

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

**COUNCIL CHAMBERS – CITY HALL, 220 S. MARKET STREET
OCTOBER 1, 2012 – 6:30 P.M.**

AGENDA

CALL TO ORDER – 6:30 P.M.

ITEM 1. INVOCATION: Pastor Samuel Beltz, St. John Lutheran Church

ITEM 2. PLEDGE OF ALLEGIANCE.

ITEM 3. ROLL CALL.

ITEM 4. COMMUNITY COMMENTS.

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

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

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

1. September 17, 2012 Regular City Council Meeting Minutes
2. October 1, 2012 Agenda

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

1. September 5, 2012 Airport Commission Minutes
2. September 12, 2012 Airport Commission Special Meeting Minutes
3. September 17, 2012 Housing Trust Fund Committee Minutes

c) Claims

1. Claims for September 2012.

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

New:

None.

Renewal:

1. Renewal Application of a Class C Beer Permit from Kum & Go, LC dba Kum & Go #176, 1911 17th Avenue East.

Resolutions & Motions:

1. Consider a resolution scheduling a public hearing for November 5, 2012 to consider 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 owners of the property to be assessed.

Ordinances:

None.

----- **END OF CONSENT AGENDA** -----

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

- a) Building Code Board of Appeals – One vacancy to fill upon appointment and to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (4 males and 0 females currently serve).
- b) Enterprise Zone Commission - One at-large member to the Enterprise Zone Commission to fill an unexpired term that ends June 30, 2013 approved and appointed by the City Council. This is a nine member commission that meets as needed. (3 males and 5 females current serve).
- c) Housing Trust Fund Committee – One at-large vacancy to fill approved and appointed for a three year term that ends January 31, 2015. There are five at-large members approved and appointed by the City Council. (1 male and 3 females currently serve at-large).
- d) Planning and Zoning Commission – One vacancy to fill an unexpired term that ends April 30, 2014 approved and appointed by the City Council. This is a seven member commission that meets as needed. (4 males and 1 female currently serve).
- e) Library Board – One vacancy to fill approved and appointed by the Mayor with City Council approval for an unexpired term that ends June 30, 2015. This is nine member board that typically meets once a month at 4:00 p.m. (3 males and 5 females currently serve).
- f) Board of Adjustment - One vacancy to fill approved and appointed by the City Council for an unexpired term that ends December 31, 2016.

This is a five member board that meets as needed. (4 males current serve).

- g) Mahaska County Solid Waste Management Commission - Five members to fill one year terms that expire December 31, 2013. Two members will be appointed to the Ad Hoc Recycling Committee. This is a five member board that typically meets once a month. (2 males and 1 female currently serve.)
- h) Historic Preservation Commission – Three vacancies to fill approved and appointed by the City Council for three year terms that end December 31, 2015. This is a seven member commission that meets as needed. (2 males and 5 females currently serve at-large).
- i) Airport Commission – One vacancy to fill approved and appointed by the City Council for a six year term that ends January 31, 2018. The commission typically meets once a month at 4:30 p.m. (4 males and 1 female currently serve).

REGULAR AGENDA – PUBLIC HEARING ITEMS:

ITEM 7. CONSIDER AN ORDINANCE TO VACATE AND SELL 50.5'X16' OF THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 702 8TH AVENUE EAST AND 93.0'x16' OF THE NORTH SOUTH PUBLIC ALLEY ADJACENT TO 907 SOUTH 7TH STREET AND 909 SOUTH 7TH STREET – 1ST READING (PUBLIC HEARING).

ITEM 8. CONSIDER AN ORDINANCE TO VACATE AND SELL 120.0' X 16.5' OF THE EAST-WEST PUBLIC ALLEY ADJACENT TO 411 NORTH H STREET AND 901 C AVENUE WEST – 1ST READING (PUBLIC HEARING).

ITEM 9. CONSIDER AN ORDINANCE TO VACATE AND SELL 60.0'X16.5' OF THE EAST-WEST PUBLIC ALLEY ADJACENT TO 402 NORTH I STREET – 1ST READING (PUBLIC HEARING).

ITEM 10. CONSIDER AN ORDINANCE TO REMOVE THE PARKING RESTRICTION ALONG THE WEST SIDE OF NORTH 12TH STREET FROM E AVENUE EAST TO F AVENUE EAST AND ALSO TO ESTABLISH A “NO PARKING ZONE” ALONG THE EAST SIDE OF THE SAME LENGTH OF STREET – 1ST READING (PUBLIC HEARING).

REGULAR AGENDA - ORDINANCES:

ITEM 11. CONSIDER AN ORDINANCE AMENDING OSKALOOSA MUNICIPAL CODE SECTION 10.42 OPERATION OF GOLF CARTS UPON CITY STREETS AND ARTICLE II. (SECTIONS 10.80.050, 10.80.060 AND 10.80.070) PERMITS FOR GOLF CARTS. (3RD READING)

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

ITEM 12. CONSIDER AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING SECTIONS 10.24.020 AND 10.24.030 PERTAINING TO STOP AND YIELD REQUIREMENTS FOR STOP INTERSECTIONS, AND FOUR-WAY STOP INTERSECTIONS – 2ND READING; AND WAIVE THE 3RD READING OF THE ORDINANCE.

REGULAR AGENDA – RESOLUTIONS & MOTIONS:

ITEM 13. CONSIDER A MOTION APPROVING PAY REQUEST NO. 2 TO CORNERSTONE EXCAVATING IN THE AMOUNT OF \$123,343.70 FOR WORK COMPLETED ON THE NORTH GREEN STREET PAVING PROJECT.

ITEM 14. CONSIDER A RESOLUTION APPROVING A TRANSPORTATION SUPPORT SERVICES AGREEMENT BETWEEN THE CITY OF OSKALOOSA, MAHASKA COUNTY AND SNYDER & ASSOCIATES, INC.

ITEM 15. REPORT ON ITEMS FROM CITY STAFF.

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

ITEM 16. CITY COUNCIL INFORMATION.

ADJOURNMENT

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Michael Schrock,
City Manager

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

1. Invocation: Pastor Samuel Beltz, St. John Lutheran Church
2. Pledge of Allegiance
3. Roll Call: _____ Mayor David Krutzfeldt, Council Members:

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

_____ Ver Steeg, _____ Walling, _____ Yates.

Explanation:

Not applicable.

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS: None



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

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. Any questions are to be asked of the City staff, Council Members, or the Mayor prior to speaking to the full Council so concerns may be properly researched and answered away from the meeting. Comments are to be directed to the Mayor and City Council only.

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS:

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

- Item 1. Minutes and reports from city council meetings, boards and commissions:**
Staff recommends council receive and file these documents.
- Item 2. Consider approval of payment of claims – September 2012.**
- Item 3. Renewal Application of a Class C Beer Permit from Kum & Go, LC dba Kum & Go #176, 1911 17th Avenue East.**
- No complaints received.
- Item 4. Consider a resolution scheduling a public hearing for November 5, 2012 to consider 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 owners of the property to be assessed.**

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Michael Schrock,
City Manager

ITEM TITLE: CONSENT AGENDA – ITEM 1

EXPLANATION:

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

- A. Approval of Council Minutes and Actions, subject to corrections, as recommended by the City Clerk.
 - 1. September 17, 2012 Regular City Council Meeting Minutes
 - 2. October 1, 2012 Agenda

- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - 1. September 5, 2012 Airport Commission Minutes
 - 2. September 12, 2012 Airport Commission Special Meeting Minutes
 - 3. September 17, 2012 Housing Trust Fund Committee Minutes

BUDGET CONSIDERATION:

Not applicable.

ATTACHMENTS:

September 17, 2012 Regular City Council Meeting Minutes
September 5, 2012 Airport Commission Minutes
September 12, 2012 Airport Commission Special Meeting Minutes
September 17, 2012 Housing Trust Fund Committee Minutes

OSKALOOSA CITY COUNCIL
REGULAR MEETING
September 17, 2012

The Oskaloosa City Council met in regular session on Monday, September 17, 2012, at 6:30 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates.

David Wright, 2865 265th Street, commented regarding the vacation and sale of the east-west public alley adjacent to 402 North I Street.

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

1. September 4, 2012 Regular City Council Meeting Minutes
2. September 17, 2012 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - a. August 27, 2012 Library Board of Trustees Minutes
 - b. September 10, 2012 Planning and Zoning Commission Minutes
 - c. September 10, 2012 Water Board Regular Meeting Minutes
4. Approval of outdoor service on October 27, 2012 from 1:00 p.m. to 11:00 p.m. for The Cellar Peanut Pub LLC dba The Cellar, 100 B Avenue East
5. Approval of an application to add a Class B Native Wine Permit privilege to current license (Class C Beer Permit) from Casey's Marketing Company dba Casey's General Store #1682, 1310 A Avenue West
6. Approval of an application to add a Class B Native Wine Permit privilege to current license (Class C Beer Permit) from Casey's Marketing Company dba Casey's General Store #2350, 1902 South Market Street

The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

Jimenez introduced Resolution No. 12-09-74 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. Caligiuri seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Jimenez introduced Resolution No. 12-09-75 entitled "RESOLUTION APPROVING THE OFFICIAL 2012 FISCAL YEAR STREET FINANCE REPORT" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Jimenez, seconded by Caligiuri to approve the request from Marty Duffy from The Cellar Peanut Pub for closure of B Avenue East from North Market Street to North 1st Street from 12 p.m. to midnight Saturday, October 27, 2012 for an outdoor party subject to receipt of a \$1,000,000 liability insurance certificate and payment of the street closure fee. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

It was moved by Jimenez, seconded by Caligiuri to approve the request from the Oskaloosa Area Chamber & Development Group and Main Street Oskaloosa for approval of the Main Street Lighted Christmas Parade and the Spectacular Tree Lighting and Awards Ceremony as follows: Thursday, November 29, 2012 closure of the following streets from 6:45 p.m. to 8:30 p.m. for the Lighted Christmas Parade – South Market Street from A Avenue to 3rd Avenue East; three blocks of South 1st and South 3rd Street from A Avenue East to 2nd Avenue East; four blocks of South 2nd Street from A Avenue East to 3rd Avenue East; a square block just south of the Penn Central Mall with High Avenue East, 1st Avenue East and 2nd Avenue East from South 3rd Street to South 11th Street used for the parade lineup; Friday, November 30, 2012 closure of the following streets for the Spectacular Tree Lighting and Awards Ceremony - South 1st Street between High Avenue East and 1st Avenue East, 1st Avenue East from Market Street to South 2nd Street, and High Avenue from Market Street to South 2nd Street from 3:00 p.m. to 8:00 p.m. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

Jimenez introduced Resolution No. 12-09-76 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 702 8TH AVENUE EAST, 907 SOUTH 7TH STREET, AND 909 SOUTH 7TH STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

Jimenez introduced Resolution No. 12-09-77 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE EAST-WEST PUBLIC ALLEY ADJACENT TO 411 NORTH H STREET AND 901 C AVENUE WEST, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Jimenez introduced Resolution No. 12-09-78 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE EAST-WEST PUBLIC ALLEY ADJACENT TO 402 NORTH I STREET AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Jimenez introduced Resolution No. 12-09-79 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER REMOVING THE PARKING RESTRICTION ALONG THE WEST SIDE OF NORTH 12TH STREET BETWEEN E AVENUE EAST AND F AVENUE EAST AND APPROVE AN ORDINANCE ESTABLISHING A "NO PARKING ZONE" ALONG THE EAST SIDE OF THE SAME LENGTH OF STREET" and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Ver Steeg introduced "AN ORDINANCE AMENDING THE OSKALOOSA MUNICIPAL CODE CHAPTER 10.42, OPERATION OF GOLF CARTS UPON CITY STREETS AND ARTICLE II. PERMITS FOR GOLF CARTS, SECTIONS 10.80.050, 10.80.060, 10.80.070, FOR THE PURPOSE OF MODIFYING GOLF CART REGULATIONS WITHIN THE CITY" and moved its approval on the second reading. Yates seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

Moore introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING PROVISIONS PERTAINING TO STOP AND YIELD REQUIREMENTS FOR STOP INTERSECTIONS, FOUR-WAY STOP INTERSECTIONS AND SCHOOL STOPS" and moved its approval on the third reading. Caligiuri seconded the motion. The roll was called and the vote was:

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

NAYS: Ver Steeg

Whereupon the Mayor declared said ordinance duly adopted. The ordinance was assigned No. 1325.

Caligiuri introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING PROVISIONS PERTAINING TO STOP AND YIELD REQUIREMENTS FOR STOP INTERSECTIONS AND FOUR-WAY STOP INTERSECTIONS" and moved its approval on the first reading. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

It was moved by Walling, seconded by Caligiuri that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:00 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

MINUTES
OSKALOOSA AIRPORT COMMISSION
September 5, 2012

Meeting of the Oskaloosa Airport Commission was called to order at 4:38 p.m. on Wednesday, September 5, 2012.

1. ROLL CALL: Roll was taken with the following present: Steve Brown, Kelly Wheeler, Kraig Van Hulzen, James Johnson, Larry Lewis and Jerry Strunk and John Veranek [Midwest Aviation]
2. APPROVAL OF THE MINUTES: Moved by Kelly Wheeler and seconded by Kraig Van Hulzen to approve the minutes of the August 6, 2012 meeting. Motion carried.
3. FINANCIAL REPORT: Moved by Kelly Wheeler and seconded by Larry Lewis to approve the financial report. Motion carried.
4. REVIEW AND APPROVE BILLS: Moved by Kelly Wheeler and seconded by Kraig Van Hulzen to pay bills totaling \$6,324.81. Motion carried.
5. MANAGER'S REPORT: See attached.
6. OLD BUSINESS:
 - a) Waste disposal: We have received no further contact from Waste Management concerning the disputed amount owed for terminating their contract.
 - b) Hangar doors/storm damage: The new door on the corporate hangar is operational but not finished. No proposal has been received for rebuilding the maintenance hangar doors.
 - c) Groundhog damage: Skunks are apparently causing the most damage. John Veranek is working on eliminating the skunks. The damage will be repaired when the skunks are gone.
 - d) Fuel sales/ramp fee for ag sprayers: Jerry Strunk will contact the Iowa DOT to see if they have any legal guidelines for charging a ramp fee to ag sprayers who use the airport but do not purchase fuel.
7. NEW BUSINESS:
 - a) LP gas for winter season: Kraig Van Hulzen moved to contract with Allied Gas & Chemical for 3,000 gallons of LP as at \$1.45 a gallon. This would include paying an

upfront deposit of .10 a gallon or \$300.00. Larry Lewis seconded. Motion carried.

- b) Capital equipment replacement schedule: The schedule was revised to show \$6,900 for replacement of the Ferris mower in FY2013; \$2,500 for the snowblade and \$35,000 for the pickup truck in FY2014; and \$20,000 for the Ferris mower in FY2017. Larry Lewis moved to make these changes. Kraig Van Hulzen seconded. Motion carried.
- c) Farm contract: Received a check for the rent due September 1st for \$99,702. Kraig Van Hulzen reported that an adjustment was made for the land taken out of production for the AWOS. After adjustments made in accordance with the lease, the rent payments in 20132 will be \$100,868 due in March and September.
- d) Fixed base operator: The contract with Jerry Strunk will expire on September 30, 2013. John Veranek is interested in the position and was asked to submit a business plan.
- e) October meeting date: Monday, October 1st was acceptable to everyone.
- f) Air conditioner in office: The unit is no longer working and needs to be replaced. Jerry Strunk has obtained one quote and was asked to get two more. A special meeting will be called to consider the bids.

8. ADJOURN: It was moved by Kraig Van Hulzen to adjourn at 5:45 p.m. Motion was seconded by Kelly Wheeler. Motion carried.

MWA@OOA

August, 2012

Oskaloosa Municipal Airport Monthly Report

Fuel sales: 100LL (6.18) 1310 gal; JetA (5.29)1168 gal.

