



Summit Carbon Solutions proposes to partner with 57 ethanol plants across Iowa, Minnesota, North Dakota, South Dakota, and Nebraska to capture carbon dioxide, compress the captured CO2, and channel it to North Dakota where it will be permanently stored underground.

PIPELINE

Continued from page 1

Attorney Tim Whipple of the Ahlers & Cooney law firm, which assisted Floyd and other counties, told the zoning commission that the ordinance was about land use, not safety. He said the county had the right to control the siting of industrial infrastructure just as it would with any other zoning matter.

But the 8th Circuit disagreed with that reasoning in the Shelby and Story county laws.

In its 20-page opinion issued June 5, the court said even if counties frame setback and permitting requirements as land use tools, if they are rooted in safety concerns they fall under the federal government's exclusive authority.

The ruling noted that the Shelby ruling, for exam-

ple, explicitly cited safety risks and required safety plans and coordination with emergency responders.

"This court holds that the counties' setbacks are safety standards," the ruling said. "Their direct and substantial effect on safety undermines Congress's express 'intent to preempt the states from regulating in the area of safety.'"

The decision also said that the ordinances conflict with Iowa law, which gives sole authority for pipeline routing decisions to the Iowa Utilities Commission. County rules that impose additional restrictions, the court said, are inconsistent and therefore preempted.

One of the judges, Judge Jane Kelly dissented in part, disagreeing with the majority's ruling that county setback and abandonment provisions were preempted.

She argued that setbacks were

traditional land use regulations, not federal safety standards, and that counties often consider safety as one of many factors in zoning decisions.

In July 2023, the Floyd County Board of Supervisors voted to pause consideration of its own pipeline zoning ordinance, citing an earlier U.S. district court ruling against Shelby County. Supervisors recommended the zoning Commission consider further work until court cases were resolved.

COUNCIL MINUTES SPECIAL SESSION MAY 28, 2025

Charles City city council met in special session on May 28, 2025 at 5:30 p.m. in the Zastrow room at the public library. Mayor Dean Andrews presided and the following council members were present: Delaine Freeseaman, Phillip Knighten, Patrick Lumley, Phoebe Pittman, and Keith Starr. Also present were city administrator Steve Diers and city engineer John Fallis.

Motion by Freeseaman, second Pittman to approve the agenda. Ayes- 5

Tammy and Dan Elthon of Circle K Communications are subcontracted by the city to manage the transit system. The Elthons presented an annual update to the council. They are just finishing year one of their current two-year contract. Tammy feels that ridership has been great, very steady over the last year with some months still seeing record numbers. They reported that the service provided rides to 62 children in Charles City this last school year, with a growing waitlist. The program employs two full-time drivers, two part-time drivers, 2 substitute drivers, and one seasonal driver, along with the Elthons. The service is currently low on drivers, therefore Tammy stated that they would like the city to think about converting their sub-drivers to part-time, as they are working around 20 hours a week. The service moved away from radios to a transit software and tablets, it is not quicker, but is safer and nice for riders to be able to purchase tickets in advance. Mayor and councilmembers thanked the Elthons for their hard work over the last several years.

Engineer Fallis reported the permeable pavement project was completed at a total cost of \$770,373.10, which is 4.9% more than the original bid amount due to the need to add two sanitary sewer manholes and conflicts between the un-

Legal Notice

TO WHOM IT MAY CONCERN: YOU ARE HEREBY NOTIFIED: That Portion of Thirteenth Avenue lying east of the easterly boundary of F Street extended and west of the section line of the Northeast Quarter of Section Six (6), Township Ninety-five (95) North, Range Fifteen (15) West of the 5th P.M., and lying between Block 135 and Block 136, In Lane's Addition to St. Charles, now incorporated in and a part of Charles City, Iowa ("the Property")

will be held at the Zastrow Room at the Charles City Public Library at 910 Clark Street, Charles City, Iowa Charles City, Iowa, at 6:00 p.m. on the 16th day of June, 2025. You are further notified that the City Council will consider the adoption of the proposed vacation ordinance after said public hearing and thereafter intends to convey the Property to the adjoining property owner, CCLP Enterprise, LLC, for good and valuable consideration following final passage of an ordinance vacating the Property.

