



**City of Oskaloosa  
City Council Meeting Regular Session  
Council Chambers  
City Hall, 220 S. Market Street  
Oskaloosa IA, 52577  
Agenda  
August 4, 2014**

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

**1. Invocation: Mayor David Krutzfeldt**

**2. Pledge of Allegiance.**

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

**3. Roll Call**

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

\_\_\_\_\_ Caligiuri, \_\_\_\_\_ Jimenez, \_\_\_\_\_ Moore, \_\_\_\_\_ Van Zetten, \_\_\_\_\_ Ver Steeg,

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

Documents: [AGENDA ITEMS 1-3.DOCX](#)

**4. Community Comments.**

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

Documents: [AGENDA ITEM COMMUNITY COMMENTS.DOCX](#)

**5. Consider Adoption of Consent Agenda as Presented or Amended.**

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

Documents: [CONSENT AGENDA SUMMARY.DOCX](#), [AGENDA ITEM CONSENT - BOARD AND COMMISSION MINUTES.DOCX](#)

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

1. July 21, 2014 Regular City Council Meeting Minutes
2. August 4, 2014 Agenda

Documents: [CITY COUNCIL MINUTES JULY 21, 2014.DOC](#)

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

Any recommendations contained in minutes become effective only upon separate

Council action.

1. June 18, 2014 Water Board Special Meeting Minutes
2. July 1, 2014 Airport Commission Minutes
3. July 22, 2014 Board of Adjustment Minutes

Documents: [JUNE 18 2014 WB MINUTES.DOCX](#), [JULY 1 2014 AIRPORT MINUTES.PDF](#), [BOA MIN. 7-22-2014.DOCX](#)

**C. Consider payment of claims for July 2014.**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM-CLAIMS.DOCX](#), [COUNCIL CLAIMS LIST 07302014.PDF](#), [MANUAL CHECK REPORT 07282014.PDF](#), [MOST CLAIMS OVER 500 DOLLARS.XLSX](#)

**D. Consider approval of an application for a Class C Liquor License with Sunday Sales for Oskaloosa Entertainment Inc., dba Hot Shotz Bar & Grill, 507 High Avenue West.**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM-HOT SHOTZ BAR AND GRILL.DOCX](#)

**E. Consider a resolution scheduling a public hearing for September 2, 2014 to consider levying a special assessment against private property for cleaning up a property at 610 C Avenue East, Oskaloosa, Iowa, in accordance with Oskaloosa City Code 8.08.080, and direct notice to the owners of the property to be assessed.**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM - SCHEDULE PH ON CLEANUP OF PROPERTY.DOCX](#), [RESN NO PH NUISANCE ABATEMENT 05302014.DOCX](#)

**F. Consider a resolution scheduling a public hearing for September 2, 2014 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.**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM - RESN SCHEDULE PH WEED ASSESSMENTS JUNE.DOCX](#), [RESOLUTION NO PH WEEDS JUNE 2014.DOCX](#), [COPY OF EXHIBIT A JUNE 2014.XLSX](#)

**G. Consider a resolution setting a date for a public hearing to consider a proposed ordinance amending the city's gas and electric franchise agreement with MidAmerican Energy**

**Company, and increasing the existing gas and electric franchise fees by an additional 2.0% of the company's gross revenues for all service classes, and amending the city's revenue purpose statement for use of franchise fee revenues.**

Who is submitting this City Manager  
item.

Documents: [20140804 - SCHEDULE PUBLIC HEARING FOR FRANCHISE FEES AND REVENUE PURPOSE.DOCX](#), [20140804 - RESN. GAS AND ELECTRIC FRANCHISE RENEWAL.DOCX](#), [PROPOSED REVENUE PURPOSE STATEMENT 2014.DOCX](#)

**H. Consider a resolution approving the disposal of surplus city-owned equipment.**

Who is submitting this Library  
item.

Documents: [ITEM - SURPLUS LIBRARY EQUIPMENT.DOCX](#), [RESOLUTION DISCPOSAL OF SURPLUS CITY-OWNED EQUIPMENT.DOC](#)

**I. Consider a motion directing the Mayor to draft a letter of support for the High Avenue East housing project.**

Who is submitting this City Manager Department  
item.

Documents: [20140804 - HIGH AVENUE EAST HOUSING PROJECT.DOCX](#), [HOUSING SUPPORT LETTER 07292014.PDF](#), [517 HIGH AVE E PLANS 7-29-14.PDF](#)

**J. ----- END OF CONSENT AGENDA -----**

## **6. Announcement of Vacancies**

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

- Building Code Board of Appeals - Two vacancies to fill upon appointment to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (3 males currently serve with 2 vacancies)
- Library Board of Trustees (Mahaska County rural representative) - One vacancy to fill upon appointment to fill an unexpired term that ends June 30, 2017. This is a nine member board that typically meets the fourth Monday of the month. (3 males and 5 females currently serve with 1 vacancy)
- Planning and Zoning Commission - Two vacancies to fill upon appointment to fill unexpired terms that end April 30, 2015 and April 30, 2017. This is a seven member board that typically meets the 2nd Monday of the month as needed. (5 males currently serve with 2 vacancies)
- Board of Adjustment - One vacancy to fill upon appointment to fill an unexpired term that ends April 30, 2017. This is a five member board that typically meets as needed on the fourth Tuesday of the month. (4 males currently serve with 1 vacancy)

Documents: [ITEM - BOARD AND COMMISSION VACANCIES.DOCX](#)

## **7. Regular Agenda**

Documents: [AGENDA ITEM - REGULAR ACTION ITEMS.DOCX](#)

- A. **Consider an ordinance to vacate and sell of 120' X 16.5' of the north-south public alley adjacent to 211 North J Street - 1st reading. (PUBLIC HEARING)**

Who is submitting this item. Public Works Director

Documents: [EXPLANATION 211 NORTH J ST ALLEY VACATE.DOC](#), [O-ALLEY 211 NORTH J STREET.DOC](#), [MAP.PDF](#), [PICTURES.PDF](#), [APPLICATION.PDF](#), [SURVEY.XLS](#)

- B. **Consider an ordinance to vacate and sell of 237.5' X 16' of the north-south alley adjacent to 1210 A Avenue East – 1st reading. (PUBLIC HEARING)**

Who is submitting this item. Public Works Director

Documents: [EXPLANATION 1210 A AVE ALLEY VACATE.DOC](#), [O-ALLEY 1210 A AVENUE EAST.DOC](#), [MAP.PDF](#), [PICTURES.PDF](#), [APPLICATION.PDF](#), [SURVEY.XLS](#)

- C. **Consider a resolution levying a special assessment against private property for weed cutting by the City of Oskaloosa, Iowa in accordance with Section 8.20 of the city code of the City of Oskaloosa, Iowa. (PUBLIC HEARING)**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM - WEED ASSESSMENTS MAY.DOCX](#), [RESOLUTION ASSESSMENT MAY 2014.DOCX](#), [COPY OF EXHIBIT A MAY 2014.XLSX](#)

- D. **Consider a resolution approving the plans, specifications, form of contract, and estimated cost for the South 11th Street Pavement Rehabilitation Project.**

Who is submitting this item. Public Works Director

Documents: [EXPLANATION SOUTH 11TH STREET PLANS.DOCX](#), [RESOLUTION.DOCX](#), [SOUTH 11TH STREET FINAL PLANS.PDF](#), [S 11TH ST ENGINEERS ESTIMATE.PDF](#)

- E. **Consider a resolution approving the award of contract for the South 11th Street Pavement Rehabilitation Project to Norris Asphalt Paving Co., in an amount not to exceed \$696,087.00, and authorize the City Manager to utilize an additional ten percent (\$69,600.00) for project contingency.**

Who is submitting this item. Public Works Director

Documents: [EXPLANATION SOUTH 11TH ST BIDS.DOC](#), [RESOLUTION.DOCX](#), [S 11TH ST BID TAB.PDF](#), [NOTICE OF AWARD.DOC](#), [BID DOCUMENTS.PDF](#)

- F. **Consider an ordinance amending Oskaloosa City Code Section**

**6.04.090 - Dangerous dogs and other dangerous animals - to delete the current section and substitute a revised section – 2nd reading.**

Who is submitting this City Manager Department item.

Documents: [CITY COMM - RE DANGEROUS ANIMALS.DOCX](#), [ORDINANCE AMENDING SECTION 6.04.090.DOCX](#)

**G. Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa, by amending provisions pertaining to Section 10.48.030 – “Angle Parking” by allowing angle parking on a portion of North K Street – 2nd Reading.**

Who is submitting this Public Works Director item.

Documents: [EXPLANATION ANGLE PARKING NORTH K ST..DOCX](#), [ORDINANCE.DOC](#)

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

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

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

Documents: [AGENDA ITEM - REPORTS FROM STAFF.DOCX](#)

**9. City Council Information and Reports from Council Members Serving on Boards and Commissions**

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

Documents: [AGENDA ITEM CITY COUNCIL MEMBERS ON BOARDS AND COMMISSIONS.DOCX](#)

**10. Closed Sessions**

Consider holding a closed session under Iowa Code Section 21.5.1.c. to discuss strategy with counsel on matters presently in litigation or in which litigation is imminent where disclosure would be likely to prejudice or disadvantage the city's position.

Documents: [ITEM - CLOSED SESSION RE LITIGATION.DOCX](#)

**11. Open Session Action**

Consider a motion approving a remediation agreement between the city of Oskaloosa and Russ Parker.

Documents: [AGENDA ITEM - OPEN SESSION.DOCX](#)

**12. Adjournment**

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

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



City Council  
Communication

Meeting Date: August 4, 2014

Requested By: Mayor & City Council

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

1. Invocation: Mayor David Krutzfeldt
2. Pledge of Allegiance
3. Roll Call: \_\_\_\_\_ Mayor David Krutzfeldt, Council Members:

\_\_\_\_\_ Caligiuri, \_\_\_\_\_ Jimenez, \_\_\_\_\_ Moore, \_\_\_\_\_ Van Zetten,  
\_\_\_\_\_ Ver Steeg, \_\_\_\_\_ Walling, \_\_\_\_\_ Yates.

**Explanation:**

Not applicable.

**Budget Consideration:**

Not applicable.

**Attachments :**

None.



## City Council Communication

Meeting Date: August 4, 2014

Requested By: Mayor & City Council

**Item Title: Community Comments**

**Explanation :**

This item is reserved to receive comments from the community for concerns whether or not they are included in the current agenda. The community is encouraged to come and speak before the Mayor and City Council and asked to keep statements brief. Time shall be limited to no more than three minutes. Any questions are to be asked of the City staff, Council Members, or the Mayor prior to speaking to the full Council so concerns may be properly researched and answered away from the meeting. Comments are to be directed to the Mayor and City Council only.

**Budget Consideration:**

Not applicable.

**Attachments :**

None.

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

- Item A. Minutes and reports from city council meetings.**  
Staff recommends council receive and file these documents.
- Item B. Board and Commission Minutes:**  
Staff recommends council receive and file these documents.
- Item C. Consider payment of claims for July 2014.**
- Item D. Consider approval of an application for a Class C Liquor License with Sunday Sales for Oskaloosa Entertainment Inc., dba Hot Shotz Bar & Grill, 507 High Avenue West .**  
- No complaints received.
- Item E. Consider a resolution scheduling a public hearing for September 2, 2014 to consider levying a special assessment against private property for cleaning up a property at 610 C Avenue East, Oskaloosa, Iowa, in accordance with Oskaloosa City Code 8.08.080, and direct notice to the owners of the property to be assessed.**
- Item F. Consider a resolution scheduling a public hearing for September 2, 2014 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 G. Consider a resolution setting date for a public hearing to consider a proposed ordinance renewing the city's gas and electric franchise agreement with MidAmerican Energy Company, and establishing a gas and electric franchise fee equal to 5% of the company's gross revenues; including the city's revenue purpose statement for use of franchise fee revenues.**

- Item H. Consider a resolution approving the disposal of surplus city-owned equipment.**
  
- Item I. Consider a motion directing the Mayor to draft a letter of support for the High Avenue East housing project.**



## City Council Communication

Meeting Date: August 4, 2014

Requested By: City Manager's Office

### Item Title: C ONSENT AGENDA

#### Explanation :

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

- A. Approval of Council Minutes and Actions, subject to corrections, as recommended by the City Clerk.
  - 1. July 21, 2014 City Council Regular Meeting Minutes
  - 2. August 4, 2014 Agenda
  
- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - 1. June 18, 2014 Water Board Minutes
  - 2. July 1, 2014 Airport Commission Minutes
  - 3. July 22, 2014 Board of Adjustment Minutes

#### Budget Consideration:

Not applicable.

#### Attachments :

July 21, 2014 City Council Regular Meeting Minutes  
June 18, 2014 Water Board Minutes  
July 1, 2014 Airport Commission Minutes  
July 22, 2014 Board of Adjustment Minutes

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
July 21, 2014

The Oskaloosa City Council met in regular session on Monday, July 21, 2014, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Ver Steeg, Walling and Yates. Van Zetten joined the meeting at 6:09 p.m.

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

1. July 7, 2014 City Council Regular Meeting Minutes
2. July 21, 2014 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commission:
  - a. May 27, 2014 Water Board Special Meeting Minutes
  - b. June 25, 2014 Library Board Minutes
  - c. May 1, 2014 Housing Trust Fund Committee Minutes
  - d. July 3, 2014 Housing Trust Fund Committee Minutes
  - e. July 2, 2014 Civil Service Commission Minutes
  - f. July 14, 2014 Planning and Zoning Commission Minutes
  - g. Oskaloosa Municipal Water Department Quarterly Financial Reports
4. Renewal application for a Class C Liquor License with Sunday Sales from Mahaska Bowling and Recreation Center Inc., 1700 A Avenue East.
5. Receive and file financial reports for June 2014.

The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 14-07-54 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY ADJACENT TO 211 NORTH J STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-07-55 entitled "RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE NORTH-SOUTH ALLEY ADJACENT TO 1210 A AVENUE EAST, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-07-56 entitled "A RESOLUTION AUTHORIZING THE TEMPORARY STREET CLOSURE OF SOUTH EIGHTH STREET FROM FIRST AVENUE EAST TO SECOND AVENUE EAST TO ALLOW FOR A CHURCH ACTIVITY" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-07-57 entitled "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 SOUTH 11<sup>TH</sup> STREET PAVEMENT REHABILITATION PROJECT" and moved its approval. Yates seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Jimenez, Moore, 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.

Council Member Jason Van Zetten entered the meeting.

Caligiuri introduced "AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE BY DELETING THE CURRENT SECTION 6.04.090 IN ITS ENTIRETY AND INSERTING IN LIEU THEREOF AN AMENDED SECTION 6.04.090" and moved its approval on the first reading. Jimenez seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

Jimenez introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, BY AMENDING PROVISIONS PERTAINING TO SECTION 10.48.030 – "ANGLE PARKING" BY ALLOWING ANGLE PARKING ON A PORTION OF NORTH K STREET" and moved its approval on the first reading. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

Caligiuri introduced "AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING TITLE 15 – BUILDINGS AND CONSTRUCTION, CHAPTER 15.04 – BUILDING CODE, SECTION 15.04.470 – INSPECTION REQUEST DEADLINE" and moved its approval on the second reading.

Ver Steeg seconded the motion. It was moved by Caligiuri, seconded by Ver Steeg to waive the rules requiring three separate readings of an ordinance. The roll was called for suspension of the rules and the vote was:

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

Whereupon the Mayor declared said motion approved. The roll was called for final passage of the ordinance and the vote was:

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

Whereupon the Mayor declared said ordinance duly adopted. The ordinance was assigned No. 1361.

It was moved by Caligiuri, seconded by Moore to approve a site plan for the property at 1107 A Avenue West with the following stipulations:

1. Iowa DOT approval.
2. Provide landscaping along the property per Oskaloosa Municipal Code 17.26.
3. The main entrance door to the existing restaurant, Great Expectations, needs to be the same level as the entrance sidewalk in order to comply with ADA regulations.

The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

It was moved by Yates, seconded by Caligiuri to rescind action taken at the May 5, 2014 city council meeting regarding the acquisition and demolition of the property located at 517 B Avenue West. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 14-07-58 entitled "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL PLAN IN THE CITY OF OSKALOOSA, STATE OF IOWA" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

City Manager Michael Schrock reported on the city council study session held on July 15, 2014.

It was moved by Caligiuri, seconded by Ver Steeg that the meeting adjourn.  
Motion carried unanimously. The meeting adjourned at 6:36 p.m.

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David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk

**OSKALOOSA WATER BOARD**  
**REGULAR MEETING**  
6/18/14

**Members Present:**

Joe Ryan  
Errin Keltner  
Pete Settimi

**Others Present:**

Chad Coon  
Crystal Breuklander  
Cindy Scholtus  
Ken Allsup  
David Krutzfeldt  
Jon Zobel  
Trisha Ireland  
Jason Van Zetten

A motion was made by Pete Settimi and 2<sup>nd</sup> by Errin Keltner to approve the agenda as presented. The motion carried with all members voting yes.

Minutes of the 5/12/14 regular meeting, 5/27/14 special meeting, and 6/6/14 special meeting were read. A motion was made by Pete Settimi 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 \$603,766.99 were presented for approval. A motion was made by Pete Settimi to approve the vouchers for payment. The motion was 2<sup>nd</sup> by Errin Keltner. The motion carried with all members voting yes. The Balance Statements were also reviewed. Motion by Pete Settimi and second by Errin Keltner to approve balance statements. The motion carried with all members voting yes.

1. The first item on the agenda was Customer Forum. Trisha Ireland was present to seek relief from a high water bill for 615 C Avenue East. Jason Van Zetten also offered his reasons for why he voted to reduce the sewer portion of this bill with regard to City Council action. Errin assured Ms. Ireland that during the period of time where the Board was considering what action to take that no penalty would be assessed to the bill. Pete indicated that the Board would consider the request and take formal action at the next Board meeting.
2. The next agenda item was Discussion and Consideration of Possible Contract for Mowing Water Treatment Plant Grounds. Chad discussed the contract with the Board. He mentioned that the price was lowered per Board instruction, as the big hill out at the plant was removed from the mowing. The price had been \$950 per mow

and will now be \$600 per mow. Motion to approve the contract for mowing services with TotalScape Lawn Care was made by Joe Ryan. Seconded by Pete Settimi. Ayes all, motion passed.

3. Cost of Living Adjustment for Oskaloosa Municipal Water Department Employees was the next agenda item. Chad presented the information that he had gathered to the Board. It showed a range from 2.0% increase to 4.03%. Chad also had the Consumer Price Index as a further exhibit. Upon consideration of the information, motion to provide a 2.5% COLA to the employees was made by Pete Settimi. Second by Joe Ryan. Ayes all, motion passed.
4. General Manager's Update was next on the agenda. Chad discussed a variety of information with the Board. One of the first items was that he had met with the GM of Mahaska Rural Water to discuss funding sources for projects and how MRW handles funding their projects. Chad also discussed information that he had received regarding a website for OMWD and how that would pertain to moving forward with either building one internally or using the City's website. Chad indicated that he had asked the city manager to attend a Board meeting to discuss funding options for projects and that hopefully that could happen around August or September. Chad informed the Board that a temp worker would be starting Monday the 23<sup>rd</sup> to cover customer service duties to ensure that the current customer service representative will have the time to devote to learning the duties of the office manager. Chad reemphasized the importance of keeping these functions in-house for the smooth operation of the Water Department. Joe commented that he wanted to look at a feasibility standpoint of working with the City for office positions. To see what that would take and how it would be handled. Pete made a comment about the aspect of keeping a smooth workflow in the office and ensuring that there was not a disruption due to an employee not knowing who to report to or when the employee would need to be in one office versus the other. Pete stated that from his perspective in running a business, it made sense to keep your employees in the same office. The last thing that Chad mentioned was the modular home behind the office. He had received quotes for the damage and had also sought advice for what to do with the sale of the home from a legal perspective. He stated that the Board should collect the insurance money for the damages and re-advertise the home for sale.
5. The last agenda item was Miscellaneous. At this time, Pete offered his parting words to his fellow Board members as well as those in attendance. He thanked Joe and Errin for their time and work on issues that had been before the Board and then expressed his displeasure with the political shenanigans that he been directed towards the Board of Trustees the last couple of years.

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

ATTEST

Meeting Adjourned 7:08 PM

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Pete Settini – Chairman

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Errin Keltner – Secretary

**MINUTES**  
**OSKALOOSA AIRPORT COMMISSION**  
**July 1, 2014**

Meeting of the Oskaloosa Airport Commission was called to order at 4:42 p.m. on Tuesday, July 1, 2014.

1. ROLL CALL: Roll was taken with the following present: Steve Brown, Kraig Van Hulzen, James Johnson, Larry Lewis and Jerry Strunk [Midwest Aviation].
2. APPROVAL OF THE MINUTES: Moved by Larry Lewis and seconded by James Johnson to approve the minutes of the June 2, 2014 meeting. Motion carried.
3. FINANCIAL REPORT: Moved by Kraig Van Hulzen and seconded by Larry Lewis to approve the financial report. Motion carried.
4. REVIEW AND APPROVE BILLS: Moved by Kraig Van Hulzen and seconded by James Johnson to pay bills totaling \$54,078.96. Motion carried.
5. MANAGER'S REPORT: See attached.
6. OLD BUSINESS:
  - a) Entrance signs: This project is complete.
  - b) Security lights: Atwood Electric hopes to start installation by the middle of July. Atwood is also working on a proposal for interior lighting.
  - c) Security fence repair: After reviewing the proposal from AKG Construction for \$4,750.00 it was the consensus of the Commission not to install a new fence at this time. Also, no action was taken on painting the porch poles.
  - d) Ford pickup repairs: No estimates have been obtained yet. The transmission must be repaired and front tires replaced before winter so it can be used for snow removal.
  - e) Ice maker: Larry Lewis moved to reimburse Midwest Aviation Services for \$729.00 for the new ice maker. Kraig Van Hulzen seconded. Motion carried. This will make it clear that the ice maker is the property of the airport.
  - f) Sweep ramp, taxiway and runway: Norris Asphalt will submit a proposal.
  - g) Ramp and taxiway repair: Norris Asphalt has been asked to submit a proposal. Jerry Strunk will also contact Advanced Concrete Specialists and Steven's Concrete.
  - h) Co-Rayvac heating system: It is understood that Johnson's Heating, A/C & Refrigeration has experience with this type of system. They will be asked for a proposal.

7. NEW BUSINESS:

- a) Insulate and repair old door on maintenance hangar: Kraig Van Hulzen moved to accept a proposal from Foam Pro for \$1,967.00 to insulate the door. James Johnson seconded. Motion carried.
- b) Paint stripes on ramp and north taxiway: Received quotes from Baird Brothers for \$5,980.00 and from AKG Construction for \$5,750.00. Total length of striping is approximately 17,500 feet. James Johnson moved to accept the AKG quote for \$5,750.00. Larry Lewis seconded. Motion carried.
- c) Secure posts in Pepsi hangar: Kraig Van Hulzen moved to accept a proposal from AKG Construction for \$3,600.00. James Johnson seconded. Motion carried.
- d) Replace garage floor in house: Jerry Strunk will get a quote from a concrete contractor.
- e) August meeting date: It was agreed to meet on Friday, August 1st at 3:00 p.m.

8. ADJOURN: It was moved by Larry Lewis to adjourn at 5:36 p.m. Kraig Van Hulzen seconded. Motion carried.

# MWA@OOA

June 2014

## Oskaloosa, IA. Municipal Airport Monthly Report

**Fuel sales: 100LL (\$6.37) 2085 gal., Jet A (\$5.89) 424 gal.**

**Total fuel sales for June 2014= 2509 gal X .05= \$125.45.**

**Plus Telephone: \$15.28.**

**Total owed OOA= \$140.73.**

- **Have New Airport sign @ HWY 23 (Nice).**
- **Have Baled 54 round bales.**
- **Old “T” hangars have been inspected and repaired as necessary.**
- **New “T” hangars to be inspected this month.**
- **Shop work has slowed some.**
- **Flight ops are up. Still are having WX issues.**
- **Crops (Beans) are looking good.**
- **Summer is about half over (Where does the time go?).**

## UP,UP AND AWAY @ OOA

CITY OF OSKALOOSA  
MINUTES OF THE BOARD OF ADJUSTMENTS MEETING  
July 22, 2014

The meeting of the Board of Adjustments for the City of Oskaloosa was called to order at 5:00 pm on Tuesday, July 22, 2014 by Chairperson Perry Murry at the City Hall Council Chambers 220 S. Market St. Oskaloosa, Iowa.

BOARD MEMBERS PRESENT: Jim Hansen, Perry Murry, Lloyd Phillips, Wyatt Russell, Russell Sparks

BOARD MEMBERS ABSENT: None

CITY STAFF PRESENT: City Engineer: Akhilesh Pal, City Attorney Representative: Randall Stravers.

PUBLIC PRESENT: Applicants: Lori and James Poush, Attorney Robert Stuyvesant, Tony Johnson, Daniel Wilower, Denny Leibus, Darrell and Joyce Klein, and David and Kelli Raymond.

Minutes from the May 27, 2014 Board of Adjustment meeting.

Russell Sparks moved and Wyatt Russell seconded to approved the minutes of the June 24, 2014 Board of Adjustment meeting as presented.

Vote: YES: Hansen, Murry, Phillips, Russell, and Sparks.  
NO: None  
ABSTAIN: None  
ABSENT: None

Item 5-A: Consider a variance request from the property located at 1004 South 1st Street to allow a 40'X56' accessory building with a 11 feet street yard setback on 9TH Avenue East and a roof height of 19 feet.

The board reviewed the application. Lori Poush's attorney Robert Stuyvesant explained that the property pins were located. He continued to explain that since Poush and Pal disagreed if the setback was 10'6" or 11', they wanted to apply for an 11' setback. He also explained that they wanted to request a 19' roof height for the accessory structure. Lori Poush explained that the city had demolished a structure on the subject property without removing the basement walls. She also added that the Safe Building inspectors indicated that they can get a variance for the building setback while conducting the footing inspection. Tony Johnson added that the city representing inspectors conducted 4 different inspections.

Daniel Wilower, resident of 905 South 1<sup>st</sup> Street, expressed her concern about safety due to the lack of visibility from dirt piled up at the intersection. Tony Johnson indicated that Safe Building did not want him to do any work at the site and hence did not move the dirt.

Murry questioned Lori on the purpose of the accessory structure. Lori answered that they have a camper and 5 different vehicles which can be placed there.

Denny Leibus was concerned about the safety of the intersection and asked the board to use their judgement before making their decision on the variance request.

Jim Hansen wanted to notify the staff and City Council that the City made an error by using Safe Building to conduct the inspection without issuing a permit.

It was moved by Hansen and seconded by Phillips to approve the variance request..

Vote: YES: Hansen, Murry, Phillips, and Sparks.  
NO: Russell  
ABSTAIN: None  
ABSENT: None

Item 5-B: Consider a variance request from the property located at 315 21st Avenue West to extend the garage with a 2 feet setback from the east interior side yard.

The Board reviewed the application for the proposed extension to the garage. Mr. Klein explained that they would like to expand their garage to store their antique car. David and Kelli Raymond explained that the approval of the variance request will have a negative value impact on their property and also expressed concerns about existing utilities at the southwest corner.

After further discussion, It was moved by Hansen and seconded by Russell to deny the variance request.

Vote: YES: Hansen, Murry, Phillips, Russell, and Sparks.  
NO: None  
ABSTAIN: None  
ABSENT: None

With no further business, Chairperson Murry adjourned the meeting at 6:03 PM.

Minutes by Akhilesh Pal



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Clerk/Finance

**Item Title: CONSENT AGENDA**

Consider payment of claims for July 2014.

