



City of Oskaloosa  
City Council Meeting Regular Session  
Council Chambers  
City Hall, 220 S. Market Street  
Oskaloosa, IA 52577  
Agenda  
September 6, 2016

**Call to Order and Roll Call - 6:00 P.M.**

**1. Invocation: Reverend John Spiegel, St. Mary's Catholic Church**

**2. Pledge of Allegiance.**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**3. Roll Call**

\_\_\_\_\_ Mayor David Krutzfeldt, Council Members:

\_\_\_\_\_ Burnett, \_\_\_\_\_ Caligiuri, \_\_\_\_\_ Jimenez, \_\_\_\_\_ Moore, \_\_\_\_\_ Ver Steeg,

\_\_\_\_\_ Walling, \_\_\_\_\_ Yates.

Documents:

[20160906 AGENDA ITEMS 1 TO 3 BURST.DOCX](#)

**4. Community Comments.**

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.

Documents:

[20160906 COMMUNITY COMMENTS BURST.DOCX](#)

**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, discussed separately and approved by a separate motion of the City Council.

Documents:

[20160906 CONSENT AGENDA PAGE BURST BW.DOCX](#)

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

1. August 15, 2016 Regular City Council Meeting Minutes
2. September 6, 2016 Agenda

Documents:

[20160906 CONSENT AGENDA CITY CLERK MINUTES.DOCX](#)  
[CITY COUNCIL MINUTES AUGUST 15, 2016.DOC](#)

**B. Receive and file minutes of Boards and Commissions**

Any recommendations contained in minutes become effective only upon separate Council action.

The minutes of various city boards and commissions are contained in the agenda packet to receive and file.

Who is submitting this City Manager Department  
item.

Documents:

[20160906 CONSENT AGENDA BOARDS AND COMMISSIONS.DOCX](#)  
[20160817 OHTF SPECIAL MEETING MINUTES.DOCX](#)  
[20160808 AIRPORT MINUTES.PDF](#)

**C. Consider payment of claims for August 2016.**

Who is submitting this City Clerk/Finance Department  
item.

Documents:

[CITY COMM CLAIMS.DOCX](#)  
[MANUAL CHECK REPORT 08292016 .PDF](#)  
[COUNCIL CLAIMS LIST 08262016.PDF](#)  
[CLAIMS OVER 500.PDF](#)  
[ADDL. CLAIMS OVER 500.PDF](#)

**D. Consider approval of a FY2017 Retail Cigarette/Tobacco/Nicotine/Vapor Permit.**

Who is submitting this City Clerk/Finance Department  
item.

Documents:

[CITY COMM CIGARETTE PERMIT 09062016.DOCX](#)

- E. Consider a resolution setting the date for a public hearing to amend Title 17, Chapter 17.08 of the Oskaloosa Municipal Code pertaining to sidewalk requirements.**

Who is submitting this item. Public Works Director

Documents:

[EXPLANATION SIDEWALK REQUIREMENT\\_1.DOCX](#)  
[SIDEWALK RESOLUTION.DOCX](#)

- F. Consider a resolution authorizing the Iowa Department of Transportation Agreement for the maintenance and repair of primary roads in the City of Oskaloosa.**

Who is submitting this item. Public Works Director

Documents:

[EXPLANATION IOWA DOT AGREEMENT.DOCX](#)  
[RESOLUTION NO.DOCX](#)  
[IOWA DOT AGREEMENT.PDF](#)

- G. Consider approval of payment of \$23,181.00 to Onthank Concrete Concepts LLC for work completed on the North 1st Street Angle Parking Project.**

Who is submitting this item. Public Works Director

Documents:

[N 1ST ST PARKING PROJECT PAYMENT EXPLANATION 1.DOCX](#)  
[PAY ESTIMATE.PDF](#)

- H. Consider approval of payment of \$30,140.00 to TK Concrete Inc. for work completed on the 15th Avenue West and Edmundson Drive Sidewalk Project.**

Who is submitting this item. Public Works Director

Documents:

[15TH AVE W SIDEWALK PROJECT PAYMENT EXPLANATION 1.DOCX](#)  
[PAY ESTIMATE.PDF](#)

- I. Consider a resolution amending Resolution 92-6-71 to allow the payment of filing fees for Municipal Infractions without**

**prior Council approval, subject to council audit and confirmation.**

Who is submitting this City Attorney  
item.

Documents:

[CITY COMM MUNICIPAL INFRACTION FILING FEES \(1\).DOCX](#)  
[RESOLUTION AMEND 92-6-71.DOC](#)  
[RESOLUTION 92-6-71.PDF](#)

**J. Consider request from the Oskaloosa High School Student Council for waiver of the street closure fee for the Homecoming Parade.**

Who is submitting this City Manager Department  
item.

Documents:

[REQUEST FOR WAIVER OF STREET CLOSURE FEE.DOCX](#)

**K. Consider a resolution authorizing the Mayor and City Clerk to execute an Assignment request by Ironwood Partners, LLC.**

Who is submitting this City Manager's Office  
item.

Documents:

[20160906\\_ASSIGNMENT TIF RESERVES AT IRONWOOD.DOCX](#)  
[20160906\\_RESERVES AT IRONWOOD ASSIGNMENT REQUEST RESO.DOC](#)  
[20160906\\_TIF ASSIGNMENT REQUEST RESERVES AT IRONWOOD.PDF](#)

**L. ----- END OF CONSENT AGENDA -----**  
--

**6. Announcement of Vacancies**

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.

- Airport Commission - One vacancy to fill upon appointment for an unexpired term that ends December 31, 2021; and one vacancy for a six year term that begins January 1, 2017, and ends December 31, 2022. This is a five member board that typically meets the first Monday of the month. (4 males and 0 females currently serve with 1 vacancy)
- Historic Preservation Commission - Five vacancies: one vacancy to fill upon appointment for a term that ends December 31, 2018; and two vacancies for three year terms that begin January 1, 2017 and end December 31, 2019; and two

vacancies for alternate members. This is a seven member board with two alternate members that meets as needed. (4 males and 2 females currently serve with 3 vacancies, two for alternate members)

- Housing Trust Fund Committee - One vacancy to fill upon appointment for an unexpired term that ends January 31, 2017. Five at-large members serve on the committee that meets every other month. (2 males and 2 females currently serve at-large with 1 vacancy)
- Mahaska County Solid Waste Management Commission and Ad Hoc Recycling Committee - Five vacancies to fill for one year terms that begin January 1, 2017 and end December 31, 2017. The City of Oskaloosa is allowed five representatives on the commission. Two of the representatives are also appointed to the Ad Hoc Recycling Committee. (2 males and 1 female currently service with 2 vacancies)
- Municipal Housing Agency - One vacancy to fill upon appointment for an unexpired term that ends February 28, 2017. This is a five member board that meets quarterly. (2 males and 2 females currently serve with 1 vacancy)
- Planning and Zoning Commission - One vacancy to fill upon appointment for an unexpired term that ends April 30, 2020. This is a seven member board that typically meets the Tuesday after the first Monday of the month. (4 males and 2 females currently service with 1 vacancy).

Documents:

[20160906 BOARD AND COMMISSION VACANCIES BURST.DOCX](#)

## 7. Regular Agenda

Documents:

[20160906 REGULAR AGENDA BURST.DOCX](#)

- A. **Consider a resolution levying a special assessment against private property for cutting and removal of weeds by the city of Oskaloosa, Iowa in accordance with Title 8, Chapter 8.20 of the City Code of the city of Oskaloosa, Iowa. (PUBLIC HEARING)**

Who is submitting this item. City Clerk/Finance Department

Documents:

[CITY COMM WEED ASSESSMENT.DOCX](#)  
[RESOLUTION ASSESSMENT MAY 2016.DOCX](#)  
[EXHIBIT A MAY 2016 \(002\).PDF](#)

- B. **Consider an ordinance to approve a parking restriction along the North 7th Street S-curve between J Avenue East and F Avenue East – 2nd Reading.**

Who is submitting this item. Public Works Director

Documents:

[N 7TH ST PARKING ZONE EXPLANATION \(1\).DOCX](#)

[N 7TH ST PARKING RESTRICTION ORDINANCE.DOC](#)  
[PROPOSED PARKING RESTRICTION MAP.PDF](#)  
[N 7TH ST SURVEY RESPONSES.PDF](#)  
[COMPLAINT FROM RESIDENT.PDF](#)

**C. Consider an ordinance amending Oskaloosa Municipal Code Sections 5.04.360 and 5.04.370. (1st reading)**

Who is submitting this item. City Manager's Office

Documents:

[20160906\\_ORDINANCE AMENDING OPEN CONTAINER FOR THE ALLEY.DOCX](#)  
[OPEN CONTAINER AND CONSUMPTION LOCATION MAP.PDF](#)  
[20160906\\_PUBLIC CONSUMPTION AND OPEN CONTAINER ORD.DOCX](#)

**8. Report on Items from City Staff.**

- a) City Manager i. Discussion of rental inspection program - FAQ sheet, next steps.
- b) City Clerk.
- c) City Attorney.

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

Who is submitting this item. City Manager Department

Documents:

[20160906 REPORTS FROM STAFF BURST.DOCX](#)  
[RENTAL INSPECTION FAQs V2.PDF](#)

**9. City Council Information**

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.

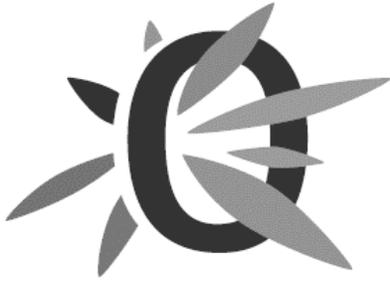
Documents:

[20160906 CITY COUNCIL INFORMATION BURST.DOCX](#)

**10. Adjournment**

THE REQUIREMENT THAT AN ORDINANCE BE READ THREE (3) TIMES BEFORE PASSAGE MAY BE WAIVED BY COUNCIL UPON AN AFFIRMATIVE VOTE OF SIX (6) OF THE SEVEN (7) COUNCIL MEMBERS. THE PUBLIC IS ADVISED TO TAKE NOTE OF THIS PROCESS AND BE PREPARED TO SPEAK EITHER FOR OR AGAINST ANY ORDINANCE AT THE TIME OF FIRST READING.

If you require special accommodations, please contact the City Manager's Office at least 24 hours prior to the meeting at (641) 673-9431.



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: Mayor & City Council

**Item Title: Call to Order and Roll Call – 6:00 p.m.**

1. Invocation: Reverend John Spiegel, St. Mary's Catholic Church
2. Pledge of Allegiance
3. Roll Call: \_\_\_\_\_ Mayor David Krutzfeldt, Council Members:

\_\_\_\_\_ Burnett, \_\_\_\_\_ Caligiuri, \_\_\_\_\_ Jimenez, \_\_\_\_\_ Moore,

\_\_\_\_\_ Ver Steeg, \_\_\_\_\_ Walling, \_\_\_\_\_ Yates.

**Explanation:**

Not applicable.

**Budget Consideration:**

Not applicable.

**Attachments:**

None.



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: Mayor & City Council

**Item Title: Community Comments**

**Explanation:**

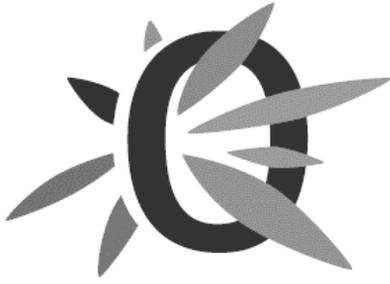
This item is reserved to receive comments from the community for concerns whether or not they are included in the current agenda. The community is encouraged to come and speak before the Mayor and City Council and asked to keep statements brief. Time shall be limited to no more than three minutes. Any 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:**

None.



# City Council Communication

Meeting Date: September 6, 2016

**Item Title: CONSENT AGENDA**

**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, discussed separately and approved by a separate motion of the City Council.

**Budget Consideration:**

Not applicable.

**Attachments:**

None.



## City Council Communication

Meeting Date: September 6, 2016

Requested By: City Clerk/Finance Department

**Item Title: CONSENT AGENDA**

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

**Explanation:**

1. August 15, 2016 City Council Regular Meeting Minutes
2. September 6, 2016 Agenda

**Budget Consideration:**

Not applicable.

**Attachments:**

August 15, 2016 City Council Regular Meeting Minutes

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
August 15, 2016

The Oskaloosa City Council met in regular session on Monday, August 15, 2016, at 6:00 p.m. with Mayor Pro Tem Yates presiding and the following members answering roll call: Burnett, Caligiuri, Jimenez, Moore, Ver Steeg, Walling and Yates. Absent: Mayor David Krutzfeldt.

It was moved by Caligiuri, seconded by Ver Steeg to approve the consent agenda:

1. August 1, 2016 City Council Regular Meeting Minutes
2. August 15, 2016 Agenda
3. Receive and file reports and communications from advisory and operating boards and commissions:
  - a. July 26, 2016 Board of Adjustment Minutes
  - b. August 2, 2016 Planning and Zoning Commission Minutes
  - c. July 25, 2016 Library Board Minutes
4. Renewal application for a Class C Beer Permit with Sunday Sales from Danlee Corp dba Jiffy, 315 A Avenue East
5. Receive and file financial reports for July 2016.

The roll was called and the vote was:

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

Whereupon the Mayor Pro Tem declared said motion approved.