YOU ARE FURTHER NOTIFIED that at each hearing oral and written comments will be given an opportunity to be heard.

The notice is given by order of the City Council of the City of Charles City, Iowa, and as provided by law.

Brittney Lentz, City Clerk

No. 24953
6/6/25 Charles City Press
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Legal Notice - Legal Notice

IN THE IOWA DISTRICT COURT FOR FLOYD COUNTY
MARGARITA CRAIN,
Petitioner, Case No.: JVV003197
vs. NOTICE OF HEARING ON PETITION
AUSTIN EUGENE ESLOCK,
FOR TERMINATION OF
PARENTAL RIGHTS OF
AUSTIN EUGENE ESLOCK
AND/OR ALL PUTATIVE
FATHERS

Respondent.
TO: Austin Eugene Eslock
All Putative Fathers

YOU ARE NOTIFIED that there is now on file in the office of the clerk of court for Floyd County, a petition in case number JVV003197, which prays for a termination of your parent-child relationship to a child born in Ames, Iowa, Iowa. For further details contact the clerk's office. The petitioner's attorney is Judith O'Donohoe, Elwood, O'Donohoe, Braun & White, LLP, whose address is 116 North Main Street, PO Box 307, Charles City, Iowa 50616. The telephone and facsimile numbers for the petitioners' attorney are (641) 228-8054 and (641) 228-8057, respectively.

YOU ARE FURTHER NOTIFIED that a hearing regarding the termination of your parental rights has been set for 10:00 A.M. on July 8, 2025, at the Floyd County Courthouse at 101 South Main Street, Charles City, Iowa 50616, and at that time and place you will be given an opportunity to be heard before the court. If you attend the hearing, you should first report to the office of the Clerk of Court in the courthouse in order to determine

in which courtroom the hearing will be held. You must serve a motion or answer on or before July 8, 2025, with the Clerk of Court for Floyd County, at the courthouse in Charles City, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the petition.

YOU ARE FURTHER NOTIFIED that the above case has been filed in a county that utilizes electronic filing. Please see Iowa Court Rules Chapter 16 for information on electronic filing and Iowa Court Rules Chapter 16, division VI regarding the protection of personal information in court filings. NOTE: The attorney who is expected to represent the Respondent should be promptly advised by the Respondent of the service of this Notice. If you require the assistance of auxiliary aids or service to participate in court because of a disability, immediately call your district ADA coordinator at (641) 421-0990. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2423).

JUDITH O'DONOHUE ICIS#: AT0005849

Attorney for the Petitioner
ELWOOD, O'DONOHUE, BRAUN & WHITE, LLP
116 North Main Street
PO Box 307
Charles City, IA 50616
Date of second publication

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6/13/25 Charles City Press
6/20/25 Charles City Press
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OLUTION APPROVING CHANGE ORDER PR-4: EXTERIOR WALL CHANGE FOR THE CITY HALL/PD RENOVATION PROJECT" and moved for adoption. Seconded by Pittman. Resolution duly passed on roll call vote as follows: Ayes- Freeseaman, Pittman, Knighten, Starr, Lumley, Nays- none.

Ordinance 1192 AMENDING SECTION 1.6.6 OF THE UNIFIED DEVELOPMENT ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF MORE THAN ONE DUPLEX UPON A LOT OR TRACT UPON THE RECOMMENDATION OF PLANNING AND ZONING AND APPROVAL OF THE CITY COUNCIL was presented for a second reading. This amendment specifically adds duplexes to the allowable multiple principal buildings on a single lot, and helps clarify that the method of development as a single lot meets the requirements of the UDO. The need to amend this came about with the Kading development, which is one large parcel with plans to build multiple duplexes, triplexes, and sixplexes. The Planning & Zoning Commission and engineer Fallis have recommended approval. Motion by Starr, second by Lumley to approve the second reading of Ordinance 1192. Ayes- Pittman, Knighten, Starr, Lumley, and Freeseaman. Nays- none. Councilmember Starr read the ordinance.

