

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

**COUNCIL CHAMBERS – CITY HALL, 220 S. MARKET STREET  
AUGUST 5, 2013 – 6:00 P.M.**

**AGENDA**

**CALL TO ORDER – 6:00 P.M.**

**ITEM 1. MOMENT OF SILENCE FOR DAN BOLT**

**ITEM 2. PLEDGE OF ALLEGIANCE.**

**ITEM 3. ROLL CALL.**

**ITEM 4. COMMUNITY COMMENTS.**

**ITEM 5. PRESENTATIONS**

a) Consider approval of a Resolution of Appreciation for Jon Sullivan.

**ITEM 6. CONSIDER ADOPTION OF CONSENT AGENDA AS PRESENTED OR AMENDED.**

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

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

1. July 15, 2013 Regular City Council Meeting Minutes
2. August 5, 2013 Agenda

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

1. June 6, 2013 Housing Trust Fund Committee Minutes
2. June 10, 2013 Water Board Minutes
3. July 15, 2013 Historic Preservation Commission Minutes
4. July 1, 2013 Airport Commission Minutes
5. July 10, 2013 Airport Commission Special Meeting Minutes

c) **Claims**

1. Claims for July.

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

**New:**  
None.

**Renewal/Transfers:**

1. Consider approval of a renewal application for a Class C Beer Permit from Danlee Corp. dba Jiffy, 315 A Avenue East.

**Resolutions/Motions:**

None.

**Ordinances:**

1. Consider an ordinance amending the zoning ordinance of the City of Oskaloosa, Iowa by rezoning the property at 201 Trueblood Avenue for William Penn University from Multiple Family Residential District (R-3) to Multiple Family Residential District with Conditional Planned Use Overlay District (R-3/CP). (3<sup>rd</sup> reading)
2. Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Chapter 10.48 – “Parking Regulations Generally,” Section 10.48.255 – “School Loading and Unloading Zones,” and Section 10.48.260 – “Bus Loading Zones.” (3<sup>rd</sup> reading)

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

**ITEM 7. 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).

**REGULAR AGENDA – PUBLIC HEARING ITEMS:**

**ITEM 8. CONSIDER AN ORDINANCE TO VACATE AND SELL 60’X16.5’ OF THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 835 SOUTH 2<sup>ND</sup> STREET. (PUBLIC HEARING)**

**ITEM 9. CONSIDER AN ORDINANCE AMENDING TITLE 17 – “ZONING,” CHAPTER 17.28 – “OFF-STREET PARKING” OF THE CITY OF OSKALOOSA ZONING ORDINANCE PROVIDING AMENDMENTS FOR OFF-STREET PARKING DESIGN STANDARDS AND PARKING FOR PERSONAL AND RECREATIONAL VEHICLES – 1<sup>ST</sup> READING. (PUBLIC HEARING)**

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.

**REGULAR AGENDA – RESOLUTIONS & MOTIONS:**

- ITEM 10. CONSIDER A RESOLUTION SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 3, 2013 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.**
- ITEM 11. CONSIDER A MOTION APPROVING PAY REQUEST NO. 4 IN THE AMOUNT OF \$4,854.50; APPROVING THE FINAL RETAINAGE AMOUNT OF \$13,437.25 TO TK CONCRETE, INC., AND ACCEPTING THE COMPLETION OF THE EAST MALL PARKING IMPROVEMENTS PROJECT.**
- ITEM 12. CONSIDER A MOTION APPROVING PAY REQUEST NO. 3 TO NORRIS ASPHALT PAVING COMPANY IN THE AMOUNT OF \$165,709.17 FOR WORK COMPLETED ON THE SOUTH 7<sup>TH</sup> STREET PAVEMENT REHABILITATION PROJECT.**
- ITEM 13. CONSIDER A RESOLUTION FOR PRELIMINARY APPROVAL OF PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST; AND ALSO FOR ORDERING PUBLICATION OF NOTICE OF HEARING AND NOTICE TO BIDDERS ON THE C AVENUE EAST AND NORTH 3<sup>RD</sup> STREET PAVEMENT REHABILITATION PROJECT.**
- ITEM 14. CONSIDER A RESOLUTION TO APPROVE THE CONTRACT AND BOND FOR THE WEST AREA SANITARY SEWER IMPROVEMENTS PROJECT TO DELONG CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$498,671.50, AND TO AUTHORIZE THE CITY MANAGER TO UTILIZE AN ADDITIONAL FIVE PERCENT (\$24,933.57) FOR PROJECT CONTINGENCY.**
- ITEM 15. CONSIDER A RESOLUTION DENYING THE REQUEST BY MAHASKA COUNTY, IOWA TO AMEND THE AGREEMENT PURSUANT TO CHAPTER 28E, IOWA CODE BETWEEN THE CITY OF OSKALOOSA, IOWA AND CITY OF PELLA, IOWA AND MAHASKA COUNTY, IOWA FOR THE JOINT ACQUISITION, CONSTRUCTION, EQUIPPING, USE, EXPANSION AND OPERATION OF AN AIRPORT FACILITY.**
- ITEM 16. REPORT ON ITEMS FROM CITY STAFF.**
- a) City Manager.
  - b) City Clerk.
  - c) City Attorney.

**ITEM 17. CITY COUNCIL INFORMATION & REPORTS FROM COUNCIL MEMBERS SERVING ON  
BOARDS AND COMMISSIONS**

**ADJOURNMENT**

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

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: MAYOR & CITY COUNCIL

**ITEM TITLE: CALL TO ORDER AND ROLL CALL – 6:00 p.m.**

1. Moment of Silence for Dan Bolt
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

OSKALOOSA  
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## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**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:**



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** CITY COUNCIL

**ITEM TITLE: PRESENTATIONS - A**

Consider approval of a Resolution of Appreciation for Jon Sullivan.

**EXPLANATION:**

Jon Sullivan has served as the Executive Director of the Oskaloosa Area Chamber & Development Group (OACDG) since February 7, 2005. Jon is retiring as executive director of OACDG on August 9, 2013. The enclosed resolution is to recognize Jon Sullivan for his service to the City of Oskaloosa as Executive Director of the Oskaloosa Area Chamber & Development Group.

Staff recommends approval of this item as presented.

**BUDGET CONSIDERATION:**

None

**ATTACHMENTS:**

Resolution.

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

RESOLUTION OF APPRECIATION

WHEREAS, as Executive Director of the Oskaloosa Area Chamber & Development Group (OACDG) from February 7, 2005 through August 9, 2013 Jon Sullivan has served the Oskaloosa community with honor and distinction and by his conduct and high sense of civic pride to serve as an ambassador for the community he has earned the respect and appreciation of the citizens of the City of Oskaloosa; and

WHEREAS, Jon Sullivan provided leadership to guide the Chamber through issues that have made the Oskaloosa community a better place during his tenure; including the Streetscape Project, Highway 63 Project, Regional Airport Project, Trolley Place Renovation Project and the Iowa Building Renovation Project; and was instrumental in the development of the Oskaloosa Symphony Orchestra; establishing the 10/15 Transit Service citywide; and successfully brought RAGBRAI and the Barnstormers to Oskaloosa; and

WHEREAS, Jon Sullivan has served the community on several boards and foundations including the Rotary Club, Housing Trust Fund Committee, Mahaska Community Recreation Foundation, Daily Trust Fund Committee, Oskaloosa Downtown Development Group and the former Oskaloosa Community Development Foundation, William Penn University Advisory Board and Mahaska Health Partnership Board; and

WHEREAS, Jon Sullivan has worked with various OACDG Groups including the Main Street Board, Commerce Committee, Design Committee, Business Improvement Committee, Organization Committee, the Diplomats, Mahaska Community Development Group, Mahaska County Ag & Rural Development Board, Eggs & Issues, Clean & Green Committee and the Roundtable; and

WHEREAS, Jon Sullivan has led the OACDG in hosting Art on the Square, the Sweet Corn Serenade, the Lighted Christmas Parade, Friday After Five, the OACDG Scholarship Golf Tournament and the OACDG Annual Banquet.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oskaloosa, Iowa, in a meeting assembled the 5th day of August 2013, by the adoption of this Resolution permanently record sincere appreciation for the service rendered by Jon Sullivan as Executive Director of the OACDG, and for the privilege that has been ours to have served with him, and to have enjoyed our many personal contacts with him.

PASSED AND APPROVED this 5th day of August 2013.

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

ATTEST:

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

**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 payment of claims for July 2013.**
- Item 3. Consider approval of a renewal application for a Class C Beer Permit from Danlee Corp. dba Jiffy, 315 A Avenue East.**  
- No complaints received.
- Item 4. Consider an ordinance amending the zoning ordinance of the City of Oskaloosa, Iowa by rezoning the property at 201 Trueblood Avenue for William Penn University from Multiple Family Residential District (R-3) to Multiple Family Residential District with Conditional Planned Use Overlay District (R-3/CP). (3RD READING)**
- Item 5. Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Chapter 10.48 – “Parking Regulations Generally,” Section 10.48.255 – “School loading and unloading zones,” and Section 10.48.260 – “Bus loading zones.”(3RD READING)**

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: CITY MANAGER'S OFFICE

### 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. July 15, 2013 Regular City Council Meeting Minutes
  - 2. August 5, 2013 Agenda
  
- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - 1. June 6, 2013 Housing Trust Fund Committee Minutes
  - 2. June 10, 2013 Water Board Minutes
  - 3. July 15, 2013 Historic Preservation Commission Minutes
  - 4. July 1, 2013 Airport Commission Minutes
  - 5. July 10, 2013 Airport Commission Special Meeting Minutes

#### ATTACHMENTS:

July 15, 2013 Regular City Council Meeting Minutes  
June 6, 2013 Housing Trust Fund Committee Minutes  
June 10, 2013 Water Board Minutes  
July 15, 2013 Historic Preservation Commission Minutes  
July 1, 2013 Airport Commission Minutes  
July 10, 2013 Airport Commission Special Meeting Minutes

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
July 15, 2013

The Oskaloosa City Council met in regular session on Monday, July 15, 2013, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Ver Steeg, Walling and Yates. Absent: Jimenez, Moore and Van Zetten.

John Lanser, 470 North 9<sup>th</sup> Street, Linda Kelley, 1003 C Avenue East, and Jane Kelderman, 1004 C Avenue East, addressed City Council regarding the removal of the stop signs on C Avenue East.

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

1. July 1, 2013 Regular City Council Meeting Minutes
2. July 15, 2013 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - a. July 8, 2013 Planning and Zoning Commission Minutes
  - b. June 24, 2013 Library Board of Trustees Minutes
  - c. June 27, 2013 Library Board of Trustees Special Meeting Minutes
  - d. May 2, 2013 Housing Trust Fund Committee Minutes
4. Application for a five day Class B Beer Permit with outdoor service from Mahaska Community Recreation Foundation at High Avenue East from South Market to South 2<sup>nd</sup> Street, South 1<sup>st</sup> Street from Highway 92 to 2<sup>nd</sup> Avenue East, 1<sup>st</sup> Avenue East from South Market to South 2<sup>nd</sup> Street.
5. Application for a five day Class C Liquor License for Sodexo Management, Inc. dba William Penn University, located at the Penn Central Mall, 200 High Avenue West.
6. Renewal application of a Class B Beer Permit from Asian Grill Buffet, Inc. dba Asian Buffet, 417 A Avenue West.
7. Renewal application for a Class C Liquor License from Mahaska Bowling and Recreation Center Inc., 1700 A Avenue East.

The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 13-07-61 entitled "RESOLUTION NAMING DEPOSITORIES" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

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

It was moved by Yates, seconded by Caligiuri to approve the request from Marty Duffy, owner of the Cellar Peanut Pub at 206 Rock Island Avenue, for outdoor entertainment, alcohol consumption outside building premises, and a temporary variance from the noise ordinance for a RAGBRAI event Thursday, July 25, 2013, from 12:00 p.m. to 1:00 a.m. with the band to stop playing at 11:00 p.m. and extended outdoor service area application approved subject to inspection and to state license approval of alcohol consumption until 1:00 a.m. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced "AN ORDINANCE AMENDING THE CITY CODE OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTY LOCATED AT 201 TRUEBLOOD AVENUE FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-3) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH CONDITIONAL PLANNED USE OVERLAY DISTRICT (R-3/CP)" and moved its approval on the second reading. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

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

Caligiuri introduced "AN ORDINANCE AMENDING CHAPTER 10.48 – "PARKING REGULATIONS GENERALLY," SECTION 10.48.255 – "SCHOOL LOADING AND UNLOADING ZONES" AND SECTION 10.48.260 – "BUS LOADING ZONES"; OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA" and moved its approval on the second reading. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

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

Caligiuri introduced Resolution No. 13-07-62 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR WEED CUTTING BY THE CITY IN ACCORDANCE WITH SECTION 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, AND DIRECTING NOTICE TO THE OWNER OF THE PROPERTY TO BE ASSESSED" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Ver Steeg introduced Resolution No. 13-07-63 entitled "A RESOLUTION APPROVING AND AUTHORIZING AN AMENDMENT TO LOAN AND DISBURSEMENT AGREEMENTS BY AND BETWEEN THE CITY OF OSKALOOSA

AND THE IOWA FINANCE AUTHORITY, AND AUTHORIZING AND PROVIDING FOR THE REISSUANCE OF THE \$1,515,000 SEWER REVENUE CAPITAL LOAN NOTE, SERIES 1994, THE \$2,671,000 SEWER REVENUE CAPITAL LOAN NOTE, SERIES 1996, AND THE \$4,017,000 SEWER REVENUE CAPITAL LOAN NOTE, SERIES 2002.” Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Ver Steeg introduced Resolution No. 13-07-64 entitled “RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY ADJACENT TO 835 SOUTH 2<sup>ND</sup> 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, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 13-07-65 entitled “RESOLUTION SETTING DATE FOR A PUBLIC HEARING TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING TITLE 17 – “ZONING,” CHAPTER 17.28 – “OFF-STREET PARKING,” SECTION 17.28.060 B. – “PAVEMENT AND DRAINAGE” AND SECTION 17.28.080 – “PARKING FOR PERSONAL AND RECREATIONAL VEHICLES.” and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Yates introduced Resolution No. 13-07-66 entitled “A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO COMPLETE A LAND PURCHASE AGREEMENT FOR THE WEST END SANITARY SEWER PROJECT LIFT STATION SITE” and moved its approval. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Yates, seconded by Caligiuri to approve and direct the City Manager to execute a professional services agreement with Garden & Associates, LTD. for the First Avenue East Sidewalk Project in an amount not to exceed \$24,600.

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Walling, seconded by Caligiuri to accept the recommendations from the Public Projects Committee relative to four-way stop intersections including the installation of 25 mile per hour speed limit signs along C Avenue East.

AYES: Caligiuri, Ver Steeg, Walling and Yates

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Ver Steeg, seconded by Walling that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:28 p.m.

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David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk

OSKALOOSA HOUSING TRUST FUND COMMITTEE MINUTES

Thursday, June 6, 2013 - 12:00 Noon

City Hall Conference Room

The committee meeting was called to order by Vice-Chairman Dan Adams at 12:02 p.m. with the following members present: Bernice Hahn, Dan Adams, Joe Caligiuri, Julia Ross, Noel C. Stahle, Kandes Dalbey, Kathie Dykstra and Randell Davis. Members absent: Valinn McReynolds, Jon Sullivan, Dave Polkowske and Leon McCullough. Also present: City Manager Michael Schrock, City Clerk Amy Miller, David Wright, Charlie Comfort and Marilyn Johannes.

It was moved by Caligiuri, seconded by Ross to approve the May 2, 2013 Housing Trust Fund Committee Minutes. Motion carried unanimously.

(Bernice Hahn arrived at the meeting.)

Schrock provided the committee with some background information regarding the properties located at 1212 and 1214 1<sup>st</sup> Avenue West. Schrock emphasized the main issue is the properties are difficult to redevelop because of the location of the sewer main under the property. Schrock recommended the committee release the two forgivable loans in exchange for transfer of the properties to the City of Oskaloosa and said the city would be willing to reroute the sewer main if the property is sold and developed.

It was moved by Ross, seconded by Davis to approve Resolution No. 01.06.13 entitled "A RESOLUTION RELEASING TWO FORGIVABLE LOAN AGREEMENTS GIVEN BY LISA EVANS IN EXCHANGE FOR THE TRANSFER TO THE CITY OF OSKALOOSA OF REAL ESTATE ENCUMBERED BY THE LOANS." Motion carried unanimously.

The committee discussed the demolition grant/lien agreement that OHTF entered into with David Wright. Miller explained the committee had extended the requirements of the loan agreement twice and at the July 12, 2012 meeting the committee voted to approve a second and final extension until June 1, 2013 with the additional stipulations that the project be complete and ready for occupancy. David Wright discussed the matter with the committee indicating he had spent \$60,000 on the property and he was paying taxes on it, but a few minor issues remained before an occupancy permit would be issued.

(Kandes Dalbey arrived at the meeting.)

Schrock indicated that the committee could waive the requirement in light of the fact that improvements had been made to the property as required by the loan agreement. Adams pointed out the committee normally doesn't require an occupancy permit. Miller stated that once improvements are made, requirements have been met.

It was moved by Ross, seconded by Davis to waive any further requirements and release the loan. Motion carried unanimously.

Amy explained the revisions made to the OHTF subordination policy and discussed the policy with the committee. Adams said that banks do not always require an appraisal so need to add "if required by the bank" at the end of item 3c of the subordination process. Schrock suggested that it say "if required by the mortgage lender" because the lender is not always a

bank.

It was moved by Dalbey, seconded by Dykstra to approve the subordination policy with the addition of "if required by the mortgage lender" at the end of item 3c under the subordination process. Motion carried unanimously.

The committee discussed the date for the next meeting since the regular meeting date falls on Independence Day. Consensus of the committee was to schedule the meeting on July 18.

Schrock opened discussion of election of officers by saying Rob Taylor wants to continue to serve on the OHTF committee but not as chair. Adams indicated he is willing to continue to serve as vice-chair. Kandes Dalbey said Rob had asked her if she would be willing to serve as chair and she said she is willing to do so. Dalbey also indicated she would like to see guidelines established regarding election of officers that include terms of office and a set time for elections at the end of either the calendar year or fiscal year.

It was moved by Dalbey, seconded by Hahn to approve the May claims list for payment. Motion carried unanimously except for Ross who abstained.

Miller reviewed the accounting report with the committee.

Miller told the committee a property owner who got a demolition grant sold the property before the requirement was met that the owner keep the property for two years. Miller indicated however that neither the housing brochure nor the lien agreement indicated the property could not be sold for two years so the owner may not have been aware of the requirement. Miller said revisions would be made to the documents to reflect the requirement.

Schrock updated the committee on the city's acquisition of dilapidated properties.

The meeting adjourned at 12:46 p.m.

Minutes by Marilyn Johannes

**OSKALOOSA WATER BOARD**  
**REGULAR MEETING**  
6/10/13

**Members Present:**  
Errin Keltner  
Joe Ryan

**Others Present:**  
Chad Coon  
Sheryl Tomlinson

A motion was made by Errin Keltner and 2<sup>nd</sup> by Joe Ryan to approve the amended agenda. Item #5 was amended to add the words “with Neal Van Egmond.” The motion carried with all members voting yes.

Minutes of the 5/13/13 regular meeting were read. A motion was made by Errin Keltner to approve the minutes. The motion was 2<sup>nd</sup> by Joe Ryan. The motion carried with all members voting yes.

The attached vouchers totaling \$547,586.29 were presented for approval. A motion was made by Errin Keltner to approve the vouchers for payment. The motion was 2<sup>nd</sup> by Joe Ryan. The motion carried with all members voting yes. The Balance Statements were also reviewed. Motion by Errin Keltner and second by Joe Ryan to approve balance statements. Motion carried with all members voting yes.

1. Customer Forum was next on the agenda. Joe asked for any comments and there were none presented.
  
2. The next agenda item was Authorization to Execute Agreement with Neal Van Egmond for 2013 Facilities Remodel. There was discussion between Board members about the bids. Chad informed them that two bids were received that were in accord with the specifications, Neal Van Egmond at \$214,324.20, and Sereg Builders at \$256,309.40. Chad talked to the Board about finding ways to save costs during the remodel process and stated that he had talked to both contractors regarding this idea. Joe asked how that would be implemented and also how the process would be overseen. Chad said that he would work with the contractors and had also spoken to Errin about helping out if there were questions as that is his area of expertise. Errin made a motion to authorize the General Manager to execute the agreement with Neal Van Egmond for the 2013 Facilities Remodel not to exceed \$214,324.20. The General Manager is further directed to

use prudent knowledge to find ways to save costs for the duration of this project. Joe Ryan seconded the motion. Ayes all, motion passed.

3. The next agenda item was Cost of Living Adjustment for Oskaloosa Municipal Water Department Employees. Chad presented information from other local government organizations about what they were doing for COLA issues. Errin made a motion to approve a 2.5% COLA effective July 1, 2013. Joe seconded the motion. Ayes all, motion passed. Errin then wanted to introduce a motion to investigate a merit based evaluation process for managerial staff. During his discussion of this issue, he talked about wanting to create a program with specific criteria and a progressive approach to a compensation package. Sheryl then asked about looking at all the employees and length of service and pay rates. Chad said that he will put this on the agenda for next month.
4. General Manager's Update was next on the agenda. Chad updated the Board about the recent flooding, ordering a replacement truck for distribution, placing an ad for a new distribution employee, and work on the shared services agreement. He again asked the Board members when they would be available to hold a joint meeting with the City Council. Chad said that he would forward those dates to the city manager.
5. Chad updated the Board on the leaks that have happened in the last month. There were only three.

There being no further items to discuss, it was moved by Errin Keltner and second by Joe Ryan to adjourn.

ATTEST

Meeting Adjourned 6:07 PM

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Joe Ryan – Chairman

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Pete Settimi – Secretary

CITY OF OSKALOOSA  
MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING  
July 15, 2013

A regularly scheduled meeting of the Historic Preservation Commission for the City of Oskaloosa was called to order at 4:40 p.m. on Monday, July 15, 2013, at 220 South Market Street, Oskaloosa, Iowa. COMMISSION MEMBERS PRESENT: Margaret Ademeit, Jo Broerman, Wanda Gardner, and Jim Hansen; COMMISSION MEMBERS ABSENT: Kerri Boender, Julie Hansen and Chairmen Jeff Sisul; CITY STAFF PRESENT: Public Works Director: Akhilesh Pal.

*Minutes from the March 13, 2012 meeting.*

Jim Hansen moved, Broerman seconded to approve the minutes from the March 13, 2013 meeting. The vote was: YES – Ademeit, Broerman, and Jim Hansen; No – none; Absent – Boender, Julie Hansen, and Sisul; Abstain - Gardner. Motion carried. Gardner abstained from voting this item because she was absent for the meeting on March 13, 2013.

*Signage at 203 High Avenue East.*

The committee members discussed the request for signage, letter and font type. Jim Hansen moved, Gardner seconded that the sign request at 203 High Avenue East be approved with the stipulation that the letter and font match the historic design of the building and the sign should meet the ordinances for sign regulations. The committee also recommended a Circus or Roman font for the sign. The vote was: YES – Ademeit, Broerman, Gardner, and Jim Hansen; No – none; Absent – Boender, Julie Hansen, and Sisul. Motion carried.

The meeting was adjourned at 4:50 PM.

Minutes by Akhilesh Pal

**MINUTES**  
**OSKALOOSA AIRPORT COMMISSION**  
**July 1, 2013**

Meeting of the Oskaloosa Airport Commission was called to order at 4:42 p.m. on Monday, July 1, 2013.

1. ROLL CALL: Roll was taken with the following present: Steve Brown, Kraig Van Hulzen, Kelly Wheeler, Larry Lewis, James Johnson and Jerry Strunk & John Beranek [Midwest Aviation].
2. APPROVAL OF THE MINUTES: Moved by Kraig Van Hulzen and seconded by Larry Lewis to approve the minutes of the June 10, 2013 meeting. Motion carried.
3. FINANCIAL REPORT: Moved by Kelly Wheeler and seconded by Kraig Van Hulzen to approve the financial report. Motion carried.
4. REVIEW AND APPROVE BILLS: Moved by Larry Lewis and seconded by James Johnson to pay bills totaling \$7,405.21. Motion carried.
5. MANAGER'S REPORT: See attached.
6. OLD BUSINESS:
  - a) 2013 Drainage project: Brad Uitermarkt is working to schedule a pre-construction conference.
  - b) Hangar doors/storm damage: The beam over the new door has still not been painted.
  - c) Renewal of FCC license for NDB: An application has been submitted to the FCC and we are waiting on final approval.
  - d) Protection of LP tanks: The concrete barriers have been installed.
  - e) Door on maintenance hangar: Received bids from Reed Overhead Doors for \$15,074.00 and Dan's Overhead Doors for \$7,878.38. However, the Dan's bid does not include replacing the hinges, drums and retract springs. These items have been subject to failure in the past. It was moved by Kraig Van Hulzen to accept the bid from Reed Overhead Doors with the stipulation that Reed agrees to have the project completed by August 15, 2013. Kelly Wheeler seconded. Motion carried.
  - f) FY2014 state airport funding application: Have received an email notice that our application for security cameras has tentatively been approved. No formal notice has been received yet.
  - g) Condition of house/drainage problem: The report from the building inspector was reviewed. It was decided to

make a list of items that need to be addressed and submit them to contractors for bids. We already have three bids for the roof. These have been submitted to the insurance company with a claim for hail damage.

- h) Inspection of airport premises: Jerry Strunk conducted a tour of the premises for Commission members prior to this meeting. Items of concern included three unused fuel tanks and two stands that need to be disposed of. Doors on the old T hangar need to be adjusted and one of the doors has been damaged. There is a dump area at the far eastern corner of the airport that needs to be cleaned up.
- i) Filling washed out areas and improving ground along taxiway: The hay has been mowed so John Beranek can work on this project.
- j) Wiring in the new T hangar: Received a bid from Atwood Electric for \$9,678.70. This does not include the cost of finding the break and repairing the underground line supplying power to the hangar. Only one 120 volt line is presently in operation. The Commission decided to seek a second bid before taking action.

#### 7. NEW BUSINESS:

- a) Special meeting with Michael Schrock: City Manager Michael Schrock has requested a special meeting with the Commission to discuss using some of the airport's FAA entitlement grant funds for engineering work on the regional airport project. It was decided to schedule a meeting for Wednesday, July 10, 2013 at 4:00 p.m. at the City Hall.
- b) Broken field tile: It has been reported that there is a broken field tile on the farm ground north of the airport. Kraig Van Hulzen will look into this.
- c) Door repair on new T hangar: Received a bid from Mast Overhead Doors for \$8,749.84. No other bids were received. Kraig Van Hulzen moved to accept this bid. Larry Lewis seconded. Motion carried.
- d) August meeting date: Several members had conflicts for Monday, August 5th, so it was decided to meet on Thursday, August 1st.

8. ADJOURN: It was moved by Kelly Wheeler to adjourn at 6:00 p.m. Motion was seconded by Larry Lewis. Motion carried.

# MWA@OOA

June 2013

## Oskaloosa Municipal Airport Monthly Report

- **Fuel sales: 100LL(\$6.29) 1686 gal.; JETA (\$5.49)1745 gal.**
- **Total fuel sales for August 2013=3431 X .05=\$172.00.**
- **Plus Telephone: \$15.28.**
- **Total owed OOA= \$187.28.**
  
- **Shop work has picked up.**
- **Fuel sales have picked up.**
- **Aircraft sales inquiries have picked up.**
- **Trying to get weeds sprayed between rain showers.**
- **Have had several AG operators in.**

## UP, UP AND AWAY @OOA

**MINUTES**  
**OSKALOOSA AIRPORT COMMISSION**  
**Special Meeting July 10, 2013**

A special meeting of the Oskaloosa Airport Commission was called to order at 4:00 p.m. on Wednesday, July 10, 2013 at the Oskaloosa City Hall.

1. ROLL CALL: Roll was taken with the following present: Steve Brown, James Johnson, Larry Lewis, Kelly Wheeler, Kraig Van Hulzen, Jerry Strunk & John Beranek [Midwest Aviation] and Michael Schrock [Oskaloosa City Manager].

2. Old Business:

- a) Meeting with Michael Schrock: City Manager Michael Schrock gave an update on the regional airport. He explained that the City of Pella has been using their FAA entitlement grant funds to finance the engineering study, but is short \$90,504 to complete the current phase of the study. After considerable discussion, Kelly Wheeler moved to transfer \$90,504.00 of the available entitlement funds belonging to the Oskaloosa Municipal Airport to the South Central Regional Airport Agency. James Johnson seconded the motion. Motion carried.
- b) Door on maintenance hangar: Jerry Strunk reported that Reed Overhead Doors has ordered the parts and all parts are to be on hand before the project is started.
- c) Condition of the house/drainage problem: Discussed a list of items on the house that need to be addressed. The list will be submitted to contractors for bids.
- d) Wiring in new T hangar: Currently have a bid from Atwood Electric for \$9,678.70 not including the cost of repairing the underground power line. Overbergen Electric has been contacted for a bid but it has not been received. Kraig Van Hulzen moved to authorize Jerry Strunk to accept the lowest bid once the second bid is received or accept the Atwood bid if no bid is received from Overbergen by July 17th. Kelly Wheeler seconded and the motion carried.

