

**AGENDA**  
**CITY COUNCIL MEETING**  
**April 20, 2023**  
**501 Main Street**  
**5:30 P.M.**

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Mayor's Correspondence:
5. Citizen's Request.
6. Consent Agenda.
  - Minutes of the Regular City Council meeting & Council Workshop of April 6, 2023;
  - Cash Receipts & Treasurer's Report for March 2023;
  - Resolution approving a Liquor License for Black Sails LLC, 1324 Main Street, effective May 1, 2023- Class C Retail Alcohol License;
  - Resolution approving a Liquor License for Walgreens #05886, 1215 Main Street, effective May 22, 2023 - Class E Retail Alcohol License;
  - Approving Sidewalk Display Permits for 2023-2024: Dan's Pawn and Gun, LLC;
  - Approving a Special Event Permit for J&M Display 4<sup>th</sup> of July Fireworks Display, Rand Park & River Road, 8 a.m. to Midnight;
  - Motion to pay bills and transfers listed in Register No.'s 5334-5335;
7. (a) Now is the time and place for a public hearing on the on the fiscal year 2023-2024 Annual Budget. A public hearing notice was published in the Daily Gate City on Thursday, April 7, 2023.  
  
(b) Consider resolution approving the fiscal year 2023-2024 Annual Budget.
8. Motion to approve initial reading of an Ordinance amending Chapters 13.04, 13.08, 13.10, and 13.14 Sewer Regulations of the Keokuk Municipal Code.
9. Consider resolution accepting the annual financial audit report for fiscal year ending June 30, 2022.
10. Consider resolution setting a public hearing on amendment to the fiscal year 2022-2023 annual budget.
11. Consider resolution authorizing adjustments in sewer charges related to filling swimming pools.
12. Consider resolution adopting maternity/paternity leave policy for the City of Keokuk.
13. Consider resolution approving officer training reimbursement agreement for the Keokuk Police Department.
14. Consider resolution approving officer training reimbursement agreement for the Keokuk Police Department.
15. Boards & Commissions:
16. Council Liaison Reports:
17. Staff Reports:

18. New Business:

19. Adjourn Meeting.

**MINUTES**  
**CITY COUNCIL MEETING**  
**April 6, 2023**  
**501 Main Street**  
**5:30 P.M.**

The City Council of the City of Keokuk met in regular session on April 6, 2023 at 501 Main Street. Mayor Kathie Mahoney called the meeting to order at 5:30 p.m. There were nine council members present, none absent. Carissa Crenshaw, Linda Altheide, Roslyn Garcia, Shelley Oltmans, John Helenthal, Steve Andrews, Dan Tillman, Roger Bryant, and Michael Greenwald were present. Staff in attendance: City Administrator Cole O'Donnell, City Clerk Celeste El Anfaoui, Community Development Director Pam Broomhall, Sewer Department Manager Michael Clark, Chief of Police Zeth Baum, Public Works Director Brian Carroll, Water Pollution Control Manager Tom Wills, and Bridge, Cemetery, Park, and Sanitation Manager Bob Weis.

**MAYOR'S CORRESPONDENCE:** Updated on upcoming events in the area.

**CITIZEN'S REQUEST:** Kirk Savage expressed concerns with the city and disappointment with Council and city staff. Dorothy Cackley commented on Southeast Iowa Development Center expenses and requested Council to keep this in mind when making decisions regarding buildings on 600 block of Main.

Motion made by Helenthal, second by Altheide to approve the agenda, including the consent agenda. (9) AYES, (0) NAYS. Motion carried.

- Minutes of the Public Safety Committee meeting of March 9, 2023;
- Minutes of the Regular City Council meeting & Council Workshop of March 16, 2023;
- Minutes of the Council Budget Workshop meeting of March 18, 2023;
- Minutes of the Special Council meeting of March 30, 2023;
- **RESOLUTION NO. 207-2023:** Approving a Liquor License for Columbian Room of Keokuk, Temporary Premise Transfer for Keokuk Catholic Schools Showboat Saturday, effective Saturday, April 22-23, 2023 – Class C Retail Alcohol License (pending dram);
- **RESOLUTION NO. 208-2023:** Approving a Liquor License for The Cellar, 29 S. 2<sup>nd</sup> Street, effective April 22, 2023 – Class C Retail Alcohol License with Sunday Sales (pending dram);
- Approving a Special Event Permit for Rand Park Pavilion Commission, requesting BYOB for Pavilion sponsored summer 2023 concerts;
- Approving Sidewalk Display Permits for 2023-2024: Keokuk Convention & Tourism, Eckland Motors, Simply Home Boutique & Antiques, Angelini's Pizza, Rascal's Pub & Grub, Gate City Seed Co., Cahill Pribyl Jewelry, The Athletic Center, and Family Discount Furniture;
- Motion to pay bills and transfers listed in Register No.'s 5331-5333;

Mayor Mahoney opened the public hearing at 5:45 p.m. on the proposed fiscal year 2023-2024 property tax levy. A public hearing notice was published in the Daily Gate City on Thursday, March 23, 2023.

**COMMENTS:** O'Donnell gave overview.

No further comments were received, Mayor Mahoney closed the public hearing at 5:47 p.m.

Motion made by Garcia, second by Helenthal to approve the following proposed **RESOLUTION NO. 209-2023**: “A RESOLUTION APPROVING MAXIMUM PROPERTY TAX DOLLARS FOR FISCAL YEAR 2023-2024.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Garcia, second by Greenwald to approve the second reading of an Ordinance amending code section 9.08.010 Iowa Code Adopted by reference to facilitate the enforcement of traffic laws in the City of Keokuk.

Roll Call Vote: AYES – Crenshaw, Altheide, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. NAYS – None. (9) AYES, (0) NAYS. Motion carried.

Motion made by Tillman, second by Bryant to waive the third reading of an Ordinance amending code section 9.08.010 Iowa Code Adopted by reference to facilitate the enforcement of traffic laws in the City of Keokuk.

Roll Call Vote: AYES – Crenshaw, Altheide, Oltmans, Helenthal, Andrews, Tillman, Bryant, and Greenwald. NAYS – Garcia. (8) AYES, (1) NAYS. Motion carried.

Motion made by Garcia, second by Oltmans to adopt and give final approval of an **ORDINANCE NO. 2038**: AMENDING CODE SECTION 9.08.010 IOWA CODE ADOPTED BY REFERENCE TO FACILITATE THE ENFORCEMENT OF TRAFFIC LAWS IN THE CITY OF KEOKUK. (9) AYES, (0) NAYS. Motion carried.

Motion made by Bryant, second by Altheide to approve the following proposed **RESOLUTION NO. 210-2023**: “A RESOLUTION AWARDING CONTRACTS FOR KEOKUK MUNICIPAL BRIDGE PLATFORM REPLACEMENT.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Tillman to approve the following proposed **RESOLUTION NO. 211-2023**: “A RESOLUTION SETTING A PUBLIC HEARING ON THE FISCAL YEAR 2023-2024 ANNUAL BUDGET.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Helenthal to approve the following proposed **RESOLUTION NO. 212-2023**: “A RESOLUTION AUTHORIZING CONTRACT TO PURCHASE ENERGY MANAGEMENT SOFTWARE.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Tillman, second by Garcia to approve the following proposed **RESOLUTION NO. 213-2023**: “A RESOLUTION APPROVING INCREASING SALARY FOR ACCOUNTING CLERK.” (9) AYES, (0) NAYS. Motion carried.

Motion made Helenthal, second Greenwald to award contract for the Public Safety Building roof replacement.(2) AYES, (7) NAYS. Motion failed.

Motion made by Greenwald, second by Garcia to approve the following proposed **RESOLUTION NO. 214-2023**: “A RESOLUTION APPOINTING PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Helenthal, second by Bryant to approve the following proposed **RESOLUTION NO. 215-2023**: “A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND PROVIDING FOR THE ISSUANCE AND LEVYING A TAX TO PAY THE



NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Garcia, second by Oltmans to approve the following proposed **RESOLUTION NO. 216-2023**: “A RESOLUTION AUTHORIZING A LOAN IN THE AMOUNT OF \$12,500 FROM THE CITY OF KEOKUK REVOLVING LOAN FUND TO ROSE REHAB AND PERFORMANCE.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Bryant to approve the following proposed **RESOLUTION NO. 217-2023**: “A RESOLUTION APPROVING A LETTER OF SUPPORT FOR PIVOTAL HOUSING PARTNERS.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Oltmans to approve the following proposed **RESOLUTION NO. 218-2023**: “A RESOLUTION ACCEPTING A PROPOSAL FROM SOUTHEAST IOWA REGIONAL PLANNING COMMISSION TO ASSIST WITH DEVELOPERS FOR THE 600 BLOCK OF MAIN STREET PROJECT.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Bryant to approve the following proposed **RESOLUTION NO. 219-2023**: “A RESOLUTION TO APPROVE SEEKING BIDS FOR ASBESTOS REMEDIATION FOR 619, 623 AND 625 MAIN STREET.” (9) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second Helenthal to approve the following proposed **RESOLUTION NO. 220-2023**: “A RESOLUTION APPROVING CHANGE ORDER FOR RAND PARK POND RESTORATION.” (7) AYES, (2) NAYS. Motion carried.

Motion made by Garcia, second by Tillman to approve release and settlement agreement. (9) AYES, (0) NAYS. Motion carried.

**BOARDS & COMMISSIONS:** First notification to re-appoint Tom Bryant and Jean Brilon to the City Planning Commission, 5-year term to expire 5/14/2028. Second notification to appoint Robert Cannon to the Building & Housing Advisory Board, 3-year term to expire 9/19/2025.

**COUNCIL LIAISON REPORT:** Garcia updated on Oakland Cemetery Initiative and Historic Preservation Society craft and vendor show, American Legion event, and Keokuk Little League.

**STAFF REPORT:** Carroll reported on Public Works Departments and Southeast Iowa Development Center; Baum updated on employment offers and promotions; O'Donnell updated on hospital, earmark grant, and department head meetings; Broomhall reported on 629 building and vacant property registration.

**NEW BUSINESS:** Garcia recommended a stop sign at 21<sup>st</sup> and Des Moines Street.

Motion made by Tillman, second by Garcia to adjourn meeting at 7:19 p.m.

**MINUTES  
COUNCIL WORKSHOP  
IMMEDIATELY FOLLOWING REGULAR MEETING**

PRESENT: Crenshaw, Garcia, Oltmans, Helenthal, Andrews, Tillman, Bryant, Greenwald, Mayor Mahoney; ABSENT: Altheide.

STAFF PRESENT: O'Donnell, El Anfaoui, Wills, Broomhall, Carroll, Baum, Weis, and Clark.

O'Donnell reviewed proposed maternity/paternity leave policy and will bring to council for official approval on April 20<sup>th</sup>, 2023.

Ed Askew, with Askew Scientific reviewed current sewer ordinance and tentative changes with council for approval at next meeting.

Meeting was Adjourned at 8:17 p.m.

**CASH RECEIPTS  
FEBRUARY 2023**

General Fund	\$	128,759.40
Road Use Tax	\$	65,676.35
Employee Benefit Total	\$	39,576.81
Emergency - Tax Levy Total	\$	1,238.91
Sales Tax - Human Development Total	\$	125,872.94
Tax Increment Financing Total	\$	60,777.46
Economic Development Total	\$	60,228.00
Library Trust Total	\$	256.00
Debt Service	\$	16,856.77
WPC Maint/Operation Total	\$	198,675.16
WPC Impr Reserve Total	\$	5.56
Solid Waste Total	\$	79,735.89
Municipal Bridge Total	\$	44,681.64
Internal Service Fund Total	\$	60,732.03
<b>TOTAL</b>	<b>\$</b>	<b>883,072.92</b>

**TREASURER'S REPORT**  
**CALENDAR 3/2023, FISCAL 9/2023**

FUND	ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	LIABILITY	END BALANCE
001	GENERAL	2,178,910.39	128,759.40	1,149,878.05	684.57-	1,157,107.17
002	PARK MAINT/IMPROV	412,224.58	.00	.00	.00	412,224.58
087	PUBLIC WKS EQUIP REP	12,800.78	.00	.00	.00	12,800.78
110	ROAD USE	1,518,249.79	65,676.35	169,148.18	454.92	1,415,232.88
112	EMPLOYEE BENEFIT	977,559.31	39,576.81	4,667.36	.00	1,012,468.76
119	EMER - TAX LEVY	178,280.54	1,238.91	.00	.00	179,519.45
121	SALES TAX - HUMAN DEV	953,347.70	125,872.94	.00	.00	1,079,220.64
122	SALES TAX - INFRASTRUCT	.00	.00	.00	.00	.00
125	TAX INCREMENT FINANCING	140,799.75-	60,777.46	.00	.00	80,022.29-
160	ECONOMIC DEVELOPMENT	166,040.41	60,228.00	.00	.00	226,268.41
167	LIBRARY TRUST	102,915.10	256.00	.00	.00	103,171.10
168	GRAND THEATRE RESERVE	1,051.17	.00	.00	.00	1,051.17
169	MARY E TOLMIE FUND	87,836.62	.00	.00	.00	87,836.62
182	SWIMMING POOL RESERVE	1,070.00	.00	.00	.00	1,070.00
199	AMERICAN RESCUE PLAN	1,040,358.75	.00	4,461.82	.00	1,035,896.93
200	DEBT SERVICE	923,506.56	16,856.77	.00	.00	940,363.33
301	CAPITAL IMPROV PROJECTS	233,638.30	.00	.00	.00	233,638.30
302	RIVERFRONT BARGE	.00	.00	.00	.00	.00
303	CAP EQUIP PURCHASES	424,597.81-	.00	14,770.30	.00	439,368.11-
304	CAPITAL PROJECT	28,843.26	.00	.00	.00	28,843.26
500	PERPETUAL CARE	507,870.29	.00	.00	.00	507,870.29
610	WPC MAINT/OPERATION	2,873,809.78	198,675.16	257,635.33	1,322.29-	2,813,527.32
611	WPC IMPR RESERVE	1,777,961.61	5.56	6,598.40	.00	1,771,368.77
612	SEWER MAINT EQUIP REPL	577,527.69-	.00	.00	.00	577,527.69-
613	WAT POL CONTR CAP	.00	.00	.00	.00	.00
614	SEWER IMPROV RESERVE	43,626.80	.00	.00	.00	43,626.80
617	CDBG SWR POINT REPAIR	1,157,219.40	.00	.00	.00	1,157,219.40
670	SOLID WASTE	237,242.50	79,735.89	74,813.47	64.64	242,229.56
671	SOL WAS EQUIP PRELACE	.00	.00	.00	.00	.00
672	CAP PROJ REMEDIAL	.00	.00	.00	.00	.00
690	MUNICIPAL BRIDGE	2,240,997.21	44,681.64	26,457.21	506.22	2,259,727.86
810	INTERNAL SERVICE FUND	19,883.29	60,732.03	60,864.07	.00	19,751.25
Report Total		16,532,318.89	883,072.92	1,769,294.19	981.08-	15,645,116.54

**RESOLUTION NO.**

**A RESOLUTION APPROVING A CLASS C RETAIL ALCOHOL LICENSE FOR  
BLACK SAILS LLC**

**A RESOLUTION APPROVING A LIQUOR LICENSE FOR BLACK SAILS LLC**

**WHEREAS**, Application has been made by Black Sails Pirate Bar, LLC for a Class C Retail Alcohol License for Black Sails, LLC, 1324 Main Street; **AND**

**WHEREAS**, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

**WHEREAS**, such an investigation has been conducted.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF KEOKUK, IOWA:**

**THAT**, Black Sails Pirate Bar, LLC has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class C Retail Alcohol License with Outdoor Service & Sunday Sales for Black Sails, LLC, 1324 Main Street, effective May 1, 2023, be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 20<sup>th</sup> day of April, 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: \_\_\_\_\_  
K. A. Mahoney, Mayor

ATTEST: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk

**RESOLUTION NO.**

**A RESOLUTION APPROVING A CLASS E RETAIL ALCOHOL LICENSE FOR  
WALGREENS #05886**

**WHEREAS**, Application has been made by Walgreen Co. for a Class E Retail Alcohol License and Sunday Sales for Walgreens #05886, 1215 Main Street; **AND**

**WHEREAS**, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

**WHEREAS**, such an investigation has been conducted.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF KEOKUK, IOWA:**

**THAT**, Walgreen Co. has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class E Retail Alcohol License and Sunday Sales for Walgreens #05886, 1215 Main Street, effective May 22, 2023 be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 20<sup>th</sup> day of April, 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: \_\_\_\_\_  
K. A. Mahoney, Mayor

ATTEST: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk

**SIDEWALK DISPLAY PERMITS 2023-2024**

**04-20-23 Council Meeting**

Dan's Pawn and Gun, LLC  
602 Main Street

# Make It Yours KEOKUK I O W A

## SPECIAL EVENTS APPLICATION & HOLD HARMLESS AGREEMENT

Please complete all sections of this application. An incomplete application will be returned to applicant. Once all required documentation and signatures are received, only then will it be considered by the City Administrator, Police Chief, Fire Chief and Public Works Director for final approval. Application must be submitted at least **30 days** prior to the date of the event.

*Some permits for events may require additional time for approval  
(For example: Parades requiring use of a state highway)*

PLEASE RETURN TO: Keokuk Municipal Building to the Attention of the City Administrator

### 1. APPLICANT INFORMATION

Applicant: Susan Skalinski / J&M Displays, Inc.

Name/Event: Keokuk July 4<sup>th</sup> Fireworks Display

Coordinator: \_\_\_\_\_

Mailing Address: 18064 170<sup>th</sup> Ave, Garmouth, IA 52660

Daytime Phone #: 319 394 2655 Evening Phone #: 319 394 2655

Email Address: susan@jandmdisplays.com

### 2. EVENT INFORMATION

Type of Event: Fireworks Display

Days/Dates of Event: July 4<sup>th</sup>, 2023

Time(s) of Event: (Include Set Up/Tear Down Time) 8:00 am to Midnight

Event Location: Rand Park & River Road (See Attached)

Will event require an alcohol license or require modification of an existing license? \_\_\_\_\_ Yes X No

### 3. REQUEST INFORMATION (Check All Applicable Lines)

If you are requesting the closing of a city street, a lane must be maintained for emergency vehicles at all times.



- ☒ Temporarily park in a "No Parking" area (specify location :)
- ☒ Temporarily close a street for a block party (specify street :) River Road
- ☒ Temporarily install structure in street right-of-way
- N/A Permanently install structure in street right-of-way
- ☒ Use of City Park (specify park :) Rand Park
- N/A Parade (attach map of route and indicate streets to be closed)
- \_\_\_\_\_ Walk/Run (attach map of route and indicate streets to be closed)
- \_\_\_\_\_ Banner (specify location :)
- \_\_\_\_\_ Tent(s) to be used – over 400 sq ft or canopies over 1,000 sq ft
- ☒ Fireworks (specify location :) Rand Park & River Rd
- \_\_\_\_\_ Other (please specify :)

4. ITEMS REQUESTED FROM THE CITY OF KEOKUK (\$25 rental fee required per item requested)

- ☒ Street barricades 16<sup>th</sup> & 18<sup>th</sup> St.
- \_\_\_\_\_ Emergency "No Parking" Signs
- \_\_\_\_\_ Other (please specify :)

5. SOUND SYSTEMS

NOTE: You must comply with the City of Keokuk Code of Ordinances and any requirements attached to this permit.

Duration of event: \_\_\_\_\_

Please indicate if the following will be used:

- \_\_\_\_\_ Amplified Sound/Speaker System
- \_\_\_\_\_ Public Address System

- \_\_\_\_\_ Recorded Music
- \_\_\_\_\_ Live Music

6. SANITATION

Applicant is responsible for the clean-up of the event area immediately following the event, including trash removal from the site.

Will additional restrooms be brought to the site? \_\_\_\_ Yes ☒ No If yes, how many? \_\_\_\_

Please name the individual, organization, or contractor responsible for clean-up and trash removal: from fireworks only

Contact Person: J&M Displays, Inc. Address: 1806<sup>th</sup> 170<sup>th</sup> Ave. Yarmouth, IA

Daytime Phone: 319 394 2655 Evening Phone: \_\_\_\_

7. SECURITY

Certified personnel are required by the Chief of Police at the applicant's expense for all events requiring an alcohol license. At a minimum, 2 police officers certified in the State of Iowa will be required, no exceptions. What type of security will be provided?

\_\_\_\_ Number of Off-Duty Police Officers

Names:

\_\_\_\_\_

8. INSURANCE

See Attached

Applicant shall obtain and maintain a general liability insurance policy naming the City of Keokuk as additional insured using form IL7305 so as not to waive Owner's Governmental Immunity when conducting an event on public property. For events requiring an alcohol license, the minimum amount of coverage in the general liability insurance policy shall be \$2,000,000 general aggregate, \$1,000,000 personal injury and \$1,000,000 each occurrence. For all other events held on public property, the minimum amount of coverage for the general liability insurance policy will be \$500,000. This application will not be considered by the City of Keokuk until the proper insurance certificate is submitted and approved by the City Administrator.

\_\_\_\_ Certificate of Insurance provided and accepted \_\_\_\_ Certificate of Insurance not required

9. AGREEMENT

In consideration of the City of Keokuk, Iowa, granting permission for the activity described above, the undersigned indemnifies and holds harmless the City of Keokuk, Iowa, its employees, representatives and agents against all claims, liabilities, losses or damage for personal injury and/or property damage or any other damage whatsoever on account of the activity described above and/or deviation from normal City regulations in the area. The undersigned further agrees to indemnify and hold harmless the City of Keokuk, Iowa, its employees, representatives and agents against any loss, injury, death or damage to person or property and against all claims, demands, fines, suits, actions, proceedings, orders, decrees and judgments of any kind or nature and from and against any and all costs and expenses including reasonable attorney fees which at any time may be suffered or sustained by the undersigned or by any person who may, at any time, be using or occupying or visiting the premises of the undersigned or the above-referenced public property or be in, on or about the same, when such loss, injury, death or damage shall be caused by or in any way result from or rising out of any act, omission or negligence of any of the undersigned or any occupant, visitor, or user of any portion of the premises or shall result from or be caused by any other matters or things whether the same kind, as, or of a different kind that the matters or things above set forth. The undersigned hereby waives all claims against the city for damages to the building or improvements that are now adjacent to said public property or hereafter built or placed on the premises adjacent to said property or in, on or about the premises and for injuries to persons or property in or about the premises, from any cause arising at any time during the activity described above. The undersigned further agrees to comply with all the rules, regulations, terms and conditions established by the City of Keokuk, Iowa.

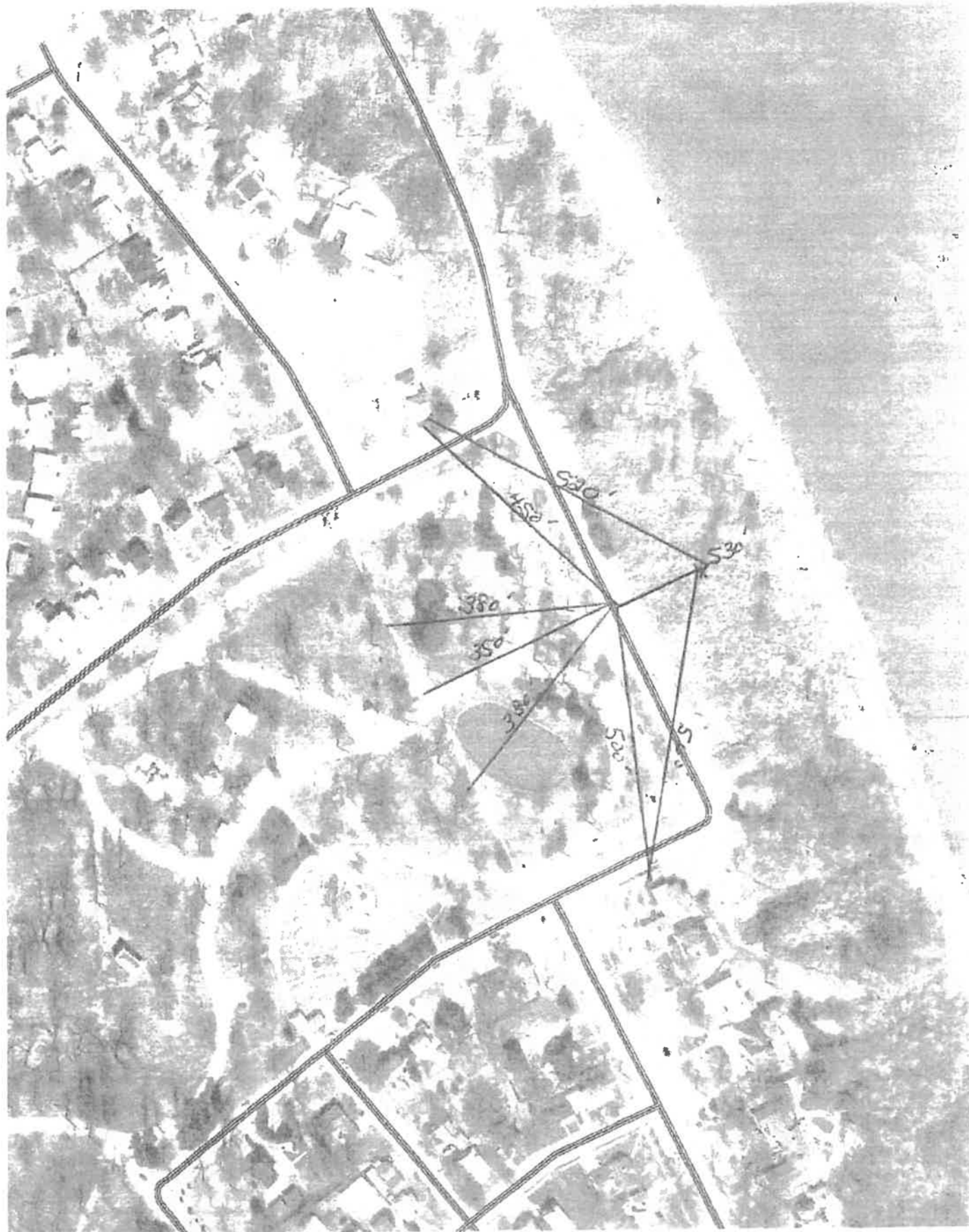
THE UNDERSIGNED HAS READ AND FULLY UNDERSTANDS THIS DOCUMENT, INCLUDING THE FACT IT IS RELEASING AND WAIVING CERTAIN POTENTIAL RIGHTS, AND VOLUNTARILY AND FREELY AGREES TO THE TERMS AND CONDITIONS AS SET FORTH HEREIN.



Applicant/Sponsor Signature



Date







# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/2/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


<b>PRODUCER</b> Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> 216-658-7100	<b>FAX (A/C, No):</b> 216-658-7101
<b>INSURED</b> J & M Displays, Inc. 18064 170th Avenue Yarmouth IA 52660	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A :</b> Everest Denali Insurance Company	<b>NAIC #</b> 16044
	<b>INSURER B :</b> Axis Surplus Ins Company	26620
	<b>INSURER C :</b> Everest Indemnity Insurance Co.	10851
	<b>INSURER D :</b>	
<b>INSURER E :</b>		
<b>INSURER F :</b>		

<b>COVERAGES</b>	<b>CERTIFICATE NUMBER:</b> 398776074	<b>REVISION NUMBER:</b>
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.		

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> <b>CLAIMS-MADE</b> <input checked="" type="checkbox"/> <b>OCCUR</b>  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> <b>POLICY</b> <input checked="" type="checkbox"/> <b>PROJECT</b> <input type="checkbox"/> <b>LOC</b>		SI8ML00060-231	1/15/2023	1/15/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> <b>ANY AUTO</b> <input type="checkbox"/> <b>ALL OWNED AUTOS</b> <input type="checkbox"/> <b>SCHEDULED AUTOS</b> <input checked="" type="checkbox"/> <b>HIRED AUTOS</b> <input checked="" type="checkbox"/> <b>NON-OWNED AUTOS</b>		SI8CA00033-231	1/15/2023	1/15/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> <b>OCCUR</b> <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> <b>CLAIMS-MADE</b>  DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>		P-001-000063943-05	1/15/2023	1/15/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> <b>Y / N</b> (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Excess Liability #2		SI8EX01313-231	1/15/2023	1/15/2024	Each Occ/ Aggregate \$4,000,000 Total Limits \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.  
FIREWORKS DISPLAY DATE: JULY 4, 2023  
RAIN DATE: TBD  
LOCATION OF EVENT: RAND PARK, KEOKUK, IA

ADD'L INSURED: THE CITY OF KEOKUK, IOWA, ITS EMPLOYEES, VOLUNTEERS, OFFICERS, ELECTED OFFICIALS, PARTNERS, SUBSIDIARIES, DIVISIONS & AFFILIATES, EVENT SPONSORS & LANDOWNERS AS THEIR INTEREST MAY APPEAR IN RELATION TO THIS EVENT; CITY OF KEOKUK PARKS & RECREATION ADVISORY BOARD (SPONSOR).

<b>CERTIFICATE HOLDER</b>  City of Keokuk 415 Blondeau Street Keokuk IA 52632	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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ACORD 25 (2010/05)

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THIS CERTIFICATE SUPERSEDES PREVIOUSLY ISSUED CERTIFICATE



## FIREWORKS LIABILITY EXTENSION QUESTIONNAIRE

RETURN TO: [dianah@jandmdisplays.com](mailto:dianah@jandmdisplays.com), [kathys@jandmdisplays.com](mailto:kathys@jandmdisplays.com)  
Fax: 267-392-3890 or mail to J&M Displays, Inc.  
18064 170<sup>th</sup> Avenue, Yarmouth, IA 52660

☐ Show Work Comp  
☐ Special Instructions

CERTIFICATE HOLDER (NAMED INSURED): City of Keokuk

ADDRESS: 415 Blondeau St.

CITY: Keokuk

STATE: IA

ZIP: 52632

PHONE: 319-524-2050

FAX: \_\_\_\_\_

EMAIL: codonnell@cityofkeokuk.org

EFFECTIVE DATE(S): July 4th, 2023

RAIN DATE: \_\_\_\_\_

### ADDITIONAL NAMED INSURED:

1. NAME / ADDRESS / E-MAIL: City of Keokuk

INTEREST IN EVENT: sponsor

2. NAME / ADDRESS / E-MAIL: City of Keokuk Parks and Rec. Advisory Committee

INTEREST IN EVENT: sponsor

3. NAME / ADDRESS / E-MAIL: \_\_\_\_\_

INTEREST IN EVENT: \_\_\_\_\_

4. NAME / ADDRESS / E-MAIL: \_\_\_\_\_

INTEREST IN EVENT: \_\_\_\_\_

TYPE OF SHOW: (Check all that apply.) ☐ INDOOR ☐ PROXIMATE ☐ FLAME ☒ OUTDOOR ☐ 1.4G CONSUMER ☒ 1.3G DISPLAY ☐ 1.1G DISPLAY (12" & 16")

LOCATION OF EVENT: Rand Park

DRAW A DIAGRAM of the shooting area using Google Earth Software and attach showing:

1) mortar placement; 2) planned direction of shooting; 3) distances. (REQUIRED)

Distance to nearest exposure 371 ft.

Distance to spectators 442 ft.

Distance to nearest vehicle 676 ft.

Are there fallout spotters? ☒ YES ☐ NO

Size of largest shell being shot: \_\_\_\_\_ inches

Name of designated Pyrotechnician: \_\_\_\_\_

### FIREWORKS WARRANTY:

1. Fireworks will be displayed not less than required by NFPA standards away from spectators, vehicles and other exposures with a minimum radius of 70 ft per inch of shell diameter for 1.3G shows.
2. All displays will be aimed away from spectators.
3. Fireworks that have been wet at any time prior to display will not be used.
4. All fireworks have been purchased only from J & M Displays, Inc. Merchandise from other companies and/or home-made products are not covered under this liability extension.
5. Firing area will be policed for all debris upon completion of firing display and inspected by the shoot team.
6. Firing area will be inspected by the sponsoring organization at first light the following day.
7. Pyrotechnicians are specifically excluded from all liability coverage.
8. Any claims must be reported to the Yarmouth, Iowa office in writing within 24 hours of the incident.

PAYMENT OF THE FOLLOWING CLAIMS FOR THE CITY ARE APPROVED AND CLAIMS FOR THE LIBRARY AND AIRPORT ARE ACKNOWLEDGED FOR THE PURPOSE OF PAYING THE SEMI-MONTHLY BILLS FOR THE COUNCIL MEETING OF APRIL 20, 2023.