Total fuel sale for August 2012= 2478 gal X .05=\$123.90.

Plus Telephone: \$15.28.

Total owed OOA=\$139.18

- All of the AG operators have left.

OOA's Ag operations are down 85% for this summer due to the drought, OOA's yields will be down considerably.

- MWA shop work is slow.
- Transit fueling is down.
- New door on corporate hangar is operational, But, not finished.
- We at MWA have started get snow removal equipment ready for winter.
- Running an FBO is like rooting for the cubs.

(Wait 'til next year)

UP, UP AND AWAY @OOA

Did you Know?

OOA has enough land to extend its runway to 5500'.

Did you know?

OOA has more ramp space then most of the airports in Iowa.

Did you know?

OOA has enough ramp space to accommodate up to 15 individual AG operators.

MINUTES
OSKALOOSA AIRPORT COMMISSION
Special Meeting September 12, 2012

A special meeting of the Oskaloosa Airport Commission was called to order at 4:31 p.m. on Tuesday September 12, 2012 at the office of Butler-Brown Insurance.

- 1.ROLL CALL: Roll was taken with the following present: Steve Brown, Kelly Wheeler, James Johnson, Larry Lewis, Kraig Van Hulzen and Jerry Strunk [Midwest Aviation].

- 2.Replacement of the office air conditioner: Reviewed the following quotes to replace the office central air conditioning system which is no longer operative:
 - a) Johnson's Heating, A.C. & Refrigeration: \$2,800 for a 3 ton 14 seer with 10 year warranty or \$2,000 for replacement of the 3 ton condenser only with a 5 year warranty.
 - b) Roe Heating: \$2,566.56 for a 3 ton 13 seer with a 5 year warranty on parts and 1 year on labor.
 - c) K Rex Company: \$3,350 for a 3 ton 14 seer with a 2 year warranty.Larry Lewis moved to accept the quote from Johnson's Heating, A.C. & Refrigeration for \$2,800 for replacement of the complete unit. Kelly Wheeler seconded. Motion carried.

- 3.ADJOURN: Moved by Kraig Van Hulzen and seconded by Larry Lewis to adjourn at 4:45 p.m. Motion carried.

OSKALOOSA HOUSING TRUST FUND COMMITTEE MINUTES
Monday, September 17, 2012 - 12:00 Noon
City Hall Conference Room

The committee meeting was called to order by Chairman Taylor at 12:07 p.m. with the following members present: Chairman Rob Taylor, Julia Ross, Kandes Dalbey, Bernice Hahn, Dan Adams, Joe Caligiuri and Debbie Stevens. Members absent: Leon McCullough, Jon Sullivan, Kathy Dykstra, Randell Davis and David Polkowske. Also present: City Manager Michael Schrock Amy Miller and Marilyn Johannes.

It was moved by Stevens and seconded by Dalbey to approve the July 12, 2012 Housing Trust Fund Committee Minutes. Motion carried unanimously.

The Committee discussed whether to reimburse applicants of the First Time Homebuyer Program for overpayment or over-collection of funds greater than \$1.00. It was moved by Adams and seconded by Ross to reimburse Brian Bloodsworth (\$25.00), Ora and Carla Fletcher (\$10.89) and Douglas Van Hemert (\$7.09) for overpayment/over-collection of funds. Motion carried unanimously.

Miller reported to the committee on attempts to collect 52 recording fees to release lien waivers associated with the OHTF Rehabilitation Program. Miller explained that letters were sent out asking for payment of the \$7.00 fee that would release the liens against the properties and there were 36 more to send out. Miller said 30 payments had been received so far. Miller explained that her department was in the process of taking an inventory of all OHTF files. Miller suggested that if future programs are offered, the processing fee be increased to cover the \$7.00 recording fee so it can be paid if the loan obligations are met.

Schrock told the committee the City Clerk's Office handles the First Time Homebuyer Program and the City Building Department handles the demolition assistance program and submits the applications to the City Clerk's Office so all of the information is in one location.

Miller explained the situation regarding a 2003 demolition forgivable loan agreement for the property at 416 3rd Avenue West that changed the property from a church (non-taxable value) to a garage (taxable value) and why staff is recommending that the loan be waived. Miller explained that in order to meet the requirements of the loan agreement the improvements made after demolition are supposed to meet or exceed the assessed value of the demolished structure. In this case the value of the church (nontaxable) exceeded the value of the garage (taxable). Schrock said the recommendation from staff is to write off the debt and close the file. Hahn recommended waiving the loan considering the amount of time that has lapsed. It was moved by Hahn and seconded by Ross to waive the loan agreement and the \$7.00 recording fee. Motion carried with all ayes except for Dalbey who abstained (Property owned by her son's in-laws.).

Staff and the committee discussed a recommendation made by Randell Davis at the last meeting regarding a nondiscrimination housing policy and adding an appendix to the housing

assessment study regarding nondiscrimination. Davis wants to raise community awareness of persons with disabilities and their needs regarding housing construction. Schrock said Davis suggested having a U of I law professor speak to the group regarding the matter. Schrock said the city would probably need to address the issue. Schrock said perhaps a city committee or commission should be established to deal with ADA matters. Consensus of the committee was they needed to hear from Davis at a future committee meeting regarding the matter.

Taylor reported to the committee on OHTF goals and action plan and work session meeting discussions. Taylor explained he would like to use the website to get information out about OHTF programs. Taylor said he would set the next work session meeting date.

The committee discussed the best way to use OHTF's limited resources considering the demolition, first time homebuyer and rehabilitation programs. Taylor felt the committee should concentrate on rehabilitation of properties, especially Market Street and A Avenue East and focus on exterior improvements. Schrock noted there will be a lot less traffic on Market Street when the bypass west of Oskaloosa is complete.

It was moved by Dalbey and seconded by Hahn to approve the July claims list. Motion carried unanimously with Adams and Ross abstaining (Bankers involved with First Time Homebuyer applicants). It was moved by Ross and seconded by Hahn to approve the August claims list with Adams and Ross abstaining (Bankers involved with First Time Homebuyer applicants).

The accounting report was reviewed.

The meeting was adjourned at 1:15 p.m.

Minutes by Marilyn Johannes

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 2

Consider payment of claims for September 2012.

EXPLANATION:

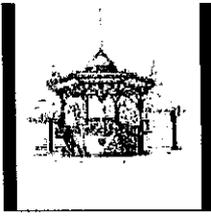
A list of claims for September is included in your agenda packet. An additional list will be distributed at the council meeting. Also included in the packet is a detailed list of most claims over \$500.

Staff recommends approval.

BUDGET CONSIDERATION:

Totals will appear on the claims lists.

ATTACHMENTS: Claims lists.



| | | |
|--|--|------------|
| AFLAC | AFLAC | 251.24 |
| AFLAC | AFLAC | 251.24 |
| Amazon | Library materials | 1,661.39 |
| Ben Johnston | Reimburse travel expense | 11.90 |
| Bruce Vander Meyden | Reimburse safety glasses | 100.00 |
| Carriker Ford | Ford F250 truck | 25,717.00 |
| Colonial Life | Colonial Life | 330.81 |
| Cornerstone Excavating, Inc | Payment 1-North Green Street project | 157,279.69 |
| David Dixon | September legal fees | 2,200.00 |
| Delta Dental of Iowa | Dental Insurance | 346.00 |
| Edward D Jones | Savings Edward Jones | 300.00 |
| Edward D Jones | Savings Edward Jones | 300.00 |
| Fidelity Security Life Insurance Company | Vision Insurance | 163.34 |
| I.U.P.A.T. District Council 81 | Union dues | 447.00 |
| Iowa Association of Municipal Utilities | Registration-Neubert/Johnson | 340.00 |
| Iowa Department of Natural Resources | Exam fee-Witt | 30.00 |
| Kirkwood Community College Cont. Ed. | Registration-S Howard | 50.00 |
| Local 636, IAFF | Fire Union | 180.00 |
| Madison National Life | September life insurance premium | 479.16 |
| Mahaska Comm Recreation Foundation Inc. | September hotel/motel tax | 26,821.50 |
| Mahaska County Recorder | Record 28E Agreement-Tobacco Enforcement | 52.00 |
| Misty Dawne White-Reinier | September legal fees | 1,800.00 |
| Munic. Fire & Police Ret | Police & fire 411 | 16,539.18 |
| Munic. Fire & Police Ret | Police & fire 411 | 16,718.29 |
| Norris Asphalt Paving Inc | Final payment-Hwy 432 project | 6,260.98 |
| Oskaloosa Community Schools | September local option sales tax | 85,196.79 |
| PPME 2003 IBPAT | Police union dues | 406.59 |
| The Cincinnati Life Insurance Company | Cincinnati Life Insurance | 89.00 |
| The Cincinnati Life Insurance Company | Cincinnati Life Insurance | 89.00 |
| United Way | United Way | 46.00 |
| Visa Card Center | Library materials | 191.40 |

344,649.50

September payroll 265,116.37

| | | |
|---------------------|--------------------------|-------|
| Alexander, Craig | Cell phone reimbursement | 20.00 |
| Bolt, Dan | Cell phone reimbursement | 20.00 |
| Calzaretta, Michael | Cell phone reimbursement | 20.00 |
| Boston, Troy | Cell phone reimbursement | 20.00 |
| McGee, John | Cell phone reimbursement | 20.00 |
| Neubert, David | Cell phone reimbursement | 20.00 |
| Pal, Akhilesh | Cell phone reimbursement | 20.00 |
| Schrock Jr, Michael | Cell phone reimbursement | 20.00 |



City of Oskaloosa, IA

COUNCIL CLAIMS LIST

| | | |
|-------------------------------------|---|-----------|
| Advanced Concrete Specialists | Replace intake-Highland and South Park | 3,950.00 |
| | Repair Shelter D floor | 3,172.00 |
| | Repair on park shelter | 96.00 |
| Agriland FS Inc. | Sodium bicarbonate | 122.50 |
| | Scale fee | 20.00 |
| American Public Works Association | Annual dues | 552.00 |
| American Society of Civil Engineers | Membership renewal | 15.00 |
| AmSan | Fluorescent lights | 56.70 |
| Aramark Uniform Services | Rubber mats | 51.27 |
| | Rubber mats | 51.27 |
| Arnold Motor Supply | Antifreeze | 52.86 |
| Baker Group | Scheduled maintenance | 2,233.00 |
| | Repair boilers-Library | 2,553.00 |
| Bill & Ray's Auto Service Inc | Hub cap | 12.24 |
| | Supplies | 9.05 |
| | Parts for repair | 22.04 |
| Bindertek | Office supplies | 38.95 |
| Binns & Stevens Sprayers | Treatment for dust control | 5,186.50 |
| Brian Bloodsworth | Refund overpayment-1st Time Homebuyer payment | 25.00 |
| Brown's Shoe Fit Company | Work boots-Saville | 100.00 |
| Bruening Rock Products Inc | Pea gravel | 390.29 |
| Butler-Brown Insurance | General liability audit | 3,926.00 |
| C.H. McGuinness Co. Inc | Clean boiler | 1,971.01 |
| Certified Pest Control | Pest control | 30.00 |
| | Pest control | 32.00 |
| Champion Storage and Signs | Street signs | 96.00 |
| | Notice of Hearing sign | 4.00 |
| City Supply Corp | Supplies | 56.08 |
| Cunningham Inc. | Clean/flush pool heater | 3,566.00 |
| | Repair air conditioning | 191.50 |
| D & R Electronics | Road alert sign | 590.60 |
| Des Moines Stamp Mfg Co | Notary stamp | 26.70 |
| Doty Computers | Microsoft Excel | 139.95 |
| Edgetown Welding | Welding repair | 60.00 |
| Engineer Supply | Labels | 97.23 |
| Family Medical Center P.C. | Professional services | 147.00 |
| Garden & Associates Inc | Professional services-North Green St | 16,157.25 |
| | Professional services-Trolley Place | 2,680.75 |
| Haines Auto Supply | Bulbs | 33.32 |
| | Supplies | 31.36 |
| | Supplies | 12.50 |
| | Belt | 41.60 |
| | Supplies | 20.71 |
| | Pad set | 78.22 |
| | Parts for repair | 93.30 |
| | Tools | 24.53 |
| | Tools | 9.47 |
| | Hose assembly | 76.45 |
| | Antifreeze | 29.30 |
| | Radiator hose | 11.63 |

| | | |
|--------------------------------------|---------------------------------------|-----------|
| Hawkeye Truck Equipment | Cab guard | 490.00 |
| | Install platform box | 5,725.00 |
| | Install snow plow | 5,115.00 |
| | Spray on liner | 490.00 |
| Highway 92 Walnut Co | Supplies | 32.90 |
| | Supplies | 22.90 |
| Hy Vee Accounts Receivable | Cake | 51.97 |
| IA Munic Workers Comp Assoc | Work comp payment #4 | 3,422.00 |
| Ideal Ready Mix | Repairs-17th Ave E | 558.00 |
| | Ready mix | 95.00 |
| Iowa Department of Natural Resources | Deer tags for Urban Deer Hunt | 135.00 |
| Iowa Law Enforcement Academy | Bicycle Patrol Officer conference | 35.00 |
| Iowa Water Management Corp | Boiler water treatment | 375.00 |
| J Gardner and Assoc | Junior police badges | 335.00 |
| John Deere Financial | Oil | 80.00 |
| | Cool guard premix | 162.84 |
| Kelly Supply Company | Thermostat cable | 132.30 |
| | Hand dryer blower | 578.69 |
| Keystone Laboratories Inc | Golf course testing | 61.60 |
| Lappin Tire | Repair tire | 15.00 |
| | Repair tire | 26.99 |
| | Mower tire | 103.06 |
| | Replace tire | 25.44 |
| | Tire repair | 15.00 |
| | Repair tire | 70.00 |
| | Tire repair | 15.00 |
| Mahaska Co Highway Dept | Fuel | 2,877.62 |
| | Fuel | 93.13 |
| | Fuel | 3,502.21 |
| | Fuel | 1,233.49 |
| | Fuel | 340.15 |
| Mahaska Communication Group LLC | Telephone services | 84.72 |
| | Telephone services | 62.53 |
| | Telephone services | 172.06 |
| | Telephone services | 49.20 |
| | Telephone services | 73.67 |
| | Telephone services | 63.68 |
| | Telephone services | 2.07 |
| | Telephone services | 1,207.92 |
| Mahaska County E911 Service | City contribution | 33,868.75 |
| Mahaska Drug | Medications | 27.10 |
| Mahaska Title - Johnson Abstract Co | Title search-Selby property | 95.00 |
| Malcom Lumber Window & Door Center | Supplies | 13.89 |
| | Lumber | 114.83 |
| | Supplies | 46.24 |
| | Drill drive | 180.00 |
| Martens & Company CPA LLP | Professional services-FY 2012 audit | 9,000.00 |
| MidAmerican Energy | Utilities | 16.55 |
| MidAmerican Energy | Utilities | 182.49 |
| MidAmerican Energy | Utilities | 234.72 |
| MPT Iowa Inc | Assess network Law Enforcement Center | 190.00 |
| Municipal Supply Inc | Smoke bomb | 108.00 |
| Musco Sports Lighting LLC | Lettering for City Hall | 65.00 |
| O'Halloran International | Rear brake repair | 1,182.06 |
| OmniSite | Call-out service Lacey lift station | 100.57 |