**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



City of Oskaloosa, IA

## COUNCIL CLAIMS LIST

10*15 Regional Transit	Fixed bus route system	5,000.00
Acco	Returned item	-285.00
	Pool chemicals	1,295.00
	Pool chemicals	853.18
	Returned item	-157.25
AgriLand FS Inc.	Sodium bicarbonate	132.50
	Sodium bicarbonate	132.50
	Sodium bicarbonate	132.50
	Supplies	67.88
	Sodium bicarbonate	132.50
	Sodium bicarbonate	132.50
Airgas USA LLC	Paper products	108.11
Aramark Uniform Services	Rubber mats	72.59
Area 15 Regional Planning Commission	Annual dues	4,929.09
Arnold Motor Supply	Filters	9.92
	Supplies	21.54
	Supplies	67.64
	Supplies	9.59
	Supplies	22.11
	Supplies	6.49
	Supplies	22.19
	Supplies	49.21
	Supplies	16.58
Baker Group	Boiler repair	1,220.56
Bill & Ray's Auto Service Inc	Towing	250.00
Binns & Stevens	Calcium chloride	142.00
Bituminous Materials & Supply LP	Road oil	16,704.87
Bobzilla's Bicycle Werks	Bike repair	97.00
Brick, Gentry, Bowers, Swartz & Levis, PC	Legal services	3,885.00
Carriker Ford	2015 F-350 truck - Fire Dept	26,951.00
Central Pump & Motor LLC	Repair sewage pump	5,405.00
Champion Storage and Signs	Police car graphics	500.00
City of Pella	Regional airport expenses	5,731.79
Continental Research Corporation	Wasp Away	438.00
Cretex Concrete Products Midwest Inc.	Manhole - N 3rd St	1,434.00
	Manholes - S 11th St	4,804.00
Cunningham Inc.	Repair air conditioning	150.40
	Repair air conditioning	98.50
Danko Emergency Equipment	Bolt cutters	65.00
Davis Equipment Corporation	Parts for mower repair	109.52
Edel's Lawn Service and Construction Inc	Sewer repair 4th Ave	2,400.00
Elliot Bulk Services LLC	Hand pump	193.15
Elliott Equipment Co	Parts for repair	85.16
	Hose reel for jetter truck	1,638.78
Four Seasons - Yard Care	Contracted mowing - City parks	5,800.00
Gall's Inc.	Uniforms	43.75

Genskow Distributing Inc.	Pool concessions	22.32
	Pool concessions	49.44
	Pool concessions	30.12
Grainger	Marking paint	217.20
Hach Company	Lab chemicals	222.30
	Filter glass	219.80
Haines Auto Supply	Hose assembly	6.45
	Fuel pump	98.20
	Exhaust fluid	43.28
	Vehicle lighting	129.64
	Ignition coil	40.21
	Gloves	58.66
	Tools	64.39
	Ignition control	74.15
Highway 92 Walnut Co	Supplies	41.85
Hy Vee Accounts Receivable	Meal expense	59.50
	Pool concessions	5.94
	Pool concessions	38.24
	Pool concessions	5.52
IA Munic Workers Comp Assoc	Work comp payment #2	7,083.00
Ideal Ready Mix	Ready mix - N 3rd St	548.63
	Supplies	36.00
Iowa Crime Prevention Association	Annual dues	50.00
Iowa Department of Natural Resources	Annual NPDES permit fees	2,550.00
Iowa Prison Industries	Street signs	41.95
James W. Bell Co. Inc	Parts for repair	74.25
Jetco Inc.	Variable feed drive	285.84
	Variable feed drive	315.50
	Variable feed drive	5,485.00
	Repair storm damage - VFD failure	648.00
John Deere Financial	Fuel pump	91.11
	Mower blade	79.44
	Weed eater blades	46.00
	Supplies	5.76
	Filters	129.35
Kelderman Manufacturing Inc	Sheet metal	22.72
Kelly Supply Company	Lights	176.56
	Supplies	25.86
	Light bulbs	73.81
Klyn's Tire Service Inc	Tire repair	21.00
Klyn's Tire Service Inc	Tire repair	10.00
Labconco Corporation	Valve for lab equipment	181.78
Lappin Tire	Tire repair	196.23
	Replace tire	120.02
M. Shrago & Son Inc	Supplies	18.75
Mahaska Co Highway Dept	Fuel	3,155.21
	Fuel	2,097.87
Mahaska Communication Group LLC	Telephone services	83.48
	Telephone services	70.73
	Telephone services	1,229.14
	Telephone services	139.22
	Telephone services	49.53

	Telephone services	62.04
	Telephone services	63.91
	Telephone services	63.85
Mahaska Health Partnership	Professional services	65.00
Malcom Lumber Window & Door Center	Supplies	148.03
Mauer Supply Inc.	Supplies	54.95
Mc Kim Tractor Service	Supplies	0.84
MidAmerican Energy	Utilities	1,089.90
	Utilities	4,091.32
MTI Distributing Inc	Filter kit	148.15
Musco Sports Lighting LLC	City band shirts	655.00
	City band signs	880.00
	Decals - Parks Dept	130.00
	Decals - Parks Dept	120.00
O'Reilly Auto Parts	Supplies	14.38
Orscheln Farm & Home	Supplies	18.57
	Supplies	33.16
	Supplies	17.88
	Supplies	37.97
	Supplies	16.38
	Supplies	5.75
	Supplies	10.97
	Supplies	8.98
Oskaloosa Herald/Shopper	Publications	697.55
Oskaloosa Service Center Inc	Quick lube	30.20
	Quick lube	30.20
	Quick lube	30.20
	Quick lube	30.20
Oskaloosa Water Dept	Fax location service	74.55
Philip L. Ascheman PH.D.	Professional services	180.00
Quill Corporation	Toner cartridge	150.47
	Office supplies	210.55
	Office supplies	44.98
	Janitorial supplies	189.35
Racom Corporation	Repair lightbar	348.50
Rapids Reproductions Inc	Printing services	422.10
	Supplies	40.67
Roe Heating & Refrigeration	Repair air conditioner - Fire Dept	72.75
Santa Clara Vanguard	City band performance - 07-24-2014	400.00
Schindler Elevator Corp	Scheduled maintenance	689.01
Schumacher Elevator Company	Scheduled maintenance	197.99
Sherwin-Williams	Paint	48.22
	Painting supplies	40.05
Staples Credit Plan	Office supplies	6.19
	Office supplies	57.98
	Office supplies	68.52
Starr Indemnity & Liability Co - CV Starr - New York	Annual accident insurance	8,750.00
State Hygienic Laboratory	Pool testing	12.00
Swim's Sports	Uniform shirts	450.00
	Uniform shirts	150.00
The Office Center Inc.	Office supplies	63.79
Total Choice Shipping	Shipping charges	7.77

	Shipping charges	12.50
Town and Country Wholesale	Pool concessions	653.08
	Pool concessions	401.47
Trans-Iowa Equipment LLC	Side brooms - sweeper	2,007.30
	Parts for repair	173.84
	Parts for repair	46.59
Treasurer State of Iowa	Unclaimed property report	19.00
True Value Hardware	Supplies	16.98
	Supplies	10.98
	Supplies	5.64
	Supplies	6.08
	Supplies	78.37
	Credit on overpayment	-44.95
	Supplies	19.99
	Credit on returned item	-16.14
	Supplies	17.64
	Supplies	6.18
	Supplies	6.28
	Supplies	2.89
	Supplies	7.22
	Supplies	5.54
	Supplies	11.05
	Supplies	9.99
	Supplies	4.58
U.S. Cellular	Telephone services	26.76
Van Wall Equipment	Generator	1,099.00
Vande Wall Plumbing	Sewer repair	3,143.00
Verizon Wireless	Broadband services	288.09
Walmart Community/GECRB	Supplies	35.08
	Supplies	5.68
	Office supplies	65.72
	Supplies	16.91
	Supplies	13.69
	Medications	13.33
	Supplies	27.96
	Medications	8.00
	Pool supplies	49.66
	Pool concessions	59.80
	Pool concessions	55.93
	Pool concessions	17.50
	Pool concessions	27.66
	Pool supplies	17.94
Wellings Power Products	Parts for repair	34.99
Wellington Tools Sales Inc	Tools	45.96
	Tools	248.60
West Music Co.	Microphone for bandstand	208.00
Wymore Automotive	Vehicle repair	70.00
		<hr/>
		147,759.98



# MANUAL CHECK REPORT

Akhilesh Pal	Reimburse travel expense	216.80
Amazon	Library materials	3,359.07
Amazon	Library materials	3,531.00
Barco Municipal Products Inc	Lights for vehicles	362.01
Benjamin M Berg & Bank Iowa	First time homebuyer's loan	2,000.00
Carriker Ford	2015 Ford Explorer - Police Dept	27,308.00
Cassie J Veldhuizen & Bank Iowa	First time homebuyer loan	2,053.68
Center Point Large Print	Library materials	78.37
David D. Dixon	July legal fees	2,200.00
DeLong Construction Inc	Payment #7 - West Area Sanitary Sewer	1,149.44
Delta Dental of Iowa	Dental insurance	492.00
Edward D Jones	Savings Edward Jones	400.00
Edward D Jones	Savings Edward Jones	400.00
Fidelity Security Lii Insurance Company	Vision insurance	239.02
Forest Cemetery Association	Annual contribution	50,000.00
Gibb R Whitlatch/LeeAnne N Russell & MidWestOne Bank	First time homebuyer's loan	3,500.00
I.U.P.A.T. District Council 81	Union dues	325.48
Kim Weiss	Reimburse travel expense	5.31
Kimberly Benson	Reissue payroll check 07-03-2014	92.35
Local 636, IAFF	Union dues	225.00
Madison National Life	July life insurance premium	425.75
Mahaska County Recorder	2nd quarter recording fees	77.00
Mason J/Mercedes L Adams & Bank Iowa	First time homebuyer loan	2,500.00
Michael Schrock Jr.	Reimburse ICMA dues	1,081.28
Misty Dawne White-Reinier	July legal fees	1,800.00
Nathan Willey	Reimburse meal expense	10.08
Norris Asphalt Paving Inc	Payment #4 - C Ave E project	7,757.75
Norris Asphalt Paving Inc	Retainage - South 7th St Project	7,903.27
Oskaloosa Community Schools	July local option sales tax	82,725.35
PPME 2003 IBPAT	Union dues	414.29
Steven's Concrete LTD	Payment #2 - 1st Ave E sidewalk project	18,557.30
Sunlife Financial	July stop-loss premium	12,318.45
United Way	United Way	25.83
Visa Card Center	Library supplies	754.20
Visa Card Center	Library supplies	6.98
		234,295.06
	July payroll	283,276.93
Alexander, Craig	Cell phone reimbursement	20.00
Boston, Troy	Cell phone reimbursement	20.00
Calzaretta, Michael	Cell phone reimbursement	20.00
McGee, John	Cell phone reimbursement	20.00
Neff, Mark	Cell phone reimbursement	20.00
Pal, Akhilesh	Cell phone reimbursement	20.00
Schrock Jr, Michael	Cell phone reimbursement	20.00
Vroegh, Gary	Cell phone reimbursement	20.00
Vroegh, Grant	Cell phone reimbursement	20.00
Willey, Nathan	Cell phone reimbursement	20.00

# MOST CLAIMS OVER 500.00

Department	Supplier/Vendor	Amount	Explanation
Parks Department	Troy's Four Seasons Yard Care Inc.	\$5,800.00	Contract mowing of city parks.
Parks Department	Town and Country Wholesale	\$653.08	concessions for pool sales.
Parks Department	Acco	\$853.18	Liquid chlorinating solution, Acco 07-L - chemicals for Edmundson Pool.
City Attorney	Brick, Gentry P.C.	\$3,885.00	Legal services re Water Board matter.
City Manager	Michael Schrock Jr.	\$1,081.28	Reimbursement for payment of Iowa City/County Management dues.
City Council	Area 15 Regional Planning Commission	\$4,929.09	Payment of dues approved by City Council at May 19, 2014 city council meeting.
Parks/Band Department	Musco Sports Lighting	\$880.00	City band signs.
Parks Department	Acco	\$1,295.00	Chemicals for Edmundson Swimming Pool.
Mayor/City Council	Quill	\$2,599.90	Guest chairs for Mayor's Office.
Mayor/City Council	Quill	\$1,189.96	2 tables & tops for Mayor's Office
City Hall	Access	\$2,539.68	Maintenance agreement for IT service.
Parks Department	Terpstra Masonry	\$4,350.00	Repair limestone culvert in Edmundson Park.
Parks Department	City of Ottumwa	\$568.00	Edmundson swimming pool inspections.
Public Library	Baker Group	\$1,220.56	Replace leaking gasket on boiler pipes.
Public Library	Schindler Elevator Corp.	\$689.01	Maintenance agreement for elevator - quarterly billing 7/1/2014-9/30/2014.
Public Works - Streets	Van Wall Equipment	\$1,099.00	Generator.
Public Works - Streets	Ideal Ready Mix Company, Inc.	\$12,722.89	Concrete road repair on North 3rd Street near Sheriff Avenue.
Public Works - Streets	Bituminous Materials and Supply	\$16,704.87	6,119 gallons of MC-3000 oil for seal coat street project.
Public Works - Streets	Trans-Iowa Equipment, Inc.	\$2,007.30	Segmented side broom for Elgin sweeper.
Public Works - Wastewater	Edel's Lawn Service & Construction	\$2,400.00	Sewer repair at 407 4th Avenue East.
Public Works - Wastewater	Central Pump & Motor, LLC - Joshua Green	\$5,405.00	Repair Fairbanks Morse sewage pump at NE WW Plant.
Public Works - Wastewater	Cretex	\$1,434.00	New manhole for sanitary sewer repair on N 3rd near high school.
Public Works - Wastewater	Elliott Equipment Co.	\$1,638.78	Hose reel guide for jetter/VAC truck.
Public Works - Wastewater	Concrete Works LLC	\$1,500.00	Rebuild storm water intake on J Ave. East near Forest Cemetery.
Public Works - Wastewater	Jetco, Inc.	\$648.00	Lightning/storm damage service call to the NE WW Plant for variable feed drive damage.
Public Works - Wastewater	Iowa Department of Natural Resources	\$2,550.00	Annual permit fee for National Pollution Discharge Elimination systems for WW plants.
Public Works - Wastewater	Vande Wall Plumbing	\$13,000.00	Replace 300' of sanitary sewer on North 3rd Street near high school.
Public Works - Wastewater	Vande Wall Plumbing	\$13,715.00	Emergency sewer repair on C Avenue West between North B & C Street.
City Council	10*15 Transit	\$5,000.00	Payment of grant money received for fixed bus route system.
Fire Department	Carriker Ford	\$26,951.00	2015 F350 4x4 brush truck chassis.
Police Department	Champion Storage and Signs	\$500.00	Police car graphics.
City Council	City of Pella	\$5,731.79	City's share of regional airport expenses.
Public Works - Wastewater	Cretex	\$4,804.00	3 new manholes for sanitary sewer repair on S 11th between 8th & 9th Avenue East.
Public Works - Wastewater	Jetco, Inc.	\$6,086.34	Replace variable feed drive at the NE WW plant due to storm/lightning damage on
City Band	Musco Sports Lighting	\$655.00	City band shirts.
Police Department	Carriker Ford	\$27,308.00	2015 Ford Explorer.
Public Library	Amazon	\$6,890.07	Library materials.
Public Works - Wastewater	DeLong Construction	\$1,149.44	Payment #7 for West Area Sanitary Sewer Improvements.
Public Works - Streets	Norris Asphalt Paving	\$7,757.75	Payment #4 - C Avenue East Project.

## MOST CLAIMS OVER 500.00

Public Works - Streets	Norris Asphalt Paving	\$7,903.27	Payment of retainage for South 7th Street Project.
Public Works - Streets	Steven's Concrete LTD	\$18,557.30	Payment #2 - 1st Ave. E Sidewalk Project.
Public Library	Visa Card Center	\$761.18	Library supplies.
Public Works - Wastewater	Edel's Lawn Service & Construction	\$3,143.00	Sewer repair at the corner of J Avenue East and North 4th Street.



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Clerk-Finance

**Item Title: CONSENT AGENDA**

Consider approval of an application for a Class C Liquor License with Sunday Sales for Oskaloosa Entertainment Inc., dba Hot Shotz Bar & Grill, 507 High Avenue West.

**Explanation :**

The application is complete and in order for approval.

Staff recommends approval.

**Budget Consideration:**

\$845.00 revenue to the General Fund

**Attachments :**

None



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Clerk/Finance

**Item Title: CONSENT AGENDA**

Consider a resolution scheduling a public hearing for September 2, 2014 to consider levying a special assessment against private property for cleaning up a property at 610 C Avenue East, Oskaloosa, Iowa, in accordance with Oskaloosa City Code §8.08.080, and direct notice to the owners of the property to be assessed.

**Explanation:**

This resolution schedules a public hearing for September 2, 2014 for levying a special assessment against private property for city clean up. A notice will be published in the Oskaloosa Herald and certified notices will be sent to the property owner.

**Budget Consideration:**

\$200 Revenue to the General Fund to offset expenses related to the clean up.

**Attachments :**

Resolution

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

RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE  
MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY F  
OR CITY CLEAN UP OF A PREMISES AND DIRECTING NOTICE TO THE OWNER  
TO BE ASSESSED

WHEREAS, The City has authority under City Ordinance to abate a nuisance and assess the costs of abatement to the County Treasurer for collection in the same manner as property taxes under Oskaloosa City Code section 8.08.080; and

WHEREAS, the City of Oskaloosa did notify Daniel L. and Jody L. Gundrum to immediately remove accumulated solid waste from the property at 610 C Avenue East; and

WHEREAS, in accordance with Iowa Code Chapter 364.12 if a property owner does not perform an action required within a reasonable time after notice, a city may perform the required action and assess the costs against property for collection in the same manner as property tax; and

WHEREAS, the City has caused a nuisance to be abated and wishes to assess the costs thereof for collection at the property owned by Daniel L. and Jody L. Gundrum, 610 C Avenue East, legally described as:

Lot 1 Hugh Horner Survey.

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 conduct a public hearing on September 2, 2014 at 6:00 p.m. in the City Council Chambers, City Hall, 220 South Market Street, Oskaloosa, Iowa, on the matter of levying a special assessment against the property owned by Daniel L. and Jody L. Gundrum, 610 C Avenue East, for city abatement of a nuisance thereat, at which time the Council shall consider and dispose of any objections made thereto; after which time the City Council shall by resolution levy such assessment as may be appropriate against said property.

SECTION 2. That the City Clerk is hereby directed to give notice of said hearing by publication prior to the date of the hearing and sending notice of the hearing to the property owner by certified mail.

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 4<sup>th</sup> day of August, 2014.

[SIGNATURES TO FOLLOW]

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David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Clerk/Finance

**Item Title: CONSENT AGENDA**

Consider a resolution scheduling a public hearing for September 2, 2014 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 2, 2014 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:**

\$250 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 2<sup>nd</sup> day of September, 2014 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 4<sup>th</sup> day of August, 2014.

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David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk

EXHIBIT "A"  
2014 WEED CUTTING ASSESSMENTS  
June 2014

OWNER	OFFENSE	ADDRESS/LEGAL	DATE MOWED	LABOR	COST
Randy L Snook Parcel ID 1119126010	1st	914 3rd Avenue East W 1/2 Lot 1 NE NW	6/18/2014	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.

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



## City Council Communication

Meeting Date: August 04, 2014

Requested By: CITY MANAGER'S OFFICE

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

Consider a resolution setting a date for a public hearing to consider a proposed ordinance amending the city's gas and electric franchise agreement with MidAmerican Energy Company, and increasing the existing gas and electric franchise fees by an additional 2.0% of the company's gross revenues for all service classes, and amending the city's revenue purpose statement for use of franchise fee revenues.

### **Explanation :**

The current twenty five year natural gas and electric franchise agreements with MidAmerican Energy Company were approved and renewed by the City Council in 2011.

At the time of renewal, a significant change was made to the franchise fee amount charged on the company's gross revenues. The change was an increase from 0.2% for all classes to 3.0% for all classes, except industrial, which was increased from 0.2% to 1.5%. The increase in revenues was specifically earmarked for infrastructure improvements as specified in the Iowa Code. The increase in the franchise fee was completed as an alternative to issuing debt paid by property taxes for needed infrastructure improvements. This decision resulted in a lower tax burden for the average property owner in the city.

City Council is now considering an additional 2.0% increase to the existing franchise fee rates and an expansion of the allowable uses for the revenue derived from the franchise fees collected. The 2.0% increase in fees is estimated to generate an additional \$290,000 of revenue and bring the annual revenue for gas and electric franchise fees to \$685,000. The additional revenue would be used in a manner acceptable to the City Council through the currently approved revenue purpose statement, or an amended version of that document (The revenue purpose statement will be considered at the August 18, 2014 city council meeting). Initial discussions with the City Council during study sessions indicates a desire to use the revenue to offset the impacts associated with the recently approved property tax reform legislation by the Iowa Legislature - SF295, and pay for costs to provide public safety services within the community.

The increase in the fees can be accomplished through an amendment to the franchise agreements with MidAmerican Energy Company and procedurally, the City Council is required to hold a public hearing to accept comments from the public on the proposed franchise amendment.

This item sets the date for a public hearing to consider the ordinance amending the franchise agreements for August 18, 2014 at 6:00pm in the city council chambers of the

Oskaloosa city hall.

**13.12.140 [Franchise fee].** 

A franchise fee is imposed upon, and shall be collected from, the natural gas customers of the company receiving service pursuant to the tariff and located within the corporate limits of the city. The franchise fee shall be imposed upon the gross receipts, minus uncollectible accounts, derived from the sale of natural gas and distribution service pursuant to the tariff. City imposes the franchise fee upon the following revenue classes:

Residential customers .....~~3 percent~~ 5 percent  
Commercial customers .....~~3 percent~~ 5 percent  
Industrial customers .....~~1.5 percent~~ 3.5 percent  
Public authority customers .....~~3 percent~~ 5 percent  
Transportation customers .....~~3 percent~~ 5 percent

**13.16.140 [Franchise fee].** 

There is hereby imposed upon and shall be collected from the retail electric customers of MidAmerican Energy Company receiving service pursuant to the tariff located within the corporate limits of the city and remitted by the company to the city, a franchise fee from each customer class as set forth below of the gross receipts, minus uncollectable amounts, derived by the company from the delivery and sale of electric energy to customers within the corporate limits of the city;

Residential customers .....~~3 percent~~ 5 percent  
Commercial customers .....~~3 percent~~ 5 percent  
Industrial customers .....~~1.5 percent~~ 3.5 percent  
Public authority customers .....~~3 percent~~ 5 percent

**Budget Consideration:**

No significant financial impact is associated with scheduling the date for a public hearing however future action anticipated with this item could result in additional revenue to the city's general fund from electric and gas ratepayers in Oskaloosa. The revenue generated from the franchise fee can and will only be used in a manner that is compliant with the legal parameters outlined in the revenue purpose statement and the Code of Iowa.

**Attachments :**

1. Resolution (one page)
2. Proposed Revenue Purpose Statement

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

**A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE AMENDING THE CITY'S GAS AND ELECTRIC FRANCHISE AGREEMENT WITH MIDAMERICAN ENERGY COMPANY, AND INCREASING THE EXISTING GAS AND ELECTRIC FRANCHISE FEE TO 5% OF THE COMPANY'S GROSS REVENUES FOR RESIDENTIAL, COMMERCIAL, AND PUBLIC AUTHORITY USERS, AND 3.5% OF THE COMPANY'S GROSS REVENUES FOR INDUSTRIAL USERS ; INCLUDING THE CITY'S REVENUE PURPOSE STATEMENT FOR USE OF FRANCHISE FEE REVENUES**

**WHEREAS**, the natural gas utility franchise agreement previously granted by the City to MidAmerican Energy Company, previously known as Midwest Gas Company and codified at Chapter 13.12 of the City Code was set to expire on February 11, 2013; and

**WHEREAS**, on October 3, 2011 the City Council approved the third and final reading for the renewal of the electric and gas utility franchise agreements between the City and MidAmerican Energy Company; and

**WHEREAS**, the renewed franchise agreements set the fee charged on MidAmerican's gross revenues for residential, commercial, public authority and industrial users at 3%, 3%, 3% and 1.5% respectively; and

**WHEREAS**, the City desires to amend the existing franchise agreements to increase the fees for residential, commercial, public authority and industrial users to 5%, 5% and 3.5% respectively; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Oskaloosa, Iowa, that a public hearing will be held on Monday, August 18, 2014 at 6:00 p.m. in the City Hall Council Chambers, 220 South Market Street, Oskaloosa, Iowa, to receive comments on the proposed renewal of the natural gas and electric franchise agreements with MidAmerican Energy Company.

PASSED and approved this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Thomas J. Rielly, Mayor

David Krutzfeldt, Mayor

ATTEST:

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Amy Miller, City Clerk

**PROPOSED REVENUE PURPOSE STATEMENT  
FOR THE USE OR EXPENDITURE OF NATURAL GAS AND  
ELECTRIC FRANCHISE FEE REVENUES FOR THE CITY OF  
OSKALOOSA, IOWA**

Pursuant to the provisions of Section 364.2, subsection (4)(f) of the Code of Iowa, the City of Oskaloosa hereby establishes the following purposes allowed under Iowa Code Section 384.3A, subsection (3)(e),(f),(g), and (i) for which franchise fee revenues from its natural gas and electric franchises with MidAmerican Energy may be used or expended, said purposes which may be narrowed after public hearing: Public safety, including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments; the establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems; and the construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds, and the acquisition of real estate needed for such purposes; and economic development activities and projects.



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: Public Library

**Item Title: CONSENT AGENDA**

Consider a resolution approving the disposal of surplus city-owned equipment.

**Explanation :**

The Oskaloosa Public Library is looking to dispose of fourteen Dell desktop computer CPU's. The equipment has been deemed surplus equipment and is no longer needed by the Library. The Library will dispose of the equipment in a manner that is appropriate and most advantageous to the city.

**Budget Consideration:**

None

**Attachments :**

None

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

RESOLUTION APPROVING THE DISPOSAL OF SURPLUS CITY-OWNED EQUIPMENT

WHEREAS, the Oskaloosa Public Library needs to dispose of surplus city-owned equipment no longer needed or in use including fourteen Dell desktop computer CPU's; and

WHEREAS, the Oskaloosa Public Library will dispose of the items in a manner that is appropriate and most advantageous to the city;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Oskaloosa, Iowa, does hereby approve of the disposal of surplus city-owned equipment.

PASSED AND APPROVED the \_\_\_\_ day of \_\_\_\_\_ 2014.

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

ATTEST:

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



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Manager's  
Office

**Item Title: CONSENT AGENDA**

Consider a motion directing the Mayor to draft a letter of support for the High Avenue East housing project.

**Explanation :**

The city manager received a request from Lyle Siefering and Todd Roach who are proposing to construct a multi-unit housing project on High Avenue East utilizing State Flood Recovery grant **funding**. The application process to receive grant funding requires a letter of support from the city as well as the ability to present a shovel ready **project**. Receiving support by the City Council via a formal action item could assist the developers in the competitive grant scoring **process**.

Lyle Siefering and Todd Roach will be present to share details of their proposed project including the number of units, a conceptual layout for the project and **other project information**.

As presented to staff, this project is shovel ready, pending traditional review and approval **processes**. Their project aims to assist a serious housing need within the Oskaloosa community and is consistent with plans to address those issues. The properties under consideration are zoned R-3 and would support a development of this nature, pending further refinement and approval by the typical legislative bodies (P&Z, City Council, etc.) involved in the development review/approval **process**. One exciting consideration with this project is the fact that Lyle and Todd are local developers and investors looking to seize this grant funding opportunity; local reinvestment in Oskaloosa is highly encouraged from staff's perspective.

**Budget Consideration:**

None to the city of Oskaloosa, however the development of additional housing helps grow the existing tax base for the community as well as address a significant housing need that exists.

**Attachments :**

Mahaska Community Development Group (MCDG) Project Support Letter  
517 High Avenue East Plans

+

# **Mahaska Community Development Group**

124 N. Market St • Oskaloosa, IA 52577 • (641) 672-2591 • mcdg@mahaskacounty.org

July 29, 2014

To Whom It May Concern

RE: Oskaloosa Housing Needs

On behalf of the Mahaska Community Development Group (MCDG), I would like to express support for Todd and Christ Roach's planned High Avenue East Apartment Complex in Oskaloosa, IA. As a local economic development corporation in Mahaska County, MCDG has seeks to address various community and workforce issues for our area businesses. I have personally met with dozens of businesses leaders from across the county to ask what can be done at a local level to allow businesses to prosper. One of the most commonly cited impediments to growth is that it is difficult to attract a quality workforce due to the community's lack of housing options. The project proposed would directly address some of the local community's immediate and long term needs.

Not only does this project address needs expressed anecdotally in conversation with business owners, it addresses quantitatively-identified needs. According to a 2012 Housing Needs Assessment, Oskaloosa needs an additional 94 to 237 housing units in total to support current needs and projected growth in the community. Additionally, the shortfall of affordable rental housing is over 600 units. From another angle, approximately 67% of individuals working within Oskaloosa live elsewhere, which is very high compared with other Iowa cities. This again emphasizes the need for additional housing in Oskaloosa.

