



**City of Oskaloosa  
City Council Meeting Regular Session  
Council Chambers  
City Hall, 220 S. Market Street  
Oskaloosa IA, 52577  
Agenda  
August 18, 2014**

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

**1. Invocation: Pastor Alvern G. Boetsma, Good News Chapel**

**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. August 4, 2014 Regular City Council Meeting Minutes2.  
August 18, 2014 Agenda

Documents: [CITY COUNCIL MINUTES AUGUST 4, 2014.DOC](#)

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

Any recommendations contained in minutes become effective only upon separate

Council action.

1. July 21, 2014 Water Board Minutes
2. August 11, 2014 Planning and Zoning Commission Minutes
3. August 12, 2014 Historic Preservation Commission Minutes

Documents: [07212014 WATER BOARD MINUTES.DOCX](#), [AUGUST PZ MINUTES W ATTMTS..PDF](#), [HPC 8-12-14.DOCX](#)

**C. Consider approval of an application for a Class C Liquor License with Sunday Sales for Davina VanHelten/Julie Clark dba The Klubhouse LLC, 607 High Avenue West.**

Who is submitting this City Clerk/Finance Department item.

Documents: [CITY COMM-THE KLUBHOUSE.DOCX](#)

**D. Consider a motion to receive and file financial reports for July 2014.**

Who is submitting this City Clerk/Finance Department item.

Documents: [CITY COMM-FINANCIAL REPORTS.DOC](#), [OSKALOOSA IA TREASURERS REPORT JULY 2014.PDF](#)

**E. 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 – 3rd reading.**

Who is submitting this City Manager Department item.

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

**F. 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 – 3rd Reading.**

Who is submitting this Public Works Director item.

Documents: [ITEM - ANGLE PARKING.DOCX](#), [ORDINANCE.DOC](#)

**G. Consider a resolution scheduling a public hearing on vacation and sale of 120' X 16.5' of the north-south alley and 56.5' X 16.5' of the east-west alley adjacent to 701 High Avenue West.**

Who is submitting this Public Works Director item.

Documents: [ITEM - 701 HIGH AVENUE WEST.DOCX](#), [RESN 701 HIGH AVENUE WEST.DOCX](#), [MAP 701 HIGH AVE W ALLEY VACATE.PDF](#),

PICTURES.PDF, APPLICATION 701 HIGH AVE W ALLEY VACATE .PDF,  
SURVEY RESPONSE POSTCARDS 701 HIGH AVE W.PDF

H. **Consider a resolution scheduling a public hearing on vacation and sale of 60' X 16.5' of the east-west alley adjacent to 701 2nd Avenue East.**

Who is submitting this item. Public Works Director

Documents: ITEM - 701 2ND AVENUE EAST.DOCX, RESN 701 2ND AVENUE EAST.DOCX, MAP 701 2ND AVE E ALLEY VACATE.PDF, PICTURES.PDF, APPLICATION 701 2ND AVE E ALLEY VACATE .PDF, SURVEY RESPONSE POSTCARDS.PDF

I. **Consider a resolution approving an increase in the percentage of tax increment rebated to Ironwood Partners, LLC for the Reserves at Ironwood project.**

Who is submitting this item. City Manager

Documents: 20140818 - REQUEST TO AMEND RESOLUTION OF CONDITIONAL SUPPORT FOR OPG SECTION 42.DOCX, 20140818 - OVERLAND PROPERTY SECTION 42 RESO AMENDMENT.DOC, 20140807\_TIF INCREASE REQUEST\_LETTER\_OSKALOOSA.PDF, 20140814 - 5S IRONWOOD LOCAL GOVERNMENT CONTRIBUTION.PDF

J. **Consider appointment to the Library Board.**

Who is submitting this item. City Manager Department

Documents: ITEM -LIBRARY BOARD APPOINTMENT.DOCX, LIBRARY BOARD APPLICATION.PDF

K. ----- **END OF CONSENT AGENDA** -----

6. **Regular Agenda**

Documents: AGENDA ITEM - REGULAR ACTION ITEMS.DOCX

A. **Consider revisions to a site plan for the property referred to as Tuscany Village located at 1510 Edmundson Drive.**

Who is submitting this item. Public Works Director

Documents: TUSCANY VILLAGE ITEM.DOCX, AMENDED SITE PLAN 8-4-14.PDF, SITE PLAN SEP 19 2011 COINCIL.PDF

B. **Consider an ordinance to vacate and sell of 120' X 16.5' of the north-south public alley adjacent to 211 North J Street – 2nd reading.**

Who is submitting this item. Public Works Director

Documents: EXPLANATION 211 NORTH J ST ALLEY VACATE.DOC, ORDINANCE NORTH J STREET.DOCX, MAP.PDF, PICTURES.PDF,

[APPLICATION.PDF](#), [SURVEY.PDF](#)

- C. **Consider an ordinance amending the city's natural gas franchise agreement with MidAmerican Energy Company, and increasing the existing gas 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. (PUBLIC HEARING)**

Who is submitting this City Manager  
item.

Documents: [20140818 PUBLIC HEARING FRANCHISE FEE NATURAL GAS.DOCX](#), [20140818 FRANCHISE FEE AMENDMENT NATURAL GAS.DOCX](#), [20140818 - REVENUE PURPOSE STATEMENT.DOCX](#)

- D. **Consider an ordinance amending the city's electric franchise agreement with MidAmerican Energy Company, and increasing the existing gas 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. (PUBLIC HEARING)**

Who is submitting this City Manager  
item.

Documents: [20140818 PUBLIC HEARING FRANCHISE FEE ELECTRIC.DOCX](#), [20140818 - FRANCHISE FEE AMENDMENT ELECTRIC.DOCX](#), [20140818 - REVENUE PURPOSE STATEMENT.DOCX](#)

- E. **Consider a resolution approving and adopting a revenue purpose statement for the use or expenditure of fee revenues from proposed natural gas and electricity franchise fees.**

Who is submitting this City Manager  
item.

Documents: [20140818 REVENUE PURPOSE STATEMENT FOR GAS AND ELECTRIC FRANCHISE FEE.DOCX](#), [20140818 - REVENUE PURPOSE STATEMENT EXPANSION.DOCX](#)

- F. **Consider a resolution calling a special city election for the purpose of issuing bonds not exceeding the amount of \$3,195,000 for purpose of reconstructing, enlarging, improving, equipping and furnishing Fire Station No. 1**

Who is submitting this City Manager  
item.

Documents: [20140818 BALLOT QUESTION TO FUND FIRE STATION NO. 1 PROJECT.DOCX](#), [20140818 - QUESTION TO VOTERS BONDS FOR FIRE STATION.DOC](#), [OSKALOOSA FD 4-20-14.PDF](#), [OSKALOOSA\\_PROPOSED\\_2015\\_FIRE\\_STATION\\_BONDS\\_08-13-2014.PDF](#)

- G. **Consider a resolution approving a motion to submit to the voters of the city of Oskaloosa, Iowa at public election the question of whether to discontinue the Oskaloosa Municipal**

## Water Board of Trustees

Who is submitting this Council Members Van Zetten and Jimenez item.

Documents: [20140818 MOTION TO HOLD ELECTION ON DISCONTINUING THE WATER BOARD OF TRUSTEES.DOCX](#), [20140818 - QUESTION TO VOTERS DISCONTINUE THE WATER BOARD OF TRUSTEES.DOC](#)

- H. **Consider a resolution determining an area of the city to be a blighted and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for urban renewal projects; and adopting Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan. (PUBLIC HEARING)**

Who is submitting this City Manager item.

Documents: [20140818 URBAN RENEWAL PLAN AMENDMENT PUBLIC HEARING.DOCX](#), [RESOLUTION - DETERMINING AREA OF CITY TO BE BLIGHTED CITY VERSION.DOCX](#), [EXHIBIT 1 - URBAN RENEWAL AREA PLAN AMENDMENT.DOCX](#)

- I. **Consider an ordinance amending ordinance nos. 576, 1064 and 1106, providing that general property taxes levied and collected each year on all property located within the amended Oskaloosa Urban Renewal Area, in the City of Oskaloosa, County of Mahaska, State of Iowa, by and for the benefit of the State of Iowa, City of Oskaloosa, County of Mahaska, Oskaloosa Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended Oskaloosa Urban Renewal Area (Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan)**

Who is submitting this City Manager item.

Documents: [20140818 ORDINANCE IMPLEMENTING COLLECTION OF TAX INCREMENT REVENUE.DOCX](#), [20140818 - ORDINANCE TO COLLECT TAX INCREMENT REVENUES IN OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL AREA.DOCX](#)

### 7. 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](#)

## 8. **City Council Information**

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

Documents: [AGENDA ITEM - INFORMATION FROM CITY COUNCIL.DOCX](#), [COUNCIL REPORT 0.PDF](#), [COUNCIL REPORT 1.PDF](#)

## 9. **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 18, 2014

Requested By: Mayor & City Council

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

1. Invocation: Pastor Alvern G. Boetsma, Good News Chapel
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 18, 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 approval of an application for a Class C Liquor License with Sunday Sales for Davina VanHelten/Julie Clark dba The Klubhouse LLC, 607 High Avenue West.**
  - No complaints received.
- Item D. Consider a motion to receive and file financial reports for July 2014.**
- Item E. Consider an ordinance amending Oskaloosa City Code Section 6.04.090 - Dangerous dogs and other dangerous animals - 3<sup>rd</sup> reading.**
- Item F. 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 - 3<sup>rd</sup> reading.**
- Item G. Consider a resolution scheduling a public hearing on vacation and sale of 120' X 16.5' of the north-south alley and 56.5' X 16.5' of the east-west alley adjacent to 701 High Avenue West.**
- Item H. Consider a resolution scheduling a public hearing on vacation and sale of 60' X 16.5' of the east-west alley adjacent to 701 2nd Avenue East.**
- Item I. Consider a resolution approving an increase in the percentage of tax increment rebated to Ironwood Partners, LLC for the Reserves at Ironwood project.**

**Item J. Consider appointment to the Library Board.**



## City Council Communication

Meeting Date: August 18, 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. August 4, 2014 City Council Regular Meeting Minutes
  - 2. August 18, 2014 Agenda
  
- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
  - 1. June 21, 2014 Water Board Minutes
  - 2. August 11, 2014 Planning and Zoning Commission Minutes
  - 3. August 12, 2014 Historic Preservation Commission Minutes

#### Budget Consideration:

Not applicable.

#### Attachments :

August 4, 2014 City Council Regular Meeting Minutes  
July 21, 2014 Water Board Minutes  
August 11, 2014 Planning and Zoning Commission Minutes  
August 12, 2014 Historic Preservation Commission Minutes

OSKALOOSA CITY COUNCIL  
REGULAR MEETING  
August 4, 2014

The Oskaloosa City Council met in regular session on Monday, August 4, 2014, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Ver Steeg and Walling. Absent: Van Zetten and Yates.

Hannah DeGeest, 816 Woodland Road, and Natalie Spray, 2660 205<sup>th</sup> Street, gave a quarterly update on Blue Zones.

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

1. July 21, 2014 City Council Regular Meeting Minutes
2. August 4, 2014 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commission:
  - a. June 18, 2014 Water Board Minutes
  - b. July 1, 2014 Airport Commission Minutes
  - c. July 22, 2014 Board of Adjustment Minutes
4. Claims for July 2014.
5. Application for a Class C Liquor License with Sunday Sales for Oskaloosa Entertainment Inc., dba Hot Shotz Bar & Grill, 507 High Avenue West.

The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

Caligiuri introduced Resolution No. 14-08-59 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR CITY CLEAN UP OF A PREMISES AND DIRECTING NOTICE TO THE OWNER TO BE ASSESSED" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-60 entitled "RESOLUTION SCHEDULING A TIME FOR HEARING FOR CONSIDERING THE MATTER OF LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR WEED CUTTING BY THE CITY IN ACCORDANCE WITH SECTION 8.20 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA, AND DIRECTING NOTICE TO THE OWNER OF THE PROPERTY TO BE ASSESSED" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-61 entitled "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" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-62 entitled "RESOLUTION APPROVING THE DISPOSAL OF SURPLUS CITY-OWNED EQUIPMENT" and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

It was moved by Caligiuri, seconded by Moore to authorize the Mayor to draft a letter of support for the High Avenue East housing project. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

The Mayor announced there are vacancies on the Building Code Board of Appeals, Library Board of Trustees (rural representative), Planning and Zoning Commission, Board of Adjustment and Water Board.

The Mayor announced this was the time and place for the public hearing on the vacation and sale of the north-south public alley adjacent to 211 North J Street and that citizens would now have an opportunity to comment. Terry Wolfswinkel, 211 North J, commented. There were no written comments received. The Mayor declared said hearing closed.

Ver Steeg introduced "AN ORDINANCE VACATING THE NORTH-SOUTH PUBLIC ALLEY ADJACENT TO 211 NORTH J STREET, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY" and moved its approval on the first reading. Caligiuri seconded the motion. The roll was called and the vote was:

AYES: Caligiuri, Moore and Ver Steeg

NAYS: Jimenez and Walling

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

The Mayor announced this was the time and place for the public hearing on the vacation and sale of the north-south alley adjacent to 1210 A Avenue East and that citizens would now have an opportunity to comment. Bill and Carrie Bainbridge, owners of CB Liquor, commented. There were no written comments received. The Mayor declared said hearing closed.

Action on an ordinance vacating the north-south public alley adjacent to 1210 A Avenue East died for lack of a motion.

The Mayor announced this was the time and place for the public hearing on levying a special assessment against private property for weed cutting and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Jimenez introduced Resolution No. 14-08-63 entitled "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" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

The Mayor announced this was the time and place for the public hearing on the plans, specifications, form of contract and estimated cost for the South 11<sup>th</sup> Street Pavement Rehabilitation Project and that citizens would now have an opportunity to comment. There were no oral or written comments received. The Mayor declared said hearing closed.

Caligiuri introduced Resolution No. 14-08-64 entitled "RESOLUTION TO APPROVE FINAL PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR THE SOUTH 11<sup>TH</sup> STREET PAVEMENT REHABILITATION PROJECT" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced Resolution No. 14-08-65 entitled "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" and moved its approval. Ver Steeg seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

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 second reading. Ver Steeg seconded the motion. The roll was called and the vote was:

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

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

Ver Steeg 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 second reading. Moore seconded the motion. The roll was called and the vote was:

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

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

It was moved by Caligiuri, seconded by Moore to hold a closed session under Iowa Code Section 21.5.1.c. to discuss strategy with counsel on a matter presently in litigation or in which litigation is imminent where disclosure would be likely to prejudice or disadvantage the city's position. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

Todd Roach, Hawkeye Real Estate, addressed City Council regarding the High Avenue East housing project.

City Council adjourned to closed session at 6:45 p.m. and reconvened in open session at 6:48 p.m.

It was moved by Caligiuri, seconded by Moore to approve a remediation agreement between the city of Oskaloosa and Russ Parker where upon satisfactory completion of the work in accordance with all other City ordinances City shall pay to Owner the sum of \$4,000 to reimburse Owner for costs of labor for remediation and for new trusses required. The roll was called and the vote was:

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

Whereupon the Mayor declared said motion approved.

It was moved by Moore, seconded by Jimenez that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 6:55 p.m.

---

David Krutzfeldt, Mayor

ATTEST:

---

Amy Miller, City Clerk

**OSKALOOSA WATER BOARD**  
**REGULAR MEETING**  
7/21/14

**Members Present:**

Joe Ryan  
Errin Keltner  
Jon Zobel

**Others Present:**

Chad Coon  
Crystal Breuklander  
Sheryl Tomlinson  
Trisha Ireland  
Jason Van Zetten

The Oath of Office was administered to Jon Zobel at the start of the meeting. One copy will be filed with OMWD minutes and the original will be sent to City Hall.

A motion was made by Jon Zobel to approve the amended agenda. The amendments include; Rate Study—Use IRWA expertise to study current rate structure and report on alternative options.—September 30, 2014

5 Year Projections—Evaluate proposed 5 year projections and identify ways of reducing projected 5% rate increase over each of the next 5 years.—November 30, 2014

- a. Compare results from last year's audit report with water departments of similar sizes in order to identify differences that lead to inquiries and further analysis that could lead to cost savings
  - a. Administrative Staffing
  - b. Incorporate results of rate study

Review the option of using City's website to host OWD webpage—August 31, 2014

Perform Study of reserve requirements and determine current need.—December 31, 2014

Amended items will be inserted after #10 Miscellaneous and before #11 Adjourn. Motion seconded by Joe Ryan. The motion carried with all members voting yes.

The next agenda item was the annual reorganization of the Board of Trustees. Motion by Joe Ryan to have Errin Keltner move to Chair, Joe Ryan move to Secretary, and Jon Zobel become Trustee. Motion seconded by Jon Zobel. Ayes all motion passed.

Minutes of the 6/18/14 regular meeting were read. A motion was made by Errin Keltner to approve the minutes. The motion was 2<sup>nd</sup> by Joe Ryan. The motion carried with Keltner and Ryan voting yes, while Zobel abstained as he was not a member of the Board at the time the meeting was held.

The attached vouchers totaling \$261,103.66 were presented for approval. A motion was made by Joe Ryan to approve the vouchers for payment. The motion was 2<sup>nd</sup> by Jon Zobel. The motion carried with all members voting yes. The Balance Statements were also reviewed. Motion by Errin Keltner and second by Joe Ryan to approve balance statements. The motion carried with all members voting yes.

1. The first item on the agenda was Customer Forum. There were no items presented.
2. The next agenda item was Discussion and Consideration of Bill Adjustment for 615 C Avenue East. This item was an extension of a Customer Forum issue in June. Chad presented information to the Board regarding the average bills for this residence and the high bill that was received in May due to a leak. Chad also informed that Board that an average amount would be \$135.14 for water alone at this address. That left an excess of \$3588.20. There was discussion by and between all members of the Board in regards to OMWD policy for high water bills and how to resolve the current issue. The discussion revolved around production costs, customer accountability, and extenuating circumstances. There was a motion by Joe Ryan to reduce the bill to the average amount of 29 units. The motion was seconded by Jon Zobel. Ayes all, motion passed. Further, Chad was instructed to check with other water utilities for how they handled different circumstances of bill forgiveness.
3. The next agenda item was Discussion and Consideration of Rate Structure for 1901 South Park Avenue. Chad discussed with the Board how the rate for 1901 South Park had become raised from inside city limits to outside city limits based on research for where city limits actually runs in relation to the property in question. Chad stated that this issue had actually induced an internal audit along city limits to determine how many other properties may have a similar set of circumstances. There was discussion between Board members and Jason Van Zetten, the property owner, in regards to this issue and the determination of where a “residence” actually starts and stops. One of the Board members asked about a legal view of the definition of residence for circumstances such as this. Jon Zobel stated that for OMWD policy, it could be considered that as long as any part of the property was inside city limits it would all be treated as if it was inside city limits. Motion by Zobel to rule that 1901 South Park is considered inside city limits. Seconded by Ryan. Vote was Zobel and Ryan aye, Keltner abstain until he could get more legal information. Mr. Keltner asked Chad to research the issue and come up with a policy that determines what is inside city limits and what is outside city limits.
4. General Manager’s Update was next on the agenda. Chad informed the Board that the City Council had decided to push back the start date for the 3<sup>rd</sup> Avenue East reconstruction project, and therefore decided to push up the start of a mill and overlay project on South 11<sup>th</sup> Street. He stated that the distribution crew has been busy

overhauling valves ahead of the South 11<sup>th</sup> Street project and hoped to be done with all of those valves soon. Chad also informed the Board that he would be attending a funding summit on August 26<sup>th</sup> in Ankeny to learn about the different sources of funding for capital projects that may impact OMWD in the future. The position of office manager was discussed. Chad stated that Crystal Breuklander had been named the interim office manager and that the temp worker was in place for the customer service position. Chad went through a couple of different scenarios with regard to staffing the office to ensure that OMWD customers continue to receive top-notch service and discussed how to proceed with regard to this position. He also touched on the budget for the upcoming year and talked about the drop that will be seen in the labor cost due to the retiring of two long time employees who were job shadowed by their replacements. He updated the Board on the rate study with Iowa Rural Water stating that he had an appointment with a staff member of IRWA scheduled for Thursday that would go over preliminary results. The date of the August Board meeting was discussed and determined to remain at the 11<sup>th</sup>. Chad stated that the agenda for that night would be a rather short one as he was going to be out of town on vacation for two weeks leading up to the meeting.

5. Miscellaneous was the next agenda item. Chad updated the Board on the two leaks that had happened in the last month. One on the 20" main on Lincoln that was installed in 2006/2007 and a subsequent leak on a 2" line just up the road on 210<sup>th</sup> Street. Jon then asked to discuss the lawsuit with the other Board members so that he could get a better understanding of what has happened previous to his arrival as a Board member. He stated that as his previous position as Board Chair for Planning & Zoning, he saw a variety of issues come before the P&Z Board that were a conflict of interest for some of the board members and that those board members (P&Z) would abstain from voting due to a personal gain. He stated that he thought OMWD Board member Keltner should have abstained from voting on allowing the OMWD Board to join in on the lawsuit against the Mayor and City Council. Errin then explained why the vote to join the lawsuit happened in the first place and a healthy discussion between Jon and Errin continued on the merits of the case for the next several minutes including the background that led up to the case and some of the facts that have sustained OMWD's arguments during the course of the lawsuit.
6. As the time had begun to run long and Joe needed to leave for another commitment, the next four agenda items that had been added to the amended agenda were lumped into one topic and briefly discussed before adjournment. With regard to the rate study, Chad stated that he had the upcoming appointment with IRWA staff and had also been working on a spreadsheet for water rates and would bring that information to a future meeting. As to the 5 Year Projections and identifying ways to reduce the projected 5% rate increase over the next five years. Joe stated that he had some

interns in his office who were comparing audit reports from various communities to try and determine similarities with OMWD and to see if there were obvious factors that OMWD should be looking at for savings. The next item that was touched on was reviewing the option of using the City's website to host OMWD's webpage. The intricacies of this were discussed also during the Miscellaneous agenda item as a matter of the lawsuit where Board member Keltner was talking about his reasons for not wanting an integrated site due to the legality of accepting payments and being responsible for all customer payment information and needing that information to stay private. Also, discussed was who should pay for what with regard to the website. There was discussion about the different laws behind accepting payments electronically and how those needed to be handled. Joe asked that the Board continue to gather information so that an educated decision could be reached. The last item to be discussed was the performing of a study of reserve requirements and determining the current need for reserves. Joe asked if this would be done in conjunction with the rate study with Iowa Rural Water and Chad stated that it was his presumption that the two could very easily be tied together. All three Board members stated that they wanted to ensure that OMWD stay on top of the budgets, water rates, and other issues that will be seen in upcoming months.

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

ATTEST

Meeting Adjourned 7:12 PM

---

Errin Keltner – Chairman

---

Joe Ryan – Secretary

CITY OF OSKALOOSA  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
August 11, 2014

A regularly-scheduled meeting of the Planning and Zoning (P&Z) Commission for the City of Oskaloosa was called to order at 4:35 p.m. on Monday, August 11, 2014, by Chairman Brian Booy, at 220 South Market Street, Oskaloosa, Iowa.

COMMISSION MEMBERS PRESENT: Chairman Brian Booy, Wyndell Campbell, Charlie Comfort and R. D. Keep. COMMISSION MEMBERS ABSENT: Holden Barnhart. CITY STAFF PRESENT: Akhilesh Pal, Wyatt Russell and Marilyn Johannes. OTHERS PRESENT: Frank and Linda Glandon, Robert Gatton, Marjorie Blom, and Mike Christenson.

Minutes from the July 14, 2014 Planning and Zoning Commission meeting.

It was moved by Comfort, seconded by Campbell to approve the July 14, 2014 Planning and Zoning Commission minutes. The vote was: YES – Booy, Campbell, Comfort and Keep. No – none. Motion carried.

Consider vacation and sale of 120' X 16.5' of the north-south alley and 56.5' X 16.5' of the east-west alley adjacent to 701 High Avenue West.

Pal explained this is an inverted L-shaped alley and the purpose for the request is to combine all parcels to construct a commercial building. Robert Gatton, 2402 Ridgeway, and Marjorie Blom, 714 A Avenue West, commented. It was noted the alley cannot be built on because of the need for utility easements. It was moved by Campbell, seconded by Keep to approve the vacation and sale of 120' X 16.5' of the north-south alley and 56.5' X 16.5' of the east-west alley adjacent to 701 High Avenue West with retention of easement rights for utilities. YES – Booy, Campbell, Comfort and Keep. No – None. Motion carried.

Consider vacation and sale of 60' X 16.5' of the east-west alley adjacent to 701 2<sup>nd</sup> Avenue East.

Frank and Linda Glandon, owners of 701 2<sup>nd</sup> Avenue East, and Mike Christenson, owner of rental property at 702 1<sup>st</sup> Avenue East, addressed the commission. Christenson had no objections to the vacation and sale of the alley if he can buy his half and still have access to the two car garage on the alley. Campbell and Keep expressed an interest in tabling the matter until Christenson could find out if half of the alley would give enough space to access his two car garage. Campbell moved to table but the motion died for lack of a second. Keep questioned why staff recommended to deny the alley vacate. Pal responded that the alley is needed for public use, restricts abutting property, and any new accessory structures will cause sight visibility. Keep disagreed with staff's reason to deny the alley vacate explaining the alley can be accessed from the east side on South 7<sup>th</sup> Street. It was moved by Keep, seconded by Comfort to approve vacation and sale of 60' X 16.5' of the east-west alley adjacent to 701 2<sup>nd</sup> Avenue East with retention of easement rights for utilities. YES – Booy, Comfort and Keep. No – Campbell. Motion carried.

Consider revisions to a site plan for the property referred to as Tuscany Village located at 1510 Edmundson Drive.

Brian Booy, owner of 1510 Edmundson Drive, addressed the commission regarding the reason for requesting revisions to his plans for the property. Booy said his engineer advised him to shift the

(northernmost) building to get proper easement needed for access to the private property behind this property which is also owned by Booy. Booy said legal advice led to new provisions in the site plan. Other changes include extending the sidewalks to the storage units to the property line to connect with park, the storage units lighting plan and driveway culvert material is now high density polyethylene instead of concrete. Pal noted that Council approved the change in the culvert material, and City Council added the stipulation that sidewalks be installed along the public street frontage. It was moved by Comfort, seconded by Campbell to approve the site plan revisions for Tuscany Village as submitted. Keep questioned the sidewalk requirement. Keep explained that sidewalks on Edmundson Drive and the new Water Department site go nowhere and therefore does not want sidewalks on this site. Pal responded that the City Council denied the request to waive the sidewalk on this site. Keep explained that this is an amendment to the site plan and hence would propose removing the sidewalk. Comfort amended his motion to include removal of the requirement for sidewalks on Edmundson Drive. Keep seconded. The vote was: YES – Campbell, Comfort and Keep. No – None. Abstain: Booy (He is the owner of 1510 Edmundson Drive.) Motion carried.

*Review the Oskaloosa Municipal Code to update the accessory building guidelines.*

Pal said this item is basically just for discussion. He presented recommended changes to the zoning ordinance regarding accessory buildings. Pal said the reason for the recommended changes is because a couple of garages exceeded the maximum height due to misunderstanding of the requirements and currently there is no limit on the number of accessory buildings allowed. Pal noted the attached documents that show the recommended changes and a chart with the requirements other cities have regarding accessory buildings. Keep wanted clarification that the structures are unattached structures, not attached garages for example. Russell said attached structures are under the same regulations as the main structure. Booy recommended adding maximum 12 foot eaves.

Chairman Booy adjourned the meeting at 5:58 p.m.

Attachments: Recommended accessory structure changes and chart of requirements of other cities.

Minutes by Marilyn Johannes



Wyatt Russell  
Building Official  
Wyatt.Russell@oskaloosaiowa.org  
City of Oskaloosa, Iowa  
Phone: 641.673.7472 Fax: 641.673.3733

DATE: August 8, 2014  
TO: Planning and Zoning Commission  
FROM: Public Works Department  
RE: Accessory Structures

Akhilesh,

Because of all the problems we're having with the height and size of accessory structures I'm recommending the following changes be made to the Zoning Ordinance.

#### CHAPTER 17.04 DEFINITIONS

##### 17.04.030 Definitions

"Height" means the vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or to the average height between eaves and the ridge for gable, hip, shed or gambrel roofs. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.

##### 17.24.030 Setback Adjustments

- 6.
- e. **Height.** In residential districts, the maximum height for a detached garage shall be ~~12~~ **18** feet. **For any other** accessory building the maximum height shall be 12 feet. Maximum height for a detached garage and/or other accessory building in an RR district shall be twenty feet.
  - g. **Maximum Size.** An accessory building which is not part of the main building A detached garage shall not **exceed 750 square feet.** occupy more than thirty percent of the rear yard and shall not exceed ~~twelve~~ **eighteen** feet in height; however, this regulation shall not be interpreted to prohibit the construction of a five hundred fifty square foot garage on a minimum rear yard. Other accessory structures shall not exceed 200 square feet in area and twelve feet in height.

g1. Number of Accessory Structures. Each property in a residential district shall be allowed one detached garage and one additional accessory structure.

Respectfully,  
Public Works Department

Accessory Building Survey			
City	Population	Max. Height	Max. size
Burlington	25,600	18'	6 car max.
Ottumwa	25,000	18'	1,200 sq.ft.
Muscatine	22,800	None	1,400 sq. ft. not to exceed 40% of the back yard area.
Clive	15,400	12'	3% of rear yard.
Altoona	14,500	14'	1000 sq. ft.
Waukee	13,800	14'	30% of rear yard
Boone	12,400	16'	None Listed
Spencer	11,300	None	800 sq. ft.
Fort Madison	11,000	15'	No max.
Keokuk	10,700	18'	Max. lot coverage
Pella	10,400	15'	40% of lot width X required rear yard.
Fairfield	9,400	15'	25% of rear yard
Mt. Pleasant	8,600	12'	No max.
Knoxville	7,300	12'	No max.

# CITY OF OSKALOOSA

## MINUTES OF THE HISTORIC PRESERVATION COMMISSION

August 12, 2014

The meeting of the Historic Preservation Commission for the City of Oskaloosa was called to order at 12:04 pm Tuesday, August 12, 2014, at the City Hall Conference Room located at 220 South Market Street, Oskaloosa, Iowa.

COMMISSION MEMBERS PRESENT: Jeff Sisul, Janel Campbell, Wanda Gardner, Kerr Boender, Margaret Ademeit. COMMISSION MEMBERS ABSENT: Julie Hansen, Jo Broerman.

CITY STAFF PRESENT: Building Official: Wyatt Russell. PUBLIC PRESENT: NONE

Minutes from the April 23, 2014 Sisul moved that the minutes be approved from the April, 23, 2014 meeting. Ademeit seconded. Vote: YES: Sisul, Ademeit, Boender, Campbell, Gardner. No: NONE. Absent: Hansen, Broerman. Motion Carried.

### **Consider approval of signage and color façade at 121 North Market Street.**

The Commission discussed the fact that the colors that are on the building do not match what was approved by the Commission, and therefor is in violation. The Commission addressed the issue of the existing awning, both the fact of the color being wrong and that the awning is not in favor of the historical guidelines based on the fact that it is a “bullnose” awning. The Commission did not agree on the color being put on the awning. The commission also wanted to see what “Wagner Modern” Font looked like.

A motion was made by Ademeit to have the new restaurant managers submit a new plan with an example of “Wagner Modern” Font in upper case with the correct wording, the motion also includes that the Commission would like the lettering to be “Black” in color. Boender seconded the motion. VOTE: YES: Ademeit NO: Sisul, Boender, Campbell, Gardner. ABSENT: Hansen, Broerman. Motion Failed

A new motion by Jeff Sisul wanting the new restaurant managers to submit a new sign design that did not include the use of the awning in question, and to resort to the Design Guidelines for the City Square Commercial Historic District for acceptable signs. Gardner seconded the motion. VOTE: YES: Sisul, Ademeit, Boender, Campbell, Gardner. NO: NONE ABSENT: Hansen, Broerman Motion Carried. MISCELLANEOUS BUSINESS ITEM Letter from the Iowa DOT regarding the US 63 Oskaloosa Bypass. Staff explained that the letter was address to the Commission trying to solicit comments from the Commission regarding the proposed US 63 Bypass. After the Commission reviewed the letter and the enclosed map, the Commission decided to take no action based on the fact that it does not affect the downtown area of Oskaloosa, which is where the Historic District lines are at. A motion was made by Ademeit to adjourn the meeting. It was seconded by Gardner. VOTE: YES: Sisul, Ademeit, Boender, Campbell, Gardner. NO: None. ABSENT: Hansen, Broerman. Motion Carried. Meeting adjourned at 12:40 pm.

Minutes by Wyatt Russell



City Council  
Communication  
Meeting Date: August 18, 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 Davina VanHelten/Julie Clark dba The Klubhouse LLC, 607 High Avenue West.

**Explanation :**

The application is pending dram shop.

Staff recommends approval.

**Budget Consideration:**

\$422.50 revenue to the General Fund

**Attachments :**

None



City Council  
Communication  
Meeting Date: August 18, 2014  
Requested By: City Clerk/Finance

**Item Title: CONSENT AGENDA**

Consider a motion to receive and file financial reports for July 2014.

**Explanation:**

The financial reports for July 2014 are included in your agenda packets. The target percentage for expenses this month is 8.33% except for the seasonal or once-a-year purchases.

The following two funds contain a negative fund balance for July 2014.

- General Fund Insurance - Insurance invoices are paid in the first few months of the fiscal year. September 2014 tax receipts received in October and March 2015 tax receipts received in April will help to clear up this negative fund balance.
- General Fund Band - Band payroll is paid during the summer months and the September 2014 tax receipts received in October will clear up this negative fund balance.