Brent Hinson and Marketa Oliver from Hinson Consulting were present to discuss the search for a new city administrator. They will be scheduling one-on-one meetings with mayor, council, key staff, and community partners for the week of June 9. After this is completed, the associates will put together a profile to market the position to potential candidates. Lumley questioned how far out they are canvassing their search, in which Hinson replied it would be a national search preference to Midwest candidates.

They take into account experience and accomplishments along with credentials, but are ultimately looking for the best fit for Charles City. Mayor Andrews questioned if they solicit current city administrators to apply, and yes, they do direct reach-outs, and active recruitment, they don't just simply throw an ad out. Hinson would also be happy to help facilitate the process of finding an interim city administrator and has given Diers a name of a recently retired administrator that may be interested in applying for the interim position.

City administrator Diers reported that the generator at the Cedar Valley Transportation Center quit working recently and is not replaceable, therefore they are looking at replacing it as soon as possible. He reminded council that the Corporate Drive water tower is currently lit in memory of Vic Dunn, retired Charles City police officer who recently passed away. This week we celebrated Caleb Deetz passing his grade 3 water treatment test and Taylor Hillman passing his grade 3 water distribution and water treatment tests. Discussion was had on the crabapple trees that were planted in 2001 as part of the Iowa Living Roadways project at the end of South Grand near the certified site. The CCADC would like to see them removed to cleanup and improve the marketability of the area. Mayor Andrews would like to see the area cleaned up, but feels the trees should trimmed up and left in place.

Motion by Pittman, seconded by Freeseaman to adjourn at 6:31p.m. Ayes- 5
Dean Andrews, Mayor
Attest: Brittney Lentz, City Clerk

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Floyd County Board of Supervisors Meeting May 27, 2025, 9:00 a.m.

The Floyd County Board of Supervisors met in the Floyd County Courthouse Board Room. Supervisors Dennis Keifer, Boyd Campbell, and Gloria Carr were in attendance.

Carr/Campbell moved to approve the agenda as amended. Motion carried 3-0. Public comment: None.

Campbell/Carr moved to approve the May 20, 2025 meeting minutes. Motion carried 3-0.

Campbell/Carr moved to approve the claims: County #2745-2784, Engineer #11396-11410, and Drainage #15449. Motion carried 3-0.

Ahlers Legal.....	1500.00
2 Alliant Elect	336.99
2 State Aud Fees	850.00
1 Barco Prod Sign Matl.....	420.87
1 Bergmann Sandblasting & Paints Services	2750.00
1 G Carr Reimb	47.64
1 CenturyLink Phone	97.50
1 CC Chamber Fees	104.00
1 CC Press Notice	186.00
1 Charles City Services	63.80
1 Colwell TJ-Road	350.20
1 Floyd TJ-Road	440.52
1 Marble Rock TJ-Road	943.11
1 Rudd TJ-Road	1211.92
1 Comm Innovators Security	82.50
1 Cost Adv Serv	4450.00
1 Digital Ally Equip	2030.00
1 E&E Welding Parts	255.04
1 ESS Service	863.12
1 EOJohnson Service	56.64
1 F&H Publ Supplies	135.00
1 Gordon Flesch Lease	107.00
1 IACCVSO Regist	50.00
1 Sec State Maint	223.30
1 JDF Supplies	174.92
1 LEAF Services	134.31
1 Learning Conn Fees	8872.29
1 Menards Supplies	154.39
1 Messersmith Supplies	1815.28
1 Mick Age Serv	6916.97
1 Mod Am Util	307.59
1 Mod Imaging Serv	323.80
1 Office Exp Supp	46.47
1 Pollard Extern	105.00
1 Powerplan Parts	222.34
1 Rapid Print Supplies	309.00
1 T Schriever Reimb	101.86
1 St.Joseph Learning Con. 1	781.10
1 State ME Autopsy	3671.00
1 Stellar Truck Parts	934.53
1 UMB Bank Bonds	1306500.01
1 VaxCare Vaccines	122.10
1 Visa Misc	1198.94
1 Visual Edge Equip	27.99
1 Wedeking Electric Service	186.95
1 Aerial Services, Inc DD3 LiDAR	5300.00

