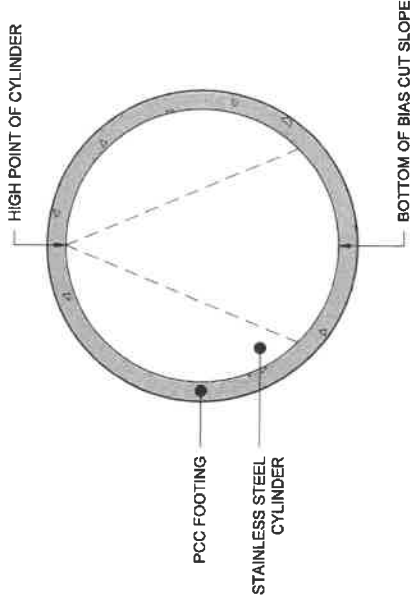
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Staff requests that Commission recommend to the City Council that both permanent sculpture installations be approved.



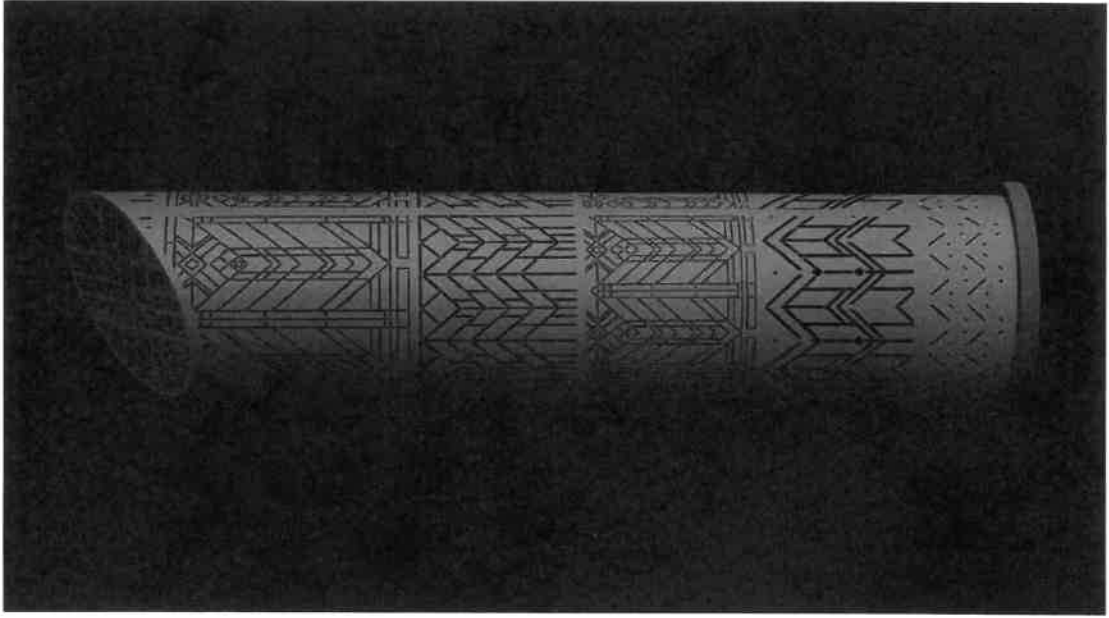
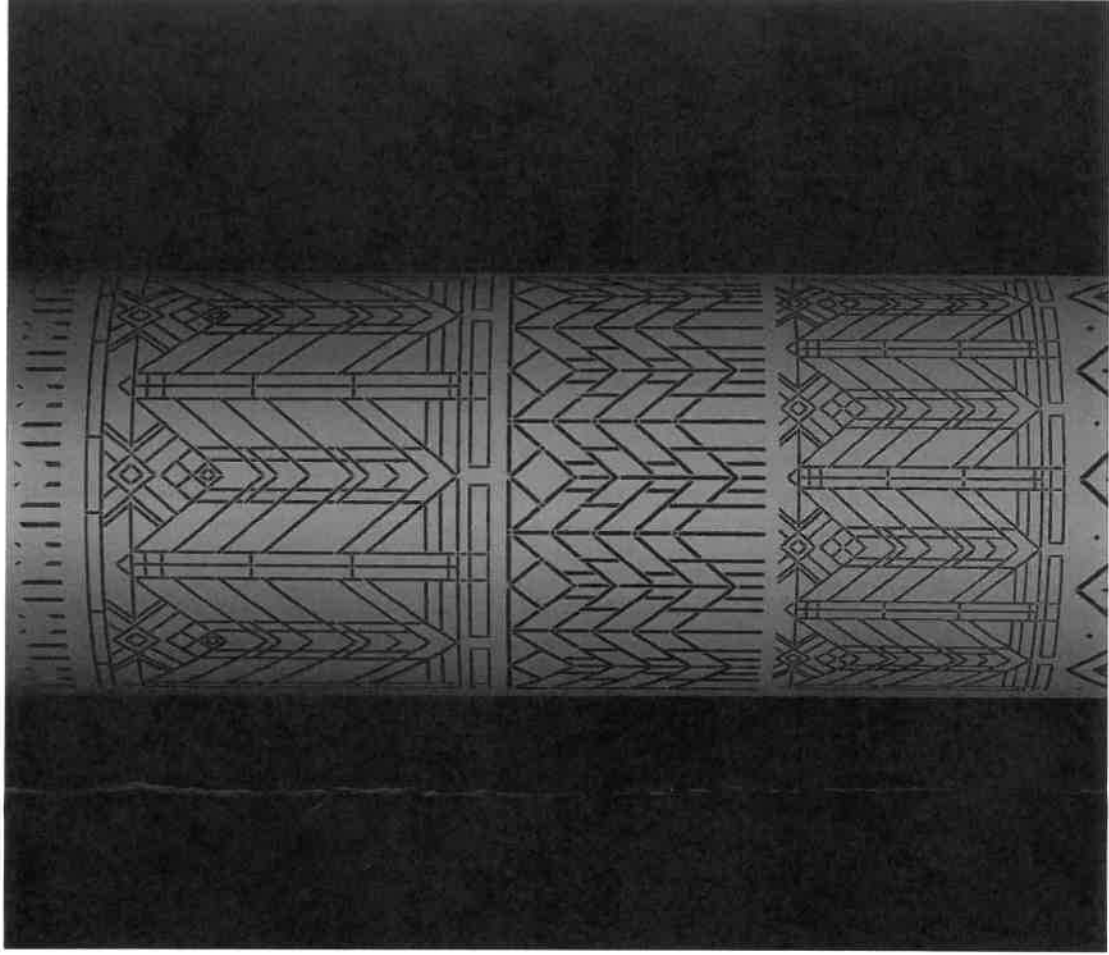
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S04	9793828.75	12379653.32
S05	9793825.49	12379656.18
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S07	9793821.52	12379663.82
S08	9793821.00	12379668.04
S09	9793821.57	12379672.07
S10	9793823.43	12379675.88
S11	9793837.09	12379656.82
S12	9793839.15	12379660.53
S13	9793839.93	12379664.52
S14	9793839.63	12379668.76
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S17	9793832.96	12379679.82
S18	9793828.83	12379682.82
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**PLAN ENLARGEMENT OF CYLINDER AND FOOTING (NOT TO SCALE)**

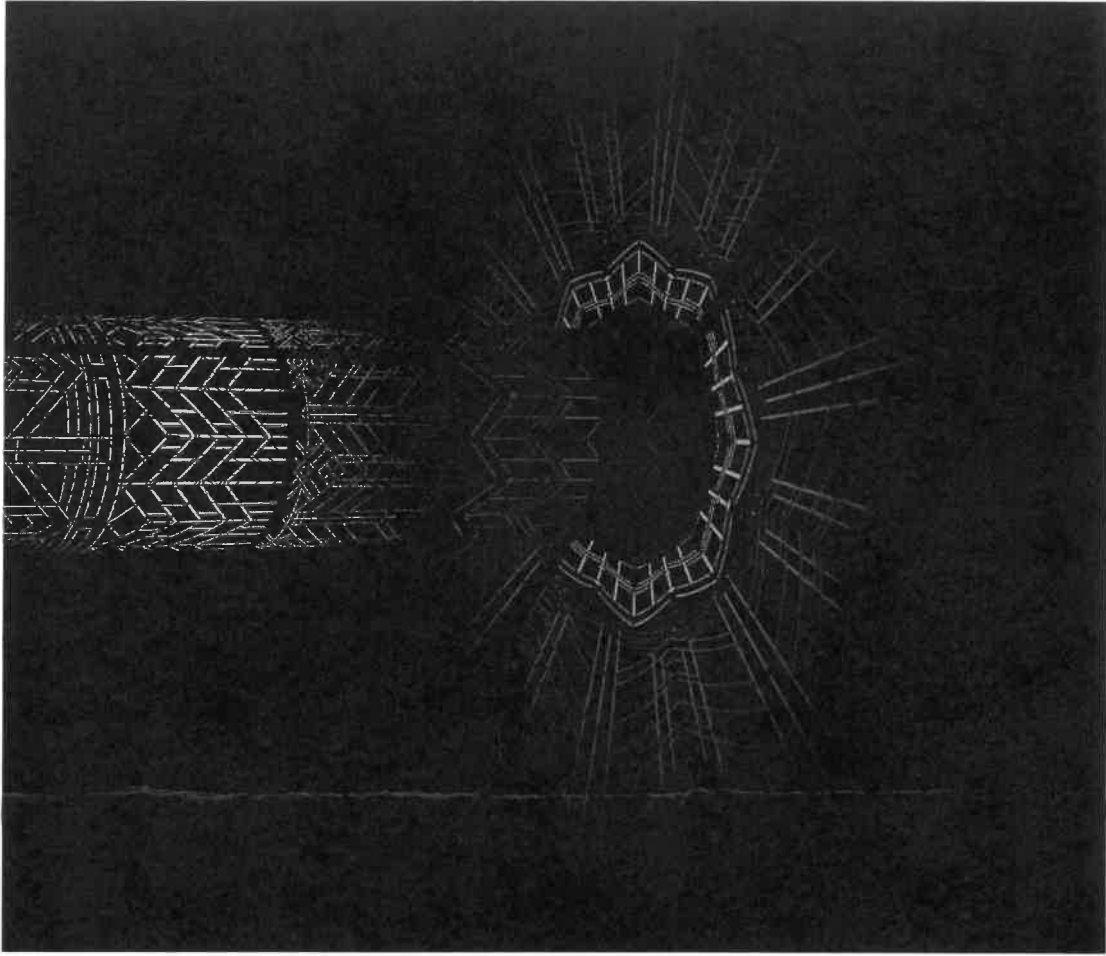
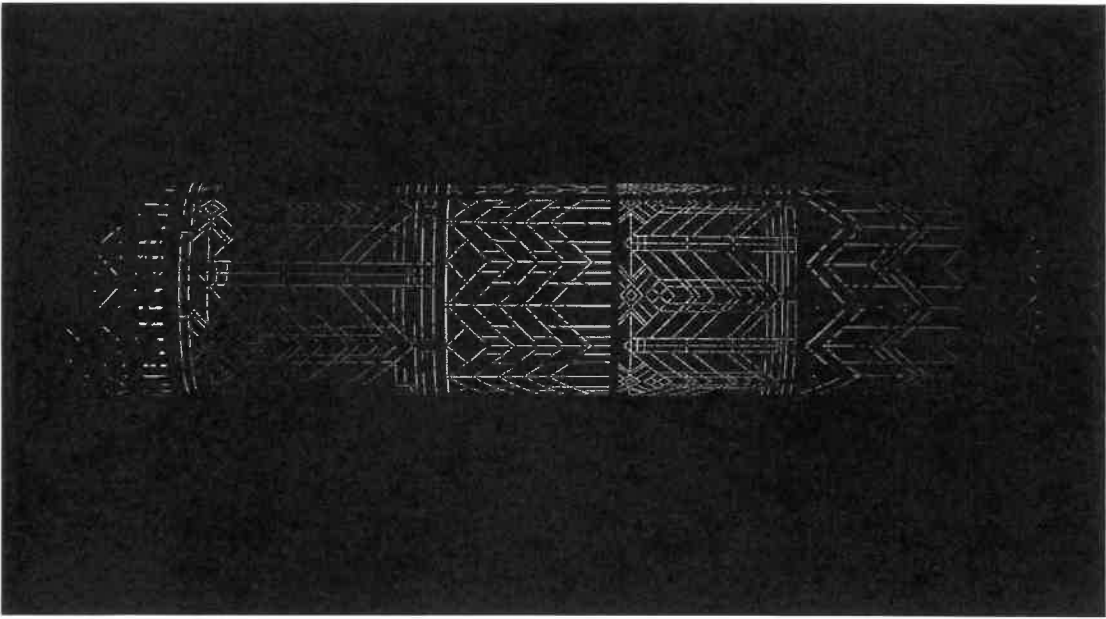




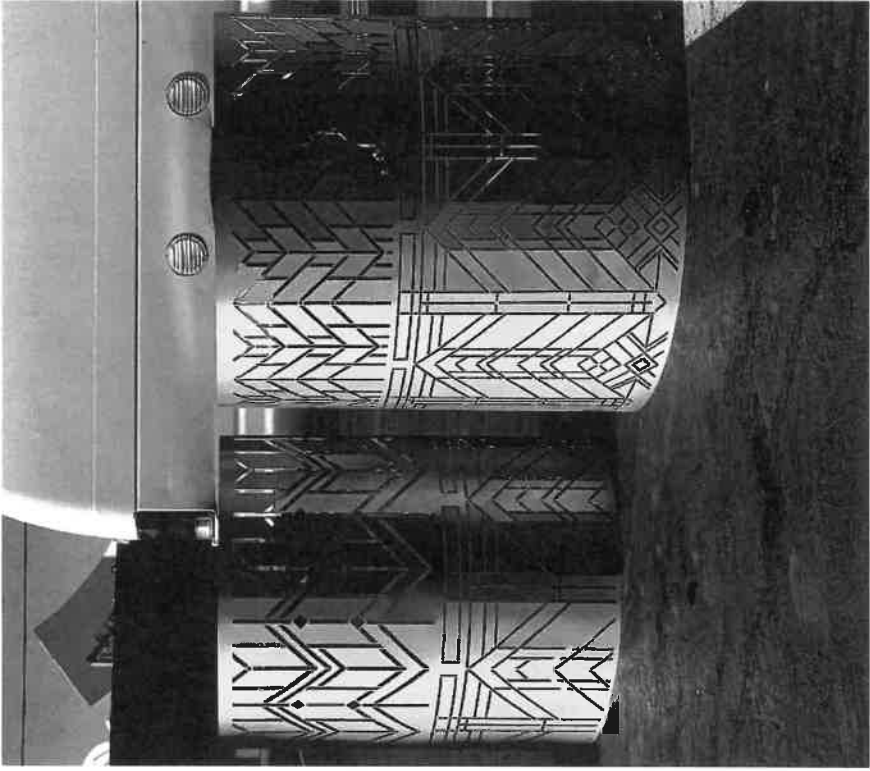
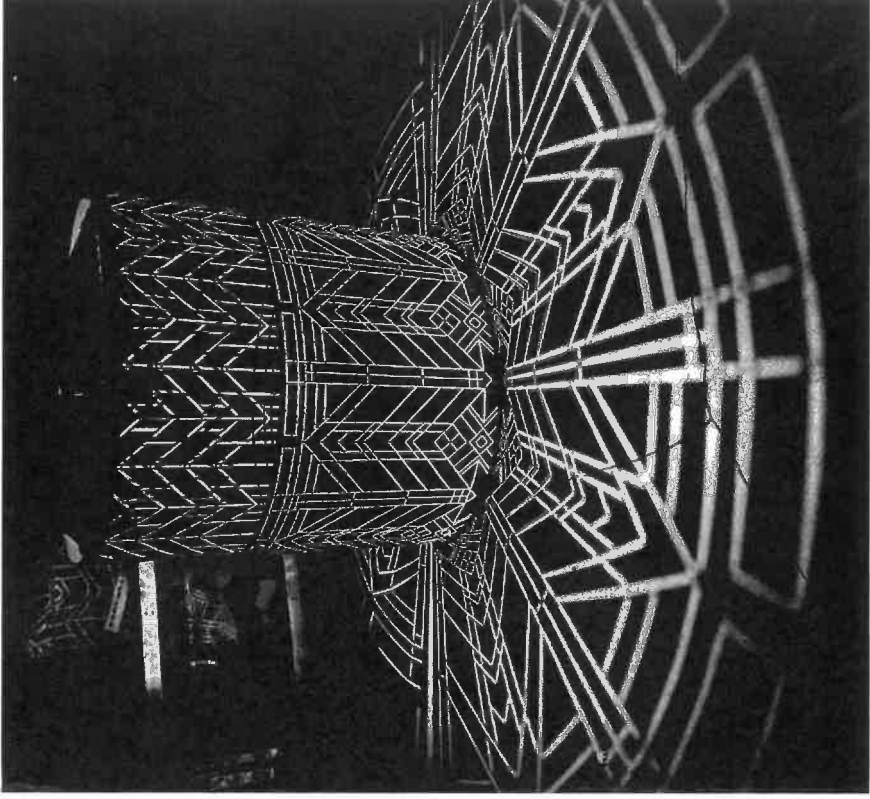
HYBYCOZO ARTWORK OVERVIEW - HARMONY IN LIGHT  
FINAL PATTERN DESIGN



“PRAIRIE SCHOOL” PATTERN DESIGN

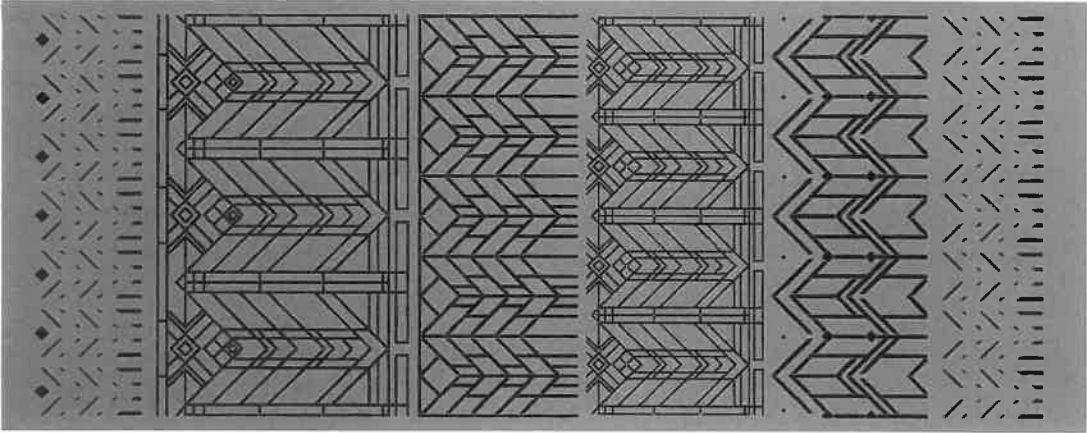
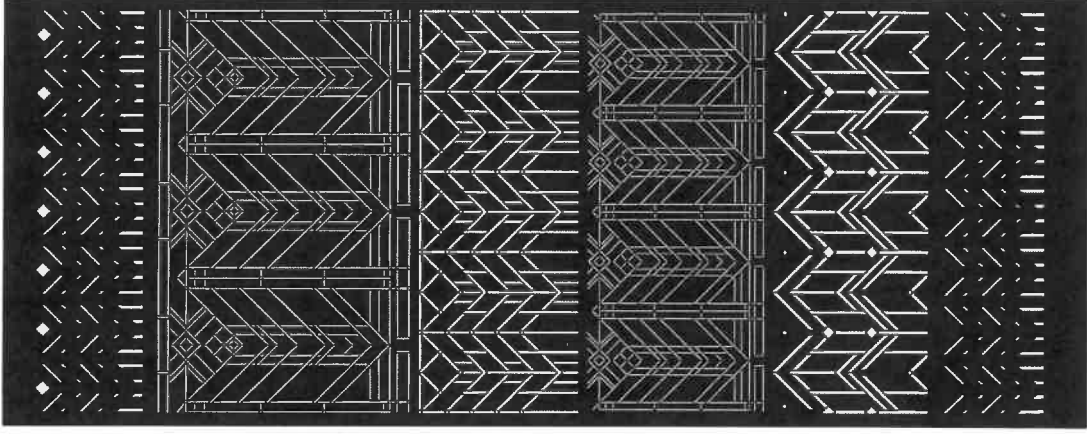


“PRAIRIE SCHOOL” PATTERN DESIGN - NIGHT TIME



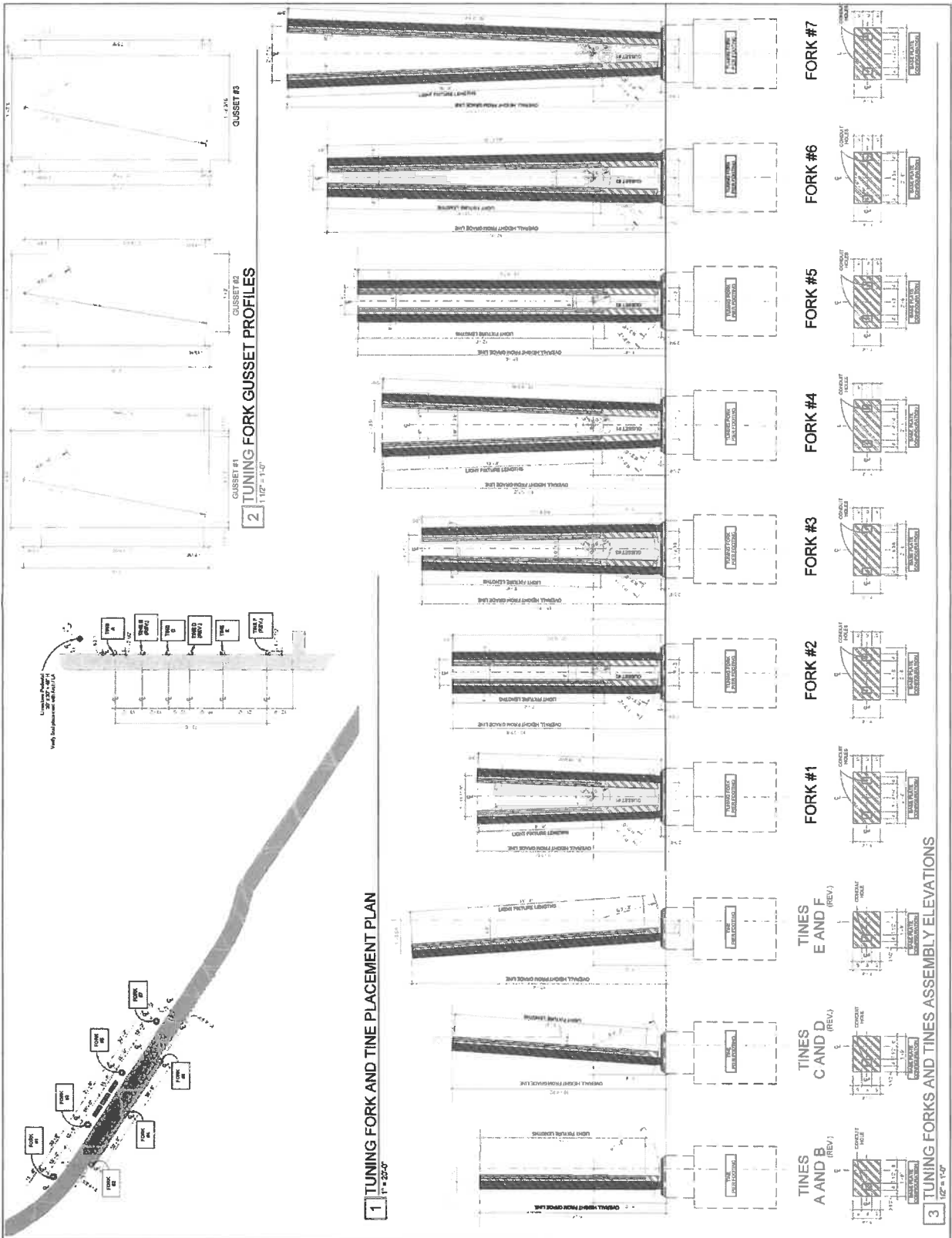
PHOTOS OF PROTOTYPES





PATTERN FLATTENED

NOTE: CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT JOBSITE BEFORE PROCEEDING WITH WORK



3 TUNING FORKS AND TINES ASSEMBLY ELEVATIONS  
 1/8" = 1'-0"

1 TUNING FORK AND TINE PLACEMENT PLAN  
 1" = 32'-0"

2 TUNING FORK GUSSET PROFILES  
 1/8" = 1'-0"

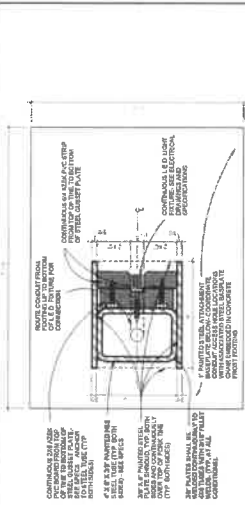
**WILLOW CREEK RIVERWALK**  
 15 S WASHINGTON AVE  
 MASON CITY, IOWA

CITY OF MASON CITY, IOWA

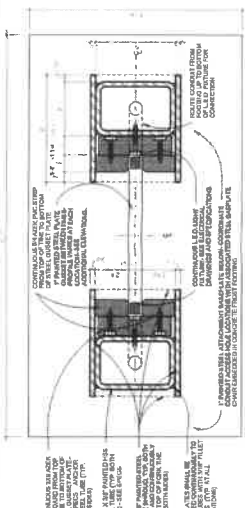
**FINAL**  
 CONSTRUCTION  
 DOCUMENT  
 2-21-2024

REVISIONS	PROJECT # <b>20032</b>
	TUNING FORK DETAILS
	A002
	2 OF 2

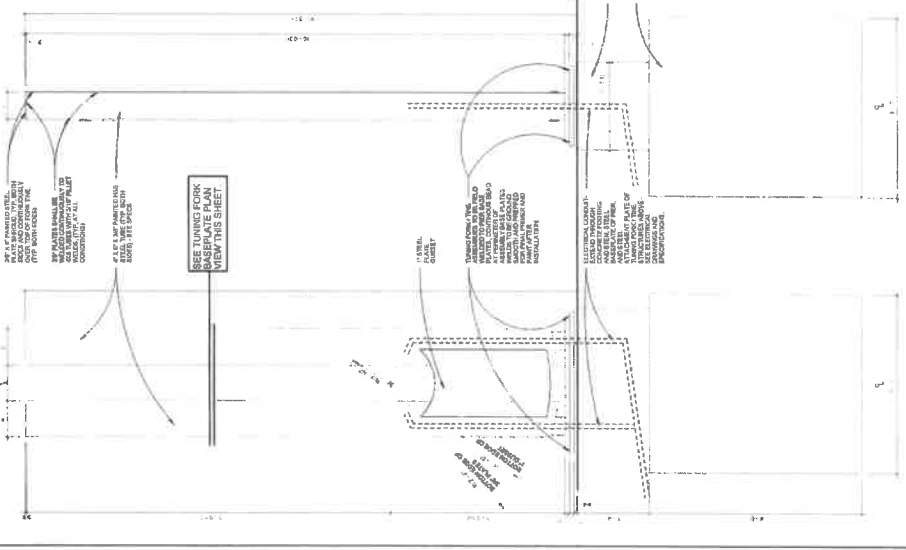
NOTE: CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT JOBSITE BEFORE PROCEEDING WITH WORK.