**Budget Consideration:**

None

**Attachments :**

July 2014 Financial Reports



City of Oskaloosa, IA

# City of Oskaloosa, IA Treasurer's Report

## July 1 - 31, 2014

Fund	Beginning Cash Balance	Revenue (+)	Expenses (-)	Change in Pending Payables	Change in Investments	Ending Cash Balance
001: GENERAL FUND	2,156,396.59	93,130.46	608,046.77	72,111.50	(494,908.04)	1,713,591.78
002: GENERAL FUND INSURANCE FUND	7,678.87	836.91	68,015.00	7,083.00	(7,001.36)	(52,416.22)
003: GENERAL FUND CAPITAL EQUIPMENT	201,883.68	20.77	0.00	0.00	20.77	201,904.45
004: LIBRARY COPIER REVOLVING FUND	6,963.87	561.55	421.25	381.25	1.15	7,485.42
005: GENERAL FUND BAND	2,837.11	108.88	7,646.63	3,252.16	0.00	(4,285.59)
006: GENERAL FUND - LOST	1,123,890.83	191.55	52,191.56	0.00	(51,808.45)	1,071,890.82
007: GENERAL FUND - UTILITY FRANCHISE FEES	435,828.00	98,416.87	0.00	(98,416.87)	0.00	534,244.87
110: ROAD USE TAX FUND	664,131.98	88,963.55	315,739.64	55,822.64	(171,080.45)	493,178.53
112: EMPLOYEE BENEFIT FUND	150,678.86	7,006.72	0.00	0.00	7,026.62	157,685.58
119: EMERGENCY FUND	0.00	173.00	173.00	0.00	0.00	0.00
121: LOCAL OPTION SALES TAX FUND	0.00	82,725.35	82,725.35	0.00	0.00	0.00
122: HOTEL/MOTEL TAX REVENUE FUND	0.00	0.00	0.00	0.00	0.00	0.00
127: WEST AREA & IND. PARK TIF	290.26	203.78	0.00	0.00	0.05	494.04
130: WORLD FOOD PARK TIF FUND	886.20	641.84	0.00	0.00	1,000.20	1,528.04
138: HOUSING DONATED FUNDS	34,740.74	0.00	0.00	0.00	0.00	34,740.74
140: HOUSING FUND	218,575.08	4,370.82	10,152.95	0.00	(3,962.04)	212,792.95
144: GRANT & LINCOLN SCHOOL DEVELOPME	21,328.11	0.00	0.00	0.00	0.00	21,328.11
165: RIEFE MEMORIAL FUND	27,905.53	4.43	0.00	0.00	4.43	27,909.96
167: LIBRARY MEMORIAL FUND	534,773.77	1,273.49	6,342.86	772.99	(3,107.63)	530,477.39
169: MISCELLANEOUS GIFT FUND	32,961.65	374.77	1,400.67	1,082.96	2.77	33,018.71
172: WOODEN PLAYGROUND MAINT FUND	3,276.08	0.46	0.00	0.00	0.46	3,276.54
177: POLICE FORFEITURE FUND	4,475.01	0.19	3,500.00	0.00	(2,999.81)	975.20
178: LIBRARY MAINTENANCE FUND	1,179,518.35	4,557.72	7,520.66	1,909.57	32,557.72	1,178,464.98
180: MISCELLANEOUS GRANTS FUND	22,431.17	3.80	5,799.95	5,000.00	(996.20)	21,635.02
199: WFP RISE PAYMENT FUND	16,216.00	0.00	16,216.00	0.00	0.00	0.00
200: DEBT SERVICE FUND	138,038.61	5,441.09	0.00	0.00	5,015.89	143,479.70
301: PARK SHELTER CAPITAL IMPROVEMENT	16,543.23	537.71	179.34	60.87	2.71	16,962.47
302: CITY HALL IMPROVEMENTS	13,338.51	2.13	7.87	0.00	2.13	13,332.77
325: PAVEMENT MANAGEMENT	0.00	52,191.56	52,191.56	0.00	0.00	0.00
326: SIDEWALK IMPROVEMENTS PROJECT	13,533.84	1.87	0.00	0.00	1.87	13,535.71
328: PARKING LOT IMPROVEMENTS PHASE II	42,674.95	7.25	0.00	0.00	7.25	42,682.20
600: WATER O&M FUND	1,085,605.97	0.00	0.00	0.00	0.00	1,085,605.97
601: WATER CONSUMER DEPOSIT FUND	87,005.00	0.00	0.00	0.00	0.00	87,005.00
603: WATER SINKING FUND	34,907.92	0.00	0.00	0.00	0.00	34,907.92
604: WATER RESERVE FUND	104,812.96	0.00	0.00	0.00	0.00	104,812.96

<b>Fund</b>	<b>Beginning Cash Balance</b>	<b>Revenue (+)</b>	<b>Expenses (-)</b>	<b>Change in Pending Payables</b>	<b>Change in Investments</b>	<b>Ending Cash Balance</b>
610: SANITARY SEWER O&M FUND	0.00	108,077.00	123,541.26	76,597.58	0.00	61,133.32
611: SANITARY SEWER REVENUE FUND	1,585,043.79	140,867.40	149,248.00	(118.95)	51,239.97	1,576,544.24
612: SANITARY SEWER SINKING FUND	0.00	40,221.00	0.00	0.00	40,000.00	40,221.00
614: SANITARY SEWER IMPROVEMENT FUND	85,414.89	950.00	0.00	0.00	1,000.00	86,364.89
618: IDOT SEWER EXTENSION PROJECT	45,075.48	0.00	1,149.44	1,149.44	0.00	43,926.04
660: AIRPORT FUND	311,597.94	2,670.18	64,343.14	7,279.31	(54,956.27)	257,204.29
740: STORM WATER UTILITY FUND	685,603.25	16,791.37	5,231.96	1,550.37	13,086.49	698,713.03
750: EDMUNDSON GOLF COURSE FUND	63,131.26	10.59	854.48	340.11	10.59	62,627.48
760: RACI MAIN STREET LOAN FUND	17,415.36	1.94	0.00	0.00	1.94	17,417.30
810: COPIER/FAX REVOLVING FUND	5,686.42	719.23	1,257.29	482.05	4,000.31	5,630.41
820: EMPLOYEE HEALTH SELF-INSURANCE	937,650.51	55,089.41	134,767.86	0.00	(79,381.07)	857,972.06
830: EMPLOYEE FLEX PLAN FUND	4,232.09	3,111.00	5,545.12	0.00	(1,999.14)	1,797.97



# REVENUE REPORT

## Account Detail

For Fiscal: 2014-2015 Period Ending: 07/31/2014

ObjectCa...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 001 - GENERAL FUND</b>					
41 - TAXES	-2,695,578.00	-17,753.33	-17,753.33	-2,677,824.67	0.66 %
42 - LICENSES AND PERMITS	-222,650.00	-43,010.50	-43,010.50	-179,639.50	19.32 %
43 - USE OF MONEY & PROPERTY	-5,600.00	-325.21	-325.21	-5,274.79	5.81 %
44 - INTERGOVERNMENTAL	-271,312.00	0.00	0.00	-271,312.00	0.00 %
45 - CHARGES FOR SERVICES	-133,050.00	-12,044.95	-12,044.95	-121,005.05	9.05 %
47 - MISCELLANEOUS REVENUES	-60,550.00	-18,408.10	-18,408.10	-42,141.90	30.40 %
48 - OTHER FINANCING SOURCES	-1,257,860.00	-1,588.37	-1,588.37	-1,256,271.63	0.13 %
<b>Fund 001 Total:</b>	<b>-4,646,600.00</b>	<b>-93,130.46</b>	<b>-93,130.46</b>	<b>-4,553,469.54</b>	<b>2.00 %</b>
<b>Fund: 002 - GENERAL FUND INSURANCE FUND</b>					
41 - TAXES	-103,281.00	-836.53	-836.53	-102,444.47	0.81 %
43 - USE OF MONEY & PROPERTY	0.00	-0.38	-0.38	0.38	
<b>Fund 002 Total:</b>	<b>-103,281.00</b>	<b>-836.91</b>	<b>-836.91</b>	<b>-102,444.09</b>	<b>0.81 %</b>
<b>Fund: 003 - GENERAL FUND CAPITAL EQUIPMENT</b>					
43 - USE OF MONEY & PROPERTY	-350.00	-20.77	-20.77	-329.23	5.93 %
<b>Fund 003 Total:</b>	<b>-350.00</b>	<b>-20.77</b>	<b>-20.77</b>	<b>-329.23</b>	<b>5.93 %</b>
<b>Fund: 004 - LIBRARY COPIER REVOLVING FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-1.15	-1.15	1.15	
47 - MISCELLANEOUS REVENUES	-6,500.00	-560.40	-560.40	-5,939.60	8.62 %
<b>Fund 004 Total:</b>	<b>-6,500.00</b>	<b>-561.55</b>	<b>-561.55</b>	<b>-5,938.45</b>	<b>8.64 %</b>
<b>Fund: 005 - GENERAL FUND BAND</b>					
41 - TAXES	-20,424.00	-108.85	-108.85	-20,315.15	0.53 %
43 - USE OF MONEY & PROPERTY	0.00	-0.03	-0.03	0.03	
<b>Fund 005 Total:</b>	<b>-20,424.00</b>	<b>-108.88</b>	<b>-108.88</b>	<b>-20,315.12</b>	<b>0.53 %</b>
<b>Fund: 006 - GENERAL FUND - LOST</b>					
43 - USE OF MONEY & PROPERTY	-1,200.00	-191.55	-191.55	-1,008.45	15.96 %
47 - MISCELLANEOUS REVENUES	-820,406.00	0.00	0.00	-820,406.00	0.00 %
<b>Fund 006 Total:</b>	<b>-821,606.00</b>	<b>-191.55</b>	<b>-191.55</b>	<b>-821,414.45</b>	<b>0.02 %</b>
<b>Fund: 007 - GENERAL FUND - UTILITY FRANCHISE FEES</b>					
42 - LICENSES AND PERMITS	-396,024.00	-98,338.02	-98,338.02	-297,685.98	24.83 %
43 - USE OF MONEY & PROPERTY	0.00	-78.85	-78.85	78.85	
<b>Fund 007 Total:</b>	<b>-396,024.00</b>	<b>-98,416.87</b>	<b>-98,416.87</b>	<b>-297,607.13</b>	<b>24.85 %</b>
<b>Fund: 110 - ROAD USE TAX FUND</b>					
44 - INTERGOVERNMENTAL	-1,123,688.00	-88,919.55	-88,919.55	-1,034,768.45	7.91 %
45 - CHARGES FOR SERVICES	0.00	-44.00	-44.00	44.00	
<b>Fund 110 Total:</b>	<b>-1,123,688.00</b>	<b>-88,963.55</b>	<b>-88,963.55</b>	<b>-1,034,724.45</b>	<b>7.92 %</b>
<b>Fund: 112 - EMPLOYEE BENEFIT FUND</b>					
41 - TAXES	-1,015,627.00	-6,980.10	-6,980.10	-1,008,646.90	0.69 %
43 - USE OF MONEY & PROPERTY	0.00	-26.62	-26.62	26.62	
44 - INTERGOVERNMENTAL	-19,876.00	0.00	0.00	-19,876.00	0.00 %
<b>Fund 112 Total:</b>	<b>-1,035,503.00</b>	<b>-7,006.72</b>	<b>-7,006.72</b>	<b>-1,028,496.28</b>	<b>0.68 %</b>
<b>Fund: 119 - EMERGENCY FUND</b>					
41 - TAXES	-89,683.00	-173.00	-173.00	-89,510.00	0.19 %
<b>Fund 119 Total:</b>	<b>-89,683.00</b>	<b>-173.00</b>	<b>-173.00</b>	<b>-89,510.00</b>	<b>0.19 %</b>
<b>Fund: 121 - LOCAL OPTION SALES TAX FUND</b>					
41 - TAXES	-994,248.00	-82,725.35	-82,725.35	-911,522.65	8.32 %
<b>Fund 121 Total:</b>	<b>-994,248.00</b>	<b>-82,725.35</b>	<b>-82,725.35</b>	<b>-911,522.65</b>	<b>8.32 %</b>
<b>Fund: 122 - HOTEL/MOTEL TAX REVENUE FUND</b>					
41 - TAXES	-115,000.00	0.00	0.00	-115,000.00	0.00 %
<b>Fund 122 Total:</b>	<b>-115,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-115,000.00</b>	<b>0.00 %</b>

REVENUE REPORT

For Fiscal: 2014-2015 Period Ending: 07/31/2014

ObjectCa...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 127 - WEST AREA &amp; IND. PARK TIF</b>					
41 - TAXES	-29,677.00	-203.73	-203.73	-29,473.27	0.69 %
43 - USE OF MONEY & PROPERTY	0.00	-0.05	-0.05	0.05	
<b>Fund 127 Total:</b>	<b>-29,677.00</b>	<b>-203.78</b>	<b>-203.78</b>	<b>-29,473.22</b>	<b>0.69 %</b>
<b>Fund: 130 - WORLD FOOD PARK TIF FUND</b>					
41 - TAXES	-92,647.00	-641.64	-641.64	-92,005.36	0.69 %
43 - USE OF MONEY & PROPERTY	0.00	-0.20	-0.20	0.20	
<b>Fund 130 Total:</b>	<b>-92,647.00</b>	<b>-641.84</b>	<b>-641.84</b>	<b>-92,005.16</b>	<b>0.69 %</b>
<b>Fund: 140 - HOUSING FUND</b>					
43 - USE OF MONEY & PROPERTY	-550.00	-37.96	-37.96	-512.04	6.90 %
45 - CHARGES FOR SERVICES	-2,100.00	-225.00	-225.00	-1,875.00	10.71 %
47 - MISCELLANEOUS REVENUES	-39,000.00	-4,107.86	-4,107.86	-34,892.14	10.53 %
<b>Fund 140 Total:</b>	<b>-41,650.00</b>	<b>-4,370.82</b>	<b>-4,370.82</b>	<b>-37,279.18</b>	<b>10.49 %</b>
<b>Fund: 165 - RIEFE MEMORIAL FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-4.43	-4.43	4.43	
<b>Fund 165 Total:</b>	<b>0.00</b>	<b>-4.43</b>	<b>-4.43</b>	<b>4.43</b>	
<b>Fund: 167 - LIBRARY MEMORIAL FUND</b>					
43 - USE OF MONEY & PROPERTY	-12,260.00	-892.37	-892.37	-11,367.63	7.28 %
47 - MISCELLANEOUS REVENUES	-38,500.00	-88.03	-88.03	-38,411.97	0.23 %
48 - OTHER FINANCING SOURCES	0.00	-293.09	-293.09	293.09	
<b>Fund 167 Total:</b>	<b>-50,760.00</b>	<b>-1,273.49</b>	<b>-1,273.49</b>	<b>-49,486.51</b>	<b>2.51 %</b>
<b>Fund: 169 - MISCELLANEOUS GIFT FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-2.77	-2.77	2.77	
47 - MISCELLANEOUS REVENUES	0.00	-372.00	-372.00	372.00	
<b>Fund 169 Total:</b>	<b>0.00</b>	<b>-374.77</b>	<b>-374.77</b>	<b>374.77</b>	
<b>Fund: 172 - WOODEN PLAYGROUND MAINT FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-0.46	-0.46	0.46	
<b>Fund 172 Total:</b>	<b>0.00</b>	<b>-0.46</b>	<b>-0.46</b>	<b>0.46</b>	
<b>Fund: 177 - POLICE FORFEITURE FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-0.19	-0.19	0.19	
<b>Fund 177 Total:</b>	<b>0.00</b>	<b>-0.19</b>	<b>-0.19</b>	<b>0.19</b>	
<b>Fund: 178 - LIBRARY MAINTENANCE FUND</b>					
43 - USE OF MONEY & PROPERTY	-40,000.00	-4,557.72	-4,557.72	-35,442.28	11.39 %
<b>Fund 178 Total:</b>	<b>-40,000.00</b>	<b>-4,557.72</b>	<b>-4,557.72</b>	<b>-35,442.28</b>	<b>11.39 %</b>
<b>Fund: 180 - MISCELLANEOUS GRANTS FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-3.80	-3.80	3.80	
<b>Fund 180 Total:</b>	<b>0.00</b>	<b>-3.80</b>	<b>-3.80</b>	<b>3.80</b>	
<b>Fund: 181 - BROWNFIELD SITES ASSESSMENT GRANT FUND</b>					
44 - INTERGOVERNMENTAL	-400,000.00	0.00	0.00	-400,000.00	0.00 %
<b>Fund 181 Total:</b>	<b>-400,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-400,000.00</b>	<b>0.00 %</b>
<b>Fund: 199 - WFP RISE PAYMENT FUND</b>					
47 - MISCELLANEOUS REVENUES	-16,216.00	0.00	0.00	-16,216.00	0.00 %
<b>Fund 199 Total:</b>	<b>-16,216.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-16,216.00</b>	<b>0.00 %</b>
<b>Fund: 200 - DEBT SERVICE FUND</b>					
41 - TAXES	-691,389.00	-4,884.20	-4,884.20	-686,504.80	0.71 %
43 - USE OF MONEY & PROPERTY	-900.00	-15.89	-15.89	-884.11	1.77 %
44 - INTERGOVERNMENTAL	-13,787.00	0.00	0.00	-13,787.00	0.00 %
46 - SPECIAL ASSESSMENTS	0.00	-541.00	-541.00	541.00	
48 - OTHER FINANCING SOURCES	-123,081.00	0.00	0.00	-123,081.00	0.00 %
<b>Fund 200 Total:</b>	<b>-829,157.00</b>	<b>-5,441.09</b>	<b>-5,441.09</b>	<b>-823,715.91</b>	<b>0.66 %</b>
<b>Fund: 301 - PARK SHELTER CAPITAL IMPROVEMENT</b>					
43 - USE OF MONEY & PROPERTY	-3,700.00	-537.71	-537.71	-3,162.29	14.53 %
<b>Fund 301 Total:</b>	<b>-3,700.00</b>	<b>-537.71</b>	<b>-537.71</b>	<b>-3,162.29</b>	<b>14.53 %</b>
<b>Fund: 302 - CITY HALL IMPROVEMENTS</b>					
43 - USE OF MONEY & PROPERTY	0.00	-2.13	-2.13	2.13	

REVENUE REPORT

For Fiscal: 2014-2015 Period Ending: 07/31/2014

ObjectCa...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 302 - CITY HALL IMPROVEMENTS</b>					
48 - OTHER FINANCING SOURCES	-2,000.00	0.00	0.00	-2,000.00	0.00 %
<b>Fund 302 Total:</b>	<b>-2,000.00</b>	<b>-2.13</b>	<b>-2.13</b>	<b>-1,997.87</b>	<b>0.11 %</b>
<b>Fund: 322 - BURLINGTON ROAD RECONSTRUCTION FUND</b>					
44 - INTERGOVERNMENTAL	-148,000.00	0.00	0.00	-148,000.00	0.00 %
48 - OTHER FINANCING SOURCES	-37,000.00	0.00	0.00	-37,000.00	0.00 %
<b>Fund 322 Total:</b>	<b>-185,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-185,000.00</b>	<b>0.00 %</b>
<b>Fund: 325 - PAVEMENT MANAGEMENT</b>					
48 - OTHER FINANCING SOURCES	-1,740,175.00	-52,191.56	-52,191.56	-1,687,983.44	3.00 %
<b>Fund 325 Total:</b>	<b>-1,740,175.00</b>	<b>-52,191.56</b>	<b>-52,191.56</b>	<b>-1,687,983.44</b>	<b>3.00 %</b>
<b>Fund: 326 - SIDEWALK IMPROVEMENTS PROJECT</b>					
43 - USE OF MONEY & PROPERTY	0.00	-1.87	-1.87	1.87	
44 - INTERGOVERNMENTAL	-185,600.00	0.00	0.00	-185,600.00	0.00 %
48 - OTHER FINANCING SOURCES	-124,400.00	0.00	0.00	-124,400.00	0.00 %
<b>Fund 326 Total:</b>	<b>-310,000.00</b>	<b>-1.87</b>	<b>-1.87</b>	<b>-309,998.13</b>	<b>0.00 %</b>
<b>Fund: 328 - PARKING LOT IMPROVEMENTS PHASE II</b>					
43 - USE OF MONEY & PROPERTY	0.00	-7.25	-7.25	7.25	
<b>Fund 328 Total:</b>	<b>0.00</b>	<b>-7.25</b>	<b>-7.25</b>	<b>7.25</b>	
<b>Fund: 343 - 2015 GO BOND FUND</b>					
48 - OTHER FINANCING SOURCES	-3,000,000.00	0.00	0.00	-3,000,000.00	0.00 %
<b>Fund 343 Total:</b>	<b>-3,000,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-3,000,000.00</b>	<b>0.00 %</b>
<b>Fund: 600 - WATER O&amp;M FUND</b>					
43 - USE OF MONEY & PROPERTY	-20,660.00	0.00	0.00	-20,660.00	0.00 %
45 - CHARGES FOR SERVICES	-2,225,542.00	0.00	0.00	-2,225,542.00	0.00 %
47 - MISCELLANEOUS REVENUES	-4,800.00	0.00	0.00	-4,800.00	0.00 %
<b>Fund 600 Total:</b>	<b>-2,251,002.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-2,251,002.00</b>	<b>0.00 %</b>
<b>Fund: 603 - WATER SINKING FUND</b>					
48 - OTHER FINANCING SOURCES	-418,882.00	0.00	0.00	-418,882.00	0.00 %
<b>Fund 603 Total:</b>	<b>-418,882.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-418,882.00</b>	<b>0.00 %</b>
<b>Fund: 604 - WATER RESERVE FUND</b>					
48 - OTHER FINANCING SOURCES	-36,000.00	0.00	0.00	-36,000.00	0.00 %
<b>Fund 604 Total:</b>	<b>-36,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-36,000.00</b>	<b>0.00 %</b>
<b>Fund: 610 - SANITARY SEWER O&amp;M FUND</b>					
48 - OTHER FINANCING SOURCES	-1,296,891.00	-108,077.00	-108,077.00	-1,188,814.00	8.33 %
<b>Fund 610 Total:</b>	<b>-1,296,891.00</b>	<b>-108,077.00</b>	<b>-108,077.00</b>	<b>-1,188,814.00</b>	<b>8.33 %</b>
<b>Fund: 611 - SANITARY SEWER REVENUE FUND</b>					
43 - USE OF MONEY & PROPERTY	-3,000.00	-239.97	-239.97	-2,760.03	8.00 %
45 - CHARGES FOR SERVICES	-1,778,300.00	-135,658.48	-135,658.48	-1,642,641.52	7.63 %
46 - SPECIAL ASSESSMENTS	0.00	-1,781.00	-1,781.00	1,781.00	
47 - MISCELLANEOUS REVENUES	0.00	-3,187.95	-3,187.95	3,187.95	
<b>Fund 611 Total:</b>	<b>-1,781,300.00</b>	<b>-140,867.40</b>	<b>-140,867.40</b>	<b>-1,640,432.60</b>	<b>7.91 %</b>
<b>Fund: 612 - SANITARY SEWER SINKING FUND</b>					
48 - OTHER FINANCING SOURCES	-482,575.00	-40,221.00	-40,221.00	-442,354.00	8.33 %
<b>Fund 612 Total:</b>	<b>-482,575.00</b>	<b>-40,221.00</b>	<b>-40,221.00</b>	<b>-442,354.00</b>	<b>8.33 %</b>
<b>Fund: 614 - SANITARY SEWER IMPROVEMENT FUND</b>					
48 - OTHER FINANCING SOURCES	-11,400.00	-950.00	-950.00	-10,450.00	8.33 %
<b>Fund 614 Total:</b>	<b>-11,400.00</b>	<b>-950.00</b>	<b>-950.00</b>	<b>-10,450.00</b>	<b>8.33 %</b>
<b>Fund: 660 - AIRPORT FUND</b>					
43 - USE OF MONEY & PROPERTY	-206,532.00	-44.73	-44.73	-206,487.27	0.02 %
47 - MISCELLANEOUS REVENUES	-7,200.00	-2,625.45	-2,625.45	-4,574.55	36.46 %
<b>Fund 660 Total:</b>	<b>-213,732.00</b>	<b>-2,670.18</b>	<b>-2,670.18</b>	<b>-211,061.82</b>	<b>1.25 %</b>
<b>Fund: 740 - STORM WATER UTILITY FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-86.49	-86.49	86.49	
45 - CHARGES FOR SERVICES	-225,000.00	-16,704.88	-16,704.88	-208,295.12	7.42 %
<b>Fund 740 Total:</b>	<b>-225,000.00</b>	<b>-16,791.37</b>	<b>-16,791.37</b>	<b>-208,208.63</b>	<b>7.46 %</b>

## REVENUE REPORT

For Fiscal: 2014-2015 Period Ending: 07/31/2014

ObjectCa...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 750 - EDMUNDSON GOLF COURSE FUND</b>					
43 - USE OF MONEY & PROPERTY	-8,500.00	-10.59	-10.59	-8,489.41	0.12 %
47 - MISCELLANEOUS REVENUES	-300.00	0.00	0.00	-300.00	0.00 %
<b>Fund 750 Total:</b>	<b>-8,800.00</b>	<b>-10.59</b>	<b>-10.59</b>	<b>-8,789.41</b>	<b>0.12 %</b>
<b>Fund: 760 - RACI MAIN STREET LOAN FUND</b>					
43 - USE OF MONEY & PROPERTY	-485.00	-1.94	-1.94	-483.06	0.40 %
47 - MISCELLANEOUS REVENUES	-1,490.00	0.00	0.00	-1,490.00	0.00 %
<b>Fund 760 Total:</b>	<b>-1,975.00</b>	<b>-1.94</b>	<b>-1.94</b>	<b>-1,973.06</b>	<b>0.10 %</b>
<b>Fund: 810 - COPIER/FAX REVOLVING FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-0.31	-0.31	0.31	
47 - MISCELLANEOUS REVENUES	0.00	-718.92	-718.92	718.92	
<b>Fund 810 Total:</b>	<b>0.00</b>	<b>-719.23</b>	<b>-719.23</b>	<b>719.23</b>	
<b>Fund: 820 - EMPLOYEE HEALTH SELF-INSURANCE</b>					
43 - USE OF MONEY & PROPERTY	0.00	-118.93	-118.93	118.93	
47 - MISCELLANEOUS REVENUES	0.00	-54,970.48	-54,970.48	54,970.48	
<b>Fund 820 Total:</b>	<b>0.00</b>	<b>-55,089.41</b>	<b>-55,089.41</b>	<b>55,089.41</b>	
<b>Fund: 830 - EMPLOYEE FLEX PLAN FUND</b>					
43 - USE OF MONEY & PROPERTY	0.00	-0.86	-0.86	0.86	
45 - CHARGES FOR SERVICES	0.00	-54.00	-54.00	54.00	
47 - MISCELLANEOUS REVENUES	0.00	-3,056.14	-3,056.14	3,056.14	
<b>Fund 830 Total:</b>	<b>0.00</b>	<b>-3,111.00</b>	<b>-3,111.00</b>	<b>3,111.00</b>	
<b>Report Total:</b>	<b>-22,821,446.00</b>	<b>-810,257.64</b>	<b>-810,257.64</b>	<b>-22,011,188.36</b>	<b>3.55 %</b>



# EXPENSE TRIAL BALANCE

## Account Detail

For Fiscal: 2014-2015 Period Ending: 07/31/2014

Activit...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 001 - GENERAL FUND</b>					
1010 - POLICE OPERATIONS	1,750,608.00	157,922.51	157,922.51	1,592,685.49	9.02 %
1030 - EMERGENCY MANAGEMENT	7,805.00	324.99	324.99	7,480.01	4.16 %
1050 - FIRE DEPARTMENT	820,555.00	58,751.39	58,751.39	761,803.61	7.16 %
1055 - RENTAL INSPECTIONS	2,500.00	0.00	0.00	2,500.00	0.00 %
1070 - BUILDING INSPECTIONS	126,187.00	11,383.48	11,383.48	114,803.52	9.02 %
1090 - ANIMAL CONTROL	93,000.00	0.00	0.00	93,000.00	0.00 %
1900 - 911 DISPATCH	154,057.00	39,242.00	39,242.00	114,815.00	25.47 %
2010 - ROADS, BRIDGES, SIDEWALKS	20,000.00	0.00	0.00	20,000.00	0.00 %
2030 - STREET LIGHTING	98,000.00	23,195.76	23,195.76	74,804.24	23.67 %
2080 - AIRPORT	44,000.00	5,731.79	5,731.79	38,268.21	13.03 %
4010 - LIBRARY SERVICES	563,614.00	55,299.84	55,299.84	508,314.16	9.81 %
4030 - PARKS	251,491.00	27,677.68	27,677.68	223,813.32	11.01 %
4031 - POOL	123,039.00	46,929.25	46,929.25	76,109.75	38.14 %
4050 - CEMETERY	50,000.00	50,000.00	50,000.00	0.00	
5020 - ECONOMIC DEVELOPMENT	40,000.00	9,375.00	9,375.00	30,625.00	23.44 %
5040 - PLANNING & ZONING	1,300.00	186.73	186.73	1,113.27	14.36 %
6010 - CITY MANAGER	285,533.00	21,491.23	21,491.23	264,041.77	7.53 %
6011 - CITY COUNCIL & MAYOR	238,649.00	19,560.12	19,560.12	219,088.88	8.20 %
6020 - CLERK, TREAS. & FINANCIAL ADMIN	279,617.00	29,531.28	29,531.28	250,085.72	10.56 %
6030 - ELECTIONS	8,856.00	0.00	0.00	8,856.00	0.00 %
6040 - LEGAL SERVICES & CITY ATTORNEY	87,600.00	21,689.71	21,689.71	65,910.29	24.76 %
6050 - CITY HALL & GENERAL BUILDINGS	94,288.00	10,233.05	10,233.05	84,054.95	10.85 %
9500 - ENGINEERING (ALLOCATED)	0.00	19,520.96	19,520.96	-19,520.96	
<b>Fund 001 Total:</b>	<b>5,140,699.00</b>	<b>608,046.77</b>	<b>608,046.77</b>	<b>4,532,652.23</b>	<b>11.83 %</b>
<b>Fund: 002 - GENERAL FUND INSURANCE FUND</b>					
6060 - TORT LIABILITY	110,870.00	68,015.00	68,015.00	42,855.00	61.35 %
<b>Fund 002 Total:</b>	<b>110,870.00</b>	<b>68,015.00</b>	<b>68,015.00</b>	<b>42,855.00</b>	<b>61.35 %</b>
<b>Fund: 003 - GENERAL FUND CAPITAL EQUIPMENT</b>					
6050 - CITY HALL & GENERAL BUILDINGS	30,000.00	0.00	0.00	30,000.00	0.00 %
<b>Fund 003 Total:</b>	<b>30,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>30,000.00</b>	<b>0.00 %</b>
<b>Fund: 004 - LIBRARY COPIER REVOLVING FUND</b>					
4010 - LIBRARY SERVICES	5,300.00	421.25	421.25	4,878.75	7.95 %
<b>Fund 004 Total:</b>	<b>5,300.00</b>	<b>421.25</b>	<b>421.25</b>	<b>4,878.75</b>	<b>7.95 %</b>
<b>Fund: 005 - GENERAL FUND BAND</b>					
4020 - BAND	22,422.00	7,646.63	7,646.63	14,775.37	34.10 %
<b>Fund 005 Total:</b>	<b>22,422.00</b>	<b>7,646.63</b>	<b>7,646.63</b>	<b>14,775.37</b>	<b>34.10 %</b>
<b>Fund: 006 - GENERAL FUND - LOST</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	1,489,575.00	52,191.56	52,191.56	1,437,383.44	3.50 %
<b>Fund 006 Total:</b>	<b>1,489,575.00</b>	<b>52,191.56</b>	<b>52,191.56</b>	<b>1,437,383.44</b>	<b>3.50 %</b>
<b>Fund: 007 - GENERAL FUND - UTILITY FRANCHISE FEES</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	447,000.00	0.00	0.00	447,000.00	0.00 %
<b>Fund 007 Total:</b>	<b>447,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>447,000.00</b>	<b>0.00 %</b>
<b>Fund: 110 - ROAD USE TAX FUND</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	1,148,310.00	310,071.77	310,071.77	838,238.23	27.00 %
2030 - STREET LIGHTING	45,150.00	0.00	0.00	45,150.00	0.00 %
2040 - TRAFFIC CONTROL & SAFETY	33,216.00	1,619.87	1,619.87	31,596.13	4.88 %
2050 - SNOW REMOVAL	89,443.00	0.00	0.00	89,443.00	0.00 %
2070 - STREET CLEANING	41,849.00	4,048.00	4,048.00	37,801.00	9.67 %
<b>Fund 110 Total:</b>	<b>1,357,968.00</b>	<b>315,739.64</b>	<b>315,739.64</b>	<b>1,042,228.36</b>	<b>23.25 %</b>

## EXPENSE TRIAL BALANCE

For Fiscal: 2014-2015 Period Ending: 07/31/2014

Activit...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 112 - EMPLOYEE BENEFIT FUND</b>					
9100 - TRANSFER OUT	1,120,415.00	0.00	0.00	1,120,415.00	0.00 %
<b>Fund 112 Total:</b>	<b>1,120,415.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,120,415.00</b>	<b>0.00 %</b>
<b>Fund: 119 - EMERGENCY FUND</b>					
9100 - TRANSFER OUT	89,683.00	173.00	173.00	89,510.00	0.19 %
<b>Fund 119 Total:</b>	<b>89,683.00</b>	<b>173.00</b>	<b>173.00</b>	<b>89,510.00</b>	<b>0.19 %</b>
<b>Fund: 121 - LOCAL OPTION SALES TAX FUND</b>					
5900 - COMMUNITY SCHOOLS	994,248.00	82,725.35	82,725.35	911,522.65	8.32 %
<b>Fund 121 Total:</b>	<b>994,248.00</b>	<b>82,725.35</b>	<b>82,725.35</b>	<b>911,522.65</b>	<b>8.32 %</b>
<b>Fund: 122 - HOTEL/MOTEL TAX REVENUE FUND</b>					
4040 - RECREATION	115,000.00	0.00	0.00	115,000.00	0.00 %
<b>Fund 122 Total:</b>	<b>115,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>115,000.00</b>	<b>0.00 %</b>
<b>Fund: 127 - WEST AREA &amp; IND. PARK TIF</b>					
5020 - ECONOMIC DEVELOPMENT	29,860.00	0.00	0.00	29,860.00	0.00 %
<b>Fund 127 Total:</b>	<b>29,860.00</b>	<b>0.00</b>	<b>0.00</b>	<b>29,860.00</b>	<b>0.00 %</b>
<b>Fund: 130 - WORLD FOOD PARK TIF FUND</b>					
5020 - ECONOMIC DEVELOPMENT	93,221.00	0.00	0.00	93,221.00	0.00 %
<b>Fund 130 Total:</b>	<b>93,221.00</b>	<b>0.00</b>	<b>0.00</b>	<b>93,221.00</b>	<b>0.00 %</b>
<b>Fund: 138 - HOUSING DONATED FUNDS</b>					
5030 - HOUSING & URBAN RENEWAL	17,370.00	0.00	0.00	17,370.00	0.00 %
<b>Fund 138 Total:</b>	<b>17,370.00</b>	<b>0.00</b>	<b>0.00</b>	<b>17,370.00</b>	<b>0.00 %</b>
<b>Fund: 140 - HOUSING FUND</b>					
5030 - HOUSING & URBAN RENEWAL	128,547.00	10,152.95	10,152.95	118,394.05	7.90 %
<b>Fund 140 Total:</b>	<b>128,547.00</b>	<b>10,152.95</b>	<b>10,152.95</b>	<b>118,394.05</b>	<b>7.90 %</b>
<b>Fund: 144 - GRANT &amp; LINCOLN SCHOOL DEVELOPME</b>					
5030 - HOUSING & URBAN RENEWAL	21,328.00	0.00	0.00	21,328.00	0.00 %
<b>Fund 144 Total:</b>	<b>21,328.00</b>	<b>0.00</b>	<b>0.00</b>	<b>21,328.00</b>	<b>0.00 %</b>
<b>Fund: 165 - RIEFE MEMORIAL FUND</b>					
4010 - LIBRARY SERVICES	4,500.00	0.00	0.00	4,500.00	0.00 %
<b>Fund 165 Total:</b>	<b>4,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,500.00</b>	<b>0.00 %</b>
<b>Fund: 167 - LIBRARY MEMORIAL FUND</b>					
4010 - LIBRARY SERVICES	53,000.00	6,342.86	6,342.86	46,657.14	11.97 %
<b>Fund 167 Total:</b>	<b>53,000.00</b>	<b>6,342.86</b>	<b>6,342.86</b>	<b>46,657.14</b>	<b>11.97 %</b>
<b>Fund: 169 - MISCELLANEOUS GIFT FUND</b>					
1050 - FIRE DEPARTMENT	0.00	337.79	337.79	-337.79	
4020 - BAND	0.00	1,055.00	1,055.00	-1,055.00	
4031 - POOL	0.00	7.88	7.88	-7.88	
<b>Fund 169 Total:</b>	<b>0.00</b>	<b>1,400.67</b>	<b>1,400.67</b>	<b>-1,400.67</b>	
<b>Fund: 172 - WOODEN PLAYGROUND MAINT FUND</b>					
4030 - PARKS	3,272.00	0.00	0.00	3,272.00	0.00 %
<b>Fund 172 Total:</b>	<b>3,272.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,272.00</b>	<b>0.00 %</b>
<b>Fund: 177 - POLICE FORFEITURE FUND</b>					
1010 - POLICE OPERATIONS	3,500.00	3,500.00	3,500.00	0.00	
<b>Fund 177 Total:</b>	<b>3,500.00</b>	<b>3,500.00</b>	<b>3,500.00</b>	<b>0.00</b>	
<b>Fund: 178 - LIBRARY MAINTENANCE FUND</b>					
4010 - LIBRARY SERVICES	42,600.00	7,520.66	7,520.66	35,079.34	17.65 %
<b>Fund 178 Total:</b>	<b>42,600.00</b>	<b>7,520.66</b>	<b>7,520.66</b>	<b>35,079.34</b>	<b>17.65 %</b>
<b>Fund: 180 - MISCELLANEOUS GRANTS FUND</b>					
1010 - POLICE OPERATIONS	0.00	679.95	679.95	-679.95	
2900 - OTHER PUBLIC WORKS	0.00	5,000.00	5,000.00	-5,000.00	
4030 - PARKS	0.00	120.00	120.00	-120.00	
<b>Fund 180 Total:</b>	<b>0.00</b>	<b>5,799.95</b>	<b>5,799.95</b>	<b>-5,799.95</b>	