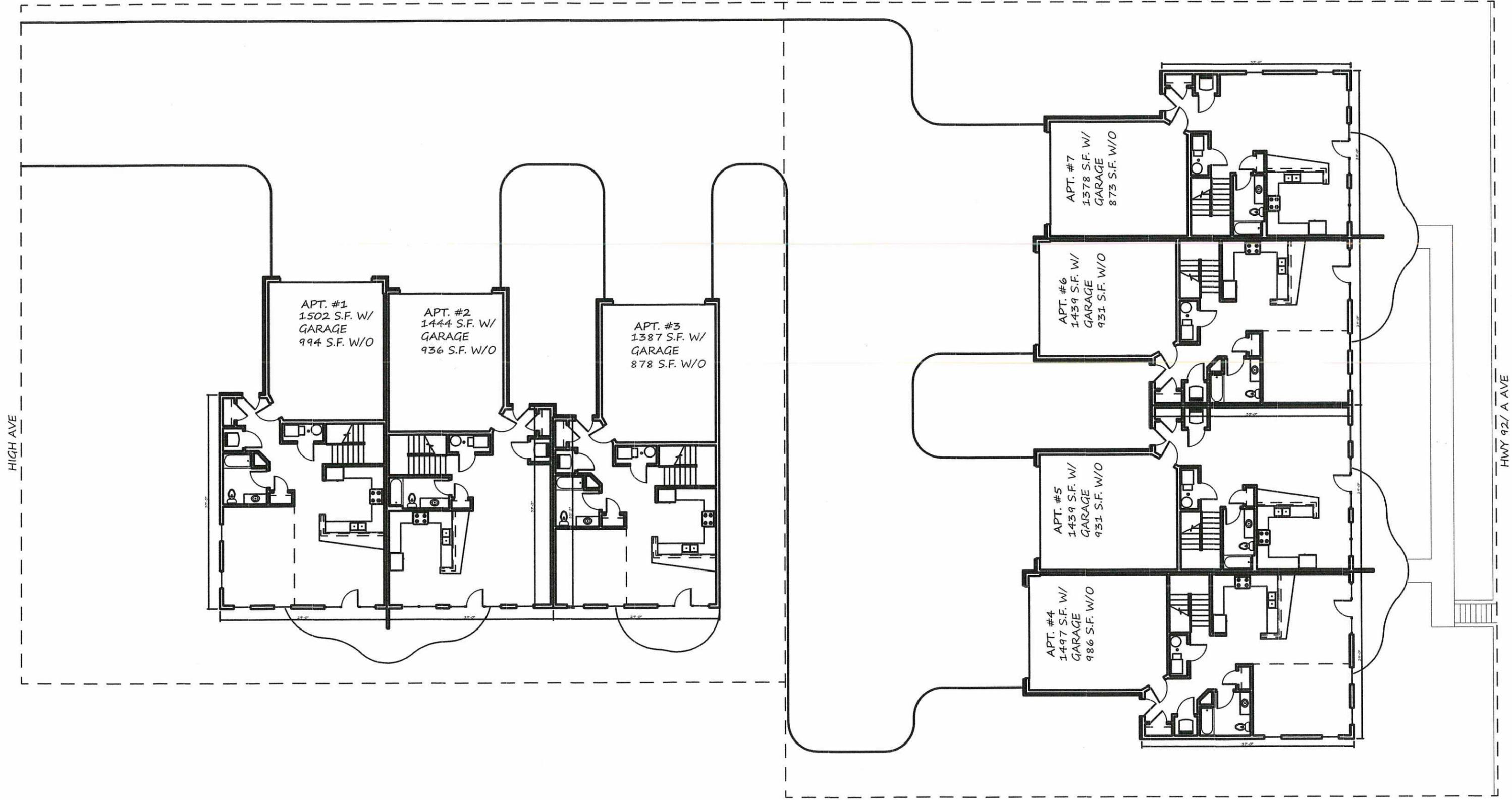
On a personal note, I moved to Mahaska County with my young family approximately six months ago. As we looked for temporary housing for the initial transition to the community, I personally discovered the difficulties in the Oskaloosa rental housing market. Had it not been for connections with my Board of Directors, I'm not sure where we would have been able to live. Although my transition to the community was relatively smooth, other professionals moving in do not have those built-in connects.

It is with these anecdotal testimonies and quantitative data that MCDG supports the planned apartment complex and application for IEDA's Round 6 Disaster Recovery funding.

Sincerely,



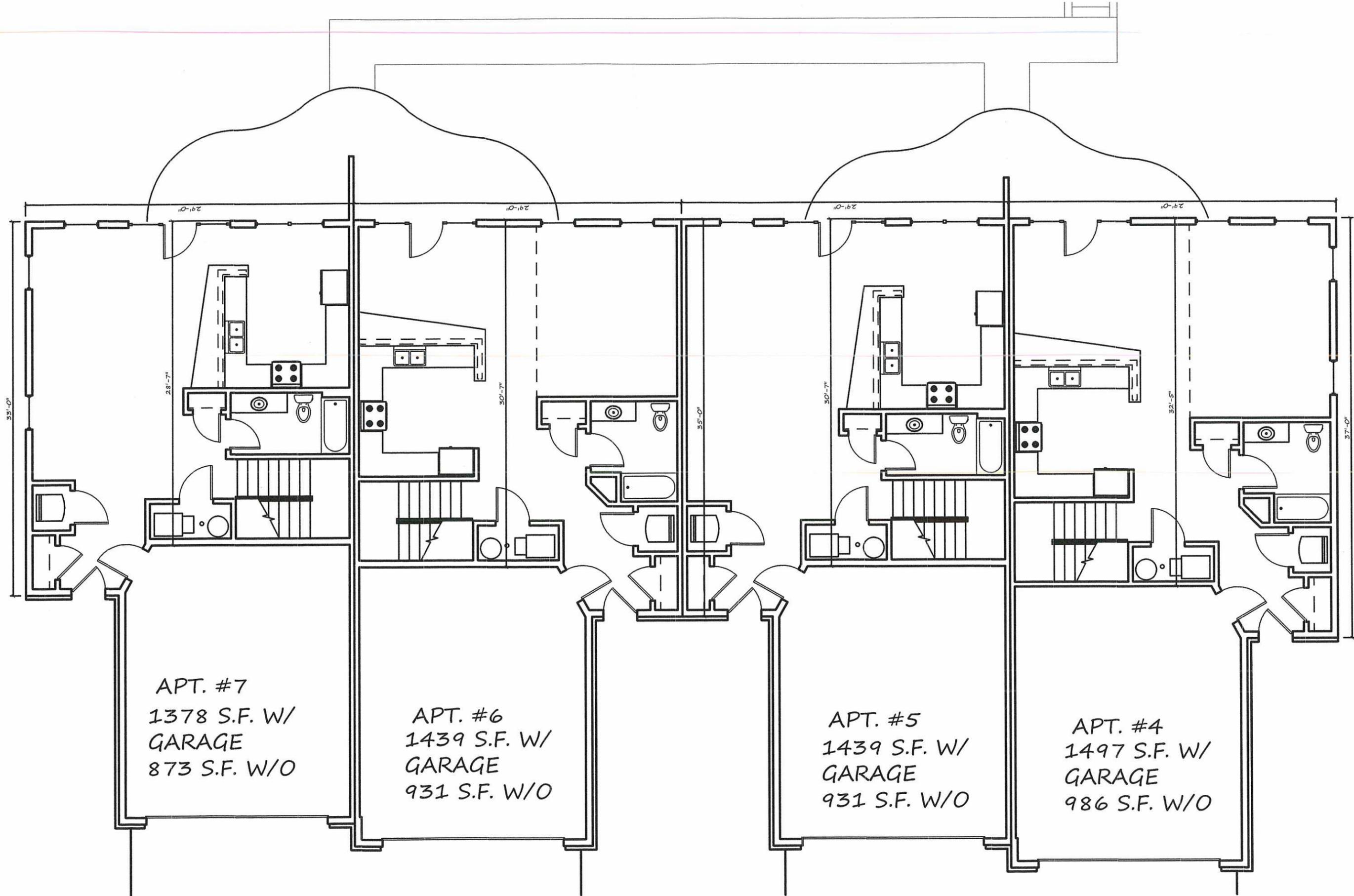
Andrew Jensen  
Executive Director



517 HIGH AVE AND 602 A AVE EAST AREA

1/16" = 1'-0"





APT. #7  
 1378 S.F. W/  
 GARAGE  
 873 S.F. W/O

APT. #6  
 1439 S.F. W/  
 GARAGE  
 931 S.F. W/O

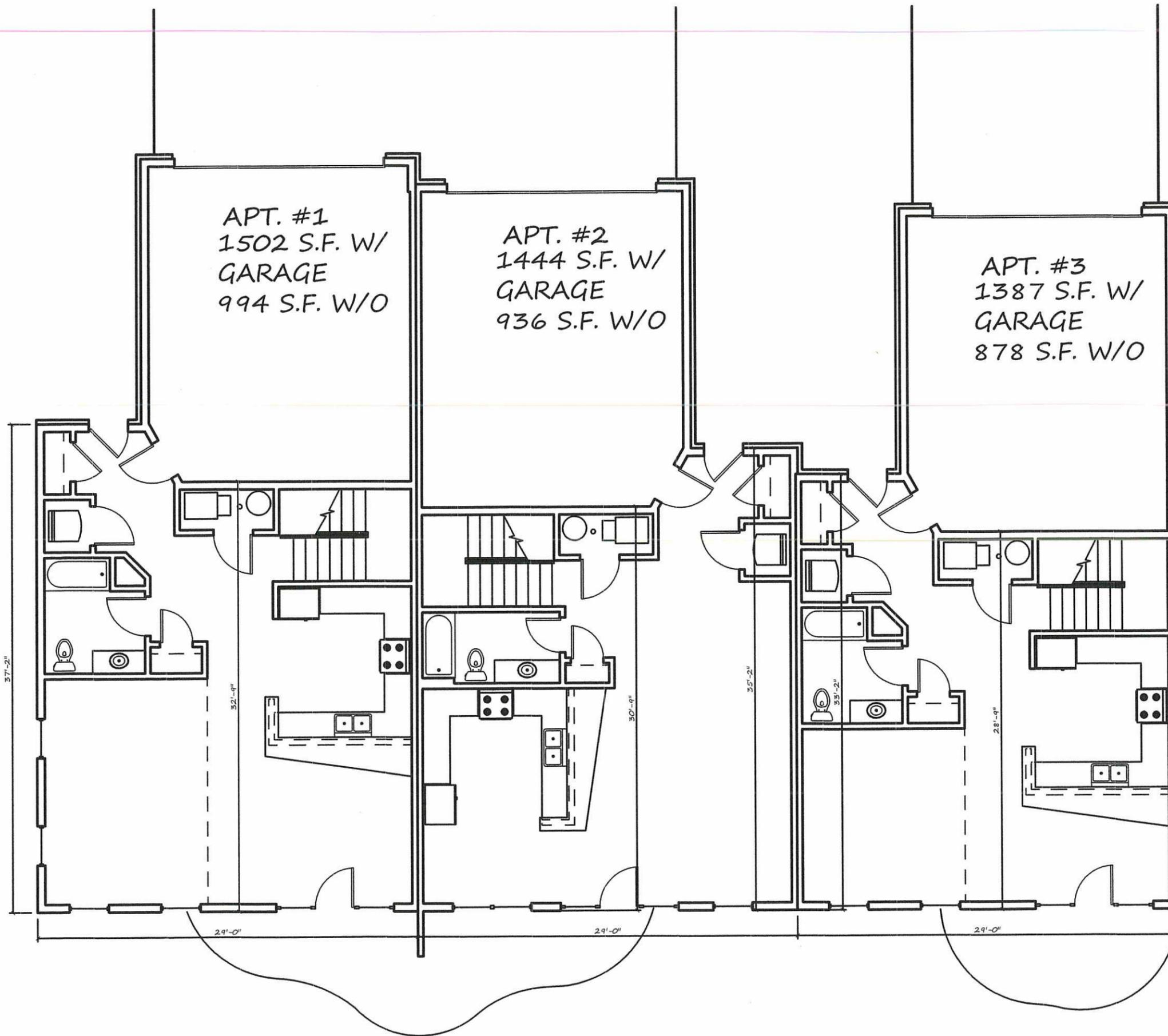
APT. #5  
 1439 S.F. W/  
 GARAGE  
 931 S.F. W/O

APT. #4  
 1497 S.F. W/  
 GARAGE  
 986 S.F. W/O

517 HIGH AVE AND 602 A AVE EAST AREA

1/8" = 1'-0"

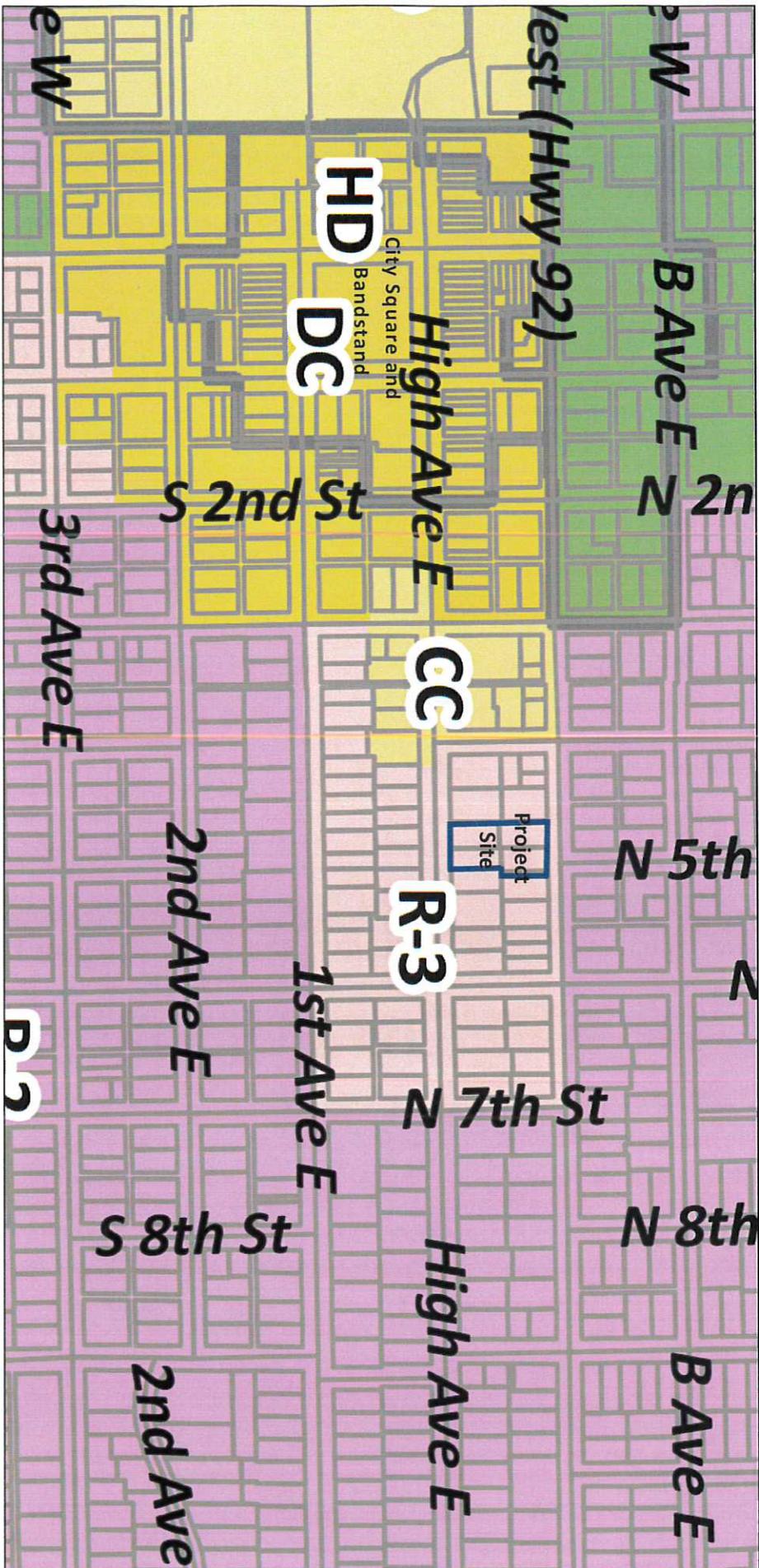




517 HIGH AVE AND 602 A AVE EAST AREA

1/8" = 1'-0"





B Ave E  
N 2nd

West (Hwy 92)

High Ave E

HD  
DC

City Square and  
Bandstand

S 2nd St

3rd Ave E

CC

Project  
Site

N 5th

R-3

2nd Ave E

1st Ave E

N 7th St

D-1

S 8th St

N 8th

High Ave E

B Ave E

2nd Ave



## City Council Communication

Meeting Date: August 4, 2014

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 - Two vacancies to fill upon appointment to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (3 males currently serve with 2 vacancies)
- b) Library Board of Trustees (Mahaska County rural representative) - One vacancy to fill upon appointment for an unexpired term that ends June 30, 2017. This is a nine member board that typically meets the fourth Monday of the month. (3 males and 5 females currently serve with 1 vacancy)
- c) Planning and Zoning Commission - Two vacancies to fill upon appointment for unexpired terms that end April 30, 2015 and April 30, 2017. This is a seven member board that typically meets the second Monday of the month as needed. (5 males currently serve with 2 vacancies)
- d) Board of Adjustment - One vacancy to fill upon appointment for an unexpired term that ends April 30, 2017. This is a five member board that meets as needed the fourth Tuesday of the month. (4 males currently serve with 1 vacancy)



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: Mayor/City  
Council/Staff

**Item Title: REGULAR AGENDA**

**Explanation :**

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

**Budget Consideration:**

Not applicable.

**Attachments :**

None.



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: Public Works Dept.

**Item Title: PUBLIC HEARING**

Consider an ordinance to vacate and sell of 120' X 16.5' of the north-south public alley adjacent to 211 North J Street - 1<sup>st</sup> reading. (PUBLIC HEARING)

**Explanation:**

Terry Wolfswinkel, owner of 211 North J Street, has requested that the portion of the north-south alley adjacent to their property be vacated. Mr. Wolfswinkel owns both the parcels, 211 North J Street and 1112 B Avenue West, adjacent to the requested alley vacate. The proposed alley had been paved with concrete when the Chiropractic clinic was built in 2001.

The city conducted a survey of households with direct access to this alley. Among the residents that responded (3 total), 2 of them wanted the alley to be vacated and 1 does not want the alley vacated. Gary Fisher, owner of the Quality Car Wash located at 1101 A Avenue West, does not want this alley vacated because he indicated it will hinder the future expansion of his business as the traffic exiting the car wash cannot have adequate access. This alley also contains Oskaloosa sanitary sewer, MidAmerican Energy utility infrastructure, and MCG. Hence, easement rights will need to be retained for access to the above mentioned utilities.

The Planning & Zoning Commission considered this item at their July 14, 2014 meeting and recommended by a vote of 6:1 (yes : no) that the City Council approve the alley vacate request. Commission member Holden Barnhart opposed the alley vacate.

**Recommended Action:**

Open public hearing, receive comments, close the public hearing and approve the first reading of the ordinance.

**Budget Consideration:**

\$100.00 in application fees and if the alley vacate is approved, there is revenue of \$990.00 (120'X16.5'X\$0.50/Sq.Ft.) to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

**Attachments :**

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

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

AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 211 NORTH J 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 211 North J Street is legally described as follows:

The 120 foot by 16.5 foot section of the north-south alley lying adjacent to Lot 2 of Block 3 of Loughridge and Cassidy's Addition in the Northwest Quarter of the Southwest Quarter of Section 13, Township 75, Range 16 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 and 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 \_\_\_\_\_ 2014, and approved this \_\_\_\_ day of \_\_\_\_\_ 2014.

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

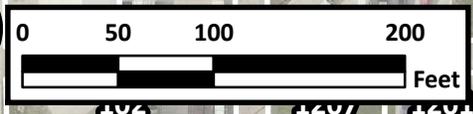
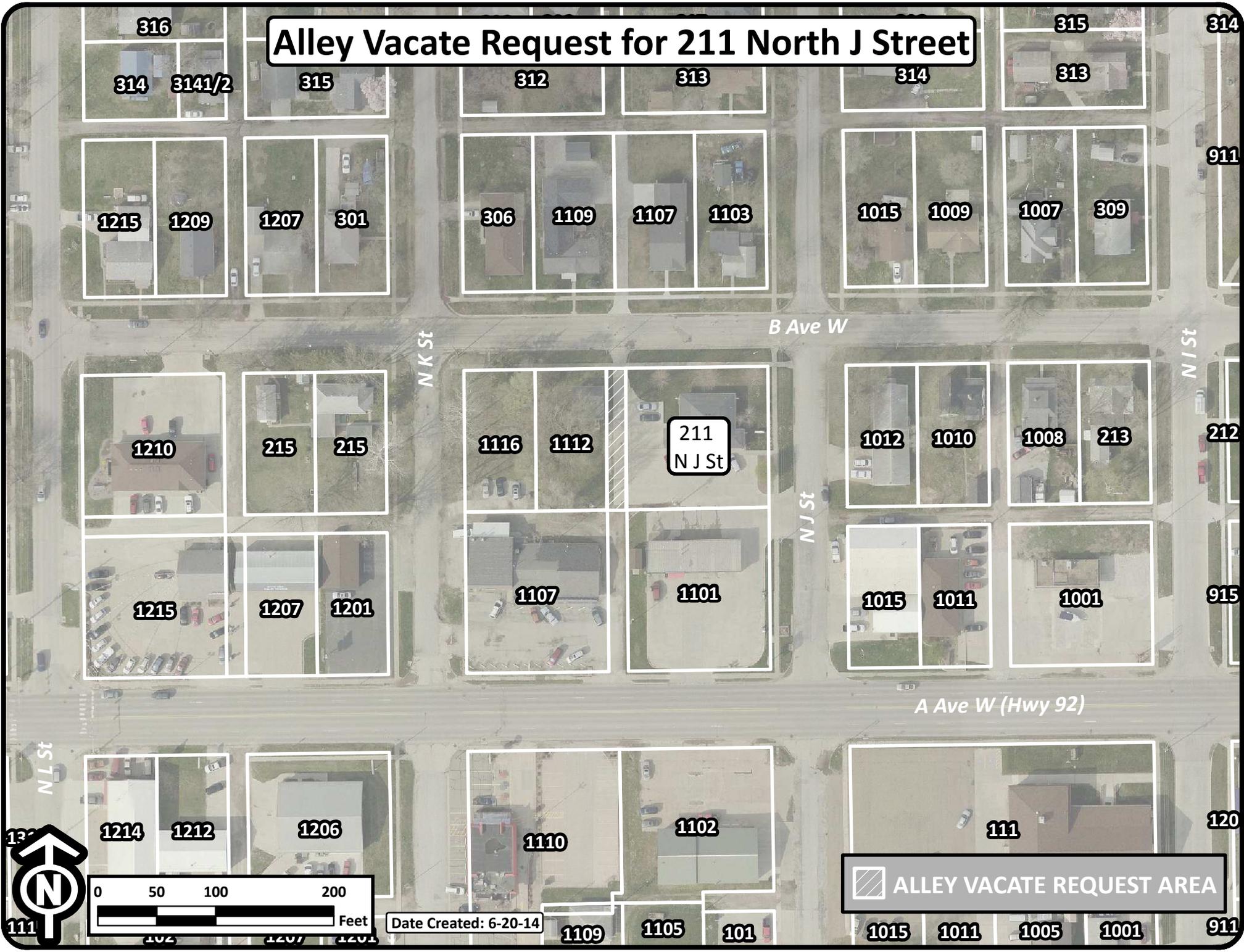
ATTEST:

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2014.

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

# Alley Vacate Request for 211 North J Street



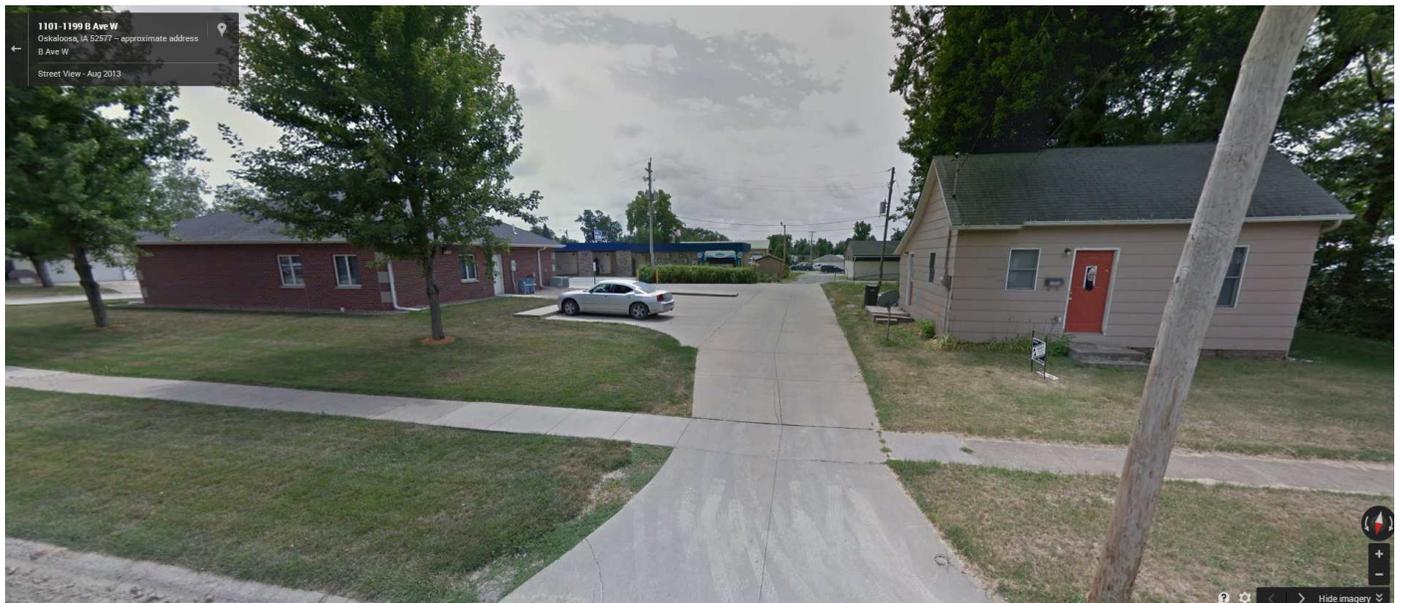
Date Created: 6-20-14

 ALLEY VACATE REQUEST AREA

Alley looking north from A Avenue



Alley looking south from B Avenue



Reference: [www.maps.google.com](http://www.maps.google.com)

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: 6-16-14

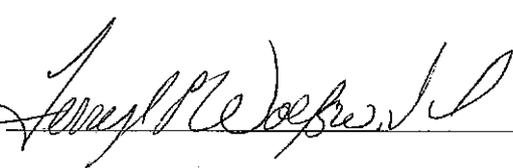
Property Owner Name: Wolfswinkel Family Trust

Address: 211 North J Street  
Oskaloosa IA 52577

Phone: 515-~~7~~783-8076

Description of alley requested for vacation: Located between  
211 North J St. & 1112 B Ave. W.

Reason for requesting alley vacation: own properties on both sides  
of the alley already. When we built 211 N. J St  
property, we concreted alley according to  
code in ~~198~~ 2001.

Signature: 

OFFICE USE:

Application Fee Paid  \$100.<sup>00</sup>

Amount Paid For 1/2 of Alley: \$ 495.<sup>00</sup> (120 x 16.5 x \$ .50/SF) x .50 <sup>1/2</sup> \$ 495.<sup>00</sup>

Vacation Approved  Denied  Refund Payment

**ALLEY VACATION RESPONSE :211 North J Street**

ADDRESS	NAME	RESPONSE	COMMENTS
1112 B Avenue West	Terryl Wolfswinkel	Yes, approve the proposed alley vacation	
211 North J Street	Terryl Wolfswinkel	Yes, approve the proposed alley vacation	
1101 A Avenue East	Fisher Quality Car Wash LLC	No, do not approve of the proposed alley vacate	We do not want the alley vacated. It serves our customers and will be needed, even more if we go forward with a planned
1107 A Avenue East	Deborah Fisher	No response	

**UTILITY COMPANY RESPONSE**

MCG	Yes Major Infrastructure
WATER DEPT.	Yes Major Infrastructure
CENTURY LINK	No Major Infrastructure
MIDAMERICAN ENERGY	Yes Major Infrastructure
CITY SANITARY SEWER	No Major Infrastructure



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: Public Works Dept.

**Item Title: PUBLIC HEARING**

Consider an ordinance to vacate and sell of 237.5' X 16' of the north-south alley adjacent to 1210 A Avenue East - 1<sup>st</sup> reading. (PUBLIC HEARING)

**Explanation:**

Vikshina Patel, owner of Budget Inn located at 1210 A Avenue East, has requested that the north-south alley adjacent to their property be vacated. The applicant indicated that they maintain the entire section of the north-south alley.

The city conducted a survey of households with direct access to this alley. Among the residents that responded (2 total), 1 of them wanted the alley to be vacated and 1 does not want the alley vacated. CB Liquor, the property owner of 1202 A Avenue East, opposed the alley vacate stating that this alley serves as a security measure for emergency personnel and access to the pole building at 1202 A Avenue East. The pole building located south of the CB Liquor store requires access from the southern portion of the subject alley.

This alley also contains Oskaloosa sanitary sewer, Century Link, and MidAmerican Energy utility infrastructure. Hence, easement rights will need to be retained for access to the above mentioned utilities.