It was moved by Caligiuri, seconded by Ver Steeg to approve Pay Request No. 3 in the amount of \$194,493.88 to DDVI, Inc. for work completed on the Oskaloosa Fire Department Expansion and Renovation Project. The roll was called and the vote was:

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

Whereupon the Mayor Pro Tem declared said motion approved.

Caligiuri introduced Resolution No. 16-08-117 entitled "RESOLUTION ACCEPTING A 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AWARD FOR THE DOWNTOWN FAÇADE IMPROVEMENT PROJECT" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-118 entitled "RESOLUTION APPROVING REQUIRED PROGRAMS, POLICIES AND PLANS ASSOCIATED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AWARD" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-119 entitled "RESOLUTION APPROVING THE ADMINISTRATIVE PLAN FOR THE DOWNTOWN FAÇADE IMPROVEMENT PROJECT CDBG CONTRACT #16-DTR-001" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-120 entitled "RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CURTIS ARCHITECTURE & DESIGN PC" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-121 entitled "RESOLUTION APPROVING A CONTRACT FOR CDBG ADMINISTRATION SERVICES" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-122 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR WEED CUTTING BY THE CITY IN ACCORDANCE WITH SECTION 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, AND DIRECTING NOTICE TO THE OWNER OF THE PROPERTY TO BE ASSESSED" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-123 entitled "A RESOLUTION AUTHORIZING AN AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT BETWEEN GARDEN AND ASSOCIATES, LTD. AND THE CITY OF OSKALOOSA TO PROVIDE SERVICES FOR THE REPLACEMENT OF THE GENERATOR AT THE NORTHEAST WASTEWATER TREATMENT PLANT" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-124 entitled "RESOLUTION TO PROCEED BY EMINENT DOMAIN PURSUANT TO IOWA CODE §6B.2C TO CONDEMN REAL ESTATE IN OSKALOOSA IOWA FOR THE PURPOSES OF SANITARY AND STORM SEWER IMPROVEMENTS" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

The Mayor Pro Tem announced this was the time and place for the public hearing on levying a special assessment against private property for emergency abatement of a property located at 610 North C Street and that citizens would now have the opportunity to comment. Jerry Saylor commented. There were no written comments received. The Mayor Pro Tem declared said hearing closed.

Moore introduced Resolution No. 16-08-125 entitled "RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR EMERGENCY ABATEMENT OF A PREMISES LOCATED AT 610 NORTH C STREET, OSKALOOSA, IOWA, BY THE CITY OF OSKALOOSA, IOWA IN ACCORDANCE WITH §8.08.080 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA" and moved its approval. Burnett seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Fire Chief Mark Neff presented the 2<sup>nd</sup> Quarter Code Enforcement Report.

Caligiuri introduced Resolution No. 16-08-126 entitled "A RESOLUTION OF THE CITY COUNCIL OF OSKALOOSA APPROVING THE 2016 DOWNTOWN ALLEY IMPROVEMENT PROJECT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced Resolution No. 16-08-127 entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT FOR PRIVATE DEVELOPMENT BY AND BETWEEN THE CITY OF OSKALOOSA, AND OSKALOOSA DOWNTOWN DEVELOPMENT, LLC" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor Pro Tem declared said resolution duly adopted.

Caligiuri introduced "AN ORDINANCE ESTABLISHING A "NO PARKING ZONE" ALONG THE EAST SIDE OF NORTH 7<sup>TH</sup> STREET FROM 300 FEET NORTH OF F AVENUE EAST TO 360 FEET SOUTH OF J AVENUE EAST, PROHIBITING THE PARKING OF MOTOR VEHICLES OR OTHER TYPES OF VEHICLES WITHIN SAID NO PARKING ZONE, AMENDING THE OSKALOOSA MUNICIPAL CODE TO REFLECT THE CHANGES, AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF" and moved its approval on the first reading. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

City Manager Michael Schrock reported on the rental housing inspection program. The next study session is 5:30 p.m. on August 23, 2016 at the Oskaloosa Public Library.

It was moved by Jimenez, seconded by Ver Steeg that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 6:45 p.m.

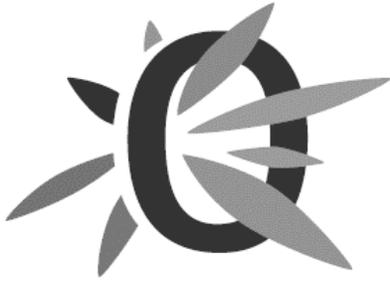
---

Doug Yates, Mayor Pro Tem

ATTEST:

---

Amy Miller, City Clerk



## City Council Communication

Meeting Date: September 6, 2016

Requested By: City Manager's Office

**Item Title: CONSENT AGENDA**

Receive and file reports and communications from advisory and operating boards and commissions.

**Explanation:**

1. August 17, 2016 Housing Trust Fund Committee Special Meeting Minutes
2. August 8, 2016 Airport Commission Minutes

**Budget Consideration:**

Not applicable.

**Attachments:**

August 17, 2016 Housing Trust Fund Committee Special Meeting Minutes  
August 8, 2016 Airport Commission Minutes

OSKALOOSA HOUSING TRUST FUND COMMITTEE  
SPECIAL MEETING MINUTES  
Wednesday, August 17, 2016 – 8:00 a.m.  
City Hall Conference Room

The committee meeting was called to order by Chair Adams at 8:03 a.m. with the following members present: Chair Dan Adams, Joe Caligiuri, Bernice Hahn, Valinn McReynolds, Tamera Sauer and Carri Vande Ree. Members absent: Leon McCullough, David Polkowske, Noel C. Stahle and Randell Davis. Also present: Andrew Jensen, Amy Miller, Wyatt Russell, Jerry Saylor and Marilyn Johannes.

*Consider request for demolition grant II for a house located at 610 North C Street*

T Libara Lera LLC % Jerry Saylor and BC Investments LLC have applied for funds under the Demolition Assistance Grant/Loan Program II for a property located at 610 North C Street. On March 3, 2016, Wyatt Russell, Building Official, tagged the property as dangerous. On April 7, 2016 the building caught fire and was deemed a total loss. The structure was in danger of falling onto the adjacent dwelling and/or falling into the street on F Avenue West. On April 14, 2016 the City of Oskaloosa contracted with a demolition contractor to bring the remaining structure down to the ground due to the hazardous conditions.

Russell explained the city took the structure down due to safety issues and the request is for removal of the pile of debris left after the city took the structure down. Saylor said includes refilling the hole and reseeding.

Miller explained a demolition grant II applies when a property is left as a green space and the grant requires the applicant to pay back half of the loan within two years.

It was moved by Vande Ree, seconded by Sauer to approve a demolition grant II for the property located at 610 North C Street. Motion carried unanimously.

The meeting adjourned at 8:08 a.m.

Minutes by Marilyn Johannes

MINUTES  
OSKALOOSA AIRPORT COMMISSION

August 8, 2016

Meeting of the Oskaloosa Airport Commission was called to order at 4:35 p.m. on Monday, August 8, 2016.

1. ROLL CALL: Roll was taken with the following present: Steve Brown, Kraig Van Hulzen, Larry Lewis, James Johnson, Jerry Strunk [Midwest Aviation] and Brad Uitermarkt [Garden & Associates].
2. APPROVAL OF THE MINUTES: Moved by Kraig Van Hulzen and seconded by Larry Lewis to approve the minutes of the July 5, 2016 meeting. Motion carried.
3. FINANCIAL REPORT: Moved by Kraig Van Hulzen and seconded by James Johnson to approve the financial report. Motion carried.
4. REVIEW AND APPROVE BILLS: Moved by James Johnson and seconded by Kraig Van Hulzen to pay bills totaling \$6,567.91. Motion carried.
5. MANAGER'S REPORT: See attached.
6. OLD BUSINESS:
  - a. Culvert slip-lining project: No action taken.
  - b. Field tiling: Still have not received the map and GPS coordinates from Hol Drainage. Kraig Van Hulzen will continue to try to get these items.
  - c. Removing non-directional beacon: Still have received no response from the FAA.
  - d. Runway end identifier lights: There are no problems at present. No action will be taken to purchase a new system.
  - e. South door on maintenance hangar: New cable and stand-offs are installed. A new motor was not installed because the cost would have been much higher than the initial estimate. New door seals have not been installed yet.
  - f. Concrete on approach end of runway 13 and in front of corporate hangar: The Spray Foam Guys company was able to raise the concrete in front of the corporate hangar. However, they are going to have to saw down through the old concrete under the new concrete overlay on the runway in order to inject their foam product. This will involve additional cost, and Brad Uitermarkt recommended against this. He suggested using a concrete grinder to even the surfaces. Jerry Strunk will look into finding someone who can grind this area.
  - g. Furnace in office: The new furnace has been installed.

**7. NEW BUSINESS:**

- a. Advertise for airport consultant services: This was last done in 2011 and must be done every five years. Kraig Van Hulzen moved to advertise with a request that applicants submit their statement of qualifications no later than September 30, 2016. James Johnson seconded. Motion carried.
- b. Weed control: Allied Gas & Chemical will spray the runways, taxiways, and ramp for \$1,100.00 to \$1,200.00 depending on the amount of chemical used. This was done last spring, but the weeds have come back. Kraig Van Hulzen moved to hire Allied. James Johnson seconded. Motion carried. For weeds growing around the house, DeJong Lawn & Landscaping submitted a proposal to install weed barrier and river rock for \$3,425.00. As an alternative they could spray the area for \$320.00. Larry Lewis moved to hire DeJong to just spray the area. James Johnson seconded. Motion carried.
- c. Door on Pepsi hangar: The door opening appears to be sagging in the middle. No repair estimates have been obtained yet.
- d. LP gas contract: This was tabled until the September meeting.
- e. September meeting date: Since the first Monday is Labor Day, the date of Wednesday, September 7<sup>th</sup> was acceptable to everyone.

- 8. ADJOURN:** Larry Lewis moved to adjourn at 5:22 p.m. James Johnson seconded. Motion carried.

# ***MWA @ OOA***

## ***JULY 2016***

### ***Oskaloosa Municipal Airport Monthly Report***

***Fuel sales:100LL(\$4.45) 1593 gal.;Jet A (\$3.30)4799 gal.***

***Total fuel sales for July, 2016=6392 gal X .05=\$320.00.***

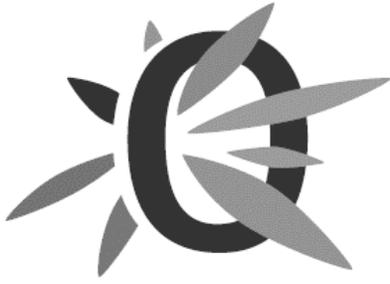
***Plus Telephone: \$15.28.***

***Total owed OOA=\$335.28.***

- ***Crop spraying season is going to be a short one this year.***
- ***Fuel sales are way down compared to last year.***
- ***Shop work is slow.***
- ***Had concrete in front of the corporate hangar door (was sinking) raised 1.5 inches by a company (The Foam Guys) out of Drakesville, IA. By using the Foam Jacking method.***
- ***Aircraft sales inquiries are encouraging.***

***Enjoy the rest of the summer.***

## ***UP,UP AND AWAY @ OOA***



## City Council Communication

Meeting Date: September 6, 2016

Requested By: City Clerk/Finance Department

**Item Title: CONSENT AGENDA**

Consider payment of claims for August 2016.

**Explanation:**

A list of claims for August is included in your agenda packet. An additional list will be distributed at the council meeting. Also included in the packet is a detailed list of most claims over \$500.

Staff recommends approval.

**Budget Consideration:**

Totals will appear on the claims lists.