**REGISTER NO. 5334**

OFFICE OF AUDITOR OF STATE	ANNUAL FILING FEE FY2022	\$	625.00
BEARING HEADQUARTERS CO.	PARTS	\$	214.88
KEOKUK MUNICIPAL WATER WORKS	MONTHLY SEWER/GARBAGE BILLING	\$	1,865.00
GATE CITY PUBLISHING	PUBLICATIONS	\$	470.21
PANTHER UNIFORMS, INC	FIRE DEPT UNIFORM/MATERIALS	\$	176.75
JIM BAIER, INC	PARTS	\$	437.36
HARTRICK'S LUMBER	SUPPLIES	\$	123.01
KEOKUK HOMESTORE	SUPPLIES	\$	139.68
KERR FABRICATORS, INC.	PARTS/SUPPLIES	\$	110.05
ACCESS SYSTEMS	MAINTENANCE AGREEMENT	\$	261.70
MICROBAC LABORATORIES, INC	WPC TEST SAMPLES	\$	556.50
BAKER & TAYLOR BOOKS	BOOKS KEOKUK PUBLIC LIBRARY	\$	1,284.39
MCFARLAND-SWAN OFFICE CITY	SUPPLIES	\$	914.43
ALLIANT	ELECTRIC BILL	\$	45,614.56
THE CARDBOARD BOX	UPS CHARGES	\$	17.58
CENTURY LINK	SERVICE	\$	642.34
PRINCIPAL LIFE INSURANCE CO.	DISABILITY/LIFE INSURANCE	\$	1,459.82
GREAT RIVER REGIONAL WASTE	INTEGRATED WASTE SERVICES	\$	1,943.36
MIDLAND SCIENTIFIC, INC	LAB SUPPLIES	\$	802.38
TRUCK REPAIR, INC	PARTS	\$	71.53
MODJESKI & MASTERS, INC.	BRIDGE INSPECTION	\$	1,160.00
HUFFMAN MACHINE & WELDING, INC	SUPPLIES/PARTS	\$	1,386.31
HYDROTEX	WPC SUPPLIES/MATERIALS	\$	230.15
FISHER SCIENTIFIC	LAB SUPPLIES-WPC	\$	271.73
PER MAR SECURITY SERVICES	SECURITY MONITORING	\$	706.10
MPH INDUSTRIES, INC	POLICE DEPT EQUIP/MATERIALS	\$	324.95
NIEMANN FOODS, INC./ACE	SUPPLIES	\$	302.82
RANDY WINN	REIMB.HEALTH INSURANCE PREMIUM	\$	845.00
CUSTOM BRICK & STONE CO., INC.	LABOR/MATERIALS	\$	1,390.00
U.S. CELLULAR	CELL PHONE SERVICE	\$	1,777.87
FASTENAL COMPANY	PARTS/SUPPLIES	\$	7.65
KEOKUK COMMUNITY SCHOOL	1ST QTR FRANCHISE FEE REFUND	\$	930.24
USA BLUE BOOK	WPC SUPPLIES/MATERIALS	\$	631.95
AT&T MOBILITY	POLICE CELL PHONE SERVICE	\$	760.14
CAPITAL ONE	LIBRARY SUPPLIES	\$	143.24
O'REILLY AUTOMOTIVE INC.	PARTS	\$	1,258.20
MEDIACOM	SERVICE	\$	154.88
ELECTRONIC ENGINEERING	SERVICE CALL/LABOR @ PD	\$	600.00
IMI EQUIPMENT, LLC	PARTS	\$	1,456.86
LEXISNEXIS RISK SOLUTIONS	KEOKUK POLICE DEPARTMENT	\$	142.55
EMPLOYEE BENEFIT SYSTEMS	INSURANCE	\$	221,631.91
RELIABLE PEST SOLUTIONS	PEST CONTROL	\$	78.25

**REGISTER NO. 5335**

SOUTHEAST IOWA REGIONAL	RTA AGREEMENT	\$	2,125.00
DRAKE-SCRUGGS EQUIPMENT, INC.	SERVICE CALL/LABOR/MILEAGE	\$	999.62
DECKER MANUFACTURING	1ST QTR FRANCHISE FEE REFUND	\$	26.80
CARD SERVICES	LIBRARY SUPPLIES	\$	170.26
KEOKUK VETERINARY HOSPITAL	ANIMAL SERVICES	\$	90.00
HALL & ASSOCIATES	PROFESSIONAL SERVICES	\$	1,455.00
FRESE ORNAMENTAL NURSERY, INC.	PARK TREE	\$	300.00
MACQUEEN EQUIPMENT, INC.	PARTS/FREIGHT	\$	203.44
TWO RIVERS VETERINARY CENTER	ANIMAL SERVICES	\$	445.15
WEST CENTRAL FS INC.	WPC FUEL	\$	2,356.14
KARL CHEVROLET	2023 SILVERADO3500	\$	36,402.80
VERIZON WIRELESS	CELL PHONE SERVICE	\$	100.58
IOWA LAW ENFORCEMENT ACADEMY	MMPI-2	\$	150.00
DARKSIDE TINT & GRAPHIX	DECALS	\$	160.00
LIBERTY UTILITIES MIDSTATES	SERVICE	\$	17,287.84
INTERSTATE BILLING SERVICE, INC.	PARTS	\$	(226.08)
CINTAS CORPORATION #342	UNIFORM SERVICES	\$	3,078.62
COMMERCIAL CONTRACTING	ELECTRIC REPAIRS @ VERITY	\$	3,153.71
BROCKWAY MECHANICAL & ROOFING	LABOR/MATERIALS @ LIBRARY	\$	522.00
ICONNECTYOU	SERVICE	\$	477.80
ANDERSON, LARKIN & CO, PC	FINAL BILL AUDIT JUNE 2022	\$	8,500.00
STEW HANSEN DODGE CITY	POLICE VEHICLE	\$	23,340.00
STANDARD & ASSOCIATES, INC.	LAW ENFORCEMENT TESTING	\$	78.00
KEOKUK BROADCASTING, INC.	ADVERTISING	\$	1,875.00
JAMES F. DENNIS	PROFESSIONAL SERVICES	\$	6,322.50
STEVEN R LONG	CITY HALL JANITORIAL SERVICE	\$	600.00
QUARTIX INC.	CREDIT MEMO	\$	(579.42)
UMB BANK, N.A.	LOAN NOTES/INTEREST	\$	1,441,956.25
HOTSY CLEANING SYSTEMS INC.	VEHICLE MAINT SUPPLIES	\$	85.60
GREATAMERICA FINANCIAL SVCS.	POLICE DEPT LEASE AGREEMENT	\$	246.08
QUADIENT FINANCE USA, INC	POSTAGE METER REFILL	\$	1,000.00
WALZ LABEL AND MAILING SYSTEMS	POSTAGE METER INK	\$	279.13
LIVE VOICE	ANSWERING SERVICE	\$	375.73
SHARED IT INC	IT SERVICES	\$	2,584.21
VERTICAL COMMUNICATIONS	SERVICE	\$	202.19
NAPA AUTO PARTS	PARTS	\$	282.63
EXCEL IT SERVICES	LIBRARY IT SERVICES	\$	281.48
SCHRAGIS LLC	GIS MAINTENANCE	\$	600.00
LAURA MYERS	POLYGRAPH EXAMS	\$	700.00
METROPOLITAN STONE INC.	DEPOT REPAIR MATERIALS	\$	7,092.50
MASON SCHAU	CLOTHING ALLOWANCE	\$	900.00
PHILIP DUNLAP	CLOTHING ALLOWANCE	\$	900.00
BURLINGTON MULTIMEDIA LLC	PUBLICATIONS	\$	21.59
ADVANCED EARTHWORKS LLC	LABOR/EQUIPMENT @ RAND PARK	\$	16,920.00
TONI MCPHERSON	REIMBURSE SANITATION CONTAINER	\$	40.00
		\$	1,877,803.48





## COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: FY 23/24 Budget Agenda Item: 7a+b

Description:

See attached.

### FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

## COUNCIL ACTION FORM

Any previous Council actions:

## Action

Approved Max Levy

Date \_\_\_\_\_

04/06/2023

## Public Hearing

04/20/2023

### Recommendation:

Recommend approval.

### Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

**Additional Comments:**

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

## CITY COUNCIL VOTES

[illegible]

**RESOLUTION NO.**

**A RESOLUTION APPROVING THE FISCAL YEAR 2023-2024 CITY  
BUDGET**

**WHEREAS**, a public hearing notice regarding the annual fiscal year budget for 2022-2023 was published in the Daily Gate City on April 8<sup>th</sup>, 2023; and

**WHEREAS**, a resolution is needed to file the annual budget with the Iowa Department of Management and The Lee County Auditor.

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
KEOKUK, IOWA:**

**THAT** the public hearing be acknowledged, and the adoption of the Fiscal Year 2023-2024 City Budget be approved.

**Passed & Approved** this 20<sup>th</sup> day of April 2023

\_\_\_\_\_  
K.A. Mahoney, Mayor

ATTEST: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk



TO: Mayor and Council  
CC: Department Heads  
FROM: Cole S. O'Donnell  
DATE: April 17, 2023  
RE: FY 2023-2024 Budget

On behalf of the staff for the City of Keokuk, I present the FY 2023-2024 budget. This document is perhaps the most important action taken by the city in any given year. The budget should reflect the goals and priorities of the City Council, as well as the needs and wants of our citizens. While not all inclusive, I believe that the budget is an accurate representation of the Council's vision for Keokuk.

This has been a difficult year for cities across Iowa, not just Keokuk. The residential rollback, the percentage of valuation we are allowed to tax residential property, was originally set to increase from 54.13% to 56.49%. However, the State made an error in their calculations related to multifamily housing's rollback percentage, resulting in the Legislature correcting the error by setting the rollback at 54.65%. This change resulted in revenue reductions to the General Fund and TIF Fund. Other property tax revenues can set levy rates as needed and did not suffer revenue reductions but did see increases in their levy rates.

This is also the first year of the Business Commercial Tax Rebate (BCTR). Commercial and industrial properties have the first \$150,000 of valuation taxed at the residential rate. Previously, businesses had to apply for the rebate that was then issued by the counties to the business. Under the new law, the valuation is automatically applied to all businesses. The result was a decrease in taxable valuations. The State does rebate the lost revenue back to cities, but the reduction in the rollback decreased the amount received.

Due to the changes in valuations, the city's 100% valuations increased by approximately \$13 million, while the taxable valuations decreased by approximately \$16 million. General Fund tax receipts, including the Emergency Levy, were reduced by \$55,108. The BCTR revenue is projected to be \$125,000 for the General Fund and Emergency Levy combined, offsetting some of the loss in tax revenue. The General Fund is expected to have a surplus of \$34,991 for FY 24, however, \$100,000 is being expended from reserves for the River Front Trail affecting the bottom line. These funds were received in FY 23, but with the trail delayed until fall of 2024 were not expended in FY 23.

With the loss in sewer charges from ADM, debt service paid with sewer revenues has been converted to general obligation debt. This has significantly increased the total levy rate going from \$18.95458/1,000 to \$22.97101/thousand. Reserves from the Employee Benefits fund in the amount of \$143,606 are being used to reduce the levy for FY 24. Payback of the Capital Equipment/Project Bond of \$1 million will occur in FY 24 to replace the reserves from Employee Benefits for FY 25.

Special Revenues show expenditures over revenues of \$664,544. Of that amount, \$550,000 is ARPA expenditures for the 600 block buildings, building demolitions, and the CDBG Pilot Project. Capital

**Cole S. O'Donnell · City Administrator**  
**601 Main St, Suite 3, Keokuk, IA 52632**  
**(319)524-2050 x 111 · [codonnell@cityofkeokuk.org](mailto:codonnell@cityofkeokuk.org)**

Projects ending balance reflects the S 18<sup>th</sup> Street project, without additional grant revenues. Should those grants be awarded the bottom line will improve.

Sewer revenues include a 10% increase in residential rates. This is the first increase since 2018 and represents a less than 2% increase over the last six years. Sewer expenditures, excluding capital projects, have been reduced by \$1.677 million.

This document would not be possible without the assistance of the department heads and department managers. They have helped to provide good estimates and measure their requests against the impact to available funds. All staff members have shown due diligence in controlling expenses while exceeding service levels. I thank them all for their hard work.



## NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET

Fiscal Year July 1, 2023 - June 30, 2024

City of: KEOKUK

The City Council will conduct a public hearing on the proposed Budget at: Keokuk City Hall 501 Main St Keokuk, IA Meeting Date: 4/20/2023 Meeting Time: 05:30 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-budget-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property	22.97101
The estimated tax levy rate per \$1000 valuation on Agricultural land is	3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number  
(319) 524-2050 ext: 2205

City Clerk/Finance Officer's NAME  
Cole S. O'Donnell

		Budget FY 2024	Re-estimated FY 2023	Actual FY 2022
<b>Revenues &amp; Other Financing Sources</b>				
Taxes Levied on Property	1	6,256,307	5,335,306	5,255,798
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
<b>Net Current Property Taxes</b>	3	6,256,307	5,335,306	5,255,798
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	1,054,595	1,133,359	1,186,297
Other City Taxes	6	4,457,196	3,776,750	3,264,031
Licenses & Permits	7	89,625	69,831	316,303
Use of Money and Property	8	215,819	149,209	444,262
Intergovernmental	9	4,449,058	3,380,395	2,889,915
Charges for Fees & Service	10	4,089,200	4,350,448	8,562,697
Special Assessments	11	0	0	0
Miscellaneous	12	1,097,300	1,275,930	486,893
Other Financing Sources	13	0	5,012,914	1,854,285
Transfers In	14	5,207,362	5,701,992	5,694,169
<b>Total Revenues and Other Sources</b>	15	26,916,462	30,186,134	29,954,650
<b>Expenditures &amp; Other Financing Uses</b>				
Public Safety	16	5,987,986	6,148,392	5,405,149
Public Works	17	2,353,585	3,178,421	2,396,365
Health and Social Services	18	0	0	0
Culture and Recreation	19	2,870,005	1,823,680	1,725,596
Community and Economic Development	20	949,912	718,581	269,072
General Government	21	1,915,203	1,503,777	1,856,351
Debt Service	22	3,124,927	2,001,190	2,121,183
Capital Projects	23	4,340,365	148,800	298,120
<b>Total Government Activities Expenditures</b>	24	21,541,983	15,522,841	14,071,836
Business Type / Enterprises	25	5,676,667	6,108,131	5,684,580
<b>Total ALL Expenditures</b>	26	27,218,650	21,630,972	19,756,416
Transfers Out	27	5,207,362	5,701,992	5,694,169
Total ALL Expenditures/Transfers Out	28	32,426,012	27,332,964	25,450,585
<b>Excess Revenues &amp; Other Sources Over (Under) Expenditures/Transfers Out</b>	29	-5,509,550	2,853,170	4,504,065
Beginning Fund Balance July 1	30	18,175,086	15,321,916	10,817,851
<b>Ending Fund Balance June 30</b>	31	12,665,536	18,175,086	15,321,916

## All Governmental Funds

<b>General Fund</b>						
	<b>Budget</b>	<b>Re-Estimate</b>	<b>Budget</b>	<b>Actual</b>	<b>Budget</b>	
	<b>FY 23/24</b>	<b>FY 22/23</b>	<b>FY 22/23</b>	<b>FY 21/22</b>	<b>FY 21/22</b>	
Property tax	\$ 2,377,884	\$ 2,429,513	\$ 2,429,513	\$ 2,419,222	\$ 2,394,077	
Replacement Tax	\$ 446,843	\$ 460,647	\$ 460,647	\$ 436,016	\$ 432,637	
Other City Tax						
Hotel/Motel	\$ 275,000	\$ 275,000	\$ 250,000	\$ 276,769	\$ 225,000	
Gaming Tax	\$ 425,000	\$ 450,000	\$ 400,000	\$ 470,553	\$ 400,000	
Franchise Fees	\$ 1,316,977	\$ 714,657	\$ 710,650	\$ 221,564	\$ 679,900	
Licenses and permits	\$ 86,625	\$ 67,241	\$ 66,525	\$ 92,149	\$ 76,755	
Use of money and property	\$ 146,000	\$ 140,900	\$ 140,900	\$ 152,170	\$ 128,500	
Federal Grants	\$ 412,134	\$ 617,319	\$ 516,534	\$ 33,140	\$ 610,000	
State Grants	\$ 844,704	\$ 172,963	\$ 748,865	\$ 128,043	\$ 171,547	
Local Grants	\$ 345,600	\$ 344,300	\$ 337,800	\$ 365,033	\$ 339,600	
Charges for service	\$ 40,700	\$ 49,480	\$ 65,680	\$ 49,350	\$ 41,080	
Miscellaneous	\$ 1,072,500	\$ 1,126,600	\$ 1,077,000	\$ 2,242,198	\$ 2,367,035	
Sale of Property	\$ -	\$ 17,434	\$ 1,800	\$ 8,610	\$ 1,800	
<b>General Fund Sub Total</b>	<b>\$ 7,789,967</b>	<b>\$ 6,866,054</b>	<b>\$ 7,205,914</b>	<b>\$ 6,894,816</b>	<b>\$ 7,867,931</b>	
<hr/>						
Proceeds of Debt						
Transfers-Cap Projects/ARPA	\$ 150,000	\$ 283,967	\$ 283,967	\$ 283,967	\$ 283,967	
Transfer: Employee Ben/Emergency Levy	\$ 2,331,648	\$ 2,386,748	\$ 2,386,748	\$ 2,408,758	\$ 2,408,758	
Transfer-LOST	\$ 1,300,000	\$ 1,341,158	\$ 1,341,158	\$ 1,370,078	\$ 1,370,078	
Transfer Park Improvement	\$ 18,487	\$ 164,357	\$ -	\$ -	\$ -	
Transfer Sewer Fund	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	
<b>Transfers Sub Total</b>	<b>\$ 4,050,135</b>	<b>\$ 4,426,230</b>	<b>\$ 4,261,873</b>	<b>\$ 4,312,803</b>	<b>\$ 4,312,803</b>	
<hr/>						
<b>Total Receipts &amp; Transfers</b>	<b>\$ 11,840,102</b>	<b>\$ 11,292,284</b>	<b>\$ 11,467,787</b>	<b>\$ 11,207,619</b>	<b>\$ 12,180,734</b>	
<hr/>						
<b>Special Revenues</b>						
	<b>Budget</b>	<b>Re-Estimate</b>	<b>Budget</b>	<b>Actual</b>	<b>Budget</b>	
	<b>FY 23/24</b>	<b>FY 22/23</b>	<b>FY 22/23</b>	<b>FY 21/22</b>	<b>FY 21/22</b>	
Property tax	\$ 1,919,149	2,070,153	\$ 2,070,153	1,971,419	1,949,994	
Replacement Tax	\$ 360,767	\$ 392,633	\$ 392,633	\$ 355,240	\$ 352,487	
10% Human Dev LOST	\$ 130,000	\$ 134,116	\$ 134,116	\$ 158,449	\$ 137,017	
40% Infrastructure LOST	\$ 520,000	\$ 536,463	\$ 536,463	\$ 633,794	\$ 548,027	
50% Prop Tax Relief LOST	\$ 650,000	\$ 670,579	\$ 670,579	\$ 792,243	\$ 685,034	
Subtotal Other City Taxes	\$ 1,300,000	\$ 1,341,158	\$ 1,341,158	\$ 1,584,486	\$ 1,370,078	
Use of Money and Property	\$ 3,500	\$ 3,400	\$ 3,400	\$ 3,641	\$ 2,710	
Intergovernmental-Grants & Assistance						
Federal Grants	\$ -	\$ 759,352	\$ 759,352	\$ 759,352	\$ 759,352	
Road Use Tax	\$ 1,287,000	\$ 1,247,400	\$ 1,247,400	\$ 1,390,455	\$ 1,163,701	
State Grants	\$ 449,845	\$ 78,854	\$ 78,822	\$ 88,896	\$ 89,200	
Local Grants	\$ -	\$ 5,000	\$ 5,000	\$ 156	\$ 5,000	
Subtotal Intergovernmental	\$ 1,736,845	\$ 2,090,606	\$ 2,090,574	\$ 2,238,859	\$ 2,017,253	
Charges for service	\$ 4,000	\$ 3,000	\$ 3,000	\$ 5,340	\$ 3,000	

Misc	\$	18,000	\$	144,680	\$	63,000	\$	208,467	\$	104,257
Transfers In	\$	302,688	\$	212,300	\$	212,300	\$	60,900	\$	60,900
Proceeds of Sale			\$	480			\$	721	\$	-
<b>Total Receipts and Transfers</b>	<b>\$</b>	<b>5,644,949</b>	<b>\$</b>	<b>6,258,410</b>	<b>\$</b>	<b>6,176,218</b>	<b>\$</b>	<b>6,429,074</b>	<b>\$</b>	<b>5,860,679</b>

#### TIF

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Tax increment financing collections	\$ 1,054,595	\$ 1,130,107	\$ 1,160,107	\$ 1,186,297	\$ 1,272,052
State Grants	\$ 11,230	\$ 3,252	\$ 3,252	\$ 1	
<b>Total Receipts &amp; Transfers</b>	<b>\$ 1,065,825</b>	<b>\$ 1,133,359</b>	<b>\$ 1,163,359</b>	<b>\$ 1,186,298</b>	<b>\$ 1,272,052</b>

#### Debt Service Fund

	Budget	Re-Estimate	Budget	Actual	Budget
	FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Property tax	\$ 1,959,274	\$ 835,640	\$ 835,640	\$ 865,157	\$ 864,343
Replacement Tax	\$ 332,609	\$ 142,655	\$ 142,655	\$ 140,967	\$ 139,875
Intergovernmental	\$ 138,545	\$ 29,702	\$ 29,702	\$ 33,777	\$ 33,000
Subtotal	\$ 2,430,428	\$ 1,007,997	\$ 1,007,997	\$ 1,039,901	\$ 1,037,218
Transfers:TIF	\$ 723,774	\$ 958,975	\$ 958,975	\$ 584,255	\$ 584,255
Proceeds of Debt	\$ -	\$ -	\$ -	\$ -	\$ -
Total Receipts & Transfers	\$ 3,154,202	\$ 1,966,972	\$ 1,966,972	\$ 1,624,156	\$ 1,621,473

#### Capital Projects

	Budget	Re-Estimate	Budget	Actual	Budget
	FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Use of Money and Property	\$ 15,000	\$ 4,800	\$ 4,800	\$ 7,420	\$ 4,800
Intergovernmental	\$ 960,000	\$ 74,208	\$ 140,000	\$ 91,062	\$ 30,000
Proceeds of debt	\$ -	\$ 4,995,000	\$ -	\$ -	\$ -
Refunds	\$ -	\$ 750	\$ -	\$ -	\$ -
Transfers	\$ 122,765	\$ 104,487	\$ 104,487	\$ 728,176	\$ 728,176
<b>Total Receipts and Transfers</b>	<b>\$ 1,097,765</b>	<b>\$ 5,179,245</b>	<b>\$ 249,287</b>	<b>\$ 826,658</b>	<b>\$ 762,976</b>

#### Permanent

Use of Money and Property		\$	109		\$	-	\$	-		
Misc.	\$	4,000	\$	2,000	\$	4,000	\$	7,200	\$	4,000
<b>Total Receipts and Transfers</b>	<b>\$</b>	<b>4,000</b>	<b>\$</b>	<b>2,109</b>	<b>\$</b>	<b>4,000</b>	<b>\$</b>	<b>7,200</b>	<b>\$</b>	<b>4,000</b>

#### Sewer Fees

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Class I sewer fees	\$ 150,000	\$ 652,000	\$ 2,100,000	\$ 3,067,563	\$ 2,100,000
Class II sewer fees	\$ 2,584,000	\$ 2,300,000	\$ 2,300,000	\$ 2,449,767	\$ 2,500,000
Other Charge for Service	\$ 48,000	\$ 128,968	\$ 78,000	\$ 112,476	\$ 78,000
Subtotal	\$ 2,782,000	\$ 3,080,968	\$ 4,478,000	\$ 5,629,807	\$ 4,678,000
Permits	\$ 3,000	\$ 2,590	\$ 2,590	\$ 2,590	\$ 2,590
Use of money and property	\$ 200	\$ 200	\$ 200	\$ 216	\$ 200
Intergovernmental	\$ -	\$ -	\$ -	\$ -	\$ -
Misc	\$ 1,000	\$ 100	\$ 1,000	\$ 10,323	\$ 2,480
Sale of Property	\$ -	\$ -	\$ -	\$ 4,781	\$ -
Bonds & Debt issued	\$ -	\$ -	\$ 1,800,000	\$ 1,830,173	\$ -
Total Receipts	\$ 2,786,200	\$ 3,083,858	\$ 6,281,790	\$ 7,477,890	\$ 4,683,270



### Refuse Collection

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Refuse Collection Fees	\$ 1,012,500	\$ 972,000	\$ 972,000	\$ 904,779	\$ 850,500
Refunds	\$ 1,300	1,300	\$ 1,300	5,620	6,000
Proceeds of Debt	\$ -	-	\$ -	-	-
<b>Total Receipts</b>	<b>\$ 1,013,800</b>	<b>\$ 973,300</b>	<b>\$ 973,300</b>	<b>\$ 910,399</b>	<b>\$ 856,500</b>

### Bridge Department

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Railroad Revenue	\$ 250,000	\$ 245,000	\$ 245,000	\$ 217,079	\$ 220,000
Misc	\$ 500	\$ 500	\$ 500	\$ 706	\$ 425
Federal Rail Grant					
Use of Money and Property	\$ 51,119	\$ 51,097	\$ 41,097	\$ 49,536	\$ 61,097
Sale of Property	\$ -	\$ -	\$ -	\$ 10,000	\$ -
Transfers In	\$ 8,000	\$ -	\$ -	\$ 8,035	\$ 8,035
<b>Total Receipts</b>	<b>\$ 309,619</b>	<b>\$ 296,597</b>	<b>\$ 286,597</b>	<b>\$ 285,356</b>	<b>\$ 289,557</b>

### Revenues By Fund

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
General Fund	\$ 11,840,102	\$ 11,292,284	\$ 11,467,787	\$ 11,207,619	\$ 12,180,734
Special Revenues	\$ 5,644,949	\$ 6,258,410	\$ 6,176,218	\$ 6,429,074	\$ 5,860,679
TIF	\$ 1,065,825	\$ 1,133,359	\$ 1,163,359	\$ 1,186,298	\$ 1,272,052
Debt Service	\$ 3,154,202	\$ 1,966,972	\$ 1,966,972	\$ 1,624,156	\$ 1,621,473
Capital Projects	\$ 1,097,765	\$ 5,179,245	\$ 249,287	\$ 826,658	\$ 762,976
Permanent	\$ 4,000	\$ 2,109	\$ 4,000	\$ 7,200	\$ 4,000
Proprietary	\$ 4,109,619	\$ 4,353,755	\$ 7,541,687	\$ 8,673,645	\$ 5,829,327
	<b>\$ 26,916,462</b>	<b>\$ 30,186,134</b>	<b>\$ 28,569,310</b>	<b>\$ 29,954,650</b>	<b>\$ 27,531,241</b>

### Revenues By Source

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
<b>Receipts:</b>					
Property tax	\$ 6,256,307	\$ 5,335,306	\$ 5,335,306	\$ 5,255,799	\$ 5,208,414
Tax increment financing collections	\$ 1,054,595	\$ 1,130,107	\$ 1,160,107	\$ 1,186,297	\$ 1,272,052
Other City Tax	\$ 3,316,977	\$ 2,780,815	\$ 2,701,808	\$ 2,553,371	\$ 2,674,978
Replacement Tax	\$ 1,140,219	\$ 995,935	\$ 995,935	\$ 932,224	\$ 924,999
Licenses and permits	\$ 89,625	\$ 69,831	\$ 69,115	\$ 94,739	\$ 79,345
Use of money and property	\$ 215,819	\$ 200,506	\$ 190,397	\$ 212,983	\$ 197,307
Intergovernmental	\$ 4,449,058	\$ 3,332,350	\$ 3,866,727	\$ 2,889,914	\$ 3,201,400
Charges for service	\$ 4,089,200	\$ 4,350,448	\$ 5,763,680	\$ 6,806,354	\$ 5,792,580
Miscellaneous	\$ 1,097,300	\$ 1,275,930	\$ 1,146,800	\$ 2,474,515	\$ 2,484,197
Sale of Property	\$ -	\$ 17,914	\$ 1,800	\$ 24,112	\$ 1,800
Sub Total	\$ 21,709,100	\$ 19,489,142	\$ 21,231,675	\$ 22,430,308	\$ 21,837,072
Bonds & Debt issued	\$ -	\$ 4,995,000	\$ 1,800,000	\$ 1,830,173	\$ -
Transfers In	\$ 5,207,362	\$ 5,701,992	\$ 5,537,635	\$ 5,694,169	\$ 5,694,169
<b>Total Receipts</b>	<b>\$ 26,916,462</b>	<b>\$ 30,186,134</b>	<b>\$ 28,569,310</b>	<b>\$ 29,954,650</b>	<b>\$ 27,531,241</b>

**CITY OF KEOKUK**  
Schedule of Expenditures  
By Department/Fund/Function  
**All Governmental Funds**

			<b>Budget</b>	<b>Re-Estimate</b>	<b>Budget</b>	<b>Actual</b>	<b>Budget</b>
			<b>FY 23/24</b>	<b>FY 22/23</b>	<b>FY 22/23</b>	<b>FY 21/22</b>	<b>FY 21/22</b>
<b>Disbursements:</b>							
<b>General Fund</b>							
Police Admin	Pub Safety	\$	1,526,486	\$ 1,471,464	\$ 1,496,465	\$ 1,167,195	\$ 1,488,162
Police Capital		\$	192,624	\$ 178,090	\$ 178,090	\$ 68,129	\$ 383,510
Police Union	Pub Safety	\$	1,307,494	\$ 1,264,433	\$ 1,264,433	\$ 1,325,841	\$ 1,225,146
Police Comm	Pub Safety	\$	71,918	\$ 70,301	\$ 70,301	\$ 67,799	\$ 68,349
Police Records	Pub Safety	\$	125,877	\$ 118,909	\$ 118,909	\$ 110,314	\$ 103,789
Lee Co Nar Task Force	Pub Safety	\$	105,761	\$ 90,620	\$ 90,620	\$ 90,483	\$ 91,688
GTSB Safety Grant	Pub Safety	\$	-	\$ -	\$ -	\$ -	\$ -
Subtotal Police Dept		\$	3,330,160	\$ 3,193,817	\$ 3,218,818	\$ 2,829,762	\$ 3,360,644
Floodwall	Pub Safety	\$	28,500	\$ 28,500	\$ 28,500	\$ 12,655	\$ 25,600
Floodwall Capital		\$	-	\$ 228,000	\$ -	\$ 58,141	\$ 751,857
Fire Admin	Pub Safety	\$	615,385	\$ 581,806	\$ 579,864	\$ 543,373	\$ 572,479
Fire Capital		\$	47,297	\$ 24,000	\$ 24,000	\$ 14,517	\$ 22,695
Fire Protection	Pub Safety	\$	1,497,647	\$ 1,486,516	\$ 1,486,516	\$ 1,502,873	\$ 1,468,008
Emergency Corp	Pub Safety	\$	12,120	\$ 10,600	\$ 10,600	\$ 5,437	\$ 10,600
Fire Dept Subtotal		\$	2,172,449	\$ 2,102,922	\$ 2,100,980	\$ 2,066,200	\$ 2,073,782
Housing	Pub Safety	\$	313,047	\$ 452,324	\$ 452,224	\$ 294,504	\$ 301,041
Animal Control	Pub Safety	\$	140,830	\$ 138,637	\$ 137,937	\$ 123,498	\$ 132,934
Animal Control Cap		\$	3,000	\$ 4,192	\$ 4,000	\$ -	\$ -
Public Safety Subtotal		\$	5,987,986	\$ 6,148,392	\$ 5,942,459	\$ 5,384,760	\$ 6,645,858
Street Gen Maint	Pub Works	\$	3,000	\$ 3,000	\$ 3,000	\$ -	\$ 7,000
Street Lighting	Pub Works	\$	124,500	\$ 115,957	\$ 124,500	\$ 204,219	\$ 196,175
Traffic Light Maint	Pub Works	\$	30,900	\$ 37,650	\$ 37,650	\$ 26,334	\$ 37,650
Traffic Light Cap		\$	-	\$ 89,000	\$ 70,000	\$ 63,480	\$ 60,000
Airport	Pub Works	\$	378,701	\$ 438,992	\$ 307,141	\$ 368,514	\$ 347,597
Airport Capital		\$	64,500	\$ 350,000	\$ 159,000	\$ 211,963	\$ 600,000
Bulk Fuel	Pub Works	\$	113,500	\$ 94,000	\$ 59,000	\$ 81,059	\$ 59,000
Public Works	Pub Works	\$	187,404	\$ 187,914	\$ 191,564	\$ 253,233	\$ 289,322
Public Works Cap		\$	-	\$ -	\$ -	\$ -	\$ -
Public Works Subtotal		\$	902,505	\$ 1,316,513	\$ 951,855	\$ 1,208,802	\$ 1,596,744
Library	Culture/Rec	\$	605,818	\$ 591,621	\$ 591,621	\$ 611,627	\$ 618,711
River Museum	Culture/Rec	\$	24,596	\$ 21,193	\$ 21,843	\$ 19,336	\$ 22,341
River Museum Cap		\$	-	\$ 3,500	\$ 3,500	\$ -	\$ -
Union Depot	Culture/Rec	\$	8,000	\$ 46,864	\$ 8,000	\$ 25,383	\$ 8,000
Grand Theatre	Culture/Rec	\$	33,700	\$ 37,281	\$ 35,150	\$ 31,847	\$ 35,050
Grand Theater Cap		\$	25,000	\$ 15,533	\$ 35,000	\$ 15,533	\$ 25,000
Subtotal		\$	91,296	\$ 124,371	\$ 103,493	\$ 92,100	\$ 90,391
Parks	Culture/Rec	\$	386,960	\$ 425,366	\$ 442,866	\$ 308,268	\$ 436,099
Parks Capital		\$	1,143,897	\$ 109,998	\$ 1,167,371	\$ 166,691	\$ 177,142
Pool	Culture/Rec	\$	100,500	\$ 90,000	\$ 100,500	\$ 84,959	\$ 81,921
Pool Capital		\$	-	\$ -	\$ -	\$ -	\$ 19,155
Cemetery	Culture/Rec	\$	271,894	\$ 266,334	\$ 284,684	\$ 219,419	\$ 283,805
Cemetery Capital		\$	-	\$ -	\$ -	\$ 36,574	\$ 33,000
Hotel/Motel	Culture/Rec	\$	234,640	\$ 192,990	\$ 182,990	\$ 191,740	\$ 181,740
Culture/Rec Subtotal		\$	2,835,005	\$ 1,800,680	\$ 2,873,525	\$ 1,711,379	\$ 1,921,964
Bldg/Zoning	Comm Dev	\$	172,812	\$ 150,576	\$ 152,876	\$ 134,344	\$ 176,291
Bldg/Zoning Capital		\$	-	\$ -	\$ -	\$ -	\$ -
Ferro-sil Bldg	Comm Dev	\$	3,600	\$ 4,500	\$ 9,500	\$ 1,596	\$ 8,000
Comm Dev Subtotal		\$	176,412	\$ 155,076	\$ 162,376	\$ 135,940	\$ 184,291

Mayor/Council	Gen Govt	\$	388,003	\$	379,640	\$	379,140	\$	533,055	\$	546,802
Data Processing	Gen Govt	\$	35,500	\$	34,500	\$	34,500	\$	27,921	\$	34,500
Elections	Gen Govt	\$	3,500	\$	-	\$	-	\$	3,436	\$	3,436
Attorney	Gen Govt	\$	130,000	\$	100,000	\$	130,000	\$	101,365	\$	130,058
Muni Bldg	Gen Govt	\$	61,700	\$	65,700	\$	66,400	\$	69,981	\$	86,453
Muni Bldg Capital		\$	-	\$	-	\$	-	\$	877,858	\$	800,000
Insurance	Gen Govt	\$	275,000	\$	250,000	\$	200,000	\$	199,893	\$	180,000
Public TV	Gen Govt	\$	3,800	\$	3,800	\$	3,800	\$	1,133	\$	3,560
Public TV Capital		\$	-	\$	-	\$	-	\$	41,709	\$	41,709
Other Gen Govt	Gen Govt	\$	997,700	\$	650,000	\$	650,000	\$	663,723	\$	650,000
Gen Govt Subtotal		\$	1,895,203	\$	1,483,640	\$	1,463,840	\$	2,520,073	\$	2,476,518

Transfers Out		\$	8,000	\$	-	\$	-	\$	8,035	\$	8,035
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<b>Total General Fund</b>		\$	<b>11,805,111</b>	\$	<b>10,904,301</b>	\$	<b>11,394,055</b>	\$	<b>10,968,988</b>	\$	<b>12,833,410</b>
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<b>General Fund Capital</b>		\$	<b>1,476,318</b>	\$	<b>1,002,313</b>	\$	<b>1,640,961</b>	\$	<b>1,554,595</b>	\$	<b>2,914,068</b>
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			Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
<b>Road Use Tax Fund</b>							
Roadway Maint	Pub works	\$	847,788	\$ 976,520	\$ 843,520	\$ 656,774	\$ 669,499
Roadway Capital		\$	200,000	\$ 475,000	\$ 475,000	\$ 140,077	\$ 234,500
Snow Removal	Pub works	\$	106,196	\$ 105,740	\$ 105,740	\$ 97,249	\$ 102,867
Street Cleaning	Pub works	\$	36,323	\$ 40,667	\$ 40,667	\$ 50,384	\$ 40,916
Vehicle Maintenance	Pub works	\$	260,773	\$ 263,981	\$ 267,981	\$ 243,079	\$ 258,638
Vehicle Maint Cap		\$	-	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$	1,451,080	\$ 1,861,908	\$ 1,732,908	\$ 1,187,563	\$ 1,306,420

Transfers Out	Pub works	\$	-	\$	-	\$	-	\$	-
		\$	<b>1,451,080</b>	\$	<b>1,861,908</b>	\$	<b>1,187,563</b>	\$	<b>1,306,420</b>

<b>RUT Capital</b>		\$	<b>200,000</b>	\$	<b>475,000</b>	\$	<b>475,000</b>	\$	<b>140,077</b>	\$	<b>234,500</b>
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Economic Development	Comm Dev	Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Housing and Urban Dev		\$ 300,000	\$ 51,841	\$ 100,000	\$ 137,068	\$ 130,000
Gen Economic Dev		\$ 73,500	\$ 125,664	\$ 62,900	\$ 6,453	\$ 62,900
Targeted Job Credits		\$ -	\$ -	\$ -	\$ -	\$ -
IFA Proj Based		\$ -	\$ -	\$ -	\$ -	\$ -
		\$ 373,500	\$ 177,505	\$ 162,900	\$ 143,521	\$ 192,900

