

LEGAL NOTICE

<b>AUGUST 25, 2025</b>			
The Aurelia City Council met in regular session on August 25, 2025. Mayor Pro-Tem Roman Redig called the meeting to order at 6:30 p.m. with roll call as follows:			
Council Members Present: Bruce, Nelson, Redig, Johnson			
Council Members Absent: Fassler			
Also Present: Steph McSparran, Brian Flikeid, Mark Sangwin, Jackie Bleil, Kim Huseman			
*Nelson made motion to approve consent agenda, second by Bruce. Roll call vote: "aye": Bruce, Johnson, Redig, Nelson, "nay": none. Absent: Fassler. Motion carried.			
Minutes of previous meeting/Clerk/ Treasurer & Investment Reports/Bills Payable			
<b>JULY REVENUES</b>			
Property Tax	\$2,070.47		
Local Option Sales Tax	\$16,287.98		
Use of Money & Property	\$2,894.43		
Road Use Tax	\$10,574.86		
Water Utility	\$27,612.88		
Sewer Utility	\$14,768.41		
Landfill/Garbage	\$10,058.55		
Storm Water Utility	\$473.00		
Licenses & permits	\$227.00		
Miscellaneous	\$1,528.90		
Other Fees & Charges	\$1,912.16		
Insurance Settlements	\$56,871.10		
TOTAL	\$145,279.74		
<b>JULY DISBURSEMENTS</b>			
General Fund	\$75,034.32		
Road Use	\$59,771.45		
Special Revenues	\$9,614.96		
Water Utility	\$14,490.72		
Sewer Utility	\$9,313.35		
Sanitation Utility	\$10,760.19		
Storm Utility	\$4,770.37		
TOTAL	\$183,755.36		
<b>AUGUST COUNCIL-BILLS PAYABLE</b>			
Aurelia Electric utilities	\$4,098.95		
Aurelia Utilities garbage customers, pool tax	\$4,773.27		
Aurelia Lumber Co softener salt cc	\$14.00		
AgState fuel,diesel	\$341.45		
AT&T Firstnet cell phone, hotspot	\$855.24		
Acco chlorine,pool supplies,brush	\$1,364.91		
AJS Repair battery, repair	\$501.31		
Blue Lakes Website annual maintenance fee	\$99.00		
Bomgaars lights,fuel,flags	\$291.82		
Builders Sharpening mower repair	\$75.84		
Cardmember Services books, fuel, supplies, registration	\$2,225.91		
Carquest oil filters	\$52.16		
Cherokee Chronicle Times legal publications	\$99.18		
Cherokee Co Environmental Health pool inspection	\$270.00		
Cherokee Co Solid Waste monthly assessment	\$5,090.45		
City of Movable code enforcer fees			
Clover pos fees cc	\$80.56		
Connor Beeck Window window cleaning	\$50.00		
Coast to Coast police supplies	\$377.69		
Crary Huff legal services	\$598.86		
Doll Distributing beer	\$628.65		
First Financial pos fees cc	\$27.85		
Foundation Analytical pool/water/vwv testing	\$438.25		
FP Mailing postage	\$55.43		
HomeServe water,sewer loss ins			
\$1,241.40			
HyVee liquor	\$426.45		
ISG engineering services	\$7,022.50		
IDNR operation fee annual	\$210.00		
Iowa One Call locates	\$38.25		
IIMC membership fee annual	\$195.00		
Julius Cleaners mats cleaning/tablecloths cc	\$345.31		
Kolbeck Incwood grinding	\$2,850.00		
Law Enforcement Systems ticket books	\$198.00		
Metering & Technology water meters	\$726.40		
MidAmerican utilities	\$141.11		
Modern Heating air conditioner repair fee	\$986.62		
Motorola Solutions fire department equipment	\$4,415.00		
NW Glass front door cc	\$1,174.02		
Nuvera phone,internet svc	\$922.55		
One Office office supplies	\$914.43		
Pleasant Hill Cemetery maintenance fee	\$3,700.00		
Plumbing Wholesale pipe	\$13.50		
Plunkett's pest control	\$467.80		
Reding's Gravel gravel	\$713.00		
Reese Wieland WSI certification, WSI			

LEGAL NOTICE

ORDINANCE NO. 716  
AN ORDINANCE AMENDING  
THE CODE OF ORDINANCES OF  
THE CITY OF AURELIA, IOWA,  
BY AMENDING PROVISIONS  
PERTAINING TO CIGARETTE AND  
TOBACCO PERMITS