**Attachments:**

Claims lists



# MANUAL CHECK REPORT

Amazon	Library materials/supplies	2,135.64
American Public Works Assoc - Iowa Chapter	Conference registration - Pal	175.00
Amy Miller	Reimburse mileage	80.10
Brandon Blanchard	Reimburse meal expense	16.77
Brian Rainey	Reimburse travel expense	176.71
Bruce Peiffer	Reimburse city band music	29.14
Certified Pest Control	Pest control	210.00
City of Davenport	Registration - Russell	50.00
David Bower & E & R Builders Inc	Demolition I loan - 416 North A St	4,000.00
David D. Dixon	August legal fees	2,200.00
DDVI Inc	Payment #3 - Fire station project	194,493.88
Delta Dental of Iowa	Dental insurance	685.00
Edward D Jones	Savings Edward Jones	200.00
Edward D Jones	Savings Edward Jones	200.00
Fidelity Security Life Insurance Company	Vision insurance	215.20
Hawkeye State Fire Safety Association	Registration - Russell	165.00
I.U.P.A.T. District Council 81	Union dues	253.58
Iowa Association of Building Officials	Training registration - Russell	100.00
Iowa Employment Conference	Registration - Miller	215.00
Madison National Life	August life insurance premiums	392.34
Mahaska County Recorder	Record 28E agreement - Lake Prairie Township	27.00
Mahaska Rural Water Systems Inc	Utilities	61.90
MidAmerican Energy	Utilities	506.62
Midwest Aviation Service Inc	Repair flag pole	104.00
Midwest Liquid Systems	Repair fuel tanks	543.45
Midwest Sanitation Service	Waste removal	170.00
Mikes Electric & Air Conditioning	Repair air conditioning	326.12
Misty Dawne White-Reinier	August legal fees	1,800.00
Nathan Willey	Reimburse meal expense	7.91
Oskaloosa Community Schools	August local option sales tax	88,894.66
PHCC - Iowa	Registration - Russell	215.00
PPME 2003 IBPAT	Police union dues	371.51
Rauch Enterprises	Install furnace - airport	2,400.00
Reed Overhead Doors	Sweep runways	1,650.00
State of Iowa	Annual filing fee - 509A	100.00
Thomas Richardson	Reimburse city band supplies	12.65
Thomas Richardson	Reimburse city band expense	15.76
United Way	United Way	30.00
Visa Card Center	Library supplies	106.84
Windstream	Telephone services	178.82
WSI Corporation	Quarterly services	417.00
Wyatt Russell	Reimburse testing expense	199.00

Wyatt Russell	Reimburse training expense	25.00
		<hr/> 304,156.60
	August Payroll	301,240.55
Alexander, Craig	Cell phone reimbursement	20.00
Boston, Troy	Cell phone reimbursement	20.00
Calzaretta, Michael	Cell phone reimbursement	20.00
McGee, John	Cell phone reimbursement	20.00
Neff, Mark	Cell phone reimbursement	20.00
Pal, Akhilesh	Cell phone reimbursement	20.00
Russell, Wyatt	Cell phone reimbursement	20.00
Schrock Jr, Michael	Cell phone reimbursement	20.00
Vroegh, Gary	Cell phone reimbursement	20.00
Vroegh, Grant	Cell phone reimbursement	20.00
Willey, Nathan	Cell phone reimbursement	20.00



## COUNCIL CLAIMS LIST

A1 Janitorial Supply	Chemicals - Waste Water	463.56
Access Systems	IT support - August	2,222.13
Acco	Chlorine - Edmundson Pool	1,039.00
Agriland FS Inc.	Sodium bicarbonate	106.00
	Sodium bicarbonate	132.50
	Sodium bicarbonate	39.75
All Terrain Seeding	Grass seeding - Street Dept	1,500.00
A-One Janitorial	Supplies	131.56
Aramark Uniform & Career Apparel, LLC	Rubber mats	116.50
	Rubber mats	116.50
Arnold Motor Supply	Supplies	28.60
	Filter	9.40
	Filter	28.79
	Filter	60.91
	Supplies	18.15
	Filters	66.28
	Filter	28.79
Aspen Equipment Company	Supplies	109.46
Bill & Ray's Auto Service Inc	Wrecker call - Police Dept	65.00
	Parts for repair	45.49
	Parts for repair	136.54
Binns & Stevens	Calcium chloride	56.80
	Calcium chloride	85.20
Bituminous Materials & Supply LP	Road oil	11,953.80
Brown's Shoe Fit Company	Boots - Johnson	100.00
Carpenter Uniform Co	Bullet proof vest - Pritchett	675.00
Carriker Ford	Replace brakes - Police Dept	528.80
	Vehicle repair - Police Dept	496.26
	Oil change	28.80
	Replace brakes - Police Dept	538.30
	Oil change	29.40
Certified Pest Control	Pest control	30.00
Champion Storage and Signs	Truck decals - Streets	210.00
	Truck lettering - Streets Dept	200.00
	Truck decals - Streets	200.00
	Truck decals - Streets	210.00
	Truck decals - Streets	190.00
	Truck lettering	200.00
	Truck lettering	180.00
Christian Opportunity Center	Cleaning services	90.60
City of Pella	Regional airport expenses	705.56
City of University Park	Professional services - Burlington Rd project	163.49
D.J. Gongol & Associates	Pressure regulator	239.02
Danko Emergency Equipment	Parts for repair	365.00
De Ruiters Lawn Equipment	Repair chain saw	128.91
	Chain saw supplies	42.53
DeBruin Trenching Inc	Bar guards - Orchard Ave	144.00
Dero Playcore Company	Bike workstation - Edmundson Park	1,416.00

Dickinson Co. Inc	Repair pedestrian sign - A Ave/D St	495.00
	Repair street signal - A Ave/L St	475.00
	Repair traffic signal - A Ave/L St	487.50
Environmental Systems Research Institutes Inc	Annual renewal - ArcGIS Maintenance	800.00
Fastenal Company	Tools	68.57
	Supplies	6.45
	Supplies	29.86
Fire Service Training Bureau	Registration - Tennison	25.00
Fox Engineering Associates Inc	Professional services - Waste Water Facility study	20,700.00
Garden & Associates LTD	Professional services - Sheriff Ave project	1,330.00
Genskow Distributing Inc.	Pool concessions	28.80
Haines Auto Supply	Cleaner	57.74
	Oil dry	18.60
	Tools	75.70
	Supplies	6.50
	Power steering fluid	18.96
	Respirators	68.68
	Tools	75.70
	Supplies	37.08
	Supplies	8.37
	Supplies	3.06
	Supplies	33.73
Heslinga, Dixon, Moore & Hite	Legal services - July	231.50
Hy Vee Accounts Receivable	Pool concessions	15.88
	Pool concessions	43.75
IA Munic Workers Comp Assoc	Work comp payment #4	4,811.00
Imagetek Inc	RADIX services - Police Dept.	75.00
Interstate Battery Systems	Batteries	209.90
Iowa Association of Professional Fire Chiefs	Annual membership - Neff	50.00
Iowa Department of Natural Resources	Asbestos notification of demolition - 115 South M	100.00
Iowa Methodist Occupational Health and Wellness	Professional services	1,028.27
Iowa Prison Industries	No Parking signs	24.60
Jetco Inc.	Repair lift station	258.50
John Deere Financial	Supplies	49.99
	Supplies	24.76
	Supplies	31.60
	Supplies	24.98
	Parts for repair	60.18
	Supplies	12.99
	Supplies	40.73
	Supplies	6.93
Karl Chevrolet	Chevy Silverado - Streets Dept	28,473.36
Kelderman Manufacturing Inc	Parts for repair	387.19
	Supplies	42.42
	Supplies	29.04
Kelly Supply Company	Supplies	12.68
	Supplies	49.48
Lappin Tire Inc	Replace tire - Parks	123.33
	Replace tire	65.23
	Tire repair - Streets	15.00
	Replace tire	57.14
	Tire repair	35.00
	Replace tire	87.10

	Tire repair - Parks	15.00
Lorman Education Services	Registration - Pal	219.00
	Continuing Education membership - Pal	480.00
Mahaska	Can bags	80.00
	Ice machine rental	85.00
	Can bags	80.00
Mahaska Co Highway Dept	Fuel	1,030.53
	Fuel	269.54
	Diesel fuel	1,913.20
	Fuel	1,217.78
	Fuel	1,878.70
	Fuel	52.59
	Fuel	26.85
Mahaska Communication Group, LLC	Telephone services	65.49
	Telephone services	1,218.01
	Telephone services	71.05
	Telephone services	107.57
	Telephone services	45.89
	Telephone services	59.54
	Telephone services	57.93
	Telephone services	93.07
	Telephone services	191.10
Mahaska Drug	Shipping charges - Public Works	31.02
Malcom Lumber Window & Door Center	Supplies	52.76
	Asbestos abatement - 115 South M St	1,451.06
Manatt's Inc.	Pea gravel	6,887.84
Mauer Supply Inc.	Power washer supplies	122.81
McCall Communications Inc	Install radios - Street Dept vehicles	926.72
	Install radio	450.16
MidAmerican Energy	Utilities	497.92
	Utilities	53.03
	Utilities	590.34
	Utilities	1,617.02
	Utilities	2,375.96
	Utilities	10,485.60
	Utilities	236.23
Midwest Sanitation Service	Waste removal - City Hall	65.00
Midwest Wheel Companies	Parts for repair	304.14
	Running boards and light bar	537.19
Musco Sports Lighting, LLC	Uniforms	102.40
National Business Furniture LLC	Office desk - Economic Development	1,438.00
Neurological Associates of Iowa City, PC	Professional services	160.00
Norris Asphalt Paving Inc	Cold patch	1,429.70
	Hot asphalt mix	515.78
	Cold patch	2,125.70
O'Reilly Auto Parts	Wiper blades	39.98
Oskaloosa Computers and Technology	Annual digital photo subscription	1,250.00
Oskaloosa Herald/Shopper	Publications	662.56
Oskaloosa Water Dept	Fax location service	62.10
	July online credit card fees	64.57
	July fuel - locate truck	30.98
	Reimburse office supply expense - Waste Water	34.98
	Credit card fees - July	519.73

	Reimburse office supply expense - Waste Water	13.21
Pitney Bowes Inc.	Postage machine lease	143.01
Precise Imaging	Code enforcement cards	96.25
Quill Corporation	Office supplies	162.70
	Calculator	63.99
	Office supplies	22.32
	Office supplies	56.99
	Office supplies	49.64
	Office supplies	181.47
	Office supplies	13.99
	Office supplies	72.87
	Office supplies	59.47
	Office supplies	139.43
	Office supplies	17.26
	Office supplies	72.88
Racom Corporation	Repair radio	190.00
	Pagers - Fire Department	13,653.88
	Repair bracket	58.00
Rockmount Research & Alloys Inc	Blades/grinding wheels - Street Dept	707.13
Safety-Kleen Systems Inc	Solvent	174.00
Schumacher Elevator Company	Scheduled maintenance	204.99
	Scheduled maintenance	143.60
Sherwin-Williams	Traffic paint	268.50
Staples Credit Plan	Office supplies	93.27
	Office supplies	28.99
	Office supplies	106.96
State Hygienic Laboratory	Pool testing	12.50
Stivers Ford	2017 Ford Explorer - Police Dept	26,626.00
Summit Companies	Annual services - Parks	89.00
The Des Moines Register	Employment advertising - Police Dept	691.46
The Office Center Inc.	Office supplies	9.53
	Office supplies	18.20
	Office supplies	1.35
Town and Country Wholesale	Pool concessions	415.23
Trans-Iowa Equipment LLC	Supplies	26.33
	Supplies	24.09
	Lights - street sweeper	549.40
Truck Equipment, Inc	Accessory equipment - 2016 Chevy truck	19,632.00
True Value Hardware	Supplies	9.56
	Supplies	26.97
	Supplies	66.86
	Supplies	21.98
	Returned item	-4.99
	Supplies	5.99
	Supplies	3.60
	Supplies	3.69
	Supplies	9.48
	Supplies	9.12
	Tools	62.57
	Supplies	47.96
	Supplies	2.10
	Sprayer	59.99
	Dehumidifier	299.00

	Supplies	2.40
	Light bulbs	30.99
	Broom	14.99
	Batteries	12.99
U.S. Cellular	Telephone services	27.04
Verizon Wireless	Broadband services	288.41
Walmart Community/GEGRB	Office supplies	58.83
	Office supplies - Safety Committee	34.83
	Pool concessions	66.32
	Printer	99.00
	Office supplies	13.16
	Pool concessions	124.73
	Supplies	8.94
	Pool concessions	45.40
Wellington Tools Sales Inc	Tools	270.00
	Tools	347.70
Ziegler Inc.	Parts for repair	279.54
	Parts for repair	223.34
	Batteries - road grader	545.58
		<hr/>
		199,387.29

## MOST CLAIMS OVER \$500.00

Department	Supplier/Vendor	Amount	Explanation
City Attorney	Ahlers & Cooney	\$2,331.42	Misc. legal services through August 19, 2016
City Attorney	Ahlers & Cooney	\$651.00	Legal services related to Local Option Sales and Services Tax.
City Attorney	Ahlers & Cooney	\$525.00	Legal services related to Urban Renewal.
Public Works- Streets	Bituminous Materials & Supply, Inc.	\$11,953.80	6,067.92 gallons of MC-3000 road oil for seal coat road repairs.
Public Works- Streets	Midwest Wheel Companies	\$537.19	Running boards, LED mini light bar, floor mats for 62-450 1995 Ford Truck
Public Works- Streets	Karl Chevrolet Inc.	\$28,473.36	Purchase 2016 reg. cab Chevy Silverado for Street Department
Public Works- Streets	Truck Equipment	\$19,632.00	flat bed/hoist/snow plow blade attachments for new 2016 Chevy Silverado
Public Works- Streets	Rockmount Research & Alloys, Inc.	\$707.13	grinding wheels and chop saw for the street shop
Public Works- Streets	Manatt's Inc.	\$9,057.23	464.47 tons of pea gravel for seal coat road repairs.
Public Works- Streets	Norris Asphalt Paving Co.	\$2,641.48	14.66 tons of UPM cold patch for road repair & 6.97 tons of hot asphalt patch for road repair
Public Works- Streets	Ziegler CAT	\$545.58	2 batteries for vehicle 62-464 1985 CAT road grader/maintainer
Public Works- Streets	Dickinson Company, Inc.	\$1,775.00	Traffic control signals repair at the intersection of A Ave & Market on 5/31/2016
Public Works- Streets	Norris Asphalt Paving Co.	\$1,429.70	9.86 tons of UPM cold patch for street/road repair
Public Works- Engineer	All Terrain Seeding	\$1,500.00	Seed various locations where storm sewer intakes were repaired
Public Works- Engineer	Fox Engineering	\$20,700.00	Professional Services for WW treatment facility study for the period of 6/26/2016-7/30/2016
City Council	Malcom Lumber	\$1,451.06	Asbestos Abatement supplies to demolish house at 115 South M Street
Public Works- Engineer	Dero Playcore Company	\$1,416.00	Bicycle Workstation & pump at Edmundson Park for the McQuiston grant
Public Works- Engineer	ESRI	\$800.00	Annual Renewal of ArcGIS Desktop basic single use primary maintenance from 11/1/2016-10/31/2017
Development Services	National Business Furniture	\$1,438.00	Desk for Development Services Director.
City Council	Oskaloosa Computers & Technology	\$1,250.00	Annual digital photo subscription.
City Hall	Access	\$2,222.13	IT services agreement monthly fee.
City Council	JD's Bulldozing	\$11,866.50	Demolition of house at 115 South M Street.
Police Department	Carriker Ford	\$538.30	Replaced brakes, rotors, repaired door panel, oil/lube Unit 62-44
Police Department	Des Moines Register	\$691.46	Police Officer Ad
Police Department	L3 Mobile Vision	\$5,190.25	In-Car Video Camera
Police Department	Stiver's Ford	\$26,626.00	2017 Police Invest Vehicle
Police Department	Carpenter's	\$675.00	Officer Pritchett's bullet proof vest
Parks Department	Acco	\$1,039.00	Chemicals for Edmundson Swimming Pool.
Fire Department	Racom	\$13,653.88	New pagers for career and reserve staff
Fire Department	Iowa Methodist Occupational Med	\$1,028.27	411 System entry physical for Josh Johnson
SCRAA	City of Pella	\$705.56	City share of South Central Regional Airport expenses.
Police Department	Carriker Ford	\$528.80	Repair & maintenance on Unit 62-41.