3. New Business: None

4. ADJOURN: Moved by Kelly Wheeler and seconded by Kraig Van Hulzen to adjourn at 4:46 p.m. Motion carried.

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** Amy Miller,  
City Clerk

**ITEM TITLE: CONSENT AGENDA – ITEM 2**

Consider payment of claims for July 2013.

**EXPLANATION:**

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

Staff recommends approval.

**BUDGET CONSIDERATION:**

Totals will appear on the claims lists.

**ATTACHMENTS:**

Claims lists.



# MANUAL CHECK REPORT

AFLAC	AFLAC	243.32
AFLAC	AFLAC	243.32
Alex West	Duty boots	100.00
Amazon	Library materials	2,002.64
Amazon	Library materials	2,539.18
Brent DeRonde	Reimburse travel expense	10.00
Brent DeRonde	Reimburse travel expense	9.52
Colonial Life	Colonial Life	212.80
David Dixon	July legal fees	2,200.00
Delta Dental of Iowa	Dental insurance	331.00
Edward D Jones	Savings Edward Jones	300.00
Edward D Jones	Savings Edward Jones	300.00
Fidelity Security Life Insurance Company	Vision Insurance	187.51
Gateway Hotel and Conference Center	Lodging - Pamela Nimitz	315.94
Grant Vroegh	Reimburse for exam fee and certification	30.00
I.U.P.A.T. District Council 81	Union dues	244.11
Jacob Vanderpol	Reimburse travel expense	8.76
John Wesley Beranek	July services	2,000.00
Local 636, IAFF	Fire union	225.00
Madison National Life	July life insurance premiums	442.40
Mahaska County Recorder	Record 28E Agreements - RAGBRAI	17.00
Mahaska County Recorder	2nd quarter recording fees	132.00
Mahaska County Recorder	Record 28E agreements - RAGBRAI	68.00
Marilyn Johannes	Petty cash - RAGBRAI WW dump	50.00
Michael Schrock Jr.	Reimburse ICMA dues	1,028.00
Michael T/Dawn M Diehl and TruBank	First time homebuyer's loan	2,263.05
Misty Dawne White-Reinier	July legal fees	1,800.00
Munic. Fire & Police Ret	Police & fire 411	18,993.60
Munic. Fire & Police Ret	Police & fire 411	19,010.43
Norris Asphalt Paving Inc	Payment #2 - South 7th St project	94,307.50
Oskaloosa Community Schools	July local option sales tax	83,403.37
Pamela Nimitz	Reimburse travel expense	119.95
PPME 2003 IBPAT	Police union dues	365.00
Russ Van Renterghem	Reimburse travel expense	8.76
The Cincinnati Life Insurance Company	Cincinnati Life Insurance	89.00
The Cincinnati Life Insurance Company	Cincinnati Life Insurance	89.00
TK Concrete Inc	Payment #3 - East Mall Parking lot	89,172.22
United Way	United Way	46.00
Visa Card Center	Library supplies	335.00
Visa Card Center	Library materials/supplies	395.43

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323,638.81

July payroll 292,888.94

Alexander, Craig

Cell phone reimbursement

20.00

Bolt, Danny	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
Vroegh, Gary	Cell phone reimbursement	20.00
Vroegh, Grant	Cell phone reimbursement	20.00



City of Oskaloosa, IA

# COUNCIL CLAIMS LIST

ABS Fire Equipment Sales Inc	Annual service call - City Hall	126.85
Acco	Pool tubing	116.50
	Pool chemicals	836.70
	Pool chemicals	680.50
Advanced Concrete Specialists	Rebuild storm water intake - Highland Ave	2,960.00
Ahlers & Cooney P.C.	Professional services	84.00
AmSan	Supplies	26.07
Aramark Uniform Services	Rubber mats	67.35
Area 15 Regional Planning Commission	Annual membership	4,814.46
Arnold Motor Supply	Supplies	49.15
	Supplies	31.84
	Oil dry	360.64
	Filter	12.06
	Starter	69.37
	Email licenses	50.00
Arrow Quick Solutions LLC	Mulch	400.00
B & B Bedding	Mulch	240.00
	Contactors - Library air conditioner	1,804.00
Baker Group	Repair air conditioner - Library	1,039.14
	Supplies	8.29
Bill & Ray's Auto Service Inc	Calcium chloride	142.00
Binns & Stevens	Duty boots - McGee	100.00
Brown's Shoe Fit Company	Annual insurance premium	133,807.00
Butler-Brown Insurance	Damper motor	1,103.41
C.H. McGuinness Co. Inc	City band music	11.84
C.L. Barnhouse Company	City band music	176.25
	Uniforms	59.65
Carpenter Uniform Co	Uniforms	390.36
	Uniforms - Shutts	245.94
	Mowing - Edmundson Park	800.00
Century Lawn & Termite Service Inc	Mowing - Edmundson Park	800.00
	Mowing - Vander Wilt Park	550.00
	Mowing - Vander Wilt Park	550.00
	Mowing - Edmundson Park	800.00
	Mowing - Vander Wilt Park	550.00
	Mowing - Edmundson Park	800.00
	Mowing - Edmundson Park	800.00
	Mowing - Vander Wilt Park	550.00
	Mowing - Vander Wilt Park	550.00
Certified Pest Control	Pest control	30.00
	Pest control	32.00
Champion Storage and Signs	Decals for Fire Department	75.00
Concrete Works LLC	Street repair - High Ave W and South D	1,503.00
Continental Research Corp	Manhole pry bar	226.03
Contract Specialty L.C.	Tools	58.69
Credit Bureau Services	Professional services	82.50
Culligan Water Conditioning	Water services	29.95

De Jong Manufacturing Inc	Railing	60.00
De Ronde Construction & Seamless Gutter	Install gutter - VandeWilt restrooms	285.00
	Gutters for park bathroom	285.00
	Gutters for park bathroom	315.00
Dickinson Co. Inc	Storm siren repairs	4,130.00
Employee & Family Resources	Annual EAP program	1,121.00
Fastenal Company	Parts for repairs	15.12
	Parts for repairs	151.24
Gall's Inc.	Uniforms	34.00
	Uniforms	85.74
	Uniforms	88.42
	Uniforms	306.00
	Uniforms	340.00
	Uniforms	44.19
	Uniforms - Fire Department	308.00
Garden & Associates Inc	Professional services - West Area Sewer	2,148.25
Genskow Distributing Inc.	Pool concessions	24.24
	Pool concessions	20.16
	Pool concessions	23.88
Grace Lutheran Church	Reimburse sewer repair	900.00
Haines Auto Supply	Oil and filters	142.34
	Wiper blade	31.36
	Cleaner	47.98
	Battery booster pack	457.36
	Impact wrench	348.88
	File set	28.91
	Antifreeze	152.66
Heiman Inc.	Absorbent booms	179.90
Heslinga, Dixon, Moore & Hite	Attorney services	6.00
Highway 92 Walnut Co	Blades	35.95
Hy Vee Accounts Receivable	Supplies	1.88
	Pool concessions	8.28
	Pool concessions	11.04
IA Munic Workers Comp Assoc	Payment 2 - Work comp	5,902.00
Ideal Ready Mix	Supplies	50.20
	Ready mix - stadium	142.00
	Ready mix - Fire station	658.25
	Ready mix - 11th Ave W	351.76
	Concrete patch	117.00
	Ready mix - 11th Ave W	1,884.38
	Ready mix - South H St	477.38
	Ready mix - 17th Ave E	2,029.97
	Re-rod	100.00
	Ready mix - 17th Ave E	2,814.56
	Ready mix - 17th Ave E	1,028.50
Interstate All Battery Center	Batteries	181.59
Interstate Battery Systems	Battery	92.95
Iowa Crime Prevention Association	Membership dues - Alexander	50.00
Iowa Department of Public Safety	NCIC terminal billing-Police Dept	300.00
Iowa Dept of Transportation	Paper for police printers	130.32
Iowa Law Enforcement Academy	Training - DeRonde	100.00
	Training - De Ronde	125.00
Iowa Methodist Occupational Health and Wellness	Professional services	891.53

Iowa Prison Industries	Street signs	146.08
	No Parking signs	141.90
Jerry's Pro Collision Center	Repair bumper	100.00
John Deere Financial	Parts for repair	69.33
	Oil	80.00
	Fuel pump	114.69
	Parts for repair	90.52
Johnson's Heating A.C. & Refrig Inc	Repair air conditioning- City Hall	191.50
Keystone Laboratories Inc	Lab performance samples	528.00
Lappin Tire	Tire repair	15.00
	Tire repair	15.00
	Tires	247.50
Legislative Services Agency	2013 Iowa Code	320.00
Lin R Rogers Electrical Contractors Inc	Refund electrical permit	85.00
Mahaska Bottling	Pool concessions	158.90
	Pool concessions	36.90
	Pool concessions	27.70
	Returned pool concessions	-22.50
	Returned pool concessions	-28.00
	Pool concessions	212.80
Mahaska Co Highway Dept	Fuel	2,964.99
	Fuel	306.06
	Fuel	75.85
	Fuel	179.62
	Fuel	67.49
	Fuel	3,453.22
	Fuel	3,118.87
Mahaska Communication Group LLC	Telephone services	48.69
	Telephone services	43.40
	Telephone services	72.57
	Telephone services	1,224.42
	Telephone services	149.92
	Telephone services	83.17
	Telephone services	63.62
	Telephone services	64.06
Mahaska Drug	Medications	27.10
Mahaska Solid Waste	Waste removal	22.68
Malcom Lumber Window & Door Center	Supplies	6.64
	Supplies	31.56
	Barricades	100.00
	Supplies	19.70
	Supplies	29.53
	Supplies	18.00
	Supplies	4.95
	Supplies	11.76
Mc Kim Tractor Service	Parts for repair	114.77
	Oil	21.44
Menards	Repair water lines - Edmundson Park	271.88
MidAmerican Energy	Utilities	156.53
	Utilities	2,860.63
	Utilities	52.84
	Utilities	227.44
	Utilities	523.35

	Utilities	10,323.67
	Utilities	1,112.17
	Utilities	311.17
Midwest Breathing Air LLC	Quarterly air test	118.20
Midwest Safety Counselors Inc	Instrument calibration	73.00
Midwest Sanitation	Waste removal - City hall	65.00
MPT Iowa Inc	Computers - City Manager	2,286.96
Neurological Associates of Iowa City, PC	Professional services	148.00
Norris Asphalt Paving Inc	Cold patch	2,032.80
O'Reilly Auto Parts	Air circulator fan	259.99
	Wiper blades	15.28
	Supplies	1.80
	Supplies	13.74
	Supplies	15.64
Orscheln Farm & Home	Landscape fabric	65.94
	Safety shirts	50.97
	Supplies	58.99
	Supplies	26.47
	Grass seed	47.99
	Landscape fabric	43.96
	Landscape fabric	65.94
	Supplies	16.31
	Safety shirts	16.99
Oskaloosa Herald/Shopper	Publications	471.02
Oskaloosa Service Center Inc	Repair brakes	305.56
	Replace battery	179.15
	Vehicle repair	621.90
	Replace rear struts	734.86
Oskaloosa Water Dept	Water use - Edmundson Pool RAGBRAI	76.32
	Fax location service	83.25
Overbergen Electric Inc	Install hand dryers - park bathrooms	1,358.54
Precise Imaging	Business Cards	144.00
Precision Midwest	Trimble tablet	6,756.20
Premier Office Equipment Inc.	Copier maintenance	99.09
Quill Corporation	Office supplies	29.69
	Office supplies	13.28
	Office supplies	182.37
	Office supplies	20.81
Racom Corporation	Repair radio	207.00
	Repair wiring	44.00
Roe Heating & Refrigeration	Repair air conditioning - City Hall	134.37
Schindler Elevator Corp	Quarterly maintenance	673.05
Scottsdale Insurance Company	Deductible for claim	280.72
Shankster Masonry	Repairs - City Hall and Bandstand	216.00
Sherwin-Williams	Primer	192.45
	Painting supplies	52.61
	Paint	240.95
	Paint	64.67
	Paint	288.21
	Paint	221.10
	Paint supplies	89.94
	Paint	489.86
State Hygienic Laboratory	Pool testing	11.00

State of Iowa	Filing fee for 509A	100.00
Swim's Sports	Uniform shirts	336.00
The Office Center Inc.	Office supplies	4.26
The Write Design	Website services	600.00
Total Choice Shipping	Shipping charges	7.76
Town and Country Wholesale	Pool concessions	287.64
	Pool concessions	481.53
	Pool concessions	284.18
	Pool concessions	509.90
Trans-Iowa Equipment LLC	Motor for crack sealer	475.96
Treasurer State of Iowa	Unclaimed property reporting	222.80
True Value Hardware	Supplies	21.97
	Supplies	10.99
	Pump for street department	109.00
	Supplies	5.97
	Supplies	34.47
	Supplies	6.49
	Supplies	30.94
	Paint	83.74
	Supplies	11.99
	Supplies	5.36
	Supplies	5.79
	Spray paint	10.98
	Supplies	48.46
	Park supplies	116.87
	Sprayers	67.98
	Supplies	99.99
	Supplies	16.98
	Returned item	-5.99
	Supplies	8.49
	Supplies	20.82
	Hose and clamps	176.41
	Roaster for pool	49.99
	Supplies	24.56
	Supplies	11.98
	Supplies	13.48
	Supplies	5.97
	Supplies	21.98
	Supplies	20.98
U.S. Cellular	Telephone services	104.23
UnityPoint Clinic-Occupational Medicine	Professional services	57.00
Utility Equipment Co	Supplies	31.43
Verizon Wireless	Broadband services	335.55
Victory Construction	Repair concrete approach 11th Ave W	11,512.00
Walmart Community/GECRB	Pool concessions	59.17
	Office supplies	4.05
	Pool concessions	67.28
	Pool concessions	75.11
	Medications	93.50
	Supplies	7.85
	Office supplies	29.80
	Pool concessions	46.52
	Medications	13.33

	Medications	8.00
	Pool concessions	44.52
	Medications	78.32
Wellings Power Products	Supplies	19.81
Windstream	Telephone services	46.75
	Telephone services	33.65
Zee Medical Inc.	Supplies	34.25
		<hr/>
		255,614.52

MOST CLAIMS OVER \$500.00

Department	Supplier/Vendor	Amount	Explanation
Storm Sewer	UECO	\$2,391.28	4 storm grates - 42' of 10" pipe - 5 frames - 5 curb bonnets - \$100 shipping estimate.
Fire	Dickinson Company, Inc.	\$4,130.00	Material and labor to install twelve (12) speakers in outdoor warming sirens.
Pool	Acco	\$829.20	330 gallons of liquid chlorine and 110 gallons of buffer.
Wastewater	UECO	\$679.44	2 storm grates and frames - 2 couplers - 4 caps.
Parks	B & B Bedding	\$800.00	40 yds. gold mulch for use at Edmundson Park.
Wastewater	Iowa Pump Works	\$7,468.00	New submersible pump for irrigation water to Edmundson Golf.
Library	Baker Group	\$924.70	Refrigerant leak in AHU #4 - repair and refrigerant.
Library	CDW Government	\$700.00	Install white board and projector.
Library	Minitex	\$637.00	Security strips.
Library	Baker Group	\$1,804.00	Replacement of contactors - AHU.
Library	Baker Group	\$1,039.14	Replacement of fan - AHU #2 - condenser 3.
Library	Baker Group		1200' of 8" pipe - 12 8"x4" wyes - 12 8"x6" wyes - 12 4"x4" tees - 406' of 4" pipe + shipping estimate. Materials for sanitary sewer replaced on C Avenue East between North 4th & North 6th.
Wastewater	Brown Supply	\$5,062.90	Pool concessions.
Pool	Town & Country	\$539.33	Bore in new water line at Vanderwit Park.
Parks	Edel Construction	\$1,375.00	Landscape and seed Dave Langkamp property after storm sewer project.
Storm Sewer	Edel Construction	\$1,800.00	Concrete patch on C Avenue East & North 6th after sanitary sewer repair.
Wastewater	Edel Construction	\$3,500.00	Concrete patch on C Avenue East & North 6th after sanitary sewer repair.
Pool	Acco	\$836.70	315 gallons chlorine - 125 gallons buffer.
Parks	Overbergen Electric	\$1,358.54	Labor and materials to install 4 electric hand dryers in Edmundson & Vanderwit Park restrooms.
Parks	Century Lawn	\$6,750.00	Mowed Vanderwit Park on 6/10, 6/18, 6/24, 7/1 and 7/9 @ \$550/mow. Mowed Edmundson Park on 6/11, 6/19, 6/26, 7/2 and 7/10 @ \$800/mow.
Storm Sewer	Ideal Ready Mix	\$658.25	260' of 1/2" rebar - 5.25 cu. yds. concrete. Patch in alley near fire station.
Pool	Town & Country	\$509.90	Pool concessions.
Pool	Acco	\$680.50	232 gallons chlorine - 115 gallon buffer.
Wastewater	Garden & Associates	\$2,148.25	10 hrs. principal engineer, 1 hr. project manager, 1 hr. engineer #3, 33.5 hrs. technicians West Area Sewer Improvements professional services for period from June 1-June 24.
Storm Sewer	Advanced Concrete	\$2,960.00	Rebuild intake, new ring and cover, 8' curb & gutter replaced.
Wastewater	Keystone Labs	\$528.00	17 performance samples (IDNR required for lab certification).
Wastewater	C. H. McGuiness	\$1,103.41	Annual south plant boiler service and replace damper motor.
City Manager	ICMA	\$1,028.00	Reimbursement for payment of International City Management Association dues.
City Manager	The Write Design	\$ 600.00	Website/design services.
City Manager	MPT Iowa Inc.	\$ 2,286.96	Computer systems for Management Analyst and City Manager.
City Council	Area 15 RPA	\$ 4,814.46	Dues.
City Manager	MPT Iowa Inc.	\$ 551.25	Install PC's, download updates and critical applications, create new user, transfer documents and settings from CM old computer to new computer, install business required software for 2 PC's, set up printers and shared folders, set up email and test, wipe old computer, install new operating system, download installed updates, drivers, bios, critical applications and Microsoft Office 2007.

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** Amy Miller,  
City Clerk

**ITEM TITLE: CONSENT AGENDA – ITEM 3**

Consider approval of a renewal application for a Class C Beer Permit from Danlee Corp. dba Jiffy, 315 A Avenue East.

**EXPLANATION:**

The application is complete and in order for approval.

Staff recommends approval.

**BUDGET CONSIDERATION:**

\$75.00 revenue to the General Fund.

**ATTACHMENTS:** None

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Public Works Department,  
Engineering Division

### ITEM TITLE: CONSENT AGENDA – ITEM 4

Consider an ordinance amending the zoning ordinance of the City of Oskaloosa, Iowa by rezoning the property at 201 Trueblood Avenue for William Penn University from Multiple Family Residential District (R-3) to Multiple Family Residential District with Conditional Planned Use Overlay District (R-3/CP). (3RD READING)

### EXPLANATION:

William Penn University has submitted a rezoning request for their property at 201 Trueblood Avenue. Presently, the property is zoned as Multiple Family Residential District (R-3). The applicant is requesting the rezone to permit alcohol sales on University premises. The William Penn University does not directly sell alcohol. However, this permit will allow outside entities such as the Penn Activity Center and the Student Union to serve alcohol for scheduled events. Table 17.08, Permitted Uses by Zoning Districts, of the zoning chapter in the Oskaloosa Municipal Code does not permit alcohol sales in an R-3 District.

The Conditional Planned Use Overlay (CP) District applies to situations in which a use that is not ordinarily permitted within a base zoning district is permitted and subject to strict development controls which assure its compatibility with surrounding uses. The CP Overlay District applies to situations where the proposed use is not permitted either by right or by conditional use permit. The CP Overlay District is an additional zoning requirement that is placed on a geographic area already zoned. Staff believes that the proposed rezone will bring the existing land use to zoning compliance.

The Planning & Zoning Commission considered this item at their June 10, 2013 meeting and recommended by a vote of 7 to 0 that the City Council approve the request that the property at 201 Trueblood Avenue be rezoned as Multiple Family Residential District with Conditional Planned Use Overlay District.

**BUDGET CONSIDERATION:**

Revenue of \$250.00 for rezoning application fee.

**ATTACHMENTS:**

Ordinance, Application, and Location Map.

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

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY CHANGING THE ZONING OF CERTAIN PROPERTY LOCATED AT 201 TRUEBLOOD AVENUE FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-3) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH CONDITIONAL PLANNED USE OVERLAY DISTRICT (R-3/CP).

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

SECTION 1. The purpose of this ordinance is to change the zoning of the following described parcel of land located at 201 Trueblood Avenue from R-3, Multiple Family Residential District to R-3/CP, Multiple Family Residential District with Conditional Planned Use Overlay District, legally described as follows:

*Lots B, C, D, and E of Penn College Addition to the City of Oskaloosa, Mahaska County, Iowa.*

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

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

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

Passed by the Council the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

REZONING APPLICATION

APPLICANT NAME: William Penn University

APPLICANT ADDRESS: 201 Trueblood Ave  
Oskaloosa, IA 52577

OWNER NAME: William Penn University

PHONE NUMBER: 641-673-1076

ADDRESS OF PROPERTY: 201 Trueblood Avenue Oskaloosa, Iowa

LEGAL DESCRIPTION: Lots B, C, D and E of Penn College Addition to the City of Oskaloosa, Iowa.

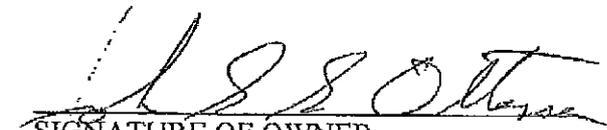
REQUEST REZONING FROM Multiple Family Residential District (R-3)  
TO Multiple Family Residential District with Conditional Planned Use Overlay (R-3/CP) District.

REASON FOR REZONING APPLICATION AND THE NATURE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE:

The current land use does not permit the sale of alcohol on premises. The rezone request with a Planned Use Overlay District will permit serving of alcohol for events scheduled by outside entities or organizations that utilize William Penn University facilities such as the Penn Activity Center and the Student Union.

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

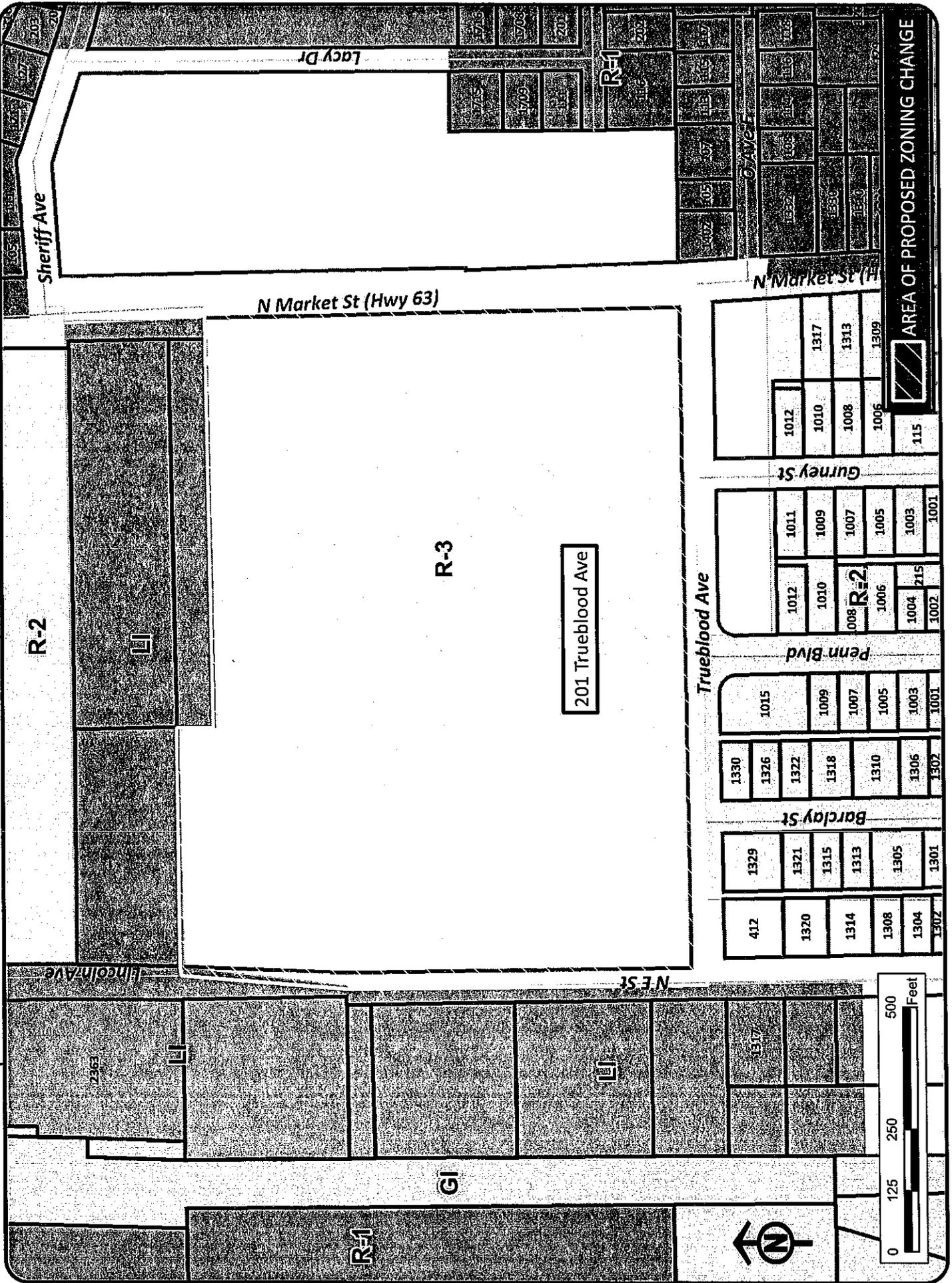
PLEASE SUBMIT THE \$250.00 APPLICATION FEE WITH THIS REQUEST.

  
SIGNATURE OF OWNER

DATE: 5/27/13

# PROPOSED ZONING CHANGE FOR WILLIAM PENN UNIVERSITY

Proposed Conditional Planned Use Overlay (CP) District for 201 Trueblood Avenue



AREA OF PROPOSED ZONING CHANGE

201 Trueblood Ave

R-2

R-3

N Market St (Hwy 63)

Sheriff Ave

N Market St (Hwy 63)

Gurney St

Penn Blvd

Trueblood Ave

Barclay St

Lincoln Ave

N.E. St





## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Public Works Department,  
Engineering Division

### ITEM TITLE: CONSENT AGENDA – ITEM 5

Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Chapter 10.48 – “Parking Regulations Generally,” Section 10.48.255 – “School loading and unloading zones,” and Section 10.48.260 – “Bus loading zones.”(3RD READING)

### EXPLANATION:

The Public Works Department is requesting to update the current code to reflect the construction improvements being made on South 7th Street. The on-going pavement rehabilitation project accommodates a new on-street bus bay on the east side of South 7th Street from Fifth Avenue East to a point two hundred forty feet north.

This item is requesting two actions by Council:

1. Create a new loading zone on South 7<sup>th</sup> Street to accommodate the new bus bay.
2. Extend the existing loading zone on 5<sup>th</sup> Avenue East to accommodate five minute parent parking.

### DETAILED DESCRIPTION:

Chapter 10.48 of the Oskaloosa Municipal Code will be modified as follows:

#### **10.48.255 - School loading and unloading zones.**

Only vehicles while engaged in loading and unloading students and attended by a licensed driver shall be parked for a maximum of five minutes on the following streets:

~~A. Fifth Avenue East, on the north side, from one hundred fifty feet east of Seventh Street to two hundred forty feet east of Seventh Street.~~

A. Fifth Avenue East, on the north side, from South Seventh Street to a point three hundred ninety feet east.

#### **10.48.260 - Bus loading zones.**

No person shall park a vehicle, except a designated school bus or other common carrier designated as such, on any of the following designated streets:

~~A. Fifth Avenue East, on the north side, from South Seventh Street to a point one~~

~~hundred fifty feet east;~~

A. South 7th Street, on the east side, from Fifth Avenue East to a point two hundred forty feet north;

B. North E Street, on the east side, from two hundred thirty feet north of G Avenue to four hundred ten feet north of G avenue during school hours.

**BUDGET CONSIDERATION:**

There will be minimal impact to the City Budget for the installation or removal of signs and cost associated with drafting revisions to Chapter 10.48 of the Oskaloosa Municipal Code.

**ATTACHMENTS:**

Ordinance and map.

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

AN ORDINANCE AMENDING CHAPTER 10.48 – “PARKING REGULATIONS GENERALLY,” SECTION 10.48.255 – “SCHOOL LOADING AND UNLOADING ZONES” AND SECTION 10.48.260 – “BUS LOADING ZONES”; OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA.

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

SECTION 1. SECTION 10.48.255 – SCHOOL LOADING AND UNLOADING ZONES is hereby deleted in its entirety.

SECTION 2. SECTION 10.48.255 - SCHOOL LOADING AND UNLOADING ZONES is hereby amended as follows:

Only vehicles while engaged in loading and unloading students and attended by a licensed driver shall be parked for a maximum of five minutes on the following streets:

A. Fifth Avenue East, on the north side, from South Seventh Street to a point three hundred ninety feet east.

SECTION 3. SECTION 10.48.260 – BUS LOADING ZONES is hereby deleted in its entirety.