<b>Park Imp. Capital</b>	Culture/Rec	\$	<b>5,000</b>	\$	<b>-</b>	\$	<b>-</b>	\$	<b>-</b>
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<b>Non-Program</b>		\$	<b>20,000</b>	\$	<b>20,000</b>	\$	<b>-</b>
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	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Special Revenue Transfers	\$ 3,879,923	\$ 4,043,663	\$ 3,879,306	\$ 3,778,836	\$ 3,778,836

Tax Increment Financing	Comm Dev	Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Misc		\$ -	\$ 137.00	\$ -	\$ 112	\$ 112.00
Dev Refunds		\$ -	\$ -	\$ -	\$ 8,669	\$ -
Transfers Out		\$ 919,439	\$ 1,124,362	\$ 1,124,362	\$ 1,373,331	\$ 1,373,331
		\$ 919,439	\$ 1,124,499	\$ 1,124,362	\$ 1,382,112	\$ 1,373,443

	Budget FY 23/24	Re-Estimate FY 22/23	Budget FY 22/23	Actual FY 21/22	Budget FY 21/22
Library Trust	\$ 30,000	\$ 23,000	\$ 23,000	\$ 14,217	\$ 23,500
	\$ 30,000	\$ 23,000	\$ 23,000	\$ 14,217	\$ 23,500

ARPA Funds	Comm Dev	Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
	Contractual Services	\$ 400,000	\$ 386,000	\$ 754,000	\$ 10,000	\$ 92,000
	Transfers Out	\$ 150,000	\$ 283,967	\$ 283,967	\$ 283,967	\$ 283,967
		<b>\$ 550,000</b>	<b>\$ 669,967</b>	<b>\$ 1,037,967</b>	<b>\$ 293,967</b>	<b>\$ 375,967</b>

Debt Service	Debt Service	Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
		<b>\$ 3,124,927</b>	<b>\$ 2,001,190</b>	<b>\$ 2,001,190</b>	<b>\$ 2,112,402</b>	<b>\$ 2,112,778</b>

Capital Projects		Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Sidewalk	Cap Projects	\$ 20,000	\$ 10,000	\$ 20,000	\$ 6,113	\$ 20,000
Streets	Cap Projects	\$ 4,200,000	\$ -	\$ -	\$ -	\$ -
FAA Grant	Cap Projects	\$ -	\$ -	\$ -	\$ -	\$ -
365 Carbide Lane	Cap Projects	\$ -	\$ 11,000	\$ 140,000	\$ 155,852	\$ 30,200
Flood Wall Repair	Cap Projects	\$ -	\$ -	\$ -	\$ -	\$ -
Leachate Control	Cap Projects	\$ -	\$ -	\$ -	\$ -	\$ -
Cemetery Streets	Cap Projects	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
	Barge Cap Projects	\$ -	\$ -	\$ -	\$ -	\$ -
	SID Center Cap Projects	\$ 90,365	\$ 97,800	\$ 74,487	\$ 106,155	\$ 78,522
Transfers Out		\$ -	\$ -	\$ -	\$ -	\$ -
		<b>\$ 4,340,365</b>	<b>\$ 148,800</b>	<b>\$ 264,487</b>	<b>\$ 298,120</b>	<b>\$ 158,722</b>

#### All Proprietary Funds

#### Wastewater Treatment and Sewer

		Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
WPC Operation		\$ 1,576,679	\$ 1,726,443	\$ 1,891,138	\$ 1,871,213	\$ 1,795,213
Sewer Maint-Operations		\$ 854,596	\$ 998,009	\$ 1,300,829	\$ 838,384	\$ 1,243,387
		\$ 2,431,275	\$ 2,724,452	\$ 3,191,967	\$ 2,709,596	\$ 3,038,600
Debt Service		\$ -	\$ 805,644	\$ 916,360	\$ 805,944	\$ 805,644
	Subtotal	\$ 2,431,275	\$ 3,530,096	\$ 4,108,327	\$ 3,515,540	\$ 3,844,244
Transfers Out		\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
<b>Total Disbursements</b>		<b>\$ 2,681,275</b>	<b>\$ 3,780,096</b>	<b>\$ 4,358,327</b>	<b>\$ 3,765,540</b>	<b>\$ 4,094,244</b>

#### Sewer Reserve

		Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
WPC Capital Projects		\$ 1,689,477	\$ 110,523	\$ 1,800,000	\$ -	\$ -
Sewer Maintenance Capital Projects		\$ -	\$ 424,000	\$ 455,000	\$ 91,886	\$ 150,000
Lift Stations		\$ -	\$ 439,375	\$ 495,000	\$ 88,668	\$ 50,000
Rand Park Sewer Separation		\$ -	\$ 12,000	\$ -	\$ 4,872	\$ 5,000
Point Repair Projects		\$ -	\$ -	\$ -	\$ -	\$ -
		<b>\$ 1,689,477</b>	<b>\$ 985,898</b>	<b>\$ 2,750,000</b>	<b>\$ 185,426</b>	<b>\$ 205,000</b>

#### Solid Waste

		Budget	Re-Estimate	Budget	Actual	Budget
		FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
Refuse Collection-Operations		\$ 925,758	\$ 935,550	\$ 928,557	\$ 720,227	\$ 788,533
Leachate Control		\$ 13,300	\$ 18,500	\$ 38,000	\$ 95,414	\$ 101,596
Capital Equipment		\$ -	\$ -	\$ 130,000	\$ -	\$ 637
Debt Service-Trucks/containers		\$ 82,420	\$ 84,318	\$ 84,318	\$ 86,215	\$ 86,215
<b>Total Disbursements</b>		<b>\$ 1,021,478</b>	<b>\$ 1,038,368</b>	<b>\$ 1,180,875</b>	<b>\$ 901,856</b>	<b>\$ 976,981</b>

#### Bridge

Budget	Re-Estimate	Budget	Actual	Budget
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	<b>FY 23/24</b>	<b>FY 22/23</b>	<b>FY 22/23</b>	<b>FY 21/22</b>	<b>FY 21/22</b>
Bridge Operations	\$ 526,437	\$ 500,269	\$ 500,269	\$ 378,985	\$ 483,504
Capital Equipment	\$ -	\$ 45,000	\$ 45,000	\$ 30,550	\$ 35,000
Regional Transit	\$ 8,000	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500
<b>Total Disbursements &amp; Transfers</b>	<b>\$ 534,437</b>	<b>\$ 553,769</b>	<b>\$ 553,769</b>	<b>\$ 418,035</b>	<b>\$ 527,004</b>

Expenditures by Fund					
	Budget	Re-Estimate	Budget	Actual	Budget
	FY 23/24	FY 22/23	FY 22/23	FY 21/22	FY 21/22
General	\$ 11,805,111	\$ 10,904,301	\$ 11,394,055	\$ 10,968,988	\$ 12,833,410
Special Revenues	\$ 6,309,503	\$ 6,796,043	\$ 6,836,081	\$ 5,418,103	\$ 5,677,623
TIF	\$ 919,439	\$ 1,124,499	\$ 1,124,362	\$ 1,382,112	\$ 1,373,443
Debt Service	\$ 3,124,927	\$ 2,001,190	\$ 2,001,190	\$ 2,112,402	\$ 2,112,778
Capital Projects	\$ 4,340,365	\$ 148,800	\$ 264,487	\$ 298,120	\$ 158,722
Permanent					
Proprietary	\$ 5,926,667	\$ 6,358,131	\$ 8,842,971	\$ 5,270,857	\$ 5,803,229
<b>Total</b>	<b>\$ 32,426,012</b>	<b>\$ 27,332,964</b>	<b>\$ 30,463,146</b>	<b>\$ 25,450,582</b>	<b>\$ 27,959,205</b>

Expenditures by Function					
Public Safety	\$ 5,987,986	\$ 6,148,392	\$ 5,942,459	\$ 5,384,760	\$ 6,645,858
Public Works	\$ 2,353,585	\$ 3,178,421	\$ 2,684,763	\$ 2,396,365	\$ 2,903,164
Health & Soc Ser	0	0	0	0	0
Culture & Rec	\$ 2,870,005	\$ 1,823,680	\$ 2,896,525	\$ 1,725,596	\$ 1,945,464
Community and ED	\$ 949,912	\$ 718,718	\$ 1,363,243	\$ 573,539	\$ 753,270
General Government	\$ 1,915,203	\$ 1,503,640	\$ 1,463,840	\$ 2,520,073	\$ 2,476,518
Debt Service	\$ 3,124,927	\$ 2,001,190	\$ 2,001,190	\$ 2,121,070	\$ 2,112,778
Capital Projects	\$ 4,340,365	\$ 148,800	\$ 264,487	\$ 298,120	\$ 158,722
Business Type Activity	\$ 5,676,667	\$ 6,108,131	\$ 8,592,971	\$ 5,020,857	\$ 5,553,229
Transfers Out	\$ 5,207,362	\$ 5,701,992	\$ 5,253,668	\$ 5,410,202	\$ 5,410,202
<b>Total</b>	<b>\$ 32,426,012</b>	<b>\$ 27,332,964</b>	<b>\$ 30,463,146</b>	<b>\$ 25,450,582</b>	<b>\$ 27,959,205</b>

Fund	Beginning Balance FY 22/23	Re-estimated Revenues FY 22/23	Re-estimated Expend FY 22/23	Estimated Beginning FY 23/24	Revenues & Transfers In	Expenditures & Transfers Out	Estimated Ending FY 23/24	Difference
General	\$ 2,257,657	\$ 11,292,284	\$ 10,904,301	\$ 2,645,640	\$ 11,840,102	\$ 11,805,111	\$ 2,680,631	\$ 34,991
Special Rev	\$ 4,402,916	\$ 6,258,410	\$ 6,796,043	\$ 3,865,283	\$ 5,644,949	\$ 6,309,503	\$ 3,200,729	\$ (664,554)
TIF	\$ (153,632)	\$ 1,133,359	\$ 1,124,499	\$ (144,772)	\$ 1,065,825	\$ 919,439	\$ 1,614	\$ 146,386
Debt Service	\$ 22,241	\$ 1,966,972	\$ 2,001,190	\$ (11,977)	\$ 3,154,202	\$ 3,124,927	\$ 17,298	\$ 29,275
Capt. Projects	\$ (174,292)	\$ 5,179,245	\$ 148,800	\$ 4,856,153	\$ 1,097,765	\$ 4,340,365	\$ 1,613,553	\$ (3,242,600)
Permanent	\$ 505,562	\$ 2,109	\$ -	\$ 507,671	\$ 4,000	\$ -	\$ 511,671	\$ 4,000
WPC/Sewer	\$ 6,040,795	\$ 3,083,858	\$ 4,765,994	\$ 4,358,659	\$ 2,786,200	\$ 4,370,752	\$ 2,774,107	\$ (1,584,552)
Refuse	\$ 210,396	\$ 973,300	\$ 1,038,368	\$ 145,328	\$ 1,013,800	\$ 1,021,478	\$ 137,650	\$ (7,678)
Bridge	\$ 2,231,591	\$ 296,597	\$ 553,769	\$ 1,974,419	\$ 309,619	\$ 534,437	\$ 1,749,601	\$ (224,818)
Unallocated	\$ (21,319)	\$ 0	\$ -	\$ (21,319)	\$ 0	\$ 0	\$ (21,319)	\$ -
Total	\$ 15,321,915	\$ 30,186,134	\$ 27,332,964	\$ 18,175,085	\$ 26,916,462	\$ 32,426,012	\$ 12,665,535	\$ (5,509,550)
Park Maint/Improve	\$ 387,448	\$ 25,000	\$ 164,357	\$ 248,091	\$ 5,000	\$ 18,487	\$ 234,604	\$ (13,487)
PW Equip Replace	\$ 12,801	\$ -	\$ -	\$ 12,801	\$ -	\$ -	\$ 12,801	\$ -
Employee Ben	\$ 803,814	\$ 2,458,541	\$ 2,465,541	\$ 796,814	\$ 2,344,199	\$ 2,487,805	\$ 653,208	\$ (143,606)
Emergency Levy	\$ 124,075	\$ 92,067	\$ 93,631	\$ 122,511	\$ 91,562	\$ 93,631	\$ 120,442	\$ (2,069)
LOST	\$ 810,516	\$ 1,341,158	\$ 1,341,158	\$ 810,516	\$ 1,300,000	\$ 1,300,000	\$ 810,516	\$ -
Pool Reserve	\$ 1,070	\$ -	\$ -	\$ 1,070	\$ -	\$ -	\$ 1,070	\$ -
Total	\$ 2,139,724	\$ 3,916,766	\$ 4,064,687	\$ 1,991,803	\$ 3,740,761	\$ 3,899,923	\$ 1,832,641	\$ (159,162)
Road Use Tax	\$ 1,441,466	\$ 1,247,400	\$ 1,861,908	\$ 826,958	\$ 1,516,788	\$ 1,451,080	\$ 892,666	\$ 65,708



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Amending Chapter 13 KMC Agenda Item: \_\_\_\_\_

## Description:

As discussed at the last workshop, the ordinance updates the pretreatment sections of the code to better comply with EPA and IDNR standards. It also establishes fees for Class I users related to testing and surcharges.

For Class II users (commercial and residential), base charge is increased from \$30.38 to \$33.42 and unit rate from \$6.69 to \$7.36.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_



# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Date

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### Recommendation:

Recommend approval.

Recommend approval.

## Required Action

ORDINANCE ☒ RESOLUTION ☐ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

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MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

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## CITY COUNCIL VOTES

[illegible]

## Chapter 13.04 SEWER REGULATIONS<sup>1</sup>

### Sections:

#### 13.04.010 Depositing sanitary sewage, industrial waste or polluted water.

It is unlawful for any person to place or deposit or cause to be deposited or placed into any sewer under the jurisdiction of the city any sanitary sewage, industrial waste or other polluted water except in accordance with the provisions of this chapter and Chapter 13.10.

(Ord. 1570 § 1, 1993)

#### 13.04.020 Definitions.

The following words and terms as used in this chapter shall mean and be construed as follows, unless the context specifically indicates otherwise:

- (1) "BOD" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in parts per million by volume (mg/L).
- (2) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building sewer. The building drain shall extend five feet outside the inner face of the building wall.
- (3) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.
- (4) "City" means the city of Keokuk; "city council" means the duly elected mayor and council members of the city, or other governing body, or their duly authorized representatives.
- (5) "COD" (denoting chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (6) "Combined sewer" means a sewer receiving both surface runoff and sewage.
- (7) "Compatible pollutants" are those pollutants which the wastewater treatment plant was designed to treat, and removes to a substantial degree; it includes biochemical oxygen demand, suspended solids and fecal coliform bacteria.
- (8) "Contributor" means any individual, firm, company, association, society, corporation or group responsible for the production of domestic, commercial or industrial waste which is directly or indirectly discharged into the city's sewer system.

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<sup>1</sup> For statutory provisions authorizing cities to require connections to a public sewer system, see I.C.A. 364.12. For statutory provisions authorizing cities and towns to construct sewers and plants for the disposition of sewage, see I.C.A. 391.11. For statutory provisions authorizing cities to own, acquire, construct, equip, operate and maintain sewage treatment plants, see I.C.A. Ch. 394. For statutory provisions authorizing cities and towns to rent out sewers, See I.C.A. Ch. 393.

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- (9) "Easement" means an acquired legal right for the specific use of land owned by others.
  - (10) "Floatable oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.
  - (11) "Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
  - (12) "Holding tank waste" means any liquid or water-carried wastes from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.
  - (13) "Industrial wastes" means the liquid wastes from industrial processes as distinguished from sanitary sewage.
  - (14) "Inspector" means the person or persons duly authorized by the city council to inspect and approve the installation of building sewers and their connections to the public sewer system, and to inspect such sewage as may be discharged therefrom.
  - (15) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface groundwater.
  - (16) "Noncompatible pollutants" are any pollutants which are not compatible pollutants as defined in this section.
  - (17) "Normal sewage" means sewage which contains not over four hundred parts per million of suspended solids and not over three hundred parts per million of BOD by weight or seven hundred and five parts per million of COD by weight and which does not contain any of the materials or substances listed in Section 13.04.040 in excess of allowable amounts specified in that section.
  - (18) "Owner" means any individual, firm, company, association, society, corporation or group owning certain sewerage facilities which it uses.
  - (19) "Person" means any individual, firm, company, association, society, corporation or group using the sewage treatment plant or sewerage system.
  - (20) "pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution. It is used to indicate the concentration of free acid and alkali.
  - (21) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
  - (22) "Public sewer" means a sewer in which all abutting properties have equal rights, and is controlled by public authority.
  - (23) "Roof drain" means a conduit for conveying the rainwater from a roof.
  - (24) "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories or institutions, and free from stormwater, surfacewater and industrial wastes.
  - (25) "Sanitary sewer" means a sewer which carries sewage and to which stormwater, surfacewater and groundwaters are not intentionally admitted.
  - (26) "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwaters, surfacewaters and stormwaters as may be present.
  - (27) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

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- (28) "Sewer" means a pipe or conduit for carrying sewage and other waste liquid.
  - (29) "Shall" is mandatory; "may" is permissive.
  - (30) "Storm sewer" or "storm drain" means a pipe or conduit which carries stormwaters and surfacewaters and drainage, but excludes sewage and polluted industrial wastes; it may, however, carry cooling water and unpolluted water.
  - (31) "Superintendent" means the superintendent of the Keokuk Water Resource Recovery Facility and associated sewer systems of the city or his authorized deputy, agent or representative.
  - (32) "Total Nitrogen, TN" means the quantity of oxidizable nitrogen utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
  - (33) "Total Suspended Solids, TSS" means solids that either float on the surface of, or in suspension of water, sewage, or other liquids and which are removable by laboratory filtering. Expressed in parts per million by volume (mg/L).
  - (34) "Total Phosphorous, TP" means the quantity of oxidizable phosphorous utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
  - (35) "Unpolluted water" is water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities.
  - (36) "User charge" means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, replacement and debt services of the publicly owned treatment works as defined in Section 13.08.010.
  - (37) "Wastewater" means the spent water of the community. It may be a combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surfacewater and stormwater that may be present.
  - (38) "Wastewater facilities" or "waste-water system" means all facilities for collecting, pumping, treating or disposing of wastewater.
  - (39) "Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewaters.
  - (40) "Watercourse" means a natural or artificial channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 1570 § 2, 1993)

#### **13.04.030 Discharging polluted waters.**

- (a) No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, including interior and exterior fountain drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- (b) Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the city council. Industrial cooling water or unpolluted process waters may be discharged, upon approval by the city council, to a storm sewer or natural outlet.
- (c) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the

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absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No. 9 shall apply.

- (d) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (e) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- (f) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.E.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(Ord. 1570 § 3, 1993)

#### **13.04.050 Grease, oil and sand interceptors.**

- (a) Grease, oil or sand interceptors shall be provided when in the opinion of the superintendent they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable waste, sand or other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a standard approved type and capacity which meet city and state code requirements, and shall be readily and easily accessible for cleaning and inspection.
- (b) Where installed, all grease, oil or sand interceptors shall be owned and maintained by the owner at his expense, in continuously efficient operation at all times.

(Ord. 1374 § 1 (part), 1983)

#### **13.04.070 Amendment of discharge requirements.**

The city council reserves the right to amend any or all requirements relating to the nature, type, concentration or other analysis of the substances mentioned in this chapter, or other substances, materials, water or wastes, that discharge into any public or private sewer.

(Ord. 1374 § 1 (part), 1983)

#### **13.04.080 Right of entry for inspection.**

The city council or its duly appointed superintendent or other authorized representative of the city shall be entitled to access to the premises of any contributor for the purpose of inspection, observation, measurement, sampling and testing at any reasonable time to such extent as may be necessary to carry out the spirit and intent of this chapter, and it shall be deemed a part of the agreement on the part of the contributor as a condition to his permission to connect with the city sewer system, that such access be granted. Industrial users must comply with Chapter 13.10.050-(C)(2)(E).

(Ord. 1570 §6, 1993)

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#### **13.04.130 City agreements not abrogated.**

No statement in this chapter shall be construed as preventing any special agreement, arrangement or contract between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment subject to the rate and cost as established by the city council.

(Ord. 1374 § 1 (part), 1983)

#### **13.04.140 Connection with public sewer required.**

- (a) All private sanitary sewer facilities within three hundred feet of public sewers and located on property which lies adjacent to or abuts a public sewer line including those public sewers which abut any street or alley which in turn abut any private property and lie directly to the front, side or rear of the private property, shall be connected with the public sewer when topographical conditions permit the sewer from a private facility to empty into the public sewer by gravity.
- (b) If it is necessary to cross the entire paved surface of a portland cement or asphaltic concrete street in order to connect to the public sewer, the owner may request in writing for the city council to consider a variance from this section. Factors that will be considered in the city council's decision will include, but not be limited to: type of construction of street, traffic on the street, whether the connection can be made without disturbing the street surface or other municipal and utility improvements, and public health considerations. If any of the factors pertaining to the variance change after a variance is granted, the variance shall be opened for reconsideration by the city council upon recommendation of the public works department.
- (c) New facilities, if not required to connect to the public sewer in accordance with the criteria of this section, shall comply with the current state and county laws and regulations pertaining to private sewage disposal systems.

(Ord. 1422 § 2 (part), 1986)

#### **13.04.150 Connection notice and costs.**

Not less than ten days after public sewer facilities become available, the city council shall, by resolution, require notice to be sent by certified mail to the owner of record or the contract purchaser of record and the persons in actual possession of such property if they are different, requiring connection of their sewer facilities to the public sewer. The owner shall make the connection within sixty days of the notice if the sewer was constructed with any public funds or within one year of the notice if the sewer was constructed entirely by private funds. If the connection is not made within the required time, the owner shall pay sewer fees at the normal sewer rates stated in Chapter 13.08 of this code based upon the facility's municipal water consumption or at the minimum sewer charge if the facility is not connected to the municipal water system. If the housing counselor determines that the facility presents a health nuisance due to an open discharge, inadequate maintenance or noncompliance with the current state and county laws and regulations pertaining to private sewage disposal systems, the city may make such connections and assess the cost thereof against the property. The assessment may be spread over a period of not to exceed ten years.

(Ord. 1422 § 2 (part), 1986)

#### **13.04.160 Regulations—Modification authority.**

Any section, subsection, clause, phrase or portion of this chapter may be revised by the city council.

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(Ord. 1374 § 1 (part), 1983)

#### **13.04.170 Rates and charges.**

Rates and charges for wastewater disposal service shall be as set forth in applicable city ordinances or special agreements which may be in effect or amended from time to time.

(Ord. 1374 § 1 (part), 1983)

#### **13.04.180 Violations—Notice—Permit revocation—Liability.**

- (a) Any contributor found to be violating any provision of this chapter shall be notified in writing by the city, stating the nature of the violation and providing a reasonable time limit for the correction thereof. The contributor shall permanently cease all violations within the period of time stated in the notice, and shall certify to the city that the corrections have been accomplished.
- (b) Any contributor found to be violating any provision of this chapter who continues such violation beyond the time limit provided in subsection (a) of this section is guilty of a misdemeanor and upon conviction thereof be subject to the penalties prescribed by the laws of the state of Iowa as a misdemeanor. Each day in which such violation shall continue shall be deemed a separate offense.
- (c) In cases of repeated violations, the city may revoke permission for the discharge of wastes into the sewer system, or effect the discontinuation of water or sewer service or both.
- (d) Any contributor violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage incurred as a result of such violation. See Section 1.24.010.

(Ord. 1698 § 12, 1999)

#### **13.04.190 Termination of service—Demolition projects.**

Whenever an individual or contractor procures a demolition permit for property located within the city, the sewer lines must be properly and safely capped by the individual or contractor and must be inspected and approved by the city engineer or his designee.

(Ord. 1422 § 8 (part), 1986)

#### **13.04.200 Violation of Section 13.04.190.**

Contractors or individuals who fail to have the sewer line capped properly prior to commencing demolition activities are subject to the penalties prescribed by the laws of the state of Iowa as a misdemeanor in Section 1.24.010.

(Ord. 1698 § 13, 1999)

## Chapter 13.08 SEWER RATES<sup>2</sup>

### Sections:

#### 13.08.010 Fees—Charging.

All existing and/or future private, commercial and industrial parties which contribute domestic and/or industrial wastes for treatment by the waste treatment works located at 1000 Mississippi Drive shall be charged a fee in proportion to their contribution, taking into the account the costs of operation and maintenance, including replacement and debt service of the publicly owned treatment works. For the purpose of this chapter, "publicly owned treatment works" means the treatment works owned by the city, including any publicly owned devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature and publicly owned sewers, pipes and other conveyances only if they convey wastewater to the Keokuk treatment plant. For the purposes of this chapter, "commercial parties" includes all schools, school property and school district property.

(Ord. 1853 § 1, 2008: Ord. 1422 § 1 (part), 1986)

(Ord. No. 1857 § 1, 10-16-08)

#### 13.08.020 Fees—Rates.

The total fees collected shall be based on the actual costs of operation and maintenance, including replacement plus the cost of debt service, of the publicly owned treatment works as defined in Section 13.08.010.

(Ord. 1422 § 1 (part), 1986)

#### 13.08.030 Classification of users.

- (a) For purposes of this chapter, all contributors to the waste treatment works shall be separated into two classes: class I, major industrial users, and class II, domestic and commercial users, which are further subdivided as described in subsection (c) of this section.
- (b) Class I users are defined as any wastewater contributor that:
  - (1) Has a discharge flow of fifty thousand gallons or more per average workday (if seasonal, the average shall be computed on the period of use); or
  - (2) Contributes wastewater or sewage to the publicly owned treatment works that has a BOD concentration in excess of three hundred milligrams per liter or COD concentration in excess of seven hundred and five milligrams per liter or a Total Suspended Solids concentration in excess of four hundred milligrams per liter; or

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<sup>2</sup>For statutory provisions authorizing cities and towns to levy rentals or charges for the use of their sewers, see I.C.A. Ch. 393.



- (3) Is found by the city's authorized representative to have significant impact, either singly or in combination with other contributing industries, on the sewage system or upon the quality of effluent from the treatment works.
- (c) Class II users are defined as any wastewater contributor which is not covered under class I. Class II users are further subdivided into type A and B users which are defined as follows:
- (1) A class II, type A user is any wastewater contributor that is a one-family or two-family residential dwelling unit.
  - (2) A class II, type B user is any contributor not covered under type A and generally includes, but is not limited to, commercial, minor industrial, institutional and multifamily (three or more) users.
- (Ord. 1422 § 4 (part), 1986)

### 13.08.040 Class I rates.

Rates for class I users shall be calculated on the total contribution of BOD or COD, TSS, Total Nitrogen, Total Phosphorous and flow.

Rates for class I users are as follows:

;

A. Unit Rates, Monitored And Nonmonitored Contributors: Minimum unit rates for service billed after July 1, 2023 will be assessed contributors to the sewage works, as follows:

		July, 2023	July, 2024	July, 2025
	<b>Rate Increase</b>	10%	10%	10%
<b>Nonmonitored Customers - Class 1 Rates</b>				
Basic Service Charge (per bill)		\$13.79	\$15.17	\$16.69
Volume Charge (per one unit or 750 Gallons)		\$7.36	\$8.10	\$8.91
<b>Monitored Customers:</b>				
Basic Service Charge (per bill)		\$13.79	\$15.17	\$16.69
Volume Charge (per 1000 gallons)		\$5.86	\$6.44	\$7.09
BOD (per pound)		\$0.23	\$0.25	\$0.28
TSS (per pound)		\$0.22	\$0.24	\$0.27
COD (per pound)		\$0.11	\$0.12	\$0.13
Total Nitrogen (per Pound)		\$2.00	\$2.20	\$2.42
Total Phosphorous (per Pound)		\$2.00	\$2.20	\$2.42

Effective July 1 of each year, beginning in 2024, the customer base service charges and volume charges as set forth in this section shall be increased ten percent (10.0%) from the prior year, except as amended by ordinance of the City Council. The City shall review said charges and rates every two (2) years to ensure that the system generates adequate revenues to pay the full costs of operation, maintenance and any debt service and to maintain adequate fund balances.

(Ord. No. 1943, § 1, 7-16-15; Ord. No. 1955, § 1, 5-5-16; Ord. No. 1970, § 1, 7-6-17; Ord. No. 1981, § 1, 4-19-18)

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Editor's note(s)—Ord. No. 1943, § 1, adopted July 16, 2015, repealed the former § 13.08.040, and enacted a new § 13.08.040 as set out herein. The former § 13.08.040 pertained to similar subject matter and derived from Ord. No. 1937, adopted June 19, 2014.

### **13.08.045 Class I—Surcharge.**

- (a) Each class I user shall be charged the specific rate as set forth in Section 13.08.040 for all amounts of flow, BOD or COD, TSS, Total Nitrogen, and Total Phosphorous and, in addition, a daily surcharge shall be imposed upon each class I user for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous amounts in excess of the allowable maximum per day for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous as set forth in the discharge agreement executed by the user and a monthly surcharge shall be imposed upon each class I user for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous amounts in excess of the allowable per-day average as computed monthly for flow, BOD or COD, TSS, Total Nitrogen and Total Phosphorous as set forth in the discharge agreement executed by the user. The surcharge for each category shall be calculated as follows:
- (1) Flow: total excess (amount of flow in million gallons per day in excess of the amount of flow allowed by the discharge agreement) plus one multiplied by the prevailing flow rate as set forth in Section 13.08.040 multiplied by the total excess;
  - (2) BOD or COD: total excess (amount of BOD or COD in pounds in excess of the amount of BOD or COD allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing BOD or COD rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
  - (3) TSS: total excess (amount of TSS in pounds in excess of the amount of TSS allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing TSS rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
  - (4) Total Nitrogen: total excess (amount of Total Nitrogen in pounds in excess of the amount of Total Nitrogen allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing Total Nitrogen rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
  - (5) Total Phosphorous: total excess (amount of Total Phosphorous in pounds in excess of the amount of Total Phosphorous allowed by the discharge agreement) divided by ten thousand plus one multiplied by the prevailing Total Phosphorous rate as set forth in Section 13.08.040 multiplied by the total excess multiplied by four;
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(b)

(Ord. 1836 § 1 (part), 2007; Ord. 1426 § 1, 1986)

### **13.08.050 Billing.**

User charges shall be billed at least semiannually or more often based on wastes contributed during the preceding billing period and on unit costs based on the operation and maintenance budget for that year. Individual class I users shall be billed for the amount due as calculated by the method of Section 13.08.040. Individual class II users shall be billed their proportionate share of the total class II user charge calculated by the method of Section 13.08.040. The proportion shall be established by a ratio of water billed, to the user to water billed in the city. Any class II user whose water consumption or discharge to other than the sewer system make this proportion invalid may meter, or otherwise determine, their actual sewage discharge rate and be billed appropriately.

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(Ord. 1374 § 1 (part), 1983)

### **13.08.060 Class II rates.**

Rates for the class II users shall be seven dollars and thirty-six cents per unit per month on usage over the minimum rate allowance based on actual or estimated monthly water meter readings. The minimum monthly rate for class II users shall be thirty-three dollars and forty-two cents based on two thousand gallons. For this section, units shall be considered seven hundred fifty gallons of water.

(Ord. No. 1943, § 2, 7-16-15; Ord. No. 1956, § 1, 5-19-16; Ord. No. 1970, § 2, 7-6-17; Ord. No. 1981, § 2, 4-19-18)

Editor's note(s)—Ord. No. 1943, § 2, adopted July 16, 2015, repealed the former § 13.08.060, and enacted a new § 13.08.060 as set out herein. The former § 13.08.060 pertained to similar subject matter and derived from Ord. No. 1937, adopted June 19, 2014.

### **13.08.070 Minimum contribution.**

As the treatment works are constructed larger than would normally be required to accommodate the class I users, and as certain operations and maintenance costs will continue even if class I users temporarily reduce their contributions by a significant amount below their allocation, due to business conditions, strikes, acts of God, etc., the minimum monthly contribution for class I users will be ten percent of the last preceding "normal" month.

(Ord. 1735 § 2, 2002; Ord. 1422 § 1 (part), 1986)

### **13.08.080 Deposits.**

Every consumer with sewer service must sign a written application and make a sewer deposit before a meter is installed or used. If new account elects to participate in the direct payment program the sewer deposit shall be waived.

(Ord. 1374 § 1 (part), 1983)

(Ord. No. 1968, 6-1-17)

### **13.08.090 Delinquent payment collection.**

The service charges, rates or rentals established in this chapter shall be due and payable on the due date corresponding with water statement, at the office of the municipal waterworks.

Delinquent payments and fees will correspond with current fees and penalties set by the Keokuk Municipal Waterworks.

Unpaid service charges, rates or rentals shall constitute a lien upon the premises served by such sanitary utilities, and if not paid within the date specified in this section shall be delinquent. Such charges, rates or rentals which are delinquent and unpaid may be certified by the city clerk to the county auditor for collection in the same manner as other taxes.

(Ord. 1374 § 1 (part), 1983)

(Ord. No. 1968, 6-1-17)

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### **13.08.100 Collection—Responsibility.**

- (a) Sewage service charges shall be prepared and billed by Keokuk municipal waterworks and the first billing shall correspond with the regular water charge billing on or after the effective date of such sewer service rates and charges as specified in this chapter.
- (b) The waterworks, under the supervision of the manager thereof, is charged with the responsibility of billing all contributors for the sums of money that are due the city for sewage service under the terms of this chapter and shall collect all such charges at the same time and place and in conjunction with the water rentals in accordance with the schedules of rates as provided in this chapter.
- (c) For faithful performance of duties the waterworks shall be covered by a fidelity bond sufficiently covering such employees or officers charged with the collection of the sewer rental and for services as collection agent will receive reasonable compensation as agreed upon by the city council.
- (d) Any and all funds, fees, rentals, charges or rates collected by the waterworks under the provisions of this chapter shall be remitted to the city clerk to be kept by him in a separate and distinct fund to be known as the sewer rental fund.

(Ord. 1374 § 1 (part), 1983)

### **13.08.110 Collection—Expenses.**

- (a) The actual cost of collecting and accounting for all sewage service charges, including reasonable compensation to the collection agent, the maintenance of all books and records, the employment of all help, the cost of all books, records, materials and supplies, the obtaining and maintaining of all office and storage space, and any and all other costs and expenses reasonably necessary in connection therewith or incidental thereto, shall be a part of the cost of operating the municipal sewage disposal works and facilities of the city. The cost shall be paid from the sewer rental fund to the collection agent upon his certificates certifying to the amount thereof.
- (b) The manager and other authorized representatives of the city shall be entitled to access to the premises of any contributor for the purpose of inspection, observation, measurement, sampling, and testing at any reasonable time to such extent as may be necessary to carry out the spirit and intent of this chapter, and it shall be deemed a part of the agreement on the part of the contributor as a condition of his permission to connect with the sewer system of the city that such access be granted.

(Ord. 1374 § 1 (part), 1983)

### **13.08.120 Changes and readjustments.**

The city may change and readjust the service charges, rates or rentals set forth in this chapter from time to time and may from time to time fix and readjust such charges, rates and rentals for particular classes of unusual conditions and variations in the character and quantity of waste as in the discretion of the city council is deemed fair and equitable, and in any event such service charges, rates or rentals shall be established, adjusted and maintained so as to be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair, replacements and maintenance of the sanitary utilities, and to create a sinking fund sufficient to meet the principal and interest and other charges or indebtedness for constructing the improvements.