## City Council Communication

Meeting Date: September 6, 2016

Requested By: City Clerk/Finance

**Item Title:**

Consider approval of a FY2017 Retail Cigarette/Tobacco/Nicotine/Vapor Permit.

**Explanation:**

White Cloud Hookah Lounge has submitted an application for an Iowa Retail Cigarette/Tobacco/Nicotine/Vapor Permit starting September 6, 2016 through June 30, 2017 at the following location:

501 High Avenue West

Staff recommends approval.

**Budget Consideration:**

\$75.00 revenue to the General Fund.

**Attachments:**

None



## City Council Communication

Meeting Date: September 6, 2016

Requested By: Planning & Zoning Comm.

### Item Title: CONSENT AGENDA

Consider a resolution setting the date for a public hearing to amend Title 17, Chapter 17.08 of the Oskaloosa Municipal Code pertaining to sidewalk requirements.

### Explanation:

At their meetings on April 11, 2016, May 9, 2016, June 7, 2016, July 6, 2016, and August 2, 2016 the Planning and Zoning Commission discussed possible sidewalk requirements for commercial and residential developments. The Planning and Zoning Commission is requesting the City Council to revise the City Code for sidewalk requirements as shown below:

#### 17.08.120 – Required Public Sidewalk

- A. Public sidewalk shall be required for the following:
  - 1. All new developments in all zoning districts. New developments include, but are not limited to, projects requiring a site plan review, changes in property use type, and all new residential structures.
  - 2. All redevelopments, enlargements, or extensions of more than twenty-five percent (25%) of either the total property area or gross building area in all zoning districts, except for single-family, two-family, and duplex use types.
  - 3. All redevelopments, enlargements, or extensions of more than fifty percent (50%) of either the total property area or gross building area for single-family, two-family, and duplex use types in all zoning districts.
  - 4. These requirements may be waived by the City Council based on a recommendation after Planning and Zoning Commission review in GI (General Industrial) and LI (Limited Industrial) zoning districts.
- B. All new or existing sidewalk required by this section must be constructed, or reconstructed, in concrete and in compliance with current ADA accessibility and City specification standards.

The City Council reviewed and discussed these proposed code amendments at their study session meeting at 5:00PM on August 15, 2016.

### Recommended Action:

Staff recommends the City Council approve the resolution setting a public hearing date of

September 19, 2016 for the above mentioned amendment to the zoning ordinance.

**Budget Consideration:** There will be minimal impact to the City Budget for the cost associated with drafting revisions to Chapter 17.08 of the Oskaloosa Municipal Code.

**Attachments:**

Resolution.

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

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING TITLE 17, CHAPTER 17.08 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY ADDING A NEW SECTION 17.08.120 – “REQUIRED PUBLIC SIDEWALK.”

WHEREAS, the City of Oskaloosa has deemed it advisable to consider amending Title 17, Chapter 17.08 of the Oskaloosa Municipal Code by adding a new section 17.08.120 entitled “Required Public Sidewalk” as follows:

**17.08.120 – Required Public Sidewalk**

- A. Public sidewalk shall be required for the following:
  - 1. All new developments in all zoning districts. New developments include, but are not limited to, projects requiring a site plan review, changes in property use type, and all new residential structures.
  - 2. All redevelopments, enlargements, or extensions of more than twenty-five percent (25%) of either the total property area or gross building area in all zoning districts, except for single-family, two-family, and duplex use types.
  - 3. All redevelopments, enlargements, or extensions of more than fifty percent (50%) of either the total property area or gross building area for single-family, two-family, and duplex use types in all zoning districts.
  - 4. These requirements may be waived by the City Council based on a recommendation after Planning and Zoning Commission review in GI (General Industrial) and LI (Limited Industrial) zoning districts.
- B. All new or existing sidewalk required by this section must be constructed, or reconstructed, in concrete and in compliance with current ADA accessibility and City specification standards.

WHEREAS, said proposed text amendment has been reviewed by the Planning and Zoning Commission at their meeting on August 2, 2016 and recommended for approval by a vote of 6-0; and,

WHEREAS, section 17.34.040 of Oskaloosa Municipal Code requires a public hearing on such zoning ordinance text amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Oskaloosa, Iowa that a public hearing shall be conducted on Monday, September 19, 2016 at 6:00 p.m. in the City Council Chambers, City Hall, Oskaloosa, Iowa at which time persons may appear and speak for or against the zoning change as legally described in the preamble hereof.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

---

David Krutzfeldt, Mayor

ATTEST:

---

Amy Miller, City Clerk



## City Council Communication

Meeting Date: September 6, 2016

Requested By: Public Works Dept.

**Item Title: CONSENT AGENDA**

Consider a resolution authorizing the Iowa Department of Transportation Agreement for the maintenance and repair of primary roads in the City of Oskaloosa.

**Explanation:**

Every five years, the City of Oskaloosa receives an Agreement for the Maintenance and Repair of Primary Roads in Municipalities from the Iowa Department of Transportation (Iowa DOT). This agreement would allow the Iowa DOT to perform maintenance and repair of highways (US Highway 63, State Highway 23, and State Highway 92) in the city limits. Iowa DOT services include pavement maintenance or repair, traffic signs, pavement marking, and snow removal. The City of Oskaloosa will be required, as per the Iowa Code, to maintain items such as curb and gutter, traffic signals, street lights, crosswalks, and drainage systems. The agreement renewal would cover the period from July 1, 2016, to June 30, 2021.

Recommended Action: Staff recommends approval of this item.

**Budget Consideration:** Not applicable.

**Attachments:**

Iowa Department of Transportation Agreement for the Maintenance and Repair of Primary Roads

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

RESOLUTION APPROVING THE AGREEMENT FOR MAINTENANCE AND REPAIR OF PRIMARY ROADS  
BETWEEN THE CITY OF OSKALOOSA AND THE IOWA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Iowa Department of Transportation has requested that the City consider a five year agreement for the Maintenance and Repair of Primary Roads;

WHEREAS, the proposed agreement is for the period of July 1, 2016 through June 30, 2021.

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

1. The agreement presented by the Iowa Department of Transportation for Maintenance and Repair of Primary Roads in Municipalities between the Iowa Department of Transportation and the City of Oskaloosa is hereby approved as set forth therein.
2. The Mayor is hereby authorized and ordered to execute the agreement.

PASSED AND APPROVED this \_\_\_\_\_ day of September, 2016.

\_\_\_\_\_  
David Krutzfeldt, Mayor

ATTEST: \_\_\_\_\_  
Amy Miller, City Clerk

District #5 Maintenance Office  
P.O. Box 400, Fairfield, IA 52556  
Phone: 641-472-6142 | Email: [jeff.owen@dot.iowa.gov](mailto:jeff.owen@dot.iowa.gov)

August 2, 2016

City of Oskaloosa  
220 S. Market Street  
Oskaloosa, Ia. 52577

Dear City Official:

Enclosed is the upcoming 5-Year Agreement for Maintenance and Repair of Primary Roads in Municipalities. Please have this agreement signed and returned to me at the address listed above. If you have any questions please give us a call.

Sincerely Yours,



Lisa Luko, Engineering Office Assistant



# Iowa Department of Transportation

## Agreement for Maintenance and Repair of Primary Roads in Municipalities

This Agreement made and entered into by and between the Municipality of Oskaloosa, Mahaska County, Iowa, hereinafter referred to as the Municipality, and the Iowa Department of Transportation, Ames, Iowa, hereinafter referred to as the Department.

### AGREEMENT:

In accord with Provisions of Chapter 28E, Sections 306.3, 306.4, 313.3-5, 313.21-.23, 313.27, 313.36, 314.5, 321.348 and 384.76 of the Code of Iowa and the Iowa Administrative Rules 761 – Chapter 150 (IAC) the Municipality and Department enter into the following agreement regarding maintenance, repair and minor reconstruction of the primary roads within the boundaries of the Municipality.

#### I. The Department shall maintain and repair:

- A. Freeways (functionally classified and constructed)
  - 1. Maintain highway features including ramps and repairs to bridges.
  - 2. Provide bridge inspection.
  - 3. Highway lighting.
- B. Primary Highways – Urban Cross-Section (curbed) (See Sec. II.A)
  - 1. Pavement: Maintain and repair pavement and subgrade from face of curb to face of curb (excluding parking lanes, drainage structures, intakes, manholes, public or private utilities, sanitary sewers and storm sewers).
  - 2. Traffic Services: Provide primary road signing for moving traffic, pavement marking for traffic lanes, guardrail, and stop signs at intersecting streets.
  - 3. Drainage: Maintain surface drainage within the limits of pavement maintenance described in I.B.1 above.
  - 4. Snow and Ice Removal: Plow traffic lanes of pavement and bridges and treat pursuant to the Department's policy.
  - 5. Vehicular Bridges: Structural maintenance and painting as necessary.
  - 6. Provide bridge inspection.
- C. Primary Highways – Rural Cross-Section (uncurbed) (See II.B)
  - 1. Maintain, to Department standards for rural roads, excluding tree removal, sidewalks, and repairs due to utility construction and maintenance.
- D. City Streets Crossing Freeway Rights of Way (See II.C)
  - 1. Roadsides within the limits of the freeway fence.
  - 2. Surface drainage of right of way.
  - 3. Traffic signs and pavement markings required for freeway operation.
  - 4. Guardrail at piers and bridge approaches.
  - 5. Bridges including deck repair, structural repair, berm slope protection and painting.
  - 6. Pavement expansion relief joints and leveling of bridge approach panels.

#### II. The Municipality shall maintain and repair:

- A. Primary Highways – Urban Cross-Section (curbed) (See Sec. I.B)
  - 1. Pavement: Maintain and repair pavement in parking lanes, intersections beyond the limits of state pavement maintenance; curbs used to contain drainage; and repairs to all pavement due to utility construction, maintenance and repair.
  - 2. Traffic Services: Paint parking stalls, stop lines and crosswalks. Maintain, repair and provide energy to traffic signals and street lighting.
  - 3. Drainage: Maintain storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.
  - 4. Snow and ice removal: Remove snow windrowed by state plowing operations, remove snow and ice from all areas outside the traffic lanes and load or haul snow which the Municipality considers necessary. Remove

snow and ice from sidewalks on bridges used for pedestrian traffic.

- 5. Maintain sidewalks, retaining walls and all areas between curb and right-of-way line. This includes the removal of trees as necessary and the trimming of tree branches as necessary.
- 6. Clean, sweep and wash streets when considered necessary by the Municipality.
- 7. Maintain and repair pedestrian overpasses and underpasses including snow removal, painting and structural repairs.

B. Primary Highways – Rural Cross-Section (uncurbed) (See Sec. I.C)

- 1. Maintain and repair highway facilities due to utility construction and maintenance.
- 2. Removal of trees as necessary and the trimming of tree branches as necessary.
- 3. Maintain sidewalks.

C. City Streets Crossing Freeway Rights of Way (See I.D)

- 1. All pavement, subgrade and shoulder maintenance on cross streets except expansion relief joints and bridge approach panel leveling.
- 2. Mark traffic lanes on the cross street.
- 3. Remove snow on the cross street, including bridges over the freeway.
- 4. Clean and sweep bridge decks on streets crossing over freeway.
- 5. Maintain all roadside areas outside the freeway fence.
- 6. Maintain pedestrian overpasses and underpasses including snow removal, painting, lighting and structural repair.

III. The Municipality further agrees:

- A. That all traffic control devices placed by the Municipality on primary roads within the Municipal boundaries shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways."
  - B. To prevent encroachment or obstruction within the right of way, the erection of any private signs on the right of way, or on private property which may overhang the right of way and which could obstruct the view of any portion of the road or the traffic signs or traffic control devices contrary to Section 318.11 of the Code of Iowa.
  - C. To comply with all current statutes and regulations pertaining to overlength and overweight vehicles using the primary roads, and to issue special permits for overlength and overweight vehicles only with approval of the Department.
  - D. To comply with the current Utility Accommodation Policy of the Department.
  - E. To comply with the access control policy of the Department by obtaining prior approval of the Department for any changes to existing entrances or for the construction of new entrances.
- IV. Drainage district assessments levied against the primary road within the Municipality shall be shared equally by the Department and the Municipality.
- V. Major construction initiated by the Department and all construction initiated by the Municipality shall be covered by separate agreements.
- VI. The Department and the Municipality may by a separate annual Supplemental Agreement, reallocate any of the responsibilities covered in Section I of this agreement.
- VII. This Agreement shall be in effect for a five year period from July 1, 2016 to June 30, 2021

IN WITNESS WHEREOF, The Parties hereto have set their hands, for the purposes herein expressed, on the dates indicated below.

