

**CITY OF OSKALOOSA CITY COUNCIL MEETING
REGULAR SESSION**

**COUNCIL CHAMBERS – CITY HALL, 220 S. MARKET STREET
MAY 21, 2012 – 6:30 P.M.**

AGENDA

CALL TO ORDER – 6:30 P.M.

ITEM 1. INVOCATION: Pastor David Childers, First Church of the Nazarene

ITEM 2. PLEDGE OF ALLEGIANCE.

ITEM 3. ROLL CALL.

ITEM 4. COMMUNITY COMMENTS.

ITEM 5. CONSIDER ADOPTION OF CONSENT AGENDA AS PRESENTED OR AMENDED.

All items appearing on the Consent Agenda are considered routine by the City Council and shall be enacted by one motion. If discussion is desired, that item shall be removed and discussed separately.

a) Approval of Council Minutes and Actions, subject to corrections, as recommended by the City Clerk.

1. May 7, 2012 Regular City Council Meeting Minutes
2. May 21, 2012 Agenda

b) Receive and file minutes of Boards and Commissions (ANY RECOMMENDATIONS CONTAINED IN MINUTES BECOME EFFECTIVE ONLY UPON SEPARATE COUNCIL ACTION).

1. April 23, 2012 Library Board of Trustees Minutes
2. April 24, 2012 Board of Adjustment Minutes
3. May 1, 2012 Municipal Housing Agency Minutes

c) Claims

None.

d) Permit Motions and Resolutions as Recommended by the City Clerk.

New:

None.

Renewal:

1. Consider approval of renewal application for Class B Beer Permit from NPC International, Inc. dba Pizza Hut #4342, 1503 A Avenue East.

- 2. Renewal application for a Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #174, 413 A Avenue West.
- 3. Renewal application for a Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #175, 901 South Market.
- 4. Renewal application for Class C Liquor License with Outdoor Service from Oskaloosa Post #2237 Veterans of Foreign Wars, 1215 South 17th Street.

Resolutions & Motions:

None.

Ordinances:

None.

----- **END OF CONSENT CALENDAR** -----

ITEM 6. ANNOUNCEMENT OF VACANCIES. APPLICANTS MUST RESIDE IN OSKALOOSA AND BE 18 YEARS OF AGE UNLESS SPECIFIC QUALIFICATIONS ARE STATED.

- a) Building Code Board of Appeals – One vacancy to fill upon appointment and to serve at the pleasure of the Mayor. (4 males and 0 females currently serve).
- b) Enterprise Zone Commission - One at-large member to the Enterprise Zone Commission to fill an unexpired term that ends June 30, 2013. This is a nine member commission that meets as needed. (3 males and 5 females current serve).
- c) Housing Trust Fund Committee – One at-large vacancy to fill approved and appointed by the City Council for a three year term that ends January 31, 2015. (1 male and 3 females currently serve).
- d) Planning and Zoning Commission – One vacancy to fill approved and appointed by the City Council for five year term that ends April 30, 2017 and one vacancy to fill an unexpired term that ends April 30, 2014. This is seven member commission. (5 males and 1 female currently serve).
- e) Water Board - One vacancy to fill appointed by the Mayor with city Council approval for a six year term that ends June 30, 2018. This is a three member board. (3 males currently serve).

REGULAR AGENDA – PUBLIC HEARING ITEMS:

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF OSKALOOSA, IOWA WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING SERVICE SHOULD CONTACT OSKALOOSA CITY HALL AT (641) 673-9431 FIVE (5) DAYS PRIOR TO THE HEARING OR MEETING TO INFORM THE CITY OF THEIR ANTICIPATED ATTENDANCE.

ITEM 7. CONSIDER A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS FOR THE HWY. 432 PAVEMENT REHABILITATION PROJECT. (PUBLIC HEARING)

ITEM 8. CONSIDER A RESOLUTION APPROVING AWARD OF CONTRACT FOR HIGHWAY 432 PAVEMENT REHABILITATION PROJECT TO NORRIS ASPHALT PAVING CO. IN AN AMOUNT NOT TO EXCEED \$321,634.50, BASE BID PLUS ALTERNATE BID ITEM, AND AUTHORIZE CITY MANAGER TO UTILITIZE AN ADDITIONAL TEN PERCENT (\$32,163.45) FOR PROJECT CONTINGENCY.

REGULAR AGENDA - ORDINANCES:

ITEM 9. CONSIDER AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY REZONING THE PROPERTIES LOCATED AT 304 NORTH 1ST STREET, 310 NORTH 1ST STREET, AND 305 NORTH 2ND STREET FROM R-2, URBAN FAMILY RESIDENTIAL DISTRICT, TO UC, URBAN CORRIDOR DISTRICT – 2ND READING.

ITEM 10. CONSIDER AN ORDINANCE ESTABLISHING A “NO PARKING ZONE” ON THE NORTH SIDE OF E AVENUE EAST BETWEEN NORTH 3RD STREET AND NORTH 4TH STREET – 2ND READING.

REGULAR AGENDA – RESOLUTIONS & MOTIONS:

ITEM 11. CONSIDER A RESOLUTION TO TRANSFER OWNERSHIP AND TITLE TO A 2000 FORD AUTOMOBILE TO THE ALBIA HOUSING AGENCY.

ITEM 12. CONSIDER A RESOLUTION AUTHORIZING THE CITY CLERK TO ISSUE PAYMENT OF FUNDS TO THE MAHASKA COUNTY SHERIFF’S OFFICE FOR AMOUNTS AWARDED BY THE SHERIFF’S JURY FOR EMINENT DOMAIN DAMAGES AND ASSOCIATED COSTS TO DENNIS AND LINDA SELBY FOR EASEMENT CONDEMNATION OF LAND AT 2382 LAVEEN STREET, OSKALOOSA, IOWA.

ITEM 13. REPORT ON ITEMS FROM CITY STAFF.

- a) City Manager.
- b) City Clerk.
- c) City Attorney.

ITEM 14. CITY COUNCIL INFORMATION.

ADJOURNMENT

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND OTHER APPLICABLE FEDERAL AND STATE LAWS, ALL PUBLIC HEARINGS AND MEETINGS HELD OR SPONSORED BY THE CITY OF OSKALOOSA, IOWA WILL BE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. PERSONS REQUIRING SERVICE SHOULD CONTACT OSKALOOSA CITY HALL AT (641) 673-9431 FIVE (5) DAYS PRIOR TO THE HEARING OR MEETING TO INFORM THE CITY OF THEIR ANTICIPATED ATTENDANCE.

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Michael Schrock,
City Manager

ITEM TITLE: CALL TO ORDER AND ROLL CALL – 6:30 p.m.

1. Invocation: Pastor David Childers, First Church of the Nazarene
2. Pledge of Allegiance
3. Roll Call: _____ Mayor David Krutzfeldt, Council Members:

_____ Caligiuri, _____ Jimenez, _____ Moore, _____ Van Zetten,

_____ Ver Steeg, _____ Walling, _____ Yates.

Explanation:

Not applicable.

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS: None



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY:

ITEM TITLE: COMMUNITY COMMENTS.

EXPLANATION:

This item is reserved to receive comments from the community for concerns whether or not they are included in the current agenda. The community is encouraged to come and speak before the Mayor and City Council and asked to keep statements brief. Any questions are to be asked of the City staff, Council Members, or the Mayor prior to speaking to the full Council so concerns may be properly researched and answered away from the meeting. Comments are to be directed to the Mayor and City Council only.

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS:

Consent Agenda Items: All items appearing on the Consent Agenda are considered routine in nature and no discussion is anticipated.

Item 1. Minutes and reports from city council meetings, boards and commissions:

Staff recommends council receive and file these documents.

Item 2. Renewal application for Class B Beer Permit from NPC International, Inc. dba Pizza Hut #4342, 1503 A Avenue East.

- No complaints received.

Item 3. Renewal application for Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #174, 413 A Avenue West.

- No complaints received.

Item 4. Renewal application for Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #175, 901 South Market.

- No complaints received.

Item 5. Renewal application for Class C Liquor License with Outdoor Service from Oskaloosa Post #2237 Veterans of Foreign Wars, 1215 South 17th Street.

- No complaints received.
- Subject to inspection by Fire Chief.



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Michael Schrock,
City Manager

ITEM TITLE: CONSENT AGENDA – ITEM 1

EXPLANATION:

All items appearing on the Consent Agenda are considered routine by the City Council and shall be enacted by one motion. If discussion is desired, that item shall be removed and discussed separately.

- A. Approval of Council Minutes and Actions, subject to corrections, as recommended by the City Clerk.
 - 1. May 7, 2012 Regular City Council Meeting Minutes
 - 2. May 21, 2012 Agenda

- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - 1. April 23, 2012 Library Board of Trustees Minutes
 - 2. April 24, 2012 Board of Adjustment Minutes
 - 3. May 1, 2012 Municipal Housing Agency Minutes

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS:

May 7, 2012 Regular City Council Meeting Minutes
April 23, 2012 Library Board of Trustees Minutes
April 24, 2012 Board of Adjustment Minutes
May 1, 2012 Municipal Housing Agency Minutes

OSKALOOSA CITY COUNCIL
REGULAR MEETING
May 7, 2012

The Oskaloosa City Council met in regular session on Monday, May 7, 2012, at 6:30 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates.

Mayor Krutzfeldt administered the Oath of Office to new Police Officer Calvin Kock.

It was moved by Caligiuri, seconded by Yates to approve the following consent agenda items:

1. April 16, 2012 Regular City Council Meeting Minutes
2. May 7, 2012 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - a. April 17, 2012 Civil Service Commission Minutes
 - b. April 2, 2012 Airport Commission Minutes
 - c. April 2, 2012 Municipal Housing Agency Minutes
 - d. April 3, 2012 Municipal Housing Agency Minutes
 - e. April 24, 2012 Municipal Housing Agency Minutes
4. Claims for April 2012.
5. Renewal application for Class B Native Wine Permit (WBN) from Kerri Boender dba The Antique Peddler, 213 High Avenue East.

The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 12-05-33 entitled "RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE AREA 15 REGIONAL PLANNING COMMISSION" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 12-05-34 entitled "A RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE OF SOUTH EIGHTH STREET FROM FIRST AVENUE EAST TO SECOND AVENUE EAST TO ALLOW FOR CHURCH RECREATION ACTIVITY" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Sherry Vavra, Executive Director of Mahaska Community Recreation Foundation, presented a quarterly MCRF Report.

The Mayor announced there were vacancies on the Building Code Board of Appeals, Enterprise Zone Commission, Housing Trust Fund Committee and Planning and Zoning Commission.

It was moved by Jimenez, seconded by Ver Steeg to approve the Mayor's appointment of Josh Buckingham to the Library Board to complete an unexpired term that ends June 30, 2015. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Yates to approve the Mayor's recommendation to appoint Jim Hansen to the South Central Regional Airport Agency for a five year term that ends April 1, 2017; and Pamela Blomgren to the South Central Regional Airport Agency for a six year term that ends April 1, 2018. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

The Mayor announced this was the time and place for the public hearing on the rezoning of the properties located at 304 North 1st Street, 310 North 1st Street and 305 North 2nd Street from R-2, Urban Family Residential District, to UC, Urban Corridor District, and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Ver Steeg introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTIES LOCATED AT 304 NORTH 1ST STREET, 310 NORTH 1ST STREET, AND 305 NORTH 2ND STREET FROM R-2, URBAN FAMILY RESIDENTIAL DISTRICT, TO UC, URBAN CORRIDOR DISTRICT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg, Walling and Yates

NAYS: Van Zetten

Whereupon the Mayor declared said ordinance approved on the first reading.

The Mayor announced this was the time and place for the public hearing on establishing a no parking zone on the north side of E Avenue East between North 3rd Street and North 4th Street and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Caligiuri introduced "AN ORDINANCE ESTABLISHING A "NO PARKING ZONE" ALONG THE NORTH SIDE OF E AVENUE EAST BETWEEN NORTH 3RD STREET AND NORTH 4TH STREET, PROHIBITING THE PARKING OF MOTOR VEHICLES OR OTHER TYPE OF VEHICLES WITHIN SAID NO PARKING ZONE; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None

Whereupon the Mayor declared said ordinance approved on the first reading.