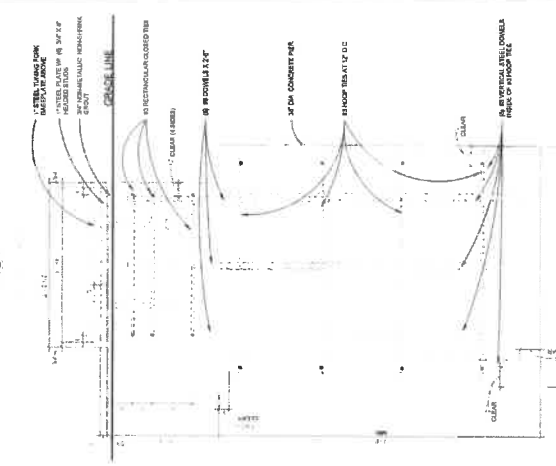
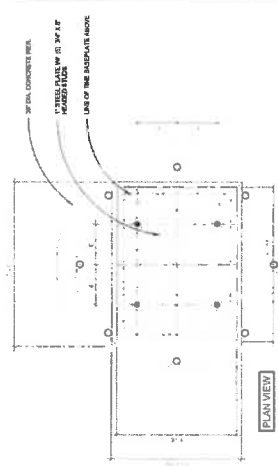
**3 TINE BASEPLATE PLAN VIEW (TYP.)**  
 3' x 10'



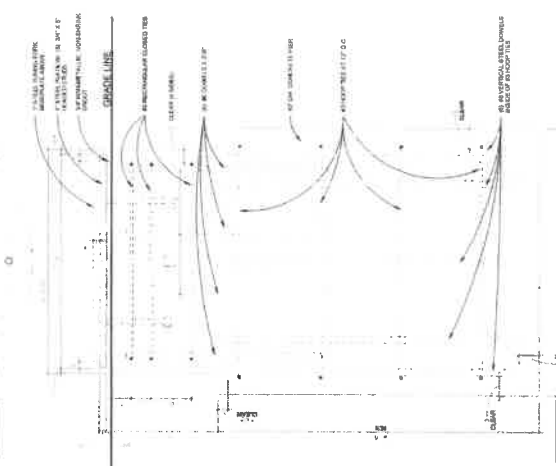
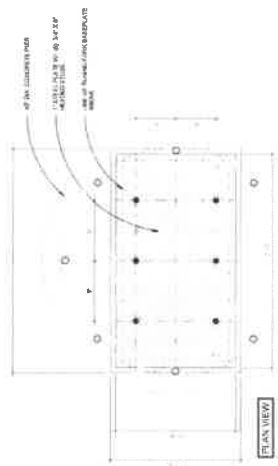
**2 TUNING FORK BASEPLATE PLAN VIEW (TYP.)**  
 2' x 10'



**1 TUNING FORK / TINE TYPICAL CONDITIONS**  
 1' x 10' TUNING FORK AS SHOWN (OTHERS SIMILAR)



**5 TINE PIER FOOTING (TYP.)**  
 1/2" x 10'



**4 TUNING FORK PIER FOOTING (TYP.)**  
 1/2" x 10'



**1 TUNING FORK / TINE TYPICAL CONDITIONS**  
 1' x 10'

DRAFT

MINUTES

MASON CITY PLANNING & ZONING COMMISSION  
In Person Meeting  
Tuesday, January 14, 2025, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Changes of Zone**

**4.1 RZ2025-01- City of Mason City:** a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

## DRAFT

Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law

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Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

## DRAFT

challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.2 RZ2025-02- City of Mason City:** a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuyse informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

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**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as



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“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

## DRAFT

the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr.- stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.3 RZ2025-03- Gregory Gomery:** a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

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Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

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*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

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the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2<sup>nd</sup> St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2<sup>nd</sup> St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that ~~those~~ there were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:

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Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

### Item 5: Miscellaneous

**5.1 25-M-01- Permanent Placement of Public Art:** a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statutory, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled "Harmony in Light." This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called "Resonance." The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

## DRAFT

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures might-will be. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

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Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**5.2 25-M-02- Permanent Placement of Public Art:** a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*



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River City Sculptures on Parade is proposing to place a sculpture entitled “Spiral Dance” near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that “Spiral Dance” be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuyse asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being ~~ease~~cast in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
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Ragain Yes

Worden Yes

Niedermayer Yes

**5.3 Discussion:** meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

**Item 6: Staff Update**

None.

**Item 7: Adjourn**

The meeting adjourned at **8:01 pm**.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

RESOLUTION NO. 25 -

A RESOLUTION APPROVING THE PERMANENT PLACEMENT OF TWO PIECES OF PUBLIC ART – HARMONY IN LIGHT AND RESONANCE (RIVER CITY SCULPTURES) IN DOWNTOWN MASON CITY

WHEREAS, on the 7<sup>th</sup> day of August, 2012 the City Council of the City of Mason City, approved Resolution No. 12-181, a resolution of support and financial commitment for the funding of River City Sculptures on Parade, and

WHEREAS, A two pieces of public art are being presented by River City Sculptures on Parade for permanent display, and

WHEREAS, the Planning and Zoning Commission has reviewed the request and unanimously agreed the sculptures be placed as proposed described in Section 1.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mason City, Iowa:

Section 1: That the placement of two pieces of public art – Harmony in Light and Resonance (River City Sculptures) in the following location be and the same is hereby approved:

**Harmony in Light:** Per renderings and site plan attached.

**Resonance:** Integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments and then extend northward drawing pedestrians to the south entrance of Southbridge Mall.

PASSED AND APPROVED, this 4<sup>th</sup> day of February, 2025

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

City of Mason City  
Development Services Department

# Memorandum

To: Aaron Burnett, City Administrator  
From: Steven J. Van Steenhuyse, Director of Development Services  
Date: January 29, 2025  
RE: Resolution Approving a Purchase and Sale Agreement with Horizon Development Group, Inc. for 508 North Delaware Avenue and 17 6<sup>th</sup> Street NE

**Recommendation:**

Staff respectfully requests that the City Council approve the resolution approving the Purchase and Sale Agreement with Horizon Development Group, Inc. for 508 North Delaware Avenue and 17 6<sup>th</sup> Street NE and authorizing its execution.

**Review:**

In July of 2024, the City was designated an Iowa Thriving Community by the Iowa Finance Authority (IFA). This designation provides additional scoring points to a developer applying for Federal Low Income Housing Tax Credits (LIHTC) or Iowa Workforce Housing Tax Credits to finance a housing project in Mason City. These additional points make the application more competitive and therefore more likely to be approved. Because of its size and location, the Northbridge site by itself is expected to score well.

On September 17, 2024, the City Council authorized release of a Request for Proposals to develop the Northbridge site. Four proposals were received. Staff recommended approval of the proposal from Horizon Development Group, Inc. for a 4-story, 45-unit senior housing project. On November 19, 2024, the City Council held a public hearing and approved a Resolution authorizing Staff to negotiate a Real Estate Purchase and Sale Agreement with Horizon.

Horizon’s proposal, now named “Encore Senior Living,” would be a four-story building with 45 units of senior housing. While the final unit mix would be determined during the development process, the proposal shows 15 1-bedroom units and 30 2-

bedroom units. The 1-bedroom units will range from approximately 650 square feet to 850 square feet. The 2-bedroom units will range from approximately 930 square feet to 1,100 square feet. All of the units would be affordable to qualified households ranging from 30% to 80% of the county-wide area median income (AMI), with an average of about 55% AMI. For a single person living alone, those earning between \$19,150 and \$51,100 would meet these thresholds; a family of two persons earning between \$21,900 and \$58,400 would also qualify. Horizon's preliminary market research indicates that there is sufficient demand in Mason City for this type of unit to meet the needs of low-income seniors.

The site plan shows a 4-story building facing North Delaware Avenue, with surface parking on the north portion of the site that is accessed from 6<sup>th</sup> Street NE, and 35 underground parking spaces beneath the building. This arrangement best overcomes the limitations of the site due to its odd shape and access points. The building takes advantage of the site's shape, being wider on the east and tapering to a narrower building on the west. Use of different colored materials for the building transitions adds variety and interest to the design.

The company anticipates an estimated project cost of \$13,023,831. The project would be funded mostly with LIHTC tax credits. The developer will also seek HOME and National Housing Trust Fund financing through the Iowa Finance Authority. The proposal states that part of the overall financing would be in tax savings through the Urban Revitalization Tax Abatement program. Under the City's Urban Revitalization Plan, the project is eligible for a 10-year, 100% abatement of City property tax, equaling approximately \$166,627. Horizon also anticipates City approval of a \$30,000 forgivable Downtown Revitalization Loan (DoRL).

Staff is confident that the development site, the quality of the project, and the additional Iowa Thriving Community scoring points will lead to success in the highly competitive LIHTC approval process. Horizon's application to the Iowa Finance Authority is due February 19. The IFA Board will make LIHTC award decisions in May.

Horizon Development will continue to own and manage the property. Their experience (as outlined in their proposal) shows that they have the ability to build a quality project as well as manage it after construction, to provide a superior housing choice for low-income seniors in Mason City.

After the Purchase and Sale Agreement is approved, Horizon will pay \$1,000 "earnest money" to secure the site. Staff will then negotiate a Development Agreement with Horizon that will outline their development commitments. This Agreement (which will be submitted to the Council for approval at a later date) will state that, should Horizon not be awarded the necessary funding, the City will return the earnest money to Horizon and the property will stay under City ownership. If the funding is approved,

however, a closing date will be set, and Horizon will pay \$62,730 for the property; this amount reflects the assessed value of the site and constitutes “fair value” with regard to sale of public property in an Urban Renewal area.

**Budget Impact:**

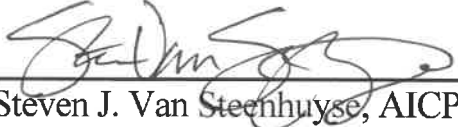
There is no impact to the operating budget resulting from this action.

**Council Action Requested:**

Staff respectfully requests that the City Council approve the resolution approving the Purchase and Sale Agreement with Horizon Development Group, Inc. for 508 North Delaware Avenue and 17 6<sup>th</sup> Street NE and authorizing its execution.

**Attachments:**

1. Purchase and Sale Agreement

  
\_\_\_\_\_  
Steven J. Van Steenhuyse, AICP  
Director of Development Services

  
\_\_\_\_\_  
Reviewed and Recommend Approval

RESOLUTION NO. 25 -

A RESOLUTION APPROVING PURCHASE AND SALE  
AGREEMENT WITH HORIZON DEVELOPMENT, INC., FOR SALE  
AND DEVELOPMENT OF PARCELS 070335601500, 070335601600,  
and 070335601700 (NORTHBRIDGE SITE)

WHEREAS, the City of Mason City is the owner of the real property (“Real Estate”) situated in the City of Mason City, County of Cerro Gordo, and State of Iowa, locally known as Parcels No. 070335601500, 070335601600, and 070335601700, and commonly referred to as the “Northbridge Site,” the same being legally described as follows:

LOT ONE (1) IN BLOCK TWO (2) IN THE NORTHBRIDGE FIRST SUBDIVISION, MASON CITY IOWA

AND

THE WEST SIXTEEN AND ONE-HALF FEET (16.5’) OF LOT FOUR (4), LOT FIVE (5), AND THE EAST SIXTEEN AND ONE-HALF FEET (16.5’) OF LOT 6 IN BLOCK FORTY-ONE (41) IN THE RAILROAD ADDITION TO MASON CITY, IOWA; and

WHEREAS, by Resolution No. 93-48, adopted April 6, 1993, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Forest Park Urban Renewal Plan (the “Plan”) for the Forest Park Urban Renewal Area (the “Urban Renewal Area”) described therein, which Plan and Urban Renewal Area were amended in 2023 to include the Real Estate, and has been amended three (3) times since adoption in 1993, the most recent in 2024; and

WHEREAS, by Resolution No. 15-238, adopted November 3, 2015, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Downtown Reinvestment Urban Renewal Plan (the “Plan”) for the Mason City Downtown Reinvestment Urban Renewal Area (the “Urban Renewal Area”) described therein, which Plan has subsequently been amended six (6) times, most recently in 2024; and

WHEREAS, since the Real Estate is located within both the Forest Park Urban Renewal Area and the Mason City Downtown Reinvestment Urban Renewal Area, the City’s sale of the Real Estate is subject to the provisions of Iowa Code Section 403.8 and

WHEREAS, on September 17, 2024, the City Council approved Resolution 24-201, authorizing release of a Request for Proposals to develop said Real Estate; and

WHEREAS, via said Resolution 24-201 and in compliance with Sections 364.6, 364.7, and 403.8 of the Code of Iowa, the Council has set forth its intent to dispose of interests in the

Real Estate by publishing notice of a thirty-day competitive bidding period followed by publication of notice of a public hearing; and

WHEREAS, after receipt and review of proposals submitted within the competitive bidding period, City Staff has identified HORIZON DEVELOPMENT GROUP, INC. to be the highest responsive and responsible bidder pursuant to its attached bid for \$62,730 and rehabilitation of the Real Estate as provided in their proposal; and

WHEREAS, City Staff recommends that the City Council award the bid and sell the Real Estate to HORIZON DEVELOPMENT GROUP, INC. in exchange for the purchase price, development of the Property, and other good and valuable consideration as set forth in HORIZON DEVELOPMENT GROUP, INC.'s proposal; and

WHEREAS, The City Council held a duly noticed public hearing as part of its regular meeting at 7:00 P.M. on November 19, 2024, at the Mason City Room of the Mason City Public Library, 225 2nd St SE, Mason City, Iowa, for purposes of obtaining public input on the proposed sale of the Real Estate to the winning bidder.

WHEREAS, at said public hearing, the City Council adopted Resolution #24-238, which accepted the proposal from HORIZON DEVELOPMENT GROUP, INC. and authorized City staff to negotiate a Purchase and Sale Agreement with HORIZON DEVELOPMENT GROUP, INC. for sale and development of the Northbridge Site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mason City, Iowa:

Section 1: That the City Council of the City of Mason City, Iowa, hereby authorizes the sale of Parcels No. 070335601500, 070335601600, and 070335601700, as legally described above, to HORIZON DEVELOPMENT GROUP, INC. pursuant to the attached Real Estate Purchase Agreement executed by HORIZON DEVELOPMENT GROUP, INC.

Section 2: The Council finds that disposal of interests in the Real Estate to HORIZON DEVELOPMENT GROUP, INC., as set forth in its proposal will benefit the health, safety and welfare of, and is in the best interests of, the residents of the City. The Council further finds that transfer of the Real Estate will promote economic development in the City and that these benefits, together with the other consideration, constitute fair consideration for the disposal of interests in the Real Estate under Section 403.8, Code of Iowa.

Section 3. said Real Estate Sale and Purchase Agreement with HORIZON DEVELOPMENT, INC., for the sale of said Real Estate to HORIZON DEVELOPMENT GROUP, INC., consistent with the provisions of this Resolution and be and the same is hereby approved proposal.

Section 4. That the Mayor Pro tem is authorized and City Clerk hereby directed to execute the necessary documents.



PASSED AND APPROVED, this 4<sup>th</sup> day of February, 2025.

Paul Adams, Mayor Pro tem

ATTEST:

Aaron Burnett, City Clerk

## PURCHASE AND SALE AGREEMENT

This Purchase and Sale Agreement (this “Agreement”) is made by and between Horizon Development Group, Inc. (“Buyer”) or its permitted assigns, and City of Mason City (“Seller”) (Buyer and Seller are sometime referred to herein individually as a “Party” and collectively as the “Parties”) for the purchase of land in the City of Mason City, Iowa. This Agreement may be amended or modified only in writing signed by the Parties.

### Recitals

WHEREAS, Seller, an Iowa Municipal Corporation, is the owner of the land to be conveyed to Buyer under this Agreement, which is illustrated via an aerial map on Exhibit A.1; and

WHEREAS, Buyer, a for-profit corporation licensed to do business in Wisconsin, is purchasing the Property to develop affordable multifamily housing; and

NOW, THEREFORE, in consideration of the declarations herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals and Exhibits. The Recitals set forth above and Exhibit A.1 attached hereto are hereby incorporated into and made part of this Agreement by reference. Any reference to this Agreement will be deemed to include all Exhibits to this Agreement.
2. Authority. The Parties represent and warrant that the persons executing this Agreement on their behalf have the requisite authority to enter into a binding transaction for the conveyance of the Property under the terms and conditions herein set forth.
3. Effective Date. This Agreement is made and effective as of the last date the Parties have executed the Agreement (the “Effective Date”).
4. Property Description. The subject property (the “Property”) is made up of 3 parcels located in Mason City Iowa, identified as Parcel Nos. 070335601500, 070335601600, and 070335601700. The Property consists of approximately Thirty-one Thousand three hundred and sixty four (31,364) square feet of land (0.72 acres) and will substantially include the area depicted as “Subject Property” on Exhibit A.1 with approximate legal description of “LOT ONE (1) IN BLOCK TWO (2) IN THE NORTHBRIDGE FIRST SUBDIVISION, MASON CITY IOWA and THE WEST SIXTEEN AND ONE-HALF FEET (16.5’) OF LOT FOUR (4), LOT FIVE (5), AND THE EAST SIXTEEN AND ONE-HALF FEET (16.5’) OF LOT 6 IN BLOCK FORTY-ONE (41) IN THE RAILROAD ADDITION TO

MASON CITY, IOWA,” which legal description will be replaced with the official legal description approved by the title company for Closing.

5. Buyer's Intended Use. The Parties understand, acknowledge, and agree that Buyer is entering into this Agreement to purchase and develop the Property as a project consisting of approximately forty-five (45) units of affordable senior multifamily housing (“Buyer's Intended Use”).
6. Purchase Price. Subject to the terms and conditions contained in this Agreement, Seller agrees to sell the Property to Buyer and Buyer agrees to purchase the Property from Seller. The Purchase Price will be set at Sixty-two thousand Seven-Hundred and Thirty Dollars (\$62,730.00) (the “Purchase Price”). The Purchase Price will be payable at Closing, plus or minus prorations, credits, and adjustments as set forth in this Agreement.
7. Earnest Money. Buyer agrees to deposit One Thousand Dollars (\$1,000.00) of earnest money (the “Earnest Money”) on or before ten (10) business days after the Effective Date. The Earnest Money will be held in escrow by Iowa Title Guaranty, 1963 Bell Ave. #200, Des Moines, Iowa 50315 (the “Title Company”) until the Parties close the transaction contemplated herein, pursuant to an escrow agreement that is mutually acceptable to Buyer, Seller, and Title Company. On the date that is 30 days after satisfaction of the Housing Tax Credits Contingency (as hereinafter defined in Section 15(c)(i)) the Earnest Money shall become nonrefundable, except as expressly otherwise provided herein, but applicable to the Purchase Price. If, pursuant to and in accordance with the terms of this Agreement, Buyer terminates this Agreement before 30 days following the Housing Tax Credits Contingency Date or the Housing Tax Credits Contingency or other contingencies are not satisfied as and when provided herein, then the Earnest Money shall be promptly returned by Title Company to Buyer. If the transaction closes in accordance with the terms of this Agreement, at Closing, Buyer will receive a credit against the Purchase Price in the amount of the Earnest Money, and the Earnest Money shall be delivered by Title Company to Seller as part payment of the Purchase Price.
8. Real Estate Tax Proration at Closing. Seller will pay prorated real estate taxes for any such taxes that will be or have already been assessed to the Property prior to and including the day prior to the Closing Date, in addition to any unpaid real estate taxes assessed to the Property from prior years. Buyer will pay all real estate taxes assessed to the Property from and after the Closing Date. If tax bills for the year of the Closing Date are not available as of the Closing Date, such proration shall be based upon the tax bills for the calendar year immediately preceding the calendar year in which the Closing Date occurs, and Seller's proportionate share thereof shall be deducted from the purchase price payable hereunder. All pro-rations of taxes mutually agreed to by the Parties at Closing shall be final, unless

otherwise provided in this Agreement.

9. Special Assessments. Seller shall pay all special assessments levied on the Property prior to the Closing Date. All subsequent special assessments will be paid by Buyer.
10. Care and Maintenance. The Property will be preserved and delivered to Buyer in its present condition, subject to reasonable wear and tear, at the time of possession.
11. Possession. If the Parties perform all obligations of this Agreement, possession of the Property will be delivered to Buyer upon the Closing.
12. Abstract and Title. No later than thirty (30) days after of this Agreement's Effective Date, Seller will, at its sole cost and expense, obtain and deliver to Buyer for Buyer's examination, the Property's Abstract of Title. Such Abstract of Title must show marketable title for the Property in in Seller's name. Marketable title under this Agreement requires conformity with Iowa law, and the Title Standards of the Iowa State Bar Association and must show that the Property is free of all liens, encumbrances, easements, conditions, restrictions, and encroachments, except those exceptions permitted under the rules of examination of title adopted by the Cerro Gordo County Bar Association. If title to the Property is unmarketable, as determined by relevant law or this Agreement, Buyer shall give written notice ("Title Defect Notice") to Seller of any such title defect ("Title Defects") no later than thirty (30) days after satisfaction of the Housing Tax Credits Contingency (as hereinafter defined in 15(c)(i)). Any matter shown on the Abstract of Title and not objected to by Buyer shall be a "Permitted Encumbrance." Upon receipt of a Title Defect Notice, Seller shall have ten (10) business days in which to notify Buyer whether Seller will cure the Title Defects ("Seller's Response Notice"). Seller's failure to deliver a Seller's Response Notice shall be deemed as Seller's affirmative election to not remove or otherwise cure any Title Defects. Should Seller decline to cure, or be deemed to have elected not to cure, any Title Defects, Buyer may either elect to terminate this Agreement upon notice to Seller given within ten (10) business days after Buyer's receipt of Seller's Response Notice, or Buyer may waive such Title Defects and proceed to Closing. Should Buyer elect to terminate this Agreement in accordance with the previous sentence, Buyer shall receive a full refund of the Earnest Money. Should Seller elect to cure the Title Defects, Closing shall be delayed for so long as reasonably necessary (not to exceed thirty (30) days) for Seller to complete its curing of the Title Defects. If Buyer fails to provide Seller with a Title Defect Notice, then all title defects will be deemed Permitted Encumbrances and Buyer will have waived its right to object to the Property's condition of title. The Abstract of Title will become property of Buyer when the Purchase Price is paid in full. Seller will pay the costs of any additional abstracting and title work due to any of Seller's acts or omissions. Buyer may request and obtain from Seller the Abstract of Title at any time prior to Closing for Buyer's own review. Buyer will be responsible for its

safe keeping and liable for the repair or replacement of such Abstract of Title if it is damaged or lost while in Buyer's possession. At Seller's direction, Buyer will return the Abstract of Title to Seller or forward it to the abstractor of Seller's choosing so that Seller may comply with this Section.

13. Special Warranty Deed. Upon payment of the Purchase Price, Seller will convey the Property to Buyer by standard form of special warranty deed, free and clear of all liens, restrictions, and encumbrances, except the Permitted Encumbrances.
14. Time of the Essence. Time is of the essence as to acceptance of this Agreement and all other deadlines for performance set forth herein.
15. Buyer's Contingencies. The Parties agree that each of the contingencies in this Section (collectively, the "Buyer's Contingencies") are for Buyer's sole benefit and that Buyer would not have entered into this transaction "but for" each Buyer Contingency. To cancel this Agreement on account of a Buyer Contingency, Buyer must notify Seller in writing on or prior to the expiration of the corresponding contingency's date prescribed therein (for each Buyer Contingency, respectively, the "Contingency Date") (for the period from the Effective Date to expiration of each respective Buyer Contingency's Contingency Date, the "Contingency Period"). If Buyer exercises Buyer's right to cancel this Agreement under this Section, all rights and obligations between the Parties established under this Agreement are null and void and Buyer is entitled to a full refund of any refundable Earnest Money paid to date. Title Company shall return refundable Earnest Money to Buyer with or without Buyer and Seller having executed a termination of this Agreement. In the event Buyer has failed to provide Seller with timely notice in writing and pursuant to this Section that Buyer wishes to cancel this Agreement during any given Contingency Period, Buyer will be deemed to have waived the right to cancel this Agreement created by the corresponding Buyer Contingency. The Parties agree that Buyer's obligation to close this transaction depends on the full satisfaction of or Buyer's waiver of each of the following contingencies:

- a. Proposed Use and Diligence Contingencies:

- i. Government Land Use Approvals. Buyer obtaining, at Buyer's sole cost and expense, on or before February 18, 2025, City of Mason City rezoning, conditional use permits, and/or land use approvals of any kind necessary to permit the development and construction of Buyer's Intended Use on the Property as a matter of right.
- ii. Site Plan Approvals. Buyer obtaining, at Buyer's sole cost and expense and on or before April 1, 2026, site plan approval, variances, and building

permits from the City of Mason City that are required for development and construction of Buyer's Intended Use.

- iii. Document Delivery and Review. On or before fifteen (15) calendar days after the Effective Date, Seller will deliver to Buyer copies of all leases, licenses, easements, and any other agreements or encumbrances affecting the rights associated with the ownership of the Property, regardless of whether such documents were recorded, as well as copies of any existing or commissioned surveys, environmental reports, engineering reports, soils studies, and any other studies and reports relating to the physical condition of the Property, to the extent in Seller's possession. The Parties agree that Buyer will review and determine, in its sole discretion, whether such documentation materially impairs the feasibility of Buyer's Intended Use. This subsection's Contingency Date is thirty (30) calendar days after the date on which Seller delivers the last of such documentation to Buyer.
- iv. Environmental Audit. Buyer obtaining, at Buyer's sole cost and expense, a Phase I Environmental Site Assessment of the Property, by an engineering firm acceptable to Buyer. The Parties agree that Buyer, in its sole discretion, will review this report to determine whether the results materially reduce the financial feasibility of Buyer's Intended Use. The Contingency Date for this Section will be set at ninety (90) calendar days from the calendar date on which the Iowa Finance Authority ("IFA") announces its award of 2025 9% State Housing Tax Credits, referenced in Section 15(c)(i) of this Agreement.
- v. Geotechnical Audit. Buyer obtaining, at Buyer's sole cost and expense, a subsurface conditions investigation of the Property of a scope and by a firm acceptable to Buyer. The Parties agree that Buyer, in its sole discretion, will review information provided to Buyer to determine whether it materially reduces the financial feasibility of Buyer's Intended Use. The Contingency Date for this Section will be set at ninety (90) calendar days from the calendar date on which IFA announces its award of 2025 9% Housing Tax Credits, referenced in Section 15(c)(i) of this Agreement.
- vi. Stormwater and Utility Capacity Contingency. Buyer obtaining, at Buyer's sole cost and expense, written confirmation from the City of Mason City and the applicable utility providers that access to adequate capacity to accommodate Buyer's Intended Use exists for water, storm sewer, sanitary sewer, electric, gas, and telecommunications services. The Parties agree

that Buyer, in its sole discretion, will determine whether the capacity for the above services materially reduces the feasibility of Buyer's Intended Use, including whether the extension of any such utilities to service the Property materially reduces the feasibility of Buyer's Intended Use. The Contingency Date for this Section will be set at ninety (90) calendar days from the calendar date on which the IFA announces its award of 2025 9% State Housing Tax Credits, referenced in Section 15(c)(i) of this Agreement.

