

PUBLIC NOTICE IS HEREBY GIVEN that the following governing body will meet at the date, time, and place herein set out. The tentative agenda for said meeting is as follows:

TENTATIVE AGENDA
ATKINS CITY COUNCIL
CITY HALL – 480 3RD AVENUE
TUESDAY, AUGUST 11, 2026
6:00 P.M.

1. Call to Order and Pledge of Allegiance led by Mayor Brian Cruise
2. Roll Call by City Clerk
3. Approval of the Agenda by City Council.
4. Citizens' Opportunity to address the Council:
 - In conformance with the Iowa Open Meetings law, no action or deliberation can occur on items presented during the Citizens' Forum
 - Please walk to the front and state your name and address and the subject of your discussion
 - Speakers are encouraged to limit their comments to three (3) minutes
5. Unfinished Business:
 - A. Social District Ordinance:
 - **Motion** to approve **Ordinance #242**, "An Ordinance adding Chapter 124 to the Atkins Municipal Code Establishing a Social District for the possession and consumption of alcoholic liquor, wine, and beer within designated public streets, sidewalks, and other public spaces in the City of Atkins, Iowa" by City Council (2nd reading)
 - Discussion and consideration of **Motion** by City Council
 - Roll Call Vote by City Clerk
6. New Business:
 - A. Traffic Safety Improvement Project – 33rd Avenue & 5th Street/Pleasant Hill Drive Crosswalk:
 - Review by Scott Flory, City Administrator
 - **Motion** to approve **Resolution #2026-08-01**, "A Resolution approving official endorsement of funding application to the Iowa Department of Transportation for the Traffic Safety Improvement Program for the 33rd

Avenue & 5th Street/Pleasant Hill Drive Crosswalk Project” by the City Council.

- Discussion and consideration of **Motion** by City Council
- Roll Call Vote by City Clerk

B. Proposal for Improvements to Well #2 and Well #3:

- Introduction by Scott Flory, City Administrator
- Review of quote by David Schrier, Public Works Director
- **Motion** to approve quote from Northway Well & Pump Company (Marion, IA) by City Council.
- Discussion and consideration of **Motion** by City Council
- Roll Call Vote by City Clerk

7. City Administrator's Report:

- Boland Farms Site Plan Residential Parcel Split Planning & Zoning Commission 8/13/26 at 6:00 p.m.
- Atkins Welcome Sign Project update
- Board of Adjustment Meeting Report from 8-5-26

8. Mayor's Report:

9. Consent Agenda:

- Approval of July 28 & August 6 (workshop), 2026, City Council Meeting Minutes
- Approval of a Class “E” Retail Alcohol License Casey’s General Store (401 Stonebrook Drive) (renewal)
- Approval of a Special Class “C” 5-day Liquor License for Lucky Wife Wine Slushies for Sunday Food Market event on August 16, 2026 (pending application to ABD)
- Approval of the bills & claims submitted by the City Clerk
- Approval of Financial Reports (July): Treasurer’s Report; Revenue & Expense Reports; and Bank Reconciliation

10. Other Business:

11. Adjournment

NEXT REGULAR MEETING – AUGUST 25, 2026 at 6:00 P.M.

This notice is given pursuant to Chapter 21.4 (1) of the Code of Iowa and of the local Rules & Procedures of the Governing Body

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 124 TO THE ATKINS MUNICIPAL CODE ESTABLISHING A SOCIAL DISTRICT FOR THE POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR, WINE, AND BEER WITHIN DESIGNATED PUBLIC STREETS, SIDEWALKS, AND PUBLIC SPACES IN THE CITY OF ATKINS, IOWA.

WHEREAS, House File 2780, adopted by the Iowa Legislature and signed by the Governor in 2026, authorizes a city to establish a social district by ordinance for the possession and consumption of alcoholic liquor, wine, and beer on public streets, sidewalks, and other public spaces within a defined district, subject to the requirements of Iowa Code section 414.34; and

WHEREAS, the City Council of the City of Atkins finds that the creation of a social district may promote economic development, downtown activity, tourism, community events, and the safe and orderly use of public spaces; and

WHEREAS, the City Council desires to establish local rules governing the boundaries, days and hours of operation, marked-container requirements, participation requirements for retail alcohol licensees, and enforcement provisions for the social district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATKINS, IOWA:

SECTION 1. NEW CHAPTER. The Atkins Municipal Code is hereby amended by adding Chapter 124 – Social Districts which is hereby adopted to read as follows:

Chapter 124 – Social Districts

124.010 Purpose

The purpose of this chapter is to establish a social district within the City of Atkins pursuant to Iowa Code section 414.34 and to provide reasonable regulations for the possession and consumption of alcoholic liquor, wine, and beer within the district in a manner that protects public health, safety, and welfare.