Be It Enacted by the City Council of the City of Aurelia, Iowa:

SECTION 1. CHAPTER MODIFIED. Chapter 121 of the Code of Ordinances of the City of Aurelia, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 121  
CIGARETTE AND TOBACCO PERMITS

121.01 Definitions 121.07 Expiration

121.02 Permit Required

121.08 Refunds

121.03 Application 121.09 Persons Under Legal Age

121.04 City Approval

121.10 Self-Service Sales Prohibited

121.05 Fees 121.11 Permit Revocation

121.06 Issuance

121.01 DEFINITIONS. For use in this chapter the following terms are defined:

(Code of Iowa, Sec. 453A.1)

1. "Alternative nicotine product" means a product, not consisting of or containing tobacco, that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting, or sniffing, or by any other means. "Alternative nicotine product" does not include cigarettes, tobacco products, or vapor products, or a product that is regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

2. "Cigarette" means any roll for smoking made wholly or in part of tobacco, or any substitute for tobacco, irrespective of size or shape and irrespective of tobacco or any substitute for tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material. However, cigarettes shall not be construed to include cigars.

3. "Department" means the State Department of Revenue.

4. "Place of business" means any place where cigarettes, tobacco products, alternative nicotine products, or vapor products are sold, stored, or kept for the purpose of sale or consumption by a retailer.

5. "Retailer" means every person who sells, distributes, or offers for sale for consumption, or possesses for the purpose of sale for consumption, cigarettes, alternative nicotine products, or vapor products, irrespective of the quantity or amount or the number of sales, or who engages in the business of selling tobacco, tobacco products, alternative nicotine products, or vapor products to ultimate consumers.

6. "Self-service display" means any manner of product display, placement, or storage from which a person purchasing the product may take possession of the product, prior to purchase, without assistance from the retailer or employee of the retailer, in removing

the product from a restricted access location.

7. "Tobacco products" means the following: cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts or refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or for both chewing and smoking, but does not mean cigarettes.

8. "Vapor product" means any non-combustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance. "Vapor product" includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor product" does not include a product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

121.02 PERMIT REQUIRED.

1. Retail Cigarette Permits. It is unlawful for any person, other than a holder of a retail permit, to sell cigarettes, alternative nicotine products, or vapor products at retail and no retailer shall distribute, sell, or solicit the sale of any cigarettes, alternative nicotine products, or vapor products within the City without a valid permit for each place of business. The permit shall, at all times, be publicly displayed at the place of business so as to be easily seen by the public and the persons authorized to inspect the place of business.

(Code of Iowa, Sec. 453A.13(1))

2. Retail Tobacco Permits. It is unlawful for any person to engage in the business of a retailer of tobacco, tobacco products, alternative nicotine products, or vapor products at any place of business without first having received a permit as a retailer for each place of business owned or operated by the retailer.

(Code of Iowa, Sec. 453A.47A(1))

A retailer who holds a retail cigarette permit is not required to also obtain a retail tobacco permit. However, if a retailer only holds a retail cigarette permit and that permit is suspended, revoked, or expired, the retailer shall not sell any tobacco, tobacco products, alternative nicotine products, or vapor products, during such time.

(Code of Iowa, Sec. 453A.47A(4))

121.03 APPLICATION. A retailer shall submit to the department an application on forms furnished by the department, accompanied by the required fees and adequate bond as provided in Section 453A.14, of the Code

of Iowa. Applications, any supporting documentation, and the associated fees shall be submitted electronically to the department.

(Code of Iowa, Sec. 453A.13(5))

121.04 CITY APPROVAL. The City may approve retail permit applications for applicants with a place of business within the City limits. The City shall use the electronic portal of the department to process retail permit applications. Upon approval of a retail permit application by the City the department shall issue the permit to the applicant on behalf of the City.

(Code of Iowa, Sec. 453A.13(2))

121.05 FEES. The fee for a retail cigarette or tobacco permit shall be as follows:

(Code of Iowa, Sec. 453A.13(3)(b) and 453A.47A(7))

FOR PERMITS GRANTED DURING: FEE:

July, August, or September \$75.00

October, November, or December \$56.25

January, February, or March \$37.50

April, May, or June \$18.75

121.06 ISSUANCE. Each permit issued shall describe clearly the place of business for which it is issued and shall be nonassignable.

(Code of Iowa, Sec. 453A.13(9))

121.07 EXPIRATION. All permits shall expire on June 30 of each year. A permit shall not be granted or issued until the applicant has paid the fees to the department for the next period ending on June 30.

