



**City of Oskaloosa
City Council Meeting Regular Session
Council Chambers
City Hall, 220 S. Market Street
Oskaloosa IA, 52577
Agenda
February 2, 2015**

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

1. Invocation: Pastor

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: [20150202 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: [20150217 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](#), [20150202 - BOARD AND COMMISSION MINUTES.DOCX](#)

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

1. January 20, 2015 Regular City Council Meeting Minutes
2. January 26, 2015 Special City Council Meeting Minutes
3. February 2, 2015 Agenda

Documents: [CITY COUNCIL MINUTES JANUARY 20, 2015.DOC](#), [CITY COUNCIL MINUTES JANUARY 26, 2015.DOCX](#)

B. Receive and file minutes of Boards and Commissions

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

1. January 14, 2015 Historic Preservation Commission Minutes
2. January 7, 2015 Airport Commission Minutes

Documents: [MINUTES OF THE HISTORIC PRESERVATION COMMISSION 1-14-15.DOCX](#), [20150107 AIRPORT COMMISSION MINUTES.PDF](#)

C. Consider payment of claims for January 2015.

Who is submitting this City Clerk/Finance Department item.

Documents: [CITY COMM-CLAIMS.DOCX](#), [MANUAL CHECK REPORT 01282015.PDF](#), [COUNCIL CLAIMS LIST 01282015.PDF](#), [20150202 MOST CLAIMS OVER 500.PDF](#)

D. Consider an ordinance to amend the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Title 17 – “Zoning”, Chapter 17.24 – “Supplemental Site Development Regulations,” and Chapter 17.32 – “Nonconforming Development” of the City Of Oskaloosa Zoning Ordinance regarding non-conforming residential development and discontinued nonconforming developments – 3rd reading

Who is submitting this Public Works Director item.

Documents: [EXPLANATION.DOC](#), [ORDINANCE - NONCONFORMING RESIDENTIAL.DOCX](#), [PROPOSED TEXT AMENDMENT - REVISE 17.24 AND 17.32.PDF](#), [TABLE 17.08B - PERMITTED USES.PDF](#), [REALTOR LETTER TO P AND Z.PDF](#), [REALTOR LETTER ATTACHMENT.PDF](#), [MAP - NON CONFORMING LOTS.PDF](#), [STATISTICS NON CONFORMING LOTS GIS DATA.PDF](#), [CODE COMPARISON.PDF](#)

E. Consider request from the Rollin’ Oldies Car Club for closure of streets for annual car show.

Who is submitting this City Manager Department item.

Documents: [20150202 REQUEST FROM ROLLIN OLDIES CAR CLUB.DOCX](#), [ROLLIN OLDIES REQUEST.PDF](#), [LETTER FROM OSKALOOSA MAIN STREET.PDF](#)

F. Consider a resolution authorizing and executing a Federal-Aid Agreement between the city of Oskaloosa and the Iowa Department of Transportation for a Transportation Alternatives Program Project.

Who is submitting this Public Works Director item.

Documents: [20150202 SIDEWALK TAP AGREEMENT WITH IOWA DOT.DOC](#), [SIDEWALK TAP RESOLUTION.DOCX](#), [15-TAP-111 AGREEMENT.PDF](#)

G. ----- END OF CONSENT AGENDA -----

6. Announcement of Vacancies

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

- Airport Commission - One vacancy to fill upon appointment for an unexpired term that ends December 31, 2015. This is a five member board that typically meets the first Monday of the month. (4 males currently serve with 1 vacancy)
- Building Code Board of Appeals - One vacancy to fill upon appointment to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (3 males and 1 female currently serve with 1 vacancy)
- Historic Preservation Commission - One vacancy to fill upon appointment for an unexpired term that ends December 31, 2015. This is a seven member board that meets as needed. (2 males and 4 females currently serve with 1 vacancy)
- Municipal Housing Agency - Two vacancies for two year terms that begin March 1, 2015 and end February 28, 2017. This is a five member board that typically meets quarterly. (2 males and 3 females currently serve)
- Planning and Zoning Commission - Two vacancies for five year terms that begin May 1, 2015 and end April 30, 2020. This is a seven member board that typically meets as needed on the second Monday of the month. (4 males and 3 females currently serve)
- Water Board - One vacancy to fill upon appointment for an unexpired term that ends June 30, 2020. This is a three member board that typically meets the third Monday of the month. (3 males currently serve)

Documents: [20150202 ITEM - BOARD AND COMMISSION VACANCIES.DOCX](#)

7. Regular Agenda

Documents: [20150217 AGENDA ITEM - REGULAR ACTION ITEMS.DOCX](#)

- A. Consider a resolution levying a special assessment against private property for sidewalk replacement by the city of Oskaloosa, Iowa in accordance with Section 12.12 of the city code of the city of Oskaloosa, Iowa. (PUBLIC HEARING)**

Who is submitting this item. City Clerk/Finance Department

Documents: [CITY COMM-SIDEWALKS.DOC](#), [RESOLUTION ASSESSMENT 11252014.DOCX](#), [EXHIBIT A SIDEWALK REPLACEMENTS NOVEMBER 2014.DOCX](#)

- B. Consider an Ordinance amending Oskaloosa City Code Title 12 Streets, Sidewalks, and Public Places by adding Chapter 12.46 Farmers' and Public Markets - 2nd reading.**

Who is submitting this item. City Manager Department

Documents: [20150202 ITEM FARMERS AND PUBLIC MARKETS.DOCX](#), [ORDINANCE RE FARMERS AND PUBLIC MARKETS.DOCX](#), [APPLICATION.DOCX](#)

- C. Consider an Ordinance amending Oskaloosa City Code Chapter 12.48 Miscellaneous Regulations to include Community**

Gardens - 2nd reading.

Who is submitting this City Manager Department item.

Documents: [20150202 ITEM - COMMUNITY GARDENS.DOCX](#), [COMMUNITY GARDENS ORDINANCE.DOCX](#), [COMMUNITY GARDENS GUIDELINES.DOCX](#), [OSKALOOSA COMMUNITY GARDENS PERMIT.DOCX](#), [COMMUNITY GARDENS RELEASE.DOCX](#)

D. Consider a resolution adopting the proposed 2014-2015 budget amendment and the proposed 2015-2016 budget and setting date for public hearing.

Who is submitting this City Clerk/Finance Department item.

Documents: [CITY COMM-PROPOSED BUDGET.DOC](#), [20150202 BUDGET PH RES..DOC](#), [TAX CERTIFICATION.PDF](#)

E. Consider a resolution approving applications for residential tax abatement for value added in the urban revitalization area.

Who is submitting this City Clerk/Finance Department item.

Documents: [CITY COMM-TAX ABATEMENT.DOC](#), [RESIDENTIAL TAX ABATEMENT RESOLUTION.DOC](#), [EXHIBIT A-TAX ABATEMENT 2015.DOCX](#)

F. Consider an ordinance amending Oskaloosa Municipal Code, Chapter 13.08, Section 13.08.570 - User charge, for the purpose of providing necessary funding associated with the operation and maintenance of the city's wastewater treatment works. (1st reading)

Who is submitting this City Manager item.

Documents: [20150202 - SANITARY SEWER RENTAL CHARGE.DOCX](#), [20150202 - SEWER FEE INCREASE 2015 QUARTERLY.DOC](#), [OSKALOOSA_SEWER_CASHFLOW_01-23-2015.PDF](#), [2013 SEWER RATE SURVEY DATA.PDF](#)

8. Report on Items from City Staff.

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

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

Documents: [20150217 REPORTS FROM STAFF.DOCX](#)

9. City Council Information

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

agenda items, or request items to be sent to Committee for review and discussion.

Documents: [20150217 CITY COUNCIL INFORMATION.DOCX](#)

10. Adjournment

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

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



City Council
Communication

Meeting Date: February 2, 2015

Requested By: Mayor & City Council

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

1. Invocation: Pastor Georgia McClure, Community of Christ Church
2. Pledge of Allegiance
3. Roll Call: _____ Mayor David Krutzfeldt, Council Members:

_____ Caligiuri, _____ Jimenez, _____ Moore, _____ Van Zetten,
_____ Ver Steeg, _____ Walling, _____ Yates.

Explanation:

Not applicable.

Budget Consideration:

Not applicable.

Attachments :

None.



City Council
Communication

Meeting Date: February 17, 2015

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. Claims for January 2015.**

- Item D. Consider an ordinance to amend the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Title 17 - "Zoning", Chapter 17.24 - "Supplemental Site Development Regulations," and Chapter 17.32 - "Nonconforming Development" of the City Of Oskaloosa Zoning Ordinance regarding non-conforming residential development and discontinued nonconforming developments - 3rd reading.**

- Item E. Consider request from Rollin' Oldies Car Club for closure of streets for annual car show.**

- Item F. Consider a resolution authorizing and executing a Federal-Aid Agreement between the city of Oskaloosa and the Iowa Department of Transportation for a Transportation Alternatives Program Project.**



City Council
Communication

Meeting Date: February 2, 2015

Requested By: City Manager's Office

Item Title: CONSENT AGENDA

Explanation :

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

- A. Approval of Council Minutes and Actions, subject to corrections, as recommended by the City Clerk.
 - 1. January 20, 2015 City Council Regular Meeting Minutes
 - 2. January 26, 2015 Special City Council Meeting Minutes
 - 3. February 2, 2015 Agenda

- B. Receive and file the following reports and communications from advisory and operating boards and commissions:
 - 1. January 14, 2015 Historic Preservation Commission Minutes
 - 2. January 7, 2015 Airport Commission Minutes

Budget Consideration:

Not applicable.

Attachments :

January 20, 2015 City Council Regular Meeting Minutes
January 26, 2015 Special City Council Meeting Minutes
January 14, 2015 Historic Preservation Commission Minutes
January 7, 2015 Airport Commission Minutes

OSKALOOSA CITY COUNCIL
REGULAR MEETING
January 20, 2015

The Oskaloosa City Council met in regular session on Tuesday, January 20, 2015, at 6:00 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg, Walling and Yates

Mark Willett, Assistant General Manager of Clow, addressed City Council regarding the Complete Streets Design concept and Blue Zones; Rick Stek, 617 North 12th, commented on sidewalk installation on E Avenue; Blaine Vos, 2346 Patriot Avenue, commented on Farmers' Market and Community Gardens; and Jay Gile, 304 North 3rd Street, commented on the Complete Streets Design concept.

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

1. January 5, 2015 City Council Regular Meeting Minutes
2. January 20, 2015 Agenda
3. Receive and file the following reports and communications from advisory and operating boards and commission:
 - a. January 5, 2015 Water Department Balance Sheet, Revenue and Expense Reports
 - b. December 15, 2014 Library Board of Trustees Minutes
 - c. January 8, 2015 Housing Trust Fund Committee Minutes
 - d. January 8, 2015 Civil Service Commission Minutes
 - e. January 12, 2015 Planning and Zoning Commission Minutes
4. Renewal application for a Class C Beer Permit with Wine Permit and Sunday Sales from DOLGENCORP, LLC. dba Dollar General Store #2727, 1701 3rd Avenue East.
5. Renewal application for a Class C Beer Permit with Native Wine Permit and Sunday Sales from Casey's Marketing Company, dba Casey's General Store #1682, 1310 A Avenue West.
6. Renewal application for a Class C Liquor License with Outdoor Service and Sunday Sales from The Cellar Peanut Pub LLC, dba The Cellar, 206 Rock Island Avenue.
7. Receive and file financial reports for December 2014.
8. Receive and file the 2014 Edmundson Golf Course Annual Report from Harvest Point LLC and Matt Sherlock, PGA Professional.

The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Moore to appoint Valinn McReynolds to the Housing Trust Fund Committee for a three year term that ends January 31, 2018. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Moore to appoint Wyndell Campbell to the Board of Adjustment to fill an unexpired term that ends December 31, 2016. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

It was moved by Caligiuri, seconded by Moore to approve the request from Oskaloosa Main Street and the Oskaloosa Area Chamber & Development Group for approval of the Calendar of Events for 2015. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

Sherry Vavra, Executive Director of the Mahaska Community Recreation Foundation, presented the annual MCRF Report.

Jimenez introduced "AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING TITLE 17, "ZONING", CHAPTER 17.24, "SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS," SECTION 17.24.020 – "USE OF EXISTING LOTS OF RECORD"; AMENDING CHAPTER 17.32, "NONCONFORMING DEVELOPMENT," SECTION 17.32.030 – RESIDENTIAL DISTRICTS," SUBSECTION C – "NON CONFORMING STRUCTURES"; AND ADDING A NEW SECTION 17.32.070 – "DISCONTINUANCE CONFORMANCE REQUIRED" and moved its approval on the second reading. Moore seconded the motion. The roll was called and the vote was:

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

NAYS: None

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

It was moved by Yates, seconded by Jimenez to approve the parking lot rental agreement between the Oskaloosa Hy-Vee and the City of Oskaloosa for use of the city-owned parking lot north of Hy-Vee from April 1, 2015 through June 30, 2015. The roll was called and the vote was:

AYES: Van Zetten

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

Whereupon the Mayor declared said motion denied.

Caligiuri introduced Resolution No. 15-01-04 entitled "A RESOLUTION ADOPTING A POLICY FORMALIZING THE CONTINUED USE OF COMPLETE STREETS DESIGN CONCEPTS IN FUTURE CITY IMPROVEMENT PROJECTS" with the addition of the language recommended by the council committee and moved its approval. Moore seconded the motion. The roll was called and the vote was:

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

Whereupon the Mayor declared said resolution duly adopted.

Caligiuri introduced "AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES BY ADDING CHAPTER 12.46 FARMERS AND PUBLIC MARKETS" and moved its approval on the first reading. Yates seconded the motion. The roll was called and the vote was:

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

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

Caligiuri introduced "AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE 12.48 MISCELLANEOUS REGULATIONS BY ADDING PROVISIONS PERTAINING TO COMMUNITY GARDENS" and moved its approval on the first reading. Moore seconded the motion. The roll was called and the vote was:

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

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

It was moved by Walling, seconded by Jimenez 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, Van Zetten, Ver Steeg, Walling and Yates
NAYS: None

Whereupon the Mayor declared said motion approved.

City Council adjourned to closed session at 6:44 p.m. and reconvened in open session at 7:24 p.m.

It was moved by Walling, seconded by Ver Steeg that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 7:26 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

OSKALOOSA CITY COUNCIL
SPECIAL MEETING
January 26, 2015

The Oskaloosa City Council met in special session on Monday, January 26, 2015 at 3:30 p.m. with Mayor Krutzfeldt presiding and the following members answering roll call: Caligiuri, Jimenez, Moore, Van Zetten, Ver Steeg and Yates. Walling entered the meeting at 3:36 p.m.

It was moved by Caligiuri, seconded by Moore to approve the January 26, 2015 agenda. The roll was called and the vote was:

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

NAYS: None

Whereupon the Mayor declared said motion approved.

Council Member Walling entered the meeting.

City Manager, Michael Schrock Jr. gave a presentation on the Fiscal Year 2015 Budget Amendment and Fiscal Year 2016 Proposed Budget.

Council proposed no increase in the amount of \$37,500 to the Oskaloosa Chamber and no increase in the \$43,000 to the Stephen Memorial Animal Shelter for operating expenses and reserve. Council proposed budgeting an additional \$30,000 a year for five (5) years starting in FY2015 which could be used towards the new animal shelter facility. Council proposed a contribution of \$50,000 for FY2016 to Forest Cemetery.

City Council discussed the proposed amendment to FY2015 budget and the proposed FY2016 budget and tax levy.

It was moved by Ver Steeg, seconded by Yates that the meeting adjourn. Motion carried unanimously. The meeting adjourned at 8:00 p.m.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

Minutes of the Historic Preservation Commission

City of Oskaloosa

Regular meeting January 14, 2015 12pm

The Meeting of the Historic Preservation Commission for the City of Oskaloosa was called to order at 12:05 pm Wednesday January 14, 2015 by City staff member Wyatt Russell.

Commission members present: Kerri Boender, Wanda Gardner, Julie Hansen, Mark Tennison. Commission members absent: Jeff Sisul (arrived at 12:20pm), Jo Broerman, Janel Campbell

It was moved by Hansen and seconded by Gardner to rearrange the agenda to move item 6B to the first item. Vote was YES: Boender, Gardner, Hansen, Tennison. No: NONE, Absent: Sisul, Broerman, Campbell.

Item 6B; Presentation of award to Dennis Shankster. Staff member Russell read the letter that was drafted and framed to Mr. Shankster, and presented Mr. Shankster with the award.

Item 2; Approval of the minutes from the November 5, 2014 meeting. Hansen moved to approve with Gardner seconding. Vote was YES: Boender, Gardner, Hansen, Tennison. No: NONE, Absent: Sisul, Broerman, Campbell.

Item 5A Consider approval of signage at 121 North Market Street. Representatives, Angela Sheely and Terry Buffington, discussed the options presented to the Commission members. During this time Jeff Sisul arrived at meeting. The Commission spoke in great depth about the purposed color scheme and asked the representatives if they would be willing to change the colors a little.

Sisul moved that the front building signage be separated from the rear for the vote, and that the color of the letters presented be approved for the style and to be of the color supplied which was gold in color, technical name is Dandy Lion - GLD614. Boender seconded the motion. The Vote was YES: Boender, Gardner, Hansen, Tennison, Sisul No: NONE, Absent: Broerman, Campbell.

The Commission then began discussion of the rear signage with regard to the color scheme. After it was found that the rear awning sign was not a banner type sign due to a phone call made by Terry Buffington to the sign company Sisul made a motion that the two rear awnings be painted the same approved red color that is present on the brick work of the building, and to include an aluminum backed sign that would attach to the existing awning and to have the background color tinted as to match the brick/awning color that was approved, and that the letters be of the same font and proportion as presented, with the color of the letters being gold in color like the front of the building, technical name Dandy Lion- GLD614. Gardner seconded the motion, and the Vote was YES: Boender, Gardner, Hansen, Tennison, Sisul No: NONE, Absent: Broerman,

Campbell.

Item 6A Election of Vice Chair-person. Gardner moved that the Commission elect Julie Hansen as Vice Chair-Person, Sisul seconded the motion, and the Vote was YES: Boender, Gardner, Hansen, Tennison, Sisul No: NONE, Absent: Broerman, Campbell.

With no further business the meeting was adjourned at 12:55pm

Minutes by Wyatt Russell

**MINUTES
OSKALOOSA AIRPORT COMMISSION**

January 7, 2015

Meeting of the Oskaloosa Airport Commission was called to order at 4:30 p.m. on Wednesday, January 7, 2015.

1. **ROLL CALL:** Roll was taken with the following present: Steve Brown, Kraig Van Hulzen, James Johnson, Larry Lewis, and Jerry Strunk [Midwest Aviation].
2. **APPROVAL OF THE MINUTES:** Moved by Kraig Van Hulzen and seconded by Larry Lewis to approve the minutes of the December 1, 2014 meeting. Motion carried.
3. **FINANCIAL REPORT:** Moved by James Johnson and seconded by Larry Lewis to approve the financial report. Motion carried.
4. **REVIEW AND APPROVE BILLS:** Moved by Kraig Van Hulzen and seconded by James Johnson to pay bills totaling \$37,952.67. Motion carried.
5. **MANAGER'S REPORT:** See attached.
6. **OLD BUSINESS:**
 - a. **Pavement rehabilitation project:** There was nothing further to report.
 - b. **Security lights:** A brighter LED light has been installed by the fuel pumps. The project is complete.
 - c. **Co-Rayvac heating system:** The new system has been installed and is working properly. This project is complete.
 - d. **Access door on Pepsi hangar:** New glass has been installed and the project is complete.
 - e. **Tiling repair:** Craig Hall has not been able to inspect the areas in need of repair. Hopefully he will be able to submit a proposal by the February meeting.
 - f. **Runway end identifier lights:** Received two quotes from Atwood Electric. Rebuilding the old system would cost \$17,187.00. We would still have a problem finding parts for future repairs. Installing a new LED system would cost \$26,893.00. Jerry Strunk recommended staying with the current system for now since it is working properly at this time.
7. **NEW BUSINESS:**
 - a. **February meeting date:** The date of February 2, 2015 was acceptable to everyone.
8. **Adjourn:** It was moved by Larry Lewis to adjourn at 4:55 p.m. Kraig Van Hulzen seconded. Motion carried.

MWA@OOA

December 2014

Oskaloosa, IA. Municipal Airport Monthly Report

Fuel Sales: 100LL (\$5.89) 2063; Jet A (\$5.40) 0

Total fuel sales for December 2014=2063 gal X.05=\$103.15.

Plus Telephone: \$15.28.

Total owed OOA= \$118.43.