The Planning & Zoning Commission considered this item at their July 14, 2014 meeting and recommended by a vote of 7:0 (yes : no) that the City Council approve the alley vacate request. The Commission indicated CB Liquor can approach Budget Inn to get a driveway easement to access the pole building.

**Recommended Action:**

Open public hearing, receive comments, close the public hearing and consider the first reading of the ordinance.

**Budget Consideration:**

\$100.00 in application fees and if the alley vacate is approved, there is revenue of \$1,900.00 (237.5'X16.0'X\$0.50/Sq.Ft.) to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

**Attachments :**

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

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

AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 1210 A AVENUE EAST, AND THE SALE OF SAID OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to vacate the east-west public alley right-of-way that lies adjacent to 1210 A Avenue East and is legally described as follows:

The 237.5 foot by 16 foot north-south alley lying adjacent to lot 3 and lot 8 of Phelps' Subdivision of the irregular Survey in the Southwest Quarter of the Southeast Quarter of Section 18, Township 75, Range 15 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 and 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 \_\_\_\_\_ 2014, and approved this \_\_\_\_ day of \_\_\_\_\_ 2014.

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

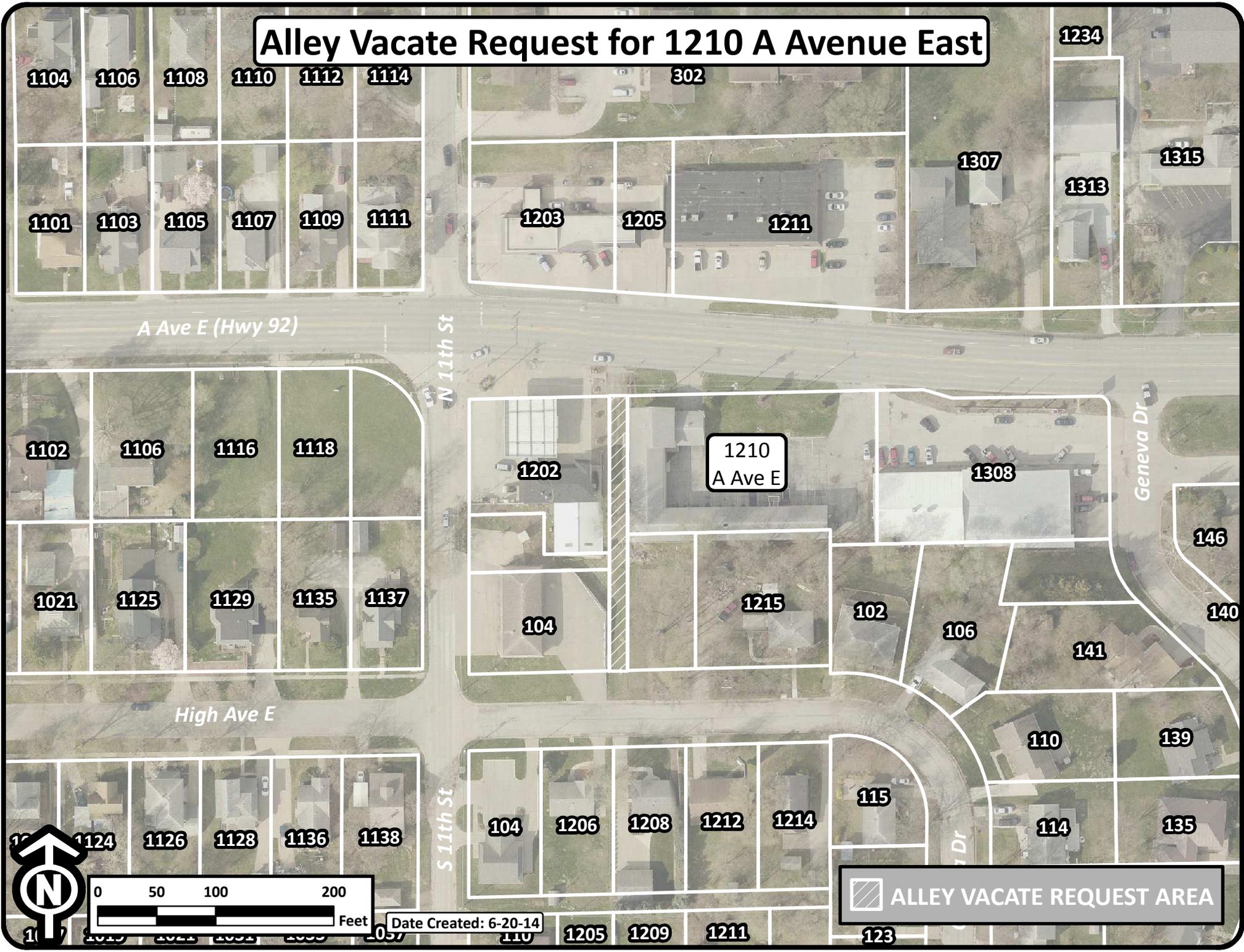
ATTEST:

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

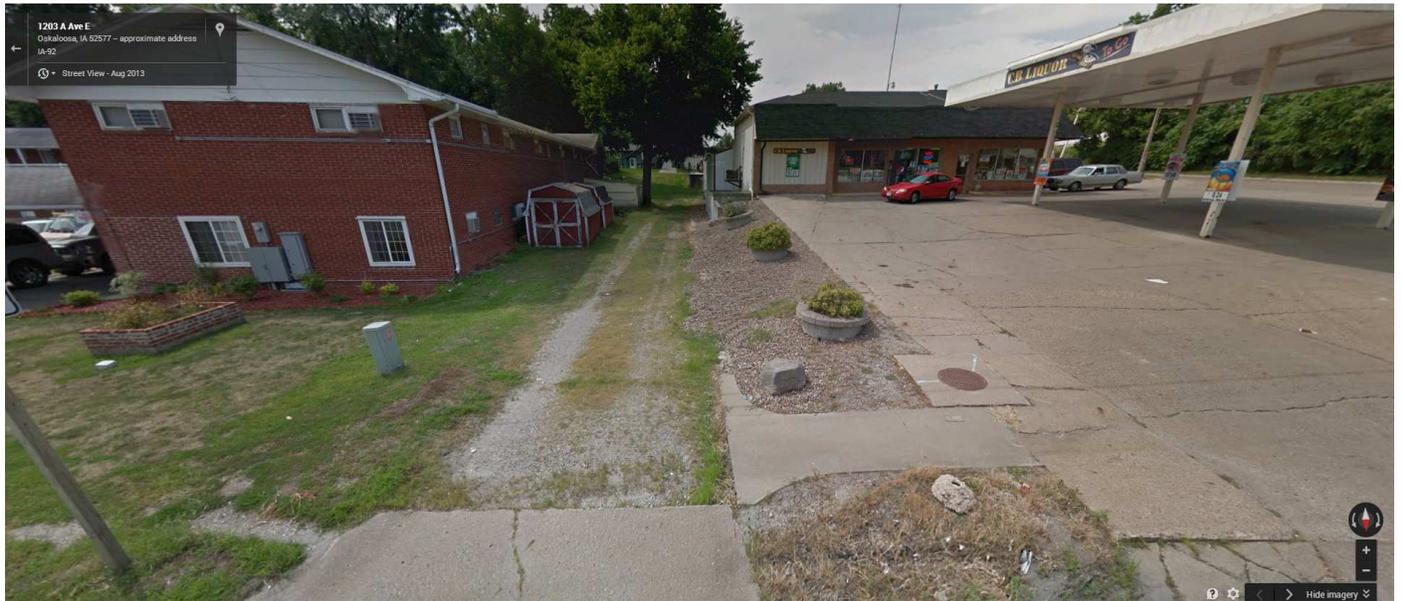
I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2014.

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

# Alley Vacate Request for 1210 A Avenue East



Alley looking south from A Avenue



Alley looking north from High Avenue



Reference: [www.maps.google.com](http://www.maps.google.com)

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: 6/3/2014

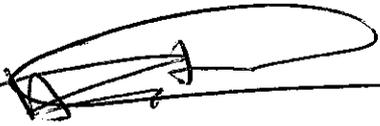
Property Owner Name: Meeswina Hospitality LLC (Vikshina. Patel)

Address: 1210 A Ave E.  
OSKALOOSA, IA. 52577

Phone: (912)536-8779 / (641)-673-8333

Description of alley requested for vacation: I will like to purchase  
240 x 16.5 of the North/South Alley.

Reason for requesting alley vacation: ADDITION of the House NO  
Traffic using the Alley.

Signature 

OFFICE USE:

Application Fee Paid

Amount Paid For 1/2 of Alley: \$ 950.<sup>00</sup> (16' X 237.<sup>50'</sup> X \$ .504/SF)

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

**ALLEY VACATION RESPONSE : 1210 A Avenue East**

ADDRESS	NAME	RESPONSE	COMMENTS
1210 A Avenue East	Vakshina Patel Meernia Hospitality LLC	Yes, Approve the proposed alley vacate	
1202 A Avenue East	Bill & Carrie Bainbridge	No, Do not approve the proposed alley vacate	We have things in our pole building to get in and out. We are wanting it open for security measures and fire. Fire trucks and police cars should be able to get in.
104 South 11th Street	Robert & Tina Schaffner	No Response	

**UTILITY COMPANY RESPONSE**

MCG	No Infrastructure
WATER DEPT.	Yes Major Infrastructure
CENTURY LINK	Yes Major Infrastructure
MIDAMERICAN ENERGY	Yes Major Infrastructure
CITY SANITARY SEWER	Yes Major Infrastructure



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Clerk/Finance

**Item Title: PUBLIC HEARINGS**

Consider a resolution levying a special assessment against private property for weed cutting by the City of Oskaloosa, Iowa in accordance with Section 8.20 of the city code of the City of Oskaloosa, Iowa. (PUBLIC HEARING)

**Explanation:**

This is the time for the public hearing on levying a special assessment against private property for weed cutting as outlined in Exhibit A. Certified notices were sent to each property owner and a notice was published in the Oskaloosa Herald.

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

**Budget Consideration:**

\$1,000 revenue to the Sanitary Sewer Fund to offset expenses related to the work performed by the City.

**Attachments :**

Resolution  
Exhibit A

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

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

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

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

WHEREAS, hearing on said assessments was duly scheduled for the 4<sup>th</sup> day of August, 2014 at 6:00 p.m., proper notice of said hearing was given; and

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

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

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2014.

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

ATTEST:

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

EXHIBIT "A"  
 2014 WEED CUTTING ASSESSMENTS  
 May 2014

OWNER	OFFENSE	ADDRESS/LEGAL	DATE MOWED	LABOR	COST
Sandra K Thompson c/o Phil Leech Parcel ID 1013332002	1st	412 North H Street S 1/2 Lots 3 & 4 Blk 3 Whites Add	5/28/2014	1 hour	\$250.00
Johnathon R Otto Parcel ID 1024184029	1st	701 11th Avenue West S 119.2' E 132' Lot 70 Ninde Williams & Co Add	5/28/2014	1 hour	\$250.00
Aaron Joseph Palacios Parcel ID 1118312011	1st	717 A Avenue East S 136 1/2' of E 85' Lot 1 NW SW	5/28/2014	1 hour	\$250.00
Albert W/Winifred J Sheard Attn: Shirley Carrivalez Parcel ID 1013331002	1st	412 North I Street S 1/2 Lots 3 & 4 Blk 4 Whites Add	5/30/2014	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.

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



## City Council Communication

Meeting Date: August 4, 2014

Requested By: Public Works Dept.

### **Item Title: PUBLIC HEARING**

Consider a resolution approving the plans, specifications, form of contract, and estimated cost for the South 11<sup>th</sup> Street Pavement Rehabilitation Project.

### **Explanation:**

City of Oskaloosa Engineering Division staff has prepared plans and specifications for the South 11<sup>th</sup> Street Pavement Rehabilitation Project. The scope of this project includes, but is not limited to, milling the existing pavement, asphalt overlay, concrete pavement reconstruction, full depth and partial depth patching, repairing concrete curb & gutter sections, new ADA accessible sidewalk ramp reconstruction, sidewalk and driveway pavement replacement, storm sewer intake rebuilds, alley approach improvements, and other related construction along South 11<sup>th</sup> Street from A Avenue East to 15<sup>th</sup> Avenue East. The engineer's estimated cost for this project is \$732,875.00.

If the project is awarded, then construction is proposed to commence late August to early September depending on the weather. The anticipated work completion time is 60 working days. Due to the length of time required for this project, the construction work may be suspended during the winter. If the construction is halted in winter, then the construction work will begin in the spring of 2015 as soon as favorable weather conditions return.

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

### **Budget Consideration:**

The recommended action will allow an authorized expenditure for construction expenses towards South 11<sup>th</sup> Street Pavement Rehabilitation Project. The Public Works Department budgeted an amount of \$795,000 in FY15-16 for pavement improvements (CIP project number 2010-50, 2010-51, and 2010-52). The 3<sup>rd</sup> Avenue East reconstruction project (CIP project # 2010-15) was initially allocated for FY14-15. However, the City Council decided to delay the 3<sup>rd</sup> Avenue project because of a lack of adequate bids. As an alternate, the Council directed staff to use those unused funds for the South 11<sup>th</sup> project in FY14-15. The budget will therefore need to be amended to account for the different project

cost projections for the FY14-15 and FY15-16 budgets.

**Recommended Action:**

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

**Attachments :**

Resolution, Final Plans, and Engineers Cost Estimate.

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

**RESOLUTION TO APPROVE FINAL PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR THE SOUTH 11<sup>TH</sup> STREET PAVEMENT REHABILITATION PROJECT.**

WHEREAS, the purpose of the South 11<sup>th</sup> Street Pavement Rehabilitation Project is to rehabilitate the pavement along South 11<sup>th</sup> Street from A Avenue East to 15<sup>th</sup> Avenue East; and

WHEREAS, the City Council of the City of Oskaloosa, Iowa, has heretofore deemed it necessary and desirable for the South 11<sup>th</sup> Street Rehabilitation Project; and

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

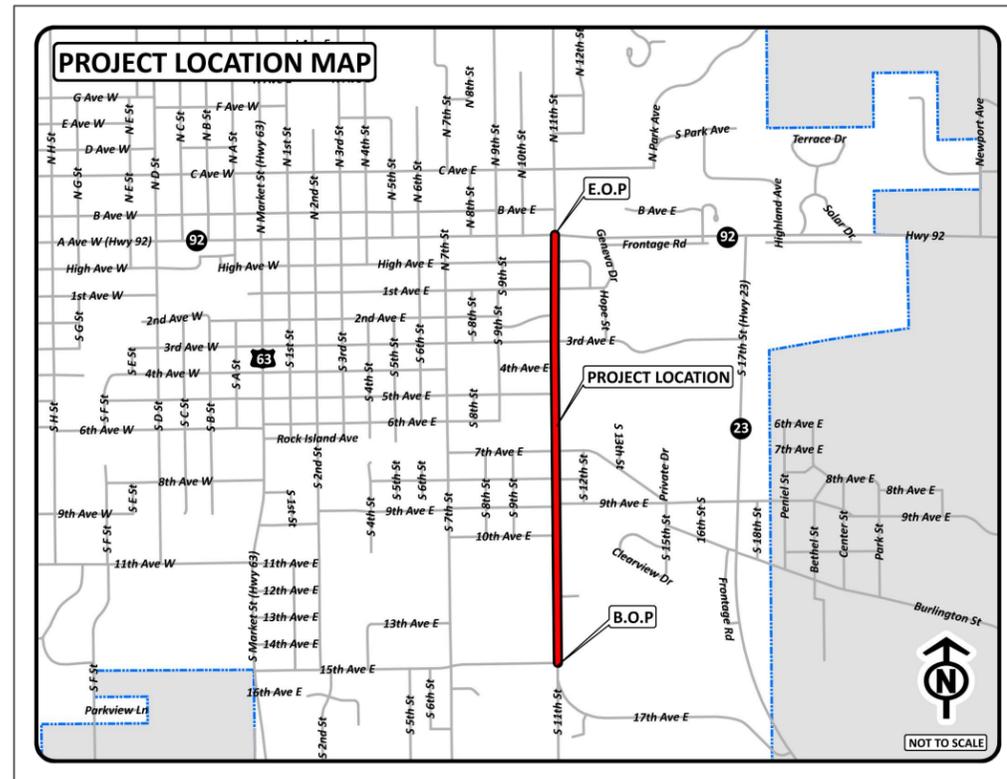
PASSED AND APPROVED this \_\_\_\_\_day of August, 2014.

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

David Krutzfeldt, Mayor

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

# SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT OSKALOOSA, IOWA 2014



## 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	SUDAS SPECIFICATIONS
B.1-B.10	11TH STREET PLANS
15	TOTAL SHEETS



**AKHILESH  
PAL  
20813**

IOWA

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

Akhilesh Pal, P.E. \_\_\_\_\_ Date \_\_\_\_\_

License Number: 20813  
My license renewal date is: December 31, 2015

Pages or sheets covered by this seal:  
ALL SHEETS

### UTILITY CONTACT INFORMATION

UTILITY	ORGANIZATION/REPRESENTATIVE	PHONE
STORM AND SANITARY SEWER	CITY OF OSKALOOSA, KEVIN BORK	641-799-1625
WATER	OSKALOOSA WATER DEPT., CHAD COON	641-660-5555
NATURAL GAS	MID-AMERICAN ENERGY, JEFF FERGUSON	641-660-3068
ELECTRIC	MID-AMERICAN ENERGY, JASON SANDIFER	641-660-7217
COMMUNICATIONS	MCG, ANDY PADGETT	641-295-7068
TELEVISION	MEDIACOM, TIM EAGEN	319-350-3679
PHONE	CENTURY LINK, DUSTIN WITHERS	515-263-7202
PUBLIC WORKS	CITY OF OSKALOOSA, AKHILESH PAL & NATE WILLEY	641-673-7472
UNION PACIFIC RAILROAD	NATE WALTON	712-790-3888
TRAFFIC SIGNALS	DAVE DICKINSON	641-673-3256

**CITY OF OSKALOOSA**  
*Note the Difference*

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OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641)673-7472  
FAX: (641)673-3733

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SHEET TITLE: TITLE SHEET

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PROJECT NAME: SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT

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DRAWN BY: NW	APPROVED BY: AP	DATE: JULY 14, 2014	PROJECT NO. 2010-13
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SHEET NO. A.1

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NO.	REVISION/ISSUE	DATE
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1 TYPE III BARRICADE



2 TYPE III BARRICADE



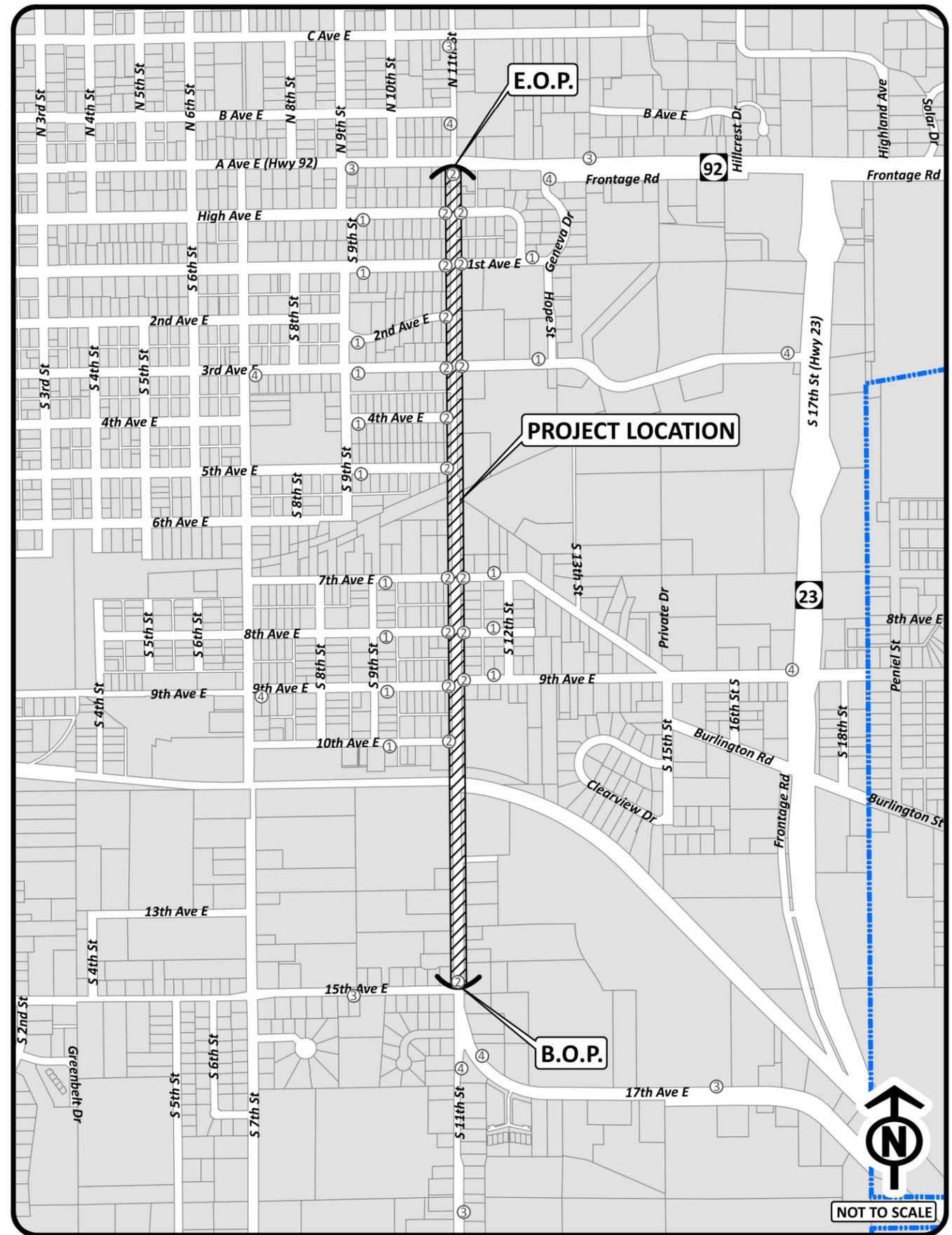
3 W20-1, 48" X 48"



4 W20-3, 48" X 48"

# TRAFFIC CONTROL PLAN NOTES

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 TEMPORARY SIGNS AND/OR NOT APPLICABLE TO 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 STORAGE OF CONTRACTOR MATERIALS OR EQUIPMENT DURING NON-WORKING HOURS SHALL BE APPROVED BY THE ENGINEER IN CHARGE OF CONSTRUCTION.
6. PROPOSED SIGN SPACING MAY BE MODIFIED WITH THE ENGINEER'S APPROVAL TO MEET EXISTING FIELD RESTRICTIONS OR TO PREVENT OBSTRUCTION OF MOTORISTS VIEW OF PERMANENT SIGNING.
7. PROPOSED CHANGES IN THE TRAFFIC CONTROL PLAN SHALL BE REVIEWED WITH THE ENGINEER BEFORE THE 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, INCLUDING MAINTENANCE 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 ARE REQUIRED AND 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.
14. A MINIMUM OF 2 TYPE III BARRICADES ARE NECESSARY TO CLOSE AN ENTIRE STREET.
15. ALLEYS ON 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 CITY ENGINEER RESERVES THE RIGHT TO CHANGE THE TRAFFIC CONTROL PLAN WHEN REQUIRED.
20. IF CONSTRUCTION IS HALTED DUE TO EXTREME WEATHER CONDITIONS, CONTRACTOR IS RESPONSIBLE FOR REMOVAL AND REINSTALLATION OF TRAFFIC CONTROL SIGNAGE AT NO ADDITIONAL COST.
21. CONTRACTOR IS RESPONSIBLE FOR ANY REQUIRED TRAFFIC CONTROL MEASURES ALONG A AVENUE (HWY 92) AT NO ADDITIONAL COST. TRAFFIC CONTROL, INCLUDING LANE CLOSURES, ALONG A AVENUE MUST FOLLOW IOWA DOT SPECIFICATIONS.



SHEET TITLE:  
**TRAFFIC CONTROL PLAN**

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

REVISION/ISSUE \_\_\_\_\_

DATE \_\_\_\_\_

PROJECT NAME:  
**SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT**

DRAWN BY: NW

APPROVED BY: AP

DATE: **JULY 14, 2014**

PROJECT NO. **2010-13**

SHEET NO. **A.2**

OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641)673-7472  
FAX: (641)673-3733

**GENERAL NOTES:**

- THIS PROJECT INCLUDES ALL WORK AND MATERIALS ASSOCIATED WITH THE MILLING AND HMA OVERLAY OF AN EXISTING ROADWAY, CONCRETE STREET RECONSTRUCTION, FULL DEPTH CONCRETE AND ASPHALT PATCHING, NEW CONCRETE CURB AND GUTTER, NEW ADA ACCESSIBLE SIDEWALK RAMPS AT INTERSECTIONS WITHIN THE PROJECT LIMITS, DRIVEWAY REPLACEMENT, RECONSTRUCTING STORM SEWER INTAKES, TRAFFIC CONTROL, AND MISCELLANEOUS ASSOCIATED WORK INCLUDING CLEAN UP.
- ALL CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE CITY OF OSKALOOSA DEPARTMENT OF PUBLIC WORKS STANDARD DRAWINGS AND THE IOWA STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SUDAS) STANDARD SPECIFICATIONS 2014 EDITION PLUS CURRENT SUPPLEMENTAL SPECIFICATIONS AND DETAILED SPECIFICATION REQUIREMENTS. SUDAS SPECIFICATION MANUALS CAN BE ORDERED FROM THE INSTITUTE FOR TRANSPORTATION (FORMERLY CTRE) - ATTN: BETH RICHARDS, 2711 SOUTH LOOP DRIVE, SUITE 4700, AMES, IA 50010-8664, PHONE: 515-294-2869. SPECIFICATIONS CAN ALSO BE VIEWED AT THE SUDAS WEBSITE ([WWW.IOWASUDAS.ORG](http://WWW.IOWASUDAS.ORG)). CONTRACTOR SHALL HAVE A MINIMUM OF ONE SET OF PLANS AND SPECIFICATIONS ON THE JOB SITE AT ALL TIMES DURING CONSTRUCTION ACTIVITIES.
- NOTIFY AKHILESH PAL, DIRECTOR OF PUBLIC WORKS, CITY OF OSKALOOSA, AT 641-673-7472 TWO WEEKS PRIOR TO COMMENCING WORK. THROUGHOUT THE PROJECT, MAKE EVERY EFFORT TO COORDINATE WORK AND COOPERATE WITH ALL CITY PERSONNEL AND ENGINEERS.
- CONTRACTOR SHOULD MAKE EVERY EFFORT TO ALLOW ACCESS DURING CONSTRUCTION AND SHALL NOTIFY PROPERTY OWNERS 48 HOURS IN ADVANCE IF ACCESS TO PROPERTIES WILL BE INTERRUPTED. ACCESS TO PRIVATE PROPERTY SHALL BE MAINTAINED AT ALL TIMES FOR EMERGENCY VEHICLES.
- 11TH STREET FROM A AVENUE TO 15TH AVENUE WILL BE CLOSED ONCE CONSTRUCTION BEGINS. ALL EXISTING STREET INTERSECTIONS ARE TO REMAIN OPEN FOR TRAFFIC AT ALL TIMES, EXCEPT WHEN PAVING AND/OR MAJOR CONSTRUCTION ACTIVITY IS IN PROGRESS. THE CITY ENGINEER RESERVES THE RIGHT TO MODIFY TRAFFIC CONTROL AS NEEDED. BARRICADES AND SIGNAGE SHALL BE FURNISHED BY THE CONTRACTOR AND INSTALLED PER THE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). TRAFFIC CONTROL SHALL ALSO BE IN ACCORDANCE WITH THE PLAN SPECIFICATIONS, IOWA DOT STANDARD SPECIFICATION SECTION 2528, AND APPLICABLE IOWA DOT STANDARD ROAD PLANS. CONTRACTOR SHALL MAINTAIN, CLEAN AS NECESSARY, AND REPLACE DAMAGED TRAFFIC CONTROL DEVICES THROUGHOUT THE DURATION OF CONSTRUCTION.
- TRAFFIC CONTROL WILL BE PAID FOR AT THE CONTRACT LUMP SUM PRICE AND SHALL BE FULL COMPENSATION FOR PROVIDING, MAINTAINING, AND REMOVAL OF ALL TRAFFIC CONTROL DEVICES. NO SEPARATE PAYMENT WILL BE MADE FOR FLAGGERS AND PILOT CARS IF REQUIRED BY THE CONTRACT DOCUMENTS; INCLUDE IN LUMP SUM PRICE FOR TRAFFIC CONTROL.
- ASPHALT PAVEMENT MILLINGS GENERATED BY THE MILLING PROCESS SHALL REMAIN THE PROPERTY OF THE CITY OF OSKALOOSA. MILLINGS SHALL BE DELIVERED TO THE CITY STORAGE YARD AT THE INTERSECTION OF THIRD AVENUE AND SUFFOLK ROAD. MILLINGS SHALL BE DEPOSITED IN A LOCATION DESIGNATED BY THE CITY ENGINEER.
- ALL SALVAGE MATERIAL SHALL BE DELIVERED TO THE CITY STORAGE YARD.
- CONTRACTOR SHALL BE REQUIRED TO PERFORM ALL TESTING, INCLUDING OBTAINING SAMPLES. REQUIRED TESTS INCLUDE DENSITY (7020 3.04B) AND THICKNESS (7020 3.04C). PAVEMENT SMOOTHNESS (7020 3.05B PROFILOGRAPH) NOT REQUIRED.
- CONTRACTOR SHALL PROVIDE QUALITY CONTROL IN ACCORDANCE WITH SECTION 7020 3.06B.
- CONTRACTOR IS RESPONSIBLE FOR NOTIFYING ALL UTILITY COMPANIES IN SERVICE DURING CONSTRUCTION. ALL FIXTURES SHALL BE ADJUSTED TO CONFORM TO THE FINISHED SURFACE OF THE STREET. IF CONFLICTS OCCUR, ADDITIONAL WORK WILL BE ACCOMMODATED AS EXTRA WORK.
- PROTECT ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION UNLESS OTHERWISE SHOWN ON PLANS. ANY UTILITIES DAMAGED DUE TO CONTRACTOR'S NEGLIGENCE WILL BE REPAIRED AT THEIR EXPENSE.
- CONTRACTOR SHALL PRESERVE ALL MONUMENTS, STAKES, PROPERTY PINS, REFERENCE POINTS, AND BENCHMARKS. IN CASE OF DESTRUCTION BY CONTRACTOR'S NEGLIGENCE OR CARELESSNESS, THEY WILL BE CHARGED WITH THE RESULTING EXPENSE OF REPLACEMENT AND RESPONSIBILITY FOR ANY MISTAKES OR LOSS OF TIME CAUSED THEREBY.
- CONTRACTOR SHALL PROVIDE HIS OWN WASTE AREA FOR WASTE MATERIAL REMOVED FROM THE PROJECT SITE. THE WASTE AREA WILL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.
- CONTRACTOR SHALL PREVENT THE ENTRY OF MUD, DIRT, DEBRIS, AND OTHER MATERIAL INTO EXISTING SEWERS. SHOULD MUD, DIRT, DEBRIS, OR OTHER MATERIAL ENTER THE SEWERS, THE CONTRACTOR SHALL CLEAN AT NO COST TO THE OWNER.
- CONCRETE MIX SHALL BE IDOT C-3WR-C OR C-4WR-C FOR ALL PAVEMENT, DRIVEWAYS, AND SIDEWALKS. COARSE AGGREGATE SHALL BE CLASS 3 DURABILITY. USE OF FLY ASH AND GROUND GRANULATED BLAST FURNACE SLAG (GGBFS) SHALL BE IN ACCORDANCE WITH SECTION 7010 2.02C OF THE SUDAS SPECIFICATIONS.
- CONTRACTOR SHALL BE THE RESPONSIBLE PARTY FOR ALL TESTING AND RE-TESTING OF P.C. CONCRETE REQUIRED BY SUDAS SPECIFICATIONS INCLUDING AIR CONTENT, SLUMP, AND CYLINDERS.
- THE JURISDICTION RESERVES THE RIGHT TO MAKE ALTERATIONS IN THE PLANS OR IN THE QUANTITIES OF THE WORK AS MAY BE CONSIDERED NECESSARY. SUCH ALTERATIONS SHALL BE IN COMPLIANCE WITH SUDAS SECTION 1040 1.06 AND SHALL NOT BE CONSIDERED AS A WAIVER OF ANY CONDITIONS OF THE CONTRACT DOCUMENTS OR TO INVALIDATE ANY OF THE PROVISIONS THEREOF.
- ALL TRAFFIC SIGNAGE INTERFERING WITH COSTRUCTION SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE ENGINEER.