City of Oskaloosa  
\_\_\_\_\_ MUNICIPALITY

IOWA DEPARTMENT OF TRANSPORTATION

By \_\_\_\_\_

BY \_\_\_\_\_  
District Engineer

Date \_\_\_\_\_

Date \_\_\_\_\_



## City Council Communication

Meeting Date: September 6, 2016

Requested By: Public Works Dept.

### Item Title: CONSENT AGENDA

Consider approval of payment of \$23,181.00 to Onthank Concrete Concepts LLC for work completed on the North 1<sup>st</sup> Street Angle Parking Project.

### Explanation:

As of August 24, 2016, the North 1<sup>st</sup> Street Angle Parking Project has been completed. The total estimated cost for this project was \$23,615.00. The total payment due for this project is \$23,181.00. The items associated with this project were concrete sidewalk, concrete pavement, rock subbase, and topsoil backfill.

The scope of the project involved the reconstruction of approximately 350 square yards of existing on-street angled parking along the east side of North 1<sup>st</sup> Street between A Avenue East and B Avenue East. The total cost breakdown to date is as follows:

<u>Summary of Contract:</u>	<u>Total Amounts:</u>	<u>Council Approval Date:</u>
Original Quote	\$23,615.00	July 18, 2016
Total Contract	\$23,615.00	

<u>Summary of Pay Requests:</u>	<u>Total Amounts:</u>	<u>Council Approval Date:</u>
Pay Request No. 1 – Final*	\$23,181.00*	September 6, 2016

Total Amount Paid: \$23,181.00\*

\*Applies only if Pay Request No. 1 - Final is approved by City Council on September 6, 2016.

### Recommended Action:

Staff recommends that the City Council approve the payment of \$23,181.00 to Onthank Concrete Concepts LLC for work completed on the North 1<sup>st</sup> Street Angle Parking Project.

### Budget Consideration:

\$23,181.00 from the Annual Street Maintenance and Pavement Preservation Fund.

**Attachments:**

Pay Estimate

**Pay Estimate**  
**North 1st Street Angle Parking Project**

**Date: 8-24-16**  
**Contractor: Onthank Concrete Concepts LLC**

No.	Item	Unit Price	Council Approved 7-5-16			Pay Application - Final		
			Contract Quantity		Schedule of Values	%	Qty.	\$ Amount
1	Excavation & Pavement Removal	\$25.00	150	CY	\$3,750.00	100%	150	\$3,750.00
2	Topsoil Backfill	\$40.00	30	CY	\$1,200.00	140%	42	\$1,680.00
3	Granular Subbase	\$27.00	115	LF	\$3,105.00	90%	103	\$2,781.00
4	PCC Pavement, 7" Thick	\$42.00	350	SY	\$14,700.00	97%	338	\$14,196.00
5	PCC Sidewalk, 6" Thick	\$43.00	20	SY	\$860.00	90%	18	\$774.00
<b>PROJECT TOTAL:</b>			<b>\$23,615.00</b>			<b>TOTAL PAYMENT DUE:</b>	<b>\$23,181.00</b>	

REQUESTED:

RECOMMENDED:

APPROVED:

Onthank Concrete Concepts LLC

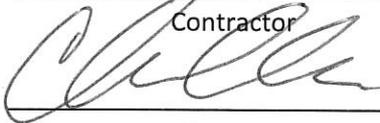
City of Oskaloosa

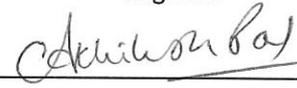
City of Oskaloosa

Contractor

Engineer

Owner





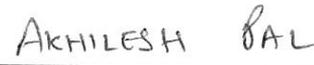
\_\_\_\_\_  
 Signature

Signature

Signature

Signature





\_\_\_\_\_  
 Printed Name

Printed Name

Printed Name

Printed Name

Date: 8/26/16

Date: 8/26/2016

Date: \_\_\_\_\_



## City Council Communication

Meeting Date: September 6, 2016

Requested By: Public Works Dept.

### Item Title: CONSENT AGENDA

Consider approval of payment of \$30,140.00 to TK Concrete Inc. for work completed on the 15<sup>th</sup> Avenue West and Edmundson Drive Sidewalk Project.

### Explanation:

As of August 23, 2016, the 15<sup>th</sup> Avenue West and Edmundson Drive Sidewalk Project has been completed. The total estimated cost for this project was \$30,575.00, which included a base bid of \$22,875.00, an alternate bid of \$4,500.00, and change order of \$3,200.00. The total payment due for this project is \$30,140.00. The items associated with this project were concrete sidewalk, concrete driveway, curb and gutter, culvert pipe, and topsoil backfill.

This new sidewalk connected to existing sidewalk along 15<sup>th</sup> Avenue West and Edmundson Drive and extended them to the Edmundson Golf Course. The change order in the amount of \$3,200 primarily included new sidewalk ramps at the intersection of 15<sup>th</sup> Avenue West and Westfield Drive. The total cost breakdown to date is as follows:

<u>Summary of Contract:</u>	<u>Total Amounts:</u>	<u>Council Approval Date:</u>
Original Quote with Alternate	\$27,375.00	July 5, 2016
Change Order No. 1	+\$3,200.00**	July 29, 2016
Total Contract	\$30,575.00	

<u>Summary of Pay Requests:</u>	<u>Total Amounts:</u>	<u>Council Approval Date:</u>
Pay Request No. 1 – Final*	\$30,140.00*	September 6, 2016

Total Amount Paid: \$30,140.00\*

\*Applies only if Pay Request No. 1 - Final is approved by City Council on September 6, 2016.

\*\*Change Orders within the contingency amount require City Manager's approval.

### Recommended Action:

Staff recommends that the City Council approve the payment of \$30,140.00 to TK Concrete Inc. for the 15<sup>th</sup> Avenue West and Edmundson Drive Sidewalk Project.

**Budget Consideration:**

\$30,140.00 from the Active Transportation Plan Fund.

**Attachments:**

Pay Estimate

Pay Estimate  
15th Avenue West & Edmundson Drive Sidewalk Project

Date: 8-23-16  
Contractor: TK Concrete Inc.

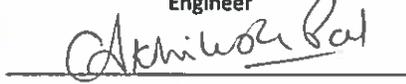
Base Bid			Council Approved 7-5-16		Change Order		Pay Application - Final			
No.	Item	Unit Price	Contract Quantity		Schedule of Values	Qty.	\$ Amount	%	Qty.	\$ Amount
1	Gravel Driveway Removal	\$30.00	25	CY	\$750.00	0	\$0.00	100%	25	\$750.00
2	Topsoil Backfill	\$40.00	50	CY	\$2,000.00	0	\$0.00	100%	50	\$2,000.00
3	PCC Curb & Gutter, 8" Thick	\$30.00	75	LF	\$2,250.00	10	\$300.00	85%	72	\$2,160.00
4	PCC Sidewalk, 4" Thick	\$40.00	175	SY	\$7,000.00	50	\$2,000.00	106%	239	\$9,560.00
5	PCC Sidewalk, 6" Thick	\$45.00	50	SY	\$2,250.00	20	\$900.00	80%	56	\$2,520.00
6	PCC Driveway, 6" Thick	\$45.00	125	SY	\$5,625.00	0	\$0.00	96%	120	\$5,400.00
7	Place 15" Dual Wall HDPE Pipe	\$50.00	40	LF	\$2,000.00	0	\$0.00	113%	45	\$2,250.00
8	Performance Bond	\$1,000.00	1	LS	\$1,000.00	0	\$0.00	100%	1	\$1,000.00
<b>BASE BID TOTALS:</b>					<b>\$22,875.00</b>		<b>\$3,200.00</b>	<b>\$25,640.00</b>		
Alternate Bid			Council Approved 7-5-16				Pay Application - Final			
No.	Item	Unit Price	Contract Quantity		Schedule of Values			%	Qty.	\$ Amount
1	PCC Sidewalk, 6" Thick	\$45.00	100	SY	\$4,500.00			100%	100	\$4,500.00
<b>ALTERNATE BID TOTALS:</b>					<b>\$4,500.00</b>			<b>\$4,500.00</b>		
<b>BASE BID + CHANGE ORDER + ALTERNATE BID TOTALS:</b>					<b>\$30,575.00</b>			<b>TOTAL PAYMENT DUE:</b>	<b>\$30,140.00</b>	

REQUESTED:

RECOMMENDED:

APPROVED:

TK Concrete Inc.  
Contractor  
  
Signature  
Quentin Kaufman  
Printed Name

City of Oskaloosa  
Engineer  
  
Signature  
AKHILESH BAL  
Printed Name

City of Oskaloosa  
Owner  
  
Signature  
  
Printed Name

Date: 8-24-2016

Date: 8/25/2016

Date:



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: City Attorney

**Item Title: CONSENT AGENDA**

Consider a resolution amending Resolution 92-6-71 to allow the payment of filing fees for Municipal Infractions without prior Council approval, subject to council audit and confirmation.

**Explanation:**

On June 15, 1992 the Oskaloosa City Council passed Resolution 92-6-71 to allow the payment of various miscellaneous expenses without prior approval of the Council, subject to Council audit and confirmation, so as to facilitate more orderly and timely payment of minor miscellaneous charges. The City has now received word from the Mahaska County Clerk of Court that the State of Iowa now requires the payment of filing fees for Municipal Infractions concurrently with the filing of the Municipal Infractions. To avoid having to wait for formal Council approval for the payment of such fees in regular meetings with the resultant delay of the filing of any infraction, staff has proposed that Resolution 92-6-71 be amended to include the filing fees for Municipal Infractions payable to the Clerk of Court.

Recommended action is to approve a resolution formally amending Resolution 92-6-71 to include "Municipal Infraction filing fees payable to the Mahaska County Clerk of Court."

**Budget Consideration:**

None, other than changing the timing of the payment of filing fees.

**Attachments:**

Proposed Resolution  
Resolution 92-6-71

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

**RESOLUTION AMENDING RESOLUTION 92-6-71 TO INCLUDE IN THE PERMITTED PAYMENTS  
THE PAYMENT OF MUNICIPAL INFRACTION FILING FEES TO THE MAHASKA COUNTY CLERK OF  
COURT**

**WHEREAS**, the Oskaloosa City Council has previously adopted Resolution 92-6-71 authorizing the payment of miscellaneous expenses without prior Council approval, subject to Council audit and confirmation;

**AND WHEREAS**, the Oskaloosa City Council wishes to amend the said Resolution by adding thereto authorization to pay filing fees to the Mahaska County Clerk of Court for municipal infractions;

**IT IS THEREFORE RESOLVED** that Resolution 92-6-71 adopted on June 15, 1992 be and it hereby is amended by adding to the listing of expenses that may be paid without prior Council approval, subject to Council audit and confirmation filing fees to the Mahaska County Clerk of Court for municipal infractions.

**PASSED AND APPROVED** this 6<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
David Krutzfeldt, Mayor

ATTEST:

\_\_\_\_\_  
Amy Miller, City Clerk

RESOLUTION NO. 92-6-71

RESOLUTION AUTHORIZING THE CITY CLERK-FINANCE DIRECTOR TO WRITE CHECKS IN CERTAIN SITUATIONS UPON DETERMINATION OF LIABILITY AND WITHOUT PRIOR COUNCIL APPROVAL, SUBJECT TO COUNCIL AUDIT AND CONFIRMATION

BE IT RESOLVED by the City Council of the City of Oskaloosa, Iowa that the City Clerk-Finance Director is hereby authorized to pay the wages of officials and employees biweekly as authorized by Council, less legally required or authorized deductions and write the City checks for employee deductions and City contributions for employee benefits, employee health insurance claims, administration, and stop loss insurance; shipping charges; discount invoices; sales tax; postage; utility invoices; travel expenses; travel advances not to exceed \$250, petty cash; reimbursements to employees; conference registration; refunds; recording fees; monthly contract and agreement payments; principal and interest on debt upon determination of liability and without prior Council approval. Such checks shall be subject to audit and confirmation by Council action at the first Council meeting of the month following their payment.

PASSED AND APPROVED this 15th day of June, 1992.

  
Harold Kelderman, Mayor

ATTEST:

  
Marilyn Sears, City Clerk



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: City Manager's Office

**Item Title: CONSENT AGENDA**

Consider request from the Oskaloosa High School Student Council for waiver of the street closure fee for the Homecoming Parade.

**Explanation:**

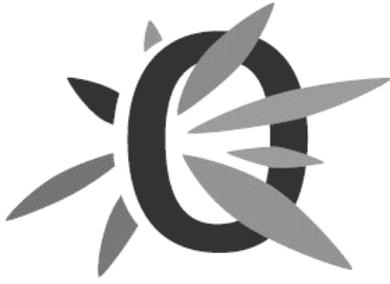
Kim Gile, sponsor for the Oskaloosa Student Council, called to request waiver of the \$25.00 street closure fee for the 2016 Oskaloosa High School Homecoming Parade on Thursday, September 29, 2016. The City Council has waived the fee for past parades.

**Budget Consideration:**

Staff time and costs to set up barricades and police escort as part of the parade.

**Attachments:**

None.