- Shop work has picked up.
- Flight ops are steady.
- New CO- RAY VAC. Heating system has been installed and is operational.
- Have New L.E.D. flood light installed at fuel pumps.
- Entrance door to the Pepsi hangar has been repaired.

HAPPY NEW YEAR!!

UP, UP AND AWAY @ OOA



City Council Communication

Meeting Date: February 2, 2015

Requested By: City Clerk/Finance

Item Title: CONSENT AGENDA

Consider payment of claims for January 2015.

Explanation :

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

Staff recommends approval.

Budget Consideration:

Totals will appear on the claims lists.

Attachments :

Claims lists

**MANUAL CHECK REPORT**

Amazon	Library materials	1,622.44
David D. Dixon	January legal services	2,200.00
Delta Dental of Iowa	Dental insurance	562.00
Edward D Jones	Savings Edward Jones	400.00
Edward D Jones	Savings Edward Jones	400.00
Edward D Jones	Savings Edward Jones	400.00
Fidelity Security Life Insurance Company	Vision insurance	246.67
Forest Cemetery Association	Additional contribution	50,000.00
I.U.P.A.T. District Council 81	Union dues	250.26
Iowa Association of Building Officials	Registration - W Russell	100.00
Iowa Concrete Paving Association	Registration - N Willey	175.00
Iowa Sex Crime Investigation Association	Registration - Boston	150.00
Joshua Starkey	Reimburse supply expense	20.32
Local 636, IAFF	Fire union	225.00
Madison National Life	January life insurance premium	436.65
Mahaska County Recorder	4th quarter recording fees	141.00
Mahaska Drug	Medications	11.00
Mahaska Health Partnership	Professional services	23.00
Marilyn Johannes	Reimburse petty cash	8.32
Misty Dawne White-Reinier	January legal services	1,800.00
Nathan Willey	Reimburse boot expense	110.73
Norris Asphalt Paving Inc	Payment #4 - South 11th St project	8,243.15
Oskaloosa Community Schools	January local option sales tax	85,562.77
PPME 2003 IBPAT	Police union dues	305.75
Sunlife Financial	January stop loss premium	16,844.43
United Way	United Way	28.00
Visa Card Center	Library postage	12.98
		<hr/>
		170,279.47
	January payroll	429,076.67
Alexander, Craig	Cell phone reimbursement	20.00
Boston, Troy	Cell phone reimbursement	20.00
Calzaretta, Michael	Cell phone reimbursement	20.00
McGee, John	Cell phone reimbursement	20.00
Neff, Mark	Cell phone reimbursement	20.00
Pal, Akhilesh	Cell phone reimbursement	20.00
Schrock Jr, Michael	Cell phone reimbursement	20.00
Vroegh, Gary	Cell phone reimbursement	20.00
Vroegh, Grant	Cell phone reimbursement	20.00
Willey, Nathan	Cell phone reimbursement	20.00



City of Oskaloosa, IA

COUNCIL CLAIMS LIST

Access Systems	Annual service - Library	465.02
	Computer services - Fire Dept	165.00
	Install Sonic Wall - Library	1,014.81
	IT support - January	2,252.84
Allied Gas & Chemical	LP gas	75.00
	LP gas	75.00
Aramark Uniform Services	Rubber mats	80.40
Arnold Motor Supply	Supplies	15.67
Bill & Ray's Auto Service Inc	Vehicle repair - Waste Water	396.38
Brick, Gentry, Bowers, Swatz & Levis, PC	Legal services - Zoning/site plan	180.00
Brown's Shoe Fit Company	Boots - Landgrebe	100.00
Central Pump & Motor LLC	Rebuild pump - M St lift station	4,437.45
Certified Pest Control	Pest control	30.00
	Pest control	30.00
Chart Pool USA Inc	Office supplies	98.59
City of Pella	Regional airport expenses	1,110.45
Culligan Water Conditioning	Water services	30.95
Cutter's Edge	Chain saw repair	98.98
Garden & Associates Inc	Professional services - 3rd Ave E project	1,239.00
	Professional services - Penn Bld sanitary sewer	2,083.66
Haines Auto Supply	Supplies	13.03
Heiman Inc.	Supplies	57.52
	Credit for duplicate payment (Inv 823345)	-237.50
	Supplies	59.95
	Harness	89.90
	Credit for corrected billing Inv 823345	-41.71
	Supplies	42.35
	Supplies	45.30
Hellyer Electric Motor Service Inc	Gaskets	49.29
Heslinga, Dixon, Moore & Hite	Office supplies	6.83
Iowa Dept of Transportation	Supplies	63.08
Iowa League of Cities	Annual ECIC dues	100.00
Iowa Prison Industries	Street signs	255.47
Jerry's Pro Collision Center	Vehicle repairs	467.03
Jetco Inc.	Repair valve position indicator	1,281.10
	Repair soft start - Lacy lift station	1,498.40
John Deere Financial	Equipment supplies	17.51
Johnson's Heating A.C. & Refrig Inc	Repair furnace - Fire Dept	75.00
Keystone Laboratories Inc	Lab services	279.00
	Lab services	396.60
Lappin Tire Inc	Quick lube	38.85
	Quick lube	38.85
	Quick lube	38.85
	Quick lube	38.85
Mahaska Co Highway Dept	Fuel	2,892.18
	Fuel	52.36
	Fuel	29.65

	Fuel	2,090.19
	Fuel	532.03
Mahaska Communication Group, LLC	Telephone services	42.27
	Telephone services	68.53
	Telephone services	69.81
	Telephone services	63.80
	Telephone services	148.54
	Telephone services	1,207.69
	Telephone services	63.34
Mahaska Drug	Medications	17.92
Mahaska Health Partnership	Professional services	488.00
	Professional services	159.00
Malcom Lumber Window & Door Center	Supplies - roof repair	39.53
	Supplies	23.98
	Supplies	11.90
MidAmerican Energy	Utilities	101.80
	Utilities	1,633.86
	Utilities	10,473.62
Midwest Breathing Air LLC	Annual service and repair	605.97
Midwest Safety Counselors Inc	Instrument calibration - Fire Dept	318.00
Midwest Sanitation Service	Waste removal - City Hall	65.00
Municode	Annual internet charge - City Code online	550.00
Musco Sports Lighting, LLC	Decals	20.00
National Association of School Resource Officers	Annual dues - Alexander	40.00
NFPA	Annual dues - Neff	165.00
OmniSite	Annual wireless services - Lacy lift station	276.00
Oskaloosa Herald/Shopper	Publications	587.12
Oskaloosa Water Dept	Fax location services - December	34.65
	November credit card fees	157.42
Philip L. Ascheman PH.D.	Professional services	40.00
Premier Office Equipment Inc.	Copier maintenance	165.35
	Copier maintenance	210.44
Quill Corporation	Office supplies	346.02
	Office supplies	33.82
	Office supplies	73.48
Radiology Associates of Ottumwa PC	Professional services	35.25
Rohrbach Associates PC Architects	Professional services - Fire Station design	19,957.00
Schindler Elevator Corp	Scheduled maintenance	689.01
Staples Credit Plan	Office supplies	55.98
Swim's Sports	Plaque - Police Officer of the Year	30.00
	Retirement plaque - Saville	60.00
The Office Center Inc.	Office supplies	4.95
	Office supplies	3.75
Total Choice Shipping	Shipping charges	15.32
	Shipping charges	12.78
	Shipping charges	53.85
	Shipping charges	15.41
True Value Hardware	Light	8.99
	Batteries	14.99
	Rope	9.99
	Sewage pump	289.00
	Supplies	6.16
	Supplies	7.58

	Supplies	6.59
	Shovel	30.00
	Extension cord	59.99
	Supplies	20.02
	Supplies	69.54
	Supplies	17.96
	Supplies	5.49
U.S. Cellular	Telephone services	27.03
University Enterprises Inc	Treatment manuals	294.00
Vande Wall Plumbing	Sanitary sewer repair	6,500.00
	Jet sewer - North 12th St	1,200.00
Walmart Community/GECRB	Supplies	17.93
	Supplies	53.53
	Supplies	22.81
	Office supplies	16.17
Windstream	Telephone services	37.46
	Telephone services	37.53
	Telephone services	35.03
Zep Sales and Service	Cleansers	112.66
		<hr/>
		72,384.77



City Council Communication

Meeting Date: February 2, 2015
Requested By: Public Works Dept.

Item Title:

Consider an ordinance to amend the City Code of the City of Oskaloosa, Iowa by amending provisions pertaining to Title 17 - "Zoning", Chapter 17.24 - "Supplemental Site Development Regulations," and Chapter 17.32 - "Nonconforming Development" of the City Of Oskaloosa Zoning Ordinance regarding non-conforming residential development and discontinued nonconforming developments - 3rd reading

Explanation:

The Public Works Department Staff received a request from the board of realtors to update the zoning code regarding non-conforming residential development. The board of realtors indicated that the non-conforming single-family and two-family residential structures are restricting the sale of properties within Oskaloosa. The existing zoning regulations do not permit single family residential development in most commercial and industrial zoning districts. These non-conforming residential structures cannot be enlarged or altered. These non-conforming residential structures also cannot be reconstructed if the structure is destroyed by any means to an extent of 60% or more of its replacement cost.

The proposed code updates include, but are not limited to, the following:

- Revise code sections 17.24.020 and 17.32.030 to permit reconstruction of existing single and two-family non-conforming structures in all zoning districts. This will bring all non-conforming single and two-family structures into compliance. This option will only be valid if an approved building permit is obtained within six months of destruction and pursued to completion.
- Introduce a new code section for discontinued non-conforming developments. In the event that a non-conforming use of any building or premises is discontinued, or its normal operation stopped for a period of one year, then the property will be required to conform to the existing zoning code regulations.

The Planning & Zoning Commission considered this item at their December 8, 2014 meeting and recommended by a vote of 7:0 (yes : no) that the City Council approve the ordinance amendments regarding non-conforming residential development.

Recommended Action:
Approve the ordinance amendment as presented.

Budget Consideration:

There will be minimal impact to the City Budget for the cost associated with drafting revisions to Chapter 17 of the Oskaloosa Municipal Code.

Attachments :

Ordinance, Proposed text amendments to City Code, Table 17.08b, Letter from Realtors, Code comparison, Map, Statistics, and Code Comparison.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF OSKALOOSA, IOWA BY AMENDING TITLE 17, "ZONING", CHAPTER 17.24, "SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS," SECTION 17.24.020 - "USE OF EXISTING LOTS OF RECORD"; AMENDING CHAPTER 17.32, "NONCONFORMING DEVELOPMENT," SECTION 17.32.030 - RESIDENTIAL DISTRICTS," SUBSECTION C - "NON CONFORMING STRUCTURES"; AND ADDING A NEW SECTION 17.32.070 - "DISCONTINUANCE CONFORMANCE REQUIRED."

The City Council of the City of Oskaloosa, Iowa hereby ordains as follows:

SECTION 1. The title for "Chapter 17.24 - Supplemental Site Development Regulations" is hereby amended by revising the title as "Chapter 17.24 - Exceptions and Supplemental Site Development Regulations."

SECTION 2. Section 17.24.020, entitled "Use of existing lots of record" is hereby deleted in its entirety and amended by substituting the following in lieu thereof:

17.24.020 Exceptions for existing single-family and two-family dwellings.

In any zoning district where they are otherwise permitted, a single-family or two-family dwelling may be located or reconstructed on a lot which, at the time of passage of this Ordinance, is non-conforming development in terms of lot area, width, yards, lot coverage, or other characteristics of the structure or its location on the lot; provided, however, that the following shall apply:

- A. The sum of the side yard widths of any such lot or plot shall not be less than thirty percent of the width of the lot, but in no case less than ten percent of the width of the lot for any one side yard.
- B. The depth of the rear yard of any such lot need not exceed twenty percent of the depth of the lot, but in no case less than twenty feet.
- C. Notwithstanding the setback requirements set forth above, a nonconforming single-family dwelling or two-family dwelling on such a lot can be used, maintained and reconstructed, provided however that if the dwelling is destroyed or damaged, excluding purposeful destruction, to an extent of 60 percent or more of its replacement cost at the time of destruction, it shall not be reconstructed unless such reconstruction work shall be consistent with applicable codes at the time of new construction, an approved building permit is obtained within six months of such happening and diligently pursued to completion. Such reconstruction shall also comply with the restrictions on nonconforming development set forth in section 17.32.030. This exception shall not apply in cases where the owner of a non-conforming lot also owns two or more abutting vacant lots of record. Such lot shall also meet all of the following requirements:

1. The dwelling should meet the requirements set forth in Table 17.08C except the minimum lot area; however, if setbacks cannot be met from Table 17.08C, then the dwelling shall be allowed to be built on the original footprint without an increase in the gross floor area.
2. The dwelling shall have a minimum width facing the street of the smaller of twenty-four feet or the width of the dwelling prior to such destruction;
3. The dwelling shall have a minimum depth perpendicular to the street of the smaller of 20 feet or the depth of the dwelling prior to such destruction.
4. A minimum of fifteen percent of the facade of the building facing the street shall consist of windows, doors and other building openings;
5. Any foundation skirting material shall have the appearance of masonry or poured concrete typical of site-built homes. Installation of the skirting must be installed within thirty days following the installation of the home, or the first day of May if the ground is frozen at the time the home is placed;

SECTION 3. Section 17.32.030 C. entitled “Nonconforming Structures” is hereby deleted in its entirety and amended by substituting the following in lieu thereof:

C. Nonconforming Structures. Where a structure exists at the effective date of adoption or amendment of the ordinance codified in this title that could not be built under the terms of this title by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such structure may be enlarged or altered in a way which increases its nonconformity.
2. Should such structure be destroyed by any means to an extent of sixty percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title. Any single-family or two-family dwelling which was a conforming structure at the time of passage of this Ordinance may be structurally altered, and if destroyed may be reconstructed and used as before, provided the work shall be consistent with applicable codes at the time of new construction, an approved building permit is obtained within six months of such happening and diligently pursued to completion. Such reconstruction shall also comply with the restrictions set forth in section 17.24.020.

SECTION 4. A new Section 17.32.070, entitled “Discontinuance Conformance required” is hereby added as follows:

17.32.070 Discontinuance Conformance required.

A. In the event that a nonconforming use of any building or premises is discontinued or its normal operation stopped for a period of one year, the use of the same shall thereafter conform to the regulations of the district in which it is located.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. 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 7. 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 _____ 2015, and approved this _____ day of _____ 2015.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____ 2015.

Signed _____

Chapter 17.24 -- EXCEPTIONS AND SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS

Sections:

17.24.010 - Purpose.

The supplemental site development regulations establish basic requirements for developable lots, including frontage requirements, recognize the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify or modify the district regulations of this title and provide for specific areas of exception.

(Ord. 1086 §17.701, 2000)

Exceptions for single-family and two-family dwellings.

17.24.020 - ~~Exceptions for existing single-family and two-family dwellings. Use of existing lots of record.~~

In any zoning district where they are otherwise permitted, a single-family or two-family dwelling may be located or reconstructed on ~~any a lot or plot of official record as of the effective date of the ordinance codified in this title irrespective of its area or width~~ which, at the time of passage of this Ordinance, is non-conforming development in terms of lot area, width, yards, lot coverage, or other characteristics of the structure or its location on the lot; provided, however, that the following shall apply:

- A. The sum of the side yard widths of any such lot or plot shall not be less than thirty percent of the width of the lot, but in no case less than ten percent of the width of the lot for any one side yard.
- B. The depth of the rear yard of any such lot need not exceed twenty percent of the depth of the lot, but in no case less than twenty feet.
- C. ~~Notwithstanding the setback requirements set forth above, a nonconforming single-family dwelling or two-family dwelling on such a lot can be used, maintained and reconstructed, provided however that if the dwelling is destroyed or damaged, excluding purposeful destruction, by natural disaster any means to an extent of 60 percent or more of its replacement cost at the time of destruction, it shall not be reconstructed unless such reconstruction work shall be consistent with applicable codes at the time of new construction, an approved building permit is obtained within six months of such happening and diligently pursued to completion. Such reconstruction shall also comply with the restrictions on nonconforming development set forth in section 17.32.030. This exception shall not apply in cases where the owner of a non-conforming lot also owns two or more abutting vacant lots of record. Such lot shall also meet all of the following requirements:~~
 - 1. ~~The dwelling should meet the requirements set forth in Table 17.08C except the minimum lot area; however, if setbacks cannot be met from Table 17.08C, then the dwelling shall be allowed to be built on the original footprint without an increase in the gross floor area. -~~
 - 2. ~~The dwelling shall have a minimum width facing the street of the smaller of twenty-four feet or the width of the dwelling prior to such destruction;~~

3. The dwelling shall have a minimum depth perpendicular to the street of the smaller of 20 feet or the depth of the dwelling prior to such destruction.
4. A minimum of fifteen percent of the facade of the building facing the street shall consist of windows, doors and other building openings;
5. Any foundation skirting material shall have the appearance of masonry or poured concrete typical of site-built homes. Installation of the skirting must be installed within thirty days following the installation of the home, or the first day of May if the ground is frozen at the time the home is placed;

(Ord. 1086 §17.702, 2000)

Chapter 17.32 – NONCONFORMING DEVELOPMENT

Sections:

17.32.010 - Purpose.

Within the various districts established by this title or amendments that may later be adopted, there exist structures and uses of land and structures which were lawful prior to the adoption of the ordinance codified in this title but which would be prohibited, regulated, or restricted under the provisions of this title. It is the intent of this title to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this title to be incompatible with permitted uses in the districts involved.

(Ord. 1086 §17.1101, 2000)

17.32.020 - Regulations additive.

Regulations for nonconforming uses are in addition to regulations for nonconforming structures. In the event of a conflict, the most restrictive regulation shall apply.

(Ord. 1086 §17.1102, 2000)

17.32.030 - Residential districts.

- A. Nonconforming Use of Land. The lawful use of land upon which no building or structure is erected or constructed which becomes nonconforming under the terms of this title as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the ordinance codified in this title.
 2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel which was not occupied by such use at the effective date of adoption or amendment of the ordinance codified in this title.
 3. If any such nonconforming use of land ceases for any reason for a period of more than six months, any subsequent use of such land shall conform to the district regulations for the district in which such land is located.
- B. Nonconforming Use of Structures. If a lawful use of a structure, or of a structure and land in combination, exists at the effective date of adoption or amendment of the ordinance codified in this title, that would not be allowed in the district under the terms of this title, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No existing structure devoted entirely or in part to a use not permitted by this title in the district in which it is located, except when required by law, shall be enlarged, extended, reconstructed, moved, or structurally altered, unless the use is changed to a use permitted in the district in which such structure is located.
 2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of the ordinance codified in this title. No such use shall be extended to occupy any land outside such building.
 3. If no structural alterations are made, a nonconforming use of a similar nature within the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restrictive use.

4. In the event that a nonconforming use of a structure, or structure and land in combination, is discontinued or abandoned for a period of two years, the use of the same shall thereafter conform to the uses permitted in the district in which it is located. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
 5. Any structure devoted to a use made nonconforming by this title that is destroyed by any means to an extent of sixty percent or more of its replacement cost at the time of destruction, exclusive of the foundations, shall not be reconstructed and used as before such happening. If the structure be less than sixty percent destroyed above the foundation, it may be reconstructed and used as before, provided it be done within six months of such happening, and be built of like or similar materials.
- C. Nonconforming Structures. Where a structure exists at the effective date of adoption or amendment of the ordinance codified in this title that could not be built under the terms of this title by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No such structure may be enlarged or altered in a way which increases its nonconformity.
 2. Should such structure be destroyed by any means to an extent of sixty percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title. *Any single-family or two-family dwelling which was a conforming structure at the time of passage of this Ordinance may be structurally altered, and if destroyed may be reconstructed and used as before, provided the work shall be consistent with applicable codes at the time of new construction, an approved building permit is obtained within six months of such happening and diligently pursued to completion. Such reconstruction shall also comply with the restrictions set forth in section 17.24.020.*

(Ord. 1086 §17.1103, 2000)

17.32.040 - Nonresidential districts.

- A. Nonconforming Use of Land. The regulations described in Section 17.32.030 shall also apply to this section with the following exception:
1. A structure devoted to a nonconforming use in a non-residential zoning district may be structurally altered or enlarged if the addition satisfies the following conditions:
 - a. The enlargement or addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements.
 - b. The building, after the addition, conforms to height, off-street parking, and building and impervious surface coverages applicable to its zoning district.
 - c. The construction is limited to buildings on land owned of record by the owner of the nonconforming use prior to the effective date of the ordinance codified in this title.
 2. A lawful nonconforming use may be changed only to a use type permitted in a zoning district that is equal to or less intensive than that normally required for the previous use.

(Ord. 1086 §17.1104, 2000)

17.32.050 - Repair of nonconforming structures.