SECTION 4. SECTION 10.48.260 - BUS LOADING ZONES is hereby amended as follows:

No person shall park a vehicle, except a designated school bus or other common carrier designated as such, on any of the following designated streets:

A. South 7th Street, on the east side, from Fifth Avenue East to a point two hundred forty feet north;

B. North E Street, on the east side, from two hundred thirty feet north of G Avenue to four hundred ten feet north of G avenue during school hours.

SECTION 5. 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 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

Passed by the Council the \_\_\_\_\_ day of \_\_\_\_\_ 2013, and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

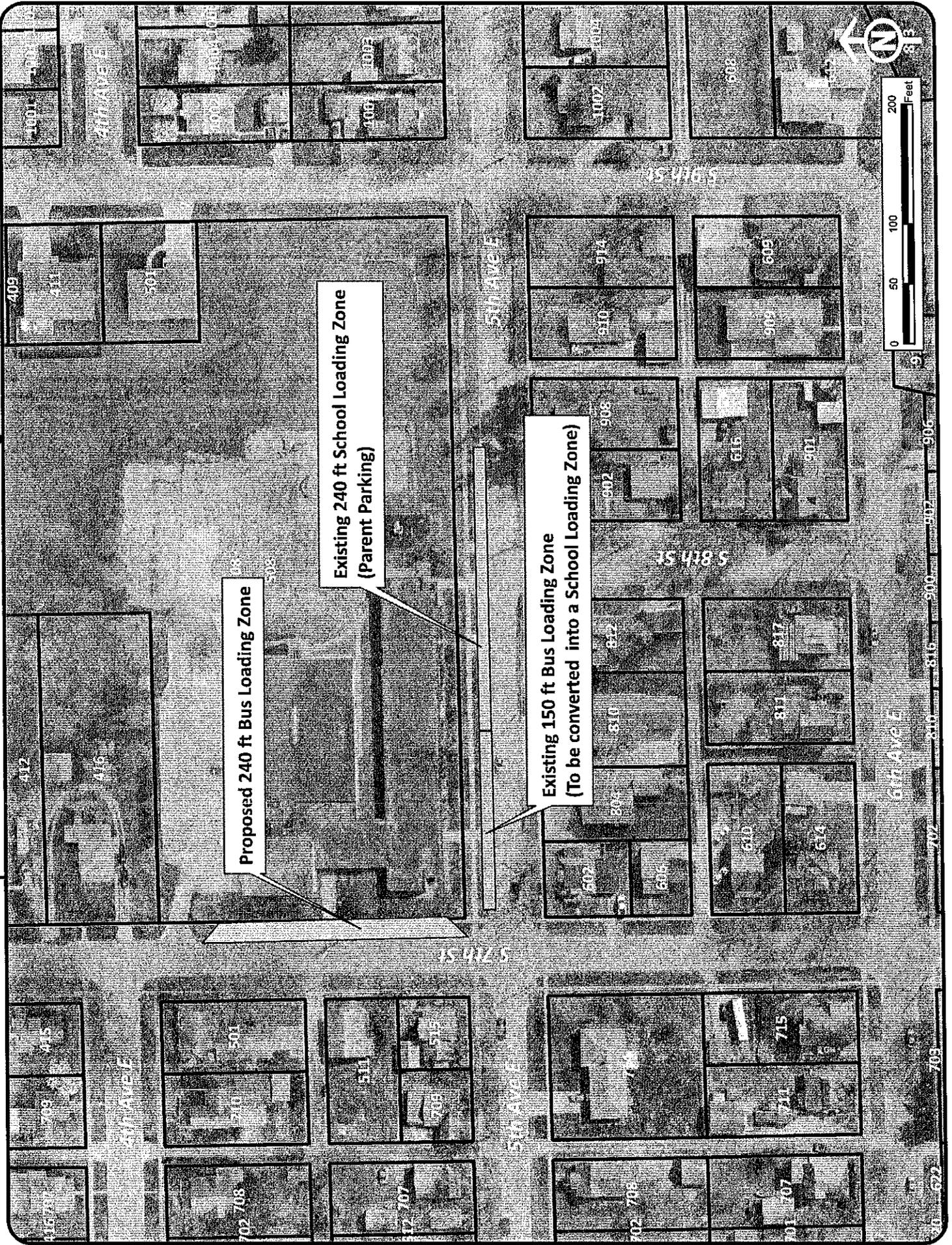
\_\_\_\_\_  
David Krutzfeldt, Mayor

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the  
\_\_\_\_\_ day of \_\_\_\_\_ 2013.

Signed \_\_\_\_\_

# Proposed Bus and School Loading Zone Map





## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

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).

**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: August 5, 2013

REQUESTED BY: Planning & Zoning  
Commission

### ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance to vacate and sell 60'X16.5' of the north-south public alley adjacent to 835 South 2nd Street - 1st reading. (PUBLIC HEARING)

### EXPLANATION:

Lori Poush, owner of 835 South 2<sup>nd</sup> Street and 1004 South 1<sup>st</sup> Street, has requested that the portion of the north-south alley in between the above-mentioned properties be vacated. The primary building of the applicant is located on 835 South 2<sup>nd</sup> Street, whereas the applicant intends to build an accessory structure on the vacant lot at 1004 South 1<sup>st</sup> Street. Presently, Zoning Code 17.24.030 B.6. does not permit the construction of an accessory structure without a principal building. Hence, the applicant intends to combine the two separate lots of 1004 South 1<sup>st</sup> Street & 835 South 2<sup>nd</sup> Street, by purchasing the alley, which will allow them to legally construct an accessory building on 1004 South 1<sup>st</sup> Street.

The city conducted a survey of households with direct access to the subject alley. Among the residents that responded (8 total), 50% (4) did not want the alley vacated, and 50% (4) want the alley vacated. Those who did not want the alley vacated commented that the alley is being used on a regular basis. If City Council approves this alley vacate request, driveway access easement rights should be retained for vehicular access for the adjacent property owners. This alley also contains Century Link utility infrastructure. Hence, easement rights will need to be retained for access to the above-mentioned utility.

The Planning & Zoning Commission considered this item at their July 8, 2013 meeting and recommended by a vote of 5 to 0 that the City Council approve the alley vacate request but retain utility access easement and vehicular access easement.

**BUDGET CONSIDERATION:**

\$100.00 in application fees and if the alley vacate is approved, there is a revenue of \$495.00 (60'X 16.5' X \$0.50/SF). Alley vacates result in revenue received by the city. The city sells residential alleys for \$0.50 per square foot.

**ATTACHMENTS:**

Ordinance, Location Map, Picture 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 835 SOUTH 2<sup>ND</sup> 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 835 South 2<sup>nd</sup> Street is legally described as follows:

The 60' X 16.5' section of the north-south alley lying adjacent to Lot 6 of the subdivision of Lot 3 of the SE ¼ of the NE ¼ of Section 24 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 the \_\_\_\_\_ day of \_\_\_\_\_ 2013, and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

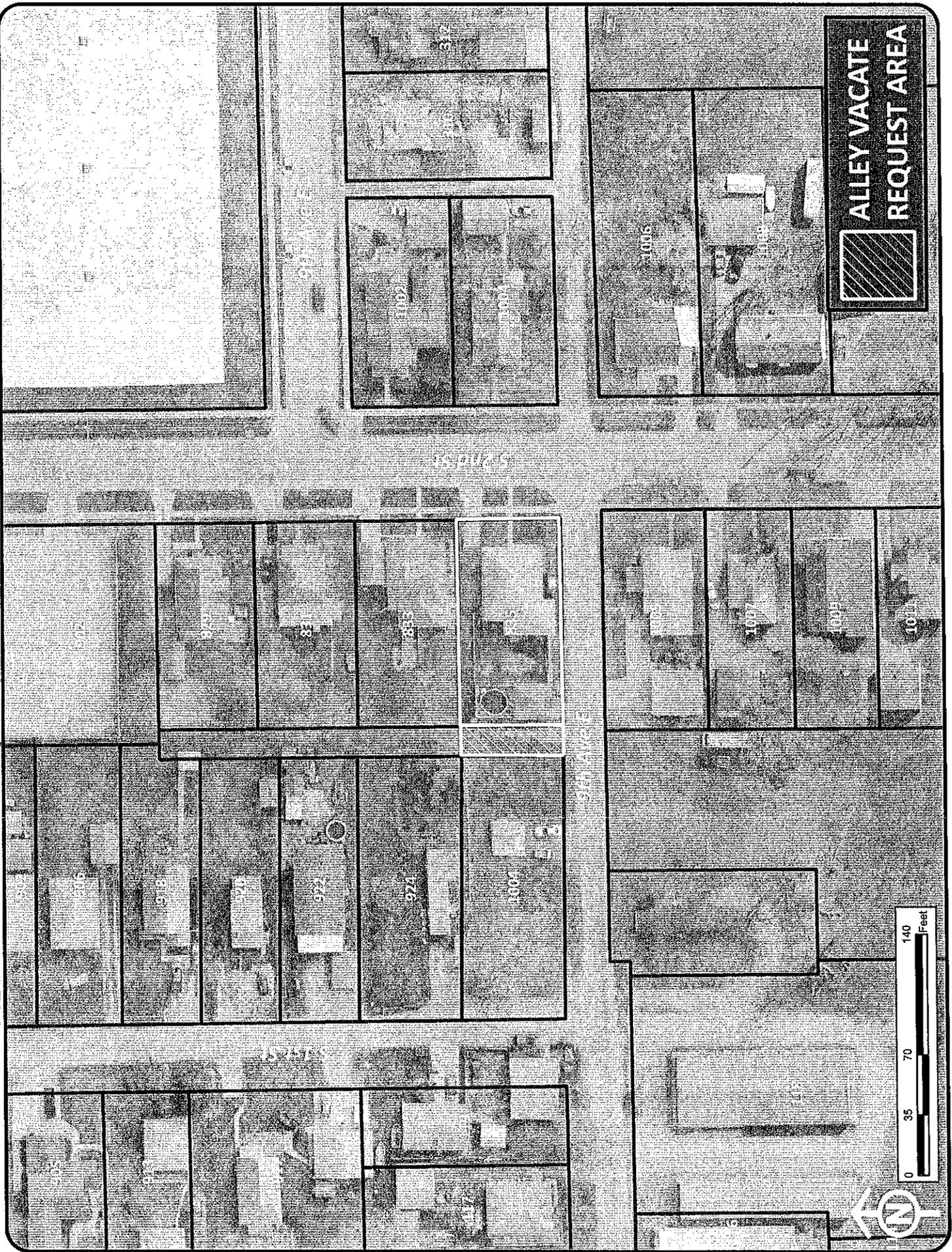
\_\_\_\_\_  
David Krutzfeldt , Mayor

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

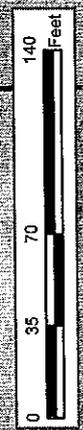
I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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

ALLEY VACATE REQUEST FOR 835 SOUTH 2ND STREET



ALLEY VACATE  
REQUEST AREA





North-south alley west of 835 South 2<sup>nd</sup> Street, looking north.

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: 5/20/13

Property Owner Name: Lori Poush

Address: 835 S. 2nd St.  
OSKALOOSA, IA. 52577

Phone: 641-672-9271

Description of alley requested for vacation: \_\_\_\_\_

Reason for requesting alley vacation: I would like to combine my two properties so that I could put a building on my property on S. 1st. It would contain my vehicles. I would leave the alley open for traffic.

Signature Lori Poush

OFFICE USE:

Application Fee Paid

Amount Paid For 1/2 of Alley: \$ 247.50 (~~100~~ X 116.5 X \$ .50 /SF) X .50

Total  
\$ 495.00

Vacation Approved \_\_\_\_\_ Denied \_\_\_\_\_ Refund Payment \_\_\_\_\_

**ALLEY VACATION RESPONSE : 835 South 2nd street**

ADDRESS	NAME	RESPONSE	COMMENTS
918 South 1st Street	Dennie & Wanda Johnson	No, does not approve of proposed alley vacation	It's the only way to get to my back yard
920 South 1st Street	George & Linda Shook	No, does not approve of proposed alley vacation	I need access to my backyard and shed
922 South 1st Street	Cecil & Fannie Comstock	No, does not approve of proposed alley vacation	I need a way to the alley; need to get to the backyard to cut wood
924 South 1st Street	Christine Paton	No, does not approve of proposed alley vacation	I wouldn't be able to drive to the back of my trailer
829 South 2nd Street	Brian & Mary Lester	Yes Approve the proposed alley vacation	
831 South 2nd Street	Rbe LLC % Chris Roach	Yes Approve the proposed alley vacation	
833 South 2nd Street	Ruby Maxwell	Yes Approve the proposed alley vacation	She said she wasn't closing so I will go along with her
835 South 2nd Street	James & Lori Poush	Yes Approve the proposed alley vacation	
902 South 2nd Street	Clow Valve Company		

**UTILITY COMPANY RESPONSE**

MCG	No Utilities in Alleyway
WATER DEPT.	No Utilities in Alleyway
CENTURY LINK	Yes Utilities in Alleyway
MIDAMERICAN ENERGY	No Utilities in Alleyway



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Planning & Zoning  
Commission

### ITEM TITLE: PUBLIC HEARINGS

Consider an ordinance amending Title 17 – “Zoning,” Chapter 17.28 – “Off-Street Parking” of the City Of Oskaloosa Zoning Ordinance providing amendments for off-street parking design standards and parking for personal and recreational vehicles – 1<sup>st</sup> reading. (PUBLIC HEARING)

### EXPLANATION:

The City Council, during its meeting on June 3, 2013, recommended that city staff and the Planning & Zoning Commission conduct research and provide recommendations on updating the City Ordinance regulating the parking of personal and recreational vehicles.

The following code changes are presented by the Planning and Zoning Commission for City Council consideration:

1. Amend off-street parking design standards for pavement and drainage, Section 17.28.060 B. Pavement and drainage; and
2. Amend applicability, location of parking, and special provisions for recreational vehicles and boats, Section 17.28.080 Parking for personal and recreational vehicles.

The Planning & Zoning Commission considered this item at their July 8, 2013 meeting and recommended by a vote of 5 to 0 that the City Council approve the ordinance amendments.

**DETAILED PROJECT DESCRIPTION:**

**1. Amend off-street parking design standards for pavement and drainage, Section 17.28.060 B. Pavement and drainage;**

The proposed text amendment inserts specific language for the off-street parking pavement types to add sealcoat, gravel, or crushed stones as acceptable surfaces.

**B. Pavement and Drainage.**

1. Off-street parking facilities shall be surfaced with concrete, asphalt, asphaltic concrete, ~~or bricks~~, **sealcoat, gravel, or crushed stone**, and shall be maintained with materials sufficient to prevent mud, dust, or loose material except as provided below:
  - a. Sites within the AG and RR districts are exempt from this requirement.
  - b. In residential areas, all parking spaces and driveways used for parking shall be ~~paved~~ **on an surface consisting of concrete, asphalt, asphaltic concrete, bricks, sealcoat, gravel, or crushed stone**; however, this requirement does not extend to driveways not used under any conditions for parking.
  - c. In GI districts, the paving requirement for certain parking and loading areas more than one hundred feet back from any public right-of-way may be waived, following review and approval of a specific site plan by the zoning administrator.
2. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties.

**2. Amend applicability, location of parking, and special provisions for recreational vehicles and boats, Section 17.28.080 Parking for personal and recreational vehicles.**

The proposed text amendment inserts specific language to remove weight restrictions, limit the size restrictions, change the required pavement type for heavy commercial vehicles, and add conditions for the parking of personal vehicles.

**17.28.080 - Parking for personal and recreational vehicles.**

- A. Applicability. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include: passenger cars; vans; pickup trucks; camper shells, toppers, trailers, **boats**, and other similar appurtenances intended for attachment to a personal vehicle; ~~trailers under twenty-five feet in length, and boats under twenty-~~

~~five feet in length.~~ The maximum height of any Personal Vehicle shall be **eight feet thirteen feet six inches (13'-6")** from grade. ~~Trucks, tractor cab units, trailers, recreational vehicles, boats over twenty five feet in length and vehicles over ten tons gross empty weight shall be defined as heavy commercial vehicles.~~

B. Location of Parking.

1. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
2. Parking of personal vehicles is permitted on a ~~paved~~ driveway surface (outside of an enclosed structure), **complying with the Off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**, within the front yard setback, but shall in no case encroach upon the public right-of-way.

Parking of personal vehicles is permitted on a ~~paved~~ driveway surface (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way. **The driveway surface must comply with the off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**

3. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if the zoning administrator determines that such parking conforms to the provisions of this title and meets the following conditions:
  - a. The parking space is provided on a ~~paved~~ **driveway** surface connected by a ~~paved~~ **driveway** surface to a dedicated public right-of-way and/or alley. **The driveway surface must comply with the off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**
  - b. The paved parking does not exceed the maximum impervious coverage limit for the lot.
4. Heavy commercial vehicles, including tractor cab units rated at more than ten tons gross vehicle weight, ~~and recreational vehicles~~, shall not be parked on any lot within a residential zoning district, ~~except as provided below~~. **All permitted heavy commercial vehicles in a residential district must be parked on paved hard surface consisting of concrete, asphalt, asphaltic concrete.**

C. Special Provisions for Recreational Vehicles and Boats. Parking and storage of recreational vehicles and boats within residential districts is subject to the following additional conditions. These conditions are in addition to those requirements for the parking of personal vehicles.

1. Recreational vehicles and boats, **when parked or stored on residential properties**, must be maintained in a clean, well-kept state **at all times**.

Spider webs, debris, excessive dirt, weed accumulation on or under a recreational vehicle are prohibited at all times as are broken windows and flat tires. All parking and storage areas for recreational vehicles or boats shall be properly maintained and kept free of weeds, mud, and other debris.

2. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
3. Recreational vehicles may be used as temporary parking by ~~nonpaying~~ guests for a maximum of three consecutive days or fourteen days total during any calendar year. Cooking in ~~the-a~~ recreational vehicle or boat is prohibited at all times. **Recreational vehicles or boats shall not be occupied for living purposes.**
4. Recreational vehicles and boats may not be permanently connected to utility lines. **Sewer hookups are prohibited at all times.**
5. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
6. If feasible on a lot, recreational vehicles and boats shall be parked outside of required front yard and street side yard setbacks.
7. **All covers and tarps or any other material utilized to protect recreational vehicles or boats from the elements must be secured and weatherproof. Rocks, bricks, or other weighted items cannot be used to secure the weatherproofing cover. The use of ropes, bungee cords, adjustable straps, or other similar methods are required to secure the cover to the vehicle.**
8. **Recreational vehicles or boats shall not be parked or stored within twenty feet (20') from the back of the curb or edge of pavement ~~where such parking or storage constitutes a clear and demonstrable traffic hazard and threat to public health and safety.~~ The City Manager or his designee, shall at their discretion, declare the parking or storage of recreational vehicles or boats to be a traffic hazard and require immediate removal of the recreational vehicles or boats.**
9. **No recreational vehicles or boats shall be parked or stored in the corner lot side yard next to the street unless it complies with all other provisions of this section.**

**BUDGET CONSIDERATION:**

There will be minimal impact to the City Budget for the cost associated with drafting revisions to Chapter 17.28 of Oskaloosa Municipal Code.

**ATTACHMENTS:**

Ordinance.

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

AN ORDINANCE AMENDING TITLE 17, "ZONING", CHAPTER 17.28, "OFF-STREET PARKING", SECTION 17.28.060 B. – "PAVEMENT AND DRAINAGE" AND SECTION 17.28.080 – "PARKING FOR PERSONAL AND RECREATIONAL VEHICLES" OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA.

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

SECTION 1. SECTION 17.28.060 B. – "PAVEMENT AND DRAINAGE" is hereby deleted in its entirety.

SECTION 2. SECTION 17.28.060 B. – "PAVEMENT AND DRAINAGE" is hereby amended as follows:

B. Pavement and Drainage.

1. Off-street parking facilities shall be surfaced with concrete, asphalt, asphaltic concrete, ~~or bricks~~, **sealcoat, gravel, or crushed stone**, and shall be maintained with materials sufficient to prevent mud, dust, or loose material except as provided below:

a. Sites within the AG and RR districts are exempt from this requirement.

b. In residential areas, all parking spaces and driveways used for parking shall be ~~paved~~ **paved on an surface consisting of concrete, asphalt, asphaltic concrete, bricks, sealcoat, gravel, or crushed stone**; however, this requirement does not extend to driveways not used under any conditions for parking.

c. In GI districts, the paving requirement for certain parking and loading areas more than one hundred feet back from any public right-of-way may be waived, following review and approval of a specific site plan by the zoning administrator.

2. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties.

SECTION 3. SECTION 17.28.080 – "PARKING FOR PERSONAL AND RECREATIONAL VEHICLES" is hereby deleted in its entirety.

SECTION 4. SECTION 17.28.080 – "PARKING FOR PERSONAL AND RECREATIONAL VEHICLES" is hereby amended as follows:

**17.28.080 - Parking for personal and recreational vehicles.**

A. Applicability. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include: passenger cars; vans; pickup trucks; camper shells, toppers, trailers, **boats**, and other similar appurtenances intended for attachment to a personal vehicle; ~~trailers under twenty-five feet in length, and boats under twenty-five feet in length.~~ The maximum height of any Personal Vehicle shall be ~~eight feet~~ **thirteen feet six inches (13'-6")** from grade. ~~Trucks, tractor cab units, trailers, recreational vehicles, boats over twenty-five feet in length and vehicles over ten tons gross empty weight shall be defined as heavy commercial vehicles.~~

B. Location of Parking.

1. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
2. Parking of personal vehicles is permitted on a ~~paved~~ driveway surface (outside of an enclosed structure), **complying with the Off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**, within the front yard setback, but shall in no case encroach upon the public right-of-way.

Parking of personal vehicles is permitted on a ~~paved~~ driveway surface (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way. **The driveway surface must comply with the Off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**

3. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if the zoning administrator determines that such parking conforms to the provisions of this title and meets the following conditions:
  - a. The parking space is provided on a ~~paved~~ **driveway** surface connected by a ~~paved~~ **driveway** surface to a dedicated public right-of-way and/or alley. **The driveway surface must comply with the Off-street parking design standards provisions of Section 17.28.060 B.1. of the Zoning Code**
  - b. The paved parking does not exceed the maximum impervious coverage limit for the lot.
4. Heavy commercial vehicles, including tractor cab units rated at more than ten tons gross vehicle weight, ~~and recreational vehicles~~, shall not be parked on any lot within a residential zoning district, ~~except as provided below.~~ **All permitted heavy commercial vehicles in a**

**residential district must be parked on paved hard surface consisting of concrete, asphalt, asphaltic concrete.**

- C. Special Provisions for Recreational Vehicles and Boats. Parking and storage of recreational vehicles and boats within residential districts is subject to the following additional conditions. These conditions are in addition to those requirements for the parking of personal vehicles.
- 1. Recreational vehicles and boats, when parked or stored on residential properties, must be maintained in a clean, well-kept state at all times. Spider webs, debris, excessive dirt, weed accumulation on or under a recreational vehicle are prohibited at all times as are broken windows and flat tires. All parking and storage areas for recreational vehicles or boats shall be properly maintained and kept free of weeds, mud, and other debris.**
  2. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
  3. Recreational vehicles may be used as temporary parking by **nonpaying** guests for a maximum of three consecutive days or fourteen days total during any calendar year. Cooking in ~~the~~ a recreational vehicle **or boat** is prohibited at all times. **Recreational vehicles or boats shall not be occupied for living purposes.**
  4. Recreational vehicles and boats may not be permanently connected to utility lines. **Sewer hookups are prohibited at all times.**
  5. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
  6. If feasible on a lot, recreational vehicles and boats shall be parked outside of required front yard and street side yard setbacks.
  - 7. All covers and tarps or any other material utilized to protect recreational vehicles or boats from the elements must be secured and weatherproof. Rocks, bricks, or other weighted items cannot be used to secure the weatherproofing cover. The use of ropes, bungee cords, adjustable straps, or other similar methods are required to secure the cover to the vehicle.**

8. Recreational vehicles or boats shall not be parked or stored within twenty feet (20') from the back of the curb or edge of pavement ~~where such parking or storage constitutes a clear and demonstrable traffic hazard and threat to public health and safety.~~ The City Manager or his designee, shall at their discretion, declare the parking or storage of recreational vehicles or boats to be a traffic hazard and require immediate removal of the recreational vehicles or boats.
9. No recreational vehicles or boats shall be parked or stored in the corner lot side yard next to the street unless it complies with all other provisions of this section.

SECTION 5. 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 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication by law.

Passed by the Council the \_\_\_\_\_ day of \_\_\_\_\_ 2013, and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2013.

Signed \_\_\_\_\_

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Amy Miller,  
City Clerk

**ITEM TITLE:**

Consider a resolution scheduling a public hearing for September 3, 2013 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 September 3, 2013 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:**

\$2,350 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 3<sup>rd</sup> day of September, 2013 at 6:00 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 5<sup>th</sup> day of August, 2013.

---

David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk

EXHIBIT "A"  
2013 WEED CUTTING ASSESSMENTS  
June 2013

OWNER	OFFENSE	ADDRESS/LEGAL	DATE MOWED	LABOR	COST
Daniel J Coffey Parcel ID 1013254004	1st	806 North B St Lot 14 Hambeltons Addition	6/17/2013	1 hour	\$ 250.00
Ruben C Herrera Parcel ID 1013258003	1st	606 North C St Lot 9 Blk 3 Crookhams Addition	6/17/2013	1 hour	\$ 250.00
Karen L/Karol S Leech Parcel ID 1014229011	1st	1301 Mabel Lot 79 Greenview Park Addition	6/17/2013	1 hour	\$ 250.00
Rilla Bartlow Parcel ID 1024218014	1st	805 South B St Lot 49 Crookhams SD of Lots 1 & A SW NE	6/17/2013	1 hour	\$ 250.00
H Suzann Holland Parcel ID 1013403015	1st	411 North C St Lot 9 O L 8 O P	6/17/2013	1 hour	\$ 250.00
Faith Evangelical Methodist Church Parcel ID 1119282007	2nd	1004 S 18th St Lots 202 thru 204 University Park SD SE NE	6/17/2013	1 hour	\$ 300.00
Darrell/Sherry Van Zee Parcel ID 1013276013	1st	112 K Ave E Lot 2 Wests SD Lot 10 & 11 Ninde & Searles Addition	6/20/2013	1 hour	\$ 250.00
Johnothon R Otto Parcel ID 1024184029	2nd	701 11th Ave W S 119.2' E 132' Lot 70 Ninde Williams & Co Addition	6/20/2013	1 hour	\$ 300.00
Ruben C Herrera Parcel ID 1013177016	1st	805 G Ave W O L 14 Myers Modified Addition	6/26/2013	1 hour	\$ 250.00

Weed removal on private property:

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

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



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** Public Works Department,  
Engineering Division

### **ITEM TITLE:**

Consider a motion approving Pay Request No. 4 in the amount of \$4,854.50, approving the final retainage amount of \$13,437.25 to TK Concrete, Inc., and accepting the completion of the East Mall Parking Improvements Project.

### **EXPLANATION:**

TK Concrete, Inc. has completed the East Mall Parking Improvements Project in accordance with the contract documents. The scope of this project included new concrete pavement in the mall parking lot and the public street, sidewalks, curb and gutter with intakes, and storm drains. The total cost of the completed work is \$268,744.96. The original contract sum in the amount of \$260,336.00 was awarded at the April 1, 2013, City Council meeting.

The work included in this estimate includes concrete pavement, sidewalk, subbase, excavation, subgrade preparation, compaction testing, storm sewer, subdrain, pavement removal, sidewalk removal, pavement marking, seeding, and other miscellaneous construction related items. The attached pay request for work completed on this project has been reviewed by staff and is recommended for payment.

Staff approved Change Order No. 1 for a net increase of \$7,279.96, Change Order No. 2 for a net increase of \$150.00, and Change Order No. 3 for a net increase of \$979.00. The changes to the project scope were required as certain pavement features were uncovered and inspected during the course of the project. The changes primarily included removal of unstable subgrade, additional landscaping rock, and final adjustment of quantities to reflect actual quantities incorporated into the project. These change orders for a cumulative amount of \$8,408.96 was within the ten percent (\$26,000.00) project contingency approved by the city council at their March 18, 2013 meeting.

No. 3 will be released in the amount of \$4,854.50. The retainage, in the amount of \$13,437.25, will only be released to the contractor 30 days after acceptance if no claims have been filed against the project.

**BUDGET CONSIDERATION:**

\$4,854.50 for Pay Request No. 4 and \$13,437.25 for final retainage from the Parking Lot Improvement Project Fund.

**RECOMMENDED ACTION:** Consider accepting the completion of this project, approving Payment No. 4 in the amount of \$4,854.50 and releasing the final retainage amount of \$13,437.25 to TK Concrete, Inc.

**ATTACHMENTS:**

Resolution, Statement of Project completion, Engineer letter, Application for Payment No. 4, Change Order No. 1, Change Order No. 2, and Change Order No. 3.