(Ord. 1374 § 1 (part), 1983)

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### **13.08.130 Supervision.**

The sanitary utilities of the city shall be under the supervision and control of the city, and subject to such supervision and control, the management and operation shall be by a superintendent to be appointed by the city council for such term and at such salary as the council from time to time determines. No assistants, laborers or other helpers in the management or operation of the sanitary utilities shall be employed except as authorized and directed by the city council.

(Ord. 1374 § 1 (part), 1983)

### **13.08.140 Sewer use funds—Accounts.**

- (a) The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement and debt service which shall be set up as accounts in the annual budget, and the city shall designate the costs to be paid from the sewer use funds.
- (b) Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purpose than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rates shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

(Ord. 1422 § 1 (part), 1986)

### **13.08.150 Yearly review.**

The city shall review the user fee system every year and revise user charge rates as necessary to ensure that the system generates adequate revenue to pay the costs of operation and maintenance, including replacement and debt service, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement and debt service, among users and user classes.

(Ord. 1422 § 1 (part), 1986)

## **Chapter 13.10 INDUSTRIAL WASTE PRETREATMENT<sup>3</sup>**

### **13.10.010 Purpose and policy.**

- (a) This chapter sets forth uniform requirements for users of the publicly owned treatment works for the City of Keokuk and enables the City of Keokuk to comply with all applicable state and federal laws, including the

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<sup>3</sup>Editor's note(s)—Ord. No. 1959, § 1, adopted November 17, 2016, repealed the former Chapter 13.10, §§ 13.10.010—13.10.070, and enacted a new Chapter 13.10 as set out herein. The former Chapter 13.10 pertained to similar subject matter and derived from Ord. No. 1422, 1986; Ord. No. 1570, 1993 and Ord. No. 1698, 1999.

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Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403).

- (b) The objects of this chapter are:
- (1) To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system, including interference with its use or disposal of municipal sludge;
  - (2) To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
  - (3) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
  - (4) To improve the opportunities to recycle and reclaim municipal and industrial wastewaters and sludges; and
  - (5) To provide for equitable distribution of the cost of the municipal wastewater system.
  - (6) To enable the City of Keokuk to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or state laws to which the publicly owned treatment works is subject.
- (c) This chapter provides for the regulation of contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements authorizes monitoring and enforcement activities, requires user reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established in this chapter.
- (d) This chapter shall apply to the city and to persons outside the city who are, by contract or agreement with the city, users of the municipal wastewater system. Except as otherwise provided in this chapter, the pretreatment program manager of the municipal waste-water system shall administer, implement and enforce the provisions of this chapter.

(Ord. No. 1959, § 1, 11-17-16)

### **13.10.020 Definitions.**

- (a) Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings designated in this section:
- (1) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et seq.
  - (2) "Approval authority" means the director in an NPDES state with an approved state pretreatment program and the appropriate regional administrator of the EPA in a non-NPDES state or NPDES state without an approved state pretreatment program.
  - (3) "Authorized representative of industrial user" may be:
    - (A) A principal executive officer of at least the level of vice president, if the industrial user is a corporation;
    - (B) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively;

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- (C) A duly authorized representative of the individual designated in subdivisions (A) and (B) of this subsection when made in writing if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
- (4) "Biochemical oxygen demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at twenty degrees centigrade, expressed in terms of concentration (milligrams per liter (mg/l)).
- (5) "Best management practices" or "BMP"s means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 13.10.030. BMPs include treatment requirements, operating procedures, practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. The superintendent may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement local limits and the requirements of Sections 13.10.030 and 13.10.050
- (6) "Building sewer" means a sewer conveying wastewater from the premises of the user to the POTW.
- (7) "Categorical pretreat standards" means National Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to the POTW by existing or new industrial users in specific industrial subcategories. These standards, as found in 40 CFR 403.6 and 40 CFR, Chapter I, subchapter N, unless otherwise noted, shall be in addition to general prohibitions specified in Section 13.10.030.
- (8) "Chemical Oxygen Demand" or "COD" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (9) "City" means the City of Keokuk or the city council of Keokuk.
- (10) "Control authority" means the "City of Keokuk."
- (11) "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (12) "Daily maximum limit" means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day, if taken in accordance with 40 C.F.R. Part 136.
- (13) "Direct discharge" means the discharge of treated or untreated wastewater directly to the waters of the state.
- (14) "Environmental Protection Agency" or "EPA" means the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of the EPA.
- (15) "Existing source" means any source of discharge that is not a "new source."
- (16) "Grab sample" means a sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen minutes.
- (17) "Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.

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- (18) "Indirect discharge" or "discharge" means the introduction of pollutants into a POTW from any nondomestic source.
- (19) "Industrial user" or "user" means a source of indirect discharge.
- (20) "Instantaneous limit" means the minimum or maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling.
- (21) "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- (22) "Local limit" means specific discharge limits developed and enforced by the city upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- (23) "Medical waste" means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (24) "Minor industrial user" means any non-domestic industrial user of the POTW which is not a significant industrial user.
- (25) "Monthly average" means the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (26) "Monthly average limit" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (27) "National Pretreatment Standard" or "pretreatment standard" or "standard" means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act which applies to industrial users. This term also includes prohibitive discharge standards and local limits.
- (28) "New source" means any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced after promulgation of pretreatment standards in accordance with Section 307(c) of the Act which are applicable to such sources but only if the standards are promulgated in accordance with Section 307(c) provided that:
- (A) The building, structure, facility or installation is constructed at a site at which no other source is located;
  - (B) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source;
  - (C) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered;



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- (D) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (B) or (C) of subsection (27) of this section but otherwise alters, replaces or adds to existing process or production equipment;
- (E) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
- (i) Begun or caused to begin as part of a continuous onsite construction program,
  - (ii) Any placement, assembly or installation of facilities or equipment, or
  - (iii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment, or
  - (iv) Entered in to a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation under this paragraph.
- (29) "National Pollution Discharge Elimination System permit" or "NPDES permit" means a permit issued to a POTW pursuant to Section 402 of the Act.
- (30) "Noncontact cooling water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (31) "Oil and grease" means organic material that can be extracted from water with hexane and determined by weight after evaporation of the hexane. The oil and grease analysis is a method defined analysis and the results are identified by the hexane extracted material (HEM) and the silica gel treated material (SGT-HEM) results reported as milligrams per liter (mg/L).
- (32) "Pass through" means the discharge of pollutants through the POTW into receiving waters in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
- (33) "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.
- (34) "pH" means a measure of the acidity or alkalinity of a solution, expressed in standard units..
- (35) "Pollution" means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.
- (36) "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
- (37) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

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- (38) "Pretreatment requirements" means any substantive or procedural requirements related to pretreatment, other than pretreatment standards, imposed on an industrial user.
- (39) "Publicly owned treatment works" or "POTW" mean a treatment works as defined by Section 212 of the Act, which is owned by a state or municipality. This definition includes any publicly owned devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes publicly owned sewers, pipes and other conveyances only if they convey wastewater to the POTW treatment plant.
- (40) "POTW treatment plant" means the portion of the POTW designed to provide treatment of municipal sewage and industrial waste.
- (41) "Septic tank waste" means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (42) "Sewage" means human excrement and gray water (household showers, dishwashing operations, etc.).
- (43) "Shall" means mandatory; "may" means permissive.
- (44) "Significant industrial user" (SIU) except as provided in paragraphs (iv) and (v) of this section, a significant industrial user is:
- (A) An industrial user subject to categorical pretreatment standards; or
  - (B) An industrial user that:
    - (i) Discharges an average of twenty-five thousand gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
    - (ii) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
    - (iii) Is designated as such by the City of Keokuk on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
    - (iv) The City of Keokuk may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than one hundred gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
      - a. The industrial user, prior to City of Keokuk's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
      - b. The industrial user annually submits the certification statement required in Section 13.10.050, together with any additional information necessary to support the certification statement; and
      - c. The industrial user never discharges any untreated concentrated wastewater.
    - (v) Upon a finding that a user meeting the criteria in subsections (iv, v) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City of Keokuk may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

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- (45) "Significant noncompliance" means an industrial user is in (SNC) significant noncompliance if its violation meets one or more of the following criteria:
- (A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
  - (B) Technical review criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by Section 13.10.030 multiplied by the applicable TRC criteria (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH;
  - (C) Any other violation of a pretreatment effluent limit (daily maximum, longer term average, instantaneous limit, or narrative standard) that the control authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
  - (D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
  - (E) Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction or attaining final compliance;
  - (F) Failure to provide, within thirty days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
  - (G) Failure to accurately report noncompliance;
  - (H) Any other violation or group of violations which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.
- (46) "Slug load or slug discharge" means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 13.10.030 of this chapter. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.
- (47) "State" means the State of Iowa.
- (48) "Standard industrial classification" or "SIC" means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of the Management and Budget, 1987, as amended.
- (49) "Stormwater" means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (50) "Superintendent" means the person designated by the city to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representative, who shall be called the pretreatment program manager.
- (51) "Total Nitrogen" or "TN" means the quantity of oxidizable nitrogen utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).

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- (52) "Total suspended solids" or "TSS" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is measured by laboratory filtering and reported as a concentration (mg/L).
- (53) "Total Phosphorous" or "TP" means the quantity of oxidizable phosphorous utilized in the chemical reaction under standard laboratory procedure, expressed in parts per million by volume (mg/L).
- (54) "Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under the provisions of the Clean Water Act 307(a) or any other acts relating to pollution control which are mandated by the federal or state governments.
- (55) "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and stormwater which may be present, whether treated or untreated, which is contributed to or permitted to enter the POTW.
- (56) "Wastewater discharge permit" means as set forth in Section 13.10.050.
- (57) "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.
- (b) Abbreviations. The following abbreviations shall have the designated meanings:
- BOD — Biochemical oxygen demand.
- BMP — Best management practice.
- BMR — Baseline monitoring report.
- CFR — Code of Federal Regulations.
- CIU — Categorical industrial user.
- COD — Chemical oxygen demand.
- EPA — U.S. Environmental Protection Agency.
- gpd — gallons per day.
- HEM-Hexane extractable material.
- IU — Industrial user.
- mg/l — milligrams per liter.
- NPDES — National Pollutant Discharge Elimination System.
- NSCIU — Non-significant categorical industrial user.
- POTW — Publicly owned treatment works.
- RCRA — Resource Conservation and Recovery Act.
- SGT-HEM — Silica gel treated hexane extractable material.
- SIU — Significant industrial user.
- SNC — Significant noncompliance.
- TN — Total Nitrogen
- TSS — Total suspended solids.

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TP — Total Phosphorous

U.S.C. — United States Code.

(Ord. No. 1959, § 1, 11-17-16)

### **13.10.030 Regulations.**

- (a) General Discharge Prohibitions. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through the POTW or interfere with the operation or performance of the POTW. These general prohibitions apply to all nondomestic sources introducing pollutants into the POTW whether or not the source is subject to National Categorical Pretreatment Standards or any other national, state or local pretreatment standards or requirements. A user shall not contribute the following substances to the POTW:
- (1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Any wastewater with a closed-cup flashpoint of less than one hundred forty degrees Fahrenheit or sixty degrees Celsius using test methods specified in 40 CFR 261.21 for closed cup flashpoint. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides and hydrides;
  - (2) Solid or viscous substances in amounts which will cause obstruction to the flow in a sewer or other interference with the operation of wastewater treatment facilities, such as but not limited to grease, garbage with particles greater than one-half inch in dimensions, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;
  - (3) Any wastewater that would intermittently change the pH of the raw waste reaching the treatment plant by more than 0.5 pH units or cause the pH of the waste reaching the treatment plant to be less than 6.0 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structure, equipment and/or personnel of the POTW;
  - (4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitations set forth in a categorical pretreatment standard;
  - (5) Any wastewater or noxious or malodorous liquids, gases or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair;
  - (6) Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act or state criteria applicable to the sludge management method being used;

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- (7) Any substance which will cause the POTW to violate its NPDES permit and/or state disposal system permit or the receiving water quality standards;
  - (8) Any wastewater with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions;
  - (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW treatment plant which exceeds forty degrees Celsius (one hundred four degrees Fahrenheit);
  - (10) Any pollutants, including oxygen-demanding pollutants (BOD or COD.), total nitrogen, total phosphorous and total suspended solids of such characteristics released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW, and any slug load;
  - (11) Radioactive waste.
    - (A) A licensee may discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:
      - (i) The material is readily soluble (or is readily dispersible biological material) in water; and
      - (ii) The quantity of licensed or other radioactive material that the licensee releases into the sewer in one month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in Table 3 of Appendix B to 10 CFR part 20; and
    - (B) If more than one radionuclide is released, the following conditions must also be satisfied:
      - (i) The licensee shall determine the fraction of the limit in Table 3 of Appendix B to 10 CFR Part 20 represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in Table 3 of Appendix B to Part 20; and
      - (ii) The sum of the fractions for each radionuclide required by paragraph (a)(11)(B)(i) of this section does not exceed unity; and
      - (iii) The total quantity of licensed and other radioactive material that the licensee releases into the sanitary sewerage system in a year does not exceed five curies (185 GBq) of hydrogen-3, one curie (37 GBq) of carbon-14, and one curie (37 GBq) of all other radioactive materials combined.
    - (C) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material are not subject to the limitations contained in paragraphs (a)—(d) of this section.
  - (12) Discharges of trucked or hauled pollutants except at points designated by the POTW;
  - (13) Discharges of petroleum oil, nonbiodegradable cutting oil, or products of mineral origins or other organic compounds in amounts that will cause interference or pass through. At no times shall a user discharge above the following levels unless authorized by permit.
    - (A) Oils and greases not to exceed:
      - (i) Hexane extractable material (HEM) greater than fifty (50) mg/L.
      - (ii) Silica gel treated-hexane extractable material (SGT-HEM) greater than thirty (30) mg/L.
  - (14) Discharges that result in toxic gases, fumes or vapors within the POTW in a quality that may cause acute worker health and safety problems.

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- (b) When the superintendent or pretreatment program manager determines that the user(s) is contributing to the POTW any of the substances enumerated in subdivision (1) of subsection (a) in such amounts as to interfere with the operation of the POTW, the superintendent or pretreatment program manager shall:
- (1) Advise the user(s) of the impact of the contribution on the POTW; and
  - (2) Develop effluent limitation(s) for such user to correct the interference with the POTW.
- (c) The National Categorical Pretreatment Standards. The National Categorical Pretreatment Standards located in 40 CFR Chapter I, Subchapter N, Parts 405—471 are herewith incorporated into this chapter by reference thereto. Such National Categorical Pretreatment Standards, if more stringent than limitations imposed under this chapter for sources in that category, shall immediately supersede the limitations and schedules for compliance imposed under this chapter.
- (1) Modification of the National Categorical Pretreatment Standards.
    - (A) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the superintendent may impose equivalent concentration or mass limits in accordance with Section 13.10.030.
    - (B) When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the superintendent may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users.
    - (C) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the superintendent shall impose an alternate limit in accordance with 40 CFR 403.6(e).
    - (D) A CIU may obtain a net/gross adjustment to a categorical pretreatment standard in accordance with the following paragraphs of this section.
  - (2) Net/Gross Allowance. Categorical pretreatment standards may be adjusted to reflect the presence of pollutants in the industrial user's intake water in accordance with this section. Any industrial user wishing to obtain credit for intake pollutants must make application to the superintendent. Upon request of the industrial user, the applicable standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of paragraphs (c)(1)(B), (C) of this section are met.
    - (A) Criteria.
      - (i) Either: (i) the applicable categorical pretreatment standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) the industrial user demonstrates that the control system it proposes or uses to meet applicable categorical pretreatment standards would, if properly installed and operated, meet the standards in the absence of pollutants in the intake waters.
      - (ii) Credit for generic pollutants such as biochemical oxygen demand (BOD), chemical oxygen demand (COD), total suspended solids (TSS), and oil and grease should not be granted unless the industrial user demonstrates that the constituents of the generic measure in the user's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
    - (B) Credit shall be granted only to the extent necessary to meet the applicable categorical pretreatment standard(s), up to a maximum value equal to the influent value. Additional

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monitoring may be necessary to determine eligibility for credits and compliance with standard(s) adjusted under this section.

- (C) Credit shall be granted only if the user demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. The superintendent may waive this requirement if it finds that no environmental degradation will result.
- (3) When a categorical pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the superintendent convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the superintendent. The superintendent may establish equivalent mass limits only if the industrial user meets all the conditions set forth in subsections (3)(A)(i) through (3)(A)(v) below.
- (A) To be eligible for equivalent mass limits, the industrial user must:
    - (i) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;
    - (ii) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment;
    - (iii) Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;
    - (iv) Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the discharge; and
    - (v) Have consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass limits.
  - (B) An industrial user subject to equivalent mass limits must:
    - (i) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;
    - (ii) Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device;
    - (iii) Continue to record the facility's production rates and notify the superintendent whenever production rates are expected to vary by more than twenty percent from its baseline production rates determined in paragraph (3)(A)(iii) of this section. Upon notification of a revised production rate, the superintendent will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and
    - (iv) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to paragraph (3)(a)(i) of this section so long as it discharges under an equivalent mass limit.
  - (C) When developing equivalent mass limits, the superintendent:
    - (i) Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the industrial user by the concentration-based daily maximum



and monthly average standard for the applicable categorical pretreatment standard and the appropriate unit conversion factor;

- (ii) Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and
  - (iii) May retain the same equivalent mass limit in subsequent individual wastewater discharge permit terms if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 13.10.030(c)(3)(A)(ii). The industrial user must also be in compliance with Sections 13.10.030(a)(1)–(14) regarding the prohibition of pass through.
- (4) The superintendent may convert the mass limits of the categorical pretreatment standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. The conversion is at the discretion of the superintendent.
  - (5) Once included in its permit, the industrial user must comply with the equivalent limitations developed in this section in lieu of the promulgated categorical standards from which the equivalent limitations were derived.
  - (6) Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or four-day average, limitations. Where such standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
  - (7) Any industrial user operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based standard shall notify the superintendent within two business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the superintendent of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long term average production rate.
- (d) State Pretreatment Standards.
    - (1) Users must comply with the State of Iowa codified 567-62.
  - (e) Local Limits.
    - (1) The superintendent is authorized to establish local limits pursuant to 40 CFR 403.5(c). Pursuant to which, the following pollutant limits are established to protect against pass through and interference.
      - (A) Specific Pollutant Limitations. The total wastewater discharge of all users, in combination with domestic users, shall not contain in excess of the maximum allowable headworks loading in Table 1 at the headworks of the Keokuk Water Resource Recovery Facility:

Table 1: Maximum Allowable Headworks Load	
CHEMICAL	MAXIMUM ALLOWABLE HEADWORKS LOAD (MAHL) lbs.
Ag	3.300
As	1.688
Cd	1.285
CN	2.409
Cr	24.095
Cu	22.550

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Hg	0.381
Mo	1.519
Ni	10.126
Pb	4.090
Se	2.025
Zn	24.095
BOD	11,900
TSS	13,000
TKN	2,088

- (B) All industrial and commercial dischargers shall not discharge pollutants in excess of the uniform concentration limits in Table 2 unless a different specific limit has been established by the Keokuk Water Resource Recovery Facility Superintendent or designated representative in an industrial wastewater discharge permit.

Table 2: Uniform Concentration Limits	
CHEMICAL	Concentration (mg/L)
Ag	0.495
As	0.252
Cd	0.190
CN	0.295
Cr	3.593
Cu	3.337
Hg	0.057
Mo	0.230
Ni	1.510
Pb	0.537
Se	0.307
Zn	3.370

- (C) The superintendent may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement Local Limits and the requirements of Section 13.10.050 d)(3).
- (f) State Requirements. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this chapter.
- (g) City of Keokuk Right of Revision. The City of Keokuk reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this chapter.
- (h) Excess Discharge. No user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any other pollutant-specific limitation established by this chapter or any other city ordinance or by the state.
- (i) Accidental Discharge or Slug Discharge.

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- (1) Generally. Each user shall provide protection from accidental or slug discharges of prohibited materials and substances regulated by this chapter. For the purposes of this section, an accidental discharge is any discharge which occurs as a result of human or mechanical error. A slug discharge is defined in Section 13.10.20(45). Facilities to prevent such accidental discharges of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. In the case of a slug or accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions.
  - (2) Upon notification by the city, the user shall develop an accidental discharge/slug control plan to eliminate such discharges. Upon notification, the user will have sixty days to develop and submit to the city for review and approval written procedures, including planned construction plans and specifications, if applicable.
    - (A) An accidental discharge/slug discharge control plan shall address, at a minimum, the following:
      - (i) Description of discharge practices, including nonroutine batch discharges;
      - (ii) Description of stored chemicals;
      - (iii) Procedures for immediately notifying the superintendent of any accidental or slug discharge, as required; and
      - (iv) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
  - (3) Written Notice. Within five days following a slug or accidental discharge the user shall submit to the superintendent or pretreatment program manager a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to person or property, nor shall notification relieve the user of any fines, civil penalties or other liabilities which may be imposed by this chapter or other applicable law.
  - (4) Notice to Employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of an accidental or slug discharge. Employers shall ensure that all employees who may cause or suffer such an accidental or slug discharge to occur are advised of the emergency notification procedure.
- (j) Hauled Wastewater.
- (1) Septic tank waste may be introduced into the POTW only at locations designated by the superintendent, and at such times as are established by the superintendent. Such waste shall not violate this chapter or any other requirements established by the city. The superintendent may require septic tank waste haulers to obtain individual wastewater discharge permits.
  - (2) The superintendent may require haulers of industrial waste to obtain individual wastewater discharge permits. The superintendent may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The superintendent also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this chapter.
  - (3) Industrial waste haulers may discharge loads only at locations designated by the superintendent. No load may be discharged without prior consent of the superintendent. The superintendent may collect

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samples of each hauled load to ensure compliance with applicable standards. The superintendent may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

- (4) Industrial waste haulers must provide a waste tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

(Ord. No. 1959, § 1, 11-17-16; Ord. No. 1997, § 1, 9-19-19)

### **13.10.040 Fees.**

- (a) Charges and Fees. The city may adopt charges and fees, relating solely to the matters covered by this chapter and separate from all other fees chargeable by the city, which may include:
  - (1) Fees for reimbursement of costs of setting up and operating the city's pretreatment program;
  - (2) Fees for monitoring, testing, inspections and surveillance procedures;
  - (3) Fees for reviewing accidental discharge procedures and construction;
  - (4) Fees for permit applications;
  - (5) Fees for filing appeals;
  - (6) Fees to specific contributing industrial users for consistent removal (by the city) of pollutants otherwise subject to Federal Categorical Pretreatment Standards;
  - (7) Other fees as the city may deem necessary to carry out the requirements contained in this chapter.

(b)

(Ord. No. 1959, § 1, 11-17-16)

### **13.10.050 Administration and permits.**

- (a) Wastewater Discharge. No nondomestic contributor shall discharge or convey, allow to be discharged or conveyed, any wastewater to the POTW without inquiring on the need for a discharge permit, except as authorized under the provisions of this chapter. A nondomestic contributor, whether permitted or not, must notify the city before changing its discharges.
- (b) Wastewater Discharge Permits.
  - (1) All significant industrial users proposing to connect to the POTW shall obtain a wastewater discharge permit before connecting to or discharging wastewater to the POTW. All industrial users must notify the POTW at least sixty days prior to making changes in their operations which will result in an additional concentration of pollutants being discharged to the POTW as previously identified in their permit application.
  - (2) Permit Application. Users required to obtain a wastewater discharge permit shall complete and file with the city an application, in the form prescribed by the city and accompanied by the appropriate fee. Existing users shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance from which this chapter is derived, and proposed new users shall apply at least ninety days prior to connecting to or contributing to the POTW. In support of the application, the user may submit, in units and terms appropriate for evaluation, the following information:

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- (A) Name, address and location (if different from the address);
  - (B) Primary SIC number according to the Standard Industrial Classification Manual, Bureau of Budget, 1987, as amended;
  - (C) Wastewater constituents and characteristics, including but not limited to those mentioned in Section 13.10.030, as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(G) of the Act and contained in 40 CFR, Part 136 as amended. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator;
  - (D) Time and duration of contribution;
  - (E) Average daily and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
  - (F) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by their size, location and elevation;
  - (G) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
  - (H) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the user to meet applicable pretreatment standards. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional;
  - (I) If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule for categorical pretreatment standards shall not be later than the compliance date established for applicable pretreatment standards;
    - (i) The following conditions shall apply to the schedule:
      - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.),
      - b. No increment referred to in subparagraph (i) of this paragraph shall exceed nine months,
      - c. Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the superintendent or pretreatment program manager including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reason for delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine

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months elapse between such progress reports to the superintendent or pretreatment program manager;

- (J) Each product produced, by type and amount;
  - (K) Type and amount of raw materials used and/or stored on the premises;
  - (L) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
  - (M) Any other information as may be deemed by the city to be necessary to evaluate the permit application. The city will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the city may issue a wastewater discharge permit subject to the terms and conditions provided in this Section 13.10.050.
- (c) Permit Modifications. As soon as possible (not later than ninety days) after any change in the National Categorical Pretreatment Standard, the wastewater discharge permit of the users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a Federal Categorical Pretreatment Standard has not previously submitted an application for a wastewater discharge permit as required by Section 13.10.050(b)(2), the user shall apply for a wastewater discharge permit within ninety days after the promulgation of the applicable Federal Categorical Pretreatment Standard. In addition, the user with an existing wastewater discharge permit shall submit to the superintendent or pretreatment program manager within ninety days after the promulgation of an applicable National Categorical Pretreatment Standard the information required by paragraphs (H) and (I) of subdivision (2) of subsection (b) of this section.
- (d) Mandatory Permit Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the city. Permits must contain the following as determined by the superintendent or pretreatment program manager:
- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
  - (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the city in accordance with this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
  - (3) Limits on the monthly average and daily maximum wastewater constituents and characteristics. This includes requirements for implementation of best management practices, based on applicable pretreatment standards;
  - (4) Specifications for monitoring programs which shall include identifying sampling locations, sampling frequency, number, types, and standards for tests, and reporting schedule;
  - (5) Compliance schedules, if applicable. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law;
  - (6) Requirements to control slug discharge, if determined by the city to be necessary;
  - (7) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with this chapter;
  - (8) Any grant of the monitoring waiver by the city;
  - (9) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the city and affording city access thereto;

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- (10) Requirements for notification of the city of any new introduction of wastewater constituents or substantial change in the volume or character of the wastewater constituents being introduced into the POTW;
  - (11) Requirements for the notification of city within twenty-four hours of becoming aware of a violation, and to require such nondomestic users to resample and submit results of the resampling to the city within thirty days;
  - (12) A statement of applicable, civil and criminal penalties for violations of pretreatment standards and requirements.
- (e) Optional Permit Conditions. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:
- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the POTW;
  - (2) Limits on monthly average and daily maximum rate and time of discharge requirements for flow regulation and equalization;
  - (3) Requirements for installation and maintenance of inspection and sampling facilities;
  - (4) Requirements for submission of technical reports;
  - (5) Requirements for notification of slug discharges as per Section 13.10.030(i);
  - (6) Other conditions as deemed appropriate by the city to ensure compliance with this discharge.
- (f) Permit Duration. Permits shall be renewable annually. Any fees payable shall not be prorated. The user shall apply for permit reissuance a minimum of ninety days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the city during the term of the permit as limitations or requirements identified in Section 13.10.030 are modified or other just cause exists. Any changes or new conditions in the permit shall include reasonable time schedule for compliance.
- (g) Permit Transfer. Wastewater discharge permits are issued to a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the written approval of the city. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.
- (h) Reporting Requirements.
- (1) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
  - (2) Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation. Resampling by the industrial user is not required if the City of Keokuk performs sampling at the user's facility at least once a month, or if the City of Keokuk performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the City of Keokuk receives the results of this sampling, or if the city has performed the sampling and analysis in lieu of the industrial user. If the city performed the sampling and analysis in lieu of the industrial user, the city will perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
  - (4) Baseline Monitoring Reports.

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- (A) Within either one hundred eighty days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the superintendent a report which contains the information listed in paragraph (B), below. At least ninety days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the superintendent a report which contains the information listed in paragraph (B), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (B) Users described above shall submit the information set forth below:
- (i) All information required in Section 13.10.050(b).
  - (ii) Measurement of pollutants.
    - a. The user shall provide the information required in Section 13.10.050(c).
    - b. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
    - c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the control authority;
    - d. Sampling and analysis shall be performed in accordance with Sections 13.10.050(l), (m);
    - e. The superintendent may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
    - f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
  - (iii) Compliance Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
  - (iv) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable



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pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 13.10.050(h)(6)(A)—(E) of this chapter.

- (v) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 13.10.050(aa) of this chapter and signed by an authorized representative as defined in this chapter.
  - (5) Ninety-Day Compliance Report. Within ninety days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to categorical pretreatment standards and requirements shall submit to the superintendent or pretreatment program manager a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by categorical pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such categorical pretreatment standards or requirements. The report shall state whether the applicable categorical pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable categorical pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user, and certified to by a qualified professional.
- (6) Compliance Schedule Progress Reports.
- (A) The following conditions shall apply to the compliance schedule required by this chapter;
  - (B) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
  - (C) No increment referred to above shall exceed nine months;
  - (D) The user shall submit a progress report to the superintendent no later than fourteen days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule; and
  - (E) In no event shall more than nine months elapse between such progress reports to the superintendent.
- (7) Periodic Compliance Reports.
- (A) All significant industrial users shall submit to the superintendent or pretreatment program manager, at the frequency stated in the wastewater discharge permit, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards and/or wastewater discharge permit. In addition, this report shall include a record of all daily flows during the reporting period.
  - (B) In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the superintendent or the pretreatment standard necessary to determine the compliance status of the user.

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- (i) The City of Keokuk may authorize an industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:
- (1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
  - (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than five years. The user must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
  - (3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
  - (4) The request for a monitoring waiver must be signed in accordance with and include the certification statement.
  - (5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
  - (6) Any grant of the monitoring waiver by the superintendent must be included as a condition in the user's permit. The reasons supporting the waiver and any information submitted by the user in its request for the waiver must be maintained by the superintendent for five years after expiration of the waiver.
  - (7) Upon approval of the monitoring waiver and revision of the user's permit by the superintendent, the industrial user must certify on each report that there has been no increase in the pollutant in its wastestream due to activities of the industrial user.
  - (8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the user's operations, the user must immediately:
    - (A) Comply with the monitoring requirements of their most recent monitoring permit, or other more frequent monitoring requirements imposed by the superintendent, and notify the superintendent.
  - (9) This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- (j) The City of Keokuk may reduce the requirement for periodic compliance reports to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard or by the EPA/State of Iowa, where the industrial user's total categorical wastewater flow does not exceed any of the following:
- (1) Five thousand gallons per day as measured by a continuous effluent flow monitoring device unless the industrial user discharges in batches.
  - (2) 1.19 pounds per day BOD.
  - (3) 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed in accordance with Section 13.10.030.

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- (4) Reduced reporting is not available to industrial users that have in the last two years been in significant noncompliance, as defined in Section 13.10.020 of this chapter.
  - (5) In addition, reduced reporting is not available to an industrial user with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of the superintendent, decreasing the reporting requirement for this industrial user would result in data that are not representative of conditions occurring during the reporting period.
  - (k) All periodic compliance reports, permit applications, baseline monitoring reports, and ninety-day compliance reports must be signed and certified using the following certification statement:

"I certify under penalty of the law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
  - (l) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
  - (m) If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the superintendent, using the procedures prescribed in this chapter, the results of this monitoring shall be included in the report.
  - (n) Users that send electronic (digital) documents to the City of Keokuk to satisfy the requirements of this section must contain at a minimum:
    - (1) Industry name/location.
    - (2) Date for the report.
    - (3) Analytical data required in permit.
    - (4) Violations of permit limits.
    - (5) Certification statement.
    - (6) Electronic signature.
  - (o) Reports of changed conditions; each user must notify the superintendent of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least forty-five days before the change.
    - (1) The superintendent may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application in this chapter.
    - (2) The superintendent may issue an individual wastewater discharge permit under this chapter or modify an existing wastewater discharge permit under this chapter in response to changed conditions or anticipated changed conditions.
  - (p) Reports of Potential Problems.
    - (1) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a slug discharge or slug load, that might cause potential problems for the POTW, the user shall immediately telephone and notify the

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- superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (2) Within five days following such discharge, the user shall, unless waived by the superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
  - (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
  - (4) Significant industrial users are required to notify the superintendent immediately of any changes at its facility affecting the potential for a slug discharge.
- (q) Reports from Unpermitted Users. All users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the superintendent as the superintendent may require.
  - (r) Mass Limitations. The superintendent or pretreatment program manager may impose mass limitations on users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required in this subdivision shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature of the concentration, or production and mass where requested by the superintendent or pretreatment program manager, of pollutants contained therein which are limited by the applicable pretreatment standards or wastewater discharge permit. All analysis shall be performed in accordance with procedures established by the Administrator pursuant to Section 304(g) of the Act and contained in 40 CFR Part 136 and amendments thereto or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.
  - (s) Records.
    - (1) Any industrial user subject to the reporting requirements shall maintain records of all information resulting from any monitoring activities and documentation associated with best management practices. Such records shall include for all samples:
      - (A) The date, exact place, method and time of sampling, and the names of the person or persons taking the sample;
      - (B) The date analyses were done;
      - (C) The name or names of persons doing the analyses;
      - (D) The analytical techniques used;
      - (E) The results of the analyses.
    - (2) Industrial users subject to the reporting requirements shall keep any monitoring records and analytical results, and records associated with the implementation of best management practices for a minimum of five years and shall make them available for inspection and copying by the city. This period may be extended during any unresolved litigation involving the industrial user.
  - (t) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

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Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: An identification of the hazardous constituents contained in the wastes, the estimation of the mass and concentration of such constituents in the wastestream discharged during the calendar month, and an estimation of the mass constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place no later than one hundred eighty days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 13.10.050(b)(1). The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 13.10.050(k)—(o).

- (1) Dischargers are exempt from the requirements of paragraph k, above, during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
  - (2) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the superintendent, the EPA Regional Waste Management Waste Division Director, the state hazardous waste authorities of the discharge of such substance within ninety days of the effective date of such regulations.
  - (3) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
  - (4) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable federal or state law.
- (u) Analytical Requirements. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.
- (v) Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (1) Except as indicated in Sections (2) and (3) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the superintendent. Where time-proportional composite sampling or grab sampling is authorized by the City of Keokuk, the samples must be representative of the discharge. Using protocols including appropriate preservation specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis in the laboratory or in the field. Composite samples for other

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- parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City of Keokuk, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
- (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
  - (3) For sampling required in support of baseline monitoring and ninety-day compliance reports required in [40 CFR 403.12(b) and (d)], a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the superintendent may authorize a lower minimum. For the reports required, the industrial user is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.
  - (4) If sampling performed by a user indicates a violation, the user must notify the superintendent within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the superintendent within thirty days after becoming aware of the violation.
- (w) Date of receipt of reports written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.
- (x) Monitoring Access Facilities.
- (1) All industrial users may be required to provide and maintain, at the user's own expense, a monitoring access facility to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring access facility should normally be situated on the user's premises, but the city may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area located so that it will not be obstructed by landscaping or parked vehicles.
  - (2) There shall be ample room in or near such monitoring access facility to allow accurate sampling and preparation of samples for analysis. The monitoring access facility, sampling equipment, testing equipment and flow measuring equipment shall be provided by all industrial users and maintained at all times in a safe and proper operating condition at the expense of the user.
  - (3) Whether constructed on public or private property, the sampling equipment, flow measurement equipment and monitoring facilities shall be provided by all industrial users in accordance with the city's requirements and all applicable local construction standards and specifications. Construction shall be completed within ninety days following written notification by the city.
- (y) Inspection and Sampling. Industrial users shall allow the city or its representative ready access at reasonable times to all areas of an IU's facility including, but not limited to, process areas, areas with floor drains, chemical storage areas, hazardous waste generation and storage areas, pretreatment systems, connections to the sewer, areas where waste hauling and production take place, areas in which an effluent source is located or a pretreatment facility or facility to prevent accidental discharges or in which any records are required to be maintained under this chapter are located for the purpose of inspection, sampling, examination and for copying of records or in the performance of any of their duties under this chapter. The city, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with security guards so that upon

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presentation of suitable identification, personnel from the city, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(z) Pretreatment.