Yates introduced Resolution No. 12-05-35 entitled "A RESOLUTION APPROVING THE PROJECT GRANT AGREEMENT BETWEEN THE CITY OF OSKALOOSA AND THE MAHASKA COUNTY COMMUNITY FOUNDATION THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH GRANT FUNDS SHALL BE USED FOR THE PURPOSE OF CONSTRUCTING A DOG PARK IN OSKALOOSA, IOWA" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced Resolution No. 12-05-36 entitled "A RESOLUTION APPROVING THE PROJECT GRANT AGREEMENT BETWEEN THE CITY OF OSKALOOSA AND THE MAHASKA COUNTY COMMUNITY FOUNDATION THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH GRANT FUNDS SHALL BE USED FOR THE PURPOSE OF IMPLEMENTING A STUDENT INTERNSHIP PROGRAM" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Ver Steeg, Walling and Yates
NAYS: Van Zetten

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 12-05-37 entitled "A RESOLUTION APPROVING AND AUTHORIZING THE RECEIPT, DISTRIBUTION AND EXPENDITURE OF GRANT FUNDS ASSOCIATED WITH THE IOWA DEPARTMENT OF PUBLIC HEALTH'S HEALTHY IOWANS PROGRAM" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore, Ver Steeg, Walling and Yates
NAYS: Jimenez and Van Zetten.

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Caligiuri, seconded by Ver Steeg to approve Pay Request #1 from Synergy Contracting LLC. in the amount of \$128,578.70 payable to Northern Escrow for work on the North 7th & J Avenue East Sanitary Sewer Improvements Project. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None

Whereupon the Mayor declared said motion approved.

Jimenez introduced Resolution No. 12-05-38 entitled "A RESOLUTION APPROVING CONTRACT AND BOND FOR THE NORTH GREEN STREET PAVING PROJECT TO CORNERSTONE EXCAVATING, INC. IN THE AMOUNT OF \$979,960.40" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None.

Whereupon the Mayor declared said resolution duly adopted.

Walling introduced Resolution No. 12-05-39 entitled "RESOLUTION TERMINATING CONTRACTUAL AGREEMENT WITH THE OSKALOOSA LOW-RENT HOUSING AGENCY OF OSKALOOSA, IOWA" and moved its approval. Jimenez seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None.

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced Resolution No. 12-05-40 entitled "A RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT WITH GARDEN & ASSOCIATES, LTD FOR THE TROLLEY PLACE STORM WATER AND MALL PARKING LOT IMPROVEMENTS PROJECT" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None.

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Caligiuri, seconded by Ver Steeg that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:37 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

MINUTES
OSKALOOSA PUBLIC LIBRARY BOARD OF TRUSTEES
MONDAY – APRIL 23, 2012 -- 4:00 P.M.

Before the meeting Vice-president Judy Bishop reviewed Robert's Rules of Order for making a motion.

The meeting was called to order by Vice-president Judy Bishop. Roll call was taken by Board secretary Susan Hasso with Trustees Paul Groenenboom, Jane Ireland, Bryan Johnson, and Candace Slobe present. Also present were Library Director Wanda Gardner and Keith Miller, president of the Friends.

Minutes: Bishop called for a motion to approve the March 26, 2012, minutes. Johnson offered a correction stating that Mike Calzaretta had attended the March Board meeting, but was not mentioned in the minutes. Motion was made by Ireland, seconded by Johnson, to approve the March 26, 2012, minutes as corrected. Motion passed.

Board Correspondence, Public Input, or Friends Report: Keith Miller, president of the Friends, reported that the Friends had met on March 19th. They discussed the possibility of getting a Humanities Iowa speaker and fund-raising projects for the summer. Gardner suggested the book that goes along with the IPTV series Downtown Abbey could be used for a book discussion. Dan Brice of DB Landscaping presented a proposal for his services for the Reading Garden. Because of the city's concern about the brickwork meeting ADA (Americans with Disabilities Act) standards, the brickwork will need to be laid by professionals, not volunteers. In order to complete the project that Brice had designed, Brice has agreed to oversee the laying of the brickwork, and along with his four-man crew, he will install the retaining walls and amphitheater seating and floor for a cost of \$9202. The Friends will be talking with Joe Crookham about his donation of \$10,000 for the Reading Garden that he had initially proposed last fall. On May 1st a junior troop of Girl Scouts will be planting a daisy bed and clematis around the performance pavilion.

Director's Report:

Borrowing and Circulation Policy: Implementation of the revised library Borrowing and Circulation Policy has been delayed until April 30 to allow all issues and concerns to be addressed, and the necessary forms and cards prepared. The new cards for children and teens have arrived.

MCCF Grant: The library has received a \$5000 grant from the Mahaska County Community Foundation. These funds will be used to replace four computers in the children's computer lab, which will be used by children and also for adult computer instruction.

WILBOR: The library's membership contract in WILBOR, the cooperative that gives our library users access to e-books and downloadable audio books, has been submitted for next year. The fee will be \$300 and 9 cents per Oskaloosa population, which is 11,463 for a total of \$1,331.67. When asked about signing for the next tier in order to get more titles, Gardner said that the cost would be \$1000, which includes \$500 for set-up fee and \$500 for purchasing eBooks. Publishers are concerned about the loss of revenue from making new eBooks available to libraries. Therefore, some publishers are declining to make all of their new books available as eBooks to libraries. At this time there are changes in the eBook industry that make purchasing additional eBooks or copies of eBooks not advisable. Gardner said that only 2% of the library's patrons are currently using eBooks.

Simplex Grinnell: Gardner asked Simplex Grinnell to replace the battery in the library's security system. The bill was \$429.60 and is in the board's April claims. During a thunderstorm in April, Gardner was not available when a false alarm was reported at the library. Cindy Godlove came to the building to reset the alarm, so there will be 2 hours of staff overtime listed in April.

Part-time Salaries: The city's April 1st reports indicated that the library's target expenditures were 75%. The library's part-time wages were at 69.16%, and are not expected to exceed the \$300 cap set for the one-percent pay increase part-time workers received this year.

Additional Projects: At next month's board meeting, Gardner said that she would ask the board to consider proceeding with re-carpeting the 2nd floor of the library after the completion of the summer reading program; moving the popular DVD shelving nearer the reference desk for better security; re-location of the adult computer lab into the archives, which will triple the space; and approval to have Shankster Masonry schedule the roof and stone cap repair as soon as possible.

Reading Garden: Carla Malloy and Diana Pearson, representing the library Friends, plan to meet with Joe Crookham to obtain the \$10,000 he offered for the Reading Garden last fall, so the Friends will have full-funding available to hire DB Landscaping to complete the major brick work. Trees Forever is working with Dan Brice, and they are reviewing a request to furnish the remaining trees needed for the project. Brice expects the brickwork to take 2 ½ to 3 weeks. The Friends have not yet contracted for this work, and the garden will not be available for June programs.

Committee Reports:

Staff Committee - Jane Ireland, chair: No report. Bishop asked about evaluations. Gardner said that she had just completed several annual staff evaluations. The director's evaluation was done last June.

Budget & Finance Committee – Judy Bishop, chair: Bishop reported that the Budget and Finance Committee had not met, but she would be contacting David Ahmad with Edward Jones.

Policy & Planning Committee – Candace Slobe, chair: No report.

Technology Committee – Kathy Rothfus, chair: No report.

Building & Grounds – Bryan Johnson, Chair: Johnson said that the Building and Grounds Committee would meet before the next Board meeting to discuss both old and new projects.

Unfinished Business: None

New Business: None

Financial Report/Approval of claims: Motion was made by Johnson, seconded by Groenenboom, to approve payment of the April claims. Motion passed.

President's Remarks: None

Adjournment: Motion was made by Slobe, seconded by Groenenboom, to adjourn. Motion passed.

The next regular meeting will be on Monday, May 21, at 4:00 p.m. in the library meeting room.

Respectfully submitted,

Susan Hasso
Library Administrative Assistant
for the Board

CITY OF OSKALOOSA
MINUTES OF BOARD OF ADJUSTMENT MEETING
April 24, 2012

A meeting of the Board of Adjustment for the City of Oskaloosa was called to order 5:04 p.m. on Tuesday, April 24, 2012, by Chairperson Bryan Johnson, at 220 South Market Street, Oskaloosa, IA.

COMMITTEE MEMBERS PRESENT: Chairperson Bryan Johnson, Russell Sparks, Jim Hansen and Perry Murray. COMMITTEE MEMBERS ABSENT: Lloyd Phillips
CITY STAFF PRESENT: Building Official, Dan Bolt.

The first item discussed was approval of the minutes of the October 25, 2011 Board of Adjustment meeting. Sparks moved and Hansen seconded the approval of the minutes of the September 27, 2011 meeting. *YES*: Sparks, Johnson, Hansen, Murray; *No*: None; *ABSENT*: Phillips. The motion was unanimously approved.

Under unfinished business, staff reported on the progress of the project at North A Street and College Avenue. Staff will continue to monitor and report on the progress.

Mr. Doug Yates presented his request for variance from the setback requirements of Title 17, Table 17.08C to permit a rear setback of twenty feet and a front setback of fifteen feet to permit required Fire Code separations of buildings and to clear existing easements at the front of the property located at 415 13th Avenue East.

Sparks moved, and Murray seconded to approve the variance request. *YES*: Sparks, Johnson, Hansen, Murray; *No*: None; *ABSENT*: Phillips. The motion was unanimously approved.

With no further business, Chairperson Johnson adjourned the meeting at 5:10 p.m.

Minutes by Dan Bolt

MINUTES
OSKALOOSA MUNICIPAL HOUSING AGENCY
May 1, 2012
CITY HALL CONFERENCE ROOM

The Oskaloosa Municipal Housing Agency held its regular monthly meeting in the City Hall conference room on May 1, 2012. Board members present were, Michael Collins, Don Patterson, Sandra Rowe, Steve Brown and Jenifer Rice. Also present was staff member Carolyn Rice, Chris Schippers, City Manager, Michael Schrock , City Clerk, Amy Miller and Marty Ryan, Executive Director of the Albia Housing Agency. Don Patterson called the meeting to order at 12:20 PM.

It was moved by Steve Brown and seconded by Jenifer Rice to approve the minutes of the April 2, 2012 and April 24, 2012 Special Work Mtgs., and April 3, 2012 General Mtg. minutes. The motion was unanimously approved.

The claims list was reviewed. It was moved by Sandra Rowe and seconded by Michael Collins to approve the claims list. The motion carried unanimously. The April operating statement was reviewed. It was moved by Jenifer Rice and seconded by Steve Brown to approve the operating statement. The motion carried unanimously.

The report on the Voucher program was given. It was noted there were 212 out of 230 units, eligible for payment in May. There are 16 vouchers currently issued but placed on hold.

The FY '11 audit was reviewed. It was moved by Jenifer Rice and seconded by Sandra Rowe to approve the payment to the audit firm of Niewedde & Wiens in the amount of \$2,475 for audit services and \$400 for electronic submission to REAC. The motion carried unanimously.

Marty Ryan, Executive Director of the Albia Housing Agency presented a Memorandum of Understanding between the Albia Housing Agency and the Oskaloosa Municipal Housing Agency for a management agreement on the Section 8 Housing Assistance Program. Steve Brown requested that a clause be entered into the contract stating that Albia Housing Agency will provide insurance coverage for errors and omissions covering the OMHA board. It was moved by Steve Brown and seconded by Michael Collins contingent on the addition of the insurance coverage language to approve the Resolution adopting a Memorandum of Understanding. Roll call vote was as follows:

AYES: Patterson, Collins, Rice, Rowe and Brown

NAYES: None

Whereupon said Memorandum of Understanding was adopted to be effective May 1, 2012.

With the approval of the management agreement between the Albia Housing Agency and the Oskaloosa Municipal Housing Agency the board must appoint an Executive Director to assume all roles and responsibilities associated with running the voucher program on behalf of the OMHA. Sandra Rowe made a motion to appoint Marty Ryan, as Executive Director, motion was seconded by Jenifer Rice. Motion passed unanimously.

With the approval of the Albia Housing Agency management agreement and appointment of Marty Ryan as Executive Director a discussion followed for the resolution terminating the contractual agreement with the City of Oskaloosa. A motion was made by Michael Collins and seconded by

Steve Brown to approve the Resolution terminating the contractual agreement with the City of Oskaloosa. Roll call vote was as follows:

AYES: Patterson, Collins, Rice, Rowe, and Brown

NAYES: None

Whereupon said Termination of Contract was adopted effective May 1, 2012.

Future agenda items noted were discussion of the Oskaloosa Municipal Housing Agency By-Laws and need for updates.

With no other business, the meeting was adjourned at 1:00 pm.

Carolyn Rice

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 2

Consider approval of renewal application for Class B Beer Permit from NPC International, Inc. dba Pizza Hut #4342, 1503 A Avenue East.

EXPLANATION:

The application is complete and in order for approval.

Staff recommends approval.

BUDGET CONSIDERATION:

\$300.00 to the General Fund.

ATTACHMENTS: None.



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 3

Consider approval of a renewal application for a Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #174, 413 A Avenue West.

EXPLANATION:

The application is complete and in order for approval.

Staff recommends approval.

BUDGET CONSIDERATION:

\$100.00 Revenue to the General Fund

ATTACHMENTS: None



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 4

Consider approval of a renewal application for a Class E Liquor License (LE) from Kum & Go LC dba Kum & Go #175, 901 South Market.

EXPLANATION:

The application is complete and in order for approval.

Staff recommends approval.

BUDGET CONSIDERATION:

\$00 Revenue to the General Fund.

ATTACHMENTS: None.



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 5

Consider approval of a renewal application for Class C Liquor License with Outdoor Service from Oskaloosa Post #2237 Veterans of Foreign Wars, 1215 South 17th Street.

EXPLANATION:

Approval of the application is subject to inspection by the Fire Chief.

BUDGET CONSIDERATION:

\$845.00 to General Fund.

ATTACHMENTS: None.



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: CITY COUNCIL

ITEM TITLE: ANNOUNCEMENT OF VACANCIES. APPLICANTS MUST RESIDE IN OSKALOOSA AND BE 18 YEARS OF AGE UNLESS SPECIFIC SPECIFICATIONS ARE STATED.

- a) Building Code Board of Appeals – One vacancy to fill upon appointment and to serve at the pleasure of the Mayor. (4 males and 0 females currently serve).
- b) Enterprise Zone Commission - One at-large member to the Enterprise Zone Commission to fill an unexpired term that ends June 30, 2013. This is a nine member commission that meets as needed. (3 males and 5 females current serve).
- c) Housing Trust Fund Committee – One at-large vacancy to fill approved and appointed by the City Council for a three year term that ends January 31, 2015. (1 male and 3 females currently serve).
- d) Planning and Zoning Commission – One vacancy to fill approved and appointed by the City Council for a five year term that ends April 30, 2017 and one vacancy to fill an unexpired term that ends April 30, 2014. This is seven member commission. (5 males and 1 female currently serve).
- e) Water Board - One vacancy to fill appointed by the Mayor with city Council approval for a six year term that ends June 30, 2018. This is a three member board. (3 males currently serve).

EXPLANATION:

This item is reserved to provide the most current information about existing or upcoming vacancies for Boards, Committees, or Commissions filled by appointment of the Mayor, or the City Council. Appointment to fill vacancies requires a separate action or confirmation by the City Council.

BUDGET CONSIDERATION:

Not applicable, report(s) only.



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Public Works Department,
Engineering Division

ITEM TITLE: PUBLIC HEARING

Consider a resolution approving the plans, specifications, form of contract, and estimate of costs for the Highway 432 Pavement Rehabilitation Project. **(PUBLIC HEARING)**

EXPLANATION:

Garden & Associates has prepared plans and specifications for the rehabilitation of Highway 432 from A Avenue West to Pella Avenue. The scope of this project includes making full-depth spot repairs, placing hot mix asphalt overlay, and shoulder stabilization around the roundabout. Once the project is awarded then the construction work is proposed to commence in mid July. The anticipated work completion time is 20 working days.

Now is the time for interested persons to express their opinions concerning the project plans, specifications, form of contract, and estimate of costs.

BUDGET CONSIDERATION:

The recommended action will result in a total project authorized expenditure of \$353,797.95 (\$321,634.50 for base and alternate bids + \$32,163.45 for contingency). Funding for the project is included in the Pavement Management Fund and General Fund – LOST of the FY12-13 budget.

Recommended Action:

Open public hearing; receive comments; close hearing; approve the resolution approving the project plans, specifications, form of contract and estimate of costs.

ATTACHMENTS:

Resolution and Final Plans.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE FINAL PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS, FOR THE HIGHWAY 432 PAVEMENT REHABILITATION PROJECT

WHEREAS, the City Council of the City of Oskaloosa, Iowa, has heretofore deemed it necessary and desirable for Pavement Rehabilitation on Highway 432 from A Avenue West to Pella Avenue, known as the "Highway 432 Pavement Rehabilitation Project"; and

BE IT RESOLVED that the City of Oskaloosa City Council does hereby approve the plans, specifications, estimated costs, and notice of award for the aforementioned Project.

PASSED AND APPROVED this _____ day of May, 2012.

David Krutzfeldt,
Mayor

ATTEST:

Amy Miller, City Clerk

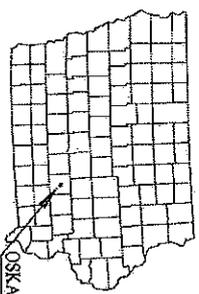
SCALE: NO SCALE FIELD BOOK: NA DRAWN BY: KIR APPROVED: BAN
 REVISIONS:

HIGHWAY 432 RESURFACING PROJECT OSKALOOSA, IOWA

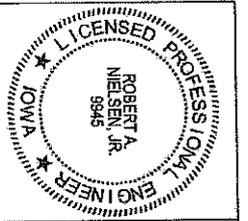
2012

SHEET NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	LEGEND, LOCATION MAP AND GENERAL NOTES
B.01 - B.03	TYPICAL SECTIONS AND DETAILS
C.01 - C.02	TABULATIONS
D.01 - D.03	PLAN SHEETS
10	TOTAL SHEETS

Materials and construction shall be in accordance with the SUDAS Standard Specifications, 2012 Edition, plus current Supplemental Special Specifications and Special Provisions, of which specifications are on file with the Iowa Department of Natural Resources.



OSKALOOSA, IOWA



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

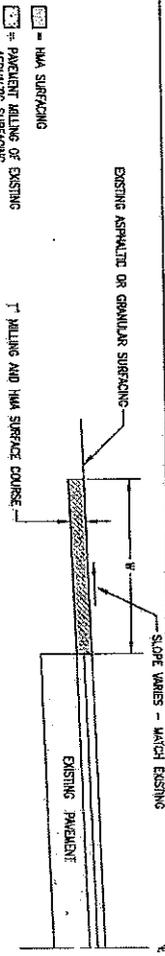
Robert A. Nielsen, Jr., P.E.
 License number: 9945
 My license renewal date is December 31, 2013
 Pages or sheets covered by this seal:
 A.01, A.02, B.01 - B.03, C.01 - C.02, D.01 - D.03

Robert A. Nielsen, Jr., P.E.
 3/26/12
 Date

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SHEET NO: A 01	PROJECT NO: 5011285	DATE: MAR 26, 2012	SHEET TITLE: TITLE SHEET	HIGHWAY 432 RESURFACING PROJECT OSKALOOSA, IOWA © COPYRIGHT 2012 GARDEN & ASSOCIATES, LTD.	GARDEN & ASSOCIATES, LTD. ENGINEERS & SURVEYORS 1701 3rd Avenue East, Suite 1 P.O. Box 451 Oskaloosa, Iowa 52577 641.672.2526 Phone 641.672.2091 Fax 800.493.7524 Iowa Toll Free	500 E. Taylor, Suite C P.O. Box 631 Creston, Iowa 50801 641.782.4005 Phone 641.782.4118 Fax email@gardenassociates.net

SCALE: NO SCALE
 FIELD BOOK: N/A
 DRAWN BY: KJR
 APPROVED: RAN

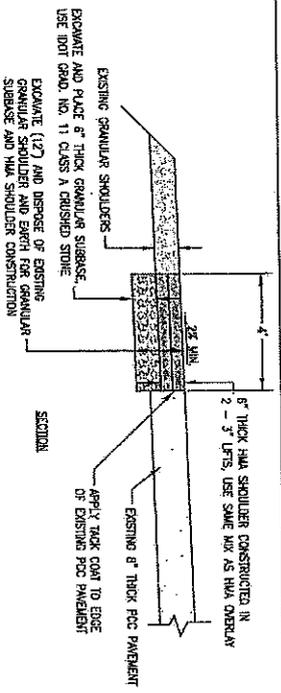


EXISTING ASPHALT OR GRANULAR SURFACING
 2" THICK HMA SHOULDER CONSTRUCTED IN 2 - 3" LIFTS. USE SAME MIX AS HMA OVERLAY

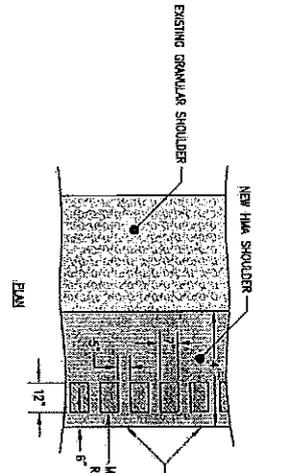
DESIGN RATES	ITEM	RATE
	Surface Course	145 \$/cu. ft.

LOCATION		APPROXIMATE STATION TO STATION		W, FT.	L, IN.	HOT MIX ASPHALT (TONS)	HAILING (CY)	REMARKS
SIDEROAD OR DRIVEWAY		6+50	7+00	15	3	14	53	
6+75	7+00	6	3	13	40			
6+75	7+00	6	3	8	47			
13+10	13+50	6	3	8	47		PLACE HMA IN A MINIMUM OF 2 LIFTS	
13+10	12+80	6	3	8	47			
13+10	12+80	6	3	8	47			
13+10	12+80	6	3	8	47		PLACE HMA IN A MINIMUM OF 2 LIFTS	
24+00	24+50	10	6	46	139			

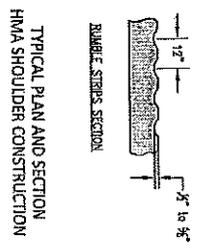
TYPICAL CROSS SECTION
 HMA RESURFACING FILLETS FOR
 SIDEROADS AND DRIVEWAYS



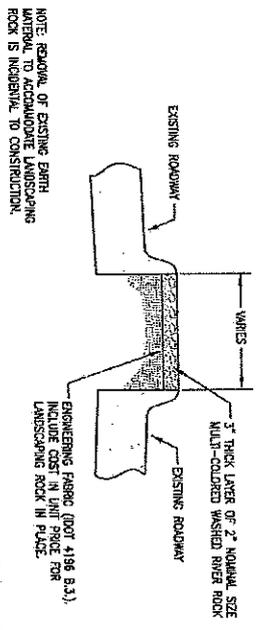
EXISTING GRANULAR SHOULDER
 EXISTING GRANULAR SUBBASE
 2" MIN.
 6" THICK HMA SHOULDER CONSTRUCTED IN 2 - 3" LIFTS. USE SAME MIX AS HMA OVERLAY



NOTE: RUBBLE STRIPS SHALL BE PLACED CONTINUOUSLY WITHOUT GAPS IN ALL NEW HMA SHOULDERS.



TYPICAL PLAN AND SECTION
 HMA SHOULDER CONSTRUCTION



TYPICAL SECTION FOR
 CENTER ISLAND LANDSCAPING

NOTE: REMOVAL OF EXISTING EARTH MATERIAL TO ACCOMMODATE LANDSCAPING ROCK IS NECESSARY TO CONSTRUCTION.

ENGINEERING FERRIS (007 4196 B.31)
 INCLUDE COST IN UNIT PRICE FOR
 LANDSCAPING ROCK IN PLACE.

SHEET NO.: B.02
 PROJECT NO.: 501285
 DATE: MAR. 26, 2012

SHEET TITLE
 TYPICAL SECTIONS
 AND DETAILS

HIGHWAY 432
 RESURFACING PROJECT
 OSKALOOSA, IOWA
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GARDEN & ASSOCIATES, LTD.
 ENGINEERS & SURVEYORS
 1701 3rd Avenue East, Suite 1
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 Oskaloosa, Iowa 52577
 641.672.2526 Phone
 641.672.2091 Fax
 500 E. Taylor, Suite C
 P.O. Box 631
 Creston, Iowa 50801
 641.782.4005 Phone
 641.782.4118 Fax
 800.491.2524 Iowa Toll Free
 email@gardenassociates.net

SCALE: NO SCALE FIELD BOOK: NA DRAWN BY: KJR APPROVED: RAN
 REVISIONS:

ESTIMATED PROJECT QUANTITIES

Item No.	Bid Item No.	Bid Item Description	Unit	Estimated Quantity	Remarks
1	1096-105-D	Modification	LS	1	
2	7020-108-A-0	HMA Overlay - Hot Box Asphalt Mixtures (1,000,000 ESAL), Intermediate or Surface Course, 1 1/2 inch max. Minimum 15% Crushed Content, No Friction Required	TON	1,540	Prepare surface for HMA Overlay in accordance with IDOT Specification 2303.03 C. 2 (Preparation of Existing Surface). No separate payment will be made for this work. Include cost in unit price for HMA.
3	XXXX-XXX-X-X	HMA Shoulder	SY	480	See Detailed Specification Requirements
4	7020-108-H-0	HMA Pavement Sample and Testing	LS	1	The requirements of Section 7020 3.05 B., pavement smoothness testing by profilegraph apply to this project.
5	7040-108-A-0	Full Depth Patches - PCC	SY	400	See Section 7040.01 for details. Payment will be for the actual amount of Full Depth Patch constructed. The limitation on increase and decrease in work outlined in Specification Section 1040 1.06 does not apply to this bid item. All part of the bid quantity may be used. Construct Full Depth Patches in accordance with Section 7040 and Standard Drawing 7040.01.
6	7040-108-G-0	Milling	SY	8,620	Material to be used at Superintendent's discretion to provide smooth transition from new overlay to existing shoulder and/or roadways and fill potholes in existing shoulder. The material shall be placed and bladed smooth. Complete reblading of the shoulder is not part of this project. The limitation for increase and decrease in work outlined in Specification Section 1040 1.06 does not apply to this bid item. All part or none of the bid quantity may be used.
7	7040-108-H-2	Granular Surfacing (Spallbars, Drives and Road repairs)	TON	100	Construct in accordance with IDOT 2327. See plan details and tabulations for locations. All existing pavement markings shall be completely removed prior to new part application. Removal of existing pavement markings is incidental to construction.
8	IDOT 2527	Painted Pavement Markings, Whiteborne or Solvent Based	STA	128.5	Construct in accordance with IDOT 2527. See plan details and tabulations for locations. All existing pavement markings shall be completely removed prior to new part application. Removal of existing pavement markings is incidental to construction.
9	IDOT 2527	Painted Pavement Markings, Symbols and Legends, Whiteborne or Solvent Based	EA	4	Construct in accordance with IDOT 2527. See plan details and tabulations for locations. All existing pavement markings shall be completely removed prior to new part application. Removal of existing pavement markings is incidental to construction.
10	IDOT 2528	Traffic Control	LS	1	See Detailed Specification Requirements
11	XXXX-XXX-X-X	Landscaping Rock	TON	50	See Typical Section for Center Island Landscaping on Sheet B.02.

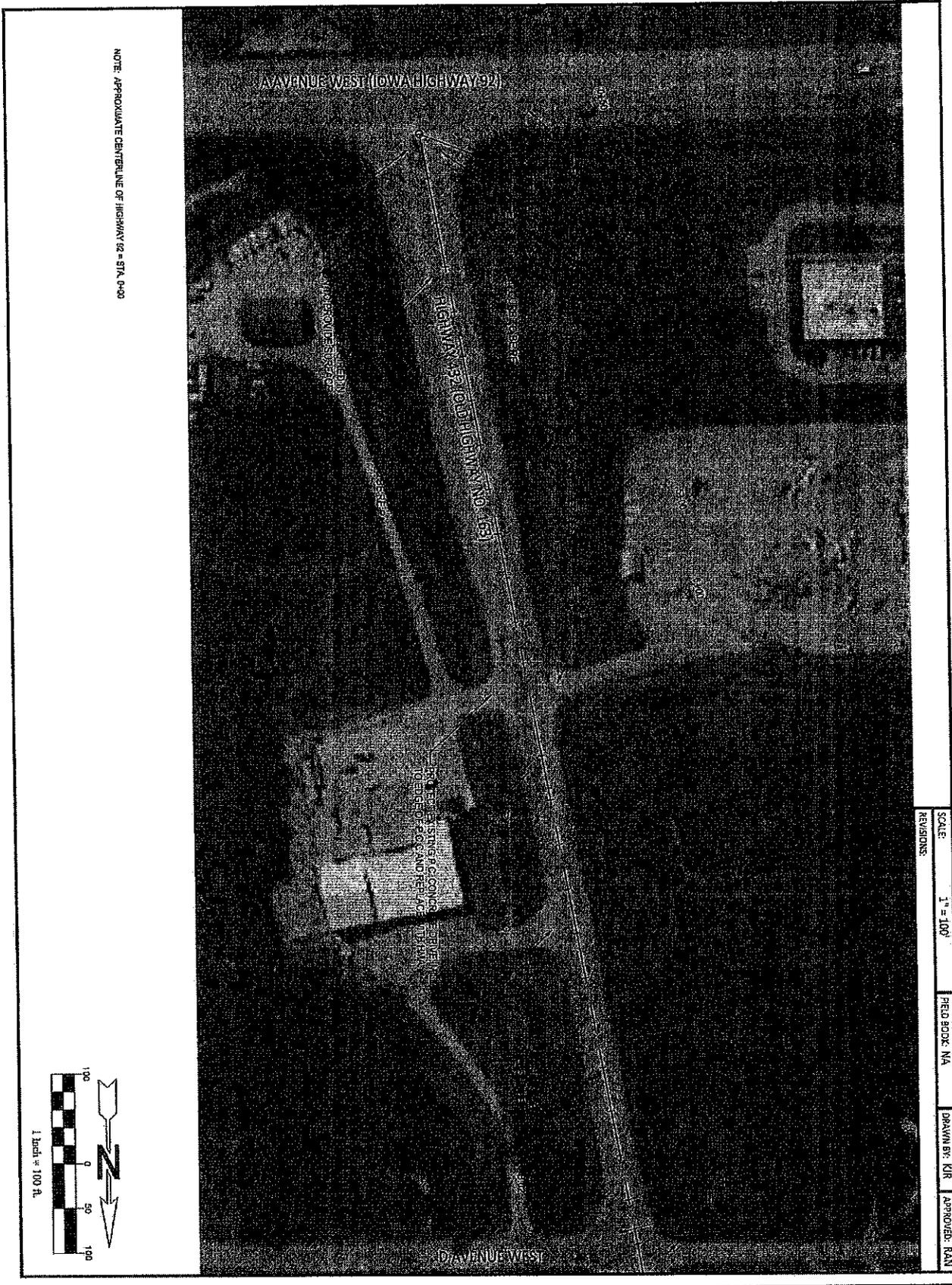
FULL DEPTH PCC PATCHING*			
STATION-STATION	SIDE	WIDTH (FT)	ESTIMATED QUANTITY (SY)
1+00 - 4+00	LT	4	13
4+50 - 4+75	LT	5	14
13+00 - 20+00	R	4	22

* CONSTRUCT FULL DEPTH PCC PATCHES IN ACCORDANCE WITH STANDARD SPECIFICATION SECTION 7040 AND STANDARD DRAWING 7040.01. QUANTITY OF 3" HMA OVERLAY ON TOP OF PATCH SHALL BE INCLUDED BID ITEM FOR HMA OVERLAY.

GARDEN & ASSOCIATES, LTD.
ENGINEERS & SURVEYORS
 1701 3rd Avenue East, Suite 1
 P.O. Box 451
 Oskaloosa, Iowa 52577
 641.672.2528 Phone
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 P.O. Box 631
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 641.782.4005 Phone
 641.782.4138 Fax
 email@gardensassociates.net

**HIGHWAY 432
 RESURFACING PROJECT
 OSKALOOSA, IOWA**
 © COPYRIGHT 2012 GARDEN & ASSOCIATES, LTD.

SHEET TITLE
 TABULATIONS
 DATE
 MAR. 26, 2012
 PROJECT NO.:
 S011285
 SHEET NO.:
C.01



SCALE: 1" = 100'
 REVISIONS:
 PREL BOOK: NA
 DRAWN BY: KJR
 APPROVED: RAN

DATE: MAR. 28, 2012
 PROJECT NO.: S011285
 SHEET NO.: D.01

SHEET TITLE
 PLAN

HIGHWAY 432
 RESURFACING PROJECT
 OSKALOOSA, IOWA
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G GARDEN & ASSOCIATES, LTD.
 ENGINEERS & SURVEYORS

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800.491.2524 Iowa Toll Free
 email@gardenassociates.net

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Public Works Department,
Engineering Division

ITEM TITLE: PUBLIC HEARING

Consider a resolution approving award of contract for Highway 432 Pavement Rehabilitation Project to Norris Asphalt Paving Co. in an amount not to exceed \$321,634.50, base bid plus alternate bid item, and authorize City Manager to utilize an additional ten percent (\$32,163.45) for project contingency. **(PUBLIC HEARING)**

EXPLANATION:

The Highway 432 Pavement Rehabilitation Project was advertised with a base bid for full-depth spot repairs and placing hot mix asphalt overlay on Highway 432 and an alternate bid for asphalt shoulder stabilization around the roundabout. Bids were received and publicly read on May 10, 2012. There was only one bid from Norris Asphalt Paving Co., which includes a base bid of \$286,978.50 with an Alternate bid of \$34,656.00 for a total bid of \$321,634.50. The low bid received is within our budget estimates. Adopting Staff's recommendations will authorize staff to utilize 10% of the contract amount (\$32,163.45) as construction contingency for unforeseen circumstances.

BUDGET CONSIDERATION:

The recommended action will result in a total project authorized expenditure of \$353,797.95. Funding for the project is included in the Pavement Management Fund and General Fund – LOST of the FY12-13 budget.

Recommended Action:

Open public hearing; receive comments; close hearing; approve the resolution awarding the project to Norris Asphalt Paving Co.

Staff recommends that the bid be awarded for the Total Base Bid Price plus the Alternate Bid Price for a total amount of \$321,634.50 and authorize a total construction contingency budget of \$32,163.45 for this project to be administered by the Public Works Director under the supervision of City Manager.

ATTACHMENTS:

Resolution, Bid Tabulation, Letter from Garden & Associates, Notice of Award and Bid Documents.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE AWARD OF CONTRACT TO NORRIS ASPHALT PAVING CO. FOR AN AMOUNT NOT TO EXCEED \$321,634.50 AND APPROVING A CONSTRUCTION CONTINGENCY NOT TO EXCEED \$32,163.45 FOR THE HIGHWAY 432 PAVEMENT REHABILITATION PROJECT.

WHEREAS, the City Council of the City of Oskaloosa, Iowa, has heretofore deemed it necessary and desirable for Pavement Rehabilitation on Highway 432 from A Avenue West to Pella Avenue, known as the "Highway 432 Pavement Rehabilitation Project" (will be known as the "Project"); and

WHEREAS, the bids for the aforementioned Project were received, opened and tabulated as per published notice; and

WHEREAS, the bid from Norris Asphalt Paving Co. with a Base bid of \$286,978.50 and an Alternate bid of \$34,656.00 for a total bid of \$321,634.50 was the lowest responsive, responsible bid; and

WHEREAS, the City desires to authorize the City Manager to allow a ten percent (\$32,163.45) contingency of the award amount for unforeseen construction circumstances,

WHEREAS, the Engineer has heretofore reviewed the bids and recommended that the City Council approve and accept the aforementioned bid for said Project

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

1. The bid of Norris Asphalt Paving Co. with a Base bid of \$286,978.50 and with an Alternate bid for \$34,656.00 for a total bid of \$321,634.50 is hereby accepted with approval of the Alternate bid. Furthermore, the Construction Contract is therefore awarded to Norris Asphalt Paving Co. for the aforementioned bid amount.
2. The City Council authorizes the City Manager a construction contingency of \$32,163.45 for the project to be administered by the Public Works Director during construction as necessary in order to complete this project.

PASSED AND APPROVED this _____ day of May, 2012.

David Krutzfeldt,
Mayor

ATTEST:

Amy Miller, City Clerk

**HIGHWAY 432 RESURFACING PROJECT
OSKALOOSA, IA**

Bids received May 10, 2012
G&A 5011285

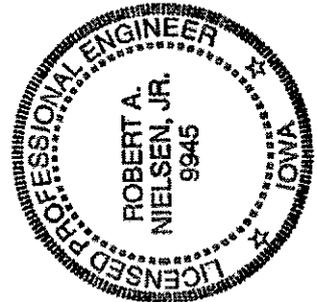
BASE BID		Norris Asphalt Paving Co 14242 Terminal Ave Ottumwa, IA 52501		Engineer's Opinion of Probable Cost				
No.	Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Unit Price	Extended Price
1.	1090-105-D	Mobilization	Lump	Sum		\$10,000.00		\$20,000.00
2.	7020-108-A-0	HMA Overlay- HotMix Asphalt Mixture (1,000,000 ESAL), Intermediate or Surface Course, 1/2 Inch Mix, Minimum 75% Crushed Content, No Friction Required.	1,540	TON	103.15	\$158,851.00	110.00	\$169,400.00
3.	7020-108-H-0	HMA Pavement Samples and Testing	Lump	Sum		\$2,000.00		\$5,000.00
4.	7040-108-A-0	Full Depth Patches - PCC	400	SY	95.00	\$38,000.00	100.00	\$40,000.00
5.	7040-108-G-0	Milling	8,620	SY	5.50	\$47,410.00	5.00	\$43,100.00
6.	7040-108-H-2	Granular Surfacing (Shoulders, Drives and Road Repairs)	100	TON	27.45	\$2,745.00	25.00	\$2,500.00
7.	IDOT 2527	Painted Pavement Markings, Waterborne or Solvent Based	126.5	STA	65.00	\$8,222.50	80.00	\$10,120.00
8.	IDOT 2527	Painted Symbols and Legends, Waterborne or Solvent Based	4	EA	125.00	\$500.00	200.00	\$800.00
9.	IDOT 2528	Traffic Control	Lump	Sum		\$16,000.00		\$5,000.00
10.	XXXX-XXX-X-X	Landscaping Rock	50	TON	65.00	\$3,250.00	50.00	\$2,500.00
TOTAL BASE BID						\$286,978.50		\$298,420.00

ALTERNATE BID

1.	XXXX-XXX-X-X	HMA Shoulder	480	SY	72.20	\$34,656.00	75.00	\$36,000.00
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TOTAL BASE BID PLUS ALTERNATE						\$321,634.50		\$334,420.00
--------------------------------------	--	--	--	--	--	---------------------	--	---------------------

I hereby state that the aforementioned bid tabulation is a fair representation of those bids received May 10, 2012 for the Highway 432 Resurfacing Project.



Robert A. Nielsen, P.E.

5/11/12

License No. 9945 (Renewal Date: 12/31/2013)

NOTICE OF AWARD

Dated May 21, 2012

TO: Norris Asphalt Paving Co.
(BIDDER)

ADDRESS: PO Box 695
Ottumwa, IA 52501

Contract: Highway 432 Resurfacing Project -- Oskaloosa, Iowa

Project: _____

OWNER's Contract No. _____

You are notified that your Bid dated May 10, 2012 for the above Contract has been considered. You are the apparent Successful Bidder and have been awarded a Contract for Highway 432 Resurfacing Project -- Oskaloosa, Iowa.

The Contract Price of your Contract is **Three Hundred Twenty One Thousand Six Hundred Thirty Four and 50/100 Dollars (\$ 321,634.50).**

3 copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award. 3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the OWNER 3 fully executed counterparts of the Contract Documents. [Each of the Contract Documents must bear your signature on page 6.

2. Deliver with the executed Contract Documents the Contract security (Bonds) as specified in the Instructions to Bidders (Article 20), [and] General Conditions (paragraph 5.01) [and Supplementary Conditions (paragraph SC-5.01).]

EJCDC No. 1910-22 (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

**ORIGINAL
PROPOSAL
FOR
BID**

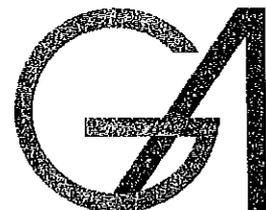
"ORIGINAL BID"

**FOR THE
HIGHWAY 432 RESURFACING PROJECT
OSKALOOSA, IOWA**

BID RECEIVED MAY 10, 2012

**GARDEN & ASSOCIATES, LTD.
ENGINEERS AND SURVEYORS**

**P.O. BOX 451 • 1701 3rd AVENUE EAST • SUITE 1
OSKALOOSA, IOWA 52577
(641) 672-2526 • FAX (641) 672-2091**



TO: The City of Oskaloosa, Iowa

PROPOSAL

PROPOSAL: PART A - SCOPE

The City of Oskaloosa, Iowa hereinafter called the "Jurisdiction", has need of a qualified contractor to complete the work comprising the below referenced improvement. The undersigned Bidder hereby proposes to complete the work comprising the below referenced improvement as specified in the contract documents, which are officially on file with the City of Oskaloosa in the office of the City Clerk, at the prices hereinafter provided in Part C of the Proposal, for the following described improvements:

**HIGHWAY 432 RESURFACING PROJECT
OSKALOOSA, IOWA**

PROPOSAL: PART B - ACKNOWLEDGMENT OF ADDENDA

The Bidder hereby acknowledges that all addenda become a part of the contract documents when issued, and that each such addendum has been received and utilized in the preparation of this bid. The Bidder hereby acknowledges receipt of the following addenda by inserting the number of each addendum in the blanks below:

ADDENDUM NUMBER _____ ADDENDUM NUMBER _____

ADDENDUM NUMBER _____ ADDENDUM NUMBER _____

and certifies that said addenda were utilized in the preparation of this bid.

PROPOSAL: PART C - BID ITEMS, QUANTITIES AND PRICES

UNIT BID PRICE CONTRACTS: The Bidder must provide the Unit Bid Price, the Total Bid Price, any Alternate Prices and the Total Construction Costs on the Proposal Attachment: Part C - Bid Items, Quantities, and Prices. In case of discrepancy, the Unit Bid Price governs. The quantities shown on the Proposal Attachment: Part C - Bid Items, Quantities and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The Total Construction Cost plus any alternates selected by the City shall be used only for comparison of bids. The Total Construction Cost, including any Add-Alternates, shall be used for determining the sufficiency of the bid security.

BASE BID CONTRACTS: The Bidder must provide any Bid Prices, any Alternate Prices, and the Total of the Base Bid plus any Add-Alternates on the Proposal Attachment: Part C - Bid Items, Quantities, and Prices. The Total of the Base Bid plus any Alternates selected by the City of

Oskaloosa, Iowa shall be used only for comparison of bids. The Total of the Base Bid plus any Add-Alternates shall be used for determining the sufficiency of the bid security.

PROPOSAL: PART D - GENERAL

The Bidder hereby acknowledges that the City of Oskaloosa, Iowa, in advertising for public bids for this project reserves the right to:

1. Reject any or all bids. Award of the contract, if any, to be to the lowest responsible, responsive bidder; and
2. Reject any or all alternates in determining the items to be included in the contract. Designation of the lowest responsible, responsive bidder to be based on comparison of the total bid plus any selected alternates; and
3. Make such alterations in the documents or in the proposal quantities as it determines necessary in accordance with the contract documents after execution of the contract. Such alterations shall not be considered a waiver of any conditions of the contract documents, and shall not invalidate any of the provisions thereof; and

The Bidder hereby agrees to:

1. Enter into a contract, if this proposal is selected, in the form approved by the City of Oskaloosa, Iowa provide proof of registration with the Iowa Division of Labor in accordance with Chapter 91C of the Iowa Code, and furnish a performance, maintenance, and payment bond; and
2. Forfeit bid security, not as a penalty but as liquidated damages, upon failure to enter into such contract and/or to furnish said bond; and
3. Commence the work on this project on or before a date to be specified in a written notice to proceed by the Jurisdiction, and to fully complete the project within 60 working days for the Base Bid work and 75 working days for the Base Bid and Alternate 1 work, and to pay liquidated damages for noncompliance with said completion provisions at the rate of Six Hundred dollars (\$600.00) for each consecutive working day thereafter that the work remains incomplete.

PROPOSAL: PART E - NON-COLLUSION AFFIDAVIT

The Bidder hereby certifies:

1. That this proposal is not affected by, contingent on, or dependent on any other proposal submitted for any improvement with the City of Oskaloosa, Iowa; and
2. That no individual employed by the Bidder has employed any person to solicit or procure the work on this project, nor will any employee of the Bidder make any payment or agreement for payment of any compensation in connection with the procurement of this project; and
3. That no part of the bid price received by the Bidder was or will be paid to any person, corporation, firm, association, or other organization for soliciting the bid, other than the payment of their normal compensation to persons regularly employed

- by the Bidder whose services in connection with the construction of the project were in the regular course of their duties for the Bidder; and
4. That this proposal is genuine and not collusive or sham; that the Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to submit a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought, by agreement or collusion, or communication or conference, with any person, to fix the bid price of the Bidder or of any other bidder, and that all statements in this proposal are true; and
 5. That the individual(s) executing this proposal have the authority to execute this proposal on behalf of the Bidder.

PROPOSAL: PART F – ADDITIONAL REQUIREMENTS

The Bidder hereby agrees to comply with the additional requirements listed below which are included in this proposal and identified as proposal attachments:

<u>ITEM NO.</u>	<u>DESCRIPTION OF ATTACHMENT</u>
1.	None
2.	
3.	
4.	
5.	
6.	

PROPOSAL: PART G – IDENTITY OF BIDDER

The Bidder shall indicate whether the bid is Submitted by a/an:

<input type="checkbox"/> Individual, Sole Proprietorship	Norris Asphalt Paving Co.
<input type="checkbox"/> Partnership	Bidder
<input checked="" type="checkbox"/> Corporation	<i>Brady D. Meldrem</i>
<input type="checkbox"/> Limited Liability Company	Signature
<input type="checkbox"/> Joint-venture: all parties must join-in and execute all documents	By Brady D. Meldrem
<input type="checkbox"/> Other	Name (Print/Type)
	President
	Title

The Bidder's Public Registration Number, issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code, is as follows:

Number C 0 8 4 2 - 5 9

The Bidder should contact 515-242-5871 for registration information.

Failure to provide said Registration Number shall result in the bid being read under advisement. A contract will not be executed until the Contractor is registered.

14242 Terminal Ave.

Street Address

Ottumwa IA 52501

City, State, Zip Code

641-682-3427

Telephone Number

Type or print the name and title of the company's owner, president, CEO, etc. if a different person than entered above.

Name

Title

NOTE: The signature on this proposal must be an original signature in ink; copies or facsimile of any signature will not be accepted.

Subscribed and sworn to before me this 10 day of May, 2012.

Marcia Huddleston

Notary Public in and for: State of Iowa County of Wapello

My commission expires _____



PROPOSAL

PROPOSAL ATTACHMENT: PART C - BID ITEMS, QUANTITIES AND PRICES

This is a UNIT BID PRICE CONTRACT. The bidder must provide the Unit Bid Price, the Total Bid Price, any Alternate Price(s) and the Total Construction Cost; in case of discrepancy, the Unit Bid Price governs. The quantities shown on the Proposal Attachment: Part C - Bid Items, Quantities and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The Total Construction Cost plus any alternate selected by the City of Oskaloosa, Iowa shall be used only for comparison of bids. The Total Construction Cost, including any Add-Alternates, shall be used for determining the sufficiency of the bid security.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>ESTIMATED UNITS</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Base Bid:				
1	1090-105-D Mobilization	Lump Sum	XXXXX	\$ <u>10,000.00</u>
2	7020-108-A-0 HMA Overlay- HotMix Asphalt Mixture (1,000,000 ESAL), Intermediate or Surface Course, 1/2 Inch Mix, Minimum 75% Crushed Content, No Friction Required.	1,540 TON	\$ <u>103.15</u>	\$ <u>158,851.00</u>
3	7020-108-H-0 HMA Pavement Samples and Testing	Lump Sum	XXXXX	\$ <u>2,000.00</u>
4	7040-108-A-0 Full Depth Patches - PCC	400 SY	\$ <u>95.00</u>	\$ <u>38,000.00</u>
5	7040-108-G-0 Milling	8,620 SY	\$ <u>5.50</u>	\$ <u>47,410.00</u>
6	7040-108-H-2 Granular Surfacing (Shoulders, Drives and Road Repairs)	100 TON	\$ <u>27.45</u>	\$ <u>2,745.00</u>
7	IDOT 2527 Painted Pavement Markings, Waterborne or Solvent Based	126.5 STA	\$ <u>65.00</u>	\$ <u>8,222.50</u>
8	IDOT 2527 Painted Symbols and Legends, Waterborne or Solvent Based	4 EA	\$ <u>125.00</u>	\$ <u>500.00</u>
9	IDOT 2528 Traffic Control	Lump Sum	XXXXX	\$ <u>16,000.00</u>
10	XXXX-XXX-X-X Landscaping Rock	50 TON	\$ <u>65.00</u>	\$ <u>3,250.00</u>
TOTAL BASE BID \$				<u>286,978.50</u>
Alternate Bid:				
1	XXXX-XXX-X-X HMA Shoulder	480 SY	\$ <u>72.20</u>	\$ <u>34,656.00</u>
TOTAL BASE BID PLUS ALTERNATE \$				<u>321,634.50</u>

NOTE: THE ABOVE PRICES DO NOT INCLUDE SALES TAX FOR BUILDING MATERIALS, SUPPLIES AND EQUIPMENT INCORPORATED INTO SAID IMPROVEMENTS THAT ARE EXEMPT FROM IOWA DEPARTMENT OF REVENUE AND FINANCE SALES TAX AND APPLICABLE LOCAL OPTION SALES TAX AND SCHOOL INFRASTRUCTURE LOCAL OPTION SALES TAX PURSUANT TO IOWA CODE SECTIONS. BIDDER SHALL INCLUDE ALL OTHER APPLICATION FEES AND TAXES IN BID.

NOTE: IT IS UNDERSTOOD THAT THE ABOVE QUANTITIES ARE ESTIMATED FOR THE PURPOSE OF THIS BID. ALL QUANTITIES ARE SUBJECT TO REVISION BY THE CITY OF OSKALOOSA, IOWA. QUANTITY CHANGES WHICH AMOUNT TO TWENTY (20) PERCENT OR LESS OF THE TOTAL BID SHALL NOT AFFECT THE UNIT BID PRICE UNLESS OTHERWISE NOTED IN THE CONTRACT DOCUMENTS.

BID BOND

KNOW ALL BY THESE PRESENTS:

That we, Norris Asphalt Paving Co., as Principal, and Merchants Bonding Company (Mutual), as Surety, are held and firmly bound unto The City of Oskaloosa, Iowa, as Obligee, (hereinafter referred to as "the Jurisdiction"), in the penal sum of 10% of the Total Bid Amount including all add alternates (do not deduct the amount of deduct* dollars (\$ 10% of Bid), lawful money of the United States, for which payment said Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents. *alternates).

The condition of the above obligation is such that whereas the Principal has submitted to the "Jurisdiction" a certain proposal, in a separate envelope, and hereby made a part hereof, to enter into a contract in writing, for the following described improvements;

**HIGHWAY 432 RESURFACING PROJECT
OSKALOOSA, IOWA**

The Surety hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which "Jurisdiction" may accept such bid or execute such Contract; and said Surety does hereby waive notice of any such extension.

In the event that any actions or proceedings are initiated with respect to this Bond, the parties agree that the venue thereof shall be Mahaska County, State of Iowa. If legal action is required by the "Jurisdiction" against the Surety or Principal to enforce the provisions of the bond or to collect the monetary obligation incurring to the benefit of the "Jurisdiction", the Surety or Principal agrees to pay the "Jurisdiction" all damages, costs, and attorney fees incurred by enforcing any of the provisions of this Bond. All rights, powers, and remedies of the "Jurisdiction" hereunder shall be cumulative and not alternative and shall be in addition to all rights, powers and remedies given to the "Jurisdiction", by law. The "Jurisdiction" may proceed against Surety for any amount guaranteed hereunder whether action is brought against Principal or whether Principal is joined in any such action or actions or not.

NOW, THEREFORE, if said proposal by the Principal be accepted, and the Principal shall enter into a contract with the "Jurisdiction" in accordance with the terms of such proposal, including the provision of insurance and of a bond as may be specified in the contract documents, with good and sufficient surety for the faithful performance of such contract, for the prompt payment of labor and material furnished in the prosecution thereof, and for the maintenance of said improvements as may be required therein, then this obligation shall become null and void; otherwise, the Principal shall pay to the "Jurisdiction" the full amount of the bid bond, together with court costs, attorney's fees, and any other expense of recovery.

Signed and sealed this 10 day of May, 20 12.

SURETY:

Merchants Bonding Company (Mutual)
Surety Company

By John McKusker
Signature Attorney-in-Fact/Officer

John McKusker
Name of Attorney-in-Fact/Officer

McKusker & Associates
Company Name

PO Box 85
Company Address

Brooklyn, IA 52211
City, State, Zip Code

641-522-9200
Company Telephone Number

PRINCIPAL:

Norris Asphalt Paving Co.
Bidder

By Brady D. Meldrem
Signature

Brady D. Meldrem
Name (Print/Type)

President
Title

PO Box 695
Address

Ottumwa, IA 52501
City, State, Zip Code

641-682-3427
Telephone Number

NOTE: All signatures on this bid bond must be original signatures in ink; copies or facsimile of any signature will not be accepted. This bond must be sealed with the Surety's raised, embossing seal. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.

MERCHANTS
BONDING COMPANY,™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

John McKusker; Nancy Ollinger

of **Brooklyn** and State of **IA** their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surely any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

TWO MILLION (\$2,000,000.00) DOLLARS

and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this Instrument to be signed and sealed this 10th day of February, 2012.



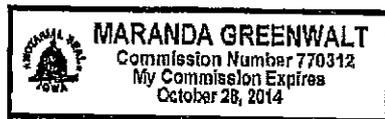
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 10th day of February, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said Instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



Maranda Greenwalt

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 10 day of May, 2012



William Warner Jr.
Secretary

POA 0014 (11/11)



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE:

Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa by rezoning the properties located at 304 North 1st Street, 310 North 1st Street and 305 North 2nd Street from R-2, Urban Family Residential District, to UC, Urban Corridor District – 2nd reading.

EXPLANATION:

Ken and Julie Seemann, owners of 304 North 1st Street, 310 North 1st Street and 305 North 2nd Street, have submitted a rezoning request for this property. The parcel in consideration is 1.23 acres and the present zoning of this property is R-2, Urban Family Residential District. The applicant is requesting the rezoning in order to bring the existing apartments into zoning compliance and also to use one town house as an office space.

Presently, Table 17.08 of the zoning chapter in the Oskaloosa Municipal Code does not permit office use or multiple-family use in an R-2 District. The proposed UC zoning district will permit the proposed office use and the existing apartment complex. Furthermore, the zoning ordinance in an R-2 district does not permit reconstruction of the nonconforming apartment complex if it were destroyed to an extent of sixty percent or more.

The Planning & Zoning Commission considered this item at a special meeting on April 11, 2012, and has recommended by a vote of 5 to 0 (Yes:No) that the City Council approve this rezoning request.

BUDGET CONSIDERATION:

Revenue of \$250.00 for rezoning application fee.

RECOMMENDED ACTION:

Approve the second reading of the ordinance.

ATTACHMENTS:

Ordinance, Zoning Map, and Rezone Application.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTIES LOCATED AT 304 NORTH 1ST STREET, 310 NORTH 1ST STREET AND 305 NORTH 2ND STREET FROM R-2, URBAN FAMILY RESIDENTIAL DISTRICT TO UC, URBAN CORRIDOR DISTRICT

BE IT ENACTED by the City Council of the City of Oskaloosa, Iowa:

SECTION 1. The purpose of this ordinance is to change the zoning of the following described parcel of land from R-2, Urban Family Residential district, to UC, Urban Corridor District, legally described as follows:

Lots 1, 2 and 3 of Seeman Sub-Division of the NE ¼-SE ¼ of Section 13 Township 75 North, Range 16 West of the 5th P.M. of the plat of the City of Oskaloosa, Mahaska County, Iowa. [Formerly described as: Lots Four(4), five(5) and six (6) and the East-West 16 ½ foot Alley between Lots 4, 5 and 6 in Outlot Sixteen(16) of the Original plat of the City of Oskaloosa, Mahaska County, Iowa.]

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

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

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

Passed by the Council the 7th day of May 2012, and approved this ____ day of May 2012.

David Krutzfeldt , Mayor

ATTEST: _____
Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____ 2012.

Signed _____
Amy Miller, City Clerk

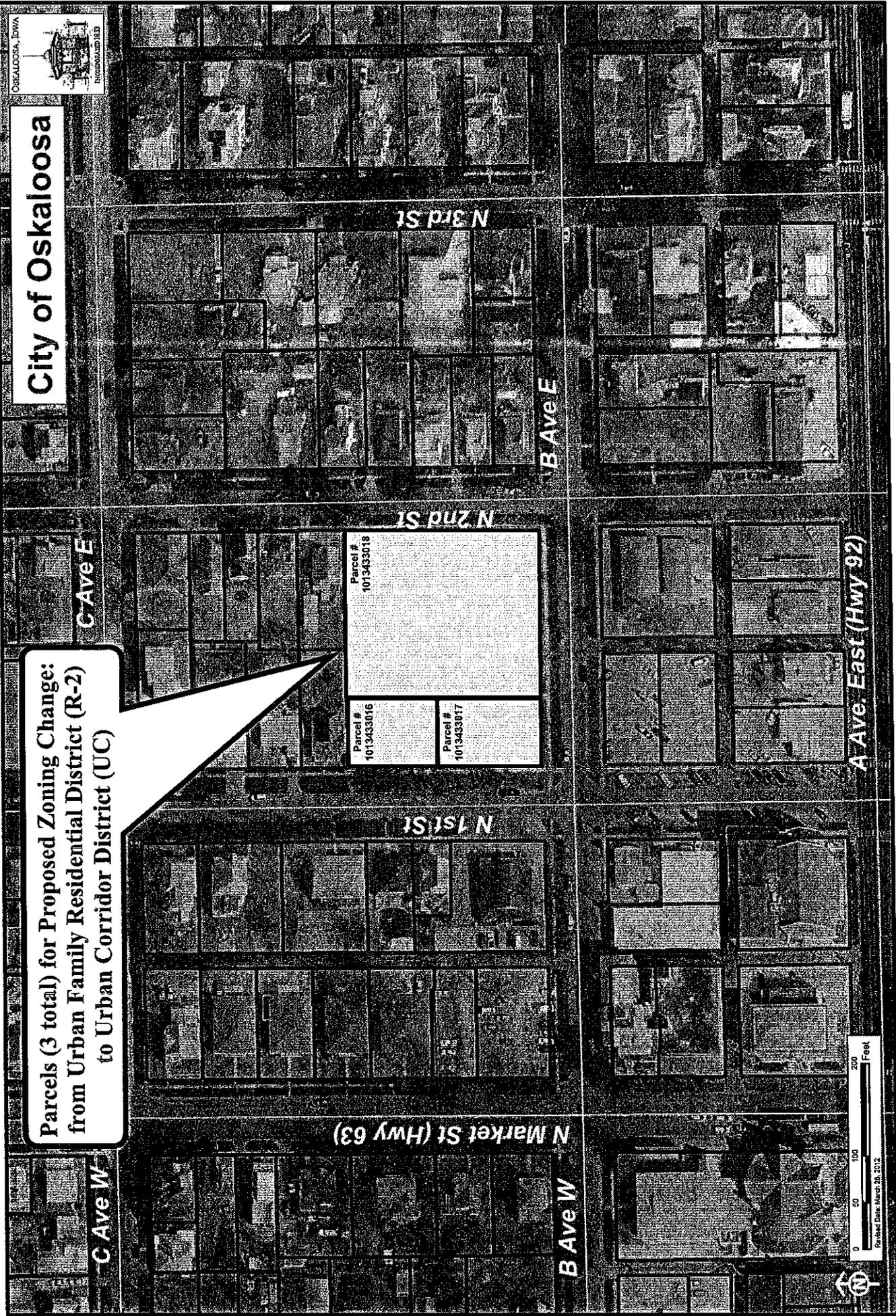
Use Types	R-2	R-3	UC
Agricultural Uses			
Horticulture	C	C	
Residential Uses			
Single-family Detached	P	P	P
Single-family Attached	P	P	P
Duplex	P	P	P
Two-family	P	P	P
Townhouse	P	P	P
Multiple-family	P	P	C
Manufactured housing residential	P	P	P
Retirement residential	P	P	P
Civic Uses			
Administration	C	C	P
Cemetery	C	C	
Clubs (recreational)	C	P	P
Clubs (social)	C	P	P
College/University	C	P	P
Convalescent services	C	P	P
Cultural services	P	P	P
Day care (limited)	P	P	P
Day care (general)	C	P	P
Elder home	P	P	P
Emergency residential	P	P	P
Family home		P	P
Group care facility		P	P
Group home	C	P	P
Guidance services		P	P
Health care		P	P
Hospitals		C	C
Maintenance facility		C	C
Park and recreation	P	P	P
Postal facilities			C
Primary education	P	P	P
Public assembly			C
Religious assembly	P	P	P
Safety services	P	P	P
Secondary Education	C	C	P
Utilities	C	C	C

Use Types	R-2	R-3	UC
Office Uses			
Corporate offices		C	P
General offices		C	P
Financial offices			P
Medical offices		C	P
Commercial Uses			
Auto rental/sales			P
Auto services			C
Bed and breakfast	C	C	P
Commercial rec (indoor)			C
Construction sales/service			C
Consumer service			P
Crematorium			C
Food sales (convenience)			P
Food sales (limited)			P
Food sales (general)			C
Funeral service		C	P
Lodging			P
Personal improvement			P
Personal services			P
Pet services			P
Research services			P
Restaurants (general)			P
Retail services (limited)			P
Trade services			C
Vehicle storage (short-term)			C
Veterinary services			P
Off-street parking			C
Industrial Uses			
Custom manufacturing			C
WECS	C	C	C
Miscellaneous Uses			
Alternative energy production devices	C	C	C
Amateur radio tower	P	P	P
Communications tower	C	C	C

City of Oskaloosa

Parcels (3 total) for Proposed Zoning Change:
from Urban Family Residential District (R-2)
to Urban Corridor District (UC)

Parcel # 1013433016	Parcel # 1013433017	Parcel # 1013433018
------------------------	------------------------	------------------------



REZONING APPLICATION

APPLICANT NAME: Ken & Julie Seemann

APPLICANT ADDRESS: 610 High Ave. E
Oskaloosa, IA

OWNER NAME: Kenneth H. & Julie D. Seemann

ADDRESS OF PROPERTY: 209 B Ave E, 305 N. 2nd St, 304 N 1st, 310 N 1st

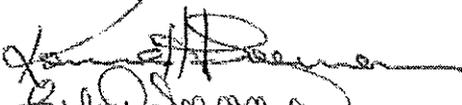
LEGAL DESCRIPTION: Lots 1, 2 and 3 of the Seemann Sub-Division of the NE 1/4 - SE 1/4 of Section 13 Township 75 North, Range 16 West of the 5th P.M. (Formerly described as: Lots Four (4), Five (5) and six (6) and the East-West 16 1/2 foot Alley between Lots 4, 5 and 6 in Outlet Sixteen (16) of the Original Plat of the City of Oskaloosa, Mahaska County, Iowa.

REQUEST REZONING FROM R-2
TO U C

REASON FOR REZONING APPLICATION AND THE NATURE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE: Our apartment buildings (2) and new townhouses (2) are zoned R-2. We were just recently informed that, if our apartment buildings were destroyed, we could not rebuild because they would be non-conforming. We purchased these less than a year ago. Recently, we built two townhouses. Our intent is to use one as an office and when we retire, use it as our permanent residence. We have an agreement to sell the other townhouse with the buyer (Betty Stanley) understanding our intent to use the adjacent townhouse as an office which is acceptable to her. Property to the west and south is zoned U.C. already. Property sought to be rezoned is the entire south part of the block (not quite half of the block). We are also considering building another unit on the SE corner but cannot build multi-family or commercial with current zoning.

NOTE: ANY GRAPHIC INFORMATION, INCLUDING SITE PLANS, ELEVATIONS, OTHER DRAWINGS, OR OTHER MATERIALS DETERMINED BY ZONING ADMINISTRATOR TO BE NECESSARY TO DESCRIBE THE PROPOSED USE TO THE PLANNING AND ZONING COMMISSION AND/OR THE CITY COUNCIL WILL BE INCLUDED WITH THIS APPLICATION.

PLEASE SUBMIT THE \$250.00 APPLICATION FEE WITH THIS REQUEST.



SIGNATURE OF OWNER

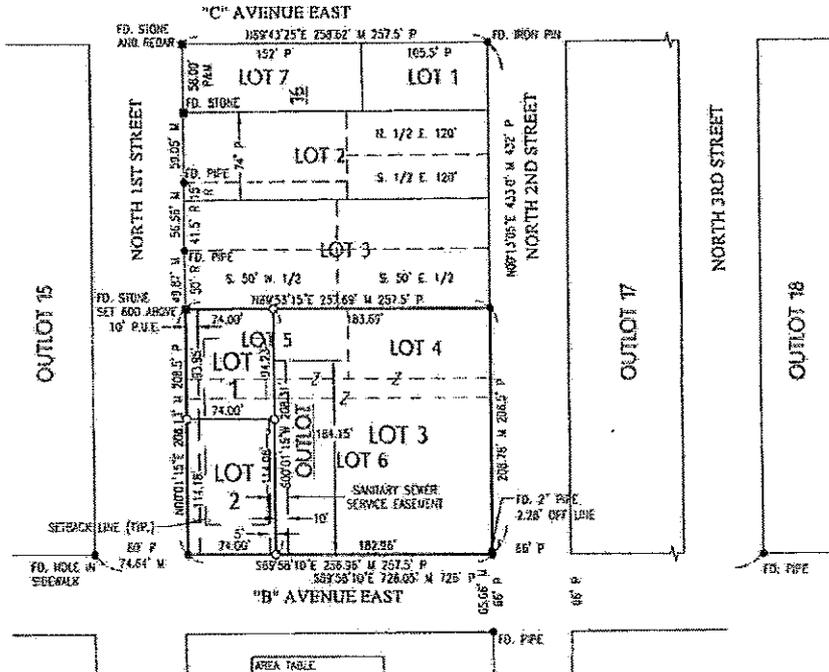
3-21-12
DATE: 3-21-12

Betty J Stanley date March 22, 2012
Purchaser of 304 N 1st St townhouse

SEEMANN SUB-DIVISION OF

The NE 1/4 - SE 1/4 of Section 13 Township 75 North, Range 16 West of the 5th P.M.

Lots Four (4), Five (5) and Six (6) and the East-West 16 1/2 foot Alley between Lots 4, 5 and 6 in Outlot Sixteen (16) of the Original Plat of the City of Oskaloosa, Mahaska County, Iowa.



AREA TABLE	
LOT 1	0.160 ACRES
LOT 2	0.184 ACRES
LOT 3	0.877 ACRES
TOTAL	1.221 ACRES

SURVEYED ON 14 AUG. 2011 AT THE REQUEST OF KEN SEEMANN, KENNETH H. & JULIE D. SEEMANN, PROPRIETORS
G&A PROJECT NO. 6011189

LICENSED LAND SURVEYOR
GARY WAYNE KEITH
11420
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Gary Wayne Keith Date 1 Dec 2011
 Gary Wayne Keith, L.L.S.
 License number: 11420
 My license renewal date is December 31, 2012
 Pages or sheets covered by this seal: 1 of 1

⊙ = PROPERTY CORNER FOUND (5/8" x 3/8" REBAR #11420)

⊞ = PROPERTY CORNER FOUND (STONE)

⊕ = PROPERTY CORNER SET (5/8" x 3/8" REBAR #11420)

1 Inch = 100 ft.

FILED FOR RECORD _____ Entered for taxation this _____
 at _____ o'clock _____ M. day of _____
 No. _____ FEE _____
 Auditor's Fee _____ Recorder _____ County Auditor _____

STATE OF IOWA, MAHASKA COUNTY—ss
 I hereby certify the foregoing survey and plat to be correct, to the best of my knowledge and belief.
 Date 1 Dec 2011
Gary Wayne Keith, L.S. #11420
 Mahaska County, Iowa

_____ hereby certify _____ of Section _____
 Township _____ North, Range _____ West of 5th P.M. as appears on this plat, is with the free consent and in accordance with the desire of the undersigned owner _____ and proprietor _____ thereof.
 Dated _____ A.D., _____

STATE OF IOWA, MAHASKA COUNTY, ss.
 On this _____ day of _____, A.D., _____, before me a Notary Public in and for said County appeared _____ to me personally known to be the identical person _____ whose name _____ affixed to the foregoing instrument and acknowledged the execution of the same to be _____ voluntary act and deed.
 Witness my hand and seal the date above written.

 Notary Public

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE:

Consider an ordinance establishing a no parking zone on the north side of E Ave East between North 3rd Street and North 4th Street – 2nd reading.

EXPLANATION:

The Public Works Department has received a complaint about on-street parking issues on E Ave East between North 3rd Street and North 4th Street. The complainant indicated that they were dealing with issues related to overflow parking on E Ave East. Staff evaluated the street to find problems such as narrower travel lanes, tighter turning radius to enter or exit alleys, and inadequate intersection approach sight distance. The total street width is 26 feet, but the travel lane width reduces to approximately 10 feet after on-street parking along both sides of the street section.

The city conducted a survey on households that use the north-south alley to access E Avenue East between North 3rd Street and North 4th Street. Among the residents that responded to the survey, 28% of households supported a parking restriction on both sides, 28% supported a parking restriction on the south side only, 28% supported a parking restriction on the north side only, and 16% did not support any kind of parking prohibition.

The Planning & Zoning Commission considered this item at their April 11, 2012 meeting and recommended by a vote of 5 to 0 that the City Council approve the on-street parking prohibition on the north side of E Ave East between North 3rd Street and North 4th Street.

BUDGET CONSIDERATION:

Cost of "No Parking Signs" and cost associated with drafting revisions to Chapter 10.48 of the Oskaloosa Municipality Code.

RECOMMENDED ACTION:

Approve the second reading of the ordinance.

ATTACHMENTS:

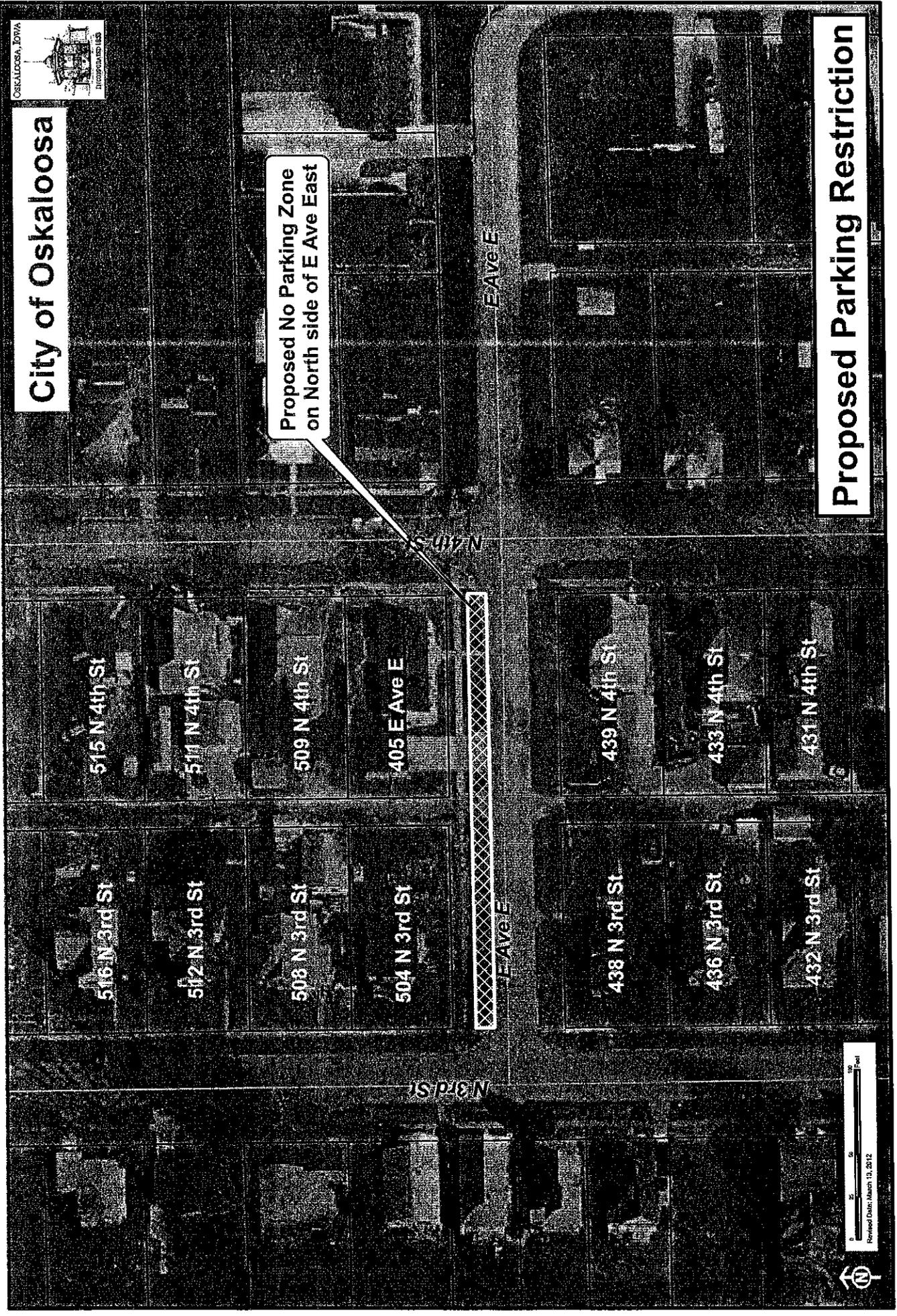
Location map, Complaint letter, Survey response and Ordinance.



City of Oskaloosa

Proposed No Parking Zone
on North side of E Ave East

Proposed Parking Restriction



Akhilesh Pal

From: mary Thomas [mary_berry70@yahoo.com]
Sent: Wednesday, March 07, 2012 9:21 AM
To: akhilesh.pal@oskaloosalowa.org

Hi I live on north 3rd st and we have an ally way we have to go into to get to our drive and I was wondering if there is any way possible to get a sign put up for parking on one side. the location is on North 3rd St and E ave E. there are cars parked on both sides of the street which makes it impossible to get two cars through there. We have almost been hit a couple of times leaving the ally due to not being able to see if anything is comming. The people on the corner of N 3rd and E ave E run a day care so in the morning hours and afternoon hours that street is very dangerous. They park their truck a few feet away from the ally way entrance and that also makes it hard to see and hard to get up when there is snow and ice on the ground. if you could have someone come and look at it and see if there is something that could be done we all on the block would appreciate it greatly.

Thank -you

Thank -you



Mary

E AVENUE EAST BETWEEN NORTH 3RD & NORTH 4TH STREET			
ADDRESS	OWNER/RESIDENT	RESPONSE	Comments:
405 E Avenue East	Darrell & Sheila Mackaig	Prohibit Parking on north sides at all times	
432 North 3rd Street	Nancy Tresslar/Joseph Slay		
436 North 3rd Street	Phillip Leech % Sandra Thompson		
438 North 3rd Street	Carlos Chase & Bonnie Hamilton		
504 North 3rd Street	Daniel & Jennifer Vandevender	Prohibit Parking on north side at all times	If people have a driveway they need to use it
508 North 3rd Street	Cynthia & Terry Acord	Prohibit Parking on both sides at all times	
512 North 3rd Street	Wesley Brown	Prohibit Parking on both sides at all times	
516 North 3rd Street	Dale Shafer	Prohibit Parking on south side at all times	
	Heather Hull%Heather		
425 North 4th Street	Held		
431 North 4th Street	Mary Lindahl		
433 North 4th Street	Hasley Onthank	Leave Parking As is	Note: is not the primary resident at location
439 North 4th Street	Janice Carmer % Denny Carmer		
509 North 4th Street	Marlene Tordsen		
511 North 4th Street	Terry & Marla Fielder	Prohibit Parking on south side at all times	would prefer no parking, but settle for above Sorry, I am not familiar enough with the situation to offer an opinion.(rental property)
515 North 4th Street	Bonnie Bailey		

Response Categories:

- Prohibit parking on North side at all times
- Prohibit parking on South side at all times
- Prohibit parking on both sides at all times
- Leave on-street parking as it is

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A "NO PARKING" ZONE ALONG THE NORTH SIDE OF E AVE EAST BETWEEN NORTH 3RD STREET AND NORTH 4TH STREET, PROHIBITING THE PARKING OF MOTOR VEHICLES OR OTHER TYPE OF VEHICLES WITHIN SAID NO PARKING ZONE; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF

BE IT ENACTED by the City Council of the City of Oskaloosa, Iowa:

SECTION 1: The purpose of this ordinance is to establish a "No Parking Zone" along the north side of E Avenue East from North 3rd Street to North 4th Street.

SECTION 2: No motor vehicle or other means of transportation shall be placed, stopped, or parked in said "No Parking Zone".

SECTION 3: Regulatory and warning signs to advice as to the above-referenced "No Parking Zone" shall be erected and maintained.

SECTION 4: Any person, operator, or owner of said vehicle who causes the same to be placed, parked, or stopped in said "No Parking Zone" or allows the same to occur, shall be guilty of a misdemeanor and shall be punishable by a fine.

SECTION 5: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

Passed by the Council the 7th day of May 2012, and approved this _____ day of May 2012.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____ 2012.

Signed _____
Amy Miller, City Clerk



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: City Attorney

ITEM TITLE:

Consider a resolution to transfer ownership and title to a 2000 Ford automobile to the Albia Housing Agency.

EXPLANATION:

At the May 7, 2012 city council meeting the City Council determined to terminate the July 16, 1979 agreement between the Oskaloosa Low Rent Housing Agency of Oskaloosa and the City of Oskaloosa relative to the administration of housing assistance programs in the City of Oskaloosa. The local housing authority had formerly been allowed use of a 200 Ford Crown Victoria, which was a former police department vehicle, for housing authority business. In connection with the new agreement to be entered into for the administration of local housing assistance program by the Albia Housing Agency, it is appropriate for the vehicle to be transferred to and titled in the Albia Housing Agency for ownership and insurance purposes.

RECOMMENDED ACTION:

Approve a resolution transferring ownership of the 2000 Ford automobile formerly used by the local housing authority to the Albia Housing Agency.

BUDGET CONSIDERATION:

Transfer of an asset of nominal value.

ATTACHMENTS: Resolution.

RESOLUTION NO. _____

RESOLUTION TO TRANSFER OWNERSHIP AND TITLE TO A 2000 FORD
AUTOMOBILE TO THE ALBIA HOUSING AGENCY

WHEREAS the City is entering into an agreement with the Albia Housing Agency for the
administration of local housing assistance programs;

AND WHEREAS the City has determined that it is appropriate to transfer ownership and
title to a 2000 Ford automobile formerly used by the local housing authority to the Albia
Housing Agency for ownership and insurance purposes;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Oskaloosa
Iowa that title to a certain 2000 Ford Crown Victoria automobile VIN
2FAFP71WOYX180620 be transferred to the Albia Housing Agency.

PASSED AND APPROVED this ___ day of _____ 2012.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: City Attorney

ITEM TITLE:

Consider a resolution authorizing the City Clerk to issue payment of funds to the Mahaska County Sheriff's Office for amounts awarded by the Sheriff's Jury for eminent domain damages and associated costs to Dennis and Linda Selby for easement condemnation of land at 2382 Laveen Street, Oskaloosa, Iowa.

EXPLANATION:

The City Council previously directed proceeding by eminent domain to condemn portions of land owned by Dennis and Linda Selby required for the Green/Laveen Street Paving Project. The Compensation Commissioners met on April 19 and a trial was held on that date. The Commissioner's awarded damages in the amount of \$25,000.00 plus \$2,230.10 for the Selby's attorney fees, and \$800.00 for their appraisal costs.

In addition, the Commissioners are allowed their fees and expenses in the total amount of \$1,033.00, and the Sheriff's Office had expenses in connection therewith of \$104.00. To satisfy the award of damages and expenses, the City needs to pay to and deposit with the Mahaska County Sheriff's Office the sum of \$29,167.10.

Recommended Action: Approve the resolution directing payment to and deposit of \$29,167.10 with the Mahaska County Sheriff's Office.

BUDGET CONSIDERATION:

Expenditure of \$29,167.10 from the Green Street Project (General Obligation Bond proceeds).

ATTACHMENTS:

Resolution.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT TO AND DEPOSIT WITH THE MAHASKA COUNTY SHERIFF'S OFFICE OF THE SUM OF \$29,167.10 IN SATISFACTION OF DAMAGES AWARDED AND COSTS FOR CONDEMNATION OF REAL ESTATE OWNED BY DENNIS AND LINDA SELBY

WHEREAS the City determined to proceed by eminent domain to condemn certain real estate owned by Dennis and Linda Selby located at 2392 Laveen Street for the Green/Laveen Street paving project;

AND WHEREAS the Sheriff's Jury met on April 19, 2012 and awarded damages and costs for the taking;

AND WHEREAS the City needs to pay to and deposit with the Mahaska County Sheriff's Office the amounts allowed and awarded for the condemnation by the Sheriff's Jury;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Oskaloosa Iowa that the City shall pay to and deposit with the Mahaska County Sheriff's Office the sum of \$29,167.10 for damages in the amount of \$25,000.00; \$2,230.10 for attorney's fees; \$800.00 for appraisal costs; Commissioners fees and expenses in the total amount of \$1,033.00; and expenses of the Mahaska County Sheriff's Office in the amount of \$104.00.

PASSED AND APPROVED this _____ day of May, 2012.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: COUNCIL
APPOINTED STAFF

ITEM TITLE: REPORT ON ITEMS FROM CITY STAFF.

- a) City Manager.
- b) City Clerk.
- c) City Attorney.

EXPLANATION:

This item is reserved to receive reports from the City Manager, City Clerk, and/or the City Attorney.

BUDGET CONSIDERATION:

Not applicable, report(s) only.

ATTACHMENTS:

None.

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: May 21, 2012

REQUESTED BY: CITY COUNCIL

ITEM TITLE: CITY COUNCIL INFORMATION.

EXPLANATION:

This item is reserved to receive reports from the Mayor and City Council. This is an opportunity for the members of the City Council to provide updates on activities, events, or items of note to the public. This is also the opportunity for the City Council to request future agenda items, or request items to be sent to Committee for review and discussion.

BUDGET CONSIDERATION:

Not applicable, report(s) only.