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

**RESOLUTION ACCEPTING THE WORK OF TK CONCRETE INC. FOR THE EAST MALL  
PARKING IMPROVEMENTS PROJECT**

WHEREAS, the City of Oskaloosa, Iowa entered into a contract with TK Concrete Inc. for the "East Mall Parking Improvements Project" (will be known as the "Project"); and

WHEREAS, the work has been duly completed on this project in substantial compliance with the plans, specifications, and contract documents; and

WHEREAS, during the course of the project, as certain pavement features were uncovered and inspected, changes to the project scope were required; and

WHEREAS, the changes primarily included removal of unstable subgrade, additional landscaping rock, and final adjustment of quantities to reflect actual quantities incorporated into the project; and

WHEREAS, the changes resulted in a net increase to the contract price of \$8,408.96 thereby resulting in a final contract price of \$268,744.96; and

WHEREAS, the scope of the project included new concrete pavement in the mall parking lot and the public street, sidewalks, curb and gutter with intakes, and storm drains; and

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

Section 1. That it is hereby found and determined that the work of the Project, been duly and fully completed by the contractor in accordance with the terms of the contract and the same is hereby accepted and approved.

Section 2. That it is hereby found and determined that the total cost of said project is in the amount of \$268,744.96: We have shown a retainage of \$13,437.25. This amount should be released to the Contractor 30 days after acceptance of the project if no claims have been filed.

Section 3. That all amounts due to the contractor is hereby ordered to be paid in accordance with the contract procedures prescribed by the Code of Iowa.

Section 4. That all resolutions or parts of resolutions in conflict herewith be, and the same, are hereby repealed to the extent of such conflict.

PASSED AND APPROVED the \_\_\_\_\_ day of August, 2013.

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

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

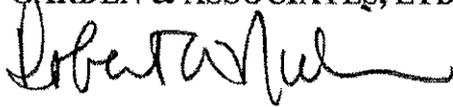


Also enclosed for your file is the Engineer's Completion Statement.

If you have any questions please contact me at 641-672-2526.

Sincerely,

**GARDEN & ASSOCIATES, LTD.**

A handwritten signature in black ink, appearing to read "Robert A. Nielsen", written over the printed name.

Robert A. Nielsen, P.E.

Enc: Change Order No. 1 (3 copies)  
Change Order No. 2 (3 copies)  
Change Order No. 3 (3 copies)  
Pay App. No 4-Final (3 copies)

RAN/hd



# GARDEN & ASSOCIATES, LTD.

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

Phone: 641.672.2526 • Fax: 641.672.2091

July 11, 2013

Akhilesh Pal, P.E.  
City Engineer  
City of Oskaloosa Public Works Dept.  
804 South D Street  
Oskaloosa, IA 52577

Re: East Parking Reconstruction  
Penn Central Mall  
Oskaloosa, Iowa  
G & A #5112112

Dear Akhilesh:

I hereby state that the work of the East Parking Reconstruction Project – Penn Central Mall, Oskaloosa, Iowa under contract bearing the date of March 9, 2013 by and between the City of Oskaloosa, Iowa (Owner) and TK Concrete, Inc. (Contractor) has been completed and substantially complies with the terms, conditions and stipulations of the plans and specifications for said improvements.

Respectfully submitted this 11<sup>th</sup> day of July, 2013.

Sincerely,  
GARDEN & ASSOCIATES, LTD.

Robert A. Nielsen, P.E.

Cc: TK Concrete, Inc.

RAN/hd

ENGINEERS AND SURVEYORS  
OSKALOOSA, IOWA                      CRESTON, IOWA

APPLICATION FOR PAYMENT NO. 4 - FINAL

To: City of Oskaloosa (OWNER)

From: TK Concrete, Inc. (CONTRACTOR)

Contract: East Parking Reconstruction - Penn Central Mall

Project: East Parking Reconstruction - Penn Central Mall

OWNER's Contract No.: \_\_\_\_\_ ENGINEER's Project No.: 5112112

For Work Accomplished Through the Date of: 7/8/13

1. Original Contract Price:		\$ 260,336.00
2. Net Change by Change Orders and Written Amendments (+ or -):		\$ 8,408.96
3. Current Contract Price (1 plus 2):		\$ 268,744.96
4. Total Completed and Stored to Date:		\$ 268,744.96
5. Retainage (Per Agreement):		
5% of Completed Work:	\$ 13,437.25	
0% of Stored Material:		
Total Retainage:		\$ 13,437.25
6. Total Completed and Stored to Date Less Retainage (4 minus 5):		\$ 255,307.71
7. Less Previous Application for Payments:		\$ 250,453.21
8. DUE THIS APPLICATION (6 MINUS 7)		\$ 4,854.50

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: 7/9/2013  
By: Jared M. Jones TK Concrete, Inc. (CONTRACTOR)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 7/11/13  
By: Robert A. [Signature] Garden & Associates, Inc. (ENGINEER)

Payment of the above AMOUNT DUE THIS APPLICATION is approved.

Dated: \_\_\_\_\_  
By: \_\_\_\_\_ City of Oskaloosa, Iowa (OWNER)

ATTACHMENT NO. 1 TO PAY REQUEST NO. 4 - FINAL  
 EAST PARKING RECONSTRUCTION - PENN CENTRAL MALL  
 OSKALOOSA, IOWA  
 G & A NO. 5112112

Application No.: 4 - Final

Date: 7/8/2013

No.	Item	Unit Price	Contract Quantity	Schedule of Values Amount	Quantity Completed	Amount	%	Material Stored	Amount Completed & Stored
1.	Cleaning and Grubbing	XXXX	1	\$2,500.00	100%	\$2,500.00	100%		\$2,500.00
2.	Excavation, Class 10	\$12.50	750	\$9,375.00	750	\$9,375.00	100%		\$9,375.00
3	Subgrade Preparation	\$1.50	4,450	\$6,675.00	4,450	\$6,675.00	100%		\$6,675.00
4	Subbase, 6" Thick Modified Subbase (Granular)	\$5.50	4,450	\$24,475.00	4,450	\$24,475.00	100%		\$24,475.00
5	Subbase, 4" Thick IDOT Grad. No. 11, Class "A" (Granular)	\$4.00	617	\$2,468.00	628	\$2,512.00	102%		\$2,512.00
6	Compaction Testing	XXXX	1	\$2,250.00	100%	\$2,250.00	100%		\$2,250.00
7	Trench Compaction Testing	XXXX	1	\$400.00	100%	\$400.00	100%		\$400.00
8	Storm Sewer, Trenched, RCP, 15"	\$42.00	42	\$1,764.00	42	\$1,764.00	100%		\$1,764.00
9	Subdrain, Perforated PE, 4"	\$6.00	1,110	\$6,660.00	1,108	\$6,648.00	100%		\$6,648.00
10	Subdrain Outlets and Connections, CMP, 4"	\$200.00	4	\$800.00	4	\$800.00	100%		\$800.00
11	SW-511 Rectangular Area Intake	\$3,150.00	1	\$3,150.00	1	\$3,150.00	100%		\$3,150.00
12	SW-603 Type R Castings, Furnish and Install as Per Plan	\$675.00	3	\$2,025.00	3	\$2,025.00	100%		\$2,025.00
13	PCC Pavement, 7" Thick	\$3,100	4,370	\$135,470.00	4372	\$135,532.00	100%		\$135,532.00
14	PCC Pavement Samples and Testing	XXXX	1	\$2,000.00	100%	\$2,000.00	100%		\$2,000.00
15	Removal of Sidewalk	\$6.00	140	\$840.00	133	\$828.00	99%		\$828.00
16	PCC Sidewalk, 5" Thick	\$27.00	617	\$16,659.00	628	\$16,956.00	102%		\$16,956.00
17	Brick Sidewalk with Concrete Base	\$200.00	24	\$4,800.00	26	\$5,200.00	108%		\$5,200.00
18	Detectable Warnings	\$25.00	144	\$3,600.00	152	\$3,800.00	106%		\$3,800.00
19	Pavement Removal	\$4.75	4,300	\$20,425.00	4300	\$20,425.00	100%		\$20,425.00
20	Painted Pavement Markings and Symbols, Waterborne or Solvent Based	XXXX	1	\$1,750.00	100%	\$1,750.00	100%		\$1,750.00
21	Conventional Seedings, Fertilizing, and Mulching	XXXX	1	\$2,500.00	100%	\$2,500.00	100%		\$2,500.00
22	Traffic Control	XXXX	1	\$2,750.00	100%	\$2,750.00	100%		\$2,750.00
23	Mobilization	XXXX	1	\$7,000.00	100%	\$7,000.00	100%		\$7,000.00
<b>SUBTOTALS</b>				<b>\$260,336.00</b>		<b>\$261,315.00</b>			<b>\$261,315.00</b>
Change Order No. 1 - Remove unstable subgrade and replace with granular subbase material.		\$41.00	177.56	\$7,279.96	177.56	\$7,279.96	100%		\$7,279.96
Change Order No. 2 - Landscaping Rock		\$75.00	2	\$150.00	2	\$150.00	100%		\$150.00
Change Order No. 3 - Final Quantities Adjustment		XXXX	1	\$979.00					\$0.00
<b>TOTALS</b>						<b>\$268,744.96</b>			<b>\$268,744.96</b>
Contract									
Amount Completed and Stored To Date									

# CHANGE ORDER

No. 1

DATE OF ISSUANCE July 8, 2013

EFFECTIVE DATE July 8, 2013

OWNER City of Oskaloosa

CONTRACTOR TK Concrete, Inc.

Contract: \_\_\_\_\_

Project: East Parking Reconstruction - Penn Central Mall, Oskaloosa, Iowa

OWNER's Contract No. \_\_\_\_\_

ENGINEER's Contract No. \_\_\_\_\_

ENGINEER Garden & Associates, Ltd.

You are directed to make the following changes in the Contract Documents:

Description: Remove unstable subgrade including old brick pavers, old foundations and sand backfill and replace with granular subbase material. 177.56 cubic yards at \$41.00 per cubic yard = \$7,279.96.

Reason for Change Order: To compensate contractor for additional work associated with an unknown and unforeseen condition.

Attachments: (List documents supporting change) None.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>260,336.00</u>	Original Contract Times: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)
Net Increase (Decrease) from previous Change Orders No. <u>-</u> to <u>-</u> : \$ <u>0</u>	Net change from previous Change Orders No. <u>-</u> to <u>-</u> : No. <u>-</u> : Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Price prior to this Change Order: \$ <u>260,336.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)
Net increase (decrease) of this Change Order: \$ <u>7,279.96</u>	Net increase (decrease) this Change Order: Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Price with all approved Change Orders: \$ <u>267,615.96</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)

RECOMMENDED: Robert Mui By: \_\_\_\_\_  
ENGINEER (Authorized Signature) OWNER (Authorized Signature)

APPROVED:

ACCEPTED: Jared M. Jones By: \_\_\_\_\_  
CONTRACTOR (Authorized Signature)

Date: 7/11/13 Date: \_\_\_\_\_

Date: 7/9/2013

EJCDC 1910-8-B (1996 Edition)

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

# CHANGE ORDER

No. 2

DATE OF ISSUANCE July 8, 2013

EFFECTIVE DATE July 8, 2013

OWNER City of Oskaloosa

CONTRACTOR TK Concrete, Inc.

Contract:

Project: East Parking Reconstruction - Penn Central Mall, Oskaloosa, Iowa

OWNER's Contract No. \_\_\_\_\_

ENGINEER's Contract No. \_\_\_\_\_

ENGINEER Garden & Associates, Ltd.

You are directed to make the following changes in the Contract Documents:

Description: Furnish and place landscaping rock. 2 tons at \$75 per ton = \$150.00.

Reason for Change Order: To compensate contractor for additional work requested by Owner and not included in the Contract.

Attachments: (List documents supporting change) None.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>260,336.00</u>	Original Contract Times: Substantial Completion: <u>---</u> Ready for final payment: <u>45 working days</u> (days or dates)
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>1</u> : \$ <u>7,279.96</u>	Net change from previous Change Orders No. <u>--</u> to No. <u>--</u> : Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Price prior to this Change Order: \$ <u>267,615.96</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)
Net increase (decrease) of this Change Order: \$ <u>150.00</u>	Net increase (decrease) this Change Order: Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Price with all approved Change Orders: \$ <u>267,765.96</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)

RECOMMENDED

APPROVED:

ACCEPTED:

By: [Signature] By: \_\_\_\_\_  
ENGINEER (Authorized Signature) OWNER (Authorized Signature)

By: [Signature]  
CONTRACTOR (Authorized Signature)

Date: 7/11/13 Date: \_\_\_\_\_

Date: 7/9/2013

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

# CHANGE ORDER

No. 3

DATE OF ISSUANCE July 8, 2013

EFFECTIVE DATE July 8, 2013

OWNER City of Oskaloosa

CONTRACTOR TK Concrete, Inc.

Contract: \_\_\_\_\_

Project: East Parking Reconstruction - Penn Central Mall, Oskaloosa, Iowa

OWNER's Contract No. \_\_\_\_\_

ENGINEER's Contract No. \_\_\_\_\_

ENGINEER Garden & Associates, Ltd.

You are directed to make the following changes in the Contract Documents:

Description: Final Quantities Adjustment.

Reason for Change Order: Adjust contract amount to reflect actual quantities incorporated into the project

Attachments: (List documents supporting change) Final Quantities Adjustment.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>260,336.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>2</u> : \$ <u>7,429.96</u>
Contract Price prior to this Change Order: \$ <u>267,765.96</u>
Net increase (decrease) of this Change Order: \$ <u>979.00</u>
Contract Price with all approved Change Orders: \$ <u>268,744.96</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)
Net change from previous Change Orders No. <u>--</u> to No. <u>--</u> ; Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: _____ Ready for final payment: <u>0 working days</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: <u>45 working days</u> (days or dates)

RECOMMENDED

APPROVED:

ACCEPTED:

By: [Signature] By: \_\_\_\_\_  
ENGINEER (Authorized Signature) OWNER (Authorized Signature)

By: [Signature]  
CONTRACTOR (Authorized Signature)

Date: 7/11/13 Date: \_\_\_\_\_

Date: 7/9/2013

EJCDC 1910-8-B (1996 Edition)

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

Date: 7/8/2013

ATTACHMENT TO CHANGE ORDER NO. 3  
 FINAL QUANTITIES ADJUSTMENT  
 EAST PARKING RECONSTRUCTION - PENN CENTRAL MALL  
 OSKALOOSA, IOWA  
 G & A NO. 5112112

No.	Item	Unit	Unit Price	Contract Quantity	Final Quantity	Difference	Adjustment
1	Clearing and Grubbing	LS	\$2,500.00	1	1	-	\$0.00
2	Excavation, Class 10	CY	\$12.50	750	750	-	\$0.00
3	Subgrade Preparation	SY	\$1.50	4,450	4,450	-	\$0.00
4	Subbase, 6" Thick Modified Subbase (Granular)	SY	\$5.50	4,450	4,450	-	\$0.00
5	Subbase, 4" Thick IDOT Grad. No. 11, Class "A" (Granular)	SY	\$4.00	617	628	11.00	\$44.00
6	Compaction Testing	LS	\$2,250.00	1	1	-	\$0.00
7	Trench Compaction Testing	LS	\$400.00	1	1	-	\$0.00
8	Storm Sewer, Trenched, RCP, 15"	LF	\$42.00	42	42	-	\$0.00
9	Subdrain, Perforated PE, 4"	LF	\$6.00	1,110	1,108	(2.00)	-\$12.00
10	Subdrain Outlets and Connections, CMP, 4"	EA	\$200.00	4	4	-	\$0.00
11	Subdrain Rectangular Area Intake	EA	\$3,150.00	1	1	-	\$0.00
12	SW-603 Type R Casing, Furnish and Install as Per Plan	EA	\$675.00	3	3	-	\$0.00
13	PCC Pavement, 7" Thick	SY	\$31.00	4,370	4,372	2.00	\$62.00
14	PCC Pavement Samples and Testing	LS	\$2,000.00	1	1	-	\$0.00
15	Removal of Sidewalk	SY	\$6.00	140	138	(2.00)	-\$12.00
16	PCC Sidewalk, 5" Thick	SY	\$27.00	617	628	11.00	\$297.00
17	Brick Sidewalk with Concrete Base	SY	\$200.00	24	26	2.00	\$400.00
18	Detectable Warnings	SF	\$25.00	144	152	8.00	\$200.00
19	Pavement Removal	SY	\$4.75	4,300	4,300	-	\$0.00
20	Painted Pavement Markings and Symbols, Waterborne or Solvent Based	LS	\$1,750.00	1	1	-	\$0.00
21	Conventional Seeding, Fertilizing, and Mulching	LS	\$2,500.00	1	1	-	\$0.00
22	Traffic Control	LS	\$2,750.00	1	1	-	\$0.00
23	Mobilization	LS	\$7,000.00	1	1	-	\$0.00
						<b>TOTAL</b>	<b>\$979.00</b>



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** Public Works Department,  
Engineering Division

**ITEM TITLE:**

Consider a motion approving Pay Request No. 3 to Norris Asphalt Paving Co. in the amount of \$165,709.17 for work completed on the South 7th Street Pavement Rehabilitation Project.

**EXPLANATION:**

The City of Oskaloosa has received Pay Request No. 3 from Norris Asphalt Paving Co. for work completed to date on the construction of the South 7th Street Pavement Rehabilitation Project. City Staff has 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 hot mix asphalt overlay, curb & gutter, partial depth patches, subbase, water valve adjustments, and other miscellaneous construction related items.

Progress payments, per the contract and Iowa Code Chapter 573, will need to be made for labor and materials incorporated into the work. The progress payment or retained percentage will not relieve the Contractor of any obligation to repair any defective work or material. City staff recommends Council approve Pay Request No. 3 to Norris Asphalt Paving Co. in the amount of \$165,709.17 for work completed to date on the South 7th Street Pavement Rehabilitation Project.

<u>Summary of Contract Change Orders</u>	<u>Amount</u>	<u>Council Approval Date</u>
Original Bid	\$383,240.00	April 15, 2013
Change order No. 1	\$56,383.00	July 1, 2013
Amended Contract Amount	\$439,623.00	July 1, 2013
<u>Summary of Pay Requests</u>	<u>Amount</u>	<u>Council Approval Date</u>
Pay Request No. 1	\$157,100.50	June 3, 2013
Pay Request No. 2	\$94,307.50	July 1, 2013
Pay Request No. 3*	\$165,709.17	August 5, 2013*
<b>TOTAL:</b>	<b>\$417,117.17*</b>	

Remaining Contract Amount: \$22,505.83\*  
Retainage (5% of completed work): \$21,953.54\*

**Note:**

\* Applies only if pay request is approved by the City Council on August 5, 2013.

**BUDGET CONSIDERATION:**

\$165,709.17 from the Pavement Management Fund.

**RECOMMENDED ACTION:** Consider approval of Pay Request No. 3 for the South 7th Street Pavement Rehabilitation Project to Norris Asphalt Paving Co. in the amount of \$165,709.17.

**ATTACHMENTS:**

Application for Payment No. 3.

APPLICATION FOR PAYMENT NO. 3

To: City of Oskaloosa (JURISDICTION)  
From: Norris Asphalt Paving Company (CONTRACTOR)  
Contract: \_\_\_\_\_  
Project: South 7<sup>th</sup> Street Pavement Rehabilitation  
JURISDICTION'S Contract No. \_\_\_\_\_ ENGINEER'S Project No. \_\_\_\_\_  
For Work Accomplished Through the Date of: 7-26-2013

1. Original Contract Price:	<u>\$ 383,240.00</u>
2. Net Change by Change Orders and Written Amendments (+ or -):	<u>\$ 56,383.00</u>
3. Current Contract Price (1 plus 2):	<u>\$ 439,623.00</u>
4. Total Completed and Stored to Date:	<u>\$ 439,070.71</u>
5. Retainage (Per Agreement):	
5% of Completed Work:	<u>\$ 21,953.54</u>
0% of Stored Material:	<u>\$ 0</u>
Total Retainage:	<u>\$ 21,953.54</u>
6. Total Completed and Stored to Date Less Retainage (4 minus 5):	<u>\$ 417,117.17</u>
7. Less Previous Application for Payments:	<u>\$ 251,408.00</u>
8. <b>DUE THIS APPLICATION (6 MINUS 7):</b>	<u>\$ 165,709.17</u>

Accompanying Documentation: Pay Estimate No. 3

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from JURISDICTION 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 JURISDICTION at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to JURISDICTION indemnifying JURISDICTION 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: 7/31/13 Norris Asphalt Paving Co  
(CONTRACTOR)  
By: Steven J Leonard Vice Pres

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: \_\_\_\_\_  
(ENGINEER)  
By: \_\_\_\_\_

Payment of the above AMOUNT DUE THIS APPLICATION is approved.

Dated: \_\_\_\_\_  
(JURISDICTION)  
By: \_\_\_\_\_

No.	Item	Contract Approved on April 1, 2013		Contract Approved on July 1, 2013 with Change Order 1		Quantity Completed	Amount Totals	%	Pay Application #1 Totals	Pay Application #2 Totals	Pay Application #3 Totals
		Contract Quantity	Schedule of Values	Contract Quantity	Schedule of Values						
1	Mobilization	1	LS \$9,000.00	1	LS \$9,000.00	1.00	\$9,000.00	100%	\$4,500.00	\$4,500.00	\$0.00
2	Staking	1	LS \$6,000.00	1	LS \$6,000.00	1.00	\$6,000.00	100%	\$4,800.00	\$1,200.00	\$0.00
3	Excavation - Class 10, 12, or 13	1000	CY \$12,500.00	1000	CY \$12,500.00	1000.00	\$12,500.00	100%	\$8,125.00	\$4,375.00	\$0.00
4	Subbase, Granular	2250	SY \$17,550.00	2250	SY \$17,550.00	2325.00	\$18,135.00	103%	\$11,407.50	\$6,727.50	\$985.00
5	PCC Pavement, 9" Thick	200	SY \$9,000.00	200	SY \$9,000.00	202.50	\$9,112.50	101%	\$0.00	\$6,255.00	\$2,857.50
6	2' Curb and Gutter	3750	LF \$73,500.00	3848	LF \$75,420.80	3647.00	\$75,401.20	100%	\$50,019.20	\$23,441.60	\$1,940.40
7	HMA Overlay, IM ESAL, 1" Leveling Course, 1.5" Surface Course	1150	TON \$120,520.00	1360	TON \$142,528.00	1359.21	\$142,445.21	100%	\$0.00	\$0.00	\$142,445.21
8	HMA Pavement Samples and Testing	1	LS \$1,000.00	1	LS \$1,000.00	1.00	\$1,000.00	0%	\$0.00	\$0.00	\$1,000.00
9	Driveway Removal	285	SY \$2,565.00	380	SY \$3,420.00	442.40	\$3,981.60	116%	\$1,836.00	\$1,584.00	\$561.60
10	Sidewalk Removal	565	SY \$5,085.00	579	SY \$5,211.00	579.00	\$5,211.00	100%	\$1,386.00	\$3,825.00	\$0.00
11	Curb Removal	3400	LF \$16,320.00	3623	LF \$17,390.40	3623.00	\$17,390.40	100%	\$12,249.60	\$5,140.80	\$0.00
12	PCC Sidewalk, 4" Thick	300	SY \$9,900.00	229	SY \$7,557.00	229.00	\$7,557.00	100%	\$637.89	\$6,919.11	\$0.00
13	PCC Sidewalk Ramp, 6" Thick	265	SY \$10,865.00	350	SY \$14,350.00	350.00	\$14,350.00	100%	\$5,521.06	\$8,828.94	\$0.00
14	Detectable Warnings (4' x 2' Panels)	56	EA \$14,000.00	55	EA \$13,750.00	55.00	\$13,750.00	100%	\$5,500.00	\$8,250.00	\$0.00
15	PCC Paved Driveway, 6" Thick	315	SY \$42,915.00	380	SY \$15,580.00	380.00	\$15,580.00	100%	\$8,364.00	\$7,216.00	\$0.00
16	Driveway, Granular	20	TON \$500.00	20	TON \$500.00	20.00	\$500.00	100%	\$250.00	\$250.00	\$0.00
17	Pavement Milling	7650	SY \$88,250.00	8276	SY \$41,380.00	8470.20	\$42,351.00	102%	\$37,880.00	\$0.00	\$4,471.00
18	Conventional Seeding, Fertilizing, and Mulching	1.5	AC \$6,000.00	1.5	AC \$6,000.00	1.00	\$4,000.00	67%	\$0.00	\$0.00	\$4,000.00
19	Traffic Control	1	LS \$12,270.00	1	LS \$12,270.00	1.00	\$12,270.00	100%	\$3,067.50	\$9,202.50	\$0.00
20	Water Valve Adjustments	18	EA \$4,500.00	9	EA \$2,250.00	9.00	\$2,250.00	100%	\$0.00	\$0.00	\$2,250.00
21	Manhole Adjustments	1	EA \$1,000.00	0	EA \$0.00	0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00
22	Partial Depth Patches	3108	SF \$11,965.80	3108	SF \$11,965.80	3108.00	\$11,965.80	100%	\$9,825.20	\$2,140.60	\$0.00
23	Placing and Compacting Millings	1	LS \$15,000.00	1	LS \$15,000.00	0.95	\$14,320.00	95%	\$0.00	\$0.00	\$14,320.00
<b>TOTALS</b>							<b>\$439,070.71</b>		<b>\$165,368.95</b>	<b>\$99,271.05</b>	<b>\$174,430.71</b>

Grand total of all pay applications: \$439,070.71

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Public Works Department,  
Engineering Division

### ITEM TITLE:

Consider a resolution for the preliminary approval of plans, specifications, form of contract, and estimated cost; and also for ordering publication of notice of hearing, and notice to bidders on the C Avenue East and North Third Street Pavement Rehabilitation Project.

### EXPLANATION:

The Public Works Engineering Division has prepared plans and specifications for the construction of C Avenue East and North Third Street Pavement Rehabilitation Project. This item allows staff to proceed with scheduling a public hearing on the plans, specifications, and a bid letting date for the C Avenue East and North Third Street Pavement Rehabilitation Project. The scope of this project includes milling existing pavement and asphalt overlay, concrete pavement reconstruction, full depth and partial depth concrete patching, repair concrete curb & gutter sections, new ADA accessible sidewalk ramp reconstruction, sidewalk and driveway pavement replacement, and alley approach improvements. The preliminary engineering cost estimate for this project is \$761,425.00. If the project is awarded, then construction is proposed to commence early to mid September depending on the weather. The anticipated work completion time is 45 working days.

The City Council is prepared to obtain bids for the C Avenue East and North Third Street Pavement Rehabilitation Project. Bids will be received and opened on Friday, August 16, 2013, at 10:00 a.m. and presented to the City Council on Monday, August 19, 2013.

### BUDGET CONSIDERATION:

No financial impact is associated with scheduling the public hearing. Minimal charges will be incurred as a result of printing the notice.

**RECOMMENDED ACTION:**

Staff recommends approval of this item as presented.

**ATTACHMENTS:**

Resolution, Preliminary Plans, Notice to bidders, and Engineers estimate.

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

**RESOLUTION FOR PRELIMINARY APPROVAL OF PLANS, SPECIFICATIONS, AND ESTIMATED COST; SETTING DATE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, AND ESTIMATED COST; AND ORDERING THE ADVERTISEMENT FOR BIDS ON THE C AVENUE EAST AND NORTH THIRD STREET PAVEMENT REHABILITATION PROJECT**

WHEREAS, the Council has authorized the preparation of the proposed plans, specifications, contract documents, and estimate of cost for the C Avenue East and North Third Street Pavement Rehabilitation Project, which are hereby preliminarily approved and ordered filed in the office of the City Clerk for public inspection and

WHEREAS, said plans and specifications along with the Notice of Hearing and Notice to Bidders have been filed by the Engineer with the City Clerk of Oskaloosa, Iowa, as follows:

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

Section 1. That this Council will meet on the 19<sup>th</sup> day of August, 2013, at 6:00 p.m., at which time it will hold a public hearing on the proposed plans and specifications for the aforementioned project. At the hearing, any interested person may appear and file objections to the proposed plans, specifications, form of contract, or estimated cost of the project.

Section 2. The preliminary plans and specifications, notice of hearing, notice to bidders, and estimate of cost are hereby approved for the purpose of enabling the solicitation of bids.

Section 3. That the amount of the bid security to accompany each bid shall be in an amount which shall conform to the provisions of the notice to bidders as part of said specifications.

Section 4. That the Clerk shall publish Notice of Hearing and Notice to Bidders the same being in the form herein above specified, which publication shall be made in the Oskaloosa Herald, a legal newspaper printed wholly in the English language, printed in Oskaloosa, Iowa, and of general circulation therein, which publication shall be in accordance with the State Code of Iowa.

Section 5. That bids will be received by the City of Oskaloosa at the Office of the City Clerk at City Hall at 220 South Market Street until 10:00 a.m. on

the 16<sup>th</sup> day of August, 2013, in connection with the aforementioned project.

Section 6. That this Council will meet at the City Council Chambers, City Hall, Oskaloosa, Iowa, on the 19<sup>th</sup> day of August, 2013, at 6:00 p.m., and subsequent to the public hearing on said documents it will consider all bids filed pursuant to the plans, specifications, form of contract, and cost for the aforementioned project.

Section 7. That all resolutions or parts of resolutions thereof in conflict herewith be and same hereby repealed.

PASSED AND APPROVED this \_\_\_\_\_ day of August, 2013.

---

David Krutzfeldt,  
Mayor

ATTEST:

---

Amy Miller, City Clerk

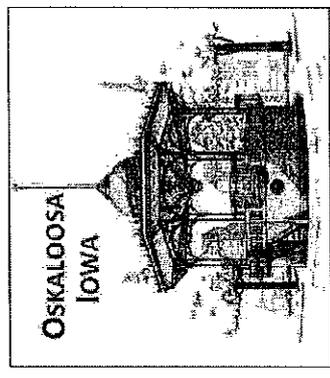
I, Amy Miller, City Clerk of Oskaloosa, Iowa, do hereby certify that the foregoing Resolution is a true and exact copy of the Resolution adopted by the City Council at their regular meeting in the Council Proceedings of the City of Oskaloosa, Iowa.