124.020 Definitions

For purposes of this chapter, the following terms shall have the meanings stated below:

- A. “Alcoholic beverage” means alcoholic liquor, wine, or beer as those terms are defined in Iowa Code chapter 123.

- B. "Marked container" means a non-glass container that identifies the retail alcohol licensee providing the alcoholic liquor, wine, or beer in the container to the consumer within the social district.
- C. "Participating licensee" means a retail alcohol licensee located within the social district that has been approved by the City to participate in the social district and remains in good standing with the City and the Iowa Alcoholic Beverages Division.
- D. "Social district" means the defined area established by this chapter in which the possession and consumption of alcoholic liquor, wine, and beer is allowed on public streets, sidewalks, and other public spaces within the boundaries of the district, subject to the requirements of this chapter and Iowa Code chapter 123.

124.030 Social District Established.

- A. The City hereby establishes the "Atkins Social District".
- B. The boundaries of the social district shall be: Main Avenue from building front to building front, north to Railroad Street and south to 1st Street and incorporated into this chapter by reference.
- C. The City Council may, by resolution, activate the social district for specific events, dates, and times. The resolution may activate the entire social district or a smaller subarea of the district.
- D. The City Council may, by resolution, approve any additional event-specific rules, conditions, signage requirements, vendor requirements, or public safety measures for use of the social district.
- E. Nothing in this chapter shall require any participating vendor, nonparticipating vendor, business, property owner, or other establishment within the social district to allow persons possessing alcoholic beverages to enter or remain on its premises.

124.040 Days and Hours of Operation

- A. The social district shall operate only on the dates and during the hours approved by City Council resolution.
- B. Possession or consumption of alcoholic liquor, wine, or beer within the social district is prohibited except during the dates and hours approved by City Council resolution.
- C. The City Administrator, Mayor, or Fire Chief may temporarily suspend operation of the social district, in whole or in part, due to public safety concerns, severe weather, emergency conditions, crowd control concerns, construction, public works activity, or other circumstances affecting public health, safety, or welfare.

124.050 Marked Container Requirements.

- A. No person shall possess or consume an alcoholic beverage in the social district unless the alcoholic beverage was purchased from a participating licensee and is contained in a marked container meeting the requirements of this section.
- B. A marked container shall:
 - Be non-glass;
 - Identify the participating vendor that sold or provided the alcoholic beverage;
 - Comply with Iowa Code chapter 123, Iowa Code section 414.34, and any applicable state requirements.
- C. Alcoholic beverages may not be brought into the social district from outside the district or from a vendor that has not been approved to participate.
- D. A person shall dispose of any alcoholic beverage before leaving the social district, entering a motor vehicle, entering an area where alcoholic beverages are prohibited, or entering a business or premises that does not allow alcoholic beverages.

124.060 Participating Vendors

- A. A retail alcohol licensee may participate in the social district only if approved as a participating vendor by City Council resolution.
- B. To be eligible, a participating vendor must:
 - Hold a valid retail alcohol license under Iowa Code chapter 123;
 - Be authorized by state law to sell alcoholic liquor, wine, or beer for consumption within the social district;
 - Be in good standing with the City and the Iowa Alcoholic Beverages Division;
 - Maintain required dramshop insurance;
 - Use only marked containers approved by the City;
 - Comply with all applicable state and local laws; and
 - Comply with any additional conditions approved by City Council resolution
- C. Approval of participating in the social district is a privilege and may be suspended or revoked as provided in this chapter. Authorized City Officials may suspend or revoke a participating licensee's approval to participate in the social district for any of the following reasons:
 - Violation of this chapter or violation of Iowa Code chapter 123 or Iowa Code section 414.34;
 - Sale or service of alcoholic beverages in unmarked or noncompliant containers;

- Sale or service of alcoholic beverages outside authorized days or hours or the social district;
- Failure to maintain a valid retail alcohol license or required dramshop insurance;
- Repeated calls for police service, nuisance activity, disorderly conduct, or public safety concerns associated with the participating licensee's use of the social district;
- Failure to comply with City-approved conditions of participation; or
- Any other reason affecting public health, safety, welfare, or orderly operation of the social district.