## EXPENSE TRIAL BALANCE

For Fiscal: 2014-2015 Period Ending: 07/31/2014

Activit...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 181 - BROWNFIELD SITES ASSESSMENT GRANT FUND</b>					
2900 - OTHER PUBLIC WORKS	400,000.00	0.00	0.00	400,000.00	0.00 %
<b>Fund 181 Total:</b>	<b>400,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>400,000.00</b>	<b>0.00 %</b>
<b>Fund: 199 - WFP RISE PAYMENT FUND</b>					
5020 - ECONOMIC DEVELOPMENT	16,216.00	16,216.00	16,216.00	0.00	
<b>Fund 199 Total:</b>	<b>16,216.00</b>	<b>16,216.00</b>	<b>16,216.00</b>	<b>0.00</b>	
<b>Fund: 200 - DEBT SERVICE FUND</b>					
7010 - DEBT SERVICE	862,471.00	0.00	0.00	862,471.00	0.00 %
<b>Fund 200 Total:</b>	<b>862,471.00</b>	<b>0.00</b>	<b>0.00</b>	<b>862,471.00</b>	<b>0.00 %</b>
<b>Fund: 301 - PARK SHELTER CAPITAL IMPROVEMENT</b>					
4030 - PARKS	16,785.00	179.34	179.34	16,605.66	1.07 %
<b>Fund 301 Total:</b>	<b>16,785.00</b>	<b>179.34</b>	<b>179.34</b>	<b>16,605.66</b>	<b>1.07 %</b>
<b>Fund: 302 - CITY HALL IMPROVEMENTS</b>					
6050 - CITY HALL & GENERAL BUILDINGS	125.00	7.87	7.87	117.13	6.30 %
<b>Fund 302 Total:</b>	<b>125.00</b>	<b>7.87</b>	<b>7.87</b>	<b>117.13</b>	<b>6.30 %</b>
<b>Fund: 322 - BURLINGTON ROAD RECONSTRUCTION FUND</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	185,000.00	0.00	0.00	185,000.00	0.00 %
<b>Fund 322 Total:</b>	<b>185,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>185,000.00</b>	<b>0.00 %</b>
<b>Fund: 325 - PAVEMENT MANAGEMENT</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	1,740,175.00	52,191.56	52,191.56	1,687,983.44	3.00 %
<b>Fund 325 Total:</b>	<b>1,740,175.00</b>	<b>52,191.56</b>	<b>52,191.56</b>	<b>1,687,983.44</b>	<b>3.00 %</b>
<b>Fund: 326 - SIDEWALK IMPROVEMENTS PROJECT</b>					
2010 - ROADS, BRIDGES, SIDEWALKS	323,286.00	0.00	0.00	323,286.00	0.00 %
<b>Fund 326 Total:</b>	<b>323,286.00</b>	<b>0.00</b>	<b>0.00</b>	<b>323,286.00</b>	<b>0.00 %</b>
<b>Fund: 343 - 2015 GO BOND FUND</b>					
1050 - FIRE DEPARTMENT	2,960,000.00	0.00	0.00	2,960,000.00	0.00 %
6900 - OTHER GEN'L GOVT	40,000.00	0.00	0.00	40,000.00	0.00 %
<b>Fund 343 Total:</b>	<b>3,000,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,000,000.00</b>	<b>0.00 %</b>
<b>Fund: 600 - WATER O&amp;M FUND</b>					
8000 - WATER PLANT OPERATIONS	573,386.00	0.00	0.00	573,386.00	0.00 %
8001 - WATER DISTRIBUTION	1,054,688.00	0.00	0.00	1,054,688.00	0.00 %
8006 - WATER OFFICE	695,527.00	0.00	0.00	695,527.00	0.00 %
<b>Fund 600 Total:</b>	<b>2,323,601.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,323,601.00</b>	<b>0.00 %</b>
<b>Fund: 603 - WATER SINKING FUND</b>					
8001 - WATER DISTRIBUTION	418,895.00	0.00	0.00	418,895.00	0.00 %
<b>Fund 603 Total:</b>	<b>418,895.00</b>	<b>0.00</b>	<b>0.00</b>	<b>418,895.00</b>	<b>0.00 %</b>
<b>Fund: 604 - WATER RESERVE FUND</b>					
8001 - WATER DISTRIBUTION	100,000.00	0.00	0.00	100,000.00	0.00 %
<b>Fund 604 Total:</b>	<b>100,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>100,000.00</b>	<b>0.00 %</b>
<b>Fund: 610 - SANITARY SEWER O&amp;M FUND</b>					
8015 - SANITARY SEWER-TREATMENT	930,064.00	91,595.82	91,595.82	838,468.18	9.85 %
8016 - SANITARY SEWER-COLLECTION	366,827.00	31,945.44	31,945.44	334,881.56	8.71 %
<b>Fund 610 Total:</b>	<b>1,296,891.00</b>	<b>123,541.26</b>	<b>123,541.26</b>	<b>1,173,349.74</b>	<b>9.53 %</b>
<b>Fund: 611 - SANITARY SEWER REVENUE FUND</b>					
8015 - SANITARY SEWER-TREATMENT	1,790,866.00	149,248.00	149,248.00	1,641,618.00	8.33 %
<b>Fund 611 Total:</b>	<b>1,790,866.00</b>	<b>149,248.00</b>	<b>149,248.00</b>	<b>1,641,618.00</b>	<b>8.33 %</b>
<b>Fund: 612 - SANITARY SEWER SINKING FUND</b>					
8015 - SANITARY SEWER-TREATMENT	482,575.00	0.00	0.00	482,575.00	0.00 %
<b>Fund 612 Total:</b>	<b>482,575.00</b>	<b>0.00</b>	<b>0.00</b>	<b>482,575.00</b>	<b>0.00 %</b>
<b>Fund: 618 - IDOT SEWER EXTENSION PROJECT</b>					
8016 - SANITARY SEWER-COLLECTION	0.00	1,149.44	1,149.44	-1,149.44	
<b>Fund 618 Total:</b>	<b>0.00</b>	<b>1,149.44</b>	<b>1,149.44</b>	<b>-1,149.44</b>	
<b>Fund: 660 - AIRPORT FUND</b>					
8035 - AIRPORT	181,340.00	64,343.14	64,343.14	116,996.86	35.48 %

## EXPENSE TRIAL BALANCE

For Fiscal: 2014-2015 Period Ending: 07/31/2014

Activit...	Total Budget	Period Activity	Fiscal Activity	Budget Remaining	Actual %
<b>Fund: 660 - AIRPORT FUND</b>					
8035 - AIRPORT	382,124.00	5,231.96	5,231.96	376,892.04	1.37 %
<b>Fund 660 Total:</b>	<b>181,340.00</b>	<b>64,343.14</b>	<b>64,343.14</b>	<b>116,996.86</b>	<b>35.48 %</b>
<b>Fund: 740 - STORM WATER UTILITY FUND</b>					
8065 - STORM WATER	382,124.00	5,231.96	5,231.96	376,892.04	1.37 %
<b>Fund 740 Total:</b>	<b>382,124.00</b>	<b>5,231.96</b>	<b>5,231.96</b>	<b>376,892.04</b>	<b>1.37 %</b>
<b>Fund: 750 - EDMUNDSON GOLF COURSE FUND</b>					
8071 - GOLF PRO SHOP	22,973.00	854.48	854.48	22,118.52	3.72 %
<b>Fund 750 Total:</b>	<b>22,973.00</b>	<b>854.48</b>	<b>854.48</b>	<b>22,118.52</b>	<b>3.72 %</b>
<b>Fund: 760 - RACI MAIN STREET LOAN FUND</b>					
8060 - HOUSING & URBAN RENEWAL	9,606.00	0.00	0.00	9,606.00	0.00 %
<b>Fund 760 Total:</b>	<b>9,606.00</b>	<b>0.00</b>	<b>0.00</b>	<b>9,606.00</b>	<b>0.00 %</b>
<b>Fund: 810 - COPIER/FAX REVOLVING FUND</b>					
9310 - COPIER REVOLVING	0.00	1,257.29	1,257.29	-1,257.29	
<b>Fund 810 Total:</b>	<b>0.00</b>	<b>1,257.29</b>	<b>1,257.29</b>	<b>-1,257.29</b>	
<b>Fund: 820 - EMPLOYEE HEALTH SELF-INSURANCE</b>					
9320 - EMPLOYEE HEALTH SELF-INSURANCE	0.00	134,767.86	134,767.86	-134,767.86	
<b>Fund 820 Total:</b>	<b>0.00</b>	<b>134,767.86</b>	<b>134,767.86</b>	<b>-134,767.86</b>	
<b>Fund: 830 - EMPLOYEE FLEX PLAN FUND</b>					
9330 - EMPLOYEE FLEX PLAN	0.00	5,545.12	5,545.12	-5,545.12	
<b>Fund 830 Total:</b>	<b>0.00</b>	<b>5,545.12</b>	<b>5,545.12</b>	<b>-5,545.12</b>	
<b>Report Total:</b>	<b>24,873,307.00</b>	<b>1,724,209.61</b>	<b>1,724,209.61</b>	<b>23,149,097.39</b>	<b>6.93 %</b>



## City Council Communication

Meeting Date: August 18, 2014

Requested By: Police Department

**Item Title: CONSENT AGENDA**

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 - 3rd 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 RESPONSIBILTY 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 18, 2014

Requested By: Public Works Dept.

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

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 - 3<sup>rd</sup> Reading.

### **Explanation:**

The Public Works department is requesting to update the current code to reflect the 1107 A Avenue West Site Plan and the 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 August, 2014, and approved this \_\_\_\_\_ day of August, 2014.

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

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

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

Signed  
\_\_\_\_\_



## City Council Communication

Meeting Date: August 18, 2014

Requested By: Public Works Dept.

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

Consider a resolution scheduling a public hearing on vacation and sale of 120' X 16.5' of the north-south alley and 56.5' X 16.5' of the east-west alley adjacent to 701 High Avenue West.

### **Explanation:**

Robert Wersen, owner of 701 High Avenue West, has requested that the portion of the North-South and East-West alley adjacent to his property be vacated. The owner wants to combine all these parcels for use as a single commercial land use.

The city conducted a survey of households with direct access to this alley. Of the residents that responded (3 total), 3 of them wanted the alley to be vacated. This alley also contains Oskaloosa Water and Century Link utility infrastructure. Therefore, easement rights will need to be retained for access to the above mentioned utilities.

The Planning & Zoning Commission considered this item at their August 11, 2014 meeting and recommended by a vote of 4:0 (yes: no) that the City Council approve the alley vacate request.

### **Recommended Action:**

Staff recommends approving the resolution scheduling a public hearing for September 2, 2014.

### **Budget Consideration:**

\$100.00 in application fees and if the alley vacate is approved, there is revenue of \$2,912.25 (120'X16.5'X\$1.00/Sq.Ft. + 56.5'X16.5'X\$1.00/SF) to the General Fund as outlined on a price per square foot amount in the Oskaloosa Municipal Code.

**Attachments :**

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

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

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE NORTH-SOUTH AND EAST-WEST ALLEY ADJACENT TO 701 HIGH AVENUE WEST, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

WHEREAS, a request has been made and the City wishes to consider the vacation and sale of the north-south and east-west public alley right-of-way that lies adjacent to 701 High Avenue West and is legally described as follows:

The 120 foot by 16.5 foot north-south alley and the 56.5 foot by 16.5 foot east-west alley lying adjacent to the East 40 feet of Lot 4 of Block 7 of West Oskaloosa in the City of Oskaloosa, Mahaska County, Iowa

WHEREAS, said request has been reviewed by the Planning and Zoning Commission and recommended for approval, and

WHEREAS, section 12.24.030 of the Oskaloosa Municipal Code requires a public hearing on such vacations.

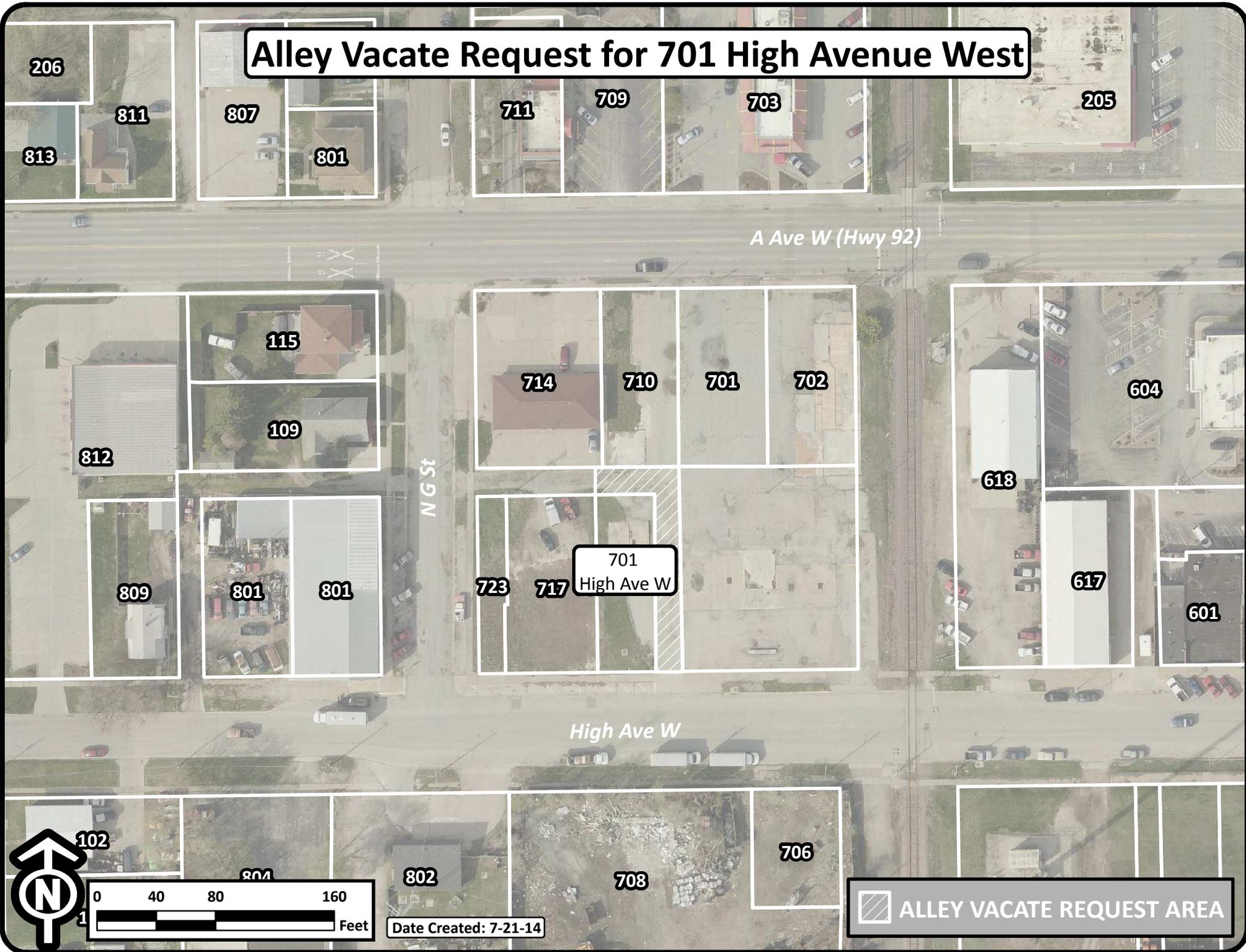
NOW, THEREFORE, BE IT RESOLVED by the City Council of Oskaloosa, Iowa that a public hearing shall be conducted on Tuesday, September 2, 2014 at 6:00 p.m. in the City Council Chambers, City Hall, Oskaloosa, Iowa at which time persons may appear and speak for, or against, the vacation as legally described in the preamble hereof.

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

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

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

# Alley Vacate Request for 701 High Avenue West



A Ave W (Hwy 92)

N G St

High Ave W

701  
High Ave W

 ALLEY VACATE REQUEST AREA

0 40 80 160  
Feet

Date Created: 7-21-14



Alley looking north from High Avenue West



Alley looking east from North G Street



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: 7/21/14

Property Owner Name: Sundance, Inc. - Rick Eccles

Address: 7915 Kensington Court

Brighton, MI 48116

Phone: 248-446-0100 x 223

Description of alley requested for vacation: A portion of alley located between parcel 1013378002, 1013378007, 1013378008. The alley connects South G Street and High Avenue West.

Reason for requesting alley vacation: The proposed development will be combining 5 parcels adjacent to the alley. The alley is not needed for access to the site and vacating the alley provides more area necessary for the site layout.

Signature Rick Eccles Robert D. Persen

OFFICE USE:

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

Amount Paid For 1/2 of Alley: \$ 1,457.65 (56.5 x 16.5 x \$ 1.00 /SF) <sup>q</sup> (120 x 16.5 x \$ 1.00 /SF)

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

**ALLEY VACATION RES 701 High Avenue West**

ADDRESS	NAME	RESPONSE	COMMENTS
714 A Avenue West	Marjorie Blom	Yes, approve the proposed alley vacation	At this time I believe I'm very interested in purchasing property as proposed for \$42.50 whis is adjacent to my property.
701 High Avenue West	Robert Wersen	Yes, approve the proposed alley vacation	
717 High Avenue West	Kopy Shop	Yes, approve the proposed alley vacation	
723 High Avenue West	Kenneth & Julie Seeman	no response	

**UTILITY COMPANY RESPONSE**

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



## City Council Communication

Meeting Date: August 18, 2014

Requested By: Public Works Dept.

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

Consider a resolution scheduling a public hearing on vacation and sale of 60' X 16.5' of the east-west alley adjacent to 701 2<sup>nd</sup> Avenue East.

### **Explanation:**

Frank Glandon, owner of 701 2nd Avenue East, has requested that the portion of the East-West alley adjacent to his property be vacated. The applicant intends to store a utility trailer in the alley.

The city conducted a survey of households with direct access to this alley. Of the residents that responded (5 total), 3 of them wanted the alley to be vacated and 2 do not want the alley vacated. The property owners at 707 & 709 2nd Avenue East, opposed the alley vacate stating concerns with parking, traffic flow obstruction, and depreciation of property values (please see the attached survey responses).

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

The Planning & Zoning Commission considered this item at their August 11, 2014 meeting and recommended by a vote of 3:1 (yes: no) that the City Council approve the alley vacate request. Commission member Wyndell Campbell opposed the alley vacate.

### **Recommended Action:**

Staff recommends approving the resolution scheduling a public hearing for September 2, 2014.

### **Budget Consideration:**

\$100.00 in application fees and if the alley vacate is approved, there is revenue of \$495.00 (60'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 :**

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

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

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO VACATE THE EAST-WEST ALLEY ADJACENT TO 701 2<sup>ND</sup> AVENUE EAST, AND THE SALE OF SAID PUBLIC ALLEY RIGHT-OF-WAY.

WHEREAS, a request has been made and the City wishes to consider the vacation and sale of the east-west public alley right-of-way that lies adjacent to 701 2<sup>nd</sup> Avenue East and is legally described as follows:

The 60 foot by 16.5 foot east-west alley lying adjacent to Lot 5 of Block 3 of Seever's Addition of the City of Oskaloosa, Mahaska County, Iowa

WHEREAS, said request has been reviewed by the Planning and Zoning Commission and recommended for approval, and

WHEREAS, section 12.24.030 of the Oskaloosa Municipal Code requires a public hearing on such vacations.

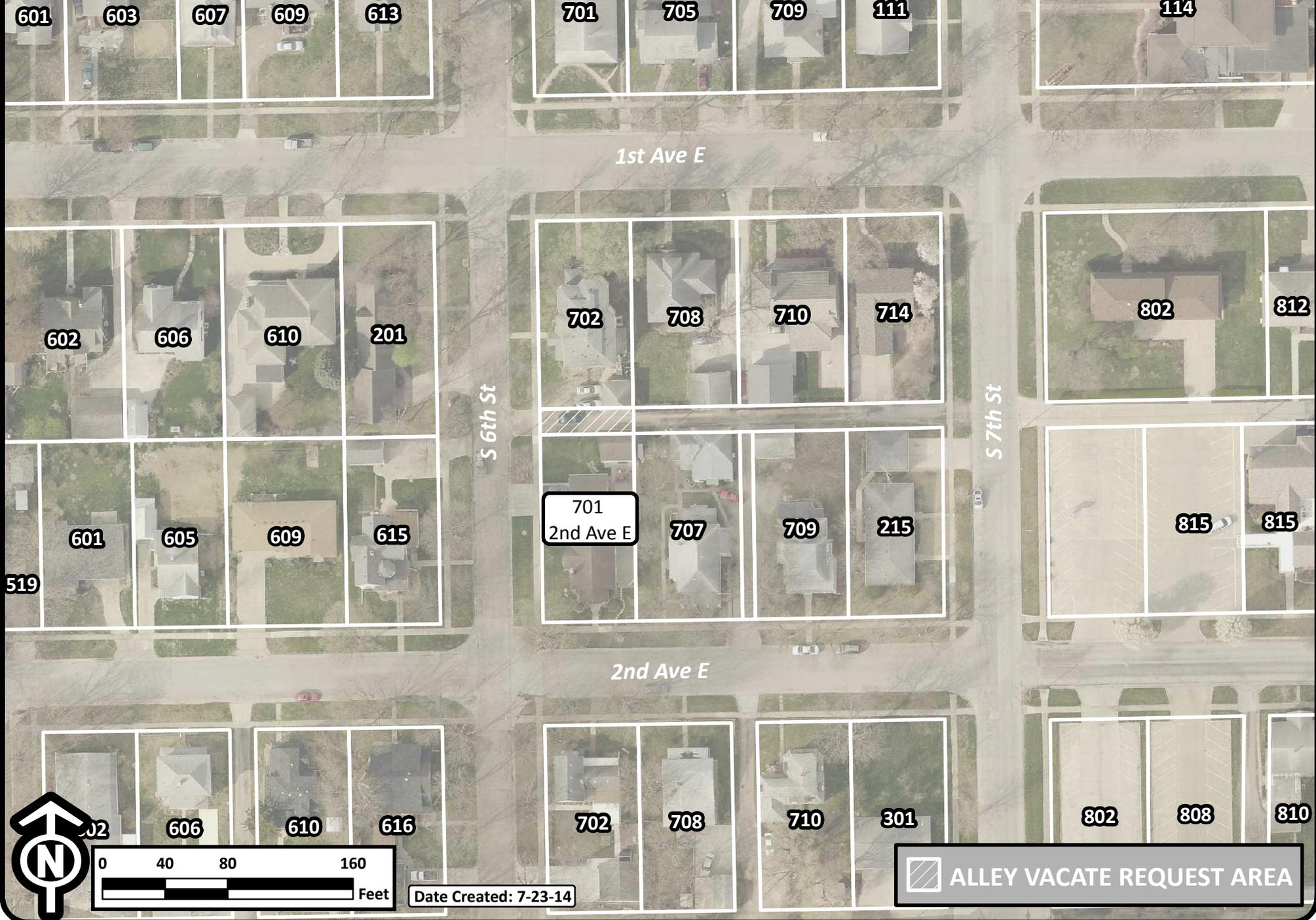
NOW, THEREFORE, BE IT RESOLVED by the City Council of Oskaloosa, Iowa that a public hearing shall be conducted on Tuesday, September 2, 2014 at 6:00 p.m. in the City Council Chambers, City Hall, Oskaloosa, Iowa at which time persons may appear and speak for, or against, the vacation as legally described in the preamble hereof.

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

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

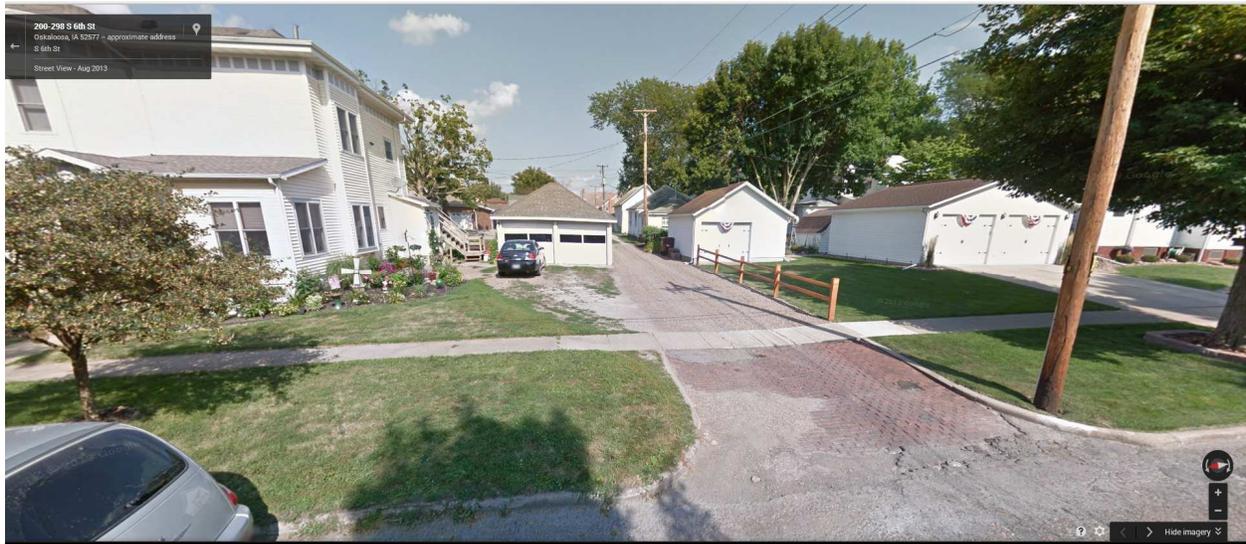
ATTEST: \_\_\_\_\_  
Amy Miller, City Clerk

# Alley Vacate Request for 701 2nd Avenue East



 ALLEY VACATE REQUEST AREA

Alley looking east from South 6<sup>th</sup> Street



Alley looking west from South 7<sup>th</sup> Street



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: 7-23-14

Property Owner Name: FRANK GLANDON

Address: 701 2 AVE EAST  
OSKALOOSA IA. 52577

Phone: 641-660-7645

Description of alley requested for vacation: EAST WEST ALLEY which  
BORDERS THE NORTH SIDE OF MY PROPERTY AT  
701 2 AVE EAST

Reason for requesting alley vacation: USED TO STORE MY SMALL  
UTILITY TRAILER. Driveway Easements provided to  
702 and Avenue East. we have maintained the alley since  
1973.

Signature Frank Glandon

OFFICE USE:

Application Fee Paid \$100.00

Amount Paid For 1/2 of Alley: \$ 247.50 (600 X 16.5 X \$ .50/SF)

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

**ALLEY VACATION RESPONSE :701 2nd Avenue East**

ADDRESS	NAME	RESPONSE	COMMENTS
701 1st Avenue East	Michael Christensen	Yes, approve the proposed alley vacation	I will need to be assured access to the garage on our property
708 1st Avenue East	Jerry Jefferies % Lake Crookham	No response	
710 1st Avenue East	William & Ariann Blake	Yes, approve the proposed alley vacation	
714 1st Avenue East	Vohoska, Lisa A	No response	
701 2nd Avenue East	Francis & Linda Glandon	Yes, approve the proposed alley vacation	
707 2nd Avenue East	Perdue, Charles Oliver% Ginny Foster	No, do not approve the proposed alley	Please see survey response below.
709 2nd Avenue East	Perdue, Charles Oliver% Ginny Foster	No, do not approve the proposed alley	(Concerns include: Parking, Obstruct traffic flow, & depreciation of property value)
215 South 7th Street	Ann Johnson	No response	

**UTILITY COMPANY RESPONSE**

MCG	Yes, Utility Infrastructure
WATER DEPT.	No infrastructure
CENTURY LINK	Yes, Utility Infrastructure
MIDAMERICAN	Yes, Utility Infrastructure
SANITARYSEWER	Yes, Utility Infrastructure

707 & 709 2nd Avenue East survey response from Charles O. Perdue, representing Estate of Charles E. Perdue

The C. E. Perdue estates own the rentals at 707 and 709, 7 altogether. Blocking the west end of the e/w alley would impede ingress-egress for our tenants and workmen and set precedence for blocking the east end. Any future or present driveways for 707 and 709 would have to come off this alley. There is no room to bring them in from 2nd Ave. I asked Frank Glandon his reason(s) for wanting to block off the alley, he stated that he wanted to park his utility trailer there and stop traffic thru the alley. We have always allowed him to park his trailer at 709, which he has been doing for years. Thus, he has that option to park his trailer rather than block off a well used alley. Parking is an issue in the area: Blocking off the alley makes it worse. 707-709 have been apartments for decades. They have literally provided 100's of families' excellent housing. We take pride in being able to provide this kind of housing to Oskaloosa. Please do not allow the alley to be blocked off.

Survey response from Ginny Foster, representing Estate of Charles E. Perdue

1. Traffic flow/safety of residents/children- better to go forward
2. Sets precedent for other end of alley to be closed. This would be very difficult for access-utility trucks/fire.
3. Depreciation value of property not having good traffic flow.
4. Concern about vehicles hitting barn/house/fences – structures that are currently in place- difficult to make east turn.
5. Many neighboring blocks have maintained at least one through alleyway.



## City Council Communication

Meeting Date: August 18, 2014

Requested By: City Manager's Office

**Item Title: CONSENT AGENDA**

Consider a resolution amending the city's conditional support of Ironwood Partners, LLC application for Section 42 Low-Income Housing Tax Credits through the Iowa Finance Authority.

**Explanation :**

At the December 2, 2013 meeting the City Council approved a resolution of conditional support for Ironwood Partners, LLC application for Section 42 Federal Low-Income Housing Tax Credits through the Iowa Finance Authority.

The City Council conditionally approved the developer's request for financial assistance

totaling up to \$805,608. Up to a maximum of \$510,000 being in the form of property tax rebates thru tax increment financing and the remaining \$295,608 in the form of Enterprise Zone Credits and Enterprise Zone Sales Tax Rebates which followed its own legislative requirements and approval processes.

The attached letter from Ironwood Partners LLC outlines their request to change the percentage of tax increment rebated to the project from 83% to 90% of the property taxes paid. The developer's request does not change the maximum contribution amount of \$510,000 that was previously requested and conditionally agreed upon by the city.

This request is being received because the Development Agreement under negotiation between the city and the developer contemplates the existing value of the building on the development site be backed out of the TIF calculation. That requirement reduces tax increment rebated to the developer and creates an unanticipated change in their financials in the form of a reported "funding gap" for the project.

Staff recommends approval of this requested amendment. If this item is approved, the Iowa Finance Authority will be notified of the conditional change to the percentage of tax increment rebated to the project from 83% to 90%. This change will also be reflected in the Development Agreement that is currently in negotiation between the parties.

**Budget Consideration:**

There is no additional financial impact anticipated with the approval of this item. The City Council will need to approve a Development Agreement with Ironwood Partners, LLC in the future in order to formally commit to the local financial contributions associated with the tax increment rebates noted with this item.

**Attachments :**

1. Request from Ironwood Partners, LLC
2. Copy of IFA application for Local Government Contribution
3. Resolution

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

**A RESOLUTION AMENDING THE CITY'S CONDITIONAL SUPPORT OF  
IRONWOOD PARTNERS, LLC APPLICATION FOR SECTION 42 FEDERAL  
LOW-INCOME HOUSING TAX CREDITS THROUGH IOWA FINANCE  
AUTHORITY**

**WHEREAS**, Overland Property Group has created a limited liability corporation for the development of The Reserves at Ironwood project, known as Ironwood Partners, LLC (Ironwood); and

**WHEREAS**, Ironwood has requested and received the City of Oskaloosa's (City) conditional support of its application to the Iowa Finance Authority for low income housing credits on December 2, 2013; and

**WHEREAS**, City completed the document Exhibit 5S, Local Government Contribution, that was submitted to the Iowa Finance Authority as part of Ironwood's application for funding; and

**WHEREAS**, City noted in Exhibit 5S, Local Government Contribution, that "tax increment generated from the Project calculated at 83% over a 15 year period, up to a maximum of \$510,000"; and

**WHEREAS**, Ironwood is requesting a modification to the language include in Exhibit 5S, Local Government Contribution, to increase the tax increment percentage from "83%" to "90%"; and

**WHEREAS**, City's conditional local contribution will remain at a maximum amount of \$510,000 over 15 years;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Oskaloosa;

Section 1: That the percentage of the City's conditional local support in the form of tax increment rebated to the project be changed from 83% to 90% over a 15 year period.

Section 2: That City and Ironwood are still required to complete a Development Agreement that will outline actual local contributions to be received for the project.

Section 3: That the City Clerk and City Manager are hereby authorized and directed to proceed with the preparation of any necessary documents to support the amendment to Ironwood's application to Iowa Finance Authority.

**PASSED AND APPROVED** this 18<sup>th</sup> day of August, 2014.

---

David Krutzfeldt, Mayor

ATTEST:

---

Amy Miller, City Clerk

August 8, 2014

Michael Schrock  
City Manager  
220 South Market St  
Oskaloosa, IA 52577

**Re: The Reserves at Ironwood - Family Housing Development**

Dear Mr. Schrock:

As you know, Overland Property Group is working diligently to close on financing for Ironwood Partners, LLC and begin construction on The Reserves at Ironwood, a 48-unit family housing development to be located at approximately 1302/1320 High Avenue West in Oskaloosa. In addition to the City support of TIF, Enterprise Zone credits, and Trust Fund dollars, the project was awarded an allocation of LIHTCs from IFA in March. Our plans are to close and begin construction by the end of August in order to have sufficient work done before the winter sets in.

This letter is to respectfully request an increase in the percentage of tax increment rebated to the project from the 83% approved at City Council in December 2013 to 90% of property taxes paid. Per the Development Agreement, the existing value of the building currently on the site needs to be backed out of the TIF calculation. Therefore, the total amount of assistance to the project decreases substantially from \$510,000 to approximately \$450,000 over the 15 year compliance period (see attached revised projections). This equates to a loss of approximately \$50,000 in the first mortgage that the project can support, leading to a funding gap. Increasing the increment rebated back to the project to 90% increases total income to \$487,000, which makes the project financially feasible. It should be noted that the total amount of funds rebated to the project will be still remain below the maximum amount of \$510,000 approved at City Council.

We thank you for considering this request and look forward to working with the City of Oskaloosa to provide much needed quality, affordable housing to the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Johnson", with a long horizontal flourish extending to the right.