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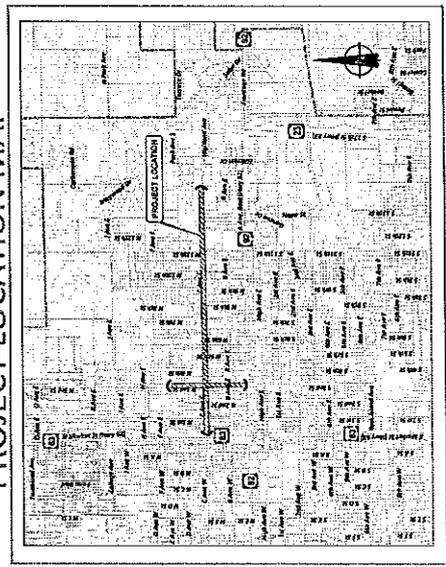
Amy Miller, City Clerk

**PRELIMINARY**

# CAVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT OSKALOOSA, IOWA 2013



## PROJECT LOCATION MAP



### SHEET INDEX

SHEET NO.	DESCRIPTION
A.1	TITLE SHEET
A.2	TRAFFIC CONTROL PLAN
A.3	GENERAL NOTES & QUANTITY TABULATION
A.4	TYPICAL SECTIONS
A.5	INTERSECTION JOINTING PLANS
A.6	SUDAS SPECIFICATIONS
B.1-B.9	C. AVENUE EAST PLANS
B.10-B.12	ALTERNATE BD: NORTH 3RD STREET PLANS
18	TOTAL SHEETS

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

Address: P.O. Box 1000, Oskaloosa, IA 52577  
 License Number: 20813  
 My license renewal date is: December 31, 2014  
 Pages or sheets covered by this seal:  
 ALL SHEETS

**AKHILESH PAL**  
20813  
IOWA  
LICENSED PROFESSIONAL ENGINEER

- ### LEGEND
- ⊕ WATER VALVE
  - ⊗ MANHOLE
  - ▨ EDGE MILL 6" WIDTH & RESURFACE WITH 2.5" HMA OVERLAY
  - ▩ EDGE MILL 8" WIDTH & RESURFACE WITH 1.5" HMA OVERLAY
  - ▧ 6" THICK CONCRETE PAVEMENT RECONSTRUCTION
  - ▦ CONCRETE REPAIRS (CURB & GUTTER, ALLEY APPROACHES, & FULL DEPTH PATCHES)
  - ▥ REMOVE, REPLACE, & CONSTRUCT NEW 6" THICK SIDEWALK
  - ▤ REMOVE, REPLACE, & CONSTRUCT NEW 4" THICK SIDEWALK
  - ▣ TRUNCATED DOWMS



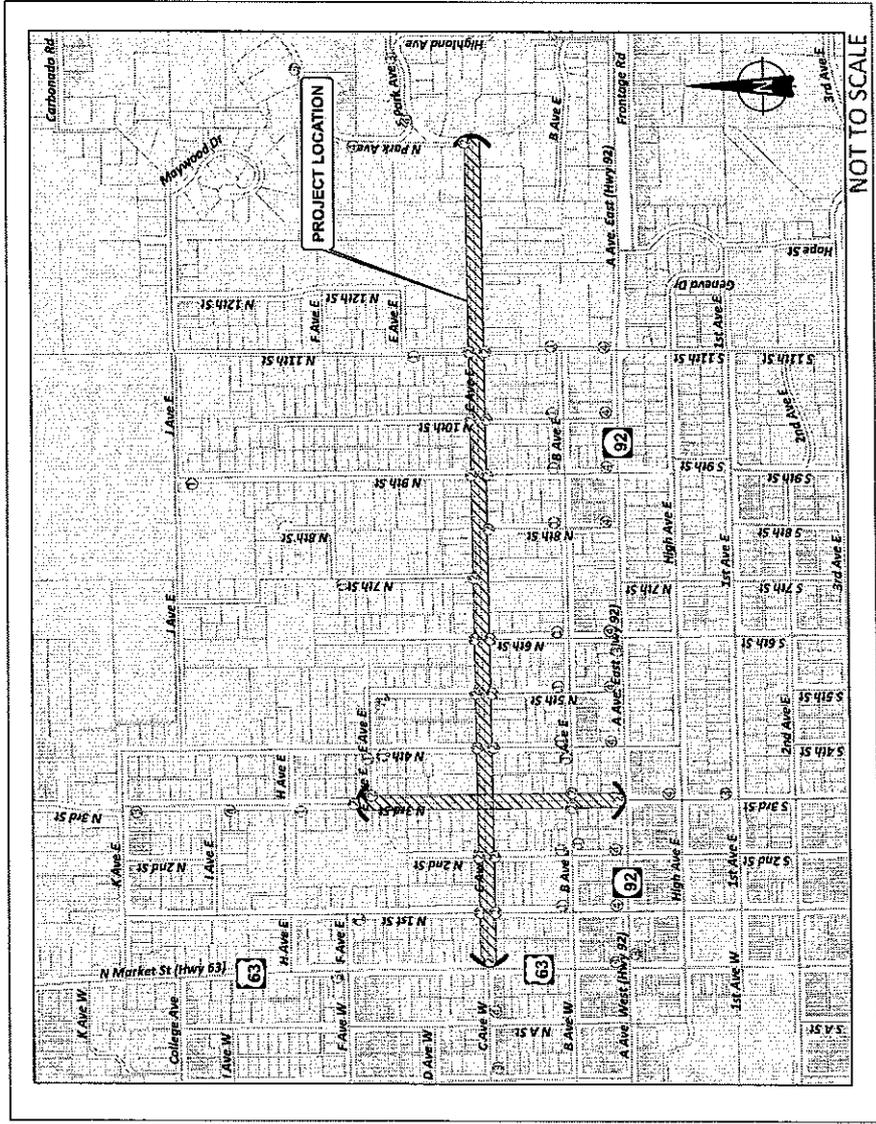
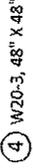
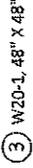
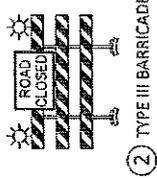
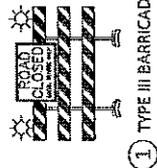
### UTILITY CONTACT INFORMATION

UTILITY	ORGANIZATION/REPRESENTATIVE	PHONE
STORM AND SANITARY SEWER	CITY OF OSKALOOSA	641.693.8372
WATERS	OSKALOOSA WATER DEPT.	641.693.8372
NATURAL GAS	INDIAN ENERGY WEST PFERDSON	641.693.8372
ELECTRIC	INDIAN ENERGY WEST PFERDSON	641.693.8372
TELEVISION	INDIAN ENERGY WEST PFERDSON	641.693.8372
PHONE	CENTURYLINK, P&H, WALLEYS	811 or 515-965-8100
PUBLIC WORKS	CITY OF OSKALOOSA, AKHILESH PAL & MATEWILEY	641.693.8372

PROJECT NO. 2010-26	DATE: AUG 5, 2013	APPROVED BY: AP	PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT
DRAWN BY: NW		TITLE SHEET	
SHEET NO. <b>A.1</b>		OSKALOOSA ENGINEERING DEPT. 100 SOUTH O STREET OSKALOOSA, IA 52577 PHONE: (641) 693-8372 FAX: (641) 693-8373	

# TRAFFIC CONTROL PLAN

1. TRAFFIC CONTROL AND SIGNING ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE CURRENT MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) ALL SIGNS SHALL USE REFLECTIVE HIGH INTENSITY SHEETING OR BETTER.
2. WHERE POSSIBLE ALL POST MOUNTED SIGNS SHALL BE PLACED A MINIMUM OF TWO FEET CLEAR OF THE BACK OF CURB.
3. PERMANENT SIGNS CONVEYING A MESSAGE CONTRARY OR CONTRADICTORY TO THE MESSAGE OF THE TEMPORARY SIGNS AND NOT APPLICABLE TO THE WORKING CONDITIONS SHALL BE COVERED BY THE CONTRACTOR WHEN DIRECTED BY THE ENGINEER.
4. ALL TRAFFIC CONTROL DEVICES, INCLUDING WOODEN POSTS SHALL BE FURNISHED, MAINTAINED, AND REMOVED BY THE CONTRACTOR.
5. THE LOCATION FOR CONTRACTOR STORAGE OF EQUIPMENT BY THE CONTRACTOR DURING NON-WORKING HOURS SHALL BE AS APPROVED BY THE ENGINEER IN CHARGE OF CONSTRUCTION.
6. PROPOSED SIGN SPACING MAY BE MODIFIED, AS APPROVED BY THE ENGINEER, TO MEET EXISTING FIELD RESTRICTIONS OR TO PREVENT OBSTRUCTIONS OF THE MOTORIST'S VIEW OF PERMANENT SIGNING.
7. PROPOSED CHANGES IN THE TRAFFIC CONTROL PLAN SHALL BE REVIEWED WITH THE ENGINEER BEFORE CHANGES ARE MADE.
8. THE BID ITEM "TRAFFIC CONTROL" SHALL INCLUDE THE COST FOR ALL TRAFFIC CONTROL MEASURES REQUIRED OF THE CONTRACTOR.
9. ALL CONTRACTOR-FURNISHED BARRICADES, VERTICAL PANELS, AND FIXED POST MOUNTED TRAFFIC CONTROL SIGNS SHALL BE REFLECTORIZED WITH ENCAPSULATED LENS SHEETING MEETING STANDARD SPECIFICATIONS.
10. ARTICLE 2528.12 OF THE I.D.O.T. STANDARD SPECIFICATIONS REQUIRES MAINTENANCE OF ALL TRAFFIC CONTROL DEVICES IN FULL PERFORMANCE OF THE DEVICES DURING NON-WORKING HOURS IN ORDER TO ASSURE PROPER OPERATION.
11. WHEN USED FOR TRAFFIC CONTROL OR PROTECTION OF THE WORK SITE, SAFETY FENCE MUST BE FIRMLY SUPPORTED IN A VERTICAL POSITION; RELATED COSTS WILL BE INCLUDED IN THE TRAFFIC CONTROL BID ITEM.
12. ALL "STOP" AND OTHER REGULATORY SIGNS ARE NOT TO BE DISTURBED UNTIL NECESSARY. IF A "STOP" OR OTHER REGULATORY SIGN MUST BE REMOVED, IT CAN BE REMOVED AND STORED FOR THE CITY TO PICKUP.
13. TYPE "A" FLASHING WARNING LIGHTS SHALL BE VISIBLE TO BOTH DIRECTIONS OF TRAFFIC. THE BACKSIDE OF THE TYPE III BARRICADES SHALL BE FULLY REFLECTORIZED UNLESS THERE IS NO ACCESS PERMITTED BEYOND THE BARRICADE. STRIPES SHALL BE PROPERLY SLOPED DOWN TOWARDS THE TRAFFIC SIDE. LIGHTS ARE REQUIRED ON TYPE III BARRICADES.
14. ALL BARRICADES CLOSING CONSTRUCTION AREAS ON ALL STAGES REQUIRE A MINIMUM OF 2 TYPE II BARRICADES TO CLOSE THE ENTIRE STREET (ONE TYPE III WITH ROAD CLOSED ON IT).
15. ALLEYS OR CLOSED STREETS ARE REQUIRED TO HAVE TYPE III BARRICADES.
16. PRIVATE DRIVEWAYS CAN BE CLOSED WITH TYPE II BARRICADES.
17. TRAFFIC CONTROL WILL BE PAID FOR AT THE CONTRACT LUMP SUM PRICE.
18. ALL EXISTING STREET INTERSECTIONS ARE TO BE OPEN FOR TRAFFIC AT ALL TIMES, EXCEPT WHEN PAVING AND/OR MAJOR CONSTRUCTION ACTIVITY IS IN PROGRESS.
19. THE DEAD END STREETS NORTH OF C AVENUE (N 2ND ST, N 6TH ST, AND N 10TH ST) MUST MAINTAIN RESIDENTIAL ACCESS AT ALL TIMES DURING THE PROJECT. CONSTRUCTION MUST BE PHASED IN SUCH A MANNER AS TO ALLOW ACCESS TO THE DEAD END STREETS.
20. FLAGGERS AND OTHER TRAFFIC CONTROL MEASURES WILL BE NECESSARY TO MAINTAIN ONE LANE OF TRAFFIC AT ALL TIMES FROM NORTH 11TH STREET TO THE HOSPITAL ENTRANCE ON C AVENUE EAST.
21. THE CITY ENGINEER RESERVES THE RIGHT TO CHANGE THE TRAFFIC CONTROL PLAN WHEN REQUIRED.



NOT TO SCALE

DRAKOSOA ENGINEERING INC.  
100 SOUTH D STREET  
MILWAUKEE, WI 53212  
PHONE: (414) 223-4473  
FAX: (414) 273-3733

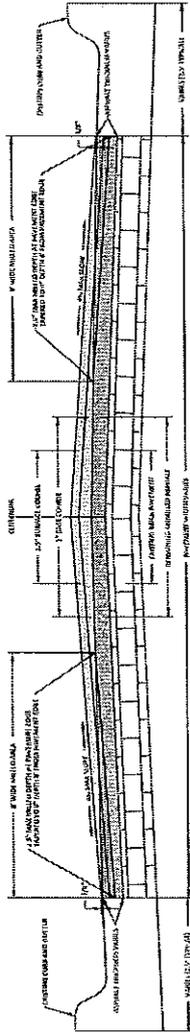
NO.	REVISION/ISSUE	DATE

SHEET TITLE: TRAFFIC CONTROL PLAN  
PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT  
APPROVED BY: AP  
DRAWN BY: NW  
PROJECT NO. 2010-26  
DATE: AUG 5, 2013

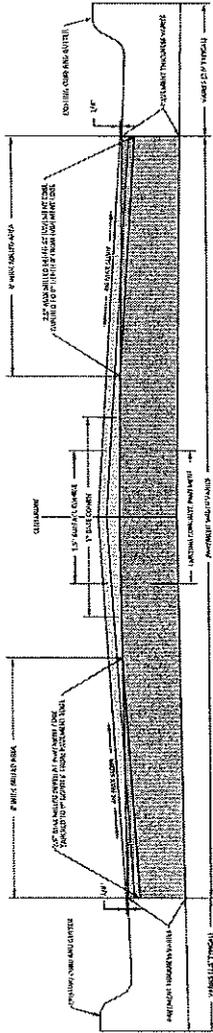
SHEET NO. A.2



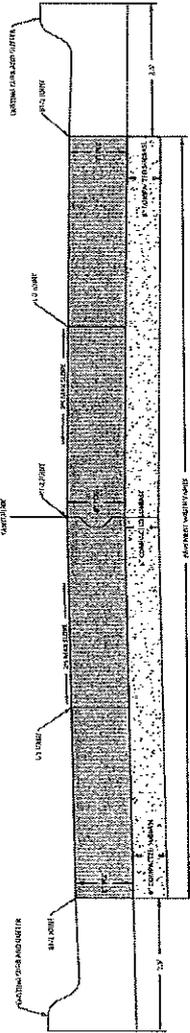
TYPICAL SECTION - HMA RESURFACING OVER BRICK PAVEMENT  
 (C AVENUE EAST STA. 25+00 TO 48+63) & (NORTH 3RD STREET STA 0+00 TO 15+04)



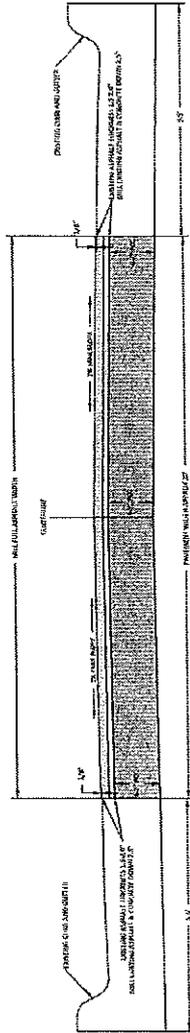
TYPICAL SECTION - HMA RESURFACING OVER CONCRETE PAVEMENT  
 C AVENUE EAST; (STA 3+48 TO 5+85), (STA 9+27 TO 12+34) & (STA 13+16 TO 19+56)



TYPICAL SECTION - CONCRETE PAVEMENT RECONSTRUCTION  
 C AVENUE EAST; (STA 5+85 TO 9+27) & (STA 12+34 TO 13+16)



TYPICAL SECTION - HMA RESURFACING OVER CONCRETE PAVEMENT  
 C AVENUE EAST; (STA 19+56 TO 25+00)



ADDITIONAL CONSTRUCTION NOTES:

- CURB AND GUTTER REPLACEMENT:
1. CURB AND GUTTER SHALL BE 8\"/>
  - 2. DOWEL INTO AND MATCH EXISTING CURB AND GUTTER WIDTH AND TYPE.
  - 3. PLACE AND SEAL EXPANSION JOINT BETWEEN BACK OF CURB AND ANY OTHER PCC PAVEMENT.
  - 4. JOINTS ARE TO BE SPACED A MAXIMUM OF 12' APART.
  - 5. GROUT THE BACK OF CURB.

- ALLEY APPROACH REPLACEMENT:
1. PLACE AND SEAL EXPANSION JOINT BETWEEN ALLEY APPROACH AND BACK OF CURB.

- FULL DEPTH PATCHES:
1. MATCH EXISTING CONCRETE THICKNESS. ADDITIONAL EXCAVATION MAY BE REQUIRED. SEE FULL DEPTH PATCH DETAIL BELOW.
  2. DOWEL INTO EXISTING CONCRETE WITH QT-2 JOINTS.

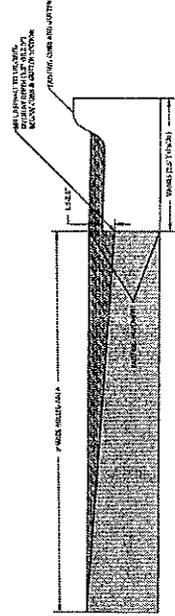
- REPLACE AND CONSTRUCT NEW ADA RAMPS:
1. COMPACT SUBGRADE. GRANULAR SUBBASE IS NOT REQUIRED FOR SIDEWALKS.
  2. PLACE AND SEAL EXPANSION JOINT BETWEEN BACK OF CURB AND SIDEWALK RAMP.
  3. TRUNCATED DOWELS MAY BE CUT TO FIT AS NEEDED.

- NEW 8\"/>
  1. SEE INTERSECTION JOINTING PLAN ON PAGE A.5.
  2. SEAL ALL JOINTS.

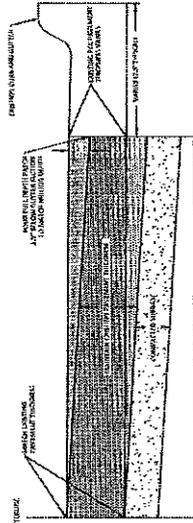
- PAVEMENT MILLING:
1. ADDITIONAL MILLING MAY BE REQUIRED WHERE PAVEMENTS TRANSITION FROM 2% CROSS SLOPE TO 4% CROSS SLOPE.
  2. SEE MILLING DETAIL BELOW.

- CURB GRINDING:
1. GRIND NEW AND EXISTING RAMPS WHERE SHOWN ON PLANS TO ACHIEVE ADA STANDARDS.

MILLING DETAIL - ASPHALT OVER CURB AND GUTTER SECTION



FULL DEPTH PATCH DETAIL



NO.	REVISION/ISSUE	DATE

SHEET TITLE: TYPICAL SECTIONS  
 PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET  
 PROJECT NO. 2010-26  
 DATE: AUG 5, 2013  
 APPROVED BY: AP  
 DRAWN BY: NW  
 SHEET NO. A.4

OSALOGOS ENGINEERING DEPT.  
 1000 N. 3RD STREET  
 OSALOGOS, IA 52573  
 PHONE: (641) 773-2733  
 FAX: (641) 773-2733

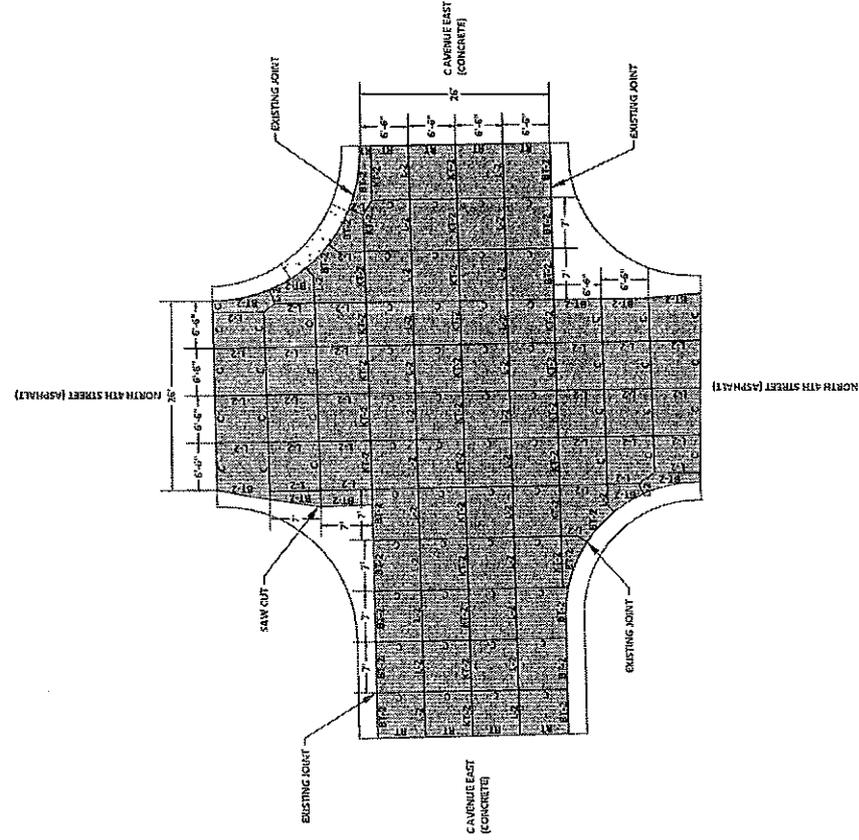


OKALOOKA ENGINEERING DEPT. 500 SOUTH D STREET DES MOINES, IA 50317 PHONE: (515) 273-7474 FAX: (515) 273-9793	DATE	REVISION/ISSUE	NO.
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PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET  
 SHEET TITLE: INTERSECTION JOINING PLANS

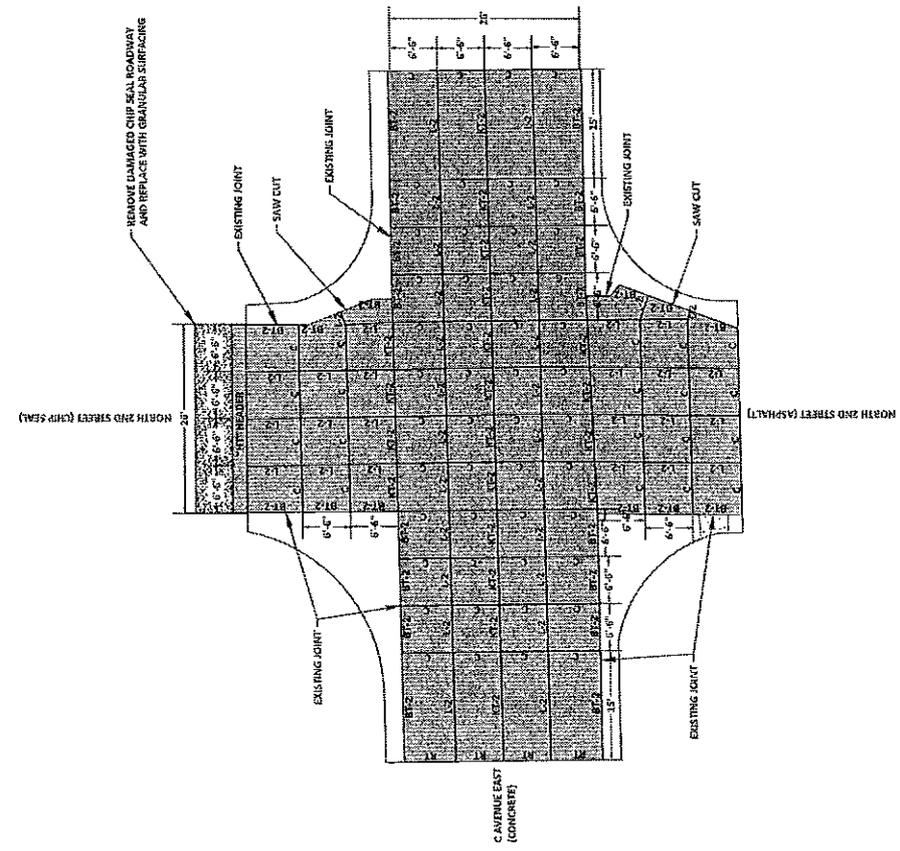
PROJECT NO. 2010-26  
 DATE: AUG 5, 2013  
 APPROVED BY: AP  
 DRAWN BY: NW  
 SHEET NO. A.5

INTERSECTION OF C AVENUE EAST & NORTH 4TH STREET

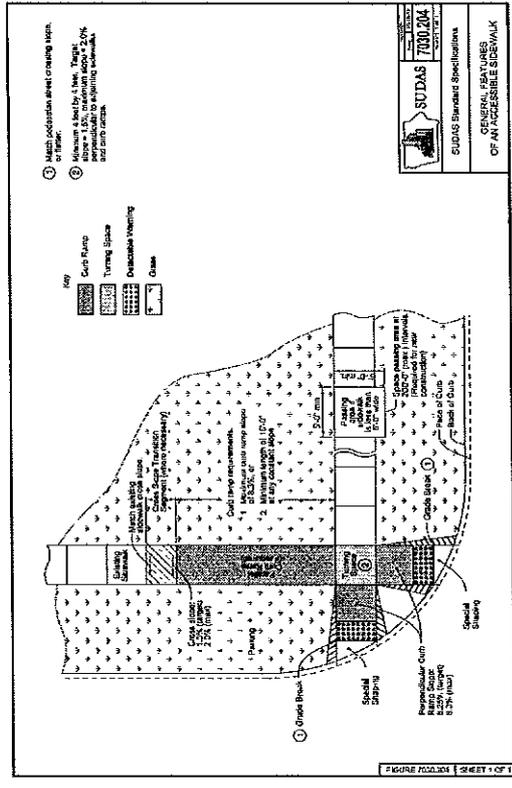
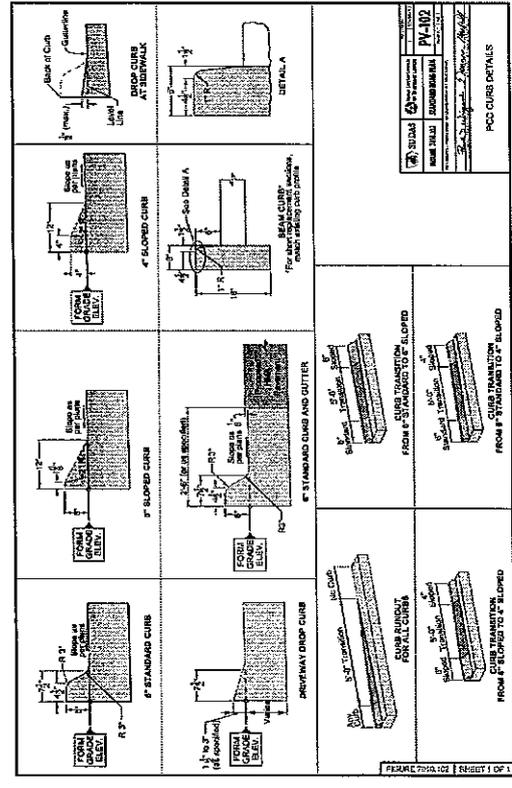
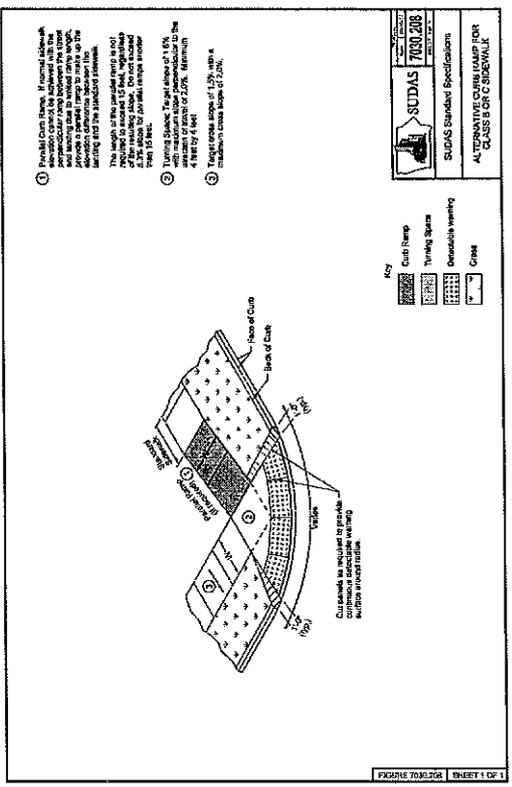
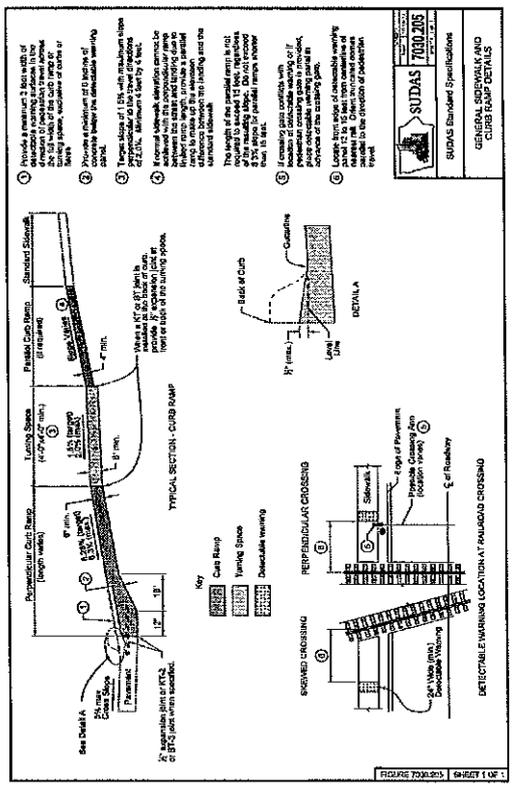


\* JOINT SEALANT IS REQUIRED IN ALL SAW CUT JOINTS.