124.070 Rules of Conduct

- A. No person shall possess or consume alcoholic liquor, wine, or beer within the social district except in compliance with this chapter.
- B. No person shall possess or consume alcoholic liquor, wine, or beer within the social district unless the beverage is in a marked container from an approved participating vendor.
- C. No person shall possess or consume alcoholic liquor, wine, or beer within the social district outside the dates, times, or area approved by City Council resolution.
- D. No person shall remove a marked container containing alcoholic liquor, wine, or beer from the social district.
- E. No person shall possess or consume alcoholic liquor, wine, or beer in a motor vehicle, on public school property, or in any other location where possession or consumption is prohibited by law.

124.080 Enforcement and Penalties

- A. This chapter may be enforced by the City Administrator, City Clerk, code enforcement personnel, or any other authorized City official.
- B. A violation of this chapter may be enforced as a municipal infraction pursuant to the Atkins Municipal Code
- C. Any violation of Iowa Code chapter 123 may also be referred for enforcement under state law.
- D. Each violation constitutes a separate offense.

124.090 No Civil Liability

The establishment or operation of the social district shall not be construed as creating any duty, liability, or responsibility on the part of the City for the actions of any person, participating licensee, nonparticipating licensee, business, property owner, or event organizer.

124.100 State Law Controls

This chapter shall be interpreted to be consistent with Iowa Code chapter 123, Iowa Code section 414.34, as amended, and any applicable rules or guidance of the Iowa Alcoholic Beverages Division. If any provision of this chapter conflicts with state law, state law shall control.

SECTION 2. REPEALER. Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND ADOPTED by the City Council on the ____ day of _____, 2026, and approved by the Mayor on the ____ day of _____, 2026.

Mayor

Attest:

City Clerk

1st reading: July 28, 2026

2nd Reading: August 11, 2026

Final Reading:

RESOLUTION NO. 2026-08-01

A RESOLUTION APPROVING OFFICIAL ENDORSEMENT OF FUNDING APPLICATION TO
IOWA DEPARTMENT OF TRANSPORTATION FOR THE TRAFFIC SAFETY IMPROVEMENT
PROGRAM FOR THE 33rd AVENUE & 5TH STREET CROSSWALK PROJECT

WHEREAS, the Iowa Department of Transportation is accepting applications for the Traffic Safety Improvement Program (TSIP) on August 15, 2026; and,

WHEREAS, the TSIP allows cities and counties throughout Iowa to apply for funding for traffic safety improvements on public roads under local jurisdiction; and

WHEREAS, the City and its consulting civil engineer have determined that the installation of Rectangular Rapid Flashing Beacon(s) on 33rd Avenue & 5th Street will reduce the risk of an accident or personal injury to the public by improving safety through increasing awareness and visibility of pedestrians crossing 33rd Avenue & 5th Street/Pleasant Hill Drive, a high traffic volume (farm-to-market) route through Atkins; and

WHEREAS, the City had previously applied for and been awarded TSIP funding for the Project, but due to the very substantial impact and recovery efforts from the August Derecho of 2020 exhausting the City's limited resources, the City was unable to advance the Project at that time; and

WHEREAS, Rectangular Rapid Flashing Beacons are recognized as Traffic Control Devices in the Manual on Uniform Traffic Control devices; and

WHEREAS, the City of Atkins desires to apply for funding through the Iowa Department of Transportation's Traffic Safety Improvement Program.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATKINS, IOWA that the City Council is supportive of the Traffic Safety Improvement Program Funding Application for the Pedestrian Crossing Project at 33rd Avenue & 5th Street/Pleasant Hill Drive and hereby authorizes the submittal of the attached application for Traffic Safety Improvement Program Funding for the traffic control device and related improvements.

PASSED and APPROVED this 11th day of August, 2026.

Brian Cruise, Mayor

Attest:

Shelley Annis, City Clerk



August 5, 2026

City of Atkins
PO Box 171
480 Third Avenue
Atkins, Iowa 52206

Attn: Mr. David Schrier, Public Works Director

Re: Well #2 and #3

Dear Dave,

The following is the associated cost for extending Well #2 and removing our loaner pump from Well #3 that was installed in 2023 and replace with new properly sized pumping equipment.