## City Council Communication

Meeting Date: September 06, 2016

Requested By: City Manager's Office

### **Item Title: CONSENT AGENDA**

Consider a resolution authorizing the Mayor and City Clerk to execute an Assignment request by Ironwood Partners, LLC.

### **Explanation:**

The city council approved a Development Agreement for the Reserves at Ironwood apartment complex on September 15, 2014. That Agreement, spelled out specific rights, roles and responsibilities between the parties (the city and Ironwood Partners, LLC) is available in the city clerk's office, or online through the city's document archive center - Radix.

The developer has recently presented the city with an Assignment request, which if approved, would assign payments of future grants provided by the city to Horizon Bank instead of the developer. Assignment requests are not atypical to receive especially as a developer continues to work on financing a project, however it could create some complexities for recouping previous grants before a subsequent default (if that was to occur).

The approved Development Agreement allows assignments upon written approval from both entities. Staff is inclined to recommend approval of the request with modifications that have been included in the revised Assignment document.

### **Budget Consideration:**

This item is not anticipated to carry a financial impact to the city, however it does present some issues for the city to clawback grants already made before a subsequent default. Such a thing is not anticipated to occur, however that is a potential issue with this request.

### **Attachments:**

1. Resolution
2. Assignment Document

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

**RESOLUTION ACCEPTING AND AUTHORIZING AN ASSIGNMENT  
REQUEST FROM IRONWOOD PARTNERS, LLC FOR THE  
DEVELOPMENT AGREEMENT FOR THE RESERVES AT IRONWOOD**

**WHEREAS**, by Resolution No. 14-09-78, adopted September 15, 2014 the city council approved and authorized the execution of a Development Agreement between the city and Ironwood Partners, LLC for The Reserves at Ironwood project; and

**WHEREAS**, on July 27, 2016 the City Manager's Office of the city of Oskaloosa, Iowa, received written notice from Ironwood Partners, LLC. proposing to assign all interests in and rights to tax increment reimbursements to Horizon Bank, a Nebraska Corporation; and

**WHEREAS**, Article VII. Assignment and Transfer, Section 7.1 notes that assignments are permissible with written consent of the City.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OSKALOOSA IN THE STATE OF IOWA:**

SECTION 1. The assignment by Ironwood Partners LLC. to Horizon Bank, a Nebraska Corporation of the interests in and rights to tax increment reimbursements included in the Development Agreement By and Between City of Oskaloosa, Iowa and Ironwood Partners, LLC. is hereby approved.

SECTION 2. The Mayor is authorized and directed to sign and accept the Assignment and the City Clerk is authorized and directed to attest to the Mayor's signature.

SECTION 3. The City Clerk is authorized and directed to cause said documents to be recorded with the Mahaska County Recorder.

SECTION 4. Upon receipt of the recorded document back from the Mahaska County Recorder, the City Clerk shall mail the original of the Assignment to the assignee.

**PASSED AND APPROVED** this \_\_\_\_\_ day of September, 2016.

---

Mayor

ATTEST:

---

City Clerk

**ASSIGNMENT**

This Assignment is granted by Ironwood Partners, LLC, an Iowa limited liability company ("Borrower"), to and in favor of Horizon Bank, a Nebraska corporation ("Lender") as security for the TIF Loan made by Lender to Borrower effective as of July 1, 2016. Borrower assigns to Lender:

All of Borrower's interests in and rights to tax increment reimbursements due to Borrower from the City of Oskaloosa, Iowa ("City") in accordance with the Development Agreement between Borrower and City dated October 2, 2014.

IRONWOOD PARTNERS, LLC,  
an Iowa limited liability company

By: Ironwood Managers, LLC,  
an Iowa limited liability company, Managing Member

By: Overland Property Group, LLC,  
a Kansas limited liability company, Sole  
Member

By: Overland Ventures L.L.C.,  
a Kansas limited liability company, its Sole  
Member

By:   
\_\_\_\_\_  
Name : Rex Vanier  
Title: Authorized Representative

*(Remainder of Page Intentionally Left*

**ACKNOWLEDGMENT**

The City of Oskaloosa, Iowa acknowledges receipt of a copy of the above Assignment and agrees to make payments directly to Horizon Bank to be applied on Borrower's TIF Loan-subject to and conditioned upon the following:

1. Both Borrower and Lender acknowledge and agree that the City's consent to the transfer described herein for the purposes of obtaining financing from Lender does not relieve Borrower or any other party of the terms contained in the Development Agreement. Lender's right to receive tax rebates from the City pursuant to this Assignment is wholly contingent upon Borrower's continued compliance with the terms and conditions of the Development Agreement, including but not limited to the obligation to pay property taxes, which remain obligations of Borrower despite the terms of this Assignment. In other words, the Lender's rights to any Economic Development Grant are contingent on the operation of the Development Agreement so as to create an obligation on the City's part to fund an Economic Development Grant. In no case will Lender's rights be greater than Borrower's rights under the Development Agreement.

2. Borrower hereby releases, waives, discharges and covenants not to sue the City, including its governing body, officers, employees and agents, as a third party beneficiary of this Assignment, against any claims, including any costs, expenses or attorneys' fees, by Borrower or its successors or assigns, relating to any rights to Economic Development Grants claimed by Borrower under the Development Agreement as a result of payment of such Economic Development Grants to Lender.

3. Lender may not assign any rights it has under the Development Agreement without the written consent of the City.

DATED ~~July~~ September\_\_\_\_, 2016.

CITY OF OSKALOOSA, IOWA

By: \_\_\_\_\_  
David Krutzfeldt  
Mayor of the City of Oskaloosa

STATE OF IOWA )  
 ) SS.  
COUNTY OF \_\_\_\_\_)

The following Consent was acknowledged before me on ~~July~~September 2016 by David Krutzfeldt, Mayor of the City of Oskaloosa, Iowa, on behalf of the City.

---

Notary Public

ATTEST:

APPROVED AS TO FORM:

---

City Clerk of the City of Oskaloosa

---

City Attorney

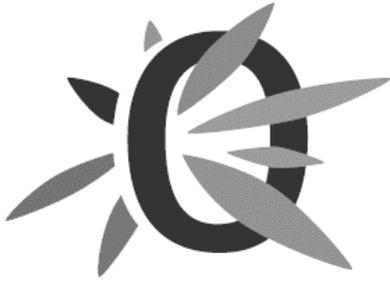


City Council Communication  
Meeting Date: September 6, 2016  
Requested By: Mayor & City Council

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

- a) Airport Commission – One vacancy to fill upon appointment for an unexpired term that ends December 31, 2021; and one vacancy for a six year term that begins January 1, 2017, and ends December 31, 2022. This is a five member board that typically meets the first Monday of the month. (4 males and 0 females currently serve with 1 vacancy)
- b) Historic Preservation Commission - Five vacancies: one vacancy to fill upon appointment for a term that ends December 31, 2018; two vacancies for three year terms that begin January 1, 2017 and end December 31, 2019; and two vacancies for alternate members. This is a seven member board with two alternate members that meets as needed. (4 males and 2 females currently serve with 3 vacancies, two for alternate members)
- c) Mahaska County Solid Waste Management Commission and Ad Hoc Recycling Committee - Five vacancies to fill for one year terms that begin January 1, 2017 and end December 31, 2017. The City of Oskaloosa is allowed five representatives on the commission. Two of the representatives are also appointed to the Ad Hoc Recycling Committee. (2 males and 1 female currently service with 2 vacancies)
- d) Municipal Housing Agency – One vacancy to fill upon appointment for an unexpired term that ends February 28, 2017. This is a five member board that meets quarterly. (2 males and 2 females currently serve with 1 vacancy).
- e) Housing Trust Fund Committee – One vacancy to fill upon appointment for an unexpired term that ends January 31, 2017. Five at-large members serve on the committee that meets every other month. (2 males and 2 females currently serve at-large with 1 vacancy).
- f) Planning and Zoning Commission – One vacancy to fill upon appointment

for an unexpired term that ends April 30, 2020. This is a seven member board that typically meets once a month. (4 males and 2 females currently serve with 1 vacancy)



City Council Communication  
Meeting Date: September 6, 2016

**Item Title: REGULAR AGENDA**

**Explanation:**

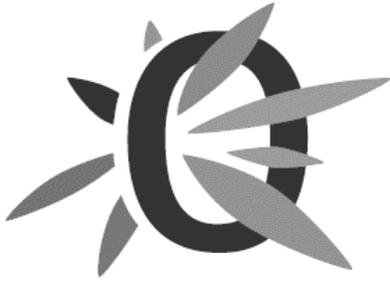
The following agenda items require specific action by the City Council.

**Budget Consideration:**

Not applicable.

**Attachments:**

None.



## City Council Communication

Meeting Date: September 6, 2016

Requested By: City Clerk/Finance Department

**Item Title: PUBLIC HEARING**

Consider a resolution levying a special assessment against private property for cutting and removal of weeds by the city of Oskaloosa, Iowa in accordance with Title 8, Chapter 8.20 of the City Code of the city of Oskaloosa, Iowa. (PUBLIC HEARING)

**Explanation:**

This is the time for the public hearing on levying a special assessment against private property for weed cutting as outlined in Exhibit A. Certified notices were sent to each property owner and a notice was published in the Oskaloosa Herald. If approved, the property owner will have 30 days to pay for weed cutting in the City Clerk's office. After the 30 days it will be assessed to their property taxes with a payment schedule of 1 year at 9% interest.

Staff recommends opening the public hearing, receive oral and written comments, close hearing and approve resolution.

**Budget Consideration:**

\$2,400 revenue to the Sanitary Sewer Fund to offset expenses related to the work performed by the City, plus \$268 in interest.

**Attachments:**

Resolution  
Exhibit A

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

**RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR CUTTING AND REMOVAL OF WEEDS BY THE CITY OF OSKALOOSA, IOWA, IN ACCORDANCE WITH TITLE 8, CHAPTER 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA.**

WHEREAS, the City of Oskaloosa, Iowa did cut and remove weeds and brush from private properties listed in Exhibit "A" attached hereto and by this reference incorporated within; and

WHEREAS, the City Council of the City of Oskaloosa, Iowa is empowered to levy such assessment as may be appropriate against said properties for such cutting and removal of weeds and brush by Title 8, Chapter 8.20 of the City Code of the City of Oskaloosa, Iowa; and

WHEREAS, hearing on said assessments was duly scheduled for the 6<sup>th</sup> day of September, 2016 at 6:00 p.m., proper notice of said hearing was given; and

WHEREAS, hearing before the City Council of the City of Oskaloosa, Iowa was held at the above mentioned date and time, and all objections to said assessments were heard; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oskaloosa, Iowa that special assessments for the cutting and removal of weeds and brush are hereby levied against the properties described in Exhibit "A" unless said special assessments are paid in full within thirty days. All unpaid assessments will draw annual interest at nine per cent computed to the December 1<sup>st</sup> next following the due dates. The unpaid assessments shall constitute a lien against the property and shall be collected by the County Treasurer in the same manner as other taxes. Any assessments more than five hundred dollars will be paid in annual installments that will not exceed fifteen.

PASSED AND APPROVED this 6<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
David Krutzfeldt, Mayor

ATTEST:

\_\_\_\_\_  
Amy Miller, City Clerk

EXHIBIT "A"  
2016 WEED CUTTING ASSESSMENTS  
May 2016

OWNER	OFFENSE	ADDRESS/LEGAL	DATE MOWED	LABOR	COST
Colleen Ann Sherwood/Ada Mae Fisher Parcel ID 1013332001	1st	816 D Ave W N 1/2 Lots 3 & 4 Blk 3 Whites Add	5/16/2016	1 hour	\$ 250.00
Timothy John McManus Parcel ID 1013333010	1st	703 C Ave W Lot 8 Blk 2 Whites Add	5/16/2016	1 hour	\$ 250.00
Jose Ariel M/Maria Elena S Gonzalez Parcel ID 1118156001	1st	439 N 4th St Lot 47 Ninde & Searles Add	5/16/2016	1 hour	\$ 250.00
Heather R Hull Parcel ID 1118301001	1st	425 N 4th St N 50' Lot 1 Blk 4 Streets Add	5/17/2016	1 hour	\$ 250.00
Pauline L Arballo/Mary Wims Parcel ID 1118353003	1st	710 A Ave E Lot B Smith Blk	5/19/2016	1 hour	\$ 250.00
Galen D Veldhuizen Parcel ID 1013439006	1st	211 N 3rd St S 1/2 Lots 1 & 2 Blk 2 O P	5/24/2016	1 hour	\$ 250.00
C & N W Railway Co Parcel ID 1013501005	1st	No address (G Ave W) O L 8 & 9 Myers Mod Add	5/24/2016	3 hours	\$ 100.00
Rilla Bartlow Parcel ID 1024218014	1st	805 South B St Lot 49 Crookhams SD of Lots 1 & A SW NE	5/27/2016	1 hour	\$ 250.00
Secretary of Housing and Urban Development Parcel ID 1024152001	1st	806 South M St Lots 37 38 & PT 39 & 40 N & W Old O & B RR Row Harris SD Lot 78 Ninde Williams & Co Add	6/1/2016	2 hours	\$ 300.00
Stephanie E Hampton Parcel ID 1013280008	1st	439 N 1st St S 1/2 Lot 12 & Lot 13 Blk 5 Mulhallens Add	6/1/2016	1 hour	\$ 250.00

Weed removal on private property:

Minimum of one hour charged. After first hour, fee shall be charged by the quarter hour.