- vii. Market Feasibility Review. On or before February 19, 2025 Buyer obtaining, at Buyer's sole cost and expense, a market study for Buyer's Intended Use on the Property, which in Buyer's sole discretion, indicates adequate demand for and absorption of Buyer's Intended Use.
- viii. ALTA Survey. . Buyer obtaining, at Buyer's expense, an ALTA survey of the Property completed by a qualified, registered land surveyor licensed to do business in Iowa (the "Survey"). The Parties agree Buyer will review the Survey to confirm whether the property boundaries, dimensions, and total acreage for the Property materially inhibit the financial feasibility of constructing Buyer's Intended Use on the Property in compliance with planning requirements for the City of Mason City, Iowa. The Contingency Date for this Section will be set at ninety (90) calendar days from the calendar date on which IFA announces its award of 2025 9% State Housing Tax Credits, referenced in Section 15(c)(i) of this Agreement.

b. Financing Contingencies:

- i. Permanent Financing. Buyer obtaining, at Buyer's sole cost and expense, a written commitment for a permanent first mortgage, secured by a promissory note, on or before April 1, 2026, in an amount not less than Eight Hundred and Fifty-Five Thousand Dollars (\$855,000.00), bearing interest at a fixed-rate not to exceed Six-Point-Five (6.50%) Percent, amortized over a period of not less than thirty (35) years, with a minimum term of sixteen (16) years, with monthly payments of principal and interest not to exceed Five Thousand, one Hundred and Sixty-Six Dollars (\$5,166.00), and with an origination fee not to exceed Zero-Point-Five percent (0.5%) of the principal amount.

c. Equity and Soft Funding Contingencies:

- i. Housing Tax Credits. Buyer obtaining an award of 9% Low Income Housing Tax Credits (LIHTC) from IFA, on or before the later of June 30, 2025, or five (5) business days following the date IFA makes its announcement for the award of 9% Low Income Housing Tax Credits, and in an amount sufficient to feasibly construct Buyer's Intended Use. The Parties agree that Buyer, in its sole discretion, will determine the amount of tax credits under this Section that will be sufficient to construct Buyer's Intended Use and to submit a competitive tax credit application to IFA.
  - ii. Housing Tax Credit Equity Investor(s). Buyer obtaining from a qualified equity investor, on or before April 1, 2026, a firm commitment to purchase all 9% Housing Tax Credits awarded, in an amount not less than Eighty-Five Cents (\$0.83) per One (\$1.00) Dollar of Credit.
  - iii. Iowa HOME Funds. Buyer to obtain a written commitment from IFA to provide Buyer's Intended Use with HOME funds, in an amount not less than Five Hundred Thousand Dollars (\$500,000.00). Terms of the loan include interest not to exceed zero (0.00%) percent, principal payments of, at most, one (1.00%) percent of loan balance due annually, and balloon payment upon 20 -year loan maturity. The Contingency Date for this Section will be the same as the calendar date on which IFA announces its award of 2025 9% State Housing Tax Credits, referenced in Section 15(c)(i) of this Agreement. The Parties agree that Buyer, in its sole discretion, has deemed the receipt of the above funding under the above terms necessary to maintain the feasibility of Buyer's Intended Use.
  - iv. Gap Financing Funds. On or before April 1, 2026, Buyer obtaining a written commitment for gap financing to provide Buyer's Intended Use with not less than Six-Hundred and ninety Thousand Dollars (\$690,000.00).
16. Development Agreement. Upon satisfaction or waiver of Buyer's Contingencies, Buyer and Seller agree to negotiate in good faith a form of development agreement to be executed at least thirty (30) days prior to Closing with respect to the Property and Buyer's Intended Use (the "Development Agreement"), which Development Agreement shall be in a form acceptable to Buyer in its sole discretion. The Development Agreement shall include a provision requiring Seller to consolidate a portion of property identified in Exhibit A.1 to facilitate development and construction of Buyer's Intended Use. Should the Parties fail to agree upon the terms of the Development Agreement, Buyer may elect to terminate this Agreement upon ten (10) business days' notice to Seller. Should Buyer



elect to terminate this Agreement in accordance with the previous sentence, Buyer shall receive a full refund of the Earnest Money.

17. Contingency Savings. The Parties hereto acknowledge that Buyer may expend material sums of money in reliance on Seller's obligations under this Agreement in connection with negotiating and executing this Agreement, conducting or satisfying the contingencies contemplated by this Offer (the "Contingencies") and preparing for Closing, and that Buyer would not have entered into this Agreement without the availability of a period of time by which to conduct the Contingencies (the "Contingency Period"). The Parties therefore agree that adequate consideration exists to support each party's obligations hereunder, even before expiration of any Contingency Period, and Seller and Buyer each waive any and all rights to challenge the enforceability of this Agreement on the basis that any of the conditions or Contingencies set forth herein are at Seller's or Buyer's sole discretion or that any of the agreements contained in this Agreement are illusory.
  
18. Warranties and Representations. Seller hereby warrants and represents to Buyer, which warranties and representations shall survive the Closing for the Survival Period (hereinafter defined), that, as of the Effective Date and as of the Closing Date: (a) Seller has authority to execute this Agreement and to convey to Buyer good and indefeasible fee simple title to the Property, including all mineral rights, in accordance with the terms of this Agreement, free and clear of all leases, options, service contracts, liens, encumbrances and other exceptions to title except for the Permitted Encumbrances; (b) no improvements have been constructed or installed by any public authority, the cost of which may be assessed in whole or in part against any part of the Property, and Seller has not been notified of, and otherwise has no knowledge of, any possible future improvements that might create an assessment against any part of the Property; (c) neither the terms of this Agreement nor anything provided to be done by Seller hereunder (including, but not limited to, the conveyance and transfer of the Property) will violate any contract, agreement or instrument to which Seller is a party or which affects the Property; (d) Seller is not in default of any of its obligations or liabilities pertaining to the Property, and there is no state of facts, circumstance, condition or event which, after notice or lapse of time, or both, would constitute or result in any such default; (e) Seller has received no notice of, and otherwise has no knowledge of, any current, pending or outstanding judgement, action, litigation, or proceeding by any individual or governmental agency or proceedings in eminent domain against the Property; (f) there are no underground storage tanks presently located on the Property and, to Seller's knowledge, no underground storage tanks have been removed from the Property; (g) Seller has not received notice of, and otherwise has no knowledge of, any violations of law, municipal or county ordinances, or other legal requirements with respect to the Property or with respect to the use, occupancy or construction thereon; (h) during Seller's ownership of the Property, no portion of the Property has been excavated, no landfill was deposited on or taken from

the Property, no construction debris or other debris was buried upon any portion of the Property, and, to the best of Seller's knowledge, none of the foregoing has occurred with respect to the Property prior to the time Seller became the owner of the Property; (i) during Seller's ownership of the Property, no "Hazardous Substances," as that term is defined herein, have been treated, recycled, stored or disposed of on, under or at the Property and, to Seller's knowledge, the Property is not in violation of any "Environmental Law" (as defined herein); (j) during Seller's ownership of the Property, there has been no release or threatened release of any Hazardous Substances from, at or to the Property; and (k) to Seller's knowledge, no portion of the Property (1) is designated as water of the United States pursuant to Section 404 of the Clean Water Act or is defined as a "wetland" or "waterway" by state, county or local municipality, or (2) is located in a floodway or designated as "flooded" on any Flood Insurance Rate Map as defined by the Federal Emergency Management Agency. The provisions of this paragraph shall survive Closing for the Survival Period.

For purposes of this Agreement, the term "Environmental Laws" shall mean all federal, state and local laws including statutes, regulations, codes and other governmental standards, restrictions and requirements in effect now or at any time in the future or past relating to the use, storage, disposal, release, emission, dispersal, spilling, leaking, burial, migration, seepage, movement, discharge, management, investigation, remediation, regulation or otherwise relating to air pollutants, water pollutants, groundwater, effluents, stormwater runoff, surface water runoff, the environment, Hazardous Substances or employee health and safety, including, but not limited to, the Federal Solid Waste Disposal Act, the Federal Clean Air Act, the Federal Clean Water Act, the Federal Resource Conservation and Recovery Act of 1976, the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Federal Hazardous Materials Transportation Act, the Toxic Substance Control Act, the Occupational Safety and Health Act of 1970 (all as the same may have been amended), regulations of the Environmental Protection Agency, and regulations of any state department of natural resources or state environmental protection agency. For purposes of this Agreement, the term "Hazardous Substances" shall mean all hazardous, toxic, flammable, explosive or radioactive substances, wastes and materials; any pollutants or contaminants (including, but not limited to, petroleum products, asbestos, raw materials and natural substances that include hazardous constituents); and any other similar substances or materials that are regulated under Environmental Laws.

For purposes of this Agreement, the phrase "to Seller's knowledge" and words of similar import shall mean to Seller's current actual knowledge without independent inquiry or investigation other than review of Seller's files.

Buyer hereby represents and warrants to Seller, which representations and warranties shall survive the Closing for the Survival Period, that, as of the Effective Date and as of the Closing Date: Buyer is a corporation, organized and in good standing under the laws of the State of Wisconsin; that Buyer has the requisite corporate power and authority to enter into this Agreement; this Agreement has been duly authorized by all necessary corporate action on the part of Buyer; that the execution, delivery and performance by Buyer of this Agreement does not conflict with or result in violation of Buyer's organizational documents or any judgment, order or decree of any court or arbiter to which Buyer is a party.

Survival of Representations and Warranties. The representations and warranties made by each party in this Agreement and documents delivered pursuant hereto shall survive the Closing for a period of nine (9) months (the "Survival Period"). Each party shall defend, indemnify and hold the other party harmless from and against any and all claims, actions, losses, costs, damages and/or expenses (including reasonable attorneys' fees) arising out of, relating to or caused by the breach or inaccuracy of any representation, warranty, agreement or covenant of such party set forth in this Agreement or in any document or instrument executed in connection with this Agreement; provided, however, a party's liability with respect to the foregoing indemnifications shall be limited in all cases to an amount not in excess of the Purchase Price.

19. Extensions. Buyer is entitled to one, one hundred eighty (180) day extension applicable to the Closing Date ("Extension Payment") and all unexpired contingencies. If exercised, the Closing Date is automatically extended by one hundred eighty (180) days. Buyer must deliver written notice of its intent to exercise such extension to Seller.
20. Closing. Provided that all Buyer Contingencies and Seller Contingencies are removed, waived, or satisfied, the consummation of the transaction contemplated under this Agreement ("Closing") will take place at a location to be agreed upon by the Parties, on or before April 1, 2026, or on another date agreed to in advance and in writing by both Parties (the "Closing Date").
21. Use of the Purchase Price. At the time of settlement, the proceeds of the Purchase Price may be used to pay taxes and other liens and/or satisfy any of Seller's obligations which may constitute a lien on the Property.
22. Remedies.
  - a. If Buyer fails to perform in accordance with this Agreement, Seller shall have the right to terminate this Agreement by giving written notice to Buyer of such default and if Buyer fails to cure such default within fifteen (15) days after the date of such notice, Seller may, as its sole and exclusive remedy, terminate this Agreement. Upon such termination, Seller will retain the Earnest Money as liquidated damages, time being of the essence under this Agreement. Seller and

Buyer agree that the Earnest Money is a reasonable estimate of such damages in the event of Buyer's failure to perform according to the provisions of this Agreement.

- b. If Seller fails to timely perform this Agreement, Buyer shall have the right to terminate this Agreement by giving written notice to Seller of such default and if Seller fails to cure such default within fifteen (15) days after the date of such notice, Buyer may, as its sole and exclusive remedy, either terminate this Agreement or seek specific performance by commencing an action therefor not more than sixty (60) days delivery after Buyer's delivery of its notice of Seller default.
- c. In connection with any default, neither party shall have any right to seek damages from the other, whether direct or consequential or of any other kind. Notwithstanding the foregoing, in any action or proceeding to enforce this Agreement or any term hereof the prevailing party shall be entitled to recover its reasonable costs and attorneys' fees.

23. Access for Inspections and Testing. Buyer will, along with its chosen agents, contractors and/or representatives, at all reasonable times prior to the earlier of (i) the Closing Date, or (ii) the termination of this Agreement, have the right to enter upon the Property during normal business hours and upon advanced notice to Seller for the purpose of conducting inspections, tests, and examinations of the Property (collectively, the "Inspections"); provided, that representatives of Seller will be entitled to be present for any Inspections and Seller will at its option and upon written request be entitled to receive copies of the results of any Inspections. Buyer shall not perform any invasive Inspections without Seller's prior written consent, which consent Seller may grant or withhold in its sole discretion. Buyer shall pay all costs and expenses for the Inspections and shall indemnify and hold Seller harmless from and against any and all cost, expense, liability or damage arising out of the following (except in each case to the extent the following arises out of the gross negligence or willful misconduct of Seller): (i) any injury to any person or the Property attributable to Buyer's exercise of any of its rights under this Section 23 (including, but not limited to, the entry upon the Property by Buyer or any of its agents or contractors); and (ii) any construction liens filed against the Property or claims or demands made against Seller for work performed by or on the behalf of Buyer. Buyer shall further repair and restore any damage to the Property caused by or occurring during Buyer's Inspections and shall return the Property to the same condition as existed prior to such entry and Investigations, which restoration obligation shall survive the termination or cancellation of this Agreement. Before entering the Property to conduct Inspections, Buyer and each Buyer representative conducting any Buyer Inspections shall (A) maintain (i) workers' compensation insurance in accordance with applicable law and (ii) commercial

general liability insurance with limits of at least \$1,000,000 per occurrence, and (B) shall deliver to Seller a certificate of insurance evidencing such coverage, confirming that such coverage is primary over any insurance maintained by Seller, and naming Seller as an additional insured with respect to the commercial general liability insurance. The obligations of Buyer under this Section shall survive Closing or any earlier termination of this Agreement.

24. As-Is Sale; Release. EXCEPT FOR SELLER'S EXPRESS REPRESENTATIONS AND WARRANTIES CONTAINED IN THIS AGREEMENT, BUYER IS PURCHASING THE PROPERTY BASED UPON ITS OWN INVESTIGATION AND INQUIRY, INCLUDING, WITHOUT LIMITATION, WITH RESPECT TO THE ENVIRONMENTAL CONDITION OF THE PROPERTY, AND IS NOT RELYING ON ANY REPRESENTATION OF SELLER OR OTHER PERSON, AND IS AGREEING TO ACCEPT AND PURCHASE THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS".

Except for any Seller warranties contained in this Agreement, upon the Closing Date, Buyer, on behalf of itself and its successors and assigns, waives any right of Buyer to recover from, and forever releases and discharges, Seller, Seller's affiliates, officials, employees, directors and officers, for, from and against any and all demands, claims, legal or administrative proceedings, losses, liabilities, damages, penalties, fines, liens, judgments, costs or expenses whatsoever (including, without limitation, attorneys' fees and court costs), whether direct or indirect, known or unknown, foreseen or unforeseen, patent or latent, that may arise on account of or in any way be connected with the Property, the physical condition of the Property, or any law or regulation applicable thereto including, without limitation, hazardous materials laws. The provisions of this Section shall survive the Closing and delivery of the Deed.

25. Waiver. Except as herein expressly provided, no waiver by a party of any breach of this Agreement or of any warranty or representation hereunder by another party shall be deemed to be a waiver of any other breach of any kind or nature (whether preceding or succeeding and whether or not of the same or similar nature), and no acceptance of payment or performance by a party after any such breach by another party shall be deemed to be a waiver of any further breach of this Agreement or of any representation or warranty hereunder by such other party whether or not the first party knows of such a breach at the time it accepts such payment or performance. No failure on the part of a party to exercise any right it may have by the terms hereunder or by law upon the default of another party, and no delay in the exercise thereof by the first party at any time when such other party may continue to be so in default, shall operate as a waiver of any default, or as a modification in any respect of the provisions of this Agreement.

26. Binding Acceptance. To create a valid, enforceable contract, Seller must execute and deliver this Agreement to Buyer no later than 5:00 p.m. Iowa time, February 6, 2025. Once fully-executed by the Parties, this Agreement will be binding upon and inure to the benefit of Buyer and Seller and their respective heirs, representatives, successors and assigns.
27. Drafting: Section Headings. The Parties acknowledge, understand, and agree that this Agreement is the subject of negotiation by the Parties and that the Parties together shall both be construed as the drafter of this Agreement even though one of the Parties may have initially drafted the Agreement. Therefore, the Parties agree that no provision of this Agreement will be construed against either Buyer or Seller because that party originally drafted such provision and that all provisions will be given a reasonable interpretation in accordance with the plain meaning of its terms and the intent of the Parties. The section headings herein contained are for purposes of identification only and shall not be considered in construing this Agreement.
28. Severability. In the event a competent court of jurisdiction deems any term, provision, or obligation in this Agreement to be invalid or unenforceable to any extent, such decision will have no impact on the enforceability or validity of all remaining terms, provisions, and obligations. All remaining terms, provisions, and obligations under this Agreement will remain valid and enforceable to the fullest extent permitted by law.
29. Computation. Unless otherwise specifically provided herein, in the computation of any period of time required or permitted hereunder or under any law for any notice or other communication or for the performance of any term, condition, covenant, or obligation, the day from which such period runs shall be excluded and the last day of such period shall be included, unless it is a Saturday, Sunday, or legal holiday, in which case the period shall be deemed to run until the end of the next day which is not a Saturday, a Sunday, or legal holiday. Any performance or payment which must be taken or made under this Agreement must be taken or made prior to 11:59 p.m. of the last day of the applicable period provided hereunder for such action, unless another time is expressly specified. All references to time shall be Mason City, Iowa time.
30. Counterparts. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered, shall constitute an original, and all of which together shall constitute but one instrument.
31. Electronic Signatures and Electronic Transmission. The Parties hereby affirmatively consent to the use of electronic signatures and the electronic transmission of any such signatures to bind the Parties in this transaction. This includes, but is not limited to, the use of electronic “.pdf” documents transmitted via email. Any such electronic signature will

have the same binding effect as an original signature delivered via U.S. mail.

32. Electronic Notice. The Parties hereby consent to the electronic transmission of all notices provided under this Agreement. Any notice hereunder may be given by counsel to a Party and must be delivered via electronic mail to the following addresses:

For Buyer: to Scott Kwiecinski at

[s.kwiecinski@horizondbm.com](mailto:s.kwiecinski@horizondbm.com)

With a copy to: Toni Prestigiacomo at [aprestigiacomo@foley.com](mailto:aprestigiacomo@foley.com)

For Seller: to Aaron Burnett at [Aburnett@masoncity.net](mailto:Aburnett@masoncity.net)

With a copy to: John Danos at [Danos.John@dorsey.com](mailto:Danos.John@dorsey.com)

32. Construction. This Agreement will be construed and enforced in accordance with the laws of the State of Iowa.

33. Assignment. At or before Closing, Buyer may assign its rights under this Agreement to any entity controlled by, controlling or under common control with Buyer (an “Affiliate”), but not otherwise. Any proposed assignment of this Agreement to a party who is not an Affiliate shall require Seller’s prior written consent, which consent shall not be unreasonably withheld. No assignment will relieve Buyer of its obligations under this Agreement and Buyer and any assignee shall remain jointly and severally liable for all obligations of Buyer under this Agreement.

34. Broker’s Commission. Seller and Buyer represent and warrant to each other that they have not dealt with any brokers, finders or the like in connection with this transaction, and agree to indemnify each other and to hold each other harmless against all claims, damages, costs or expenses of or for any other such fees or commissions resulting from their actions or agreements regarding the execution or performance of this Agreement, and will pay all costs of defending any action or lawsuit brought to recover any such fees or commissions incurred by the other party, including reasonable attorney’s fees. The foregoing indemnities, representations and warranties contained in this Section shall survive the Closing.

35. Survival. Except as may otherwise expressly be provided herein, the provisions of this Agreement shall not survive the Closing and shall be merged into the delivery of the Deed and other documents and the payment of all monies pursuant hereto at the Closing.

36. Entire Agreement and Merger. This Agreement and all Exhibits attached and referred to herein illustrate the entire agreement between the Parties with respect to the transaction contemplated herein. All other prior documents or discussions between the Parties concerning this transaction are hereby merged into this Agreement and will be of no further force or effect.

(Balance of this page intentionally left blank. Signatures to follow on next page.)

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written below.

BUYER:

SELLER:

Horizon Development Group, Inc.  
or its Assigns

City of Mason City

By:



By:

Name: Scott Kwiecinski

Name:

Title: Vice President

Title:

Date: January 29, 2025

Date:



# Exhibit A.1 (Subject Property Aerial Map)



City of Mason City  
Development Services Department

# Memorandum

To: Aaron Burnett, City Administrator  
From: Steven J. Van Steenhuyse, Director of Development Services  
Date: January 28, 2025  
RE: Public Hearing: Real Estate Purchase Agreement to sell City-owned Property at 537 4<sup>th</sup> Street NE to the North Iowa Corridor Housing Development Corporation

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**Recommendation:**

Staff respectfully requests that the Council convene a Public Hearing to consider a Real Estate Purchase Agreement to sell City-owned property at 537 4<sup>th</sup> Street NE to the North Iowa Corridor Housing Development Corporation. Upon closing the public hearing, Staff requests approval of the Resolution authorizing execution of Real Estate Purchase Agreement.

**Review:**

On December 17, 2024, the City Council approved a Resolution allowing the publication of a Notice of Bidding and setting a Public Hearing date for February 4, 2025, to consider a Real Estate Purchase Agreement to sell City-owned property at 537 4<sup>th</sup> Street NE. Because the property is located in the Forest Park Urban Renewal Area, the Iowa Code requires a Notice of Bids and a 30-day bidding period. The Notice of Bids set a bidding period deadline of January 17, 2025.

A base bid from the North Iowa Corridor Housing Development Corporation (NICHDC) was established through a Real Estate Purchase Agreement, which has been signed by the NICHDC. No competing bids were received by the January 17 deadline. Therefore, after holding the required public hearing, the City Council can approve the Real Estate Purchase Agreement with the NICHDC.

The City acquired 537 4<sup>th</sup> Street NE along with several other properties in this block to mitigate a potential public danger related to the retaining wall on the City right-of-way. This property actually consists of two lots; the lot to the west is vacant and could be

developed separately. The house on the east lot is generally in turnkey condition and therefore it is not proposed for moving to another lot or for demolition.

The City intends to transfer the property to the NICHDC, who will make upgrades and resell it for a price affordable to the workforce. This work will include closing up the basement-level garage at the front of the house, removing the driveway from 4<sup>th</sup> Street NE, and regrading the front of the property so that the retaining wall is no longer needed and can be removed. A garage, which can be accessed from the alley, will either be moved to this property from one of the other 4<sup>th</sup> Street NE lots, or a new garage will be constructed.

Upon the sale of the property to a new family, NICHDC will pay the City \$100,000. Any proceeds from that sale over \$100,000 will be retained by the NICHDC for investment in future housing projects.

The City's and the HDC's obligations as noted above will be stated in a Development Agreement that will be submitted to the City Council for approval at the next meeting. After the Development Agreement is approved and executed, the City will set a closing date to transfer the property to the HDC.

**Budget Impact:**


There is no impact to the operating budget resulting from this action. Sale of the property will eventually result in making the property taxable again.

**Council Action Requested:**

Staff requests approval of the Resolution authorizing execution of Real Estate Purchase Agreement.

**Attachments:**

1. Real Estate Purchase Agreement

  
\_\_\_\_\_  
Steven J. Van Steenhuyse, AICP  
Director of Development Services

  
\_\_\_\_\_  
Reviewed and Recommend Approval

RESOLUTION NO. 25 -

RESOLUTION APPROVING DISPOSITION OF CITY-OWNED  
PROPERTY (537 4<sup>TH</sup> STREET NE) IN THE FOREST PARK  
URBAN RENEWAL AREA AND AUTHORIZATION TO  
EXECUTE THE REAL ESTATE PURCHASE AGREEMENT  
WITH THE NORTH IOWA CORRIDOR HOUSING  
DEVELOPMENT CORPORATION

WHEREAS, the City of Mason City, Iowa (the “City”) has previously established the Forest Park Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, one of the City’s objectives is to promote the construction of a multifamily housing project and certain indoor and outdoor parking lot improvements (the “Project”) in order to alleviate blighted conditions in the Urban Renewal Area; and

WHEREAS, the City is the owner of certain real property (the “Property”) situated in the Urban Renewal Area and more particularly described in the attached real estate purchase agreement; and

WHEREAS, the City has received a proposal from The North Iowa Corridor Housing development Corporation (the “Developer”); and

WHEREAS, the City has prescribed and followed reasonable competitive procedures for the selection of a developer to undertake the development of the Property and the corresponding disposition of the Property in accordance with the provisions of Section 403.8 of the Code of Iowa and has held a public hearing on the proposal to sell the Property on February 4, 2025; and

WHEREAS, no other proposals for the property have been received; and

NOW, THEREFORE, Be It Resolved by the City Council of the City of Mason City, Iowa, as follows:

Section 1: The City Council hereby determines that the proposal of The North Iowa Corridor Housing Development Corporation will be sold for fair value and represents the best interests of the City and City Council hereby approves and authorizes the execution of the Real Estate Purchase Agreement for property located at 537 4<sup>th</sup> Street NE.

Section 2: The Mayor and City Clerk are hereby authorized and directed to execute the necessary.

PASSED AND APPROVED February 4, 2025.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

Attest:

\_\_\_\_\_  
Aaron Burnett, City Clerk

## **REAL ESTATE PURCHASE AGREEMENT**

This Real Estate Purchase Agreement ("Agreement") is entered by and between the **CITY OF MASON CITY, IOWA**, an Iowa municipal corporation ("SELLER"), and **THE NORTH IOWA CORRIDOR HOUSING DEVELOPMENT CORPORATION** ("BUYER"), as of the date of last signature set forth below ("Effective Date").

SELLER is the owner of that real property ("Property") situated in the City of Mason City, Cerro Gordo County, Iowa, locally known as 537 4<sup>th</sup> Street NE, and legally described as follows:

LOT ONE (1) IN BLOCK TWO (2) IN J.V. MUMFORD'S ADDITION TO MASON CITY, IOWA AND LOT THREE (3), EXCEPT THE SOUTH TEN (10) FEET THEREOF, IN THE SUBDIVISION OF LOT ONE (1) IN THE SUBDIVISION OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TEN (10) IN TOWNSHIP NINETY-SIX (96) NORTH, RANGE TWENTY (20) WEST OF THE 5<sup>th</sup> P.M.;

SELLER agrees to sell and BUYER agrees to purchase the Property, together with any easements and appurtenant servient estates, and subject to any easements of record for public utilities or roads, any zoning restrictions, restrictive covenants, and/or mineral reservations of record, if any, upon the following terms and conditions:

1. **PURCHASE PRICE.** BUYER shall pay to SELLER the sum of one hundred thousand dollars (\$100,000.00) for the Property and the method of payment shall be one dollar (\$1) down with this offer and the balance of the Purchase Price to be paid upon real estate closing of the resale of the Property by the BUYER to a third-party purchaser following the improvements described in Paragraph 2. Notwithstanding the down payment amount, BUYER and SELLER agree to pay all necessary closing costs as customary or required by this Agreement prior to the transfer of the Property.
  
2. **DEVELOPMENT OF PROPERTY.** As further consideration for its purchase of the Property, BUYER agrees to provide for necessary renovations to prepare the Property for resale and to facilitate the SELLER's project to remove the adjacent retaining wall and regrade the front yard of the Property. BUYER agrees to rehabilitate the Property as necessary to obtain a certificate of occupancy; and by obtaining certificates of occupancy within twelve (12) months from the date of the deed conveying the Property is filed with the Cerro Gordo County Recorder, subject to such reasonable extensions SELLER and BUYER may mutually agree upon, in writing. BUYER's development of the Property, as aforesaid, shall comply with all relevant provisions of the City Code of the City of Mason City, Iowa and BUYER shall obtain all necessary permits and undergo all necessary inspections. SELLER agrees to provide water and sewer service connections to the Property at its cost. Until such time development of the Property is complete and a certificate of occupancy issued, BUYER shall not encumber the Property by lien, mortgage, or other similar debt obligation, nor sell the Property to a third party, without the express written consent of

**SELLER.** The provisions of this Agreement, generally, and this Paragraph, specifically, shall survive closing.

3. **REAL ESTATE TAXES.** BUYER shall accept title to the Property subject to accrued but unpaid taxes, if any, and shall pay all subsequent real estate taxes.

4. **SPECIAL ASSESSMENTS.**

A. SELLER shall pay at time of closing all installments of special assessments which are a lien on the Property and, if not paid, would become delinquent during the calendar year this offer is accepted, and all prior installments thereof.

B. Any preliminary or deficiency assessment which cannot be discharged by payment shall be paid by SELLER through an escrow account with sufficient funds to pay such liens when payable, with any unused funds returned to SELLER.

5. **RISK OF LOSS AND INSURANCE.** SELLER shall bear the risk of loss or damage to the Property prior to closing or possession, whichever first occurs, provided SELLER shall have the right but not the obligation to repair such damage. In the event the Property is damaged prior to closing or possession this Agreement shall continue in force and effect until either party rescinds the Agreement after giving thirty (30) days written notice to the other party.

6. **POSSESSION AND CLOSING.** If BUYER timely performs all obligations, exclusive possession of the Property shall be delivered to BUYER on the date of closing, free of any and all leasehold interests or tenancies. Any adjustments of rent, insurance, interest, and all charges attributable to SELLER'S possession shall be made as of the date of closing. This transaction shall be considered closed, and BUYER shall take possession, upon the filing of title transfer documents and receipt of all funds due at closing from BUYER under this Agreement. Closing shall be held on such date as the parties may mutually agree.

7. **CONDITION OF PROPERTY.** SELLER makes no warranties, expressed or implied, as to the condition of the Property and BUYER shall take possession to the Property "as is." BUYER acknowledges BUYER has made a satisfactory inspection of the Property and is purchasing the Property in its existing condition.

8. **DEED.** Upon payment of the Purchase Price, SELLER shall convey the Property to BUYER by Quitclaim Deed prepared by SELLER at SELLER'S expense.