Brett Johnson

Ironwood Partners, LLC

	Oskaloosa
Indicated Value	915,000.00
Rollback	100%
Existing Indicated Value of Property	91,630.00
Existing Property Tax Value	3,413.55
Levy	0.03725362
Est. Taxes	34,087.06
Per Unit	700.00

**REVISED Oskaloosa TIF Projections per RDA terms**

TIF Projections	TIF Year	Total Indicated Value	Existing Indicated Value	Projected Tax Amount	TIF Eligible			95.83% LMI Units
					Less Existing Property Tax Value	Property Tax Increment	83% Rebate	
1	2016	915,000	91,630	34,087	3,413.55	30,673.51	25,459.02	24,397.37
2	2017	942,450	91,630	34,087	3,413.55	30,673.51	25,459.02	24,397.37
3	2018	970,724	91,630	35,110	3,413.55	31,696.12	26,307.78	25,210.75
4	2019	999,845	91,630	36,163	3,413.55	32,749.42	27,182.01	26,048.52
5	2020	1,029,841	91,630	37,248	3,413.55	33,834.30	28,082.47	26,911.43
6	2021	1,060,736	91,630	38,365	3,413.55	34,951.74	29,009.94	27,800.23
7	2022	1,092,558	91,630	39,516	3,413.55	36,102.70	29,965.24	28,715.69
8	2023	1,125,335	91,630	40,702	3,413.55	37,288.19	30,949.19	29,658.61
9	2024	1,159,095	91,630	41,923	3,413.55	38,509.24	31,962.67	30,629.82
10	2025	1,193,867	91,630	43,180	3,413.55	39,766.92	33,006.54	31,630.17
11	2026	1,229,683	91,630	44,476	3,413.55	41,062.34	34,081.74	32,660.53
12	2027	1,266,574	91,630	45,810	3,413.55	42,396.61	35,189.19	33,721.80
13	2028	1,304,571	91,630	47,184	3,413.55	43,770.92	36,329.86	34,814.91
14	2029	1,343,708	91,630	48,600	3,413.55	45,186.45	37,504.75	35,940.81
15	2030	1,384,020	91,630	50,058	3,413.55	46,644.45	38,714.89	37,100.48
				<b>616,510</b>		<b>565,306</b>	<b>469,204.33</b>	<b>449,638.51</b>

TIF Projections	TIF Year	Total Indicated Value	Existing Indicated Value	Projected Tax Amount	TIF Eligible			95.83% LMI Units
					Less Existing Property Tax Value	Property Tax Increment	90% Rebate	
1	2016	915,000	91,630	34,087	3,414	30,674	27,606	26,455
2	2017	942,450	91,630	34,087	3,414	30,674	27,606	26,455
3	2018	970,724	91,630	35,110	3,414	31,696	28,527	27,337
4	2019	999,845	91,630	36,163	3,414	32,749	29,474	28,245
5	2020	1,029,841	91,630	37,248	3,414	33,834	30,451	29,181
6	2021	1,060,736	91,630	38,365	3,414	34,952	31,457	30,145
7	2022	1,092,558	91,630	39,516	3,414	36,103	32,492	31,137
8	2023	1,125,335	91,630	40,702	3,414	37,288	33,559	32,160
9	2024	1,159,095	91,630	41,923	3,414	38,509	34,658	33,213
10	2025	1,193,867	91,630	43,180	3,414	39,767	35,790	34,298
11	2026	1,229,683	91,630	44,476	3,414	41,062	36,956	35,415
12	2027	1,266,574	91,630	45,810	3,414	42,397	38,157	36,566
13	2028	1,304,571	91,630	47,184	3,414	43,771	39,394	37,751
14	2029	1,343,708	91,630	48,600	3,414	45,186	40,668	38,972
15	2030	1,384,020	91,630	50,058	3,414	46,644	41,980	40,229
				<b>616,510</b>		<b>565,306</b>	<b>508,776</b>	<b>487,560</b>

EXHIBIT 5S

LOCAL GOVERNMENT CONTRIBUTION  
(This form must be completed by the City/County or Political Subdivision)

RE: Project Name Reserves at Ironwood  
Project Address 1302/1320 High Ave. West, Oskaloosa, Iowa  
Ownership Entity Name Ironwood Partners LLC

Iowa Finance Authority (IFA) encourages developers to coordinate with Iowa communities regarding community revitalization plans, where applicable. A local government contribution creates a presumption that the project is not in conflict with the local government's community revitalization plan, if any.

This form will verify the local government contribution effort referenced in the Qualified Allocation Plan (QAP). A local government contribution can be provided by a qualified government entity or political subdivision. IFA rules state that the following items will constitute a local government contribution:

1. Cash contribution
2. Gift of land or building
3. Tax abatement (not tax exemption)
4. Tax increment financing
5. Urban revitalization tax exemption (URTE)
6. Enterprise zone credit (equity value)
7. Enterprise zone sales tax rebate
8. Waiver of fees
9. Below-market interest rate loan (value calculated on imputed savings)

IFA's rules provide that the agency making the local government contribution must indicate the value of its contribution. The value of the local government contribution is the value of the contribution made by the qualified government entity or political subdivision minus the value of any consideration or accommodation received by the qualified government entity or political subdivision in return for the contribution. Evidence of payment and the authority to provide the funds shall be furnished upon request of IFA.

The Governmental Entity or Political Subdivision completing this form understands that IFA will rely on these valuations to determine whether the Applicant has met the requirements of the QAP to receive points for Local Government Contribution.

For scoring purposes under this category, a government entity or political subdivision contribution to a Project provided through a certified Local Housing Trust Fund (LHTF) will be considered a qualified local government contribution only if the Applicant provides documentation from the LHTF showing the government entity or political subdivision has made contributions to the LHTF during the current fiscal year totaling at least the amount of the proposed local government contribution to the Project.

**Qualified Governmental Entity or Political Subdivision Contribution(s) (30 points maximum)**

CASH CONTRIBUTION

Amount	Source of Cash	Name of Entity Making Contribution

GIFT OF LAND

Amount/Value	Describe How Value Was Determined	Name of Entity Making Contribution

Description of property: \_\_\_\_\_

Is land held free and clear of encumbrances?  YES  NO

If NO, disclose all known liens and encumbrances and explain how and when these will be satisfied. \_\_\_\_\_

GIFT OF BUILDING

Amount/Value	Describe How Value Was Determined	Name of Entity Making Contribution

Description of building(s): \_\_\_\_\_

Is land held free and clear of encumbrances?  YES  NO

If NO, disclose all known liens and encumbrances and explain how and when these will be satisfied. \_\_\_\_\_

TAX ABATEMENT

Amount/Value	Mill Rate	Term of Abatement	Describe How Amount Was Determined	Name of Entity Making Contribution

TAX INCREMENT FINANCING

Amount/Value	Tax Increment generated from the Project calculated at 83% over a 15 year period, up to a maximum of \$510,000.			Name of Entity Making Contribution
				City of Oskaloosa

URBAN REVITALIZATION TAX EXEMPTION (URTE)

Amount/Value	Term of Exemption	Describe How Amount Was Determined	Name of Entity Making Contribution

ENTERPRISE ZONE CREDIT (equity value)

Amount/Value	Enterprise Zone credits as administered by the Iowa Economic Development Authority up to \$122,754 as based upon EZ Credits of \$144,417 priced at \$0.85.		Name of Entity Making Contribution
			City of Oskaloosa

ENTERPRISE ZONE SALES TAX REBATE

Amount/Value	Name of Entity Making Contribution

**Enterprise Zone Sales Tax Rebate as administered by the Iowa Economic Development Authority up to \$151,191, as based upon IEDA's formula for sales tax rebate.**

**City of Oskaloosa**

**WAIVER OF FEES**

Amount/Value	Type of Fees	Describe How Amount Was Determined	Name of Entity Making Contribution

**BELOW-MARKET INTEREST RATE LOAN (value calculated on imputed savings)**

Amount/Value	Market Interest Rate	Below-Market Interest Rate	Describe How Calculated Savings Was Determined	Name of Entity Making Contribution

Oskaloosa, Iowa  
Agency Name (Typed)

12/02/2013  
Date

Michael Schrock Jr.

Name of Agency Representative (Typed)



Signature of Agency Representative



City Council  
Communication

Meeting Date: August 18, 2014

Requested By: Mayor & City Council

**Item Title: CONSENT AGENDA**

Consider appointment to the Library Board.

**Explanation :**

Paul Groenenboom, one of the rural representatives on the Library Board, resigned effective July 1, 2014, from a term that expires June 30, 2017. An application has been received from Ken Allsup. Appointments to the Library Board are made by the Mayor with City Council approval. This is a nine member board with five females and 3 males currently serving.

**Budget Consideration:**

Not applicable.

**Attachments :**

Applications from Ken Allsup.

## Application for Board or Commission

Board or commission applying for (choose one from list):*	Library Board of Trustees ▼
Board or commission not listed above:	<input type="text"/>
Name of applicant:*	Ken Allsup
Address of Applicant*	23 Century MHP
Phone number (day)*	641.295.8455
Phone number (evening)	<input type="text"/>
Email address:*	info@oskynews.org
Would you like to be interviewed for this position?*	<input checked="" type="radio"/> Yes <input type="radio"/> No
Why are you interested in this position?*	Further my own knowledge
Your experience that would be beneficial to the board or commission:*	Former City Council of Beacon and current Main Street Board member. Observing many city and county meetings.
Other civic experience:	<input type="text"/>

\* indicates required fields.



City Council  
Communication  
Meeting Date: August 18, 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 18, 2014

Requested By: Public Works Dept.

**Item Title:**

Consider approval of revisions to the site plan for the property referred to as Tuscany Village located at 1510 Edmundson Drive.

**Explanation:**

Brian Booy has submitted a revised site plan for the property referred to as Tuscany Village located at 1510 Edmundson Drive. The revision is being requested by the applicant due to deviations in the actual construction of the project versus what was approved by the City Council in the original site plan. These changes are considered major amendments to the site plan.

The site under consideration is 2.21 acres in area and the present zoning of this property is Urban Residential (R-2) District. There are now six units constructed on the site.

At their September 19, 2011 meeting the City Council approved this site plan. The builder has made the following amendments to the site plan that will need council approval.

1. The location of the northernmost building has moved;
2. The sidewalks to the storage units extend to the property line to connect with the park;
3. The storage units lighting plan has changed;
4. The driveway culvert material is now high density polyethylene instead of concrete;

The City Council, at their meeting on March 3, 2014, denied Mr. Booy's request to waive the stipulation for sidewalks along the public street frontage of 1510 Edmundson Drive. The Council required the builder to install the sidewalks before September 3, 2014.

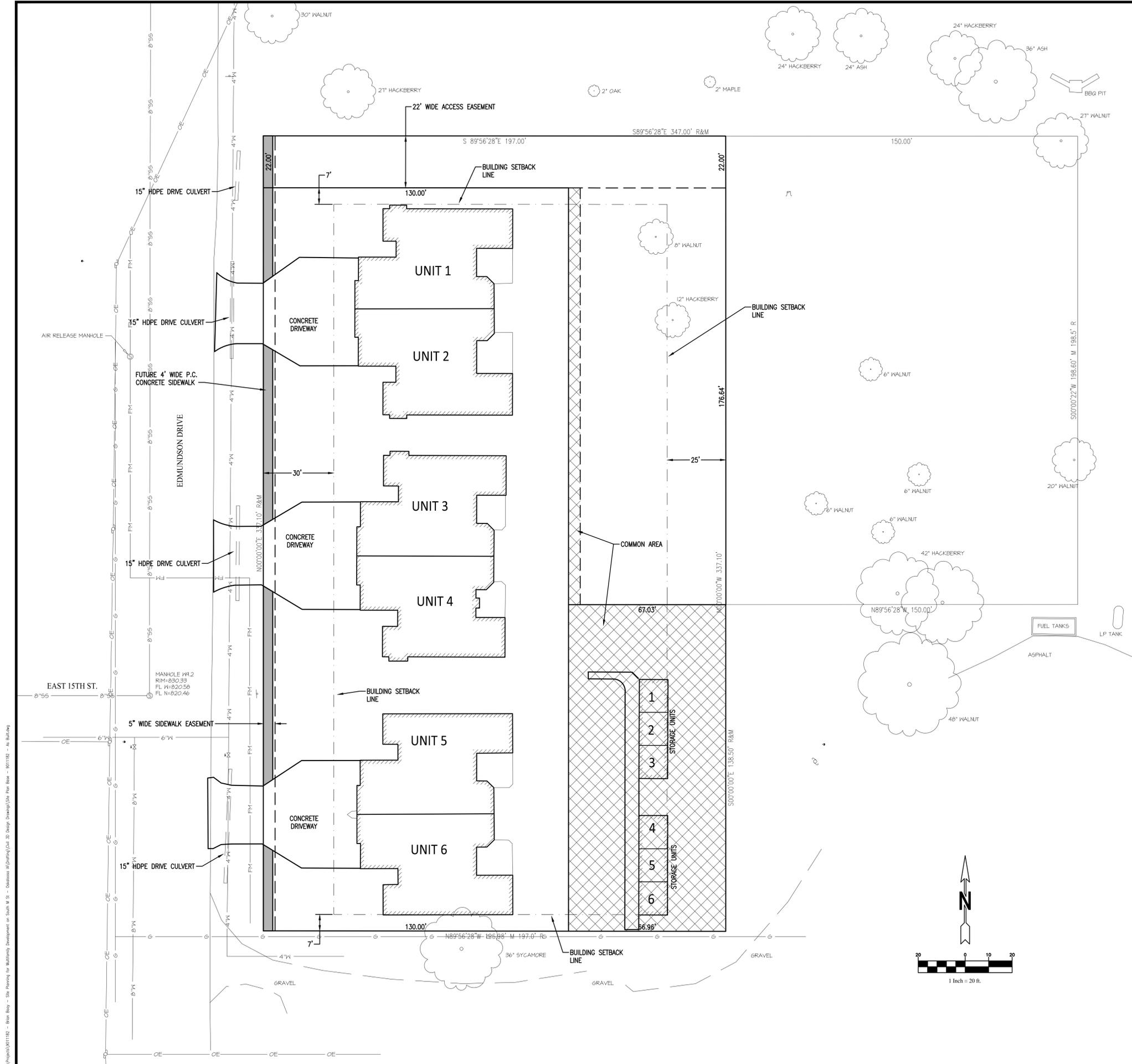
At the August 11, 2014 Planning & Zoning Commission meeting the Planning and Zoning Commission recommended by a vote of 3:0:1 (yes: no: abstain) that the City Council approve the revisions to the site plan and also waive the requirement for sidewalk on Edmundson Drive. Commission member Brian Booy abstained because he is the applicant for this site plan.

**Budget Consideration:**

None.

**Attachments :**

Amended Site Plan (dated August 4, 2014) and Approved Site Plan (dated October 6, 2011).



**MISCELLANEOUS INFORMATION**

**OWNER AND DEVELOPER:**  
 4 - BOOYS JOINT VENTURE, LLC  
 1103 SOUTH "D" STREET  
 OSKALOOSA, IOWA 52577

**ENGINEER AND SURVEYOR:**  
 GARDEN & ASSOCIATES, LTD.  
 P.O. BOX 451  
 OSKALOOSA, IOWA 52577

**LEGAL DESCRIPTION:**  
 LOT A OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 24, TOWNSHIP 75 NORTH, RANGE 16 WEST OF THE 5TH P.M. IN THE CITY OF OSKALOOSA, MAHASKA COUNTY, IOWA EXCEPT THAT PART AS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 33 FEET EAST OF THE SOUTHWEST CORNER OF SAID NW 1/4 - SW 1/4; THENCE NORTH 60 FEET; THENCE EAST 197 FEET; THENCE NORTH 337.1 FEET; THENCE EAST 150 FEET TO THE EAST LINE OF SAID LOT A; THENCE SOUTH 397.1 FEET TO THE SOUTHEAST CORNER OF SAID LOT A; THENCE WEST 347 FEET TO THE POINT OF BEGINNING.

**AREA OF DEVELOPMENT:**  
 2.21 ACRES

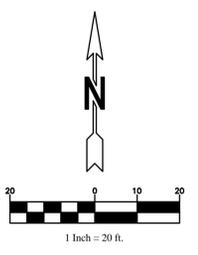
**CURRENT ZONING:**  
 R2 - URBAN FAMILY RESIDENTIAL

**PROPOSED LAND USE:**  
 MEDIUM DENSITY RESIDENTIAL DEVELOPMENT

**GARBAGE DISPOSAL:**  
 INDIVIDUAL UNIT PICK-UP

**GENERAL SYMBOLS LEGEND**

● = PROPERTY CORNER FOUND	○ = UTILITY POLE
▲ = SECTION CORNER FOUND	⊕ = GUY WIRE
-800- = EXISTING GROUND CONTOUR LINE	⊙ = LUMINAIRE
-N- = EXISTING WATER LINE (SIZE VARIES)	⊕ = SIGN
⊕ = EXISTING FIRE HYDRANT	⊕ = MAILBOX
⊕ = EXISTING WATER VALVE	⊕ = FLAGPOLE
⊕ = EXISTING WATER SERVICE SHUTOFF	⊕ = TREE OR SHRUB
⊕ = EXISTING STORM SEWER LINE (SIZE VARIES)	⊕ = STUMP
⊕ = EXISTING STORM SEWER ACCESS	-x- = FIELD FENCELINE
⊕ = EXISTING SANITARY SEWER ACCESS	-o- = CHAIN LINK FENCELINE
-SS- = EXISTING SANITARY SEWER MAIN (SIZE VARIES)	-w- = WOOD FENCELINE
-OE- = OVERHEAD ELECTRIC LINE	-    - = SILT FENCE
-UE- = UNDERGROUND ELECTRIC LINE	⊕ = BENCHMARK OR ELEVATION MARKER
EM = ELECTRIC METER	⊕ = PROPERTY CORNER SET
FO = FIBEROPTIC LINE	⊕ = PROPOSED SANITARY SEWER MANHOLE
TELE PED = TELEPHONE PEDESTAL	-800- = PROPOSED SANITARY SEWER MAIN
UT = TELEPHONE LINE	-800- = PROPOSED GROUND CONTOUR LINE
TV PED = TELEVISION PEDESTAL	⊕ = SURFACING REMOVAL
TV = TELEVISION LINE	⊕ = CONCRETE SURFACING REPLACEMENT
GM = GAS METER	→ = FLOW DIRECTION ARROW
GV = GAS VALVE	1000.00 = FINISH GRADE ELEVATION MARKER
-G- = EXISTING GAS LINE	⊕ = PROPOSED WATER VALVE
	-8"W- = PROPOSED WATER MAIN



**GARDEN & ASSOCIATES, LTD.**  
**ENGINEERS & SURVEYORS**  
 500 E. Taylor, Suite C  
 P.O. Box 451  
 Oskaloosa, Iowa 52577  
 641.782.4005 Phone  
 641.782.4118 Fax  
 email@gardenassociates.net

**TUSCANY VILLAGE**  
**4 - BOOYS JOINT VENTURE, LLC**  
**OSKALOOSA, IOWA**  
 © COPYRIGHT 2011 GARDEN & ASSOCIATES, LTD.

SHEET TITLE  
**SITE PLAN**

SCALE:  
**1" = 20'**

FIELD BOOK:  
 NA

DRAWN BY:  
 TH/BN

APPROVED:  
 BN

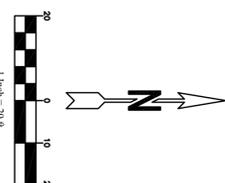
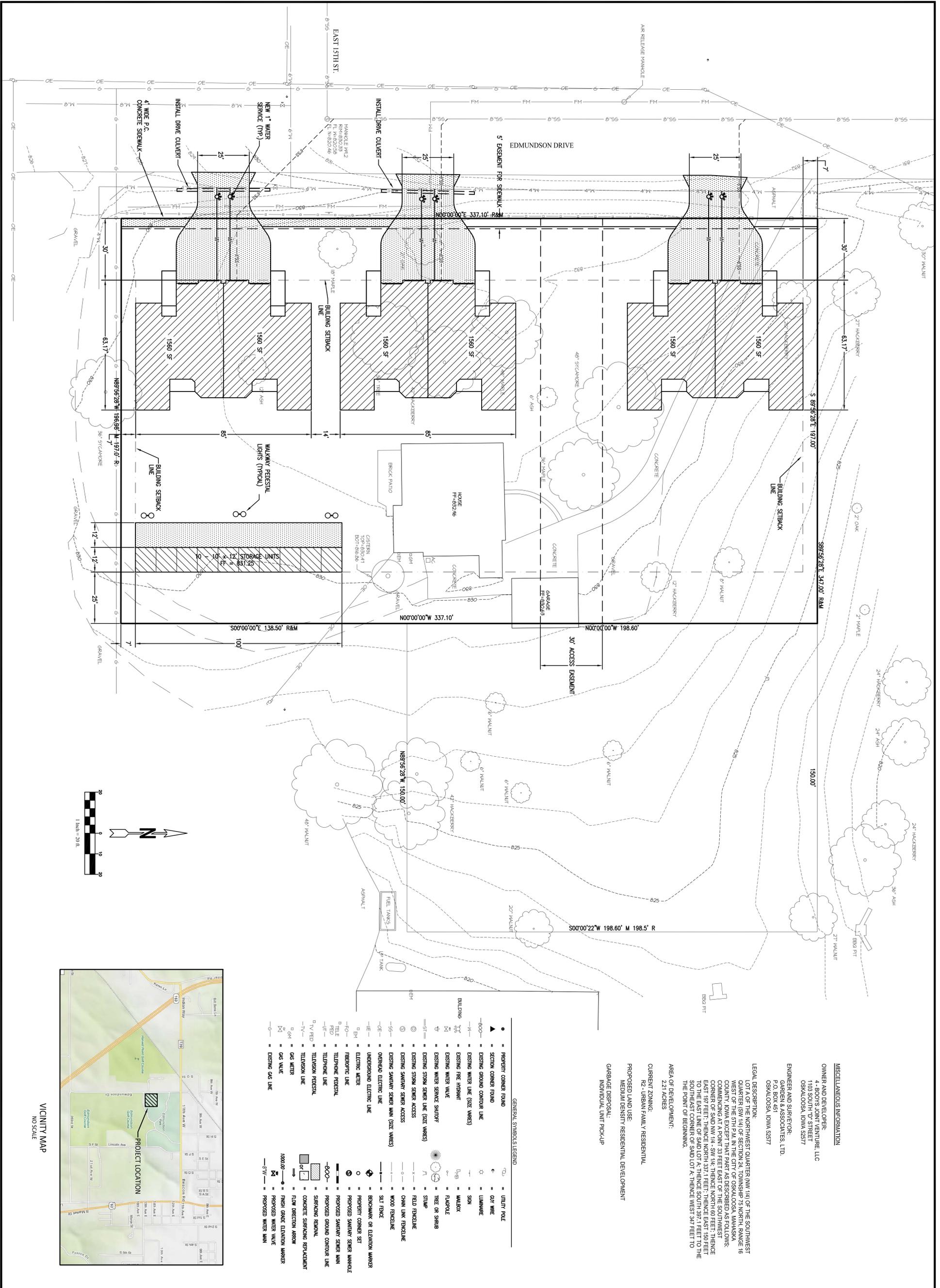
REVISIONS:

DATE:  
 AUGUST 4, 2014

PROJECT NO.:

SHEET NO.:

C:\Projects\011182 - Booy - Site Plan for Medium Density Development on South M St - Oskaloosa IA\Working\Site Plan - 011182 - As Bldg.dwg



**GENERAL SYMBOLS LEGEND**

●	PROPERTY CORNER FOUND	○	UTILITY POLE
▲	SECTION CORNER FOUND	◐	PIPE WIRE
◐	EXISTING GROUND CONTOUR LINE	◑	LUMINAIRE
—BOO—	EXISTING WATER LINE (SIZE WARS)	—N—	SIGN
—W—	EXISTING FIRE HYDRANT	◊	WALKWAY
⊕	EXISTING WATER SERVICE SHUTOFF	◊	FLAPOP
⊕	EXISTING STORM SEWER LINE (SIZE WARS)	⊕	TRIE OR SHRUB
⊕	EXISTING STORM SEWER ACCESS	⊕	STUMP
⊕	EXISTING SWIMMER SEWER MAIN (SIZE WARS)	⊕	FIELD ENCLOSURE
⊕	EXISTING SWIMMER SEWER MAN (SIZE WARS)	⊕	CHAIN LINK FENCELINE
⊕	OVERHEAD ELECTRIC LINE	⊕	WOOD FENCELINE
⊕	UNDERGROUND ELECTRIC LINE	⊕	SET FENCE
⊕	ELECTRIC METERS	⊕	BENCHMARK OR ELEVATION MARKER
⊕	FIBEROPTIC LINE	⊕	PROPERTY CORNER SET
⊕	TELEPHONE PEDestal	⊕	PROPOSED SWIMMER SEWER MANHOLE
⊕	TELEPHONE LINE	⊕	PROPOSED SWIMMER SEWER MAN
⊕	TELEVISION LINE	⊕	PROPOSED GROUND CONTOUR LINE
⊕	TELEVISION PEDestal	⊕	PROPOSED GROUND CONTOUR LINE
⊕	TELEVISION LINE	⊕	CONCRETE SURFACING REPAVEMENT
⊕	GAS WATER	⊕	CONCRETE SURFACING REPAVEMENT
⊕	GAS WATER	⊕	CONCRETE SURFACING REPAVEMENT
⊕	EXISTING GAS LINE	⊕	CONCRETE SURFACING REPAVEMENT

**MISCELLANEOUS INFORMATION**

OWNER AND DEVELOPER:  
4 - BOOYS JOINT VENTURE, LLC  
1103 SOUTH 'D' STREET  
OSKALOOSA, IOWA 52577

ENGINEER AND SURVEYOR:  
GARDEN & ASSOCIATES, LTD.  
P.O. BOX 491  
OSKALOOSA, IOWA 52577

**LEGAL DESCRIPTION:**  
LOT 14 OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 24, TOWNSHIP 75 NORTH, RANGE 16 WEST OF THE 5TH P.M. IN THE CITY OF OSKALOOSA, MAHASKA COUNTY, IOWA EXCEPT THAT PART AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 33 FEET EAST OF THE SOUTHWEST CORNER OF SAID NW 1/4 - SW 1/4; THENCE NORTH 60 FEET; THENCE EAST 191 FEET; THENCE NORTH 331 FEET; THENCE EAST 150 FEET; THENCE SOUTH 111 FEET; THENCE WEST 391 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14; THENCE WEST 34 FEET TO THE POINT OF BEGINNING.

**AREA OF DEVELOPMENT:**  
2.21 ACRES

**CURRENT ZONING:**  
R2 - URBAN FAMILY RESIDENTIAL

**PROPOSED LAND USE:**  
MEDIUM DENSITY RESIDENTIAL DEVELOPMENT

**GARBAGE DISPOSAL:**  
INDIVIDUAL UNIT PICKUP

<p><b>TUSCANY VILLAGE</b> 4 - BOOYS JOINT VENTURE, LLC OSKALOOSA, IOWA</p>	<p><b>GARDEN &amp; ASSOCIATES, LTD.</b> ENGINEERS &amp; SURVEYORS</p> <p>1701 3rd Avenue East, Suite 1 P.O. Box 451 Oskaloosa, Iowa 52577 641.672.2526 Phone 641.672.2091 Fax</p> <p>800.491.2524 Iowa Toll Free</p>	<p>500 E. Taylor, Suite C P.O. Box 631 Creston, Iowa 50801 641.782.4005 Phone 641.782.4118 Fax</p> <p>email@gardenassociates.net</p>
<p>SCALE: 1" = 20'</p>	<p>SHEET TITLE SITE PLAN</p>	<p>DATE: OCT. 06, 2011</p>
<p>APPROVED: BN</p>	<p>DRAWN BY: TH/BN</p>	<p>PROJECT NO. NO. SCALE 901182</p>
<p>REVISIONS:</p>	<p>FIELD BOOK: NA</p>	<p>SHEET NO.: 1 of 1</p>



## City Council Communication

Meeting Date: August 18, 2014

Requested By: Public Works Dept.

**Item Title:**

Consider an ordinance to vacate and sell of 120' X 16.5' of the north-south public alley adjacent to 211 North J Street - 2<sup>nd</sup> reading.

**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:**

Approve the Planning & Zoning Commission recommendation to approve the ordinance as presented.

**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 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

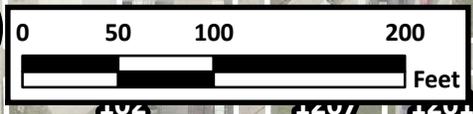
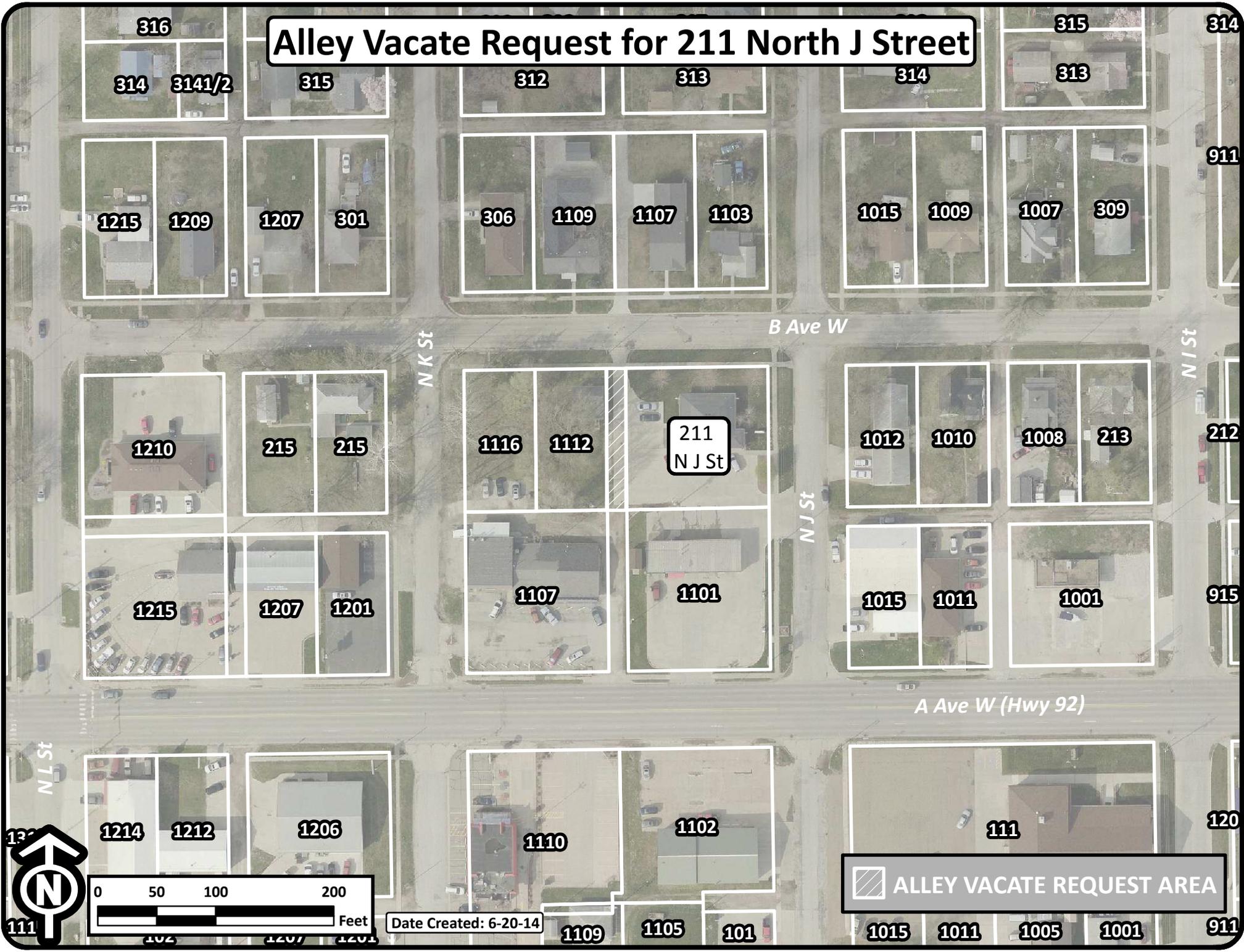
ATTEST:

\_\_\_\_\_  
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

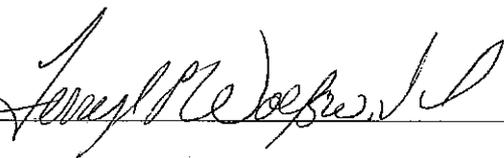
Property Owner Name: Wolfswinkel Family Trust

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 expansion.
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 18, 2014

Requested By: CITY MANAGER'S OFFICE

### Item Title: PUBLIC HEARINGS

Consider an ordinance amending the city's natural gas franchise agreement with MidAmerican Energy Company, and increasing the existing natural gas 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.  
**(PUBLIC HEARING) (1<sup>st</sup> READING)**

### Explanation :

The current twenty-five year natural gas franchise agreement with MidAmerican Energy Company was 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. Initial discussions with the City Council during study sessions indicates a desire to use the revenue to offset the impact 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. Now is the time for the public hearing to consider the ordinance amending the franchise agreement.

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

**Budget Consideration:**

Additional revenue estimated at \$290,000 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. Ordinance
2. Revenue Purpose Statement

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

**AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT WITH MIDAMERICAN ENERGY COMPANY BY STRIKING AND REPLACING PORTIONS OF SECTION 13.1 2.140 FRANCHISE FEE WITH LANGUAGE REFLECTING AN ADDITIONAL 2% ACROSS THE BOARD INCREASE TO EXISTING FRANCHISE FEE RATES FOR NATURAL GAS.**

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

SECTION 1. Section 13.12.140 is amended by striking and replacing certain language as noted below:

**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

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

**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 18, 2014

Requested By: CITY MANAGER'S OFFICE

### Item Title: PUBLIC HEARINGS

Consider an ordinance amending the city's 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. **(PUBLIC HEARING) (1<sup>st</sup> READING)**

### Explanation :

The current twenty-five year electric franchise agreement with MidAmerican Energy Company was 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% across the board 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. Initial discussions with the City Council during study sessions indicates a desire to use the revenue to offset the impact 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. Now is the time for the public hearing to consider the ordinance amending the franchise agreement.

### 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:**

Additional revenue estimated at \$290,000 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. Ordinance
2. Revenue Purpose Statement

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

**AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT WITH MIDAMERICAN ENERGY COMPANY BY STRIKING AND REPLACING PORTIONS OF SECTION 13.16.140 FRANCHISE FEE WITH LANGUAGE REFLECTING A N ADDITIONAL 2% INCREASE TO EXISTING FRANCHISE FEE RATES FOR ELECTRIC .**

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

SECTION 1. Section 13.16.140 is amended by striking and replacing certain language as noted below:

**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

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

**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 18, 2014

Requested By: CITY MANAGER'S OFFICE

**Item Title:**

Consider a resolution approving and adopting a revenue purpose statement for the use or expenditure of fee revenues from proposed natural gas and electricity franchise fees.

**Explanation:**

In the consideration of approving an increase to the natural gas and electric franchise fees charged, state statute requires the city outline the use or expenditure of fee revenues in a document called a revenue purpose statement. The following are areas identified as allowable expenses to identify for the revenue statement and the council can choose, one, several or all:

- a. Property tax relief.
- b. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
- c. Projects designed to prevent or mitigate future disasters as defined in section 29C.2.
- d. Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.
- e. Public safety, including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments.
- f. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.
- g. 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.

h. Property tax abatements, building permit fee abatements, and abatement of other fees for property damaged by a disaster as defined in section 29C.2.

i. Economic development activities and projects.

The following requirements of Section 364.2, subsection f. of the Iowa Code apply if “property tax relief” is selected as one of the purposes for inclusion in the Revenue Purpose Statement:

“If property tax relief is listed as a purpose, the revenue purpose statement shall also include information regarding the amount of the property tax relief to be provided with revenue collected from the increased rate.”

Presently the city uses fee revenues as outlined in “f” and “g” however staff recommends the City Council approve a revenue purpose statement (as attached) that identifies letters “e”, “f”, “g” and “i” as allowable uses for the franchise fee revenues.

**Budget Consideration:**

This item sets forth the policy direction from the City Council to the staff on how future fees generated by the natural gas and electric franchises can be allocated in the city’s budget. Specific funding decisions associated with the use of the franchise fees will be accomplished by separate and future action items of the City Council.