- (1) Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all applicable Federal Categorical Pretreatment Standards within the time limitations specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater at a level or condition acceptable to the city shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be acceptable to the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.
- (2) The city shall annually publish in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the city, a list of the users which, at any time during the previous twelve months, were in significant noncompliance, as defined in Section 13.10.020, with applicable pretreatment standards and requirements. The notification shall also summarize any enforcement actions taken against the user during the same twelve-month period.
- (3) All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or approval authority upon request.
- (4) Confidential Information. In accordance with 40 CFR Part 2, any information submitted to the city pursuant to this chapter may be claimed as confidential by the submitter. If such a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2. If no such claim is asserted, the city may make the information available to the public without further notice. Information and data provided to the city under this chapter which is effluent data shall be available to the public without restriction.

(aa) Certification Statements.

- (1) Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by users submitting permit applications in accordance with Section 13.10.050(b), users submitting baseline monitoring reports; users submitting reports on compliance with the categorical pretreatment standard deadlines. Users submitting periodic compliance reports, and users submitting an initial request to forego sampling of a pollutant. The following certification statement must be signed by an authorized representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (2) Annual Certification for Non-Significant Categorical Industrial Users. A facility determined to be a non-significant categorical industrial user by the superintendent pursuant to must annually submit the following certification statement signed in accordance with the signatory requirements. This certification must accompany an alternative report required by the superintendent:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR \_\_\_\_, I certify that, to the best of my knowledge and belief that during the period from \_\_\_\_\_, \_\_\_\_\_ to \_\_\_\_\_, \_\_\_\_\_ [months, days, year]:

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- (a) The facility described as \_\_\_\_\_ [facility name] met the definition of a non-significant categorical industrial user.
  - (b) The facility complied with all applicable pretreatment standards and requirements during this reporting period;
  - (c) The facility never discharged more than one hundred gallons of total categorical wastewater on any given day during this reporting period; and
  - (d) This compliance certification is based on the following information.

(3) Certification of Pollutants Not Present.

- (A) Users that have an approved monitoring waiver must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the user.

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR \_\_\_\_, I certify that, to the best of my knowledge and belief, there has been no increase in the level of \_\_\_\_\_ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report.

(Ord. No. 1959, § 1, 11-17-16)

### **13.10.060 Enforcement.**

(a) Enforcement Response Plan

(1) All enforcement under the City of Keokuk Pretreatment Program and this ordinance will follow the requirements listed in the current approved IDNR/EPA City of Keokuk Industrial Pretreatment Enforcement Response Plan

(b) Harmful Contributions.

- (1) The city may immediately suspend the wastewater treatment service and/or a wastewater discharge permit when such suspension is necessary, in the opinion of the city, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, may cause interference to the POTW or causes the city to violate any condition of its NPDES permit.
- (2) Any person notified of a suspension of the wastewater treatment service and/or the wastewater discharge permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize danger to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrences shall be submitted to the city within fifteen days of the date of the occurrence.

(c) Revocation of Permit. Any user who violates the following conditions of this chapter, or applicable state or federal regulations, is subject to having its permit revoked in accordance with the procedures of this section:

- (1) Failure of the user to factually report the wastewater constituents and characteristics of its discharge;



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- (2) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
  - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring in accordance with Section 13.10.050(y);
  - (4) Violation of conditions of the permit;
  - (5) Knowingly supplying any false information or statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter;
  - (6) Violation of any of the provisions and/or requirements of this chapter.
- (d) Notification of Violation. Whenever the city finds that any user has violated this chapter, a wastewater discharge permit or any prohibition, limitation or requirement contained in this chapter, in addition to any other action which the city may take pursuant to Section 13.10.070 the city shall serve upon such person a written notice stating the nature of the violation. Within thirty days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the city by the user. Whenever reports and renewal of discharge permits are not submitted as required, there will be assessed an additional fee of one hundred dollars, and submission will be required within seven days after written notification of the violation. An appeal to the city council may be taken by any user aggrieved or affected by any decision by the city regarding this chapter. Such appeal shall be taken within thirty days of the decision by filing with the pretreatment program manager a written notice of the appeal with the appeal fee containing: (1) the name of the applicant; (2) a brief statement setting forth the basis of the appeal, together with any material facts claimed to support the contentions of the appellant; and (3) a brief statement of the relief sought and the reasons why it is claimed that the protested decision should be revised, modified or otherwise set aside. The appeal shall be considered by the city council at its next scheduled meeting with a written decision being issued by the city council at the meeting.
- (e) Show Cause Hearing.
- (1) Show Cause Hearings will follow the current approved IDNR/EPA City of Keokuk Enforcement Response Plan.
- (f) Administrative Compliance Orders. When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the superintendent may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.
- (g) Legal Action. When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the superintendent may petition the district court through the city attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The superintendent may also seek such other actions as is appropriate for legal and/or

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equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. No. 1959, § 1, 11-17-16)

### **13.10.070 Penalties—Costs.**

(a) Civil Penalties.

- (1) Any user which has violated or continues to violate this chapter, any order or wastewater discharge permit hereunder, or any pretreatment standard or requirement, referred to in 40 CFR 403.8, shall be liable to the city for a civil penalty in an amount not to exceed one thousand dollars for each day a violation exists or continues.
- (2) Additionally, the city may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the costs of any actual damages incurred by the city.
- (3) In determining the amount of civil liability, the court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factors as justice may require.
- (4) Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a user.

(b) Criminal Penalties.

- (1) Any user that willfully or negligently violates any provision of this chapter, any orders or wastewater discharge permits issued hereunder, or any other pretreatment requirement shall, upon conviction, be guilty of a misdemeanor, are subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor.
- (2) Any user that willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor.
- (3) This penalty shall be in addition to any other cause of action for personal injury or property damage available under state or federal law.
- (4) Any user that knowingly makes any false statement, representation or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a misdemeanor and be subject to the penalties prescribed by the laws of the State of Iowa as a misdemeanor. See Section 364, Code of Iowa.

(c) Administrative Fines.

- (1) When the superintendent finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement the superintendent may fine such user in an amount not to exceed one thousand dollars. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation.

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- (2) Unpaid charges, fines and penalties shall, after sixty calendar days, be assessed an additional penalty of five percent of the unpaid balance, and interest shall accrue thereafter at a rate of one percent per month. A lien against the user's property will be sought for unpaid charges, fines and penalties.
  - (3) Users desiring to dispute such fines must file a written request for the superintendent to reconsider the fine along with full payment of the fine amount within thirty days of being notified of the fine. Where a request has merit, the superintendent may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The superintendent may add the cost of preparing administrative enforcement actions, such as notices and orders, to the fine.
  - (4) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. No. 1959, § 1, 11-17-16)

## **Chapter 13.14 INDUSTRIAL COST RECOVERY**

### **13.14.010 Fees.**

All existing and/or future industrial developments which contribute process wastes to the facilities constructed under EPA Project No. C190594 shall be charged a fee in proportion to their process waste contribution as compared to the design criteria of the waste treatment works project.

(Ord. 1374 § 1 (part), 1983)

### **13.14.020 Industrial user or development defined.**

- (a) For the purpose of this chapter, "industrial user" or "industrial development" means any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:
  - (1) Division A, agriculture, forestry and fishing;
  - (2) Division B, mining;
  - (3) Division D, manufacturing;
  - (4) Division E, transportation, communications, electric, gas and sanitary services;
  - (5) Division I, services.
- (b) A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(Ord. 1374 § 1 (part), 1983)

### **13.14.030 Amount.**

The industrial cost recovery amount shall be based on the federal government's share of the grant-eligible portion of the Keokuk total project cost. Industries' payment shall be amortized over a twenty-five-year cost recovery period and shall not include an interest component.

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(Ord. 1374 § 1 (part), 1983)

#### **13.14.040 Disposition of funds.**

The city shall retain fifty percent of the amount recovered from industrial users incident to Section 13.14.030. Eighty percent of these amounts retained by the city will be deposited annually into a special city fund which will be called the "Keokuk Industrial Cost Recovery Fund—80." The remaining twenty percent of the funds retained by the city will be deposited annually into another special city fund which will be called the "Keokuk Special Projects Fund—20." The remaining fifty percent of the amounts recovered from industrial users, incident to Section 13.14.030, together with any interest earned thereon, shall be returned to the U.S. Treasury, through the U.S. Environmental Protection Agency, on an annual basis.

(Ord. 1374 § 1 (part), 1983)

#### **13.14.050 Use of funds.**

Eighty percent of the amounts retained by the city and which will be deposited into the "Keokuk Industrial Cost Recovery Fund—80," together with interest earned thereon, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the U.S. Environmental Protection Agency. The city shall obtain the written approval of the Regional Administrator of the U.S. Environmental Protection Agency prior to commitment of these retained amounts for any expansion and reconstruction.

(Ord. 1374 § 1 (part), 1983)

#### **13.14.060 Investment of funds.**

Pending use, the amounts deposited in the "Keokuk Industrial Cost Recovery Fund—80" will be invested by the city in a local banking institution whose deposits are insured by the Federal Deposit Insurance Corporation (F.D.I.C.).

(Ord. 1374 § 1 (part), 1983)

#### **13.14.070 City funds.**

Twenty percent of the amounts retained by the city and which will be deposited into "Keokuk Special Projects Fund—20," shall be used as the city desires. However, these funds shall not be used to reduce the sewer use charge to any person or firm.

(Ord. 1374 § 1 (part), 1983)

#### **13.14.080 Determination of amount.**

The industrial cost recovery assessment to each industrial user that contributes process wastes to the sanitary sewer system will be based on the average daily contribution from that user. The formula for determining the total amount to be collected from each industrial user is as follows:

- (1)  $ICRA = ICRA_a = ICRA_{subsub}$ ; = total amount owed by one particular industry in any given year.
- (2)

---


$$ICRA_a = \frac{0.75}{25} \left( \frac{V_u}{V_d} K_q + \frac{B_u}{B_d} K_b + \frac{S_u}{S_d} K_s \right)$$

Where:

$ICRA_a$  = amount owed for industrial cost recovery of the construction of the secondary treatment portion, and accessories thereto, of the Keokuk Water Resource Recovery Facility;

0.75 = that fraction of the grant-eligible costs covered by the federal share;

25 = amortization period, years;

$V_u$ ,  $B_u$ ,  $S_u$  = volume of flow (V), amount of BOD, the amount of total suspended solids (TSS), respectively, contributed by a user per unit of time (million gallons per day, pounds per day, etc.);

$V_d$ ,  $B_d$ ,  $S_d$  = capacity of the secondary treatment portion per unit of time for V, BOD and TSS, respectively;

$K_q$ ,  $K_b$ ,  $K_s$  = the portion of the grant-eligible costs of the secondary treatment works allocated to V, BOD and TSS, respectively, in dollars.  $K_q$ ,  $K_b$ ,  $K_s$  are to be 18.58 percent, 60.84 percent and 20.58 percent of the grant-eligible cost, respectively.

(3)

$$ICRA_{sub} = \frac{0.75}{25} \left( \frac{V_{us}}{V_{cs}} K_{sc} \right)$$

where:

$ICRA_{sub}$  = amount owed for industrial cost recovery of the federal share of the construction of the new Soap Creek lift station;

0.75 = that fraction of the lift station cost covered by the federal share;

25 = amortization period, years;

$V_{us}$  = volume or lift station capacity (V) contributed by a user per unit of time (MGD);

$K_{sc}$  = cost of construction of Soap Creek lift station.

(Ord. 1374 § 1 (part), 1983)

### 13.14.090 Testing.

- (a) All industrial users connected to the Keokuk sewerage system shall be self-monitored to determine their hydraulic, organic and solids contribution. The nature and frequency of testing shall be determined by the city and results shall be reported at least monthly. All sampling and testing procedures shall be subject to review and inspection by the city at any time.
- (b) The results of these tests shall be composited and used as the individual industry's average daily flow, BOD and total suspended solids for the industrial cost recovery computation. Prior to June 30th of each year, the city shall conduct a review to determine what industrial users are connected to the Keokuk sewerage system and therefore subject to these charges.

(Ord. 1374 § 1 (part), 1983)

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### **13.14.100 Billing.**

All industrial users initially and subsequently subject to this chapter will be billed by the city on July 15, 1977, and for the next twenty-four years by July 15th thereafter, which billing shall be based on actual use of the facilities. Payment by the city to the U.S. Treasury, through the Environmental Protection Agency, or its successors, will be made by August 31st, beginning in the year 1977 and for the next twenty-four years thereafter with final payment due in the year 2001.

(Ord. 1374 § 1 (part), 1983)

### **13.14.110 Default of payments.**

If and when any industrial user subject to this chapter fails to make any payment required by Section 13.14.100, within thirty days from the date of proper billing by the city, the industrial user shall be in default and the city shall take such actions as are deemed necessary to collect all payments in default from such industrial user and to enforce Sections 13.14.080, 13.14.090 and 13.14.100 to recover any sums due the city under this chapter.

(Ord. 1374 § 1 (part), 1983)

### **13.14.120 Notice of changes.**

Any change or amendment to this chapter must have the written approval of the Regional Administrator of the U.S. Environmental Protection Agency.

(Ord. 1374 § 1 (part), 1983)



# COUNCIL ACTION FORM

Date: 4/20/2023

Presented By: El Anfaoui/O'Donnell

Subject: FY 2022 Audit Agenda Item: 9

## Description:

Anderson and Larkin will present the FY 2022 Audit for your consideration.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Date

---



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### Recommendation:

Staff recommends approval.

## Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

---

## CITY COUNCIL VOTES

[illegible]



**RESOLUTION NO.**

**A RESOLUTION ACCEPTING THE ANNUAL FINANCIAL AUDIT REPORT  
FOR FISCAL YEAR ENDING JUNE 30, 2022**

**WHEREAS**, the City of Keokuk, Iowa is required to conduct an annual financial audit;  
and

**WHEREAS**, the accounting firm of Anderson, Larkin & Co has completed said audit for  
Fiscal Year Ending June 30, 2022.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
KEOKUK IOWA, THAT** the City Council has reviewed and now accepts the Annual  
Financial Audit for Fiscal Year Ending June 30, 2022.

**PASSED, APPROVED, AND ADOPTED** this 20th day of April, 2023.

\_\_\_\_\_  
K. A. Mahoney, Mayor

ATTEST: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk



ANDERSON, LARKIN & CO., P.C.  
Certified Public Accountants  
*"Your Success Is Our Business."*

Kenneth E. Crosser, CPA  
April D. Crosser, CPA  
Michael J. Podliska, CPA  
Alexander T. Barr, CPA

March 20, 2023

To The Mayor and Members of the City Council  
City of Keokuk, Iowa

We have audited the cash basis financial statements of the governmental activities, the business-type activities, each major fund, the discretely presented component unit and the aggregate remaining fund information of the City of Keokuk, Iowa for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 1, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Keokuk, Iowa are described in Note 1 to the financial statements. We noted no transactions entered into by the City of Keokuk, Iowa during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The financial statement disclosures are neutral, consistent, and clear.

*Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial and communicate them to the appropriate level of management. No misstatements were noted during the audit.

*Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

To The Mayor and Members of the City Council  
City of Keokuk, Iowa  
March 20, 2023  
Page Two

#### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 20, 2023.

#### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City of Keokuk, Iowa's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

#### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Keokuk, Iowa's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

#### Other Matters

We applied certain limited procedures to the Management's Discussion and Analysis, Budgetary Comparison, Schedule of Receipts, Disbursements and Changes in Balances – Budget and Actual (Cash Basis), Schedule of the City's Proportionate Share of the Net Pension Liability and the Schedule of City Contributions for the Iowa Public Employees' Retirement System, and the Schedule of the City's Proportionate Share of the Net Pension Liability and Schedule of City Contributions for the Municipal Fire and Police Retirement System of Iowa, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the schedule of cash receipts, disbursements, and changes in cash balances-nonmajor governmental funds, schedule of indebtedness, bond and note maturities, and schedule of receipts by source and disbursements by function-all governmental funds, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with the cash receipts and disbursements basis of accounting, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

#### Restriction on Use

This information is intended solely for the information and use of the Mayor and the City Council and management of the City of Keokuk, Iowa and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

ANDERSON, LARKIN & CO., P.C.



CITY OF KEOKUK, IOWA

INDEPENDENT AUDITOR'S REPORTS  
BASIC FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION  
SCHEDULE OF FINDINGS

JUNE 30, 2022



CITY OF KEOKUK, IOWA

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CITY OF KEOKUK, IOWA

OFFICIALS  
JUNE 30, 2022

<u>Name</u>	(Before January 2022) <u>Title</u>	<u>Term Expires</u>
Tom Richardson	Mayor	December 31, 2021
Susan Dunek	Mayor Pro Tem	December 31, 2021
Devon Dade	Council Member – At Large	December 31, 2021
John Helenthal	Council Member – At Large	December 31, 2023
Michael O'Connor	Council Member – Ward 1	December 31, 2021
Linda Altheide	Council Member – Ward 2	December 31, 2023
Roslyn Garcia	Council Member – Ward 3	December 31, 2021
Steve Andrews	Council Member – Ward 4	December 31, 2023
Linda Marsden	Council Member – Ward 5	December 31, 2021
Roger Bryant	Council Member – Ward 6	December 31, 2023
Susan Dunek	Council Member – Ward 7	December 31, 2021
Cole O'Donnell	City Administrator	Indefinite
Jean Ludwig	City Clerk	Indefinite
James F. Dennis	Attorney	Indefinite
David Hinton	Chief of Police	Indefinite
Gabe Rose	Fire Chief	Indefinite

<u>Name</u>	(After January 2022) <u>Title</u>	<u>Term Expires</u>
Kathie Mahoney	Mayor	December 31, 2023
Michael Greenwald	Mayor Pro Tem	December 31, 2025
Shelley Oltmans	Council Member – At Large	December 31, 2023
John Helenthal	Council Member – At Large	December 31, 2023
Carissa Crenshaw	Council Member – Ward 1	December 31, 2025
Linda Altheide	Council Member – Ward 2	December 31, 2023
Roslyn Garcia	Council Member – Ward 3	December 31, 2025
Steve Andrews	Council Member – Ward 4	December 31, 2023
Dan Tillman	Council Member – Ward 5	December 31, 2023
Roger Bryant	Council Member – Ward 6	December 31, 2023
Michael Greenwald	Council Member – Ward 7	December 31, 2025
Cole O'Donnell	City Administrator	Indefinite
Celeste El Anfaoui	City Clerk	Indefinite
James F. Dennis	Attorney	Indefinite
Zeth Baum	Chief of Police	Indefinite
Gabe Rose	Fire Chief	Indefinite



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Kenneth E. Crosser, CPA  
April D. Crosser, CPA  
Michael J. Podliska, CPA  
Alexander T. Barr, CPA

## INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and Members of the City Council of  
the City of Keokuk, Iowa

### **Report on the Audit of the Financial Statements**

#### **Opinions**

We have audited the accompanying financial statements of the governmental activities, the business type activities, each major fund, the discretely presented component unit and the aggregate remaining fund information of the City of Keokuk, Iowa, as of and for the year ended June 30, 2022, and the related Notes to the Financial Statements, which collectively comprise the City's basic financial statements listed in the table of contents.

#### **Summary of Opinions**

<u>Opinion Unit</u>	<u>Type of Opinion</u>
Government Activities	Unmodified
Business-Type Activities	Unmodified
Aggregate Discretely Presented Component Units	Adverse
Major Governmental Funds:	
General	Unmodified
Road Use Tax	Unmodified
Local Option Sales Tax	Unmodified
Employee Benefits	Unmodified
Urban Renewal TIF	Unmodified
Debt Service	Unmodified
Cemetery Perpetual Care	Unmodified
Capital Projects	Unmodified
Major Enterprises Funds:	
Sewer	Unmodified
Bridge	Unmodified
Solid Waste	Unmodified
Aggregate Remaining Fund Information	Unmodified

#### **Basis for Adverse Opinion on the Aggregate Discretely Presented Component Units**

The financial statements do not include the financial data for the City's legally separate component units. Accounting principles applicable to the cash basis of accounting require the financial data for those component units be reported with the financial data of the City's primary government unless the City also issued financial statements for the financial reporting entity which include the financial data for its component units. The City has not issued such reporting entity financial statements. The amounts by which this departure would affect the receipts, disbursements and cash balances of the aggregate discretely presented component units has not been determined.



## **Adverse Opinion**

In our opinion, because of the significance of the matter discussed in the "Basis for Adverse Opinion on the Aggregate Discretely Presented Component Units" paragraph, the financial statements referred to above do not present fairly the financial position of the aggregate discretely presented component units of the City of Keokuk, Iowa as of June 30, 2022, or the changes in cash basis financial position thereof for the year then ended in accordance with the basis of accounting described in Note 1.

## **Unmodified Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective cash basis financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the City of Keokuk, Iowa, as of June 30, 2022, and the respective changes in its cash basis financial position for the year then ended in accordance with the basis of accounting described in Note 1.

## **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of Financial Statements section of our report. We are required to be independent of the City of Keokuk, Iowa, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

## **Basis of Accounting**

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinions are not modified with respect to this matter.

## **Emphasis of Matter**

As discussed in Note 9 to the financial statements, the City of Keokuk, Iowa adopted new accounting guidance related to Governmental Accounting Standards Board Statement No. 87, Leases. Our opinions are not modified with respect to this matter.

## **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting described in Note 1, and for determining the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Keokuk, Iowa's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgement made by a reasonable user based on the financial statements.



In performing an audit in accordance with GAAS and Government Auditing Standards, we:

- Exercise professional judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Keokuk, Iowa's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Keokuk, Iowa's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Keokuk, Iowa's basic financial statements. We previously audited, in accordance with the standards referred to in the third paragraph of this report, the financial statements for the six years ended June 30, 2021 (which are not presented herein) and expressed qualified opinions on those financial statements which were prepared on the basis of cash receipts and disbursements. The financial statements for the three years ended June 30, 2015 (which are not presented herein) were audited by other auditors. The other auditors expressed qualified opinions on those financial statements which were prepared on the basis of cash receipts and disbursements. The supplementary information included in Schedules 1 through 4 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information in Schedules 1 through 4 is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### **Other Information**

Management is responsible for the other information included in the annual report. The other information comprises the Management's Discussion and Analysis, the Budgetary Comparison Information, the Schedule of the City's Proportionate Share of the Net Pension Liability and the Schedule of City Contributions on pages 6 through 11 and 33 through 45 but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

### **Other Reporting Required by *Government Auditing Standards***

In accordance with Government Auditing Standards, we have also issued our report dated March 20, 2023, on our consideration of the City of Keokuk, Iowa's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City of Keokuk, Iowa's internal control over financial reporting and compliance.

ANDERSON, LARKIN & CO., P.C.

*Anderson, Larkin, & Co., P.C.*

Ottumwa, Iowa  
March 20, 2023



# **CITY OF KEOKUK, IOWA**

## **MANAGEMENT'S DISCUSSION AND ANALYSIS**

### **JUNE 30, 2022**

The City of Keokuk, Iowa provides this Management's Discussion and Analysis of its financial statements. This narrative overview and analysis of the financial activities is for the fiscal year ended June 30, 2022. We encourage readers to consider this information in conjunction with the City's financial statements, which follow.

#### **2022 FINANCIAL HIGHLIGHTS**

- Receipts from the City's governmental activities increased 6.5% or \$921,351 from fiscal year 2021 to fiscal 2022. The increase in receipts is primarily a result of an increase in transfers.
- Disbursements of the City's governmental activities increased 9.5% or \$1,224,587 from fiscal 2021 to fiscal 2022. The increase in disbursements was primarily the result of more expenditures for debt service and general government.
- The City's total cash basis net position increased \$4,494,560 from June 30, 2021 to June 30, 2022. Of this amount, the cash basis net position of the governmental activities increased \$1,102,036 and the cash basis net position of the business-type activities increased by \$3,392,524.

#### **USING THIS ANNUAL REPORT**

The annual report consists of a series of financial statements and other information as follows:

Management's Discussion and Analysis introduces the basic financial statements and provides an analytical overview of the City's financial activities.

The Government-wide Financial Statement consists of a Cash Basis Statement of Activities and Net Position. This statement provides information about the activities of the City as a whole and presents an overall view of the City's finances.

The Fund Financial Statements tell how governmental services and business-type activities were financed in the short term as well as what remains for future spending. Fund financial statements report the City's operation in more detail than the government-wide statement by providing information about the most significant funds.

Notes to Financial Statements provide additional information essential to a full understanding of the data provided in the basic financial statements.

Other Information further explains and supports the financial statements with a comparison of the City's budget for the year and the City's proportionate share of the net pension liabilities and related contributions.

Supplementary Information provides detailed information about the non-major governmental funds and the City's indebtedness.

#### **Basis of Accounting**

The City maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The cash basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with U.S. generally accepted accounting principles. Therefore, when reviewing the financial information and discussion within this annual report, readers should keep in mind the limitations resulting from the use of the cash basis of accounting.

## **REPORTING THE CITY'S FINANCIAL ACTIVITIES**

### *Government-wide Financial Statement*

One of the most important questions asked about the City's finances is, "Is the City as a whole better off or worse off as a result of the year's activities?" The Cash Basis Statement of Activities and Net Position reports information that helps answer this question.

The Cash Basis Statement of Activities and Net Position presents the City's cash basis net position. Over time, increases or decreases in the City's net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Cash Basis Statement of Activities and Net Position is divided into two kinds of activities:

- Governmental Activities include public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service and capital projects. Property tax and state and federal grants finance most of these activities.
- Business-type Activities include the sewer, bridge and solid waste funds. These activities are financed primarily by user charges.

### *Fund Financial Statements*

The City has two kinds of funds:

- 1) Governmental funds account for most of the City's basic services. These focus on how money flows into and out of those funds, and the balances at year-end that are available for spending. The governmental funds include: 1) the General Fund, 2) the Special Revenue Funds, such as Road Use Tax, Local Option Sales Tax, Urban Renewal Tax Increment Financing (TIF) and Employee Benefits, 3) the Debt Service Fund, 4) the Capital Projects Funds and 5) Permanent Funds. The governmental fund financial statements provide a detailed, short-term view of the City's general government operations and the basic services it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. The required financial statement for governmental funds includes a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.
- 2) Proprietary funds account for the City's Enterprise Funds. Enterprise Funds are used to report business-type activities. The City maintains the Enterprise Funds to provide separate information for the sewer, bridge, and solid waste funds, considered to be major funds of the City. The required financial statement for proprietary funds includes a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.

## **GOVERNMENT-WIDE FINANCIAL ANALYSIS**

Net position may serve over time as a useful indicator of financial position. The City's cash balance for governmental activities increased from a year ago, increasing from \$5,737,856 to \$6,839,892. The analysis that follows focuses on the changes in cash basis net position of governmental activities.



## Changes in Cash Basis Net Position of Governmental Activities

	Year Ended June 30,	
	<u>2022</u>	<u>2021</u>
Receipts:		
Program receipts:		
Charges for service	\$ 633,554	\$ 445,411
Operating grants, contributions and restricted interest	2,286,170	2,441,565
Capital grants, contributions and restricted interest	91,062	118,410
General receipts:		
Property tax	5,255,797	5,001,198
Local option sales tax	1,584,485	1,596,679
Tax increment financing	1,186,299	1,247,593
Utility excise tax and replacement tax	1,055,119	952,114
Riverboat gaming tax	470,553	403,582
Hotel/motel tax	276,769	190,841
Unrestricted interest on investments	154,186	63,557
Bond/note proceeds	-	1,000,000
Other general receipts and transfers	<u>2,168,810</u>	<u>780,503</u>
Total receipts	<u>15,162,804</u>	<u>14,241,453</u>
Disbursements:		
Public safety	5,394,760	5,331,775
Public works	2,385,476	2,176,635
Culture and recreation	1,725,596	1,496,162
Community and economic development	279,461	273,503
General government	1,856,170	1,532,495
Debt service	2,121,185	1,703,192
Capital projects	<u>298,120</u>	<u>322,419</u>
Total disbursements	<u>14,060,768</u>	<u>12,836,181</u>
Change in cash basis net position	1,102,036	1,405,272
Cash basis net position beginning of year	<u>5,737,856</u>	<u>4,332,584</u>
Cash basis net position end of year	\$ <u>6,839,892</u>	\$ <u>5,737,856</u>

The City's total receipts for governmental activities increased 6.5% or \$921,351. The total cost (disbursements) of all programs and services increased 9.5% or \$1,224,587. The increase in receipts is primarily a result of an increase in transfers. The increase in disbursements was primarily the result of more expenditures for debt service and general government.

The cost of all governmental activities this year was \$14,060,768 compared to \$12,836,181 last year. However, as shown in the Statement of Activities and Net Position on pages 12 and 13, the amount that our taxpayers ultimately financed for these activities through City taxes was \$11,049,982 because some of the cost was paid by those directly benefited from the programs \$633,554 or by other governments and organizations that subsidized certain programs with grants and contributions \$2,377,232.

### Changes in Cash Basis Net Position of Business-Type Activities

	Year Ended June 30,	
	<u>2022</u>	<u>2021</u>
Receipts:		
Program receipts:		
Charges for service:		
Sewer	\$ 5,628,567	\$ 4,052,530
Bridge	217,079	286,787
Solid waste	904,779	752,914
Capital grants, contributions, and restricted interest:		
Sewer	216	1,008
Bridge	48,417	-
General receipts:		
Note proceeds	1,830,173	-
Miscellaneous	35,138	74,785
Total receipts	<u>8,664,369</u>	<u>5,168,024</u>
Disbursements:		
Sewer	3,705,332	4,197,624
Bridge	422,404	623,706
Solid waste	902,144	1,470,865
Total disbursements	<u>5,029,880</u>	<u>6,292,195</u>
Other financing sources (uses)	<u>(241,965)</u>	<u>2,704,276</u>
Change in cash basis net position	3,392,524	1,580,105
Cash basis net position beginning of year	<u>5,079,945</u>	<u>3,499,840</u>
Cash basis net position end of year	\$ <u>8,472,469</u>	\$ <u>5,079,945</u>

Total business-type activities receipts for the fiscal year increased \$3,496,345 or 67.7%. The increase in receipts was primarily the result of increases in capital loan notes and increases in sewer charges.

Total business-type activities disbursements decreased \$1,262,315 or 20.1% from the prior year. This resulted primarily from decreases in disbursements by the Sewer and Solid Waste Funds.

### INDIVIDUAL MAJOR GOVERNMENTAL FUND ANALYSIS

The City uses fund accounting to ensure and demonstrate compliance with finance – related legal requirements. The focus of the City's funds is to provide information on near-term inflows, outflows and cash balances of spendable resources. The following are the major reasons for the changes in fund balances of the major funds from the prior year.

- The General Fund is the chief operating fund of the City. The cash balance increased \$794,071 from the prior year to \$3,289,444 due to an increase in transfers into the fund.
- The Road Use Tax Fund (RUTF) cash balance increased \$203,651 to \$1,442,225 due to receipts exceeding disbursements during the current year.
- The Local Option Sales Tax cash balance increased \$214,407 to \$810,515. This increase was due to other city tax receipts exceeding transfers out of the fund.
- The Employee Benefits Fund decreased \$111,633 to \$803,814 due to an increase in transfers out of the fund.
- The Urban Renewal TIF Fund decreased \$195,813 to a deficit of (\$153,632) due to a decrease in tax increment financing receipts and transfers out of the fund.



## INDIVIDUAL MAJOR GOVERNMENTAL FUND ANALYSIS (Continued)

- The Debt Service Fund decreased \$488,248 to \$22,241, due to an increase in debt service disbursements.
- The Capital Projects Fund increased \$528,538 to a deficit of \$(174,291), due to an increase in transfers into the fund.
- The Cemetery Perpetual Care Fund increased \$7,201 to \$505,562 due to receipts exceeding disbursements during the current year.

## INDIVIDUAL MAJOR BUSINESS TYPE FUND ANALYSIS

- The Sewer Fund cash balance increased \$3,521,317 to \$6,035,138 due to an increase in receipts and a decrease in capital project disbursements.
- The Bridge Fund cash balance decreased \$137,048 to \$2,227,223 due to a decrease in receipts.
- The Solid Waste Fund cash balance increased \$8,255 to \$210,108 due to an increase in receipts and a decrease in disbursements.

## BUDGETARY HIGHLIGHTS

In accordance with the Code of Iowa, the City Council annually adopts a budget following required public notice and hearings for all funds. Although the budget document presents functional disbursements by fund, the legal level of control is at the aggregated function level, not at the fund or fund-type level. The budget may be amended during the year utilizing similar statutorily prescribed procedures. Over the course of the year, the City amended its operating budget two times. The first amendment was approved on December 16, 2021 and resulted in an increase in budgeted revenues and an increase in budgeted operating disbursements of \$1,288,593 and \$659,241, respectively. The second amendment was approved on April 21, 2022 and resulted in a decrease in budgeted revenues and in budgeted operating disbursements of \$21,525,430 and \$21,625,328, respectively. The City exceeded the amount budgeted in the Debt Service and Capital Projects functions for the year ended June 30, 2022.

## DEBT ADMINISTRATION

At June 30, 2022, the City had \$25,271,241 in bonds and other long-term debt outstanding, compared to \$26,002,241 last year as shown below.

	<u>Outstanding Debt at Year End</u>	
	June 30,	
	<u>2022</u>	<u>2021</u>
General obligation bonds/notes	\$ 13,485,000	\$ 13,465,000
Revenue notes	<u>11,786,241</u>	<u>12,537,241</u>
Total	\$ <u>25,271,241</u>	\$ <u>26,002,241</u>

The Constitution of the State of Iowa limits the amount of general obligation debt cities can issue to 5% of the assessed value of all taxable property within the City's corporate limits. The City's outstanding general obligation and Tax Increment Financing (TIF) debt of \$13,485,000 is below its constitutional debt limit of \$32,291,303. Additional information about the City's long-term debt is presented in Note 3 to the financial statements.

More detailed information about the City's long-term liabilities is presented in Note 3 to the financial statements. It is important to note that all revenues derived from Keokuk Senior Housing TIF are directed toward internal debt service and bank debt for the industrial development project is being serviced from TIF revenues from that project.

## ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

The City of Keokuk, Iowa's elected, and appointed officials and citizens considered many factors when setting the fiscal year 2022 budget, tax rates and fees charged for various City activities. One of those factors is the economy. The Lee County unemployment rate now stands at 4.7% versus 6.6% a year ago. This compares with the State's unemployment rate of 2.6% and the national rate of 3.6%.

