

AGENDA OF THE REGULAR SESSION OF THE COUNCIL OF THE CITY OF WASHINGTON, IOWA TO
BE HELD AT **120 E. MAIN STREET**, AT **6:00 P.M.**,
WEDNESDAY, OCTOBER 19, 2011

Call to Order

Pledge of Allegiance

Roll call

Agenda for the Regular Session to be held at 6:00 P.M., Wednesday, October 19, 2011 to be approved as proposed or amended.

Consent Agenda:

1. Council minutes 10-05-2011
2. Spark Consulting (Rebecca McCarley), Service for Historic Preservation, Survey & National Register Nomination for Downtown Washington, \$3,686.54
3. Gridor Construction, WWTP Facility Improvement Project, Pay App #6, \$1,745,258.30
4. Southeast Iowa Area Safety and Support Organization (SASSO), Annual Membership Dues, \$3,154.31
5. PAWS and More, First Quarter Donation, \$2,660.00
6. Treasurer's Report-September, 2011

Approval of Claims

PRESENTATION FROM THE PUBLIC – Please limit comments to 3 Minutes

PERMITS AND APPLICATIONS

Panda Palace, 100 W. Main Street, Special Class C Liquor License (BW) (Beer/Wine), Sunday Sales, **(renewal)**.

Cigarette Outlet #9, 304 W. Madison Street, Class E Liquor License (LE), Class B Wine Permit (carryout wine), Class C Beer Permit (carryout beer), Sunday Sales. **(New)**

CONSIDERATION OF ORDINANCES & HEARINGS

Public Hearing-Demolition Tienda La Cruz Phase II.

Second Reading of An Ordinance Amending Chapter 65.03 "Special Yield Required" by Adding Paragraph 54 "East 9th Street and North 7th Avenue (eastbound and westbound yield).

Second Reading of An Ordinance Amending Chapter 69.08 "No Parking Zones" By Amending Paragraph 7 "S. 2nd Avenue at E. Madison Street Intersection " and Paragraph 50 "E. Van Buren Street at S. Iowa Avenue Intersection".

OLD BUSINESS

Discussion and Consideration-Oakwood Village Subdivision **(Tabled 08-24-2011)**

Discussion and Consideration of Sidewalk Extension to Mercy Medical Clinic **(Tabled 10-05-2011)**

Discussion and Consideration of Sewer Camera System and Trailer. **(Tabled 10-05-2011)**

NEW BUSINESS

Discussion and Consideration of Fox Engineering Report on Modeling Services-Phase II for Water Tower Placement.

Discussion and Consideration of Washington Area Soccer Club Request.

Presentation from the Healthy Community Coalition

Discussion and Consideration of Personnel to Serve on the Comprehensive Plan Board.

Discussion and Consideration of Quote from GE to Perform Maintenance on EDR Units.

Discussion and Consideration of Quote from Liquid Engineering to Perform Inspections on Ground Storage Tank and South Water Tower.

Discussion and Consideration of Resolution Accepting Project and Authorizing Final Payment for the 2011 Seal Coat Project.

Discussion and Consideration of Resolution Setting Time and Place for a Public Hearing for West Side Sanitary Sewer Interceptor Project.

Discussion and Consideration of Resolution Authorizing Levy, Assessment, and Collection of Costs to the Washington County Treasurer.

DEPARTMENTAL REPORT

Public Works Report

Police Department

City Attorney

COMMITTEE REPORTS

Street Committee

Sanitation/Water/Sewer Committee

Finance/Personnel Committee

Cemetery/Building Committee

Ordinance Committee

Public Safety Committee

Cable Committee

Comprehensive Plan Committee

COUNCILPERSONS

Sandra Johnson, Mayor

Merle Hagie

Fred Stark

Mike Roth

Russ Zieglowsky

Bob Shepherd

Karen Wilson-Johnson

ADJOURNMENT

Illa Earnest, City Clerk

Council Minutes 10-05-2011

The council of the City of Washington, Iowa, met in Regular Session in the council chambers in the Former Public Library Building, 120 E. Main Street, at 6:00 P.M., Wednesday, October 5, 2011. Mayor Sandra Johnson in the Chair. On roll call present: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Absent: Zieglowsky.