**Attachments :**

1. Resolution w/ revenue purpose statement attached

RESOLUTION \_\_\_\_\_

**A RESOLUTION APPROVING AND ADOPTING A REVENUE  
PURPOSE STATEMENT FOR THE USE OR EXPENDITURE OF FEE  
REVENUES FROM PROPOSED NATURAL GAS AND ELECTRIC  
FRANCHISE FEES**

**WHEREAS**, the City Council of the City of Oskaloosa, Iowa, has previously established a utility franchise fee for MidAmerican Energy for the distribution of natural gas and electric energy within the city limits of the City of Oskaloosa; and

**WHEREAS**, the City of Oskaloosa held a public hearing on a proposed ordinance which would amend the City's ordinances renewing the current natural gas and electricity franchises in the City of Oskaloosa and modify the franchise fees on electricity transmissions and the provision of natural gas service; and

**WHEREAS**, pursuant to the provisions of Section 364.2, subsection (f) of the Code of Iowa, the City has prepared and attached a Revenue Purpose Statement outlining the purposes for which the City shall use the electricity and natural gas franchise fee revenues that will be received if the proposed ordinance is adopted and held two separate public hearings on said Revenue Purpose Statement.

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

1. That all previous resolutions associated with the approval of a Revenue Purpose Statement are hereby rescinded and replaced; and
2. That the "Revenue Purpose Statement for the Use or Expenditure of Natural Gas and Electric Franchise Fee Revenues for the City of Oskaloosa, Iowa" ("Revenue Purpose Statement"), attached hereto, is hereby approved and adopted.

**PASSED AND APPROVED** this 18<sup>th</sup> day of August, 2014.

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

ATTEST:

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

**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 18, 2014

Requested By: City Manager's Office

**Item Title:**

Consider a resolution calling a special city election for the purpose of issuing bonds not exceeding the amount of \$3,195,000 for purpose of reconstructing, enlarging, improving, equipping and furnishing Fire Station No. 1.

**Explanation :**

This item is a culmination of ongoing conversations between the City Council, staff, the public and the city's architectural firm. This item provides staff with the necessary direction to place a ballot question to the voters of Oskaloosa on November 4, 2014, seeking their approval on the issuance of a maximum amount of \$3,195,000 in bonds to complete the Fire Station No. 1 construction project. The ballot proposition included with this item must receive a favorable vote from at least 60 percent of those voting in order to be approved, as required by Section 384.26 of the Iowa Code.

The amount mentioned above and the ballot question being submitted to the votes does not include the borrowing necessary to acquire a new fire apparatus requested by the department that is anticipated to cost \$300,000.

Additional details of the Fire Station No. 1 construction project can be found below and attached to this item, however, in short the proposed fire station project includes both new construction to enlarge the existing facility and renovation of the existing space to better accommodate fire and emergency management services. The facility's construction is anticipated to cost \$2,940,000 and will take approximately 20-24 months to finish if the voters approve a ballot measure in November of 2014.

**Detailed Project Information**

The proposed fire station project includes both new construction to enlarge the existing facility and renovation of the existing space to better accommodate fire and emergency management services. The new addition to the fire station will be built on a vacant site that resulted from the 2013 demolition of a blighted building that had been adjacent to the fire station. The renovated fire station will result in space to house fire apparatus and equipment, office space, firefighter living quarters, vehicle bays, and a training room. The training room will also be used as a community room that provides space to host public and private events. In addition, the enlarged facility will also allow for space to accommodate the MCEMA to locate in the fire station. Currently, these services are housed in cramped quarters in the

basement of the County law enforcement center.

The Oskaloosa Fire Department provides fire protection services to residents within a 146 square mile coverage area. This coverage area includes the City limits of Oskaloosa, Beacon, University Park, and Lake Keomah as well as part or all of Adams, Garfield, Harrison, Jefferson, Lincoln, Madison, Scott, and Spring Creek Townships. While alarm incidents may vary in any given year, on average, 20% of the calls received by the fire department are from outside of the Oskaloosa corporate limits. MCEMA provides services to all of Mahaska County.

#### Funding Options in Detail

One funding option for this project is the issuance of general obligation bonds that would be paid by the City's debt service levy (i.e. without using incremental tax revenues). This option would mean that only taxpayers of the City would be responsible for payment of the bonds/notes.

The City may also consider state, federal, and/or local grant programs. Although in past years acquisition/demolition types of activities were eligible for funding through Brownfield Redevelopment, CDBG, HOME, and NSP grant programs administered by the Iowa Economic Development Authority and Iowa Finance Authority, these revenue sources have either totally lost funding or no longer allow grant dollars to be used for acquisition/demolition. Despite these funding resources no longer being viable, the City will continue to consider other grant and loan programs that might become available.

Another alternative funding source for this project could be the use of local option sales tax. This option is not feasible because the City Council has made a determination to commit LOST funds to the City's ongoing pavement preservation program. As a result, LOST funds are not available as a funding source for this project.

TIF - The City also considered the use of incremental tax revenues. Issuing general obligation bonds that would be paid only with the City's debt levy on the projects could be viewed as less feasible than the use of TIF funds because there would be no contribution of tax increment revenues from the School District and County.

As a result of the proposed Urban Renewal Projects benefiting County residents and school patrons, the use of tax increment could be viewed as the most appropriate funding mechanism because it is fair for the School District and the County to share in the costs for the projects, however it might not be the most politically feasible option. The City Council discussed the use of Urban Renewal GO Bonds to fund the project but ultimately decided against that option at this time.

**Budget Consideration:**

Attached to this item is a specific outline of the city's present day debt schedule and the anticipated effects of a bond issuance if voters provide their approval in November 2014. Under the current scenario for debt issuance, the city can issue bonds that mature in 15 years for the project and hold the city's debt service levy near the existing FY2015 rate of \$2.05810 per \$1,000 of assessed value. That rate is expected to drop significantly in future years if the city does not issue additional debt to fund other capital needs and priorities.

Ongoing costs associated with the construction of the new facility have not been established at this point; in time however, with the additional square footage, it is anticipated that the city will incur higher operating costs to maintain the facility.

**Attachments :**

1. Resolution
2. Fire Station No. 1 Project Information
3. Fire Station No. 1 Project Financing Information

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

**A RESOLUTION CALLING A SPECIAL CITY ELECTION**

**WHEREAS**, the City of Oskaloosa, State of Iowa, proposes to contract indebtedness and issue general obligation bonds to provide funds to pay costs of a general corporate purpose project hereinafter described; and

**WHEREAS**, Section 384.26 of the City Code of Iowa, provides that before the Council may institute proceedings for the issuance of bonds for a general corporate purpose, it shall call a special city election to vote upon the proposition of issuing bonds in accordance with the provisions of such statute; and

**WHEREAS**, neither the proposal for the issuance of the bonds hereinafter set forth, nor any other proposal incorporating any portion of it, has or will have been submitted to the registered voters of the City for a period of more than six months prior to the date of election hereinafter provided; and

**WHEREAS**, "The Oskaloosa Herald", is a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, and is published in the City and of general circulation therein;

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

Section 1. That there is hereby called a special City election on Tuesday, the 4<sup>th</sup> of November, 2014, at which election there shall be submitted to the registered voters of the City the following questions, to-wit:

"SHALL THE CITY OF OSKALOOSA, IOWA, ISSUE ITS BONDS IN AN AMOUNT NOT EXCEEDING THE AMOUNT OF \$3,195,000 FOR THE PURPOSE OF RECONSTRUCTING, ENLARGING, IMPROVING, EQUIPPING AND FURNISHING ITS FIRE STATION?"

Section 2. That the voting place or places for the election, and the hours the polls shall be opened and closed shall be as set out in the notice of election, such notice to be prepared and approved by the County Commissioner of Elections.

Section 3. That the form of ballot to be used at the election shall be of the type authorized by the Code of Iowa that will permit the use of electronic counters and will be in substantially the form set forth in the Notice of Election. That, if more than one public measure shall be submitted to the electors at the time of the election, all such measures shall be printed upon one ballot.

Section 4. That the Election Board for the voting precinct or precincts shall be appointed by the County Commissioner of Elections, not less than 15 days before the date of said election, a certified copy of which appointment shall be officially placed on file in the office of the Clerk of the City.

Section 5. That the Auditor of Mahaska County, Iowa, being the County Commissioner of Elections, is hereby directed to publish the notice of election once in "The Oskaloosa Herald", being a legal newspaper, printed wholly in the English language, as defined by Section 618.3 of the Code of Iowa, published in the City and of general circulation therein, the publication to be not less than four clear days nor more than twenty days prior to the date of the election.

Section 6. That the County Commissioner of Elections shall cause to be prepared all such ballots and election registers and other supplies as may be necessary for the proper and legal conduct of said election. The Clerk is hereby authorized and directed to cooperate with said Commissioner of Elections and to do and prepare all necessary matters in order to make said election legal and valid.

Section 7. That the Clerk is hereby directed to file a certified copy of this Resolution in the office of the County Commissioner of Elections, which filing shall also constitute the "written notice" to the County Commissioner of Elections of the election date required to be given by the governing body under the provisions of Chapter 47 of the Code of Iowa, and to publish notice of a summary of the Council's action with the minutes of this meeting, said notice to be substantially in the form attached hereto.

**PASSED AND APPROVED** this 18<sup>th</sup> day of August, 2014.

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

David Krutzfeldt, Mayor

ATTEST:

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

Receipt of a certified copy of the foregoing resolution is hereby acknowledged  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
County Auditor and County Commissioner  
of Elections

# City of Oskaloosa

## Fire Station Addition/Renovation



Oskaloosa City Council Presentation  
April 21, 2014

1st Avenue

South Market Street

South 1st Street

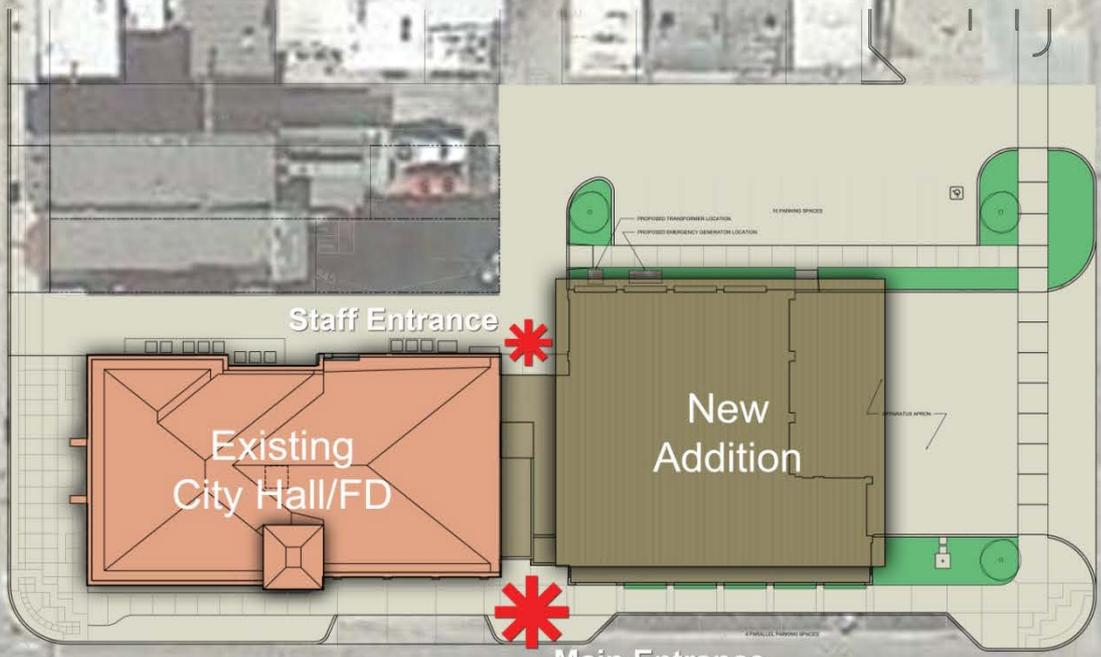
2nd Avenue



South Market Street

1st Avenue

South 1st Street



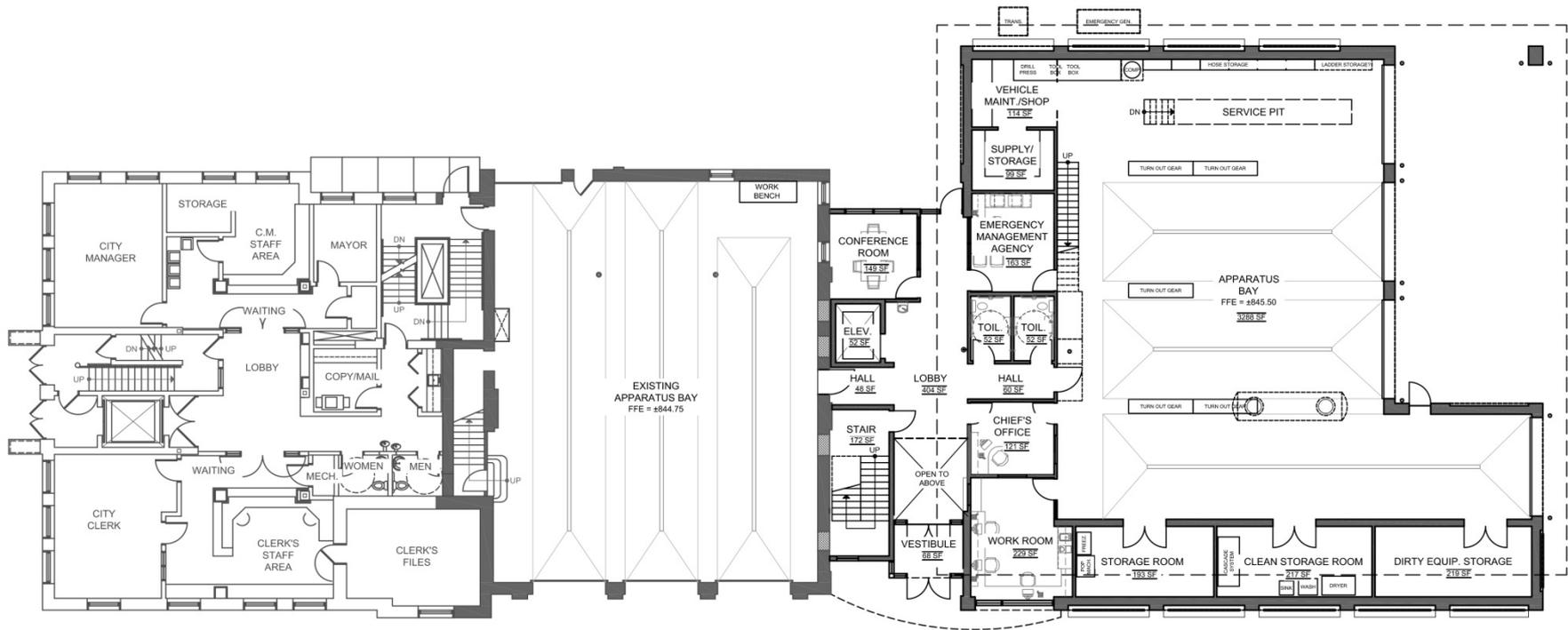
Staff Entrance

Existing City Hall/FD

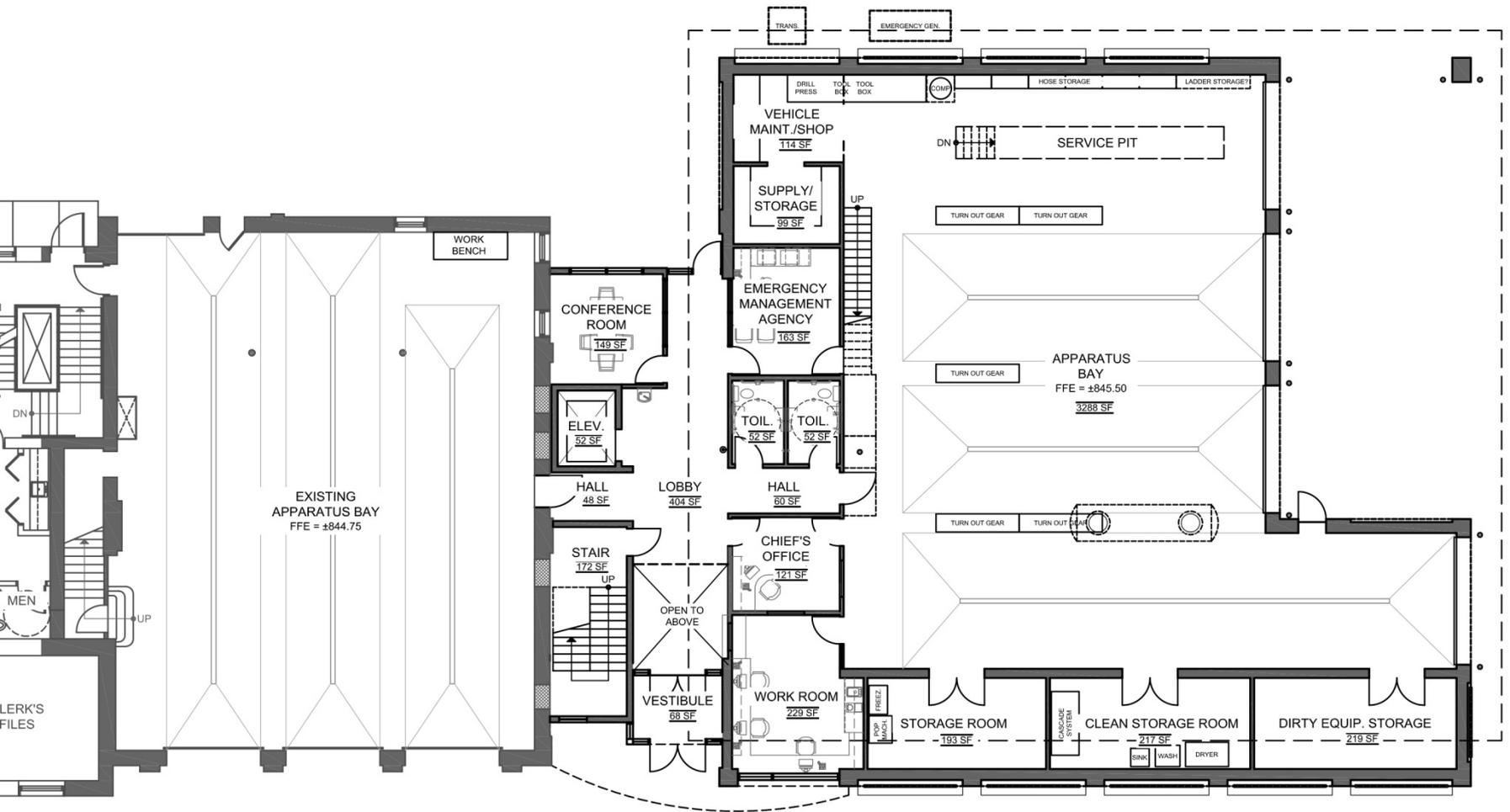
New Addition

Main Entrance

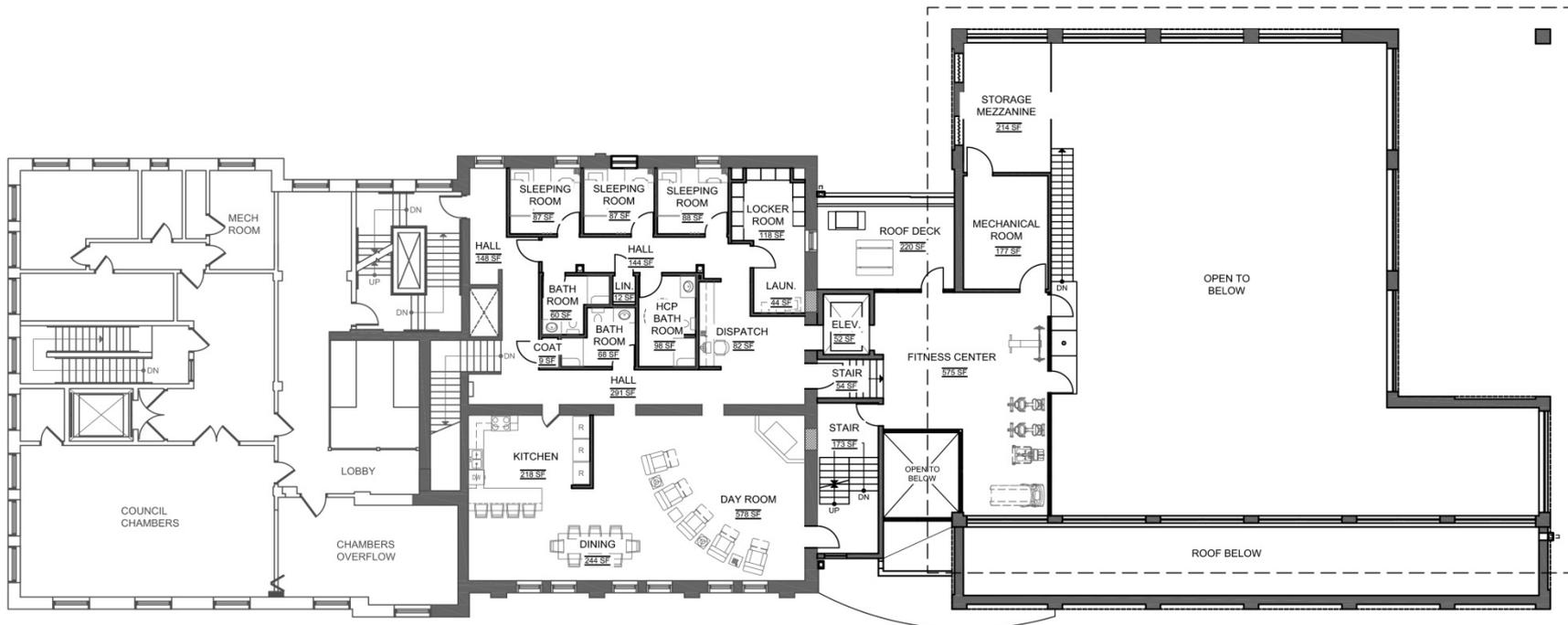
2nd Avenue



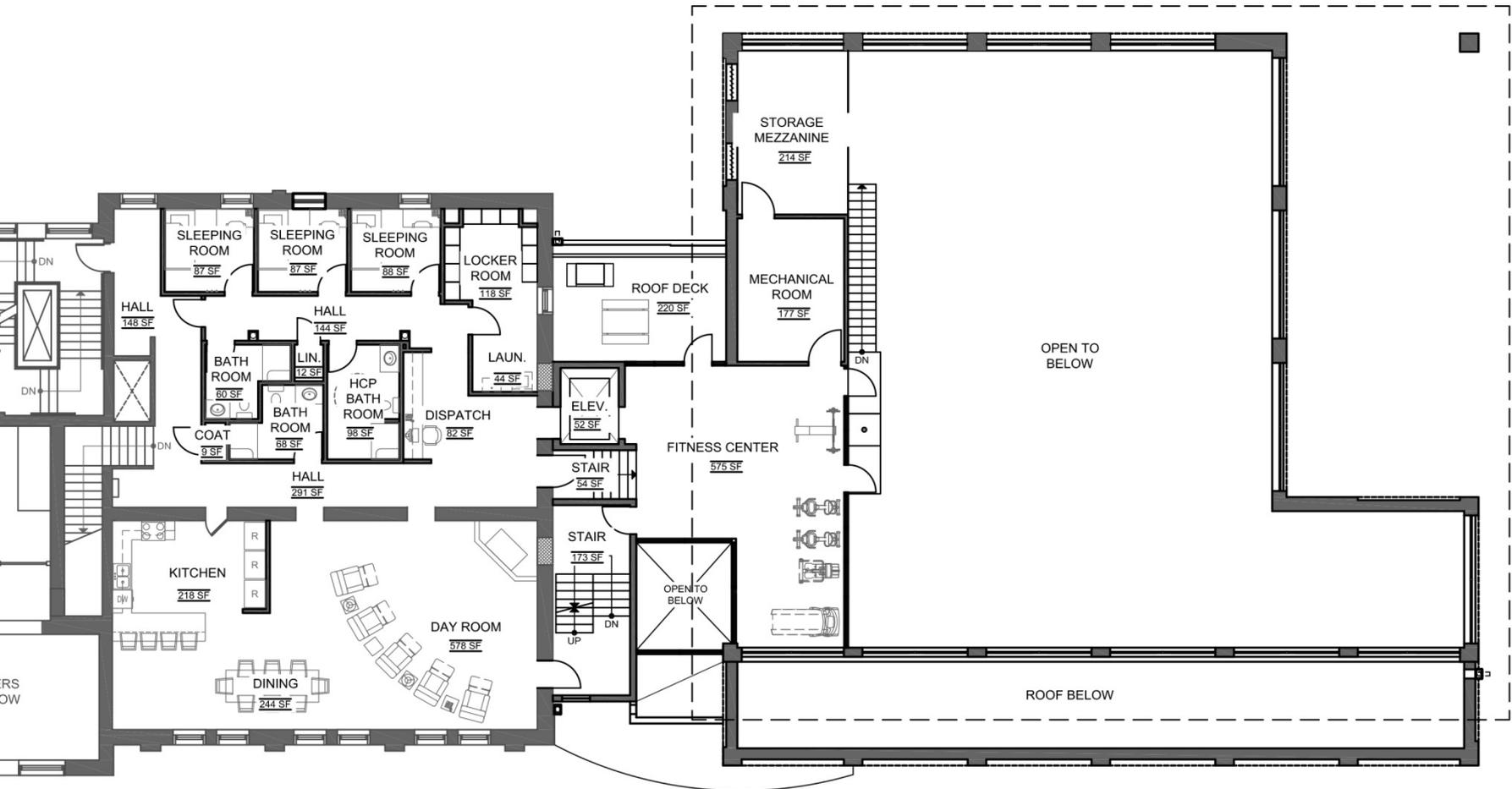
First Floor Plan



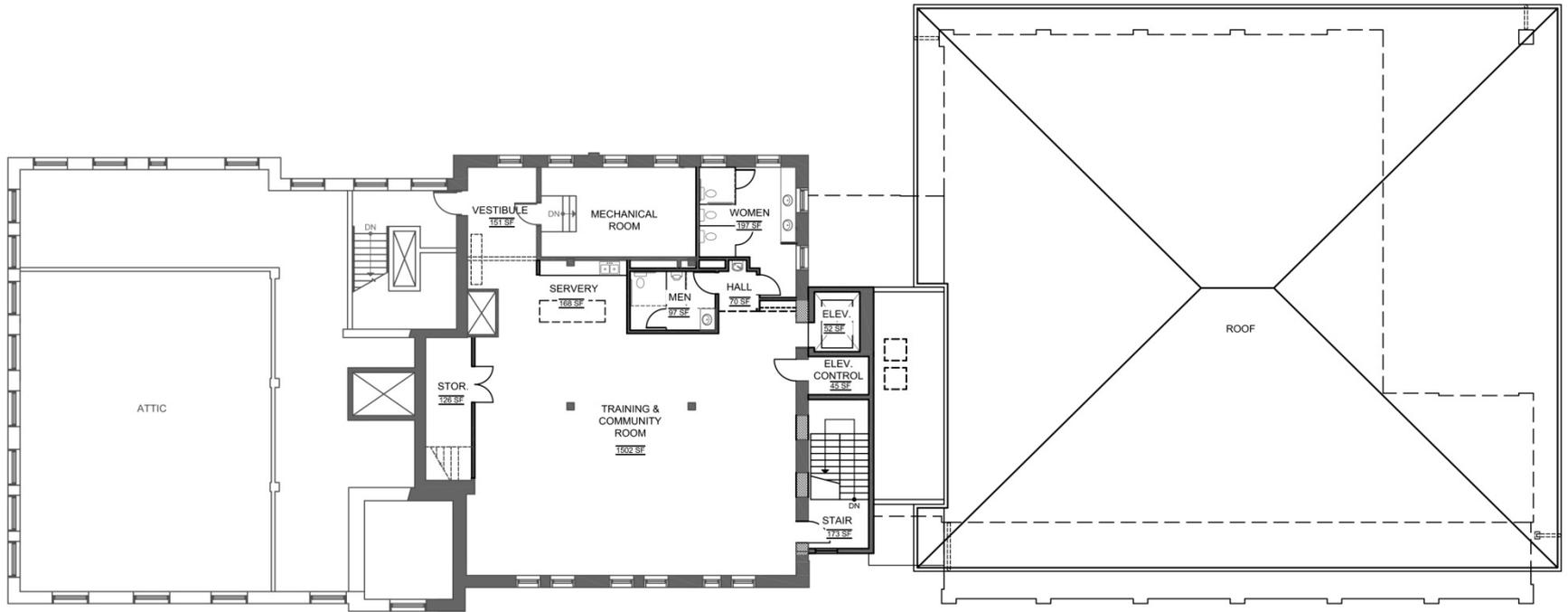
First Floor Plan



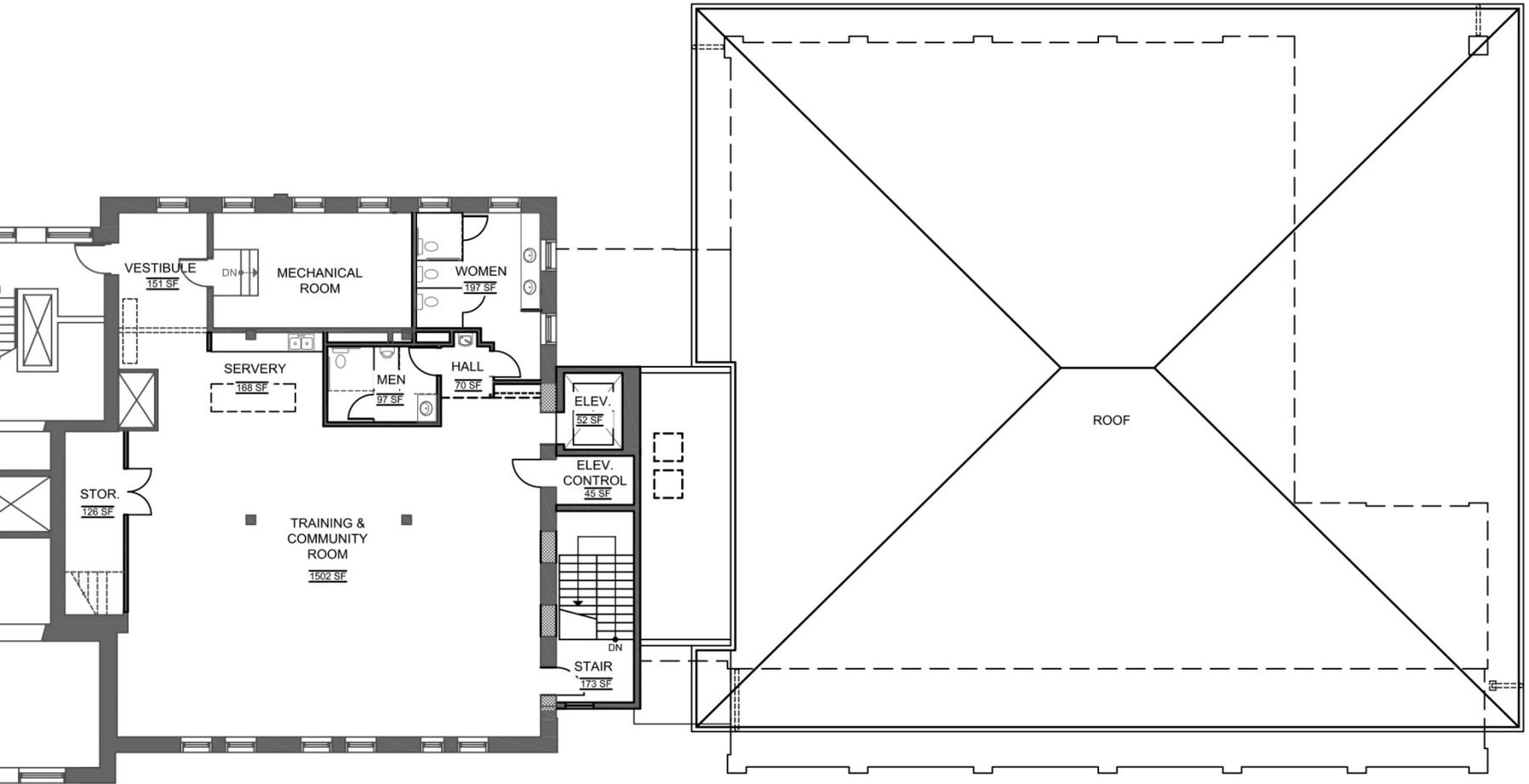
Second Floor Plan



Second Floor Plan



Third Floor Plan



Third Floor Plan



South Elevation



View from Southeast

# View From Southeast



View from Northeast

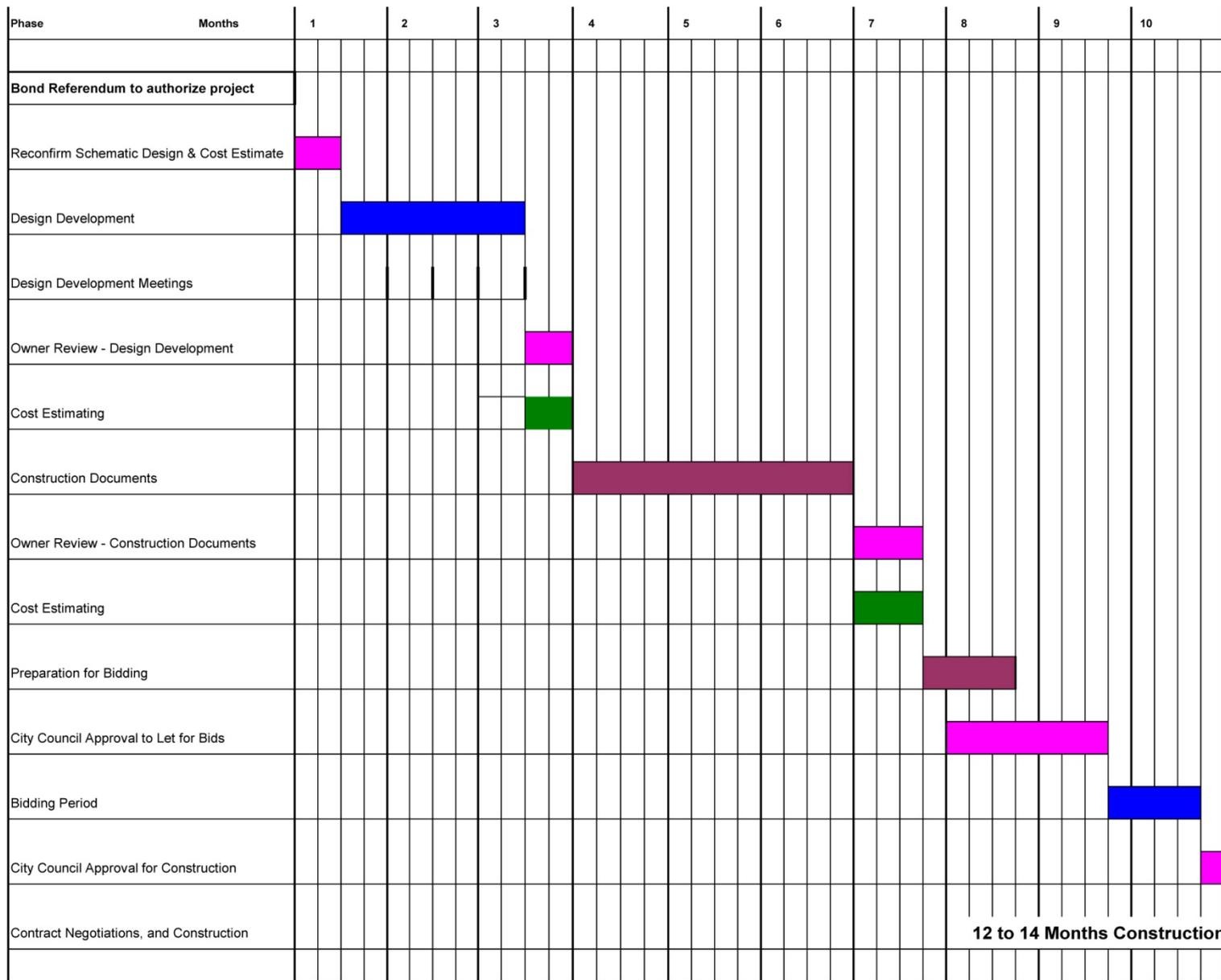
## View From Northeast

	<b>Quan.</b>	<b>\$ / Quan.</b>	<b>Subtotal</b>	<b>Total</b>
	SF	\$	\$	\$
<b>General Construction</b>				
New Addition	7,203	\$224	\$1,613,472	
Level 1 Existing Apparatus Bay Renovation	2,949	\$12	\$35,388	
Level 2 Firefighter Living Quarters Renovation	2,949	\$100	\$294,900	
Level 3 Training/Community Room Renovation	2,949	\$73	\$213,803	
Site Improvements	19,058	\$7	\$133,406	
Furniture, Fixtures, and Equipment	13,101	\$4	\$52,404	
<b>Subtotal</b>	16,050	\$146	2,343,373	<b>\$2,343,373</b>
<b>Project Cost Multiplier</b>		20%	\$469,000	<b>\$469,000</b>
<b>Total Project Costs</b>				<b>\$2,812,000</b>