| | | |
|---|---|----------|
| Ora and Carla Fletcher | Refund overpayment-1st time Homebuyer loan | 10.89 |
| Orscheln Farm & Home | Supplies | 37.97 |
| | Uniforms | 53.99 |
| | Gloves and supplies | 52.84 |
| | Hard hat | 9.99 |
| | Trash bags | 16.00 |
| Oskaloosa Area Chamber & | Quarterly contribution | 7,500.00 |
| Oskaloosa Herald/Shopper | Publications | 989.86 |
| Oskaloosa Service Center Inc | Quick lube | 30.20 |
| | Quick lube | 90.20 |
| Oskaloosa Water Dept | July credit card fees | 83.05 |
| | August fax location service | 57.60 |
| Pella Tree Service Inc. | Tree removal South 6th St | 1,260.00 |
| | Tree removal 3rd Ave E & 214 College Ave | 1,520.00 |
| | Grind stump 305 C Ave W | 225.00 |
| Quill Corporation | Office supplies | 228.38 |
| Racom Corporation | Walkie cases | 111.38 |
| Scottsdale Insurance Company | Deductible for claim | 294.00 |
| Secretary of State | Notary public renewal | 60.00 |
| Self-Funding Actuarial Services Inc. | Actuarial services | 400.00 |
| Southeast Iowa Inter-Agency Drug Task Force | Membership fee | 3,500.00 |
| Star Equipment Ltd. | Forward control | 137.27 |
| State Hygienic Laboratory | Pool testing | 11.00 |
| Steven's Concrete LTD | Replace sidewalk and curb S Market and 5th Ave W | 970.00 |
| | Sidewalk repairs-A Ave, South Park and South Market | 1,585.00 |
| Swim's Sports | Uniform shirts | 60.00 |
| | Retirement plaque | 25.00 |
| Terracon Consultants, Inc | Water line relocation | 6,322.60 |
| Tiny's Repair Shop | Repair Bobcat | 2,380.50 |
| Total Choice Shipping | Shipping charges | 8.98 |
| Treat America Dining | Meal-Kutcher | 14.28 |
| True Value Hardware | Supplies | 12.87 |
| | Supplies | 16.57 |
| | Supplies | 9.99 |
| | Supplies | 0.98 |
| | Supplies | 7.78 |
| | Spreader | 154.88 |
| | Supplies | 4.95 |
| Van Maanen Seed and Chemical | Grass seed | 125.00 |
| Verizon Wireless | Broadband services | 336.45 |
| Walmart Community/GECRB | Medications | 2.96 |
| | Medications | 28.19 |
| | Medications | 22.34 |
| | Office supplies | 93.21 |
| | Printer | 168.84 |
| | Medications | 8.00 |
| | Correction on invoice 506 | -89.73 |
| | Correction on medications | -9.00 |
| Windstream | Telephone services | 42.46 |
| | Telephone services | 34.21 |
| Zep Sales and Service | Degreaser | 520.18 |
| | Cleaning supplies | 332.10 |
| Ziegler Inc. | Reseal assembly wheel leen cylinder | 698.25 |

152,867.93

| Department | Supplier/Vendor | Amount | Explanation |
|------------------------|---------------------------------|--------------|--|
| Parks | CARRIER FORD | \$ 26,670.00 | 2012 Ford 1 ton truck. Approved by Council 6/18/12. |
| Parks | Hawkeye Truck Equipment | \$ 5,115.00 | New snowplow - fittings - installation. Council approved 6/18/12. |
| Parks | Hawkeye Truck Equipment | \$ 5,725.00 | New platform box - installation. Council approved 6/18/12. |
| Parks | Advanced Concrete | \$ 3,172.00 | Replace floor on Shelter D. |
| Wastewater | Steven's Concrete | \$ 970.00 | Replace 30' curb & gutter and 55 sq. ft. sidewalk on 5th Avenue West & South Market. |
| Wastewater | Zep | \$ 520.18 | 5 gallon sewer degreaser & 12 root killer doses. |
| Parks | Kelly Supply | \$ 578.69 | 2 hand dryer blowers for wooden playground restrooms. |
| Wastewater | C H McGuinness Co. | \$ 1,971.01 | Clean boiler fire tubes - replace 2 glass observation tubes - 2 gas valves - 1 pressure valve and 1 actuator - south plant boiler. |
| Police | Southeast Iowa Drug Task Force | \$ 3,500.00 | Membership dues. |
| Wastewater | CARRIER FORD | \$ 25,717.00 | 2012 Ford F250 4X4 pickup. Council approved 7/2/12. |
| Library | Naviant | \$ 1,410.00 | Maintenance contract - Microfilm reader/printers. |
| Library | Simplex Grinnell | \$ 517.56 | Repair of bad smoke detector. |
| Library | Baker Group | \$ 2,553.00 | Re-piping exhaust piping on boilers. |
| Library | Baker Group | \$ 2,233.00 | Maintenance contract - billing 4 of 4. |
| Public Works - Streets | Norris Asphalt Paving Company | \$ 890.47 | Asphalt street/road repair. |
| Public Works - Streets | Ziegler CAT | \$ 698.25 | Wheel lean cylinder rebuilt for 1988 CAT patrol. |
| Public Works - Streets | Certified Power, Inc. Companies | \$ 1,469.56 | Bucket cylinder repair for Grade All (62-480). |
| Public Works - Streets | Garden & Associates | \$ 2,117.79 | Professional services from 8/1/12-8/31/12 for Trolley Place storm sewer & mail parking lot improvements. |
| Public Works - Streets | Garden & Associates | \$ 16,157.25 | Professional services from 8/1/12-8/31/12 for North Green Street Improvements |
| Public Works - Streets | Garden & Associates | \$ 1,182.06 | Replace rear brakes on (62-478) 1997 International truck. |
| Public Works - Streets | O'Halloran International | \$ 578.00 | Concrete road repair on 17th Avenue East near Pepsi. |
| Public Works - Streets | Ideal Ready Mix | \$ 1,614.88 | Concrete road repair on Maplewoods Drive. |
| Public Works - Streets | Ideal Ready Mix | \$ 5,186.50 | Liquid dust treatment on 238th Street, Santa Clara Extension between Orchard and North Green Street. |
| Public Works - Streets | Binns & Stevens Explosives Inc. | \$ 1,585.00 | Curb, gutter, sidewalk replacement at South Park & Highland and sidewalk repair at the corner of South 5th Street and South Market Street. |
| Public Works - Streets | Steven's Concrete Limited | \$ 6,322.60 | Water line relocation at underground storage tanks in urban skate park. |
| Public Works - Streets | Terracon | \$ 2,780.00 | Take down trees and clean up. |
| Public Works - Streets | Pella Tree Service | \$ 2,380.50 | Repair Bobcat. |
| Public Works - Streets | Tiny's Repair Shop | \$ 4,111.14 | 208.41 tons of pea gravel and 15.87 tons of 1 1/8" road stone for road repair. |
| Public Works - Streets | Bruening Rock Products | \$ 654.81 | Asphalt street/road repair. |
| Public Works - Streets | Norris Asphalt Paving Company | | |



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 3

Consider approval of a Renewal Application of a Class C Beer Permit from Kum & Go, LC dba Kum & Go #176, 1911 17th Avenue East.

EXPLANATION:

The application is complete and in order for approval.

Staff recommends approval.

BUDGET CONSIDERATION:

\$75 revenue to the General Fund.

ATTACHMENTS: None

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Amy Miller,
City Clerk

ITEM TITLE: CONSENT AGENDA – ITEM 4

Consider a resolution scheduling a public hearing for November 5, 2012 to consider 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 owners of the property to be assessed.

EXPLANATION:

This resolution schedules the public hearing for November 5, 2012 for levying a special assessment against private property for weed cutting. A notice will be published in the Oskaloosa Herald and certified notices will be sent to the property owners.

BUDGET CONSIDERATION:

\$1,100 Revenue to the Sanitary Sewer Fund to offset expenses related to the work performed by the city.

ATTACHMENTS:

Resolution
Weed Cutting Assessments Exhibit "A"

RESOLUTION NO. _____

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

WHEREAS, the City of Oskaloosa, Iowa, under authority of the Ordinance of control of weeds (Title 8, Chapter 8.20) has on certain properties within the City of Oskaloosa, Iowa, cut and/or removed brush, weeds, and rubbish after failure of the owners, agents, and occupants to do so; and

WHEREAS, the City of Oskaloosa, Iowa, desires to levy a special assessment against the properties concerned for said cutting and/or removal of brush, weeds, and rubbish by the City; and

WHEREAS, Section 8.20.060 of the City Code of the City of Oskaloosa, Iowa provides that notice of said assessment contemplated in said Section shall be given no later than December 15 of the year and at least twenty (20) days prior to the time thus fixed for said hearing and to all concerned that the proposed assessment is on file and that the amounts shown therein will be assessed the several lots, tracts of land or parcels of ground described in said itemized account at the time fixed for such hearing; and

WHEREAS, attached hereto marked Exhibit "A" and by this reference incorporated herein are the names of the owners, the properties, and the amounts of the claims to be assessed for the cutting and control of weeds, and removal of brush, weeds, and rubbish from said properties; and

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Oskaloosa, Iowa, as follows:

SECTION 1. That the City Council of the City of Oskaloosa, Iowa shall meet at City Hall Council Chambers in Oskaloosa, Iowa on the 5th day of November, 2012 at 6:30 p.m. at which time a hearing shall be held on the matter of levying a special assessment against the properties listed in Exhibit "A" for weed cutting assessment by the City of Oskaloosa, Iowa, at which hearing the owner of said premises or anyone liable to pay such assessment may appear with the same rights as given by law before Boards of Review, in reference to assessments for general taxation, and at said time and place the Council shall consider and dispose of all objections made thereto; after which hearing the City Council shall by Resolution levy such assessment as may be appropriate against said properties.

SECTION 2. That the City Clerk of the City is hereby directed to give notice of said hearing, the time when and place where said hearing will be held by publication in the Oskaloosa Herald, a newspaper published and having a general circulation within the City, no later than December 15, and at least twenty (20) days prior to the time herein fixed for such hearing; or by other means provided under said Weed Control Ordinance.

SECTION 3. That officials of the City are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of this Resolution.

PASSED AND APPROVED this 1st day of October, 2012.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

EXHIBIT "A"
2012 WEED CUTTING ASSESSMENTS
AUGUST 2012

| OWNER | ADDRESS/LEGAL | DATE REMOVED | COST |
|---|---|-----------------|----------|
| Theodore McCombs Parcel ID 1024127001 | 610 3rd Avenue West Lot 3 Blk 2 Kalbachs Add | 8/23/2012 | \$250.00 |
| Robert W DeCook Parcel ID 1024210005 | 115 5th Avenue West S 1/2 Lot 5 & W 20' S 1/2 Lot 6 Montgomerys Add | 8/22/2012 | \$300.00 |
| Regional Reo Assets LLC Parcel ID 1013355001 | 1302 High Avenue West Lots H & K SW SW | 8/27/2012 | \$250.00 |
| Federal Home Loan Mortgage Corporation Parcel ID 1119257005 | 1320 9th Avenue East N 220.13' W 98.48' Lot 3 SW NE | 8/30/2012 | \$300.00 |

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

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) Building Code Board of Appeals – One vacancy to fill upon appointment and to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (4 males and 0 females currently serve).
- b) Enterprise Zone Commission - One at-large member to the Enterprise Zone Commission to fill an unexpired term that ends June 30, 2013 approved and appointed by the City Council. This is a nine member commission that meets as needed. (3 males and 5 females current serve).
- c) Housing Trust Fund Committee – One at-large vacancy to fill approved and appointed for a three year term that ends January 31, 2015. There are five at-large members approved and appointed by the City Council. (1 male and 3 females currently serve at-large).
- d) Planning and Zoning Commission – One vacancy to fill an unexpired term that ends April 30, 2014 approved and appointed by the City Council. This is a seven member commission that meets as needed. (4 males and 1 female currently serve).
- e) Library Board – One vacancy to fill approved and appointed by the Mayor with City Council approval for an unexpired term that ends June 30, 2015. This is nine member board that typically meets once a month at 4:00 p.m. (3 males and 5 females currently serve).

- f) Board of Adjustment - One vacancy to fill approved and appointed by the City Council for an unexpired term that ends December 31, 2016. This is a five member board that meets as needed. (4 males current serve).
- g) Mahaska County Solid Waste Management Commission - Five members to fill one year terms that expire December 31, 2013. Two members will be appointed to the Ad Hoc Recycling Committee. This is a five member board that typically meets once a month. (2 males and 1 female currently serve.)
- h) Historic Preservation Commission – Three vacancies to fill approved and appointed by the City Council for three year terms that end December 31, 2015. This is a seven member commission that meets as needed. (2 males and 5 females currently serve at-large).
- i) Airport Commission – One vacancy to fill approved and appointed by the City Council for a six year term that ends January 31, 2018. The commission typically meets once a month at 4:30 p.m. (4 males and 1 female currently serve).

EXPLANATION:

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

BUDGET CONSIDERATION:

Not applicable, report(s) only.



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance to vacate and sell 50.5'X16' of the north-south public alley adjacent to 702 8th Avenue East and 93.0'X16' of the north-south public alley adjacent to 907 South 7th Street and 909 South 7th Street - 1st reading. (PUBLIC HEARING)

EXPLANATION:

Robert Martin, owner of 702 8th Avenue East, has requested to vacate 50.5 feet X 16 feet and Oskaloosa Food Products Corp., owner of two parcels along South 6th Street, has requested to vacate 93 feet X 16 feet of the north-south alley adjacent to their properties. This alley contains Century Link, Mahaska Communication Group, and Mid-American Energy utility infrastructure. Easement rights will need to be retained for access to the above mentioned utilities.

The city conducted a survey of households with direct access to the north-south alley. Among the residents that responded, 60% were fine with the alley vacate, 20% did not want the alley vacated, and 20% were fine with alley vacate but needed driveway access to their backyard. The property owners at 905 South 7th Street and 904 South 6th Street indicated that they cannot access their back yards if the alley is vacated. Both the property owners have access to their front yards from a public street.

The Planning & Zoning Commission considered this item at their September 10, 2012 meeting and recommended by a vote of 5 to 0 that the City Council approve the alley vacation but retain utility access easement and vehicular access easement to 905 South 7th Street and 904 South 6th Street. Staff recommends this request for alley vacation but retain only the utility access easement.

Recommended Action: Approve the first reading of the ordinance.

BUDGET CONSIDERATION: \$200.00 as fees for two applications, \$404.00 (50.5'X16'X\$0.50/Sq.Ft.), and \$744.00 (93.0'X16.0'X\$0.50/Sq.Ft.) of revenue to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

ATTACHMENTS:

Ordinance, Location Map, Pictures of Alley, Alley Vacate Application and Responses from adjacent owners and utility companies.

ORDINANCE NO. _____

AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 702 8TH AVENUE EAST, 907 SOUTH 7TH STREET, AND 909 SOUTH 7TH STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to vacate the north-south public alley right-of-way that lies adjacent to 702 8th Avenue East, 907 South 7th Street, and 907 South 7th Street and is legally described as follows:

The 50.5'x16.0' section of the north-south alley lying between Lot 155 and Lot 162 of Block T of O'Neill's Addition in the City of Oskaloosa, Mahaska County, Iowa.

And

The 93.0'x16.0' section of the north-south alley lying between Lot 157, Lot 158, Lot 159 and Lot 160 of Block T of O'Neill's Addition in the City of Oskaloosa, Mahaska County, Iowa.

SECTION 2. EASEMENT RESERVATION. This ordinance is adopted subject to the retention of easement rights for utilities, all municipal and other governmental services for ingress-egress to the same.