- A. Nothing in this title shall be deemed to prevent the restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

- B. A lawful nonconforming building damaged by fire, explosion, storm or other calamity, except flood damages, may be repaired and reconstructed provided there is no increase in the degree of nonconformity. Repair and reconstruction within the designated floodplain shall be in conformance with Floodplain development regulations.

(Ord. 1086 §17.1105, 2000)

17.32.060 - Recognition of nonconformances.

- A. Unauthorized Nonconformances. Any use of land or structure which was not an authorized nonconformity under any previous zoning ordinance or similar regulations shall not be authorized to continue its nonconforming status pursuant to this title.
- B. Nonconforming Uses and Conditional Use Permits. A lawful pre-existing use which would require a conditional use permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of permits, set forth in Chapter 17.34.

(Ord. 1086 §17.1106, 2000)

17.32.070 Discontinuance Conformance required.

- A. In the event that a nonconforming use of any building or premises is discontinued or its normal operation stopped for a period of one year, the use of the same shall thereafter conform to the regulations of the district in which it is located.

Table 17.08b
Permitted Uses by Zoning Districts

Use Types	AG	RR	R- 1	R- 2	R- 3	R- 4	UC	LC	CC	DC	GC	HC	BP	LI	GI
Agricultural Uses															
Horticulture	P	P	C	C	C	C		C	P	C	C	C			
Crop production	P	P													
Animal production	P														
Commercial feedlots															
Livestocks sales															
Residential Uses															
Single-family Detached	P	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P	P, L(1)	C							
Single-family Attached	C	C	C	P	P	P	P	C							
Duplex				P	P		P	C							
Two-family				P	P		P	C							
Townhouse				P	P		P	P		P					
Multiple-family					P		C	P	C	P	C				
Downtown residential										P					
Group residential	C	C			P			C	C						
Manufactured housing residential	P	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P, L(2)		C							
Mobile home park						P, L(2)									
Mobile home subdivision						P, L(2)									
Retirement residential	C	C	C	P	P		P	P	C	P	C				

L(1) = Single-family detached dwellings provided that:

All single-family detached dwellings for which a building permit has been issued (date of enactment), shall comply with the following minimum design standards

1. The dwelling shall have a minimum width facing the street of twenty-four feet.
2. The minimum horizontal dimension of the main body of the dwelling unit shall not be less than twenty feet.
3. A minimum of fifteen percent of the facade of the building facing the street shall consist of windows, doors and other building openings.
4. Any foundation skirting material shall have the appearance of masonry or poured concrete typical of site-built homes.

Installation of the skirting must be installed within thirty days following the installation of the home, or the first day of May if the ground is frozen at the time the home is placed.

L(2) = Applies to all factory built homes (Refer to Section 17.04.030 for definitions). Any foundation skirting material shall have the appearance of masonry or poured concrete typical of site-built homes. Installation of the skirting must be installed within thirty days following the installation of the home, or the first day of May if the ground is frozen at the time the home is placed.

To Whom It May Concern,

September 17, 2014

The Oskaloosa Board of Realtors are an active part of the Oskaloosa community, both individually and collectively as a vital component of the economy. We strive to bring quality homeownership and development into the Oskaloosa area.

It has been brought to our attention that zoning for R1 and R2 (in regard to lot size, etc.) changed to increase the lot size (8400 sq. ft.) for future home construction/reconstruction. The Oskaloosa Municipal Code

(Section 17.32.030.C.2)

states that where a structure exists it will need to be reconstructed in compliance with city code if it is destroyed more than 60%. A minimum lot size of 8400 Sq. ft. is required (per table 17.08C of the Oskaloosa Municipal Code). Approximately 2,000 residences are affected by this due to the city having been originally platted for 60 x 120 lot size (7200 sq. ft.). In light of this zoning code, bank appraisals of any lot/home for the purpose of selling said property will need to be classified as "legal nonconforming" if they are smaller than the required 8400 sq. ft..

Furthermore, this situation is hindering the ability of the buyer to obtain a loan, since bank underwriters have begun to deny loans due to the zoning compliance issue.

It is the hope of the Oskaloosa Board of Realtors that an addendum could be added to/or a change made to the zoning code so this issue could be resolved for the betterment of the home owner and buyer of Oskaloosa real estate. This has been initiated due to recent real estate transactions failing to close (sale) after it was determined the lot size was too small for reconstruction per city code and therefore did not meet lender's requirements. **Our recommendation is that properties/structures with lot sizes at least 7000sq. ft. would have an automatic rebuild in the case of destruction of 60% or greater.**

Thank you for your consideration,

Oskaloosa Board of Realtors

**CANCELLATION OF OFFER FOR REAL ESTATE
(AND RETURN OF EARNEST MONEY)**

The Buyer(s): HEIDI BROWN
and Seller(s): JANET WAGNER

agree to terminate the Purchase/Sale Contract dated _____

on the property located at: (Address) 1017 1ST AVE E OSKALOOSA, IA

The reason for cancellation is: UNABLE TO FINANCE DUE TO CITY OF OSKALOOSA ZONING

By signing this agreement this transaction is null and void.

Earnest deposit amount of \$ 500.00 shall be:

- Returned to Buyer(s)
- Forfeited by Buyer(s) and given to the Seller(s)
- Other (Please specify in writing: _____)

Buyer(s) and Seller(s) release each other from all liability concerning this Offer for Real Estate/Sales Contract. Buyer(s) and Seller(s) release all real estate agents, brokers, brokerages, independent contractors, and employees from all liability concerning this Offer for Real Estate/Sale Contract.

Check all that apply.

- The Buyer(s) have informed the Seller(s) in writing of the Buyer(s) cancellation of the Offer for Real Estate and Seller(s) agree to the cancellation.
- The Seller(s) have informed the Buyer(s) in writing of the Seller(s) cancellation of the Offer for Real Estate and Buyer(s) agree to the cancellation.
- The listing company involved in this transaction release Buyer(s) and/or Seller(s) from any commission or compensation or as otherwise agreed in writing.
- The selling company (if any) involved in this transaction release Buyer(s) and/or Seller(s) from any commission or compensation.
- Any other terms or conditions of this cancellation: _____

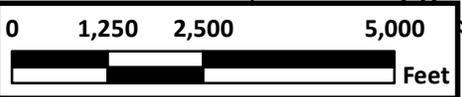
<u>Heidi Brown</u>	<u>09/06/14</u>	<u>Edward D. Boering</u>	<u>9-6-14</u>
Buyer	Date	Buyer's Agent	Date
Buyer	Date	Agent's Broker	Date
Seller	Date	Seller's Agent	Date
Seller	Date	<u>Edward D. Boering</u>	<u>9-6-14</u>
		Agent's Broker	Date

THIS IS A LEGALLY BINDING CONTRACT.
If not understood, consult with the lawyer of your choice.

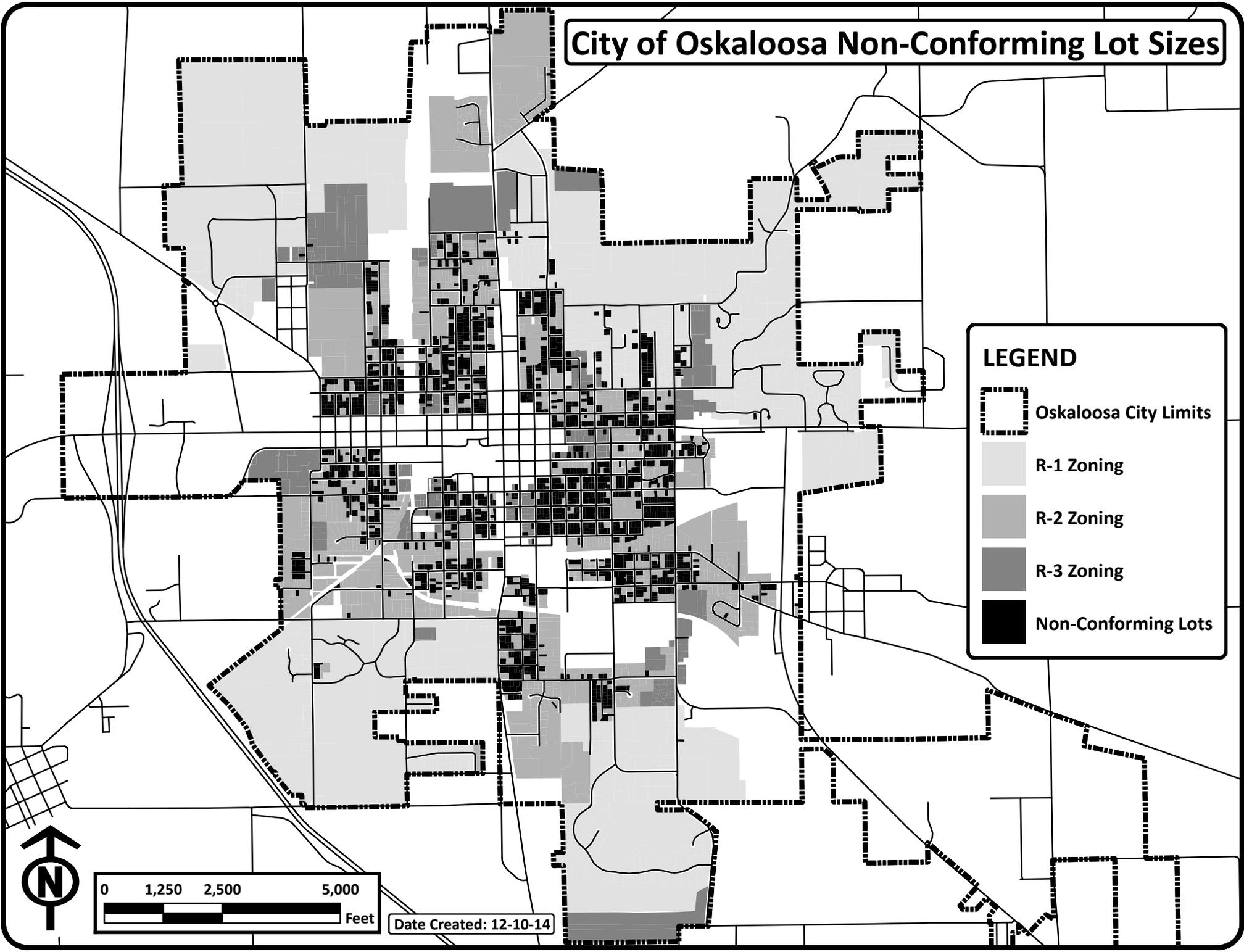
City of Oskaloosa Non-Conforming Lot Sizes

LEGEND

-  Oskaloosa City Limits
-  R-1 Zoning
-  R-2 Zoning
-  R-3 Zoning
-  Non-Conforming Lots



Date Created: 12-10-14



	ZONING		
	R-1 (Single Family)	R-2 (Urban Family)	R-3 (Multiple Family)
Minimum Lot Area Per City Code (1 Family)	8400 SF	8400 SF	7200 SF
Approx. Total Number of Non-Conforming Lots:	1,000	2,950	400
LOT SIZE	PERCENTAGE OF NON-CONFORMING LOTS		
< 8400 SF	8%	56%	N/A
< 7200 SF	1.5%	24%	16%
< 7000 SF		20%	15%
< 6800 SF		18%	14%
< 6600 SF		16%	13%
< 6400 SF		13%	12%
< 6200 SF		11%	11%
< 6000 SF	0.5%	9%	10%
< 5800 SF		8%	9%
< 5600 SF		7%	8%
< 5500 SF		7%	8%
< 5400 SF		6%	8%
< 5000 SF		5%	7%

City	Minimum Sq Ft of Lot R-1 Width	Minimum Sq Ft of lot R-2 Width	Minimum Sq Ft of lot R-3 Width	Exceptions for Single and two family lot area or width
Oskaloosa	8,400 None specified	8,400 For single family, 10,000 for Duplex 70ft for single family, 80ft for duplex	7,200 for single family, 8,400 for Duplex, 10,000 for town house, multifamily & other 60ft for single family, 70ft for duplex, 20ft town houses, 80ft multi-family	Presently in review
Ottumwa	7,000 60ft	5,000 for single family 6,000 for a two family 60ft	5,000 for single, 6,000 for two family, 6,500 for three family 60ft	None found
Centerville	10,000 70ft	8,500 for Single Family 12,00 for two family 65ft	7,500 for single, add 1,250 for each other dwelling 60ft	None found
Mount Pleasant	9,000 70ft	7,500 For single Family, 10,000 for two family 70ft for single family/ 80ft for two family	6,000 for single, 7,200 for two family, 10,000 for multiple or other permitted uses Not stated	None found
Pella	10,000 80ft	7,500 For single Family, 10,000 for two family 60ft	7,000 for Single Family, 8,000 for Duplex, townhouses, multi family 50ft	Yes - Pella 165.30 "Located" single or two-family
Spencer	6,000 50ft	5,000 for multi family 50ft	No R-3 Zoning present	None found
Waukee	10,000 80ft	8,000 for single Family, 10,000 for two Family 65ft for single family/ 80ft for two family	10,000 75ft	Yes -306.26 (H) "Located" Single family only
Altoona	8,750 70ft	8,750 for Single Family, 10,500 for two Family 70ft for single family/ 85ft for two family	9,000 85 ft	Yes - 166.02 "Erected" Single family only
Boone	11,000 80ft	8,500 for single family and 12,000 for two Family 65ft for single family / 70ft for two family	7,000 for single Family and 8,000 for two family 60ft for single and two family	None found
Clive	10,000 80ft	8,500 for single family and 10,000 for Duplex 70ft for single family and 75ft for duplex	No R-3 Zoning present	None Found
Davenport	R1- Low density 20,000 / R2 "LD" 10,00 100ft -R1 / 60ft - R2	R3- Moderate density 7,500 / R4- "MD" 6,000 One Family R3 60ft / One Family R4 50ft	R5 -Medium Density 8,000 one or two family / R5M - "MD" 6,000 one family / R6M "MD" 6,000 one family 65ft R5 / 50 Ft R5M / 50ft R6M	None Found
Other Cities that Have exceptions: Marshalltown: Section 6 small lot exception. Des Moines 134-1296-b5				



City Council
Communication

Meeting Date: February 2, 2015

Requested By: City Manager's Office

Item Title: CONSENT AGENDA

Consider request from the Rollin' Oldies Car Club for closure of streets for annual car show.

Explanation :

The Rollin' Oldies Car Club is requesting closure of the north, east and south sides of the city square (1st Avenue East, South 1st Street and High Avenue East) plus the south half of the 100 block of North 1st Street and the 200 block of High Avenue East from approximately 6:00 a.m. to 3:30 p.m. on Saturday, July 25, 2015, for their annual car show.

Recommended Action: Approve use of streets for event on Saturday, July 25, 2015, subject to receipt of a \$1,000,000 liability insurance certificate naming the city as an additional insured and payment of the fee for street closure permit.

Budget Consideration:

\$25 revenue to the General Fund for street closure permit.

Attachments :

Request from Rollin' Oldies Car Club, Letter from Oskaloosa Main Street.

Rollin' Oldies Car Club

P. O. Box 217

Oskaloosa, Iowa 52577



January 10, 2015

Michael Schrock
City Manager
220 South Market
Oskaloosa, Iowa 52577

Michael Schrock:

The Rollin' Oldies Car Club is planning a car show for July 25, 2015. We are once again requesting to use the streets on three sides of the square; north, east and south sides plus the south half of the 100 block of North 1st and the 200 block of High Avenue East. We will be leaving the southeast corner of the square open to traffic, leaving the driveway clear so the automatic teller machine can be used that day. We would like to have the streets closed from approximately 6:00 am to 3:30 pm.

Again we are working with the Chamber to make this a fun and profitable event for downtown and all of Oskaloosa.

We would like to thank you for your cooperation in the past and look forward to bringing many people to downtown Oskaloosa this year. If you have any questions, please contact John at 673-4944 or 660-0512.

Thank you,

A handwritten signature in blue ink that reads "John E. Ryken".

John E. Ryken
Car Show Coordinator
2689 215th Street
New Sharon, Iowa 50207



January, 2015

To: Oskaloosa Area Merchants and Business Owners

The Rollin' Oldies Car Club is again planning its annual car show in downtown Oskaloosa, **Saturday, July 25, 2015**. This is their 27th annual event.

We are writing you so that you know the date and can plan accordingly. Main Street would like this event to have a positive effect on your business. If you are a retailer, perhaps you can offer specials to vendors at the show, decorate in an auto theme, put a welcome sign in your window or such.

The streets on the north, south and east sides of the square and including the south half of the 100 block of North 1st Street along with the 200 block of High Ave. East, will be closed from 6:00 am until 3:30 pm. They will leave the southeast corner open to traffic, leaving accessibility to the Midwest One Bank ATM.

If you have any questions, please feel free to contact John Ryken, 673-4944 or the Main Street Office at 672-2591.

Sincerely,

Karen Hafner, Main Street Director

Main Street Oskaloosa
124 N Market ~ Oskaloosa, IA 52577
Phone: 641-672-2591 ~ Fax: 641-672-2047 ~ Email: khafner@oacdg.org
Web Site: www.oskaloosachamber.org



City Council
Communication

Meeting Date: February 2, 2015
Requested By: Public Works Dept.

Item Title: CONSENT AGENDA

Consider a resolution authorizing and executing a Federal-Aid Agreement between the city of Oskaloosa and the Iowa Department of Transportation for a Transportation Alternatives Program Project.

Explanation:

On March 18, 2013, City Council passed a resolution to submit a Sidewalk Improvement Program application to the Iowa Department of Transportation (DOT) under the Transportation Alternatives Program. This project will allow installation of sidewalks for a total amount of \$232,000. The City has been awarded a grant for Iowa DOT funding that would pay for 80% of the project cost for an amount of \$185,600. The City contribution is 20% of the project cost for an amount of \$46,400.

This Sidewalk Improvement Program will allow sidewalk installation on one side of the road at the following locations:

1. **Green Street from Pella Avenue to M Avenue**
\$106,000
2. **North L Street from D Avenue to Green Street**
\$58,000
3. **D Avenue West from 1012 D Ave. West to Pella Ave.**
\$40,000
4. **North 3rd St from Middle School to Recreation Trail**
\$28,000

Total Cost: \$232,000

Approval of this resolution will allow the City to enter into an agreement with the Iowa DOT for the Sidewalk Improvement Program.

Recommended Action:

Approve the resolution to enter into an agreement with the Iowa DOT for the Sidewalk Improvement Program.

Budget Consideration:

The total construction cost for this project is \$232,000; where the Iowa DOT contribution is \$185,600. The city contribution for this project would be \$46,400. There are funds in the Sidewalk Improvement Project Fund to pay the local contribution.

Attachments :

Resolution and Iowa DOT Federal Aid Funding Agreement.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND EXECUTING A FEDERAL-AID AGREEMENT
BETWEEN THE CITY OF OSKALOOSA, IOWA AND THE IOWA DEPARTMENT OF
TRANSPORTATION FOR A TRANSPORTATION ALTERNATIVES PROGRAM
PROJECT

WHEREAS, on February 19, 2013, the City Council of the City of Oskaloosa adopted the Safe Route to School Plan; and

WHEREAS, in order to receive federal funding, the City must enter into an agreement by resolution with the Iowa Department of Transportation; and

WHEREAS, the City Council hereby commits to matching monies as required by the Federal Transportation Alternatives Program; and

WHEREAS, the project total cost is estimated to be \$232,000 with the State reimbursing 80 percent of the grant for an amount of \$185,600; and

WHEREAS, the City Council of the City of Oskaloosa commits to fund 20 percent of the project total cost for an amount of \$46,400 as the required local match, and

WHEREAS, the City identifies the following locations to install new sidewalk on one side of the road at the following locations:

- (1) Green Street from Pella Avenue to M Avenue
- (2) North L Street from D Avenue to Green Street
- (3) D Avenue West from 1012 D Ave. West to Pella Ave.
- (4) North 3rd St from Middle School to Recreation Trail

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OSKALOOSA that the City Council of the City of Oskaloosa hereby approves and directs the Mayor and City Clerk to execute the Federal-Aid Agreement with the Iowa Department of Transportation for a Transportation Alternatives Program Project.

PASSED AND APPROVED this _____ day of _____, 2015.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Federal-Aid Agreement for a
Transportation Alternatives Program (TAP) Project**

Recipient: City of Oskaloosa
Project Number(s): TAP-U-5780(613)--8V-62
Iowa DOT Agreement Number: 15-TAP-111
CFDA No. and Title: 20.205 Highway Planning and Construction

This is an agreement between city of Oskaloosa (hereinafter referred to as Recipient) and the Iowa Department of Transportation (hereinafter referred to as the Department). Iowa Code Sections 306A.7 and 307.44 provide for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects in Iowa with Federal funds. Federal regulations require Federal funds to be administered by the Department.