**Cost Options - Remove the following Scope from the Project:**

Remove Level 3 Training/Community Room Renovation			\$252,287	\$2,559,713
Remove Level 2 Firefighter Living Quarters Renovation			\$347,982	\$2,464,018
Remove both Level 2 and Level 3 Renovations			\$600,269	\$2,211,731

Cost Estimate – Option 2



**12 to 14 Months Construction**



# Schedule

**City of Oskaloosa, Iowa**

Calculation of Debt Service Levy

**EXHIBIT 1**

Change in Tax Rate	
FY 2013-14	(0.03730)
FY 2014-15	(0.14532)
FY 2015-16	(0.54759)
FY 2016-17	(0.04489)

**Scenario #1: Assumes No Future Debt**

Fiscal Year	Taxable Valuation	Historical Valuation Growth	Tax Rate \$1,000	Property				Total Sources	Series 2006	Series 2008B	Series 2008A	Series 2010	Total G.O. Debt Service	Fiscal Fees	Total Uses	Surplus/ (Deficit)	Ending Balance
				Tax Debt Levy	Misc <sup>1)</sup> Revenue	Special <sup>2)</sup> Assmt	State Reimburs										
2008 - 2009	289,875,249	9.70%	3.30070	956,791	84,255	4,270		1,045,316	226,588	11,111	250,551		1,015,594	5,579	1,021,173	24,143	150,593
2009 - 2010	296,830,246	2.40%	2.94801	875,059	15,790	1,646		892,495	230,853	11,885	206,728		977,062	(3,778)	973,284	(80,790)	69,804
2010 - 2011	306,000,764	3.09%	2.86815	877,656	12,774	237,550		1,127,980	229,748	11,926	268,228	305,861	924,437	1,788	926,225	201,755	271,559
2011 - 2012	315,902,737	3.24%	2.51480	794,432	5,896	14,260		814,588	228,458	11,348	277,453	309,550	826,808	1,600	828,408	(13,820)	257,739
2012 - 2013	324,063,874	2.58%	2.24072	726,136	1,738	22,228		750,102	231,983	1,161	266,153	315,200	814,496	1,639	816,135	(66,032)	191,706
2013 - 2014	333,904,229	3.04%	2.20342	735,731	2,757	21,575		760,063	230,138	1,227	260,028	320,700	812,092	1,639	813,731	(53,668)	138,039
2014 - 2015	335,935,950	0.61%	2.05810	691,390	1,500	33,644	13,787	740,320	238,108	1,240	268,903	229,500	737,750	1,678	739,428	893	138,931
2015 - 2016	335,935,950	0.00%	1.51051	507,435	1,500		20,237	529,173	235,420		292,253		527,673	1,500	529,173		138,931
2016 - 2017	335,935,950	0.00%	1.46563	492,357	1,500		19,636	513,493	237,440		274,553		511,993	1,500	513,493		138,931
2017 - 2018	335,935,950	0.00%	1.46268	491,366	1,500		19,596	512,463	238,970		271,993		510,963	1,500	512,463		138,931
2018 - 2019	335,935,950	0.00%	0.78303	263,047	1,500		10,491	275,038			274,038		274,038	1,000	275,038		138,931
2019 - 2020	335,935,950	0.00%	0.81891	275,100	1,500			276,600			275,600		275,600	1,000	276,600		138,931
2020 - 2021	335,935,950	0.00%	0.83558	280,700	1,500			282,200			281,200		281,200	1,000	282,200		138,931
2021 - 2022	335,935,950	0.00%	0.83558	280,700	1,500			282,200			281,200		281,200	1,000	282,200		138,931
2022 - 2023	335,935,950	0.00%	0.83439	280,300	1,500			281,800			280,800		280,800	1,000	281,800		138,931
2023 - 2024	335,935,950	0.00%	0.00149	500				500					500		500		138,931
2024 - 2025	335,935,950	0.00%	0.00149	500				500					500		500		138,931
2025 - 2026	335,935,950	0.00%	0.00149	500				500					500		500		138,931
2026 - 2027	335,935,950	0.00%	0.00149	500				500					500		500		138,931
2027 - 2028	335,935,950	0.00%	0.00000	0				0					0		0		138,931
2028 - 2029	335,935,950	0.00%	0.00000	0				0					0		0		138,931
2029 - 2030	335,935,950	0.00%	0.00000	0				0					0		0		138,931
2030 - 2031	335,935,950	0.00%	0.00000	0				0					0		0		138,931

**Notes:**

- 1) Misc revenue for FY 16 and beyond includes \$1,500 interest income.
- 2) Assumes project will be started in April 2007 and completed by July 2009.
  - Special Assessment Total: \$ 315,234
  - Pre-payment received as of 6-30-14: \$ 281,590 89.33%
  - Assumes the remaining S/A balance will be received each fall through FY2019-20.

**City of Oskaloosa, Iowa**

Calculation of Debt Service Levy

**EXHIBIT 2**

Change in Tax Rate	
FY 2013-14	(0.03730)
FY 2014-15	(0.14532)
FY 2015-16	(0.00591)
FY 2016-17	(0.07328)

**Option #2: 100% paid by Debt Service Levy**

Par => \$3,195,000  
Project Fund => \$3,117,160

Fiscal Year	Taxable Valuation	Historical Valuation Growth	Tax Rate \$1,000	Property				Total Sources	Series 2006	Series 2008B	Series 2008A	Series 2010	Existing Outstanding Debt	Proposed Series 2015	Total G.O. Debt Service	Fiscal Fees	Total Uses	Surplus/ (Deficit)	Ending Balance
				Tax Debt Levy	Misc <sup>1)</sup> Revenue	Special <sup>2)</sup> Assmt	State Reimburs												
2008 - 2009	289,875,249	9.70%	3.30070	956,791	84,255	4,270		1,045,316	226,588	11,111	250,551		1,015,594	1,015,594	5,579	1,021,173	24,143	150,593	
2009 - 2010	296,830,246	2.40%	2.94801	875,059	15,790	1,646		892,495	230,853	11,885	206,728		977,062	977,062	(3,778)	973,284	(80,790)	69,804	
2010 - 2011	306,000,764	3.09%	2.86815	877,656	12,774	237,550		1,127,980	229,748	11,926	268,228	305,861	924,437	924,437	1,788	926,225	201,755	271,559	
2011 - 2012	315,902,737	3.24%	2.51480	794,432	5,896	14,260		814,588	228,458	11,348	277,453	309,550	826,808	826,808	1,600	828,408	(13,820)	257,739	
2012 - 2013	324,063,874	2.58%	2.24072	726,136	1,738	22,228		750,102	231,983	1,161	266,153	315,200	814,496	814,496	1,639	816,135	(66,032)	191,706	
2013 - 2014	333,904,229	3.04%	2.20342	735,731	2,757	21,575		760,063	230,138	1,227	260,028	320,700	812,092	812,092	1,639	813,731	(53,668)	138,039	
2014 - 2015	335,935,950	0.61%	2.05810	691,390	1,500	33,644	13,787	740,320	238,108	1,240	268,903	229,500	737,750	737,750	1,678	739,428	893	138,931	
2015 - 2016	335,935,950	0.00%	2.05219	689,405	1,500		27,494	718,399	235,420		292,253		527,673	189,227	716,899	1,500	718,399	138,931	
2016 - 2017	335,935,950	0.00%	1.97891	664,788	1,500		26,512	692,800	237,440		274,553		511,993	179,308	691,300	1,500	692,800	138,931	
2017 - 2018	335,935,950	0.00%	1.97227	662,557	1,500		26,423	690,480	238,970		271,993		510,963	178,018	688,980	1,500	690,480	138,931	
2018 - 2019	335,935,950	0.00%	1.67484	562,639	1,500		22,439	586,578			274,038		274,038	311,540	585,578	1,000	586,578	138,931	
2019 - 2020	335,935,950	0.00%	1.74710	586,915	1,500			588,415			275,600		275,600	311,815	587,415	1,000	588,415	138,931	
2020 - 2021	335,935,950	0.00%	1.76227	592,011	1,500			593,511			281,200		281,200	311,311	592,511	1,000	593,511	138,931	
2021 - 2022	335,935,950	0.00%	1.75862	590,785	1,500			592,285			281,200		281,200	310,085	591,285	1,000	592,285	138,931	
2022 - 2023	335,935,950	0.00%	1.75182	588,500	1,500			590,000			280,800		280,800	308,200	589,000	1,000	590,000	138,931	
2023 - 2024	335,935,950	0.00%	0.92624	311,156				311,156					310,656	310,656	500	311,156		138,931	
2024 - 2025	335,935,950	0.00%	0.93136	312,876				312,876					312,376	312,376	500	312,876		138,931	
2025 - 2026	335,935,950	0.00%	0.91975	308,976				308,976					308,476	308,476	500	308,976		138,931	
2026 - 2027	335,935,950	0.00%	0.92158	309,592				309,592					309,092	309,092	500	309,592		138,931	
2027 - 2028	335,935,950	0.00%	0.92145	309,549				309,549					309,049	309,049	500	309,549		138,931	
2028 - 2029	335,935,950	0.00%	0.91954	308,906				308,906					308,406	308,406	500	308,906		138,931	
2029 - 2030	335,935,950	0.00%	0.93059	312,620				312,620					312,120	312,120	500	312,620		138,931	
2030 - 2031	335,935,950	0.00%	0.00000	0				0							0	0		138,931	

\$4,269,677

**Notes:**

- 1) Misc revenue for FY 16 and beyond includes \$1,500 interest income.
- 2) Assumes project will be started in April 2007 and completed by July 2009.
  - Special Assessment Total: \$ 315,234
  - Pre-payment received as of 6-30-13: \$ 281,590 89.33%
  - Assumes the remainig S/A balance will be received each fall through FY2019-20.

**Scenario #2: 100% paid by Debt Service Levy**

<b>SOURCES &amp; USES</b>	
<b>SOURCES</b>	
Par Amount of Bonds	3,195,000.00
Accrued Interest	
Other Monies	
Total Sources	3,195,000.00
<b>USES</b>	
Deposit to Construction Account	3,117,160.00
Deposit to Reserve Account	
Capitalized Interest Account	0.00
Municipal Bond Insurance	0.00
Underwriters' Discount (\$12.00 per bond)	38,340.00
Costs of Issuance	39,500.00
Accrued Interest	
Rounding Amount	
Total Uses	3,195,000.00
<b>ASSUMPTIONS</b>	
Dated Date	5/1/2015
Delivery Date	5/1/2015
First Interest Date	12/1/2015
First Principal Date	6/1/2016
Last Principal Date	6/1/2030

Arbitrage Yield	3.54553%
TIC	3.70043%
AIC	3.86268%
Average Life	9.41 Years

<b>Debt Service Tax Rate Impact</b>	
FY2015 Tax Valuation	\$335,935,950
Max Debt Service	\$312,376
Tax Rate Impact	\$0.92987

<b>Annual Tax Impact for City Resident</b>	
Impact Per \$80,000 Home	\$39.29

<b>DEBT SERVICE SCHEDULE</b>					
Date	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/1/2015			61,506.67	61,506.67	
6/1/2016	75,000	1.510%	52,720.00	127,720.00	189,226.67
12/1/2016			52,153.75	52,153.75	
6/1/2017	75,000	1.720%	52,153.75	127,153.75	179,307.50
12/1/2017			51,508.75	51,508.75	
6/1/2018	75,000	1.970%	51,508.75	126,508.75	178,017.50
12/1/2018			50,770.00	50,770.00	
6/1/2019	210,000	2.250%	50,770.00	260,770.00	311,540.00
12/1/2019			48,407.50	48,407.50	
6/1/2020	215,000	2.560%	48,407.50	263,407.50	311,815.00
12/1/2020			45,655.50	45,655.50	
6/1/2021	220,000	2.830%	45,655.50	265,655.50	311,311.00
12/1/2021			42,542.50	42,542.50	
6/1/2022	225,000	3.060%	42,542.50	267,542.50	310,085.00
12/1/2022			39,100.00	39,100.00	
6/1/2023	230,000	3.280%	39,100.00	269,100.00	308,200.00
12/1/2023			35,328.00	35,328.00	
6/1/2024	240,000	3.450%	35,328.00	275,328.00	310,656.00
12/1/2024			31,188.00	31,188.00	
6/1/2025	250,000	3.560%	31,188.00	281,188.00	312,376.00
12/1/2025			26,738.00	26,738.00	
6/1/2026	255,000	3.680%	26,738.00	281,738.00	308,476.00
12/1/2026			22,046.00	22,046.00	
6/1/2027	265,000	3.790%	22,046.00	287,046.00	309,092.00
12/1/2027			17,024.25	17,024.25	
6/1/2028	275,000	3.870%	17,024.25	292,024.25	309,048.50
12/1/2028			11,703.00	11,703.00	
6/1/2029	285,000	3.960%	11,703.00	296,703.00	308,406.00
12/1/2029			6,060.00	6,060.00	
6/1/2030	300,000	4.040%	6,060.00	306,060.00	312,120.00
12/1/2030					
6/1/2031					
12/1/2031					
6/1/2032					
12/1/2032					
6/1/2033					
12/1/2033					
6/1/2034					
12/1/2034					
6/1/2035					
	3,195,000		1,074,677.17	4,269,677.17	4,269,677.17

Scale : MMD 08/12/2014 plus 15 bps (Aa3/BQ) plus 125 bps for timing.

**City of Oskaloosa, Iowa**

Calculation of Debt Service Levy

**EXHIBIT 3**

Change in Tax Rate	
FY 2013-14	(0.03730)
FY 2014-15	(0.14532)
FY 2015-16	0.03601
FY 2016-17	(0.00403)

**Option #3: Fire Station + \$300,000 Fire Equipment**

Par => \$3,495,000  
Project Fund => \$3,417,160

Fiscal Year	Taxable Valuation	Historical Valuation Growth	Tax Rate \$1,000	Property				Total Sources	Series 2006	Series 2008B	Series 2008A	Series 2010	Existing Outstanding Debt	Proposed Series 2015	Total G.O. Debt Service	Fiscal Fees	Total Uses	Surplus/ (Deficit)	Ending Balance
				Tax Debt Levy	Misc <sup>1)</sup> Revenue	Special <sup>2)</sup> Assmt	State Reimburs												
2008 - 2009	289,875,249	9.70%	3.30070	956,791	84,255	4,270		1,045,316	226,588	11,111	250,551		1,015,594	1,015,594	5,579	1,021,173	24,143	150,593	
2009 - 2010	296,830,246	2.40%	2.94801	875,059	15,790	1,646		892,495	230,853	11,885	206,728		977,062	977,062	(3,778)	973,284	(80,790)	69,804	
2010 - 2011	306,000,764	3.09%	2.86815	877,656	12,774	237,550		1,127,980	229,748	11,926	268,228	305,861	924,437	924,437	1,788	926,225	201,755	271,559	
2011 - 2012	315,902,737	3.24%	2.51480	794,432	5,896	14,260		814,588	228,458	11,348	277,453	309,550	826,808	826,808	1,600	828,408	(13,820)	257,739	
2012 - 2013	324,063,874	2.58%	2.24072	726,136	1,738	22,228		750,102	231,983	1,161	266,153	315,200	814,496	814,496	1,639	816,135	(66,032)	191,706	
2013 - 2014	333,904,229	3.04%	2.20342	735,731	2,757	21,575		760,063	230,138	1,227	260,028	320,700	812,092	812,092	1,639	813,731	(53,668)	138,039	
2014 - 2015	335,935,950	0.61%	2.05810	691,390	1,500	33,644	13,787	740,320	238,108	1,240	268,903	229,500	737,750	737,750	1,678	739,428	893	138,931	
2015 - 2016	335,935,950	0.00%	2.09411	703,486	1,500		28,056	733,042	235,420		292,253		527,673	203,869	731,542	1,500	733,042		138,931
2016 - 2017	335,935,950	0.00%	2.09008	702,132	1,500		28,002	731,634	237,440		274,553		511,993	218,141	730,134	1,500	731,634		138,931
2017 - 2018	335,935,950	0.00%	2.08202	699,425	1,500		27,894	728,819	238,970		271,993		510,963	216,356	727,319	1,500	728,819		138,931
2018 - 2019	335,935,950	0.00%	2.05484	690,295	1,500		27,530	719,325			274,038		510,963	444,288	718,325	1,000	719,325		138,931
2019 - 2020	335,935,950	0.00%	2.10362	706,683	1,500			708,183			275,600		275,600	431,583	707,183	1,000	708,183		138,931
2020 - 2021	335,935,950	0.00%	1.76741	593,736	1,500			595,236			281,200		281,200	313,036	594,236	1,000	595,236		138,931
2021 - 2022	335,935,950	0.00%	1.76350	592,422	1,500			593,922			281,200		281,200	311,722	592,922	1,000	593,922		138,931
2022 - 2023	335,935,950	0.00%	1.75622	589,979	1,500			591,479			280,800		280,800	309,679	590,479	1,000	591,479		138,931
2023 - 2024	335,935,950	0.00%	0.93030	312,520				312,520						312,020	312,020	500	312,520		138,931
2024 - 2025	335,935,950	0.00%	0.92018	309,120				309,120						308,620	308,620	500	309,120		138,931
2025 - 2026	335,935,950	0.00%	0.92347	310,227				310,227						309,727	309,727	500	310,227		138,931
2026 - 2027	335,935,950	0.00%	0.92477	310,664				310,664						310,164	310,164	500	310,664		138,931
2027 - 2028	335,935,950	0.00%	0.92401	310,409				310,409						309,909	309,909	500	310,409		138,931
2028 - 2029	335,935,950	0.00%	0.92128	309,491				309,491						308,991	308,991	500	309,491		138,931
2029 - 2030	335,935,950	0.00%	0.93149	312,920				312,920						312,420	312,420	500	312,920		138,931
2030 - 2031	335,935,950	0.00%	0.00000	0				0								0	0		138,931

\$4,620,522

**Notes:**

- 1) Misc revenue for FY 16 and beyond includes \$1,500 interest income.
- 2) Assumes project will be started in April 2007 and completed by July 2009.  
 Special Assessment Total: **\$ 315,234**  
 Pre-payment received as of 6-30-13: **\$ 281,590** 89.33%  
 Assumes the remain S/A balance will be received each fall through FY2019-20.





## City Council Communication

Meeting Date: August 18, 2014

Requested By: Council Members

**Item Title:**

Consider a resolution approving a motion to submit to the voters of the City of Oskaloosa, Iowa at special public election the question of whether to discontinue the Oskaloosa Municipal Water Board.

**Explanation :**

This item was specifically requested to be on the agenda by Council Members Van Zetten and Jimenez.

The Oskaloosa Municipal Water Board was created by the vote of the citizens of Oskaloosa in 1922. Oskaloosa City Ordinance 2.80.100 provides that a proposal on motion of the council to discontinue a utility board is subject to the approval of the voters of the City. Iowa State Code **§388.2** (2013) likewise provides that a proposal of a City to establish or discontinue the operation of a City utility is subject to the approval of the voters of the City. Council members have requested that an item be placed on the agenda for the City Council to consider a motion to submit to the voters of the City of Oskaloosa, Iowa at public election the issue of whether to discontinue the Oskaloosa Municipal Water Board.

**Budget Consideration:**

This item is not specifically included in the City Council approved FY2015 budget. If this item is approved, the city could incur additional costs associated with the election process.

**Attachments :**

Resolution

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

**A RESOLUTION APPROVING A MOTION TO SUBMIT TO THE VOTERS OF THE CITY OF OSKALOOSA , IOWA AT PUBLIC ELECTION THE QUESTION OF WHETHER TO DISCONTINUE THE OSKALOOSA MUNICIPAL WATER BOARD OF TRUSTEES**

**WHEREAS** , the Oskaloosa City Council may submit a proposal to the voters in accordance with Oskaloosa City Ordinance 2.80.100 and Iowa Code §388.2 (2013) and;

**WHEREAS** , the following issue has been proposed: The Oskaloosa Municipal Water Board of Trustees shall be discontinued.

**NOW THEREFORE** , be it resolved by the City Council of the City of Oskaloosa Iowa as follows:

1. That there is hereby called a special election on the proposed discontinuance of the Oskaloosa Municipal Water Board of Trustees to be scheduled by the County Auditor, at which time the following question shall be submitted to the qualified electors of the City of Oskaloosa Iowa, to wit:
2. Shall the Oskaloosa Municipal Water Board of Trustees be discontinued?
3. The City Clerk is hereby authorized to pay all costs associated therewith.

**PASSED AND APPROVED** this 18<sup>th</sup> day of August, 2014.

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

David Krutzfeldt, Mayor

ATTEST:

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



## City Council Communication

Meeting Date: August 18, 2014

Requested By: City Manager's Office

### **Item Title: PUBLIC HEARINGS**

Consider a resolution determining an area of the city to be a blighted and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for urban renewal projects; and adopting Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan. **(Public Hearing)**

### **Explanation :**

The Oskaloosa Urban Renewal Plan for the Oskaloosa Urban Renewal Area was originally adopted in 1978 and amended in 1980, 1983, 1989, 1992 (three times), 1995, 1996, 1999, and 2001. The Oskaloosa Urban Renewal Plan is now being Amended and Restated and will be known as the Oskaloosa Amended and Restated Urban Renewal Plan for the Oskaloosa Urban Renewal Area. Objectives of this Amendment #1 to the Amended and Restated Urban Renewal Plan include:

1. Confirming the objectives and types of urban renewal projects which may be undertaken by the City;
2. Confirming the list of proposed projects to be undertaken within the Urban Renewal Area;
3. Adding land to the Urban Renewal Area. The land being added by this Amendment is primarily undeveloped agricultural property located adjacent to Highway 23. This land is zoned General Industrial and the area has potential to be developed as an industrial corridor. The land added is designated as "Amendment #1 to the Amended and Restated Urban Renewal Plan";
4. Reaffirming all legal descriptions from previous amendments to the Urban Renewal Area; and
5. Removing self-imposed voluntary expiration dates and clarifying the timeframe that the Area will remain in full force and effect.

The consultation on the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan is required by Section 403.5(2) of the Code of Iowa, as amended, and was held on the 28th day of July, 2014, in the City

Manager's Office, City Hall, 220 South Market Street, Oskaloosa, Iowa, at 10:00 o'clock A.M.

Specific information regarding Amendment No. 1, including an explanation of the history, purpose, description, project objectives, types of renewal activities, proposed urban renewal projects, financial information, development plan, public building analysis, agreement to include agricultural land, urban renewal financing, property acquisition/disposition/development agreements, urban renewal plan amendments, effective period, repealer, and severability clause can be found specifically within pages 2-15 of the Amendment #1 to the Oskaloosa Amended and Restated Urban Renewal Plan for the Oskaloosa Urban Renewal Area document included with this item.

**Budget Consideration:**

Action associated with the public hearing on the amendment to the urban renewal area carries minimal financial impact. However, future action(s) associated with the use of urban renewal as a tool by the City Council may carry significant undetermined financial implications for the city.

**Attachments :** Resolution and Amendment as Exhibit 1

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

**RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A  
BLIGHTED AND ECONOMIC DEVELOPMENT AREA, AND  
THAT THE REHABILITATION, CONSERVATION,  
REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION  
THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST  
OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE  
RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS  
APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND  
ADOPTING AMENDMENT NO. 1 TO THE OSKALOOSA  
AMENDED AND RESTATED URBAN RENEWAL PLAN**

WHEREAS, by Resolution No. 78-14, adopted February 20, 1978, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Oskaloosa Urban Renewal Plan (the "Original Plan") for the Oskaloosa Urban Renewal Area (the "Oskaloosa Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Mahaska County; and

WHEREAS, by Resolution No. 80-134, adopted October 6, 1980, this City Council approved and adopted an Amendment No. 1 to the Original Plan; and

WHEREAS, by Resolution No. 83-34, adopted August 8, 1983, this City Council approved and adopted an Amendment No. 2 to the Original Plan; and

WHEREAS, by Resolution No. 83-35, adopted August 15, 1983, this City Council approved and adopted an Amendment No. 2 (Amendment "A") to the Original Plan; and

WHEREAS, by Resolution No. 84-10-123, adopted October 22, 1984, this City Council approved and adopted an Amendment No. 2 (Amendment "A-1") to the Original Plan; and

WHEREAS, by Resolution No. 84-12-147, adopted December 3, 1984, this City Council approved and adopted a Correction Resolution to the Original Plan; and

WHEREAS, by Resolution No. 89-2-8, adopted February 6, 1989, this City Council approved and adopted an Amendment No. 3 to the Original Plan; and

WHEREAS, by Resolution No. 89-2-10, adopted February 14, 1989, this City Council approved and adopted an Amendment No. 3 (Amendment "A") to the Original Plan; and

WHEREAS, by Resolution No. 89-9-128, adopted September 5, 1989, this City Council approved and adopted an Amendment No. 3 (Amendment "B") to the Original Plan; and

WHEREAS, by Resolution No. 89-11-157, adopted November 20, 1989, this City Council approved and adopted an Amendment No. 3 (Amendment "C") to the Original Plan; and

WHEREAS, by Resolution No. 92-12-125, adopted December 23, 1992, this City Council approved and adopted an Amendment No. 4, Amendment No. 5 and Amendment No. 6 to the Original Plan; and

WHEREAS, by Resolution No. 95-5-49, adopted May 15, 1995, this City Council approved and adopted an Amendment No. 7 to the Original Plan; and

WHEREAS, by Resolution No. 95-12-105, adopted December 4, 1995, this City Council approved and adopted a corrected Amendment No. 7 to the Original Plan; and

WHEREAS, by Resolution No. 96-11-80, adopted November 18, 1996, this City Council approved and adopted an Amendment No. 8 to the Original Plan; and

WHEREAS, by Resolution No. 99-10-106, adopted October 18, 1999, this City Council approved and adopted an Amendment No. 9 to the Original Plan; and

WHEREAS, by Resolution No. 01-4-29, adopted April 2, 2001, this City Council approved and adopted an Amendment No. 10 to the Original Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL URBAN RENEWAL AREA

Original Urban Renewal Area shall mean that portion of the City of Oskaloosa, Iowa described in the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 78-14 on February 20, 1978, which Original Project Area includes the entire territory within the corporate boundaries of the City of Oskaloosa, Iowa, as of February 20, 1978;

Ordinance No. 576 adopted November 17, 1980, included the following land in a TIF Ordinance:

All the territory within the corporate boundaries of the City of Oskaloosa.

AMENDMENT NOS. 1, 2, 3, 4 & 5 AREA

NOTE: Amendment Nos. 1, 2, 3, 4, and 5 did not add new property to the Original Urban Renewal Area; however, certain geographic areas that were already within the Original Urban Renewal Area were designated for specific projects in Amendment Nos. 1, 2, 3, 4, and 5.

AMENDMENT NO. 6 AREA

Amendment No. 6 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 6 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 92-12-125 on December 23, 1992, which Amendment No. 6 Area includes the lots and parcels located within the area legally described as follows:

Industrial Site A is legally described as the Southeast 1/4 of the Northeast 1/4 and the South 100 feet of the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 75 North, Range 15 West of the 5th P.M. in the City of Oskaloosa, Mahaska County, Iowa.

#### AMENDMENT NO. 7 AREA

Amendment No. 7 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 7 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 95-5-49 on May 15, 1995, which Amendment No. 7 Area includes the lots and parcels located within the area legally described as follows:

The Southwest Fractional 1/4 of the Northwest Fractional 1/4; the Southeast 1/4 of the Northwest Fractional 1/4; Lot A of the Southwest 1/4 of the Northeast 1/4; Lot 2 of the Northwest 1/4 of the Southeast 1/4; the Northeast 1/4 of the Southwest Fractional 1/4; Northwest Fractional 1/4 of the Southwest Fractional 1/4; Lot 1 of the Southeast 1/4 of the Southwest Fractional 1/4; and Lot 1 of the Southwest Fractional 1/4 of the Southwest Fractional 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., except the following described tract:

A part of the SE 1/4 of the NW Fractional 1/4; and a part of Lot A of the SW 1/4 of the NE 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa and more particularly described as follows: Commencing at the NE corner of said SE 1/4 - NW Fractional 1/4; thence South 72.60 feet along the East line thereof; said point also being the NW corner of said Lot A; thence S **56°24'00"** E 157.45 feet; thence S **89°53'00"** W 131.12 feet to the West line of said Lot A; thence continuing S **89°53'00"** W 412.28 feet; thence N **0°12'00"** E 160.0 feet to the North line of said SE 1/4 - NW Fractional 1/4; thence N **89°53'00"** E 411.64 feet to the point of beginning containing 1.64 acres and subject to the county road along the Easterly side thereof. The East line of said SE 1/4 - NW Fractional 1/4 is assumed to bear due South for purposes of this description.

Also Lot 1 and a part of Lot 2 of the subdivision of the Southeast 1/4 of the Northeast 1/4 of Section 25 - Township 75 North - Range 16 West of the 5<sup>th</sup> P.M., more particularly described as follows: Commencing at the Northeast corner of said Lot 2; thence South along the section line 1.06 chains to the Northeast corner of said Lot 1; thence West along the North line of said Lot 1 3.16 1/4 chains to the Northwest corner thereof; thence North to the North line of said Lot

2; thence East along said North line 3.16 1/4 chains to the point of beginning.

Note: The following legal description was added by Resolution No. 95-12-105 dated December 4, 1995, as a correction to Resolution No. 95-5-49 dated May 15, 1995.

And more particularly described as follows:

Commencing at the Northwest corner of said Southwest Fractional ¼ of the Northwest Fractional ¼ of Section 30; thence South 89°49'50" East 1125.58 feet along the North line thereof; thence North 89°50'41" East 905.55 feet along the North line of said Southeast ¼ of the Northwest Fractional ¼, said line being subject to a fence line agreement recorded in Book 1 "Record of Partition Fences" on page 109 in the office of the Mahaska County Recorder; thence South 0°09'41" West 160.00 feet; thence North 89°50'41" East 581.72 feet to the centerline of the existing roadway as presently maintained; thence South 53°45'05" East 633.26 feet along said centerline; thence Southeasterly 238.67 feet along a 229.2 foot radius curve, concave Southwesterly having a chord which bears South 23°55'13" East 228.02 feet tangent to the preceding and following courses; thence South 5°54'39" West 1898.15 feet along the said centerline to the South line of said Lot 2 of the Northwest ¼ of the Southeast ¼; thence South 89°47'39" West 571.02 feet along said South line; thence South 0°07'53" East 327.60 feet along the East line of said Lot 1 of the Southeast ¼ of the Southwest Fractional ¼; thence South 89°46'11" West 1223.36 feet along the South line of said Lot 1 of the Southeast ¼ of the Southwest Fractional ¼; thence South 89°55'19" West 1212.58 feet along the South line of Lot 1 of the Southwest Fractional ¼ of the Southwest Fractional ¼; thence North 0°23'32" West 984.52 feet; thence North 0°16'07" West 659.62 feet along the West line of said Lot 1 and the West line of the Northwest Fractional ¼ of the Southwest Fractional ¼ to the Northwest corner thereof; thence South 89°43'47" West 208.73 feet along the said Lot 1 of the Southeast ¼ of the Northeast ¼, Section 25 - Township 75 North - Range 16 West; thence North 0°10'32" West 278.85 feet along the West line of said Lot 1 to the North line of said Lot 2 of said Southeast ¼ of the Northeast 1/4; thence North 89°43'47" East 208.73 feet to the Northeast corner of said Lot 2; thence North 0°10'32" West 1043.49 feet along the West line of said Southwest Fractional ¼ of the Northwest Fractional ¼ to the point of beginning, containing 202.11 acres, and subject to the existing public roadway along the Easterly and Southerly sides thereof, also subject to any and all easements of record.

#### AMENDMENT NO. 8 AREA

Amendment No. 8 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 8 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 96-11-80 on November 18, 1996, which Amendment No. 8 Area includes the lots and parcels located within the area legally described as follows:

Beginning at a point seven hundred twenty (720) feet West of the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section fourteen (14), Township seventy-five (75), Range sixteen (16) West of the fifth P.M. which is the intersection of the West Corporate Limits of the City of Oskaloosa and the South line of Iowa Highway 92; thence West one thousand nine hundred forty-one and 85/100 (1,941.85) feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section fourteen (14); thence North seven hundred nine and 73/100 (709.73) feet; thence East one thousand seventy-six and 21/100 (1,076.21) feet to the center line of Iowa Highway 163; thence Northwesterly along the center line of Iowa Highway 163 to the intersection of the center line of D Avenue West; thence West along the center line of D Avenue West (County-designated 245<sup>th</sup> Street) to the West line of said Section Fourteen (14); thence South along the West line of said Section fourteen (14) to the center line of Suffolk Road; thence Easterly along the center line of said Suffolk Road to its intersection with the West Corporate Limits of Oskaloosa on the West property line of Lot 3 of Lot 8 of the Southeast Quarter of the Southwest Quarter of Section fourteen (14); thence North along the West line to the Northwest corner; thence East along the North line of said Lot three (3) of Lot eight (8) one hundred ninety-eight (198) feet to the Southeast corner of Lot nine (9); thence North along the East line of Lot nine (9) to the Northwest corner of Lot three (3) of Lot eight (8); thence East along the North line of said Lot three (3) of Lot eight (8) and the center line of High Avenue West to a point seven hundred twenty (720) feet West of the East line of said Section fourteen (14); thence North to the point of beginning.