9. **SURVEY.** BUYER, at its expense, may have the Property surveyed and certified by a registered land surveyor prior to closing.

10. **USE OF PURCHASE PRICE.** At time of settlement, funds of the Purchase Price may be used to pay taxes and other liens and to acquire outstanding interests, if any, of others.

**11. ENVIRONMENTAL MATTERS.**

- A. SELLER warrants to the best of its knowledge and belief there are no abandoned wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks located on the Property, the Property does not contain levels of radon gas, asbestos, or urea-formaldehyde foam insulation which require remediation under current governmental standards, and SELLER has done nothing to contaminate the Property with hazardous wastes or substances. SELLER warrants the Property is not subject to any local, state, or federal judicial or administrative action, investigation, or order, as the case may be, regarding wells, solid waste disposal sites, hazardous wastes or substances, or underground storage tanks.
- B. BUYER may at its expense, at any time prior to closing, obtain a report from a qualified engineer or other person qualified to analyze the existence or nature of any hazardous materials, substances, conditions, or wastes located on the Property. In the event any hazardous materials, substances, conditions, or wastes are discovered on the Property, BUYER'S obligation hereunder shall be contingent upon the removal of such materials, substances, conditions or wastes or other resolution of the matter reasonably satisfactory to BUYER. However, in the event SELLER is required to expend any sum to remove any hazardous materials, substances, conditions or wastes, SELLER shall have the option to cancel this transaction and declare this Agreement null and void. The expense of any inspection shall be paid by BUYER. The expense of any action necessary to remove or otherwise make safe any hazardous material, substances, conditions, or waste shall be paid by SELLER, subject to SELLER'S right to cancel this transaction as provided above.

**12. INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM.** SELLER represents and warrants to BUYER the Property is not served by a private sewage disposal system, and there are no known private sewage disposal systems on the property.

**13. NOTICE.** Any notice under this Agreement shall be in writing and be deemed served when it is delivered by personal delivery or mailed by certified mail, addressed to the parties at the addresses given below.

**14. GENERAL PROVISIONS.** In the performance of each part of this Agreement, time shall be of the essence. Failure to promptly assert rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. This Agreement shall apply to and bind the successors in interest of the parties. This Agreement shall survive the closing. This Agreement contains the entire agreement of the parties and shall not be amended except by a written instrument duly signed by SELLER and BUYER. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of this Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender according to the context.

15. **REMEDIES OF PARTIES.**

- A. If BUYER fails to timely perform this Agreement, SELLER may forfeit it as provided in the Iowa Code (Chapter 656), and all payments made shall be forfeited; or, at SELLER'S option, upon thirty (30) days written notice of intention to accelerate the payment of the entire balance because of BUYER'S default (during which thirty days the default is not corrected), SELLER may declare the entire balance immediately due and payable. Thereafter this Agreement may be foreclosed in equity and the Court may appoint a receiver.
- B. If SELLER fails to timely perform this Agreement, BUYER has the right to have all payments made returned to it and declare this Agreement null and void.
- C. BUYER and SELLER are also entitled to utilize any and all other remedies or actions at law or in equity available to them, and the prevailing parties shall be entitled to obtain judgment for costs and attorney fees.

16. **REAL ESTATE AGENT OR BROKER.** Neither party has used the service of a real estate agent or broker in connection with this transaction.

17. **CERTIFICATION.** BUYER and SELLER each certify that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify, and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities, and expenses (including attorneys' fees and costs) arising from or related to any breach of the foregoing certification.

18. **APPROVAL BY CITY COUNCIL.** This Agreement shall be expressly contingent upon approval by the City Council for Mason City, Iowa.

19. **COUNTERPARTS.** This Agreement may be executed in several counterparts, each of which, when so executed and delivered, shall be deemed an original, and all of which, when taken together, shall constitute the same instrument, even though all parties are not signatories to the original or the same counterpart. Furthermore, the parties may execute and deliver this Agreement by electronic means such as PDF or a similar format. BUYER and SELLER agree that delivery of the Agreement by electronic means shall have the same force and effect as delivery of original signatures and that each of the parties may use such electronic signatures as evidence of the execution and delivery of the Agreement by all parties to the same extent as an original signature.

20. **ADDITIONAL PROVISIONS.** None if none listed.



21. **EXECUTION.** When and if executed by both SELLER and BUYER, this Agreement shall become a binding contract.

**SELLER**

**CITY OF MASON CITY, IOWA,**  
an Iowa municipal corporation

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2023

By: \_\_\_\_\_  
Bill Schickel, Mayor

Attest:

\_\_\_\_\_  
Aaron Burnett, City Administrator/Clerk

Address: 10 1<sup>st</sup> Street NW  
Mason City, IA 50401

Telephone: (641) 421-3600

**BUYER**

**NORTH IOWA CORRIDOR HOUSING  
DEVELOPMENT CORPORATION**

Dated this 27<sup>th</sup> day of January 2023

By: Myrtle Nelson  
North Iowa Corridor Housing  
Development Corporation

\_\_\_\_\_  
Address: 9 North Federal Avenue  
Mason City, IA 50401

Telephone: (641) 423-0315

City of Mason City  
Development Services Dept.

# Memorandum

To: Aaron Burnett, City Administrator  
From: Tricia Sandahl, Planning and Zoning Mgr.  
Through: Steven J. Van Steenhuyse, Development Services Director  
Date: January 27, 2025, for the Council meeting of February 4, 2025  
RE: Public hearing and consideration of an ordinance changing the zoning of property generally located in the 500 block of N. Delaware Ave. from Z3 General Urban District to Z4 Multi-Use District (1<sup>st</sup>, 2<sup>nd</sup> or FINAL)

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**Recommendation:**

The Planning and Zoning Commission held a public hearing on January 14, 2025 to consider rezoning property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. The Commission voted unanimously to recommend that the City Council approve the rezoning. Staff concurs with this recommendation and requests that the Council hold a public hearing on the application. Barring any significant public objection to the rezoning, staff recommends that the Council approve the rezoning on 1<sup>st</sup> consideration (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL)

**Compressed Approval Timeline Requested:**

The developer selected by the City to redevelop the property subject to this rezoning is submitting an application for the Low Income Housing Tax Credit (LIHTC) program. If the developer can document that the land is appropriately zoned for the proposed development, their application will score higher and be more competitive. Typically, a rezoning requires approval at three separate meetings. In the case of this rezoning, we would normally expect that the final consideration would take place on March 4, 2025. However, the LIHTC application is due on February 19. At the February 18 City Council meeting, and barring any significant public objection to the rezoning, staff will be requesting that the Council waive the second reading and proceed to final approval.

**Review:**

The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. Most of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site. The City is the applicant in this case.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue and facilitate the construction of a four-story building on the site.

The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally non-conforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail,

personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community.

### **Comprehensive Plan Analysis:**

Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily non-residential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: "Define strategies to leverage downtown assets for new uses of underused spaces." The proposed rezoning is in a sub-area identified as a "support district". The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses.

Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: "Target neighborhoods and corridors to pursue infill development and connectivity." The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

### **Spot Zoning:**

Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot

zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comments:**

Chapter 414.5, Code of Iowa, outlines the process to protest a rezoning. If a written protest against a change of zone is filed with the City Clerk and signed by the owners of twenty percent or more of the owners of the properties within the area considered for the proposed change, or twenty percent or more of the owners within 200 feet of the exterior boundaries of the property for which the rezoning is proposed, the rezoning must be approved by a favorable vote of at least three-fourths of all the members of the City Council. The protest must be filed before or at the public hearing. Staff has not received any comments regarding this request. Any request received prior to the Council meeting will be summarized for the Council at the meeting.

**Budget Impact:**

There should be no impact to the City's budget from this rezoning.

**Council Action Requested:**

Staff recommends that the Council hold a public hearing on this request. Barring any significant public objections, staff recommends that the rezoning be approved on 1<sup>st</sup> consideration.

**Attachments:**

- Planning and Zoning Commission Staff Report
- Draft minutes of the January 14, 2025, Planning and Zoning Commission meeting.

**Tricia Sandahl**

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Tricia Sandahl, Planning and Zoning Mgr.



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Reviewed and Recommend Approval

**Mason City Planning & Zoning Commission  
Staff Report**

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Date: January 2, 2025

File: RZ2025-02

Applicant: City of Mason City

Request: A request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

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**Request:** Staff respectfully requests that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application. A location map of the proposed rezoning is attached.

**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally non-conforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores,

parcs and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.(Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily non-residential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: "Define strategies to leverage downtown assets for new uses of underused spaces." The proposed rezoning is in a sub-area identified as a "support district". The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses.

Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: "Target neighborhoods and corridors to pursue infill development and connectivity." The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of



the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requests that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

**Attachments:**

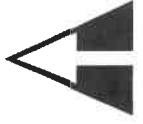
- Location Map
- Area Zoning Map
- Form and Function Table
- Change of Zone Checklist

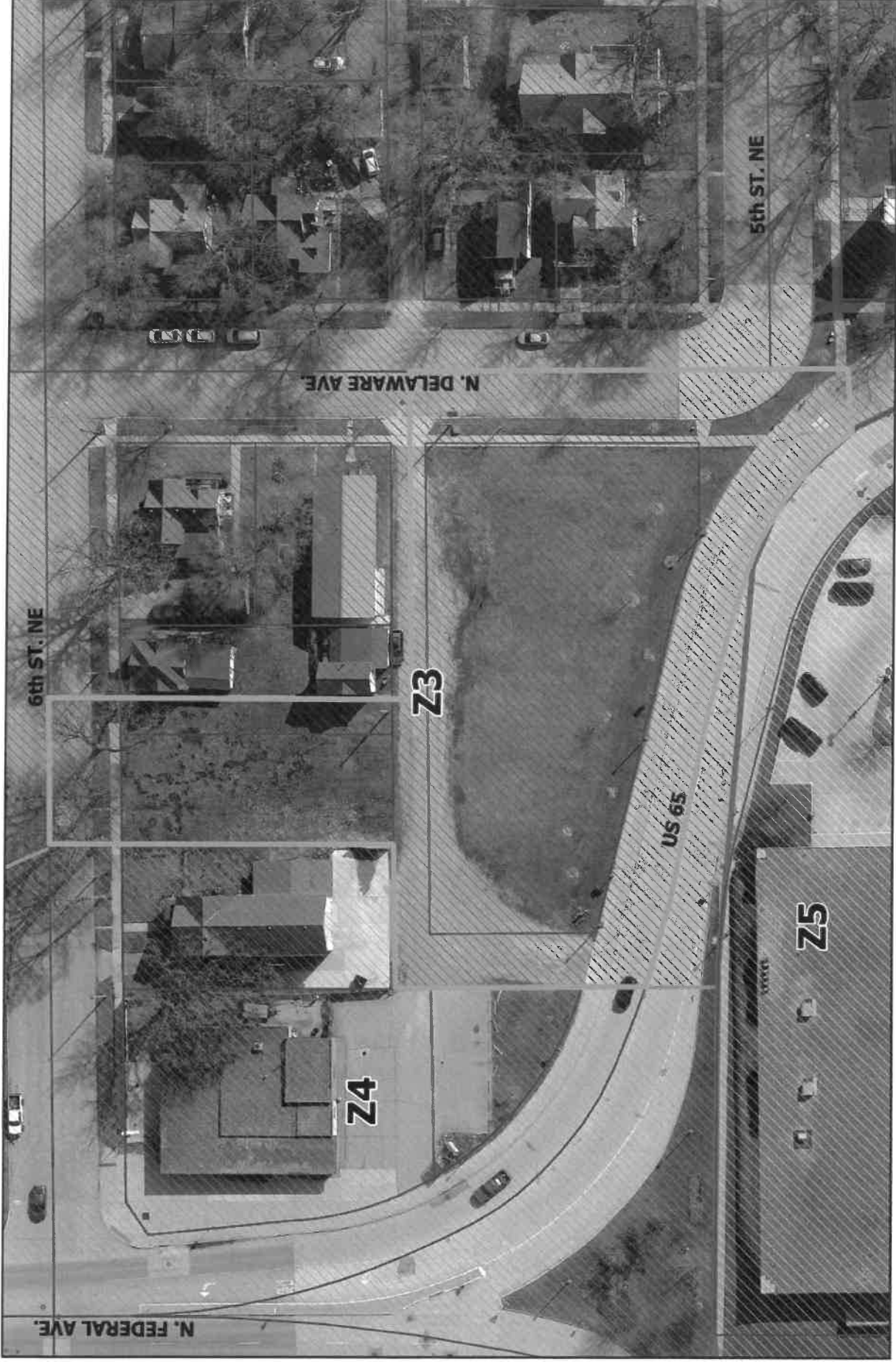
*R:\Boards & Commissions\Planning & Zoning\2025 P & Z\01-14-25\RZ2025-02 City of Mason City  
(Northbridge)\25-02 City of Mason City-Northbridge Remnant.docx*



## RZ2025-02 - City of Mason City, applicant

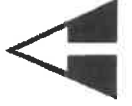
Rezone from Z3 General Urban to Z4 Multi-use District





## RZ2025-02 - City of Mason City, applicant

Area to be rezoned from Z3 General Urban District to Z4 Multi-Use District.



# 12-8-3 Zoning Form and Function Table

## Table 2: Zoning Form and Function Table

	AGRICULTURE	SUB-URBAN	GENERAL URBAN	MULTI-USE	CENTRAL BUSINESS	INDUSTRIAL	SPECIFIC USE
	Z1	Z2	Z3	Z4	Z5	Z6	Z7*
<b>A. Residential/mixed use</b>							
Accessory dwelling	P	P	P				
Duplex/two flat		P	P	P			
Farm dwelling	P	P		P		P	
Family home	P	P	P	P			
Freestanding house	P	P	P				
Group dwelling			P1	P	P1		
Live/work building			P	P	P	C*	
Mansion apartment			P	P	P1		
Mixed use block building				P	P		
Multiple flats			P1	P	P		
Sideyard/zero lot line house		P	P	P			
SRO			C		P1		
Town house		P	P	P	P		
<b>B. Lodging</b>							
Bed & breakfast	P	P	P	P	P		
Dormitory				P1	P1		
Hotel				P	P		
Inn	C		C	P	P		
Residence lodging	P	P	P	P			
<b>C. Office/Misc.</b>							
Corner office		P1	P	P	P		
Personal hobby building				P	P		
Office building				P	P	P	
<b>D. Commercial/retail service</b>							
Adult use				C		P	
Box, large				P			
Box, medium				P	P1		
Box, small			P1	P		P	
Corner store	P	P1	P	P	P	P	
Multiple principal bldg. development				P1		P1	
Open air market				P	P		
Restaurant	P1	C	C	P	P	P	
Roadside stand	P						
Self storage				C		P	
Shopping strip				P1			
Shopping mall				P1	P2		
Taverns or similar				P	P		
<b>E. Civic</b>							
Auditorium				P1	P1		
Convention center				P2	P2		
Golf course	P	P1				P	
Indoor recreation				P	P	P	
Library		P2	P2	P2	P2		
Movie theater				P	P		
Museum	C	C	P1	P1	P		
Outdoor recreation	C	C	C	P1		P1	
Public parks and related facilities	P	P	P	P	P	P	
Religious assembly, large		C		P1		C	
Religious assembly, medium		C	C	P	P1	C	
Religious assembly, small	C	P1	P	P	P		

### NOTES TO TABLE 2:

\*Z7 Specific Use District: See section 12-15-6, Table 1A of this title for permitted and conditional forms and functions in the Z7 Specific Use districts

P = Permitted; P\* = Open Industry functions are permitted only in the Z6-O District.

P1 = Permitted subject to Planning and Zoning Commission site plan approval, with notification to neighbors.

P\*\* and P1\*\* = in the Z4 South Federal Gateway Overlay District, allowed only as a Conditional Use. See section 12-12-7 B

P2 = Permitted subject to Planning and Zoning and City Council site plan approval with notification to neighbors.

C = Conditional subject to Zoning Board of Adjustment approval.

C\* = Z6-R districts only

C\*\* = Conditional use only in the Z4 South Federal Gateway Overlay District; see section 12-12-7 B. Not permitted in the remainder of the Z4 District.

	AGRICULTURE	SUB-URBAN	GENERAL URBAN	MULTI-USE	CENTRAL BUSINESS	INDUSTRIAL	SPECIFIC USE
	Z1	Z2	Z3	Z4	Z5	Z6	Z7*
<b>F. Civic support</b>							
Cemetery	P	P					
Clinic			P1	P	P		
Crematorium	P			P	C	P	
Fairgrounds	P						
Funeral home		C	P1	P	P		
Hospital				P1	P1		
Parking structure				P2	P2		
Public safety facility	P2	P2	P2	P2	P2	P2	
Public works garage	P2			P2		P2	
<b>G. Education</b>							
9-12/High school		C	C	P1	P1		
College	C			P1	P1		
Daycare	P	P	P	P	P	P	
K-8		P1	P1	P	P		
Preschool		P1	P	P	P		
Trade school			P1	P	P	P	
<b>H. Automotive</b>							
Gas/convenience	C		P1	P	P1	P	
Vehicle repair	C		C	P	P1	P	
Vehicle Sales/ rental	C			P		P	
<b>I. Agriculture</b>							
Community garden	P	P	P	P	P	P	
Grain storage	P					P	
Greenhouse	P	C		P		P	
Kernel	P			P1		P	
Livestock	P					P	
Farm	P	P		P		P	
Small farm		C					
Stable	P						
<b>J. Industrial</b>							
Agribusiness	P1					P	
Artisan/craftsman shop				P	P	P	
Contractor shops	P1			P		P	
Cross docking facility				C**		P	
Industry, open						P*	
Industry, restricted						P	
Office-showroom				P		P	
Warehousing						P	
Waste transfer						C	
Wastewater treatment	P2					P2	
Water treatment	P2					P2	
<b>K. Accessory uses</b>							
Active solar equipment	P	P	P	P	P	P	
Agritourism	C						
Drive-through			P1	P	P1	P	
Home occupations	P	P	P	P	P		
Outdoor storage	P			P1**		P	
Outdoor customer dining area	P1	P1	P1	P	P	P	
Accessory parking structure				P1	P1		
Seasonal sales/display				P**	P	P	
Small wind equipment	P	P	P	P	P	P	
Dispersed wind equipment	C	C	C	C	C	C	
Accessory surface parking (off site)			C	P	C	P	

## **CHANGE OF ZONING CHECKLIST**

This list is intended to provide guidance when a request for a change of zone is made. This list is not all-inclusive, nor will it be pertinent for all requests. It is intended to be used as a guide and not a scorecard. Each request for a change of zone requires a careful analysis, as each parcel is unique.

### **BROADER COMPREHENSIVE PLANNING EFFORTS**

1. Does the requested rezoning conform to the City's comprehensive plan and future land use map?
2. Does the requested rezoning conform to any sub-area plans?

### **LAND USE NEEDS AND BALANCE**

3. Does the requested rezoning encourage a land use balance within the City and its perimeter area that promotes the efficient provision of services, generates revenues which cover the costs of those services, and provides a mix of employment and housing opportunities consistent with the neighborhood area concept?
4. Does the requested rezoning provide adequate residential land uses to achieve diversity in location and type throughout the City?
5. Does the requested rezoning provide for commercial and industrial area to service neighborhood, regional and business needs?
6. Is there a public need for additional land to be rezoned to the class requested?
7. If there is a need for additional land to be rezoned as requested, should the rezoning be done in the areas requested or would the public interest be better served if the rezoning were done in other areas of the city?
8. Is there an alternative site for the suggested use that would eliminate the necessity for rezoning?

### **LEGAL ISSUES**

9. Would granting the rezoning request raise any legal questions such as spot zoning, violations of precedents, or the rule of "unreasonableness"?

### **PRACTICAL QUESTIONS OF DEVELOPMENT OF SITE**

10. Does the requested rezoning lessen congestion in the street; secure safety from fire, flood, panic and other dangers; promote health and general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewer services, schools, parks and other

public requirements; preserve the character of area or neighborhood; conserve the value of buildings; or encourage the most appropriate use of land throughout Mason City?

11. Would granting the rezoning request create or worsen traffic problems?
12. Would the permitted uses in the proposed district be compatible with surrounding land uses?
13. Would granting the rezoning request adversely affect property values of adjacent landowners to an unreasonable degree?
14. Would granting the rezoning request impose undue hardship on adjacent owners, such as noise, light and glare, odor, vibration or other nuisances?
15. Would granting the rezoning request result in problems due to topography, drainage, soil or other natural systems and features?
16. Does the size and shape of the parcel allow for development that meets the bulk regulations and parking requirements in the proposed zone?
17. Are the necessary utilities in place to support the permitted uses in the proposed district?

DRAFT

MINUTES

MASON CITY PLANNING & ZONING COMMISSION

In Person Meeting

Tuesday, January 14, 2025, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Changes of Zone**

**4.1 RZ2025-01- City of Mason City:** a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

## DRAFT

Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law



## DRAFT

Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

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challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.2 RZ2025-02- City of Mason City:** a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuyse informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

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**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as

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“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

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the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr.- stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.3 RZ2025-03- Gregory Gomery:** a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

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Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

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*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

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the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2<sup>nd</sup> St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2<sup>nd</sup> St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that ~~those~~ there were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:



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Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

### Item 5: Miscellaneous

**5.1 25-M-01- Permanent Placement of Public Art:** a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled "Harmony in Light." This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called "Resonance." The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

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**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures might-will be. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

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Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**5.2 25-M-02- Permanent Placement of Public Art:** a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

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River City Sculptures on Parade is proposing to place a sculpture entitled "Spiral Dance" near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that "Spiral Dance" be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuysen asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being ~~cast~~ cast in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey

Yes

Wessman

Yes

DRAFT

Ragain	Yes
Worden	Yes
Niedermayer	Yes

**5.3 Discussion:** meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

**Item 6: Staff Update**

None.

**Item 7: Adjourn**

The meeting adjourned at **8:01 pm**.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

ORDINANCE NO. 24 –

AN ORDINANCE AMENDING TITLE 12 OF THE CITY CODE OF THE CITY OF MASON CITY, IOWA, IT BEING THE ZONING ORDINANCE OF SAID CITY, AND CHANGING THE BOUNDARIES OF CERTAIN DISTRICTS THEREIN ZONED Z3 GENERAL URBAN DISTRICT TO Z4 MULTI-USE DISTRICT FOR PROPERTY GENERALLY LOCATED IN THE 500 BLOCK OF N. DELAWARE AVENUE

WHEREAS, the Planning and Zoning Commission of the City of Mason City, Iowa, after a public hearing held on January 15, 2025, recommended approval of a change of zone classification of a certain area hereinafter described, and

WHEREAS, the City Council of the City of Mason City, Iowa, did hold a public hearing on the 4<sup>th</sup> day of February, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That Title 12 of the City Code of the City of Mason City, Iowa and the Zoning Map of the City of Mason City, Iowa, by this reference made a part hereof, be and the same is hereby amended by changing the district boundaries thereof so as to change the classification of property generally located in 500 Block of N. Delaware Avenue from Z3 General Urban District to Z4 Multi-Use District and legally described as follows:

Legal Description:

THE SOUTH HALF (1/2) OF THE 6TH ST. NE RIGHT-OF-WAY ABUTTING THE NORTH LINE OF THE WEST HALF (1/2) OF LOT FOUR (4), ALL OF LOT FIVE (5) AND THE EAST HALF (1/2) OF LOT SIX (6) IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA;

AND

THE WEST HALF (1/2) OF LOT FOUR (4), ALL OF LOT FIVE (5) AND THE EAST HALF (1/2) OF LOT SIX (6) IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA;

AND

THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS ONE (1) AND TWO (2), BLOCK 2, NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

THAT PART OF THE EAST-WEST ALLEY ABUTTING THE WEST HALF (1/2) OF LOT SIX (6) ALL OF LOT SEVEN (7) AND THE EAST HALF (1/2) OF LOT EIGHT (8) BLOCK FORTY ONE (41) RAILROAD ADDITION, MASON CITY, IOWA;

AND

THE SOUTH HALF (1/2) OF THE EAST-WEST ALLEY LYING IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA AND ABUTTING

LOT ONE (1), BLOCK TWO (2), NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

LOT 1, BLOCK 2, NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

THE WEST HALF OF THE N. DELAWARE AVE. RIGHT-OF-WAY ABUTTING THE SOUTH ONE HALF OF THE EAST/WEST ALLEY IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA, AND LOT ONE (1), BLOCK 2 (2), NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA AND EXTENDING SOUTH TO THE SOUTH RIGHT-OF-WAY LINE OF 5TH ST. NE;

AND

THE NORTH ONE-HALF (1/2) OF THAT PORTION OF NORTHBOUND US HIGHWAY 65 PLATTED AS PART OF NORTHBRIDGE FIRST SUBDIVISION, AND BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 5TH ST. NE AND THE WEST RIGHT-OF-WAY LINE OF N. DELAWARE AVE. AND EXTENDING TO THE NORTHWEST TO THE INTERSECTION WITH THE EXTENDED WEST LINE OF THE ALLEY LYING BETWEEN LOTS ONE (1) AND TWO (2) NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOW.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3: If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this    day of    , 2025.

\_\_\_\_\_  
Bill Schickel, Mayor

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

1st Consideration:    February 4, 2025

2nd Consideration:

3rd Consideration:

ORDINANCE NO. 24 –

AN ORDINANCE AMENDING TITLE 12 OF THE CITY CODE OF THE CITY OF MASON CITY, IOWA, IT BEING THE ZONING ORDINANCE OF SAID CITY, AND CHANGING THE BOUNDARIES OF CERTAIN DISTRICTS THEREIN ZONED Z3 GENERAL URBAN DISTRICT TO Z4 MULTI-USE DISTRICT FOR PROPERTY GENERALLY LOCATED IN THE 500 BLOCK OF N. DELAWARE AVENUE

WHEREAS, the Planning and Zoning Commission of the City of Mason City, Iowa, after a public hearing held on January 14, 2025, recommended approval of a change of zone classification of a certain area hereinafter described, and

WHEREAS, the City Council of the City of Mason City, Iowa, did hold a public hearing on the 4<sup>th</sup> day of February, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That Title 12 of the City Code of the City of Mason City, Iowa and the Zoning Map of the City of Mason City, Iowa, by this reference made a part hereof, be and the same is hereby amended by changing the district boundaries thereof so as to change the classification of property generally located in 500 Block of N. Delaware Avenue from Z3 General Urban District to Z4 Multi-Use District and legally described as follows:

Legal Description:

THE SOUTH HALF (1/2) OF THE 6TH ST. NE RIGHT-OF-WAY ABUTTING THE NORTH LINE OF THE WEST HALF (1/2) OF LOT FOUR (4), ALL OF LOT FIVE (5) AND THE EAST HALF (1/2) OF LOT SIX (6) IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA;

AND

THE WEST HALF (1/2) OF LOT FOUR (4), ALL OF LOT FIVE (5) AND THE EAST HALF (1/2) OF LOT SIX (6) IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA;

AND

THE NORTH-SOUTH ALLEY LYING BETWEEN LOTS ONE (1) AND TWO (2), BLOCK 2, NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

THAT PART OF THE EAST-WEST ALLEY ABUTTING THE WEST HALF (1/2) OF LOT SIX (6) ALL OF LOT SEVEN (7) AND THE EAST HALF (1/2) OF LOT EIGHT (8) BLOCK FORTY ONE (41) RAILROAD ADDITION, MASON CITY, IOWA;

AND

THE SOUTH HALF (1/2) OF THE EAST-WEST ALLEY LYING IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA AND ABUTTING



LOT ONE (1), BLOCK TWO (2), NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

LOT 1, BLOCK 2, NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA;

AND

THE WEST HALF OF THE N. DELAWARE AVE. RIGHT-OF-WAY ABUTTING THE SOUTH ONE HALF OF THE EAST/WEST ALLEY IN BLOCK FORTY-ONE (41) IN RAILROAD ADDITION TO MASON CITY, IOWA, AND LOT ONE (1), BLOCK 2 (2), NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOWA AND EXTENDING SOUTH TO THE SOUTH RIGHT-OF-WAY LINE OF 5TH ST. NE;

AND

THE NORTH ONE-HALF (1/2) OF THAT PORTION OF NORTHBOUND US HIGHWAY 65 PLATTED AS PART OF NORTHBRIDGE FIRST SUBDIVISION, AND BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 5TH ST. NE AND THE WEST RIGHT-OF-WAY LINE OF N. DELAWARE AVE. AND EXTENDING TO THE NORTHWEST TO THE INTERSECTION WITH THE EXTENDED WEST LINE OF THE ALLEY LYING BETWEEN LOTS ONE (1) AND TWO (2) NORTHBRIDGE FIRST SUBDIVISION, MASON CITY, IOW.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3: If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this    day of    , 2025.