SECTION 3. REPEALER. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

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

glad

David Krutzfeldt , Mayor

ATTEST: _____

Amy Miller, City Clerk

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

Signed _____



Alley Vacation Request for 702 8th Ave E, 907 S 7th St, and 909 S 7th St



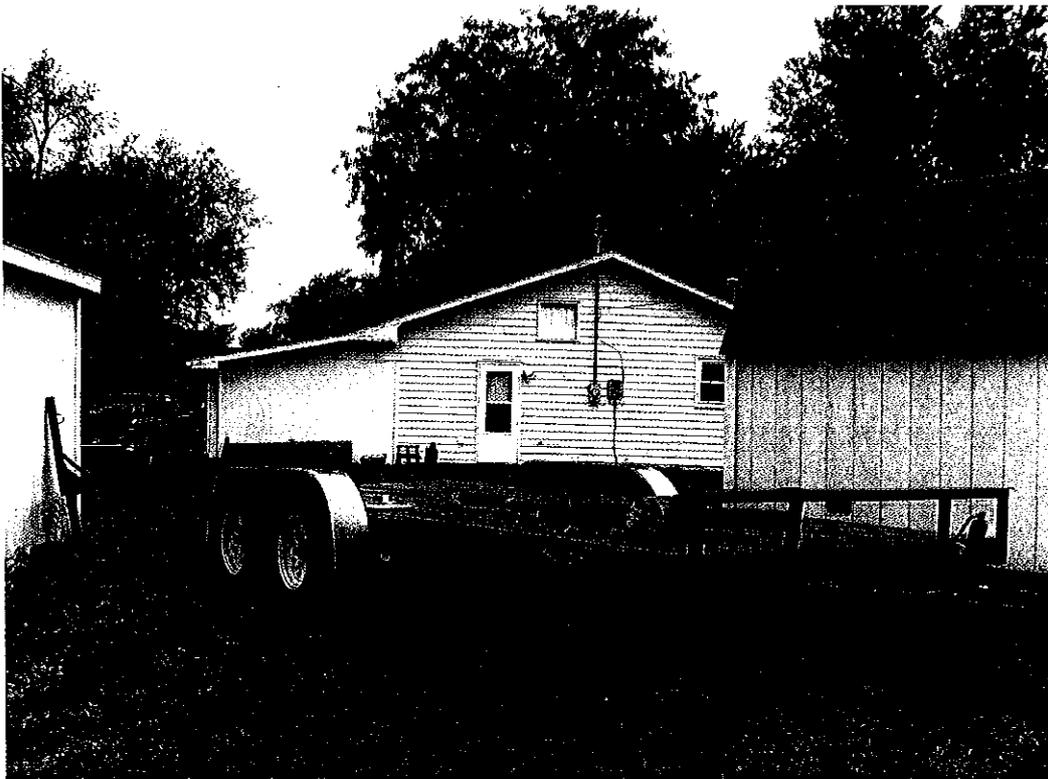


Alley looking North (above) and looking South from 8th Ave E (below)



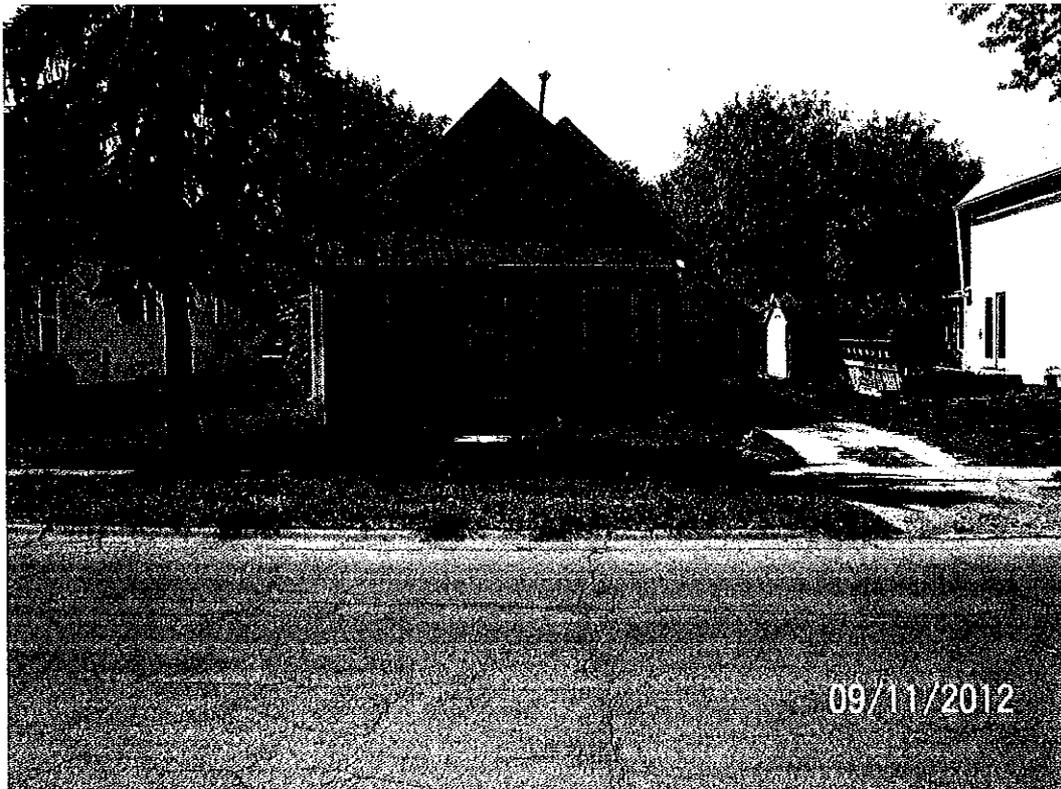


904 South 6th St looking east from South 6th St (above) and looking west from alley (below)





905 South 7th St looking east from alley (above) and looking west from South 7th St (below)



ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: 8-6-2012

Property Owner Name: Robert T. & Cynthia A. Martin

Address: 702 8th Ave. East
Oskaloosa Iowa 52577

Phone: 641-673-~~7443~~ 7443

Description of alley requested for vacation: Run North & South on the
East side of my property

Reason for requesting alley vacation: would like to have my camper
parked @ my house and not be in violation of
city codes

Signature Bob Martin

OFFICE USE:

Application Fee Paid \$100.⁰⁰

\$404.⁰⁰ Total for

Amount Paid For 1/2 of Alley: \$ 202.⁰⁰

(50.5 x 16 x \$.50/SF) \$202.⁰⁰

Vacation Approved _____ Denied _____

Refund Payment _____

ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: August 24, 2012

Property Owner Name: OSKALOOSA FOOD PRODUCTS CORP

Address: 543 9th AVE EAST
OSKALOOSA, IOWA 52577

Phone: 641-673-3486

Description of alley requested for vacation: Parcel # 111957004
+ # 111957003

Reason for requesting alley vacation: _____

Notice issued on 8-22-2012 from city of Oskaloosa
request to vacate alley c 703 8th Ave, East. Since part
of alley is being vacated might as well vacate all of alley.

Signature OSKALOOSA Food Products Corp
By Alexis J. De Zitter

OFFICE USE:

Application Fee Paid \$100

Amount Paid For 1/2 of Alley: \$ ~~372.00~~ 372.00 $(110 \times (42.5 + 50.5) \times \$0.5) = 744$

Vacation Approved _____ Denied _____ Refund Payment _____

ALLEY VACATION RESPONSES:

| North-South Alley Adjacent to 901 South 7th Street, 907 South 7th Street, and 909 South 7th Street | | | |
|--|------------------------------|-------------------------------|--|
| ADDRESS | NAME | RESPONSE | COMMENTS |
| 702 8th Avenue East | Robert & Cynthia Martin | Yes, interested in purchase | |
| 901 South 7th Street | Harry Dewitt Jr. | No response | |
| 907 South 7th Street | Ritchie Hart | No response | |
| 909 South 7th Street | Robert & Jessica Walker | Yes, interested in purchase | |
| Parcel ID #'s: 1119157003 and 1119157004 | Oskaloosa Food Products Corp | Yes, interested in purchase | We will be willing to buy all that other interested parties might not want |
| 904 South 6th Street | George & Arlene Hassett | No response | |
| 915 South 7th Street | Todd & Staci Eckles | No response | |
| 905 South 7th Street | Bill & Jo Sysma | Do not want the alley vacated | We would not have access to our back yard |

UTILITY COMPANY RESPONSES:

| | | | |
|----------------------|---|--|--|
| MCG | Aerial fiber cable and buried fiber cable would need a utility easement agreement | | |
| WATER DEPT. | No infrastructure | | |
| QWEST COMMUNICATIONS | Yes, major infrastructure, would need a utility easement agreement | | |
| MIDAMERICAN ENERGY | Yes, major Infrastructure, would need a utility easement agreement | | |



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance to vacate and sell 120.0' X 16.5' of the east-west public alley adjacent to 411 North H Street and 901 C Avenue West - 1st reading. (PUBLIC HEARING)

EXPLANATION:

Jeff Foster, owner of 901 C Avenue West, has requested to vacate 60.0 feet X 16.5 feet and Steven Hoeksema, Iowa State Bank Conservator and owner of 411 North H Street, has requested to vacate 60.0 feet X 16.5 feet of the east-west alley adjacent to their properties. This alley contains Century Link, Mahaska Communication Group, and Mid-American Energy utility infrastructure. Easement rights will need to be retained for access to the above mentioned utilities.

The city conducted a survey of households with direct access to the east-west alley. Among the residents that responded, 80% were fine with the alley vacate and 40% did not want the alley vacated. Those who did not want the alley vacated did not state a reason on the comment card and access to their properties will not be denied as a result of this vacation.

The Planning & Zoning Commission considered this item at their September 10, 2012, meeting and recommended by a vote of 5 to 0 that the City Council approve the alley vacation but retain utility access easement.

Recommended Action: Approve the first reading of the ordinance.

BUDGET CONSIDERATION: \$200.00 as fees for two applications and \$990.00 (120.0'X16.5'X\$0.50/Sq.Ft.) of revenue to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

ATTACHMENTS:

Ordinance, Location Map, Pictures of Alley, Alley Vacate Application and Responses from adjacent owners and utility companies.

ORDINANCE NO. _____

AN ORDINANCE VACATING THE EAST-WEST PUBLIC ALLEY ADJACENT TO 411 NORTH H STREET AND 901 C AVENUE WEST, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to vacate the east-west public alley right-of-way that lies adjacent to 411 North H St and 901 C Avenue West and is legally described as follows:

The 120.0'x16.5' section of the east-west alley lying between Lot 1, Lot 2, Lot 7, and Lot 8 of Block 4 of White's Addition in the City of Oskaloosa, Mahaska County, Iowa.

SECTION 2. EASEMENT RESERVATION. This ordinance is adopted subject to the retention of easement rights for utilities, all municipal and other governmental services for ingress-egress to the same.

SECTION 3. REPEALER. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

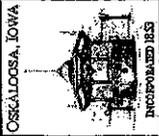
SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

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

glad

David Krutzfeldt , Mayor



Alley Vacation Request for 411 North H St and 901 C Ave West

D Ave W

H St N

C Ave W

H St N

Proposed Alley Vacation



815

816

802

816

411

412

811

815

802

324

902

411

901

905

321

414

412

911

402

318

413

411

1001

1005





Alley looking West (above) and looking East (below)



ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: 7-26-12
Property Owner Name: JEFF FOSTER
Robert W. Heston
Address: 1514 South 11th St. Jeff Foster
Oskaloosa, IA P.O. 167
New Sharon 50207
Phone: 641-672-1666 Ph: 641-660-3187

Description of alley requested for vacation: Behind
901 "C" NW 1st.

Reason for requesting alley vacation: Extend Privacy Fence
Due to enable us to build a ~~small~~ larger
Storage shed.

I understand nothing can be built on Alley

Signature Jeff Foster
Robert W. Heston

OFFICE USE:

Application Fee Paid \$100⁰⁰

Amount Paid For 1/2 of Alley: \$ 247.50 (16.5 x 60 x \$.50/SF) x .50 = \$495.⁰⁰ TOTA COST

Vacation Approved Denied Refund Payment

ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: 8/14/2012

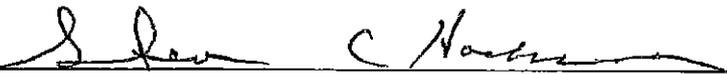
Property Owner Name: Alyssa S Williams Conservatorship

Address: Iowa State Bank Conservator
2301 128th Street
Urbandale, IA 50323

Phone: 515-246-8240

Description of alley requested for vacation: Alley on south side of home at 411 North High Street (We request the purchase of the full alley if possible to allow room for the garage and access to the property through the existing cut.)

Reason for requesting alley vacation: We would like to build a carport and larger driveway area to accomodate a handicap accessible van with a wheelchair lift.

Signature 
Steven C Hoeksema, Senior Vice President and Trust Officer

OFFICE USE:

Application Fee Paid \$100.

Amount Paid For 1/2 of Alley: \$ (60 x 11.5 x \$.50 /SF) x .50 ^{1/2 =} \$247.50

Vacation Approved _____ Denied _____ Refund Payment _____

ALLEY VACATION RESPONSES:

| East-West Alley Adjacent to 901 C Avenue West and 411 North H Street | | | COMMENTS |
|--|--------------------------------|--|--|
| ADDRESS | NAME | RESPONSE | |
| 901 C Avenue West | Jeff Foster | Yes, interested in purchasing if vacated | |
| 905 C Avenue West | Phillip Jones | No response | |
| 911 C Avenue West | David Wright | Yes, interested in purchasing if vacated | |
| 402 North I Street | Margaret Silvers | Yes, interested in purchasing if vacated | |
| 412 North I Street | Albert & Winifred Sheard | No response | |
| 414 North I Street | Martha Knox | Do not want alley vacated | 901 C Avenue East response was not interested if vacated |
| 902 D Avenue West | Kabal Chauchan & Kaur Manddeep | No, not interested if vacated | |
| 411 North H Street | Iowa State Bank Conservator | Yes, interested in purchasing if vacated | |

UTILITY COMPANY RESPONSES:

| | |
|----------------------|---------------------------|
| MCG | Yes, major infrastructure |
| WATER DEPT. | No infrastructure |
| QWEST COMMUNICATIONS | Yes, major infrastructure |
| MIDAMERICAN ENERGY | Yes, major infrastructure |



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance to vacate and sell 60.0'X16.5' of the east-west public alley adjacent to 402 North I Street – 1st reading. (PUBLIC HEARING)

EXPLANATION:

Margaret Silvers, owner of 402 North I St, has requested to vacate 60.0 feet X 16.5 feet of the east-west alley adjacent to her property. This alley contains Century Link, Mahaska Communication Group, and Mid-American Energy utility infrastructure. Easement rights will need to be retained for access to the above mentioned utilities.

The city conducted a survey of households with direct access to the east-west alley. Among the residents that responded, 50% were interested in purchasing their portion of the alley if vacated, 25% did not want the alley vacated, and 25% were not interested in purchasing their portion of the alley if vacated. David Wright, owner of 911 C Avenue West, indicated that he does not want this alley to be vacated because he uses the east-west alley to exit his 20 foot trailers from his property.

The Planning & Zoning Commission considered this item at their September 10, 2012 meeting and recommended by a vote of 3 to 2 that the City Council deny the alley vacation. Staff recommends approval of this request for alley vacation and retaining the utility access easement.

Recommended Action: Approve the first reading of the ordinance.

BUDGET CONSIDERATION: \$100.00 for application fees and \$495.00 (60.0'X16.5'X\$0.50/Sq.Ft.) of revenue to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

ATTACHMENTS:

Ordinance, Location Map, Pictures of Alley, Alley Vacate Application and Responses from adjacent owners and utility companies.

ORDINANCE NO. _____

AN ORDINANCE VACATING THE EAST–WEST PUBLIC ALLEY ADJACENT TO 402 NORTH I STREET AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to vacate the east-west public alley right-of-way that lies adjacent to 402 North I Street and is legally described as follows:

The 60.0'x16.5' section of the east-west alley lying between Lot 4 and Lot 5 of Block 4 of White's Addition in the City of Oskaloosa, Mahaska County, Iowa.

SECTION 2. EASEMENT RESERVATION. This ordinance is adopted subject to the retention of easement rights for utilities, all municipal and other governmental services for ingress-egress to the same.