Updates on various boards/commissions/activities: Carr attended the following meetings Community Partners for Protecting Children, Floyd Mitchell Chickasaw Child Abuse Prevention,

Decat, SW Bypass, and one w/agencies regarding an attendance central concern. Campbell attended a Dispatch Juvenile Detention Center and toured drainage district 3 with landowners.

Carr/Campbell moved to entering closed session per Iowa Code 21.5(1) c) – To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent, where disclosure would likely prejudice or disadvantage the governmental body's position in that litigation. Roll call vote: Ayes-Carr, Campbell, Keifer; motion carried 3-0. No action was taken following the closed session.

Campbell/Carr moved to approved Res #23-25* FY25 Budget Appropriations: The Board reviewed departmental budgets for FY25 appropriation limits for several departments in need of adjustment; be it resolved by the Board to increase appropriations from 90% to 100% for the following departments for FY25: Clerk of Court, Child Support Recovery, Road Clearing, Debt Service, General Services, Government Assistance, and County Conservation Reserve. Roll call vote: Ayes-Carr, Campbell, Keifer; motion carried 3-0.

Keifer opened the public hearing regarding FY25 County Budget Amendment at 9:45 a.m. There were no comments. Keifer closed public hearing. Carr/Campbell moved approve Res #22-25* FY25 County Budget Amendment: The County FY25 budget has certain line items in need of adjustment since the original budget was certified and subsequently amended on August 19, 2024; and the Board timely published notice and held a public hearing on May 27, 2025 for the FY25 county budget amendment; Be it resolved by the Board to adopt the FY25 Amendment of the County Budget and to approve of county departmental budget appropriations for FY25 as follows at 100%: Board of Supervisors, Attorney, Sheriff, Clerk of Court, Conservation, Road Clearing, General Services, Data Processing, Safety/Risk Management, Juvenile Probation, and Communications-Dispatch, totaling \$194,938 in expenditures. Roll call vote: Ayes-Carr, Campbell, Keifer; motion carried 3-0.

The Board reviewed and discussed the Pyramid Tower Marketing Agreement. Due to the need for additional clarification of the contract, no action was taken.

The Board discussed pager and programming costs for Greene Volunteer Ambulance Services and the potential use of Communication Tower bond proceeds. Ben Chatfield noted that the new communications tower is designed to provide coverage primarily for Floyd County; therefore, coverage in parts of Butler County is limited. Given these limitations, purchasing and programming

is not considered a practical solution. The use of the "IamResponding" software was proposed as an alternative, with John Gohr from Dispatch expressing support. It was clarified that even if Greene Volunteer Ambulance is added to the notification list on "IamResponding," Floyd and Butler Counties will continue to follow existing procedures regarding dispatching Greene Volunteer Ambulance. The final decision on Greene Volunteer Ambulance's inclusion in the software rests with the 911 Board.

County Engineer Adam Miller provided updates on secondary road and office activities. Maintenance work continues with dust control, rock, blading as moisture allows, driveway improvements, spraying, and culvert replacement south of Nora Springs using a rail tank car. In the office, planning progresses for 2025 resurfacing projects. Beatrice Asphalt is tentatively set to begin work on T38 in mid-July, requiring a full closure with a detour for approximately three weeks. B47 and T26 will follow later in the season under traffic control, with no closures. Mathy Construction is also expected to begin resurfacing work this summer, though the start date is not yet confirmed. The Rockford Shop project was let on May 19, and the contract is ready to be issued. Bruening Rock Products plans to begin 2025 rock resurfacing in early to mid-June. A rumble strip was let on the Colwell blacktop. Flashed red lights have been installed at the B60 and Packard Avenue intersection. The board asked the engineering department to recommend locations for the engine noise ordinance signs currently on order.