Motion by Hagie, seconded by Wilson-Johnson, that the agenda for the Regular Session to be held at 6:00 P.M., Wednesday, October 5, 2011 be approved as amended. The Mayor requested that the presentation from Fox Engineering be moved to first item on new business. Motion carried unanimously.

Consent Agenda:

1. Council minutes 09-20-2011
2. Tyler Technologies, Annual Software Maintenance, \$6,048.32
3. Iowa Dept. of Transportation, Snow Blade Carbide Inserts, \$2,939.20
4. TEAM Services, WWTP Facility Project -Testing Services, \$6,781.82
5. G & R Miller, Highland Sewer , Phase I, Landscaping Warrantee, \$261.51

Motion by Stark, seconded by Wilson-Johnson, that consent agenda claims be approved for payment and the council minutes for September 20, 2011 be approved and placed on file. Motion carried unanimously.

Motion by Wilson-Johnson, seconded by Hagie, to approve payment of the claims as presented. Motion carried unanimously.

Mayor Johnson announced that now is the time for the third Reading of an Ordinance Amending the Municipal Code of the City of Washington, Iowa, Chapter 66.04 by Adding Additional "No Through Truck Zones" and "Local Deliveries Only" on S. 9th Avenue and E. Polk Street". Motion by Wilson-Johnson, second by Stark to adopt the ordinance. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried. **(Ordinance No. 981)**

Mayor Johnson announced that now is the time for the first Reading of An Ordinance Amending the Municipal Code of the City of Washington, Iowa, Chapter 65.03 "Special Yield Required" By the Adding Paragraph 54 "E. 9th Street and N. 7th Avenue (eastbound and westbound yield)". Motion by Wilson-Johnson, second by Hagie, to pass the ordinance to the second reading. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried.

Mayor Johnson announced that now is the time for the first Reading of An Ordinance Amending the Municipal Code of the City of Washington, Iowa, Chapter 69.08 "No Parking Zones" By Amending Paragraph 7 "S. 2nd Avenue on the east side for a distance of one hundred (100) feet from its intersection with Madison Street" and Paragraph 50 a. "E. Van Buren Street, on both sides, for a distance of one hundred forty five (145) feet east of centerline with S. Iowa Avenue and deleting "8:00 a.m. to 4:00 p.m. on school days" and b. "W. Van Buren Street, on the south side, for a distance of one hundred thirty five (135) feet west of the centerline with S. Iowa Avenue and deleting "8:00 a.m. to 4:00 p.m. on school days". Motion by Wilson-Johnson, second by Hagie, to pass the ordinance to the second reading. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried.

Oakwood Village Subdivision remains tabled.

After council discussion with Steve Troyer from Fox Engineering, motion by Hagie, seconded by Stark, to approve the agreement with Fox Engineering for Modeling Services-Phase II in the amount of \$12,400 for the new water tower placement. Motion carried unanimously.

Sid Ryan from the Washington Area Soccer Club, Ed Raber, members of the soccer team, team parents, and members of the park board were present to give council some background on the need for more green space for sports, especially soccer. The group asked council to allow them to use 13 acres of the agricultural land the City of

Washington owns on W. 18th Street for soccer fields next year. Council made no decision on the request pending a report back from Fox Engineering on the suitability of the location for the new water tower.

Motion by Roth, seconded by Shepherd, to approve the request from the park board to purchase new materials to rebuild the retaining wall at the Aquatic Center not to exceed \$7,500. Motion carried unanimously.

Motion by Roth, seconded by Wilson-Johnson, to approve Kleopfer Lawn Care to do the annual broad leaf spraying in the city parks for approximately \$3,000. Motion carried unanimously.

Motion by Roth, seconded by Wilson-Johnson, to approve Main Street Washington request for the SNOW event and use of the former children's reading room in the old library building for Santa's House. Motion carried unanimously.

Motion by Roth, seconded by Shepherd, to approve the request of PAWS Motor Expo Car Show for use of the Square on August 26, 2012. Motion carried unanimously.

Motion by Shepherd, seconded by Stark, to approve the fall application of bio-solids for WWTP. Motion carried unanimously.