\_\_\_\_\_  
Bill Schickel, Mayor

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

1st Consideration:    February 4, 2025

2nd Consideration:

3rd Consideration:

City of Mason City  
Development Services Dept.

## Memorandum

To: Aaron Burnett, City Administrator  
From: Tricia Sandahl, Planning and Zoning Mgr.  
Through: Steven J. Van Steenhuyse, Development Services Director  
Date: January 27, 2025, for the Council meeting of February 4, 2025  
RE: Public hearing and consideration of an ordinance changing the zoning of property generally located in the 100 and 200 blocks of 2<sup>nd</sup> St. SE from Z5 Central Business Zoning District to Z3 General Urban Zoning District (1<sup>st</sup>, 2<sup>nd</sup> or FINAL)

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### **Recommendation:**

The Planning and Zoning Commission held a public hearing on January 14, 2025 to consider rezoning property generally located in the 100 and 200 blocks of 2<sup>nd</sup> St. SE from Z5 Central Business Zoning District to Z3 General Urban Zoning District. The Commission voted unanimously to recommend that the City Council approve the rezoning. Staff concurs with this recommendation and requests that the Council hold a public hearing on the application. Barring any significant public objection to the rezoning, staff recommends that the Council approve the rezoning on 1<sup>st</sup> consideration (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL)

### **Review:**

The applicant in this case is Gregory Gomery, the owner of 132 2<sup>nd</sup> St. SE. The property subject to this rezoning request lies on the north side of 2<sup>nd</sup> St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2<sup>nd</sup> St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent to and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

### **Comprehensive Plan Analysis:**

Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily non-residential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the

community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comments:**

Chapter 414.5, Code of Iowa, outlines the process to protest a rezoning. If a written protest against a change of zone is filed with the City Clerk and signed by the owners of twenty percent or more of the owners of the properties within the area considered for the proposed change, or twenty percent or more of the owners within 200 feet of the exterior boundaries of the property for which the rezoning is proposed, the rezoning must be approved by a favorable vote of at least three-fourths of all the members of the City Council. The protest must be filed before or at the public hearing. Staff has not received any comments regarding this request. Any request received prior to the Council meeting will be summarized for the Council at the meeting.

**Budget Impact:**

There should be no impact to the City's budget from this rezoning.

**Council Action Requested:**

Staff recommends that the Council hold a public hearing on this request. Barring any significant public objections, staff recommends that the rezoning be approved on 1<sup>st</sup> consideration.

**Attachments:**

- Planning and Zoning Commission Staff Report
- Draft minutes of the January 14, 2025, Planning and Zoning Commission meeting.

**Tricia Sandahl**

Tricia Sandahl, Planning and Zoning Mgr.



Reviewed and Recommend Approval

**Mason City Planning & Zoning Commission  
Staff Report**

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Date: January 2, 2025

File: RZ2025-03

Applicant: Gregory Gomery

Request: A request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2<sup>nd</sup> St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

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**Request:** Staff respectfully requests that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2<sup>nd</sup> St. SE from Z5 Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application. A location map of the proposed rezoning is attached.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2<sup>nd</sup> St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2<sup>nd</sup> St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to

the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any

comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requests that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

**Attachments:**

- Location Map
- Area Zoning Map
- Form and Function Table
- Change of Zone Checklist

*R:\Boards & Commissions\Planning & Zoning\2025 P & Z\01-14-25\RZ2025-03 Gomery\25-03  
Gomery Rezoning.docx*



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MINUTES

MASON CITY PLANNING & ZONING COMMISSION  
In Person Meeting  
Tuesday, January 14, 2025, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Changes of Zone**

**4.1 RZ2025-01- City of Mason City:** a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

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Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law

## DRAFT

Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

## DRAFT

challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.2 RZ2025-02- City of Mason City:** a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuyse informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

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**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as

## DRAFT

“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

## DRAFT

the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr.- stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.3 RZ2025-03- Gregory Gomery:** a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

## DRAFT

Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.



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*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

## DRAFT

the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2<sup>nd</sup> St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2<sup>nd</sup> St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that ~~those~~ there were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:

## DRAFT

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

### Item 5: Miscellaneous

**5.1 25-M-01- Permanent Placement of Public Art:** a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled "Harmony in Light." This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called "Resonance." The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

## DRAFT

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures ~~might~~ will be. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

## DRAFT

Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**5.2 25-M-02- Permanent Placement of Public Art:** a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

## DRAFT

River City Sculptures on Parade is proposing to place a sculpture entitled “Spiral Dance” near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that “Spiral Dance” be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuyse asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being ~~cast~~ cast in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
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DRAFT

Ragain Yes

Worden Yes

Niedermayer Yes

**5.3 Discussion:** meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

**Item 6: Staff Update**

None.

**Item 7: Adjourn**

The meeting adjourned at **8:01 pm**.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

ORDINANCE NO. 24 –

AN ORDINANCE AMENDING TITLE 12 OF THE CITY CODE OF THE CITY OF MASON CITY, IOWA, IT BEING THE ZONING ORDINANCE OF SAID CITY, AND CHANGING THE BOUNDARIES OF CERTAIN DISTRICTS THEREIN ZONED Z5 CENTRAL BUSINESS DISTRICT TO Z3 GENERAL URBAN DISTRICT FOR PROPERTY GENERALLY LOCATED IN THE 100 AND 200 BLOCKS OF 2<sup>ND</sup> STREET SOUTHEAST

WHEREAS, the Planning and Zoning Commission of the City of Mason City, Iowa, after a public hearing held on January 14, 2025, recommended approval of a change of zone classification of a certain area hereinafter described, and

WHEREAS, the City Council of the City of Mason City, Iowa, did hold a public hearing on the 4<sup>th</sup> day of February, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That Title 12 of the City Code of the City of Mason City, Iowa and the Zoning Map of the City of Mason City, Iowa, by this reference made a part hereof, be and the same is hereby amended by changing the district boundaries thereof so as to change the classification of property generally located in the 100 and 200 blocks of 2<sup>nd</sup> Street SE from Z5 Central Business District to Z3 General Urban District and legally described as follows:

Legal Description:

THE EAST ONE HALF (1/2) OF THE NORTH-SOUTH ALLEY ABUTTING AND ADJACENT TO LOTS FIVE (5) AND EIGHT (8) OF BLOCK TWENTY-FOUR (24), PAUL FELTS PLAT OF MASON CITY, IOWA;

AND

LOTS FIVE (5) AND EIGHT (8), BLOCK TWENTY-FOUR, PAUL FELTS PLAT OF MASON CITY, IOWA;

AND

THE NORTH HALF OF THE 2ND ST. SE RIGHT-OF-WAY LYING BETWEEN AN EXTENSION OF THE CENTER LINE OF THE NORTH-SOUTH ALLEY IN BLOCK TWENTY-FOUR (24) AND AN EXTENSION OF THE CENTER LINE OF THE NORTH-SOUTH ALLEY IN BLOCK THIRTY-THREE (33) ALL IN PAUL FELTS PLAT, MASON CITY, IOWA;

AND

THE SOUTH ONE HUNDRED AND THIRTY-TWO (132) FEET OF THE S. PENNSYLVANIA AVENUE RIGHT-OF-WAY LYING BETWEEN BLOCKS TWENTY-FOUR (24) AND THIRTY-THREE (33) OF PAUL FELTS PLAT OF MASON CITY, IOWA ;

AND

LOTS SIX (6) AND SEVEN (7) OF PAUL FELTS PLAT OF MASON CITY, IOWA;

AND



THE WEST HALF OF THE NORTH-SOUTH ALLEY IN BLOCK THIRTY-THREE (33) OF PAUL FELTS PLAT OF MASON CITY, IOWA ABUTTING LOTS SIX (6) AND SEVEN (7) OF PAUL FELTS PLAT OF MASON CITY, IOWA.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3: If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this    day of    , 2025.

\_\_\_\_\_  
Bill Schickel, Mayor

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

1st Consideration:    February 4, 2025

2nd Consideration:

3rd Consideration:

## City of Mason City Development Services Department

# Memorandum

To: Aaron Burnett, City Administrator  
From: Steven J. Van Steenhuyse, Director of Development Services  
Date: January 27, 2025  
RE: Public Hearing: Rezone 45 Acres at the Southwest Corner of Iowa Highway 122 & Lark Avenue from Z1 Agricultural District to Z4, Multi-Use District (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL)

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### **Recommendation:**

The Planning and Zoning Commission held a public hearing on the proposed rezoning on January 14, 2025. There were no comments at the public hearing; the minutes of the 1/14/25 meeting are attached. The Commission voted unanimously to recommend that the City Council approve rezoning the subject property from Z1 Agricultural District to Z4, Multi-Use District. Staff concurs and requests that the Council open a public hearing on the rezoning. Upon closing the public hearing, Staff requests that the City Council approve the rezoning on first consideration (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL).

### **Review:**

The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of approximately 45 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country

Meadow Place senior complex on Kingbird Avenue farther to the west. To be allowed to connect to these utilities, the County and Atwater petitioned to be annexed to the City, as the property is contiguous to the City limits on the north side of IA 122

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

*Neighboring development and zoning:* The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122

*Analysis:* The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an

owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning

**Budget Impact:**

There is no impact to the operating budget resulting from this action.

**Council Action Requested:**

Staff requests that the City Council open a public hearing on the rezoning. Upon closing the public hearing, Staff requests that the City Council approve the rezoning on first consideration (1<sup>st</sup>, 2<sup>nd</sup>, or FINAL).

**Attachments:**

1. Planning and Zoning Commission Staff Report
2. Draft minutes of the January 14, 2025, Planning and Zoning Commission meeting.

  
\_\_\_\_\_  
Steven J. Van Steenhuyse, AICP  
Director of Development Services

  
\_\_\_\_\_  
Reviewed and Recommend Approval

**Mason City Planning & Zoning Commission  
Staff Report**

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**Date:** January 7, 2025

**File:** RZ2025-01

**Applicant:** City of Mason City, on behalf of Cerro Gordo County and Atwater Mason City IA, LLC

**Request:** Rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.

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**Request:** Staff respectfully requests that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application. A location map of the proposed rezoning is attached.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners

request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4-Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255<sup>th</sup> Street (19<sup>th</sup> Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the

community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requests that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

**Attachments:**

- Location Map
- Area Zoning Map
- Form and Function Table
- Change of Zone Checklist

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MINUTES

MASON CITY PLANNING & ZONING COMMISSION

In Person Meeting

Tuesday, January 14, 2025, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:01 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Changes of Zone**

**4.1 RZ2025-01- City of Mason City:** a request for the rezoning of recently annexed land in west Mason City from Z1, Agriculture, to Z4, Multi-Use Zoning District.



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Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone recently annexed property generally located at the southeast corner of Iowa Highway 122 and Lark Avenue, from Z1 Agriculture to Z4, Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The parcel to be rezoned is located south of the undeveloped area of the Sedars Auto Park subdivision, at the western edge of the city. It consists of 40 acres on the south side of IA 122, including the contiguous highway right of way and the east half of Lark Avenue, extending from the IA 122/Lark intersection about ¼ mile south along Lark Avenue and ¼ mile east along IA 122. The majority of the property is owned by Cerro Gordo County, but a recently created parcel at the northwest corner of the site is owned by Atwater Mason City IA, LLC. This site is currently being developed with a new Tractor Supply store.

The developers of the new Tractor Supply store approached the County to develop this site in 2023. However, they also wanted to connect to the City-owned water and sanitary sewer lines in Lark Avenue. Typically, a use connecting to City utilities must also be within the City limits. The City has a 28E Agreement with the County to provide water and sanitary sewer utilities to the County Law Enforcement Center and Engineering Department on the west side of Lark Avenue, as well as to the Country Meadow Place senior complex on Kingbird Avenue farther to the west.

For a private function such as Tractor Supply, water and sewer can only be made available if the property is annexed to the City. The County agreed to annex the land on which the store would be built, as well as the remaining 40 acres at the SE corner of Lark and 122. Tractor Supply wanted to begin construction as soon as possible, so it was agreed between the City, the County, and Atwater Mason City IA, LLC (the Tractor Supply developer and land owner) that construction could begin prior to annexation. The County then sold to Atwater a 5.18-acre parcel at the NW corner of the site.

The City Council approved a resolution for the 100% voluntary annexation of the County and Atwater properties on November 5, 2024; the annexation became official on November 15, 2024, when it was acknowledged by the Iowa Secretary of State. The Zoning Ordinance provides that upon annexation, property is automatically zoned Z1, Agriculture. The owners request that the properties be rezoned to Z4, Multi-Use District. The Z4 District will allow both the Tractor Supply store as well as future commercial forms and functions along the annexed section of IA 122.

**Neighboring development and zoning:** The land to the north is in the City and is zoned Z4- Multi-Use District. To the east, the land is in Cerro Gordo County and is zoned C-2, General Commercial, along with a portion that does not front on IA 122 zoned A-1, Agricultural. The remaining land to the south and west is zoned A-1, Agricultural. All of the surrounding lands are vacant farmland except for the County Law

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Enforcement Center to the southwest and the Sedars Auto Park businesses (Decker's Sports, Cinema West, the Nissan and Chrysler dealerships, etc.) on the north side of IA 122.

**Analysis:** The purpose of the Z1 Agricultural District is to provide areas in which agriculture and related uses are supported and natural ecosystems, woodlands, wetlands, prairies, etc., are preserved to prevent soil erosion, protect water quality and support biodiversity and natural habitats. (Section 12-14-1). As the most restrictive zoning district, land that is annexed is automatically zoned Z1. It is understood that land intended for functions other than agriculture will be rezoned after annexation.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic and medium to high density residential uses necessary to support the needs of the overall community and planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets and parking facilities. The Tractor Supply store and other retail forms and functions are allowed in the Z4 District.

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The North Iowa Corridor Joint Comprehensive Plan designates this area as Commercial Mixed Use. Land developed in this designation includes a variety of commercial and office uses, as well as mixed use and higher density residential uses. This area is also located in the "Common Ground" subarea as identified by the Comprehensive Plan. This area is mostly within Cerro Gordo County between the city limits of Mason City and Clear Lake, along IA 122 and 255th Street (19th Street SW in Mason City). According to the Plan, a city rezoning within the Common Ground area is subject to the adopted procedures of the respective jurisdiction, with review and comment provided by the County. The County is an owner of land to be rezoned and has provided acknowledgment and approval of the proposed rezoning. A Common Ground rezoning is in accordance with the Joint Comprehensive Plan if it aligns with the Plan goals and future land use map, is compatible with future land uses in the area, and there is or can be adequate public services to the area. The forms and functions allowed in the proposed Z4 Multi-Use zoning district are compatible with the Commercial Mixed-Use designation; the proposed rezoning is in accordance with the Common Ground shared policies and actions.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the planned uses for the area and the proximity of the property to other areas of Z4 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning

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challenge. The proposed rezoning is supported by the Joint Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:08 PM. Public hearing closed at 7:09 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.2 RZ2025-02- City of Mason City:** a request to rezone property generally located in 500 block of N. Delaware Ave. from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District.

Van Steenhuyse informed the Commission that an address of 508 N. Delaware Ave. has been established since this application was initially submitted.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from the City of Mason City to rezone the property generally located in the 500 block of N. Delaware Avenue from Z3 General Urban Zoning District to Z4 Multi-Use Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

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**Background:** The subject property, owned by the City of Mason City, is located on the north side of Mason City's downtown. The majority of the property is a remnant of the property acquired by the City to complete the realignment of US Highway 65 and the Northbridge Project. It also includes several parcels acquired by the City of Mason City through Iowa Code Section 657A to facilitate the removal of abandoned properties. The area proposed for rezoning comprises approximately 1.37 acres and is currently zoned Z3 General Urban District.

The City recently solicited proposals for the redevelopment of the property. A proposal for a four-story building was accepted, subject to the granting of certain state incentives. The maximum height allowed in the Z3 Zoning District is 3 stories. The rezoning to Z4 will allow a four-story building on the site.

This area was placed in the Z3 Zoning District in 2010 when the zoning ordinance was rewritten. Prior to that time, it was zoned C-CBD Central Business Zoning District. Because this area lacks controlled pedestrian connections to cross US 65, and because of the character of the development on the east  $\frac{3}{4}$  of the block, it was determined that the Z3 District was a more appropriate zoning classification for the property. The commercial property at the west end of the block was placed in the Z4 Zoning District. The requested rezoning will extend the existing Z4 district to the centerline of S. Delaware Avenue.

**Neighboring development and zoning:** The area to the north, northeast, east, and southeast is zoned Z3 General Urban Zoning District and is developed with various types of residential forms and functions including freestanding house, mansion flats, and duplex/two-flat forms. The area to the west and northwest is zoned Z4 Multi-Use Zoning District and is developed with small box and mixed-use forms. The land to the south is zoned Z5 Central Business Zoning District and is developed with a legally nonconforming medium box form used as a grocery store. (Note that the structure is non-conforming due to the building height, setbacks and lot coverage. A medium box form is allowed in the Z5 district)

**Analysis:** The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks. (Section 12-11-1) The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as

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“Commercial Mixed Use with Downtown Policy Area.” Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goals of the Commercial Mixed-Use designation include maximizing positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should also maintain a primarily nonresidential focus, and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 4, the downtown policy. The policy is found on page 97 of the plan, and reads: “Define strategies to leverage downtown assets for new uses of underused spaces.” The proposed rezoning is in a sub-area identified as a “support district”. The policy includes a focus on expanding programs that invest in residential development, especially upper story redevelopment. The policy also encourages building the downtown quality of life for an active, attractive, safe, and secure environment that recruits and retains businesses. Policy 3, focused on neighborhood development, also supports the rezoning. The policy reads: “Target neighborhoods and corridors to pursue infill development and connectivity.” The policy focuses on vacant lots that can meet the need for housing growth. The entirety of the property included in the rezoning is vacant; most of the land has been vacant since 2003.

This property is contiguous to other development in the area. Public infrastructure is available on the property and development of the site will not result in the extension of urban services into inappropriate areas. When development occurs on the site, it will be compact.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on

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the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:16 PM.

Jeff Bergo-40 River Heights Dr.- stated that he has a three-plex just east of Stebens Children's Theatre and that he thinks the City is maximizing the amount of space by proposing four stories, as opposed to three. He went on to say that, from a parking standpoint, he doesn't feel it's advisable or possible in this area/zoning district. Mr. Bergo stated that he feels from a safety standpoint, access to the property from US 65, especially dealing with the curve, poses concerns as well.

Public hearing closed at 7:19 PM.

Van Steenhuyse clarified that, unlike the downtown Z5 Central Business zoning district that Mr. Bergo referenced in his comment, the proposed Z4 Multi-Use District does have parking requirements that the development will need to meet. He went on to explain that the proposed site plan(s) includes underground as well as surface parking.

Worden moved to recommend approval to the City Council for the Change of Zone. Wessman seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**4.3 RZ2025-03- Gregory Gomery:** a request to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5 Central Business Zoning District to Z3 General Urban District.

Sandahl gave the staff report.

**Request:** Staff respectfully requested that the Planning and Zoning Commission hold a public hearing regarding an application from Gregory Gomery to rezone property generally located at the intersection of S. Pennsylvania Avenue and 2nd St. SE from Z5

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Central Business Zoning District to Z3 General Urban Zoning District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The property that is the subject of this rezoning request lies on the north side of 2nd St. SE between the north/south alley lying between S. Delaware Avenue and S. Pennsylvania Avenue and extending east to the north/south alley lying between S. Pennsylvania Avenue and S. Georgia Avenue. It includes an accessory parking lot, a multiple flat building, three freestanding houses (one of which houses a corner store), and a two-flat/duplex form. The area proposed for rezoning comprises approximately 1.65 acres and is currently zoned Z5 Central Business Zoning District.

The applicant has listed his home at 132 2nd St. SE for sale and a potential buyer encountered difficulties obtaining a mortgage because a freestanding house is not allowed in the Z5 District. Lenders are hesitant to finance the purchase of improvements that do not conform to the underlying zoning. The area proposed for rezoning is adjacent and abutting a Z3 General Urban Zoning District to the south. After discussing options with Mr. Gomery, we determined that we could support a rezoning of the Gomery property and other properties in the area that would likely encounter the same issues as Mr. Gomery encountered if they are listed for sale. Each of the six properties included in the rezoning are legally non-conforming due to use or bulk requirements in the Z5 District. A rezoning will correct this for all but one property. The parking lot will continue to be considered legally non-conforming because it does not meet the performance standards for parking lots; the use itself is allowed in the Z3 District. Staff has researched the zoning in this area, and it appears this area has been in the same zoning district as the downtown core since at least 1966. The name of this district has changed over time.

**Neighboring development and zoning:** The area to the southwest, west, northwest, north and northeast is zoned Z5 Central Business Zoning District. This area is developed with a funeral home, bed and breakfast, the community theater, and various commercial buildings. A freestanding house lies directly to the north of the Gomery property. The former North Iowa Hospice lies directly to the east. The area to the south and southeast is zoned Z3 General Urban District. The MacNider Art Museum and the Mason City Public Library lie to the south and southeast. Additional areas of Z3 District lie further to the east.

**Analysis:** The purpose of the Z5 Central Business District is to provide for higher density, multi-story mixed use buildings that accommodate a variety of retail, entertainment, business and personal services, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. The purpose of the Z3 General Urban Zoning District is to provide a range of residential lot sizes to support a mix of residential building types at medium densities with corner offices, corner stores, parks and playgrounds organized in walkable neighborhoods interconnected by landscaped streets and sidewalks.

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*Comprehensive Plan:* Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. Staff believes that the rezoning request is in accordance with the City's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan Future Land Use Map (Figure 3.3) identifies the area as "Commercial Mixed Use with Downtown Policy Area." Commercial Mixed Use includes areas with a variety of commercial and office uses; residential units above commercial uses and higher density residential uses are also encouraged. The goal of the Commercial Mixed-Use designation is to maximize positive interactions between complimentary commercial uses that move away from solely auto-oriented design. The area should maintain a primarily non-residential focus and foster an adequate supply of commercial area that attracts customers and employees to the area. Finally, the area should promote horizontal and vertical mixing of uses. Developments should provide connectivity for pedestrians and motorists with access to major amenities, transportation routes and activity centers. Buffering should be used to minimize impact on residential neighborhoods.

Primary support for the rezoning can be found in Mason City Policy 5. The policy is found on page 97 of the plan and reads: "Mason City knows that historic preservation is an opportunity for reinvention and can reinvigorate areas with a spirit that may be harder to create with new buildings." This part of downtown Mason City is referred to as the East of Delaware area on the nomination to place the downtown on the National Register of Historic Places. The neighborhood was originally developed as a residential neighborhood and was developed with primarily single-family residences. In the early 1900s, as Mason City felt pressure to expand the downtown, redevelopment of these areas began. One of the first structures built was the Brick and Tile building. By the 1920s, a variety of commercial structures had replaced many of the single-family homes. The area proposed for rezoning is one of the last remaining remnants of this residential development downtown. Rezoning the property will help preserve the historic character of these residential structures.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z3 District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on



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the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Property Owner Comments:** Staff has received rezoning petitions from five of the six property owners included in the rezoning. The sixth owner has not objected to the rezoning.

**Requested Action:** Staff respectfully requested that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

Public hearing opened at 7:27 PM.

Gregory Gomery-132 2<sup>nd</sup> St. SE, Mason City, IA 50401- stated that he bought the house as a duplex and then fixed it up and converted it into a single-family home. He went on to explain that he did have an offer from someone to purchase the property and that the appraiser that researched the property discovered the zoning of the property created a conflict when it comes to the sale of the property. Mr. Gomery stated that the offer was pulled due to the zoning concerns. He just got a job in Kansas and needs to move and would like to get the property sold as smoothly and as soon as possible.

David Lee-202 2<sup>nd</sup> St. SE, Mason City, IA 50401- asked if this rezoning will possibly have a negative effect on what he can do with his property in the future. Sandahl explained that he would have additional options under the Z3 District. Mr. Lee asked for verification regarding whether or not this rezoning will actually improve his ability to possibly sell the property in the future. City Staff stated that rezoning to Z3 General Urban District could help Mr. Lee sell his property in the future.

Jordan Rose-Real Estate Agent- 2227 19th St. SW, Mason City, IA 50401- stated that it's his understanding that the property being zoned as Z5 limits Mr. Gomery. Ragan asked Mr. Gomery if there was a house on the block just to the east that sold recently. Mr. Rose and City Staff clarified that ~~those there~~ were different and unique circumstances related to that sale and Mr. Rose explained that the house was a duplex at the time. Mr. Gomery stated that he believes the house that was sold was technically a duplex but that it wasn't lived in as such.

Public hearing closed at 7:33 PM.

Ragan moved to recommend approval to the City Council for the Change of Zone. Worden seconded.

Roll was called:

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Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

### Item 5: Miscellaneous

**5.1 25-M-01- Permanent Placement of Public Art:** a request for the recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of two public sculpture installations on public property in Mason City. Photos and descriptions of the sculptures are attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

The City is currently developing the Riverwalk, a gathering space and walking path on the north bank of Willow Creek between the one-way segments of US Highway 65. As part of the development, two sculptural installations will be constructed.

The first is entitled "Harmony in Light." This installation features 19 large stainless-steel cylinders lit from within. The cylinders are laser cut with classic Prairie School patterns. Interior lighting and sunlight will cast the patterns on surrounding areas. Renderings and a site plan are attached.

The second installation is called "Resonance." The installation includes 9 elements reminiscent of tuning forks that will be integrated into the guardrails west of the bridge connecting the mall parking lot and The River apartments.

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**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. The plans for the Riverwalk, that included both sculpture installations, were also reviewed by the Development Review Committee and there were no requested condition or objections to the permanent placement of the sculptures.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculptures will have on the extension of public services and utilities; other potential uses of the public property on which the sculptures will be placed; and the potential limits placement of the sculptures may have on the future development of the Community. Staff does not believe that permanent placement of the sculptures would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculptures are an appropriate scale for their settings.

Staff requested that Commission recommend to the City Council that both permanent sculpture installations be approved.

Coffey asked if members of the public buy sculptures and want to place them in their neighborhood, if review of the placement will need to come to the Planning & Zoning Commission. Sandahl explained that typically, yes, if the sculpture will be on public property. Coffey stated that the reason he's asking is because he and his wife purchased a sculpture that he may not vote on if it requires review and recommendation by the Planning & Zoning Commission as it may be a conflict of interest to do so. He then asked if he could request that the sculpture be placed in a specific location. Sandahl explained that he would be able to request the location for the placement of the sculpture.

Kristy King- Bergland + Cram-115 S Delaware Ave, Mason City, IA 50401- stated that the Riverwalk is a place making development that's meant to organize and improve the pedestrian experience along Willow Creed and through the parking lot of the Mall and that it's also intended to really recognize what's great, unique, and special about Mason City. She went on to say that the overall shape of the Harmony In Light sculpture(s) nods to both a pipe organ & the prairie school design reflecting Mason City's musical and architectural heritage. Coffey asked what the timeline for completion of the installation of the sculptures ~~might will be~~. Ms. King stated that completion of the Riverwalk is slated for late summer and that the sculptures are planned to be installed after construction is completed. Worden asked if the light cast out of the sculpture(s) will overlap. Ms. King stated that that's the intention.

Ryan Hanser-Representative of the Artists- stated that he's delighted that his team out of LA was selected and that he's really happy for Mason City to be activating such a neat piece of public art.

## DRAFT

Public hearing opened at 7:45 PM.

Ms. King clarified that the tuning fork placement will be both along the riverwalk and will also extend from the Riverwalk along the planned pedestrian path to the Mall to offer additional lighting.

Public hearing closed at 7:46 PM.

Niedermayer moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**5.2 25-M-02- Permanent Placement of Public Art:** a request for recommendation for the permanent placement of art on public property.

Sandahl gave the staff report.