Campbell/Carr moved to approve the bid from Kingland Construction Services in the amount of \$497,000 for construction of the new Secondary Roads Rockford Shed. Construction will begin when Kingland is able to complete the project in one construction season and the existing building has been removed.

Campbell/Carr moved to assign Tax Certificate #2009-09004 for Parcel #140935400400 to Jania and Chad Schriever, upon receipt of payment for all outstanding taxes, penalties, interest, and a \$100 processing fee. Motion carried 3-0.

Carr/Campbell moved to approve 2025 applications for Recreational Lakes, Forest Covers, Rivers and Streams, Rivers and Stream Banks, and Open Prairies Property Tax Exemption ("Slough Bill") with a total of properties valued at \$3,869,340 on 2,730.17 acres; two applications for Certification of Native Prairie, Wetland, or Wildlife Habitat for Property Tax Exemption valued at \$8,570 for 1.67 acres; one application for Native Prairie or Wetlands Property Tax Exemption valued at \$23,690 for 16 acres; and Forest or Fruit Tree Reservation Property Tax Exemption applica-

tions with property valued at \$6,605,000 for 4,938.35 acres. Motion carried 2-0, with Supervisor Keifer abstaining due to being one of the applicants.

Carr/Campbell moved to approve Secondary Roads to repair Drainage District #3 Lateral #2 tile repair. Motion carried 3-0.

Campbell/Carr moved to correct the certification of the salary of County Treasurer Jessie Holm, from \$78,178 to \$78,177 to align with the FY25 County Budget as approved on April 15, 2024. Motion carried 3-0.

Carr/Campbell moved to accept the FY24 Cost Allocation Plan from Cost Advisory Services, Inc. Motion carried 3-0.

Campbell/Carr moved to approve the FY26 First Amendment to the Child Support Staffing Contract Between the Iowa Department of Health and Human Services, Child Support Services and the Floyd County Political Subdivision. Motion carried 3-0.

Carr/Campbell moved to approve a letter of support for Kading Properties' Workforce Tax Credit application to the Iowa Economic Development Authority. Motion carried 3-0.

The Board noted a pay increase for Megan Apel from \$21 to \$22 per hour, effective May 17, following successful completion of jail school.

The Board noted the hiring of Denise Lensing as full-time Recorder's Clerk, effective June 2, with a starting wage of \$23.00 per hour.

Carr moved the board on ongoing discussions regarding the dissolution of the joint SW Bypass TIF board, the only county-shared TIF in Iowa. Outlining potential benefits, including cost savings from eliminating duplicate efforts such as separate public works and legal counsel, which would free up more funds for projects. A possible drawback is that the county would no longer have approval authority over future projects. The SW Bypass Board expects to hear from legal counsel before the next board meeting if it is appropriate to hold a dissolution hearing ahead of a hearing for Curbtender's project on the same day, noting the latter would be cancelled if the dissolution was approved.

Future agenda items: Prepare end-of-year transfers.

Carr/Campbell moved to adjourn. Motion carried 3-0.

ATTEST: Morrigan Miller
Floyd County Auditor
Dennis Keifer, Chair
Floyd County Board of Supervisors

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Legal Notice

THE IOWA DISTRICT COURT FOR FLOYD COUNTY
IN THE MATTER OF THE ESTATE OF GOLDIE JORDAN, Deceased
CASE NO. ESPR019134 NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of Goldie Jordan, Deceased, who died on or about May 26, 2025:

You are hereby notified that on June 2, 2025, the Last Will and Testament of Goldie Jordan, deceased, bearing date of December 11, 2024, was admitted to probate in the above-named court and that Kathleen Salmons was appointed Executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

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

Dated 3rd day of June, 2025.