Motion by Shepherd, seconded by Wilson-Johnson, to table consideration of the sewer camera and trailer pending the city administrator being present. Roll call on said motion as follows: Ayes: Stark, Roth, Shepherd, Wilson-Johnson. Nays: Hagie. Motion carried.

Motion by Stark, seconded by Roth, to approve the employment agreement with Deb Stanton, Washington Public Library Director. Motion carried unanimously.

Motion by Roth, seconded by Stark, to approve the Resolution Supporting Grant Application to Riverboat Foundation for Highway 1 & 92 Paved Shoulder Improvements. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried. **(Resolution No. 2011-51)**

Motion by Roth, seconded by Wilson-Johnson, to approve the Resolution Approving Payment and Acquisition of Easements for the West Side Interceptor Sewer. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried. **(Resolution No. 2011-52)**

Motion by Wilson-Johnson, seconded by Shepherd, to table consideration of extending a sidewalk to Mercy Medical Clinic. Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried.

Motion by Shepherd, seconded by Stark, to approve the Resolution Setting Date for Public Hearing for Demolition of Buildings (209-211 S. Marion Avenue). Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried. **(Resolution No. 2011-53)**

Motion by Shepherd, seconded by Wilson-Johnson, to approve the Resolution Approving Specifications and Setting Bid Date for Demolition of Buildings (209-211 S. Marion Avenue). Roll call on said motion as follows: Ayes: Hagie, Stark, Roth, Shepherd, Wilson-Johnson. Nays: none. Motion carried. **(Resolution No. 2011-54)**

Discussion and Consideration of personnel to serve on the Comprehensive Plan Commission will be on the October 19, 2011 agenda.

Mayor Johnson announced that there would be no closed session for property acquisition.

Motion by Wilson-Johnson, seconded by Stark, that the Regular Session held at 6:00 P.M., Wednesday, October 5, 2011 be adjourned. Motion carried unanimously.

Illa Earnest, City Clerk

INVOICE FOR SERVICES RENDERED – August-September 2011
Survey and NRHP nomination for downtown Washington

Date of Invoice: September 30, 2011

| | | |
|----------------------------|---|-------------------|
| Consultant Hours | | |
| Week of 8/21/2011 | 3.5 hours x \$60/hour | \$210 |
| Week of 9/4/2011 | 8 hours x \$60/hour | \$480 |
| Week of 9/11/2011 | 26.5 hours x \$60/hour | \$1,590 |
| Week of 9/18/2011 | 18.5 hours x \$60/hour | \$1,110 |
| Week of 9/25/2011 | 1 hours x \$60/hour | \$60 |
| SUB-TOTAL | | \$3,450 |
| Additional Expenses | | |
| 9/13/2011 | Mileage – 77 @ \$.39/mile – initial research, meeting prep in Washington (one way from Davenport) | \$30.03 |
| 9/16/2011 | Printing of field survey/research forms, instructions, research pages 374 double sided @ \$.15/page, 134 single sided @ \$.10/page | \$69.50 |
| 9/20-9/21 | Mileage – 159 @ \$.39/mile | \$62.01 |
| 9/20-9/21 | 1 day/night per diem @ \$75 | \$75.00 |
| SUB-TOTAL | | \$236.54 |
| TOTAL INVOICE | | \$3,686.54 |

Please make checks payable to **Rebecca Lawin McCarley** and submit to the address listed above.

Payment due upon receipt. Late fees will be added after 30 days.

| | Total Amount | Billed to Date | This Invoice | Total Billed |
|---|--------------|----------------|--------------|--------------|
| Consultant Hours | \$24,300 | \$0 | \$3,450 | \$3,450 |
| Additional Expenses – mileage, lodging, photocopies, printing, etc. | \$1,500 | \$0 | \$236.54 | \$236.54 |