SECTION 3. REPEALER. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

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

glad

David Krutzfeldt , Mayor



Alley Vacation Request for 402 North I St

D Ave W

N St

C Ave W

Proposed Alley Vacation

N St



812

815

503

802

816

902

414

413

411

412

411

412

411

811

815

901

311

1001

802

324

321

318





Alley looking West (above) and looking East (below)



ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: August 24, 2012

Property Owner Name: Margaret E. Silvers

Address: 402 North J Street

Oskaloosa, Iowa 52577

Phone: 641-660-6439

Description of alley requested for vacation: West end of alley adjacent to North end of 402 North J Street.

Reason for requesting alley vacation: To make sure I continue to have access to my driveway.

Signature Margaret E. Silvers

OFFICE USE:

Application Fee Paid 100⁰⁰

Amount Paid For 1/2 of Alley: \$ 247⁵⁰ (60 x 16.5 x \$ 0.50 /SF)

Vacation Approved _____ Denied _____ Refund Payment _____

ALLEY VACATION RESPONSES:

| East-West Alley Adjacent to 402 North I Street | | | |
|--|-------------------------------|--|--|
| ADDRESS | NAME | RESPONSE | COMMENTS |
| 901 C Avenue West | Jeff Foster | No response | |
| 905 C Avenue West | Phillip Jones | No response | |
| 911 C Avenue West | David Wright | Do not want alley vacated | Prevents egress to North I Street |
| 402 North I Street | Margaret Silvers | Yes, interested in purchasing if vacated | |
| 412 North I Street | Albert & Winifred Sheard | Not interested in purchasing | |
| 414 North I Street | Martha Knox | Do not want alley vacated | 901 C Avenue East response was not interested if vacated |
| 902 D Avenue West | Kabal Chauchan & Kaur Mandeep | No response | |
| 411 North H Street | Iowa State Bank Conservator | Yes, fine with alley vacate | |

UTILITY COMPANY RESPONSES:

| | | | |
|----------------------|--|---------------------------|--|
| MCG | | Yes, major infrastructure | |
| WATER DEPT. | | No infrastructure | |
| QWEST COMMUNICATIONS | | Yes, major infrastructure | |
| MIDAMERICAN ENERGY | | Yes, major infrastructure | |



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Planning & Zoning
Commission

ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance to remove the parking restriction along the west side of North 12th Street from E Avenue East to F Avenue East and to establish a "No Parking Zone" along the east side of the same length of street - 1st reading (Public Hearing).

EXPLANATION:

The Public Works Department has received a complaint about on-street parking issues on the west side of North 12th St. The complainant indicated that due to the hospital construction and proposed parking lot entrances, there was not enough space to park along the east side of the street. Staff evaluated the street to find that, because of the current construction, there is limited parking space along the east side at this time. Once construction is completed, the situation will improve, however, removing the parking restriction on the west side would cause future congestion due to the fact that the pavement width is 28 feet. With parking permitted on both sides of the street, the travel lane would be too narrow for two-way traffic, causing inefficient traffic flow. Furthermore, allowing parking along both sides would restrict visibility entering and exiting driveways.

The city conducted surveys on households that potentially park along North 12th Street between E Ave East and F Ave East. Among the residents that responded to the survey, 36% of households supported removing the parking restriction on the west side, 9% supported prohibiting parking on the east side, 18% supported maintaining the parking restriction on the west side, 18% supported prohibiting parking on both sides, and 18% had no preference.

The Planning & Zoning Commission considered this item at their September 10, 2012 meeting and recommended by a vote of 5 to 0 that the City Council approve the proposed change in parking prohibition as presented. Staff recommends approval of this item as presented.

BUDGET CONSIDERATION:

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

RECOMMENDED ACTION:

Approve the first reading of the ordinance.

ATTACHMENTS:

Ordinance, location map, complaint letter, and survey.

ORDINANCE NO. _____

AN ORDINANCE TO REMOVE THE PARKING RESTRICTION ALONG THE WEST SIDE OF NORTH 12TH STREET BETWEEN E AVE EAST AND F AVENUE EAST AND TO ESTABLISH A "NO PARKING ZONE" ALONG THE EAST SIDE OF THE SAME LENGTH OF STREET.

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

SECTION 1: The purpose of this ordinance is to remove the parking restriction along the west side of North 12th St between E Ave East and F Ave East and to establish a "No Parking Zone" along the east side of the same length of street.

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

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

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

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

Passed by the Council the 1st day of October 2012, and approved this _____ day of October 2012.

David Krutzfeldt , Mayor

ATTEST: _____
Amy Miller, City Clerk

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

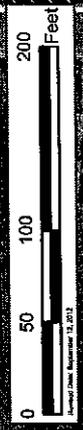
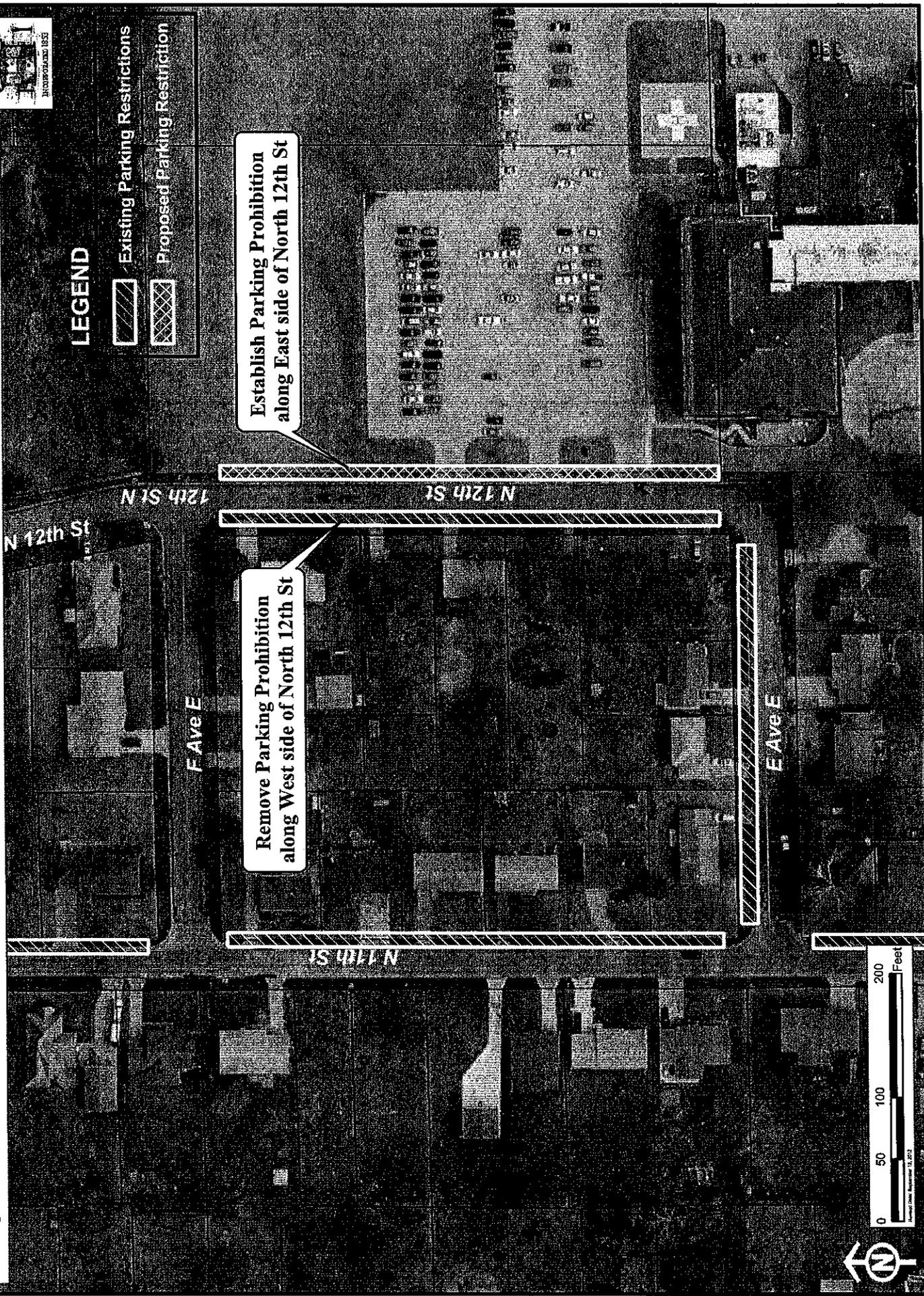
Signed _____



Proposed Parking Prohibition on North 12th St from E Ave East to F Ave East

LEGEND

-  Existing Parking Restrictions
-  Proposed Parking Restriction



Map Data: November 15, 2012

RECEIVED
AUG 01 2012
BY: ALK

July 31, 2012
617 No. 12th St.
Oskaloosa, IA. 52577

Mr. A. Pal, P.E.
Public Works Director
804 So. O. Street
Oskaloosa, IA. 52577

Dear Mr. Pal,

In the 600 Block of No. 12th Street the Mahaska County Hospital is in the process of building a new drive way to access the Hospice House. This will make the 5th driveway on the east side of the 600 block of No. 12th Street.

You may be aware that currently there is no parking on the west side of No. 12th Street. Considering the number of driveways on the east side of this block it will severely limit the amount of parking in the 600 block of this street.

This letter is to request that you now allow parking on the west side of the 600 block of No. 12th Street.

Respectfully Submitted,
Betty J. Farmer

| PARKING ON NORTH 12TH STREET BETWEEN E AVENUE EAST AND F AVENUE EAST | | | |
|--|-------------------------------------|--|---|
| ADDRESS | OWNER/RESIDENT | RESPONSE | Comments: |
| 617 North 12th Street | Bette Farner | Remove parking prohibition on West side | |
| 613 North 12th Street | Debra Crookham | No response | |
| 601 North 12th Street | Inez Grahek | Prohibit parking on West side | Definitely, lots of morning traffic for clinic and soon hospital directly across the street |
| 1213 E Avenue East | Betty/Patrick Russell & Gary Mckeag | Remove parking prohibition on West side | |
| 1205 E Avenue East | Leroy & Diana Shadduck | Prohibit parking on West side | |
| 606 North 11th Street | Matthew & Kristina Tippet | No response | |
| 616 North 11th Street | Robert & Valera Klucas | Prohibit parking on both sides | |
| 625 North 12th Street | Lela White | No preference | Don't know which to check. I have a wide front and long trucks park there at times. I really don't like it, but can't say it hurts anything either. I try to be reasonable. |
| 607 North 12th Street | Joann Wymore | Remove parking prohibition on West side | |
| 1209 E Avenue East | Diane McCreynolds | Remove parking prohibition on West side AND Prohibit parking on East side | One side should be open for parking |
| 608 North 11th Street | William Benson Jr. | No preference | I have sold the house and don't care what you do |
| 622 North 11th Street | Deborah Brom | No response | |
| 1210 F Avenue East | Patty & Rodney Malloy | No response | |
| 1214 F Avenue East | Mark & Nancy Dempster | Remove parking prohibition on West side | |
| 620 North 11th Street | Kevin & Tracy Klucas | Prohibit parking on both sides | Street is too narrow |
| 1229 C Avenue East | Mahaska Health Partnership | No response | |

Response Categories:

Prohibit parking on East side at all times

Prohibit parking on West side at all times

Prohibit parking on both sides at all times

Remove parking prohibition on west side at all times (results in allowing parking on both sides of street)

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: City Council

ITEM TITLE:

Consider an ordinance amending Oskaloosa Municipal Code Section 10.42 Operation of Golf Carts Upon City Streets and Article II. (Sections 10.80.050, 10.80.060 and 10.80.070) Permits for Golf Carts. (3rd reading)

EXPLANATION:

At the request of the public, the city council is considering changes to the Oskaloosa Municipal Code (OMC) as it relates to the operation of golf carts upon city streets.

The Public Safety Committee met on August 28, 2012 to discuss the request by the public. The following is a list of notable changes to the OMC including but not limited to:

1. Golf carts to be driven on city streets shall be registered with the Chief of Police, be permitted and display city issued decals as required;
2. Golf carts to be driven on city streets shall have minimum liability insurance coverage of \$500,000 per person or \$1,000,000 per accident;
3. Golf carts can park upon city streets, but must follow existing parking rules and regulations;
4. The number of restricted streets for golf cart operations has been reduced;
5. A golf cart can be registered with the city by an 18 year old, but driven by a 16 year old; and
6. Article II. – Permits For Golf Carts is deleted in its entirety.

BUDGET CONSIDERATION:

There is minimal financial impact anticipated with the adoption of this item. Costs will include OMC updates, decals and staffs time to permit the golf carts.

ATTACHMENTS:

1. Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE OSKALOOSA MUNICIPAL CODE
CHAPTER 10.42, OPERATION OF GOLF CARTS UPON CITY
STREETS AND ARTICLE II. PERMITS FOR GOLF CARTS, SECTIONS
10.80.050, 10.80.060, 10.80.070, FOR THE PURPOSE OF MODIFYING
GOLF CART REGULATIONS WITHIN THE CITY**

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

SECTION 1. Chapter 10.42 is amended by adding and deleting the following language to each section:

Chapter 10.42 - OPERATION OF GOLF CARTS UPON CITY STREETS

Sections:

10.42.010 - Purpose.

10.42.020 - Rules of operation.

10.42.030 - Restrictions on use.

10.42.040 - Permits required

10.42.050 - Proof of insurance required

10.42.060 - Transfer

10.42.070 - Display

10.42.080 - Penalties

10.42.010 - Purpose.

The purpose of this chapter is to facilitate and allow the safe operation of golf carts upon certain streets and the multi-use recreation trail within the city and to enact rules and regulations for the operation thereof.

10.42.020 - Rules of operation.

The following rules shall apply to the operation of golf carts within the city:

A. Golf carts may be operated on city streets unless otherwise prohibited by the Code of Iowa as now existed or hereafter amended or by the provisions of this chapter.

B. Golf carts may be operated only by persons who possess a valid motor vehicle operator's license issued by a state licensing authority.

~~A. Golf carts may be operated on city streets only by persons possessing a valid motor vehicle~~

license.

C. Golf carts operated upon city streets shall be registered with the chief of police or his designee and display required identification as provided herein.

BD. Golf carts may be operated on city streets from sunrise to sunset, regardless of whether the golf cart is equipped with lights.

CE. Any-gGolf carts operated upon a city street shall be equipped with a slow moving vehicle sign on the back thereof as well as a bicycle safety flag, and all carts shall have adequate brakes.

AF. gGolf carts operated upon a city street only for the purpose of crossing the street at or near a ninety percent angle and not otherwise operated upon a city street shall not be required to be equipped with a slow-moving vehicle sign and a bicycle safety flag as otherwise herein required.

DG. Except when executing a left turn, gGolf carts shall be driven as close as practical to the right-hand edge of any street, except when executing a left turn.

EH. Golf carts shall yield the right-of-way to other motor vehicles and pedestrians at all uncontrolled intersections regardless of the dictates of Section 321.319 of the Code of Iowa.

F. Golf carts shall not be parked on any city street.

I. Golf carts may be parked upon any city street within the City of Oskaloosa Iowa, subject to the same terms and conditions applicable to the parking of automobiles and other motor vehicles, with the exception that golf carts may not park upon any street within the City of Oskaloosa where their operation is otherwise prohibited by city ordinance or the provisions of the Code of Iowa as now existing or hereafter amended.

GJ. Golf carts shall operate in single file.

H. Golf carts are not subject to the registration provisions of Chapter 321, Code of Iowa.

10.42.030 - Restrictions on use.

Golf carts shall not operate on the following city streets:

- A. A Avenue from east city limits to west city limits;
- B. Market Street from north city limits to south city limits;
- C. Seventeenth Street from A Avenue East to south city limits;
- D. ~~Third Avenue from Seventeenth Street to west city limits;~~
- E. ~~Fifteenth Avenue East from South Eleventh Street to Market Street;~~
- F. ~~Eleventh Street from J Avenue East to Fifteenth Avenue East;~~
- G. ~~Third Street from East Glendale Road to Sixth Avenue East.~~

10.42.040 - Permit required.