The Recipient has received Federal funding through the Transportation Alternatives Program (TAP), which was established by the Moving Ahead for Progress in the 21st Century (MAP-21), Public Law 112-141, and codified at Sections 213 and 101(a)(29) of Title 23, United States Code (U.S.C.); which are hereinafter referred to as TAP funds.

Pursuant to the terms of this agreement and applicable statutes, the Department agrees to provide the funding named above to the Recipient for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The Recipient shall be responsible for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The Department's contact person shall be Debra Arp, Office of Systems Planning, 800 Lincoln Way, Ames, Iowa 50010, 515-239-1681. The Recipient's contact person shall be Akhilesh Pal, Public Works Director, City of Oskaloosa, 804 South D Street, Oskaloosa, Iowa 52577, 641-673-7472, akhilesh.pal@oskaloosaiowa.org.
3. The Recipient shall be responsible for the development and completion of the following described project:

Oskaloosa Sidewalk Improvement Program: Green Street from Pella Avenue to M Avenue, L Street from D Avenue to Green Street, D Avenue from 1012 D Avenue to Pella Avenue, 3rd Street from Middle School to Trail.
4. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from TAP funds. The portion of the project costs reimbursed with TAP funds shall be limited to a maximum of either 80 percent of eligible costs (other than those reimbursed with other Federal funds) or the amount listed (\$185,600) in the Area 15 Regional Planning Commission current

Transportation Improvement Program (TIP) and approved in the current Statewide Transportation Improvement Program (STIP), whichever is less. Eligible project activities will be as described in Sections 213 and 101(a)(29) of Title 23, United States Code (U.S.C.) and determined by the Department to be eligible.

5. Eligible project costs in excess of the amount reimbursed by the Department above will be considered the local contribution and may include cash or non-cash contributions. The local contribution must equal a minimum of 20 percent of eligible project costs. The recipient shall certify to the Department the value of any non-cash contribution to the project prior to it being incurred. The Department retains the sole authority to determine the eligibility and value of the Recipient's non-cash contribution for the purposes of this agreement. If the Recipient's total cash and non-cash contribution is determined by the Department to be less than that required by this agreement, the Recipient shall increase its cash contribution or the grant amount associated with this project shall be reduced accordingly.
6. The Recipient must have let the contract or have construction started within two years of October 1, 2014. If the Recipient does not do this, they will be in default for which the Department can revoke funding commitments. This agreement may be extended for periods up to six months upon receipt of a written request from the Recipient at least sixty (60) days prior to the deadline.
7. If the project described in this agreement crosses a DOT primary road, then:
 - a. The Recipient shall convey title to the State of Iowa, by quit claim deed, to any right of way necessary for the primary road crossing, all at no cost to the DOT. However, the DOT shall prepare detailed legal descriptions and plats. The general configuration of the right of way to be conveyed shall be agreed to by the Recipient and the DOT prior to the survey.
 - b. The Recipient shall submit six copies of plans for all primary road system crossings to the DOT contact person for review and approval by the District Offices for necessary permits, Offices of Road Design and Maintenance with regard to crossing design and location, signing, fencing, safety, maintenance, compliance with access control policy, etc. Said approval shall be obtained before the Recipient proceeds with the construction of any primary road system crossing.
 - c. The use of primary highway right of way for this project's purpose shall be subject to any rights enjoyed by any existing utility lines presently within the right of way. If excavation of a utility line over which this project has been placed is necessary for any reason, the utility shall be responsible for proper backfilling of said excavation to ground level. The Recipient shall be responsible for any necessary resurfacing or restoration.
 - d. The use of primary highway right of way for this project's purposes shall be subject to any future plans for reconstruction, improvement, maintenance, or relocation of the highway by the DOT. Any relocation of this project necessary because of said plans shall be at the expense of the Recipient, all at no cost to the DOT. This agreement may be declared to be in default by the Department if the Department determines that the Recipient's application for

funding contained inaccuracies, omissions, errors or misrepresentations; or if the Department determines that the project is not developed as described in the application.

8. If the Recipient fails to perform any obligation under this agreement, the Department shall have the right, after first giving thirty (30) days written notice to the Recipient by certified mail return receipt requested, to declare any part or all of this agreement in default. The Recipient shall have thirty (30) days from date of mailing of the notice to cure the default. If the Recipient cures the default, the Recipient shall notify Department no later than five (5) days after cure or before the end of said thirty (30) day period given to cure the default. The Department may thereafter determine whether the default has, in fact, been cured, or whether the Recipient remains in default.
9. This agreement may be declared to be in default by the Department if the Department determines that the Recipient's application for funding contained inaccuracies, omissions, errors or misrepresentations; or if the Department determines that the project is not developed as described in the application.
10. In the event a default is not cured the Department may revoke funding commitments or seek repayment of funds loaned or granted by this agreement. By signing this agreement the Recipient agrees to repay said funding if they are found to be in default. Repayment methods may include cash repayment, installment repayments with negotiable interest rates, charges against the Recipient's share of road use tax funds, or other methods as approved by the Transportation Commission.
11. The Recipient shall comply with Exhibit 1, General Agreement Provisions for use of Federal Highway Funds on Non-primary Highways, which is attached hereto and by this reference is incorporated into this agreement.
12. This agreement is not assignable without the prior written consent of the Department.
13. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
14. It is the intent of both parties that no third party beneficiaries be created by this agreement.
15. This agreement shall be executed and delivered in two or more copies, each of which so executed and delivered shall be deemed to be an original and shall constitute but one and the same agreement.
16. This agreement and the attached exhibit constitute the entire agreement between the Department and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written approval of the Department and the Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

RECIPIENT: City of Oskaloosa

By: _____ Date _____, _____

Title: Mayor _____

CERTIFICATION:

I, _____, certify that I am the Clerk of the city, and that
(Name of City Clerk)

_____, who signed said Agreement for and on behalf of
(Name of Mayor/Signer Above)

the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city, on the ____ day of _____, _____.

Signed: _____

City Clerk of Oskaloosa, Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

Planning, Programming and Modal Division
800 Lincoln Way, Ames, Iowa 50010

By: _____ Date _____, _____

Craig Markley
Director
Office of Systems Planning

EXHIBIT 1

General Agreement Provisions for use of Federal Highway Funds on Non-primary Projects

Unless otherwise specified in this agreement, the Recipient shall be responsible for the following:

1. General Requirements.

- a. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the Department has provided guidance in the Federal-aid Project Development Guide (Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: http://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The Recipient shall follow the applicable procedures and guidelines contained in the Guide and I.M.s in effect at the time project activities are conducted.
- b. In accordance with Title VI of the Civil Rights Act of 1964 and associated subsequent nondiscrimination laws, regulations, and executive orders, the Recipient shall not discriminate against any person on the basis of race, color, national origin, sex, age, or disability. In accordance with Iowa Code Chapter 216, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability. The Recipient agrees to comply with the requirements outlined in I.M. 1.070, Title VI and Nondiscrimination Requirements which includes the requirement to provide a copy of the Recipient's Title VI Plan or Agreement and Standard DOT Title VI Assurances to the Department.
- c. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in I.M. 1.080, ADA Requirements. When pedestrian facilities are constructed, reconstructed, or altered, the Recipient shall make such facilities compliant with the ADA and Section 504.
- d. To the extent allowable by law, the Recipient agrees to indemnify, defend, and hold the Department harmless from any claim, action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and approval process, plan and construction reviews, and funding participation.
- e. As required by 49 CFR 18.26, the Recipient is responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S. C. 7501-7507) and Subpart F of 2 CFR 200. Subpart F of 2 CFR 200 stipulates that non-Federal entities expending \$750,000 or more in Federal awards in a year shall have a single or program-specific audit conducted for that year in accordance with the provision of that part. Auditee responsibilities are addressed in Subpart F of 2 CFR 200. The Federal funds provided by this agreement shall be reported on the appropriate Schedule of Expenditures of Federal Awards (SEFA) using the Catalog of Federal Domestic Assistance (CFDA) number and title as shown on the first page of this agreement. If the Recipient

will pay initial project costs and request reimbursement from the Department, the Recipient shall report this project on its SEFA. If the Department will pay initial project costs and then credit those accounts from which initial costs were paid, the Department will report this project on its SEFA. In this case, the Recipient shall not report this project on its SEFA.

- f. The Recipient shall supply the Department with all information required by the Federal Funding Accountability and Transparency Act of 2006 and 2 CFR Part 170.
- g. The Recipient shall comply with the following Disadvantaged Business Enterprise (DBE) requirements:
 - i. The Recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any Department-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Department-assisted contracts.
 - ii. The Recipient shall comply with the requirements of I.M. 3.710, DBE Guidelines.
 - iii. The Department's DBE program, as required by 49 CFR Part 26 and as approved by the Federal Highway Administration (FHWA), is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- h. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the Department shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the Department to appropriate funds sufficient to allow the Department to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the Department to make any payment hereunder are insufficient or unavailable for any other reason as determined by the Department in its sole discretion; or 3) If the Department's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The Department shall provide the Recipient with written notice of termination pursuant to this section.

2. Programming and Federal Authorization.

- a. The Recipient shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The Recipient shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the Department, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, Federal funds cannot be authorized.
- b. Before beginning any work for which Federal funding reimbursement will be requested, the Recipient shall contact the Department to obtain the procedures necessary to secure FHWA authorization. The Recipient shall submit a written request for FHWA authorization to the Department. After reviewing the Recipient's request, the Department will forward the request to the FHWA for authorization and obligation of Federal funds. The Department will notify the Recipient when FHWA authorization is obtained. The cost of work performed prior to FHWA authorization will not be reimbursed with Federal funds.

3. Federal Participation in Work Performed by Recipient Employees.

- a. If Federal reimbursement will be requested for engineering, construction inspection, right-of-way acquisition or other services provided by employees of the Recipient, the Recipient shall follow the procedures in I.M. 3.310, Federal-aid Participation in In-House Services.
- b. If Federal reimbursement will be requested for construction performed by employees of the Recipient, the Recipient shall follow the procedures in I.M. 3.810, Federal-aid Construction by Local Agency Forces.
- c. If the Recipient desires to claim indirect costs associated with work performed by its employees, the Recipient shall prepare and submit to the Department an indirect cost rate proposal and related documentation in accordance with the requirements of 2 CFR 200. Before incurring any indirect costs, such indirect cost proposal shall be certified by the FHWA or the Federal agency providing the largest amount of Federal funds to the Recipient.

4. Design and Consultant Services

- a. The Recipient shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the Department in the Guide and applicable I.M.s.
- b. If the Recipient requests Federal funds for consultant services, the Recipient and the Consultant shall prepare a contract for consultant services in accordance with 23 CFR Part 172. These regulations require a qualifications-based selection process. The Recipient shall follow the procedures for selecting and using consultants outlined in I.M. 3.305, Federal-aid Participation in Consultant Costs.
- c. If Preliminary Engineering (PE) work is federally funded, and if right-of-way acquisition or actual construction of the project is not started by the close of the tenth fiscal year following the fiscal

year in which the Federal funds were authorized, the Recipient shall repay to the Department the amount of Federal funds reimbursed to the Recipient for such PE work. PE includes work that is part of the development of the PS&E for a construction project. This includes environmental studies and documents, preliminary design, and final design up through and including the preparation of bidding documents. PE does not include planning or other activities that are not intended to lead to a construction project. Examples include planning, conceptual, or feasibility studies.

5. Environmental Requirements and other Agreements or Permits.

- a. The Recipient shall take the appropriate actions and prepare the necessary documents to fulfill the FHWA requirements for project environmental studies including historical/cultural reviews and location approval. The Recipient shall complete any mitigation agreed upon in the FHWA approval document. These procedures are set forth in I.M. 3.105, Concept Statement Instructions; 3.110, Environmental Data Sheet Instructions; 3.112, FHWA Environmental Concurrence Process; and 3.114, Cultural Resource Regulations.
- b. If farmland is to be acquired, whether for use as project right-of-way or permanent easement, the Recipient shall follow the procedures in I.M. 3.120, Farmland Protection Policy Act Guidelines.
- c. The Recipient shall obtain project permits and approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the Department, or other agencies as required. The Recipient shall follow the procedures in I.M. 3.130, 404 Permit Process; 3.140, Storm Water Permits; 3.150, Highway Improvements in the Vicinity of Airports or Heliports; and 3.160, Asbestos Inspection, Removal and Notification Requirements.
- d. In all contracts entered into by the Recipient, and all subcontracts, in connection with this project that exceed \$100,000, the Recipient shall comply with the requirements of Section 114 of the Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all their regulations and guidelines. In such contracts, the Recipient shall stipulate that any facility to be utilized in performance of or to benefit from this agreement is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities or is under consideration to be listed.

6. Right-of-Way, Railroads and Utilities.

- a. The Recipient shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in I.M. 3.605, Right-of-Way Acquisition, and the Department's Office of Right of Way Local Public Agency Manual. The Recipient shall contact the Department for assistance, as necessary, to ensure compliance with the required procedures, even if no Federal funds are used for right-of-way activities. The Recipient shall obtain environmental concurrence before acquiring any needed right-of-way. With prior approval, hardship and protective buying is possible. If the

Recipient requests Federal funding for right-of-way acquisition, the Recipient shall also obtain FHWA authorization before purchasing any needed right-of-way.

- b. If the project right-of-way is federally funded and if the actual construction is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the Federal funds were authorized, the Recipient shall repay the amount of Federal funds reimbursed for right-of-way costs to the Department.
- c. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the Recipient shall obtain agreements, easements, or permits as needed from the railroad. The Recipient shall follow the procedures in I.M. 3.670, Work on Railroad Right-of-Way, and I.M. 3.680, Federal-aid Projects Involving Railroads.
- d. The Recipient shall comply with the Policy for Accommodating Utilities on City and County Federal-aid Highway Right of Way for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the Recipient shall follow the Department's Policy for Accommodating Utilities on Primary Road System. Certain utility relocation, alteration, adjustment, or removal costs to the Recipient for the project may be eligible for Federal funding reimbursement. The Recipient should also use the procedures outlined in I.M. 3.640, Utility Accommodation and Coordination, as a guide to coordinating with utilities.
- e. If the Recipient desires Federal reimbursement for utility costs, it shall submit a request for FHWA authorization prior to beginning any utility relocation work, in accordance with the procedures outlined in I.M. 3.650, Federal-aid Participation in Utility Relocations.

7. Contract Procurement.

The following provisions apply only to projects involving physical construction or improvements to transportation facilities:

- a. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer or architect, as applicable, licensed in the State of Iowa.
- b. For projects let through the Department, the Recipient shall be responsible for the following:
 - i. Prepare and submit the PS&E and other contract documents to the Department for review and approval in accordance with I.M. 3.505, Check and Final Plans and I.M. 3.510, Check and Final Bridge or Culvert Plans, as applicable.
 - ii. The contract documents shall use the Department's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the Recipient for individual construction items shall be approved by the Department.
 - iii. Follow the procedures in I.M. 3.730, Iowa DOT Letting Process, to analyze the bids received, make a decision to either award a contract to the lowest responsive bidder or reject all bids, and if a contract is awarded, execute the contract documents and return to the Department.

- c. For projects that are let locally by the Recipient, the Recipient shall follow the procedures in I.M. 3.720, Local Letting Process, Federal-aid.
- d. The Recipient shall forward a completed Project Development Certification (Form 730002) to the Department in accordance with I.M. 3.750, Project Development Certification Instructions. The project shall not receive FHWA Authorization for construction or be advertised for bids until after the Department has reviewed and approved the Project Development Certification.
- e. If the Recipient is a city, the Recipient shall comply with the public hearing requirements of the Iowa Code Section 26.12.
- f. The Recipient shall not provide the contractor with notice to proceed until after receiving written notice the Department has concurred in the contract award.

8. Construction.

- a. A full-time employee of the Recipient shall serve as the person in responsible charge of the construction project. For cities that do not have any full time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the Department.
- b. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 Iowa Administrative Code Chapter 130. The safety of the general public shall be assured through the use of proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as necessary.
- c. For projects let through the Department, the project shall be constructed under the Department's Standard Specifications for Highway and Bridge Construction and the Recipient shall comply with the procedures and responsibilities for materials testing according to the Department's Materials I.M.s. Available on-line at:
<http://www.iowadot.gov/erl/current/IM/navigation/nav.htm>.
- d. For projects let locally, the Recipient shall provide materials testing and certifications as required by the approved specifications.
- e. If the Department provides any materials testing services to the Recipient, the Department will bill the Recipient for such testing services according to its normal policy as per Materials I.M. 103, Inspection Services Provided to Counties, Cities, and Other State Agencies.
- f. The Recipient shall follow the procedures in I.M. 3.805, Construction Inspection, and the Department's Construction Manual, as applicable, for conducting construction inspection activities.

9. Reimbursements.

- a. After costs have been incurred, the Recipient shall submit to the Department periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least annually but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the Department by August 1 if possible, but no later than August 15.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the Recipient, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. The Department will reimburse the Recipient for properly documented and certified claims for eligible project costs. The Department may withhold up to 5% of the Federal share of construction costs or 5% of the total Federal funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the Department determines the Recipient has been overpaid, the Recipient shall reimburse the overpaid amount to the Department. After the final audit or review is complete and after the Recipient has provided all required paperwork, the Department will release the Federal funds withheld.
- e. The total funds collected by the Recipient for this project shall not exceed the total project costs. The total funds collected shall include any Federal or State funds received, any special assessments made by the Recipient (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the Recipient do exceed the total project costs, the Recipient shall either:
 - i. in the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
 - ii. Refund to the Department all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds. In return, the Department will either credit reimbursement billings to the FHWA or credit the appropriate State fund account in the amount of refunds received from the Recipient.

10. Project Close-out.

- a. Within 30 days of completion of construction or other activities authorized by this agreement, the Recipient shall provide written notification to the Department and request a final audit, in

accordance with the procedures in I.M. 3.910, Final Review, Audit, and Close-out Procedures for Federal-aid Projects.

- b. For construction projects, the Recipient shall provide a certification by a professional engineer, architect, or landscape architect as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.
- c. Final reimbursement of Federal funds shall be made only after the Department accepts the project as complete.
- d. The Recipient shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The Recipient shall also make these materials available at all reasonable times for inspection by the Department, FHWA, or any authorized representatives of the Federal Government. Copies of these materials shall be furnished by the Recipient if requested. Such documents shall be retained for at least 3 years from the date of FHWA approval of the final closure document. Upon receipt of FHWA approval of the final closure document, the Department will notify the Recipient of the record retention date.
- e. The Recipient shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the Department and the FHWA.



City Council Communication

Meeting Date: February 2, 2015

Requested By: Mayor & City Council

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

- a) Airport Commission - One vacancy to fill upon appointment for an unexpired term that ends December 31, 2015. This is a five member board that typically meets the first Monday of the month. (4 males currently serve with 1 vacancy)
- b) Building Code Board of Appeals - One vacancy to fill upon appointment to serve at the pleasure of the Mayor. This is a five member board that meets as needed. (3 males and 1 female currently serve with 1 vacancy)
- c) Historic Preservation Commission - One vacancy to fill upon appointment for an unexpired term that ends December 31, 2015. This is a seven member board that meets as needed. (2 males and 4 females currently serve with 1 vacancy.)
- d) Municipal Housing Agency - Two vacancies for two year terms that begin March 1, 2015 and end February 28, 2017. This is a five member board that typically meets quarterly. (2 males and 3 females currently serve)
- e) Planning and Zoning Commission - Two vacancies for five year terms that begin May 1, 2015 and end April 30, 2020. This is a seven member board that typically meets as needed on the second Monday of the month. (4 males and 3 females currently serve)
- f) Water Board - One vacancy to fill upon appointment for an unexpired term that ends June 30, 2020. There are three members on the board that typically meets the third Monday of the month. (3 males currently serve)



City Council
Communication
Meeting Date: February 17, 2015

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: February 2, 2015

Requested By: City Clerk/Finance

Item Title:

Consider a resolution levying a special assessment against private property for sidewalk replacement by the city of Oskaloosa, Iowa in accordance with Section 12.12 of the city code of the city of Oskaloosa, Iowa. (PUBLIC HEARING)

Explanation:

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

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

Budget Consideration:

\$1,105 revenue to the Sidewalk Improvement Fund to offset expenses related to the work performed, plus \$775 in interest.

Attachments :

Resolution
Exhibit A

RESOLUTION NO. _____

RESOLUTION LEVYING A SPECIAL ASSESSMENT AGAINST PRIVATE PROPERTY FOR
SIDEWALK REPLACEMENT BY THE CITY OF OSKALOOSA, IOWA, IN ACCORDANCE
WITH SECTION 12.12 OF THE CITY CODE OF THE CITY OF OSKALOOSA, IOWA.