Contractor's Application for Payment No. 6

| Approved Change Order Summary: | | | |
|--------------------------------|---------------|-----------|------------|
| No. | Date Approved | Additions | Deductions |
| | | | |
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| | | | |
| TOTALS | | \$0.00 | \$0.00 |
| NET CHANGE BY CHANGE ORDERS | | | \$0.00 |

| | | |
|--|----|---------------|
| 1. ORIGINAL CONTRACT PRICE..... | \$ | 14,987,500.00 |
| 2. Net change by Change Orders..... | \$ | 0.00 |
| 3. Current Contract Price (Line 1 + 2)..... | \$ | 14,987,500.00 |
| 4. TOTAL COMPLETED AND STORED TO DATE (Column G on Progress Estimate)..... | \$ | 4,910,987.00 |
| 5. RETAINAGE: | | |
| a. 5% X \$3,147,180.00 Work Completed..... | \$ | 157,359.00 |
| b. 5% X \$1,763,807.00 Stored Material..... | \$ | 88,190.35 |
| c. Less Total Retainage Released Early..... | \$ | |
| d. Total Retainage (Line 5a + Line 5b - Line 5c)..... | \$ | 245,549.35 |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... | \$ | 4,665,437.65 |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... | \$ | 2,920,179.35 |
| 8. AMOUNT DUE THIS APPLICATION..... | \$ | 1,745,258.30 |
| 9. BALANCE TO FINISH, PLUS RETAINAGE (Column I on Progress Estimate + Line 5d above)..... | \$ | 10,322,062.35 |

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

| | |
|---|--------------|
| By:  | Date: 6-3-11 |
|---|--------------|

Payment of: \$ 1,745,258.30
(Line 8 or other - attach explanation of the other amount)

is recommended by: Matt Kasper 10/5/11
(Engineer) (Date)

Payment of: \$ 1,745,258.30
(Line 8 or other - attach explanation of the other amount)

is approved by: Robert J. McDonald 10/5/11
(Owner) (Date)

Endorsed by the Construction Specifications Institute.

SOUTHEAST IOWA AREA
SAFETY AND SUPPORT
ORGANIZATION
("SASSO")

*c/o City of West Burlington
Leslie Sattler, SASSO Treasurer
122 Broadway Street
West Burlington, IA 52655
(319) 752-5451*

October 10, 2011

INVOICE

Annual Membership Dues for City of Washington ---- \$ 3,154.31

PAWS & More Animal Shelter

1004 1/2 West Madison Street
Washington, IA 52353

Invoice**Date**

10/7/2011

Invoice #

14

Bill To

City of Washington
PO Box 516
Washington, IA 52353

Terms

DUE UPON RE...

| Description | Quantity | Rate | Amount |
|---|----------|--------------|------------|
| Animal Services Donation for 1st Quarter (July, Aug, Sept 2011) | | 2,660.00 | 2,660.00 |
| Thank you for your support! | | Total | \$2,660.00 |