**Request:** Staff has received a request for review and recommendation of the permanent placement of a piece of sculpture on public property in Mason City. Photos of the sculpture can be found below. A site plan showing the proposed location is attached. The Commission's recommendation will be forwarded to the City Council for final action at their February 4, 2025, meeting.

**Background:** Title 2-2-4 of the Municipal Code outlines the powers and duties of the Planning and Zoning Commission as they relate to planning. Title 2-2-4.C of the Code tasks the Commission with the duty to make recommendations on improvements. It states:

*No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixture, public structure or appurtenance shall be located or erected or a site for such structure obtained until and unless the design and proposed location of such structure be submitted to the Planning and Zoning Commission for its recommendation. No permits for such structures shall be issued without the Commission having made the above recommendation. However, such requirements for recommendations shall not act as a stay upon action where the Commission, after thirty (30) days' written notice requesting such recommendations, has failed to file the same.*

## DRAFT

River City Sculptures on Parade is proposing to place a sculpture entitled "Spiral Dance" near the south entrance to Southbridge Mall. The sculpture was purchased with a grant from the Phyllis and David Murphy Foundation and gifted to the City of Mason City. The sculpture will mark the entrance to the Riverwalk from the mall. The sculpture was part of the 2024-2025 sculpture walk and is being displayed on W. State St. on the north side of the Principal building. River City Sculptures on Parade will be displaying a new casting of the sculpture on a limestone pedestal located in a parking lot island across from the mall entrance.

**Staff and Utility Comments:** Development Services Department staff consulted with the relevant City departments and public utility providers. There were no requested conditions or objections to the permanent placement of the sculpture.

**Requested Action:** Staff respectfully requested that the Commission review the request and make a recommendation to the City Council. The Commission should consider the impact the placement of the sculpture will have on the extension of public services and utilities; other potential uses of the public property on which the sculpture will be placed; and the potential limits placement of the sculpture may have on the future development of the Community. Staff does not believe that permanent placement of the sculpture would have a detrimental impact to the use of the property or limit future development in the community. Further, staff believes that the sculpture is an appropriate scale for the setting.

Staff recommended that Commission recommend to the City Council that "Spiral Dance" be permanently placed as proposed.

Sandahl clarified some elements of the site plan with the Commissioners. Van Steenhuyse asked for verification of the sculptures color. Sandahl stated it will be coated in white but cast in bronze.

Public hearing opened at 7:50 PM.

Aaron Burnett- stated that the previous sculpture like this one was vandalized and destroyed. He went on to say that the sculpture being ~~cast~~ in bronze will help make this sculpture more durable than the first and that the size of the sculpture will likely help as well.

Public hearing closed at 7:52 PM.

Ragan moved to recommend approval of the text amendment to City Council. Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
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DRAFT

Ragain                      Yes

Worden                      Yes

Niedermayer              Yes

**5.3                      Discussion:** meeting time.

City Staff and the Commission discussed changing the meeting time to 5:00 PM on the second Tuesday of every month. All ayes.

**Item 6:                      Staff Update**

None.

**Item 7:                      Adjourn**

The meeting adjourned at **8:01 pm**.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

ORDINANCE NO. 24 –

AN ORDINANCE AMENDING TITLE 12 OF THE CITY CODE OF THE CITY OF MASON CITY, IOWA, IT BEING THE ZONING ORDINANCE OF SAID CITY, AND CHANGING THE BOUNDARIES OF CERTAIN DISTRICTS THEREIN ZONED Z1 AGRICULTURAL TO Z4 MULTI-USE DISTRICT FOR PROPERTY(45 ACRES) GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 4<sup>TH</sup> STREET SW AND LARK AVENUE IN WEST MASON CITY

WHEREAS, the Planning and Zoning Commission of the City of Mason City, Iowa, after a public hearing held on January 14, 2025, recommended approval of a change of zone classification of a certain area hereinafter described, and

WHEREAS, the City Council of the City of Mason City, Iowa, did hold a public hearing on the 4<sup>th</sup> day of February, 2025.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That Title 12 of the City Code of the City of Mason City, Iowa and the Zoning Map of the City of Mason City, Iowa, by this reference made a part hereof, be and the same is hereby amended by changing the district boundaries thereof so as to change the classification of property (45 Acres) generally located at the Southeast corner of the intersection of 4<sup>th</sup> Street SW and Lark Avenue in West Mason City and legally described as follows:

Legal Description:

THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWELVE (12), TOWNSHIP NINETY SIX (96) NORTH, RANGE TWENTY ONE (21) WEST OF THE 5TH P.M., CERRO GORDO COUNTY, IOWA, INCLUDING ALL OF IOWA HIGHWAY 122 ADJACENT TO SAID DESCRIBED PROPERTY.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3: If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.





City of Mason City  
Development Services Dept.

## Memorandum

To: Aaron Burnett, City Administrator  
From: Tricia Sandahl, Planning and Zoning Mgr.  
Through: Steven J. Van Steenhuyse, Development Services Director *AS*  
Date: January 27, 2025, for the Council meeting of February 4, 2025  
RE: Consideration of an ordinance changing the zoning of property generally located at 1300 12<sup>th</sup> St. NW from Z6-R Restricted Industry to Z4 Multi-Use District (FINAL)

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**Recommendation:**

The Planning and Zoning Commission held a public hearing on September 10, 2024, to consider rezoning property generally located in the 1300 block of 12<sup>th</sup> St. NW from Z6-R Restricted Industry Zoning District to Z4 Multi-Use Zoning District. The Commission voted unanimously to recommend that the City Council approve the rezoning. Staff concurs with this recommendation and requests that the Council approve the ordinance rezoning the property on FINAL consideration.

**Prior Council Action:**

The Council held a public hearing and approved the rezoning on first consideration at their regular meeting of January 7, 2025. Staff realized after the meeting that the legal description on the rezoning was incorrect; the first line of the legal description had inadvertently not been included in the public notice and the ordinance that was approved by the Council. After consulting with our attorney, the public hearing process was re-initiated with the corrected legal description. A second public hearing was advertised for and conducted on January 21, 2025. After the public hearing, Council waived first reading of the corrected ordinance and approved the rezoning on second reading.

**Supplemental Information:**

The proposed rezoning is the first step in a more involved process to approve a specific development on the site. This process includes these steps:

- A minor subdivision is required to create a development parcel that coincides with the area being rezoned. The plat must comply with the underlying zoning; it cannot be approved until the rezoning is complete. Questions about the intersection improvements may delay the subdivision plat.
- The proposed development does not comply with several aspects of the proposed Z4 Multi-Use Zoning. The developer will need to submit applications to the Zoning Board of Adjustment for both a variance to the maximum width of the parking lot drive aisles, and a special exception for the front set back to accommodate the on-site detention and the additional parking lot drive aisle width. These applications cannot be accepted and considered by the Zoning Board of Adjustment until the rezoning is complete. The Council has no role in the approval of either a variance or special exception.
- The developer must obtain approval of a site plan for the proposed development. The Development Review Committee cannot approve the site plan until the rezoning is complete and the Zoning Board of Adjustment has approved any applications related to the development. The Council has no role in the approval of the site plan for development on the subject property.

**Review:**

The subject property, owned by Indianhead Farms, is in northwest Mason City and is bounded on the south by 12<sup>th</sup> St. NW. The property is part of the original Indianhead Farms and is currently used as a pasture. The property is located directly north of the Casey's convenience store located on the southwest corner of the intersection of N. Pierce Avenue and 12<sup>th</sup> St. NE. The Development Review Committee has reviewed a concept plan for a medium box retail development. The project is contingent on multiple approvals; the first is the successful rezoning of the property. In addition, this development will also require the Council's approval of a minor subdivision plat and approval of a special exception and a variance by the Zoning Board of Adjustment. Following ZBA approvals, the Development Review Committee will work with the developer to finalize an approvable site plan for the development. Those approvals cannot be granted until the rezoning is complete.

The area abutting the subject property on the north side of 12<sup>th</sup> St. NW is zoned Z6-R Restricted Industry and is either developed or used for agricultural purposes while being held in reserve for future development. The area to the southwest is zoned Z1 Agriculture and is cultivated. The area directly to the south is zoned Z4 Multi-Use district and is home to a Casey's convenience store. The area to the southwest is zoned Z2 Sub-Urban District and is developed with freestanding homes.

The purpose of the Z6 Industrial District is to promote the management and preservation of existing industrial facilities within Mason City, as well as the development and management of new ecologically responsible, sustainable employment centers. Restricted industry development consists of facilities whose manufacturing, assembly, storage, and distribution activities do not create appreciable nuisances or hazards, or that require a pleasant, hazard- and nuisance-free environment. Building forms and functions within the Z6 District require varying degrees of separation from residential and commercial/service districts due to their potential impacts. It is intended that the permitted functions be compatible and not detrimental to adjacent properties.

The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities.

#### **Comprehensive Plan Analysis:**

Iowa law requires that any rezoning be in accordance with the jurisdiction's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan includes six broad plan elements, a vision for these elements, and goals for each element. A summary of each plan element, and a brief analysis in the context of this request follows:

**Land Use:** Land use is the basis of planning for the future of the community in the context of the entire Joint Comprehensive Plan. The future land use map shows the vision for growth and development and considered economic trends, environmental conditions and public input. There are three important points for anyone using the Future Land Use Plan:

1. The future land use plan sometimes depicts new land uses for privately owned properties. The transition of these properties from their current use to the depicted use is expected to occur over time in response to market demands as property owners voluntarily sell, develop, or change the use of their land.
2. The plan is a generalized map. The future land use map should be interpreted generally and is not intended to provide the specificity or the rigidity of a zoning map or engineering document. The map should guide the zoning map with the Plan elements through an informed prediction and planning process.
3. The plan is a basis for land use decisions. The future land use plan, with the plan elements, is the basis for decisions by the Planning and Zoning

Commission and the City Council. The plan is a critical part of the approval process for development proposals and zoning decisions.

The Future Land Use Plan identifies the area of the rezoning as “Agriculture.” Agriculture includes areas with existing farms and crop cultivation. In the unincorporated areas of the county, these areas are not proposed for change within the planning horizon of the Comprehensive Plan. However, the goal of this area within city limits is to allow agriculture as an interim use. The designation acts as a holding zone until urban development is feasible. We are now at that point with the subject property. The area on the south side of 12th St. NW is shown as “Mixed Business.” Mixed business is an area that supports a broad range of larger footprint commercial and light industrial areas. Development in this area should have access to arterial streets with the capacity for truck traffic. The Future Land Use section of the Plan also includes a discussion of policy area directions. The general area of the subject property is identified as a transitional area focused on production and enterprise. These areas serve as a center of employment and are vital to the local economy. A high degree of design is necessary to create inviting places.

**Exceptional Places:** The subject property is not in an area that has been identified as an exceptional place in the plan. However, the plan elements can be used to inspire a higher level of development in the general area of this rezoning, including adaption of the highway redevelopment prototypes found on page 96 of the plan.

**Mobility:** The vision for the North Iowa Corridor is a mobility system that provides an efficient, safe, and comfortable experience for users to reach their intended destinations. It does not appear that the proposed rezoning will move forward the mobility goals and objectives identified on page 100 of the plan. A trail segment is planned for the 12th St. NW corridor; the proposed rezoning should not interfere with the extension of this trail.

**Parks, Recreation, and Natural Resources:** Parks, recreation, and natural resources are fundamental to attracting and retaining residents. The vision for the North Iowa Corridor’s parks, recreation, and natural resource system is to develop as a premier amenity in Iowa and the region that builds on accessibility to unique natural and built features. The proposed rezoning will not specifically move forward the parks, recreation, and natural resources goals and objectives of the plan identified on page 124. The proposed rezoning will neither create or limit recreational enhancements and opportunities.

**Housing and Neighborhoods:** The vision for development within the North Iowa Corridor is to incorporate a variety of housing types for a range of housing choices. The proposed rezoning does move forward Goal 6 (page 142) of the housing plan element. This goal calls for connecting all neighborhoods with mobility options, public spaces, parks and commercial services. Commercial opportunities in the area are currently limited to the Casey's convenience store. The rezoning will support additional retail opportunities to the area.

**Infrastructure and Public Facilities:** The vision for the North Iowa Corridor is a place that has state of the art facilities that maximize level of service for a high quality of life and supportive business environments. The subject property has access to public utilities including water, sewer, gas, and electricity. The abutting street has the capacity to accommodate additional traffic expected because of the rezoning. 12th St. NW is a minor arterial street. The proposed rezoning will move forward Goal 3 (page 156) of the infrastructure and public facilities plan element by creating private sector investment through strong public facilities and infrastructure.

**Spot Zoning:**

Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comments:**

Staff has received comments from two persons regarding this application. The first came from Will Symonds prior to the Planning and Zoning Commission meeting. Mr. Symonds and his wife own a house within 350 feet of the property proposed for rezoning and had received the courtesy notice of the public hearing. Mr. Symonds stated his concerns about the lack of pedestrian connections to the proposed development and how traffic at the intersection of 12<sup>th</sup> St. NW and N. Pierce Avenue might be impacted. Staff provided information about the development review

process and stressed that a rezoning should be judged by the appropriateness of the property for all uses allowed in the proposed zoning district. Staff also discussed the review process for the proposed development and the various entities that would be required to review and approve the development.

Fred Greder appeared at the Commission's public hearing and questioned the impact the proposed rezoning would have on his property. Mr. Greder owns property to the northeast of the subject property. He questioned the possibility of the access drive abutting the east side of the subject property being upgraded to a city street; Mr. Greder has an access easement over this drive to provide access to his property. Mr. Greder also stated that he would not object to a traffic signal at the intersection of 12<sup>th</sup> St. NW and N. Pierce Avenue.

Chapter 414.5, Code of Iowa, outlines the process to protest a rezoning. If a written protest against a change of zone is filed with the City Clerk and signed by the owners of twenty percent or more of the owners of the properties within the area considered for the proposed change, or twenty percent or more of the owners within 200 feet of the exterior boundaries of the property for which the rezoning is proposed, the rezoning must be approved by a favorable vote of at least three-fourths of all the members of the City Council. The protest must be filed before or at the public hearing. No written protests were submitted for this request prior to the January 21 hearing of the corrected resolution. Consequently, the rezoning can be approved on a simple majority vote.

**Budget Impact:**

There should be no impact to the City's budget from this rezoning.

**Council Action Requested:**

Staff recommends that the Council approve the ordinance with the corrected legal description on FINAL consideration.

**Attachments:**

- Planning and Zoning Commission Staff Report
- Draft minutes of the September 10, 2024, Planning and Zoning Commission meeting.

**Tricia Sandahl**

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Tricia Sandahl, Planning and Zoning Mgr.



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Reviewed and Recommend Approval

## Mason City Planning & Zoning Commission Staff Report

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Date: August 30, 2024

File: RZ2024-02

Applicant: Indianhead Farms, Inc.

Request: A request to rezone property generally located in the 1300 block of 12<sup>th</sup> St. NW from Z6-R Restricted Industry to Z4 Multi-Use Zoning District.

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**Request:** Staff respectfully requests that the Planning and Zoning Commission hold a public hearing regarding an application from Indianhead Farms, Inc. to rezone the property generally located at 1300 12<sup>th</sup> St. NW from Z6-R Restricted Industry District to Z4 Multi-Use District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application. A location map of the proposed rezoning is attached.

**Background:** The subject property, owned by Indianhead Farms, Inc., is located in northwest Mason City. It is currently a pasture and is part of the original Indianhead Farms site. The applicant proposes selling the property for the development of a medium box commercial form with accessory parking and onsite storm water detention. A medium box is not allowed in the Z6-R Restricted Industry Zoning District, so a change of zone is required.

The area proposed for rezoning comprises approximately two acres and includes the development site and the abutting 12<sup>th</sup> St. NW right-of-way. If approved, this rezoning will extend the boundaries of a small Z4 Zoning District on the south side of 12<sup>th</sup> St. NW that is developed with a Casey's convenience store. The Development Review Committee has reviewed a concept plan for a medium box form on the site. The project is contingent on the successful rezoning of the property, the approval of a minor subdivision plat by the City Council, and the granting of a special exception and variance by the Zoning Board of Adjustment. The Commission is reminded that a request for rezoning should not be viewed as an approval of one specific use. Instead, the Commission should determine if the site is appropriate for any permitted use in the Z4 Zoning District.

**Neighboring development and zoning:** The abutting area on the north side of 12<sup>th</sup> St. NW is zoned Z6-R Restricted Industry and has developed with industrial uses and agricultural land being held in reserve for future development. Agricultural uses found in the area include grazing, row crops, and conservation areas. Kraft Foods and the Curries ASSA ABLOY plants, two of the county's largest employers, are in this corridor. 12<sup>th</sup> St. NW, a minor arterial street, is also a primary connection from the north half of Mason City to commercial businesses on the west side of the community. The land to the southeast is zoned Z2 Sub-Urban District and is developed with freestanding house forms. The land directly south of the subject site is zoned Z4 Multi-Use District and is developed with a Casey's convenience store. The proposed rezoning would be an extension of this Z4 District. The area to the southwest is zoned Z1 Agriculture District and is currently cultivated in row crops. The area is in reserve for future development.



**Analysis:** The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

The purpose of the Z6 Industrial District is to promote the management and preservation of existing industrial facilities within Mason City as well as the development and management of new ecologically responsible, sustainable employment centers. Building forms and functions within the Z6 District require varying degrees of separation from residential and commercial/service districts due to their potential for noise, bright lighting, traffic from heavy trucks and other large vehicles, rail traffic and round-the-clock activities associated with research and development, manufacturing, warehousing, freight terminals and agribusiness (Section 12-14-1). Restricted industry development consists of facilities whose manufacturing, assembly, storage, and distribution activities do not create appreciable nuisances or hazards, or that require a pleasant, hazard-and nuisance-free environment. It is intended that the permitted functions be compatible and not detrimental to adjacent properties. (Section 12-14-8.A)

*Comprehensive Plan:* Iowa law requires that any rezoning be in conformance with the jurisdiction's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan includes six broad plan elements, a vision for these elements, and goals for each element. A summary of each plan element, and a brief analysis in the context of this request follows:

- **Land Use.** Land use is the basis of planning for the future of the community in the context of the entire Joint Comprehensive Plan. The future land use map shows the vision for growth and development and considered economic trends, environmental conditions and public input. There are three important points for anyone using the Future Land Use Plan:
  1. The future land use plan sometimes depicts new land uses for privately owned properties. The transition of these properties from their current use to the depicted use is expected to occur over time in response to market demands as property owner voluntarily sell, develop, or change the use of their land.
  2. The plan is a generalized map. The future land use map should be interpreted generally and is not intended to provide the specificity of the rigidity of a zoning map or engineering document. The map should guide the zoning map with the Plan elements through an informed prediction and planning process.
  3. The plan is a basis for land use decisions. The future land use plan, with the plan elements, is the basis for decisions by the Planning and Zoning Commission and the City Council. The plan is a critical part of the approval process for development proposals and zoning decisions.

The Future Land Use Plan identifies the area of the rezoning as "Agriculture." Agriculture includes areas with existing farms and crop cultivation. In the unincorporated areas of the county, these areas are not proposed for change within the planning horizon of the Comprehensive Plan. However, the goal of this area within city limits is to allow agriculture as an interim use. The designation acts as a holding zone until urban development is feasible. We are now at that point with the subject property. The area on the south side of 12<sup>th</sup> St. NW is shown as "Mixed Business." Mixed business is an area that supports a broad range of larger footprint commercial and light

industrial areas. Development in this area should have access to arterial streets with the capacity for truck traffic. The Future Land Use section of the Plan also includes a discussion of policy area directions. The general area of the subject property is identified as a transitional area focused on production and enterprise. These areas serve as a center of employment and are vital to the local economy. A high degree of design is necessary to create inviting places.

- **Exceptional Places.** Creating exceptional places means elevating strategic areas as premier environments for living, leisure, and business development. The North Iowa Corridor will have unique places that improve quality of life, attract and retain people, and promote economic development. The subject property is not in an area that has been identified as an exceptional place in the plan. However, the plan elements can be used to inspire a higher level of development in the general area of this rezoning including adaption of the highway redevelopment prototypes found on page 96 of the plan.
- **Mobility.** Mobility means any method for a person or material to travel from one place to another, including cars, freight vehicles, railroads, transit vehicles, bicycles, electric devices and walking. The vision for the North Iowa Corridor is a mobility system that provides an efficient, safe, and comfortable experience for users to reach their intended destinations. It does not appear that the proposed rezoning will move forward the mobility goals and objections identified on page 100 of the plan. A trail segment is planned for the 12<sup>th</sup> St. NW corridor; the proposed rezoning should not interfere with the extension of this trail.
- **Parks, Recreation, and Natural Resources.** Parks, recreation, and natural resources are fundamental to attracting and retaining residents. The vision for the North Iowa Corridor's parks, recreation, and natural resource system is to develop as a premier amenity in Iowa and the region that builds on accessibility to unique natural and built features. The proposed rezoning will not specifically move forward the parks, recreation, and natural resources goals and objectives of the plan identified on page 124. The proposed rezoning will neither create or limit recreational enhancements and opportunities.
- **Housing and Neighborhoods.** The plan acknowledges that a home is much more than a place to live. It is a place to feel safe, build social connections, and make your own. Home is a neighborhood that welcomes and provides stability. The vision for development within the North Iowa Corridor is to incorporate a variety of housing types for a range of housing choices. The proposed rezoning does move forward Goal 6 (page 142) of the housing plan element. This goal calls for connecting all neighborhoods with mobility options, public spaces, parks and commercial services. Commercial opportunities in the area are currently limited to the Casey's convenience store. The rezoning will support additional retail opportunities to the area.
- **Infrastructure and Public Facilities.** Infrastructure and public facilities provide the foundation that supports everyday life. The provision of these services in a cost-efficient manner is a chief public responsibility. The vision for the North Iowa Corridor is a place that has state of the art facilities that maximize level of service for a high quality of life and supportive business environments. The subject property has access to public utilities including water, sewer, gas, and electricity. The abutting street has the capacity to accommodate additional traffic expected because of the rezoning. 12<sup>th</sup> St. NW is a minor arterial street. The proposed rezoning will move forward Goal 3 (page 156) of the infrastructure and public facilities plan element by creating private sector investment through strong public facilities and infrastructure.

*Spot Zoning:* Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some

would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. To date, staff has not received any comments either for or against the proposed rezoning.

**Requested Action:** Staff respectfully requests that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

**Attachments:**

- Location Map
- Area Zoning Map
- Form and Function Table
- Change of Zone Checklist



Indianhead Farms Rezoning Request, general area  
to be rezoned from Z6-R Restricted Industry  
District to Z4 Multi-Use District



Z6-R

12th St. NW

N. Fillmore Ave.

Z2

N. Pierce Ave.

Z4

Z1



# 12-8-3 Zoning Form and Function Table

## Table 2: Zoning Form and Function Table

	AGRICULTURE	SUB-URBAN	GENERAL URBAN	MULTI-USE	CENTRAL BUSINESS	INDUSTRIAL	SPECIFIC USE
	Z1	Z2	Z3	Z4	Z5	Z6	Z7*
<b>A. Residential/mixed use</b>							
Accessory dwelling	P	P	P				
Duplex/two flat		P	P	P			
Farm dwelling	P	P		P		P	
Family home	P	P	P	P			
Freestanding house	P	P	P				
Group dwelling			P1	P	P1		
Live/work building			P	P	P	C*	
Mansion apartment			P	P	P1		
Mixed use block building				P	P		
Multiple flats			P1	P	P		
Sideyard/zero lot line house		P	P	P			
SRO			C		P1		
Town house		P	P	P	P		
<b>B. Lodging</b>							
Bed & breakfast	P	P	P	P	P		
Dormitory				P1	P1		
Hotel				P	P		
Inn	C		C	P	P		
Residence lodging	P	P	P	P			
<b>C. Office/Misc.</b>							
Corner office		P1	P	P	P		
Personal hobby building				P	P		
Office building				P	P	P	
<b>D. Commercial/retail service</b>							
Adult use				C		P	
Box, large				P			
Box, medium				P	P1		
Box, small			P1	P	P	P	
Corner store	P	P1	P	P	P	P	
Multiple principal bldg. development				P1		P1	
Open air market				P	P		
Restaurant	P1	C	C	P	P	P	
Roadside stand	P						
Self storage				C		P	
Shopping strip				P1			
Shopping mall				P1	P2		
Taverns or similar				P	P		
<b>E. Civic</b>							
Auditorium				P1	P1		
Convention center				P2	P2		
Golf course	P	P1				P	
Indoor recreation				P	P	P	
Library		P2	P2	P2	P2		
Movie theater				P	P		
Museum	C	C	P1	P1	P		
Outdoor recreation	C	C	C	P1		P1	
Public parks and related facilities	P	P	P	P	P	P	
Religious assembly, large		C		P1		C	
Religious assembly, medium		C	C	P	P1	C	
Religious assembly, small	C	P1	P	P	P		

### NOTES TO TABLE 2:

\*Z7 Specific Use District: See section 12-15-6, Table 1A of this title for permitted and conditional forms and functions in the Z7 Specific Use districts

P = Permitted; P\* = Open Industry functions are permitted only in the Z6-O District.

P1 = Permitted subject to Planning and Zoning Commission site plan approval, with notification to neighbors.

P\*\* and P1\*\* = in the Z4 South Federal Gateway Overlay District, allowed only as a Conditional Use. See section 12-12-7 B

P2 = Permitted subject to Planning and Zoning and City Council site plan approval with notification to neighbors.

C = Conditional subject to Zoning Board of Adjustment approval.

C\* = Z6-R districts only

C\*\* = Conditional use only in the Z4 South Federal Gateway Overlay District; see section 12-12-7 B. Not permitted in the remainder of the Z4 District.

	AGRICULTURE	SUB-URBAN	GENERAL URBAN	MULTI-USE	CENTRAL BUSINESS	INDUSTRIAL	SPECIFIC USE
	Z1	Z2	Z3	Z4	Z5	Z6	Z7*
<b>F. Civic support</b>							
Cemetery	P	P					
Clinic			P1	P	P		
Crematorium	P			P	C	P	
Fairgrounds	P						
Funeral home		C	P1	P	P		
Hospital				P1	P1		
Parking structure				P2	P2		
Public safety facility	P2	P2	P2	P2	P2	P2	
Public works garage	P2			P2		P2	
<b>G. Education</b>							
9-12/High school		C	C	P1	P1		
College	C			P1	P1		
Daycare	P	P	P	P	P	P	
K-8		P1	P1	P	P		
Preschool		P1	P	P	P		
Trade school			P1	P	P	P	
<b>H. Automotive</b>							
Gas/convenience	C		P1	P	P1	P	
Vehicle repair	C		C	P	P1	P	
Vehicle Sales/ rental	C			P		P	
<b>I. Agriculture</b>							
Community garden	P	P	P	P	P	P	
Grain storage	P					P	
Greenhouse	P	C		P		P	
Kennel	P			P1		P	
Livestock	P					P	
Farm	P	P		P		P	
Small farm		C					
Stable	P						
<b>J. Industrial</b>							
Agribusiness	P1					P	
Artisan/craftsman shop				P	P	P	
Contractor shops	P1			P		P	
Cross docking facility				C**		P	
Industry, open						P*	
Industry, restricted						P	
Office-showroom				P		P	
Warehousing						P	
Waste transfer						C	
Wastewater treatment	P2					P2	
Water treatment	P2					P2	
<b>K. Accessory uses</b>							
Active solar equipment	P	P	P	P	P	P	
Agritourism	C						
Drive-through			P1	P	P1	P	
Home occupations	P	P	P	P	P		
Outdoor storage	P			P1**		P	
Outdoor customer dining area	P1	P1	P1	P	P	P	
Accessory parking structure				P1	P1		
Seasonal sales/display				P**	P	P	
Small wind equipment	P	P	P	P	P	P	
Dispersed wind equipment	C	C	C	C	C	C	
Accessory surface parking (off site)			C	P	C	P	

## **CHANGE OF ZONING CHECKLIST**

This list is intended to provide guidance when a request for a change of zone is made. This list is not all-inclusive, nor will it be pertinent for all requests. It is intended to be used as a guide and not a scorecard. Each request for a change of zone requires a careful analysis, as each parcel is unique.

### **BROADER COMPREHENSIVE PLANNING EFFORTS**

1. Does the requested rezoning conform to the City's comprehensive plan and future land use map?
2. Does the requested rezoning conform to any sub-area plans?