WHEREAS, The City of Oskaloosa, Iowa under authority of the Ordinance for Sidewalk Maintenance and Use Regulations, Chapter 12.12, has on certain properties within the City of Oskaloosa, Iowa, replaced sidewalks; and

WHEREAS, the City of Oskaloosa, Iowa desires to levy a special assessment against properties concerned for said sidewalk replacement by the City; and

WHEREAS, public hearing on said assessments was duly scheduled for the 2nd day of February, 2015 at 6:00 p.m. and proper notice was given; and

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

WHEREAS, thirty days after the council's decision, the City Clerk shall certify any unpaid amounts to the county auditor. The unpaid assessments shall constitute a lien against the property and shall be collected by the county treasurer in the same manner as other taxes. Any assessment that exceeds five hundred dollars may be paid in installments as set by the council, not exceeding fifteen, in the same manner and at nine percent interest. No interest shall be charged for assessments, or parts thereof, paid within thirty days after the time the council determined the final amounts.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oskaloosa, Iowa that special assessments for sidewalk replacement are hereby levied against the properties described in Exhibit "A" attached hereto and by this reference incorporated herein, in the amount set forth in said Exhibit "A".

PASSED AND APPROVED this 2nd day of February, 2015.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

EXHIBIT "A"
SIDEWALK REPLACEMENT ASSESSMENTS

OWNER	ADDRESS/LEGAL	COST
C & J Enterprise LLC Parcel ID 1024232004	514 S 2 nd St S 80' Lot 5 W 20' S 80' Lot 6 Blk 15 Montgomery's Add	\$1,105.00



City Council Communication

Meeting Date: February 2, 2015

Requested By: City Manager's Office

Item Title:

Consider an Ordinance amending Oskaloosa City Code Title 12 Streets, Sidewalks, and Public Places by adding Chapter 12.46 Farmers' and Public Markets - 2nd reading.

Explanation :

The City of Oskaloosa is considering adding Chapter 12.46 Farmers' and Public Markets to Title 12 Streets, Sidewalks, and Public Places to promote and protect sites for Farmers' Markets in Oskaloosa. The city has worked informally with the Oskaloosa Farmers' Market in the past and now would like to formalize that process through an addition to the code. The code change will create a formal permit process that allows markets on city property.

The City of Oskaloosa recognizes that Farmers' Markets provide fresh produce to community residents, supports local farmers, serves as a community gathering place, builds social connections and promotes the use of downtown. The code changes will help Oskaloosa's current market continue to grow and become an integral part of the community.

Adopting an ordinance formalizing the process for Farmers' and Public Markets will assist the community in its efforts to become a certified Blue Zones Community.

At the January 12, 2015 Planning and Zoning Commission meeting the commission approved the ordinance by a vote of 5-0.

Budget Consideration:

Costs associated with making modifications to the Oskaloosa Municipal Code. Staff time required for processing application and providing street closure.

Attachments :

Ordinance, Application

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE OSKALOOSA, IOWA CITY CODE TITLE 12
STREETS, SIDEWALKS, AND PUBLIC PLACES BY ADDING CHAPTER 12.46
FARMERS AND PUBLIC MARKETS**

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

SECTION 1. Title 12 Streets, Sidewalks, And Public Places is amended by adding the following:

Chapter 12.46 Farmers' and Public Markets

12.46.010 - Definitions

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

Farmers' or public market means a sale of products, the majority of which have been produced in the state, including, but not limited to, raw fresh vegetables, fruit, honey, herbs, flowers, plants, nuts, baked goods or handcrafted items which conform to all applicable city, county or state health and safety provisions, particularly state department of agriculture and land stewardship regulations, and which are offered for sale by any person, business, or organization on a portion of or entirely on a public street, sidewalk, alley, park or public place during set hours, no more than two days per week within a one-year period.

Market manager means a person who or organization which holds a farmers' or public market permit and who organizes the participants of the market, promulgates regulations for the conduct of the market consistent with Section 12.46.080 of this chapter, and generally is responsible for the operation of the market.

12.46.020 - Required.

No person shall conduct a farmers' or public market, as defined in Section 12.46.010 of this chapter, without first having obtained a permit as provided in Sections 12.46.030 and 12.46.040 of this chapter.

12.46.030 - Application.

Any person applying for a permit to conduct a farmers' or public market shall make written application to the Public Works Department or designated office at least 30 days prior to the first proposed date for the market. No permit shall be issued unless an application is filed with the city and all additional materials stated in the application are submitted.

Applicants must follow all rules and regulations in accordance with street closures.

12.46.040. - Issuance.

Upon the Public Works Department determining that a person or organization applying for farmers' or public market permit has complied with the terms of Section 12.46.020 of this chapter; the chief of police, and, if a market is held in a park, the director of parks and recreation, determine that the proposed market will not reasonably disrupt pedestrian and vehicular traffic in the area of the market; that no other application has been submitted which proposes a similar geographic location for the market; and that city ordinances will be obeyed in the conduct of the market; the Public Works Department shall issue a permit to conduct a farmers' or public market. If a permit is denied, the Public Works Department shall state the reason therefor on the face of the application and shall so inform the applicant. No farmers' or public market permit shall be issued for a market within any residential zone of the city.

12.46.050 - Appeal of denial.

Any farmers' or public market permit denial may be appealed to the City Council at the next scheduled council meeting by submitting a written request for appeal to the Public Works Department. The City Council shall consider the denial and shall either confirm the denial or direct the Public Works Department to issue the permit. The City Council shall base its decision upon a review of the application, the reasons for denial, and any statements from interested parties. If more than one application has been submitted which proposes a farmers' or public market in similar geographic locations, the City Council shall consider the following criteria to determine which application to grant:

- A. Experience in managing a farmers' or public market.
- B. For what purpose the proceeds of the farmers' or public market will be used.

12.46.060 - Duration.

The farmers' or public market permit shall be issued in the name of the market manager and contain the dates of the sale and shall be valid through December 31 of the year in which the market is held.

12.46.070 - Fee.

There is no fee associated with conducting or holding a farmers' or public market in the City of Oskaloosa.

12.46.080 - Market manager's responsibilities.

Under this chapter, the market manager's responsibilities shall be to:

- A. Contact the Public Works Department to arrange for the appropriate signs and/or barriers to control traffic and/or parking in the area of the market, including but not limited to obtaining street closure permits and any other permit required by this Code.
- B. Ensure that trash containers are provided in the market and that the market area is reasonably free of trash during and at the close of the market.
- C. Failure to comply with any of the subsections in subsection (a) of this section shall be punishable as a simple misdemeanor and may result in the revocation of the farmers' or public market permit.

12.46.090 - Conduct of permittee.

A farmers' or public market permittee as well as all agents, employees or representatives shall comply with the following in conducting a farmers' or public market:

- A. No person shall conduct a farmers' or public market from 10:00 p.m. until 7:00 a.m. the following day.
- B. No person shall erect booths, tables, or display merchandise in such a manner so as to block pedestrian or vehicular traffic, unless a street has been designated and is blocked off for the farmers' or public market. Street closures must follow Section 10.08.020 Street Use.
- C. No person shall erect booths, tables, or display merchandise or in any other manner participate in a farmers' or public market without the express consent of the market manager.

SECTION 2. 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 _____ 2015,
and approved this _____ day of _____ 2015.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the
_____ day of _____ 2015.

Amy Miller, City Clerk



Oskaloosa Public Works
804 South D Street
Oskaloosa, Iowa 52577
Phone: 641.673.7472

City of Oskaloosa Farmers/Public Market Street Use Application and Agreement

Complete and submit this form to the Oskaloosa Public Works 804 South D Street, Iowa 52577, 30 days prior to the event, along with a certificate of insurance.

Name _____ of _____ Organization/Sponsor/

Market

Manager _____

Address _____ City _____ State

_____ Zip _____

Cell _____ Phone _____ Alternate

Phone _____

E-mail _____

Contact Person _____ Cell Phone

_____ E-mail _____

Alternate Contact _____ Cell Phone

_____ Street/Streets to be blocked for the Market (include diagram):



Oskaloosa Public Works
804 South D Street
Oskaloosa, Iowa 52577
Phone: 641.673.7472

From (Street) To (Street) Times

1. _____

2. _____

3. _____

4. _____

5. _____

Businesses Fronting the Market* _____

Date(s) _____ of _____ Market

Hours _____ of Market _____ Number _____ of

Vendors _____

Estimated Attendance _____

Are you having tents and/or canopies? Yes No Are you having food vendors? Yes No



Oskaloosa Public Works
804 South D Street
Oskaloosa, Iowa 52577
Phone: 641.673.7472

Please provide a list of vendors including name and permanent address of vendors and type of merchandise.

I hereby certify that the above statements are true and correct, to the best of my knowledge. It is understood that compliance with all the provisions set forth in the ordinances of the City will be adhered to and it is further understood that the individual and the organization or association will be responsible for any and all damage arising as a result of this event.

The applicant hereby waives any and all claims which the applicant may have as a result of this event against the City of Oskaloosa, Iowa, its Police Department, its officers, agents or employees. In the event that an organization is the applicant, I have the legal authority to represent the applicant, and I have read the foregoing waiver, understand its terms, and freely and voluntarily sign it.

Signature of Applicant _____ Date _____

_____ *If mentioned businesses are not participating in the market, submit a copy of notice sent to such businesses of the market, location and duration.

Additional Instructions:

1. There may be additional permits or fees required for Alcoholic Beverages, Sound Permits, Building Permits, Temporary Structure Permits, Equipment, Police and Fire Department costs or other related permits.
2. Event Sponsors are responsible for the collection and cleanup of trash from the event. Groups who leave the street in a condition that requires cleanup will be charged for the cost of cleanup.
3. Barricades are to be placed 1 per traffic lane.
4. Additional Signs may be required to indicate "Street Closed Ahead" or "No Through Traffic."



Oskaloosa Public Works
804 South D Street
Oskaloosa, Iowa 52577
Phone: 641.673.7472

OSKALOOSA OFFICE STAFF ONLY

Date _____ Permit _____ Receipt # _____ Check # _____



City Council Communication

Meeting Date: February 2, 2015

Requested By: City Manager's Office

Item Title:

Consider an Ordinance amending Oskaloosa City Code Chapter 12.48 Miscellaneous Regulations to include Community Gardens - 2nd reading.

Explanation :

City Staff would like to add Community Gardens to Oskaloosa Municipal Code 12.48 Miscellaneous Regulations. The new code defines Community Gardens and allows residents to use public property and public vacant lots for community gardens through a permit process.

Adding Community Gardens to the Oskaloosa Municipal Code would ensure that Community Gardens are allowed within the City of Oskaloosa, and that vacant public lots can be used for such purpose when certain criteria is met.

Adopting an ordinance allowing Community Gardens will assist the community in its efforts to become a certified Blue Zones Community.

A local group of residents worked with the Oskaloosa Blue Zones Project and the Mahaska County Extension Office on creating a main point of contact for all Community Gardens in Oskaloosa. The Extension Office has agreed to promote each garden and direct interested residents to a garden that fits their needs. Each Community Garden is handled by a coordinator that will work closely with the Extension Office. Creating space for Community Gardens will help if expansion is needed for future gardens.

Budget Consideration:

Although there is no specific budget impact associated with the adoption of this ordinance, the management of the Community Gardens Program could have indirect cost to the responsible department(s).

Attachments :

Ordinance, Oskaloosa Community Gardens Rules and Guidelines, Permit, Release Form

ORDINANCE NO. _____

**AN ORDINANCE AMENDING OSKALOOSA, IOWA CITY CODE 12.48
MISCELLANEOUS REGULATIONS BY ADDING PROVISIONS PERTAINING TO
COMMUNITY GARDENS**

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

SECTION 1. Section 12.48 Miscellaneous Regulations of the Oskaloosa City Code is amended by adding the following language:

12.48.060 - Community Gardens

A. Definition

1. Community Gardens - A portion of city-owned property used to grow fruits, vegetables, flowers, herbs, wood products, native or ornamental plants for non-commercial purposes, in which there is no exchange of goods for monetary value.

B. Rules and Guidelines

1. Individuals participating in a Community Gardens are required to follow all rules and guidelines as stated in the Oskaloosa Community Gardens Rules and Guidelines, as adopted by the Oskaloosa City Council.

C. Application

1. Through an application process Individuals or organizations are allowed to administer Community Gardens on city property.

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 _____ 2015,
and approved this _____ day of _____ 2015.

David Krutzfeldt, Mayor

ATTEST: _____
Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the
_____ day of _____ 2015.

Signed



Oskaloosa Community Gardens Rules and Guidelines

Overview

The City of Oskaloosa recognizes the value of urban agriculture and establishes the Community Gardens Program hereinafter called Oskaloosa Community Gardens to promote the development of Community Gardens throughout the city. Community Gardens build and strengthen the community, provide economic benefits, increase social equity and promote environmental stewardship. By providing access to affordable, nutritional foods, Community Gardening is among the most practical approaches to preventing and reducing obesity and associated diseases. Under the City's program, Community Gardens will be created and maintained by community groups and residents. This will help the City decrease its operation and maintenance costs. Turning vacant lots into attractive gardens can also help neighborhoods more effectively attract and retain residents and businesses.

Urban agriculture improves the quality of life for urban residents by creating green spaces and enhancing the connections between garden participants. Community Gardens can also provide environmental benefits including managing storm water runoff by capturing and filtering water in the urban environment.

Oskaloosa Community Gardens

The City of Oskaloosa seeks to encourage Community Gardens by offering city property to non-profit organizations, civic associations, community groups, residents, and other eligible entities to be developed into Community Gardens when certain criteria is met. Groups are encouraged to engage with individual gardeners by creating their own policies to rent individual plots or otherwise let individuals use the parcel. All gardeners must follow the Oskaloosa Community Gardens Rules and Guidelines.

Oskaloosa Community Gardens Goals

The goals of the Oskaloosa Community Gardens are to create an understanding of the value of Community Gardens and the need for Community Gardens in the City of Oskaloosa; to encourage and facilitate local urban agriculture and to increase access to fresh, nutritional food for residents; and to turn vacant and underutilized city parcels into productive gardens.

Subject to available resources, the city will support Oskaloosa Community Gardens in the following manner:

- Offer eligible city-owned parcels for use as Community Gardens
- Provide space on the City's webpage to provide information about Oskaloosa Community Gardens
- Help raise awareness of community gardening through the webpage



Definitions

City **property means** city-owned real estate or any portion thereof that may be used as a Community Garden.

Community Gardens **means** city property used to grow fruits, vegetables, flowers, herbs, wood products or native or ornamental plants for non-commercial purposes, in which there is no exchange of goods for monetary value.

Gardener means anyone participating in a Community Gardens on city property.

Community Group means any organization or group of people from Oskaloosa that want to apply for and use space provided for Community Gardens by the City of Oskaloosa.

Coordinator means anyone who applies and receives a permit for a Community Garden through the Oskaloosa Community Gardens. The Coordinator will act as the primary contact to the city.

Oskaloosa Community Gardens Requirements

Gardeners must agree to comply with the Oskaloosa Community Gardens Rules and Guidelines for the duration of the use of the Community Gardens.

Oskaloosa Community Gardens Rules

The following rules are established to govern the Oskaloosa Community Gardens, to ensure that the plots are maintained and that City of Oskaloosa policies and laws are followed.

The rules are subject to change. The rules and all changes to the rules will be posted on the Oskaloosa website.

General Rules:

Permit holders must designate a Coordinator to be responsible for its Community Garden and serve as the group's primary contact with the city.

The City will offer a parcel for use through the issuance of a permit; which is revocable upon due notice, by either the City or the Coordinator; for the annual use of city property for a period not to exceed 12 months from the date of any such issuance.

The Coordinator must file a permit requesting the use of city property for a Community Garden. Plans for the Community Gardens must be submitted with the application. Plans must include how the gardens will be promoted, and the number of plots offered to the public.

The City will accept applications for a parcel on a first come, first served basis until March 30 of each calendar year for that year.

The City will accept renewal applications until November 30 of each calendar year for the next year. If a Coordinator does not submit a renewal application by the deadline, the parcel may be reassigned.

Coordinators from the previous season in good standing will have first preference and may choose either the same parcel or a vacant parcel if one exists.



All designated Community Gardens will be approved by a designee assigned from the City Manager's Office.

All gardeners participating in a Community Gardens will be required to complete an Oskaloosa Community Gardens Release Form. Release Forms are required within seven calendar days of an individual agreeing to participate in the Oskaloosa Community Gardens Program. Failure to send Individual Release Forms will result in the Coordinator being solely responsible for the defense of and compensation for any and all personal injuries and/or property damage sustained as a result of an individual's participation in the Oskaloosa Community Gardens Program.

No produce or any other items grown in the Oskaloosa Community Gardens may be exchanged for monetary value. No fees can be assigned to the garden plots.

Coordinators are prohibited from using the "City of Oskaloosa" name in any context without prior written permission from the City of Oskaloosa. The City may promote the Oskaloosa Community Gardens in any manner allowed by law.

Plants regulated or prohibited by federal and state laws are prohibited in gardens. If any such plants are found, the permit for the parcel will be immediately revoked.

The City of Oskaloosa prohibits the use of synthetic fertilizers and all pesticides and herbicides.

Gardeners must remove all structures, fencing and materials from their parcel when it is vacated unless the City of Oskaloosa permits otherwise.

If a Coordinator abandons their plot for any reason, they must notify the City of Oskaloosa.

All Community Gardens' activities must take place between dawn and dusk, i.e. daylight hours only.

No alcohol, tobacco, or illegal substances are allowed and any such use will result in immediate revocation of the permit.

All gardeners are prohibited from baiting, trapping or transporting animals on City Property.

Theft of any kind is not allowed and will result in immediate loss of gardening privileges and forfeiture of garden plot.

The City of Oskaloosa will check all parcels on a periodic basis to ensure compliance with the City of Oskaloosa Community Gardens Rules and Guidelines.

Plots must be set back 7' from all property lines. Property lines will be marked by the City of Oskaloosa.

Maintenance Rules:

Applicants are responsible for maintaining the entire parcel in excellent condition. Maintenance is defined as: regular mowing of parcel, attention to weeds within the plot, and regular harvesting and removal of dead/dying plants and rotting vegetables. Individual gardeners must maintain the areas immediately surrounding their plot.

It is illegal to cut down or remove any trees on city property.



Gardeners must maintain their plot throughout the growing season with active planting, harvesting and weeding. Weed control must follow the Oskaloosa Community Gardens Rules and Guidelines.

Plots must be prepared for planting no later than May 1. Plots must be cleaned-up no later than December 1. If an applicant does not maintain their plot(s), then the applicant may be declined renewal of their permit the following year.

All gardening activities on all parcels must be contained within the plot boundaries established by the City of Oskaloosa.

Diseased and pest-ridden plants must be removed from the site or placed in the trash bin to prevent spreading.

Gardeners must keep all organic gardening debris, non-organic debris, trash and litter cleaned from their plot, as well as from adjacent pathways and fences. DO NOT dump plants or trash anywhere outside your plot. It is illegal to dump on City Property. Any illegal dumping will result in the immediate revocation of the permit.

Gardeners shall pick only their own crops unless given permission by another plot owner.

Gardeners shall not block garden paths, aisle ways or public access areas with equipment, structures, debris or vehicles.

Compost Bins

Composting plant materials within the plot is an excellent way to reduce trash and conserve nutrients. However, composting of food scraps (such as meat, oils, or fat) is not allowed, as this attracts animals.

Compost bins must be located to the rear of the garden parcel.

Avoid locating bins near pedestrian pathways and adjacent property lines.

Water

The city will not provide free water to the Oskaloosa Community Gardens.

Approved by Council:



Oskaloosa City Hall
220 South Market Street
Oskaloosa, Iowa 52577
Phone: 641.673.9431

Oskaloosa Community Gardens Permit

Group Name:

Coordinator Name:

Address:

—

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Plots Offered to Public: _____ Sizes of Plots: _____

Name of Garden: _____ Lot Address: _____

*Please Attach Community Garden Plan

Contact Information for Website

Contact Name: _____ Public e-mail: _____

Phone Number: _____ Website: _____

Applicant's Signature:



Oskaloosa City Hall
220 South Market Street
Oskaloosa, Iowa 52577
Phone: 641.673.9431

Approved Yes No

Assigned Lot: _____

Staff Approval

Name: _____

Signature: _____ Date: _____

_____ Notes: _____



Oskaloosa Community Gardens Release Form

FOR THE SOLE CONSIDERATION OF being allowed and permitted to use a plot in the Oskaloosa Community Gardens, the undersigned does hereby release, acquit, and forever discharge the City of Oskaloosa Iowa, together with, all its past and present agents, officers, directors, employees, related and affiliated entities, successors, agents, heirs, assigns, and insurers, and all other persons, firms and corporations, from any and all liability whatsoever, including all claims, demands, and causes of action of every nature affecting me, jointly or severally, which I have, may have, or ever claim to have by reason of any injuries or damages I may sustain arising from or out of my use of or participation in the Oskaloosa Community Gardens project, and that I agree to defend, indemnify and hold harmless the released parties from any such claims.