**ESTIMATED PROJECT QUANTITIES**

**SOUTH 11TH STREET (A AVENUE EAST TO 15TH AVENUE EAST)**

NO.	BID ITEM NO.	BID ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	REMARKS
1	1090-105-D	Mobilization	LS	1	
2	2010-108-E-0	Excavation - Class 10, 12, or 13	CY	500	Excavation required in order to place 6" granular subbase under new pavement, driveways, and curb and gutter. Includes excavation for new sidewalk and ramps.
3	2010-108-I-0	Subbase, Granular	TON	850	Place a minimum of 6" of compacted granular subbase under new pavement, driveways, and curb and gutter.
4	6010-108-B-0	Storm Sewer Intake Rebuild	EA	12	Reconstruct storm sewer intakes according to SUDAS Specifications Section 6010. Quantity may be adjusted to reflect partial reconstructions. Partial reconstructions will be approved at the discretion of the City engineer. Include removal in unit price.
5	6010-108-E	Manhole Adjustments	EA	12	See General Notes #11.
6	7010-108-A-0	PCC Pavement, 8" Thick	SY	1,800	Includes all reinforcement, saw cuts, and crack sealing. See page A.4 for details.
7	7010-108-E-0	2.5' Curb and Gutter, 8" Thick	LF	1,150	Includes saw cuts, crack sealing, and grout along the back of the new curb. See additional notes and details on page A.4 and A.5.
8	7010-108-I-0	PCC Pavement Samples and Testing	LS	1	See General Notes.
9	7020-108-A-0	HMA Interlayer Base (PG 64-34)	TON	625	1" Base Course on mainline paving
10	7020-108-A-0	HMA Surface (PG 64-22)	TON	1,050	1.5" Surface Course on mainline paving. Includes asphalt for driveways and an asphalt street approach.
11	7020-108-H-0	HMA Pavement Samples and Testing	LS	1	See General Notes.
12	7030-108-A-0	Sidewalk Removal	SY	250	
13	7030-108-A-0	Driveway Removal	SY	575	
14	7030-108-E-0	PCC Sidewalk, 4" Thick	SY	100	Quantity may be adjusted in order to accommodate ADA standards.
15	7030-108-E-0	PCC Sidewalk, 6" Thick	SY	200	All ramps, landings, and driveway sections shall be 6" thick. Follow SUDAS ADA ramp specifications. Includes crack sealing at expansion joints. Truncated domes will be provided and placed by City staff. Contractor will need to cut panels to fit when necessary.
16	7030-108-H-1	PCC Paved Driveway, 6" Thick	SY	250	Includes saw cuts and crack sealing at expansion joints.
17	7030-108-H-2	Granular Surfacing	TON	100	Material to be used for gravel driveways and to provide a smooth transition from the new overlay to the existing shoulder and/or roadways and to fill potholes in the existing shoulder. The material shall be placed and bladed smooth. Complete rebuilding of the shoulder is not a part of this project. All, part, or none of this bid quantity may be used.
18	7040-108-A-0	Full Depth Concrete Patches	SY	550	Includes saw cuts, dowels, concrete removal, and subgrade restoration.
19	7040-108-A-0	Full Depth Asphalt Patches	SY	25	Includes saw cuts, concrete removal, and subgrade restoration.
20	7040-108-D-0	Transverse Crack Cleaning and Filling	LF	4,000	Quantity to be used at the discretion of the City engineer. Includes cleaning out and filling transverse cracks with HMA. See page A.4 for details. All, part, or none of this bid quantity may be used.
21	7040-108-G-0	Pavement Milling	SY	6,100	Includes all necessary saw cuts. See page A.4 for edge milling details.
22	7040-108-H-0	Pavement Removal	SY	1,100	
23	7040-108-I-0	Curb and Gutter Removal	LF	1,150	
24	9010-108-A-0	Conventional Seeding, Fertilizing, and Mulching	LS	1	Fertilize, seed, and mulch all areas disturbed by construction within IA DOT specified seeding dates. Use Type 1 (Permanent Lawn Mixture) seed mix.
25	XXX-XXXX-X-X	Traffic Control	LS	1	Follow MUTCD Section 6. Refer to notes on pages A.2 and A.3.
26	XXX-XXXX-X-X	Water Valve Adjustments	EA	11	See General Notes #11.
27	XXX-XXXX-X-X	Fabric Matting	LF	12,500	To be utilized at the discretion of the City engineer over longitudinal joints and transverse cracks. All, part, or none of this bid quantity may be used.

**CONSTRUCTION NOTES:**

- PUBLIC UTILITY FIXTURES ARE EXISTING WITHIN THE CONSTRUCTION AREA. NOT ALL PUBLIC UTILITIES AND FIXTURES ARE SHOWN ON THE PLANS. WHEN ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THOSE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE THE EXISTENCE AND EXACT LOCATION OF UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES AND TO AVOID THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY SUCH WORK. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION OF SERVICE.
- THE CONTRACTOR SHALL NOT DISTURB DESIRABLE GRASS AREAS AND TREES OUTSIDE THE CONSTRUCTION LIMITS. THE CONTRACTOR WILL NOT BE PERMITTED TO PARK OR SERVICE VEHICLES AND EQUIPMENT OR USE THESE AREAS FOR STORAGE OF MATERIALS. STORAGE, PARKING, AND SERVICE AREAS WILL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.
- PLAN SHEETS INCLUDED IN THE PROJECT ARE FOR THE PURPOSE OF ALIGNMENT, APPROXIMATE LOCATIONS, AND OVERALL SCOPE AND DIRECTION OF THE WORK TO BE PERFORMED UNDER THE CONTRACT. IRRELEVANT DATA ON THESE SHEETS IS NOT CONSIDERED A PART OF THIS CONTRACT.
- IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO PROVIDE WASTE AREAS AND DISPOSAL SITES FOR EXCESS MATERIAL (EXCAVATED MATERIAL) WHICH IS NOT DESIRABLE TO BE INCORPORATED INTO THE WORK INVOLVED ON THIS PROJECT. NO PAYMENT FOR OVERHAUL WILL BE ALLOWED FOR MATERIAL HAULED TO THESE SITES. NO MATERIAL SHALL BE PLACED WITHIN THE RIGHT-OF-WAY, UNLESS SPECIFICALLY STATED IN THE PLANS OR APPROVED BY THE CITY ENGINEER.
- LOCATIONS AND QUANTITIES OF CURB AND GUTTER REPAIRS, FULL AND PARTIAL DEPTH PATCHING, NEW 8" PCC PAVEMENT, DRIVEWAY REPLACEMENT, AND PCC SIDEWALK AND RAMPS SHOWN ON THE PLANS ARE APPROXIMATE. QUANTITIES AND LOCATIONS MAY BE ALTERED AT THE DISCRETION OF THE CITY ENGINEER. ADDITIONAL FULL AND/OR PARTIAL DEPTH PATCHING MAY BE REQUIRED IN EXISTING ASPHALT OVERLAY SECTIONS.
- NO ADDITIONAL COST WILL BE CHARGED IF PROJECT IS HALTED DUE TO EXTREME WEATHER CONDITIONS AND IF THE QUANTITIES, INCLUDING ALTERATIONS, REMAIN WITHIN THE PROJECT SCOPE PER SUDAS SECTION 1040.
- IF THE RESURFACING IS SUSPENDED DUE TO WINTER WEATHER, THE FULL DEPTH PATCHES MUST BE FILLED TO GRADE WITH AT NO ADDITIONAL COST.



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641)673-7472  
FAX: (641)673-3733

SHEET TITLE:  
**GENERAL NOTES &  
QUANTITY TABULATION**

PROJECT NAME:  
**SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT**

DRAWN BY: NW  
APPROVED BY: AP  
DATE: **JULY 14, 2014**  
PROJECT NO. **2010-13**

SHEET NO.

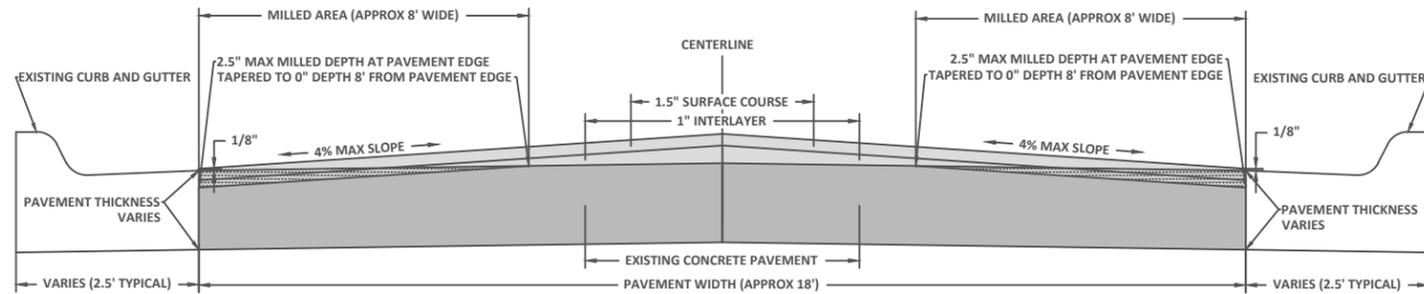
**A.3**

DATE

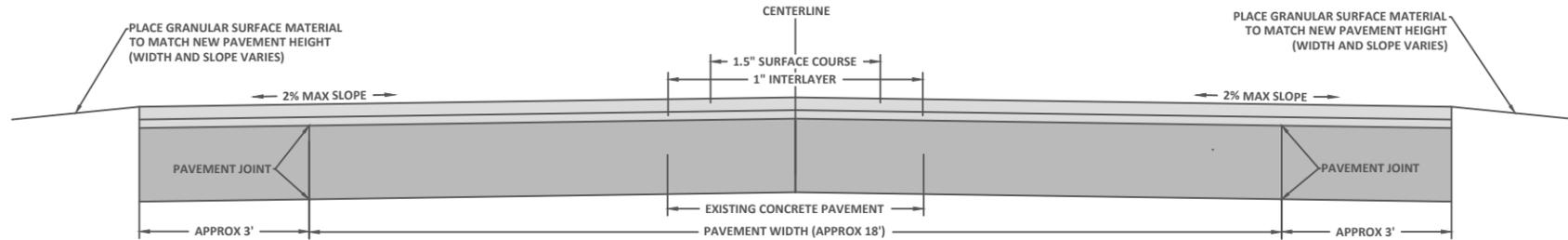
REVISION/ISSUE

NO.

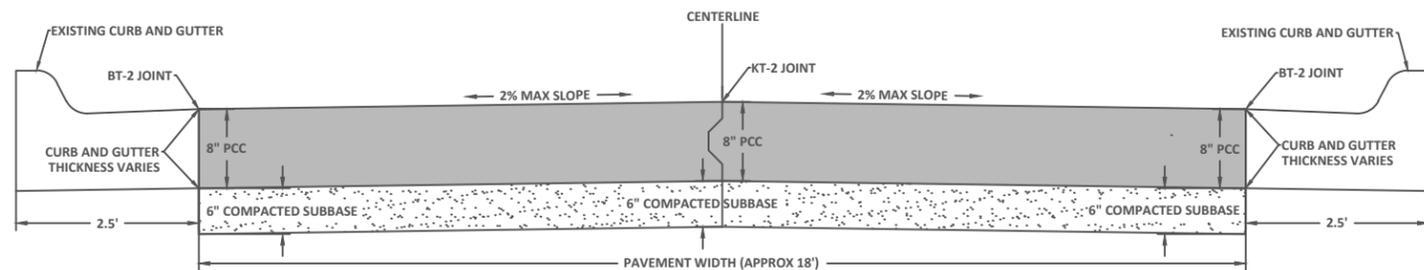
**TYPICAL SECTION - HMA RESURFACING WITH EXISTING CURB AND GUTTER  
STA 18+16 (WEST SIDE) & 18+63 (EAST SIDE) TO 18+97 & STA 22+29 TO 52+17**



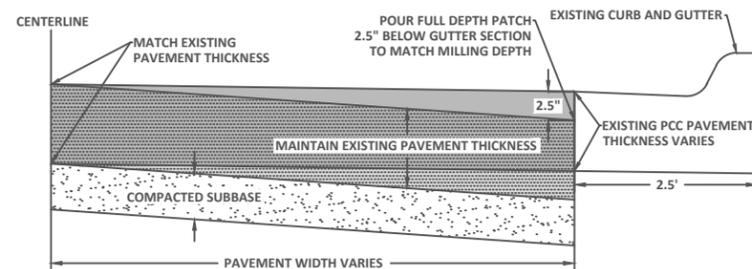
**TYPICAL SECTION - HMA RESURFACING WITHOUT CURB AND GUTTER  
STA 0+46 TO 18+16 (WEST SIDE) & 18+63 (EAST SIDE)**



**TYPICAL SECTION - CONCRETE PAVEMENT RECONSTRUCTION  
STA 18+97 TO 22+29**



**FULL DEPTH CONCRETE PATCH WITH CURB AND GUTTER**



**ADDITIONAL CONSTRUCTION NOTES:**

**CURB AND GUTTER REPLACEMENT\*:**

1. CURB AND GUTTER SHALL BE 8" THICK.
2. DOWEL INTO STREET AND EXISTING CURB AND GUTTER WHERE POSSIBLE.
3. MATCH EXISTING CURB AND GUTTER WIDTH AND TYPE.
4. PLACE AND SEAL EXPANSION JOINT BETWEEN BACK OF CURB AND ANY OTHER PCC PAVEMENT.
5. JOINTS ARE TO BE SPACED A MAXIMUM OF 12' APART.
6. GROUT THE BACK OF CURB.

**FULL DEPTH PATCHES\*:**

1. MATCH EXISTING PAVEMENT THICKNESS. ADDITIONAL EXCAVATION MAY BE REQUIRED.
2. DOWEL INTO EXISTING CONCRETE PER SUDAS SPECIFICATIONS (PCC PATCHES).
3. WHERE CURB AND GUTTER EXIST, PLACE SUBBASE AND CONCRETE AS SHOWN IN THE FULL DEPTH PATCH DETAIL ON THIS PAGE. WHERE NO CURB AND GUTTER EXISTS, MATCH EXISTING PAVEMENT THICKNESS.

**CONSTRUCTION OF NEW ADA SIDEWALK AND 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 DOMES WILL BE PROVIDED AND PLACED BY CITY OF OSKALOOSA STAFF. CONTRACTOR WILL NEED TO CUT PANELS TO FIT WHEN NECESSARY.

**NEW 8" CONCRETE PAVEMENT RECONSTRUCTION\*:**

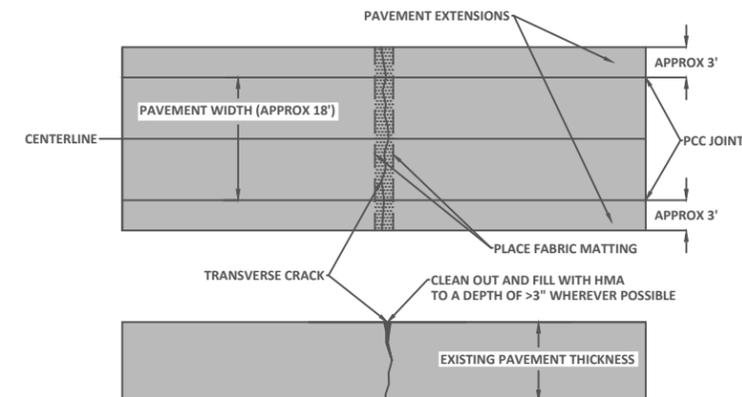
1. DOWEL INTO EXISTING PAVEMENT PER SUDAS SPECIFICATIONS.
2. PLACE DOWELS AT SAW CUT JOINTS. JOINT SPACING WILL BE DETERMINED BY ENGINEER.
3. SEAL ALL JOINTS.

**DRIVEWAYS AND STREET APPROACHES (STA 0+46 TO 18+97)\*:**

1. MUST BE COMPLETED AFTER THE HMA RESURFACING.
2. ALL DRIVEWAYS SHALL BE 6" THICK. ASPHALT DRIVEWAYS SHALL BE PLACED IN 2 LIFTS. ASPHALT STREET APPROACH SHALL BE 8" THICK AND PLACED IN 3 LIFTS.
2. WHENEVER POSSIBLE, EQUIPMENT MUST NOT TRAVEL OVER OR BE PARKED ON THE NEW ASPHALT PAVEMENT. ANY DAMAGE TO THE NEW PAVEMENT WILL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

\*SEE PLAN SHEETS FOR APPROXIMATE LOCATIONS.

**TRANSVERSE CRACK FILLING DETAIL**



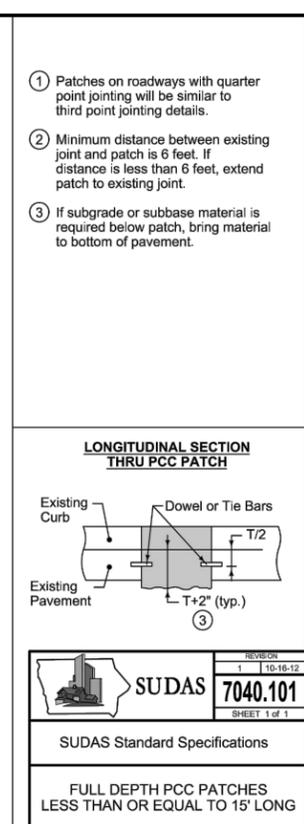
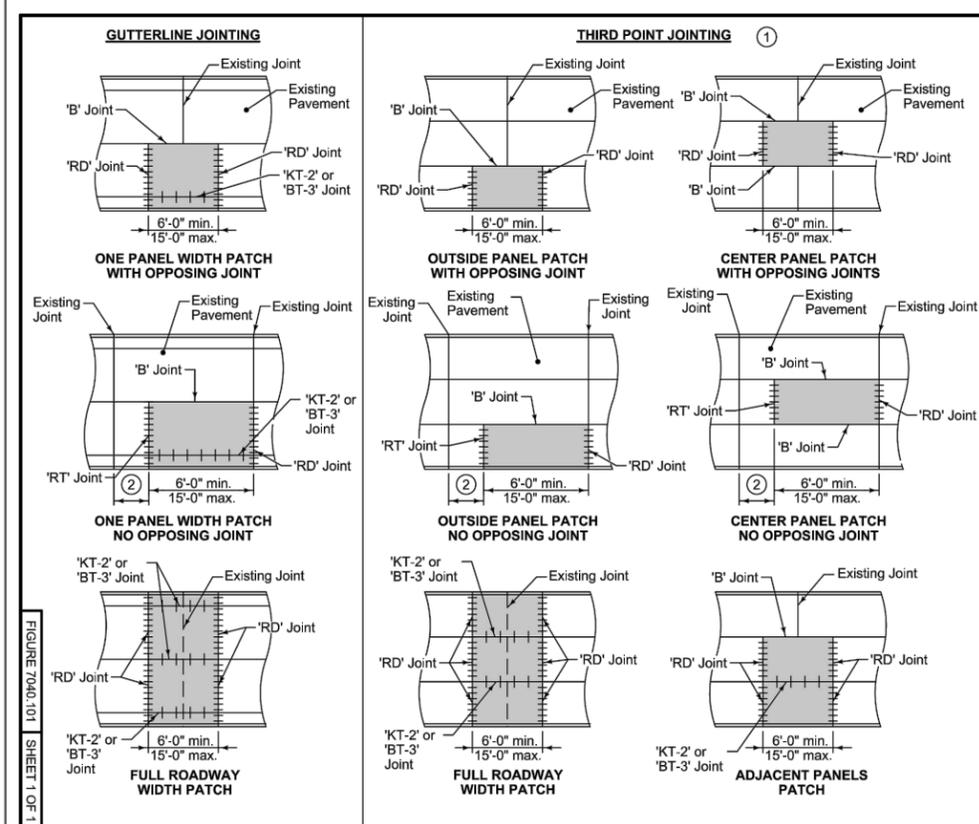
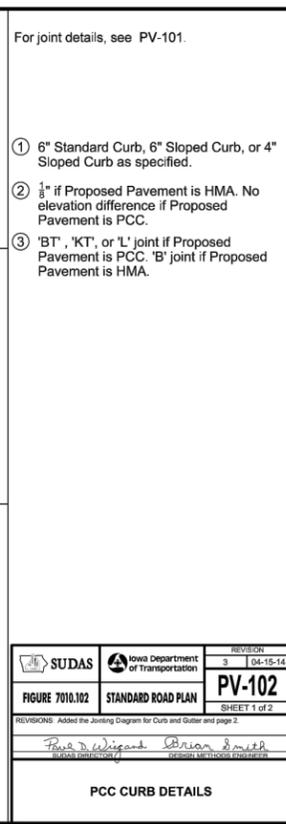
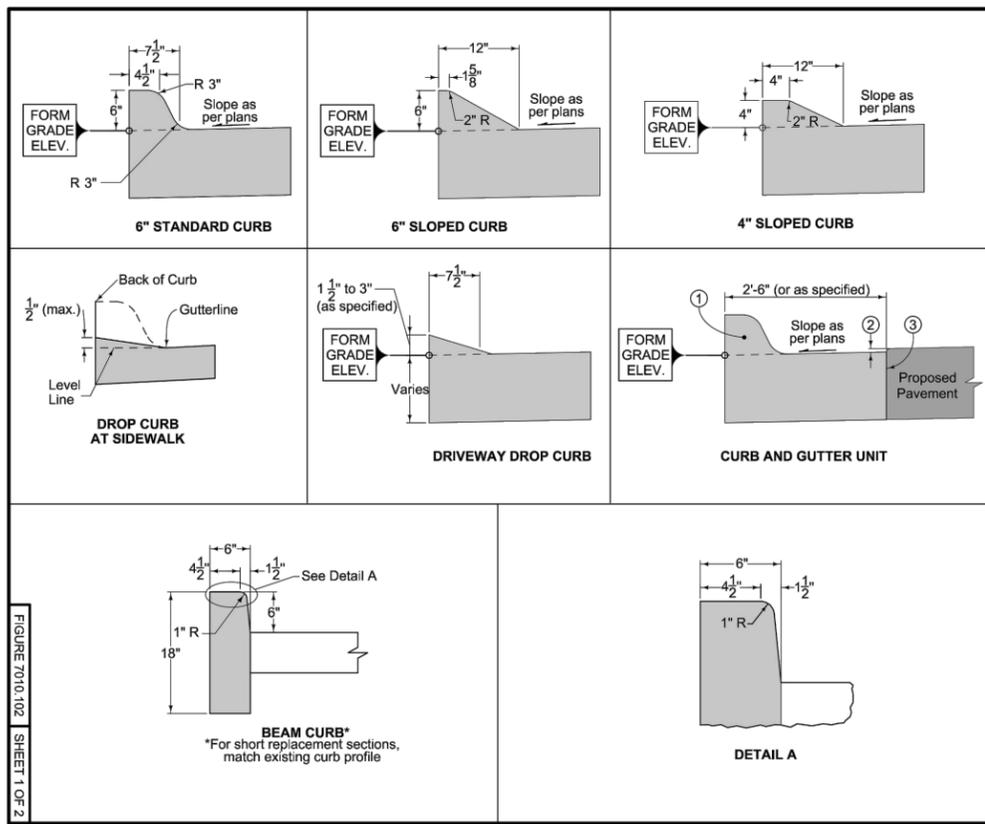
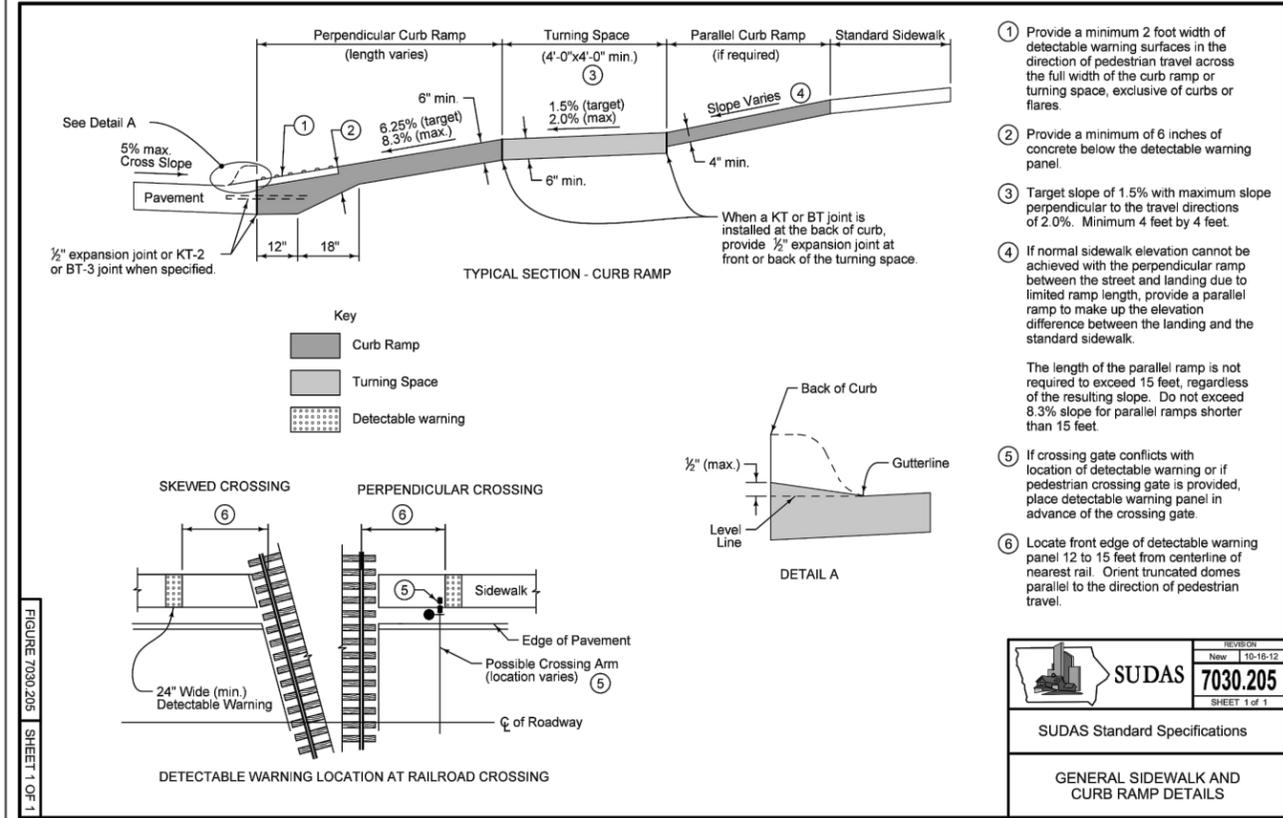
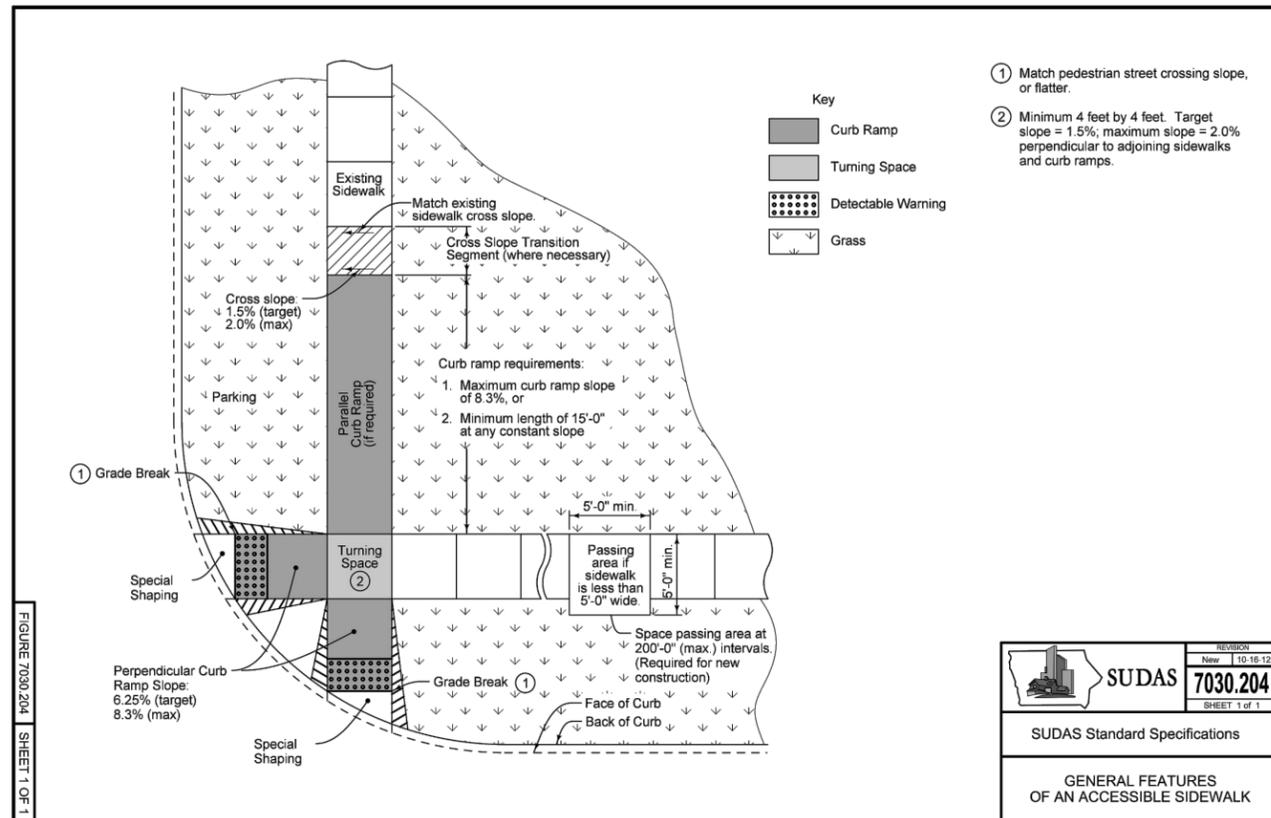
SHEET TITLE:  
**TYPICAL SECTIONS**