A. Well #2 Extension

1. Field labor to extend Well #2 by 24" with berm installation by other's	\$3,510.00
2. 12" x 24" A53 Prime B steel casing	\$ 192.70
3. Misc. material 24" pull pipe extension, conduit, welding rod, electrical Wire and splice kits	\$ 488.25
Total for the above-mentioned for Well #2	\$4,190.95

B. Well #3

1. Goulds 7WHAC-4 stage cast iron constructed submersible pump with stainless steel impellers, bowl shaft, lock collets, and bronze wear rings	\$9,271.10
2. Hitachi 40hp., 460-volt, 3450rpm, 3 phase submersible pump motor	\$9,393.45
3. One 4" x 6" sch 80 swedge nipple	\$ 689.95
4. One 6" HW galvanized pipe coupling	\$ 256.84
5. 265 Feet of #4/3 HD submersible pump cable @\$12.88 per ft.	\$3,413.20
6. Misc. material 1/4" HD altitude tubing and gauge assembly, six 3M Electrical splice kits, banding, 2" pipe wrap etc.	\$ 850.00
7. Freight charges	\$ 411.82
8. Televiser well casing and borehole	\$1,350.00

9. Field labor to remove loaner pumping equipment, install new submersible pump and motor, submersible pump cable, misc. material, and flush	\$ 6,250.00
10. Chlorinate well, swab treatment and flush	\$ 2,775.00
11. Field labor from May 18-19, 2023, to remove failed pumping equipment caused by the variable frequency drive, installed loaner pumping equipment, chlorinate well and flush	<u>\$ 3,650.00</u>
Total for Well #3	\$38,311.36

Dave, if you have any questions, please let me know.

Sincerely,



Tom Engelken, Sales Representative
NORTHWAY WELL & PUMP CO.

City of Atkins, Iowa
July 28, 2026 Council Meeting Minutes

Mayor Brian Cruise called the meeting to order at 6:00 p.m. with the Pledge of Allegiance. Council members Kevin DeMeulenaere (via speakerphone), Jade Nutt, Jeremy Rolando, and Bob Stolen answered roll call. Trevor Dursky was absent. City Administrator Scott Flory and City Clerk Shelley Annis were also present.

Motion Stolen, 2nd Rolando to approve the agenda – all aye.

Motion Stolen, 2nd Rolando to approve the 1st Reading of Ordinance 242 adding Chapter 124 to the Atkins City Code by establishing a Social District. DeMeulenaere, Nutt, Rolando, Stolen – aye.

Motion Stolen, 2nd Nutt to approve Resolution 2026-07-03 naming and designating the Ridgeview Addition stormwater retention basin as the “Ridgeview Addition Fishing Pond”. Nutt, Rolando, Stolen, DeMeulenaere – aye.

City Administrator Flory and Mayor Cruise gave their reports.

Motion Stolen, 2nd Rolando to approve the following consent agenda items: July 13th Council workshop minutes, July 14th Council meeting minutes, July 18th special Council meeting minutes, renewal of a Class C Retail Alcohol License for Bobby T’s, 95 Main, and the claims for payment – all aye.

Motion Nutt, 2nd Rolando to enter into closed session at 6:55 p.m. per Iowa Code Section 21.5(1)(c), “to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation”. Nutt, Rolando, Stolen, DeMeulenaere, – aye.

Motion Stolen, 2nd Nutt to return to regular session at 7:19 p.m. Rolando, Stolen, DeMeulenaere, Nutt – aye.

Motion Stolen, 2nd Rolando to adjourn the meeting at 7:20 p.m. – all aye.

MINUTES
OF A WORKSESSION
OF THE ATKINS CITY COUNCIL

The Atkins City Council met in a worksession pursuant to law and rules of said Council on, Thursday, August 6, 2026, at 5:30 p.m., at City Hall, with Mayor Brian Cruise presiding. City Council members present: Rolando, Nutt, and DeMeulenaere. Absent: Dursky and Stolen. Also present: City Administrator Scott Flory.

Mayor Cruise called the meeting to order at 5:30 p.m., called the roll, and led the Pledge of Allegiance.

Motion was made by Rolando, seconded by DeMeulenaere, to approve the agenda. Passed Unanimously.

City Administrator Scott Flory introduced members for Fehr Graham Engineering company to present their proposal to the City regarding the Water Distribution System Improvement Project that the City had previously issued a Request for Proposals on for professional Engineering Services. Representatives from Fehr Graham made a presentation to the Council and there was general discussion, followed by questions and answers.

There being no further business before the Council, Nutt moved, seconded by Rolando, to adjourn at 6:20 p.m. Passed Unanimously.