## **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES (continued)**

The continued poor economy, high unemployment regionally, the increased cost of public pensions and a rollback on commercial property taxable valuation has caused the City to continue to experience cuts in revenues resulting in decreased operating revenues for the City especially in general fund departmental operations. There is also concern regarding future property tax revenues resulting from State legislation which could overhaul the property tax system. Changes are currently in effect and will significantly impact the City in future years.

## **EXCLUDED COMPONENT UNITS**

Keokuk Municipal Waterworks (Waterworks) is a component unit of the City of Keokuk, Iowa. Waterworks and the City of Keokuk, Iowa are considered separate legal entities. Waterworks meets the component unit definition because the City Council appoints the Board of Trustees of Waterworks. However, since Waterworks operates under the accrual method of accounting and the City of Keokuk, Iowa operates under the cash method of accounting, this component unit has not been presented in the accompanying financial statements. The financial statements of Waterworks are available at Waterworks' office, 20 North 4<sup>th</sup> Street, Keokuk, Iowa.

Keokuk Public Library Foundation (Foundation) is a component unit of the City of Keokuk, Iowa. The Foundation, a separate legal entity, exists for the purpose of attracting funds to benefit the Public Library which serves the Keokuk area and to disburse those funds in a manner which will benefit the Library. The Foundation meets the definition of a component unit since it raises funds on behalf of the Library. The financial statements of the Foundation have not been audited, so this component unit has not been presented in the accompanying financial statements.

## **CONTACTING THE CITY'S FINANCIAL MANAGEMENT**

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of the City's finances and to demonstrate the City's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the City Administrator at 501 Main Street, Keokuk, Iowa 52632 or telephone at 319-524-2050.



## BASIC FINANCIAL STATEMENTS

## CITY OF KEOKUK, IOWA

CASH BASIS STATEMENT OF ACTIVITIES AND NET POSITION  
AS OF AND FOR THE YEAR ENDED JUNE 30, 2022

Functions/Programs:	Disbursements	Charges for Services	Program Receipts	
			Operating Grants, Contributions and Restricted Interest	Capital Grants, Contributions and Restricted Interest
Governmental activities:				
Public safety	\$ 5,394,760	\$ 28,482	\$ 68,528	\$ -
Public works	2,385,476	14,100	1,390,455	-
Culture and recreation	1,725,596	98,869	54,359	-
Community and economic development	279,461	-	140,388	-
General government	1,856,170	492,103	632,440	-
Debt service	2,121,185	-	-	-
Capital projects	298,120	-	-	91,062
Total governmental activities	14,060,768	633,554	2,286,170	91,062
Business-type activities:				
Sewer	3,705,332	5,628,567	-	216
Bridge	422,404	217,079	-	48,417
Solid waste	902,144	904,779	-	-
Total business-type activities	5,029,880	6,750,425	-	48,633
Total	\$ 19,090,648	\$ 7,383,979	\$ 2,286,170	\$ 139,695
General receipts:				
Property and other city tax levied for:				
General purposes				
Debt service				
Tax increment financing				
Local option sales tax				
Utility excise tax				
Riverboat gaming tax				
Hotel/motel tax				
Unrestricted investment earnings				
Proceeds from capital loan notes				
Premium on capital loan notes issued				
Miscellaneous				
Transfers				
Total general receipts				
Change in cash basis net position				
Cash basis net position beginning of year				
Cash basis net position end of year				
<u>Cash Basis Net Position</u>				
Restricted:				
Nonexpendable:				
Cemetery perpetual care				
Expendable:				
Debt service				
Local option sales tax				
Employee benefits				
Streets				
Urban renewal purposes				
Other purposes				
Unrestricted				
Total cash basis net position				

Net (Disbursements) Receipts and  
Changes in Cash Basis Net Position

Governmental Activities	Business-Type Activities	Total
\$ (5,297,750)	\$ -	\$ (5,297,750)
(980,921)	-	(980,921)
(1,572,368)	-	(1,572,368)
(139,073)	-	(139,073)
(731,627)	-	(731,627)
(2,121,185)	-	(2,121,185)
(207,058)	-	(207,058)
<u>(11,049,982)</u>	<u>-</u>	<u>(11,049,982)</u>
-	1,923,451	1,923,451
-	(156,908)	(156,908)
-	2,635	2,635
-	<u>1,769,178</u>	<u>1,769,178</u>
<u>(11,049,982)</u>	<u>1,769,178</u>	<u>(9,280,804)</u>
4,390,640	-	4,390,640
865,157	-	865,157
1,186,299	-	1,186,299
1,584,485	-	1,584,485
1,055,119	-	1,055,119
470,553	-	470,553
276,769	-	276,769
154,186	-	154,186
-	1,765,000	1,765,000
-	65,173	65,173
1,926,845	35,138	1,961,983
<u>241,965</u>	<u>(241,965)</u>	<u>-</u>
<u>12,152,018</u>	<u>1,623,346</u>	<u>13,775,364</u>
1,102,036	3,392,524	4,494,560
<u>5,737,856</u>	<u>5,079,945</u>	<u>10,817,801</u>
\$ <u>6,839,892</u>	\$ <u>8,472,469</u>	\$ <u>15,312,361</u>
\$ 505,562	\$ -	\$ 505,562
22,241	122,100	144,341
810,515	-	810,515
803,814	-	803,814
1,442,225	-	1,442,225
(153,632)	-	(153,632)
294,014	-	294,014
<u>3,115,153</u>	<u>8,350,369</u>	<u>11,465,522</u>
\$ <u>6,839,892</u>	\$ <u>8,472,469</u>	\$ <u>15,312,361</u>

CITY OF KEOKUK, IOWA

STATEMENT OF CASH RECEIPTS, DISBURSEMENTS  
AND CHANGES IN CASH BALANCES  
GOVERNMENTAL FUNDS  
AS OF AND FOR THE YEAR ENDED JUNE 30, 2022

	<u>Special Revenue</u>				
	<u>General</u>	<u>Road Use Tax</u>	<u>Local Option Sales Tax</u>	<u>Employee Benefits</u>	<u>Urban Renewal TIF</u>
<u>RECEIPTS:</u>					
Property tax	\$ 2,419,222	\$ -	\$ -	\$ 1,896,140	\$ -
Tax increment financing	-	-	-	-	1,186,299
Other city tax	1,183,338	-	1,584,485	400,973	-
Licenses and permits	313,713	-	-	-	-
Use of money and property	154,174	-	-	12	-
Intergovernmental	1,289,501	1,390,455	-	-	-
Charges for service	54,718	-	-	-	-
Miscellaneous	1,661,132	-	-	-	-
Total receipts	<u>7,075,798</u>	<u>1,390,455</u>	<u>1,584,485</u>	<u>2,297,125</u>	<u>1,186,299</u>
<u>DISBURSEMENTS:</u>					
Operating:					
Public safety	5,394,760	-	-	-	-
Public works	1,198,672	1,186,804	-	-	-
Culture and recreation	1,725,596	-	-	-	-
Community and economic development	135,940	-	-	-	-
General government	1,856,170	-	-	-	-
Debt service	-	-	-	-	8,781
Capital projects	-	-	-	-	-
Total disbursements	<u>10,311,138</u>	<u>1,186,804</u>	<u>-</u>	<u>-</u>	<u>8,781</u>
Excess (deficiency) of receipts over (under) disbursements	<u>(3,235,340)</u>	<u>203,651</u>	<u>1,584,485</u>	<u>2,297,125</u>	<u>1,177,518</u>
Other financing sources (uses):					
Sale of assets	8,610	-	-	-	-
Transfers in	4,312,803	-	-	-	-
Transfers out	(292,002)	-	(1,370,078)	(2,408,758)	(1,373,331)
Total other financing sources (uses)	<u>4,029,411</u>	<u>-</u>	<u>(1,370,078)</u>	<u>(2,408,758)</u>	<u>(1,373,331)</u>
Change in cash balances	794,071	203,651	214,407	(111,633)	(195,813)
<u>CASH BALANCES - Beginning of year</u>	<u>2,495,373</u>	<u>1,238,574</u>	<u>596,108</u>	<u>915,447</u>	<u>42,181</u>
<u>CASH BALANCES - End of year</u>	<u>\$ 3,289,444</u>	<u>\$ 1,442,225</u>	<u>\$ 810,515</u>	<u>\$ 803,814</u>	<u>\$ (153,632)</u>
<u>Cash Basis Fund Balances</u>					
Nonspendable - Cemetery perpetual care	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted for:					
Debt service	-	-	-	-	-
America Rescue Plan Act projects	-	-	-	-	-
Local option sales tax	-	-	810,515	-	-
Employee benefits	-	-	-	803,814	-
Streets	-	1,442,225	-	-	-
Urban renewal purposes	-	-	-	-	(153,632)
Other purposes	-	-	-	-	-
Unassigned	3,289,444	-	-	-	-
Total cash basis fund balances	<u>\$ 3,289,444</u>	<u>\$ 1,442,225</u>	<u>\$ 810,515</u>	<u>\$ 803,814</u>	<u>\$ (153,632)</u>

## EXHIBIT B

<u>Permanent</u>				
<u>Cemetery</u>	<u>Debt Service</u>	<u>Capital</u>	<u>Other</u>	
<u>Perpetual Care</u>		<u>Projects</u>	<u>Nonmajor</u>	<u>Total</u>
			<u>Governmental</u>	
\$ -	\$ 865,157	\$ -	\$ 75,278	\$ 5,255,797
-	-	-	-	1,186,299
-	140,967	-	94,397	3,404,160
-	-	-	-	313,713
-	-	-	-	154,186
-	33,777	-	62,808	2,776,541
-	-	-	-	54,718
7,201	-	98,482	-	1,766,815
<u>7,201</u>	<u>1,039,901</u>	<u>98,482</u>	<u>232,483</u>	<u>14,912,229</u>
-	-	-	-	5,394,760
-	-	-	-	2,385,476
-	-	-	-	1,725,596
-	-	-	143,521	279,461
-	-	-	-	1,856,170
-	2,112,404	-	-	2,121,185
-	-	298,120	-	298,120
-	<u>2,112,404</u>	<u>298,120</u>	<u>143,521</u>	<u>14,060,768</u>
<u>7,201</u>	<u>(1,072,503)</u>	<u>(199,638)</u>	<u>88,962</u>	<u>851,461</u>
-	-	-	-	8,610
-	584,255	728,176	60,900	5,686,134
-	-	-	-	(5,444,169)
-	<u>584,255</u>	<u>728,176</u>	<u>60,900</u>	<u>250,575</u>
7,201	(488,248)	528,538	149,862	1,102,036
<u>498,361</u>	<u>510,489</u>	<u>(702,829)</u>	<u>144,152</u>	<u>5,737,856</u>
\$ <u>505,562</u>	\$ <u>22,241</u>	\$ <u>(174,291)</u>	\$ <u>294,014</u>	\$ <u>6,839,892</u>
\$ 505,562	\$ -	\$ -	\$ -	\$ 505,562
-	22,241	-	-	22,241
-	-	-	-	810,515
-	-	-	-	803,814
-	-	-	-	1,442,225
-	-	-	-	(153,632)
-	-	-	294,014	294,014
-	-	(174,291)	-	3,115,153
\$ <u>505,562</u>	\$ <u>22,241</u>	\$ <u>(174,291)</u>	\$ <u>294,014</u>	\$ <u>6,839,892</u>

## CITY OF KEOKUK, IOWA

STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN CASH BALANCES  
PROPRIETARY FUNDS  
AS OF AND FOR THE YEAR ENDED JUNE 30, 2022

	Enterprise			
	<u>Sewer</u>	<u>Bridge</u>	<u>Solid Waste</u>	<u>Total</u>
<u>Operating receipts:</u>				
Charges for service	\$ 5,628,567	\$ 217,079	\$ 904,779	\$ 6,750,425
<u>Operating disbursements:</u>				
Business-type activities	2,713,962	422,404	815,929	3,952,295
Excess (deficiency) of operating receipts over (under) operating disbursements	2,914,605	(205,325)	88,850	2,798,130
<u>Non-operating receipts (disbursements):</u>				
Capital projects	(185,426)	-	-	(185,426)
Debt service	(805,944)	-	(86,215)	(892,159)
Interest on investments	216	48,417	-	48,633
Miscellaneous	17,693	11,825	5,620	35,138
Total non-operating receipts (disbursements)	(973,461)	60,242	(80,595)	(993,814)
Excess (deficit) of receipts over (under) disbursements	1,941,144	(145,083)	8,255	1,804,316
Proceeds from capital loan notes	1,765,000	-	-	1,765,000
Premium on capital loan notes issued	65,173	-	-	65,173
Transfers in	-	8,035	-	8,035
Transfers out	(250,000)	-	-	(250,000)
Change in cash balances	3,521,317	(137,048)	8,255	3,392,524
<u>CASH BALANCES - Beginning of year</u>	<u>2,513,821</u>	<u>2,364,271</u>	<u>201,853</u>	<u>5,079,945</u>
<u>CASH BALANCES - End of year</u>	<u>\$ 6,035,138</u>	<u>\$ 2,227,223</u>	<u>\$ 210,108</u>	<u>\$ 8,472,469</u>
<u>Cash Basis Fund Balances</u>				
Restricted for debt service	\$ -	\$ -	\$ 122,100	\$ 122,100
Unrestricted	6,035,138	2,227,223	88,008	8,350,369
Total cash basis fund balances	\$ 6,035,138	\$ 2,227,223	\$ 210,108	\$ 8,472,469



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Keokuk, Iowa is a political subdivision of the State of Iowa located in Lee County. It was first incorporated in 1847 and operates under the Home Rule provisions of the Constitution of Iowa. The City operates under the Mayor-Council form of government with the Mayor and Council Members elected on a non-partisan basis. The City provides numerous services to citizens, including public safety, public works, culture and recreation, community and economic development, and general government services. The City also provides solid waste removal and sewer utilities for its citizens.

A. Reporting Entity

Except as discussed below, for financial reporting purposes, the City of Keokuk, Iowa has included all funds, organizations, agencies, boards, commissions and authorities. The City has also considered all potential component units for which it is financially accountable and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific benefits to or impose specific financial burdens on the City.

These financial statements present the City of Keokuk, Iowa (the primary government).

Excluded Component Units

Keokuk Municipal Waterworks (Waterworks) is a component unit of the City of Keokuk, Iowa. Waterworks and the City of Keokuk, Iowa are considered separate legal entities. Waterworks meets the component unit definition because the City Council appoints the Board of Trustees of Waterworks. However, since Waterworks operates under the accrual basis of accounting and the City of Keokuk, Iowa operates under the cash basis of accounting, this component unit has not been presented in the accompanying financial statements. The financial statements of Waterworks are available at Waterworks' office, 20 North 4<sup>th</sup> Street, Keokuk, Iowa.

Keokuk Public Library Foundation (Foundation) is a component unit of the City of Keokuk, Iowa. The Foundation, a separate legal entity, exists for the purpose of attracting funds to benefit the Public Library which serves the Keokuk area and to disburse those funds in a manner which will benefit the Library. The Foundation meets the definition of a component unit since it raises funds on behalf of the Library. The financial statements of the Foundation have not been audited, so this component unit has not been presented in the accompanying financial statements.

Jointly Governed Organizations

The City participates in several jointly governed organizations that provide goods or services to the citizenry of the City but do not meet the criteria of a joint venture since there is no ongoing financial interest or responsibility by the participating governments. City officials are members of the following boards and commissions: Keokuk Economic Development Corporation and Great River Regional Waste Authority. See note 13 for further information.

B. Basis of Presentation

Government-wide Financial Statement – The Cash Basis Statement of Activities and Net Position reports information on all of the nonfiduciary activities of the City. For the most part, the effect of interfund activity has been removed from this statement. Governmental activities, which are supported by tax and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for service.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

**B. Basis of Presentation (Continued)**

The Cash Basis Statement of Activities and Net Position presents the City's nonfiduciary net position. Net position is reported in the following categories/components:

*Nonexpendable restricted net position* is subject to externally imposed stipulations which require the cash balance to be maintained permanently by the City, including the City's Permanent funds.

*Expendable restricted net position* results when constraints placed on the use of cash balances are either externally imposed or are imposed by law through constitutional provisions or enabling legislation. Enabling legislation did not result in any restricted net position.

*Unrestricted net position* consists of cash balances not meeting the definition of the preceding categories. Unrestricted net position is often subject to constraints imposed by management which can be removed or modified.

The Cash Basis Statement of Activities and Net Position demonstrate the degree to which the direct disbursements of a given function are offset by program receipts. Direct disbursements are those clearly identifiable with a specific function. Program receipts include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function and 2) grants, contributions and interest on investments restricted to meeting the operational or capital requirements of a particular function. Property tax and other items not properly included among program receipts are reported instead as general receipts.

Fund Financial Statements – Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. All remaining governmental funds are aggregated and reported as nonmajor governmental funds.

The City reports the following major governmental funds:

The General Fund is the general operating fund of the City. All general tax receipts from general and emergency levies and other receipts not allocated by law or contractual agreement to some other fund are accounted for in this fund. From the fund are paid the general operating disbursements, the fixed charges and the capital improvement costs not paid from other funds.

Special Revenue –

The Road Use Tax Fund is used to account for road use tax allocation from the State of Iowa to be used for road construction and maintenance.

The Local Option Sales Tax Fund is used to account for the revenues from the tax authorized by referendum and is used for property tax relief, infrastructure and parks and recreation services.

The Employee Benefits Fund is used to account for property tax and other receipts to be used for the payment of the City's governmental fund employee benefits.

The Urban Renewal TIF Fund is used to account for tax increment financing collections and the repayment of tax increment financing indebtedness.

The Debt Service Fund is used to account for property tax and other receipts to be used for the payment of interest and principal on the City's general long-term debt.

The Capital Projects Fund is used to account for all resources used in the acquisition and construction of capital facilities.

The Cemetery Perpetual Care Fund is used to account for all resources related to cemetery servicing and maintenance.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

**B. Basis of Presentation (Continued)**

The City reports the following major proprietary funds:

The Sewer Fund accounts for the operation and maintenance of the City's wastewater treatment and sanitary sewer system.

The Bridge Fund accounts for the operation and maintenance of the City's bridge.

The Solid Waste Fund accounts for the operation and maintenance of the City's solid waste system.

**C. Measurement Focus and Basis of Accounting**

The City of Keokuk, Iowa maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The cash basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with U.S. generally accepted accounting principles.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants, categorical block grants and general receipts. Thus, when program disbursements are paid, there are both restricted and unrestricted cash basis net position available to finance the programs. It is the City's policy to first apply cost reimbursement grant resources to such programs, followed by categorical block grants and then by general receipts.

When a disbursement can be paid using either restricted or unrestricted resources, the City's policy is generally to first apply the disbursement toward restricted fund balance and then to less-restrictive classifications – committed, assigned and then unassigned fund balances.

Proprietary funds distinguish operating receipts and disbursements from non-operating items. Operating receipts and disbursements generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. All receipts and disbursements not meeting this definition are reported as non-operating receipts and disbursements.

**D. Property Taxes and Governmental Cash Basis Fund Balances:**

The following accounting policies are followed in preparing the financial statements:

Property tax revenues recognized in the governmental funds become due and collectible in September and March of the current fiscal year with a 1½% per month penalty for delinquent payments; is based on January 1, 2020 assessed property valuations; is for the tax accrual period July 1, 2021 through June 30, 2022 and reflects tax asking contained in the budget certified to the City Council in March 2021.

In the governmental fund financial statements, cash basis fund balances are classified as follows:

Nonspendable – Amounts which cannot be spent because they are legally or contractually required to be maintained intact.

Restricted – Amounts restricted to specific purposes when constraints placed on the use of the resources are either externally imposed by creditors, grantors, or state or federal laws or imposed by law through constitutional provisions or enabling legislation.

Unassigned – All amounts not included in the preceding classifications.

CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

E. Budgets and Budgetary Accounting

The budgetary comparison and related disclosures are reported as Other Information. During the year ended June 30, 2022, disbursements exceeded the amounts budgeted in the Debt Service and Capital Projects functions.

NOTE 2: CASH AND POOLED INVESTMENTS

The City's deposits in banks at June 30, 2022 were entirely covered by federal depository insurance or by the State Sinking Fund in accordance with Chapter 12C of the Code of Iowa. This chapter provides for additional assessments against the depositories to ensure there will be no loss of public funds.

The City is authorized by statute to invest public funds in obligations of the United States government, its agencies and instrumentalities; certificates of deposit or other evidences of deposit at federally insured depository institutions approved by the City Council; prime eligible bankers acceptances; certain high rated commercial paper; perfected repurchase agreements; certain registered open-end management investment companies; certain joint investment trusts; and warrants or improvement certificates of a drainage district.

At June 30, 2022, the City held the following investments:

<u>Type</u>	<u>Carrying Amount</u>	<u>Fair Value</u>	<u>Maturity</u>
United States Treasury Note	<u>1,016,875</u>	<u>1,016,875</u>	2/15/2041
Total	\$ <u>1,016,875</u>	\$ <u>1,016,875</u>	

The City uses the fair value hierarchy established by generally accepted accounting principles based on the valuation inputs used to measure fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs, and Level 3 inputs are significant unobservable inputs.

The recurring fair values of the investments listed above were determined using quoted market prices. (Level 1 inputs).

In addition, the City had investments in the Iowa Public Agency Investment Trust which are valued at an amortized cost of \$841,054 pursuant to Rule 2a-7 under the Investment Company Act of 1940 and are not subject to risk categorization.

Interest rate risk – The City's investment policy limits the investment of operating funds (funds expected to be expended in the current budget year or within 15 months of receipt) to instruments that mature within 397 days. Funds not identified as operating funds may be invested in investments with maturities longer than 397 days, but the maturities shall be consistent with the needs and use of the City.

Credit risk – The City's investment in the Iowa Public Agency Investment Trust and United States Treasury Notes are unrated.

CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 3: BONDS AND NOTES PAYABLE

A summary of the City's June 30, 2022 general obligation and revenue bond indebtedness is as follows:

<u>Year Ending</u>	<u>Revenue Notes</u>		<u>General Obligation and Refunding Capital Loan Notes</u>	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
<u>June 30,</u>				
2023	\$ 3,019,241	\$ 105,144	\$ 1,325,000	\$ 376,265
2024	776,000	95,799	2,115,000	339,265
2025	795,000	86,267	1,375,000	299,480
2026	807,000	76,564	1,365,000	262,260
2027	816,000	66,743	1,090,000	223,737
2028 – 2032	3,921,000	183,309	3,105,000	784,729
2033 – 2037	1,652,000	20,528	2,195,000	439,645
2038 – 2042	-	-	915,000	93,475
Total	\$ <u>11,786,241</u>	\$ <u>634,534</u>	\$ <u>13,485,000</u>	\$ <u>2,818,856</u>

<u>Year Ending</u>	<u>Total</u>	
	<u>Principal</u>	<u>Interest</u>
<u>June 30,</u>		
2023	\$ 4,344,241	\$ 481,409
2024	2,891,000	435,064
2025	2,170,000	385,747
2026	2,172,000	338,824
2027	1,906,000	290,480
2028 – 2032	7,026,000	968,038
2033 – 2037	3,847,000	460,173
2038 – 2042	915,000	93,475
Total	\$ <u>25,271,241</u>	\$ <u>3,453,210</u>



CITY OF KEOKUK, IOWA  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 3: BONDS AND NOTES PAYABLE (Continued)

Revenue Notes

The City has pledged future solid waste customer receipts, net of specified operating disbursements, to repay \$695,000 in solid waste revenue notes issued in July 2020. The notes are payable solely from solid waste customer net receipts and are payable through 2030. The total principal and interest remaining to be paid on the notes is \$626,135. For the current year, principal and interest paid and total customer net receipts were \$86,215 and \$88,850 respectively.

The City has pledged future sewer customer receipts, net of specified operating disbursements, to repay \$19,412,182 in sewer revenue notes issued between January 2010 and September 2020. The notes are payable solely from sewer customer net receipts and are payable through 2035. The total principal and interest remaining to be paid on the notes is \$11,794,459. For the current year, principal and interest paid and total customer net receipts were \$805,644 and \$2,914,605, respectively.

The resolutions providing for the issuance of the revenue notes include the following provisions:

- a) The notes will only be redeemed from the future earnings of the enterprise activity and the bond holders hold a lien on the future earnings of the funds.
- b) A Solid Waste Enterprise Revenue Debt Service Reserve Fund of \$122,100 shall be maintained and used solely for the purpose of paying principal of and interest on the Note and Parity Obligations as the same shall become due and payable.
- c) Solid Waste Net Revenues must be sufficient to produce and maintain net revenues at a level not less than 130% of the principal and interest requirements of the fiscal year.
- d) Sewer Net Revenues must be sufficient to produce and maintain net revenues at a level not less than 110% of the principal and interest requirements of the fiscal year.
- e) Sufficient monthly transfers shall be made to separate solid waste revenue bond sinking accounts for the purpose of making the bond principal and interest payments when due.

During fiscal year 2022, sufficient user rates were not established at a level to produce net revenues equal to at least 130% of the principal and interest on the solid waste revenue notes as they become due.

NOTE 4: PENSION PLAN – IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS)

Plan Description – IPERS membership is mandatory for employees of the City, except for those covered by another retirement system. Employees of the City are provided with pensions through a cost-sharing multiple employer defined benefit pension plan administered by Iowa Public Employees' Retirement System (IPERS). IPERS issues a stand-alone financial report which is available to the public by mail at 7401 Register Drive P.O. Box 9117, Des Moines, Iowa 50306-9117 or at [www.ipers.org](http://www.ipers.org). IPERS benefits are established under Iowa Code chapter 97B and the administrative rules thereunder. Chapter 97B and the administrative rules are the official plan documents. The following brief description is provided for general informational purposes only. Refer to the plan documents for more information.

Pension Benefits – A regular member may retire at normal retirement age and receive monthly benefits without an early-retirement reduction. Normal retirement age is age 65, anytime after reaching 62 with 20 or more years of covered employment, or when the member's years of service plus the member's age at the last birthday equals or exceeds 88, whichever comes first. These qualifications must be met on the member's first month of entitlement to benefits. Members cannot begin receiving retirement benefits before age 55. The formula used to calculate a Regular member's monthly IPERS benefit includes:

- A multiplier based on years of service.
- The member's highest five-year average salary, except for members with service before June 30, 2012 will use the highest three-year average salary as of that date if it is greater than the highest five-year average salary.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 4: PENSION PLAN – IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS) (Continued)

Pension Benefits (Continued)

Protection occupation members may retire at normal retirement age, which is generally age 55. The formula used to calculate a protection occupation member's monthly IPERS benefit includes:

- 60% of average salary after completion of 22 years of service, plus an additional 1.5% of average salary for more than 22 years of service but not more than 30 years of service.
- The member's highest three-year average salary.

If a member retires before normal retirement age, the member's monthly retirement benefit will be permanently reduced by an early-retirement reduction. The early-retirement reduction is calculated differently for service earned before and after July 1, 2012. For service earned before July 1, 2012, the reduction is 0.25% for each month that the member receives benefits before the member's earliest normal retirement age. For service earned on or after July 1, 2012, the reduction is 0.50% for each month that the member receives benefits before age 65.

Generally, once a member selects a benefit option, a monthly benefit is calculated and remains the same for the rest of the member's lifetime. However, to combat the effects of inflation, retirees who began receiving benefits prior to July 1990 receive a guaranteed dividend with their regular November benefit payments.

Disability and Death Benefits – A vested member who is awarded federal Social Security disability or Railroad Retirement disability benefits is eligible to claim IPERS benefits regardless of age. Disability benefits are not reduced for early retirement. If a member dies before retirement, the member's beneficiary will receive a lifetime annuity or a lump-sum payment equal to the present actuarial value of the member's accrued benefit or calculated with a set formula, whichever is greater. When a member dies after retirement, death benefits depend on the benefit option the member selected at retirement.

Contributions – Contribution rates are established by IPERS following the annual actuarial valuation, which applies IPERS' Contribution Rate Funding Policy and Actuarial Amortization Method. State statute limits the amount rates can increase or decrease each year to 1 percentage point. IPERS Contribution Rate Funding Policy requires that the actuarial contribution rate be determined using the "entry age normal" actuarial cost method and the actuarial assumptions and methods approved by the IPERS Investment Board. The actuarial contribution rate covers normal cost plus the unfunded actuarial liability payment based on a 30-year amortization period. The payment to amortize the unfunded actuarial liability is determined as a level percentage of payroll, based on the Actuarial Amortization Method adopted by the Investment Board.

In fiscal year 2022, pursuant to the required rate, Regular members contributed 6.29% of covered payroll and the City contributed 9.44% of covered payroll for the total rate of 15.73%. Protection occupation members contributed 6.21% of covered payroll and the City contributed 9.31% of covered payroll, for a total rate of 15.52%.

The City's contributions to IPERS for the year ended June 30, 2022 totaled \$293,807.

Net Pension Liability (Asset), Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – At June 30, 2022, the City reported a liability of \$51,050 for its proportionate share of the net pension liability (asset). The net pension liability (asset) was measured as of June 30, 2021, and the total pension liability (asset) used to calculate the net pension liability (asset) was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability (asset) was based on the City's share of contributions to the IPERS relative to the contributions of all IPERS participating employers. At June 30, 2021, the City's proportion was 0.036415%, which was an increase of 0.5% from its proportion measured as of June 30, 2020.

There were no non-employer contributing entities to IPERS.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

**NOTE 4: PENSION PLAN – IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS) (Continued)**

Actuarial Assumptions – The total pension liability in the June 30, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Rate of inflation (effective June 30, 2017)	2.60% per annum.
Rates of salary increase (effective June 30, 2017)	3.25% to 16.25% average, including inflation. Rates vary by membership group.
Long-term investment rate of return (effective June 30, 2017)	7.00% compounded annually, net of investment expense, including inflation.
Wage growth (effective June 30, 2017)	3.25% per annum, based on 2.60% inflation and 0.65% real wage inflation.

The actuarial assumptions used in the June 30, 2021 valuation were based on the results of an actual experience study dated March 24, 2017 and a demographic assumption study dated June 28, 2018.

Mortality rates used in the 2021 valuation were based on the RP-2014 Employee and Healthy Annuitant Tables with MP-2017 generational adjustments.

The long-term expected rate of return on IPERS' investments was determined using a building-block method in which best-estimate ranges of expected future real rates (expected returns, net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

<u>Asset Class</u>	<u>Asset Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Domestic equity	22.0 %	4.43 %
International equity	17.5	6.01
Global smart beta equity	6.00	5.10
Core plus fixed income	26.0	0.29
Public credit	4.0	2.08
Cash	1.0	(0.25)
Private equity	13.0	9.51
Private real assets	7.5	4.63
Private credit	3.0	2.87
Total	<u>100.0</u> %	

Discount Rate – The discount rate used to measure the total pension liability was 7.0%. The projection of cash flows used to determine the discount rate assumed employee contributions will be made at the contractually required rate and contributions from the City will be made at contractually required rates, actuarially determined. Based on those assumptions, IPERS' fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on IPERS' investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the City's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate – The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 7.0%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (6.0%) or 1% higher (8.0%) than the current rate.

	<u>1% Decrease (6.0%)</u>	<u>Discount Rate (7.0%)</u>	<u>1% Increase (8.0%)</u>
City's proportionate share of the net pension liability:	\$ <u>1,806,845</u>	\$ <u>51,050</u>	\$ <u>(1,420,418)</u>



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 4: PENSION PLAN – IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS) (Continued)

IPERS' Fiduciary Net Position – Detailed information about the pension plan's fiduciary net position is available in the separately issued IPERS financial report which is available on IPERS' website at [www.ipers.org](http://www.ipers.org).

NOTE 5: PENSION PLAN – MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA (MFPRSI)

Plan Description – MFPRSI membership is mandatory for fire fighters and police officers covered by the provisions of Chapter 411 of the Code of Iowa. Employees of the City of Keokuk, Iowa are provided with pensions through a cost-sharing multiple employer defined benefit pension plan administered by MFPRSI. MFPRSI issues a stand-alone financial report which is available to the public by mail at 7155 Lake Drive, Suite #201, West Des Moines, Iowa 50266 or at [www.mfprsi.org](http://www.mfprsi.org).

MFPRSI benefits are established under Chapter 411 of the Code of Iowa and the administrative rules thereunder. Chapter 411 of the Code of Iowa and the administrative rules are the official plan documents. The following brief description is provided for general informational purposes only. Refer to the plan documents for more information.

Pension Benefits – Members with 4 or more years of service are entitled to pension benefits beginning at age 55. Full-service retirement benefits are granted to members with 22 years of service, while partial benefits are available to those members with 4 to 22 years of service based on the ratio of years completed to years required (i.e., 22 years). Members with less than 4 years of service are entitled to a refund of their contribution only, with interest, for the period of employment.

Benefits are calculated based upon the member's highest 3 years of compensation. The average of these 3 years becomes the member's average final compensation. The base benefit is 66% of the member's average final compensation. Members who perform more than 22 years of service receive an additional 2% of the member's average final compensation for each additional year of service, up to a maximum of 8 years. Survivor benefits are available to the beneficiary of a retired member according to the provisions of the benefit option chosen, plus an additional benefit for each child. Survivor benefits are subject to a minimum benefit for those members who chose the basic benefit with a 50% surviving spouse benefit.

Active members, at least 55 years of age, with 22 or more years of service have the option to participate in the Deferred Retirement Option Program (DROP). The DROP is an arrangement whereby a member who is otherwise eligible to retire and commence benefits opts to continue to work. A member can elect a 3, 4 or 5 year DROP period. When electing to participate in DROP, the member signs a contract stating the member will retire at the end of the selected DROP period. During the DROP period, the member's retirement benefit is frozen and a DROP benefit is credited to a DROP account established for the member. Assuming the member completes the DROP period, the DROP benefit is equal to 52% of the member's retirement benefit at the member's earliest date eligible and 100% if the member delays enrollment for 24 months. At the member's actual date of retirement, the member's DROP account will be distributed to the member in the form of a lump sum or rollover to an eligible plan.

Disability and Death Benefits – Disability benefits may be either accidental or ordinary. Accidental disability is defined as permanent disability incurred in the line of duty, with benefits equivalent to the greater of 60% of the member's average final compensation or the member's service retirement benefit calculation amount. Ordinary disability occurs outside the call of duty and pays benefits equivalent to the greater of 50% of the member's average final compensation, for those with 5 or more years of service or the member's service retirement benefit calculation amount and 25% of average final compensation for those with less than 5 years of service.

Death benefits are similar to disability benefits. Benefits for accidental death are 50% of the average final compensation of the member plus an additional amount for each child, or the provisions for ordinary death. Ordinary death benefits consist of a pension equal to 40% of the average final compensation of the member plus an additional amount for each child, or a lump-sum distribution to the designated beneficiary equal to 50% of the previous year's earnable compensation of the member or equal to the amount of the member's total contributions plus interest.

Benefits are increased annually in accordance with Chapter 411.6 of the Code of Iowa, which provides a standard formula for the increases.

The surviving spouse or dependents of an active member who dies due to a traumatic personal injury incurred in the line of duty receives a \$100,000 lump-sum payment.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 5: PENSION PLAN – MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA (MFPRSI) (Continued)

Contributions – Member contribution rates are set by state statute. In accordance with Chapter 411 of the Code of Iowa, the contribution rate was 9.40% of earnable compensation for the year ended June 30, 2022.

Employer contribution rates are based upon an actuarially determined normal contribution rate and set by state statute. The required actuarially determined contributions are calculated on the basis of the entry age normal method as adopted by the Board of Trustees as permitted under Chapter 411 of the Code of Iowa. The normal contribution rate is provided by state statute to be the actuarial liabilities of the plan less current plan assets, with such total divided by 1% of the actuarially determined present value of prospective future compensation of all members, further reduced by member contributions and state appropriations. Under the Code of Iowa, the City's contribution rate cannot be less than 17.00% of earnable compensation. The contribution rate was 26.18% for the year ended June 30, 2022.