CITY OF WASHINGTON, IA
YEAR-TO-DATE TREASURERS REPORT
AS OF SEPTEMBER 30, 2011

| | 07/01/2011 | | | | | 09/30/2011 |
|-------------------------------|---------------------------|---------------------|------------------------------|-----------------------|------------------------------|------------------------|
| FUND | BEGINNING CASH BALANCE | Y-T-D REVENUES | REVENUES NOT YET RECEIVED | Y-T-D EXPENDITURES | EXPENSES NOT YET EXPENDED | ENDING CASH BALANCE |
| 001-GENERAL FUND | (433,880.41) | 1,428,220.69 | - | 1,419,356.79 | - | (425,016.51) |
| 110-ROAD USE | 821,385.62 | 197,536.31 | - | 295,049.15 | - | 723,872.78 |
| 112-EMPLOYEE BENEFITS | - | 37,612.82 | - | 37,612.82 | - | - |
| 113-LIABILITY INSURANCE | - | 6,869.40 | - | 6,869.40 | - | - |
| 121-LOCAL OPTION SALES TAX | - | 189,942.67 | - | 189,942.67 | - | - |
| 125-URBAN RENEWAL AREA #1 | - | 6,009.97 | - | 6,009.97 | - | - |
| 126-URBAN RENEWAL AREA #2 | - | - | - | - | - | - |
| 127-URBAN RENEWAL AREA #3A | - | - | - | - | - | - |
| 128-URBAN RENEWAL AREA #3B | - | - | - | - | - | - |
| 129-URBAN RENEWAL AREA #3C | (1,862.47) | - | - | - | - | (1,862.47) |
| 130-URBAN RENEWAL AREA #3D | - | - | - | - | - | - |
| 131-URBAN RENEWAL AREA #4 | 1,862.47 | - | - | - | - | 1,862.47 |
| 132-URBAN RENEWAL AREA #5 | - | - | - | - | - | - |
| 133-URBAN RENEWAL AREA #6 | - | 82,499.93 | - | 82,499.93 | - | - |
| 134-URBAN RENEWAL AREA #7 | - | - | - | - | - | - |
| 145-HOUSING REHABILITATION | - | - | - | - | - | - |
| 200-DEBT SERVICE | (84,761.00) | 67,411.86 | - | - | - | (17,349.14) |
| 300-CAPITAL RESERVES | 231,498.70 | 313.00 | - | 110.27 | - | 231,701.43 |
| 301-CAPITAL PROJECTS FUND | 2,306,143.48 | 1,479,110.47 | - | 1,618,841.39 | - | 2,166,412.56 |
| 302-URBAN RENEWAL BIODIESEL 6 | - | - | - | - | - | - |
| 303-WWTP CAPITAL PROJ FUND | (897,847.87) | 2,488,265.65 | - | 2,598,046.63 | - | (1,007,628.85) |
| 510-BAND BOOSTER | (102.60) | - | - | - | - | (102.60) |
| 520-DOG PARK | 6,602.27 | 359.00 | - | 188.33 | - | 6,772.94 |
| 530-TREE COMMITTEE | 6,753.79 | 2,848.80 | - | 3,948.78 | - | 5,653.81 |
| 540-POLICE FORFEITURE | - | - | - | - | - | - |
| 550-PARK GIFT | 206,862.28 | 1.82 | - | - | - | 206,864.10 |
| 560-AIRPORT GIFT | - | - | - | - | - | - |
| 565-GAS REVOLVING FUND | - | - | - | - | - | - |
| 570-LIBRARY GIFT | 43,761.46 | 1,393.53 | - | 3,046.00 | - | 42,108.99 |
| 580-CEMETERY GIFT | (55.00) | - | - | - | - | (55.00) |
| 600-WATER UTILITY | (322,599.27) | 282,634.55 | - | 283,610.88 | 2,925.00 | (320,650.60) |
| 610-SANITARY SEWER | 1,424,024.45 | 460,304.00 | - | 191,563.58 | - | 1,692,764.87 |
| 660-AIRPORT | - | - | - | - | - | - |
| 670-SANITATION | (128,283.78) | 56,929.16 | - | 80,661.36 | - | (152,015.98) |
| 910-TRUST | 232,497.77 | 1,421.10 | - | 203.30 | - | 233,715.57 |
| 950-INSURANCE CLEARING | - | - | - | - | - | - |
| 951-PAYROLL CLEARING | - | - | - | - | - | - |
| 952-OLD FUND 090 | - | - | - | - | - | - |
| TOTAL BALANCE | 3,411,999.89 | 6,789,684.73 | - | 6,817,561.25 | (2,925.00) | 3,387,048.37 |

Cash in Bank - Pooled Cash

| | | |
|---|---------------------|-----|
| U.S. Bank/Wash St. Bank - Operating Account | 2,145,885.96 | (1) |
| Cash in Drawer | 350.00 | |
| Wash St Bank - MM | 255,651.90 | |
| Wash St Bank - CD | 4,405.26 | |
| Federation Bank - Utility Account | - | |
| Investment in IPAIT | 813,929.92 | |
| Wash St Bank - Library Acct | 166,825.33 | |
| TOTAL CASH IN BANK | 3,387,048.37 | |

| | | |
|-------------------------------|---------------------|--|
| (1) Washington State Bank | 2,245,879.59 | |
| U.S. BANK | 5,815.47 | |
| Outstanding Deposits & Checks | (105,809.10) | |
| | <u>2,145,885.96</u> | |

License Application (BW0093322)

Applicant

| | | | |
|-------------------------|--|-------------------|--|
| Name of Applicant: | <u>hua mei</u> | | |
| Name of Business (DBA): | <u>panda palace chinese restaurant</u> | | |
| Address of Premises: | <u>100 w main st</u> | | |
| City: <u>Washington</u> | County: <u>Washington</u> | Zip: <u>52353</u> | |
| Business Phone: | <u>(319) 653-6888</u> | | |
| Mailing Address: | <u>100 w main st</u> | | |
| City: <u>Washington</u> | State: <u>IA</u> | Zip: <u>52353</u> | |