As further consideration of said payment, I hereby represent, warrant, and agree:

1. That this Release covers all injuries and damages, whether known or not, and which may hereafter appear or develop arising from or in any way connected with the matter(s) above referred to and the claims, demands, and causes of action hereby released and discharged.
2. That the above consideration is all that I will receive for my claim(s), and no promise for any other or further consideration has been made by anyone.
3. That I am executing this Release solely in reliance upon my own knowledge, belief, and judgment and not upon any representations made by any party released or others on their behalf.

I HAVE READ THE FOREGOING RELEASE, UNDERSTAND ITS TERMS, AND
FREELY AND VOLUNTARILY SIGN THE SAME.

DATED this ___ day of _____

CAUTION: THIS IS A RELEASE - READ BEFORE SIGNING!

Releasing Party:

Date: _____

Witnesses:

Date: _____



City Council
Communication
Meeting Date: February 2, 2015
Requested By: City Clerk/Finance

Item Title:

Consider a resolution adopting the proposed 2014-2015 budget amendment and the proposed 2015-2016 budget and setting date for public hearing.

Explanation:

This resolution sets the public hearing for March 2, 2015 and authorizes publication of the notice. The notice will include a tax rate to be levied in the approximate amount of \$13.84482 per \$1,000 of assessed valuation. The rate of 13.84482 represents a decrease of \$0.01334 in the city rate for next year.

Staff recommends approval of this item.

Budget Consideration:

To be determined.

Attachments :

Resolution

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED 2014-2015 BUDGET
AMENDMENT AND THE PROPOSED 2015-2016 BUDGET
AND SETTING DATE FOR PUBLIC HEARING

WHEREAS, City Council of the City of Oskaloosa has reviewed budget requests and has directed the preparation of a proposed 2014-2015 budget amendment and proposed 2015-2016 budget; and

WHEREAS, City Council is required to hold a public hearing on the proposed amendment to the 2014-2015 budget and the proposed 2015-2016 budget to comply with Iowa Code Section 384.16 and 362.3;

WHEREAS, this hearing will give Oskaloosa citizens the opportunity to review and comment on the proposed 2014-2015 budget amendment and the proposed 2015-2016 budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oskaloosa, Iowa that the proposed 2014-2015 Budget Amendment and the Proposed 2015-2016 Budget is hereby adopted and a public hearing on the proposed budgets shall be conducted on March 2, 2015 at 6:00 p.m. in the City Council Chambers in City Hall, Oskaloosa, Iowa at which time persons may appear and speak for or against the proposed budgets.

PASSED AND APPROVED this 2nd day of February, 2015.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

62-590

Adoption of Budget and Certification of City Taxes

FISCAL YEAR BEGINNING JULY 1, 2015 - ENDING JUNE 30, 2016

The City of: Oskaloosa County Name: MAHASKA Date Budget Adopted: _____
(Date) xxxxxx

At a meeting of the City Council, held after the public hearing as required by law, as specified above, the proposed budget was adopted as summarized and attached hereto, and tax levies, as itemized below, were approved for all taxable property of this City. There is attached a Long Term Debt Schedule Form 703 for the debt service needs, if any.

County Auditor Date Stamp		Telephone Number		Signature				
		January 1, 2014 Property Valuations				Last Official Census 11,463		
		Regular		With Gas & Electric			Without Gas & Electric	
		2a		337,152,034			2b 327,348,957	
		DEBT SERVICE		3a 337,152,454			3b 327,349,377	
Ag Land		4a 1,224,562						

Code		Dollar	(A)		(B)	(C)	
Sec.	Limit	Purpose	Request with	Utility Replacement	Property Taxes	Levied	Rate
384.1	8.10000	Regular General levy	5	2,730,931	2,651,527	43	8.10000
Non-Voted Other Permissible Levies							
12(8)	0.67500	Contract for use of Bridge	6		0	44	0
12(10)	0.95000	Opr & Maint publicly owned Transit	7		0	45	0
12(11)	Amt Nec	Rent, Ins. Maint of Civic Center	8		0	46	0
12(12)	0.13500	Opr & Maint of City owned Civic Center	9		0	47	0
12(13)	0.06750	Planning a Sanitary Disposal Project	10		0	48	0
12(14)	0.27000	Aviation Authority (under sec.330A.15)	11		0	49	0
12(15)	0.06750	Levee Impr. fund in special charter city	13		0	51	0
12(17)	Amt Nec	Liability, property & self insurance costs	14	114,665	111,331	52	0.34010
12(21)	Amt Nec	Support of a Local Emerg.Mgmt.Comm.	462		0	465	0
Voted Other Permissible Levies							
12(1)	0.13500	Instrumental/Vocal Music Groups	15	18,537	17,998	53	0.05498
12(2)	0.81000	Memorial Building	16		0	54	0
12(3)	0.13500	Symphony Orchestra	17		0	55	0
12(4)	0.27000	Cultural & Scientific Facilities	18		0	56	0
12(5)	As Voted	County Bridge	19		0	57	0
12(6)	1.35000	Missi or Missouri River Bridge Const.	20		0	58	0
12(9)	0.03375	Aid to a Transit Company	21		0	59	0
12(16)	0.20500	Maintain Institution received by gift/devise	22		0	60	0
12(18)	1.00000	City Emergency Medical District	463		0	466	0
12(20)	0.27000	Support Public Library	23		0	61	0
28E.22	1.50000	Unified Law Enforcement	24		0	62	0
Total General Fund Regular Levies (5 thru 24)			25	2,864,133	2,780,856		
384.1	3.00375	Ag Land	26	3,678	3,678	63	3.00375
Total General Fund Tax Levies (25 + 26)			27	2,867,811	2,784,534		Do Not Add
Special Revenue Levies							
384.8	0.27000	Emergency (if general fund at levy limit)	28	91,031	88,384	64	0.27000
384.6	Amt Nec	Police & Fire Retirement	29	368,207	357,501		1.09211
	Amt Nec	FICA & IPERS (if general fund at levy limit)	30	129,657	125,889		0.38457
Rules	Amt Nec	Other Employee Benefits	31	456,187	442,923		1.35306
Total Employee Benefit Levies (29,30,31)			32	954,051	926,313	65	2.82974
Sub Total Special Revenue Levies (28+32)			33	1,045,082	1,014,697		
Valuation							
386	As Req	With Gas & Elec	Without Gas & Elec				
	SSMID 1 (A)	(B)		34	0	66	0
	SSMID 2 (A)	(B)		35	0	67	0
	SSMID 3 (A)	(B)		36	0	68	0
	SSMID 4 (A)	(B)		37	0	69	0
	SSMID 5 (A)	(B)		555	0	565	0
	SSMID 6 (A)	(B)		556	0	566	0
	SSMID 7 (A)	(B)		1177	0		0
Total SSMID			38	0	0		Do Not Add
Total Special Revenue Levies			39	1,045,082	1,014,697		
384.4	Amt Nec	Debt Service Levy 76.10(6)	40	758,594	736,536	70	2.25000
384.7	0.67500	Capital Projects (Capital Improv. Reserve)	41		0	71	0
Total Property Taxes (27+39+40+41)			42	4,671,487	4,535,767	72	13.84482

COUNTY AUDITOR - I certify the budget is in compliance with ALL the following:
Budgets that **DO NOT** meet ALL the criteria below are not statutorily compliant & must be returned to the city for correction.

- 1) The prescribed Notice of Public Hearing Budget Estimate (Form 631.1) was lawfully published, or posted if applicable, and notarized, filed proof was evidenced.
- 2) Budget hearing notices were published or posted not less than 10 days, nor more than 20 days, prior to the budget hearing.
- 3) Adopted property taxes do not exceed published or posted amounts.
- 4) Adopted expenditures do not exceed published or posted amounts in each of the nine program areas, or in total.
- 5) The budget file uploaded to the SUBMIT Area matched the paper copy certified by the city to this office.



City Council
Communication

Meeting Date: February 2, 2015

Requested By: City Clerk/Finance

Item Title:

Consider a resolution approving applications for residential tax abatement for value added in the urban revitalization area.

Explanation:

This resolution approves the applications for residential tax abatement. The added value, as determined by the County Assessor, is abated for five years as follows: first year 80%, second year 65%, third year 50%, fourth year 35% and fifth year 20%.

To qualify for tax abatement the assessed valuation of a property must increase at least 15% after the improvements have been made. The improvements must conform with the City's Zoning Ordinance and all other applicable codes. A building permit should be secured for most improvements that increase in value.

Budget Consideration:

The financial impact of this item varies from year to year based on the number of approved applications. Historical information is provided in the table below.

Tax Abatement History	2010	2011	2012	2013	2014
Number of applications	18	10	11	13	16
Total abatements on record	\$58,564	\$48,518	\$41,833	\$36,096	\$34,231

Sixteen (16) applications were received for 2015. If more applications are received after this agenda, an additional list will be distributed at the council meeting.

Attachments :

Resolution
Exhibit "A"

RESOLUTION NO. _____

RESOLUTION APPROVING APPLICATIONS FOR RESIDENTIAL TAX
ABATEMENT FOR VALUE ADDED IN THE URBAN REVITALIZATION AREA

WHEREAS, the City of Oskaloosa, Iowa has by Ordinance No. 834 adopted March 26, 1991, amended by Ordinance No. 925 dated November 21, 1994 and Ordinance No. 1011 dated September 2, 1997 designated the Corporate Boundaries of the City of Oskaloosa as a Revitalization Area; and

WHEREAS, the property owners listed in Exhibit "A" attached hereto and by this reference incorporated herein, have filed application, prior to the February 1 deadline for tax exemption on improvements; and

WHEREAS, the improvements are in conformance with the plan for revitalization developed by the City of Oskaloosa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oskaloosa, Iowa to approve, subject to review by the Mahaska County Assessor, the applications for tax abatement as listed on Exhibit "A" in accordance with the exemption schedule adopted in Ordinance No. 834, Ordinance No. 925 and Ordinance No. 1011 as follows:

- 1) For the first year, eighty percent (80%)
- 2) For the second year, sixty-five percent (65%)
- 3) For the third year, fifty percent (50%)
- 4) For the fourth year, thirty-five percent (35%)
- 5) For the fifth year, twenty percent (20%)

PASSED AND APPROVED this 2nd day of February, 2015.

David Krutzfeldt, Mayor

ATTEST:

Amy Miller, City Clerk

EXHIBIT "A"
TAX ABATEMENT

ADDRESS	AMOUNT
203 Hillcrest	\$ 125,000
407 South M Street	\$ 155,260
408/410 South B Street	\$ 155,000
415 South M Street	\$ 193,645
501 South 9 th Street	\$ 101,500
502 Parkview	\$ 200,000
520 South M Street	\$ 181,720
601 Parkview Lane	\$ 183,180
715 South 5 th Street	\$ 117,600
901 9 th Avenue West	\$ 178,500
1133 North 6 th Street	\$ 195,000
1202 Arbor Trace Drive	\$ 40,000
1510 Edmundson Drive #5	\$ 246,915
1510 Edmundson Drive #6	\$ 250,000
1910 Carbonado Road 250,000	\$
2003 South F Street	\$ 250,000



City Council Communication

Meeting Date: February 2, 2015

Requested By: City Manager's Office

Item Title:

Consider an ordinance amending Oskaloosa Municipal Code, Chapter 13.08, Section 13.08.570 - User charge, for the purpose of providing necessary funding associated with the operation and maintenance of the city's wastewater treatment works. (1st reading)

Explanation :

The sanitary sewer fund, or the wastewater department is an essential service provided by the city of Oskaloosa. This service is run as an enterprise/utility fund and as such, the revenues generated through rates must be spent on the utility. Historically, this utility has maintained a relatively flat expenditure history with minimal increase in operations and a steady amount of capital projects each year. This approach led to low rates for many years but has put the system further behind. Staff is routinely responding to widespread failures and emergency repairs within the system more so than previously observed in the past.

The recommended FY2016 budget for this utility departs from the past practice of reactive and minimal improvements and begins an immediate and intensive investment in the infrastructure system. The recommended five year capital plan suggests increasing expenditures on the system from an average of \$400,000 (or less) to \$1,150,000 per year. While that amount of capital investment will require rate increases for users, the system must receive this type of investment to remain viable.

The city was also put on notice by the Iowa Department of Natural Resources (DNR) that bypasses of the treatment system must be stopped. This led to the city hiring Garden & Associates to develop a response plan that systematically addresses the DNR mandate and will be submitted to the agency by April 1, 2015. The process to address the DNR mandate will require further investment in infrastructure at an accelerated level, which means ratepayers can expect rates to increase. As mentioned in last year's budget transmittal, DNR mandates are expected to lead to double or triple rate increases above the amount recommended in this budget. Those increased rates are expected to pay for treatment plant improvements that are mandated by the DNR and EPA years into the future.

Lastly, the sanitary sewer fund derives its revenues from the ratepayers by utilizing a base rate fee and a usage fee. The base rate continues to be a reliable source of revenue however staff suspects the usage fee is not being accurately reported throughout the community due to meters that are surpassing their expected or useful life. This results in less revenue for the fund and further exacerbates the need to recommend rate increases until the meters are replaced and billable usage is more in line with expectations.

The FY2016 recommended budget includes a financing and operating plan for the sanitary sewer system that requires an increase to the base and usage rates that impacts the average residential ratepayer by an additional \$3.14 per month, or \$37.68 annually. The average residential customer uses 3.7 units of water per month, and is charged the sewer base rate per month regardless of usage.

Impact of the proposed rate increase on average residential sewer customer effective April 1, 2015.

Average monthly residential sewer bill - today	\$21.03 per month
Average monthly residential sewer bill - proposed	\$24.17 per month
Increase per month	\$3.14 per month

The proposed April 1, 2015 increase is the first year of a multi-year increase plan that is recommended for the sanitary sewer fund. The proposed rate changes are presented in the table below:

Sanitary Sewer Rate Changes - Per Month				
Increase Date	Minimum Charge Per Month	Change	Per 100 Cubic Feet	Change
5/1/2008	\$6.42	-	\$3.07	-
4/1/2009	\$6.65	\$0.23	\$3.18	\$0.11
4/1/2010	\$6.65	\$0.00	\$3.18	\$0.00
3/1/2011	\$7.08	\$0.43	\$3.39	\$0.21
3/1/2012	\$7.33	\$0.25	\$3.51	\$0.12
3/1/2013	\$7.59	\$0.26	\$3.63	\$0.12
3/1/2014	\$7.59	\$0.00	\$3.63	\$0.00
3/1/2015*	\$8.73	\$1.14	\$4.17	\$0.54
3/1/2016**	\$10.04	\$1.31	\$4.80	\$0.63
3/1/2017**	\$11.04	\$1.00	\$5.28	\$0.48
3/1/2018**	\$11.59	\$0.55	\$5.54	\$0.26
3/1/2019**	\$12.17	\$0.58	\$5.82	\$0.28
3/1/2020**	\$12.78	\$0.61	\$6.11	\$0.29
3/1/2021**	\$13.42	\$0.64	\$6.42	\$0.31
3/1/2022**	\$14.09	\$0.67	\$6.74	\$0.32

* **Proposed rate increase under consideration with this agenda item.**

** Proposed rate increases to be considered at a future time. Rates in the current and future fiscal years are based upon funding the operational and capital plan as presented and does not include any offsetting grants that will be pursued, or other changes to the plan that may occur. These rates are for projection purposes.

Budget Consideration:

Increasing rates as outlined in this agenda allows the city to meet its financial obligations associated with the operations of the city's wastewater treatment works.

Attachments :

1. Ordinance
2. Cash flow analysis - Sanitary Sewer Fund
3. Rate survey information

ORDINANCE NO. _____

AN ORDINANCE REVISING USER CHARGES IN THE CITY OF OSKALOOSA, IOWA, SECTION 13.08.570 - USER CHARGE, TO PROVIDE FUNDS NEEDED FOR EXPENSES ASSOCIATED WITH THE CITY 'S WASTEWATER TREATMENT WORKS

Be it enacted by the City Council of the City of Oskaloosa, Iowa:

SECTION 1: Section 13.08.570 User Charge (A) of the City Code of the City of Oskaloosa is hereby amended as follows:

A. Effective March 1, 2013 April 1, 2015 user charges shall be as follows:

The minimum charge per calendar quarter for all contributors shall be twenty-two dollars and seventy-six cents (\$22.76) twenty six dollars and nineteen cents (\$26.19). In addition each contributor shall pay a user charge rate for operation and maintenance including replacement and for debt retirement of three dollars and sixty-three cents (\$3.63) four dollars and seventeen cents (\$4.17) per one hundred cubic feet of water.

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

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

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

Passed and approved by this Council on the ____ day of _____, 2015.

[SIGNATURES TO FOLLOW]

ATTEST:

David Krutzfeldt, Mayor

Amy Miller, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the
_____ day of _____ 2015.

Amy Miller, City Clerk

CITY OF OSKALOOSA, IOWA
Sewer Enterprise Fund

<i>Growth Assumptions</i>	
Growth in Usage	0.00%
Operating Expenses	See Below
Interest on Balances	0.25%

<i>PROPOSED REVENUE INCREASES</i>					
1-Apr-11	6.50%	1-Mar-15	15.00%	1-Mar-19	5.00%
1-Mar-12	3.50%	1-Mar-16	15.00%	1-Mar-20	5.00%
1-Mar-13	3.50%	1-Mar-17	10.00%	1-Mar-21	5.00%
1-Mar-14	0.00%	1-Mar-18	5.00%	1-Mar-22	5.00%

-- Audited Financial Statements --				Re-Est.	Budget	Projected	Projected	Projected	Projected	Projected	Projected	
	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	
	3/1/2012	3/1/2013										
Actual Rate per 100 Cubic Feet	1	\$3.51	\$3.63	\$3.63	\$4.17	\$4.80	\$5.28	\$5.54	\$5.82	\$6.11	\$6.42	\$6.74
Minimum Monthly Charge	2	\$7.33	\$7.59	\$7.59	\$8.73	\$10.04	\$11.04	\$11.59	\$12.17	\$12.78	\$13.42	\$14.09
Average Number of Customers	3	4,564	4,579	4,561	4,561	4,561	4,561	4,561	4,561	4,561	4,561	4,561
SEWER SALES (100 Cubic Feet)	(3.1%)	2.2%	(1.0%)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Sewer Usage	4	\$320,190	\$328,533	\$325,872	\$325,872	\$325,872	\$325,872	\$325,872	\$325,872	\$325,872	\$325,872	\$325,872
Oskaloosa Food Usage	5	19,867	19,068	18,212	18,212	18,212	18,212	18,212	18,212	18,212	18,212	18,212
Total Sewer Usage	6	340,057	347,601	344,083	344,083	344,083	344,083	344,083	344,083	344,083	344,083	344,083
Avg. Revenue/100 Cubic Feet	7	\$3.51	\$3.66	\$3.80	\$3.95	\$4.54	\$5.16	\$5.61	\$5.89	\$6.19	\$6.50	\$6.82
OPERATING REVENUES	4.3%	6.0%	1.1%	1.8%	9.3%	14.1%	11.0%	6.8%	5.0%	5.0%	5.0%	
Sewer Usage Revenues	8	\$1,194,335	\$1,273,927	\$1,308,754	\$1,325,113	\$1,425,724	\$1,633,076	\$1,828,020	\$1,963,826	\$2,062,018	\$2,165,119	\$2,273,375
Base Charge Revenues	9	391,317	406,340	415,416	431,015	495,735	563,192	611,767	642,280	674,435	708,232	743,671
Delinquent Revenues	10	0	0	0	0	0	0	0	0	0	0	0
Oskaloosa Foods Monthly Base Fee	11	8,940	4,590	0	0	0	0	0	0	0	0	0
Oskaloosa Foods Sludge Fee	12	30,384	36,101	19,814	19,814	19,814	19,814	19,814	19,814	19,814	19,814	19,814
Oskaloosa Foods Hauling Fee	13	6,950	8,550	4,350	4,350	4,350	4,350	4,350	4,350	4,350	4,350	4,350
Connection Fee	14	0	0	0	0	0	0	0	0	0	0	0
Other Revenue	15	27,870	32,454	32,120	28,453	24,300	24,300	24,300	24,300	24,300	24,300	24,300
TOTAL OPERATING REVENUES	16	\$1,659,796	\$1,761,962	\$1,780,454	\$1,808,745	\$1,969,923	\$2,244,733	\$2,488,252	\$2,654,571	\$2,784,917	\$2,921,815	\$3,065,510
OPERATING EXPENSES	5.2%	(3.6%)	4.4%	18.1%	5.8%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%	
Personal Services	17	5% \$480,213	\$471,926	\$438,627	429,494.00	\$487,613	\$511,994	\$537,593	\$564,473	\$592,697	\$622,331	\$653,448
Contractual Services	18	5% 277,249	248,076	301,129	446,031	442,184	464,293	487,508	511,883	537,477	564,351	592,569
Commodities	19	0% 33,586	42,503	56,394	64,360	64,310	64,310	64,310	64,310	64,310	64,310	64,310
TOTAL OPERATING EXPENSES	20	\$791,048	\$762,505	\$796,150	\$939,885	\$994,107	\$1,040,597	\$1,089,411	\$1,140,666	\$1,194,484	\$1,250,993	\$1,310,327
NET OPERATING INCOME	21	\$868,748	\$999,457	\$984,304	\$868,860	\$975,816	\$1,204,136	\$1,398,840	\$1,513,905	\$1,590,433	\$1,670,822	\$1,755,183
Interest on Reserves	22	4,362	3,030	2,948	4,289	4,079	2,767	1,909	2,064	2,366	2,129	2,786
Special Assessments	23	5,084	4,805	9,188	6,676	0	0	0	0	0	0	0
Miscellaneous Revenue	24	10,258	508	865	0	0	0	0	0	0	0	0
Revenue Available for D/S	25	\$888,452	\$1,007,800	\$997,305	\$879,825	\$979,895	\$1,206,903	\$1,400,749	\$1,515,969	\$1,592,799	\$1,672,951	\$1,757,969