The City's contributions to MFPRSI for the year ended June 30, 2022 was \$639,918.

If approved by the State Legislature, state appropriation may further reduce the City's contribution rate, but not below the minimum statutory contribution rate of 17.00% of earnable compensation. The State of Iowa, therefore, is considered to be a nonemployer contributing entity in accordance with the provisions of Governmental Accounting Standards Board Statement No. 67, *Financial Reporting for Pension Plans*.

There were no state appropriations to MFPRSI during the fiscal year ended June 30, 2022.

Net Pension Liability, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – At June 30, 2022, the City reported a liability of \$1,747,310 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the MFPRSI relative to the contributions of all MFPRSI participating employers. At June 30, 2021, the City's proportion was 0.0077801% which was an increase of 5% from its proportion measured as of June 30, 2020.

For the year ended June 30, 2022, the City's pension expense, deferred outflows of resources and deferred inflows of resources totaled \$55,755, \$239,748 and \$0, respectively.

Actuarial Assumptions – The total pension liability in the June 30, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Rate of inflation	3%
Salary increases	3.75% to 15.11%, including inflation
Investment rate of return	7.5%, net of investment expense, including inflation

The actuarial assumptions used in the June 30, 2021 valuation were based on the results of an actuarial experience study for the period from July 1, 2007 through June 30, 2017.

Postretirement mortality rates were based on the RP-2014 Blue Collar Combined Healthy Annuitant Table with males set-forward two years, females set-forward two years and disabled individuals set-forward three years (male only rates), with generational projection of future mortality improvement with 50% Scale BB in 2017.



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 5: PENSION PLAN – MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA (MFPRSI) (Continued)

The long-term expected rate of return on MFPRSI investments was determined using a building-block method in which best-estimate ranges of expected future real rates (i.e., expected returns, net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

<u>Asset Class</u>	<u>Long-Term Expected Real Rate of Return</u>
Large cap	7.4 %
Small cap	8.1
International large cap	7.2
Emerging markets	7.9
Global infrastructure	7.5
Private non-core real estate	11.5
Private credit	6.4
Private equity	10.8
Core plus fixed income	4.0
Private core real estate	7.2

Discount Rate – The discount rate used to measure the total pension liability was 7.50%. The projection of cash flows used to determine the discount rate assumed contributions will be made at 9.40% of covered payroll and the City's contributions will be made at rates equal to the difference between actuarially determined rates and the member rate. Based on those assumptions, the MFPRSI's fiduciary net position was projected to be available to make all projected future benefit payments to current plan members. Therefore, the long-term expected rate of return on MFPRSI's investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of City's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate – The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 7.50%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (6.50%) or 1% higher (8.50%) than the current rate.

	<u>1% Decrease (6.50%)</u>	<u>Discount Rate (7.50%)</u>	<u>1% Increase (8.50%)</u>
City's proportionate share of the net pension liability (asset)	\$ 5,170,657	\$ 1,747,310	\$ (1,093,870)

MFPRSI's Fiduciary Net Position – Detailed information about MFPRSI's fiduciary net position is available in the separately issued MFPRSI financial report which is available on MFPRSI's website at [www.mfprsi.org](http://www.mfprsi.org).

NOTE 6: OTHER POSTEMPLOYMENT BENEFITS (OPEB)

Plan Description – The City operates a single-employer health benefit plan which provides medical, prescription drug, dental, and vision benefits for employees, retirees and their spouses. There are 146 active and 2 retired members in the plan. Retired participants must be age 55 or older at retirement. The medical, prescription drug, dental and vision benefits are provided through a fully insured plan with Wellmark. Retirees under age 65 pay the same premium for coverage as active employees.

CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 6: OTHER POSTEMPLOYMENT BENEFITS (OPEB) (Continued)

Funding Policy – The contribution requirements of plan members are established and may be amended by the City. The City currently finances the benefit plan on a pay-as-you-go basis. The most recent active member monthly premiums for the City and plan members are \$583 for single coverage, \$1,372 for employee/spouse coverage, \$1,359 for employee/child coverage and \$1,615 for family coverage. For the year ended June 30, 2021, the City contributed \$1,576,217 and plan members eligible for benefits contributed \$150,896 to the plan. At June 30, 2021, no assets have been accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

OPEB Benefits – Individuals who are employed by the City and are eligible to participate in the group health, dental and vision plans are eligible to continue benefits upon retirement. Retirees under age 65 pay the same premium for the medical/prescription drug benefits as active employees, which results in an implicit rate subsidy.

NOTE 7: COMPENSATED ABSENCES

City employees accumulate a limited amount of earned but unused vacation and sick leave hours for subsequent use or for payment upon termination, death, or normal retirement. Upon retirement each employee is entitled to 100% of his accumulated sick leave up to a maximum of 71 days or 568 hours. City management employees may accumulate a maximum of 90 days or 720 hours. The fire department employees are entitled to 900 hours of accumulated sick leave due to their longer average work week. Fire and police administration employees are entitled to 720 hours of accumulated sick leave. These accumulations are not recognized as disbursements by the City until used or paid. The City's approximate liability for earned vacation and sick leave payable to employees at June 30, 2022, primarily relating to the General Fund, was \$516,145. This liability has been computed based on rates of pay in effect at June 30, 2022.

NOTE 8: REVOLVING LOAN FUND

The City has entered into an agreement with Southeast Iowa Regional Planning Commission (SEIRPC) to establish a revolving loan fund for commercial business growth and to assist in new business development. The City received a matching grant of \$99,000 from the United States Department of Agriculture – Rural Business Enterprise Grant. The City transferred \$100,000 in fiscal year 2007 to SEIRPC, which administers and manages the revolving loan fund. At June 30, 2022, these loans to businesses had outstanding balances totaling \$84,719. At June 30, 2022, SEIRPC held cash of \$85,704 for the City, which represents loan repayments received from participating businesses that is available to fund future commercial business growth loans.

NOTE 9: LEASE AGREEMENT

The City leases land to Crown Castle in Tolmie Park. The lease has a term of five years and expires January 14, 2026, with the option to renew for six additional five-year periods. The city receives monthly payments of \$1,749 with an implicit interest rate of 2%.

Future principal and interest lease payments as of June 30, 2022 are as follows:

<u>Year</u> <u>Ending</u> <u>June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 19,751	\$ 1,237	\$ 20,988
2024	20,149	839	20,988
2025	20,556	432	20,988
2026	<u>10,433</u>	<u>61</u>	<u>10,494</u>
Totals	\$ <u>70,889</u>	\$ <u>2,569</u>	\$ <u>73,458</u>



CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 10: RELATED PARTY TRANSACTIONS

Keokuk Municipal Waterworks pays the City on an annual basis in lieu of taxes. This amounted to \$200,000 for the year ended June 30, 2022.

NOTE 11: RISK MANAGEMENT

The City is a member in the Iowa Communities Assurance Pool, as allowed by Chapter 670.7 of the Code of Iowa. The Iowa Communities Assurance Pool (Pool) is a local government risk-sharing pool whose 794 members include various governmental entities throughout the State of Iowa. The Pool was formed in August 1986 for the purpose of managing and funding third-party liability claims against its members. The Pool provides coverage and protection in the following categories: general liability, automobile liability, automobile physical damage, public officials' liability, police professional liability, property, inland marine, and boiler/machinery. There have been no reductions in insurance coverage from prior years.

Each member's annual casualty contributions to the Pool fund current operations and provide capital. Annual casualty operating contributions are those amounts necessary to fund, on a cash basis, the Pool's general and administrative expenses, claims, claims expenses and reinsurance expenses estimated for the fiscal year, plus all or any portion of any deficiency in capital. Capital contributions are made during the first six years of membership and are maintained at a level determined by the Board not to exceed 300% of basis rate.

The Pool also provides property coverage. Members who elect such coverage make annual property operating contributions which are necessary to fund, on a cash basis, the Pool's general and administrative expenses, reinsurance premiums, losses and loss expenses for property risks estimated for the fiscal year, plus all or any portion of any deficiency in capital. Any year-end operating surplus is transferred to capital. Deficiencies in operations are offset by transfers from capital and, if insufficient, by the subsequent year's member contributions.

The City's property and casualty contributions to the risk pool are recorded as disbursements from its operating funds at the time of payment to risk pool. The City's contributions to the Pool for the year ended June 30, 2022 were \$199,893.

The Pool uses reinsurance and excess risk-sharing agreements to reduce its exposure to large losses. The Pool retains general, automobile, police professional, and public officials' liability risks up to \$500,000 per claim. Claims exceeding \$500,000 are reinsured through reinsurance and excess risk-sharing agreements up to the amount of risk-sharing protection provided by the City's risk-sharing certificate. Property and automobile physical damage risks are retained by the Pool up to \$250,000 each occurrence, each location. Property risks exceeding \$250,000 are reinsured through reinsurance and excess risk-sharing agreements up to the amount of the risk-sharing protection provided by the City's risk-sharing certificate.

The Pool's intergovernmental contract with its members provides that in the event a casualty claim, property loss or series of claims or losses exceeds the amount of risk-sharing protection provided by the City's risk-sharing certificate, or in the event that a casualty claim, property loss or series of claims or losses exhausts the Pool's funds and any excess risk-sharing recoveries, then payment of such claims or losses shall be the obligation of the respective individual member against whom the claim was made or the loss was incurred. As of June 30, 2022, settled claims have not exceeded the risk pool or reinsurance coverage since the Pool's inception.

CITY OF KEOKUK, IOWA

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

NOTE 11: RISK MANAGEMENT (continued)

Members agree to continue membership in the Pool for a period of not less than one full year. After such period, a member who has given 60 days' prior written notice may withdraw from the Pool. Upon withdrawal, payments for all casualty claims and claims expenses become the sole responsibility of the withdrawing member, regardless of whether a claim was incurred or reported prior to the member's withdrawal. Upon withdrawal, a formula set forth in the Pool's intergovernmental contract with its members is applied to determine the amount (if any) to be refunded to the withdrawing member.

The City also carries commercial insurance purchased from other insurers for coverage associated with workmen's compensation and various types of liability insurance. The City assumes liability for any deductibles and claims in excess of coverage limitations. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

NOTE 12: INTERFUND TRANSFERS

The detail of interfund transfers for the year ended June 30, 2022 is as follows:

<u>Transfer to</u>	<u>Transfer from</u>	<u>Amount</u>
General	Employee Benefits	\$ 2,408,758
	Lost	1,370,078
	Sewer	250,000
	ARPA	<u>283,967</u>
		<u>4,312,803</u>
Capital Projects	TIF	<u>728,176</u>
Debt Services		<u>584,255</u>
Economic Development		<u>60,900</u>
		<u>1,373,331</u>
Bridge	General	<u>8,035</u>
		\$ <u>5,694,169</u>

Transfers generally move resources from the fund statutorily required to collect the resources to the fund statutorily required to disburse the resources.

NOTE 13: JOINTLY GOVERNED ORGANIZATION

The City is a participant in Great River Regional Waste Authority, a political subdivision pursuant to the Code of Iowa Chapter 28E. The purpose of the agreement is to provide area governments with solid waste disposal sources. The City currently provides one member of the five-member board. The City paid \$217,385 in fees in fiscal year June 30, 2022. Great River Regional Waste Authority's audited financial statements are available at City Hall.



CITY OF KEOKUK, IOWA  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2022

NOTE 14: TAX ABATEMENTS

Governmental Accounting Standards Board Statement No. 77 defines tax abatements as a reduction in tax revenues that results from an agreement between one or more governments and an individual or entity in which (a) one or more governments promise to forgo tax revenues to which they are otherwise entitled and (b) the individual or entity promises to take a specific action after the agreement has been entered into that contributes to economic development or otherwise benefits the governments or the citizens of those governments.

City Tax Abatements

The City provides tax abatements for urban renewal and economic development projects with tax increment financing as provided for in Chapters 15A and 403 of the Code of Iowa. For these types of projects, the City enters into agreements, to rebate a portion of the property tax paid by the developers, to pay the developers an economic development grant or to pay the developers a predetermined dollar amount. No other commitments were made by the City as part of these agreements.

For the year ended June 30, 2022, the City abated \$494,407.82 of property tax under the urban renewal and economic development projects.

NOTE 15: DEFICIT BALANCE

The Capital Projects Fund and Urban Renewal Tif Fund had balances of (\$174,291) and (\$155,632) respectively at June 30, 2022. The balances were a result of disbursements exceeding receipts within the funds.

NOTE 16: SUBSEQUENT EVENTS

The City has evaluated subsequent events through March 20, 2023, the date statements were available to be issued.

OTHER INFORMATION

CITY OF KEOKUK, IOWA  
BUDGETARY COMPARISON SCHEDULE  
OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN BALANCES -  
BUDGET AND ACTUAL (CASH BASIS) - ALL GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS  
OTHER INFORMATION  
YEAR ENDED JUNE 30, 2022

	Governmental Funds <u>Actual</u>	Proprietary Funds <u>Actual</u>	<u>Total</u>
<u>RECEIPTS:</u>			
Property tax	\$ 5,255,797	\$ -	\$ 5,255,797
Tax increment financing collections	1,186,299	-	1,186,299
Other city taxes	3,404,160	-	3,404,160
Use of money and property	313,713	48,633	362,346
License and permits	154,186	-	154,186
Intergovernmental	2,776,541	-	2,776,541
Charges for service	54,718	6,750,425	6,805,143
Miscellaneous	<u>1,766,815</u>	<u>35,138</u>	<u>1,801,953</u>
Total receipts	<u>14,912,229</u>	<u>6,834,196</u>	<u>21,746,425</u>
<u>DISBURSEMENTS:</u>			
Public safety	5,394,760	-	5,394,760
Public works	2,385,476	-	2,385,476
Culture and recreation	1,725,596	-	1,725,596
Community and economic development	279,461	-	279,461
General government	1,856,170	-	1,856,170
Debt service	2,121,185	-	2,121,185
Capital projects	298,120	-	298,120
Business-type	-	5,029,880	5,029,880
Total disbursements	<u>14,060,768</u>	<u>5,029,880</u>	<u>19,090,648</u>
Excess (deficiency) of receipts over (under) disbursements	851,461	1,804,316	2,655,777
Other financing sources (uses), net	<u>250,575</u>	<u>1,588,208</u>	<u>1,838,783</u>
Excess of receipts and other financing sources over disbursements and other financing uses	1,102,036	3,392,524	4,494,560
<u>BALANCES - Beginning of year</u>	<u>5,737,856</u>	<u>5,079,945</u>	<u>10,817,801</u>
<u>BALANCES - End of year</u>	\$ <u>6,839,892</u>	\$ <u>8,472,469</u>	\$ <u>15,312,361</u>

Budgeted Amounts		Final to Total Variance
<u>Original</u>	<u>Final</u>	
\$ 5,208,414	\$ 5,208,414	\$ 47,383
1,250,052	1,272,052	(85,753)
2,870,077	2,920,077	484,083
203,297	197,307	165,039
135,315	759,245	(605,059)
3,118,741	3,201,400	(424,859)
5,729,180	5,792,580	1,012,563
1,641,000	2,484,197	(682,244)
<u>20,156,076</u>	<u>21,835,272</u>	<u>(88,847)</u>
5,924,435	6,645,858	1,251,098
2,751,967	2,903,164	517,688
1,807,683	1,945,464	219,868
319,942	469,303	189,842
2,499,414	2,476,518	620,348
2,109,180	2,112,778	(8,407)
119,500	158,722	(139,398)
<u>27,974,469</u>	<u>5,544,729</u>	<u>514,849</u>
<u>43,506,590</u>	<u>22,256,536</u>	<u>3,165,888</u>
(23,350,514)	(421,264)	3,077,041
<u>22,201,800</u>	<u>1,800</u>	<u>1,836,983</u>
(1,148,714)	(419,464)	4,914,024
<u>9,987,407</u>	<u>9,987,407</u>	<u>830,394</u>
\$ <u>8,838,693</u>	\$ <u>9,567,943</u>	\$ <u>5,744,418</u>



CITY OF KEOKUK, IOWA

NOTES TO OTHER INFORMATION – BUDGETARY REPORTING

JUNE 30, 2022

The budgetary comparison is presented in accordance with Governmental Accounting Standards Board Statement No. 41 for governments with significant budgetary perspective differences resulting from not being able to present budgetary comparisons for the General Fund and each major Special Revenue Fund.

In accordance with the Code of Iowa, the City Council annually adopts a budget on the cash basis following required public notice and hearing for all funds. The annual budget may be amended during the year utilizing similar statutorily prescribed procedures.

Formal and legal budgetary control is based upon nine major classes of disbursements known as functions, not by fund. These nine functions are: public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service, capital projects and business-type activities. Function disbursements required to be budgeted include disbursements for the General Fund, the Special Revenue Funds, the Debt Service Fund, the Capital Projects Funds, the Permanent Funds and the Enterprise Funds. Although the budget document presents functional disbursements by fund, the legal level of control is at the aggregated function level, not by fund. During the year, the second of two budget amendments decreased budgeted revenues and budgeted operating disbursements by \$21,525,430 and \$21,625,328, respectively. The budget amendment is reflected in the final budgeted amounts.

During the year ended June 30, 2022, disbursements exceeded the amounts budgeted in the Debt Service and Capital Projects functions.

CITY OF KEOKUK, IOWA

SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
FOR THE LAST EIGHT YEARS\*

OTHER INFORMATION

	<u>2022</u>	<u>2021</u>
City's proportion of the net pension liability (asset)	0.036415 %	0.036209 %
City's proportionate share of the net pension liability (asset)	\$ 51,050	\$ 2,525,817
City's covered payroll	\$ 3,112,000	\$ 2,854,000
City's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	1.64 %	88.50 %
IPERS' net position as a percentage of the total pension liability (asset)	100.81 %	82.90 %

\* In accordance with GASB Statement No. 68, the amounts presented for each fiscal year were determined as of June 30 of the preceding fiscal year.

Note: GASB Statement No. 68 requires ten years of information to be presented in this table. However, until a full 10-year trend is compiled, the City will present information for those years for which information is available.

<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
0.036669 %	0.036805 %	0.040426 %	0.039442 %	0.039040 %	0.039435 %
\$ 2,137,625	\$ 2,328,379	\$ 2,668,822	\$ 2,458,194	\$ 1,940,871	\$ 1,596,000
\$ 2,809,000	\$ 2,765,000	\$ 2,990,000	\$ 2,803,000	\$ 2,688,000	\$ 2,632,000
74.90 %	82.89 %	89.26 %	87.89 %	72.21 %	60.64 %
85.45 %	83.62 %	82.21 %	81.82 %	85.19 %	87.61 %

CITY OF KEOKUK, IOWA  
SCHEDULE OF CITY CONTRIBUTIONS  
IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
FOR THE LAST TEN YEARS

OTHER INFORMATION

	<u>2022</u>	<u>2021</u>	<u>2020</u>
Statutorily required contribution	\$ 293,807	\$ 240,565	\$ 269,375
Contributions in relation to the statutorily required contribution	<u>(293,807)</u>	<u>(240,565)</u>	<u>(269,375)</u>
Contribution deficiency (excess)	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>
City's covered payroll	\$ 3,112,000	\$ 2,548,000	\$ 2,854,000
Contributions as a percentage of covered payroll	9.44 %	9.44 %	9.44 %

<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
\$ 265,205	\$ 246,948	\$ 267,065	\$ 250,318	\$ 240,000	\$ 235,000	\$ 220,000
<u>(265,205)</u>	<u>(246,948)</u>	<u>(267,065)</u>	<u>(250,318)</u>	<u>(240,000)</u>	<u>(235,000)</u>	<u>(220,000)</u>
\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>
\$ 2,809,000	\$ 2,765,000	\$ 2,990,000	\$ 2,803,000	\$ 2,688,000	\$ 2,632,000	\$ 2,537,000
9.44 %	8.93 %	8.93 %	8.93 %	8.93 %	8.93 %	8.67 %

CITY OF KEOKUK, IOWA

NOTES TO OTHER INFORMATION – IPERS PENSION LIABILITY

YEAR ENDED JUNE 30, 2022

*Changes of benefit terms:*

There were no significant changes to benefit terms.

*Changes of assumptions:*

The 2018 valuation implemented the following refinements as a result of the demographic assumption study dated June 28, 2018:

- Changed mortality assumptions to the RP-2014 mortality tables with mortality improvements modeled using Scale MP-2017.
- Adjusted retirement rates.
- Lowered disability rates.
- Adjusted the probability of a vested Regular member electing to receive a deferred benefit.
- Adjusted the merit component of the salary increase assumption.

The 2017 valuation implemented the following refinements as a result of an experience study dated March 24, 2017:

- Decreased the inflation assumption from 3.00 percent to 2.60 percent.
- Decreased the assumed rate of interest on member accounts from 3.75 percent to 3.50 percent per year.
- Decreased the discount rate from 7.50 percent to 7.00 percent.
- Decreased the wage growth assumption from 4.00 percent to 3.25 percent.
- Decreased the payroll growth assumption from 4.00 percent to 3.25 percent.

The 2014 valuation implemented the following refinements as a result of a quadrennial experience study:

- Decreased the inflation assumption from 3.25 percent to 3.00 percent.
- Decreased the assumed rate of interest on member accounts from 4.00 percent to 3.75 percent per year.
- Adjusted male mortality rates for retirees in the regular membership group.
- Moved from an open 30-year amortization period to a closed 30-year amortization period for the UAL (unfunded actuarial liability) beginning June 30, 2014. Each year thereafter, changes in the UAL from plan experience will be amortized on a separate closed 20-year period.



CITY OF KEOKUK, IOWA

SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA  
FOR THE LAST EIGHT YEARS\*

OTHER INFORMATION

	<u>2022</u>	<u>2021</u>
City's proportion of the net pension liability	0.0077801 %	0.0074101 %
City's proportionate share of the net pension liability	\$ 1,747,310	\$ 4,860,456
City's covered payroll	\$ 2,528,319	\$ 2,354,206
City's proportionate share of the net pension liability as a percentage of its covered payroll	69.11 %	206.46 %
Plan fiduciary net position as a percentage of the total pension liability	77.80 %	74.00 %

\* The amounts presented for each fiscal year were determined as of June 30.

Note: GASB Statement No. 68 requires ten years of information to be presented in the table. However, until a full 10-year trend is compiled, the City will present information for those years for which information is available.

<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
0.0076678 %	0.0078512 %	0.008315 %	0.008186 %	0.818680 %	0.809408 %
\$ 4,565,441	\$ 4,604,545	\$ 5,198,813	\$ 3,807,187	\$ 3,846,278	\$ 2,934,000
\$ 2,321,150	\$ 2,282,036	\$ 2,335,291	\$ 2,196,017	\$ 2,147,000	\$ 2,058,000
196.69 %	198.37 %	222.62 %	173.37 %	179.15 %	142.57 %
79.94 %	81.07 %	80.60 %	78.20 %	83.40 %	86.27 %

CITY OF KEOKUK, IOWA

SCHEDULE OF CITY'S CONTRIBUTIONS  
MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA  
FOR THE LAST TEN YEARS

OTHER INFORMATION

	<u>2022</u>	<u>2021</u>	<u>2020</u>
Statutorily required contribution	\$ 686,127	\$ 639,918	\$ 574,661
Contributions in relation to the statutorily required contribution	<u>(686,127)</u>	<u>(639,918)</u>	<u>(574,661)</u>
Contribution deficiency (excess)	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>
City's covered payroll	\$ 2,620,808	\$ 2,528,319	\$ 2,354,206
Contributions as a percentage of covered payroll	26.18 %	25.31 %	24.41 %

<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
\$ 603,963	\$ 586,028	\$ 605,074	\$ 609,834	\$ 653,000	\$ 620,000	\$ 522,000
<u>(603,963)</u>	<u>(586,028)</u>	<u>(605,074)</u>	<u>(609,834)</u>	<u>(653,000)</u>	<u>(620,000)</u>	<u>(522,000)</u>
\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>
\$ 2,321,150	\$ 2,282,036	\$ 2,335,291	\$ 2,196,017	\$ 2,147,000	\$ 2,058,000	\$ 1,998,000
26.02 %	25.68 %	25.91 %	27.77 %	30.41 %	30.12 %	26.12 %

CITY OF KEOKUK, IOWA

NOTES TO OTHER INFORMATION – MFPRSI PENSION LIABILITY

YEAR ENDED JUNE 30, 2022

*Changes of benefit terms:*

There were no significant changes of benefit terms.

*Changes of assumptions:*

The 2018 valuation changed postretirement mortality rates were based on the RP-2014 Blue Collar Healthy Annuitant Table with males set-forward zero years, females set-forward two years and disabled individuals set-forward three years (male only rates), with generational projection of future mortality improvement with 50% of Scale BB beginning in 2017.

The 2017 valuation added five years projection of future mortality improvement with Scale BB.

The 2016 valuation changed postretirement mortality rates to the RP-2000 Blue Collar Combined Healthy Mortality Table with males set-back two years, females set-forward one year and disabled individuals set-forward one year (male only rates), with no projection of future mortality improvement.

The 2015 valuation phased in the 1994 Group Annuity Mortality Table for postretirement mortality. This resulted in a weighting of 1/12 of the 1971 Group Annuity Mortality Table and 11/12 of the 1994 Group Annuity Mortality Table.

The 2014 valuation phased in the 1994 Group Annuity Mortality Table for postretirement mortality. This resulted in a weighting of 2/12 of the 1971 Group Annuity Mortality Table and 10/12 of the 1994 Group Annuity Mortality Table.

## CITY OF KEOKUK, IOWA

SCHEDULE OF CASH RECEIPTS, DISBURSEMENTS  
AND CHANGES IN CASH BALANCES -  
NONMAJOR GOVERNMENTAL FUNDS  
AS OF AND FOR THE YEAR ENDED JUNE 30, 2022

	<u>Special Revenue</u>		
	<u>Economic Development</u>	<u>Emergency Tax Levy</u>	<u>Total</u>
<u>RECEIPTS:</u>			
Property tax	\$ -	\$ 75,278	\$ 75,278
Other city taxes	80,830	13,567	94,397
Intergovernmental	<u>59,558</u>	<u>3,250</u>	<u>62,808</u>
Total receipts	<u>140,388</u>	<u>92,095</u>	<u>232,483</u>
<u>DISBURSEMENTS:</u>			
Community and economic development	<u>143,521</u>	<u>-</u>	<u>143,521</u>
Excess of receipts over disbursements	<u>(3,133)</u>	<u>92,095</u>	<u>88,962</u>
Other financing sources (uses):			
Transfer in	60,900	-	60,900
Transfers out	<u>-</u>	<u>-</u>	<u>-</u>
Total other financing sources (uses)	<u>60,900</u>	<u>-</u>	<u>60,900</u>
Change in cash balances	57,767	92,095	149,862
<u>CASH BALANCES - Beginning of year</u>	<u>112,172</u>	<u>31,980</u>	<u>144,152</u>
<u>CASH BALANCES - End of year</u>	\$ <u>169,939</u>	\$ <u>124,075</u>	\$ <u>294,014</u>
<u>Cash Basis Fund Balances</u>			
Restricted	\$ <u>169,939</u>	\$ <u>124,075</u>	\$ <u>294,014</u>
Total cash basis fund balances	\$ <u>169,939</u>	\$ <u>124,075</u>	\$ <u>294,014</u>



CITY OF KEOKUK, IOWA

SCHEDULE OF INDEBTEDNESS  
YEAR ENDED JUNE 30, 2022

<u>Obligation</u>	<u>Date of Issue</u>	<u>Interest Rates</u>	<u>Amount Originally Issued</u>	<u>Balance Beginning of Year</u>
General obligation notes:				
Refunding capital loan notes	June 8, 2016	2.00-3.00%	\$ 3,155,000	\$ 1,960,000
Refunding capital loan notes	June 8, 2016	2.00-3.00%	4,515,000	2,965,000
Capital loan notes	June 8, 2021	0.80%	1,000,000	1,000,000
Refunding capital loan notes	June 6, 2019	3.69-4.00%	1,800,000	1,800,000
Refunding capital loan notes	April 2, 2020	2.00-3.00%	7,315,000	5,740,000
Refunding capital loan notes	June 6, 2022	2.50-4.50%	1,765,000	-
Total			<u>19,550,000</u>	<u>13,465,000</u>
Revenue notes:				
Planning and design revenue notes	September 18, 2020	0.00%	2,790,000	2,251,241
Solid waste revenue capital loan notes	July 20, 2020	2.75%	695,000	626,000
Sewer revenue capital loan notes	January 20, 2010	3.00%	3,889,000	1,514,000
Sewer revenue capital loan notes	December 20, 2013	2.00%	5,578,000	3,401,000
Sewer revenue capital loan notes	June 5, 2015	2.00%	7,155,182	4,745,000
Total			<u>20,107,182</u>	<u>12,537,241</u>
Total			\$ <u>39,657,182</u>	\$ <u>26,002,241</u>

SCHEDULE 2

<u>Issued During Year</u>	<u>Redeemed/ Cancelled During Year</u>	<u>Balance End of Year</u>	<u>Interest Paid</u>	<u>Interest Due and Unpaid</u>
\$ -	\$ 235,000	\$ 1,725,000	\$ 42,023	\$ 42,023
-	340,000	2,625,000	62,640	62,640
-	405,000	595,000	7,844	7,844
-	-	1,800,000	69,617	69,617
-	765,000	4,975,000	162,500	162,500
<u>1,765,000</u>	<u>-</u>	<u>1,765,000</u>	<u>-</u>	<u>-</u>
<u>1,765,000</u>	<u>1,745,000</u>	<u>13,485,000</u>	<u>344,624</u>	<u>344,624</u>
-	-	2,251,241	-	-
-	69,000	557,000	17,215	17,215
-	131,000	1,383,000	30,280	30,280
-	241,000	3,160,000	45,914	45,914
-	310,000	4,435,000	47,450	47,450
<u>-</u>	<u>751,000</u>	<u>11,786,241</u>	<u>140,859</u>	<u>140,859</u>
\$ <u>1,765,000</u>	\$ <u>2,496,000</u>	\$ <u>25,271,241</u>	\$ <u>485,483</u>	\$ <u>485,483</u>

## CITY OF KEOKUK, IOWA

BOND AND NOTE MATURITIES  
YEAR ENDED JUNE 30, 2022

## General Obligation Bonds/Notes

Year Ending June 30,	Capital Loan Notes				Refunding Capital Loan Notes					
	Issued June 6, 2019		Issued June 8, 2021		Issued April 2, 2020		Issued June 8, 2016		Issued June 8, 2016	
	Interest Rate	Amount	Interest Rate	Amount	Interest Rate	Amount	Interest Rate	Amount	Interest Rate	Amount
2023	3.69 %	\$ -	%	\$ -	3.00 %	\$ 745,000	2.00 %	\$ 230,000	2.00 %	\$ 350,000
2024	3.69	-	0.8	595,000	3.00	800,000	2.00	225,000	2.00	365,000
2025	3.69	-		-	3.00	790,000	2.00	220,000	2.00	365,000
2026	3.69	-		-	3.00	780,000	2.00	215,000	2.00	370,000
2027	3.69	-		-	3.00	295,000	2.00	210,000	2.00	380,000
2028	3.69	-		-	3.00	295,000	2.00	210,000	2.00	390,000
2029	3.69	-		-	3.00	300,000	3.00	205,000	3.00	405,000
2030	3.69	-		-	2.00	310,000	3.00	210,000		-
2031	3.69	-		-	2.00	305,000		-		-
2032	3.69	-		-	2.00	255,000		-		-
2033	3.69	200,000		-	2.00	100,000		-		-
2034	3.74	300,000		-		-		-		-
2035	3.85	310,000		-		-		-		-
2036	3.90	320,000		-		-		-		-
2037	3.94	330,000		-		-		-		-
2038	4.00	340,000		-		-		-		-
2039		-		-		-		-		-
2040		-		-		-		-		-
2041		-		-		-		-		-
2042		-		-		-		-		-
Total		\$ 1,800,000		595,000		\$ 4,975,000		\$ 1,725,000		\$ 2,625,000

Issued June 6, 2022			
Year Ending June 30,	Interest Rate	Amount	Total
2023		\$ -	\$ 1,325,000
2024	2.50	130,000	2,115,000
2025		-	1,375,000
2026		-	1,365,000
2027	2.80	205,000	1,090,000
2028		-	895,000
2029		-	910,000
2030	3.05	220,000	740,000
2031		-	305,000
2032		-	255,000
2033	4.50	250,000	550,000
2034		-	300,000
2035		-	310,000
2036		-	320,000
2037	4.50	385,000	715,000
2038		-	340,000
2039		-	-
2040		-	-
2041		-	-
2042	4.50	575,000	575,000
Total		\$ 1,765,000	\$ 13,485,000

## CITY OF KEOKUK, IOWA

BOND AND NOTE MATURITIES  
YEAR ENDED JUNE 30, 2020

Sewer Revenue Capital Loan Notes						
Year Ending June 30,	Issued January 20, 2010		Issued December 20, 2013		Issued June 5, 2015	
	Interest Rate	Amount	Interest Rate	Amount	Interest Rate	Amount
2023	3.00	135,000	2.00 %	244,000	2.00 %	320,000
2024	3.00	139,000	2.00	248,000	2.00	320,000
2025	3.00	144,000	2.00	252,000	2.00	330,000
2026	3.00	148,000	2.00	254,000	2.00	335,000
2027	3.00	153,000	2.00	258,000	2.00	335,000
2028	3.00	158,000	2.00	261,000	2.00	335,000
2029	3.00	163,000	2.00	265,000	2.00	340,000
2030	3.00	169,000	2.00	268,000	2.00	340,000
2031	3.00	174,000	2.00	272,000	2.00	345,000
2032		-	2.00	276,000	2.00	345,000
2033		-	2.00	279,000	2.00	355,000
2034		-	2.00	283,000	2.00	365,000
2035		-		-	2.00	370,000
2036		-		-		-
Total		\$ 1,383,000		\$ 3,160,000		\$ 4,435,000

Year Ending June 30,	Issued September 18, 2020		Issued July 20, 2020		Total
	Interest Rate	Amount	Interest Rate	Amount	
2023	0.00 %	\$ 2,251,241	2.75 %	\$ 69,000	\$ 3,019,241
2024	0.00	-	2.75	69,000	776,000
2025		-	2.75	69,000	795,000
2026		-	2.75	70,000	807,000
2027		-	2.75	70,000	816,000
2028		-	2.75	70,000	824,000
2029		-	2.75	70,000	838,000
2030		-	2.75	70,000	847,000
2031		-		-	791,000
2032		-		-	621,000
2033		-		-	634,000
2034		-		-	648,000
2035		-		-	370,000
2036		-		-	-
Total		\$ 2,251,241		\$ 557,000	\$ 11,786,241

CITY OF KEOKUK, IOWA

SCHEDULE OF RECEIPTS BY SOURCE AND DISBURSEMENTS BY FUNCTION -  
ALL GOVERNMENTAL FUNDS

FOR THE LAST TEN YEARS

	<u>2022</u>	<u>2021</u>	<u>#</u>	<u>2020</u>	<u>2019</u>
<u>RECEIPTS:</u>					
Property tax	\$ 5,255,797	\$ 5,001,198	\$	4,927,657	\$ 4,769,360
Tax increment financing	1,186,299	1,247,593		1,308,398	1,277,043
Other city tax	3,404,160	3,185,445		2,946,773	2,746,949
Use of money and property	313,713	113,257		126,705	135,234
Licenses and permits	154,186	155,996		90,716	78,936
Intergovernmental	2,776,541	2,560,051		2,609,208	2,173,070
Charges for service	54,718	283,952		81,875	109,967
Miscellaneous	1,766,815	451,996		1,770,400	1,460,922
Total	\$ <u>14,912,229</u>	\$ <u>12,999,488</u>	\$	<u>13,861,732</u>	\$ <u>12,751,481</u>
<u>DISBURSEMENTS:</u>					
Public safety	\$ 5,394,760	\$ 5,331,775	\$	5,442,822	\$ 5,125,895
Public works	2,385,476	2,176,635		2,161,178	1,664,847
Culture and recreation	1,725,596	1,496,162		1,585,572	1,517,644
Community and economic development	279,461	273,503		677,907	754,655
General government	1,856,170	1,532,495		1,097,864	1,088,622
Debt service	2,121,185	1,703,192		9,341,254	1,617,005
Capital projects	298,120	322,419		5,633,314	368,011
Total	\$ <u>14,060,768</u>	\$ <u>12,836,181</u>	\$	<u>25,939,911</u>	\$ <u>12,136,679</u>

SCHEDULE 4

<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
\$ 4,584,033	\$ 4,342,566	\$ 4,285,973	\$ 4,563,921	\$ 4,192,222	\$ 4,049,068
1,276,160	1,080,317	831,826	1,444,299	1,475,276	1,524,770
3,082,193	3,201,258	3,085,227	2,949,695	2,501,875	2,505,805
142,359	154,831	238,483	123,663	91,338	137,508
103,500	89,220	171,002	130,274	133,055	148,821
2,512,746	2,263,827	2,143,687	3,664,508	1,812,070	5,484,072
125,700	136,685	111,812	209,129	251,948	230,424
1,060,678	1,142,047	1,003,132	173,863	1,136,841	342,430
<u>\$ 12,887,369</u>	<u>\$ 12,410,751</u>	<u>\$ 11,871,142</u>	<u>\$ 13,259,352</u>	<u>\$ 11,594,625</u>	<u>\$ 14,422,898</u>
\$ 5,621,547	\$ 5,106,066	\$ 4,540,975	\$ 4,554,654	\$ 4,449,148	\$ 4,316,334
1,747,734	1,747,234	1,640,975	1,747,198	2,145,775	1,716,978
1,955,421	1,604,799	1,316,719	1,356,187	1,389,520	1,313,819
865,396	666,048	242,748	700,083	384,175	352,134
1,468,963	1,401,869	1,245,057	585,476	597,592	576,226
1,628,070	1,672,955	4,762,076	2,005,454	1,955,098	3,937,346
982,227	453,353	143,317	2,998,715	3,450,778	6,777,796
<u>\$ 14,269,358</u>	<u>\$ 12,652,324</u>	<u>\$ 13,891,867</u>	<u>\$ 13,947,767</u>	<u>\$ 14,372,086</u>	<u>\$ 18,990,633</u>





ANDERSON, LARKIN & CO., P.C.  
Certified Public Accountants  
"Your Success Is Our Business."