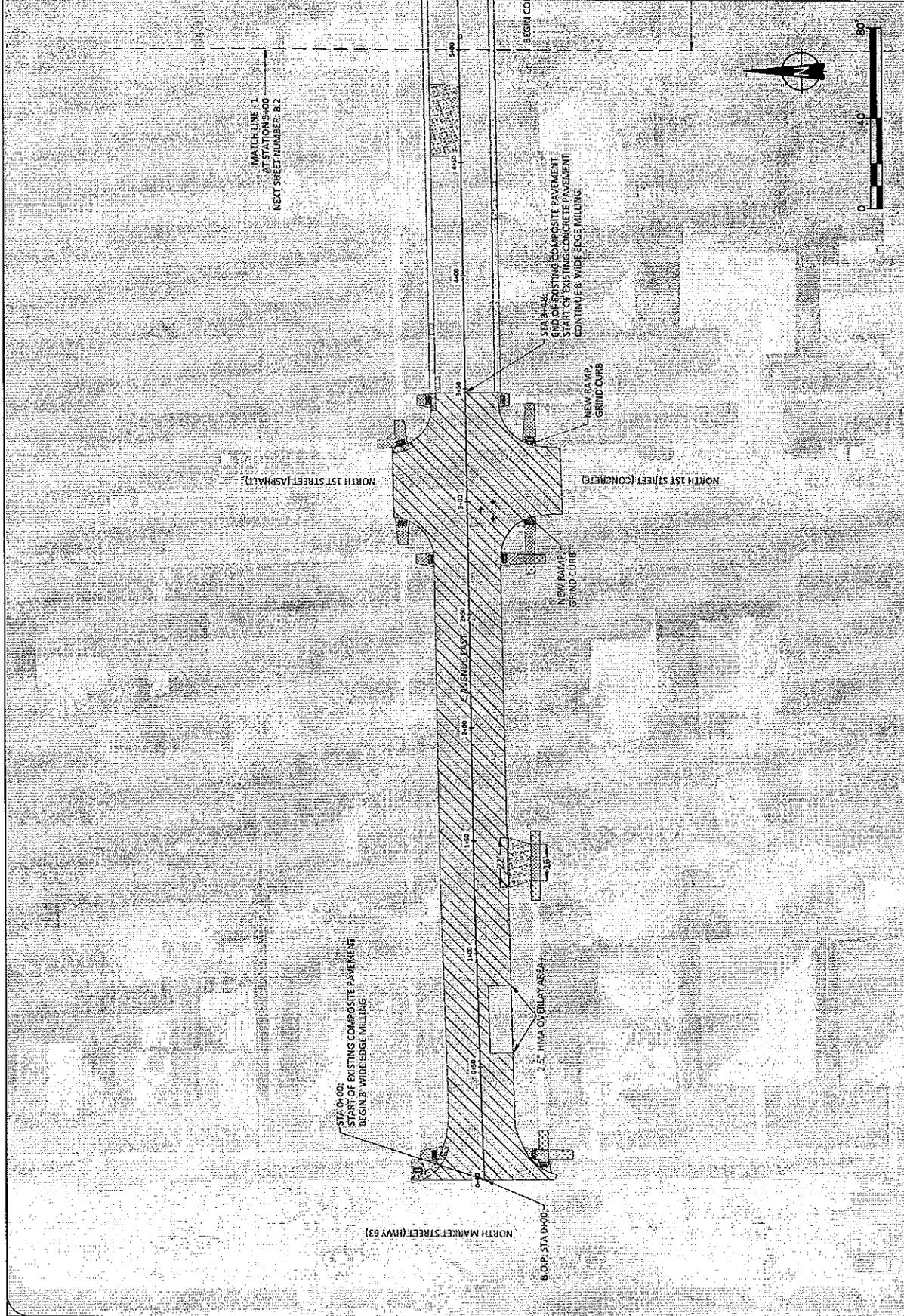
INTERSECTION OF C AVENUE EAST & NORTH 2ND STREET



\* JOINT SEALANT IS REQUIRED IN ALL SAW CUT JOINTS.



PROJECT NO. 2010-26		SHEET NO. <b>B.1</b>
DATE: AUG 5, 2013		
DRAWN BY: NW	APPROVED BY: AP	
PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT (STA 0+00 TO 5+00)		
SHEET TITLE: C AVENUE EAST CONSTRUCTION (STA 0+00 TO 5+00)		
NO.	REVISION/ISSUE	DATE



OSAKOOSA ENGINEERING DEPT.  
1000 W  
1000 SOUTH O STREET  
OSAKOOSA, MN 55277  
PHONE: (612) 777-7427  
FAX: (612) 777-0338

B.2

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

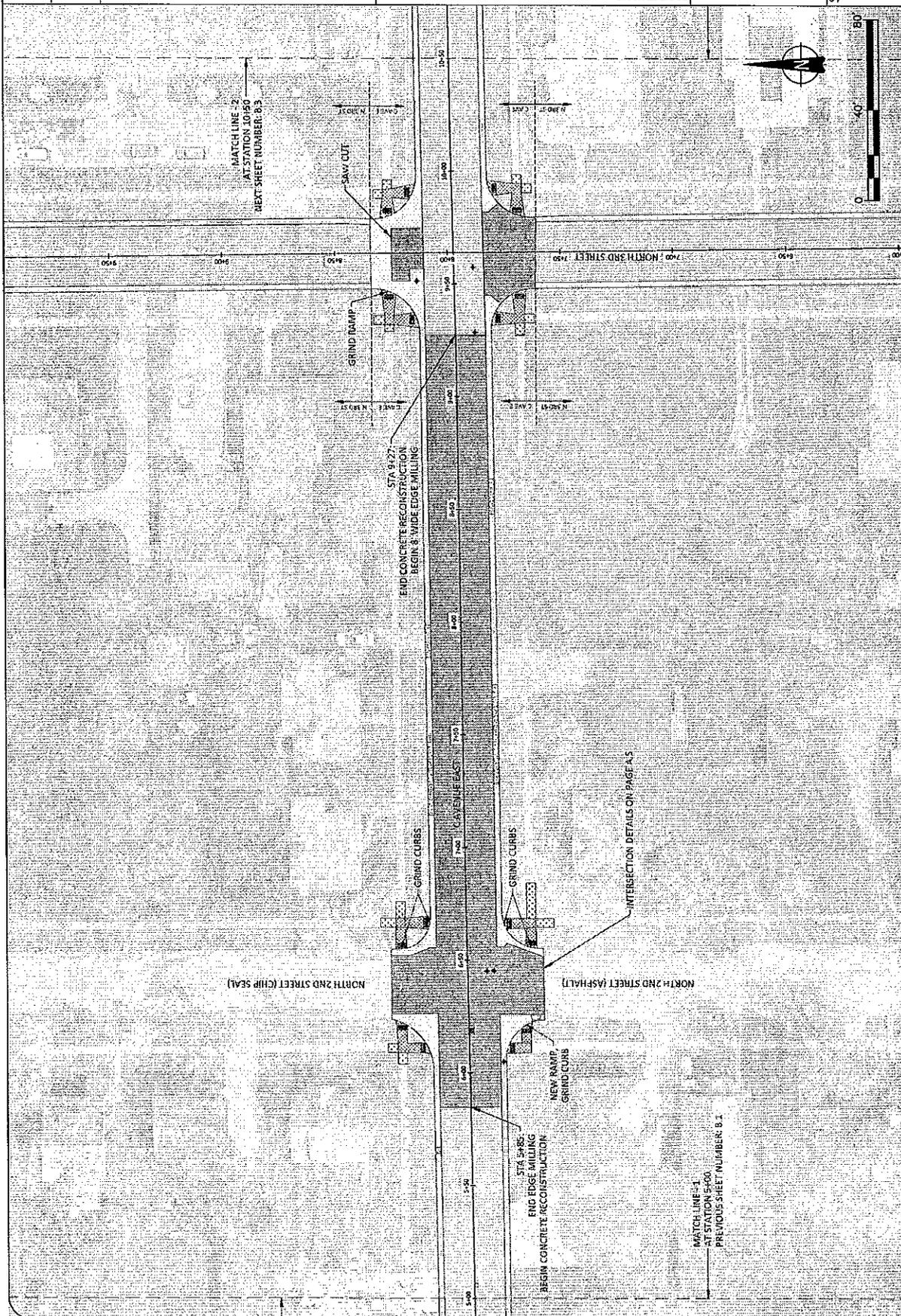
PROJECT NAME:  
C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 5+00 TO 10+50)

SHEET TITLE:  
C AVENUE EAST CONSTRUCTION  
(STA 5+00 TO 10+50)

OSKALOOSA ENGINEERING DEPT.  
1000 W. 10TH ST.  
OSKALOOSA, IA 52577  
PHONE: 641-737-7477  
FAX: 641-737-3733



SHEET NO.



MATCH LINE -1  
AT STATION 5+00  
PREVIOUS SHEET NUMBER B.1

STA 9+27  
END CONCRETE RECONSTRUCTION  
BEGIN 8' WIDE EDGE MILLING

INTERSECTION DETAILS ON PAGE A.5

NEW RAMP  
GRIND CURB

GRIND CURBS

GRIND RAMP

SAW CUT

MATCH LINE -2  
AT STATION 10+50  
NEXT SHEET NUMBER B.3

**B.3**

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

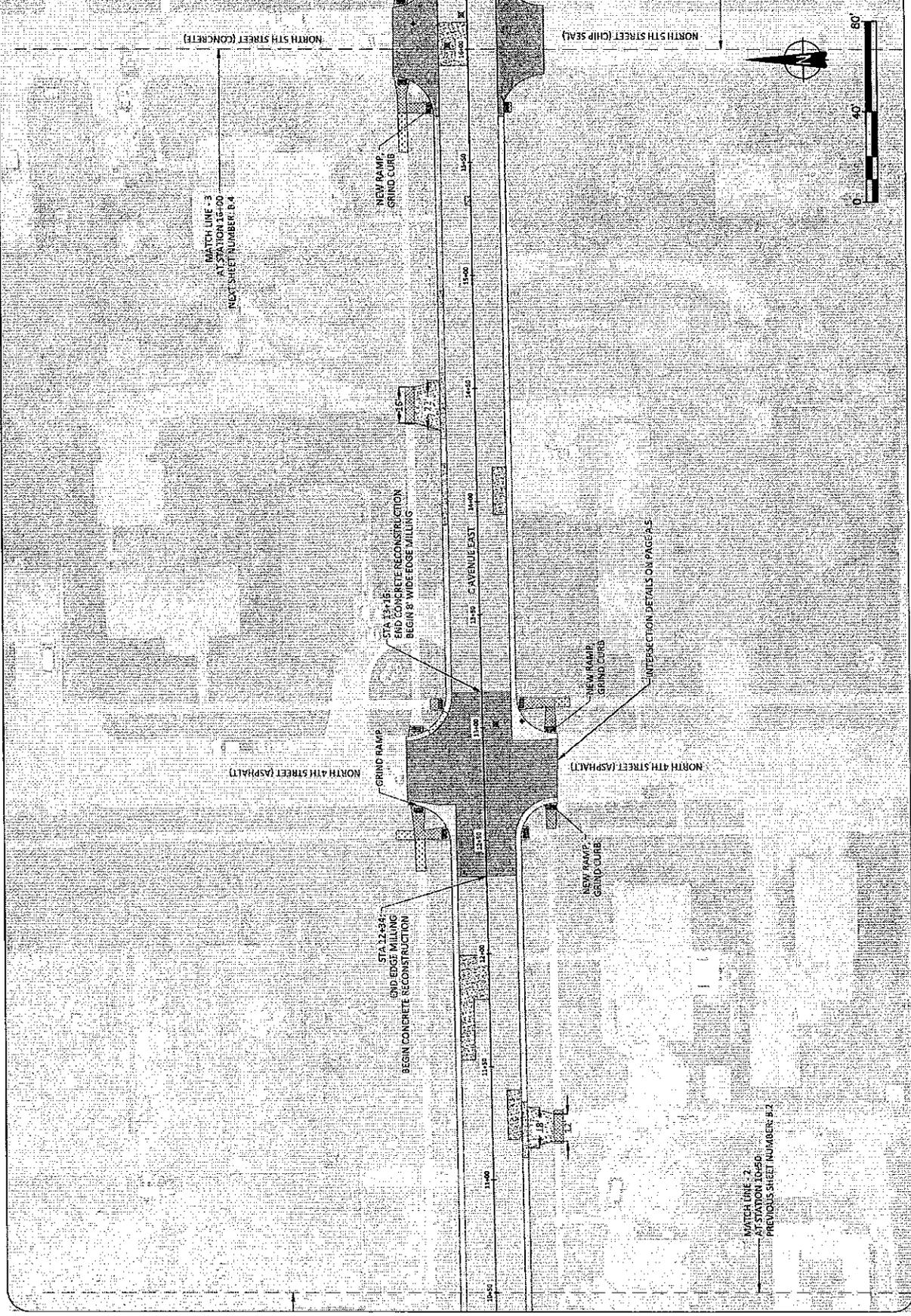
APPROVED BY:  
AP

DRAWN BY:  
NW

PROJECT NAME:  
C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 10+50 TO 16+00)

NO.	REVISION/ISSUE	DATE

OSKALOOSA ENGINEERING DEPT.  
1504 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: 641.673-7472  
FAX: 641.673-3333



MATCH LINE - 2  
AT STATION 10+50  
PREVIOUS SHEET NUMBER B.2

MATCH LINE - 3  
AT STATION 16+00  
NEXT SHEET NUMBER B.4

STA 13+15  
END CONCRETE RECONSTRUCTION  
BEGIN 8' WIDE EDGE MILLING

STA 12+54.15  
END EDGE MILLING  
BEGIN CONCRETE RECONSTRUCTION

NORTH 4TH STREET (ASPHALT)

NORTH 4TH STREET (ASPHALT)

NORTH 5TH STREET (CONCRETE)

NORTH 5TH STREET (CHIP SEAL)

12+50 C AVENUE EAST 14+00

11+00 11+50 12+00 12+50 13+00 13+50 14+00 14+50 15+00 15+50 16+00



NO.	REVISION/ISSUE	DATE

PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT (STA 16+00 TO 21+00)

SHEET TITLE: C AVENUE EAST CONSTRUCTION

PROJECT NO. 2010-26

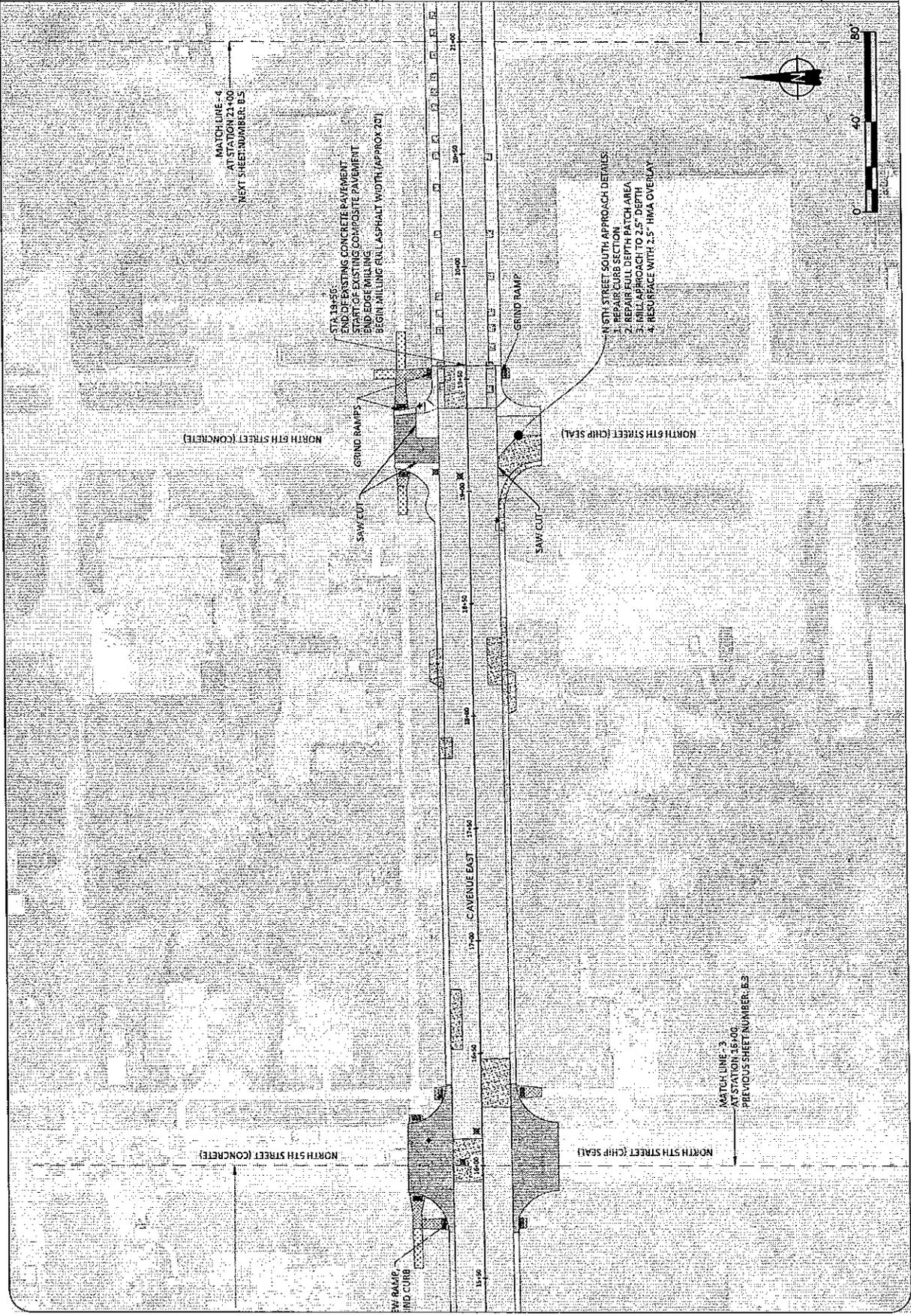
DATE: AUG 5, 2013

APPROVED BY: [Signature]

AP: [Signature]

NW DRAWN BY: [Signature]

SHEET NO. B.4



**B.5**

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

PROJECT NAME:  
C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 21+00 TO 26+50)

SHEET TITLE:

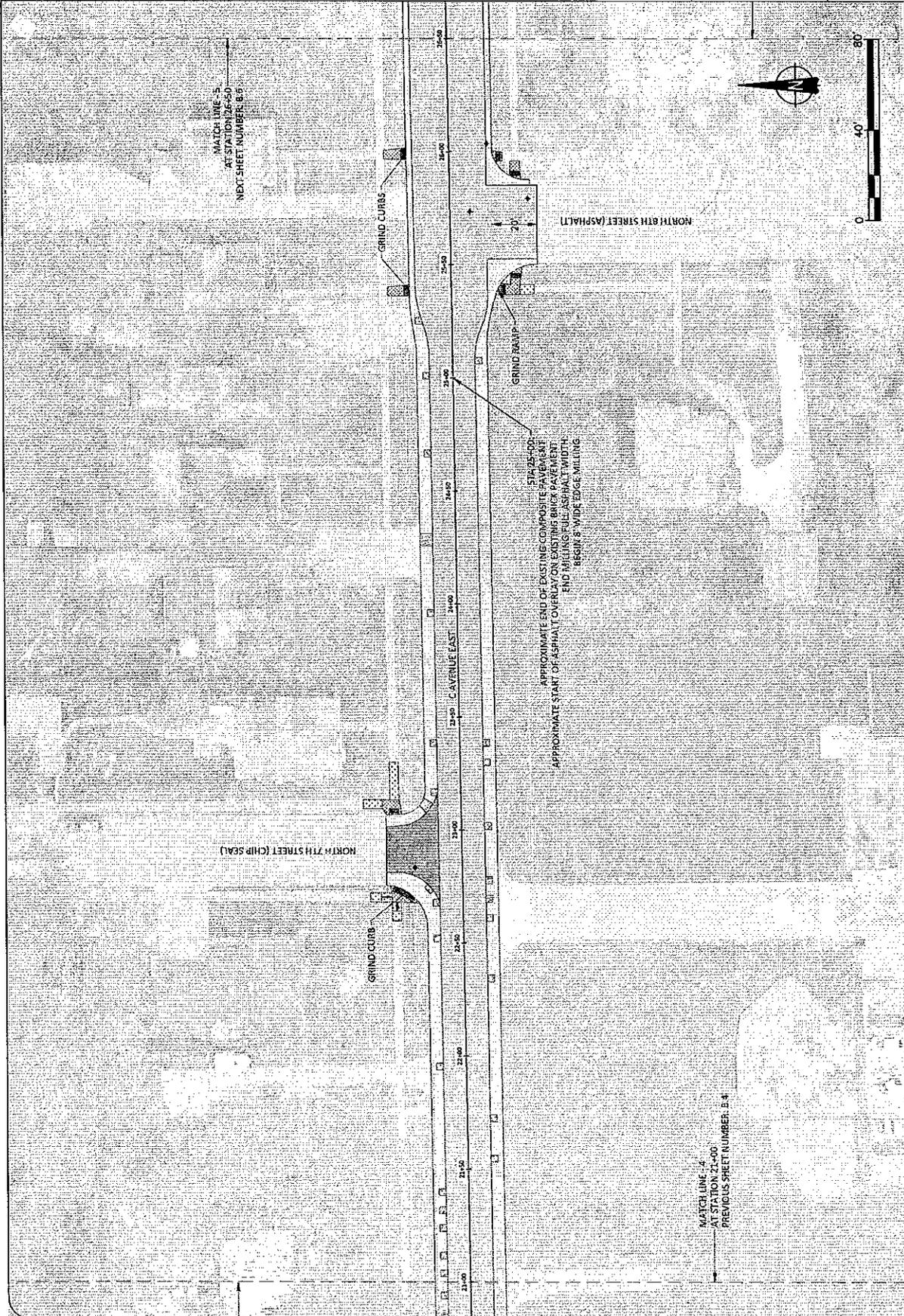
NO. \_\_\_\_\_

REVISION/ISSUE

DATE



OSAKOUSA ENGINEERING BERTY  
100 SOUTH D STREET  
MILWAUKEE, WI 53277  
PHONE: (414) 973-7427  
FAX: (414) 973-2373



MATCH LINE 5  
AT STATION 26+50  
NEXT SHEET NUMBER: B.6

**B.6**

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

PROJECT NAME:  
C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 26+50 TO 32+00)

SHEET TITLE:  
C AVENUE EAST CONSTRUCTION  
(STA 26+50 TO 32+00)

OKALOOSA ENGINEERING DEPT.  
101 SOUTH STREET  
OKALOOSA, FL 32577  
TEL: (904) 273-7473  
FAX: (904) 273-3933





**B.8**

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

PROJECT NAME:

C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 37+50 TO 43+00)

SHEET TITLE:

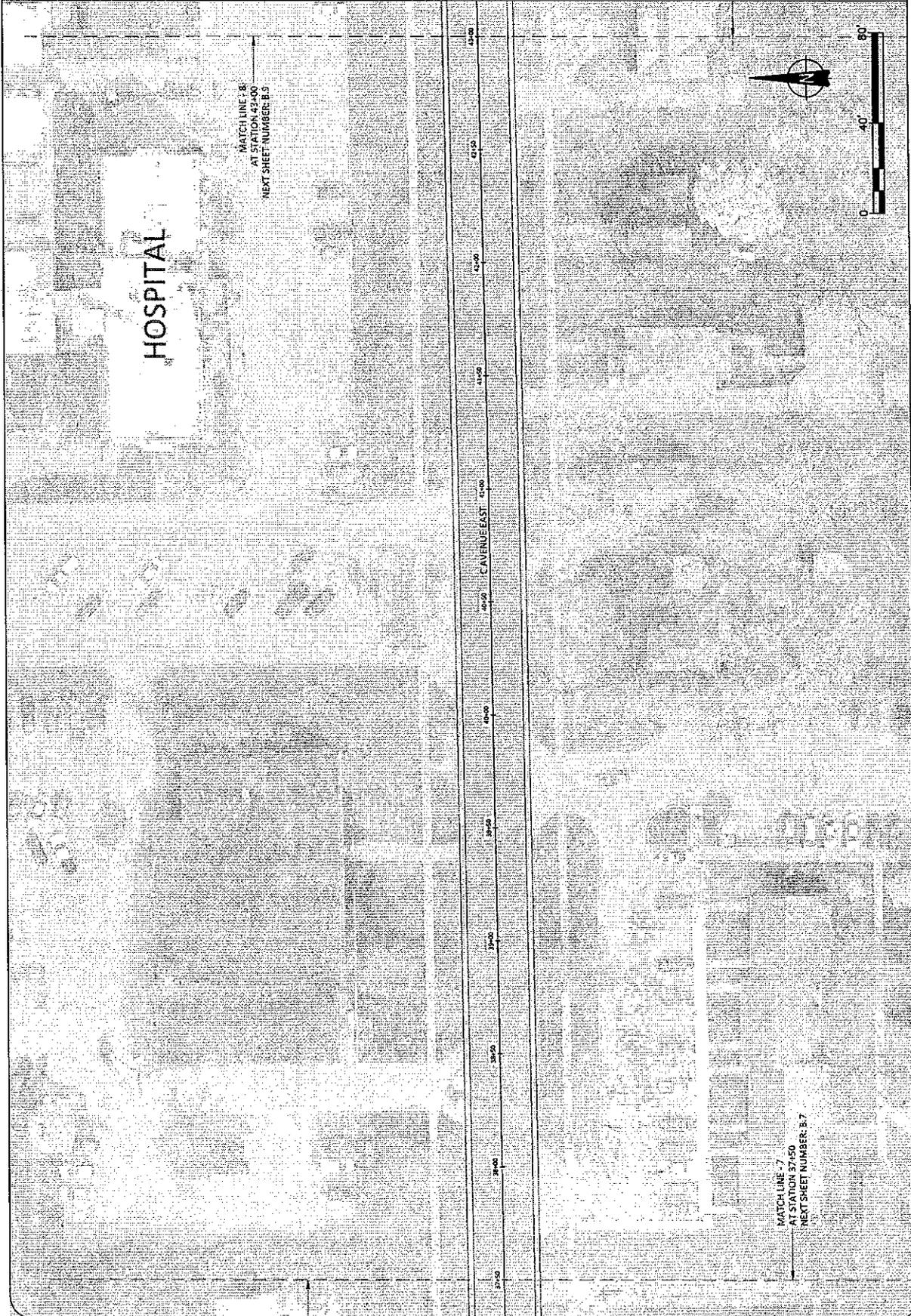
C AVENUE EAST CONSTRUCTION

NO.