Brian Cruise, Mayor of Atkins

Attest:

Scott Flory, City Administrator



< CITY OF ATKINS

Local Authority Review - Alcohol Ownership

CITY OF ATKINS

1209373800



Owners

Business Information

Customer Type

BUS

Business Sub-Type

Corporation

Business Designation

Legal Business Name

CASEYS MARKETING COMPANY

Old Ownership Information

Owner Type	Owner	Single Line Address	Ownership Percentage
Owner	FABER, SCOTT	6749 CARDIFF CT JOHN	0.00
Owner	LARSEN, ERIC	4407 NW 5TH ST ANKE	0.00
Owner	BEECH, DOUGLAS	729 NE BROOK HAVEN	0.00
Company	CASEY'S GENERAL STO	1 SE CONVENIENCE BLV	100.00

Can I help?

	Owner	JOHNSON, BRIAN	9129 NW 73RD CIR JOH	0.00
	Owner	JAMES, SAMUEL	3204 NE AVERY DR ANI	0.00

Updated Ownership Information

	Owner Type	Owner	Single Line Address	Ownership Percentage
	Owner	FABER, SCOTT	6749 CARDIFF CT JOHN	0.00
	Owner	LARSEN, ERIC	4407 NW 5TH ST ANKE	0.00
	Owner	BEECH, DOUGLAS	729 NE BROOK HAVEN	0.00
	Company	CASEY'S GENERAL STO	1 SE CONVENIENCE BL	100.00
	Owner	JOHNSON, BRIAN	9129 NW 73RD CIR JOH	0.00
	Owner	JAMES, SAMUEL	3204 NE AVERY DR ANI	0.00
	Owner	KOBER, PARKER	700 SE 15TH ST GRIME	0.00

Impacted Active Alcohol Licenses

Jurisdiction Code	Permit Type	License Number	Address
City of Atkins	Class "E" Retail Alcc	LE0004469	401 STONEBROOK DR AT

Impacted Active Retail Tobacco and Device Retailer Permits

Can I help?

CLAIMS REPORT

Check Range: 7/29/2026- 8/11/2026

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
ALLIANT ENERGY	6/29-7/30		25,349.53	12770	8/05/26
AMAZON CAPITAL SERVICES	BOOKS		557.67		
APPARATUS TESTING SERVICES LLC	ANNUAL CERT		1,172.13		
ATKINS LUMBER CO INC	SUPPLIES		1,840.50		
BANKERS BANK	SUPPLIES		3,449.63		
BENTON COUNTY SOLID WASTE COMM	1ST QTR		13,364.00		
CASEYS BUSINESS MASTERCARD	CARD FEE		9.18	12771	8/05/26
CHEM-SULT INC	CHEMICALS		1,317.40		
THE DEPOT EXPRESS	07/2026		1,116.47		
DP PROPERTIES	07/2026		668.00		
DAKOTA SUPPLY GROUP	SUPPLIES		97.26		
EMPLOYEE HSA	07/31		794.23	13274929	7/31/26
FUSEBOX MARKETING	PHOTOS FOR WEBSITE		2,000.00		
GARLING CONSTRUCTION INC	THRU 7/31		3,577.67		
GRAINGER	SUPPLIES		87.71		
HUTCHESON ENGINEERING PROD	PUMP		13,829.54		
IOWA DNR	PERMIT FEE		210.00		
JENSEN INSPECTION SERVICES LLC	07/2026		1,306.20		
KROMMINGA MOTORS INC	SUPPLIES		216.98		
LINN COOP	SUPPLIES		65.03		
LL PELLING CO	LINE PAINTING		7,922.05		
MIDAMERICAN ENERGY	6/26-7/28		52.82	12772	8/05/26
OVERDRIVE	EBOOKS FEE		896.24		
POWESHIEK WATER ASSOCIATION	07/2026		85.75	12773	8/05/26
QUILL	SUPPLIES		227.46		
JOANEY RAILSBACK	DEPOSIT REFUND		100.00		
RIPPLING - PAYROLL	07/31		25,738.80	13274930	7/31/26
S&J SANITATION	07/2026		13,849.00		
JENNA SCHULTE	EVENT		108.56		
PAT SEMELROTH	DEPOSIT REFUND		100.00		
SOLBERGS INC	MAYOR PLAQUE		264.65		
BOB STOLEN	REIMB		217.50		
TRIONFO SOLUTIONS LLC	08/2026		220.23	13274928	8/06/26
TRUENORTH COMPANIES LC	08/2026		500.00		
TRUGREEN	07/2026		1,095.00		
US CELLULAR	7/28-8/27		139.95	12774	8/05/26
VOYA RETIREMENT PLAN	07/31	150.00		13274931	8/05/26
VOYA RETIREMENT PLAN	07/31	1,667.73	1,817.73	13274932	8/05/26
Accounts Payable Total			124,364.87		
Invoices: Paid			54,208.22		
Invoices: Scheduled			70,156.65		