PROJECT NAME:  
**SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT**

DRAWN BY: NW  
APPROVED BY: AP  
DATE: **JULY 14, 2014**  
PROJECT NO.: **2010-13**

SHEET NO.:  
**A.4**

OSKALOOSA ENGINEERING DEPT. 804 SOUTH D STREET OSKALOOSA, IA 52577 PHONE: (641)673-7472 FAX: (641)673-3733	DATE
NO.	REVISION/ISSUE



**CITY OF OSKALOOSA**  
Note the Difference

**OSKALOOSA ENGINEERING DEPT.**  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641)673-7472  
FAX: (641)673-3733

**SHEET TITLE:** SUDAS SPECIFICATIONS

**PROJECT NAME:** SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT

**DRAWN BY:** NW

**APPROVED BY:** AP

**DATE:** JULY 14, 2014

**PROJECT NO.:** 2010-13

**SHEET NO.:** A.5

**REVISION/ISSUE:**

**DATE:**

**NO.:**

# B.1

SHEET NO.

2010-13

PROJECT NO.

DATE:

JULY 14, 2014

APPROVED BY:

AP

DRAWN BY:

NW

PROJECT NAME:

SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 0+00 TO 5+00)

NO.	REVISION/ISSUE	DATE



**LEGEND**

- WATER VALVE
- MANHOLE
- STORM SEWER INTAKE
- RESURFACE WITH 2.5" HMA OVERLAY
- CONCRETE PAVEMENT, 8" THICK
- CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
- ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
- PCC SIDEWALK, 6" THICK
- PCC SIDEWALK, 4" THICK
- TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.2

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

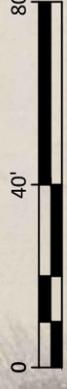
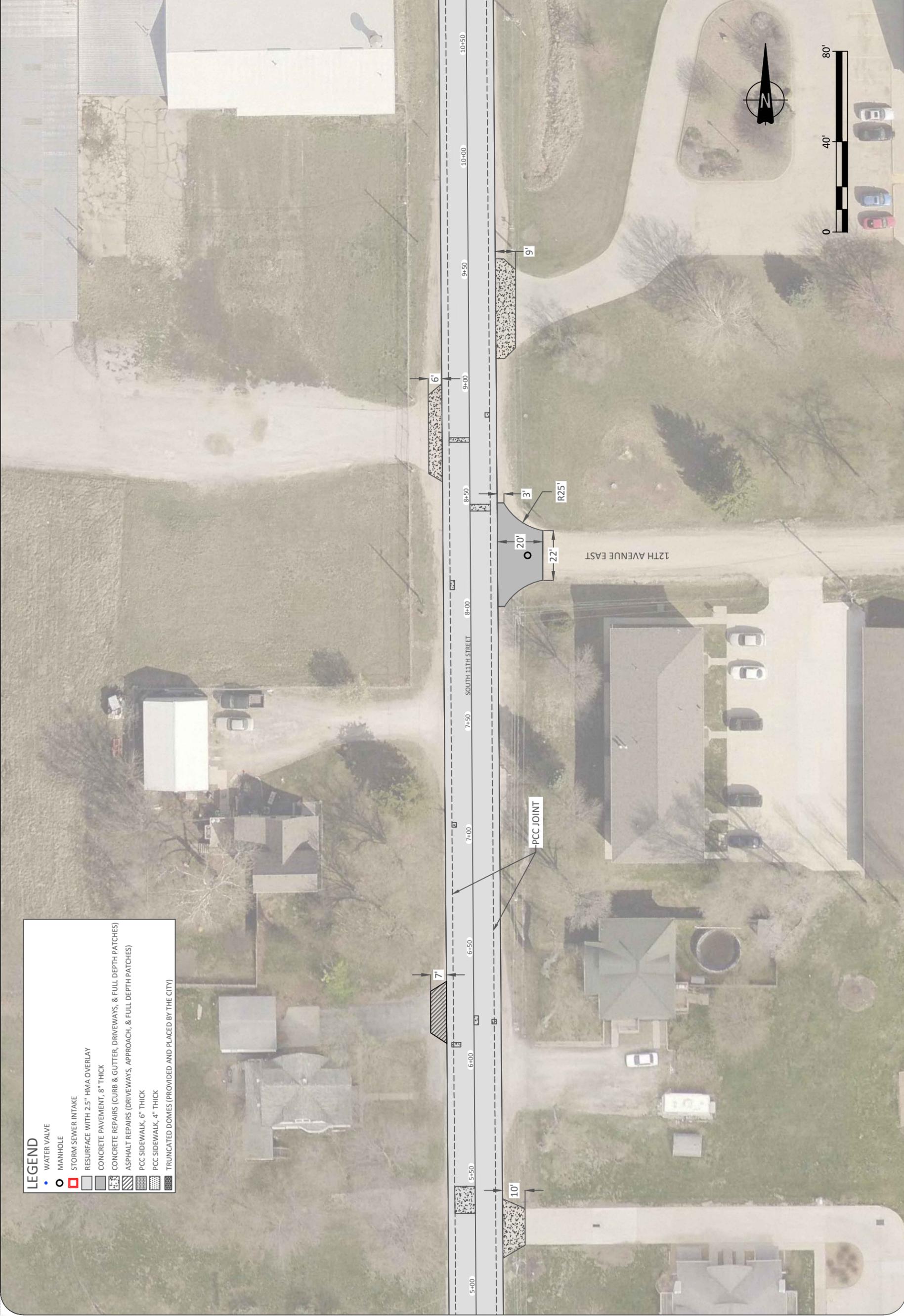
APPROVED BY: AP

DRAWN BY: NW

PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 5+00 TO 10+50)

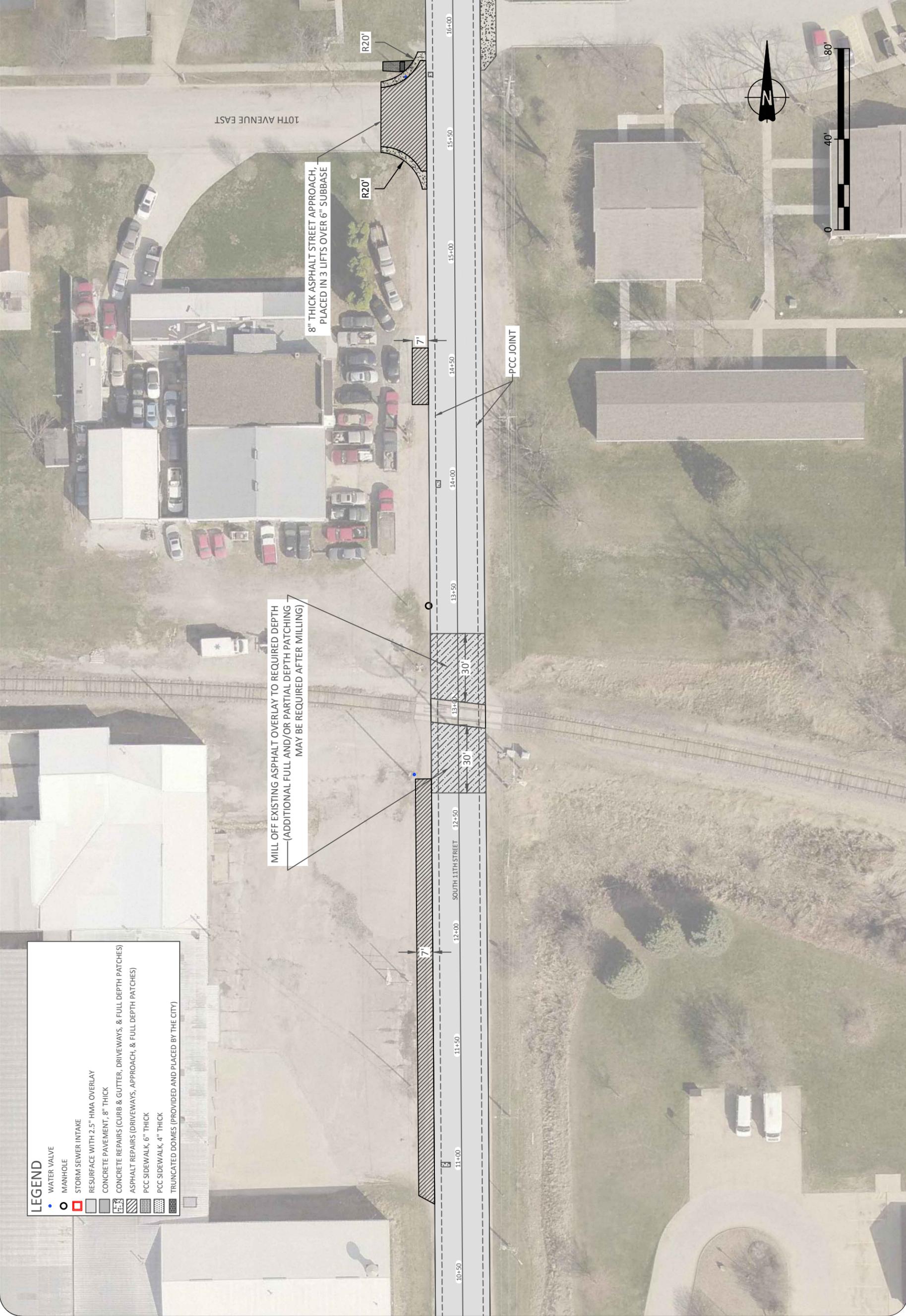
NO.	REVISION/ISSUE	DATE



**LEGEND**

- WATER VALVE
- MANHOLE
- ◻ STORM SEWER INTAKE
- ▨ RESURFACE WITH 2.5" HMA OVERLAY
- ▩ CONCRETE PAVEMENT, 8" THICK
- ▧ CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
- ▦ ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
- ▤ PCC SIDEWALK, 6" THICK
- ▣ PCC SIDEWALK, 4" THICK
- ▢ TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

NO.	REVISION/ISSUE	DATE



MILL OFF EXISTING ASPHALT OVERLAY TO REQUIRED DEPTH  
(ADDITIONAL FULL AND/OR PARTIAL DEPTH PATCHING  
MAY BE REQUIRED AFTER MILLING)

8" THICK ASPHALT STREET APPROACH,  
PLACED IN 3 LIFTS OVER 6" SUBBASE

PCC JOINT

**LEGEND**

	WATER VALVE
	MANHOLE
	STORM SEWER INTAKE
	RESURFACE WITH 2.5" HMA OVERLAY
	CONCRETE PAVEMENT, 8" THICK
	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
	PCC SIDEWALK, 6" THICK
	PCC SIDEWALK, 4" THICK
	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

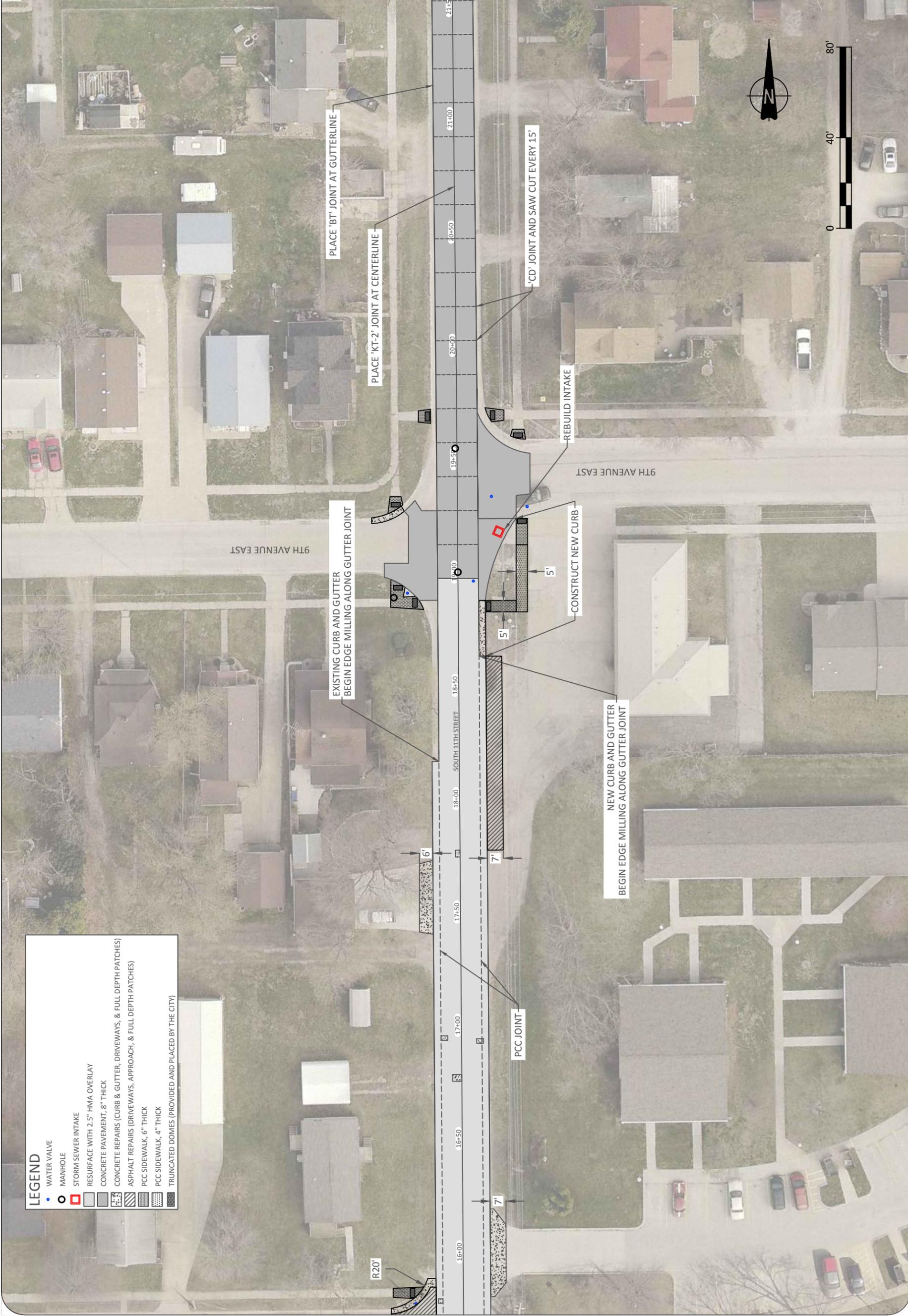
PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 16+00 TO 21+50)

NO.	REVISION/ISSUE	DATE

OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

**CITY OF OSKALOOSA**  
*Note the Difference™*



**LEGEND**

- WATER VALVE
- MANHOLE
- ◻ STORM SEWER INTAKE
- ▨ RESURFACE WITH 2.5" HMA OVERLAY
- ▩ CONCRETE PAVEMENT, 8" THICK
- ▧ CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
- ▦ ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
- ▨ PCC SIDEWALK, 6" THICK
- ▩ PCC SIDEWALK, 4" THICK
- ▧ TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.5

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY: AP

DRAWN BY: NW

PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 21+50 TO 27+00)



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

NO.	REVISION/ISSUE	DATE



**LEGEND**

- WATER VALVE
- MANHOLE
- ◻ STORM SEWER INTAKE
- ◻ RESURFACE WITH 2.5" HMA OVERLAY
- ◻ CONCRETE PAVEMENT, 8" THICK
- ◻ CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
- ◻ ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
- ◻ PCC SIDEWALK, 6" THICK
- ◻ PCC SIDEWALK, 4" THICK
- ◻ TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

PLACE 'BT' JOINT AT GUTTERLINE

'CD' JOINT AND SAW CUT EVERY 15'

# B.6

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY:  
AP

DRAWN BY:  
NW

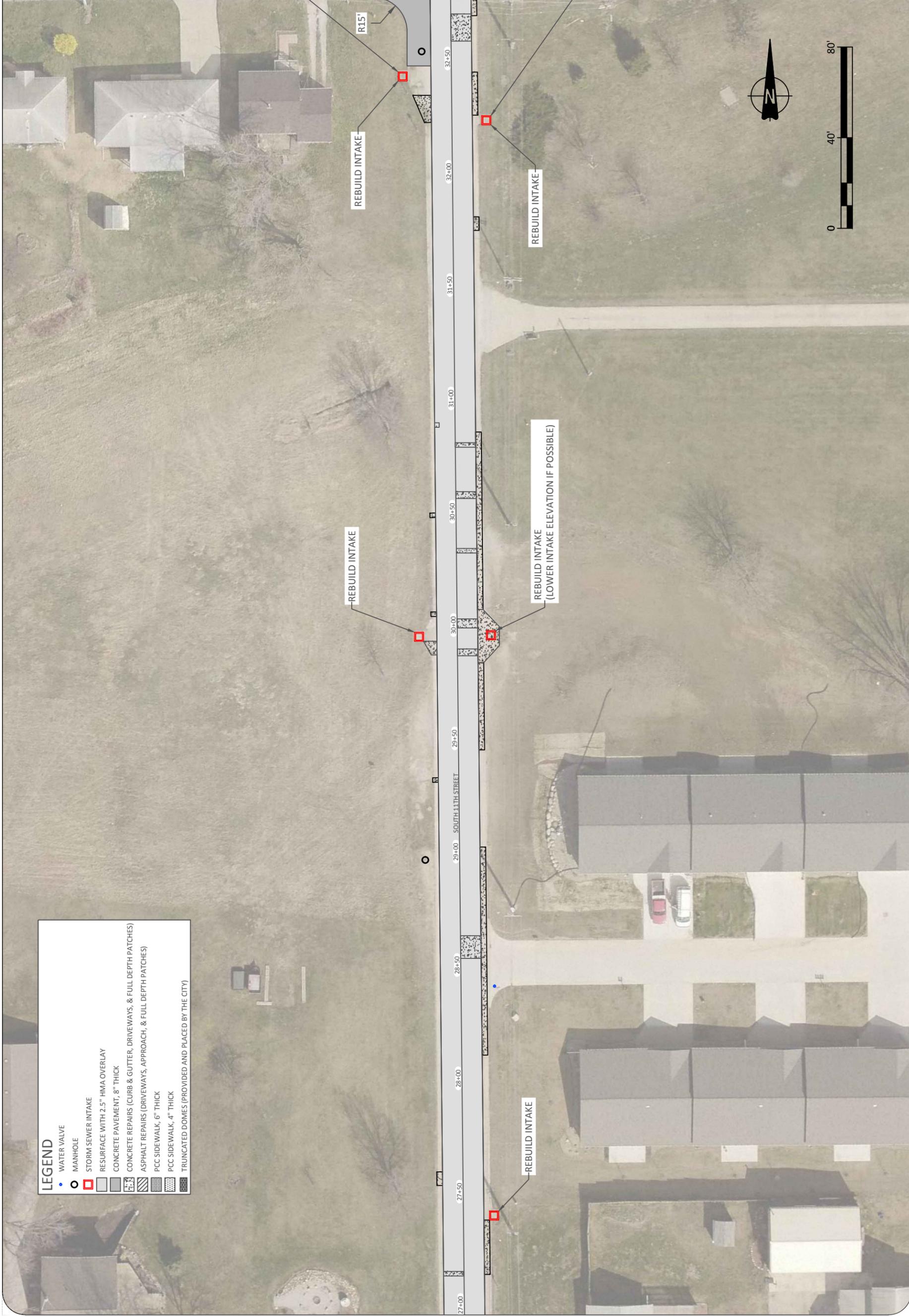
PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 27+00 TO 32+50)

NO.	REVISION/ISSUE	DATE

OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

**CITY OF OSKALOOSA**  
*Note the Difference™*



LEGEND	
●	WATER VALVE
○	MANHOLE
□	STORM SEWER INTAKE
■	RESURFACE WITH 2.5" HMA OVERLAY
■	CONCRETE PAVEMENT, 8" THICK
■	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
■	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
■	PCC SIDEWALK, 6" THICK
■	PCC SIDEWALK, 4" THICK
■	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.7

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY: AP

DRAWN BY: NW

PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 32+50 TO 38+00)



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

NO.	REVISION/ISSUE	DATE



LEGEND	
	WATER VALVE
	MANHOLE
	STORM SEWER INTAKE
	RESURFACE WITH 2.5" HMA OVERLAY
	CONCRETE PAVEMENT, 8" THICK
	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
	PCC SIDEWALK, 6" THICK
	PCC SIDEWALK, 4" THICK
	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.8

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY: AP

DRAWN BY: NW

PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 38+00 TO 43+50)



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

NO.	REVISION/ISSUE	DATE



LEGEND	
•	WATER VALVE
○	MANHOLE
◻	STORM SEWER INTAKE
▨	RESURFACE WITH 2.5" HMA OVERLAY
▩	CONCRETE PAVEMENT, 8" THICK
▧	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
▦	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
▤	PCC SIDEWALK, 6" THICK
▣	PCC SIDEWALK, 4" THICK
▢	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.9

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY: AP

DRAWN BY: NW

PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 43+50 TO 49+00)



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

NO.	REVISION/ISSUE	DATE



**LEGEND**

●	WATER VALVE
○	MANHOLE
◻	STORM SEWER INTAKE
▨	RESURFACE WITH 2.5" HMA OVERLAY
▩	CONCRETE PAVEMENT, 8" THICK
▧	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
▦	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
▤	PCC SIDEWALK, 6" THICK
▣	PCC SIDEWALK, 4" THICK
▢	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

# B.10

SHEET NO.

PROJECT NO.  
2010-13

DATE:  
JULY 14, 2014

APPROVED BY: AP

DRAWN BY: NW

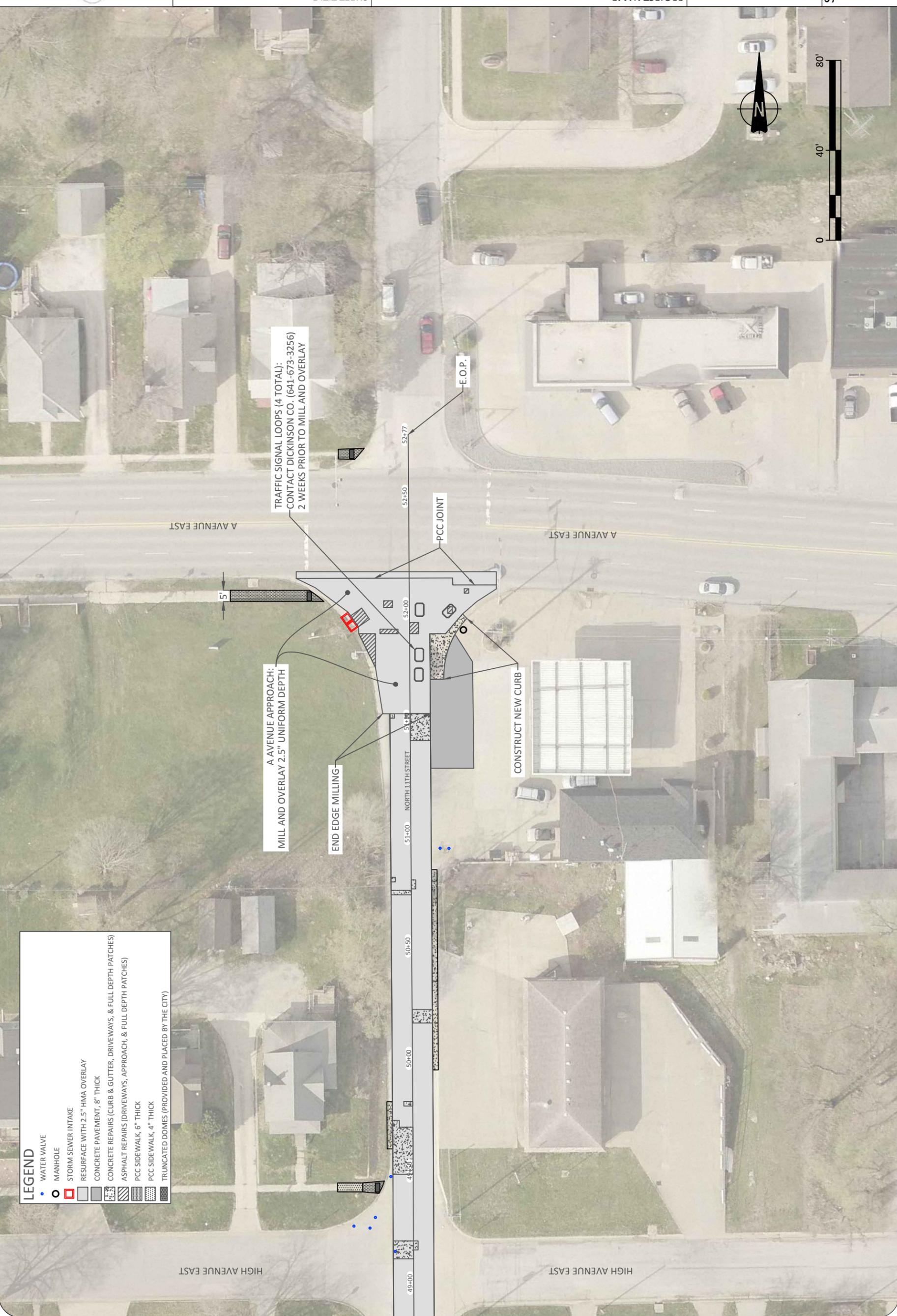
PROJECT NAME:  
SOUTH 11TH STREET  
PAVEMENT REHABILITATION PROJECT

SHEET TITLE:  
SOUTH 11TH STREET PLAN  
(STA 49+00 TO E.O.P.)