A. It is the duty of the owner or any operator of a motorized golf cart that is operated on city streets and on the multi-use recreation trail to register the golf cart with the chief of police or his designee. The owner or operator shall pay an administrative fee with the permit application, in an amount to be adopted by the annual resolution of the city council. Two numerical decals shall be issued upon registration and a record of each motorized golf cart number along with the name and address of the owner shall be maintained by the city clerk. It shall be a violation of this section to place the decals onto another cart whose owner has not registered the vehicle with the city clerk. Only persons eighteen years of age or older may register a golf cart. Drivers of a golf cart must be sixteen years of age and have a valid driver's license. The owner shall file proof of insurance prior to being issued a permit, showing liability coverage in an amount not less than five hundred thousand dollars per person or one million dollars per accident. The golf cart shall comply with all requirements of state law necessary for the cart to be driven on a public street.

10.80.050 - Proof of insurance required.

A cart owner seeking a permit shall file proof of insurance prior to being issued a permit, showing liability coverage in an amount not less than five hundred thousand dollars per person or one million dollars per accident. The owner must annually file an update with the City Clerk confirming that the insurance coverage remains in force and effect.

10.80.060 - Transfer.

The registration and fee shall be effective until the cart is sold or the ownership is otherwise transferred. The golf cart shall be registered and a new permit obtained whenever the ownership of the cart changes. When a golf cart owner obtains a new golf cart, then a new registration, permit fee and permit shall be obtained.

10.80.070 - Display.

The numerical permit numbers shall be displayed by the owner or any user of the golf cart in a manner as to be fully visible at all times, on the front and rear of the golf cart. It is a violation of this section for the owner to use or permit a cart to be used without this display and it is a violation for any user of a golf cart to operate a golf cart on the trail without the display of the valid permit numerals.

10.80.080 - Penalties.

A violation of the provisions of this chapter shall be punishable by a civil penalty in the amount of \$100.00.

SECTION 2. Article II – Permits For Golf Carts; Sections 10.80.050, 10.80.060 and 10.80.070 is hereby deleted in its entirety as noted below:

~~ARTICLE II. - PERMITS FOR GOLF CARTS~~

~~10.80.050 – Required.
10.80.060 – Transfer.
10.80.070 – Display.~~

~~10.80.050 – Required.~~

~~A.— It is the duty of the owner or any operator of a motorized golf cart that is operated on the trail to register the golf cart with the chief of police or his designee. The owner or operator shall pay an administrative fee with the permit application, in an amount to be adopted by the annual resolution of the city council. Two numerical decals shall be issued upon registration and a record of each motorized golf cart number along with the name and address of the owner, shall be maintained by the city clerk. It shall be a violation of this section to place the decals onto another cart whose owner has not registered the vehicle with the city clerk. Only persons eighteen years of age or older may register a golf cart. Drivers of a golf cart must be sixteen years of age and have a valid driver's license. The owner shall file proof of insurance prior to being issued a permit, showing liability coverage in an amount not less than five hundred thousand dollars per person or one million dollars per accident. The golf cart shall comply with all requirements of state law necessary for the cart to be driven on a public street.~~

~~(Ord. No. 1305, § 1, 5-2-2011)~~

~~10.80.060 – Transfer.~~

~~The registration and fee shall be effective until the cart is sold or the ownership is otherwise transferred. The golf cart shall be registered and a new permit obtained whenever the ownership of the cart changes. When a golf cart owner obtains a new golf cart, then a new registration, permit fee and permit shall be obtained.~~

~~(Ord. No. 1305, § 1, 5-2-2011)~~

~~10.80.070 – Display.~~

~~The numerical permit numbers shall be displayed by the owner or any user of the golf cart in a manner as to be fully visible at all times, on the front and rear of the golf cart. It is a violation of this section for the owner to use or permit a cart to be used without this display and it is a violation for any user of a golf cart to operate a golf cart on the trail without the display of the valid permit numerals.~~

~~(Ord. No. 1305, § 1, 5-2-2011)~~

SECTION 3. WHEN EFFECTIVE. This amendment to the ordinances shall be in effect from and after its final passage, approval, and publication by law.

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

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

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

Signed



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Public Works Department,
Engineering Division

ITEM TITLE:

Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa by amending sections 10.24.020 and 10.24.030 pertaining to stop and yield requirements for stop intersections, and four-way stop intersections; and waive further readings of proposed ordinance – 2nd reading.

EXPLANATION:

The Public Works Department performed a review of all-way stop intersections on South 7th Street at its intersections with High Avenue and 3rd Avenue, and found that conditions warrant modification of stop sign placements. Staff conducted investigations regarding the posting of traffic control signs at these locations and recommends the following amendments to the City Code of Oskaloosa to reflect changes to existing regulations.

| Location | Proposed Amendment |
|--|--|
| 1. South 7 th St. & 3 rd Ave. East | Convert from Four-way stop to '2-way stop for east-bound and west-bound approaches at 3 rd Ave. East' |
| 2. South 7 th St. & High Ave. East | Convert from Four-way stop to '2-way stop for east-bound and west-bound approaches at High Ave. East' |

The staff investigations considered the flow and volume of the said intersections. There was only one reported crash at the intersection of South 7th Street & 3rd Ave. East during the three year period of 2009, 2010, and 2011, which resulted in property damage only. There were no reported crashes at the intersection of South 7th Street & High Ave. East during the three year period of 2009, 2010 and 2011. The proposed amendments reflect staff's attempt to address and resolve Oskaloosa's existing traffic control devices.

Staff is recommending approval of the ordinance and suspending the rules (IA Code 380.3) (waiving the 3rd reading of the ordinance) and adopting the ordinance at this time.

BUDGET CONSIDERATION:

There will be minimal impact to the City Budget for the installation or removal of these traffic control signs.

RECOMMENDED ACTION:

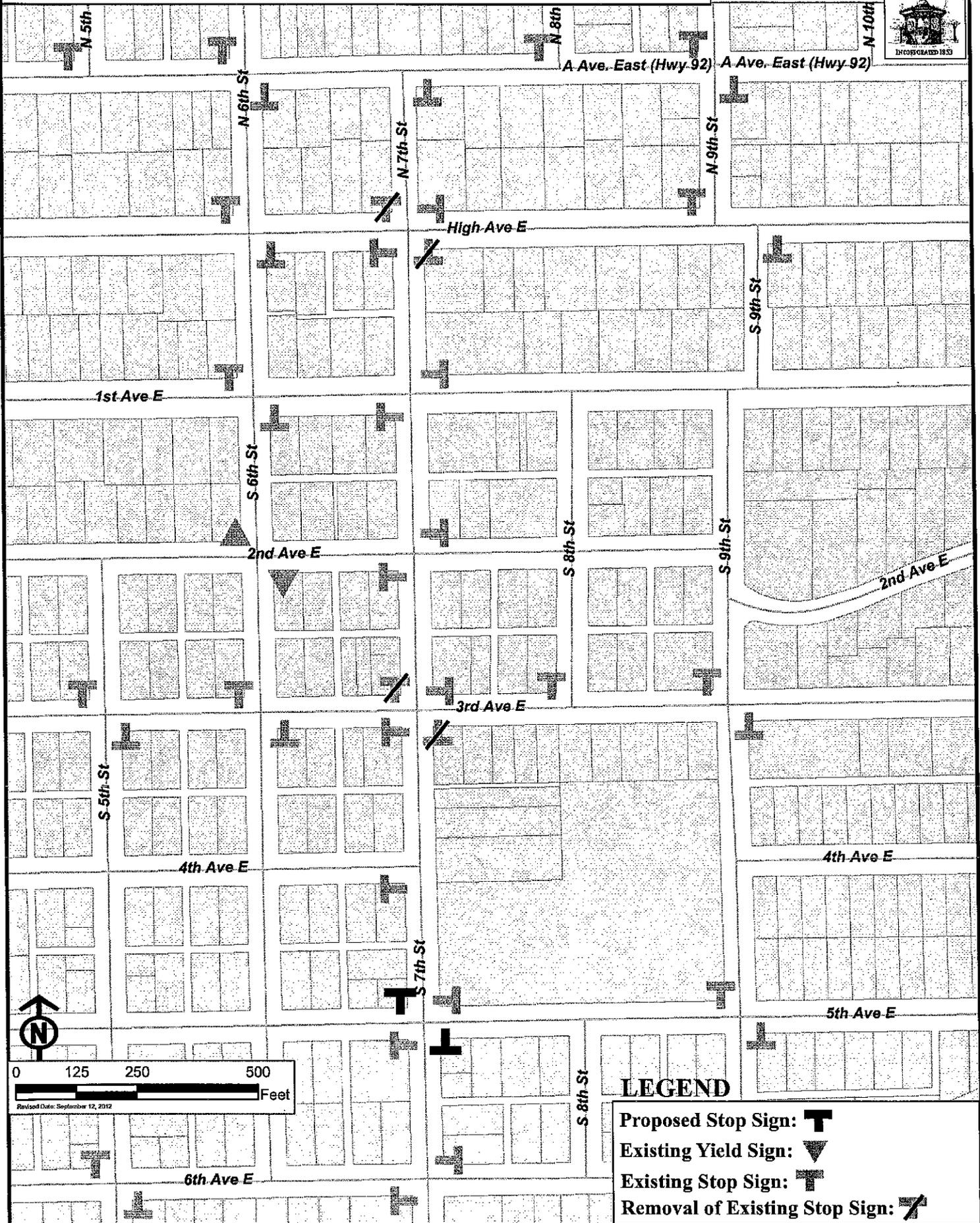
Approve and adopt ordinance.

ATTACHMENTS:

Vicinity map, Warrants report, and Ordinance.

Proposed Traffic Control Device Modifications along South 7th Street

City of Oskaloosa



LEGEND

- Proposed Stop Sign: **T**
- Existing Yield Sign: **▼**
- Existing Stop Sign: **T**
- Removal of Existing Stop Sign: **/**

MULTI-WAY STOP SIGN WARRANTS

Intersection: South 7th Street & High Avenue West
Major Street: South 7th Street

Date: 8/29/2012 & 9/6/2012
Minor Street: High Avenue West

A. Traffic Control Signal Warrant: If traffic control signals are justified, then multi-way stop is an interim measure.

1. Traffic Control Signal Justified No

B. Crash History Warrant: Five or more reported collisions of the type correctable by an all-way stop control have occurred within a recent twelve month period:

Meets Warrants

1. Twelve month period studied: 2011
2. Total number of reported collisions: No crashes
3. Number of collisions susceptible to correction (Reqd. 5 crashes): No crashes No

C. Minimum Volume Warrant: The minimum vehicular volume entering from both major street approaches averages 300 vehicles per hour (VPH) for any 8 hours of a normal day and, the combined vehicular, pedestrian, and bicycle volume entering from both minor street approaches averages at least 200 vehicles per hour for the same 8 hours, with an average delay of 30 seconds per vehicle during highest hour on minor street but, if the 85th percentile approach speed of major street exceeds 40 mph, the vehicular volume are reduced to 70 % of the required values.

Meets Warrants

1. 8-Hour approach volume on major street (Reqd. 300VPH): 144 VPH No
2. 8-Hour approach volume on minor street (Reqd. 200VPH): 64 VPH No
3. 85th percentile speed on major street (Reqd. 40MPH): 25 mph No

D. Reduced Warrant: If no single criterion is satisfied, but where Criteria B, C.1, and C.2 are satisfied to 80% of minimum values.

Meets Warrants

1. Number of collisions susceptible to correction (Reqd. 5 crashes): No crashes No
2. 8-Hour approach volume on major street (Reqd. 240VPH): 144 VPH No
3. 8-Hour approach volume on minor street (Reqd. 192VPH): 64 VPH No

Note: The Warrants are from the (national) Manual on Uniform Traffic Control Devices (MUTCD), published by the US Department of Transportation (DOT) and Federal Highway Administration (FHWA).

MULTI-WAY STOP SIGN WARRANTS

Intersection: South 7th Street & 3rd Avenue West
Major Street: South 7th Street

Date: 8/28/2012
Minor Street: 3rd Avenue West

A. Traffic Control Signal Warrant: If traffic control signals are justified, then multi-way stop is an interim measure.

1. Traffic Control Signal Justified No

B. Crash History Warrant: Five or more reported collisions of the type correctable by an all-way stop control have occurred within a recent twelve month period:

Meets Warrants

1. Twelve month period studied: 2011
2. Total number of reported collisions: 1 crash
3. Number of collisions susceptible to correction (Reqd. 5 crashes): 1 crash

No

C. Minimum Volume Warrant: The minimum vehicular volume entering from both major street approaches averages 300 vehicles per hour (VPH) for any 8 hours of a normal day and, the combined vehicular, pedestrian, and bicycle volume entering from both minor street approaches averages at least 200 vehicles per hour for the same 8 hours, with an average delay of 30 seconds per vehicle during highest hour on minor street but, if the 85th percentile approach speed of major street exceeds 40 mph, the vehicular volume are reduced to 70 % of the required values.

Meets Warrants

1. 8-Hour approach volume on major street (Reqd. 300VPH): 153 VPH
2. 8-Hour approach volume on minor street (Reqd. 200VPH): 123 VPH
3. 85th percentile speed on major street (Reqd. 40MPH): 25 mph

No

No

No

D. Reduced Warrant: If no single criterion is satisfied, but where Criteria B, C.1, and C.2 are satisfied to 80% of minimum values.

Meets Warrants

1. Number of collisions susceptible to correction (Reqd. 4 crashes): 1 crash
2. 8-Hour approach volume on major street (Reqd. 240VPH): 153 VPH
3. 8-Hour approach volume on minor street (Reqd. 192VPH): 123 VPH

No

No

No

Note: The Warrants are from the (national) Manual on Uniform Traffic Control Devices (MUTCD), published by the US Department of Transportation (DOT) and Federal Highway Administration (FHWA).

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING PROVISIONS PERTAINING TO STOP AND YIELD REQUIREMENTS FOR STOP INTERSECTIONS AND FOUR-WAY STOP INTERSECTIONS.

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

SECTION 1. Section 10.24.020, STOP INTERSECTIONS is amended by adding the following:

- 94. High Avenue East. Vehicles traveling east and west on High Avenue East shall stop at South Seventh Street.
- 95. Third Avenue East. Vehicles traveling east and west on Third Avenue East shall stop at South Seventh Street.

SECTION 2. Section 10.24.030, FOUR-WAY STOP INTERSECTIONS is amended by deleting the following:

- 10. High Avenue East and South Seventh Street;
- 14. South Seventh Street and Third Avenue East;

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

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

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

David Krutzfeldt , Mayor

ATTEST: _____
Amy Miller, City Clerk

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

Signed _____



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Public Works Department,
Engineering Division

ITEM TITLE:

Consider a motion approving Pay Request No. 2 to Cornerstone Excavating in the amount of \$123,343.70 for work completed on the North Green Street Paving Project.

EXPLANATION:

The City of Oskaloosa has received Pay Request No. 2 from Cornerstone Excavating for work completed to date on the construction of the North Green Street Paving Project. Garden & Associates and City Staff have reviewed the Pay Request and found it to be satisfactory for work completed to date on the project. The work included in this estimate includes excavation, trench compaction testing, storm sewer pipes, water main pipes, fire hydrant assemblies, storm sewer manhole and intakes, storm water pollution prevention plan, temporary access drives, and other miscellaneous construction related items.

City staff recommends Council approve Pay Request No. 2 to Cornerstone Excavating in the amount of \$123,343.70 for work completed to date on the North Green Street Paving Project.

BUDGET CONSIDERATION:

\$123,343.70 from the North Green Street Paving Project Fund.

RECOMMENDED ACTION:

Consider approval of Pay Request No. 2 for the North Green Street Paving Project to Cornerstone Excavating in the amount of \$123,343.70.