REVISION/ISSUE

DATE

OSHA/OSHA ENGINEERING DEPT.  
1000 SOUTH D STREET  
ANN ARBOR MI 48107  
PHONE: (734) 769-7277  
FAX: (734) 769-3733



MATCH LINE - 8  
AT STATION 43+00  
NEXT SHEET NUMBER: B.9

MATCH LINE - 7  
AT STATION 37+50  
NEXT SHEET NUMBER: B.7

**B.9**

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

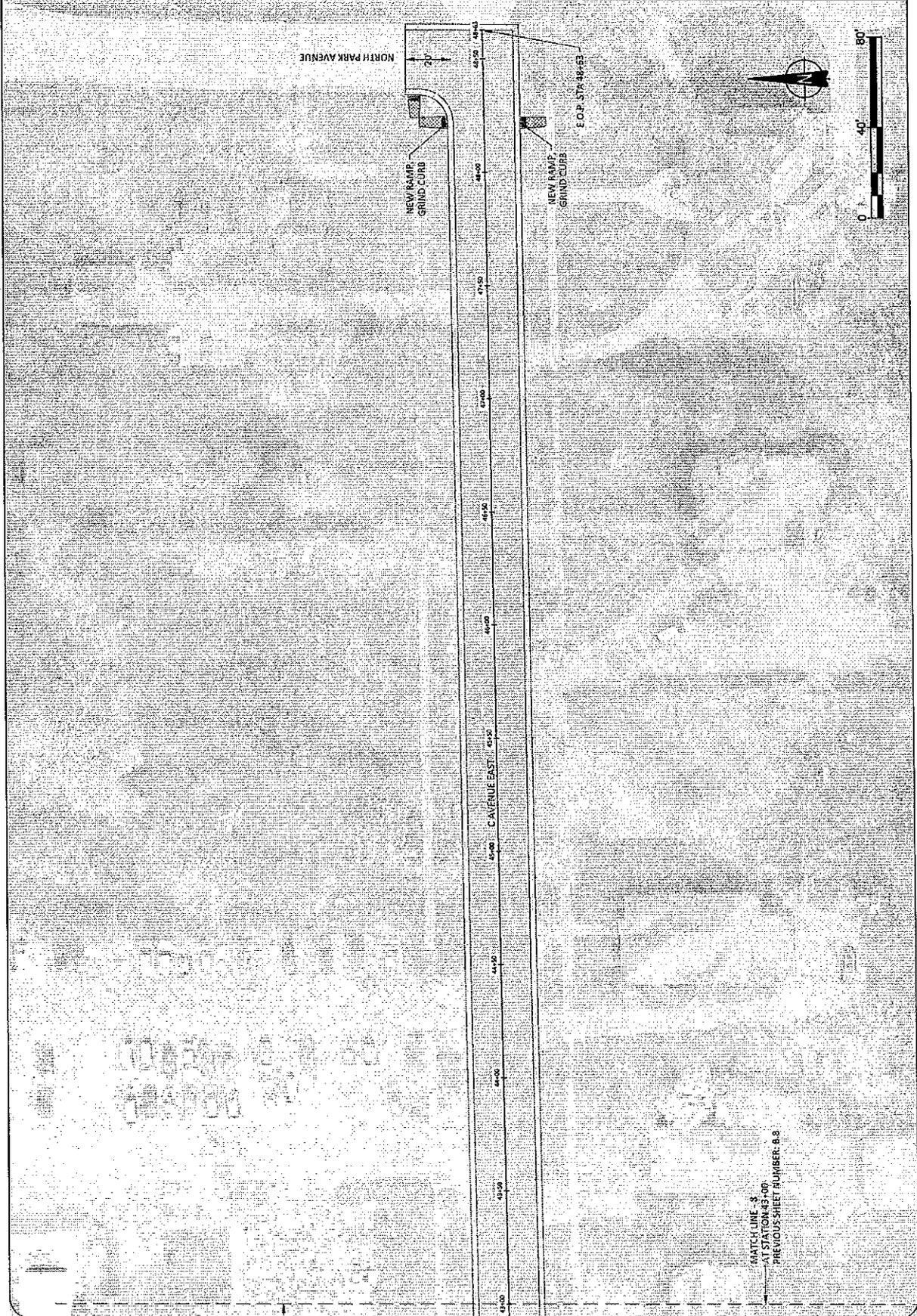
PROJECT NAME:

SHEET TITLE:

C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
(STA 43+00 TO 48+63)

C AVENUE EAST CONSTRUCTION

OSAKOOSA ENGINEERING DEPT.  
1000 S. 10TH AVE. SUITE 200  
PHOENIX, ARIZONA 85001  
PHONE: (602) 998-7222  
FAX: (602) 998-7223



# B.10

SHEET NO.

PROJECT NO.  
2010-26

DATE:  
AUG 5, 2013

APPROVED BY:  
AP

DRAWN BY:  
NW

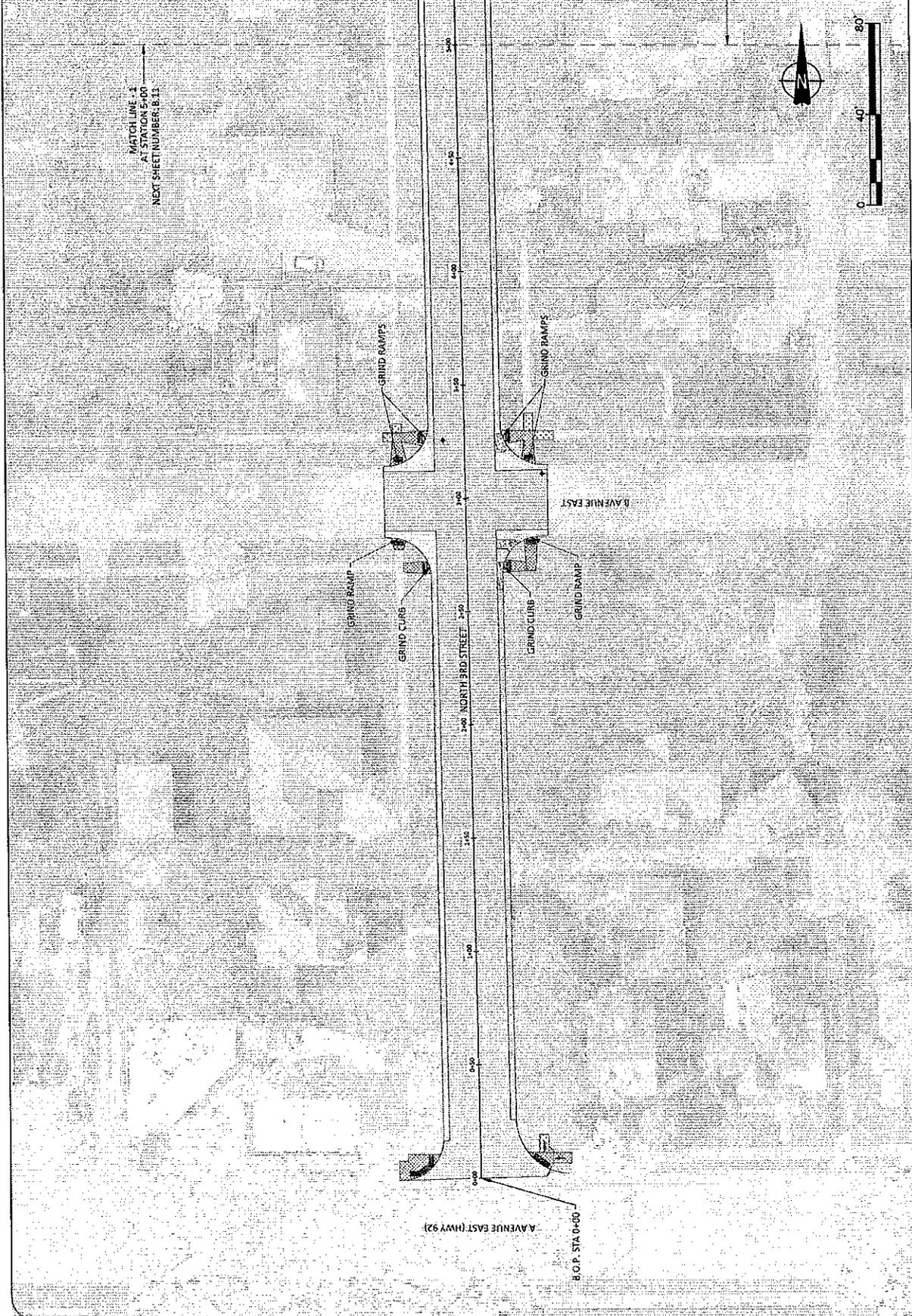
PROJECT NAME:

C AVENUE EAST & NORTH 3RD STREET  
PAVEMENT REHABILITATION PROJECT  
ALTERNATE BID:  
NORTH 3RD STREET OVERLAY  
(STA 0+00 TO 5+00)

SHEET TITLE:

OKALOOSA ENGINEERING DESIGNS  
1015  
104 SOUTH O STREET  
OKALOOSA, FL 32577  
PHONE: (904) 723-2422  
FAX: (904) 723-7733

NO.	REVISION/ISSUE	DATE



**B.11**

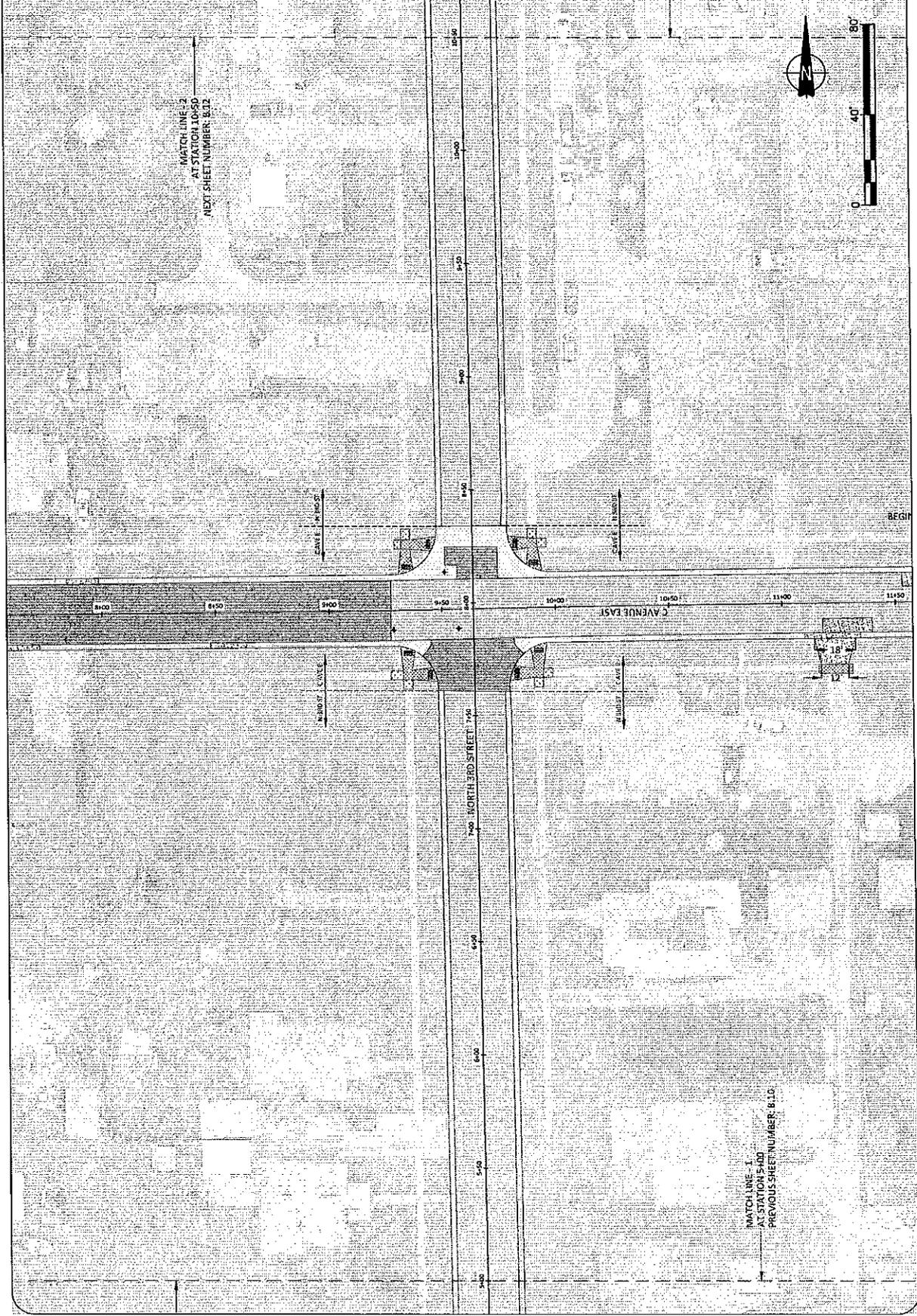
SHEET NO.

DRAWN BY: NW  
APPROVED BY: AP  
DATE: AUG 5, 2013  
PROJECT NO. 2010-26

NO.	REVISION/ISSUE	DATE

OSKALOOSA ENGINEERING DIV.  
OSKALOOSA, IOWA  
100 SOUTH O STREET  
PHONE: (319) 741-2122  
FAX: (319) 741-2123

PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET  
SHEET TITLE: ALTERNATE BID: PAVEMENT REHABILITATION PROJECT  
(STA 5+00 TO 10+50)



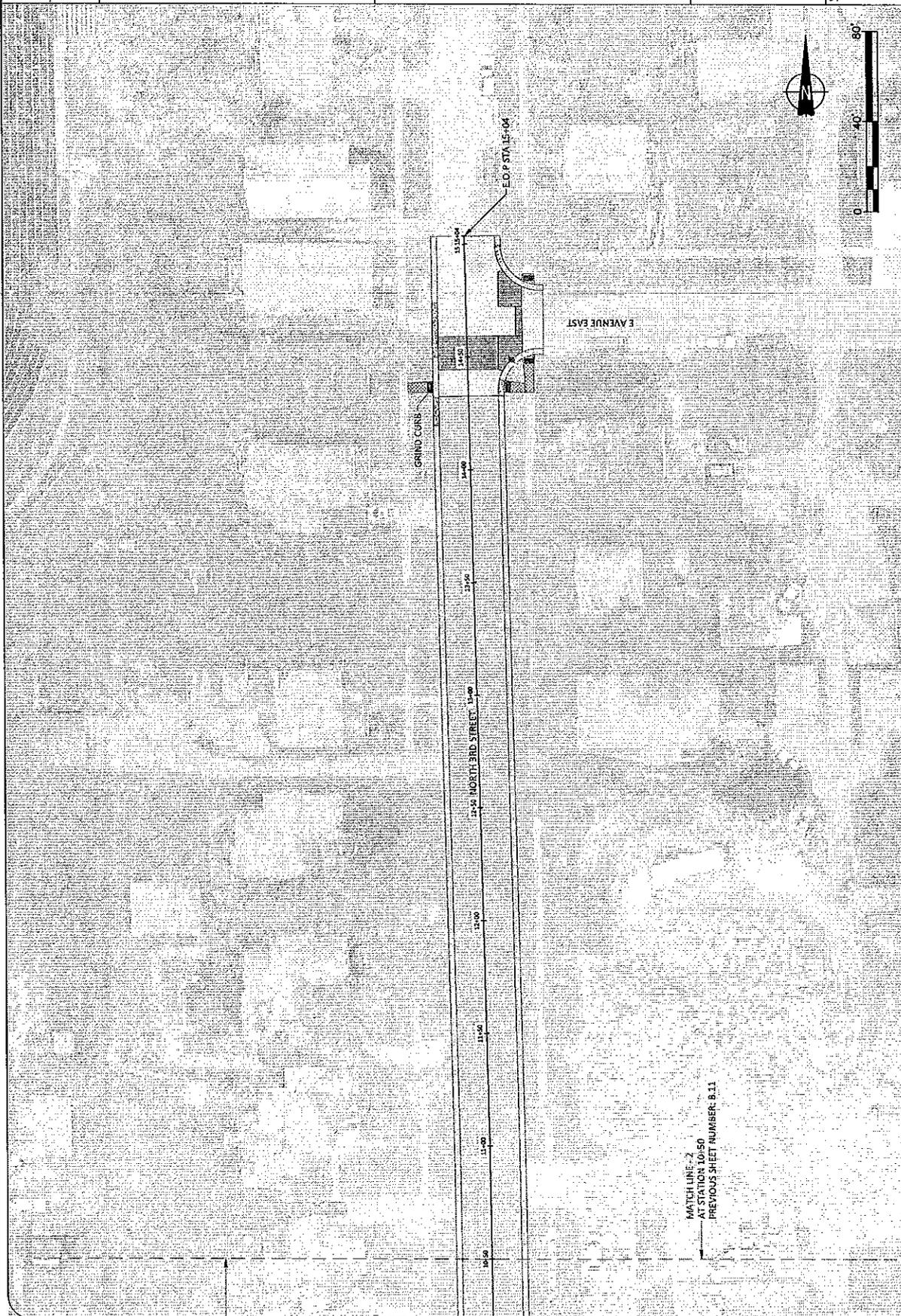


NO.	REVISION/ISSUE	DATE

PROJECT NAME: C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT  
SHEET TITLE: ALTERNATE BID: NORTH 3RD STREET OVERLAY (STA 10+50 TO 15+04)

PROJECT NO. 2010-26  
DATE: AUG 5, 2013  
APPROVED BY: AP  
DRAWN BY: NW

SHEET NO. **B.12**



MATCH LINE -2  
AT STATION 10+50  
PREVIOUS SHEET NUMBER: B.11

## NOTICE OF PUBLIC HEARING AND LETTING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE CONSTRUCTION OF THE C AVENUE EAST (MARKET STREET TO NORTH PARK AVENUE) AND NORTH THIRD STREET (A AVENUE EAST TO E AVENUE EAST) PAVEMENT REHABILITATION PROJECT, IN OSKALOOSA, IOWA, AND NOTICE TO BIDDERS FOR THE TAKING OF BIDS FOR SAID IMPROVEMENTS.

Notice is hereby given that a public hearing will be held before the City Council of Oskaloosa, Iowa in the Council Chambers, City Hall, 220 South Market Street, Oskaloosa, Iowa, on AUGUST 19, 2013, commencing at 6:00 P.M., Local Time, on the proposed plans, specifications and form of contract for the **C AVENUE EAST AND NORTH THIRD STREET PAVEMENT REHABILITATION PROJECT** described in the Plans and Specifications therefore now on file in the Office of the City Clerk. At said hearing, the City Council will receive and consider any objections made by any interested party to said construction documents.

Sealed bids will be received at the Office of the City Clerk of the City of Oskaloosa, Iowa located in City Hall, 220 South Market Street, in said City, until **10:00 A.M., Local Time, Friday, August 16, 2013**, for the construction of the project, as described in the construction documents. The work involves milling existing asphalt and asphalt overlay, concrete pavement reconstruction, full depth and partial depth concrete patching, repair concrete curb & gutter sections, new ADA accessible sidewalk ramp reconstruction, sidewalk and driveway pavement replacement, and alley approach improvements.

Bids received will be opened and tabulated at a public meeting, presided over by the City Engineer, in the 2nd Floor Council Chambers, City Hall, at 10:00 A.M., Local Time, on Friday, August 16, 2013. Bids will be acted upon by the City Council at the hearing which is to be held at 6:00 P.M., August 19, 2013, or as such later time and place as may then be fixed.

Each proposal shall be sealed in an envelope marked "Proposal for the C Avenue East and North Third Street Pavement Rehabilitation Project, Oskaloosa, Iowa". Each bidder shall accompany its bid with bid security as defined in Code of Iowa Section 26.8 and as specified in the Instructions to Bidders. Each bid must be accompanied in a separate envelope with a bid security in an amount equal to ten percent (10%) of the bid price. The bid security shall be security that the successful bidder will furnish the required bond and enter into contract with the City within ten (10) days after the award of the project. The bidder's security shall be acceptable to the City, made payable to the City Treasurer of the City of Oskaloosa, Iowa. The check or draft may be cashed by the City Treasurer as liquidated damages in the event the successful bidder fails to enter into a contract within the ten (10) days after notice of award and post bond satisfactory to the City ensuring the faithful fulfillment of the contract.

The contractor shall NOT include sales or use taxes in the bid. Pursuant to Iowa Code and Iowa Administrative Code, the contractor will be authorized to purchase building materials that will be incorporated into real property on this project tax-free. Iowa Construction Sales

Tax Exemption Certificates will be issued by the City which will authorize suppliers of building materials to sell materials exempt from Iowa sales tax and any applicable local option sales tax and school infrastructure local option sales tax to the entity listed on the certificate. Upon award of the contract, the successful contractor will be required to provide project information on the contractor, and each subcontractor and supplier requiring the exemption certificates. Contractor will maintain records identifying the materials purchased sales tax exempt and will maintain records verifying the use of said materials on said improvement.

By virtue of statutory authority; preference will be given to products and provisions grown and coal produced within the State of Iowa, and preference will be given to Iowa domestic labor in the construction of the improvements.

The successful bidder will be required to furnish performance, payment & maintenance bond in an amount equal to one hundred percent (100%) of the contract price, said bond to be issued by a responsible surety approved by the City Council and shall guarantee the faithful performance of the contract and the terms and conditions therein contained, and shall guarantee the prompt payment of all materials and labor and protect and same harmless the City from claims and damages of any kind caused by the operations of the contractor.

Liquidated damages in the amount of Six Hundred Dollars (\$600.00) per working day will be assessed for each day that the work shall remain uncompleted after the end of the contract period with due allowance for extension of contract period due to conditions beyond the control of the Contractor.

The contract will be awarded to the lowest responsive, responsible bidder. However, the City reserves the right to reject any or all proposals, re-advertise for new bids, to waive irregularities, and to accept any proposals which in the opinion of the City Council is deemed to be in the best interest of the City.

The work on this project shall begin upon receipt of the Notice to Proceed and be fully completed in 45 working days with an early start date of September 4, 2013 and a late start date of September 9, 2013. It is anticipated that the Notice to Proceed will be issued in or around September 4, 2013.

Copies of said construction documents are available at the office of the City Clerk of Oskaloosa for examination by the public. Construction documents for private use may be obtained from the Engineering Division, Public Works Department, 804 South D Street, Oskaloosa, Iowa, upon deposit of twenty-five dollars (\$25) for each set; which is refundable upon receipt of the plans and specifications if the construction documents are returned in good condition within fifteen (15) days from date of letting. A postage and handling fee of \$15.00 will be added for each set of plans and specifications to be mailed. Special arrangements must be made for overnight mail delivery.

Published upon order of the City Council of Oskaloosa, Iowa.

Amy Miller,  
City Clerk of the City of Oskaloosa, Iowa

Publish in the Oskaloosa Herald, Oskaloosa, Iowa on August 9, 2013.

ENGINEER'S OPINION OF PROBABLE COST

Project: C Avenue East & North 3rd Street Pavement Rehabilitation Project

Location: C Avenue East from Market Street to North Park Avenue, North 3rd Street from A Avenue to E Avenue East

Basis for Estimate: [ ] Conceptual [ X ] Preliminary [ ] Final

Date: August 5, 2013

Project No CIP No. 2010-26

ENGINEERS ESTIMATE

C AVENUE EAST & NORTH 3RD STREET PAVEMENT REHABILITATION PROJECT					
Item	Description	Unit	Estimated Quantity	Unit Price	Amount
1	Mobilization	LS	1	N/A	\$10,000.00
2	Excavation - Class 10, 12, or 13	CY	800	\$15.00	\$12,000.00
3	Subbase, Granular	SY	2700	\$10.00	\$27,000.00
4	Manhole Adjustments	EA	8	\$1,000.00	\$8,000.00
5	PCC Pavement, 8" Thick	SY	2000	\$50.00	\$100,000.00
6	2.5' Curb and Gutter, 8" Thick	LF	720	\$30.00	\$21,600.00
7	PCC Pavement Samples and Testing	LS	1	N/A	\$2,000.00
8	HMA Interlayer (1M ESAL, 1" Base Course, PG 64-34)	TON	1100	\$150.00	\$165,000.00
9	HMA Interlayer (1M ESAL, 1.5" Surface Course, PG 64-22)	TON	1650	\$110.00	\$181,500.00
10	HMA Pavement Samples and Testing	LS	1	N/A	\$2,000.00
11	Driveway Removal	SY	80	\$10.00	\$800.00
12	Sidewalk Removal	SY	675	\$10.00	\$6,750.00
13	PCC Sidewalk, 4" Thick	SY	200	\$35.00	\$7,000.00
14	PCC Sidewalk & Ramps, 6" Thick	SY	575	\$45.00	\$25,875.00
15	Detectable Warnings (4' x 2' Panels)	EA	103	\$250.00	\$25,750.00
16	PCC Paved Driveway, 6" Thick	SY	80	\$45.00	\$3,600.00
17	Full Depth Patching	SY	400	\$100.00	\$40,000.00
18	Curb Grinding	LF	250	\$20.00	\$5,000.00
19	Pavement Milling	SY	12000	\$5.00	\$60,000.00
20	Pavement Removal	SY	2000	\$5.00	\$10,000.00
21	Curb and Gutter Removal	LF	630	\$10.00	\$6,300.00
22	Conventional Seeding, Fertilizing, and Mulching	LS	1	N/A	\$5,000.00
23	Traffic Control	LS	1	N/A	\$15,000.00
24	Water Valve Adjustments	EA	21	\$250.00	\$5,250.00
25	Fabric Matting	LF	2000	\$8.00	\$16,000.00

**Total Base Bid: \$761,425.00**

1. These costs are based on preliminary information. The actual site conditions may result in variations of unit prices or items.
2. This cost estimate is approximate.
3. LS=Lump Sum, LF=Lineal Feet, SF=Square Feet, CF=Cubic Feet, SY=Square Yard, CY=Cubic Yard, EA=Each

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

MEETING DATE: August 5, 2013

REQUESTED BY: Wastewater Department

**ITEM TITLE:**

Consider a resolution to approve the contract and bond for the West Area Sanitary Sewer Improvements Project to DeLong Construction, Inc. in an amount not to exceed \$498,671.50, and to authorize the City Manager to utilize an additional five percent (\$24,933.57) for project contingency.

**EXPLANATION:**

DeLong Construction, Inc. has provided the city with construction contracts and bonds for the West Area Sanitary Sewer Improvements. This resolution authorizes and directs the Mayor and City Clerk to execute the contract and bond.

The scope of the project includes sanitary sewer improvements including a new pump station, force main, and gravity sewer lines to serve the area west of Iowa Highway 163 and north of Suffolk Road. If the project is awarded, construction work is proposed to commence the end of July. The anticipated work completion time is 65 working days. The low bidder for this project was DeLong Construction, Inc. with a total bid of \$498,671.50. This bid amount is within our budget estimates.

**BUDGET CONSIDERATION:**

The project is specifically budgeted in the FY 2013 and 2014 Budget in the amount of \$520,470. Funding for the project will come from the wastewater operating budget, account number 618-8016-6790.

**RECOMMENDED ACTION:**

Staff recommends approving the contract and bond for the West Area Sanitary Sewer Improvements to DeLong Construction, Inc. in the amount of \$498,671.50 and authorize an additional five percent (\$24,933.57) for project contingency.

**ATTACHMENTS:**

Resolution, Contract and Bond documents.

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

**A RESOLUTION APPROVING CONTRACT AND BOND FOR THE WEST AREA SANITARY SEWER IMPROVEMENTS PROJECT TO DELONG CONSTRUCTION, INC. FOR AN AMOUNT NOT TO EXCEED \$498,671.50 AND APPROVE A CONSTRUCTION CONTINGENCY NOT TO EXCEED \$24,933.57.**

WHEREAS, the City Council of the City of Oskaloosa, Iowa, has heretofore deemed it necessary and desirable for the West Area Sanitary Sewer Improvements Project; and

WHEREAS, the Oskaloosa City Council has authorized the award of contract to DeLong Construction, Inc. on the Project, and

WHEREAS, the contract has been duly executed by the contractor and is accompanied by an appropriate bond; and

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

Section 1. That the contract referred to in the preamble hereof between this City and DeLong Construction, Inc. dated June 17, 2013 in the amount of \$498,671.50 be and the same is hereby approved.

Section 2. That the performance bond accompanying said contract wherein DeLong Construction, Inc. appears as principal and American Contractors Indemnity Company as surety, in like amount, be and the same is hereby approved.

Section 3. That the City desires to authorize the City Manager to allow a five percent (\$24,933.57) contingency of the award amount for unforeseen construction circumstances.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute the contract and bond for the Project.

PASSED AND APPROVED this \_\_\_\_\_ day of August, 2013.

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

ATTEST:

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

**CONTRACT**

CONTRACT NO. \_\_\_\_\_  
DATE June 17, 2013

THIS CONTRACT, made and entered into at Oskaloosa, Iowa this 17<sup>th</sup> day of June, 2013, by and between the City of Oskaloosa, Iowa, hereinafter called the "Jurisdiction", and DeLong Construction, Inc., hereinafter called the "Contractor".

WITNESSETH:

The Contractor hereby agrees to complete the work comprising the below referenced improvement as specified in the contract documents, which are officially on file with the Jurisdiction in the office of City Clerk, City of Oskaloosa, Iowa 220 South Market, Oskaloosa, Iowa 52577. This contract includes all contract documents. The work under this contract shall be constructed in accordance with the SUDAS Standard Specifications, 2013 Edition and as further modified by the supplemental specifications and special provisions included in said contract documents, and the Contract Attachment which is attached hereto. The Contractor further agrees to complete the work in strict accordance with said contract documents, and guarantee the work as required by law, for the time required in said contract documents, after its acceptance by the Jurisdiction.

This contract is awarded and executed for completion of the work specified in the contract documents for the bid prices shown on the Contract Attachment: Bid Items, Quantities and Prices which were proposed by the Contractor in its proposal submitted in accordance with the Notice to Bidders for the following described improvements:

**WEST AREA SANITARY SEWER IMPROVEMENTS  
OSKALOOSA, IOWA**

The Contractor agrees to perform said work for and in consideration of the Jurisdiction's payment of the bid amount of Four Hundred Ninety-Eight Thousand Six Hundred Seventy-One Dollars and 50 Cents (\$498,671.50) which amount shall constitute the required amount of the performance, maintenance, and payment bond. The Contractor hereby agrees to commence work under this contract on or before a date to be specified in a written Notice to Proceed by the Jurisdiction. Work shall be fully complete and ready for final payment within 65 working days. Liquidated damages in the amount of Six Hundred Dollars (\$600.00) per working day will be assessed for each day that the work shall remain uncompleted after the end of the contract period.

IN WITNESS WHEREOF, the Parties hereto have executed this instrument, in triplicate on the date first shown written.

JURISDICTION

CONTRACTOR

By \_\_\_\_\_

DeLong Construction, Inc.