#### AMENDMENT NO. 9 AREA

Amendment No. 9 Area shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 9 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Ordinance No. 1064 on November 15, 1999, which Amendment No. 9 Area includes the lots and parcels located within the area legally described as follows:

All that part of the Southwest Quarter of Section 21, and all that part of the West three-fourths of the Northwest Quarter of Section 28, all in Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa which lies Southwest of the centerline of the 265<sup>th</sup> Street (formerly Burlington Road) Excepting there from the tract of land described as follows: Commencing at the NW corner of said Section 28; thence N 88 ° 46' 00" E 739.67 feet along the north line thereof to the Point of Beginning; said point also being on the westerly line of the tract of land described and recorded in Deed Book 278 at page 303 Mahaska County Records; thence N 9° 45' 10" E 209.29 feet to the NW corner of said tract and the centerline of 265<sup>th</sup> Street (formerly Burlington Road); thence S 70° 40' 50" E 588.59 feet along said centerline to the north line of said Section 28; thence S 70° 23' 20" E 692.10 feet along said centerline to the east line of the west 3/4 of the NW 1/4 of said Section 28; thence S 1° 00' 00" E 275.54 feet along said east line; thence N 77° 20' 10" W 1315.84 feet; thence N 9° 45' 10" E 209.83 feet to the point of beginning. The above tract contains in all 116 acres more or less.

and

The East one-half of the Southwest Quarter of Section 28, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa, excepting therefrom the Former Chicago and Northwestern Railroad right-of-way through the southern portion of said tract.

and

A part of the North Half of the Northwest Quarter of the Northeast Quarter, all in Section 33, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa more particularly described as follows:

Beginning at the Southeast corner of said **NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub>**; thence N 00° 00' 43" E along the East line of said **NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub>** a distance of 316.25 feet to the Southerly right-of-way line of the abandoned Chicago and Northwestern Railroad; thence N 59° 22' 46" W along said South right-of-way line a distance of 1953.44 feet to the North line of said North Half of the **NW<sup>1</sup>/<sub>4</sub>**; thence S 89° 39' 57" W along said North line a distance of 959.55 feet to the Northeast corner of the **NE<sup>1</sup>/<sub>4</sub>- NW<sup>1</sup>/<sub>4</sub>**; thence continuing S 89° 39' 57" W along said North line a distance of 545.05 feet to the Northerly right-of-way line of Iowa Highway No. 23, formerly U.S. Highway 63; thence S 48° 28' 56" E along said Northerly right-of-way line a distance of 1979.51 feet to the South line of said North  $\frac{1}{2}$  of the **NW<sup>1</sup>/<sub>4</sub>**; thence N 89° 41' 20" E along said South line a distance of 382.76 feet to the Southeast corner thereof; thence N 89° 40' 31" E along the south line of said **NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub>** a distance of 1320.84 feet to the Point of beginning containing 54.74 acres, and subject to any and all easements or restrictions recorded or non-recorded. The West line of the Northwest Quarter (**NW<sup>1</sup>/<sub>4</sub>**) of the Northwest Quarter (**NW<sup>1</sup>/<sub>4</sub>**) Section 33 is assumed to bear North 0° 00' 00" East for the purposes of this description;

and

Commencing at the Northwest corner of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence East 434.9 feet to the North R.O.W. line of Highway 63; thence South 48°39' East along said North R.O.W. line 1185.6 feet to the East line of the Northwest Quarter -Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M. the point of beginning; thence South 48°39' East along said North R.O.W. Line 628'; thence North 41°21' East 369.1 feet to the South line of the Chicago and Northwestern Railroad R.O.W.; thence North 59°31' West along said South R.O.W. line 831 feet to the East line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence South 0°15' East along said East line of said Northwest Quarter-Southeast Quarter 283.3 feet to the point of beginning. Containing 4.98 acres more or less. (The North line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West is assumed due East and West). Also a strip of land 50

feet in width extending over and across part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 79 North, Range 15 West of the Fifth P.M., said strip of land being 25 feet in width on each side of the center line of the main track (now removed) of the Chicago Burlington and Pacific Railroad Company (later the Iowa Central Railway Company, the Minneapolis & St. Louis Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across Section 29, except from a line drawn at right angles to said center line at a point thereon distant 133 feet Northwesterly from its intersection with the East line of said Section 29 to a line drawn at right angles to said center line Northwesterly 492.5 feet.

#### AMENDMENT NO. 10 AREA

Amendment No. 10 Area shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 10 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 01-4-29 on April 2, 2001, which Amendment No. 10 Area includes the lots and parcels located within the area legally described as follows:

Commencing at the Southeast corner of Section Twenty-nine, Township Seventy-five, Range Fifteen, thence North 690.35 feet to the North right of way line of Highway 23, thence North 48 degrees 21' West 657.64 feet to the point of beginning, thence North 48 degrees 21' West 483.67 feet to a point that is 628 feet Southeasterly from the West line of the Northeast Quarter of the Southeast Quarter of said Section Twenty-nine, as measured along the North right-of-way line of Highway 23, thence North 41 degrees, 39' East 369.10 feet to the South right-of-way line of the Chicago, North Western Railroad, thence South 59 degrees 13' East 492.50 feet along said Southerly right-of-way line, thence South 41 degrees 39' West 462.15 feet to the point of beginning.

and

The Northeast Quarter of the southeast Quarter of Section 29, Township 75, Range 15, lying north of the Chicago, Northwestern Railway Company right-of-way, all in Mahaska County, Iowa.

and

Commencing at the Southeast corner of Section 29, Township 75, Range 15, thence North 690.35' to the North Right-of-way line of Highway 23, thence North 48 degrees 21' West 657.64', thence North 41 degrees 38' East 462.15' to the point of beginning, thence North 59 degrees 13' West 492.5' along the south right-of-way line of the Chicago, North Western Railroad, thence North 41 degrees 39' East 25' to the centerline of the Chicago North Western Railroad right-of-way, thence South 59 degrees 13' East 492.5' along said centerline, thence South 41 degrees 39' West 25' to the point of beginning; and also the northern half (25') of

the Chicago North Western Railroad right-of-way lying within the Northeast Quarter of the Southeast Quarter of Section 29, Township 75, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa.

Ordinance No. 1106 adopted May 7, 2001, included the area identified above for Amendment No. 10 area;

and

WHEREAS, a proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Oskaloosa Urban Renewal Area ("Area" or "Urban Renewal Area") described below has been prepared, which proposed Amendment is and has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to confirm the objectives and types of urban renewal projects which may be undertaken by the City, confirm the list of proposed projects to be undertaken within the Urban Renewal Area; add land to the Urban Renewal Area (called "Amendment No. 1 Area"); reaffirm all legal descriptions from previous amendments; and remove a self-imposed voluntary expiration date; and

WHEREAS, this proposed Amendment No. 1 to the Urban Renewal Area adds land, as follows:

AMENDED AND RESTATED OSKALOOSA URBAN RENEWAL PLAN -  
AMENDMENT #1 AREA

Amendment #1 Area to the Amended and Restated Plan shall include the lots and parcels located within the area legally described as follows:

Beginning at the Northwest corner of Section 29, Township 75 North, Range 15 West of the 5<sup>th</sup> P. M. in Mahaska County, Iowa; thence East along the South line of Section 20 to the West line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 20, which is the East Corporate Limits of the City of University Park; thence North along said line to the South right-of-way line of Burlington Road; thence Southeast along said line to the East line of Section 20; thence South along said line to a point 100 feet North of the Southeast corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence West to a point 100 feet North of the Southwest corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence South to the North right-of-way line of Iowa Highway 23; thence Northwest along said line to the West line of the NE  $\frac{1}{4}$  of Section 29; thence South along said line to the Northwest corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 29; thence West to the Southwest corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence North to the Southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence West 659.8 feet; thence North to the South right-of-way line of Iowa Highway 23; thence Northwest along said line to a point 200 feet South of the North line of Section 29; thence West along a line parallel to and 200 feet normally distant from the North line of Section 29 to the West line of Section 29; thence North 200

feet to the point of beginning;

**EXCEPT**

The NW ¼ of the NE ¼ of Section 29; and the SW ¼ of the NE ¼ of Section 29 North of the RR right-of-way and South of the North 15 acres of said section;

WHEREAS, the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan includes land classified as agricultural land and, consequently, written permission of the current owners has been obtained; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan; and

WHEREAS, by resolution adopted on July 21, 2014, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Manager, or his delegate filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in The Oskaloosa Herald, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 to the Amended and Restated Urban Renewal Plan concerning the area of the City of Oskaloosa, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Oskaloosa Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Plan, as amended, and Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan conform to the general plan for the development of the City as a whole; and

C. Acquisition by the City is expected and as to those areas of open land to be acquired by the City included within the Oskaloosa Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper

growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Oskaloosa Urban Renewal Area, as amended, continues to be a blighted and economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan of the City of Oskaloosa, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan for the City of Oskaloosa, State of Iowa"; Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan of the City of Oskaloosa, State of Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Oskaloosa Amended and Restated Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Amendment. The proposed Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Mahaska County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 18th day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**AMENDMENT #1**

**to the**

**OSKALOOSA AMENDED AND RESTATED  
URBAN RENEWAL PLAN**

**for the**

**OSKALOOSA URBAN RENEWAL AREA**

**CITY OF OSKALOOSA, IOWA**

**Original Area Adopted – 1978**

**Amendment #1 – 1980**

**Amendment #2 – 1983**

**Amendment #3 – 1989**

**Amendment #4 – 1992**

**Amendment #5 – 1992**

**Amendment #6 – 1992**

**Amendment #7 – 1995**

**Amendment #8 – 1996**

**Amendment #9 – 1999**

**Amendment #10 – 2001**

**Amended and Restated Plan – Amendment #1 – 2014**

**AMENDMENT #1  
to the  
OSKALOOSA AMENDED AND RESTATED  
URBAN RENEWAL PLAN  
for the  
OSKALOOSA URBAN RENEWAL AREA**

The Oskaloosa Urban Renewal Plan for the Oskaloosa Urban Renewal Area was originally adopted in 1978 and amended in 1980, 1983, 1989, 1992 (three times), 1995, 1996, 1999, and 2001. The Oskaloosa Urban Renewal Plan is now being Amended and Restated and will be known as the Oskaloosa Amended and Restated Urban Renewal Plan (“Urban Renewal Plan” or “Plan”) for the Oskaloosa Urban Renewal Area (“Urban Renewal Area” or “Area”). Objectives of this Amendment #1 to the Amended and Restated Urban Renewal Plan (“Amendment #1” or “Amendment”) include:

1. Confirming the objectives and types of urban renewal projects which may be undertaken by the City;
2. Confirming the list of proposed projects to be undertaken within the Urban Renewal Area;
3. Adding land to the Urban Renewal Area. The land being added by this Amendment is primarily undeveloped agricultural property located adjacent to Highway 23. This land is zoned General Industrial and the area has potential to be developed as an industrial corridor. The land added is designated as “Amendment #1 to the Amended and Restated Urban Renewal Plan”;
4. Reaffirming all legal descriptions from previous amendments to the Urban Renewal Area; and
5. Removing self-imposed voluntary expiration dates and clarifying the timeframe that the Area will remain in full force and effect.

The Original Area and each Amendment Area are referred to as subareas in this Amendment. The subareas make up the Urban Renewal Area. The base valuation of the Original Area and each of the existing Amendment Areas will remain unchanged by this Amendment.

Except as modified by this Amendment, the provisions of the original Oskaloosa Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

**HISTORY AND PURPOSE**

Urban Renewal in Oskaloosa was initially adopted to provide an overall planning program on which community revitalization, reinvestment incentives, and blight remediation efforts could be developed. The Original Plan outlined goals and aimed at blight remediation, preserving and enhancing neighborhood environments, improving public services, increasing access to affordable housing, facilitating efficient urban planning, and providing opportunities for economic well-being.

Early amendments identified specific neighborhoods and authorized projects related to housing development, infrastructure upgrades, street enhancements, building of a community center, eliminating blighting influences, downtown redevelopment, and creating additional public parking.

In 1992, the focus of projects proposed in amendments shifted from neighborhood revitalization to a focus on community-wide economic development and blight remediation:

- The Meadow Creek Industrial Park and Southeast Industrial Park areas were identified for development with the goal of expanding the tax and employment base of the community.
- Amendment #7 (1995) laid plans to facilitate the development of the Fox Run housing and golf course subdivision in order to stimulate private investment in this portion of the community.
- Amendment #8 (1996) focused on projects to encourage development in the West Annexation Area.
- Amendments #9 (1999) and #10 (2001) were adopted with economic development designations in order to promote industrial development and provide public infrastructure to a new USA Toskuku, LLC. soybean processing facility and to identify an industrial park area for the International Multi-Foods Corporation and Allied Gas.

**DESCRIPTION OF THE URBAN RENEWAL AREA**

The legal description of the property being added to the Oskaloosa Urban Renewal Area is attached hereto as Exhibit "A." A map of the Amendment #1 Area is attached hereto as Exhibit "B." A map of the entire Oskaloosa Urban Renewal Area, as amended, is attached hereto as Exhibit "C." Exhibit "D" contains legal descriptions of the Oskaloosa Urban Renewal Area.

**AREA DESIGNATION**

The City of Oskaloosa continues to designate this Area as a mixed blight/economic development area that is appropriate for blight remediation and the promotion of new residential, commercial,

and industrial development. Since the Original Plan was adopted in 1986, this Area has exhibited blighted conditions. It has also been an economic development area. Therefore, the Area is a mixed blight/economic development area.

**PROJECT OBJECTIVES**

Objectives for development within the Oskaloosa Urban Renewal Area are as follows:

1. To stimulate, through public action and commitment, private investment in LMI residential development and rehabilitation. The City realizes the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
2. To provide for the repair, installation or upgrade of public works, transportation networks, and related facilities, which contribute to the revitalization, orderly growth, and sound development of the Area.
3. To provide a more marketable and attractive investment climate through the use of various Federal, State, and local incentives.
4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To develop a sound economic base that will serve as the foundation for future growth and development.
6. To plan for and provide sufficient land for residential, commercial, and industrial development in a manner that is efficient from the standpoint of providing municipal services and to discourage uncontrolled urban sprawl.
7. To achieve a diversified, well-balanced economy that provides a desirable standard of living, creates job opportunities, and strengthens the tax base.
8. To enhance the Oskaloosa community by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.
9. To eliminate blighting influences and promote revitalization, including but not limited to, through public action and commitment, or by providing incentives to private persons or businesses, to acquire, rehabilitate, renovate, demolish and/or redevelop existing structures or property.

## EXHIBIT 1

10. To establish a pattern of land-use activities arranged in compact, compatible groupings to enhance their efficiency of operation and economic interrelationships.
11. To encourage rehabilitation and promote diversity in the central business district while retaining its retail nature.
12. To encourage coordinated development of parcels and structures in order to achieve efficient building design, multipurpose use of sites, unified off-street parking, and internal pedestrian linkages.
13. To stimulate, through public action and commitment, private investment in commercial and industrial expansion.
14. To improve retail trade, recreational, tourism, cultural, and educational opportunities.
15. To promote development utilizing any other objectives allowed by Chapter 403 of the Code of Iowa.

### **TYPES OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage orderly development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, Code of Iowa. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction, enhancement, or repair of public infrastructure including, but not limited to, streets and sidewalks, water and sanitary sewer systems, storm water drainage systems, parking facilities, public utilities or other facilities in connection with urban renewal projects.
3. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
4. To arrange for or cause to be provided the construction, expansion, or repair of commercial or public buildings (including fire stations/fire safety buildings), public parks and open spaces, and recreational facilities in order to enhance services, improve the appearance, comply with current building standards, or

preserve historic value.

5. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
6. To undertake the demolition and clearance of existing development, including but not limited to, dilapidated or blighted structures in order to prepare sites for new development.
7. To dispose of property that has been acquired.
8. To plan the relocation of persons or businesses displaced by a project and to make any required relocation payments.
9. To make loans, forgivable loans, tax rebate payments or other types of grants or incentives to private persons, or businesses for economic development or blight remediation purposes, including housing projects, on such terms as may be determined by the City Council.
10. To finance programs which will directly benefit housing conditions and promote the availability of market-rate housing as well as housing affordable to low and moderate income residents in the community.
11. To provide financial assistance to local development organizations to support activities that promote economic development.
12. To borrow money and to provide security therefor.
13. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Program or specific urban renewal projects.
14. To use tax increment financing for a number of purposes, including, but not limited to, achieving a more marketable and competitive land offering price and providing for necessary physical improvements and infrastructure.
15. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Oskaloosa and the State of Iowa.

**PROPOSED URBAN RENEWAL PROJECTS (Amendment #1)**

Although certain project activities may occur over a period of years, the Proposed Urban Renewal Projects under this Amendment #1 to the Amended and Restated Plan include:

**1. Blight Remediation - Acquisition/Demolition:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
Acquisition and demolition of existing dilapidated structures and conveyance to developers. The buildings targeted are located along the Market Street and A Avenue corridors.	2014 to 2018	Not to exceed \$1,500,000	Demolition of these dilapidated structures will eliminate blighting influences and provide land for new residential or commercial development. Redevelopment of the properties could encourage economic growth and expansion, create job opportunities, and strengthen the tax base. (See Public Building Analysis for further information.)

**2. Blight Remediation - Fire Station Renovation:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
Renovation of 8,800 square feet of existing fire station space and construction of a 7,200 square foot addition to accommodate needs of the fire department, as well as to provide space for the Mahaska County Emergency Management Agency (MCEMA) to relocate to the fire station.	2014 to 2017	Not to exceed \$2,800,000	The project represents the second phase of a blight remediation project in downtown Oskaloosa. The first phase was completed in 2013-2014 and involved the demolition of a very dilapidated building deemed to be structurally unsafe. The proposed fire station addition will be constructed on the site where the blighted structure was demolished. Once renovation is completed, the space will allow for the fire department and MCEMA to be located in the same facility, thus allowing for improved interaction between departments, and hopefully improved service area response. This blight remediation project may also serve as a catalyst and prompt investment in other nearby properties and therefore, extend the benefits to a wider area. (See Public Building Analysis for further information.)

**3. Streetscape Project:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
Downtown streetscape improvements along the Market Street and A Avenue corridors including, but not limited to, new sidewalks, street lighting, way-finding signage, street reconstruction, added parking, and repair and replacement of aging infrastructure.	2014 to 2019	Not to exceed \$2,000,000	Downtown corridor improvements are intended to revitalize the downtown area and attract new businesses.

**4. Incentives for Downtown Building Renovation/Rehabilitation:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
The City expects to consider incentives to downtown building owners to provide financial assistance necessary to stabilize and renovate deteriorating structures.	2014 to 2019	Not to exceed \$1,500,000	Renovation and rehabilitation of the targeted properties will preserve locally important buildings, enhance the downtown area, and promote economic activity. Such incentives may be in the form of loans, grants, or other incentives that make the renovation and rehabilitation costs of these dilapidated structures financially feasible to the owners.

**5. Funding for the Local Area Economic Development Corporation and/or the Chamber of Commerce:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost</b>	<b>Rationale</b>
To provide reimbursement for economic development activities conducted by the Economic Development Corporation and/or the Chamber of Commerce in compliance with the development agreements between the City and these agencies.	2015 to 2019	\$100,000 annually, not to exceed \$500,000 over a five-year period.	These organizations support existing businesses and conduct activities that promote new business and jobs for the community.

**6. Development Agreements:**

- A. *Overland Property Group and its affiliates:* The proposed urban renewal project involves providing incentives to assist with the cost of constructing a new residential subdivision called The Reserves at Ironwood, developed by Overland Property Group and its affiliates. The development is expected to include three, 16-unit apartment buildings (a total of 48 units) at the southwest corner of the High Avenue West and South L Street intersection in Oskaloosa. The rental units will be Section 42 Housing and at least 40% of the units will be ADA-accessible. Of the 48 apartments, it is anticipated that one to four of the units will be rented at market rate, all others are expected to be affordable to low-to-moderate individuals or families. Construction is expected to take place in 2014-2015. Development Grants in the form of incremental tax rebates will not exceed \$510,000 - \$550,000, depending on the assessed valuation of the units and the terms and conditions of the development agreement.
  
- B. *Additional Development Agreements:* The City expects to consider requests for Development Agreements for blight remediation or economic development projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on blight remediation or development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, public infrastructure assistance, and other incentives. The costs of such Development Agreements will not exceed \$ 1,000,000.

**7. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning:**

<b>Project</b>	<b>Date</b>	<b>Estimated Cost</b>
Fees and costs	Undetermined	Not to exceed \$ 100,000

**FINANCIAL INFORMATION**

1.	Constitutional debt limit:	\$24,847,675
2.	Outstanding general obligation debt:	\$4,075,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Proposed Urban Renewal Projects (Amendment #1) has not yet been determined. This document is for planning purposes. The estimated project costs in this Amendment #1 are estimates only and will be incurred and spent over a number of years. In no event will the City’s constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Proposed Urban Renewal Projects as described above will be approximately as follows:	\$9,910,000 - \$9,950,000

**DEVELOPMENT PLAN**

Oskaloosa has a general plan for the physical development of the City, as a whole, outlined in the City of Oskaloosa Comprehensive Plan adopted March 6, 2000. The Amended and Restated Plan and the projects proposed in this Amendment #1 are consistent with this Comprehensive Plan. Offering better housing opportunities for all, implementing enhancements along A Avenue, rehabilitating aging infrastructure, supporting downtown retail renovations, and partnering with local organizations that support development in Oskaloosa were all identified as goals in the Comprehensive Plan.

This Urban Renewal Plan Amendment #1 does not in any way replace the City’s land use planning and zoning regulation process.

**PUBLIC BUILDING ANALYSIS**

Two of the projects proposed in this Amendment involve public buildings. These projects both involve blight remediation and include the acquisition/demolition of Market Street and A Avenue corridor buildings and the fire station renovation project.

If these projects are ultimately approved by the City, the City intends to finance the cost through tax increment financing. For the costs of these projects, the City proposes to issue general obligation bonds and abate the principal and interest payments from incremental tax revenues

within the Area, if available. Specifically, under these circumstances, Iowa law requires an analysis of alternative development options and funding for the projects and reasons why such options would be less feasible than the use of incremental tax revenues for the projects.

Project Descriptions:

- 1) Blight Remediation – Acquisition/Demolition: Acquisition and demolition of the deteriorated targeted corridor structures will improve livability of the community by ridding the area of blight conditions which are a menace to the public's health, safety, and welfare. Transformation of the lots will improve the quality of life within the community and could attract potential employees and their families to Oskaloosa. Increased employment opportunities and enhanced livability are necessary factors in sustaining the population of Oskaloosa. An attractive, vibrant, and developing community, in turn, will benefit the Oskaloosa School District and Mahaska County.
- 2) Blight Remediation – Fire Station Renovation: The proposed fire station renovation includes both new construction to enlarge the existing facility and renovation of the existing space to better accommodate fire and emergency management services. The new addition to the fire station will be built on a vacant site that resulted from the 2013-2014 demolition of a blighted building that had been adjacent to the fire station. The renovated fire station will result in space to house fire apparatus and equipment, office space, firefighter living quarters, vehicle bays, and a training room. The training room will also be used as a community room that provides space to host public and private events. In addition, the enlarged facility will also allow for space to accommodate the Mahaska County Emergency Management Agency (MCEMA) to locate in the fire station. Currently, these services are housed in cramped quarters in the basement of the County law enforcement center.

The Oskaloosa Fire Department provides fire protection services to residents within a 146 square mile coverage area. This coverage area includes the City limits of Oskaloosa, Beacon, University Park, and Lake Keomah as well as part or all of Adams, Garfield, Harrison, Jefferson, Lincoln, Madison, Scott, and Spring Creek Townships. While alarm incidents may vary in any given year, on average, 20% of the calls received by the fire department are from outside of the Oskaloosa corporate limits. MCEMA provides services to all of Mahaska County.

Alternative Funding Options:

One alternative funding option for these blight remediation projects is the issuance of general obligation bonds that would be paid by the City's debt service levy (i.e. without using incremental tax revenues). This option would mean that only taxpayers of the City would be responsible for payment of the bonds/notes.

## EXHIBIT 1

The City may also consider state, federal, and/or local grant programs. Although in past years acquisition/demolition types of activities were eligible for funding through Brownfield Redevelopment, CDBG, HOME, and NSP grant programs administered by the Iowa Economic Development Authority and Iowa Finance Authority, these revenue sources have either totally lost funding or no longer allow grant dollars to be used for acquisition/demolition. Despite these funding resources no longer being viable, the City will continue to consider other grant and loan programs that might become available.

Another alternative funding source for this project would be the use of local option sales tax. This option is not feasible because the City Council has made a determination to commit LOST funds to debt retirement on street construction projects. As a result, LOST funds are not available as a funding source for these blight remediation projects.

The use of TIF funds as a funding mechanism for redevelopment of the targeted properties is appropriate when considering the long-term economic development that the Projects provide. Redevelopment of the targeted properties will eliminate blighting influences, will help to rebuild the tax base, and could result in a ripple effect stimulating investment to and redevelopment of surrounding properties.

The previously identified alternative options for funding of the Urban Renewal Projects are less feasible than the use of incremental tax revenues. Issuing general obligation bonds that would be paid only with the City's debt levy on the projects is less feasible than the use of TIF funds because there would be no contribution of tax increment revenues from the School District and County.

As a result of the proposed Urban Renewal Projects benefiting County residents and school patrons, the use of tax increment is the most appropriate funding mechanism because it is fair for the School District and the County to share in the costs for the projects. Both projects demonstrate regional benefit to both the County and School District.

For all of the aforementioned reasons, the tax increment revenue funding alternative option (general obligation debt abated by incremental tax revenues) is the most feasible, fair, and equitable mechanism for funding the projects described above. Alternative development options and funding described above have been considered and are deemed less feasible than the use of incremental tax revenues to fund the projects.

### **AGREEMENT TO INCLUDE AGRICULTURAL LAND**

Because some of the area being added to the Oskaloosa Amended and Restated Urban Renewal Area contains land that is defined as "agricultural land" by Iowa Code Section 403.17(3), the City and property owners have entered into an agreement in which the property owners agree to allow the City to include real property defined as "Agricultural Land" in the Urban Renewal Area. A copy of the agreements are attached hereto as Exhibit "E." The original signed

agreements are on file at the City Clerk's office.

**URBAN RENEWAL FINANCING**

The City of Oskaloosa intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City of Oskaloosa has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

A. Tax Increment Financing.

Under Section 403.19 of the Iowa Code, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the proposed urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City of Oskaloosa. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers or private entities in connection with the urban renewal projects identified in the Plan, as amended. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code of Iowa in furtherance of the objectives of the Urban Renewal Plan.

**PROPERTY ACQUISITION/DISPOSITION/DEVELOPMENT AGREEMENTS**

Notwithstanding prior Urban Renewal Plan provisions, the City will follow any applicable requirements for the acquisition and disposition of property, and shall determine the terms of development agreements, subject to the City's discretion.

**URBAN RENEWAL PLAN AMENDMENTS**

The Oskaloosa Amended and Restated Urban Renewal Plan may be amended from time to time for a variety of reasons, including, but not limited to, adding or deleting land, adding urban renewal projects, or modifying goals or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

**EFFECTIVE PERIOD**

This Amendment #1 to the Amended and Restated Urban Renewal Plan will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution, or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on the Urban Renewal Area, including all Amendment Areas, for the maximum period allowed by law.

The Oskaloosa Urban Renewal Area was originally established in 1986 by the Oskaloosa Urban Renewal Plan. At that time there was no statutorily required sunset or expiration date governing the ability to collect incremental taxes because the Plan was based on the presence of blighted conditions. Certain subsequent resolutions indicate an expiration date of August 1, 2017. Such an expiration date is voluntary because areas which contain blighted conditions are not statutorily required to have an expiration date. Therefore, in this Amendment #1 to the Amended and Restated Plan, the City is eliminating the self-imposed expiration date previously adopted in the Urban Renewal Plan because such shortened expiration date is not required under Urban Renewal Law in a mixed economic development/blight urban renewal area, such as the current Oskaloosa Urban Renewal Area.

**REPEALER**

Any parts of the City's Urban Renewal Plan, as previously amended, in conflict with this Amendment #1 Amended and Restated Plan are hereby repealed.

**SEVERABILITY CLAUSE**

If any part of Amendment #1 to the Amended and Restated Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.

**EXHIBIT "A"**

**Amended and Restated Oskaloosa Urban Renewal Plan - Amendment #1  
(Legal Description of Amendment #1 Area to be Added)**

Beginning at the Northwest corner of Section 29, Township 75 North, Range 15 West of the 5<sup>th</sup> P. M. in Mahaska County, Iowa; thence East along the South line of Section 20 to the West line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 20, which is the East Corporate Limits of the City of University Park; thence North along said line to the South right-of-way line of Burlington Road; thence Southeast along said line to the East line of Section 20; thence South along said line to a point 100 feet North of the Southeast corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence West to a point 100 feet North of the Southwest corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence South to the North right-of-way line of Iowa Highway 23; thence Northwest along said line to the West line of the NE  $\frac{1}{4}$  of Section 29; thence South along said line to the Northwest corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 29; thence West to the Southwest corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence North to the Southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence West 659.8 feet; thence North to the South right-of-way line of Iowa Highway 23; thence Northwest along said line to a point 200 feet South of the North line of Section 29; thence West along a line parallel to and 200 feet normally distant from the North line of Section 29 to the West line of Section 29; thence North 200 feet to the point of beginning;

**EXCEPT**

The NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; and the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29 North of the RR right-of-way and South of the North 15 acres of said section.





**EXHIBIT "D"**

**LEGAL DESCRIPTIONS OF ORIGINAL AREA AND AMENDMENT AREAS**

ORIGINAL URBAN RENEWAL AREA

*Original Urban Renewal Area* shall mean that portion of the City of Oskaloosa, Iowa described in the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 78-14 on February 20, 1978, which Original Project Area includes the entire territory within the corporate boundaries of the City of Oskaloosa, Iowa, as of February 20, 1978;

Ordinance No. 576 adopted November 17, 1980, included the following land in a TIF Ordinance:

All the territory within the corporate boundaries of the City of Oskaloosa.

AMENDMENT NOS. 1, 2, 3, 4 & 5 AREA

NOTE: Amendment Nos. 1, 2, 3, 4, and 5 did not add new property to the Original Urban Renewal Area; however, certain geographic areas that were already within the Original Urban Renewal Area were designated for specific projects in Amendment Nos. 1, 2, 3, 4, and 5.

AMENDMENT NO. 6 AREA

*Amendment No. 6 Area* shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 6 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 92-12-125 on December 23, 1992, which Amendment No. 6 Area includes the lots and parcels located within the area legally described as follows:

Industrial Site A is legally described as the Southeast 1/4 of the Northeast 1/4 and the South 100 feet of the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 75 North, Range 15 West of the 5th P.M. in the City of Oskaloosa, Mahaska County, Iowa.

AMENDMENT NO. 7 AREA

*Amendment No. 7 Area* shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 7 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 95-5-49 on May 15, 1995, which Amendment No. 7 Area includes the lots and parcels located within the area legally described as follows:

The Southwest Fractional 1/4 of the Northwest Fractional 1/4; the Southeast 1/4 of the Northwest Fractional 1/4; Lot A of the Southwest 1/4 of the Northeast 1/4; Lot 2 of the Northwest 1/4 of the Southeast 1/4; the Northeast 1/4 of the Southwest Fractional 1/4; Northwest Fractional 1/4 of the Southwest Fractional 1/4; Lot 1 of the Southeast 1/4 of the Southwest Fractional 1/4; and Lot 1 of the Southwest Fractional 1/4 of the Southwest

EXHIBIT 1

Fractional 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., except the following described tract:

A part of the SE 1/4 of the NW Fractional 1/4; and a part of Lot A of the SW 1/4 of the NE 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa and more particularly described as follows: Commencing at the NE corner of said SE 1/4 - NW Fractional 1/4; thence South 72.60 feet along the East line thereof; said point also being the NW corner of said Lot A; thence S 56°24'00" E 157.45 feet; thence S 89°53'00" W 131.12 feet to the West line of said Lot A; thence continuing S 89°53'00" W 412.28 feet; thence N 0°12'00" E 160.0 feet to the North line of said SE 1/4 - NW Fractional 1/4; thence N 89°53'00" E 411.64 feet to the point of beginning containing 1.64 acres and subject to the county road along the Easterly side thereof. The East line of said SE 1/4 - NW Fractional 1/4 is assumed to bear due South for purposes of this description.

Also Lot 1 and a part of Lot 2 of the subdivision of the Southeast 1/4 of the Northeast 1/4 of Section 25 - Township 75 North - Range 16 West of the 5<sup>th</sup> P.M., more particularly described as follows: Commencing at the Northeast corner of said Lot 2; thence South along the section line 1.06 chains to the Northeast corner of said Lot 1; thence West along the North line of said Lot 1 3.16 1/4 chains to the Northwest corner thereof; thence North to the North line of said Lot 2; thence East along said North line 3.16 1/4 chains to the point of beginning.

*Note: The following legal description was added by Resolution No. 95-12-105 dated December 4, 1995, as a correction to Resolution No. 95-5-49 dated May 15, 1995.*

And more particularly described as follows:

Commencing at the Northwest corner of said Southwest Fractional 1/4 of the Northwest Fractional 1/4 of Section 30; thence South 89°49'50" East 1125.58 feet along the North line thereof; thence North 89°50'41" East 905.55 feet along the North line of said Southeast 1/4 of the Northwest Fractional 1/4, said line being subject to a fence line agreement recorded in Book 1 "Record of Partition Fences" on page 109 in the office of the Mahaska County Recorder; thence South 0°09'41" West 160.00 feet; thence North 89°50'41" East 581.72 feet to the centerline of the existing roadway as presently maintained; thence South 53°45'05" East 633.26 feet along said centerline; thence Southeasterly 238.67 feet along a 229.2 foot radius curve, concave Southwesterly having a chord which bears South 23°55'13" East 228.02 feet tangent to the preceding and following courses; thence South 5°54'39" West 1898.15 feet along the said centerline to the South line of said Lot 2 of the Northwest 1/4 of the Southeast 1/4; thence South 89°47'39" West 571.02 feet along said South line; thence South 0°07'53" East 327.60 feet along the East line of said Lot 1 of the Southeast 1/4 of the Southwest Fractional 1/4; thence South 89°46'11" West 1223.36 feet along the South line of said Lot 1 of the Southeast 1/4 of the Southwest Fractional 1/4; thence South 89°55'19" West 1212.58 feet

along the South line of Lot 1 of the Southwest Fractional  $\frac{1}{4}$  of the Southwest Fractional  $\frac{1}{4}$ ; thence North  $0^{\circ}23'32''$  West 984.52 feet; thence North  $0^{\circ}16'07''$  West 659.62 feet along the West line of said Lot 1 and the West line of the Northwest Fractional  $\frac{1}{4}$  of the Southwest Fractional  $\frac{1}{4}$  to the Northwest corner thereof; thence South  $89^{\circ}43'47''$  West 208.73 feet along the said Lot 1 of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Section 25 – Township 75 North – Range 16 West; thence North  $0^{\circ}10'32''$  West 278.85 feet along the West line of said Lot 1 to the North line of said Lot 2 of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; thence North  $89^{\circ}43'47''$  East 208.73 feet to the Northeast corner of said Lot 2; thence North  $0^{\circ}10'32''$  West 1043.49 feet along the West line of said Southwest Fractional  $\frac{1}{4}$  of the Northwest Fractional  $\frac{1}{4}$  to the point of beginning, containing 202.11 acres, and subject to the existing public roadway along the Easterly and Southerly sides thereof, also subject to any and all easements of record.

AMENDMENT NO. 8 AREA

*Amendment No. 8 Area* shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 8 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 96-11-80 on November 18, 1996, which Amendment No. 8 Area includes the lots and parcels located within the area legally described as follows:

Beginning at a point seven hundred twenty (720) feet West of the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section fourteen (14), Township seventy-five (75), Range sixteen (16) West of the fifth P.M. which is the intersection of the West Corporate Limits of the City of Oskaloosa and the South line of Iowa Highway 92; thence West one thousand nine hundred forty-one and  $\frac{85}{100}$  (1,941.85) feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section fourteen (14); thence North seven hundred nine and  $\frac{73}{100}$  (709.73) feet; thence East one thousand seventy-six and  $\frac{21}{100}$  (1,076.21) feet to the center line of Iowa Highway 163; thence Northwesterly along the center line of Iowa Highway 163 to the intersection of the center line of D Avenue West; thence West along the center line of D Avenue West (County-designated 245<sup>th</sup> Street) to the West line of said Section Fourteen (14); thence South along the West line of said Section fourteen (14) to the center line of Suffolk Road; thence Easterly along the center line of said Suffolk Road to its intersection with the West Corporate Limits of Oskaloosa on the West property line of Lot 3 of Lot 8 of the Southeast Quarter of the Southwest Quarter of Section fourteen (14); thence North along the West line to the Northwest corner; thence East along the North line of said Lot three (3) of Lot eight (8) one hundred ninety-eight (198) feet to the Southeast corner of Lot nine (9); thence North along the East line of Lot nine (9) to the Northwest corner of Lot three (3) of Lot eight (8); thence East along the North line of said Lot three (3) of Lot eight (8) and the center line of High Avenue West to a point seven hundred twenty (720) feet West of the East line of said Section fourteen (14); thence North to the point of beginning.