<i>Growth Assumptions</i>	
Growth in Usage	0.00%
Operating Expenses	See Below
Interest on Balances	0.25%

<i>PROPOSED REVENUE INCREASES</i>					
1-Apr-11	6.50%	1-Mar-15	15.00%	1-Mar-19	5.00%
1-Mar-12	3.50%	1-Mar-16	15.00%	1-Mar-20	5.00%
1-Mar-13	3.50%	1-Mar-17	10.00%	1-Mar-21	5.00%
1-Mar-14	0.00%	1-Mar-18	5.00%	1-Mar-22	5.00%

-- Audited Financial Statements --				Re-Est.	Budget	Projected	Projected	Projected	Projected	Projected	Projected
	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Revenue Available for D/S 26	\$888,452	\$1,007,800	\$997,305	\$879,825	\$979,895	\$1,206,903	\$1,400,749	\$1,515,969	\$1,592,799	\$1,672,951	\$1,757,969
BOND DEBT SERVICE 27											
Series 1994A Sewer Revenue SRF 28	\$50,927	\$52,606	\$51,854	\$53,954	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Series 1996 Sewer Revenue SRF 29	187,988	188,200	179,546	181,540	183,444	184,258	0	0	0	0	0
Series 2002 Sewer Refunding Bonds 30	172,095	0	0	0	0	0	0	0	0	0	0
Series 2002 Sewer Revenue SRF 31	0	0	244,980	247,080	249,060	250,920	253,660	255,260	257,740	260,080	262,280
Total Revenue Debt Service 32	\$411,010	\$240,805	\$476,380	\$482,574	\$432,504	\$435,178	\$253,660	\$255,260	\$257,740	\$260,080	\$262,280
Series 2002 SRF-Subordinate 33	277,340	276,360	0	0	0	0	0	0	0	0	0
Reserved 34	0	0	0	0	0	0	0	0	0	0	0
Reserved 35	0	0	0	0	0	0	0	0	0	0	0
TOTAL DEBT SERVICE 35	\$688,350	\$517,165	\$476,380	\$482,574	\$432,504	\$435,178	\$253,660	\$255,260	\$257,740	\$260,080	\$262,280
Debt Coverage Ratios	<i>Bond Documents state User Test will be at least 1.10x Coverage</i>										
Net Cashflow/Revenue Debt 36	2.16	4.19	2.09	1.82	2.27	2.77	5.52	5.94	6.18	6.43	6.70
Net Cashflow/ All Debt 37	1.29	1.95	2.09	1.82	2.27	2.77	5.52	5.94	6.18	6.43	6.70
Net Cashflow after Debt 38	\$200,102	\$490,635	\$520,925	\$397,251	\$547,391	\$771,725	\$1,147,089	\$1,260,709	\$1,335,059	\$1,412,871	\$1,495,689
+ / (-) Construction Fund 39	0	0	0	0	0	0	0	0	0	0	0
Other Sources / (Uses) 40	0	0	315,926	0	0	0	0	0	0	0	0
Bond Fees Adjustment 41	(1,582)	0	0	0	0	0	0	0	0	0	0
Bond/Warrant Proceeds 42	0	0	0	0	0	0	0	0	0	0	0
Grant Funds 43	0	0	0	0	0	0	0	0	0	0	0
Transfer (to)/from Improvement Fund 44	(8,432)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)	(11,400)
Other Transfers In/(Out) 45	77,322	0	0	169,460	0	0	0	0	0	0	0
Transfer (to)/from DSRF 46	30,779	451,934	0	0	0	0	0	0	0	0	0
Capital Outlays 47	(277,175)	(127,615)	(952,472)	(650,711)	(1,072,000)	(1,115,000)	(1,085,000)	(1,140,000)	(1,430,000)	(1,150,000)	(1,150,000)
Annual Surplus / (Deficit) 48	\$21,015	\$803,554	(\$127,021)	(\$95,400)	(\$536,009)	(\$354,675)	\$50,689	\$109,309	(\$106,341)	\$251,471	\$334,289
Unrestricted Beg Cash Balance 49	\$932,572	\$953,586	\$1,757,140	\$1,630,119	\$1,534,719	\$998,710	\$644,035	\$694,724	\$804,033	\$697,693	\$949,164
Unrestricted End Cash Balance 50	\$953,586	\$1,757,140	\$1,630,119	\$1,534,719	\$998,710	\$644,035	\$694,724	\$804,033	\$697,693	\$949,164	\$1,283,453
Cash Balance as % O & M 51	121%	230%	205%	163%	100%	62%	64%	70%	58%	76%	98%
Restricted & Designated Reserves:											
Improvement Fund-614 52	\$62,615	\$74,015	\$85,415	\$96,815	\$108,215	\$119,615	\$131,015	\$142,415	\$153,815	\$165,215	\$176,615
Debt Service Reserve Fund 53	451,934	0	0	0	0	0	0	0	0	0	0
Total Cash 54	\$1,468,135	\$1,831,155	\$1,715,534	\$1,631,534	\$1,106,925	\$763,650	\$825,739	\$946,448	\$851,508	\$1,114,379	\$1,460,068

<i>Growth Assumptions</i>	
Growth in Usage	0.00%
Operating Expenses	See Below
Interest on Balances	0.25%

<i>PROPOSED REVENUE INCREASES</i>					
1-Apr-11	6.50%	1-Mar-15	15.00%	1-Mar-19	5.00%
1-Mar-12	3.50%	1-Mar-16	15.00%	1-Mar-20	5.00%
1-Mar-13	3.50%	1-Mar-17	10.00%	1-Mar-21	5.00%
1-Mar-14	0.00%	1-Mar-18	5.00%	1-Mar-22	5.00%

-- Audited Financial Statements --			Re-Est.	Budget	Projected	Projected	Projected	Projected	Projected	Projected
FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
CAPITAL OUTLAYS										
Heavy Equipment-O & M			\$0	\$0	\$60,000	\$120,000	\$80,000	\$350,000	\$0	\$0
Vehicles-O & M			19,595	0	100,000	0	0	35,000	0	0
Other Capital Equipment-O & M			35,000	167,000	0	40,000	70,000	0	0	0
IDOT Project			26,116	0	0	0	0	0	0	0
Other Capital -VFD's & Pumps			29,000	0	0	0	75,000	0	0	0
North 3rd Street - Sanitary Sewer Replacement			20,500	0	0	0	0	0	0	0
3rd Ave East - Sewer Replacement			50,000	0	0	0	0	0	0	0
North Plant Improvements			19,000	330,000	0	0	0	0	0	0
South Plant Improvements			19,000	60,000	225,000	175,000	0	80,000	0	0
Lift Station Improvements			12,000	30,000	0	0	200,000	0	0	0
Sewer System Replacements/Improvements			0	0	0	0	0	0	1,000,000	1,000,000
Annual Manhole & Sewer Lining			0	0	0	50,000	50,000	50,000	50,000	50,000
Emergency Sewer Replacement			0	0	0	100,000	100,000	100,000	100,000	100,000
Sanitary Sewer Study			65,000	45,000	0	0	0	0	0	0
Nutrient Removal Study			0	0	150,000	0	0	0	0	0
North 3rd Street - Line Sanitary Sewer			0	0	35,000	0	0	0	0	0
Burlington Road - Manhole & Sewer Lining			0	0	0	0	155,000	0	0	0
South 11th St - Sewer Repairs			90,500	0	0	0	0	0	0	0
Penn Blvd - Sewer Repairs			230,000	0	0	0	0	0	0	0
South L St/M Street - Sewer Replacement			35,000	375,000	0	0	0	0	0	0
Alley North H Street/North I Street - Sewer Replacement			0	20,000	170,000	0	0	0	0	0
5th Ave West - Sewer Replacement			0	20,000	180,000	0	0	0	0	0
Terrace Drive - Sewer Replacement			0	5,000	30,000	0	0	0	0	0
E Ave West - Sewer Replacement			0	0	20,000	180,000	0	0	0	0
South D Street/5th Ave to South F Street/4th Ave - Sewer Replacement			0	20,000	100,000	0	0	0	0	0
South D - Sewer Replacement			0	0	20,000	200,000	0	0	0	0
South I Street and 4th Ave - Sewer Replacement			0	0	25,000	150,000	0	0	0	0
North 6th - Sewer Replacement			0	0	0	5,000	50,000	0	0	0
North 3rd - Sewer Replacement			0	0	0	20,000	200,000	0	0	0
North C Street - Sewer Replacement			0	0	0	20,000	0	0	0	0
North B Street - Sewer Replacement			0	0	0	20,000	0	0	0	0
6th Street - Sewer Replacement			0	0	0	5,000	50,000	0	0	0
McMullin Drive - Sanitary Sewer Replacement			0	0	0	0	25,000	0	0	0
North 12th - Sewer Replacement			0	0	0	0	60,000	540,000	0	0
South A Street/South B Street - Sewer Replacement			0	0	0	0	25,000	275,000	0	0
Total Capital Equipment:			\$ 54,595	\$ 167,000	\$ 160,000	\$ 160,000	\$ 150,000	\$ 385,000	\$ -	\$ -
Total Capital Outlays:			\$ 596,116	\$ 905,000	\$ 955,000	\$ 925,000	\$ 990,000	\$ 1,045,000	\$ 1,150,000	\$ 1,150,000
Total Capital Projects:			\$ 650,711	\$ 1,072,000	\$ 1,115,000	\$ 1,085,000	\$ 1,140,000	\$ 1,430,000	\$ 1,150,000	\$ 1,150,000



Water and Pollution Control Department

300 East Fifth Street, Building 1

300 Ames, IA 50010

Phone 515-239-5150 Fax 515-239-5251

TO: 2013 Survey Respondents and Interested Parties

FROM: Kati Pierce, Water and Pollution Control Department

DATE: December 2013

SUBJECT: Water and Sewer Charges and Rates Survey Results
For Iowa Cities with 10,000 and Over Populations

We are pleased to send you a copy of both the Water and Sewer Rate Survey Results, just completed. They are arranged in similar formats for comparison. You may notice that the data is presented differently this year than in past surveys. We hope that you will find the compiled results easy to interpret and informative.

Billing methods occur in various combinations of gallons, cubic feet, monthly, quarterly, and other variations. For the sake of comparison, minimum bills and the quantities allowed have been converted to cubic feet at a monthly rate. The conversion used is 100 cubic feet = 750 gallons.

You will also find that median amounts were used for many comparisons. Median simply means the point where half the utilities are higher and half are lower. The median is not the average value, but is more representative of the average, as actual average values can be distorted by a few unusually high or low rates.

Please check the figures for your utility and let us know if you find any mistakes so we may correct them for next year (yes, we are planning on surveying annually moving forward). Also, we encourage you to share this information with others in your organization who may find the data useful.

Thank you for your participation in this survey. You are welcome to contact me by email at kpierce@cityofames.org.

/klp

/enclosures

2013 CITY OF AMES

SURVEY OF DOMESTIC SEWER SERVICE

CHARGES & RATES

RESULTS



**2013 COMPARISON OF DOMESTIC SEWER SERVICE CHARGES
GENERAL RATE CHARACTERISTICS**
Prepared by the City of Ames, Iowa

City	Est. Population Served		Dates of Recent Rate Adjustment	Minimum Bill \$/Month	Allowance on Min. Bill Cu Ft/Month	Ind. Waste or Strength Charges	Special Rate?*
	Census	Equivalent*					
Altoona	15,000	15,000	2005, 2007, 2009, 2011	5.00	0	Yes	Yes
Ames	59,042	59,042	2005, 2008, 2011, 2013	9.44	0	Yes	Yes
Ankeny	45,582	46,000	2009, 2011, 2012, 2013	17.08 <i>Svc. Avail. Chg.</i>	0	Yes	Yes
Bettendorf	33,599	33,599	2001, 2002, 2008, 2012	2.25	0	Yes	Yes
Boone	12,800	11,240	2000, 2003, 2009, 2010	3.00	0	Yes	No
Burlington	25,663	25,663	2010, 2011, 2012, 2013	8.98 san. 6.54 storm	0	Yes	Yes
Carroll	10,103	12,797	2010, 2011, 2012, 2013	7.00	0	Yes	Yes
Cedar Falls	39,387	39,387	2008, 2011, 2012, 2013	13.80 (2013) 14.05 (2014)	200	Yes	Yes
Cedar Rapids	172,257	1,400,000	2010, 2011, 2012, 2013	11.91	200	Yes	Yes
Clinton	26,830	26,830	2009, 2011, 2012, 2013	8.96	100	Yes	Yes
Clive	16,000	16,000	2010, 2011, 2012, 2013	5.48 san. <i>Svc. Avail. Chg.</i> 5.29 storm	0	No	Yes
Coralville	19,219	19,219	1999, 2006, 2011, 2012	7.50 san. 2.00 storm	200	No	Yes
Council Bluffs	62,466	62,466	1989, 1995, 2000, 2005	6.46	300	Yes	No
Davenport	97,500	135,000	2010, 2011, 2012, 2013	\$11.27/mo <i>if paid monthly</i> \$3.68/mo <i>if paid quarterly</i>	0	Yes	Yes
Des Moines	206,599	206,599	2009, 2010, 2012, 2013	4.40	0	Yes	Yes
Dubuque	60,000	60,000	2009, 2011, 2012, 2013	7.97	200	No	No
Fort Dodge	25,206	25,206	2009, 2011, 2012, 2013	14.90	400	Yes	No
Fort Madison	11,250	13,600	2005, 2007, 2009, 2012	11.05	0	Yes	Yes

*Equivalent Population: Total population the utility services, which may include those outside of the city.
**Special Rate: Reduced rates offered during certain seasons, for low income residents, or irrigation

**2013 COMPARISON OF DOMESTIC SEWER SERVICE CHARGES
GENERAL RATE CHARACTERISTICS**
Prepared by the City of Ames, Iowa

City	Est. Population Served Census	Equivalent	Dates of Recent Rate Adjustment	Minimum Bill \$/Month	Allowance on Min. Bill Cu Ft/Month	Ind. Waste or Strength Charges	Special Rate?
Indianola	14,782	14,782	2010, 2011, 2012, 2013	7.75 (2012) 8.00 (2013)	133	Yes	Yes
Iowa City	70,133	92,000	2001, 2006, 2008, 2012	8.15 san. 3.00 storm	100	Yes	Yes
Iowa Great Lakes Sanitary District	15000 Resident	90000+ Seasonal	1980, 1983, 1999, 2008	5.00	0	No	No
Johnston	17,278	17,278	2010, 2011, 2012, 2013	5.25 Svc. Avail. Chg.	0	Yes	Yes
Keokuk	10,706	10,706	2008, 2009, 2011, 2012	24.25	267	Yes	No
Marion	34,768	34,768	2005, 2008, 2009, 2013	9.00 Svc. Avail. Chg. 2.00 San. Sew. Rpr/Maint. 3.25 storm	0	Yes	Yes
Marshalltown	27,552	27,552	2007, 2008, 2009, 2013	12.12	0	Yes	Yes
Mason City	28,052	123,000	2007, 2008, 2009, 2010	9.80 san. 1.75 storm	0	Yes	Yes
Muscatine	23,300	50,000	2009, 2010, 2011, 2012	13.90 11.00 Coll. & Dr.	300	Yes	Yes
Newton	15,130	15,130	2007, 2010, 2011, 2012	10.27	200	Yes	Yes
Oskaloosa	11,463	11,463	2005, 2008, 2011, 2013	7.59	0	Yes	Yes
Ottumwa	25,000	25,000	2008, 2009, 2012, 2013	14.50	0	Yes	No
Sioux City	82,800	82,800	2008, 2009, 2010, 2011	10.63	200	Yes	Yes
Spencer	11,500	11,500	1983, 1985, 2005, 2013	7.39	300	Yes	Yes
Storm Lake	10,600	10,600	2010, 2011, 2012, 2013	16.50	0	Yes	Yes
Urbandale	40,000	40,000	1994, 2004, 2010, 2012	5.00 Svc. Avail. Chg.	0	No	No
Waterloo	68,000	176,000	1993, 2000, 2003, 2010	12.50	300	No	Yes
Waukege	13,790	13,790	2010, 2011, 2012, 2013	11.01	134	Yes	Yes
West Des Moines	62,000	62,000	2009, 2010, 2011, 2012	3.00 Svc. Avail. Chg.	134	Yes	Yes

*Equivalent Population: Total population the utility services, which may include those outside of the city.
**Special Rate: Reduced rates offered during certain seasons, for low income residents, or irrigation

**2013 COMPARISON OF DOMESTIC SEWER SERVICE CHARGES
MONTHLY CHARGE FOR VOLUME IN CUBIC FEET**
Prepared by City of Ames, Iowa

City	Rate Effective	200	300	400	600	800	1,000	10,000	50,000	100,000
Altoona	Jul. 2011	15.07	20.10	25.13	35.20	45.26	55.33	508.25	2,521	5,038
Ames	Jul. 2013	14.26	16.67	19.08	23.90	28.72	33.54	250.44	1,214	2,419
Ankeny	Jul. 2013	21.43	23.61	25.78	30.13	34.48	38.83	234.58	1,105	1,885
Bettendorf	Apr. 2012	6.01	7.89	9.77	13.53	17.29	21.05	190.25	942	1,882
Boone	Jul. 2010	18.94	26.91	34.88	50.82	66.76	82.70	800.00	3,988	7,973
Burlington	Jul. 2013	14.36	17.05	19.74	25.12	30.50	35.83	277.48	1,351	2,694
Carroll	Jul. 2013	14.20	17.80	21.40	28.60	35.80	43.00	367.00	1,807	3,607
Cedar Falls	Jul. 2013	13.80	15.95	18.10	22.40	26.70	35.30	228.80	1,089	2,178
Cedar Rapids	Jul. 2013	11.91*	13.51	15.11	18.31	21.51	24.71	171.91	812	1,612
Clinton	Jul. 2013	17.92	26.88	35.84	53.76	71.68	89.60	896.00	4,480	8,960
Clive	Jul. 2013	11.75	14.89	18.02	26.38	34.74	43.10	318.98	1,573	3,140
Coralville	Jul. 2012	7.50*	10.02	12.54	17.58	22.62	27.66	209.10	1,217	2,477
Council Bluffs	Apr. 2005	6.46*	6.46*	8.61	12.91	17.21	21.51	164.86	789	1,569
Davenport	Jul. 2013	17.19	20.15	23.11	29.03	34.95	40.87	307.27	1,491	2,971
Des Moines	Jul. 2013	12.34	16.31	20.27	28.22	38.79	49.37	401.15	1,989	3,972
Dubuque	Jul. 2013	7.97*	11.96	15.95	23.93	31.91	47.87	391.02	1,795	3,990
Fort Dodge	Jul. 2013	14.90*	14.90*	14.90*	19.24	23.57	27.91	222.98	1,090	2,174
Fort Madison	Jul. 2012	16.64*	16.64*	17.35	19.50	21.64	22.36	120.31	549	1,086
Indianola	Sept. 2013	12.53	18.30	26.10	39.68	53.25	66.83	677.70	3,393	6,786
Iowa City	Jul. 2008	12.14	16.13	20.12	28.10	36.08	44.06	403.16	1,999	3,994
Iowa Great Lakes	Jul. 2008	7.02	8.04	9.05	11.08	13.10	15.13	106.25	511	1,018
Johnston	Jul. 2013	12.53	16.17	19.81	27.09	34.35	41.62	369.25	1,825	3,645
Keokuk	Aug. 2012	24.25*	25.49	29.19	36.60	44.01	51.42	384.78	1,867	3,719
Marion	Jul. 2013	16.35	18.25	20.15	23.95	27.75	31.55	202.55	963	1,913
Marshalltown	Jan. 2013	15.90	17.79	19.68	23.46	27.24	31.02	201.12	957	1,902
Mason City	Jul. 2010	9.63*	12.00	14.37	19.11	23.85	28.59	242.07	1,191	2,377
Muscatine**	Jul. 2012	24.90	24.90*	27.25	31.95	36.65	41.35	252.85	1,193	2,368
Newton	May 2012	10.27*	13.57	16.87	23.47	30.07	36.67	333.67	1,654	3,304
Oskaloosa	Mar. 2013	14.85	18.48	22.11	29.37	36.63	43.89	370.59	1,823	3,638
Ottumwa	Jul. 2013	24.00	28.75	33.50	43.00	52.50	62.00	489.50	2,390	4,765
Sioux City	Jul. 2011	10.63*	14.62	18.61	26.58	34.55	42.52	407.34	2,024	4,043
Spencer	Jul. 2013	8.44	11.34	14.24	20.04	25.84	31.64	266.49	1,094	2,129
Storm Lake	Jul. 2013	21.26	23.63	26.01	30.77	35.52	40.28	254.25	1,189	2,394
Urbandale	Jul. 2012	6.25	8.13	10.00	13.75	17.50	21.25	190.00	940	1,878
Waterloo	Jun. 2010	12.50*	12.50	14.48	18.44	22.40	26.36	204.56	997	1,987
Waukee	Jul. 2013	14.99	20.96	26.93	38.87	50.81	62.75	600.05	2,988	5,973
West Des Moines	Oct. 2012	10.95	14.93	18.90	26.85	34.80	42.75	400.50	1,991	3,978