(Code of Iowa, Sec. 453A.13(3)(a))

121.08 REFUNDS. A retailer may surrender an unrevoked permit and receive a refund from the City, except during April, May, or June, in accordance with the schedule of refunds as provided in Section 453A.13 or 453A.47A of the Code of Iowa.

(Code of Iowa, 453A.13(4) and 453A.47A(8))

121.09 PERSONS UNDER LEGAL AGE. A person shall not sell, give, or otherwise supply any tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes to any person under 21 years of age. The provision of this section includes prohibiting a person under 21 years of age from purchasing tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes from a vending machine. If a retailer or employee of a retailer violates the provisions of this section, the Council shall, after written notice and hearing, and in addition to the other penalties fixed for such violation, assess the following:

1. For a first violation, the retailer shall be assessed a civil penalty in the amount of \$300.00. Failure to pay the civil penalty as ordered under this subsection shall result in automatic suspension of the permit for a period of 14 days.

2. For a second violation within a period of two years, the retailer shall be assessed a civil penalty in the amount of \$1,500.00 or the retailer's permit shall be suspended for a period of 30 days. The retailer may select its preference in the penalty to be applied under this subsection.

3. For a third violation within a period of three years, the retailer shall be

assessed a civil penalty in the amount of \$1,500.00 and the retailer's permit shall be suspended for a period of 30 days.

4. For a fourth violation within a period of three years, the retailer shall be assessed a civil penalty in the amount of \$1,500.00 and the retailer's permit shall be suspended for a period of 60 days.

5. For a fifth violation within a period of four years, the retailer's permit shall be revoked.

The Clerk shall give 10 days' written notice to the retailer by mailing a copy of the notice to the place of business as it appears on the application for a permit. The notice shall state the reason for the contemplated action and the time and place at which the retailer may appear and be heard.

(Code of Iowa, Sec. 453A.2, 453A.22, and 453A.36(6))

121.10 SELF-SERVICE SALES PROHIBITED. Except for the sale of cigarettes through a cigarette vending machine as provided in Section 453A.36(6) of the Code of Iowa, a retailer shall not sell or offer for sale tobacco, tobacco products, alternative nicotine products, vapor products, or cigarettes through the use of a self-service display.

(Code of Iowa, Sec. 453A.36A)

121.11 PERMIT REVOCATION.

Following a written notice and an opportunity for a hearing, as provided by the Code of Iowa, the Council may also revoke a permit issued pursuant to this chapter for a violation of Division I of Chapter 453A of the Code of Iowa or any rule adopted thereunder. If a permit is revoked, a new permit shall not be issued to the permit holder for any place of business, or to any other person for the place of business at which the violation occurred, until one year has expired from the date of revocation, unless good cause to the contrary is shown to the Council. The Clerk shall report the revocation or suspension of a retail permit to the department within 30 days of the revocation or suspension.

(Code of Iowa, Sec. 453A.22)

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 25th day of August, 2025, and approved this 25th day of August, 2025.

Roman Redig, Mayor Pro Tem

ATTEST: Stephanie McSparran, City Clerk

First Reading: August 25, 2025

Second Reading: waived August 25, 2025

Third Reading: waived August 25, 2025

I certify that the foregoing was published as Ordinance No. 716 on the 29th day of August, 2025.

Stephanie McSparran, City Clerk (CT08-29/L#61)

bonus \$450.00  
Shield Technology annual maintenance fee \$260.00  
Simmering Corey codification \$518.00  
Storm Lake Honda battery fire truck \$367.87  
Verizon cell phone,hotspot \$76.90  
VisualEdge IT copier contract \$69.97  
Walmart cleaning supplies, trash cans \$246.32  
TOTAL: \$50,278.18

Pool report was given.

Public works report was given.

Johnson made motion to approve Atilano R. Roofing and Construction bid for city hall, fire station, and community center roof replacement in the amount of \$57,550.00, second by Nelson. All members present voting "aye". Absent: Fassler. Motion carried.

Police report was given.

Security cameras were discussed. Clerks report was given.

Resolution 25-11 "A Resolution to Approve Mayor" was tabled.