ATTACHMENTS:

Application for Payment #2 and Letter from Garden & Associates.

APPLICATION FOR PAYMENT NO. 2

To: City of Oskaloosa (OWNER)
 From: Cornerstone Excavating (CONTRACTOR)
 Contract: North Green Street Improvement Project - Oskaloosa, Iowa
 Project: North Green Street Improvement Project - Oskaloosa, Iowa
 OWNER's Contract No.: _____ ENGINEER's Project No.: 5010024
 For Work Accomplished Through the Date of: 9/20/12

| | |
|---|-----------------------------|
| 1. Original Contract Price: | <u>\$ 979,960.40</u> |
| 2. Net Change by Change Orders and Written Amendments (+ or -): | |
| 3. Current Contract Price (1 plus 2): | <u>\$ 979,960.40</u> |
| 4. Total Completed and Stored to Date: | <u>\$ 295,393.04</u> |
| 5. Retainage (Per Agreement): | |
| 5% of Completed Work: | <u>\$ 14,769.65</u> |
| 0% of Stored Material: | |
| Total Retainage: | <u>\$ 14,769.65</u> |
| 6. Total Completed and Stored to Date Less Retainage (4 minus 5): | <u>\$ 280,623.39</u> |
| 7. Less Previous Application for Payments: | <u>\$ 157,279.69</u> |
| 8. DUE THIS APPLICATION (6 MINUS 7) | <u>\$ 123,343.70</u> |

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered -- through -- inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application of Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Payment of the above AMOUNT DUE THIS APPLICATION is requested.

Dated: 9/21/12
 By: *John Lee* **Cornerstone Excavating**
(CONTRACTOR)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 9/24/12
 By: *Robert M...* **Garden & Associates, Inc.**
(ENGINEER)

Payment of the above AMOUNT DUE THIS APPLICATION is approved.

Dated: _____ **City of Oskaloosa, Iowa**
(OWNER)
 G & A 5010024 By: _____

| NO. | ITEM | UNIT PRICE | CONTRACT QUANTITY | SCHEDULE OF VALUES AMOUNT | QUANTITY COMPLETED | AMOUNT | % | MATERIAL STORED | AMOUNT COMPLETED & STORED |
|------------------|--|------------|-------------------|---------------------------|--------------------|--------------|------|-----------------|---------------------------|
| BASE BID: | | | | | | | | | |
| 1 | Clearing and Grubbing | \$3,000.00 | 1 | LS | 50% | \$3,000.00 | 50% | | \$1,500.00 |
| 2 | Excavation, Class 10, 12, or 13 | \$6.75 | 11,435 | CY | 3000.00 | \$77,186.25 | 26% | | \$20,250.00 |
| 3 | Subgrade Preparation | \$3.50 | 10,550 | SY | | \$36,925.00 | 0% | | \$0.00 |
| 4 | Subgrade Treatment, Fly Ash | \$4.00 | 3,500 | SY | | \$14,000.00 | 0% | | \$0.00 |
| 5 | Subbase, Modified Subbase (Granular) | \$5.35 | 10,020 | SY | | \$53,607.00 | 0% | | \$0.00 |
| 6 | Compaction Testing | \$3,000.00 | 1 | LS | | \$3,000.00 | 0% | | \$0.00 |
| 7 | Trench Foundation | \$20.75 | 40 | TON | 52.41 | \$830.00 | 131% | | \$1,087.51 |
| 8 | Trench Compaction Testing | \$3,500.00 | 1 | LS | 0.50 | \$3,500.00 | 50% | | \$1,750.00 |
| 9 | Precast Concrete Box Culvert, 8'x8' | \$600.00 | 70 | LF | 70.00 | \$42,000.00 | 100% | | \$42,000.00 |
| 10 | Precast Concrete Box Culvert Straight End Section, 8'x8' | \$7,650.00 | 2 | EA | 2.00 | \$15,300.00 | 100% | | \$15,300.00 |
| 11 | Storm Sewer, Trenched, RCP, 12" | \$30.20 | 63 | LF | 63.00 | \$1,902.60 | 100% | | \$1,902.60 |
| 12 | Storm Sewer, Trenched, RCP, 15" | \$31.80 | 1,439 | LF | 1365.00 | \$45,760.20 | 95% | | \$43,407.00 |
| 13 | Storm Sewer, Trenched, CMP, 15" | \$21.50 | 70 | LF | 305.00 | \$1,505.00 | 100% | | \$1,505.00 |
| 14 | Storm Sewer, Trenched, RCP, 18" | \$33.75 | 305 | LF | 131.00 | \$10,293.75 | 100% | | \$10,293.75 |
| 15 | Storm Sewer, Trenched, RCP, 36" | \$62.00 | 131 | LF | 1.00 | \$8,122.00 | 100% | | \$8,122.00 |
| 16 | Pipe Apron, Concrete, 15" | \$550.00 | 1 | EA | 1.00 | \$550.00 | 100% | | \$550.00 |
| 17 | Pipe Apron, Concrete, 18" | \$585.00 | 1 | EA | 1.00 | \$585.00 | 100% | | \$585.00 |
| 18 | Pipe Apron, Concrete, 36" | \$1,050.00 | 2 | EA | 2.00 | \$2,100.00 | 100% | | \$2,100.00 |
| 19 | Pipe Apron, Guard, 36" | \$850.00 | 2 | EA | 2.00 | \$1,700.00 | 100% | | \$1,700.00 |
| 20 | Subdrain, Perforated PE, 4" | \$6.50 | 5,050 | LF | | \$32,825.00 | 0% | | \$0.00 |
| 21 | Subdrain Outlets and Connections, CMP, 4" | \$100.00 | 18 | EA | | \$1,800.00 | 0% | | \$0.00 |
| 22 | 4" Tile, PVC | \$44.00 | 100 | LF | | \$4,400.00 | 0% | | \$0.00 |
| 23 | Water Main Trenched, PVC, 8" | \$27.00 | 445 | LF | 445.00 | \$12,015.00 | 100% | | \$12,015.00 |
| 24 | Water Service Stub, 1" | \$1,200.00 | 6 | EA | 5.00 | \$7,200.00 | 83% | | \$6,000.00 |
| 25 | Water Service, Meter Pit | \$695.00 | 3 | EA | 2.00 | \$2,085.00 | 67% | | \$1,390.00 |
| 26 | Gate Valve, 6" | \$760.00 | 2 | EA | 2.00 | \$1,520.00 | 100% | | \$1,520.00 |
| 27 | Gate Valve, 8" | \$1,050.00 | 1 | EA | 1.00 | \$1,050.00 | 100% | | \$1,050.00 |
| 28 | Fire Hydrant Assembly | \$3,500.00 | 2 | EA | 2.00 | \$7,000.00 | 100% | | \$7,000.00 |
| 29 | Connection to Existing Water Main | \$1,225.00 | 1 | EA | 1.00 | \$1,225.00 | 100% | | \$1,225.00 |
| 30 | Lower Water Service | \$1,150.00 | 1 | EA | | \$1,150.00 | 0% | | \$0.00 |
| 31 | SW-401 Circular Storm Sewer Manhole, 48" ID. | \$1,850.00 | 1 | EA | 1.00 | \$1,850.00 | 100% | | \$1,850.00 |
| 32 | SW-401 Circular Storm Sewer Manhole, 60" ID. | \$4,000.00 | 1 | EA | 1.00 | \$4,000.00 | 100% | | \$4,000.00 |
| 33 | SW-501 Single Grate Intake | \$2,115.00 | 3 | EA | 2.00 | \$4,230.00 | 67% | | \$4,230.00 |
| 34 | SW-503 Single Grate Intake w/ Manhole | \$2,700.00 | 5 | EA | 5.00 | \$13,500.00 | 100% | | \$13,500.00 |
| 35 | SW-505 Double Grate Intake | \$3,250.00 | 3 | EA | 2.00 | \$6,500.00 | 67% | | \$6,500.00 |
| 36 | SW-506 Double Grate Intake with Manhole | \$5,250.00 | 2 | EA | 2.00 | \$10,500.00 | 100% | | \$10,500.00 |
| 37 | SW-512 Circular Area Intake, Case 1, 24" ID, Riser | \$1,450.00 | 1 | EA | 1.00 | \$1,450.00 | 100% | | \$1,450.00 |
| 38 | Macadam Stone Base | \$18.75 | 180 | TON | | \$3,375.00 | 0% | | \$0.00 |
| 39 | Granular Surfacing on Road, Class "A" Crushed Stone | \$17.00 | 195 | TON | | \$3,315.00 | 0% | | \$0.00 |
| 40 | PCC Pavement, 8" Thick | \$29.45 | 8,955 | SY | | \$263,724.75 | 0% | | \$0.00 |
| 41 | PCC Pavement Samples and Testing | \$2,000.00 | 1 | LS | | \$2,000.00 | 0% | | \$0.00 |

| NO. | ITEM | UNIT PRICE | CONTRACT QUANTITY | SCHEDULE OF VALUES OF VALUES AMOUNT | QUANTITY COMPLETED | AMOUNT | % | MATERIAL STORED | AMOUNT COMPLETED & STORED |
|---------------------|--|-------------|-------------------|-------------------------------------|---------------------|--------|------|-----------------|---------------------------|
| 42 | Painted Pavement Markings and Symbols, Waterborne or Solvent Based | \$1,000.00 | 1 | LS | \$1,000.00 | | 0% | | \$0.00 |
| 43 | Removal of Recreational Trail | \$5.00 | 290 | SY | \$1,450.00 | | 0% | | \$0.00 |
| 44 | Removal of Driveway | \$5.00 | 196 | SY | \$980.00 | | 0% | | \$0.00 |
| 45 | PCC Sidewalk, 4" Thick | \$30.50 | 770 | SY | \$23,485.00 | | 0% | | \$0.00 |
| 46 | Detachable Warnings | \$30.00 | 12 | SF | \$360.00 | | 0% | | \$0.00 |
| 47 | PCC Paved Driveway, 6" Thick | \$36.00 | 420 | SY | \$15,120.00 | | 0% | | \$0.00 |
| 48 | Driveway Granular | \$17.00 | 365 | TON | \$6,205.00 | | 0% | | \$0.00 |
| 49 | Pavement Removal | \$5.00 | 280 | SY | \$1,400.00 | | 0% | | \$0.00 |
| 50 | Conventional Seeding, Fertilizing, & Mulching | \$2,500.00 | 3.25 | AC | \$8,125.00 | | 0% | | \$0.00 |
| 51 | Stormwater Pollution Prevention Plan, Preparation | \$1,250.00 | 1 | LS | \$1,250.00 | 100% | | | \$1,250.00 |
| 52 | Stormwater Pollution Prevention Plan, Management | \$2,000.00 | 1 | LS | \$2,000.00 | | 0% | | \$0.00 |
| 53 | Stormwater Pollution Prevention Plan, Qualifying Rainfall Event Inspection | \$100.00 | 10 | EA | \$1,000.00 | 5.00 | 50% | | \$500.00 |
| 54 | Class E Rip Rap | \$33.25 | 120 | TON | \$3,990.00 | 79.36 | 66% | | \$2,638.72 |
| 55 | Silt Fence Installation | \$1.85 | 2,000 | LF | \$3,700.00 | | 0% | | \$0.00 |
| 56 | Removal and Reinstallation of Existing Fence | \$20.00 | 165 | LF | \$3,300.00 | 165.00 | 100% | | \$3,300.00 |
| 57 | Traffic Control | \$3,750.00 | 1 | LS | \$3,750.00 | 50% | 50% | | \$1,875.00 |
| 58 | Mobilization | \$55,000.00 | 1 | LS | \$55,000.00 | 50% | 50% | | \$27,500.00 |
| 59 | Granular Surfacing for Temporary Access Drives - Install, Reclaim, and Dispose | \$18.00 | 200 | TON | \$3,600.00 | 153.87 | 77% | | \$2,769.66 |
| | SUBTOTAL - BASE BID | | | | \$849,661.55 | | | | \$262,611.24 |
| ALTERNATE 1: | | | | | | | | | |
| 1 | Excavation, Class 10, 12, or 13 | \$6.75 | 1,345 | CY | \$9,078.75 | | 0% | | \$0.00 |
| 2 | Subgrade Preparation | \$3.50 | 2,200 | SY | \$7,700.00 | | 0% | | \$0.00 |
| 3 | Subgrade Treatment, Fly Ash | \$4.00 | 700 | SY | \$2,800.00 | | 0% | | \$0.00 |
| 4 | Subbase, Modified Subbase (Granular) | \$5.35 | 1,945 | SY | \$10,405.75 | | 0% | | \$0.00 |
| 5 | Compaction Testing | \$750.00 | 1 | LS | \$750.00 | | 0% | | \$0.00 |
| 6 | Trench Compaction Testing | \$750.00 | 1 | LS | \$750.00 | 50% | 50% | | \$375.00 |
| 7 | Storm Sewer, Trenched, RCP, 15" | \$31.80 | 904 | LF | \$28,747.20 | 876.00 | 97% | | \$27,856.80 |
| 8 | Subdrain, Perforated PE, 4" | \$6.50 | 1,000 | LF | \$6,500.00 | | 0% | | \$0.00 |
| 9 | Subdrain Outlets and Connections, CMP, 4" | \$100.00 | 4 | EA | \$400.00 | | 0% | | \$0.00 |
| 10 | SW-401 Circular Storm Sewer Manhole, 48" I.D. | \$1,850.00 | 1 | EA | \$1,850.00 | 1.00 | 100% | | \$1,850.00 |
| 11 | SW-501 Single Grate Intake | \$2,115.00 | 1 | EA | \$2,115.00 | | 0% | | \$0.00 |
| 12 | SW-503 Single Grate Intake w/ Manhole | \$2,700.00 | 1 | EA | \$2,700.00 | 1.00 | 100% | | \$2,700.00 |
| 13 | Macadam Stone Base | \$18.75 | 55 | TON | \$1,031.25 | | 0% | | \$0.00 |
| 14 | Granular Surfacing on Road, Class "A" Crushed Stone | \$17.00 | 35 | TON | \$595.00 | | 0% | | \$0.00 |
| 15 | PCC Pavement, 8" Thick | \$29.45 | 1,722 | SY | \$50,712.90 | | 0% | | \$0.00 |
| 16 | PCC Pavement Samples and Testing | \$1,000.00 | 1 | LS | \$1,000.00 | | 0% | | \$0.00 |
| 17 | PCC Paved Driveway, 6" Thick | \$36.00 | 18 | SY | \$648.00 | | 0% | | \$0.00 |
| 18 | Driveway, Granular | \$17.00 | 20 | TON | \$340.00 | | 0% | | \$0.00 |
| 19 | Conventional Seeding, Fertilizing, and Mulching | \$2,500.00 | 0.5 | AC | \$1,250.00 | | 0% | | \$0.00 |
| 20 | Silt Fence Installation | \$1.85 | 500 | LF | \$925.00 | | 0% | | \$0.00 |
| | SUBTOTAL - ALTERNATE 1 | | | | \$130,298.85 | | | | \$32,781.80 |
| | TOTAL | | | | \$979,960.40 | | | | \$295,393.04 |



GARDEN & ASSOCIATES, LTD.

1701 3rd Avenue East, Suite 1 • P.O. Box 451 • Oskaloosa, IA 52577

Phone: 641.672.2526 • Fax: 641.672.2091

September 24, 2012

Michael Schrock, Jr.
City Manager
City of Oskaloosa
220 South Market Street
Oskaloosa, IA 52577

Re: North Green Street Improvement Project
Oskaloosa, Iowa
G&A Project No. 5010024

Dear Michael:

Enclosed herewith are three (3) copies of Application for Payment No. 2 for Cornerstone Excavating, Inc. for the referenced project. Please review and if everything is in order present it to the City Council for approval. If approved, please have the Mayor sign all copies and forward one to the contractor along with a check in the amount of \$123,343.70, return one to our office and keep the other for your files.