*Minimum Bill/200CF

**Rate study in progress, anticipating 3% annual rate incr. over next five years.

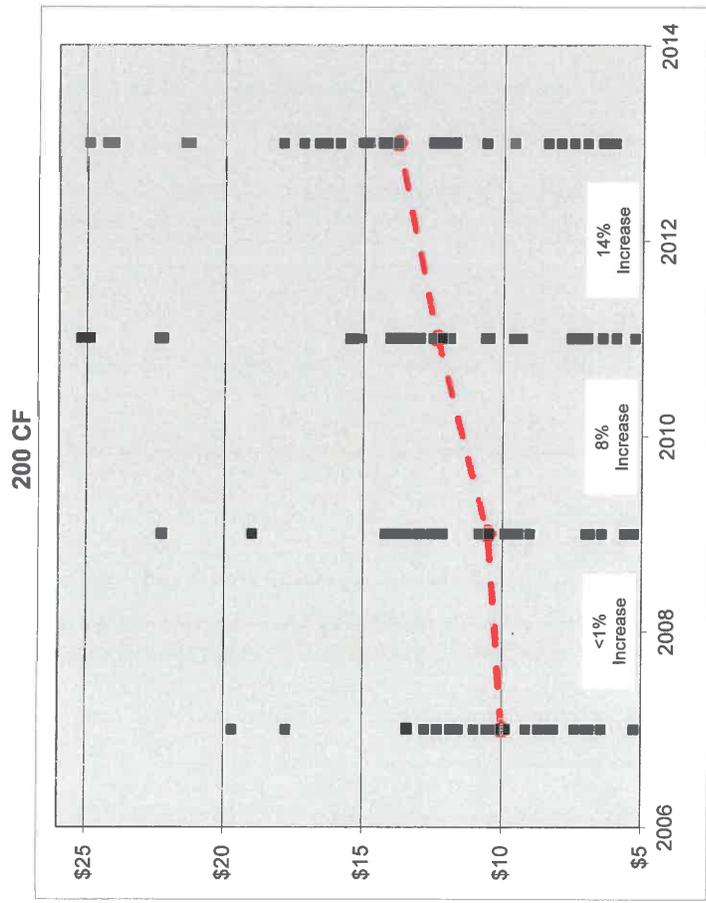
2013 Residential Sewer Rate Survey
Iowa Cities Over 10,000 Population

	Minimum or 200 CF	600 CF	1,000 CF	10,000 CF	50,000 CF	100,000 CF
LOW	Iowa Great Lakes	11.08	15.13	106.25	511	1,018
	Council Bluffs	12.91	21.05	120.31	549	1,086
	Bettendorf	13.53	21.25	164.86	789	1,569
	Urbandale	13.75	21.51	171.91	812	1,585
	Coralville	17.58	22.36	190.00	940	1,612
	Cedar Rapids	18.31	24.71	190.25	942	1,878
	Dubuque*	18.44	26.36	201.12	957	1,882
	Spencer	8.44	27.66	202.55	963	1,902
	Mason City*	9.63	27.91	204.56	997	1,913
	Newton*	10.27	28.59	209.10	1,089	1,987
	Sioux City*	10.63	31.02	222.98	1,090	2,129
	West Des Moines	10.95	31.55	228.80	1,094	2,174
	Clive	11.75	31.64	234.58	1,105	2,178
	Cedar Rapids*	11.91	33.54	242.07	1,189	2,368
	Iowa City	12.14	35.30	250.44	1,191	2,377
	Des Moines	12.34	35.83	252.85	1,193	2,394
	Waterloo*	12.50	36.67	254.25	1,214	2,419
	Indianola	12.53	38.83	266.49	1,217	2,477
	Johnston	12.53	40.28	277.47	1,351	2,694
MEDIAN	Cedar Falls	13.80	40.87	307.27	1,491	2,971
	Carroll	14.20	41.35	318.98	1,573	3,140
	Ames	14.26	41.62	333.67	1,654	3,304
	Burlington	14.36	42.52	367.00	1,795	3,607
	Oskaloosa	14.85	42.75	369.25	1,807	3,638
	Fort Dodge*	14.90	43.00	370.59	1,823	3,645
	Waukee	14.99	43.10	384.78	1,825	3,719
	Altoona	15.07	43.89	391.02	1,867	3,972
	Marshalltown	15.90	44.06	400.50	1,989	3,978
	Marion	16.35	47.87	401.15	1,991	3,990
	Fort Madison*	16.64	49.37	403.16	1,999	3,994
	Davenport	17.19	51.42	407.34	2,024	4,043
	Clinton	17.92	55.33	489.50	2,390	4,765
	Boone	18.94	62.00	508.25	2,521	5,038
	Storm Lake	21.26	62.75	600.05	2,988	5,973
	Ankeny	21.43	66.83	677.70	3,393	6,786
	Ottumwa	24.00	82.70	800.00	3,988	7,973
	Keokuk*	24.25	89.60	895.00	4,480	8,960
HIGH	Muscatine**	24.90	89.60	895.00	4,480	8,960
	Low	6.01	15.13	106.25	511	1,018
	Median	13.80	40.28	277.48	1,351	2,694
	High	24.90	89.60	896.00	4,480	8,960

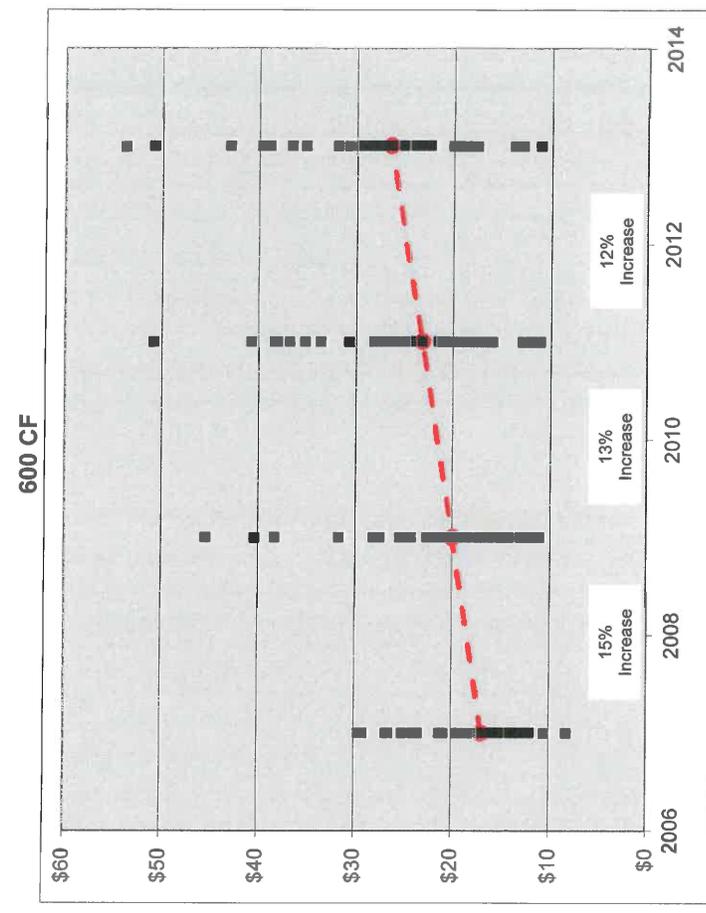
* Minimum Bill

**Rate study in progress

**Median Sewer Rates
Historical Comparison
Iowa Cities with Populations 10,000 and Over
2007-2013**

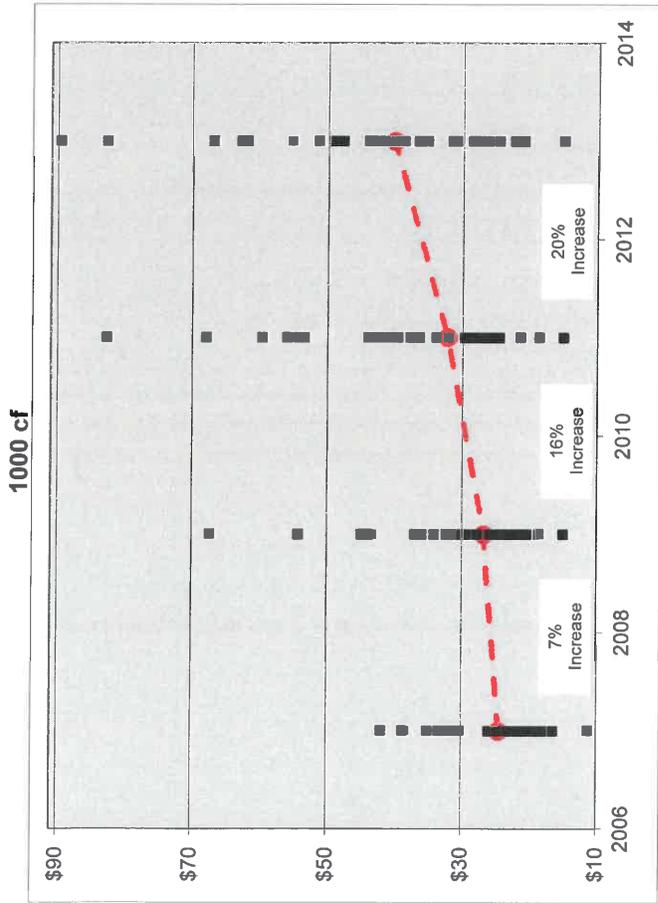


Total increase over 6 years
(3.8% per year)

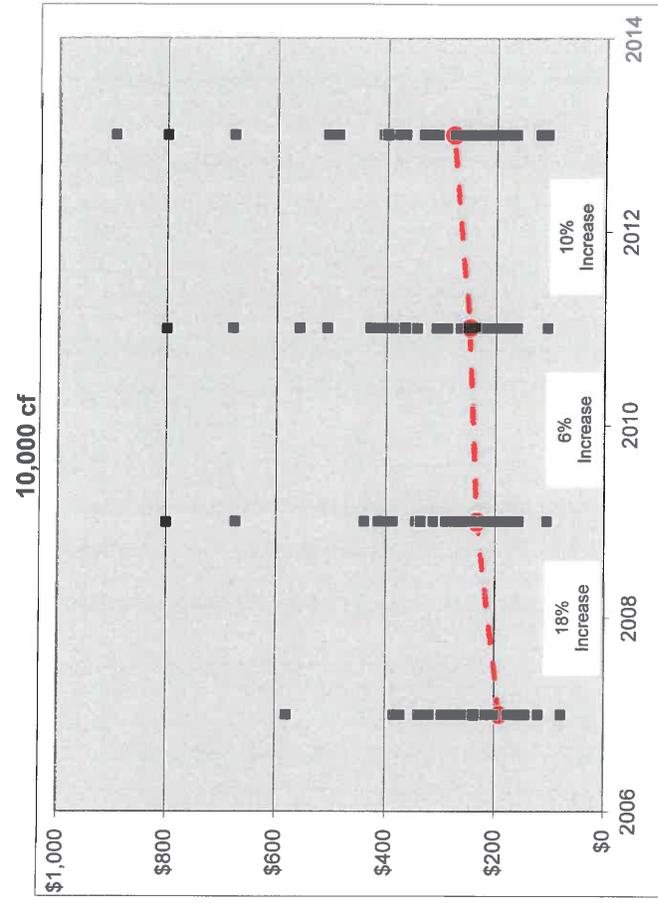


Total increase over 6 years
(6.7% per year)

**Median Sewer Rates
Historical Comparison
Iowa Cities with Populations 10,000 and Over
2007-2013**

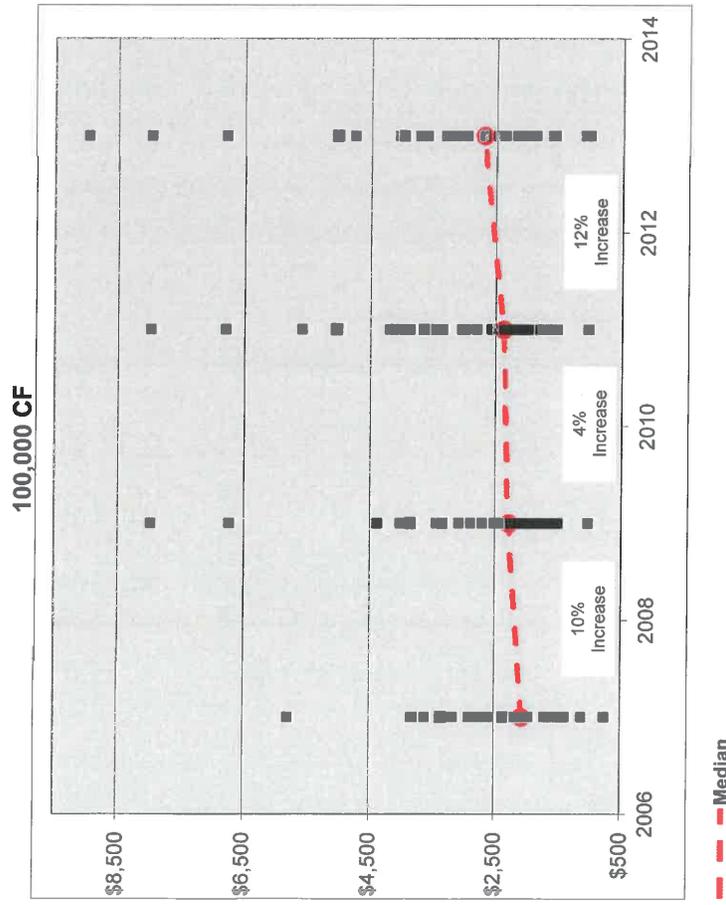


43%
Total increase over 6 years
(7.2% per year)



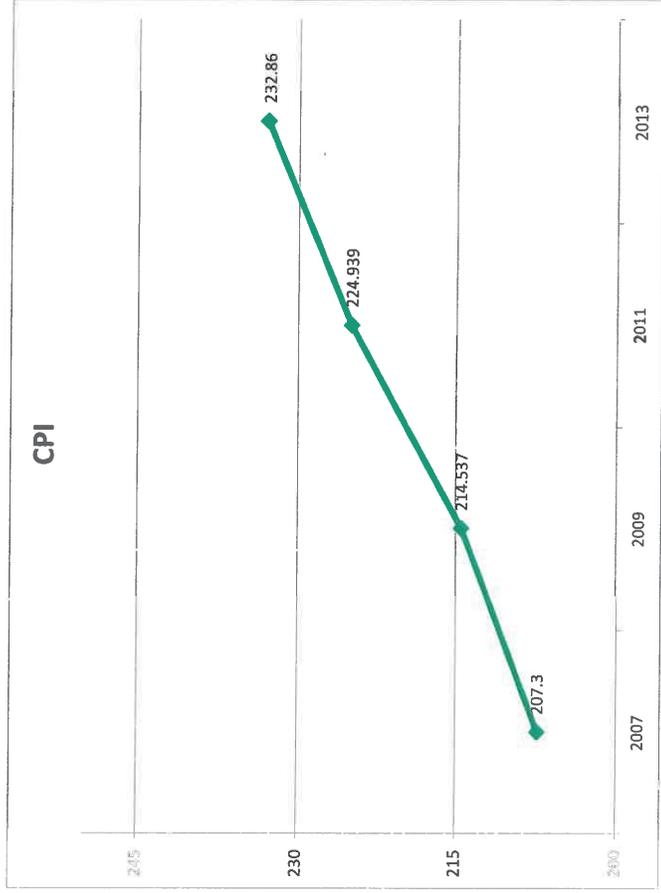
34%
Total increase over 6 years
(5.7% per year)

**Median Sewer Rates
Historical Comparison
Iowa Cities with Population 10,000 and Over
2007-2013**



26%
Total increase over 6 years
(4.3% per year)

**U.S. Consumer Pricing Index
2007-2013**



11%
Total increase over 6 years
(3.7% per year)

**Percentage of Increase or Decrease From 2011 to 2013
Domestic Sewer Service Charges in Cubic Feet
Iowa Cities with Populations of 10,000 and Higher**

City	200	600	1,000	10,000	100,000	20% or Higher Increase
Altoona	NO RATE CHANGE SINCE 2011					
Ames	17%	17%	17%	17%	17%	
Ankeny	4%	21%	28%	46%	62%	
Bettendorf	12%	11%	11%	9%	10%	
Boone	NO RATE CHANGE SINCE 2010					
Burlington	47%	8%	10%	15%	16%	X
Carroll	14%	15%	15%	16%	16%	
Cedar Falls	2%	5%	17%	10%	10%	
Cedar Rapids	22% Decr.	15% Decr.	10% Decr.	4% Incr.	5% Incr.	
Clinton	24%	24%	22%	24%	24%	X
Clive	24% Decr.	1% Decr.	12% Incr.	9% Incr.	11% Incr.	
Coralville	7%	6%	6%	13%	5%	
Council Bluffs	NO RATE CHANGE SINCE 2005					
Davenport	46%	33%	27%	14%	14%	X
Des Moines	7% Decr.	6% Incr.	19% Incr.	3% Incr.	3% Incr.	
Dubuque	25%	26%	38%	34%	26%	X
Fort Dodge	6%	6%	6%	6%	6%	
Fort Madison	22% Incr.	8% Decr.	24% Decr.	44% Decr.	48% Decr.	
Indianola	85%	8%	8%	9%	9%	
Iowa City	NO RATE CHANGE SINCE 2008					
Iowa Great Lakes	NO RATE CHANGE SINCE 2008 - RATE CASE PENDING					
Johnston	3%	3%	3%	3%	3%	
Keokuk	4%	4%	4%	4%	4%	
Marion	4%	10%	13%	20%	21%	X
Marshalltown	13%	11%	10%	7%	7%	
Mason City	NO RATE CHANGE SINCE 2010					
Muscatine**	NO RATE CHANGE SINCE LAST RATE SURVEY					
Newton	28%	28%	28%	28%	28%	X
Oskaloosa	6%	6%	7%	7%	7%	
Ottumwa	7%	11%	12%	15%	16%	
Sioux City	NO RATE CHANGE SINCE 2011					
Spencer	10% Decr.	6% Decr.	1% Decr.	7% Incr.	7% Incr.	
Storm Lake	8%	8%	8%	8%	8%	
Urbandale	14%	14%	14%	14%	14%	
Waterloo	NO RATE CHANGE SINCE 2010					
Waukee	3%	1%	<1%	<1%	No Change	
West Des Moines	6%	8%	8%	8%	8%	

14% of the utilities have increased their sewer rates by 20% or more since 2011

92% of the utilities have increased their sewer rates by any amount since 2011



City Council
Communication

Meeting Date: February 17, 2015

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: February 17, 2015

Requested By: Mayor & City Council

Item Title: City Council Information

Explanation :

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

Budget Consideration:

Not applicable, report(s) only.

Attachments :

None.