Nelson made motion to approve first reading Ordinance #714 "An Ordinance Amending the Code of Ordinances of the City of Aurelia, Iowa, by Amending Provisions Pertaining to Public Hearing Requirements," second by Johnson. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to waive 2nd and 3rd readings Ordinance #716 "An Ordinance Amending the Code of Ordinances of the City of Aurelia, Iowa, by Amending Provisions Pertaining to Cigarette and Tobacco Permits," second by Johnson. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to set public hearing for First Budget Amendment FY2025 for the next council meeting, September 15, 2025, second by Bruce. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to approve Street Finance Report FY2025, second by Bruce. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to approve Water rates were tabled until September meeting.

Landfill Report was given.

There being no further business to discuss, meeting was adjourned at 7:25 p.m.

Roman Redig, Mayor Pro Tem

Stephanie McSparran, City Clerk (CT08-29/L#298)

Water rates were tabled until September meeting.

Landfill Report was given.

There being no further business to discuss, meeting was adjourned at 7:25 p.m.

Roman Redig, Mayor Pro Tem

Stephanie McSparran, City Clerk (CT08-29/L#298)

LEGAL NOTICE

ORDINANCE NO. 715  
AN ORDINANCE AMENDING  
THE CODE OF ORDINANCES OF  
THE CITY OF AURELIA, IOWA, BY  
ADDING A NEW SECTION PROHIBITING FALSE REPRESENTATION  
OF SERVICE ANIMAL

Be It Enacted by the City Council of the City of Aurelia, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Aurelia, Iowa, is amended by adding a new Section 55.20, entitled FALSE REPRESENTATION OF SERVICE ANIMAL, which is hereby adopted to read as follows:

55.20 FALSE REPRESENTATION OF SERVICE ANIMAL. A person commits the offense of intentional misrepresentation of an animal as a service animal or a service-animal-in-training if, for the purpose of obtaining any of the rights or privileges set forth in State or federal law, the person intentionally misrepresents an animal in one's possession as one's service animal or service-animal-in-training or a person with a disability's service animal or service-animal-in-training whom the person is assisting by controlling.

LEGAL NOTICE

ORDINANCE NO. 714  
AN ORDINANCE AMENDING  
THE CODE OF ORDINANCES OF  
THE CITY OF AURELIA, IOWA,  
BY AMENDING PROVISIONS  
PERTAINING TO PUBLIC HEARING  
REQUIREMENTS

Be It Enacted by the City Council of the City of Aurelia, Iowa:

SECTION 1. SUBPARAGRAPH MODIFIED. Subparagraph (1) of Paragraph D of Subsection 4 of Section 7.05 of the Code of Ordinances of the City of Aurelia, Iowa, is repealed and the following is adopted in lieu thereof:

(1) Notice of the public hearing shall be published not less than four or more than 20 days in a newspaper published at least once weekly and having general circulation in the City. However, if the City has a population of 200 or less, publication may be made by posting in three public places in the City.

(Code of Iowa, Sec. 24.2A(4)(b)(2))

SECTION 2. SUBSECTION MODIFIED. Subsection 6 of Section 7.05 of the Code of Ordinances of the City of AURELIA, Iowa, is repealed and the following is adopted in lieu thereof:

6. Notice of Hearing. Following, and not until completion of requirements, of Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before April 30 and shall publish notice of the hearing not less than four or more than 20 days before the

mal", second by Bruce. All members voting "aye". Absent: Fassler. Motion carried.

Johnson made motion to waive 2nd and 3rd readings "An Ordinance Amending the Code of Ordinances of the City of Aurelia, Iowa, by Adding a New Section Prohibiting False Representation of Service Animal", second by Nelson. All members voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to approve Ordinance #716 "An Ordinance Amending the Code of Ordinances of the City of Aurelia, Iowa, by Amending Provisions Pertaining to Cigarette and Tobacco Permits", second by Johnson. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to waive 2nd and 3rd readings Ordinance #716 "An Ordinance Amending the Code of Ordinances of the City of Aurelia, Iowa, by Amending Provisions Pertaining to Cigarette and Tobacco Permits", second by Johnson. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to set public hearing for First Budget Amendment FY2025 for the next council meeting, September 15, 2025, second by Bruce. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to approve Street Finance Report FY2025, second by Bruce. All members present voting "aye". Absent: Fassler. Motion carried.

Nelson made motion to approve Water rates were tabled until September meeting.

Landfill Report was given.

There being no further business to discuss, meeting was adjourned at 7:25 p.m.

Roman Redig, Mayor Pro Tem

Stephanie McSparran, City Clerk (CT08-29/L#298)

Water rates were tabled until September meeting.

Landfill Report was given.

There being no further business to discuss, meeting was adjourned at 7:25 p.m.

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