If you have any questions please don't hesitate to contact me.

Sincerely,

GARDEN & ASSOCIATES, LTD.

Robert A. Nielsen, P.E.

Enc: Pay App. No. 2 (3 copies)

RAN/ng

ENGINEERS AND SURVEYORS
OSKALOOSA, IOWA CRESTON, IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: Michael Schrock,
City Manager

ITEM TITLE:

Consider a resolution approving a Transportation Support Services Agreement between the City of Oskaloosa, Mahaska County and Snyder & Associates, Inc.

EXPLANATION:

Consider approval of an agreement hiring Snyder & Associates to assist the city and county with "support services" (lobbying) for the Highway 63 project and other transportation needs in the region. The costs would be split equally between Mahaska County and Oskaloosa (not to exceed \$21,000 each). These costs CANNOT be legally charged to the NEPA work currently under contract with Snyder & Associates. Deliverables from the contract will include four projects: 1.) Assisting and arranging a visit from Iowa DOT Director, Paul Trombino and associated documents and materials; 2.) Assisting and arranging a DOT Transportation Commission meeting in Oskaloosa; 3.) Attendance, presentations (as necessary) and documents for three DOT Commission meetings; and 4.) Attendance and assistance at the State of Iowa Transportation Day at the Capitol. The Mahaska County Board of Supervisors will consider this item at their October 1 meeting at 9:00 a.m.

Recommended Action: Approve resolution.

BUDGET CONSIDERATION:

Not to exceed \$21,000.

ATTACHMENTS:

Resolution and Agreement.

RESOLUTION NO. _____

A RESOLUTION APPROVING A TRANSPORTATION SUPPORT SERVICES AGREEMENT BETWEEN THE CITY OF OSKALOOSA, MAHASKA COUNTY AND SNYDER & ASSOCIATES, INC.

Whereas, the city and county are actively and cooperatively pursuing transportation improvements for the region, specifically improvements to Highway 63 and a regional airport; and

Whereas, the city and county are continuing efforts to further advance information about the importance of the improvements for the long term vitality of the region; and

Whereas, the city and county desire to convey this information specifically with the technical and professional assistance of Snyder & Associates, Inc. and as noted in the scope of services of the transportation support services agreement; and

Whereas, the city and county are proposed to jointly fund the transportation support services agreement equally.

NOW, THEREFORE, BE IT RESOLVED that the city council of Oskaloosa, Iowa hereby approved a joint funded transportation support services agreement with Mahaska County in an amount not to exceed \$21,000 for the purpose of promoting and further advancing educational efforts about the improvements to Highway 63 and other transportation projects with the public as well as local, state and federal staff and decision makers.

PASSED AND APPROVED the ____ day of _____ 2012.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

CONSULTANT SERVICES AGREEMENT

This agreement made between Mahaska County, Secondary Roads Department
2074 Old Highway 163, Oskaloosa, Iowa 52577

the CLIENT and SNYDER & ASSOCIATES, INC., The CONSULTANT, for services concerning the following PROJECT:

US 63 Coalition Support Services

See Exhibit "A" attached and by this reference made a part of this Agreement.

SNYDER & ASSOCIATES, INC. agrees to perform the following professional services in connection with the PROJECT;

See Attached Exhibit "A"

The CLIENT hereby agrees to provide the CONSULTANT all criteria, design and construction standards, and full information as to the CLIENT'S requirements for the PROJECT. Other terms and conditions of this contract, including time of performance are as follows:

See Attached Exhibit "A"

The CLIENT agrees to compensate the CONSULTANT for services rendered under this agreement on the following basis:

See Attached Exhibit "A"

Progress payments shall be made in proportion to services as rendered and as indicated within this agreement, and shall be due and owing within 10 days of the CONSULTANT'S submittal of his monthly statement. Past due amounts owed shall accrue interest at 1.5% per month from the 30th day. If the CLIENT fails to make monthly payments due the CONSULTANT, the CONSULTANT may after giving seven (7) days written notice to the CLIENT suspend services under this agreement.

THIS AGREEMENT IS SUBJECT TO ALL THE TERMS AND CONDITIONS LISTED ON THE REVERSE SIDE OF THIS PAGE.

This agreement represents the entire and integrated agreement between the CLIENT and the CONSULTANT and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement may be amended only by written instrument signed by both the CLIENT and the CONSULTANT.

CLIENT

FOR SNYDER & ASSOCIATES, INC.

DATE

DATE

Brenna Fall
ROUTE EXECUTED COPY TO:

1. In the event that any on-site observation of Contractors' work shall be included as a part of these services, the CONSULTANT shall endeavor to guard the CLIENT against apparent defects and deficiencies in the permanent work constructed by the Contractor but does not guarantee or warrant the performance of the Contractor. The CONSULTANT is not responsible for the construction means, methods, techniques, sequence or procedures, time of performance, programs, or for any safety precautions in connection with the construction work. The CONSULTANT is not responsible for the Contractor's failure to execute the work in accordance with the construction contract, nor is the CONSULTANT responsible for defects or omissions in work performed as part of any construction contract by the Contractor, or any Subcontractors or any of the Contractor's or Subcontractor's employees, or that of any person or entities responsible for performing such work.
2. All drawings, specifications and other work product of the PROJECT are instruments of service for this PROJECT only and shall remain the property of the CONSULTANT whether the PROJECT is completed or not. Reuse of any of the instruments of service of the CONSULTANT by the CLIENT on extensions of the PROJECT or on any other PROJECT without the written permission of the CONSULTANT shall be at the CLIENT'S risk and the CLIENT agrees to defend and indemnify and hold harmless the CONSULTANT from all claims, damages and expenses including attorney's fees arising out of such unauthorized reuse of the CONSULTANT'S instruments of service by the CLIENT or by others acting through the CLIENT. Any reuse or adaptation of the CONSULTANT'S instruments of service occurring after the written agreement of the CONSULTANT shall entitle the CONSULTANT to further compensation in amount to be agreed upon by the CLIENT and the CONSULTANT.
3. Neither party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, walkouts, accidents, Government acts, or other events beyond the control of the other or the other's employees and agents.
4. The CONSULTANT Intends to render its services under this agreement in accordance with the generally accepted professional practices for the intended use of the PROJECT, and makes no warranty, either expressed or implied.
5. Any Opinion of the Construction Cost prepared by the CONSULTANT represents his judgment as a design professional and is supplied for the general guidance of the CLIENT. Since the CONSULTANT has no control over the cost of labor and material or over competitive bidding or market conditions, the CONSULTANT does not guarantee the accuracy of such opinions as compared to Contractor bids or actual cost to the CLIENT.
6. The CLIENT will require any Contractor or Subcontractor performing work in connection with drawings and specifications produced under this agreement to hold harmless, indemnify and defend the CLIENT and the CONSULTANT their consultants, and each of their officers, agents and employees from any and all liability claims, losses, or damages arising out of or alleged to arise from the Contractor's (or Subcontractor's) negligence in the performance of the work described in the construction contract documents.
7. Normal and customary services do not include services defined as Additional Services. Additional Services shall be performed as requested in writing by the CLIENT and shall be billed to the CLIENT on an hourly basis at hourly fees set forth in the Standard Fee Schedule attached hereto or as set forth in a written Scope of Services defined by the CLIENT and the CONSULTANT.
8. The CLIENT agrees to limit the liability of the CONSULTANT to the CLIENT and to all construction contractors and subcontractors on the PROJECT due to the CONSULTANT'S professional negligent acts, errors or omissions such that the total aggregate liability of the CONSULTANT to those named shall not exceed the CONSULTANT'S total fee for services on the PROJECT.
9. Any direct expenses in connection with submittal of fees to any and all regulatory agencies required by the PROJECT shall be paid for directly by CLIENT. Any and all soils or other testing and analysis performed by an independent testing laboratory shall be billed directly to the CLIENT for payment.
10. All services performed on an hourly basis shall be performed in accordance with the current fiscal year Snyder & Associates, Inc. Standard Fee Schedule in affect at the time of actual performance. All services quoted on a lump sum basis shall be valid for one year from the contract date.
11. If the CLIENT fails to pay the undisputed portion of the CONSULTANT'S invoices within 30 days of presentation, the CONSULTANT shall cease work on the project and the CLIENT shall waive any claim against the CONSULTANT, and shall defend and hold the CONSULTANT harmless from any claims for loss resulting from cessation of service. In the event of remobilization, the CLIENT and CONSULTANT shall renegotiate appropriate terms and conditions of the AGREEMENT, such as those associated with budget, schedule or scope of service. In the event any bill or portion thereof is disputed by the CLIENT, the CLIENT shall notify the CONSULTANT within ten (10) days of receipt of the invoice in question, and the CLIENT and CONSULTANT shall work to resolve the matter within sixty (60) days of notification by the CLIENT of the dispute. If resolution is not attained within sixty (60) days, either party may terminate this AGREEMENT, in accordance with the Termination Section of this AGREEMENT.
12. The CONSULTANT or CLIENT may, after giving seven (7) days written notice to the other party, terminate this agreement and the CONSULTANT shall be paid for services provided to the termination notice date, including reimbursable expenses due, plus termination expenses. Termination expenses are defined as reimbursable expenses directly attributed to the termination.
13. In the event of any litigation arising from or related to the services provided under this Agreement, the prevailing party will be entitled to recovery of all reasonable costs incurred, including staff time, court costs, attorneys' fees and other related expenses. It is further agreed that any legal action between the CLIENT and the CONSULTANT arising out of this Agreement or the performance of the services shall be brought in a court of competent jurisdiction in the State of Iowa.
14. Neither the CLIENT nor the CONSULTANT shall delegate, assign, or otherwise transfer his duties under this agreement without the written consent of the other.
15. In the event any provisions of this agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.
16. CONSULTANT shall not be responsible or liable for compliance with any storm water discharge requirements at the site, if any, other than the preparation of the Notice of Intent for Storm Water Discharge Permit No. 2 applicable to the site and creation of the initial storm water pollution prevent plan for the site. CLIENT shall be solely responsible for: a) the submittal of the Notice of Intent; b) the implementation, administration and monitoring of the initial plan; c) making modifications to the initial plan as needed; d) filing the Notice of Discontinuance; and, e) compliance with all NPDES and storm water discharge statutes, rules, regulations or ordinances applicable to the site.

EXHIBIT "A"
US 63 Coalition Support Services
Mahaska County, Iowa

The CONSULTANT proposes to perform support services for the US 63 Coalition. These support services relate to coordination with the Iowa DOT and other State Representatives to further promote improvements to the US 63 Corridor.

Scope of Work

Task 1 – Support Services for Iowa DOT Commission Coordination

The CONSULTANT will assist the US 63 Coalition with the following events:

1. Iowa DOT Director Paul Trombino III Visit.
2. Hosting the Iowa DOT Commission Meeting.
3. Attendance at Iowa DOT Commission Meetings (3).
4. Attendance at Transportation Day.

Task 2 – Support Services for Funding Acquisition

The CONSULTANT will assist the US 63 Coalition with funding requests to the Iowa DOT and other potential project stakeholders.

Task 3 – Support Services for Promotional Materials

The CONSULTANT will prepare and provide materials for use in coordination with the Iowa DOT, State Representatives, and project stakeholders for the activities identified above.

Schedule

The CONSULTANT will commence work under this Agreement immediately upon receipt of the signed contract. It is anticipated that services included in this Agreement will be performed in 2012 and 2013 on a mutually agreeable schedule.

Compensation

For full and complete compensation for the work, materials, and services furnished under the terms of this Agreement, the CONSULTANT shall be paid on a hourly plus expenses basis. The estimated contract amount is shown below and will not be exceeded without prior written consent by the CLIENT. When fees for services performed under this Agreement have reached approximately 85% of the estimated contract amount, the CONSULTANT will alert the CLIENT so that the project budget can be amended if necessary. If there is a substantial change in the magnitude, scope, character, or complexity of the services from those covered in this Agreement, amendments to the contract will be made by Supplemental Agreement.

| | |
|--|--------------------|
| Task 1 – Support Services for Iowa DOT Commission Coordination | \$21,480.00 |
| Task 2 – Support Services for Funding Acquisition | \$ 8,720.00 |
| Task 3 – Support Services for Promotional Materials | <u>\$11,800.00</u> |
| <i>Estimated Fee</i> | <i>\$42,000.00</i> |

Monthly payments for work completed shall be based on actual work completed and substantiated by monthly progress reports.

Additional Services

Any additional services will be added to the original contract by supplemental agreement and can be accomplished on a lump sum or hourly basis as requested by the CLIENT.

STAFF HOUR ESTIMATE
 US 63 Coalition Support Services
 Mahaska County, Iowa

| | SNYDER & ASSOCIATES, INC. | | | | | |
|---|---------------------------|----------------------|-------------------|---------------------|----------------|--------------------|
| | Principal Sr. Proj. Mgr. | Principal Proj. Mgr. | Design Engineer V | Project Manager III | Technician VII | Direct Labor Total |
| Task 1 - Commission Coordination | | | | | | |
| Director Visit | 4 | 4 | 12 | 8 | | 28 |
| Commission Hosting | 8 | 8 | 16 | 16 | | 48 |
| Commission Public Input Meetings (3) | 18 | 18 | 12 | 12 | | 60 |
| Transportation Day | 4 | 6 | 8 | 4 | | 22 |
| | | | | | | |
| TOTAL HOURS | 34 | 36 | 48 | 40 | 0 | 158 |
| x Rate | \$170.00 | \$160.00 | \$115.00 | \$94.00 | \$84.00 | |
| TOTAL | \$5,780.00 | \$5,760.00 | \$5,520.00 | \$3,760.00 | \$0.00 | \$20,820.00 |
| Task 2 - Funding | | | | | | |
| DOT Coordination | 4 | 12 | 16 | 4 | | 36 |
| Public/Private Meetings | 4 | 8 | 12 | 6 | | 30 |
| | | | | | | |
| TOTAL HOURS | 8 | 20 | 28 | 10 | 0 | 66 |
| x Rate | \$170.00 | \$160.00 | \$115.00 | \$94.00 | \$84.00 | |
| TOTAL | \$1,360.00 | \$3,200.00 | \$3,220.00 | \$940.00 | \$0.00 | \$8,720.00 |
| Task 3 - Promotional Materials | | | | | | |
| Director Visit | 1 | 2 | 8 | 4 | 8 | 23 |
| Commission Hosting | 1 | 2 | 12 | 4 | 12 | 31 |
| Transportation Day | 1 | 2 | 8 | 4 | 8 | 23 |
| Legislative Meetings (3) | 1 | 2 | 12 | 8 | 12 | 35 |
| | | | | | | |
| TOTAL HOURS | 4 | 8 | 40 | 20 | 40 | 112 |
| x Rate | \$170.00 | \$160.00 | \$115.00 | \$94.00 | \$84.00 | |
| TOTAL | \$680.00 | \$1,280.00 | \$4,600.00 | \$1,880.00 | \$3,360.00 | \$11,800.00 |
| TOTAL HOURS | 46 | 64 | 116 | 70 | 40 | |
| | \$7,820.00 | \$10,240.00 | \$13,340.00 | \$6,580.00 | \$3,360.00 | |

Direct Labor \$41,340.00

Direct Expenses
 Mileage \$660.00
 Total Direct Expenses \$660.00

Estimated Hourly Fee \$42,000.00



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: COUNCIL
APPOINTED STAFF

ITEM TITLE: REPORT ON ITEMS FROM CITY STAFF.

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

EXPLANATION:

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

BUDGET CONSIDERATION:

Not applicable, report(s) only.

ATTACHMENTS:

None.

OSKALOOSA
IOWA



CITY COUNCIL COMMUNICATION

MEETING DATE: October 1, 2012

REQUESTED BY: CITY COUNCIL

ITEM TITLE: CITY COUNCIL INFORMATION.

EXPLANATION:

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

BUDGET CONSIDERATION:

Not applicable, report(s) only.