1 <sup>st</sup> cleanup	\$200.00 fee + \$50.00 per hr.
2 <sup>nd</sup> cleanup	\$250.00 fee + \$50.00 per hr.
3 <sup>rd</sup> cleanup	\$300.00 fee + \$50.00 per hr.
4 <sup>th</sup> cleanup	\$350.00 fee + \$50.00 per hr.
5 <sup>th</sup> cleanup	\$400.00 fee + \$50.00 per hr.
6 <sup>th</sup> cleanup	\$450.00 fee + \$50.00 per hr.



## City Council Communication

Meeting Date: September 6, 2016

Requested By: Public Works Dept.

### **Item Title:**

Consider an ordinance to approve a parking restriction along the North 7<sup>th</sup> Street S-curve between J Avenue East and F Avenue East – 2<sup>nd</sup> Reading.

### **Explanation:**

Due to resident visibility and safety concerns along the North 7<sup>th</sup> Street S-curve between J Avenue East and F Avenue East, staff has been directed to perform a study regarding the on-street parking in that area. Currently, no parking restrictions exist along this section of North 7<sup>th</sup> Street.

This section of North 7<sup>th</sup> Street is 30 feet in width, which will not allow for two-way traffic if vehicles are parked on both sides of the street. Therefore, visibility and travel lane width are limited, especially along the S-curve when vehicles are parked on both sides of the street. After visiting the site, staff recommends restricting parking along the east side of the street due to an existing fire hydrant and retaining wall along that side of North 7<sup>th</sup> Street. (See Proposed Parking Restriction Map).

In the past 3 years (2013-2015), there have been no crashes along this section of North 7<sup>th</sup> Street. Although not a part of the traffic engineering analysis for parking studies, the survey responses from property owners are attached separately.

#### **Recommended Action:**

Staff recommends that the City Council approve the ordinance authorizing a parking restriction along North 7<sup>th</sup> Street as presented.

### **Budget Consideration:**

Minimal charges associated with changes to the Oskaloosa Municipal Code.

**Attachments:**

Ordinance, Proposed Parking Restriction Map, and Survey Responses.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ESTABLISHING A "NO PARKING ZONE" ALONG THE EAST SIDE OF NORTH 7<sup>TH</sup> STREET FROM 300 FEET NORTH OF F AVENUE EAST TO 360 FEET SOUTH OF J AVENUE EAST, PROHIBITING THE PARKING OF MOTOR VEHICLES OR OTHER TYPES OF VEHICLES WITHIN SAID NO PARKING ZONE, AMENDING THE OSKALOOSA MUNICIPAL CODE TO REFLECT THE CHANGES, 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 east side of North 7<sup>th</sup> Street from 300 feet north of F Avenue East to 360 feet south of J Avenue East.

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: The Oskaloosa Municipal Code Section 10.48.240 is amended as follows:

160. North Seventh Street on the east side from 300 feet north of F Avenue East to 360 feet south of J Avenue East.

SECTION 6: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

Passed by the Council the \_\_\_\_ day of \_\_\_\_\_, 2016, and approved this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
David Krutzfeldt, Mayor

ATTEST: \_\_\_\_\_  
Amy Miller, City Clerk

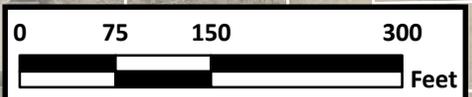
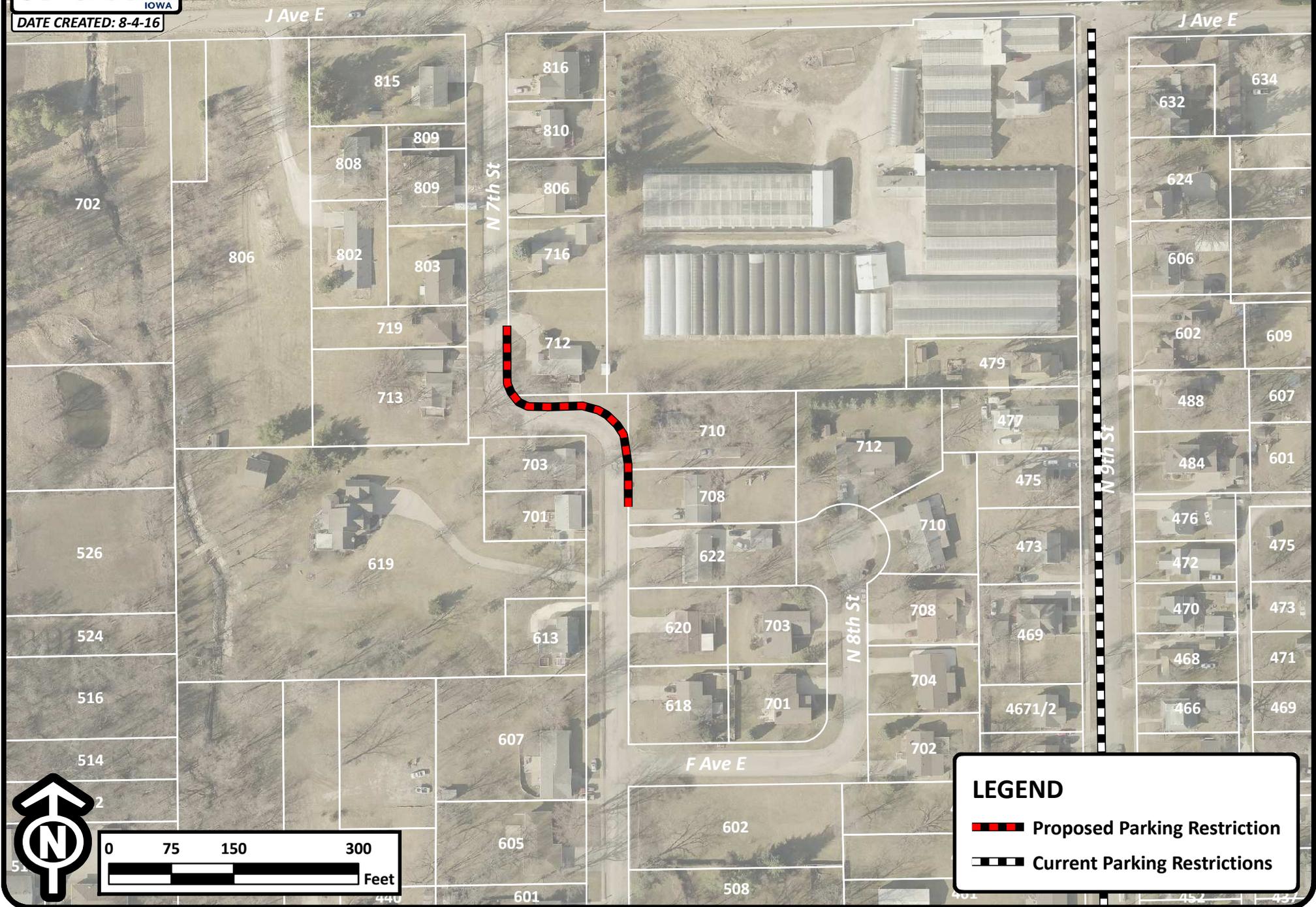
I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Signed \_\_\_\_\_



DATE CREATED: 8-4-16

# Proposed Parking Restriction along the North 7th Street S-Curve



**LEGEND**

- Proposed Parking Restriction
- Current Parking Restrictions

**North 7th Street S-Curve Parking Restriction Survey Results**

ADDRESS	OWNER/RESIDENT	RESPONSE	COMMENTS
607 North 7th Street	Resident	Leave on-street parking as is	
	Harvey, Irvin A/Malloy,Joan E	No response	
613 North 7th Street	Jimmie & Margie Sellers	other- see comments	No parking on either side
618 North 7th Street	Flora Coakley	No response	
619 North 7th Street	David & Shawn Langkamp	Prohibit on-street parking on west side	
		Prohibit on-street parking on east side	
620 North 7th Street	Donovan & Joan Pierce	Prohibit on-street parking on west side	
622 North 7th Street	Greg Richardson	Leave on-street parking as is	
701 North 7th Street	Resident	Leave on-street parking as is	This will only cause the houses that lose their parking to have to park in front of other people's houses. An S-curve sign to warn people to slow down would be a less invasive solution.
	Ronald & Vicki Vanderpol	Leave on-street parking as is	Put slow-thru curve sign complicates parking further down then. Or at least prohibit on East side
703 North 7th Street	Resident	No response	
	Tom & Orla Stodghill	No response	
708 North 7th Street	Nicolas & Jennifer Lynch	other- see comments	We don't care which side is chosen but all on one side would be nice
710 North 7th Street	Resident	No response	
	Chad & Jennifer Main	Prohibit on-street parking on east side only	
712 North 7th Street	Scott & Rebecca Moses	No response	
713 North 7th Street	Resident	No response	
	Benjamin Plate	No response	
716 North 7th Street	Douglas Harris	No response	
719 North 7th Street	Resident	other- see comments	I have resided at 719 for almost 9 yrs & have parked a vehicle directly in front of the house for the last 6 yrs. I don't believe that the curb/street directly in front of the residence is a hinderance to the "S curve". The last couple of years I have also parked a vehicle on the street between 719 & 713 as we have 3 adults living in the house. I understand that small section may be a potential issue for the "S curve" but decidedly disagree with the street space directly in front of 719.
	Barbara Messer/ William & Judith VanHoweling	Prohibit on-street parking on east side only	
803 North 7th Street	Marcia Aalsburg	other- see comments	Either side, but one side only
806 North 7th Street	William Upton	Prohibit on-street parking on east side only	
809 North 7th Street	Randy & Diana Sherman	other- see comments	One side or the other, it doesn't matter
810 North 7th Street	Charlie & Tomi VanKampen	No response	
815 North 7th Street	Gary & Janet Rozenboom	Leave on-street parking as is	We have lived here for more than 43 yrs and it has been no problem
816 North 7th Street	Luke & Melissa Wroblewski	No response	
<b>Response Categories:</b>			
	Number	Percentage	
Prohibit parking on the East side	3	20%	<b>9 out of 15 (60%) residents, who responded, wanted some form of parking restriction</b>
Prohibit parking on the West side	1	7%	
Prohibit parking on either one side	3	20%	
Prohibit parking on both sides	2	13%	
Leave parking as is	6	40%	
Total	15	100%	
No response	11		

## Akhilesh Pal

---

**From:** Michael Schrock Jr.  
**Sent:** Friday, June 24, 2016 10:20 AM  
**To:** Amie Roberts; Akhilesh Pal  
**Subject:** FW: Online Form Submittal: Contact me - Steve Burnett

Akhilesh –

Please see the request below from Marcia Aalsburg. I need someone to contact her and get a good understanding of what the problem is and what she is wants done.

Then...we need to evaluate the situation and determine next steps, if any.

Thanks.  
Mike

**From:** Steve Burnett [mailto:steveburnettlovesosky@gmail.com]  
**Sent:** Friday, June 24, 2016 8:06 AM  
**To:** Michael Schrock Jr. <Michael.Schrock@oskaloosaiowa.org>  
**Subject:** Fwd: Online Form Submittal: Contact me - Steve Burnett

Good morning Miek. I drove this street last night. Marcia does have a valid concern as I witnessed cars parked on both sides of the street around the curves and it is a bit tight. What are your thoughts on how I should respond to her?

Thanks,

Steve

----- Forwarded message -----

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>  
**Date:** Thu, Jun 23, 2016 at 11:11 AM  
**Subject:** Online Form Submittal: Contact me - Steve Burnett  
**To:** [steve.burnett@oskaloosaiowa.org](mailto:steve.burnett@oskaloosaiowa.org)

If you are having problems viewing this HTML email, click to view a [Text version](#).

### Contact me - Steve Burnett

**From (Name):\*** Marcia Aalsburg  
**Reply to (Email address):\*** [maalsburg@yahoo.com](mailto:maalsburg@yahoo.com)

**Subject:\*** Street parking

**Attachment:** [ ]

Convert to PDF?[ ]

(GIF, JPG, JPEG, PNG, DOC, DOCX, XLS, XLSX, TXT)

**Type email here:\*** I live just off the S curves at the North end of North 7th. Of late, we have had parking on both sides of the street. When coming around the S curves, if a car is parked on the right you cannot see cars coming from the opposite direction. There is also a day care just before the curves.

Parents coming for their children and leaving them. This is congested to say the least. I am at 803 and many times have had to "jack" back and forth to exit my drive way, when a car is across the drive way and one parked on the opposite at the end of the driveway. I would like to see parking on one side or the other and not both. This street is simply to narrow for both sides parking. I have spoke with neighbors at my end and the south end, as will as two of the parents for the daycare and they agree it is a hazard. Please advise me what I can do or contact to help with this situation.

\* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:  
<http://www.oskaloosaiowa.org/Admin/FormHistory.aspx?SID=2079>

The following form was submitted via your website: Contact me - Steve Burnett

From (Name):: Marcia Aalsburg

Reply to (Email address):: [maalsburg@yahoo.com](mailto:maalsburg@yahoo.com)

Subject:: Street parking

Attachment:: No file was uploaded

Type email here:: I live just off the S curves at the North end of North 7th. Of late, we have had parking on both sides of the street. When coming around the S curves, if a car is parked on the right you cannot see cars coming from the opposite direction. There is also a day care just before the curves. Parents coming for their children and leaving them. This is congested to say the least. I am at 803 and many times have had to "jack" back and forth to exit my drive way, when a car is across the drive way and one parked on the opposite at the end of the driveway. I would like to see parking on one side or the other and not both. This street is simply to narrow for both sides parking. I have spoke with neighbors at my end and the south end, as will as two of the parents for the daycare and they agree it is a hazard. Please advise me what I can do or contact to help with this situation.

Additional Information:

Form submitted on: 6/23/2016 11:11:11 AM

Submitted from IP Address: 207.199.231.165

Referrer Page: <http://www.oskaloosaiowa.org/index.aspx?nid=172>

Form Address: <http://www.oskaloosaiowa.org/Forms.aspx?FID=125>



## City Council Communication

Meeting Date: September 06, 2016

Requested By: City Manager's Office

### Item Title:

Consider an ordinance amending Oskaloosa Municipal Code Sections 5.04.360 and 5.04.370. (1<sup>st</sup> reading)

### Explanation:

Currently Oskaloosa Municipal Code Sections 5.04.360 and 5.04.370 provide exemptions for public consumption and possession of alcohol without a liquor control license within Edmundson Park (with some limitations). A request has been made to city staff by organizers of The Alley project to expand the exemption by including 250' of the east/west alley located between 109 South Market Street and 115 South Market Street within the exempted locations of the city's ordinance. If this change is made, the public can legally consume and carry open containers within the public space without the requirement of a person or organization obtaining a valid liquor control license. Presently the Oskaloosa Area Chamber and Development Group (OACDG) holds a valid liquor control license for this area. If the city council approves this ordinance modification, OACDG can eliminate its current liquor license for the area.

#### ***5.04.360 - Public consumption or intoxication prohibited.***

Except as otherwise provided herein, it is unlawful, for any person to use, possess or consume any alcoholic beverage upon the public streets or highways or any place open to the public except premises covered by a liquor control license or to possess or consume any alcoholic beverage on any public school property or while attending any public or private school related function. Further, no person shall be intoxicated nor simulate intoxication in any place open to the public. As used in this section, and the following section, "premises covered by a liquor control license" shall mean that location where alcoholic beverages are served. In addition, beer or wine from cans and bottles but not keg beer may be consumed in the east/west alley, measuring approximately 250' in length, between 109 South Market Street and 115 South Market Street; and Edmundson Park except that no alcoholic beverage shall be consumed within fifty feet of the swimming pool and parking area, Babe Ruth baseball diamond and parking lot, and any playground equipment including but not limited to the wooden playground and parking lot.

(Ord. 924 §1, 1994)

***5.04.370 - Open container in public place prohibited.***

Except as otherwise provided herein, it is unlawful for any person to possess an open container of an alcoholic beverage upon the public streets or highways or any place open to the public, except premises covered by a liquor control license. Persons may possess open containers of beer or wine but not keg beer in the east/west alley, measuring approximately 250' in length, between 109 South Market Street and 115 South Market Street; and Edmundson Park, except that no person shall possess an open container of beer or wine within fifty feet of the swimming pool and parking area, Babe Ruth baseball diamond and parking lot, and any playground equipment including but not limited to the wooden playground and parking lot.

(Ord. 924 §2, 1994)

**Budget Consideration:**

No significant financial impact is anticipated with the approval or denial of this item as presented. If approved, a code amendment would need to be processed.

**Attachments:**

1. Map depicting location under consideration
2. Proposed ordinance



North A St

A Ave. West

A Ave. East

High Ave West

High Ave East

Location under consideration with this item

South Market St

South 1st St

1st Ave West

1st Ave East

2nd Ave West

2nd Ave East

South A St



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE OSKALOOSA MUNICIPAL CODE, SECTION 5.04.360 - PUBLIC CONSUMPTION OR INTOXICATION PROHIBITED AND SECTION - 5.04.370 OPEN CONTAINER IN PUBLIC PLACE PROHIBITED**

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

SECTION 1. 5.03.360 – Public consumption or intoxication prohibited, is hereby amended as follows:

5.03.360 - Public consumption or intoxication prohibited.

Except as otherwise provided herein, it is unlawful, for any person to use, possess or consume any alcoholic beverage upon the public streets or highways or any place open to the public except premises covered by a liquor control license or to possess or consume any alcoholic beverage on any public school property or while attending any public or private school related function. Further, no person shall be intoxicated nor simulate intoxication in any place open to the public. As used in this section, and the following section, "premises covered by a liquor control license" shall mean that location where alcoholic beverages are served. In addition, beer or wine from cans and bottles but not keg beer may be consumed in the east/west alley, measuring approximately 250' in length, between 109 South Market Street and 115 South Market Street; and Edmundson Park except that no alcoholic beverage shall be consumed within fifty feet of the swimming pool and parking area, Babe Ruth baseball diamond and parking lot, and any playground equipment including but not limited to the wooden playground and parking lot.

SECTION 2. 5.04.370 - Open container in public place prohibited is hereby amended as follows:

5.04.370 - Open container in public place prohibited

Except as otherwise provided herein, it is unlawful for any person to possess an open container of an alcoholic beverage upon the public streets or highways or any place open to the public, except premises covered by a liquor control license. Persons may possess open containers of beer or wine but not keg beer in the east/west alley, measuring approximately 250' in length, between 109 South Market Street and 115 South Market Street; and Edmundson Park, except that no person shall possess an open container of beer or wine within fifty feet of the swimming pool and parking area, Babe Ruth baseball diamond and parking lot, and any playground equipment including but not limited to the wooden playground and parking lot.

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 this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

Passed by the Council the \_\_\_\_\_ day of \_\_\_\_\_ 2016, and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

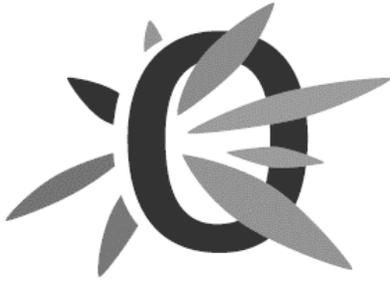
\_\_\_\_\_  
David Krutzfeldt, Mayor

ATTEST:

\_\_\_\_\_  
Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Amy Miller, City Clerk



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: Council Appointed Staff

**Item Title: Report on Items from City Staff**

- a) City Manager.
  - i. Discussion of rental inspection program - FAQ sheet, next steps.
- 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:**

Rental Inspection FAQs.



## City of Oskaloosa

### Rental Inspection Frequently Asked Questions

The questions and responses below came from the proposed Rental Housing Inspection Program that the Oskaloosa City Council is considering. Many of these questions refer to items in the draft Administrative Policy and draft Inspections Checklist. Both of these documents can be found on the city's website: [.oskaloosaiowa.org](http://oskaloosaiowa.org).

#### **Registration and Process**

**1. How often will landlords need to register their properties?**

- Registration is required yearly to operate a rental property in Oskaloosa.

**2. How/where will landlords register their properties?**

- Registration forms will be available at city hall and online. Completed forms will need to be returned in person or by mail to city hall.

**3. What are the registration fees associated with this program?**

- An annual fee is due at the time of registration. As presently proposed, the fee is \$60 per building plus \$15 per unit. As an example, a single-family rental will have an annual fee of \$75, or \$6.25 per month; a four-unit apartment building will have an annual fee of \$120, or \$2.50 per month.

**4. Will fees be adjusted in the future?**

- The proposed annual fees are projected to cover the expenses of the program. After the first year, the city will be able to evaluate the actual number of properties registered (presently, the revenue projections are based on rough estimates of the number of rentals in Oskaloosa) and actual expenses. The city council will have the option to adjust these fees to cover the costs of the program.

**5. How long does a new owner have to be in compliance after purchasing a rental property?**

- A newly constructed or converted rental or a property with transferred ownership needs to be registered within thirty (30) days. At the time of registration, the property owner certifies that their property is in compliance with the program. According to the policy, an inspection will be conducted within six (6) months. If a property is inspected and some violations are noted (excluding major life/safety violations), a follow up inspection will be scheduled in sixty (60) days.

**6. If I just constructed a new rental property, does my property still need to be registered and inspected?**

- Under the proposed program, newly constructed rental properties are still required to register and be inspected by the city.

**7. Will units in the Section 8 Housing Choice Voucher Program also need to be inspected by the city's Rental Inspection Program?**

- Yes. City registration and inspection is required for all units.

**8. What happens if the owner does not register a property?**

- Failure to comply with this program, including failing to register a property, may result in the revocation of the Certificate of Occupancy and/or prosecution for a municipal infraction.

**Inspections****9. How often will rental properties need to be inspected?**

- As presently proposed, rental properties will be inspected once every three years.

**10. Who will be conducting the inspections of rental properties?**

- The city will hire an inspector with specific responsibility for inspecting rentals and managing the program.

**11. What qualifications and/or training will the inspector have?**

- The inspector will be required to have experience in the building management, contracting, or construction fields sufficient to provide a thorough background in building systems and code compliance. Specific training has yet to be determined, but will likely include some training from the International Code Council (ICC).

**12. Will quality control inspections be done, and if so by whom?**

- Separate quality control inspections are not presently proposed for this program, so as not to inconvenience tenants and landlords with another inspection. That said, the Development Services Director, Fire Chief, and Building Official will occasionally observe the inspection process to ensure consistency and appropriate enforcement.

**13. Will homes with 60-amp electrical service need to be upgraded to 100-amp service?**

- Not necessarily. Homes with 60-amp electrical service can be operated safely and can pass the inspection, if they are not overloaded. Care needs to be taken by landlords and tenants to ensure electrical systems are sufficient to meet electrical loads. Homes with overloaded systems or with incorrect fuses/circuit breakers will not pass the inspection.

**14. Does the program require that all two prong outlets be replaced with a GFCI outlet?**

- No. If the electrical system is not overloaded, two-prong outlets will not need to be replaced. Any outlet within six (6) feet of a water source will need to be GFCI outlets.

**15. Are septic tanks included as part of the inspection process?**

- A specific inspection of septic systems will not occur, however homes using a septic system must have “working plumbing” to be deemed compliant with the program.

**16. Is there a program that helps with the cost of filling in wells or cisterns?**

- Yes. The well and cistern filling program is funded by the State of Iowa (though funding varies from year to year) and is run by the Mahaska County Sanitarian, who can be reached at [@mahaskacounty.org](mailto:@mahaskacounty.org) or (641) 660-3419.

**17. Would the fire department have access to purchasing fire extinguishers in bulk at a lower cost?**

- Unfortunately, the city cannot purchase equipment or items for private resale or use. The required fire extinguishers can be purchased at local stores for approximately, \$35.

**18. What does “two egress routes... for each floor above the first floor” mean?**

- An egress route is an open unobstructed stairway or hallway that leads directly to the outside of the structure without going through another part of the structure. Windows with proper dimensions and placement can be one of the egress routes.

**19. Will properties be inspected for lead base paint?**

- No. The inspection program does not include an inspection of lead base paint.

**20. What happens when a rental property/unit fails? How long does the owner have to make the repairs?**

- When a unit or property fails an inspection, the landlord is provided information about the identified violations. For minor violations, the landlord will have sixty (60) days to make repairs and have a re-inspection. For major violations, repairs and re-inspection are required within forty eight (48) hours.

**21. What happens if the owner does not make repairs?**

- Failure to comply with this program, including failing to correct violations identified during the inspection, may result in the revocation of the Certificate of Occupancy and/or prosecution for a municipal infraction.

**22. If a property is forced to close down due to violations identified in the inspection, what will happen to the tenants?**

- In the event that a rental property is found to be unfit for human habitation and tenants are required to vacate the property, city staff will provide information about the several social service organizations in the area. When this has happened in the past, local social service organizations were able to find proper rental housing for those who sought help.

**Policy and Administration****23. Does this program apply to all properties across the city?**

- No. This program only applies to rental properties within Oskaloosa. Owner-occupied properties are inspected on a complaint basis, or as violations are observed.

**24. Will there be a board that provides guidance on the implementation of this program and that receives complaints or appeals on inspection items?**

- Yes. The program currently recommends that the Building Code Board of Appeals serve as the board that oversees this program. This board is already responsible for understanding the interpretation and application of building codes.

**25. Does this program require landlords or tenants to maintain insurance?**

- No. This program does not address property or renters' insurance.

**26. What if tenants create the problems that cause a property to fail an inspection?**

- Landlords are responsible for having their properties in compliance. If violations are discovered during the inspection, the landlords are responsible for correcting problems before the re-inspection. If a tenant damages the property, landlords have several means of recourse according to state law. Landlords have the right, and are encouraged to perform background checks on all tenants prior to signing a rental agreement.

**27. Is there a way that landlords can be notified if police have had to address any illegal activities on their property?**

- Yes. The Oskaloosa Police Department (OPD) is working toward launching a program called Crime Fee Multi-Housing, which is initially focused on larger housing developments. Landlords can also contact the OPD to find public information regarding a particular address.

**28. Will this program target “problem” landlords?**

- No. This program does not target any specific person or properties. The intent of this program is to be systematic and even-handed.

**29. Is there a financial incentive for landlords that participate in the annual training sessions or for those that pass the first inspection?**

- Financial incentives are not presently included in the proposed program.

**30. Is the city assuming some amount of liability by providing an inspection?**

- The Rental Housing Inspection Program is for the City of Oskaloosa to determine compliance with city ordinances. An inspection shall not constitute a certification by the city for any third parties as to the condition of the property. If the city implements this program, the city is not assuming any liability of the inspected properties.

**31. Have the program details been finalized?**

- No. The city is still taking input on any of the items pertaining to this program.



City Council Communication  
Meeting Date: September 6, 2016  
Requested By: Mayor & 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.

**Attachments:**

None.