### **LAND USE NEEDS AND BALANCE**

3. Does the requested rezoning encourage a land use balance within the City and its perimeter area that promotes the efficient provision of services, generates revenues which cover the costs of those services, and provides a mix of employment and housing opportunities consistent with the neighborhood area concept?
4. Does the requested rezoning provide adequate residential land uses to achieve diversity in location and type throughout the City?
5. Does the requested rezoning provide for commercial and industrial area to service neighborhood, regional and business needs?
6. Is there a public need for additional land to be rezoned to the class requested?
7. If there is a need for additional land to be rezoned as requested, should the rezoning be done in the areas requested or would the public interest be better served if the rezoning were done in other areas of the city?
8. Is there an alternative site for the suggested use that would eliminate the necessity for rezoning?

### **LEGAL ISSUES**

9. Would granting the rezoning request raise any legal questions such as spot zoning, violations of precedents, or the rule of "unreasonableness"?

### **PRACTICAL QUESTIONS OF DEVELOPMENT OF SITE**

10. Does the requested rezoning lessen congestion in the street; secure safety from fire, flood, panic and other dangers; promote health and general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewer services, schools, parks and other

public requirements; preserve the character of area or neighborhood; conserve the value of buildings; or encourage the most appropriate use of land throughout Mason City?

11. Would granting the rezoning request create or worsen traffic problems?
12. Would the permitted uses in the proposed district be compatible with surrounding land uses?
13. Would granting the rezoning request adversely affect property values of adjacent landowners to an unreasonable degree?
14. Would granting the rezoning request impose undue hardship on adjacent owners, such as noise, light and glare, odor, vibration or other nuisances?
15. Would granting the rezoning request result in problems due to topography, drainage, soil or other natural systems and features?
16. Does the size and shape of the parcel allow for development that meets the bulk regulations and parking requirements in the proposed zone?
17. Are the necessary utilities in place to support the permitted uses in the proposed district?



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MINUTES

MASON CITY PLANNING & ZONING COMMISSION

In Person Meeting

Tuesday, September 10, 2024, 7:00 pm

**Item 1: Call to Order and Roll Call**

Coffey called the meeting to order at 7:00 p.m.

Commissioners present: Timothy Coffey, Amanda Ragan, Dan Worden, Reed Wessman, and Colleen Niedermayer

Commissioners absent: Josh Congello and John Fallis

Staff present: Director of Development Services Steven Van Steenhuyse, Planning and Zoning Manager Tricia Sandahl, Administrative Assistant and Secretary to the Commission Regina Card

Coffey asked for a roll call.

Roll was called:

Coffey	Yes	Wessman	Yes
Congello	Absent	Ragan	Yes
Worden	Yes	Fallis	Absent
Niedermayer	Yes		

**Item 2: Approval of Agenda**

As there were no changes, the agenda was adopted as submitted.

**Item 3: Approval of Minutes**

**Minutes of the meeting of Tuesday, June 11, 2024**

As there were no changes, the minutes were adopted as submitted.

**Item 4: Change of Zone**

**4.1 RZ2024-02- Indianhead Farms, Inc.:**

Sandahl gave the staff report.

## DRAFT

**Request:** Staff respectfully requests that the Planning and Zoning Commission hold a public hearing regarding an application from Indianhead Farms, Inc. to rezone the property generally located at 1300 12th St. NW from Z6-R Restricted Industry District to Z4 Multi-Use District. After the public hearing, staff respectfully requests that the Commission make a recommendation to the City Council on the application.

**Background:** The subject property, owned by Indianhead Farms, Inc., is located in northwest Mason City. It is currently a pasture and is part of the original Indianhead Farms site. The applicant proposes selling the property for the development of a medium box commercial form with accessory parking and onsite storm water detention. A medium box is not allowed in the Z6-R Restricted Industry Zoning District, so a change of zone is required.

The area proposed for rezoning comprises approximately two acres and includes the development site and the abutting 12th St. NW right-of-way. If approved, this rezoning will extend the boundaries of a small Z4 Zoning District on the south side of 12th St. NW that is developed with a Casey's convenience store. The Development Review Committee has reviewed a concept plan for a medium box form on the site. The project is contingent on the successful rezoning of the property, the approval of a minor subdivision plat by the City Council, and the granting of a special exception and variance by the Zoning Board of Adjustment. The Commission is reminded that a request for rezoning should not be viewed as an approval of one specific use. Instead, the Commission should determine if the site is appropriate for any permitted use in the Z4 Zoning District.

**Neighboring development and zoning:** The abutting area on the north side of 12th St. NW is zoned Z6-R Restricted Industry and has developed with industrial uses and agricultural land being held in reserve for future development. Agricultural uses found in the area include grazing, row crops, and conservation areas. Kraft Foods and the Curries ASSA ABLOY plants, two of the county's largest employers, are in this corridor. 12th St. NW, a minor arterial street, is also a primary connection from the north half of Mason City to commercial businesses on the west side of the community. The land to the southeast is zoned Z2 Sub-Urban District and is developed with freestanding house forms. The land directly south of the subject site is zoned Z4 Multi-Use District and is developed with a Casey's convenience store. The proposed rezoning would be an extension of this Z4 District. The area to the southwest is zoned Z1 Agriculture District and is currently cultivated in row crops. The area is in reserve for future development.

**Analysis:** The purpose of the Z4 Multi-Use District is to provide space for a mixture of retail, personal and business service, office, lodging, automotive service, civic, and medium to high density residential uses necessary to support the needs of the overall community. Development is typically planned in a walkable arrangement with parks, interconnected and landscaped sidewalks, streets, and parking facilities. (Section 12-12-1).

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The purpose of the Z6 Industrial District is to promote the management and preservation of existing industrial facilities within Mason City as well as the development and management of new ecologically responsible, sustainable employment centers. Building forms and functions within the Z6 District require varying degrees of separation from residential and commercial/service districts due to their potential for noise, bright lighting, traffic from heavy trucks and other large vehicles, rail traffic and round-the-clock activities associated with research and development, manufacturing, warehousing, freight terminals and agribusiness (Section 12-14-1). Restricted industry development consists of facilities whose manufacturing, assembly, storage, and distribution activities do not create appreciable nuisances or hazards, or that require a pleasant, hazard-and nuisance-free environment. It is intended that the permitted functions be compatible and not detrimental to adjacent properties. (Section 12-14-8.A)

**Comprehensive Plan:** Iowa law requires that any rezoning be in conformance with the jurisdiction's Comprehensive Plan. The 2024 North Iowa Corridor Joint Comprehensive Plan includes six broad plan elements, a vision for these elements, and goals for each element. A summary of each plan element, and a brief analysis in the context of this request follows:

- **Land Use.** Land use is the basis of planning for the future of the community in the context of the entire Joint Comprehensive Plan. The future land use map shows the vision for growth and development and considered economic trends, environmental conditions and public input. There are three important points for anyone using the Future Land Use Plan:
  1. The future land use plan sometimes depicts new land uses for privately owned properties. The transition of these properties from their current use to the depicted use is expected to occur over time in response to market demands as property owner voluntarily sell, develop, or change the use of their land.
  2. The plan is a generalized map. The future land use map should be interpreted generally and is not intended to provide the specificity of the rigidity of a zoning map or engineering document. The map should guide the zoning map with the Plan elements through an informed prediction and planning process.
  3. The plan is a basis for land use decisions. The future land use plan, with the plan elements, is the basis for decisions by the Planning and Zoning Commission and the City Council. The plan is a critical part of the approval process for development proposals and zoning decisions.

The Future Land Use Plan identifies the area of the rezoning as "Agriculture." Agriculture includes areas with existing farms and crop cultivation. In the unincorporated areas of the county, these areas are not proposed for change within the planning horizon of the Comprehensive Plan. However, the goal of this area within city limits is to allow agriculture as an interim use. The designation acts as a

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holding zone until urban development is feasible. We are now at that point with the subject property. The area on the south side of 12th St. NW is shown as "Mixed Business." Mixed business is an area that supports a broad range of larger footprint commercial and light industrial areas. Development in this area should have access to arterial streets with the capacity for truck traffic. The Future Land Use section of the Plan also includes a discussion of policy area directions. The general area of the subject property is identified as a transitional area focused on production and enterprise. These areas serve as a center of employment and are vital to the local economy. A high degree of design is necessary to create inviting places.

- **Exceptional Places.** Creating exceptional places means elevating strategic areas as premier environments for living, leisure, and business development. The North Iowa Corridor will have unique places that improve quality of life, attract and retain people, and promote economic development. The subject property is not in an area that has been identified as an exceptional place in the plan. However, the plan elements can be used to inspire a higher level of development in the general area of this rezoning including adaption of the highway redevelopment prototypes found on page 96 of the plan.
- **Mobility.** Mobility means any method for a person or material to travel from one place to another, including cars, freight vehicles, railroads, transit vehicles, bicycles, electric devices and walking. The vision for the North Iowa Corridor is a mobility system that provides an efficient, safe, and comfortable experience for users to reach their intended destinations. It does not appear that the proposed rezoning will move forward the mobility goals and objections identified on page 100 of the plan. A trail segment is planned for the 12th St. NW corridor; the proposed rezoning should not interfere with the extension of this trail.
- **Parks, Recreation, and Natural Resources.** Parks, recreation, and natural resources are fundamental to attracting and retaining residents. The vision for the North Iowa Corridor's parks, recreation, and natural resource system is to develop as a premier amenity in Iowa and the region that builds on accessibility to unique natural and built features. The proposed rezoning will not specifically move forward the parks, recreation, and natural resources goals and objectives of the plan identified on page 124. The proposed rezoning will neither create or limit recreational enhancements and opportunities.
- **Housing and Neighborhoods.** The plan acknowledges that a home is much more than a place to live. It is a place to feel safe, build social connections, and make your own. Home is a neighborhood that welcomes and provides stability. The vision for development within the North Iowa Corridor is to incorporate a variety of housing types for a range of housing choices. The proposed rezoning does move forward Goal 6 (page 142) of the housing plan element. This goal calls for connecting all neighborhoods with mobility options, public spaces, parks and commercial services. Commercial opportunities in the area are currently limited to

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the Casey's convenience store. The rezoning will support additional retail opportunities to the area.

- **Infrastructure and Public Facilities.** Infrastructure and public facilities provide the foundation that supports everyday life. The provision of these services in a cost-efficient manner is a chief public responsibility. The vision for the North Iowa Corridor is a place that has state of the art facilities that maximize level of service for a high quality of life and supportive business environments. The subject property has access to public utilities including water, sewer, gas, and electricity. The abutting street has the capacity to accommodate additional traffic expected because of the rezoning. 12th St. NW is a minor arterial street. The proposed rezoning will move forward Goal 3 (page 156) of the infrastructure and public facilities plan element by creating private sector investment through strong public facilities and infrastructure.

**Spot Zoning:** Spot zoning is the rezoning of a particular piece of land when the rezoning is at odds with the Comprehensive Plan and existing development; it is generally only done in the interest of a small area or a limited number of property owners. Spot zoning may arise when a property is rezoned to a different zoning classification than the surrounding property. Spot zoning, by itself, is not illegal. Some would contend that all rezoning is spot zoning. However, not all spot zoning will survive a court challenge. The strongest case can be made when the rezoning can be supported by the Comprehensive Plan and is in the best interests of the community. Staff believes that the proximity of the property to other areas of Z4 Multi-Use District zoning justifies the rezoning; the rezoning would likely survive any spot zoning challenge. The proposed rezoning is supported by the Comprehensive Plan and does not constitute spot zoning.

**Public Comment:** Notice of the application was sent to the owners of all properties within 350 feet of the boundaries of the subject property. Notice of the application and public hearing was published in the Globe-Gazette. A public notice sign was posted on the property. After distribution of the staff memo, staff was contacted by Councilman Will Symonds. Mr. Symonds and his wife own a house within 350 feet of the property proposed for rezoning. Mr. Symonds stated his concerns about the lack of pedestrian connections to the proposed development and how traffic at the intersection of 12<sup>th</sup> NW and N. Pierce Avenue might be impacted. Staff discussed the development review process and stressed that a rezoning should be judged by the appropriateness of the property for all uses allowed in the proposed zoning district. Staff also discussed the review process for the proposed Dollar General store and the various groups that would be required to review and approve the development.

**Requested Action:** Staff respectfully requests that the Commission hold a public hearing on the requested rezoning. After considering the comments made during the hearing, we ask that the Commission make a recommendation to be forwarded to the City Council.

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Coffey asked if the property is in the floodplain. Sandahl stated it's not.

Worden asked if there are concerns about speed transitions then Niedermayer asked if City Staff have concerns with cross walks, etc. Sandahl explained that those issues were discussed as part of the concept plan review with the Development Review Committee, and they will be addressed more concretely later on in the development review process.

Public hearing opened at 7:13 PM.

Steve Thompson- Jones Haugh & Smith, Inc out of Albert Lea- stated that he was simply asked by Overland Engineering LLC, the consulting engineer for the prospective buyer of the property to come and take notes.

Fred Greder- 362 Lakeview Dr., Mason City, IA 50401- asked if it's too soon to see a site plan. Van Steenhuyse explained that City Staff have only seen a concept plan at this stage and that an official plan has yet to be submitted. He went on to explain what the concept plan entailed. Sandahl added information about the planned retention pond. Mr. Greder stated that he's heard speculation about the use of the road next to Kraft for access to the site. Van Steenhuyse stated that a traffic study may be required but that it's a little too soon to say for certain what will happen with the North Pierce/12<sup>th</sup> Street NW intersection. Mr. Greder stated that he wouldn't object to a street light at the intersection as he has an access easement on the Kraft property and uses it to access his farm land to the north. Mr. Greder stated that lighting is an issue at that intersection. Mr. Thompson stated that, if the developer were to eventually want an easement on that road, they would have to get permission from Kraft and Mr. Greder. Sandahl explained that Mr. MacNider doesn't plan to demolish the shed near the west property line and that that's the reason for the irregularity in the west boundary of the property to be rezoned. Mr. Greder asked if the rezoning could possibly affect his property. Van Steenhuyse explained that there's always been a possibility of an industrial development at this site, even prior to this proposed change of zone. Sandahl stated that they've had a lot of discussions about the use of this site, including discussions regarding utility services. Van Steenhuyse clarified that Holcim still owns property to the north and that they would be allowed to redevelop that site as well. Mr. Greder asked if this site's development would drive the need for widening Kraft's private road. Van Steenhuyse stated that City Staff have had continued conversations about access to the site and that that's unlikely. He went on to explain that it's possible Pierce Ave. could be extended to the north on its existing alignment and that another possibility is a putting in a roundabout.

Worden asked if delivery trucks could potentially have a negative effect on traffic. Sandahl explained that Dollar General would be requesting a Variance for a drive aisle wider than the maximum allowed in the parking in front of the store. They will not be backing on to the site from 12<sup>th</sup> St. NW. Instead, trucks will pull in on the west side of the store and then back into the parking area in front of the store. Trucks existing the site will drive out on to 12<sup>th</sup> St. NW as well

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Public hearing closed at 7:26 PM.

Coffey moved to recommend approval to the City Council for the Change of Zone.  
Niedermayer seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragan	Yes		
Worden	Yes		
Niedermayer	Yes		

**Item 5: Text Amendment**

**5.1 24-T-02 - Z5 Central Business Zoning District:**

Van Steenhuyse gave the staff report.

**Request:** Staff respectfully requests that the Planning and Zoning Commission convene a public hearing to review a proposed amendment to Section 12-13-1, Central Business District: Purpose. Upon closing the hearing, Staff requests that the Commission forward the proposed amendment to the City Council with a recommendation of approval.

**Background:** The Z5 Central Business District is focused on Downtown Mason City. It is a compact and single contiguous district that is located only downtown. As such, it plays an important role in land use regulation in Mason City. This is a mixed-use district that allows all manner of retail, office, service, entertainment, lodging, and governmental functions. It also allows multiple flats, live-work buildings, and townhouses, including upper story dwellings in commercial buildings. The unique and historic character of Downtown Mason requires a level of regulation not applicable to other zoning districts. Due to its unique character and function as the heart of Mason City, the Z5 regulations include building materials and building design requirements. This is the only zoning district that has these requirements. The Z5 chapter includes requirements for exterior building materials (natural materials such as brick, stone, wood, etc.) and also includes prohibited materials (metal and aluminum siding, vinyl siding, etc.) Exceptions are made for artistic and architectural treatments using non-natural materials, but use of such materials is limited to 10 percent of the façade area.

These requirements apply to both new and existing buildings. Changes to historic and significant buildings (properties listed on the National Register of Historic Places, contributing buildings in the Downtown National Register Historic District, and buildings with frontage on Federal between the Mall/Pavilion and 4th Street NE/NW) are subject to review and approval by the Historic Preservation Commission. During the 2024

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Legislative Session, House File 2388, "An Act Relating to the Regulation of Styles and Materials Used For Residential Building Exteriors" was passed and signed into law. HF 2388 preempts a local government from passing or administering an ordinance that would prohibit or limit the use of a specific cladding or finish materials on facade restrictions that are more stringent than the State Building Code. This applies to single family homes and any residential building that contains up to and including 12 units. The new law does allow that cities may regulate building materials in historic districts, on buildings that are designated as an historic landmark, in Common Interest Communities, or through local government "special purpose" or overlay districts. With passage of this law, it is no longer legal for the City to regulate building materials on any residential building up to 12 units in any district, including the Z5 District. Should a developer propose a downtown multi-family building of 12 units or less, the City could not impose the building materials restrictions that still apply to commercial construction. While the City has no intention of requiring specific building materials in the other residential or mixed-use districts, the Z5 District's unique character could be impacted if residential buildings are built that do not conform to the Z5 design requirements.

**Proposed Amendment:** One of the exceptions in the new law exempts a building "located on a property that is governed by a policy of regulation of an overlay or special purpose zoning district that is adopted pursuant to applicable law." Staff and the City's attorneys have researched State code and judicial opinions and cannot find a specific definition for the term "special purpose district." Under home rule and common law, therefore, the City can make its own interpretation. The solution to the problem imposed by HF 2388 is to declare the Z5 District to be a "special purpose" district. Because of its unique nature, we believe that designating the Z5 District in this manner is defensible if every challenged in court. Therefore, Staff proposes that Section 12-13-1, the paragraph that describes the purpose of the Z5 District, have a sentence added, as follows (added language underlined):

### Chapter 12-13: Z5 CENTRAL BUSINESS DISTRICT- 12-13-1 Purpose

The purpose of the Z5 Central Business District is to provide for higher density, multistory mixed-use buildings that accommodate a variety of retail, entertainment, business and personal service, office, lodging, residential and civic functions supported by public squares, plazas and miniparks within a walkable, interconnected grid of landscaped streets with sidewalks. Because of its unique nature, environment, and purpose, the Z5 Central Business District is hereby designated as a special purpose zoning district.

With adoption of this additional language, the City will be able to regulate building materials of all buildings within the Z5 District, including residential buildings with 12 units or less.

### Conclusion

Staff respectfully requests that the Planning and Zoning Commission convene a public hearing to review the proposed amendments to Section 12-13-1, Central Business District. Upon closing the hearing, Staff requests that the Commission forward the proposed amendment to the City Council with a recommendation of approval.



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Coffey asked for clarification on whether or not the Bergo buildings on the plaza are affected by the new State law. Mr. Van Steenhuyse explained that it only applies to residential development; since the Bergo buildings include dwelling units, it is possible that any redevelopment would be affected. He also explained that exterior changes to buildings on the plaza are subject to a Certificate of Appropriateness from the Historic Preservation Commission.

Worden asked if City Staff are confident that this would pass a court challenge. Van Steenhuyse explained that it's been run past legal counsel and that they do feel it would pass if it was ever challenged in court. Ragan stated that the legislation in the last few years has pushed for certain things that affect local control and that she feels that the proposed amendment is a good response. Coffey asked if a building in the Z5 district was sold and the new owner wants to do something to the exterior, will this apply? Van Steenhuyse explained that the new legislation only affects residential properties, not commercial. As long as the law remains as it was amended, the requirements would impact any residential building, regardless of it transferring to a new owner.

Public hearing opened at 7:30 PM. Public hearing closed at 7:38 PM.

Ragan moved to recommend approval of the text amendment to City Council. Worden seconded.

Roll was called:

Coffey	Yes	Wessman	Yes
Ragain	Yes		
Worden	Yes		
Niedermayer	Yes		

**Item 6: Staff Update**

Van Steenhuyse explained that he would like to have continuous discussions with the Commission about the Comprehensive Plan.

**Item 7: Adjourn**

The meeting adjourned at 7:41 pm.

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Timothy Coffey, Vice Chair

ATTEST:

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Regina Card, Secretary

ORDINANCE NO. 24 – 2

AN ORDINANCE AMENDING TITLE 12 OF THE CITY CODE OF THE CITY OF MASON CITY, IOWA, IT BEING THE ZONING ORDINANCE OF SAID CITY, AND CHANGING THE BOUNDARIES OF CERTAIN DISTRICTS THEREIN ZONED Z6-R RESTRICTED INDUSTRY TO Z4 MULTI-USE DISTRICT FOR PROPERTY GENERALLY LOCATED AT 1300 12<sup>TH</sup> STREET NW

WHEREAS, the Planning and Zoning Commission of the City of Mason City, Iowa, after a public hearing held on September 10, 2024, recommended approval of a change of zone classification of a certain area hereinafter described, and

WHEREAS, the City Council of the City of Mason City, Iowa, did hold a public hearing on the 7<sup>th</sup> day of January, 2025 and the 21<sup>st</sup> day of January, 2025 to correct a legal description.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That Title 12 of the City Code of the City of Mason City, Iowa and the Zoning Map of the City of Mason City, Iowa, by this reference made a part hereof, be and the same is hereby amended by changing the district boundaries thereof so as to change the classification of property generally located at 1300 12<sup>th</sup> Street NW from Z6-R Restricted Industry to Z4 Multi-Use District and legally described as follows:

Legal Description:

All that part of the SE1/4 NE1/4 Section 5-T96N-R20W, Cerro Gordo County, Iowa; described as follows: Commencing at the southeast corner of said the NE1/4 of said Section 5; thence North 00°34'37" East a distance of 33.00 feet on an assumed bearing on the east line of said NE1/4, to the north right-of-way line of 12th Street NW which is the point of beginning; thence South 89°58'52" West a distance of 224.00 feet on said right-of-way line; thence North 00°34'37" East a distance of 163.99 feet; thence North 89°32'59" East a distance of 21.42 feet; thence North 00°27'01" West a distance of 66.54 feet; thence South 89°32'59" West a distance of 14.16 feet; thence North 00°34'37" East a distance of 18.33 feet; thence North 13°14'49" East a distance of 118.24 feet; thence North 89°58'52" East a distance of 192.00 feet, parallel with said south line, to said east line; thence South 00°34'37" West a distance of 364.00 feet on said east line, to the point of beginning.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3: If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this 4<sup>th</sup> day of February, 2025.

Paul Adams, Mayor Pro tem

ATTEST:

Aaron Burnett, City Clerk

1st Consideration: Waived January 21, 2025  
2nd Consideration: January 21, 2025  
3rd Consideration: February 4, 2025

City of Mason City  
Development Services Department

# Memorandum

To: Aaron Burnett, City Administrator  
From: Steven J. Van Steenhuyse, Director of Development Services  
Date: January 27, 2025  
RE: Ordinance Amending the City Code: Chapter 5, Corporate Limits (FINAL)

**Recommendation:**

Staff recommends approval of the amendment to Title 1 Chapter 5, Section 1-5-1, Corporate Limits, to amend the legal description of the City limits to include recently annexed territory (FINAL).

**Review:**

The City Council approved this resolution on first consideration on January 7, 2025, and on second consideration on January 21, 2025.

On November 5, 2024, the City Council held a public hearing and approved a resolution annexing approximately 45 acres located at the southeast corner of Iowa Highway 122 and Lark Avenue. This annexation included the land currently being developed for the new Tractor Supply store. The remainder of the annexed land is owned by Cerro Gordo County.

This annexation was 100 percent voluntary. Such annexations only require approval of a resolution of annexation after the City Council holds a public hearing. The resolution was forwarded to the Iowa Secretary of State and became complete upon acknowledgement of receipt by the Secretary of State. The City received this acknowledgement in writing on November 15, 2024.

Therefore, the legal description of the City limits in Title 1, Chapter 5 of the City Code must be amended to include the newly annexed property. The attached legal description changes the description of the City limits to incorporate the annexation. The changes to accommodate the annexation are redlined and begin in Page 7 of the attached.

**Budget Impact:**


There is no impact to the operating budget resulting from this action.

**Council Action Requested:**

Staff recommends approval of the amendment to Title 1 Chapter 5, Section 1-5-1, Corporate Limits; to amend the legal description of the City limits to include recently annexed territory (FINAL).

**Attachments:**

1. Amended Legal Description
2. Letter of Acknowledgement from the Secretary of State

  
\_\_\_\_\_  
Steven J. Van Steenhuyse, AICP  
Director of Development Services

  
\_\_\_\_\_  
Reviewed and Recommend Approval



PAUL D. PATE  
SECRETARY OF STATE



LUCAS BUILDING  
DES MOINES, IOWA 50319

OFFICE OF THE IOWA SECRETARY OF STATE

November 15, 2024

Aaron Burnett  
Mason City City Clerk  
10 First St NW  
Mason City, IA 50401

Re: Resolution No. 24-226

Dear City of Mason City:

You are hereby notified that the resolution, plat map, and legal description pertaining to the voluntary annexation of territory to the City of Mason City, which was approved by the city on November 5, 2024, have been received and filed by this office as required by Iowa Code section § 368.7. You may consider the annexation filed.

In accordance with § 368.1(15) and § 368.7A the territory extends to the center line of all secondary roads adjacent to the above described properties.

Iowa Code 312.3(4) requires the mayor and city council to certify the population of any annexed territory, as determined by the last certified federal census, to the treasurer of state in order for apportionment of street construction funds to be adjusted.

Please review your city's precinct ordinance (if any) and confer with your county auditor to ensure this territory is assigned to the correct election precinct and/or ward (if any).

If you have questions or concerns about this communication, please let me know.

Sincerely,

Handwritten signature of Michael Graber.