OSKALOOSA ENGINEERING DEPT.  
804 SOUTH D STREET  
OSKALOOSA, IA 52577  
PHONE: (641) 673-7472  
FAX: (641) 673-3733

NO.	REVISION/ISSUE	DATE



**LEGEND**

	WATER VALVE
	MANHOLE
	STORM SEWER INTAKE
	RESURFACE WITH 2.5" HMA OVERLAY
	CONCRETE PAVEMENT, 8" THICK
	CONCRETE REPAIRS (CURB & GUTTER, DRIVEWAYS, & FULL DEPTH PATCHES)
	ASPHALT REPAIRS (DRIVEWAYS, APPROACH, & FULL DEPTH PATCHES)
	PCC SIDEWALK, 6" THICK
	PCC SIDEWALK, 4" THICK
	TRUNCATED DOMES (PROVIDED AND PLACED BY THE CITY)

TRAFFIC SIGNAL LOOPS (4 TOTAL):  
CONTACT DICKINSON CO. (641-673-3256)  
2 WEEKS PRIOR TO MILL AND OVERLAY

E.O.P.

PCC JOINT

A AVENUE EAST

A AVENUE EAST

A AVENUE APPROACH:  
MILL AND OVERLAY 2.5" UNIFORM DEPTH

END EDGE MILLING

CONSTRUCT NEW CURB

HIGH AVENUE EAST

HIGH AVENUE EAST

**Engineers Opinion of Probable Cost**  
**South 11th Street Pavement Rehabilitation Project - 2014**  
**Bid Date: July 30, 2014 at 10:00AM**

Item No.	Bid Item Description No.	Bid Item Description	Unit	Estimated Quantity	Unit Price	Amount
1	1090-105-D	Mobilization	LS	1	N/A	\$15,000.00
2	2010-108-E-0	Excavation - Class 10, 12, or 13	CY	500	\$15.00	\$7,500.00
3	2010-108-I-0	Subbase, Granular	TON	850	\$20.00	\$17,000.00
4	6010-108-B-0	Storm Sewer Intake Rebuild	EA	12	\$5,000.00	\$60,000.00
5	6010-108-E	Manhole Adjustments	EA	12	\$1,000.00	\$12,000.00
6	7010-108-A-0	PCC Pavement, 8" Thick	SY	1,800	\$50.00	\$90,000.00
7	7010-108-E-0	2.5' Curb and Gutter, 8" Thick	LF	1,150	\$30.00	\$34,500.00
8	7010-108-I-0	PCC Pavement Samples and Testing	LS	1	N/A	\$2,500.00
9	7020-108-A-0	HMA Interlayer Base (PG 64-34)	TON	625	\$160.00	\$100,000.00
10	7020-108-A-0	HMA Surface (PG 64-22)	TON	1,050	\$105.00	\$110,250.00
11	7020-108-H-0	HMA Pavement Samples and Testing	LS	1	N/A	\$4,000.00
12	7030-108-A-0	Sidewalk Removal	SY	250	\$10.00	\$2,500.00
13	7030-108-A-0	Driveway Removal	SY	575	\$10.00	\$5,750.00
14	7030-108-E-0	PCC Sidewalk, 4" Thick	SY	100	\$35.00	\$3,500.00
15	7030-108-E-0	PCC Sidewalk & Ramps, 6" Thick	SY	200	\$45.00	\$9,000.00
16	7030-108-H-1	PCC Paved Driveway, 6" Thick	SY	250	\$45.00	\$11,250.00
17	7030-108-H-2	Granular Surfacing	TON	100	\$20.00	\$2,000.00
18	7040-108-A-0	Full Depth Concrete Patching	SY	550	\$100.00	\$55,000.00
19	7040-108-A-0	Full Depth Asphalt Patching	SY	25	\$85.00	\$2,125.00
20	7040-108-D-0	Transverse Crack Cleaning and Filling	LF	4,000	\$4.00	\$16,000.00
21	7040-108-G-0	Pavement Milling	SY	6,100	\$7.50	\$45,750.00
22	7040-108-H-0	Pavement Removal	SY	1,100	\$5.00	\$5,500.00
23	7040-108-I-0	Curb and Gutter Removal	LF	1,150	\$10.00	\$11,500.00
24	9010-108-A-0	Conventional Seeding, Fertilizing, and Mulching	LS	1	N/A	\$5,000.00
25	XXX-XXXX-X-X	Traffic Control	LS	1	N/A	\$15,000.00
26	XXX-XXXX-X-X	Water Valve Adjustments	EA	11	\$250.00	\$2,750.00
27	XXX-XXXX-X-X	Fabric Matting	LF	12,500	\$7.00	\$87,500.00

**PROJECT TOTAL: \$732,875.00**



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: Public Works Dept.

**Item Title: PUBLIC HEARING**

Consider a resolution approving the award of contract for the South 11<sup>th</sup> Street Pavement Rehabilitation Project to Norris Asphalt Paving Co., in an amount not to exceed \$696,087.00, and authorize the City Manager to utilize an additional ten percent (\$69,600.00) for project contingency.

**Explanation:**

The South 11th Street Pavement Rehabilitation Project was advertised and bids were received and publicly read on July 30, 2014. There were two bids as indicated in the attached tabulation. The low bidder is Norris Asphalt Paving Co., in the amount of \$696,087.00, which is 5.0% below the engineer's estimate of \$732,875.00. The low bid received is within our budget estimates.

If the project is awarded, then construction is proposed to commence late August to early September depending on the weather. The anticipated work completion time is 60 working days. Due to the length of time required for this project, the construction work may be suspended during the winter. If the construction is halted in winter, then construction work will begin in the spring of 2015 as soon as favorable weather conditions return.

If Council awards this construction contract, then Staff recommends authorizing an additional 10% of the contract amount (\$69,600.00) as construction contingency for unforeseen circumstances and also to authorize the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents.

**Budget Consideration:**

The recommended action will allow an authorized expenditure of \$765,687.00 for construction expenses towards the South 11<sup>th</sup> Street Pavement Rehabilitation Project. The Public Works Department budgeted an amount of \$795,000 in FY15-16 for pavement improvements (CIP project number 2010-50, 2010-51, and 2010-52). The 3<sup>rd</sup> Avenue East reconstruction project (CIP project # 2010-15) was initially allocated for FY14-15. However, the City Council decided to delay the 3<sup>rd</sup> Avenue project because of a lack of adequate bids. As an alternate, the Council directed staff to use those unused funds for the South 11<sup>th</sup> project in

FY14-15. The budget will therefore need to be amended to account for the different project cost projections for the FY14-15 and FY15-16 budgets.

**Recommended Action:**

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

**Attachments :**

Resolution, Bid Tabulation, Notice of Award and Bid Documents.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OSKALOOSA  
APPROVING THE BID PROCESS; ACCEPTING THE LOWEST RESPONSIBLE  
BID; AWARDED CONSTRUCTION TO NORRIS ASPHALT PAVING CO. FOR AN  
AMOUNT NOT TO EXCEED \$696,087.00; AND APPROVING A CONSTRUCTION  
CONTINGENCY NOT TO EXCEED \$69,600.00 FOR THE SOUTH 11<sup>TH</sup> STREET  
PAVEMENT REHABILITATION PROJECT.**

WHEREAS, the City Council of the City of Oskaloosa, Iowa, has heretofore deemed it necessary and desirable for the South 11<sup>th</sup> Street Pavement Rehabilitation Project; and

WHEREAS, two (2) sealed bids were received, opened at 10:00 AM, local time, July 30, 2014, read aloud, and tabulated as per published notice. A summary of bids for this project is marked "Exhibit A," attached hereto and incorporated herein; and

WHEREAS, the lowest bid of \$696,087.00 was submitted by Norris Asphalt Paving Co. and they are considered the apparent low bidder; and

WHEREAS, the bid of \$696,087.00 by Norris Asphalt Paving Co. is, upon recommendation of City Engineer, responsive and balance, satisfactory in all respects; and

WHEREAS, the City of Oskaloosa desires to execute a construction contract agreement in a timely manner; and

WHEREAS, the City desires to authorize the City Manager to allow a ten percent (\$69,600.00) contingency of the award amount for unforeseen construction circumstances,

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

1. The City Council does hereby award the contract to Norris Asphalt Paving Co. in the amount of \$696,087.00, and authorizes the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents.
2. The City Council authorizes the City Manager a construction contingency of \$69,600.00 for the project during construction as necessary in order to complete this project.

PASSED AND APPROVED this \_\_\_\_\_ day of August, 2014.

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

ATTEST:

---

Amy Miller, City Clerk

**EXHIBIT A - BID TABULATION**

**SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT**

BIDS RECEIVED: 10:00 A.M. on Wednesday, July 30, 2014

BASE BID					Engineers Opinion of Probable Cost		Norris Asphalt Paving Co. Ottumwa, IA		TK Concrete Inc. Pella, IA	
Item No.	Bid Item No.	Bid Item Description	Unit	Estimated Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	1090-105-D	Mobilization	LS	1	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00	\$20,000.00	\$20,000.00
2	2010-108-E-0	Excavation - Class 10, 12, or 13	CY	500	\$15.00	\$7,500.00	\$14.00	\$7,000.00	\$16.50	\$8,250.00
3	2010-108-I-0	Subbase, Granular	TON	850	\$20.00	\$17,000.00	\$21.00	\$17,850.00	\$20.00	\$17,000.00
4	6010-108-B-0	Storm Sewer Intake Rebuild	EA	12	\$5,000.00	\$60,000.00	\$3,000.00	\$36,000.00	\$6,250.00	\$75,000.00
5	6010-108-E	Manhole Adjustments	EA	12	\$1,000.00	\$12,000.00	\$1,000.00	\$12,000.00	\$1,000.00	\$12,000.00
6	7010-108-A-0	PCC Pavement, 8" Thick	SY	1,800	\$50.00	\$90,000.00	\$48.00	\$86,400.00	\$48.00	\$86,400.00
7	7010-108-E-0	2.5' Curb and Gutter, 8" Thick	LF	1,150	\$30.00	\$34,500.00	\$25.00	\$28,750.00	\$25.00	\$28,750.00
8	7010-108-I-0	PCC Pavement Samples and Testing	LS	1	\$2,500.00	\$2,500.00	\$4,000.00	\$4,000.00	\$4,500.00	\$4,500.00
9	7020-108-A-0	HMA Interlayer Base (PG 64-34)	TON	625	\$160.00	\$100,000.00	\$155.30	\$97,062.50	\$150.00	\$93,750.00
10	7020-108-A-0	HMA Surface (PG 64-22)	TON	1,050	\$105.00	\$110,250.00	\$108.19	\$113,599.50	\$144.00	\$151,200.00
11	7020-108-H-0	HMA Pavement Samples and Testing	LS	1	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$6,000.00	\$6,000.00
12	7030-108-A-0	Sidewalk Removal	SY	250	\$10.00	\$2,500.00	\$10.00	\$2,500.00	\$10.00	\$2,500.00
13	7030-108-A-0	Driveway Removal	SY	575	\$10.00	\$5,750.00	\$10.00	\$5,750.00	\$10.00	\$5,750.00
14	7030-108-E-0	PCC Sidewalk, 4" Thick	SY	100	\$35.00	\$3,500.00	\$35.00	\$3,500.00	\$36.00	\$3,600.00
15	7030-108-E-0	PCC Sidewalk & Ramps, 6" Thick	SY	200	\$45.00	\$9,000.00	\$45.00	\$9,000.00	\$45.00	\$9,000.00
16	7030-108-H-1	PCC Paved Driveway, 6" Thick	SY	250	\$45.00	\$11,250.00	\$45.00	\$11,250.00	\$45.00	\$11,250.00
17	7030-108-H-2	Granular Surfacing	TON	100	\$20.00	\$2,000.00	\$30.00	\$3,000.00	\$20.00	\$2,000.00
18	7040-108-A-0	Full Depth Concrete Patching	SY	550	\$100.00	\$55,000.00	\$85.00	\$46,750.00	\$89.00	\$48,950.00
19	7040-108-A-0	Full Depth Asphalt Patching	SY	25	\$85.00	\$2,125.00	\$150.00	\$3,750.00	\$120.00	\$3,000.00
20	7040-108-D-0	Transverse Crack Cleaning and Filling	LF	4,000	\$4.00	\$16,000.00	\$3.75	\$15,000.00	\$4.00	\$16,000.00
21	7040-108-G-0	Pavement Milling	SY	6,100	\$7.50	\$45,750.00	\$6.75	\$41,175.00	\$6.50	\$39,650.00
22	7040-108-H-0	Pavement Removal	SY	1,100	\$5.00	\$5,500.00	\$15.00	\$16,500.00	\$10.00	\$11,000.00
23	7040-108-I-0	Curb and Gutter Removal	LF	1,150	\$10.00	\$11,500.00	\$7.00	\$8,050.00	\$10.00	\$11,500.00
24	9010-108-A-0	Conventional Seeding, Fertilizing, and Mulching	LS	1	\$5,000.00	\$5,000.00	\$6,500.00	\$6,500.00	\$7,500.00	\$7,500.00
25	XXX-XXX-X-X	Traffic Control	LS	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$20,250.00	\$20,250.00
26	XXX-XXX-X-X	Water Valve Adjustments	EA	11	\$250.00	\$2,750.00	\$200.00	\$2,200.00	\$275.00	\$3,025.00
27	XXX-XXX-X-X	Fabric Matting	LF	12,500	\$7.00	\$87,500.00	\$7.00	\$87,500.00	\$7.00	\$87,500.00
<b>BASE BID TOTALS:</b>					<b>\$732,875.00</b>		<b>\$696,087.00</b>		<b>\$785,325.00</b>	

NOTICE OF AWARD

To: Norris Asphalt Paving Co.  
14242 Terminal Avenue  
Ottumwa, IA 52501

The City Council of the City of Oskaloosa, Iowa has considered the proposal submitted by you on **July 30, 2014** in the City of Oskaloosa, Iowa. It appears that it is to the best interest of the City of Oskaloosa, Iowa to accept your proposal in the amount of **Six Hundred Ninety Six Thousand Eighty Seven and 0/100 Dollars (\$696,087.00)**, you are hereby notified that your proposal has been accepted for the **South 11<sup>th</sup> Street Pavement Rehabilitation Project** subject to completion of financing and approval of the Contract.

You are required by the "Notice of Hearing and Letting" to execute the formal Contract with the City of Oskaloosa and to furnish the required Contractor's performance and payment bond within the terms specified in the "Notice of Hearing and Letting".

If you fail to execute said Contract and to furnish said bond within ten (10) days from the date of delivery of the "Notice of Award", the City of Oskaloosa will be entitled to consider all your rights arising out of the City of Oskaloosa's acceptance of your proposal as abandoned and to award the work covered by your proposal to another, or to readvertise the work, or otherwise dispose thereof as the City of Oskaloosa may see fit.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF OSKALOOSA, IOWA

By \_\_\_\_\_

Title \_\_\_\_\_

Acceptance of Notice  
Receipt of the Above

"Notice of Award" is hereby acknowledged this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Contractor

By \_\_\_\_\_

Title \_\_\_\_\_

## BID BOND

KNOW ALL BY THESE PRESENTS:

That we, Norris Asphalt Paving Co., LC, as Principal, and Merchants Bonding Company (Mutual), as Surety, are held and firmly bound unto CITY OF OSKALOOSA, IOWA, as Obligee, (hereinafter referred to as "the Jurisdiction"), in the penal sum of Five Percent of Bid Amount dollars (\$5% of Bid), or 5% percent of the amount bid in lawful money of the United States, for which payment said Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents.

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

### SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT OSKALOOSA, IOWA

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

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

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

Signed and sealed this 30 day of July, 2014.

SURETY:

Merchants Bonding Company (Mutual)

By Nancy Ollinger  
Signature Attorney-in-Fact/Officer

Nancy Ollinger  
Printed Name of Attorney-in-Fact/Officer

Merchants Bonding Company (Mutual)

2100 Fleur Drive  
Company Address

Des Moines, IA 50321  
City, State, Zip Code

(515) 243-8171  
Company Telephone Number

PRINCIPAL:

Norris Asphalt Paving Co., LC

By Brady D. Meldrem  
Signature Bidder

Brady D. Meldrem  
Printed Name

President  
Title

PO Box 695  
Address

Ottumwa, IA 52501  
City, State, Zip Code

(641) 682-3427  
Telephone Number

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

**MERCHANTS**  
**BONDING COMPANY™**  
**POWER OF ATTORNEY**

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

John McKusker; Nancy Ollinger

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

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

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

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

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

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

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



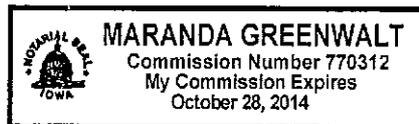
MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF POLK ss.

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

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



*Maranda Greenwalt*

Notary Public, Polk County, Iowa

STATE OF IOWA  
COUNTY OF POLK ss.

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

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 30 day of July, 2014.



*William Warner Jr.*  
Secretary

POA 0014 (11/11)

**PROPOSAL**

**PROPOSAL: PART A – SCOPE**

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

***PROJECT DESCRIPTION:***

**SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT  
OSKALOOSA, IOWA**

The work includes, but not limited to, milling existing asphalt, 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, storm sewer intake rebuild, alley approach improvements, and related construction.

**PROPOSAL: PART B – ACKNOWLEDGMENT OF ADDENDA**

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

ADDENDUM NUMBER \_\_\_\_\_ ADDENDUM NUMBER \_\_\_\_\_

ADDENDUM NUMBER \_\_\_\_\_ ADDENDUM NUMBER \_\_\_\_\_

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

**PROPOSAL: PART C – BID ITEMS, QUANTITIES, AND PRICES**

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

**BASE BID CONTRACTS:** The Bidder must provide any Bid Prices, any Alternate Prices, and the Total of the Base Bid plus any Add-Alternates on the Proposal Attachment: Part C – Bid Items, Quantities, and Prices. The Total of the Base bid plus any Alternates selected by the Jurisdiction shall be used only for

as Bid Security and attached to the outside of the bid proposal envelope. Any proposal received after the scheduled time for the receiving of proposals will be returned to the bidder unopened and will not be considered. If the Jurisdiction provides envelopes for proposals and bid security, bidders shall be required to utilize such envelopes in the submission of their bids.

B. The following documents shall be completed, signed, and returned in the Proposal envelope. The bid cannot be read if any of these documents are omitted from the Proposal envelope.

1. PROPOSAL – Complete each of the following parts:

- Part B – Acknowledgment of Addenda, if any have been issued
- Part C – Bid Items, Quantities, and Prices
- Part F – Additional Requirements

The following proposal attachments must be completed and attached:

<u>ITEM NO.</u>	<u>DESCRIPTION OF ATTACHMENT</u>
1.	Bid bond
2.	
3.	
4.	
5.	
6.	

- Part G – Identity of Bidder

Sign the proposal. The signature on the proposal and all proposal attachments must be an original signature in ink signed by the same individual who is the Company Owner or an authorized Officer of the Company; copies or facsimile of any signature or electronic signatures will not be accepted.

The following documents must be submitted as printed. No alterations, additions, or deletions are allowed. If the Bidder notes a requirement in the contract documents that the Bidder believes will require a conditioned or unsolicited alternate bid, the Bidder must immediately notify the Engineer in writing. The Engineer will issue any necessary interpretation by an addendum.

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

**PROPOSAL: PART D – GENERAL**

The Bidder hereby acknowledges that the Jurisdiction, in advertising for public bids for this project, reserves the right to:

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

The Bidder hereby agrees to:

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

**PROPOSAL: PART E – NON-COLLUSION AFFIDAVIT**

The Bidder hereby certifies:

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

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

**PROPOSAL: PART F – ADDITIONAL REQUIREMENTS**

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

<u>ITEM NO.</u>	<u>DESCRIPTION OF ATTACHMENT</u>
1.	Bid Bond
2.	
3.	
4.	
5.	
6.	

PROPOSAL: PART G – IDENTITY OF BIDDER

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

- Individual, Sole Proprietorship
- Partnership
- Corporation
- Limited Liability Company
- Joint-venture: all parties must join-in and execute all documents
- Other

The Bidder shall enter its Public Registration Number C 0 8 4 2 - 5 9 issued By the Iowa Commissioner of Labor Pursuant Section 91C.5 of the Iowa Code.

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

Norris Asphalt Paving Co., LC  
Bidder

*Brady D. Meldrem*  
Signature

By Brady D. Meldrem  
Name (Print/Type)

President  
Title

14242 Terminal Ave. PO Box 695  
Street Address

Ottumwa Ia 52501  
City, State, Zip Code

641-682-3427  
Telephone Number

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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

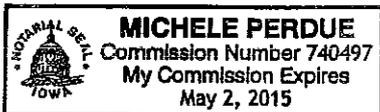
NOTE: The signature on this proposal must be an original signature in ink; copies, facsimiles, or electronic signatures will not be accepted.

Subscribed and sworn to before me this 30th day of July, 20 14.

*Michele Perdue*

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

My commission expires May 2, 2015.



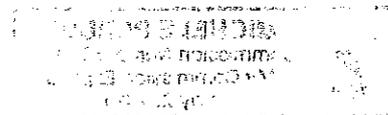
**PROPOSAL**

**PROPOSAL ATTACHMENT: PART C – BID ITEMS, QUANTITIES, AND PRICES**

This is a UNIT BID PRICE CONTRACT. The bidder must provide the Bid Price(s), any Alternate Price(s), and the Total of the Base Bid plus any Add-Alternates in this Proposal Attachment: Part C – Bid Items, Quantities, and Prices the total of the base bid plus any alternates selected by the Jurisdiction shall be used only for comparison of bids. The total of the Base Bid plus any Add-Alternates shall be used for determining the sufficiency of the bid security.

**BID ITEMS, QUANTITIES AND PRICES**

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
1	Mobilization	LS	1	N/A	\$ 12,000.00
2	Excavation - Class 10, 12, or 13	CY	500	\$ 14.00	\$ 7,000.00
3	Subbase, Granular	TON	850	\$ 20.00	\$ 17,850.00
4	Storm Sewer Intake Rebuild	EA	12	\$ 3,000.00	\$ 36,000.00
5	Manhole Adjustments	EA	12	\$ 1,000.00	\$ 12,000.00
6	PCC Pavement, 8" Thick	SY	1,800	\$ 48.00	\$ 86,400.00
7	2.5' Curb and Gutter, 8" Thick	LF	1,150	\$ 25.00	\$ 28,750.00
8	PCC Pavement Samples and Testing	LS	1	N/A	\$ 4,000.00
9	HMA Interlayer Base (PG 64-34)	TON	625	\$ 155.30	\$ 97,062.50
10	HMA Surface (PG 64-22)	TON	1,050	\$ 108.19	\$ 113,599.50
11	HMA Pavement Samples and Testing	LS	1	N/A	\$ 4,000.00
12	Sidewalk Removal	SY	250	\$ 10.00	\$ 2,500.00
13	Driveway Removal	SY	575	\$ 10.00	\$ 5,750.00
14	PCC Sidewalk, 4" Thick	SY	100	\$ 35.00	\$ 3,500.00
15	PCC Sidewalk & Ramps, 6" Thick	SY	200	\$ 45.00	\$ 9,000.00
16	PCC Paved Driveway, 6" Thick	SY	250	\$ 45.00	\$ 11,250.00
17	Granular Surfacing	TON	100	\$ 30.00	\$ 3,000.00
18	Full Depth Concrete Patches	SY	550	\$ 85.00	\$ 46,750.00
19	Full Depth Asphalt Patches	SY	25	\$ 150.00	\$ 3,750.00
20	Transverse Crack Cleaning and Filling	LF	4,000	\$ 3.75	\$ 15,000.00
21	Pavement Milling	SY	6,100	\$ 6.75	\$ 41,175.00
22	Pavement Removal	SY	1,100	\$ 15.00	\$ 16,500.00
23	Curb and Gutter Removal	LF	1,150	\$ 7.00	\$ 8,050.00
24	Conventional Seeding, Fertilizing, and Mulching	LS	1	N/A	\$ 6,500.00
25	Traffic Control	LS	1	N/A	\$ 15,000.00
26	Water Valve Adjustments	EA	11	\$ 200.00	\$ 2,200.00
27	Fabric Matting	LF	12,500	\$ 7.00	\$ 87,500.00
<b>BASE BID TOTAL</b>				<b>\$</b>	<b>696,087.00</b>



*NOTE: This is a UNIT BID PRICE CONTRACT. The bidder must provide the Unit Bid Price, the Total Bid Price, any Alternate Price(s), and the Total Construction Cost; in case of discrepancy, the Unit Bid Price governs. The quantities shown on this Attachment, Bid Items, Quantities, and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The total Construction Cost selected by the Jurisdiction shall be used only for comparison of bids. The Total Construction Cost shall be used for determining the sufficiency of the bid security.*

*NOTE: The above prices DO NOT include sales tax for building materials, supplies and equipment incorporated into said improvements that is exempt from Iowa Department of Revenue and Finance Sales Tax and applicable local options sales tax and school infrastructure local options sales tax pursuant to Iowa Code sections. Bidder shall include all other application fees and taxes in bid.*

*NOTE: It is understood that the above quantities are estimated for the purpose of this bid. All quantities are subject to revision by the Jurisdiction. Quantity changes which amount to twenty percent (20%) or less of the total bid shall not affect the unit bid price.*

**BID BOND**

KNOW ALL BY THESE PRESENTS:

That we, \_\_\_\_\_, as Principal, and \_\_\_\_\_, as Surety, are held and firmly bound unto CITY OF OSKALOOSA, IOWA, as Oblige, (hereinafter referred to as "the Jurisdiction"), in the penal sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), or \_\_\_\_\_ percent of the amount bid in lawful money of the United States, for which payment said Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents.

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

**SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT  
OSKALOOSA, IOWA**

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

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

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

BID BOND

KNOW ALL BY THESE PRESENTS:

That we, TK Concrete, Inc., as Principal, and North American Specialty Insurance Company, as Surety, are held and firmly bound unto CITY OF OSKALOOSA, IOWA, as Obligee, (hereinafter referred to as "the Jurisdiction"), in the penal sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), or 10% percent of the amount bid in lawful money of the United States, for which payment said Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns jointly and severally, firmly by these presents.

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

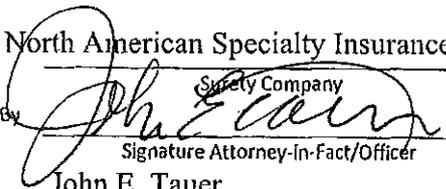
**SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT  
OSKALOOSA, IOWA**

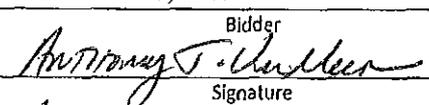
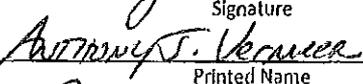
The Surety hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Jurisdiction may accept such bid or execute such Contract; and said Surety does hereby waive notice of any such extension.

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

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

Signed and sealed this 30th day of July, 2014.