AMENDMENT NO. 9 AREA

*Amendment No. 9 Area* shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 9 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Ordinance No. 1064 on November 15, 1999, which Amendment No. 9 Area includes the lots and parcels located within the area legally described as follows:

All that part of the Southwest Quarter of Section 21, and all that part of the West three-fourths of the Northwest Quarter of Section 28, all in Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa which lies Southwest of the centerline of the 265<sup>th</sup> Street (formerly Burlington Road) Excepting there from the tract of land described as follows: Commencing at the NW corner of said Section 28; thence N 88 ° 46' 00" E 739.67 feet along the north line thereof to the Point of Beginning; said point also being on the westerly line of the tract of land described and recorded in Deed Book 278 at page 303 Mahaska County Records; thence N 9° 45' 10" E 209.29 feet to the NW corner of said tract and the centerline of 265<sup>th</sup> Street (formerly Burlington Road); thence S 70° 40' 50" E 588.59 feet along said centerline to the north line of said Section 28; thence S 70° 23' 20" E 692.10 feet along said centerline to the east line of the west 3/4 of the NW 1/4 of said Section 28; thence S 1° 00' 00" E 275.54 feet along said east line; thence N 77° 20' 10" W 1315.84 feet; thence N 9° 45' 10" E 209.83 feet to the point of beginning. The above tract contains in all 116 acres more or less.

and

The East one-half of the Southwest Quarter of Section 28, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa, excepting therefrom the Former Chicago and Northwestern Railroad right-of-way through the southern portion of said tract.

and

A part of the North Half of the Northwest Quarter of the Northeast Quarter, all in Section 33, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa more particularly described as follows:

Beginning at the Southeast corner of said NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub>; thence N 00° 00' 43" E along the East line of said NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub> a distance of 316.25 feet to the Southerly right-of-way line of the abandoned Chicago and Northwestern Railroad; thence N 59° 22' 46" W along said South right-of-way line a distance of 1953.44 feet to the North line of said North Half of the NW<sup>1</sup>/<sub>4</sub>; thence S 89° 39' 57" W along said North line a distance of 959.55 feet to the Northeast corner of the NE<sup>1</sup>/<sub>4</sub>- NW<sup>1</sup>/<sub>4</sub>; thence continuing S 89° 39' 57" W along said North line a distance of 545.05 feet to the Northerly right-of-way line of Iowa Highway No. 23, formerly U.S. Highway 63; thence S 48° 28' 56" E along said Northerly right-of-way line a distance of 1979.51 feet to the South line of said North ½ of the NW<sup>1</sup>/<sub>4</sub>; thence N 89° 41' 20" E along said South line a distance of 382.76 feet to the Southeast corner thereof; thence N 89° 40' 31" E along the south line of said NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub> a distance of 1320.84

feet to the Point of beginning containing 54.74 acres, and subject to any and all easements or restrictions recorded or non-recorded. The West line of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) Section 33 is assumed to bear North 0° 00' 00" East for the purposes of this description;

and

Commencing at the Northwest corner of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence East 434.9 feet to the North R.O.W. line of Highway 63; thence South 48°39' East along said North R.O.W. line 1185.6 feet to the East line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M. the point of beginning; thence South 48°39' East along said North R.O.W. Line 628'; thence North 41°21' East 369.1 feet to the South line of the Chicago and Northwestern Railroad R.O.W.; thence North 59°31' West along said South R.O.W. line 831 feet to the East line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence South 0°15' East along said East line of said Northwest Quarter-Southeast Quarter 283.3 feet to the point of beginning. Containing 4.98 acres more or less. (The North line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West is assumed due East and West). Also a strip of land 50 feet in width extending over and across part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 79 North, Range 15 West of the Fifth P.M., said strip of land being 25 feet in width on each side of the center line of the main track (now removed) of the Chicago Burlington and Pacific Railroad Company (later the Iowa Central Railway Company, the Minneapolis & St. Louis Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across Section 29, except from a line drawn at right angles to said center line at a point thereon distant 133 feet Northwesterly from its intersection with the East line of said Section 29 to a line drawn at right angles to said center line Northwesterly 492.5 feet.

AMENDMENT NO. 10 AREA

*Amendment No. 10 Area* shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 10 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 01-4-29 on April 2, 2001, which Amendment No. 10 Area includes the lots and parcels located within the area legally described as follows:

Commencing at the Southeast corner of Section Twenty-nine, Township Seventy-five, Range Fifteen, thence North 690.35 feet to the North right of way line of Highway 23, thence North 48 degrees 21' West 657.64 feet to the point of beginning, thence North 48 degrees 21' West 483.67 feet to a point that is 628 feet Southeasterly from the West line of the Northeast Quarter of the Southeast Quarter of said Section Twenty-nine, as measured along the North right-of-way line of Highway 23, thence North 41 degrees, 39'

East 369.10 feet to the South right-of-way line of the Chicago, North Western Railroad, thence South 59 degrees 13' East 492.50 feet along said Southerly right-of-way line, thence South 41 degrees 39' West 462.15 feet to the point of beginning.

and

The Northeast Quarter of the southeast Quarter of Section 29, Township 75, Range 15, lying north of the Chicago, Northwestern Railway Company right-of-way, all in Mahaska County, Iowa.

and

Commencing at the Southeast corner of Section 29, Township 75, Range 15, thence North 690.35' to the North Right-of-way line of Highway 23, thence North 48 degrees 21' West 657.64', thence North 41 degrees 38' East 462.15' to the point of beginning, thence North 59 degrees 13' West 492.5' along the south right-of-way line of the Chicago, North Western Railroad, thence North 41 degrees 39' East 25' to the centerline of the Chicago North Western Railroad right-of-way, thence South 59 degrees 13' East 492.5' along said centerline, thence South 41 degrees 39' West 25' to the point of beginning; and also the northern half (25') of the Chicago North Western Railroad right-of-way lying within the Northeast Quarter of the Southeast Quarter of Section 29, Township 75, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa.

Ordinance No. 1106 adopted May 7, 2001, included the area identified above for Amendment No. 10 area.

and

AMENDED AND RESTATED OSKALOOSA URBAN RENEWAL PLAN –  
AMENDMENT #1 AREA

*Amendment #1 Area to the Amended and Restated Plan shall include the lots and parcels located within the area legally described as follows:*

Beginning at the Northwest corner of Section 29, Township 75 North, Range 15 West of the 5<sup>th</sup> P. M. in Mahaska County, Iowa; thence East along the South line of Section 20 to the West line of the SE ¼ of the SE ¼ of Section 20, which is the East Corporate Limits of the City of University Park; thence North along said line to the South right-of-way line of Burlington Road; thence Southeast along said line to the East line of Section 20; thence South along said line to a point 100 feet North of the Southeast corner of the NE ¼ of the NE ¼ of Section 29; thence West to a point 100 feet North of the Southwest corner of the NE ¼ of the NE ¼ of Section 29; thence South to the North right-of-way line of Iowa Highway 23; thence Northwest along said line to the West line of the NE ¼ of Section 29; thence South along said line to the Northwest corner of

EXHIBIT 1

the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 29; thence West to the Southwest corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence North to the Southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence West 659.8 feet; thence North to the South right-of-way line of Iowa Highway 23; thence Northwest along said line to a point 200 feet South of the North line of Section 29; thence West along a line parallel to and 200 feet normally distant from the North line of Section 29 to the West line of Section 29; thence North 200 feet to the point of beginning;

**EXCEPT**

The NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; and the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29 North of the RR right-of-way and South of the North 15 acres of said section.

**EXHIBIT "E"**  
**AGRICULTURAL LAND CONSENT**

**AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE  
OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL AREA**

WHEREAS, the City of Oskaloosa, Iowa, (the "City") has proposed to establish the Oskaloosa Amended and Restated Urban Renewal Plan – Amendment #1 ("Plan") for the Oskaloosa Amended and Restated Urban Renewal Area – Amendment #1 (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Oskaloosa, Iowa, may include such property within the Urban Renewal Area. A map of the Urban Renewal Area is attached as part of this Exhibit.

2. The Agricultural Land Owner further authorizes the governing body of the City of Oskaloosa, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

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

Name of Agricultural Land Owner: Steven J. and Jacqueline M. Walters

1) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_

2) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_



**AGRICULTURAL LAND CONSENT**

**AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE  
OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL AREA**

WHEREAS, the City of Oskaloosa, Iowa, (the “City”) has proposed to establish the Oskaloosa Amended and Restated Urban Renewal Plan – Amendment #1 (“Plan”) for the Oskaloosa Amended and Restated Urban Renewal Area – Amendment #1 (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of “agricultural land,” until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of “agricultural land” in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Oskaloosa, Iowa, may include such property within the Urban Renewal Area. A map of the Urban Renewal Area is attached as part of this Exhibit.

2. The Agricultural Land Owner further authorizes the governing body of the City of Oskaloosa, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

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

Name of Agricultural Land Owner: Mahaska Development Group Incorporated

1) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_

2) Approved by the Oskaloosa City Council on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_

Mayor



**AGRICULTURAL LAND CONSENT**

**AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE  
OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL AREA**

WHEREAS, the City of Oskaloosa, Iowa, (the “City”) has proposed to establish the Oskaloosa Oskaloosa Amended and Restated Urban Renewal Plan – Amendment #1 (“Plan”) for the Oskaloosa Amended and Restated Urban Renewal Area – Amendment #1 (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of “agricultural land,” until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of “agricultural land” in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Oskaloosa, Iowa, may include such property within the Urban Renewal Area. A map of the Urban Renewal Area is attached as part of this Exhibit.

2. The Agricultural Land Owner further authorizes the governing body of the City of Oskaloosa, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

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

Name of Agricultural Land Owner: Joe P. Crookman, Jean M. Bieri c/o Musco Corporation

1) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

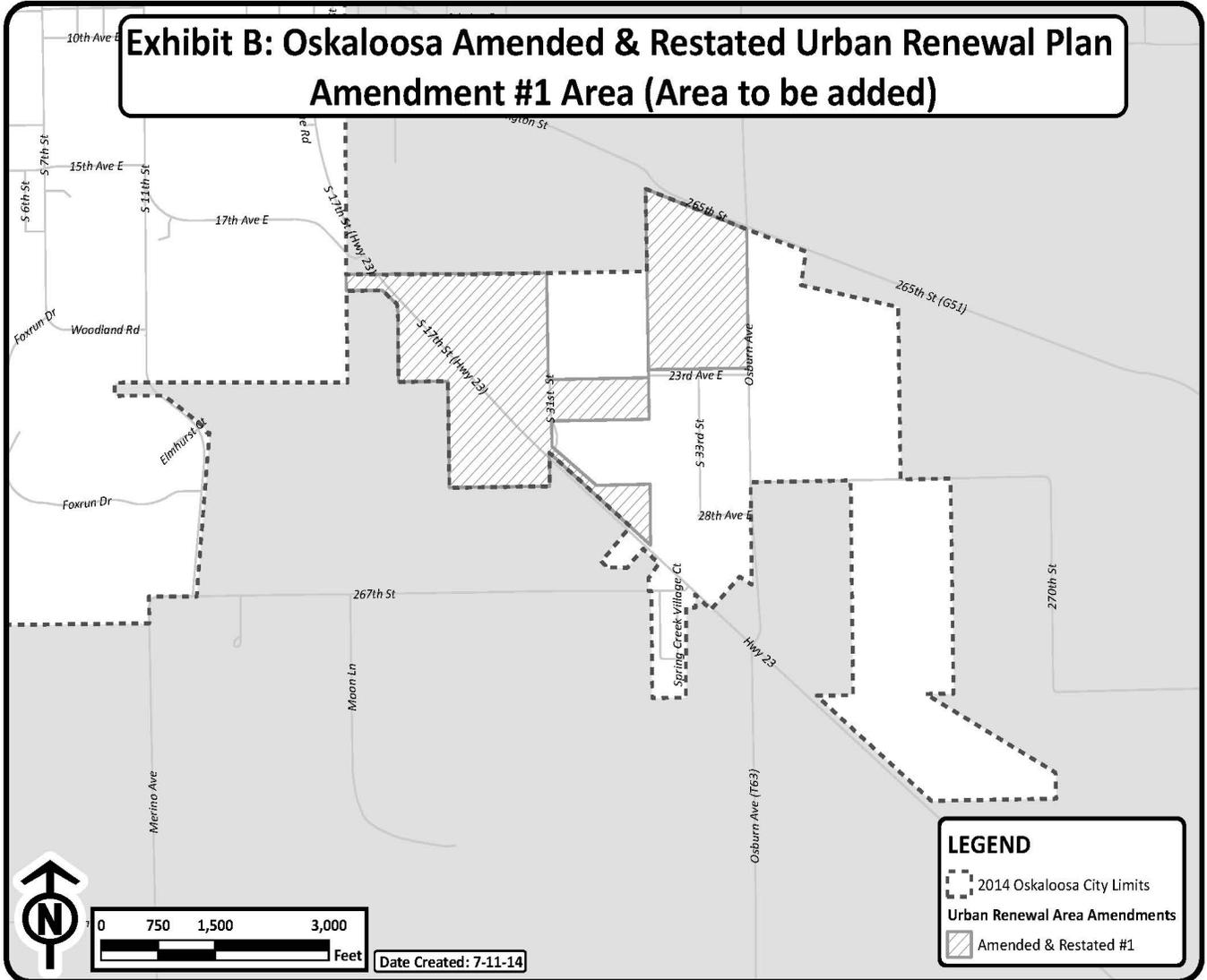
Witness: \_\_\_\_\_

2) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_

3) Approved by the Oskaloosa City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor





## City Council Communication

Meeting Date: August 18, 2014

Requested By: City Manager's Office

### **Item Title:**

Consider an ordinance amending ordinance nos. 576, 1064 and 1106, providing that general property taxes levied and collected each year on all property located within the amended Oskaloosa Urban Renewal Area, in the City of Oskaloosa, County of Mahaska, State of Iowa, by and for the benefit of the State of Iowa, City of Oskaloosa, County of Mahaska, Oskaloosa Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended Oskaloosa Urban Renewal Area (Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan. **(1<sup>st</sup> Reading)**)

### **Explanation :**

If the City Council has approved the resolution amending the existing urban renewal area, this ordinance change provides the necessary code amendments to collect tax increment revenues from the entire Amendment No. 1 Area to the Amended and Restated Area.

The city must make its request for tax increment revenue to the County on or before December 1st of each year; the incremental taxes are collected during the following fiscal year and are distributed by the County with the regular collection of tax receipts during that year.

For an amendment that adds property, passage of the ordinance included with this item "freezes" the property valuation base for determining incremental tax revenue at the level existing on January 1<sup>st</sup> of the calendar year preceding the effective date of the ordinance. The date when the City next certifies to the County for tax increment reimbursement starts the clock for certain amendments that have a limit on the number of years that tax increment can be collected.

### **Budget Consideration:**

As noted above, the city must make its request for tax increment revenue to the County on or before December 1st of each year; the incremental taxes are collected during the following fiscal year and are distributed by the County with the regular collection of tax receipts during that year. If the item is not approved,

any required obligations that would have been paid by incremental taxes would need to be paid from another source, presumably the City's General Fund.

**Attachments :** Ordinance

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

**AN ORDINANCE AMENDING ORDINANCE NO S. 576, 1064 AND 1106, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED OSKALOOSA URBAN RENEWAL AREA , IN THE CITY OF OSKALOOSA, COUNTY OF MAHASKA, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF OSKALOOSA, COUNTY OF MAHASKA, OSKALOOSA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED OSKALOOSA URBAN RENEWAL AREA (AMENDMENT NO. 1 TO THE OSKALOOSA AMENDED AND RESTATED URBAN RENEWAL PLAN)**

WHEREAS, the City Council of the City of Oskaloosa, State of Iowa, has heretofore, in Ordinance Nos. 576, 1064 and 1106, provided for the division of taxes within the Oskaloosa Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, the Oskaloosa Urban Renewal Area is now governed by and described in the Oskaloosa Amended and Restated Plan; and

WHEREAS, additional territory now has been added to the Oskaloosa Urban Renewal Area through the adoption of Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Oskaloosa Urban Renewal Area, and the continuing needs of redevelopment within the amended Oskaloosa Urban Renewal Area are such as to require the continued application of the incremental tax resources of the amended Oskaloosa Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OSKALOOSA, STATE OF IOWA, THAT:

Ordinance Numbers 576, 1064 and 1106 are hereby amended to read as follows:

Section 1. For purposes of this Ordinance, the following terms shall have the following meanings:

(a) ORIGINAL URBAN RENEWAL AREA

Original Urban Renewal Area shall mean that portion of the City of Oskaloosa, Iowa described in the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 78-14 on February 20, 1978, which Original Project Area includes the entire territory within the corporate boundaries of the City of Oskaloosa, Iowa, as of February 20, 1978;

Ordinance No. 576 adopted November 17, 1980, included the following land in a TIF Ordinance:

All the territory within the corporate boundaries of the City of Oskaloosa.

(b) AMENDMENT NOS. 1, 2, 3, 4 & 5 AREA

NOTE: Amendment Nos. 1, 2, 3, 4, and 5 did not add new property to the Original Urban Renewal Area; however, certain geographic areas that were already within the Original Urban Renewal Area were designated for specific projects in Amendment Nos. 1, 2, 3, 4, and 5.

(c) AMENDMENT NO. 6 AREA

Amendment No. 6 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 6 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 92-12-125 on December 23, 1992, which Amendment No. 6 Area includes the lots and parcels located within the area legally described as follows:

Industrial Site A is legally described as the Southeast 1/4 of the Northeast 1/4 and the South 100 feet of the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 75 North, Range 15 West of the 5th P.M. in the City of Oskaloosa, Mahaska County, Iowa.

(d) AMENDMENT NO. 7 AREA

Amendment No. 7 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 7 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 95-5-49 on May 15, 1995, which Amendment No. 7 Area includes the lots and parcels located within the area legally described as follows:

The Southwest Fractional 1/4 of the Northwest Fractional 1/4; the Southeast 1/4 of the Northwest Fractional 1/4; Lot A of the Southwest 1/4 of the Northeast 1/4;

Lot 2 of the Northwest 1/4 of the Southeast 1/4; the Northeast 1/4 of the Southwest Fractional 1/4; Northwest Fractional 1/4 of the Southwest Fractional 1/4; Lot 1 of the Southeast 1/4 of the Southwest Fractional 1/4; and Lot 1 of the Southwest Fractional 1/4 of the Southwest Fractional 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., except the following described tract:

A part of the SE 1/4 of the NW Fractional 1/4; and a part of Lot A of the SW 1/4 of the NE 1/4; all in Section 30 - Township 75 North - Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa and more particularly described as follows: Commencing at the NE corner of said SE 1/4 - NW Fractional 1/4; thence South 72.60 feet along the East line thereof; said point also being the NW corner of said Lot A; thence S 56°24'00" E 157.45 feet; thence S 89°53'00" W 131.12 feet to the West line of said Lot A; thence continuing S 89°53'00" W 412.28 feet; thence N 0°12'00" E 160.0 feet to the North line of said SE 1/4 - NW Fractional 1/4; thence N 89°53'00" E 411.64 feet to the point of beginning containing 1.64 acres and subject to the county road along the Easterly side thereof. The East line of said SE 1/4 - NW Fractional 1/4 is assumed to bear due South for purposes of this description.

Also Lot 1 and a part of Lot 2 of the subdivision of the Southeast 1/4 of the Northeast 1/4 of Section 25 - Township 75 North - Range 16 West of the 5<sup>th</sup> P.M., more particularly described as follows: Commencing at the Northeast corner of said Lot 2; thence South along the section line 1.06 chains to the Northeast corner of said Lot 1; thence West along the North line of said Lot 1 3.16 1/4 chains to the Northwest corner thereof; thence North to the North line of said Lot 2; thence East along said North line 3.16 1/4 chains to the point of beginning.

Note: The following legal description was added by Resolution No. 95-12-105 dated December 4, 1995, as a correction to Resolution No. 95-5-49 dated May 15, 1995.

And more particularly described as follows:

Commencing at the Northwest corner of said Southwest Fractional 1/4 of the Northwest Fractional 1/4 of Section 30; thence South 89°49'50" East 1125.58 feet along the North line thereof; thence North 89°50'41" East 905.55 feet along the North line of said Southeast 1/4 of the Northwest Fractional 1/4, said line being subject to a fence line agreement recorded in Book 1 "Record of Partition Fences" on page 109 in the office of the Mahaska County Recorder; thence South 0°09'41" West 160.00 feet; thence North 89°50'41" East 581.72 feet to the centerline of the existing roadway as presently maintained; thence South 53°45'05" East 633.26 feet along said centerline; thence Southeasterly 238.67 feet along a 229.2 foot radius curve, concave Southwesterly having a chord which bears South 23°55'13" East 228.02 feet tangent to the preceding and following courses; thence South 5°54'39" West 1898.15 feet along the said centerline to the South line of said Lot 2 of the Northwest 1/4 of the Southeast 1/4; thence South 89°47'39" West 571.02 feet along said South line; thence South

0°07'53" East 327.60 feet along the East line of said Lot 1 of the Southeast ¼ of the Southwest Fractional ¼; thence South 89°46'11" West 1223.36 feet along the South line of said Lot 1 of the Southeast ¼ of the Southwest Fractional ¼; thence South 89°55'19" West 1212.58 feet along the South line of Lot 1 of the Southwest Fractional ¼ of the Southwest Fractional ¼; thence North 0°23'32" West 984.52 feet; thence North 0°16'07" West 659.62 feet along the West line of said Lot 1 and the West line of the Northwest Fractional ¼ of the Southwest Fractional ¼ to the Northwest corner thereof; thence South 89°43'47" West 208.73 feet along the said Lot 1 of the Southeast ¼ of the Northeast ¼, Section 25 - Township 75 North - Range 16 West; thence North 0°10'32" West 278.85 feet along the West line of said Lot 1 to the North line of said Lot 2 of said Southeast ¼ of the Northeast 1/4; thence North 89°43'47" East 208.73 feet to the Northeast corner of said Lot 2; thence North 0°10'32" West 1043.49 feet along the West line of said Southwest Fractional ¼ of the Northwest Fractional ¼ to the point of beginning, containing 202.11 acres, and subject to the existing public roadway along the Easterly and Southerly sides thereof, also subject to any and all easements of record.

(e) AMENDMENT NO. 8 AREA

Amendment No. 8 Area shall mean that portion of the City of Oskaloosa, Iowa, described in Amendment No. 8 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 96-11-80 on November 18, 1996, which Amendment No. 8 Area includes the lots and parcels located within the area legally described as follows:

Beginning at a point seven hundred twenty (720) feet West of the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section fourteen (14), Township seventy-five (75), Range sixteen (16) West of the fifth P.M. which is the intersection of the West Corporate Limits of the City of Oskaloosa and the South line of Iowa Highway 92; thence West one thousand nine hundred forty-one and 85/100 (1,941.85) feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section fourteen (14); thence North seven hundred nine and 73/100 (709.73) feet; thence East one thousand seventy-six and 21/100 (1,076.21) feet to the center line of Iowa Highway 163; thence Northwesterly along the center line of Iowa Highway 163 to the intersection of the center line of D Avenue West; thence West along the center line of D Avenue West (County-designated 245<sup>th</sup> Street) to the West line of said Section Fourteen (14); thence South along the West line of said Section fourteen (14) to the center line of Suffolk Road; thence Easterly along the center line of said Suffolk Road to its intersection with the West Corporate Limits of Oskaloosa on the West property line of Lot 3 of Lot 8 of the Southeast Quarter of the Southwest Quarter of Section fourteen (14); thence North along the West line to the Northwest corner; thence East along the North line of said Lot three (3) of Lot eight (8) one hundred ninety-eight (198) feet to the Southeast corner of Lot nine (9); thence North along the East line of Lot nine (9) to the Northwest corner of Lot three (3) of Lot eight (8); thence East along the North line of said Lot three (3) of Lot eight (8) and the center line of High Avenue West to a point seven hundred twenty (720) feet West

of the East line of said Section fourteen (14); thence North to the point of beginning.

(f) AMENDMENT NO. 9 AREA

Amendment No. 9 Area shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 9 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Ordinance No. 1064 on November 15, 1999, which Amendment No. 9 Area includes the lots and parcels located within the area legally described as follows:

All that part of the Southwest Quarter of Section 21, and all that part of the West three-fourths of the Northwest Quarter of Section 28, all in Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa which lies Southwest of the centerline of the 265<sup>th</sup> Street (formerly Burlington Road) Excepting there from the tract of land described as follows: Commencing at the NW corner of said Section 28; thence N 88 ° 46' 00" E 739.67 feet along the north line thereof to the Point of Beginning; said point also being on the westerly line of the tract of land described and recorded in Deed Book 278 at page 303 Mahaska County Records; thence N 9° 45' 10" E 209.29 feet to the NW corner of said tract and the centerline of 265<sup>th</sup> Street (formerly Burlington Road); thence S 70° 40' 50" E 588.59 feet along said centerline to the north line of said Section 28; thence S 70° 23' 20" E 692.10 feet along said centerline to the east line of the west 3/4 of the NW 1/4 of said Section 28; thence S 1° 00' 00" E 275.54 feet along said east line; thence N 77° 20' 10" W 1315.84 feet; thence N 9° 45' 10" E 209.83 feet to the point of beginning. The above tract contains in all 116 acres more or less.

and

The East one-half of the Southwest Quarter of Section 28, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa, excepting therefrom the Former Chicago and Northwestern Railroad right-of-way through the southern portion of said tract.

and

A part of the North Half of the Northwest Quarter of the Northeast Quarter, all in Section 33, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa more particularly described as follows:

Beginning at the Southeast corner of said NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub>; thence N 00° 00' 43" E along the East line of said NW<sup>1</sup>/<sub>4</sub>- NE<sup>1</sup>/<sub>4</sub> a distance of 316.25 feet to the Southerly right-of-way line of the abandoned Chicago and Northwestern Railroad; thence N 59° 22' 46" W along said South right-of-way line a distance of 1953.44 feet to the North line of said North Half of the NW<sup>1</sup>/<sub>4</sub>; thence S 89° 39' 57" W along said

North line a distance of 959.55 feet to the Northeast corner of the NE¼- NW¼; thence continuing S 89° 39' 57" W along said North line a distance of 545.05 feet to the Northerly right-of-way line of Iowa Highway No. 23, formerly U.S. Highway 63; thence S 48° 28' 56" E along said Northerly right-of-way line a distance of 1979.51 feet to the South line of said North ½ of the NW¼; thence N 89° 41' 20" E along said South line a distance of 382.76 feet to the Southeast corner thereof; thence N 89° 40' 31" E along the south line of said NW¼- NE¼ a distance of 1320.84 feet to the Point of beginning containing 54.74 acres, and subject to any and all easements or restrictions recorded or non-recorded. The West line of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) Section 33 is assumed to bear North 0° 00' 00" East for the purposes of this description;

and

Commencing at the Northwest corner of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence East 434.9 feet to the North R.O.W. line of Highway 63; thence South 48°39' East along said North R.O.W. line 1185.6 feet to the East line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M. the point of beginning; thence South 48°39' East along said North R.O.W. Line 628'; thence North 41°21' East 369.1 feet to the South line of the Chicago and Northwestern Railroad R.O.W.; thence North 59°31' West along said South R.O.W. line 831 feet to the East line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West of the Fifth P.M.; thence South 0°15' East along said East line of said Northwest Quarter-Southeast Quarter 283.3 feet to the point of beginning. Containing 4.98 acres more or less. (The North line of the Northwest Quarter-Southeast Quarter Section 29, Township 75 North, Range 15 West is assumed due East and West). Also a strip of land 50 feet in width extending over and across part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 79 North, Range 15 West of the Fifth P.M., said strip of land being 25 feet in width on each side of the center line of the main track (now removed) of the Chicago Burlington and Pacific Railroad Company (later the Iowa Central Railway Company, the Minneapolis & St. Louis Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across Section 29, except from a line drawn at right angles to said center line at a point thereon distant 133 feet Northwesterly from its intersection with the East line of said Section 29 to a line drawn at right angles to said center line Northwesterly 492.5 feet.

(g) AMENDMENT NO. 10 AREA

Amendment No. 10 Area shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 10 to the Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution No. 01-4-29 on April 2, 2001, which Amendment No. 10 Area includes the lots and parcels located within the area legally described as follows:

Commencing at the Southeast corner of Section Twenty-nine, Township Seventy-five, Range Fifteen, thence North 690.35 feet to the North right of way line of Highway 23, thence North 48 degrees 21' West 657.64 feet to the point of beginning, thence North 48 degrees 21' West 483.67 feet to a point that is 628 feet Southeasterly from the West line of the Northeast Quarter of the Southeast Quarter of said Section Twenty-nine, as measured along the North right-of-way line of Highway 23, thence North 41 degrees, 39' East 369.10 feet to the South right-of-way line of the Chicago, North Western Railroad, thence South 59 degrees 13' East 492.50 feet along said Southerly right-of-way line, thence South 41 degrees 39' West 462.15 feet to the point of beginning.

and

The Northeast Quarter of the southeast Quarter of Section 29, Township 75, Range 15, lying north of the Chicago, Northwestern Railway Company right-of-way, all in Mahaska County, Iowa.

and

Commencing at the Southeast corner of Section 29, Township 75, Range 15, thence North 690.35' to the North Right-of-way line of Highway 23, thence North 48 degrees 21' West 657.64', thence North 41 degrees 38' East 462.15' to the point of beginning, thence North 59 degrees 13' West 492.5' along the south right -of-way line of the Chicago, North Western Railroad, thence North 41 degrees 39' East 25' to the centerline of the Chicago North Western Railroad right-of-way, thence South 59 degrees 13' East 492.5' along said centerline, thence South 41 degrees 39' West 25' to the point of beginning; and also the northern half (25') of the Chicago North Western Railroad right-of-way lying within the Northeast Quarter of the Southeast Quarter of Section 29, Township 75, Range 15 West of the 5<sup>th</sup> P.M. in Mahaska County, Iowa.

(h) Amendment No. 1 Area to the Oskaloosa Amended and Restated Urban Renewal Plan shall mean that portion of the City of Oskaloosa, Iowa described in Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan for the Oskaloosa Urban Renewal Area approved by Resolution \_\_\_\_\_ on \_\_\_\_\_ which Amendment No. 1 Area includes the lots and parcels located within the area legally described as follows:

Amendment #1 Area to the Amended and Restated Plan shall include the lots and parcels located within the area legally described as follows:

Beginning at the Northwest corner of Section 29, Township 75 North, Range 15 West of the 5<sup>th</sup> P. M. in Mahaska County, Iowa; thence East along the South line of Section 20 to the West line of the SE ¼ of the SE ¼ of Section 20, which is the East Corporate

Limits of the City of University Park; thence North along said line to the South right-of-way line of Burlington Road; thence Southeast along said line to the East line of Section 20; thence South along said line to a point 100 feet North of the Southeast corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence West to a point 100 feet North of the Southwest corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; thence South to the North right-of-way line of Iowa Highway 23; thence Northwest along said line to the West line of the NE  $\frac{1}{4}$  of Section 29; thence South along said line to the Northwest corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 29; thence West to the Southwest corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence North to the Southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29; thence West 659.8 feet; thence North to the South right-of-way line of Iowa Highway 23; thence Northwest along said line to a point 200 feet South of the North line of Section 29; thence West along a line parallel to and 200 feet normally distant from the North line of Section 29 to the West line of Section 29; thence North 200 feet to the point of beginning;

#### **EXCEPT**

The NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29; and the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29 North of the RR right-of-way and South of the North 15 acres of said section.

(i) Amended Area shall mean that portion of the City of Oskaloosa, State of Iowa, included within the Original Area, Amendment No. 6 Area, Amendment No. 7 Area, Amendment No. 8 Area, Amendment No. 9 Area, Amendment No. 10 Area and the Amendment No. 1 Area to the Oskaloosa Amended and Restated Urban Renewal Plan, which Amended Area includes the lots and parcels located within the area legally described in subparagraphs (a)-(h) above.

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Mahaska, Iowa, Oskaloosa Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3: As to the Original Area, that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Original Area upon the total sum of the assessed value of the taxable property in the Original Area as shown on the assessment roll as of January 1, 1979, being the first day of the calendar year preceding the effective date of Ordinance No. 576, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base

period taxes" for such area.

As to Amendment No. 6 Area, Amendment No. 7 Area, Amendment No. 8 Area, Amendment No. 9 Area, and Amendment No. 10 Area, base period taxes shall be computed pursuant to Iowa Code Section 403.19.

As to the Amendment No. 1 to the Oskaloosa Amended and Restated Urban Renewal Plan, base period taxes shall be computed using the total assessed value shown on the assessment roll as of January 1, 2013, being the assessment roll applicable to property in such area as of January 1 of the calendar year preceding the effective date of this Ordinance.

Section 3. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Oskaloosa, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Oskaloosa, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Area pursuant to the Urban Renewal Plan, as amended, except that (i) taxes for the regular and voter-approved physical plant and **equipment levy of a school district imposed pursuant to Iowa Code Section 298.2** and taxes for the instructional support program of a school district imposed pursuant to Iowa **Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2))**; (ii) taxes for the payment of bonds and interest of each taxing **district**; (iii) **taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings**; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Area exceeds the total assessed value of the taxable property in the areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Oskaloosa, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Original Area, Amendment No. 6 Area, Amendment No. 7 Area, Amendment No. 8 Area,

Amendment No. 9 Area, and Amendment No. 10 Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance Nos. 576, 1064 and 1106, and to fully implement the provisions of Section 403.19 of the Code of Iowa with respect to the division of taxes from property within the Amendment No. 1 Area to the Oskaloosa Amended and Restated Urban Renewal Plan as described above. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Area to the maximum period of time allowed by Section 403.19 of the Code of Iowa. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Amended Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

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

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Read First Time: \_\_\_\_\_, 2014

Read Second Time: \_\_\_\_\_, 2014

Read Third Time: \_\_\_\_\_, 2014

PASSED AND APPROVED: \_\_\_\_\_, 2014.

I, \_\_\_\_\_, City Clerk of the City of Oskaloosa, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City at a meeting held \_\_\_\_\_, 2014, signed by the Mayor on \_\_\_\_\_, 2014, and published in the "The Oskaloosa Herald" on \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk, City of Oskaloosa, State of Iowa

(SEAL)

01041819-1\10978-082



City Council  
Communication

Meeting Date: August 18, 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 18, 2014

Requested By: Mayor & City Council

**Item Title: City Council Information**

**Explanation :**

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

**Budget Consideration:**

Not applicable, report(s) only.

**Attachments :**

Council Report 0, Council Report 1

**From:** [Jason Van Zetten](#)  
**To:** [Michael Schrock Jr.](#)  
**Subject:** Water Meeting 8-12-14  
**Date:** Tuesday, August 12, 2014 8:19:37 AM

---

Mike please share this with council.

1. Legal Bills for Water dept. Keltner Case \$53,000 plus an invoice or two yet to be paid
2. The board voted not to support any further legal action on the Keltner Case
3. There was some discussion on how to move forward with the legal verdict
4. I asked for a more concise agenda some topics come up that are not on agenda but placed in Misc. or managers update
5. I also asked that all materials are provided in the agenda email as City Council does
6. I also asked for an agenda item at the next meeting on how to move forward with the city after the Keltner case
7. Other misc. topic's on day to day operations where discussed valves, street closures, lines, etc...
8. Jon Zobel would like to have more clear communications on street closures and weekly city street activities

Thanks,  
Jason Van Zetten

**From:** [Jason Van Zetten](#)  
**To:** [Michael Schrock Jr.](#)  
**Subject:** FW: Lawsuit fees  
**Date:** Tuesday, August 12, 2014 1:20:15 PM

---

Please share this with Council.

---

**From:** Chad Coon [mailto:chad.coon@oskaloosawater.org]  
**Sent:** Tuesday, August 12, 2014 10:18 AM  
**To:** Jason Van Zetten  
**Cc:** joer@tdtpc.com; Jon Zobel  
**Subject:** Lawsuit fees

Jason,

As per the conversation last night, here is the email you requested with the amount OMWD has spent on the lawsuit. As of August 11, 2014, OMWD has spent \$53,749.82 on legal fees with Dickinson Law Firm in relation to the lawsuit. There are other fees that have been paid to Dickinson, but they are on unrelated matters. Please let me know if there are other questions that you have that I can answer for you.

Thanks,  
Chad