Contact Person

| | | | |
|--------|-----------------------|----------------|----------------------------|
| Name: | <u>hua mei</u> | | |
| Phone: | <u>(626) 905-7280</u> | Email Address: | <u>shuaige19@yahoo.com</u> |

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 12 months

Effective Date: 11/15/2011

Expiration Date: 11/14/2012

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)
Sunday Sales

Status of Business

| | | | |
|----------------------|---|--|--|
| BusinessType: | <u>Sole Proprietorship</u> | | |
| Corporate ID Number: | <u>Federal Employer ID # 27-0868615</u> | | |

Ownership

HUA mei

First Name: HUA

Last Name: mei

City: Washington

State: Iowa

Zip: 52353

Position Owner

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

| | | | |
|---------------------------------|--------------------------------|----------------------------------|-------------------|
| Insurance Company: | <u>Farmers Insurance Group</u> | | |
| Policy Effective Date: | <u>11/15/2011</u> | Policy Expiration Date: | <u>11/15/2012</u> |
| Bond Effective Continuously: | | Dram Cancel Date: | |
| Outdoor Service Effective Date: | | Outdoor Service Expiration Date: | |
| Temp Transfer Effective Date: | | Temp Transfer Expiration Date: | |

License Application ()

Applicant

| | | | |
|-------------------------|----------------------------|-------------------|--|
| Name of Applicant: | <u>The Outlet, Inc</u> | | |
| Name of Business (DBA): | <u>Cigarette Outlet #9</u> | | |
| Address of Premises: | <u>304 W. Madison</u> | | |
| City: <u>Washington</u> | County: <u>Washington</u> | Zip: <u>52353</u> | |
| Business Phone: | <u>(319) 653-3429</u> | | |
| Mailing Address: | <u>2208 E. 11th St.</u> | | |
| City: <u>Davenport</u> | State: <u>IA</u> | Zip: <u>52803</u> | |

Contact Person

| | | | |
|--------|-----------------------|----------------|--------------------------|
| Name: | <u>Deb Schnyder</u> | | |
| Phone: | <u>(319) 560-3457</u> | Email Address: | <u>deb@cigoutinc.com</u> |

Classification: Class E Liquor License (LE)

Term: 12 months

Effective Date: 11/01/2011

Expiration Date: 01/01/1900

Privileges:

Class B Wine Permit (Carryout Wine)

Class C Beer Permit (Carryout Beer)

Class E Liquor License (LE)

Sunday Sales

Status of Business

| | | | |
|----------------------|-----------------------------------|-----------------------|------------------|
| BusinessType: | <u>Privately Held Corporation</u> | | |
| Corporate ID Number: | <u>205210</u> | Federal Employer ID # | <u>391886784</u> |

Ownership

Joseph DePaepe

First Name: Joseph

Last Name: DePaepe

City: Henderson

State: Nevada

Zip: 89052

Position President

% of Ownership 75.00 %

U.S. Citizen

Michael Gripp

First Name: Michael

Last Name: Gripp

City: Davenport

State: Iowa

Zip: 52804

Position VP

% of Ownership 25.00 %

U.S. Citizen

PUBLIC NOTICE

NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON THE TIENDA LA CRUZ DEMOLITION PROJECT—PHASE 2

Public Notice is hereby given that the City Council of the City of Washington, Iowa will hold a public hearing to hear comments on the specifications, form of contract, and cost estimate for the proposed Tienda La Cruz Demolition Project—Phase 2. The project will be located at 207, 209, and 211 South Marion Avenue and involves removing existing buildings. Said hearing will be held in the City Council Chambers, 120 E. Main Street, Washington, Iowa, on October 19, 2011 at 6:00 p.m. All interested persons are invited to attend and will be given an opportunity to be heard relative to this matter.