Kenneth E. Crosser, CPA  
April D. Crosser, CPA  
Michael J. Podliska, CPA  
Alexander T. Barr, CPA

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON  
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Honorable Mayor and Members of the City Council of the City of Keokuk, Iowa:

We have audited in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the City of Keokuk, Iowa, as of and for the year ended June 30, 2022, and the related Notes to the Financial Statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated March 20, 2023. Our report expressed unmodified opinions on the financial statements which were prepared on the basis of cash receipts and disbursements, a basis of accounting other than U.S. generally accepted accounting principles.

**Report on Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City of Keokuk, Iowa's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Keokuk, Iowa's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Keokuk, Iowa's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in Part I of the accompanying Schedule of Findings, we identified a deficiency in internal control that we consider to be a significant deficiency.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented or detected and corrected on a timely basis.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in Part I of the accompanying Schedule of Findings as item I-A-22 to be a significant deficiency.

## Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Keokuk, Iowa's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statement. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters which are required to be reported under *Government Auditing Standards*. However, we noted certain immaterial instances of non-compliance or other matters which are described in Part II of the accompanying Schedule of Findings.

Comments involving statutory and other legal matters about the City's operations for the year ended June 30, 2022 are based exclusively on knowledge obtained from procedures performed during our audit of the financial statements of the City. Since our audit was based on tests and samples, not all transactions that might have had an impact on the comments were necessarily audited. The comments involving statutory and other legal matters are not intended to constitute legal interpretations of those statutes.

## The City of Keokuk, Iowa's Response to Findings

*Government Auditing Standards* requires the auditor to perform limited procedures on the City of Keokuk, Iowa's responses to the findings identified in our audit and described in the accompanying Schedule of Findings. City of Keokuk, Iowa's responses were not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the responses.

## Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the City of Keokuk, Iowa during the course of our audit. Should you have any questions concerning any of the above matters, we shall be pleased to discuss them with you at your convenience.

ANDERSON, LARKIN & CO., P.C.

*Anderson, Larkin, & Co., P.C.*

Ottumwa, Iowa  
March 20, 2023



CITY OF KEOKUK, IOWA  
SCHEDULE OF FINDINGS  
YEAR ENDED JUNE 30, 2022

Part I: Findings Related to the Financial Statements

Internal Control Deficiencies:

I-A-22 Segregation of Duties

Criteria – Management is responsible for establishing and maintaining internal control. A good system of internal control provides for adequate segregation of duties so no one individual handles a transaction from its inception to completion. In order to maintain proper internal control, duties should be segregated so the authorization, custody and recording of transactions are not under the control of the same employee. This segregation of duties helps prevent losses from employee error or dishonesty and maximizes the accuracy of the City's financial statements.

Condition – Management has not separated incompatible activities of personnel, thereby creating risks related to the safeguarding of cash and the accuracy of the financial statements.

Cause – The City has a limited number of employees and procedures have not been designed to adequately segregate duties or provide compensating controls through additional oversight of transactions and processes.

Effect – Inadequate segregation of duties could adversely affect the City's ability to prevent or detect and correct misstatements or errors or misappropriation on a timely basis by employees in the normal course of performing their assigned functions.

Recommendation – The City should review its control activities to obtain the maximum internal control possible under the circumstances utilizing currently available staff, including elected officials.

Response – The City will continue to review operating procedures and segregate employee duties to the extent financially feasible to maximize internal control.

Conclusion – Response accepted.

Part II: Other Findings Related to Required Statutory Reporting

II-A-22 Certified Budget – Disbursements during the year ended June 30, 2022 exceeded the amounts budgeted in the debt service and capital projects functions. Chapter 384.20 of the Code of Iowa states in part that monies may not be expended or encumbered except under an annual or continuing appropriation.

Recommendation – The budget should have been amended on or before May 31 of the applicable fiscal year in accordance with Chapter 384.18 of the Code of Iowa before disbursements were allowed to exceed the budget.

Response – The budget will be amended in the future, if applicable, on or before May 31.

Conclusion – Response accepted.

II-B-22 Questionable Disbursements – No disbursements were noted that we believe may not meet the requirements of public purpose as defined in an Attorney General's opinion dated April 25, 1979.

II-C-22 Travel Expense – No disbursements of City money for travel expenses of spouses of City officials or employees were noted.

II-D-22 Business Transactions – No business transactions between the City and City officials or employees were noted.

II-E-22 Restricted Donor Activity – No transactions were noted between the City, City officials, City employees and restricted donors in compliance with Chapter 68B of the code of Iowa.

CITY OF KEOKUK, IOWA

SCHEDULE OF FINDINGS  
YEAR ENDED JUNE 30, 2022

II-F-22 Bond Coverage – Surety bond coverage of City officials and employees is in accordance with statutory provisions. The amount of coverage should be reviewed annually to ensure that the coverage is adequate for current operations.

II-G-22 City Council Minutes – No transactions were found that we believe should have been approved in the Council minutes but were not.

II-H-22 Deposits and Investments – We noted no instances of noncompliance with the deposit and investment provisions of Chapters 12B and 12C of the Code of Iowa and the City's investment policy.

II-I-22 Revenue Bonds and Notes – The following instance of non-compliance with the solid waste revenue notes provisions was noted.

The provisions of the solid waste revenue note resolutions require the City to produce net operating revenues equal to at least 130% of the principal and interest on the bonds as they become due. The City fiscal year 2022 net operating receipts of \$88,850 were less than 130% of the \$86,215 of the revenue note principal and interest due during fiscal year 2022.

Recommendation – The City should establish utility rates at a sufficient level to allow net receipts to comply with the note provisions.

Response – The City is reviewing this and will make changes to ensure compliance with the above requirement.

Conclusion – Response accepted.

II-J-22 Annual Urban Renewal Report – The Annual Urban Renewal Report was properly approved and certified to the Iowa Department of Management on or before December 1 and no exceptions were noted.

II-K-22 Financial Condition – The Capital Projects Fund and Urban Renewal TIF Fund had deficit balances of \$174,291 and \$155,632, respectively, at June 30, 2022.

Recommendation – The City should investigate alternatives to eliminate the deficits in order to return this fund to a sound financial position.

Response – The deficits were due to disbursements incurred prior to receipt of funding. The deficits will be eliminated in subsequent fiscal years.

Conclusion – Response accepted.

II-L-22 Tax Increment Financing (TIF) – Chapter 403.19 of the Code of Iowa provides a municipality may certify loans, advances, indebtedness and bonds (indebtedness) to the County Auditor which qualify for reimbursement from incremental property tax. The County Auditor provides for the division of property tax to repay the certified indebtedness and provides available incremental property tax in subsequent fiscal years without further certification by the City until the amount of certified indebtedness is paid. No instances of noncompliance were noted.



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Setting Public Hearing Budget Amendment Agenda Item: \_\_\_\_\_

## Description:

As part of the budget process, re-estimated revenues and expenditures were developed. The amendment will formalize those changes. Prior to any action a public hearing must be held. Staff recommends May 4, 2023 at 5:30 PM.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Adopted FY 23-24 Budget

Date

04-20-2023

### Recommendation:

Recommend approval.

## Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

## CITY COUNCIL VOTES

[illegible]



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION SETTING PUBLIC HEARING ON AMENDMENT TO  
THE FISCAL YEAR 2022-2023 ANNUAL BUDGET**

**WHEREAS**, the City of Keokuk, Iowa has adopted the annual operating budget for Fiscal Year 2022-2023; and

**WHEREAS**, it has become necessary to amend said budget; and

**WHEREAS**, prior to approving said amendment, a public hearing must be held to receive comments.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA**, a public hearing shall be held on May 4, 2023 at 5:30 PM in the Keokuk City Hall, 501 Main St, Keokuk, Iowa.

**BE IT FURTHER RESOLVED** that the City clerk shall publish notice of said public hearing in a newspaper of general circulation.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
K. A. Mahoney, Mayor

Attest: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Pool Sewer Fees Agenda Item: \_\_\_\_\_

## Description:

In previous years the City has granted adjustments to sewer bills for residents filling swimming pools. This is not within our code of ordinances and should be approved by the Council annually through a resolution. The adjustment would reduce the sewer charges to the resident's twelve month average and the adjustment must be requested by the resident prior to the due date of the billing.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

## Approve Res for Sewer Fee Adjustment

Date

03/17/2022

### Recommendation:

## Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_  
TO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CITY COUNCIL VOTES

[illegible]

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING ADJUSTMENT IN SEWER CHARGES  
RELATED TO THE FILLING OF SWIMMING POOLS**

**WHEREAS**, residents of the City of Keokuk, Iowa that fill backyard pools incur charges for sewer usage in accordance with the Code of Ordinances for the City of Keokuk, Iowa:  
and

**WHEREAS**, the water used to fill said backyard pool does not enter the sanitary sewer system.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF KEOKUK, STATE OF IOWA:** that residents of the City of Keokuk, Iowa that fill backyard pools during the months of May and June of the year 2023 shall have their associated sewer charges reduced to the twelve (12) month average for the resident's address provided that said resident requests said adjustment before payment of the sewer billing where the charges have been incurred.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of April 2023.

\_\_\_\_\_  
K. A. Mahoney, Mayor

Attest: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Maternity/Paternity Leave Agenda Item: \_\_\_\_\_

## Description:

As discussed at the workshop on April 6th, the policy provides for alternate duty assignments for pregnant employees when they reach a point they can no longer complete their normal duties. Alternate duty assignments will be given if there is one available. The employee may be moved to another department, work hours may be adjusted, and number of work hours are not guaranteed. The policy also provides for two weeks of paid maternity and paternity leave. The leave would count towards the twelve weeks of FMLA leave.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Date

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### Recommendation:

Staff recommends approval.

## Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

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MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

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## CITY COUNCIL VOTES

[illegible]



**RESOLUTION NO.**

**RESOLUTION ADOPTING MATERNITY/PATERNITY LEAVE POLICY FOR  
THE CITY OF KEOKUK**

**WHEREAS**, the City of Keokuk, Iowa strives to provide its employees with leave and benefits that allows its employees to care for, and enjoy their families; and

**WHEREAS**, the City of Keokuk desires to accommodate pregnant employees ability to continue working as long as possible before taking maternity leave.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE  
CITY OF KEOKUK, STATE OF IOWA:** that it hereby adopts the attached  
Maternity/Paternity Leave Policy.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of April 2023.

\_\_\_\_\_  
K. A. Mahoney, Mayor

Attest: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Training Reimbursement Agrmnt Schau Agenda Item: \_\_\_\_\_

## Description:

The agreement is with Mason Schau. Officer Schau will be required to reimburse the city for total training expenses in the following instances:

1. Fails to obtain State of Iowa certification.
2. Voluntarily leaves employment with the City prior to five years of service.
3. Is dismissed from employment before five years of service.

Certain excepts to the above apply. The agreement also sets forth a repayment plan.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Date \_\_\_\_\_

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### Recommendation:

Recommend approval.

Recommend approval.

### Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

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MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

---

## CITY COUNCIL VOTES

[illegible]

**RESOLUTION NO.**  
**RESOLUTION APPROVING OFFICER TRAINING REIMBURSEMENT**  
**AGREEMENT**

**WHEREAS**, the City of Keokuk, Iowa has employed Mason Schau as a Police Officer;  
and

**WHEREAS**, the City of Keokuk, Iowa will invest considerable time and funds in Officer  
Schau's training.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE**  
**CITY OF KEOKUK, STATE OF IOWA:** that approves the Officer Training  
Reimbursement Agreement with Mason Schau.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of April 2023.

\_\_\_\_\_  
K.A. Mahoney, Mayor

ATTEST:

\_\_\_\_\_  
Celeste El Anfaoui, City Clerk

**CITY OF KEOKUK  
OFFICER TRAINING REIMBURSEMENT AGREEMENT**

This agreement is entered into by the City of Keokuk, Iowa, hereinafter referred to as "City" and Mason Schau, hereinafter referred to as "Employee".

THE INTENT OF THIS AGREEMENT IS TO PROVIDE FOR THE TRAINING OF Mason Schau AS A POLICE OFFICER, AND TO SPECIFY THE CONSIDERATION THAT Mason Schau PROVIDES THE CITY IN RETURN FOR THE TRAINING. IT SHALL NOT BE CONSTRUED IN ANY WAY AS AN EMPLOYMENT AGREEMENT WHICH WOULD PROFFER A PROPERTY RIGHT OR INTEREST ON Mason Schau.

1. The City and the Employee agree that the Employee will attend the Iowa Law Enforcement Academy at the expense of the City to receive certification as a Law Enforcement Officer in accordance with the Academy's training requirements. The training at the academy is scheduled to begin as soon as the Employee is accepted for the training class. The City shall pay the expense of training and shall pay the Employee's regular wages during this training. The Employee agrees that he/she will be responsible for reimbursing the City in accordance with the rules for reimbursement as stated hereinafter in this Agreement. The expenses which the Employee agrees to reimburse include the City's expenditure for the Employee's pre-employment physical MMPI, Hepatitis B series shots, new bulletproof vest, mileage, food, lodging and tuition while attending the Academy. All of these reimbursable costs are referred to as "total training expenses." The Employee will not be responsible for reimbursing the City for any time spent by the Employee performing services such as dispatching, filing, patrol work, or other work assigned by the City. An estimate of the "total training expenses" mentioned above are listed hereafter in Paragraph No. 21. "Total training expenses" will be based on the actual cost incurred by the City. as these costs become known.
2. Employee may, at the City's option, be required to work for the Keokuk Police Department while attending the training program, and may be required to patrol, dispatch, operate computer system, perform clerical tasks, or do other duties as assigned by the Chief of Police or the Chief's designee. The hours expended by Employee in attendance at the training course and service to the police department shall be subject to the same limitations and compensatory time policies as apply to all police officers of the City.
3. Employee shall have a probationary period consistent with the Personnel Policy and State Law.
4. Employee shall serve as a full-time police officer of the City, after graduation from the Iowa Law Enforcement Academy and meeting all criteria needed to receive proper certification.

5. In consideration for providing for this training, Employee agrees to work for the City as a police officer for at least five (5) years from the date when the Employee graduates from the Iowa Law Enforcement Academy and has met all criteria needed to receive certification.
6. In the event the Employee does not successfully complete the training program, Employee shall be released from employment with the City, and Employee shall reimburse the City for its "total training expenses" incurred to that date in accordance with the terms set forth in Paragraph 10.
7. In the event the Employee voluntarily resigns from the Keokuk Police Department without having served as a certified police officer for at least five years, the employee shall reimburse the City for total training expenses incurred per the following Schedule:

The amount of reimbursement shall be determined as follows:

- (1.) If a law enforcement officer resigns less than two years following completion of approved training, one hundred percent (100%) of the total training expenses.
  - (2.) If a law enforcement officer resigns two years or more but less than three years after the completion of approved training, seventy-five percent (75%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
  - (3.) If a law enforcement officer resigns three years or more but less than four years after completion of approved training, fifty percent (50%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
  - (4.) If a law enforcement officer resigns four years or more but less than five years after completion of the approved training, twenty-five percent (25%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
8. If the Employee is dismissed during the probationary period or properly terminated by the City without having served as a certified officer for at least five years, the employee shall reimburse the City for the "total training expenses" incurred according to the schedule as defined in paragraph 7. If the employee is dismissed for any other reason, such as reduction in force, the employee shall not be required to pay the City for any unpaid training costs owed.



9. At the end of five years of service as a certified police officer, the amount owed for training expenses by Employee shall be zero dollars.
10. Payment of any training costs owed to the City by Employee shall be made in consecutive monthly payments in accordance with the following schedule:

Minimum monthly payment	Annual Percentage Rate
\$250.00	Four (4) %

The first payment shall be due thirty (30) days after the Employee's termination, and on the same date each month thereafter. Interest shall commence with the employee's date of termination and shall be calculated on the unpaid principal balance to the date of each installment paid with payments being credited first to accrued interest and then to the reduction of principal.

11. If Employee is killed or permanently and totally disabled as defined by Chapter 85 or Chapter 411 of the Iowa Code, while in the employ of the City, any training expenses shall cease.
12. This agreement may be amended or canceled only upon written agreement of both the City and the Employee.
13. Employee shall notify City of the employee's place of residence while in the employment of the City and/or until such time as the debt for total training expenses is satisfied in full.
14. If reimbursement is not made in accordance with this agreement, the Employee understands that the City at its Option may seek Employee's decertification as an Iowa Law Enforcement Officer.
15. This agreement is for the purposes of bona fide employment and not for the purpose of achieving certification for the officer by way of "sponsorship" through the academy.
16. This Agreement is to be governed by the laws of the State of Iowa. The parties hereto agree that any action, suit, or proceeding based upon any matter, claim, or controversy arising under this Agreement shall be brought solely in the State Courts located in South Lee County, Iowa. The parties hereto irrevocably waive objection to the venue of the above-mentioned Courts, including any claim that such action, suit, or proceeding has been brought in an inconvenient forum. Both parties hereby expressly acknowledge and agree that nothing contained in this Agreement shall be construed to require the parties to submit to mandatory arbitration or mediation in the event of a breach or dispute hereunder.

17. If any section, subsection, term, or provision of this Agreement or the application thereof to the Employee, the City, or a particular circumstance shall, at any extent, be invalid or unenforceable, the remainder of said section, subsection, term, or provision of this Agreement or the application of same to the Employee, the City, or particular circumstances other than that for which it was held valid or invalid or enforceable, shall not be affected thereby and each remaining section, subsection, term, or provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
18. The persons signing this Agreement warrant and represent that they have the authority to sign as, or on behalf of, the party for whom they are signing.
19. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement.
20. Both the Employee and the City hereby expressly acknowledge and agree that this Agreement is intended to set forth the entire agreement between the parties regarding the reimbursement of "total training expenses" by the Employee, that there are no other considerations or monies contingent upon or resulting from the execution of this Agreement, and that no other monies or consideration have been solicited. No waiver, change, modification, or amendment of this Agreement shall be binding upon either party hereto unless in writing and signed by both the Employee and the City. The waiver by either party hereto of a breach of any subsequent breach of that provision or of any other provision or condition in this Agreement.

STATE OF IOWA    )  
                                  ) SS  
COUNTY OF LEE    )

I, Mason Schau, being first duly sworn on oath, do depose and state that I have read the attached OFFICER TRAINING REIMBURSEMENT AGREEMENT, that I have been provided the opportunity to ask questions about the terms of the Agreement, that my questions regarding the terms of the Agreement have been fully and sufficiently answered, and that I am now satisfied that I understand the terms of the Agreement, specifically and expressly including my obligations as set forth therein.

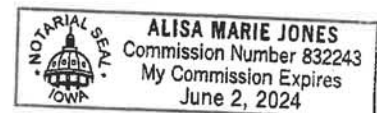
Mason Schau Employee Date 03-23-2023

Mason Schau  
Signature

Mason Schau  
Print Name

SUBSCRIBED AND SWORN to before me by Mason Schau this  
23<sup>rd</sup> day of March, 2023.

Alisa M. Jones  
Notary Public in and for said  
County and State  
Lee, IA



**21. TRAINING EXPENSE AND REIMBURSEMENT SCHEDULE AND EMPLOYEE ACKNOWLEDGEMENT FORM**

The following are the estimated training costs for EMPLOYEE for training at the \_\_\_\_\_ Iowa Law Enforcement Academy \_\_\_\_\_ from \_\_\_\_\_ 5/1/2023 \_\_\_\_\_ to \_\_\_\_\_ 8/18/2023 \_\_\_\_\_.

Required tuition/training courses cost	\$ 6,750.00
Required training supplies and duty gear, PT clothing, bullet proof Vest	\$ 987.00
Meals	\$ 1,700.00
Physical	\$ 1,325.00
Polygraph	\$ 350.00
MMPI	\$ 150.00
Wages at ILEA	\$ 15,327.00
Mileage	\$ 3,236.52

Pursuant to the Agreement, EMPLOYEE agrees to reimburse CITY in the following amount:

**TOTAL AGREED REIMBURSEMENT AMOUNT** **\$ 29,825.52**

**EXECUTION OF AGREEMENT**

Executed this 23rd day of March, 2023.

**EMPLOYEE:**

Mason Schay  
[Signature]

Mason Schay  
[Printed Name]

**CITY OF KEOKUK:**

By: W. Mahoney  
Mayor



# COUNCIL ACTION FORM

Date: April 20, 2023

Presented By: O'Donnell

Subject: Training Reimbursement Agrmnt Dunlap Agenda Item: \_\_\_\_\_

## Description:

The agreement is with Philip Dunlap. Officer Dunlap will be required to reimburse the city for total training expenses in the following instances:

1. Fails to obtain State of Iowa certification.
2. Voluntarily leaves employment with the City prior to five years of service.
3. Is dismissed from employment before five years of service.

Certain excepts to the above apply. The agreement also sets forth a repayment plan.

## FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: \_\_\_\_\_ Title: \_\_\_\_\_

Amount Budgeted: \_\_\_\_\_

Actual Cost: \_\_\_\_\_

Under/Over: \_\_\_\_\_

Funding Sources:

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

Departments:

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

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: \_\_\_\_\_

# COUNCIL ACTION FORM

Any previous Council actions:

## Action

Date

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### Recommendation:

Recommend approval.

Recommend approval.

## Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

TO \_\_\_\_\_

---

## CITY COUNCIL VOTES

[illegible]



**RESOLUTION NO.**  
**RESOLUTION APPROVING OFFICER TRAINING REIMBURSEMENT**  
**AGREEMENT**

**WHEREAS**, the City of Keokuk, Iowa has employed Phillip Dunlap as a Police Officer;  
and

**WHEREAS**, the City of Keokuk, Iowa will invest considerable time and funds in Officer  
Dunlap's training.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE**  
**CITY OF KEOKUK, STATE OF IOWA:** that approves the Officer Training  
Reimbursement Agreement with Phillip Dunlap.

**PASSED, APPROVED, AND ADOPTED** this 20<sup>th</sup> day of April 2023.

\_\_\_\_\_  
K.A. Mahoney, Mayor

Attest: \_\_\_\_\_  
Celeste El Anfaoui, City Clerk

**CITY OF KEOKUK  
OFFICER TRAINING REIMBURSEMENT AGREEMENT**

This agreement is entered into by the City of Keokuk, Iowa, hereinafter referred to as "City" and Philip Dunlap, hereinafter referred to as "Employee".

THE INTENT OF THIS AGREEMENT IS TO PROVIDE FOR THE TRAINING OF Philip Dunlap AS A POLICE OFFICER, AND TO SPECIFY THE CONSIDERATION THAT Philip Dunlap PROVIDES THE CITY IN RETURN FOR THE TRAINING. IT SHALL NOT BE CONSTRUED IN ANY WAY AS AN EMPLOYMENT AGREEMENT WHICH WOULD PROFFER A PROPERTY RIGHT OR INTEREST ON Philip Dunlap.

1. The City and the Employee agree that the Employee will attend the Iowa Law Enforcement Academy at the expense of the City to receive certification as a Law Enforcement Officer in accordance with the Academy's training requirements. The training at the academy is scheduled to begin as soon as the Employee is accepted for the training class. The City shall pay the expense of training and shall pay the Employee's regular wages during this training. The Employee agrees that he/she will be responsible for reimbursing the City in accordance with the rules for reimbursement as stated hereinafter in this Agreement. The expenses which the Employee agrees to reimburse include the City's expenditure for the Employee's pre-employment physical MMPI, Hepatitis B series shots, new bulletproof vest, mileage, food, lodging and tuition while attending the Academy. All of these reimbursable costs are referred to as "total training expenses." The Employee will not be responsible for reimbursing the City for any time spent by the Employee performing services such as dispatching, filing, patrol work, or other work assigned by the City. An estimate of the "total training expenses" mentioned above are listed hereafter in Paragraph No. 21. "Total training expenses" will be based on the actual cost incurred by the City. as these costs become known.
2. Employee may, at the City's option, be required to work for the Keokuk Police Department while attending the training program, and may be required to patrol, dispatch, operate computer system, perform clerical tasks, or do other duties as assigned by the Chief of Police or the Chief's designee. The hours expended by Employee in attendance at the training course and service to the police department shall be subject to the same limitations and compensatory time policies as apply to all police officers of the City.
3. Employee shall have a probationary period consistent with the Personnel Policy and State Law.
4. Employee shall serve as a full-time police officer of the City, after graduation from the Iowa Law Enforcement Academy and meeting all criteria needed to receive proper certification.

5. In consideration for providing for this training, Employee agrees to work for the City as a police officer for at least five (5) years from the date when the Employee graduates from the Iowa Law Enforcement Academy and has met all criteria needed to receive certification.
6. In the event the Employee does not successfully complete the training program, Employee shall be released from employment with the City, and Employee shall reimburse the City for its "total training expenses" incurred to that date in accordance with the terms set forth in Paragraph 10.
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The amount of reimbursement shall be determined as follows:

- (1.) If a law enforcement officer resigns less than two years following completion of approved training, one hundred percent (100%) of the total training expenses.
  - (2.) If a law enforcement officer resigns two years or more but less than three years after the completion of approved training, seventy-five percent (75%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
  - (3.) If a law enforcement officer resigns three years or more but less than four years after completion of approved training, fifty percent (50%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
  - (4.) If a law enforcement officer resigns four years or more but less than five years after completion of the approved training, twenty-five percent (25%). If the officer begins employment with another law enforcement agency in Lee County or in a county adjacent to Lee County, or Iowa Highway Patrol, within this time period, one hundred percent (100%).
8. If the Employee is dismissed during the probationary period or properly terminated by the City without having served as a certified officer for at least five years, the employee shall reimburse the City for the "total training expenses" incurred according to the schedule as defined in paragraph 7. If the employee is dismissed for any other reason, such as reduction in force, the employee shall not be required to pay the City for any unpaid training costs owed.

9. At the end of five years of service as a certified police officer, the amount owed for training expenses by Employee shall be zero dollars.
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11. If Employee is killed or permanently and totally disabled as defined by Chapter 85 or Chapter 411 of the Iowa Code, while in the employ of the City, any training expenses shall cease.
12. This agreement may be amended or canceled only upon written agreement of both the City and the Employee.
13. Employee shall notify City of the employee's place of residence while in the employment of the City and/or until such time as the debt for total training expenses is satisfied in full.
14. If reimbursement is not made in accordance with this agreement, the Employee understands that the City at its Option may seek Employee's decertification as an Iowa Law Enforcement Officer.
15. This agreement is for the purposes of bona fide employment and not for the purpose of achieving certification for the officer by way of "sponsorship" through the academy.
16. This Agreement is to be governed by the laws of the State of Iowa. The parties hereto agree that any action, suit, or proceeding based upon any matter, claim, or controversy arising under this Agreement shall be brought solely in the State Courts located in South Lee County, Iowa. The parties hereto irrevocably waive objection to the venue of the above-mentioned Courts, including any claim that such action, suit, or proceeding has been brought in an inconvenient forum. Both parties hereby expressly acknowledge and agree that nothing contained in this Agreement shall be construed to require the parties to submit to mandatory arbitration or mediation in the event of a breach or dispute hereunder.

17. If any section, subsection, term, or provision of this Agreement or the application thereof to the Employee, the City, or a particular circumstance shall, at any extent, be invalid or unenforceable, the remainder of said section, subsection, term, or provision of this Agreement or the application of same to the Employee, the City, or particular circumstances other than that for which it was held valid or invalid or enforceable, shall not be affected thereby and each remaining section, subsection, term, or provision of this Agreement shall be valid and enforceable to the fullest extent of the law.
18. The persons signing this Agreement warrant and represent that they have the authority to sign as, or on behalf of, the party for whom they are signing.
19. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement.
20. Both the Employee and the City hereby expressly acknowledge and agree that this Agreement is intended to set forth the entire agreement between the parties regarding the reimbursement of "total training expenses" by the Employee, that there are no other considerations or monies contingent upon or resulting from the execution of this Agreement, and that no other monies or consideration have been solicited. No waiver, change, modification, or amendment of this Agreement shall be binding upon either party hereto unless in writing and signed by both the Employee and the City. The waiver by either party hereto of a breach of any subsequent breach of that provision or of any other provision or condition in this Agreement.

**21. TRAINING EXPENSE AND REIMBURSEMENT SCHEDULE AND EMPLOYEE ACKNOWLEDGEMENT FORM**

The following are the estimated training costs for EMPLOYEE for training at the \_\_\_\_\_ Iowa Law Enforcement Academy \_\_\_\_\_ from \_\_\_\_\_ 5/1/2023 \_\_\_\_\_ to \_\_\_\_\_ 8/18/2023 \_\_\_\_\_.

Required tuition/training courses cost	\$ 6,750.00
Required training supplies and duty gear, PT clothing, bullet proof Vest	\$ 987.00
Meals	\$ 1,700.00
Physical	\$ 1,325.00
Polygraph	\$ 350.00
MMPI	\$ 150.00
Wages at ILEA	\$ 15,327.00
Mileage	\$ 3,236.52

Pursuant to the Agreement, EMPLOYEE agrees to reimburse CITY in the following amount:

**TOTAL AGREED REIMBURSEMENT AMOUNT** **\$ 29,825.52**

**EXECUTION OF AGREEMENT**

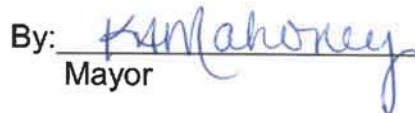
Executed this 23<sup>rd</sup> day of March, 2023.

**EMPLOYEE:**

  
[Signature]

Philip Dunlap  
[Printed Name]

**CITY OF KEOKUK:**

By:   
Mayor



STATE OF IOWA    )  
                              ) SS  
COUNTY OF LEE    )

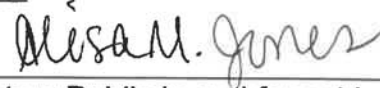
I, Philip Dunlap, being first duly sworn on oath, do depose and state that I have read the attached OFFICER TRAINING REIMBURSEMENT AGREEMENT, that I have been provided the opportunity to ask questions about the terms of the Agreement, that my questions regarding the terms of the Agreement have been fully and sufficiently answered, and that I am now satisfied that I understand the terms of the Agreement, specifically and expressly including my obligations as set forth therein.

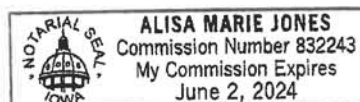
Philip Dunlap Employee Date 3/23/23

  
\_\_\_\_\_  
Signature

Philip Dunlap  
\_\_\_\_\_  
Print Name

SUBSCRIBED AND SWORN to before me by Philip Dunlap this  
23<sup>rd</sup> day of March, 2023.

  
\_\_\_\_\_  
Notary Public in and for said  
County and State  
Lee, IA





TO: Mayor and Council  
FROM: Cole S. O'Donnell  
DATE: April 17, 2023  
RE: Committee Nominations

**BUILDING & HOUSING ADVISORY BOARD (Final notification. Vote required.)**

**(3 YEAR TERM)**

Robert Cannon (Electrician)

Term to expire 09/19/2025

**CITY PLANNING COMMISSION (Second Notification. No Vote Required)**

**(5 YEAR TERM)**

Tom Bryant

Term to expire 05/14/28

Jean Brilon

Term to expire 05/14/28

**CIVIL SERVICE COMMISSION (First Notification. No Vote Required)**

**(6 YEAR TERM)**

Heather Sisk

Term to expire 04/01/28

**RESIGNATION**

**RAND PARK PAVILION COMMISSION**

**(5 YEAR TERM)**

Kevin Helmick



TO: Mayor and Council

FROM: Cole S. O'Donnell

DATE: April 17, 2023

RE: Administrator's Report

1. Pretreatment Permit Meetings: Staff has scheduled meetings with all but one of the industries required to have a pretreatment permit. The meetings are this week and Monday of next week. We continue to work with the remaining industry to resolve certain issues.
2. Southeast Iowa Development Center: Staff has been working with Freeze Dried USA on expanding to the fourth floor of the building. This would require so lighting replacement from fluorescent to LED and correcting some issues with the HVAC system on that floor. KEDC is also looking at contracting with a property marketing firm to attract tenants. The firm would market the building and only receive payment upon securing a lease.
3. Iowa Legislature: Property tax reform bills continue to move through both the House and Senate. Another bill reorganizing the local option sales tax into a statewide tax is also still alive. This bill would make the \$0.01 tax statewide, removing local control, remove many current exemptions from sales tax, use the additional tax created to fund the Natural Resources and Outdoor Recreation Trust Fund. LOST would be distributed back to jurisdictions based on the current formula. A supplemental fund is created to reimburse jurisdictions back to their 2024 collection level; however, full reimbursement is not guaranteed. The bill also moves the commercial industrial rollback to 80% over two years. The Iowa League of Cities is holding a statewide video conference on Tuesday to discuss all of the current legislation affecting cities.