Michaele Graber  
Iowa Secretary of State's Office  
321 E. 12<sup>th</sup> St.  
Des Moines, IA 50319  
michaele.graber@sos.iowa.gov

Cc: Annexations, Iowa Department of Transportation  
Matt Rasmussen, City Development Board Administrator

**CHAPTER 5**  
**CORPORATE LIMITS**

**1-5-1 CORPORATE LIMITS:**

The corporate limits of the City of Mason City, Iowa, are hereby declared to be as they have been legally established according to law, and shall embrace the territory lying within the boundary of the following described perimeter:

Beginning at the Northwest corner of Section Thirty-two (32) in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence running Easterly along the North line of said Section Thirty-two (32), and Sections Thirty-three (33), Thirty-four (34) and Thirty-five (35), all in Township Ninety-seven (97) North, Range Twenty (20) West of the Fifth Principal Meridian, a distance of approximately Three and one-fourth ( $3\frac{1}{4}$ ) miles to the Northeast corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Thirty-five (35);

Thence Southerly a distance of approximately three-eighths ( $\frac{3}{8}$ ) of a mile,

Thence easterly approximately one-quarter ( $\frac{1}{4}$ ) mile to centerline of Section Thirty-five (35), in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Southerly approximately one-sixth ( $\frac{1}{6}$ ) of a mile on centerline of Section Thirty-five (35), in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Westerly approximately one-tenth ( $\frac{1}{10}$ ) of a mile;

Thence southerly four feet (4'),

Thence westerly approximately one-sixth ( $\frac{1}{6}$ ) of a mile to the West line of the West one-half ( $W\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ),

Thence southerly to the north line of Section Two (2), in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;



Thence Easterly along the North line of said Section Two (2) a distance of approximately Three-fourths ( $\frac{3}{4}$ ) mile to the Northeast corner of said Section Two (2);

Thence Southerly along the East line of said Section Two (2) to the Southwest corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section One (1) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Easterly on the South line of the North one-quarter ( $N\frac{1}{4}$ ) of said Section One (1) and Section Six (6) and Section Five (5), in Township Ninety-six (96) North, Range Nineteen (19), West of the Fifth Principal Meridian, a distance of approximately Two and one-half ( $2\frac{1}{2}$ ) miles to the North and South Quarter line of said Section Five (5);

Thence Southerly along the North and South Quarter lines of said Section Five (5) and Section Eight (8) and Section Seventeen (17), in Township Ninety-six (96) North, Range Nineteen (19) West of the Fifth Principal Meridian, a distance of approximately two and one-quarter ( $2\frac{1}{4}$ ) miles to the center of said Section Seventeen (17);

Thence Westerly along the East-West quarter line of said Section Seventeen (17) and Section Eighteen (18) in Township Ninety-six (96) North, Range Nineteen (19), West of the Fifth Principal Meridian, and Section Thirteen (13) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, a distance of approximately two and one-half ( $2\frac{1}{2}$ ) miles to the East Quarter corner of Section Fourteen (14), in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Southerly along the East line of said Section Fourteen (14), a distance of approximately one-half ( $\frac{1}{2}$ ) mile to the Southeast corner of said Section Fourteen (14);

Thence Westerly along the South lines of said Section Fourteen (14) and Section Fifteen (15) in Township Ninety-six (96) North, Range Twenty (20) West of the Fifth Principal Meridian, to a point on the Southwesterly right of way line of the Union Pacific Railroad, said Southwesterly right of way line being approximately 1186.3 feet East of the Southwest Corner of said Section 15;

Thence Southeasterly along said Southwesterly right of way line to a point on the Easterly line of the Northwest Quarter of the Northwest Quarter of Section 22, Township 96 North, Range 20 West of the 5th P.M.;

Thence Southerly along said Easterly line to the Southeast Corner of said Northwest Quarter of the Northwest Quarter;

Thence Westerly along the Southerly line of said Northwest Quarter of the Northwest Quarter and along the Northerly line of Robinson's Addition to Cerro Gordo County, Iowa to the Northwest Corner of said Robinson's Addition;

Thence Southerly along the Westerly line of said Robinson's Addition to the Southwest Corner of said Robinson's Addition, said point also being on the Northerly line of Sondergaard's Addition to Cerro Gordo County, Iowa;

Thence Westerly along said Northerly line to a point on the Westerly right of way line of South Delaware Avenue;

Thence Southerly along said Westerly right of way line to a point on the Northerly right of way line of County Road 245th Street;

Thence Westerly along said Northerly right of way line to a point on the Northerly extension of a line 225.00 feet Easterly, measured at a right angle, from the Westerly line of the Southwest Quarter of said Section 22;

Thence Southerly along said Northerly extension and along said line to a point on the Northerly line of that tract of land described in Warranty Deed filed August 1, 2001 in Book 2001 Page 6726 in the Office of the Cerro Gordo County Recorder;

Thence Easterly, 125.4 feet along said Northerly line to the Northeast Corner of said tract of land;

Thence Southerly, 150.00 feet along the Easterly line of said tract of land to a point on the Southerly line of the North 483.62 feet of the Northwest Quarter of said Southwest Quarter;

Thence Easterly, 71.00 feet along said Southerly line to the Northeast Corner of that tract of land described in Warranty Deed filed October 28, 1993 in Book 93 Page 9184 in the Office of the Cerro Gordo County Recorder;

Thence Southerly, 735.37 feet along the Easterly line of said tract and along the Easterly line of that tract of land described in Warranty Deed filed April 23, 1987 in Book 87 Page 2329 in the Office of the Cerro Gordo County Recorder to the Southeast Corner of said tract of land, said point also being on

the Northerly line of that tract of land described in Report of Change of Title filed February 29, 1984 in Book 248 Page 200 in the Office of the Cerro Gordo County Recorder;

Thence Easterly, 138.62 feet along said Northerly line to the Northeast Corner of said tract of land;

Thence Southerly along the Easterly line of said tract of land and along the Southerly extension of said Easterly line to a point on the Southerly line of said Southwest Quarter;

Thence Easterly along said Southerly line to the Southeast Corner of said Southwest Quarter;

Thence Easterly along the Southerly line of the Southeast Quarter of said Section 22 to a point on the Westerly right of way line of the Union Pacific Railroad;

Thence Southerly along said Westerly right of way line to a point on the Northerly right of way line of U.S. Highway No. 18, said point designated as centerline metric Station 203+20± PL, 77 meters left of centerline, as shown on Iowa Department of Transportation Plans for Project Number NHS-18-5(80)—9-17;

Thence Southwesterly along said Northerly right of way line of U.S. Highway No. 18 to centerline metric Station 201+02± PL, 59 meters left of centerline;

Thence Southwesterly along said Northerly right of way line of U.S. Highway No. 18 to centerline metric Station 199+00, 51 meters left of centerline;

Thence Westerly along said Northerly right of way line of U.S. Highway No. 18 to Ramp A metric Station 1597+00.270, 26 meters left of Ramp baseline;

Thence Northwesterly along said Northerly right of way line of U.S. Highway No. 18 to Ramp A metric Station 1595+50, 28 meters left of Ramp baseline;

Thence Northwesterly along said Northerly right of way line of U.S. Highway No. 18 to Side Road Station 2259+50, 60 meters right of centerline Side Road U.S. Highway 65;

Thence Westerly across U.S. Highway 65 to Side Road Station 2259+40.000, 64.000 meters left of centerline Side Road U.S. Highway 65 as shown on Exhibit A attached to Warranty Deed filed February 29, 1996 in Book 96 Page 1413 in the Office of the Cerro Gordo County Recorder;

Thence Southwesterly, 589.52 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Southwesterly, 598.43 feet along said Northerly right of way line of U.S. Highway No. 18 to a point on the Southerly line of the Northeast Quarter of Section 28, Township 96 North, Range 20 West of the 5th P.M.;

Thence Westerly along said Northerly right of way line of U.S. Highway No. 18 and along said Southerly line to the Southwest Corner of said Northeast Quarter of said Section 28;

Thence Westerly along the Southerly line of the Northwest Quarter of said Section 28 and along said Northerly right of way line of U.S. Highway No. 18 to the most Easterly point of that tract of land described in Warranty Deed and shown in Acquisition Plat 2 of 2, both filed February 29, 1996 in Book 96 Page 1412 in the Office of the Cerro Gordo County Recorder;

Thence Northwesterly, 999.32 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Northwesterly, 1020.66 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Northwesterly, 525.68 feet along said Northerly right of way line of U.S. Highway No. 18 to a point on the Easterly right of way line of the Union Pacific Railroad;

Thence West across the Union Pacific Railroad to the Westerly right-of-way line of said Union Pacific Railroad;

Thence Northwesterly along said Northerly right-of-way line of U.S. Highway No. 18 to the East line of the Southwest Quarter of the Northwest Quarter in Section 29, Township 96 North, Range 20 West of the 5th P.M.;

Thence Southwesterly along said North right-of-way line of U.S. Highway No. 18 approximately 471 feet;

Thence Westerly along said North right-of-way line of U.S. Highway No. 18 to the Southeast corner of Parcel No. 073020000400, as depicted on a Plat of Survey recorded as Document No. 2013-423 in the Office of the Cerro Gordo County Recorder;

Thence North along the Easternmost line of said Parcel No. 073020000400 484.11 feet, to a point which also lies on the East right-of-way line of Nettle Avenue, which road is named South Taft Avenue when in the City of Mason City;

Thence West across said Nettle Avenue right-of-way to the West right-of-way line of Nettle Avenue;

Thence North along said West right-of-way line of Nettle Avenue to its intersection with the center line of 240<sup>th</sup> Street, which road is named 43<sup>rd</sup> Street SW when in the City of Mason City;

Thence West along said center line of 240<sup>th</sup> Street approximately 14.5 feet to a point of intersection with a line extended south from the Northwest corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street;

Thence North to the Northwest corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street;

Thence East across the Nettle Avenue right-of-way to the Northeast corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street, which point is also on the North right-of-way line of 240<sup>th</sup> Street;

Thence East along said North right-of-way line of 240<sup>th</sup> Street to the Southwest corner of Parcel 072030000700, which, along with Parcel No. 072030000600, is described in Document No. 9710065 recorded in the Office of the Cerro Gordo County Recorder;

Thence North along the West line of said Parcel No. 072030000700 to the Northwest corner of said Parcel No. 072030000700, which point is also the Southwest corner of Parcel No. 072030000600, which, as noted above, is described along with Parcel No. 072030000700 in Document No. 9710065 recorded in the Office of the Cerro Gordo County Recorder;

Thence North along the West line of said Parcel No. 072030000600 to the Northwest corner of said parcel;

Thence East along the North line of said Parcel No. 072030000600 to the Westerly right-of-way line of the Union Pacific Railroad;

Thence East across said right-of-way to the Easterly right-of-way line of the Union Pacific Railroad

Thence Northerly along said Easterly right of way line to the Northwest Corner of Lot 1 Golden Grain Energy First Subdivision Cerro Gordo County, Iowa;

Thence continuing Northerly along said Easterly right-of-way line a distance of Six hundred sixty-two and forty-five hundredths (662.45) feet,

Thence continuing Northeasterly along said right-of-way a distance of Two hundred forty-eight and seventy-six hundredths (248.76) feet on a nontangential curve concave to the Southeast having a central angle of 07°30'47", a radius of Eighteen hundred fifty-nine and eighty-eight hundredths (1859.88) feet and a chord azimuth of 184°08'36",

Thence continuing Northeasterly along said right-of-way Eleven hundred fifty-five and fifty-three hundredths (1155.53) feet on a nontangential curve concave to the Southeast having a central angle of 35°35'48", a radius of Eighteen hundred fifty-nine and eighty-eight hundredths (1859.88) feet and a chord azimuth of 25°46'23",

Thence Northeasterly tangent to said curve 43°34'17", azimuth along said Southeasterly right-of-way line, Six hundred sixty-four and sixty-one hundredths feet (664.61) to the North line of the Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>) of Section 20, Township 96 North, Range 20 West of the 5th P.M.; Thence Westerly along the North line of said Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>) to the Northwest corner of said Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>);

Thence Westerly along the South lines of Sections Seventeen (17) and Eighteen (18) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, and Section Thirteen (13) in Township Ninety-six (96) North, Range Twenty-one (21) West of the Fifth Principal Meridian, a distance of approximately Two and one-half (2<sup>1</sup>/<sub>2</sub>) miles to the South Quarter corner of said Section Thirteen (13);

Thence Northerly along the North and South Quarter lines of Sections 13 and 12 in Township 96 North, Range 21 West of the Fifth Principal Meridian approximately One and one-half miles (1<sup>1</sup>/<sub>2</sub> mi.) to the center of said Section 12;

~~Thence Northerly 182.34 feet~~ North along said North and South Quarter lines of Sections 13 and 12 to the north right-of-way line of IA 122;

~~Thence Westerly along said right-of-way line approximately 2578.39 feet~~ to the east line of the Northwest quarter (NW <sup>1</sup>/<sub>4</sub>) of the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence south along said East line to the Southeast corner of the Northwest quarter (NW <sup>1</sup>/<sub>4</sub>) of the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence West along the south line of the Northwest quarter (NW <sup>1</sup>/<sub>4</sub>) of the Southwest quarter (SW<sup>1</sup>/<sub>4</sub>) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian, to the Southwest corner of said quarter-quarter section, which point is also on the center line of Lark Avenue;

Thence north along said center line of Lark Avenue to its intersection with a line extended across Lark Avenue joining the South lines of the IA 122 right-of-way on each side of Lark Avenue;

Thence East to the intersection with a line extended north from the East right-of-way line of Lark Avenue, approximately 60 feet;

Thence North from said intersection to the North right-of-way line of IA Highway 122;

Thence West along said North right-of-way line of IA Highway 122 approximately 11 feet;

Thence Northwesterly 23.78' to the easterly right-of-way line of Lark Avenue;

Thence North  $00^{\circ}11'14''$  West Two thousand four hundred thirty-nine and ninety-eight hundredths feet (2,439.98') along said right-of-way line to the north line of the Northwest Quarter ( $NW^{1/4}$ ) of said Section 12;

Thence North  $89^{\circ}55'49''$  East Two thousand six hundred five and thirty-eight hundredths feet (2,605.38') along said north line to the South Quarter ( $S^{1/4}$ ) corner of Section 1 in Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence Northerly along the North and South quarter line of said Section 1 approximately One (1) mile to the North Quarter ( $N^{1/4}$ ) corner of said Section 1;

Thence Easterly along the North lines of said Section One (1) and Section Six (6) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, a distance of approximately One and one-half ( $1^{1/2}$ ) miles to the Southwest corner of Section Thirty-two (32) in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence along the West line of said Section Thirty-two (32), a distance of approximately One (1) mile to the place of beginning.

ORDINANCE NO. 25 - 03

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF MASON CITY, IOWA, BY REPEALING TITLE 1, CHAPTER 5: CORPORATE LIMITS AND ADOPTING A NEW CHAPTER 5 IN LIEU THEREOF

BE IT ORDAINED by the City Council of the City of Mason City, Iowa:

Section 1: That the City Code of the City of Mason City, Iowa, should be and the same is hereby amended by repealing Title 1, Chapter 5: Corporate Limits and adopting a new Chapter 5 in lieu thereof as follows:

"TITLE 1  
CHAPTER 5  
CORPORATE LIMITS

1-5-1 CORPORATE LIMITS:

The corporate limits of the City of Mason City, Iowa, are hereby declared to be as they have been legally established according to law, and shall embrace the territory lying within the boundary of the following described perimeter:

Beginning at the Northwest corner of Section Thirty-two (32) in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence running Easterly along the North line of said Section Thirty-two (32), and Sections Thirty-three (33), Thirty-four (34) and Thirty-five (35), all in Township Ninety-seven (97) North, Range Twenty (20) West of the Fifth Principal Meridian, a distance of approximately Three and one-fourth ( $3\frac{1}{4}$ ) miles to the Northeast corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Thirty-five (35);

Thence Southerly a distance of approximately three-eighths ( $\frac{3}{8}$ ) of a mile,

Thence easterly approximately one-quarter ( $\frac{1}{4}$ ) mile to centerline of Section Thirty-five (35), in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;



Thence Southerly approximately one-sixth ( $\frac{1}{6}$ ) of a mile on centerline of Section Thirty-five (35), in Township Ninety- seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Westerly approximately one-tenth ( $\frac{1}{10}$ ) of a mile;

Thence southerly four feet (4'),

Thence westerly approximately one-sixth ( $\frac{1}{6}$ ) of a mile to the West line of the West one-half ( $W\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ),

Thence southerly to the north line of Section Two (2), in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Easterly along the North line of said Section Two (2) a distance of approximately Three-fourths ( $\frac{3}{4}$ ) mile to the Northeast corner of said Section Two (2);

Thence Southerly along the East line of said Section Two (2) to the Southwest corner of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section One (1) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Easterly on the South line of the North one-quarter ( $N\frac{1}{4}$ ) of said Section One (1) and Section Six (6) and Section Five (5), in Township Ninety-six (96) North, Range Nineteen (19), West of the Fifth Principal Meridian, a distance of approximately Two and one-half ( $2\frac{1}{2}$ ) miles to the North and South Quarter line of said Section Five (5);

Thence Southerly along the North and South Quarter lines of said Section Five (5) and Section Eight (8) and Section Seventeen (17), in Township Ninety-six (96) North, Range Nineteen (19) West of the Fifth Principal Meridian, a distance of approximately two and one-quarter ( $2\frac{1}{4}$ ) miles to the center of said Section Seventeen (17);

Thence Westerly along the East-West quarter line of said Section Seventeen (17) and Section Eighteen (18) in Township Ninety-six (96) North, Range Nineteen (19), West of the Fifth Principal Meridian, and Section Thirteen (13) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, a distance of approximately two and one-half ( $2\frac{1}{2}$ ) miles to the East Quarter

corner of Section Fourteen (14), in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence Southerly along the East line of said Section Fourteen (14), a distance of approximately one-half ( $1/2$ ) mile to the Southeast corner of said Section Fourteen (14);

Thence Westerly along the South lines of said Section Fourteen (14) and Section Fifteen (15) in Township Ninety- six (96) North, Range Twenty (20) West of the Fifth Principal Meridian, to a point on the Southwesterly right of way line of the Union Pacific Railroad, said Southwesterly right of way line being approximately 1186.3 feet East of the Southwest Corner of said Section 15;

Thence Southeasterly along said Southwesterly right of way line to a point on the Easterly line of the Northwest Quarter of the Northwest Quarter of Section 22, Township 96 North, Range 20 West of the 5th P.M.;

Thence Southerly along said Easterly line to the Southeast Corner of said Northwest Quarter of the Northwest Quarter;

Thence Westerly along the Southerly line of said Northwest Quarter of the Northwest Quarter and along the Northerly line of Robinson's Addition to Cerro Gordo County, Iowa to the Northwest Corner of said Robinson's Addition;

Thence Southerly along the Westerly line of said Robinson's Addition to the Southwest Corner of said Robinson's Addition, said point also being on the Northerly line of Sondergaard's Addition to Cerro Gordo County, Iowa;

Thence Westerly along said Northerly line to a point on the Westerly right of way line of South Delaware Avenue;

Thence Southerly along said Westerly right of way line to a point on the Northerly right of way line of County Road 245th Street;

Thence Westerly along said Northerly right of way line to a point on the Northerly extension of a line 225.00 feet Easterly, measured at a right angle, from the Westerly line of the Southwest Quarter of said Section 22;

Thence Southerly along said Northerly extension and along said line to a point on the Northerly line of that tract of land described in Warranty Deed filed August 1, 2001 in Book 2001 Page 6726 in the Office of the Cerro Gordo County Recorder;

Thence Easterly, 125.4 feet along said Northerly line to the Northeast Corner of said tract of land;

Thence Southerly, 150.00 feet along the Easterly line of said tract of land to a point on the Southerly line of the North 483.62 feet of the Northwest Quarter of said Southwest Quarter;

Thence Easterly, 71.00 feet along said Southerly line to the Northeast Corner of that tract of land described in Warranty Deed filed October 28, 1993 in Book 93 Page 9184 in the Office of the Cerro Gordo County Recorder;

Thence Southerly, 735.37 feet along the Easterly line of said tract and along the Easterly line of that tract of land described in Warranty Deed filed April 23, 1987 in Book 87 Page 2329 in the Office of the Cerro Gordo County Recorder to the Southeast Corner of said tract of land, said point also being on the Northerly line of that tract of land described in Report of Change of Title filed February 29, 1984 in Book 248 Page 200 in the Office of the Cerro Gordo County Recorder;

Thence Easterly, 138.62 feet along said Northerly line to the Northeast Corner of said tract of land;

Thence Southerly along the Easterly line of said tract of land and along the Southerly extension of said Easterly line to a point on the Southerly line of said Southwest Quarter;

Thence Easterly along said Southerly line to the Southeast Corner of said Southwest Quarter;

Thence Easterly along the Southerly line of the Southeast Quarter of said Section 22 to a point on the Westerly right of way line of the Union Pacific Railroad;

Thence Southerly along said Westerly right of way line to a point on the Northerly right of way line of U.S. Highway No. 18, said point designated as centerline metric Station 203+20± PL, 77 meters left of centerline, as shown on Iowa Department of Transportation Plans for Project Number NHS-18-5(80)—9-17;

Thence Southwesterly along said Northerly right of way line of U.S. Highway No. 18 to centerline metric Station 201+02± PL, 59 meters left of centerline;

Thence Southwesterly along said Northerly right of way line of U.S. Highway No. 18 to centerline metric Station 199+00, 51 meters left of centerline;

Thence Westerly along said Northerly right of way line of U.S. Highway No. 18 to Ramp A metric Station 1597+00.270, 26 meters left of Ramp baseline;

Thence Northwesterly along said Northerly right of way line of U.S. Highway No. 18 to Ramp A metric Station 1595+50, 28 meters left of Ramp baseline;

Thence Northwesterly along said Northerly right of way line of U.S. Highway No. 18 to Side Road Station 2259+50, 60 meters right of centerline Side Road U.S. Highway 65;

Thence Westerly across U.S. Highway 65 to Side Road Station 2259+40.000, 64.000 meters left of centerline Side Road U.S. Highway 65 as shown on Exhibit A attached to Warranty Deed filed February 29, 1996 in Book 96 Page 1413 in the Office of the Cerro Gordo County Recorder;

Thence Southwesterly, 589.52 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Southwesterly, 598.43 feet along said Northerly right of way line of U.S. Highway No. 18 to a point on the Southerly line of the Northeast Quarter of Section 28, Township 96 North, Range 20 West of the 5th P.M.;

Thence Westerly along said Northerly right of way line of U.S. Highway No. 18 and along said Southerly line to the Southwest Corner of said Northeast Quarter of said Section 28;

Thence Westerly along the Southerly line of the Northwest Quarter of said Section 28 and along said Northerly right of way line of U.S. Highway No. 18 to the most Easterly point of that tract of land described in Warranty Deed and shown in Acquisition Plat 2 of 2, both filed February 29, 1996 in Book 96 Page 1412 in the Office of the Cerro Gordo County Recorder;

Thence Northwesterly, 999.32 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Northwesterly, 1020.66 feet along said Northerly right of way line of U.S. Highway No. 18;

Thence Northwesterly, 525.68 feet along said Northerly right of way line of U.S. Highway No. 18 to a point on the Easterly right of way line of the Union Pacific Railroad;

Thence West across the Union Pacific Railroad to the Westerly right-of-way line of said Union Pacific Railroad;

Thence Northwesterly along said Northerly right-of-way line of U.S. Highway No. 18 to the East line of the Southwest Quarter of the Northwest Quarter in Section 29, Township 96 North, Range 20 West of the 5th P.M.;

Thence Southwesterly along said North right-of-way line of U.S. Highway No. 18 approximately 471 feet;

Thence Westerly along said North right-of-way line of U.S. Highway No. 18 to the Southeast corner of Parcel No. 073020000400, as depicted on a Plat of Survey recorded as Document No. 2013-423 in the Office of the Cerro Gordo County Recorder;

Thence North along the Easternmost line of said Parcel No. 073020000400 484.11 feet, to a point which also lies on the East right-of-way line of Nettle Avenue, which road is named South Taft Avenue when in the City of Mason City;

Thence West across said Nettle Avenue right-of-way to the West right-of-way line of Nettle Avenue;

Thence North along said West right-of-way line of Nettle Avenue to its intersection with the center line of 240<sup>th</sup> Street, which road is named 43<sup>rd</sup> Street SW when in the City of Mason City;

Thence West along said center line of 240<sup>th</sup> Street approximately 14.5 feet to a point of intersection with a line extended south from the Northwest corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street;

Thence North to the Northwest corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street;

Thence East across the Nettle Avenue right-of-way to the Northeast corner of the intersection of Nettle Avenue and 240<sup>th</sup> Street, which point is also on the North right-of-way line of 240<sup>th</sup> Street;

Thence East along said North right-of-way line of 240<sup>th</sup> Street to the Southwest corner of Parcel 072030000700, which, along with Parcel No. 072030000600, is described in Document No. 9710065 recorded in the Office of the Cerro Gordo County Recorder;

Thence North along the West line of said Parcel No. 072030000700 to the Northwest corner of said Parcel No. 072030000700, which point is also the Southwest corner of Parcel No. 072030000600, which, as noted above, is described along with Parcel No. 072030000700 in Document No. 9710065 recorded in the Office of the Cerro Gordo County Recorder;

Thence North along the West line of said Parcel No. 072030000600 to the Northwest corner of said parcel;

Thence East along the North line of said Parcel No. 072030000600 to the Westerly right-of-way line of the Union Pacific Railroad;

Thence East across said right-of-way to the Easterly right-of-way line of the Union Pacific Railroad

Thence Northerly along said Easterly right of way line to the Northwest Corner of Lot 1 Golden Grain Energy First Subdivision Cerro Gordo County, Iowa;

Thence continuing Northerly along said Easterly right-of-way line a distance of Six hundred sixty-two and forty-five hundredths (662.45) feet,

Thence continuing Northeasterly along said right-of-way a distance of Two hundred forty-eight and seventy-six hundredths (248.76) feet on a nontangential curve concave to the Southeast having a central angle of  $07^{\circ}30'47''$ , a radius of Eighteen hundred fifty-nine and eighty-eight hundredths (1859.88) feet and a chord azimuth of  $184^{\circ}08'36''$ ,

Thence continuing Northeasterly along said right-of-way Eleven hundred fifty-five and fifty-three hundredths (1155.53) feet on a nontangential curve concave to the Southeast having a central angle of  $35^{\circ}35'48''$ , a radius of Eighteen hundred fifty-nine and eighty-eight hundredths (1859.88) feet and a chord azimuth of  $25^{\circ}46'23''$ ,

Thence Northeasterly tangent to said curve  $43^{\circ}34'17''$ , azimuth along said Southeasterly right-of-way line, Six hundred sixty-four and sixty-one hundredths feet (664.61) to the North line of the Northeast Quarter ( $NE^{1/4}$ ) of Section 20, Township 96 North, Range 20 West of the 5th P.M.; Thence Westerly along the North line of said Northeast Quarter ( $NE^{1/4}$ ) to the Northwest corner of said Northeast Quarter ( $NE^{1/4}$ );

Thence Westerly along the South lines of Sections Seventeen (17) and Eighteen (18) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, and Section Thirteen (13) in Township Ninety-six (96) North, Range Twenty-one (21) West of the Fifth Principal Meridian, a distance of approximately Two and one-half ( $2^{1/2}$ ) miles to the South Quarter corner of said Section Thirteen (13);

Thence Northerly along the North and South Quarter lines of Sections 13 and 12 in Township 96 North, Range 21 West of the Fifth Principal Meridian approximately One and one-half miles ( $1^{1/2}$  mi.) to the center of said Section 12;

Thence North along said North and South Quarter lines of Sections 13 and 12 to the north right-of-way line of IA 122;

Thence Westerly along said right-of-way line to the east line of the Northwest quarter (NW ¼ ) of the Southwest quarter (SW¼) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence south along said East line to the Southeast corner of the Northwest quarter (NW ¼ ) of the Southwest quarter (SW¼) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence West along the south line of the Northwest quarter (NW ¼ ) of the Southwest quarter (SW¼) of Section Twelve (12), Township 96 North, Range 21 West of the Fifth Principal Meridian, to the Southwest corner of said quarter-quarter section, which point is also on the center line of Lark Avenue;

Thence north along said center line of Lark Avenue to its intersection with a line extended across Lark Avenue joining the South lines of the IA 122 right-of-way on each side of Lark Avenue;

Thence East to the intersection with a line extended north from the East right-of-way line of Lark Avenue, approximately 60 feet;

Thence North from said intersection to the North right-of-way line of IA Highway 122;

Thence West along said North right-of-way line of IA Highway 122 approximately 11 feet;

Thence Northwesterly 23.78' to the easterly right-of-way line of Lark Avenue;

Thence North 00°11'14" West Two thousand four hundred thirty-nine and ninety-eight hundredths feet (2,439.98') along said right-of-way line to the north line of the Northwest Quarter (NW<sup>1</sup>/<sub>4</sub>) of said Section 12;

Thence North 89°55'49" East Two thousand six hundred five and thirty-eight hundredths feet (2,605.38') along said north line to the South Quarter (S<sup>1</sup>/<sub>4</sub>) corner of Section 1 in Township 96 North, Range 21 West of the Fifth Principal Meridian;

Thence Northerly along the North and South quarter line of said Section 1 approximately One (1) mile to the North Quarter (N<sup>1</sup>/<sub>4</sub>) corner of said Section 1;

Thence Easterly along the North lines of said Section One (1) and Section Six (6) in Township Ninety-six (96) North, Range Twenty (20), West of the Fifth Principal Meridian, a distance of approximately

One and one-half ( $1\frac{1}{2}$ ) miles to the Southwest corner of Section Thirty-two (32) in Township Ninety-seven (97) North, Range Twenty (20), West of the Fifth Principal Meridian;

Thence along the West line of said Section Thirty-two (32), a distance of approximately One (1) mile to the place of beginning.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this 4<sup>th</sup> day of February, 2025.

\_\_\_\_\_  
Paul Adams, Mayor Pro tem

ATTEST:

\_\_\_\_\_  
Aaron Burnett, City Clerk

1<sup>st</sup> consideration: January 7, 2025  
2<sup>nd</sup> consideration: January 21, 2025  
3<sup>rd</sup> consideration: February 4, 2025