Illa Earnest, City Clerk

RESOLUTION NO. 2011-54

A RESOLUTION APPROVING SPECIFICATIONS, FORM OF CONTRACT,
COST ESTIMATE, AND SETTING DATE FOR RECEIPT OF BIDS FOR THE
TIENDA LA CRUZ DEMOLITION PROJECT--PHASE 2

WHEREAS, specifications, form of contract, and cost estimate have been prepared for the Tienda La Cruz Demolition Project--Phase 2 and have been filed with the City Clerk; and

WHEREAS, these specifications, form of contract, and cost estimate appear to be correct and suitable for the purpose intended;

WHEREAS, the Tienda La Cruz Demolition Project--Phase 2 is to be paid with eligible funds;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above specifications, form of contract, and cost estimate referred to are approved.

Section 2. Sealed proposals for the Tienda La Cruz Demolition Project--Phase 2 will be received at the office of the City Clerk, City Hall, Washington, Iowa until 10:00 a.m. on October 31, 2011. The City Clerk shall open the proposals received and announce the results at 10:05 a.m. on the same day.

Section 3. The City Clerk is directed to give notice of such reception of bids by publication of a notice in the Washington Evening Journal within a reasonable time prior to the date for reception of bids. The notice shall be in the following form:

(NOTICE TO BIDDERS ATTACHED)

Section 4: All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

PASSED AND APPROVED this 5th day of October, 2011.



Mayor

ATTEST



City Clerk

CITY OF WASHINGTON, IOWA

TIENDA LA CRUZ BUILDING DEMOLITION PROJECT--PHASE 2

NOTICE TO BIDDERS

Notice is hereby given that there are on file with the City Clerk of the City of Washington, Iowa, proposed plans and/or specifications, and form of contract for the public improvements hereinafter described for the **Tienda La Cruz Building Demolition Project--Phase 2.**

Sealed proposals for the construction of the said improvements will be received at the office of the City Clerk for the City of Washington, Iowa until **10:00 A.M., October 31, 2011.** At **10:05 A.M.** all sealed proposals will be publicly opened and read aloud.

The general description of the work involved is as follows:

Demolish remaining portions of adjacent two-story brick structures and basements with a total of 60 foot frontage; together with related auxiliary and incidental work.

Bids will be received for work under one contract.

The City will be issuing a sales tax exemption certificate, so the cost of sales tax should not be included in the bid.

Each proposal shall be made on the proposal form prepared for this purpose, which may be obtained from the City Engineer or on a form approved by the Engineer. Each proposal shall be accompanied by a bid bond on the form included in the specifications or another approved form, or a cashier's check or certified check drawn on a bank or credit union in Iowa or a bank chartered under the laws of the United States, and filed in a sealed envelope separate from the one containing the proposal. The contractor's bid bond, cashier's or certified check shall be in an amount of 10% of the bid price made payable to the Treasurer of the City of Washington, Iowa. The bid bond will act as security that, if awarded a contract by resolution of the Council, the Bidder will enter into a contract at the prices bid and furnish the required performance and payment bonds and certificate of insurance. The bid bond will be forfeited and the proceeds retained as liquidated damages if the bidder fails to execute a contract or file acceptable performance and payment bonds and an acceptable certificate of insurance within fifteen (15) days after the acceptance of his proposal by resolution of the council. No Bidder may withdraw a proposal within thirty (30) days after the date set for opening bids.

Payment for the work will be made in cash from City funds that may be legally used for said purpose.

Payments will be made to the Contractor based on monthly estimates in amounts equal to ninety-seven percent (97%) of the contract value of the work completed during the preceding month. Estimates will be prepared the last week of the month by the Contractor and approved by the Engineer. Engineer will certify the approved estimate to the Council for payment on the next regularly scheduled Council meeting of the following month. Such payment will in no way be construed as an act of acceptance for any part of the work partially or totally, completed. The balance of the three percent due the Contractor will be paid not earlier than 31 days from the date of final acceptance of said work by the City, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa, as amended. No such partial or final payment will be due until the Contractor has certified to the City Clerk that the materials, labor, and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications. The Contractor may be required to submit lien waivers prior to payment approval. The Contractor shall submit a **2-year** maintenance bond for the total amount of the project.

All work and equipment is to be in accordance with the plans and/or specifications, and form of contract now on file in the City Clerk's office and by this reference made a part hereof as though fully set out and incorporated herein.