SURETY:  
North American Specialty Insurance Company  
By  Surety Company  
Signature Attorney-in-Fact/Officer  
John E. Tauer  
Printed Name of Attorney-in-Fact/Officer  
Cobb Strecker Dunphy & Zimmermann  
Company Name  
150 South 5th Street, Suite 2800  
Company Address  
Minneapolis, MN 55402  
City, State, Zip Code  
612-349-2400  
Company Telephone Number

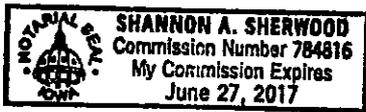
PRINCIPAL:  
TK Concrete, Inc.  
By  Bidder  
Signature  
 Printed Name  
President  
Title  
1608 Fifield Road  
Address  
Pella, IA 50219  
City, State, Zip Code  
641-628-4590  
Telephone Number

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

ACKNOWLEDGMENT OF CORPORATION

State of IOWA )
) ss.
County of Marion )

On this 30th day of July 20 14 ,
before me appeared Tony VerMeer , to me personally known, who,
being by me duly sworn, did say that he is the President
of TK Concrete, Inc. , a corporation, that the seal affixed to the
foregoing instrument is the corporate seal of said corporation, (If no seal, so state, and strike out above as to
corporate seal) and that said instrument was executed in behalf of said corporation by authority of its Board
of Directors; and that said Tony VerMeer acknowledged said instrument to be
the free act and deed of said corporation.

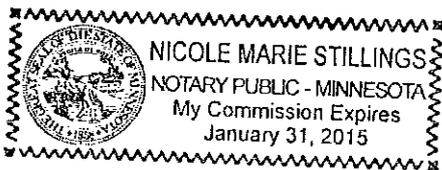


Shannon A. Sherwood
Notary Public Marion County, Iowa
My commission expires 6/27/17

ACKNOWLEDGMENT OF CORPORATE SURETY

State of MINNESOTA )
) ss.
County of HENNEPIN )

On this 30th day of July 20 14 ,
before me appeared John E. Tauer , to me personally known, who,
being by me duly sworn, did say that he is the Attorney-in-Fact
of North American Specialty Insurance Company ,
a corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation and
that said instrument was executed in behalf of said corporation by authority of its Board of Directors; and
that said John E. Tauer acknowledged said instrument to be the free act and
deed of said corporation.



Nicole Stillings
Notary Public Dakota County, Minnesota
My commission expires: 1/31/15

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

BRUCE N. TELANDER, R.W. FRANK, DONALD R. OLSON, JOHN E. TAUER, CRAIG REMICK, JOSHUA R. LOFTIS, TINA L. DOMASK, BRIAN J. OESTREICH, LINDA K. FRENCH, RACHEL THOMAS, NICOLE NELSON, SANDRA M. DOZE, JOHN W. WALSH, BETSY WRIGHT, JEROME T. OUIMET, KURT C. LUNDBLAD, JACK CEDARLEAF II, D.R. DOUGHERTY and CHRISTINE M. HANSEN JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9th of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature] Steven P. Anderson, Senior Vice President of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company



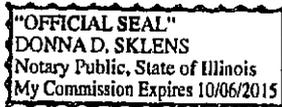
By [Signature] David M. Layman, Vice President of Washington International Insurance Company & Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 17th day of April, 2013.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook ss:

On this 17th day of April, 2013, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature] Donna D. Sklens, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 30th day of July, 2014.

[Signature] Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

**PROPOSAL**

**PROPOSAL: PART A – SCOPE**

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

**PROJECT DESCRIPTION:**

**SOUTH 11TH STREET PAVEMENT REHABILITATION PROJECT  
OSKALOOSA, IOWA**

The work includes, but not limited to, milling existing asphalt, 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, storm sewer intake rebuild, alley approach improvements, and related construction.

**PROPOSAL: PART B – ACKNOWLEDGMENT OF ADDENDA**

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

ADDENDUM NUMBER \_\_\_\_\_ ADDENDUM NUMBER \_\_\_\_\_

ADDENDUM NUMBER \_\_\_\_\_ ADDENDUM NUMBER \_\_\_\_\_

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

**PROPOSAL: PART C – BID ITEMS, QUANTITIES, AND PRICES**

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

**BASE BID CONTRACTS:** The Bidder must provide any Bid Prices, any Alternate Prices, and the Total of the Base Bid plus any Add-Alternates on the Proposal Attachment: Part C – Bid Items, Quantities, and Prices. The Total of the Base bid plus any Alternates selected by the Jurisdiction shall be used only for

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

**PROPOSAL: PART D – GENERAL**

The Bidder hereby acknowledges that the Jurisdiction, in advertising for public bids for this project, reserves the right to:

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

The Bidder hereby agrees to:

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

**PROPOSAL: PART E – NON-COLLUSION AFFIDAVIT**

The Bidder hereby certifies:

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

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

**PROPOSAL: PART F – ADDITIONAL REQUIREMENTS**

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

<u>ITEM NO.</u>	<u>DESCRIPTION OF ATTACHMENT</u>
1.	Bid Bond
2.	
3.	
4.	
5.	
6.	

PROPOSAL: PART G – IDENTITY OF BIDDER

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

- Individual, Sole Proprietorship
- Partnership
- Corporation
- Limited Liability Company
- Joint-venture: all parties must join-in and execute all documents
- Other

The Bidder shall enter its Public Registration Number C 0 9 2 3 - 3 6 issued By the Iowa Commissioner of Labor Pursuant Section 91C.5 of the Iowa Code.

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

TK Concrete, Inc  
Bidder

Tony VerMeer  
Signature

By Tony VerMeer  
Name (Print/Type)

President  
Title

1608 Fifield Rd.  
Street Address

Pella, Iowa 50219  
City, State, Zip Code

641-628-4590  
Telephone Number

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

Tony VerMeer  
Name

President  
Title

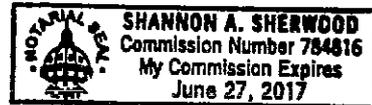
NOTE: The signature on this proposal must be an original signature in ink; copies, facsimiles, or electronic signatures will not be accepted.

Subscribed and sworn to before me this 30<sup>th</sup> day of July, 2014.

Shannon A. Sherwood

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

My commission expires 6/27/17



PROPOSAL

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

This is a UNIT BID PRICE CONTRACT. The bidder must provide the Bid Price(s), any Alternate Price(s), and the Total of the Base Bid plus any Add-Alternates in this Proposal Attachment: Part C – Bid Items, Quantities, and Prices the total of the base bid plus any alternates selected by the Jurisdiction shall be used only for comparison of bids. The total of the Base Bid plus any Add-Alternates shall be used for determining the sufficiency of the bid security.

**BID ITEMS, QUANTITIES AND PRICES**

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
1	Mobilization	LS	1	N/A	\$ 20,000
2	Excavation - Class 10, 12, or 13	CY	500	\$16.50	\$ 8,250
3	Subbase, Granular	TON	850	\$ 20 <sup>00</sup>	\$ 17,000
4	Storm Sewer Intake Rebuild	EA	12	\$6,250	\$ 75,000
5	Manhole Adjustments	EA	12	\$1,000	\$ 12,500
6	PCC Pavement, 8" Thick	SY	1,800	\$ 48 <sup>00</sup>	\$ 86,400
7	2.5' Curb and Gutter, 8" Thick	LF	1,150	\$ 25 <sup>00</sup>	\$ 28,750
8	PCC Pavement Samples and Testing	LS	1	N/A	\$ 4,500
9	HMA Interlayer Base (PG 64-34)	TON	625	\$150 <sup>00</sup>	\$ 93,750
10	HMA Surface (PG 64-22)	TON	1,050	\$144 <sup>00</sup>	\$ 151,200
11	HMA Pavement Samples and Testing	LS	1	N/A	\$ 6,000
12	Sidewalk Removal	SY	250	\$ 10 <sup>00</sup>	\$ 2,500
13	Driveway Removal	SY	575	\$ 10 <sup>00</sup>	\$ 5,750
14	PCC Sidewalk, 4" Thick	SY	100	\$36 <sup>00</sup>	\$ 3,600
15	PCC Sidewalk & Ramps, 6" Thick	SY	200	\$ 45 <sup>00</sup>	\$ 9,000
16	PCC Paved Driveway, 6" Thick	SY	250	\$ 45 <sup>00</sup>	\$ 11,250
17	Granular Surfacing	TON	100	\$ 20 <sup>00</sup>	\$ 2,000
18	Full Depth Concrete Patches	SY	550	\$ 89 <sup>00</sup>	\$ 48,950
19	Full Depth Asphalt Patches	SY	25	\$120 <sup>00</sup>	\$ 3,000
20	Transverse Crack Cleaning and Filling	LF	4,000	\$ 4 <sup>00</sup>	\$ 16,000
21	Pavement Milling	SY	6,100	\$ 6.50	\$ 39,650
22	Pavement Removal	SY	1,100	\$ 10 <sup>00</sup>	\$ 11,000
23	Curb and Gutter Removal	LF	1,150	\$ 10 <sup>00</sup>	\$ 11,500
24	Conventional Seeding, Fertilizing, and Mulching	LS	1	N/A	\$ 7,500
25	Traffic Control	LS	1	N/A	\$ 20,250
26	Water Valve Adjustments	EA	11	\$275 <sup>00</sup>	\$ 3,025
27	Fabric Matting	LF	12,500	\$ 7.00	\$ 87,500
<b>BASE BID TOTAL</b>				<b>\$</b>	<b>\$ 785,325<sup>00</sup></b>

*NOTE: This is a UNIT BID PRICE CONTRACT. The bidder must provide the Unit Bid Price, the Total Bid Price, any Alternate Price(s), and the Total Construction Cost; in case of discrepancy, the Unit Bid Price governs. The quantities shown on this Attachment, Bid Items, Quantities, and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The total Construction Cost selected by the Jurisdiction shall be used only for comparison of bids. The Total Construction Cost shall be used for determining the sufficiency of the bid security.*

*NOTE: The above prices DO NOT include sales tax for building materials, supplies and equipment incorporated into said improvements that is exempt from Iowa Department of Revenue and Finance Sales Tax and applicable local options sales tax and school infrastructure local options sales tax pursuant to Iowa Code sections. Bidder shall include all other application fees and taxes in bid.*

*NOTE: It is understood that the above quantities are estimated for the purpose of this bid. All quantities are subject to revision by the Jurisdiction. Quantity changes which amount to twenty percent (20%) or less of the total bid shall not affect the unit bid price.*



## City Council Communication

Meeting Date: August 4, 2014

Requested By: Police Department

**Item Title:**

Consider an ordinance amending Oskaloosa City Code Section 6.04.090 - Dangerous dogs and other dangerous animals - to delete the current section and substitute a revised section - 2nd reading.

**Explanation:**

Oskaloosa City Ordinance 6.04.090 addresses the issue of Dangerous Dogs and Other Dangerous Animals. The City Manager has requested changes to the Ordinance to clarify definitional terms; clarify requirements relative to dangerous animals; and modify the Animal Review Board/Appeals language by removing the City Manager and Council Member from the board. It is proposed that current section 6.04.090 be deleted, and a new section 6.04.090 be substituted as shown in the attached ordinance.

**Budget Consideration:**

Costs associated with drafting changes to Section 6.04.090 of the Municipal Code.

**Attachments :**

Ordinance.

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

AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE BY DELETING THE CURRENT SECTION 6.04.090 IN ITS ENTIRETY AND INSERTING IN LIEU THEREOF AN AMENDED SECTION 6.04.090.

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

SECTION 1. Section 6.04.090 is amended by deleting the current section 6.04.090 and inserting in lieu thereof the following as section 6.04.090:

**“6.04.090 Dangerous Animals**

- A. Definitions. For use in this chapter, the following terms are defined:
1. “Dangerous animal” means (a) any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon or causing disease among human beings and (b) the following animals, which are deemed to be dangerous animals per se:
    - a. Wolves, coyotes and foxes;
    - b. Badgers, wolverines, weasels, mink and other Mustelids;
    - c. Bats;
    - d. Bears;
    - e. Gila monsters, and lizards that are venomous or poisonous;
    - f. All apes (including chimpanzees), baboons and macaques;
    - g. Monkeys, except the squirrel monkey;
    - h. Elephants;
    - i. Wild Boar;
    - j. Black widow or brown recluse spiders and scorpions;
    - k. Snakes which are naturally venomous or poisonous;
    - l. Snakes which are constricting and exceeding six feet in length;
    - m. All cats; except domestic cats (Carnivora of the family Felidae, including but not limited to lions, cougars, tigers, jaguars, leopards, lynx, ocelots, bobcats, etc.);And
    - n. Raccoons, opossums and skunks.

Dangerous animals shall not include dangerous domestic animals as defined in subsection D.

- B. Keeping of Dangerous Animals Prohibited. No person shall keep, shelter or harbor any dangerous animal or act as a custodian for such animal, or keep such animal for any purpose or in any capacity within the city except in the following circumstances:
1. The keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane society or museum where they are kept as live specimens for the public to view or for the

- purpose of instruction, research or study;
2. The keeping of dangerous animals for exhibition to the public by a circus, carnival, exhibit or show where such circus, carnival, exhibit or show is of traveling nature, is displayed before large assemblages of people and maintains any and all required federal or state licenses;
  3. The keeping of dangerous animals in bona fide, licensed veterinary hospital for treatment;
  4. The keeping of dangerous animals by a wildlife rescue organization with appropriate permit from the State Department of Natural Resources;
  5. Any dangerous animals under the jurisdiction of and in the possession of the Iowa Department of Natural Resources, pursuant to Chapters 481A and 481B of the Code of Iowa.

C. Seizure, Impoundment and Disposition of Dangerous Animals.

1. In the event that a dangerous animal is found at large and unattended upon public property, park property, public right-of-way or the property of someone other than its owner, thereby creating a hazard to persons or property, such animal may, in the discretion of the chief of police, be destroyed if it cannot be confined or captured. The city shall be under no duty to attempt the confinement or capture of a dangerous animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.
2. Upon the complaint of any individual that a person is keeping, sheltering or harboring a dangerous animal in the city, the chief of police shall cause the matter to be investigated, and if after investigation, the facts indicate that such person is keeping, sheltering or harboring a dangerous animal in the city, the chief of police shall issue a citation for the violation, and shall order such person to safely remove such animal from the city, and permanently place the animal with an organization or group allowed under subsection B of this section to possess dangerous animals, or destroy the animal, within three (3) days of the receipt of such order. Such order shall be contained in a notice to remove the dangerous animal, which notice shall be given in writing to the person keeping, sheltering or harboring the dangerous animal, and shall be served personally or by certified mail. Such order and notice to remove the dangerous animal shall not be required where the dangerous animal has previously caused serious physical harm or death to any person, in which case, the chief of police shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.
3. The order to remove a dangerous animal, issued by the chief of police, may be appealed to the animal review board as set forth in subsection I of this section. If the animal review board affirms the action of the chief of police, the board shall order in its written decision

that the individual or entity owning, sheltering, harboring or keeping such dangerous animal, remove such animal from the city, permanently place such animal with an organization or group allowed under subsection B of this section to possess dangerous animals, or destroy it. If the original order of the chief of police is not appealed and it is not complied with within three (3) days, or if the order of the animal review board after appeal is not complied with within three (3) days of its issuance, the chief of police is authorized to seize and impound for a period of seven (7) days, with the costs thereof to be at the expense of the owner. If at the end of the impoundment period, the individual or entity against whom the decision and order of the animal review board was issued has not petitioned the Iowa District Court for review of said order, the city shall cause the animal to be disposed of by sale, permanently place such animal with an organization or group allowed under subsection B of this section to possess dangerous animals, or destroy such animals in a humane manner. Failure to comply with an order of the city issued pursuant hereto shall constitute a misdemeanor offense, punishable pursuant to this Code of Ordinances.

D. DEFINITIONS AND DETERMINATION OF DANGEROUS DOMESTIC ANIMALS.

1. It shall be unlawful for any person to keep a dangerous domestic animal except as otherwise provided in this section. For purpose of this section "Dangerous Domestic Animal" means:
  - a. Any animal which has inflicted serious injury on a person without provocation.
  - b. Any animal which has at the animals own initiative, seriously injured or killed a domestic animal.
  - c. Any animal owned or harbored primarily or in part for the purpose of animal fighting.
  - d. Any animal which by breeding, training, disposition or behavior may pose a potential risk of attacking and inflicting injury without provocation upon people or other animals.

"Provocation" for purpose of this subsection, means that the threat, injury or damage caused by the animal was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the animal, or was tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime.

"Serious Injury" for purpose of the subsection means any physical injury to a human being or a domestic animal as a result of an animal's actions which demonstrate an intent to harm resulting in a major fracture, muscle tears, disfiguring lacerations or which requires multiple sutures or

corrective or cosmetic surgery.

2. DETERMINATION OF DANGEROUS ANIMAL. The determination as to whether a particular animal is a dangerous domestic animal shall be made by the Chief of Police, or his designee, on the basis of reasonable evidence, which may include, but is not limited to, consideration of a verified report of an incident involving unprovoked aggressive behavior directed at a person or a domestic animal, any provocation or trespass on the part of the animal attacked; compliance, or lack of same, with all animal control ordinances on the part of any animal or the person responsible for any animal; and the opinions of experts.
3. SECURING ANIMAL.
  - a. During the period of investigation, the Chief of Police or designee shall have the authority to order the owner or keeper of an animal under investigation to secure that animal. This may include the directive that the animal be secured off the premises of the owner or keeper, at the owner's expense.
  - b. Failure to strictly comply with all conditions of the order to secure an animal during investigation shall be a municipal infraction punishable by a fine of five hundred dollars (\$500) for first offense and seven hundred fifty dollars (\$750) for any subsequent offense. Each day that the violation occurs or is permitted to exist constitutes a separate offense.
  - c. If the Chief of Police or designee has reason to believe that the animal threatens the safety of person or domestic animal, the Chief of Police or designee may enter upon any premises upon which the animal is kept and remove the animal from those premises to a place of impoundment.

Entry onto said premises shall be only with the consent of the person in lawful control of the premises, or after obtaining a search warrant pursuant to law.

E. REGISTRATION REQUIRED.

1. All animals within the scope of section D shall be registered with the City by all adult person(s) responsible for the keeping of the animal. Failure or refusal to register each such animal, including providing the location where the animal resides and its identifying characteristics, on forms provided by the City, shall constitute a violation of the Oskaloosa Municipal Code.
2. Re-registration is required in the event animal's owner, keeper or possessor is changed or the animal's place of residence is moved to another location. The registration requirements attach to the animal and compliance with all registration requirements shall be the strict

duty of any person or entity which acquires ownership, keeping, or possession of the animal.

3. The registration of an animal shall be renewed annually. The premises and facilities where such registered animal is kept shall be inspected annually by the Chief of Police or designee, unless there is reason to believe animals are being improperly kept or cared for, in which case inspections may be made as the Animal Control Officer deems necessary. The City Council may establish a schedule of fees to cover costs of administration and inspection.
4. In the event the animal registered pursuant to these provisions is found to be missing, this event shall be promptly reported to the Police Department.

F. PROOF OF FINANCIAL RESPONSIBILITY REQUIRED.

1. Any person keeping a dangerous animal within the scope of section D shall be required to prove financial responsibility for any injury or damage that may be caused by the animal by either: (a) posting a cash or surety bond in the amount of one hundred thousand dollars (\$100,000.00), or (b) presenting a certificate of insurance issued by an insurance company licensed to do business in this state, providing person liability insurance coverage as in a homeowner's policy, with a minimum liability amount of one million dollars (\$1,000,000.00) for the injury or death of any person, for damage to property of others, and for acts of negligence by the owner or the owner's agents, in the keeping or owning of such potentially dangerous animal. The certificate shall require notice to the City, in conformity with general City standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. If a certificate of insurance or policy is not immediately available, a binder indicating the coverage may be accepted for a period of up to thirty (30) days following a determination that an animal is a dangerous animal within the scope of section D.
2. Failure to provide a certificate of insurance after thirty (30) days shall be violation of this section, and the dangerous animal shall be subject to removal and shall be humanely destroyed at the expense of the person keeping the dangerous animal.

G. CONFINEMENT STANDARDS.

All animals within the scope of Section D shall be confined pursuant to a confinement plan approved by the Chief of Police or designee. If such confinement facilities are indoors, all access doors must be continually locked. If such confinement facilities are outdoors, they must be securely constructed with chain link or masonry fence sides, with securely attached ceilings and with a concrete floor securely attached to the sides of the pen. Entrance gates must be continually locked with a key or combination lock. A perimeter fence of appropriate height and material to prevent escape must be built at least four (4) feet from the primary enclosure and

shall be built so as to surround all sides of the enclosure not adjacent to a solid wall of building. When taken outdoors, whether on or off the owner or keeper's premises, the dangerous animals must at all times be muzzled and leashed with equipment which has been approved by the Chief of Police or designee, or confined in a vehicle, cage or other animal carrier so as to be out of the reach of passerby.

H. ADDITIONAL HANDLING REQUIRMENTS.

1. In addition to insurance and confinement, the Chief of Police or designee shall have the authority to place additional handling requirements on any animal which is within the scope of Section D and to require timely compliance with the requirements. Any or all of the following conditions may be imposed:
  - a. The requirement that the animal be spayed or neutered at the owner's expense by a specific date and proof of same furnished to Animal Control;
  - b. The requirement that the animal be photographed by Animal Control. And implanted at the owner's expense with a microchip containing owner identification information. The microchip information shall be registered with Animal Control;
  - c. The requirements that the owner and animal shall satisfactorily complete a safety course approved by the City, at the owner's expense.
  - d. That the animal shall at all times be required to wear a conspicuously colored collar with permanently affixed owner identification;
  - e. That the owner of the animal has posted on the premises a clearly visible written warning sign to be approved by the Chief of Police or designee stating that there is dangerous animal on the property with a conspicuous warning symbol that informs children of the presence of a dangerous animal. The sign shall be very visible from the public roadway or fifty (50) feet, whichever is less; and
  - f. That the animal has current rabies vaccination and furnish proof of same to Animal Control.

I. REMOVAL AND ORDER FOR EUTHANASIA.

When the Chief of Police or designee determines that the owner has failed to keep an animal in compliance with the standards set forth in this Chapter, the Chief of Police or designee shall order in writing that an owner shall have an animal humanely euthanatized within ten (10) days of the order. Failure to comply with the Chief of Police or designee's order shall be a violation of this section.

J. APPEAL PROCEDURES.

Appeal of Euthanasia Order

1. Any person who receives an order from the Chief of Police or designee requiring that a dangerous domestic animal be removed and euthanized as provided in Section I may appeal the order by filing a written notice of appeal with the City Clerk within seven (7) days of the date of the order. The written appeal shall state the grounds of the appeal, including how the person proposes to keep the dangerous domestic animal in a manner that is in compliance with the standards set out in this Chapter, and how the person proposes to reduce the risk of harm that the dangerous domestic animal poses to the public.
2. Upon receiving a notice of appeal, a hearing shall be convened, chaired by the Chief of Police or designee, to receive any testimony or other evidence that is deemed appropriate concerning the euthanasia order.
3. When an appeal has been filed, the City shall make a reasonable effort to notify any persons who would have had direct involvement in the situation which led to the euthanasia order, including those persons who were injured or who are owners or keepers of any animals which were injured by the dangerous domestic animal.
4. The appeal shall be heard by a committee appointed by the City and consisting of a minimum of three (3) people, including a member of the public, an animal professional, and a City Officer or designee.
5. Following such hearing, the committee shall issue a written decision within ten (10) days from the date of the hearing, and may:
  - a. Uphold the decision of the Chief of Police or designee and order the dangerous animal to be destroyed; or
  - b. Modify or reverse the decision; after which the Chief of Police or designee shall take such action as is necessary to carry out the decision of the committee.
6. The decision of the committee and the reasons for it shall be summarized in writing and provided to the person who filed the appeal.

#### Appeal of Registration Requirement

1. Any person who receives an order from the Chief of Police or designee requiring that a dangerous domestic animal be registered as provided in section E may appeal the order by filing a written notice of the appeal to the City Clerk within seven (7) days of the date of the order. The written appeal shall state the grounds of the appeal.
2. Upon receiving a notice of appeal, a hearing shall be convened, chaired by the Chief of Police or designee, to receive any testimony or other evidence that is deemed appropriate concerning the registration requirement.
3. When an appeal has been filed, the City shall make a reasonable effort to notify any persons who would have had direct involvement in the situation which led to the registration requirement.

4. The appeal shall be heard by a committee appointed by the City and consisting of a minimum of three (3) people, including a member of the public, an animal professional, and a City Officer or designee.
5. Following such hearing, the committee shall issue a written decision within ten (10) days from the date of the hearing, and may:
  - a. Uphold the decision of the Chief of Police or designee and order the registration requirement to be complied with; or
  - b. Modify or reverse the decision; after which the Chief of Police or designee shall take such action as is necessary to carry out the decision of the committee.
6. The decision of the committee and the reasons for it shall be summarized in writing and provided to the person who filed the appeal.

K. LIFT OF REGISTRATION REQUIREMENTS

If any animal previously determined to be subject to a registration as a Dangerous Domestic Animal has not exhibited any of the behaviors specified under Section D for a period of thirty-six (36) months since the date of the registration, then that animal is eligible for a review of the determination with a potential for a hearing on removing the registration requirements. Application for such review shall be the responsibility of the owner and must be filed with the City Clerk. The review shall be completed by a committee appointed by the Chief of Police and consisting of a minimum of three (3) people, including a member of the public, an animal professional, and a City Officer or his/her designee.

L. REPORTING OF INCIDENTS REQUIRED

It shall be the duty of any person having knowledge of an incident in which any domestic animal has caused serious injury to a person or another domestic animal to report that incident within twenty-four (24) hours of its occurrence. Failure to do so is a violation punishable as a municipal infraction.

M. POLICE SERVICES DOGS EXEMPT

Police Service Dogs which are in active use by a Law Enforcement agency shall be exempt from the provisions of this Chapter.”

SECTION 2. WHEN EFFECTIVE. This amendment to the ordinance shall be in effect from and after its final passage, approval, and publication by law.

Passed by the Council the \_\_\_\_\_ day of \_\_\_\_\_ 2014,  
and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

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

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the  
\_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Signed



City Council  
Communication

Meeting Date: August 4, 2014

Requested By: Public Works Dept.

**Item Title:**

Consider an ordinance amending the City Code of the City of Oskaloosa, Iowa, by amending provisions pertaining to Section 10.48.030 - "Angle Parking" by allowing angle parking on a portion of North K Street - 2<sup>nd</sup> Reading.

**Explanation:**

The Public Works department is requesting to update the current code to reflect the 1107 A Avenue West Site Plan and their on-street parking improvements along the east side of North K Street. Presently there is a 50' long gravel area on the east side of North K Street, adjacent to the Great Expectations restaurant, which serves as on-street parking. The proposed site improvements to 1107 A Avenue West indicate a plan to convert this gravel area into a concrete surface in order to accommodate 4 angled on-street parking spaces on North K Street.

Staff recommends that the City Council approve amending Section 10.48.030 - "Angle Parking" to accommodate the site plan improvements at 1107 A Avenue West.

Note: If approved, then the following amendment will be added to Section 10.48.030 of the Oskaloosa Municipal Code:

10.48.030 - Angle Parking.

North K Street on the east side from 70 feet north of A Avenue West to 120 feet north of A Avenue West.

**Budget Consideration:**

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

**Attachments:**

Ordinance

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

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF  
OSKALOOSA, IOWA, BY AMENDING PROVISIONS PERTAINING TO  
SECTION 10.48.030 - "ANGLE PARKING" BY ALLOWING ANGLE PARKING  
ON A PORTION OF NORTH K STREET

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

SECTION 1: The Oskaloosa City Code Section 10.48.255 is amended by adding the following item:

- North K Street on the east side from 70 feet north of A Avenue West to 120 feet north of A Avenue West;

SECTION 2: 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 3: 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 \_\_\_\_\_, 2014, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

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

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Signed  
\_\_\_\_\_



City Council  
Communication  
Meeting Date: August 4, 2014  
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 4, 2014

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** - David Krutzfeldt

**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.

#### **Attachments :**

None.



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: City Council

**Item Title: CLOSED SESSION**

Consider holding a closed session under Iowa Code Section 21.5.1.c. to discuss strategy with counsel on matters presently in litigation or in which litigation is imminent where disclosure would be likely to prejudice or disadvantage the city's position.

**Explanation :**

The City Attorney would like to discuss matters with City Council that are currently in litigation or in which litigation is imminent, and possibly take open session action on a matter.

**Budget Consideration:**

None at this time.

**Attachments :**

None.



City Council  
Communication  
Meeting Date: August 4, 2014  
Requested By: CITY COUNCIL

**Item Title: OPEN SESSION ACTION**

Consider a motion approving a remediation agreement between the city of Oskaloosa and Russ Parker.

**Explanation:**

This item is reserved for the possibility that the City Council may consider approval of a remediation agreement with Russ Parker.

**Budget Consideration:**

Dependent upon the motion approved by the City Council.

**Attachments :**

None.