(Seal)  
ATTEST:

\_\_\_\_\_

Contractor  
By *James DeLong*  
Signature

*President*  
Title

*PO Box 488*  
Street Address

*Washington IA 52353*  
City, State, Zip Code

*(319) 653-3334*  
Telephone

CONTRACTOR PUBLIC REGISTRATION INFORMATION To Be Provided By:

1. All Contractors: The Contractor shall enter its Public Registration Number *C 0045-51* issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code.
2. Out-of-State Contractors:
  - A. Pursuant to Section 91C.7 of the Iowa Code, an out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the Division of Labor Services of the Department of Workforce Development. The contractor should contact 515-242-5871 for further information. Prior to contract execution, the City Engineer may forward a copy of this contract to the Iowa Department of Workforce Development as notification of pending construction work. It is the contractor's responsibility to comply with said Section 91C.7 before commencing this work.
  - B. Prior to entering into contract, the designated low bidder, if it be a corporation organized under the laws of a state other than Iowa, shall file with the Jurisdictional Engineer a certificate from the Secretary of the State of Iowa showing that it has complied with all provisions of Chapter 490 of the Code of Iowa, or as amended, governing foreign corporations. For further information contact the Iowa Secretary of State Office at 515-281-5204.

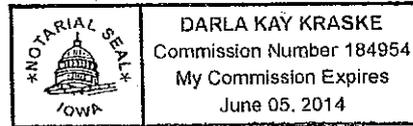
NOTE: All signatures on this contract must be original signatures in ink; copies or facsimile of any signature will not be accepted.

CORPORATE ACKNOWLEDGMENT

State of Iowa )  
 ) SS  
Washington County)

On this 24<sup>th</sup> day of June, 20 13, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dana Delong-Patterson and Deran Delong, to me known, who, being by me duly sworn, did say that they are the President, and Secretary, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) (~~the seal affixed thereto is the seal of~~) the corporation; that said instrument was signed (~~and sealed~~) on behalf of the corporation by authority of this Board of Directors; that Dana Delong-Patterson and Deran Delong acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Darla Kay Kraske  
Notary Public in and for the State of Iowa  
My commission expires 6-14, 20 13



PARTNERSHIP ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
 ) SS  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_ to me personally known, who being by me duly sworn, did say that the person is one of the partners of \_\_\_\_\_, a partnership, and that the instrument was signed on behalf of the partnership by authority of the partners and the partner acknowledged the execution of the instrument to be the voluntary act and deed of the partnership by it and by the partner voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20 \_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
 ) SS  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the instrument as (his) (her) (their) voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20\_\_\_\_

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
 ) SS  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public in and for said county, personally appeared \_\_\_\_\_, to me personally known, who being by me duly sworn did say that person is \_\_\_\_\_ of said \_\_\_\_\_, that (the seal affixed to said instrument is the seal of said OR no seal has been procured by the said) \_\_\_\_\_, and that said instrument was signed and sealed on behalf of the said \_\_\_\_\_, by authority of its managers and the said \_\_\_\_\_ acknowledged the execution of said instrument to be the voluntary act and deed of said \_\_\_\_\_, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20\_\_\_\_

**CONTRACT ATTACHMENT: ITEM 1: BID ITEMS, QUANTITIES AND PRICES**

THIS CONTRACT IS AWARDED AND EXECUTED FOR COMPLETION OF THE WORK SPECIFIED IN THE CONTRACT DOCUMENTS FOR THE BID PRICES TABULATED BELOW AS PROPOSED BY THE CONTRACTOR IN ITS PROPOSAL SUBMITTED IN ACCORDANCE WITH NOTICE OF LETTING AND NOTICE OF PUBLIC HEARING. ALL QUANTITIES ARE SUBJECT TO REVISION BY THE OWNER. QUANTITY CHANGES WHICH AMOUNT TO TWENTY (20) PERCENT OR LESS OF THE AMOUNT BID SHALL NOT AFFECT THE UNIT BID PRICE.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>ESTIMATED UNITS</u>		<u>UNIT PRICE</u>	<u>AMOUNT</u>
1	1090-105-D Mobilization	LS	LS	\$ XXXXX	\$ 15,500.00
2	2010-108-C-0 Clearing and Grubbing	LS	LS	\$ XXXXX	\$ 2,000.00
3	3010-108-C-0 Trench Foundation	100	TON	\$ 16.50	\$ 1,650.00
4	3010-108-E-0 PCC Encasement	20	LF	\$ 34.00	\$ 680.00
5	3010-108-F-0 Trench Compaction Testing Sanitary Sewer, Trenched, 8"	LS	LS	\$ XXXXX	\$ 8,500.00
6	4010-108-A-1 Diameter Sanitary Sewer, Trenched, 10"	1,715	LF	\$ 27.50	\$ 47,162.50
7	4010-108-A-1 Diameter	1,296	LF	\$ 30.50	\$ 39,528.00
8	4010-108-B-2 Sanitary Sewer Gravity Main with Casing Pipe, Trenchless, 8" Diameter	145	LF	\$ 225.00	\$ 32,625.00
9	4010-108-B-2 Sanitary Sewer Gravity Main with Casing Pipe, Trenchless, 10" Diameter	218	LF	\$ 235.00	\$ 51,230.00
10	4010-108-C-1 Sanitary Sewer Force Main, Trenched 6" PVC	1,530	LF	\$ 13.00	\$ 19,890.00
11	4010-108-L-0 Sanitary Sewer Force Main, Trenchless, 6" PVC (Install in Existing Casing Pipe)	786	LF	\$ 21.00	\$ 16,506.00
12	4010-108-E-0 Sanitary Sewer Service Stub, PVC, 4"	125	LF	\$ 15.00	\$ 1,875.00
13	4010-108-G-0 Sewage Air Release Valve and Pit	1	EA	\$ 4,500.00	\$ 4,500.00
14	6010-108-A-0 Manhole, SW-301, 48" Infiltration Barrier, Rubber Chimney	13	EA	\$ 2,600.00	\$ 33,800.00
15	6020-108-A-1 Seal	16	EA	\$ 355.00	\$ 5,680.00
16	XXXX-XXX- X-X XXXX-XXX- X-X	200	LF	\$ 14.00	\$ 2,800.00
17	X-X Field Fence, Remove and Replace Driveway, Granular, Class A Crushed Stone	305	LF	\$ 9.00	\$ 2,745.00
18	7030-108-H-2 Conventional Seeding, Fert., and Mulching	20	TON	\$ 30.00	\$ 600.00
19	9010-108-A-0	LS	LS	\$ XXXXX	\$ 10,000.00

20	9040-108-A-1	SWPPP Preparation	LS	LS	\$	<u>XXXXX</u>	\$	<u>1,200.00</u>	
21	9040-108-A-2	SWPPP Management	LS	LS	\$	<u>XXXXX</u>	\$	<u>2,000.00</u>	
22	9040-108-A-3	SWPPP Qualifying Rainfall Event Inspection	20	EA	\$	<u>10.00</u>	\$	<u>200.00</u>	
23	9040-108-N-1 XXXX-XXX-	Silt Fence	1,000	LF	\$	<u>2.00</u>	\$	<u>2,000.00</u>	
24	X-X	Pumping Station	LS	LS	\$	<u>XXXXX</u>	\$	<u>196,000.00</u>	
							<b>TOTAL BID</b>	\$	<u>498,671.50</u>

FINAL CONTRACT AMOUNTS THAT EXCEED THE ORIGINAL CONTRACT AMOUNT WILL BE CHARGED AN ADDITIONAL PREMIUM. INCLUDE THESE PREMIUM CHARGES IN YOUR CHANGE ORDERS.

SURETY BOND NO. 1000965178

**PERFORMANCE, PAYMENT AND MAINTENANCE BOND**

KNOW ALL BY THESE PRESENTS:

That we, DeLong Construction, Inc., as Principal (hereinafter the "Contractor" or "Principal" and American Contractors Indemnity Company \_\_\_\_\_), as Surety are held and firmly bound unto the City of Oskaloosa, Iowa, as Oblige (hereinafter referred to as "the Jurisdiction"), and to all persons who may be injured by any breach of any of the conditions of this Bond in the penal sum of Four Hundred Ninety-Eight Thousand Six Hundred Seventy-One Dollars and 50 Cents (\$498,671.50), lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said Contractor entered into a contract with the "Jurisdiction", bearing date the 17<sup>th</sup> day of June, 2013, (hereinafter the "Contract") wherein said Contractor undertakes and agrees to construct the following described improvements:

**WEST AREA SANITARY SEWER IMPROVEMMENTS  
OSKALOOSA, IOWA**

and to faithfully perform all the terms and requirements of said Contract within the time therein specified, in a good and workmanlike manner, and in accordance with the Contract Documents. Provided, however, that one year after the date of acceptance as complete of the work under the above referenced Contract, the maintenance portion of this Bond shall continue in force but the penal sum for maintenance shall be reduced to the sum of Four Hundred Ninety-Eight Thousand Six Hundred Seventy-One Dollars and 50 Cents (\$498,671.50) which is the cost associated with those items shown on the proposal and in the Contract which require a maintenance bond period in excess of one year.

It is expressly understood and agreed by the Contractor and Surety in this bond that the following provisions are a part of this Bond and are binding upon said Contractor and Surety, to-wit:

1. **PERFORMANCE:** The Contractor shall well and faithfully observe, perform, fulfill and abide by each and every covenant, condition and part of said Contract and Contract Documents, by reference made a part hereof, for the above referenced improvements, and shall indemnify and save harmless the "Jurisdiction" from all outlay and expense incurred by the "Jurisdiction" by reason of the Contractor's default of failure to perform as required. The Contractor shall also be responsible for the default or failure to perform as required under the Contract and Contract Documents by all its subcontractors, suppliers, agents, or employees furnishing materials or providing labor in the performance of the Contract.
2. **PAYMENT:** The Contractor and the Surety on this Bond are hereby agreed to pay all just claims submitted by persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the performance of the Contract on account of which this Bond is

given, including but not limited to claims for all amounts due for labor, materials, lubricants, oil, gasoline, repairs on machinery, equipment and tools, consumed or used by the Contractor or any subcontractor, wherein the same are not satisfied out of the portion of the contract price which the "Jurisdiction" is required to retain until completion of the improvement, but the Contractor and Surety shall not be liable to said persons, firms, or corporations unless the claims of said claimants against said portion of the contract price shall have been established as provided by law. The Contractor and Surety hereby bind themselves to the obligations and conditions set forth in Chapter 573, Code of Iowa, which by this reference is made a part hereof as though fully set out herein.

3. MAINTENANCE: The Contractor and the Surety on this Bond hereby agree, at their own expense:
  - A. To remedy any and all defects that may develop in or result from work to be performed under the Contract within the period of two (2) years from the date of acceptance of the work under the Contract, by reason of defects in workmanship or materials used in construction of said work;
  - B. To keep all work in continuous good repair; and
  - C. To pay the "Jurisdiction" reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the "Jurisdiction" all outlay and expense incurred as a result of Contractor's and Surety's failure to remedy any defect as required by this section.

Contractor's and Surety's agreement herein made extends to defects in workmanship or materials not discovered or known to the "Jurisdiction" at the time such work was accepted.

4. GENERAL: Every Surety on this Bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:
  - A. To consent without notice to any extension of time to the Contractor in which to perform the Contract;
  - B. To consent without notice to any change in the Contract or Contract Documents, which thereby increases the total contract price and the penal sum of this bond, provided that all such changes do not, in the aggregate, involve an increase of more than twenty percent of the total contract price, and that this bond shall then be released as to such excess increase; and
  - C. To consent without notice that this Bond shall remain in full force and effect until the Contract is completed, whether completed within the specified contract period, within an extension thereof, or within a period of time after the contract period has elapsed and the liquidated damage penalty is being charged against the Contractor.

The Contractor and every Surety on the bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:

- D. That no provision of this Bond or of any other contract shall be valid which limits to less than five years after the acceptance of the work under the Contract the right to sue on this Bond.
- E. That as used herein, the phrase "all outlay and expense" is not to be limited in any way, but shall include the actual and reasonable costs and expenses incurred by the "Jurisdiction" including interest, benefits and overhead where applicable. Accordingly, "all outlay and expense" would include but not be limited to all contract or employee expense, all equipment usage or rental, materials, testing, outside experts, attorneys fees (including overhead expenses of the "Jurisdiction's" staff attorneys), and all costs and expenses of litigation as they are incurred by the "Jurisdiction". It is intended the Contractor and Surety will defend and indemnify the "Jurisdiction" on all claims made against the "Jurisdiction" on account of Contractor's failure to perform as required in the Contract and Contract Documents, that all agreements and promises set forth in the Contract and Contract Documents, in approved change orders, and in this Bond will be fulfilled, and that the "Jurisdiction" will be fully indemnified so that it will be put into the position it would have been in had the Contract been performed in the first instance as required.

In the event the "Jurisdiction" incurs any "outlay and expense" in defending itself with respect to any claim as to which the Contractor or Surety should have provided the defense, or in the enforcement of the promises given by the Contractor in the Contract, Contract Documents, or approved change orders, or in the enforcement of the promises given by the Contractor and Surety in this Bond, the Contractor and Surety agree that they will make the "Jurisdiction" whole for all such outlay and expense, provided that the Surety's obligation under this bond shall not exceed 125% of the penal sum of this bond.

In the event that any actions or proceedings are initiated with respect to this Bond, the parties agree that the venue thereof shall be Mahaska County, State of Iowa. If legal action is required by the "Jurisdiction" to enforce the provisions of this Bond or to collect the monetary obligation accruing to the benefit of the "Jurisdiction", the Contractor and the Surety agree, jointly and severally, to pay the "Jurisdiction" all outlay and expense incurred therefor by the "Jurisdiction". All rights, powers, and remedies of the "Jurisdiction" hereunder shall be cumulative and not alternative and shall be in addition to Surety for any amount guaranteed hereunder whether action is brought against the Contractor or whether Contractor is joined in any such action or actions or not.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Contract, in the Contract Documents, and in this Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

When a word, term, or phrase is used in this Bond, it shall be interpreted or construed first as defined in this Bond, the Contract, or the Contract Documents; second, if not defined in the Bond, Contract, or Contract Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it

has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common or customary usage.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Contract and Contract Documents are hereby made a part of this Bond.

Witness our hands, in triplicate, this 26th day of June, 2013.

**Surety Countersigned By:**

N/A  
Signature of Iowa Resident Commission Agent as Prescribed by Chapter 515.52-57, Iowa Code. (Require only if Attorney-in-Fact is not also an Iowa Resident Commission Agent).

N/A  
Name of Resident Commission Agent

N/A  
Company Name

N/A  
Company Address

N/A  
City, State, Zip Code

N/A  
Company Telephone Number

**FORM APPROVED BY:**

\_\_\_\_\_  
Attorney for Jurisdiction

**PRINCIPAL:**

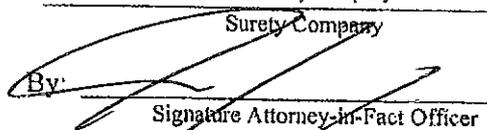
DeLong Construction, Inc.  
Contractor

By:   
Signature

Dana J. Patterson, President  
Title

**SURETY:**

American Contractors Indemnity Company  
Surety Company

By:   
Signature Attorney-in-Fact Officer

Jeremy Crawford, Attorney-in-Fact  
Name of Attorney-in-Fact Officer

CCI Surety, Inc.  
Company Name

1710 N. Douglas Dr., Suite 110  
Company Address

Golden Valley, MN 55422  
City, State, Zip Code

(763) 543-6993  
Company Telephone Number

- NOTE:**
1. All signatures on this performance, maintenance & payment bond must be original signatures in ink; copies or facsimile of any signature will not be accepted.
  2. This bond must be sealed with the Surety's raised, embossing seal.
  3. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.
  4. The name and signature of the Surety's Attorney-in-Fact/Officer entered on this bond must be exactly as listed on the Certificate or Power of Attorney accompanying this bond.

**POWER OF ATTORNEY**

**AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

**Jeremy Crawford, Michael D. Williams, William J. Nemecek or Tanya Fukushima of Golden Valley, Minnesota**

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed **\*\*\*\*\*Three Million\*\*\*\*\* Dollars (\$\*\*3,000,000.00\*\*)**.

This Power of Attorney shall expire without further action on December 08, 2016. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of December, 2012.

**AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

Corporate Seals



*[Signature]*  
**Daniel P. Aguilar, Vice President**

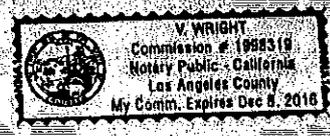
State of California

County of Los Angeles (SS:

On 10th day of December, 2012, before me, Vanessa Wright, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature *[Signature]* (Seal)



I, Jeannie Lee, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 26th day of June, 2013

Corporate Seals



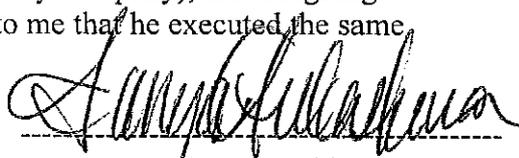
Bond No. 1000965178  
Agency No. 8219

*[Signature]*  
**Jeannie Lee, Assistant Secretary**

Acknowledgment of Surety

State of Minnesota  
County of Hennepin

On this 26th day of June, 2013 before me personally appeared Jeremy Crawford who acknowledged that he or she is the attorney in fact who is authorized to sign on behalf of American Contractors Indemnity Company (surety company), the foregoing instrument, and he thereupon duly acknowledged to me that he executed the same.

  
-----  
Notary Public





## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 05, 2013

**REQUESTED BY:** CITY MANAGER'S OFFICE

**ITEM TITLE:**

Consider a resolution denying the request by Mahaska County, Iowa to amend the *Agreement Pursuant to Chapter 28E, Iowa Code Between the City of Oskaloosa, Iowa and City of Pella, Iowa and Mahaska County, Iowa for the Joint Acquisition, Construction, Equipping, Use, Expansion and Operation of an Airport Facility.*

**EXPLANATION:**

At the March 19, 2013 city council meeting, the 28E Agreement for the joint acquisition, construction, equipping, use, expansion and operation of an airport facility was unanimously approved. The city of Pella and Mahaska County subsequently, and unanimously approved the same 28E Agreement document at their respective meetings following public hearings.

Since approval was received by all three parties, the South Central Regional Airport Agency (SCRAA) has initiated and continues to work through the required studies to properly evaluate the need for aviation improvements in the region as outlined within the criterion of the 28E Agreement and as necessitated by the involved State and Federal agencies.

All study work, findings and determinations are shared with the cities and public by the SCRAA as they are received. The SCRAA is presently working through the Airport Layout Plan (ALP) and the Airport Master Plan phases of the evaluation process.

On July 15, 2013, the Mahaska County Supervisors passed Resolution No. 2013-07-05 requesting an amendment to the 28E Agreement between the three parties. In summary, Mahaska County has requested the use of eminent domain, or "condemnation" be removed from the Agreement. Any amendment to the 28E Agreement requires approval of all three entities to become effective.

Consideration of Mahaska County's request for an amendment to the 28E Agreement via this item represents the city of Oskaloosa's attempt to work in good faith with the Parties to the 28E Agreement. This item and any subsequent action or inaction by the City Council represents the utilization of the City of Oskaloosa's best efforts to

expedite the acquisition, construction, equipping and use of the Airport Facility as intended by the 28E Agreement. Additionally, by the action or inaction associated with this agenda item, and as a party to the 28E Agreement, the City of Oskaloosa is choosing to exercise its legislative authority to expressly deny any significant delay in the acquisition, construction, equipping and use of the Airport Facility, as could be construed from the action taken by Mahaska County on July 15, 2013 via the adoption of Resolution No. 2013-07-05.

By way of additional information, prior to the consideration of the partnership between Oskaloosa, Pella and Mahaska County, the Federal Aviation Administration (FAA) provided a list of "FAA Expectations" to the parties. The document, attached to this item, outlines eleven key items that would be needed in order to successfully pursue the study process associated with the regional airport project. Item number six of the document states "[t]he parties must have the will to condemn property". This of course is the last avenue of property acquisition in any major public works project, but it is expected to be in play as a means to protect property owners rights, as well as protect the taxpayers and the project from experiencing significant delays and undue expenses.

Staff recommendation: Based upon previous City Council action, discussion and input on this matter, staff recommends approval of the resolution to deny the request made by Mahaska County to amend the *Agreement Pursuant to Chapter 28E, Iowa Code Between the City of Oskaloosa, Iowa and City of Pella, Iowa and Mahaska County, Iowa for the Joint Acquisition, Construction, Equipping, Use, Expansion and Operation of an Airport Facility* as outlined in Mahaska County Resolution No. 2013-07-05.

**BUDGET CONSIDERATION:**

The consideration of Mahaska County's request to amend the 28E Agreement does not carry significant financial impact, however the long term financial implications of this specific amendment is expected to create significant financial consequences if supported by all three parties, specifically the cities of Oskaloosa and Pella as the two entities funding the project and seeking grant assistance from the FAA – State and Federal.

**ATTACHMENTS:**

1. City of Oskaloosa Resolution
2. Mahaska County Resolution No. 2013-07-05
3. Document Provided by the FAA to Oskaloosa, Pella and Mahaska County dated 08/16/2010

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

**RESOLUTION DENYING THE REQUEST BY MAHASKA COUNTY, IOWA TO AMEND THE AGREEMENT PURSUANT TO CHAPTER 28E, IOWA CODE BETWEEN THE CITY OF OSKALOOSA, IOWA AND CITY OF PELLA, IOWA AND MAHASKA COUNTY, IOWA FOR THE JOINT ACQUISITION, CONSTRUCTION, EQUIPPING, USE, EXPANSION AND OPERATION OF AN AIRPORT FACILITY**

**WHEREAS**, the City of Oskaloosa, the City of Pella, and Mahaska County (collectively "Parties") are all political subdivisions existing under the laws of Iowa; and

**WHEREAS**, with respect to Oskaloosa and Pella, Iowa Code § 384.24(2)(e) defines "airport and airport systems" as legitimate city enterprises; and

**WHEREAS**, with respect to Mahaska County, Iowa Code § 331.441(2)(c)(5) defines "an airport, including establishment, acquisition, equipment, improvement, or enlargement of the airport," as a legitimate general county purpose; and

**WHEREAS**, Iowa Code § 28E.1 expresses the legislative intent to "permit state and local governments in Iowa to make efficient use of their powers by enabling them to provide joint services and facilities with other agencies and to cooperate in other ways of mutual advantage;" and

**WHEREAS**, the Parties have individually made findings upon due investigation to the effect that the joint acquisition, construction, equipping, use and operation of an airport will best serve the joint and several interests of the Parties' constituents by fostering mutual advantages otherwise unattainable by the individual efforts of the Parties; and

**WHEREAS**, the Parties jointly agreed that their common purposes can best be achieved by the creation of a joint administrative entity under the provisions of Chapter 28E, Iowa Code, rather than by any other means authorized by law; and

**WHEREAS**, Mahaska County, Iowa as a Party to the 28E Agreement has requested an amendment to said Agreement under the auspices of Article XI, Section 1, to specifically remove the use of eminent domain or "condemnation"; and

**WHEREAS**, the Parties to the 28E Agreement were provided expectations from the Federal Aviation Administration on August 16, 2010 stating "[t]he parties must have the will to condemn property"; and

**WHEREAS**, all three Parties to the 28E Agreement were made aware and understood these expectations prior to formally adopting said Agreement; and

**WHEREAS**, discussions of land acquisition, use of eminent domain or compensation to landowners is premature given the project is still in the initial study phases; and

**WHEREAS**, the removal of eminent domain could significantly delay the project schedule, increase project costs and jeopardize State and Federal funding opportunities through grant participation.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Oskaloosa, Iowa hereby denies the request by Mahaska County to amend the *Agreement Pursuant to Chapter 28E, Iowa Code Between the City of Oskaloosa, Iowa, City of Pella, Iowa and Mahaska County, Iowa for the Joint Acquisition, Construction, Equipping, Use, Expansion, and Operation of an Airport Facility* as outlined in Mahaska County Resolution No. 2013-07-05.

**PASSED AND APPROVED** this 5<sup>th</sup> day of August 2013.

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David Krutzfeldt, Mayor

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

COPY

Resolution No. 2013-07-05

A RESOLUTION TO AMEND A 28E AGREEMENT WITH THE CITY OF PELLA  
AND THE CITY OF OSKALOOSA REGARDING THE JOINT ACQUISITION,  
CONSTRUCTION, EQUIPPING, USE, EXPANSION, AND OPERATION OF AN  
AIRPORT FACILITY

WHEREAS The Board of Supervisors of Mahaska County, Iowa is a party in a 28E agreement with the cities of Pella and Oskaloosa for the purpose of the joint acquisition, construction, equipping, use, expansion, and operation of an airport facility that was signed March 26, 2012 with the approval of the Board of Supervisors of Mahaska County, Iowa on March 21, 2012 by passing Resolution No. 2012-03-03 and

WHEREAS Article XI, Section 1 of the aforementioned 28E agreement outlines the authority and procedure to amend said 28E agreement where it says;

*“Amendments: This agreement may be amended for any purpose upon the approval of the governing Boards of each Party,”*

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Mahaska County, Iowa as follows:

1. The said Board approves amending the said 28E agreement with the cities of Pella and Oskaloosa for the purpose of the joint acquisition, construction, equipping, use, expansion, and operation of an airport facility that was signed March 26, 2012 by striking the language from Article X Section 1 to reflect the following change:

Amended Language: *“Section 1. Acquisition: The SCRAA may acquire such property as it needs to accomplish its public purposes by purchase, gift, exchange, transfer, conveyance or otherwise, and shall hold all real, personal and intangible property which it acquires in its own name”* and

*STRIKE: “To the extent authorized by law, the SCRAA also may acquire real property or an interest therein for a public use or purpose related to its function by use of the power of eminent domain, and is authorized to bring an action in eminent domain in its own name or may request a Party to bring such action, which the Party shall then do so as long as the SCRAA shall fully reimburse the Party for all costs of acquisition, including the damages to be paid to the owner of the property being so acquired and all related administrative and legal expenses incurred by the Party to complete the acquisition. In the event the Board determines to contest the award*

made by the compensation commissioners and take possession of the property at the conclusion of the eminent domain proceedings or any appeal thereof, the SCRAA shall reimburse the Party for the costs and expenses s aforesaid and any attorney fees or damages awarded to the property owner."

2. This Amendment shall become effective only upon a resolution approving this amendment and execution of signature pages by all of the Parties. Upon approval and execution by all of the Parties, the signature pages may be appended to the Revised Agreement and the Revised Agreement shall be filed with the Secretary of State and recorded with the Mahaska County Recorder.

PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of July, 2013.

Co - Chairperson, Board of Supervisors of Mahaska County, Iowa

Signature: \_\_\_\_\_

*Michael VanderMolen*

Co-chair Michael VanderMolen

ATTEST: \_\_\_\_\_

*Susan L Brown*

Mahaska Co Auditor

8/16/10

Proposed Regional Airport – Pella, Oskaloosa, and Mahaska County

FAA Expectations:

1. The City of Oskaloosa and the City of Pella must close their existing airports after the regional airport is open and contribute all proceeds from the sale of their existing airports to the regional airport.
2. Mahaska County must agree to close or relocate any roads to support development of the regional airport site.
3. An eligible public sponsor must undertake the ownership, study, construction and long term development of the regional airport as per the NPIAS criteria and the Airport Improvement Program. The sponsor must be a public entity with legal and financial responsibility for the airport.
4. It is suggested that the parties form an Airport Authority to be the sponsor and overall advocate for the regional airport. An Airport Authority or any other agreement must be binding and durable to outlast any elections.
5. The regional airport must have the support of the State and be included in the State Airport System Plan.
6. The parties must have the will to condemn property.
7. The parties must think about a financial plan that will be developed as part of a master planning study.
8. The parties must have the financial wherewithall to carry land costs and build landside needs. The FAA will be focusing on airside development.
9. Once airside development begins, the regional airport must be open within 5-7 years and the existing airports sold soon thereafter.
- ~~10. The Environmental Assessment for Pella's proposed replacement airport will not be completed. The Master Plan for the replacement airport will be completed with the Airport Layout Plan being conditionally approved.~~
11. Oskaloosa's Master Planning grant, issued June 2010, will be cancelled and federal funding recovered.

OSKALOOSA  
IOWA



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**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.



## CITY COUNCIL COMMUNICATION

**MEETING DATE:** August 5, 2013

**REQUESTED BY:** MAYOR & CITY COUNCIL

**ITEM TITLE: CITY COUNCIL INFORMATION & REPORTS FROM COUNCIL MEMBERS  
SERVING ON BOARDS AND COMMISSIONS**

**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.

**Mahaska County Conference Board – David Krutzfeldt**

**Emergency 9-1-1 – Tom Walling**

**Enterprise Zone Commission – Doug Yates**

**Housing Trust Fund Committee – Joe Caligiuri**

**Oskaloosa Area Chamber & Development Group – Aaron Ver Steeg**

**Joint County-Mahaska Disaster Services and Emergency Planning Administration –  
Aaron Ver Steeg**

**Joint Law Enforcement Center Board – Aaron Ver Steeg**

**Mahaska County Agency on Aging – Aaron Ver Steeg**

**Mahaska Community Recreation Foundation – Scottie Moore**

**BUDGET CONSIDERATION:**

Not applicable, report(s) only.