William P Baresel, ICIS#: AT001081
Attorney for Executor
PO Box 454
1300 Grove Street
Charles City, Iowa 50616

Date of second publication 6/13/25

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6/13/25 Charles City Press
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Legal Notice

TRUST NOTICE
IN THE MATTER OF
THE TESTAMENTARY TRUST
OF: Marlene M. Schwickerath

To all persons regarding Marlene M. Schwickerath, deceased, who died on or about November 14, 2024. You are hereby notified that the trustee listed below is the trustee of the Marlene M. Schwickerath Testamentary Trust for Jaxon Schwickerath created on May 9, 2025. Any action to contest the validity of the trust must be brought in the District Court of Floyd County, Iowa, within the later to occur of four (4) months from the date of second publication of this notice or thirty (30) days from the date of mailing this notice to the spouse of the decedent settlor, and to all heirs of the decedent settlor whose identities are reasonably ascertainable. Any suit not filed within this period shall be forever barred.

Notice is further given that any person or entity possessing a claim against the trust must mail proof of the claim to the trustee at the address listed below via certified mail, return receipt requested, by the later to occur of four (4) months from the date of the second publication of this notice or thirty (30) days from the date of mailing this notice if required or the claim shall be forever barred unless paid or otherwise satisfied.

Dated May 23, 2025

Judith O'Donohoe
116 North Main Street
PO Box 307
Charles City, IA 50616
Trustee

Judith O'Donohoe #AT0005849
ELWOOD, O'DONOHUE, BRAUN & WHITE, LLP
116 North Main Street
PO Box 307
Charles City, Iowa 50616
Attorney for Trustee
Date of second publication: 6/6/25

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ORDINANCE NO. 1192
AN ORDINANCE AMENDING THE CHARLES CITY UNIFIED DEVELOPMENT ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF MORE THAN ONE DUPLEX UPON A LOT OR TRACT UPON THE RECOMMENDATION OF PLANNING AND ZONING AND APPROVAL OF THE CITY COUNCIL

BE IT ENACTED by the City Council of the City of Charles City, Iowa: SECTION 1. Amended Subsection 1.6.6 – Lot is hereby amended to read as follows:

Section 1.6.6 Lot
1. Every building hereafter erected, reconstructed, converted, moved or structurally altered shall be located on a lot or lot of record and in no case, shall there be more than one principal building on a lot unless otherwise provided.

2. No building, structure, or part thereof, shall hereafter be built, moved or altered, and no building, structure or land shall hereafter be used or occupied upon a lot which is smaller in area than the minimum lot area or minimum lot area per dwelling unit; narrower than the minimum lot width; or shallower than the minimum lot depth required in the zoning district in which the building, structure or land is located.

3. No building or use of land for other than agricultural purposes shall be established on a lot that does not abut a public street.

4. Within residential districts, only one principal permitted use or structure shall be located on a single zoning lot, except as set forth in subsection 5. In other districts, any number of structures or uses permitted by this Code may be built, moved, altered, used or occupied, provided the individual district regulations can be met.

5. More than one principal building of a single permitted use may be located upon a lot or tract in the following instances if recommended by the Planning and Zoning Commission and approved by the City Council.

- A. Institutional buildings
- B. Public or semi-public buildings
- C. Multiple-family dwellings
- D. Commercial or industrial buildings

E. More for the aged
F. Agricultural buildings
G. Clustered/Mixed Use Development

H. Duplexes
SECTION 2. Repealer. All 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 by the City Council on this 2nd day of June, 2025
Approved this 2nd day of June 2025.
Dean Andrews, Mayor
ATTEST: Brittney Lentz, City Clerk
As certified, the foregoing was published in the Charles City Press as Ordinance No. 1192 on the 6th day of June, 2025.

Brittney Lentz, City Clerk

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