Concrete wall placement work shall be completed by November 30, 2011. All work shall be completed by December 16, 2011 unless otherwise permitted in the specifications.

Liquidated damages in the amount of three hundred dollars (\$300.00) per calendar day will be assessed for each day the work shall remain uncompleted after the contract completion date(s), with due allowance for extensions of the contract period due to conditions beyond the control of the Contractor and approved by the City.

The successful bidder will be required to furnish a corporate surety **bond in an amount equal to one hundred percent (100%)** of the contract price prior to commencing work on the project. Said bond shall be issued by a responsible surety approved by the City Council, and shall guarantee the faithful performance of the contract and the terms and conditions until the time of acceptance of the improvements by the City.

Plans and/or specifications governing the construction of the proposed improvements have been prepared by the City Engineer of Washington, Iowa. Said plans and/or specifications and the proceedings of the City Council referring to and defining said improvements are hereby made a part of this notice, and the proposed contract by reference, and the proposed contract shall be executed in compliance therewith.

Said plans and/or specifications, and proposed contract documents are now on file in the City Clerk's office at 215 East Washington Street, Washington, Iowa, for examination by bidders. Copies of plans and/or specifications, form of proposal, and form of contract may be secured at the City Engineer's office by bona fide bidders.

The City reserves the right to reject any and all bids and to waive informalities and technicalities in any bid, and to enter into such contract, or contracts, as it shall deem for the best interest of the City.

The Council reserves the right to defer acceptance of any proposal for a period not to exceed thirty (30) calendar days from the date of letting.

By virtue of statutory authority, a preference will be given to products and provisions grown and produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa statutes. The Iowa Reciprocal Act (SF 2160) applies to the contract with respect to bidders who are not Iowa residents.

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 65.03 OF THE MUNICIPAL CODE
OF THE CITY OF WASHINGTON, IOWA, BY THE ADDITION
OF YIELD SIGNS AT EAST 9TH STREET
AND NORTH 7TH AVENUE**

BE IT ORDAINED by the Council of the City of Washington, Iowa, that the Code of Ordinances of the City of Washington, Iowa, is hereby amended as follows:

Section 1. **Add Paragraph.** Section 65.03 of the Municipal Code of the City of Washington, Iowa, is hereby amended by adding:

54. East 9th Street and North 7th Avenue (eastbound and westbound yield).

Section 2. **Repealer.** All ordinances or parts thereof in conflict with the foregoing provisions are hereby repealed.

Section 3. **Effective Date.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved this _____ day of _____, 2011.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

ORDINANCE NO.

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE CITY OF WASHINGTON, IOWA,
BY AMENDING CHAPTER 69.08 “NO PARKING ZONES” –
S. 2ND AVENUE AT MADISON STREET AND
VAN BUREN STREET AT S. IOWA AVENUE**

BE IT ORDAINED by the Council of the City of Washington, Iowa, that the Code of Ordinances of the City of Washington, Iowa be amended as follows:

Section 1. **DELETE PHRASE.** Section 69.08, “No Parking Zones”, Paragraph 7 “South Second Avenue, on the east side, for a distance of thirty-nine (39) feet south from its intersection with Madison Street.

Section 2. **ADD PHRASE.** Section 69.08, “No Parking Zones”. Paragraph 7 “South Second Avenue, on the east side, for a distance of one hundred (100) feet south from its intersection with Madison Street.

Section 3. **DELETE PHRASE.** Section 69.08, “No Parking Zones”, Paragraph 50 “Van Buren Street, on the south side, for a distance of one hundred thirty five (135) feet both east and west of the centerline of South Iowa Avenue from 8:00 a.m. to 4:00 p.m. on school days.

Section 4. **ADD PHRASE.** Section 69.08, “No Parking Zones”, Paragraph 50

- a. East Van Buren Street, on both sides, for a distance of one hundred forty five (145) feet east of the centerline of South Iowa Avenue.
- b. West Van Buren Street, on the south side, for a distance of one hundred thirty five (135) feet west of the centerline of South Iowa Avenue.

Section 5. **REPEALER.** All ordinances or parts thereof in conflict with the foregoing provisions are hereby repealed.

Section 6. **EFFECTIVE DATE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved this _____ day of _____, 2011.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk