



AGENDA OF THE REGULAR SESSION OF THE
COUNCIL OF THE CITY OF WASHINGTON, IOWA
TO BE HELD IN THE COUNCIL CHAMBERS
AT 120 E. MAIN STREET
AT 7:00 P.M., TUESDAY, MARCH 4, 2014

Call to Order

Pledge of Allegiance

Roll call

Agenda for the Regular Session to be held at 7:00 P.M., Tuesday, March 4, 2014 to be approved as proposed or amended.

Consent:

1. Council Minutes 02-18-2014
2. V & K, Professional Services-Washington Zoning, \$482.40
3. V & K, Engineering Services -Washington Zoning, \$108.00
4. V & K, Engineering Services -Industrial Park Subdivision Preliminary Plat, \$3,160.50
5. V & K, Engineering Services -Sanitary System Rehabilitation-Phase I, \$30.60
6. V & K, -South 12th Avenue Reconstruction-Design Services, \$2,100.00
7. Kevin D. Olson, Legal Services, \$936.96
8. Department Reports

Claims and Financial Reports:

Claims as Presented.

SPECIAL PRESENTATION

Washington Tree Committee

FY13 Audit – Gronewold, Bell, Kyhnh & Co., P.C.

PRESENTATION FROM THE PUBLIC - Please limit comments to 3 Minutes.

NEW BUSINESS

Discussion and Consideration of Resolution Endorsing Application to Washington Riverboat Foundation for Grant Funds – Washington Tree Committee.

Discussion and Consideration of Fire Works Permit- Washington 175th Celebration.

Discussion & Consideration of a Resolution Ratifying Publication of Notice of Hearing & Letting; Adopting Plans, Specifications, Form of Contract and Estimate of Cost (1.0 MG Ground Storage Reservoir)

Public Hearing On, Discussion & Consideration of a Resolution Making Award of Construction Contract (1.0 MG Ground Storage Reservoir)

Discussion and Consideration of Terracon Proposal for Construction Testing Services.

Discussion and Consideration of Acquisition of Demilitarized MRAP Vehicle.

Discussion and Consideration of a Resolution of Request to the Iowa Racing & Gaming Commission.

Discussion and Consideration of a Resolution Ratifying, Confirming and Approving Publication of Notice of Public Hearing (2014 G.O. Streets Pre-Levy)

Public Hearing on the Authorization of a Loan Agreement and the Issuance on General Obligation Notes (2014 G.O. Streets Pre-Levy)

Resolution Instituting Proceedings to Take Additional Action (2014 G.O. Streets Pre-Levy)
Resolution Authorizing the Issuance and Levying a Tax for the Payment Thereof (2014 G.O. Streets Pre-Levy)

Public Hearing On, Discussion & Consideration of a Resolution Adopting Annual Budget for the Fiscal Year Ending June 30, 2015

Discussion and Consideration of the 2nd Reading of an Ordinance Creating a New Chapter 48 of the Washington Code of Ordinances (Drug Paraphernalia)

Discussion and Consideration of the 2nd Reading of an Ordinance Creating a New Chapter 168 of the Washington Code of Ordinances (Flood Plain Management)

Discussion and Consideration of a Resolution Changing Regular Meeting Time

Discussion and Consideration of Resolution Authorizing Assessment to Taxes.

DEPARTMENTAL REPORT

Police Department
City Administrator
City Attorney

MAYOR & COUNCILPERSONS

Sandra Johnson, Mayor
Mark Kendall
Jaron Rosien
Kathryn Salazar
Bob Shellmyer
Bob Shepherd
Russ Zieglowsky

ADJOURNMENT

Illa Earnest, City Clerk

Council Minutes 02-18-2014

The Council of the City of Washington, Iowa, met in Regular Session in the council chambers, 120 E. Main Street, at 7:00 P.M., Tuesday, February 18, 2014. Mayor Johnson in the Chair. On roll call present: Kendall, Rosien, Salazar, Shellmyer, Shepherd (by telephone), Zieglowsky. Absent: none.

Motion by Shellmyer, seconded by Shepherd, that the agenda for the Regular Session to be held at 7:00 P.M., Tuesday, February 18, 2014 be approved as amended. The closed session was struck from the agenda. Motion carried unanimously.

Consent:

1. Council Minutes 02-04-2014
2. Council Minutes 02-11-2014
3. Columbus Club, 606 W. Third Street, Class C Liquor License (LC) (Commercial), Sunday Sales, (**renewal**)
4. Snyder & Assoc., Rehabilitate Runway Construction Services, \$6,034.57
5. Klingner & Assoc., Washington City Hall Study, \$22,582.05
6. Fox Engineering, Ground Storage Reservoir, \$5,595.00
7. Fox Engineering, WWTP Old Plant Demolition, \$3,012.43
8. Department Reports

Motion by Kendall, seconded by Shellmyer, that consent agenda as amended be approved. Minutes of February 4 meeting amended to reflect \$2,000 paid to Luke Waste Management for bulky item stickers. Motion carried unanimously.

Motion by Kendall, seconded by Shellmyer, that the claims as presented be approved for payment. Motion carried unanimously.

Kelsey Kranz, Finance Director, gave the January financial reports. Motion by Kendall, seconded by Salazar, to approve the financial reports. Motion carried unanimously.

April Cuddeback and Amy Vetter representing Kidzfest came before Council to request that some of the inner lanes of parking around the Square be blocked for their annual children's event on Friday, May 16, 2014 from 4:30 P.M. until 8:30 P.M. Motion by Kendall, seconded by Shellmyer, to approve the request of Kidzfest to block off some parking around the Square. Motion carried unanimously.

Cindy Larson and Dick Keith representing Klingner & Associated came before Council to report on the results of the feasibility study of City building needs and use of currently owned facilities. After discussion, Council wanted time to study the full report from Klingner & Associates and then meet in a work session on April 22 to discuss the options.

After discussion, motion by Salazar, seconded by Kendall, to approve appointment of Bob Shepherd (council), Bob Shellmyer(council) and Darren DeLong (planning & zoning) to a hearing panel per Washington Code of Ordinances Chapter 50.21(7) to hear appeals on dangerous buildings and nuisance complaints. Those appointed to the panel will serve until December 31, 2014. Council will make annual appointments to the panel who will serve for one calendar year. Motion carried unanimously.

Motion by Kendall, seconded by Rosien, to Approve the Resolution as amended Adopting Job Descriptions. Friendly amendments proposed: Motion by Shepherd, seconded by Shellmyer to ask the City Attorney to review the mayor's and the city administrator's job descriptions. Motion approved unanimously. Motion by Shellmyer, seconded by Rosien, to amend the job description of the city administrator to include under qualifications "or 10 years of successful business experience". Motion approved unanimously. Roll call on original and now amended

resolution was as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. Nays: none. Motion carried. **(Resolution No. 2014-016)**

Motion by Kendall, seconded by Salazar, to approve the Resolution Adopting a Gender Balance Policy for Appointed Boards and Commissions. Roll call on said motion as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. Nays: none. Motion carried. **(Resolution No. 2014-017)**

Motion by Shellmyer, seconded by Salazar, to approve the Resolution of Intent to Participate in the National Flood Insurance Program. Roll call on said motion as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. Nays: none. Motion carried. **(Resolution No. 2014-018)**

Mayor Johnson announced that now is the time for the first reading of an Ordinance Amending the Municipal Code of Ordinances of the City of Washington, Iowa, By Adding a New Chapter 168, "Flood Plain Management Regulations".

Motion by Shellmyer, seconded by Salazar, to approve the first reading of an Ordinance Amending the Municipal Code of Ordinances of the City of Washington, Iowa, by Adding a New Chapter 168," Flood Plain Management Regulations" and to pass the ordinance to the second reading. Roll call on said motion as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. 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, by Adding a New Chapter 48, "Drug Paraphernalia".

Motion by Kendall, seconded by Shepherd, to approve the first reading of an Ordinance Amending the Municipal Code of the City of Washington, Iowa, by Adding a New Chapter 48, "Drug Paraphernalia" and to pass the ordinance to the second reading. Roll call on said motion as follows: Ayes: Kendall, Rosien, Shellmyer, Shepherd, Ziegłowsky. Nays: Salazar. Motion carried

Motion by Shellmyer, seconded by Salazar, to approve the Resolution Naming City Personnel Authorized to Represent the City of Washington, Iowa, with the Iowa Communities Assurance Pool. Roll call on said motion as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. Nays: none. Motion carried. **(Resolution No. 2014-019)**

Motion by Kendall, seconded by Shellmyer, to approve the Resolution Authorizing Assessment to Taxes. Roll call on said motion as follows: Ayes: Kendall, Rosien, Salazar, Shellmyer, Shepherd, Ziegłowsky. Nays: none. Motion carried. **(Resolution No. 2014-020)**

Motion by Kendall, seconded by Shepherd, that the Regular Session held at 7:00 P.M., Tuesday, February 18, 2014 be adjourned. Motion carried unanimously.

Illa Earnest, City Clerk

Sandra Johnson, Mayor



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320

515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

STATEMENT OF PROFESSIONAL SERVICES

City of Washington
215 East Washington
P.O. Box 516
Washington, IA 52353

February 21, 2014
Project No: 24616-001
Invoice No: 15

Project Manager Leland Belding III

Engineering services for Washington Zoning:

Professional Services from January 19, 2014 to February 15, 2014

Professional Personnel

	Hours	Rate	Amount	
Engineer III-A	4.00	108.00	432.00	
Totals	4.00		432.00	
Total Labor				432.00
Reimbursable Expenses				
Travel			50.40	
Total Reimbursables			50.40	50.40
			Total this Invoice	\$482.40



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STATEMENT OF PROFESSIONAL SERVICES

City of Washington
215 East Washington
P.O. Box 516
Washington, IA 52353

February 21, 2014
Project No: 24616-001
Invoice No: 14

Project Manager Leland Belding III

Engineering services for Washington Zoning:

Professional Services from January 19, 2014 to February 15, 2014

Professional Personnel

	Hours	Rate	Amount	
Engineer III-A	1.00	108.00	108.00	
Totals	1.00		108.00	
Total Labor				108.00
		Total this Invoice		\$108.00



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STATEMENT OF PROFESSIONAL SERVICES

City of Washington
 215 East Washington
 P.O. Box 516
 Washington, IA 52353

February 21, 2014
 Project No: 24626
 Invoice No: 4

Project Manager Leland Belding III

Engineering services for Industrial Park Subdivision Preliminary Plat:
Professional Services from January 19, 2014 to February 15, 2014

Professional Personnel

	Hours	Rate	Amount	
Engineer III-A	29.00	108.00	3,132.00	
Totals	29.00		3,132.00	
Total Labor				3,132.00

Reimbursable Expenses

Travel			28.00	
Total Reimbursables			28.00	28.00

Unit Billing

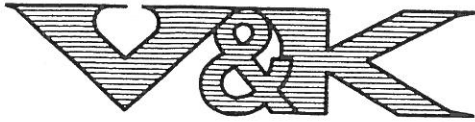
Duplication			.50	
Total Units			.50	.50

Billing Limits

	Current	Prior	To-Date	
Total Billings	3,160.50	20,293.99	23,454.49	
Limit			35,000.00	
Remaining			11,545.51	
			Total this Invoice	\$3,160.50

Billings to Date

	Current	Prior	Total
Labor	3,132.00	20,112.00	23,244.00
Expense	28.00	25.54	53.54
Unit	.50	156.45	156.95
Totals	3,160.50	20,293.99	23,454.49



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3000 Westown Parkway • West Des Moines, Iowa 50266-1320

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STATEMENT OF PROFESSIONAL SERVICES

City of Washington
215 East Washington
P.O. Box 516
Washington, IA 52353

February 21, 2014
Project No: 24638
Invoice No: 1

Project Manager Leland Belding III

Engineering services for Sanitary System Rehabilitation - Phase 1 - General Services:

Professional Services from January 19, 2014 to February 15, 2014

Unit Billing

Duplication-8.5 X11 Color			30.60	
	Total Units		30.60	30.60

Billing Limits

	Current	Prior	To-Date
Total Billings	30.60	0.00	30.60
Limit			1,700.00
Remaining			1,669.40

Total this Invoice \$30.60

Billings to Date

	Current	Prior	Total
Unit	30.60	0.00	30.60
Totals	30.60	0.00	30.60



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320

515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

STATEMENT OF PROFESSIONAL SERVICES

City of Washington
215 East Washington
P.O. Box 516
Washington, IA 52353

February 21, 2014
Project No: 24640
Invoice No: 3

Project Manager Leland Belding III

Engineering services for South 12th Avenue Reconstruction - Design Services:

Professional Services from January 19, 2014 to February 15, 2014

Fee

Total Fee	42,000.00		
Percent Complete	20.00	Total Earned	8,400.00
		Previous Fee Billing	6,300.00
		Current Fee Billing	2,100.00
		Total Fee	2,100.00
		Total this Invoice	\$2,100.00

Billings to Date

	Current	Prior	Total
Fee	2,100.00	6,300.00	8,400.00
Totals	2,100.00	6,300.00	8,400.00

Kevin D. Olson
Attorney-at-Law
1400 5th Street, P.O. Box 5127
Coralville, Iowa 52241
Phone (319) 351-2277 Fax: (319) 351-2279

February 27, 2014

Mr. Brent Hinson, City Administrator
City of Washington, Iowa
215 E. Washington Street
Washington, Iowa 52353

INVOICE

For legal services rendered to the City of Washington, Iowa

TOTAL HOURS	10.00 hours
TOTAL MILEAGE	66 miles
Hourly Rate	\$90/hour
Mileage Rate	\$0.56 per mile
TOTAL FOR THIS INVOICE	\$936.96

Maintenance and Construction Report

2/1/14-2/14/14

STREETS: M/C Personnel have plowed at least 4 times in the last couple weeks, cleaned the downtown just as many and have hauled the snow away as well.

WATER DISTRIBUTION: M/C Personnel have repaired 9 water main breaks thus far in Feb. Totaling 18 for this year. Personnel have dealt with numerous frozen water lines most of which have not been a City issue.

SEWER COLLECTION: M/C Personnel jetted a sewer in the 600 block of East Polk St, 300 feet and used 1,000 gallons of water.

STORM SEWER COLLECTION: M/C Personnel N/A

MECHANIC/SHOP: M/C Personnel serviced PD 2014 Tahoe and rotate tires, #311 (transmission, hydraulics and back into the work force), #601 (plow), PD 92 seat repair, #115 (plow hoses) and Kubota mower/blower (engine mounts).

OTHER: M/C Personnel attended a safety meeting on Hearing and had the annual hearing tests done. Personnel responded to 14 One Call Locates. Personnel also hauled numerous loads of sand and rock back to the stock piles.

Please note that this report does not include every task M/C personnel performed, but shall be a highlight of our work performed as a department.

**WWTP report
March 4, 2014
Council Meeting**

- **After hour alarm and dog call outs**
 - 14th Lexington lift station, high water alarm, 8:51 p.m. Danny
 - 15th Lexington lift station, high water alarm, 5:00 p.m. Danny
 - 16th Jason plowed snow for M/C Dept, 6:30 p.m. – 8:30 p.m.
 - 17th Lexington lift station, high water alarm, 12:20 a.m. Danny
 - 17th Lexington lift station, high water alarm, 3:19 a.m. Danny
 - 20th WWTP, high water alarm, 3:50 a.m. Danny
 - 21st dog bite call, dog bit officer @ 743 East Main, 5:30 p.m. Jason
 - 21st Lexington lift station, high water alarm, 8:02 p.m. Jason
 - 21st Lexington lift station, high water alarm, 10:21 p.m. Jason
 - 22nd Lexington lift station, high water alarm, 3:41 a.m. Jason
 - 22nd Jason called out to get garden hoses for M/C Dept and also checked out Lexington lift station, 12:30 p.m.
- **Dept Head meetings** – I attended the meetings on the 24th & 4th.
- **Iowa Renewal Energy (IRE) meeting** – The City, IRE, the local IDNR office, and FOX Engineering met on the 24th to talk about the test results and continue to work towards pretreatment agreement compliance. IRE is working towards installing pretreatment equipment designed to help reduce their oil/grease discharge. Our goal is get IRE into compliance with our pretreatment agreement. WWTP staff collected a composite sample from 2/18/14 to 2/19/14.
- **Snow removal** – Thanks to Nick D for opening up our entrance road during the recent snow events.
- **WWTP final inspection from IDNR Environmental Engineer who issued the SBR WWTP construction permit** – Terry Kirschenman, Environmental Engineer Senior from IDNR in Des Moines was on-site Feb 27, 2014 to perform the final walk through inspection. Terry was very impressed with our new WWTP. He had nothing but good things to say about it. He will be sending out a written report in the near future.
- **New written sludge disposal program for the WWTP** – FOX Engineering completed the new written program. It's dated February 2014. This new written program replaces the old program which was dated 1991 and written by V & K Engineering for the old WWTP.
- **Lexington lift station** – We're continuing to have electrical problems inside the control panel. We keep getting nuisance high water alarms. We have replaced relays, installed a new high water float, and had Joe Marie troubleshoot it. The high water alarm has now quit working. Everything else is operational we're just without some of the alarms. I have contacted JETCO and they plan to be here soon to look at it.
- **Dog attack on county officer** – Jason was very involved in this case. He transported the dog straight from the scene to the vet's office for observation. Jason also assisted the vet with the euthanasia of said dog.

**Fred E Doggett
2/28/2014 2:55 PM**

CITY OF WASHINGTON, IOWA

CLAIMS REPORT FOR MARCH 4, 2014

POLICE	ACE-N-MORE	SUPPLIES	23.42
	ARAMARK UNIFORM SERV INC.	SERVICE	150.01
	ARNOLD MOTOR SUPPLY	SUPPLIES	255.35
	CHEMSEARCH	SUPPLIES	418.43
	CUSTOM IMPRESSIONS INC	SUPPLIES	45.90
	ELECTRONIC APPLICATIONS	EXPLORER-LIGHT BAR	510.95
	GALL'S INC.	SUPPLIES	220.89
	GRETTER AUTOLAND INC.	SERVICE	82.42
	IPERS	IPERS CONTRIBUTIONS	0.01
	ORSCHELNS	SUPPLIES	37.98
	QUILL	COPY PAPER	38.90
	ROSS AUTO & MUFFLER SHOP INC	ALIGNMENT SERVICE	51.74
	SITLER'S SUPPLIES INC.	BATTERIES	39.60
	THE BAYMONT INN	LODGING- BRETT SORRELLS	61.60
	USPCA REGION 21	REGISTRATION -BRETT SORREL	50.00
	VISA	SOFTWARE, CHAIRS, SUPPLIES	1,821.51
	WAL-MART	CABLE AND SUPPLIES	36.65
	WASH CO AUDITOR	BYRNE-JUSTICE ASSIST- TASK	10,683.39
	WASH CO AUDITOR	FEB COMMUNICATIONS	20,015.42
		TOTAL	34,544.17
DEVELOP SERV	ACE-N-MORE	SUPPLIES	74.98
	CUSTOM IMPRESSIONS INC	SUPPLIES	20.20
	DONNOLLY, STEVE	REIMBURSEMENT- CONFERENCE	72.14
	HAWKEYE FIRE & SAFETY	SUPPLIES	87.50
	MIKE'S LAWN CARE	SNOW REMOVAL	335.00
	VISA	REGISTRATIONS	50.00
		TOTAL	639.82
LIBRARY	ALL AMERICAN PEST CONTROL	SERVICE	40.00
	BAKER & TAYLOR	BOOKS	764.07
	CINTAS CORP LOC. 342	SERVICE	40.00
	FAREWAY STORES	SUPPLIES	19.72
	I TECH TECHNOLOGY EXPERTS	MONTHLY MAINTENANCE	122.50
	VISA	POSTAGE AND SUPPLIES	460.16
		TOTAL	1,446.45
FINAN ADMIN	CINTAS CORP LOC. 342	SERVICE	110.59
	CUSTOM IMPRESSIONS INC	SUPPLIES	70.00
	FAREWAY STORES	SUPPLIES	34.44
	HY-VEE	MEETING	557.98
	MIKE'S LOCK & KEY	OLD LIBRARY LOCKS	524.00
	QUILL	OFFICE SUPPLIES	48.00
	VISA	REGISTRATIONS	442.20
	WINDSTREAM COMMUNICATIONS, INC	ANNUAL MAINTENANCE	1,080.00
		TOTAL	2,867.21
AIRPORT	ACE-N-MORE	SUPPLIES	23.47

	ALLIANT ENERGY	UTILITIES	1,203.24
	MIKE'S LAWN CARE	SNOW REMOVAL - AIRPORT	189.00
	PRECISION EQUIPMENT	PARTS	35.39
	ROE HEATING & HARDWARE	REPAIR	147.08
	STEVE'S SALES & SERVICE	REPAIR	181.31
	VISA	SUPPLIES	24.99
		TOTAL	1,804.48
ROAD USE			
	ACE-N-MORE	SUPPLIES	240.28
	ARNOLD MOTOR SUPPLY	SUPPLIES	847.48
	EVANS WELDING	SUPPLIES	5.31
	HENDERSON PRODUCTS, INC.	PARTS	474.50
	KALONA BLACKSMITH & WELDING	SNOW BLOWER REPAIR	120.25
	KIMBALL MIDWEST	SUPPLIES	164.16
	MARIE ELECTRIC INC.	WATER HEATER WIRE	52.50
	VISA	TRAINING FEES, PARTS	72.40
	WASH CO. TREASURER	ROAD SALT	3,626.00
	WASHINGTON EVENING JOURNAL	ADVERTISING-TREE REMOVAL	82.55
		TOTAL	5,685.43
WATER PLANT			
	ACE-N-MORE	SUPPLIES	64.16
	ALTORFER	SERVICE	1,239.00
	CENTRAL STATES GROUP	PUMP REPAIR	3,376.00
	POSTMASTER	BULK MAILING OF WATER BILL	822.15
	STEVE'S SALES & SERVICE	REPAIR	108.00
		TOTAL	5,609.31
WATER DIST			
	ACE-N-MORE	SUPPLIES	111.54
	ALLIANT ENERGY	utilities	41.10
	ARNOLD MOTOR SUPPLY	SUPPLIES	86.61
	AWWA-IOWA SECTION	CONFERENCE	200.00
	GRETTER AUTOLAND INC.	SERVICE	85.94
	ORSCHELNS	SUPPLIES	8.37
	VISA	TRAINING FEES, PARTS	435.00
		TOTAL	968.56
SEWER COLLECT			
	ACE-N-MORE	SUPPLIES	60.75
	ARNOLD MOTOR SUPPLY	SUPPLIES	1,533.56
	HIWAY SERVICE CENTER	SUPPLIES	164.79
	IOWA ONE CALL	FAX SERVICE	63.10
	PIONEER RESEARCH CORP	SEWER CLEANER	455.70
	VISA	TRAINING FEES, PARTS	1,400.00
		TOTAL	3,677.90
SANITATION			
	LUKE WASTE MANAGEMENT	REFUSE AND RECYCLING	24,627.00
	LUKE WASTE MANAGEMENT	BULKY ITEM PICKUP	24.00
	RECYCLING SERVICES AGENCY	FEB RECYCLING	400.00
	WASH CO. HUMANE SOCIETY	FEBRUARY COLLECTIONS	478.02
		TOTAL	25,529.02

FIRE	ACE-N-MORE	SUPPLIES	61.96
	FELD FIRE	SUPPLIES	654.20
	HAWKEYE FIRE & SAFETY	SUPPLIES	240.63
	MCAVOY, BRUCE	REIMBURSEMENT FOR SUPPLIES	103.56
	MIDWEST BREATHING AIR SYSTEMS	HYDROTESTING	1,618.50
	WL CONSTRUCTION	DIAMOND BLADE	419.99
	TOTAL		3,098.84
PARKS	GREINER DISCOUNT TIRES	TIRE REPAIR-MOWER	12.00
	JOHN DEERE FINANCIAL	PARTS	90.65
	ORSCHELNS	SUPPLIES	1.32
		TOTAL	
CEMETERY	ACE-N-MORE	SUPPLIES	17.99
	ALLIANT ENERGY	UTILITIES	23.03
	ARMSTRONG HTG INC.	SERVICE	80.00
	ATCO INTERNATIONAL	SUPPLIES	362.05
	CERTIFIED LABORATORIES	ENGINE OIL	222.48
	TOTAL		705.55
TREE COMMITTEE	CUSTOM IMPRESSIONS INC	PLAQUE & ENGRAVING	30.25
		TOTAL	30.25
SEWER PLANT	ALLIANT ENERGY	UTILITIES	8,299.24
	ATCO INTERNATIONAL	SUPPLIES	99.00
	IOWA SECTION AWWA	CEU- REG- JASON WHISLER	40.00
	ORSCHELNS	SUPPLIES	192.39
	SMITH & LOVELESS INC.	REPAIR KIT	249.36
	TESTAMERICA LABORATORIES INC	WWTP TESTING	1,651.07
		TOTAL	
	TOTAL		96,536.47

RESOLUTION NO. 2014-

**A RESOLUTION ENDORSING WASHINGTON TREE COMMITTEE
APPLICATION FOR WCRF GRANT**

WHEREAS, the City Council recognizes and supports the Washington Tree Committee programs to plant trees and shrubs; and

WHEREAS, the Washington Tree Committee wishes to improve a drainage area with groupings of trees and shrubs near the new high school; and

WHEREAS, the Council supports the goal of this project to improve a wet environment area caused by runoff:

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

Section 1. The City Council endorses the submission of an application for grant funds from the Washington County Riverboat Foundation in the amount of \$3,500 for the Washington High School Area Drainage Project.

PASSED AND APPROVED this 4th day of March, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

FOR FIREWORKS PERMIT
City of Washington, Iowa

I (We), Washington 175th Celebration hereby make application for a Fireworks Permit to be used in the City of Washington, Iowa; that J+M Displays, Inc. of Yarmouth, IA. will be the "competent operator" of the fireworks display due to his/her experience or training or education with fireworks displays; that said application is being requested for:

Date June 6, 2014
Beginning Time: 9:30 PM
Ending Time: 10:00 PM

(NO PERMIT WILL BE ISSUED FOR LONGER THAN 11:00 P.M.)

Rain Date June 8, 2014
Beginning Time: 9:30 PM
Ending Time: 10:00 PM

(NO PERMIT WILL BE ISSUED FOR LONGER THAN 11:00 P.M.)

ADDRESS OR PLACE OF FIREWORKS DISPLAY: Washington Fairgrounds

Millie Youngquist
Applicant's Signature

2/24/14
Date

831 S. 13th Ave, Washington
Address of Applicant

319-653-4673
Telephone

PASSED AND APPROVED BY WASHINGTON CITY COUNCIL this _____ day of _____, 20____.

Sandra Johnson, Mayor

Attest:

Illa Earnest, City Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/20/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100		FAX (A/C, No): 216-658-7101
	E-MAIL ADDRESS:		
INSURED J & M Displays, Inc. 18064 170th Avenue Yarmouth IA 52660	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Everest Indemnity Insurance Co.		10851
	INSURER B: Everest National Insurance Company		10120
	INSURER C: James River Insurance Co		
	INSURER D: Maxum Indemnity Company		26743
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** 1422742655 **REVISION NUMBER:**


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC			S18ML00060-141	1/15/2014	1/15/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			S18CA00033-141	1/15/2014	1/15/2015	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			00051579-2	1/15/2014	1/15/2015	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
D	Excess Liability			EXC6018022	1/15/2014	1/15/2015	Each Occurrence \$4,000,000 Aggregate \$4,000,000 Total Excess Limits \$9,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

FIREWORKS DISPLAY DATE: JUNE 6, 2014
RAIN DATE: TBD
LOCATION OF EVENT: BACK ROAD ALONG FIELD & TRACK AREA

ADD'L INSURED: THE CITY OF WASHINGTON, IOWA, ITS EMPLOYEES, VOLUNTEERS, OFFICERS, ELECTED OFFICIALS, PARTNERS, SUBSIDIARIES, DIVISIONS & AFFILIATES, EVENT SPONSORS & LANDOWNERS AS THEIR INTEREST MAY APPEAR IN REALTION TO THIS EVENT; WASHINGTON COUNTY FAIR (SHOOT SITE); WASHINGTON 175TH CELEBRATION (SPONSOR).

CERTIFICATE HOLDER Washington 175th Celebration 205 West Main Street Washington IA 52353	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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RESOLUTION NO. _____

A RESOLUTION RATIFYING PUBLICATION OF NOTICE OF HEARING AND LETTING; ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR GROUND STORAGE RESERVOIR PROJECT

WHEREAS, FOX Engineering Associates has prepared plans, specifications, form of contract and estimate of cost for the construction of certain public improvements described in general as “New 1.0 MG Ground Storage Reservoir”; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimate of cost for said public improvements was published as required by law:

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

Section 1. That staff action to publish the Notice of Hearing & Letting for said project, in substantially the same form as attached to this Resolution, is hereby ratified.

Section 2. That the plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for said public improvements, as described in the preamble of this Resolution.

PASSED AND APPROVED, this 4th day of March, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

**CITY OF WASHINGTON, IOWA
WASHINGTON, IOWA
NEW 1.0 MG GROUND STORAGE RESERVOIR**

NOTICE OF PUBLIC HEARING AND ADVERTISEMENT FOR BIDS

Notice is hereby given that the City Council of the City of Washington, Iowa, will meet at the Council Chambers in the old public library at 120 East Main Street, Washington, Iowa, at 7:00 p.m. on March 4, 2014 at which time and place the City Council will hear objections to the proposed plans, specifications, form of contract, and estimated cost for the New 1.0 MG Ground Storage Reservoir project.

Sealed Bids for the construction of the New 1.0 MG Ground Storage Reservoir will be received, by City of Washington, Iowa, at the office of the City Clerk at City Hall, 215 East Washington Street, Washington, Iowa, until 2 pm local time on February 27, at which time bids will be publically opened and read aloud at City Hall. All bids received after the deadline for submission of bids as stated herein shall not be considered and shall be return to the late bidder unopened. Contractor assumes all risk associated with delivery of his or her bid to the office of the city clerk prior to the specified time deadline.

The Project consists of constructing Construct a new, 1.0 MG prestressed concrete ground storage reservoir with steel diaphragm for use with municipal potable water supply facilities at the existing water treatment plant site and east of the existing ground storage tank. Project includes providing new water mains from existing mains on site to the new tank. Some minor electrical work is included to integrate the new tank's level controls with existing plant controls.

All bids shall be submitted to the City Clerk of Washington, Iowa on or before the time set herein for the bid opening. Bids shall be made on the Proposal Form furnished by the City of Washington, in a sealed envelope labeled or marked as required by the Instructions to Bidders.

Bids will be received for a single prime Contract. Bids shall be on a lump sum and unit price basis, with additive alternate bid items as indicated in the Bid Form. Each proposal must be accompanied either by a cashier's check or certified check in the amount of five percent (5%) drawn on an Iowa bank or a bank chartered under the laws of the United States, a Bid Bond or credit union certified share draft in the amount of five percent (5%) of the proposal, drawn on a credit union in Iowa or chartered under the laws of the United States and filed in an envelope separate from the one containing the proposal, made payable to the City of Washington, Iowa, and said check or draft may be cashed or the Bid Bond declared forfeited by the City of Washington, Iowa as liquidated damages in the event the successful bidder fails to enter into a contract within fifteen (15) days of the Notice of Award and post bond satisfactory to the City insuring the faithful fulfillment of the contract and maintenance of said improvements as required by law and the Specifications.

Payment to the Contractor for said construction will be made in cash from the following sources: Cash from any fund of City of Washington, Iowa, which may be legally used for such purposes; proceeds derived from the sale and issuance of Utility Revenue Bonds, or Federal or State grants or loans.

The Contractor will be paid each month Ninety-five Percent (95%) of the Engineer's Estimate of the value of work completed at the end of the preceding month. Final payment will be made no sooner than thirty (30) days after completion of the work and acceptance by the Owner.

The City does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the City.

The City of Washington reserves the right to defer acceptance of any bid for a period not to exceed sixty (60) days after receipt of bids, and no bid may be withdrawn during this period.

The work under the proposed contract shall commence within thirty (30) days of the written "Notice to Proceed." The work shall be substantially completed by July 25, 2014, and with final completion by August 29, 2014, subject to any changes granted by the Owner. Should the contractor fail to complete the work by either of these dates, liquidated damages of \$500 per calendar day will be assessed for work not completed by either of the designated contract completion dates.

Each bidder shall accompany its bid with bid security as defined in Code of Iowa Section 26.8. Each successful bidder shall be required to furnish a corporate surety bond in an amount equal to one hundred percent (100%) of its contract price. Said bond to be issued by a responsible surety approved by the City Council and shall guarantee the faithful performance of the contract and the terms and conditions therein contained and shall guarantee the prompt payment of all material and labor, and protect and save harmless the City from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement in good repair for a period of two (2) years from and after the completion and acceptance by the City Council.

The Issuing Office for the Bidding Documents is: FOX Engineering, 414 South 17th Street, Ames, Iowa 50010, and the contact person is Rob Baker, P.E., rjb@foxeng.com, (515) 233-0000. Prospective Bidders may examine the Bidding Documents at the Issuing Office on Mondays through Fridays between the hours of 8 am to 5 pm, local time, and may obtain copies of the Bidding Documents from the Issuing Office as described below. Bidding Documents also may be examined at the office of the City Clerk, City Hall, 215 East Washington Street, Washington, Iowa, on Mondays through Fridays between the hours of 8 am to 5 pm or online using the bid document service by QuestCDN.

Printed copies of the Bidding Documents may be obtained from the Issuing Office, during the hours indicated above, upon payment of a deposit of \$100 for each set. Bidders who return full sets of the Bidding Documents in good condition (suitable for re-use) within 14 days after the Award of Contract will receive a full refund. Checks for Bidding Documents shall be payable to FOX Engineering. Upon receipt of the bidding document deposit indicated, the Issuing Office will transmit the Bidding Documents by hand or via delivery service. The date that the Bidding Documents are transmitted by the Issuing Office will be considered the Bidder's date of receipt of the Bidding Documents. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than the Issuing Office.

Bidding Documents may be accessed online by registering online with QuestCDN at www.questcdn.com. Following registration, complete sets of Bidding Documents may be downloaded from the website as portable document format (PDF) files. Bidders must input the Quest project cost number 3102255 on the website's search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and printing digital project information. Website registration is necessary to ensure that prospective bidders are placed on the plan holders list and remain informed of addendum and other essential communications prior to the bid date. If the prospective bidder has a concern about the validity of the digital information downloaded from www.questcdn.com, then prospective bidder shall access the paper copies on file at the Owner's or the Engineer's office to verify the information in question.

Bids will be accepted only from Bidders prequalified by the Engineer. Contact Rob Baker, P.E., FOX Engineering, rjb@foxeng.com, (515) 233-0000 for assistance with bidder's prequalification. Bidders shall submit proof of qualifications to perform the Work as described in the Instructions to Bidders and Specification Section 13220.

Owner: City of Washington, Iowa
By: Illa Earnest
Title: City Clerk
Date: February 7, 2014

RESOLUTION NO. _____

A RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT

WHEREAS, the construction project known as "New 1.0 MG Ground Storage Reservoir" has been designed and publicized for bid, and bids were received on February 27, 2014:

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

Section 1. That the following bid for the construction of certain public improvements described in general as "New 1.0 MG Ground Storage Reservoir" be and is hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor: _____ Natgun Corp. _____

Amount of Bid: _____ \$1,622,088.00 _____

Section 2. That the Mayor and Clerk are hereby directed to execute contract with the contractor for the construction of said public improvements.

PASSED AND APPROVED, this 4th day of March, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

**BID TALLY SHEET FOR
New 1.0 MG Ground Storage Reservoir
Bid: 2:00 PM Thursday, February 27, 2014
City of Washington, Iowa**

GENERAL CONTRACTOR	5% BOND	RECEIPT OF ADDENDUMS	BASE BID	ALT NO. 1 Old Tank Demo	ALT NO. 2 Single-Chamber Tank	ALT NO. 3 Masonry Cladding	TOTAL w/ Alt 1 (Recommended)
Engineer's Estimate			1,460,000	200,000	(300,000)	25,000	1,660,000
Natgun Corporation Wakefield, MA	Y	Y	1,563,060	59,028	(263,600)	308	1,622,088
Preload, Inc. Hauppauge, NY	Y	Y	1,930,000	100,000	(290,000)	0	2,030,000

Description of Bid Package & Alternates

- Base Bid: Construct 1.0 million gallon, two-chambered ground storage reservoir with EFIS exterior cladding
- Alternate #1: Demolish existing ground storage reservoir at end of construction
- Alternate #2: Delete inner chamber from scope, creating a tank with a single chamber
- Alternate #3: Delete EFIS exterior cladding & substitute masonry pilasters

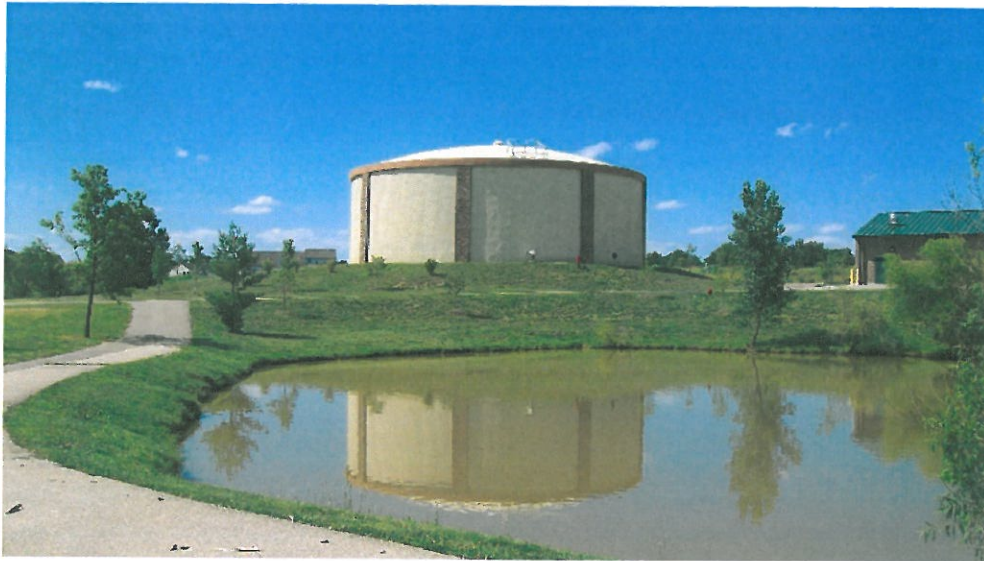
Additional Bid Items

- Contractors were asked to provide a unit price for additional excavation of tank subgrade, should this be needed. Bids were:
 - Natgun: \$34/cubic yard
 - Preload: \$80/cubic yard

City directed FOX to provide a basic pilaster and arches architectural treatment included with the Base bid (as pictured below:



City would like to see the following architectural treatment alternative as a bid alternate:



February 10, 2014



City of Washington
215 E. Washington Street
Washington, Iowa 52353

Attention: Mr. Brent Hinson
P: 319-653-6584
E: bhinson@washingtioniowa.net

Re: Proposal for Construction Testing Services
1.0 MG Ground Storage Reservoir
N 4th Ave and E 5th Street
Washington, Iowa
Terracon Proposal No. P06140083

Dear Mr. Hinson:

Terracon Consultants Inc. (Terracon) appreciates the opportunity to submit this proposal to provide construction materials testing services for the referenced project. Terracon performed the subsurface exploration for this project and the results of this exploration and geotechnical engineering recommendations were provided in our Geotechnical Engineering Report 06135644.01 dated July 2, 2013 and Addendum to Geotechnical Engineering Report 06135644.02 dated September 10, 2013. It should be noted that it is important to maintain continuity between the geotechnical engineering and the construction observation and testing. As such, we believe our experience at this site, knowledge of the project, and our qualifications make us the most qualified Geotechnical Testing Agency for this project. This proposal presents our understanding of the project, proposed services, and our unit rate schedule.

A. PROJECT INFORMATION

We understand the project will consist of the construction of a 1-million gallon cast-in-place and precast concrete water storage tank.

B. SCOPE OF SERVICES

Terracon will provide employees appropriately trained and equipped to respond to the testing needs of this project as scheduled by the Client or Client's designated representative. Based on

Terracon Consultants, Inc. 2640 12th Street SW Cedar Rapids, Iowa 52404
P [319] 366 8321 F [319] 366 0032 terracon.com

Geotechnical



Environmental



Construction Materials



Facilities

our review of the project plans, we understand the scope of the on-call services will be as follows:

Engineered Fill Observation and Testing

- Perform nuclear field density tests on compacted fill.
- Perform associated laboratory testing (standard Proctor, Atterberg limits, organic content testing, etc.) of proposed fill material.
- Our scope requires the contractor to supply adequate means to safely enter and exit the excavations.

Subgrade Observation and Testing

- Perform observations of the subgrade prior to placing structural fill to document removal of existing fill material.

Structural Concrete Testing

- Perform slump, air content, temperature tests, and casting of compressive strength specimens. Cylinders will be 4" by 8" as allowed by the current ASTM C31 standard.
- Cure boxes will be provided when cold weather concrete placement and testing is performed.
- ***Our scope assumes concrete cylinders will be retrieved for lab testing during the next scheduled visit or within 48 hours of the pour per the ASTM standard. However, a separate trip to retrieve samples will not be performed on weekends or holidays unless authorized by our client.***

Shotcrete Compressive Strength Testing

- Retrieve samples made by the contractor and return them to our laboratory. Samples will be cored and tested for compressive strength.

Reinforcing Steel Observations

- Perform periodic observation of reinforcing steel placement (walls taller than 5 feet need to be observed before both forms are set to see all steel and a second time just prior to concrete placement to verify clearance).

Project Management

- Project direction, coordination, reporting and supervision of laboratory and field services.

C. COMPENSATION

Based on our review of the project documents and **an anticipated construction schedule provided by DN Tanks**, our estimated budget to perform the proposed scope of services is **\$20,730**. A breakdown of our estimated budget is provided in the attached Budget Estimate. It should be noted that you will only be billed for the services provided. Please note that this is only a budget estimate and not a not-to-exceed price. Many factors, including those out of our control such as weather and the contractor's schedule, will dictate the final fee for our services. Charges associated with on-site delay and retesting are not included in this budget estimate.

Fees for services provided will be based on the following Unit Rate Schedule:

Personnel

- Senior Project Manager/Engineer\$120.00 hour
- Project Engineer/Project Manager\$ 95.00 hour
- Concrete Sample Pick Up.....\$200.00 each
- Technician\$ 50.00 hour
- Senior Technician.....\$ 70.00 hour

Laboratory Testing

- Standard Proctor, Soil\$110.00 each
- Standard Proctor, Rock\$125.00 each
- Atterberg Limits\$ 75.00 each
- Sieve Analysis - Rock.....\$130.00 each
- Compressive Strength of Concrete (4"x8" cyls).....\$ 12.00 each
- Compressive Strength of Shotcrete Cores\$ 20.00 each

Field Equipment/Materials

- Nuclear Density Gauge\$ 25.00 trip
- Cold Weather Protection Equipment (Cure Box), per pour\$ 5.00 each
- Coring Equipment.....\$300.00 lump sum

Trip Charge (includes travel time, vehicle and mileage)

- Technician\$180.00 trip
- Senior Technician.....\$220.00 trip
- Project Engineer/Manager.....\$275.00 trip

* Overtime will be charged for all hours in excess of eight (8) per day, outside of the normal hours of 7:00 AM to 5:00 PM Monday through Friday, and all hours worked on Saturdays, Sundays, and holidays. Overtime rates will be 1.5 times the hourly rate quoted (2.0 times the hourly rate for Sundays and holidays).

A one-hour minimum charge per service item is applicable to all trips made for the performance of testing or consulting services. You will be invoiced on a periodic basis for services actually performed and/or as authorized or requested by you or your designated representative.

D. SCHEDULING

Terracon's services will be performed on an as-requested basis with scheduling by the Contractor or owner's representative. The scope of services provided in this proposal does not construe a warranty that Terracon intends to perform all required testing, inspection, or observation services required by the project documents. The proposed scope of services is limited to the services described above. Terracon will not be responsible for scheduling our services and will not be responsible for tests that are not performed due to a failure to schedule our services on the project. Since our personnel will not be at the site on a resident basis, it will be imperative that we be advised when work is in progress. Services should be scheduled a minimum of 24 hours in advance. Scheduling personnel will be on an as available basis, which may require changes in personnel assigned to the project. All requests for services should be submitted to this office, (phone 319-221-7300) and should not be scheduled through our field personnel.

E. AUTHORIZATION

This proposal may be accepted by executing the attached Supplement to Agreement for Services and returning it along with this proposal to Terracon. Reports will not be issued until the signed agreement has been received by Terracon. Terracon's total fee is due within thirty days following receipt of invoice. This proposal is valid only if authorized within sixty days from the listed proposal date.

We appreciate the opportunity to provide this proposal and look forward to continuing our working relationship with you on this project. Please call the undersigned if you have any questions regarding this proposal.

Sincerely,
Terracon Consultants, Inc.



Guy L. Johnson
Construction Services Manager



Thomas P. Lisi, P.E.
Senior Project Engineer

GLJ/TPL:jft/proposals P06140083.0207.Washington.Proposal.docx

Copies to: Addressee (2)
Mr. Rob Baker (rib@foxeng.com)

BUDGET ESTIMATE
Construction Observation and Testing Services
1.0 MG Ground Storage Reservoir
N 4th Ave and E 5th Street
Washington, Iowa
Proposal Number P06140083



Service	Quantity	Unit Rate	Unit	Cost
Subgrade Observation and Testing				
We have budgeted 2 trips and 8 hours of technician time per trip to observe the overexcavation of subgrade soils below the tank.				
Senior Technician	16	\$70.00	hour	\$1,120.00
Nuclear Density Gauge	2	\$25.00	trip	\$50.00
Trip Charge*	2	\$220.00	each	\$440.00
			Subtotal	\$1,610.00
Engineered Fill Observation and Testing				
We have budgeted 3 trips and 6 hours of technician time per trip to perform compaction testing on newly placed fill.				
Technician	18	\$50.00	hour	\$900.00
Nuclear Density Gauge	3	\$25.00	trip	\$75.00
Standard Proctor - Soil	0	\$110.00	each	\$0.00
Standard Proctor - Rock	1	\$125.00	each	\$125.00
Atterberg Limits	0	\$75.00	each	\$0.00
Sieve Analysis	1	\$130.00	each	\$130.00
Trip Charge*	3	\$180.00	each	\$540.00
			Subtotal	\$1,770.00
Reinforcing Steel Observation and Structural Concrete Testing - Floor Slab & Cove				
We have budgeted 2 trips and 8 hours of technician time per trip to observe rebar placement and perform field testing of concrete. Two sets of 5 cylinders will be cast for the first 50 cubic yards and 1 set of 5 cylinders every 100 cy thereafter. We have also budgeted 2 concrete sample pick-ups to retrieve samples from the job site.				
Technician	16	\$50.00	hour	\$800.00
Concrete Sample Pick-Up	2	\$200.00	each	\$400.00
Concrete Cylinders	25	\$12.00	each	\$300.00
Cure Box, per pour	2	\$5.00	each	\$10.00
Trip Charge*	2	\$180.00	each	\$360.00
			Subtotal	\$1,870.00
Precast Concrete Testing				
We have budgeted 11 trips (9 trips for precast panels, 1 trip for wall slots and dome ring, and 1 trip for dome slots) and 8 hours of technician time per trip to perform field testing of concrete. Four sets of 5 cylinders will be cast per trip. We have also budgeted 5 concrete sample pick-ups to retrieve samples from the job site.				
Technician	88	\$50.00	hour	\$4,400.00
Concrete Sample Pick-Up	5	\$200.00	each	\$1,000.00
Concrete Cylinders	220	\$12.00	each	\$2,640.00
Cure Box, per pour	11	\$5.00	each	\$55.00
Trip Charge*	11	\$180.00	each	\$1,980.00
			Subtotal	\$10,075.00
Precast Concrete Testing - Alternate No. 2				
We understand that 5 additional cylinders per day during precast panel production will need to be cast if this alternate is selected.				
Technician	9	\$50.00	hour	\$450.00
Concrete Cylinders	45	\$12.00	each	\$540.00
Cure Box, per pour	1	\$5.00	each	\$5.00
Trip Charge*	0	\$180.00	each	\$0.00
			Subtotal	\$995.00
Shotcrete Testing				
We have budgeted 4 trips and 1 hour of technician time per trip to retrieve shotcrete panels prepared by the contractor and return them to our laboratory. Our budget assumes the contractor will load the samples into our truck. One set of 9 compressive strength specimens will be cored from each panel.				
Technician - Sample Pick-up	4	\$50.00	hour	\$200.00
Technician - Coring	8	\$50.00	hour	\$400.00
Coring Equipment	1	\$300.00	Lump Sum	\$300.00
Compressive Strength Specimens	36	\$20.00	each	\$720.00
Trip Charge*	4	\$180.00	each	\$720.00
			Subtotal	\$2,340.00
Engineering Reporting/Supervision				
Project Manager	16	\$95.00	hour	\$1,520.00
Senior Project Manager	5	\$110.00	hour	\$550.00
Trip Charge*	0	\$275.00	each	\$0.00
			Subtotal	\$2,070.00
			Total Estimate	\$20,730.00 **

* Includes travel time, vehicle and mileage.

** Charges associated with on-site delay and retesting are not included in this budget estimate.

SUPPLEMENT TO AGREEMENT FOR SERVICES

CHANGE TO SCOPE OF SERVICES AND FEES

This **SUPPLEMENT to AGREEMENT FOR SERVICES** to the original Agreement for Services (original Agreement dated 05/21/2013, Agreement reference number P06130283) is between City of Washington ("Client") and Terracon Consultants, Inc. ("Consultant") for additional or changed Services to be provided by Consultant for client on the Project, as described in the Agreement for Services. This Supplement is incorporated into and part of the Agreement for Services.

- 1. Scope of Services.** The scope of the additional or changed Services are described in the Scope of Services section of the Consultant's Supplemental Proposal, unless Services are otherwise described below or in Exhibit B to this Supplement (which section or exhibit are incorporated into the Supplement).

See Proposal No. P06140083 dated February 10, 2014

- 2. Compensation.** Client shall pay compensation for the additional or changed Services performed at the fees stated in the Supplemental Proposal unless fees are otherwise stated below or in Exhibit C to this Supplement (which section or exhibit are incorporated into the Supplement).

See Proposal No. P06140083 dated February 10, 2014

All terms and conditions of the **Agreement for Services** shall continue in full force and effect. This Supplement is accepted and Consultant is authorized to proceed.

Consultant: **Terracon Consultants, Inc.**
By:  Date: **2/10/2014**
Name/Title: **Guy L. Johnson / Construction Services
Department Manager**
Address: **2640 12th St. SW
Cedar Rapids, IA 52404**
Phone: **(319) 366-8321** Fax: **(319) 366-0032**
Email: **gljohnson@terracon.com**

Client: **City of Washington**
By: _____ Date: _____
Name/Title: **Brent Hinson / City Administrator**
Address: **215 E. Washington Street PO Box 516
Washington, IA 52353**
Phone: **(319) 653-6584** Fax: _____
Email: **bhinson@washingtioniowa.net**

“MRAP News – Read All About It”



As we get closer and closer to the actual start date of the Sealy Texas MRAP allocation I wanted to take a moment to share the information that we have as of today so our LEAs can make an informed decision prior to pick-up of their MRAP.

Not yet; please realize we’ve only sent out the DTIDs for review only – no LEAs should be contacting the BAE personnel at Sealy or the Disposition Services personnel at San Antonio to try and pick-up or arrange delivery of their MRAP.

DTID review; the key aspects of the DTID review process is to help ensure we only have LEAs who are interested in the larger 6 X 6 Caiman MRAP and who are also willing to travel to or arrange delivery from Sealy Texas.

More DTIDs soon; if you have any LEAs on the list that don’t have DTIDs assigned yet they will by next week – the DTIDs are hitting the system in batches and will continue to do so until we have DTIDs for all interested LEAs.

Biggest challenge; our biggest challenge is the number of vehicles (500+) that are available compare to the small handful of people available at Sealy to issue them. The BAE plant there at Sealy is closing so there is only a small skeleton crew of personnel there to help with the allocation of the MRAPs. We are doing a test with five local Texas LEAs this Thursday (February 26th) – if that goes well hopefully we will be able to expand the number of MRAPs we can issue per day – bottom line – please ask your LEAs to be patient with what will undoubtedly be a several week process before we are able to get everyone over to Sealy to pick up their MRAP.

New or used; turns out both - BAE has given us a clearer explanation of how “new” these MRAPs are – the personnel compartment on the back and the cab were removed from used older model Caimans – this was done in order to upgrade the driveline and

suspension components – so everything that makes the MRAP go is brand new – suspension – frame – engine – transmission – breaks – wheels – tires – etc., etc.

Turrets; the turrets have been removed - there is still a functional hatch that law enforcement personnel can use but the actual turrets themselves have been removed and are not available for reutilization.

Spare tires; there are literally hundreds of spare tire and wheel assemblies – originally the plan was to pre-load six of them into each MRAP but when they started the pre-load process they quickly realized from a safety perspective they represented a ***crushing hazard*** so the wheel and tire assemblies are still available but must be picked up in a separate vehicle. The wheel and tire assembly consists of the brand new tire, new wheel, and new run-flat device all fully assembled and complete.

Does this MRAP make me look fat; the dimensional information for the vehicle is; height is 150", width 116", length 322" and they weigh 56,700 lbs.

Who is 2YT05K; 2YT05K is the 1033 (LESO) Program Headquarters' DODAAC – to help facilitate the orderly requisition, allocation, transfer, and receipt processes the LESO used our DODAAC to requisition each of the Sealy Texas MRAPs – this both helped ensure the 1033 Program would get the bulk of the MRAPs and ***alleviates the LEA from having to requisition the vehicle themselves.***

Is C-5 related to C-3-PO; because we used the LESO DODAAC to order the vehicles the C-5/LOA authorizes the officer who is going to pick up the MRAP to sign on behalf of the LESO – the DTID assigned to the officer's LEA will be on the C-5/LOA and once the MRAP is picked-up (or delivered) it will be transferred from the LESO DODAAC to the recipient LEA DODDAC in FEPMIS.

What is FEPMIS; FEPMIS or the ***Federal Excess Property Management Information System*** is how the MRAP will be tracked – each recipient LEA is required to have; 1) an active FEPMIS account, 2) accept the transfer of the vehicle, 3) upload front, side, and data plate photos, and 4) report the vehicle during annual inventories.

DEMIL MEMO; there is a life-cycle cost associated with these vehicles – at the end of its service life or when no longer serviceable the LEA is responsible for the initial steps of the demilitarization process – at that time specific demilitarization instructions will be issued from the LESO to help clearly define what needs to be done prior to turn-in to a Disposition Services site.

Why do they need to know where I live; due to the high visibility nature of these vehicles the LESO receives frequent requests for information from various governmental agencies, news outlets, and even foreign countries – it is policy that we do not provide the specific LEA name and address so we simply provide the applicable State and County.

Plates; tactical vehicle do not receive title from the Disposition Service site – instead upon request the LESO prepares the DLA Form 1928 which allows the LEA to register and plate the vehicle. (some States vary)

Scheduling; with the larger number of MRAPs available at Sealy we will need to schedule LEAs on certain days so both the LEA and BAE personnel don't end up overwhelmed – each LEA will be notified no later than 48 hours prior to your pick-up date – if your LEA needs more than 48 hours notice simply let us know and we will make the necessary arrangements.

LEA come lately; it isn't too late - we anticipate this divestiture taking several weeks – please encourage all interested LEAs to submit their armored vehicle request ASAP.

Can I get more than one; the short answer is “yes” – however – we will go through the entire National Priority List at a quantity of one-each first and then with proper justification explaining the need for multiple MRAPs we will start allocating multiple MRAPs per LEA.

Pictures; due to the impending plant closure BAE is only running a skeleton crew in Sealy – there simply isn't the manpower available to take individual pictures of each of the vehicles by DTID.

When can I go; each LEA will be notified via their State Coordinator's office atleast 48 hours prior to their scheduled pick-up or delivery date – additional time can be made available on a case-by-case basis – the initial issues will start off with only a few regionally localized LEAs until BAE gets a good feel for how many they can move.

What if I break down on the way home; the LESO highly recommends having these vehicles delivered but we realize in most cases that is very expensive – if the decision is made to drive the vehicle home the good news is the engine and driveline components are all commercial off the shelf versions of what are commonly used in long haul trucking so make sure you LEAs call the appropriate “heavy lift” semi-truck retriever and have the vehicle towed to a big rig repair facility.

Maintenance manuals and diagnostics; maintenance manuals, tools, and diagnostics equipment will not come with the vehicles but are available through BAE.

Training; each LEA will be provided a basic users guide that covers safe operation speed, where the gas goes, basic start-up and operation etc., more extensive training is available through BAE.

Licenses; each State is different with regard to what is required for operation of this type of vehicle – please have your LEAs contact your DMV in order to determine what licenses and permits are required.

Where do I sign; in order to meet BAE and DLA chain-of-custody and auditability requirements a combination of the original 1348, 1149, MRO, and C-5/LOA will be used – the officer's name who is actually picking up and signing for the vehicle will need to appear on the C-5/LOA. (or the truck driver's name if the vehicle is being delivered)

Not a hybrid; these vehicles get approximately three miles per gallon and will *need fuel added immediately* upon leaving the BAE facility. (there are fuel stations right outside the gate of the BAE facility)

High center of gravity; by design the MRAP is top heavy and has a high center of gravity – especially with the spare tire and wheel assemblies loaded in the back – please use caution when going around corners, during inclement weather, over rough terrain, etc.

Google maps; 5000 I-10 West in Sealy, Texas 77474 is the address for the BAE Caiman plant.

Key points of contact; the two main POCs are the LESO and your State Coordinator's office – DTIDs, schedules, appointments, etc., will be provide to each LEA from the LESO via their State Coordinator's office – **thank you for your patience during this uniquely challenging divestiture.**

From: Gary Launderville [BVSO] [mailto:Gary.Launderville@bvsheriff.com]
Sent: Wednesday, February 26, 2014 1:18 PM
To: ggoodman@washingtioniowa.net
Subject: MRAP

Chief Goodman,

The Buena Vista Co Sheriff's Office had been on a waiting list for an "armored personnel carrier" of some sort for 4 years. My biggest fear was for the safety of my deputies in a high risk situation as well as the safety of the suspect or private citizens. This past fall of 2013 we were approved to get an MRAP. We were lucky and got one from Ft. Riley so it wasn't too far away. The military said we could drive it back as it will run down the road at highway speeds but we chose to have it trucked here by HUNT for a cost of \$1500. I have the advantage here of having 2 National Guard mechanics who have been deployed several times, worked on these rigs many, many times and have seen them in action. I have relied on their expertise as to the safety aspect as well as the mechanical. The MRAP is built on an International chasis, International engine and parts are available at any International dealership. I have installed emergency lights, a police radio, computer and GPS in ours. To date, the total investment has been right at \$4000. I have used forfeiture funds to pay for all of this. I have talked with both of the National Guard guys and they have been firsthand on seeing multiple .50 cal rounds hitting the windows and not penetrating, let alone the AED's that have been hit and the guys all came out OK. We have had the opportunity to get Humvees but have declined as these aren't going to give the "protection" I wanted for my deputies.

My fear as Sheriff has always been exactly what happened in Keokuk Co. with Eric Stein. I'm not sure I could live with myself knowing we had this "tool" available for FREE or at least minimal cost and not utilize it for the safety factor. My Office has purchased new shotguns, new rifles, bullet proof vests, new handguns as "tools" for the deputies to use and keep them safer in their duties. We don't use our weapons on a daily basis BUT we have them just in case. This is exactly how I look at the MRAP----it won't be used on a daily basis but we have it just in case. I have had 100% support from my Board of Supervisors on the acquisition of this and they fully understand the importance of officer safety. I have been very open with the public and news media and have welcomed them to come and look at it and crawl through it!!!! Not only has our local newspapers and radio done stories on it, so have the TV stations out of Sioux City. We have used this in parades as well as PR and people think it's great. It has been very well explained to the Board and the public that this is "on a ""as needed"" basis only and will only be used in those high risk situations.

Since we got the MRAP, we have deployed it twice. Both in "high risk" search and arrest warrant situations where weapons were threatened to be used by the defendant. Both situations turned out well and I'm convinced because of the sight of such an intimidating piece of equipment and being able to get my deputies where they needed to be in a safe manner and get the job done without ANYONE getting hurt or killed. If the call goes out for help from another agency, I would send help. If the call comes to us requesting the MRAP, I would send it just as I would for any other call for help.

Yes, an oil change is going to cost more than a squad car. A tire is going to cost more than one for a squad car---and on and on BUT a squad car is not going to keep rounds of fire from any type of weapon from penetrating and this piece of equipment will. At what price do we not protect our officers----especially when it FREE????

If you need anything further, let me know. All I can tell you is it is valuable asset to have.

Sheriff Gary Lauderville

Gary Lauderville | Sheriff | Buena Vista County Sheriff's Office | 411 Expansion Blvd | Storm Lake, Iowa 50588 | 712.749.2530

This information MAY contain intelligence data, and other SENSITIVE law enforcement data. Dissemination must be in accordance with Chapter 692, Code of Iowa, and 661 Iowa Administrative code, Chapter 8, Division II.
UNAUTHORIZED RE-DISSEMINATION MAY RESULT IN CIVIL AND CRIMINAL LIABILITY.



**Washington Police Department
215 E. Washington
Washington, IA 52353**



Chief of Police Greg Goodman
Sergeant/Investigator Shawn Ellingson
Sergeant Ron See
Sergeant Lyle Hansen

phone: 319-653-2256
Tip: 800-847-7492
Fax: 319-653-2317

2/28/2014

TO: Mayor and Washington City Council
FROM: Greg Goodman, Chief of Police
RE: Support to take possession of an MRAP Armored Vehicle

All,

In April 2011, we responded to a tragic event in Keokuk County involving the murder of SGT. Eric Stein and the attempted murder of the Sheriff and Chief Deputy.

The call was received that there were three officers pinned down by sustained gunfire at a residence in Keokuk County. Our team responded. Please note that our team consists of Washington County Sheriff's Office personnel and Washington Police Department personnel. We work as one team due to the manpower needed in tactical operations.

After this event, it became apparent that an armored vehicle was needed in our area for the support of our officers in very high risk situations. Had there been the need to send our officers up the lane to make a rescue of endangered officers, there would have been a very real possibility of several injured or dead officers. The two vehicles that the deputies arrived in initially (Sheriff Shipley's and Sgt. Eric Stein's) were in the drive and literally had rounds through them everywhere. The vehicles were disabled immediately when the gun fire started.

I understand that there's some controversy over the militarization of local police departments; however, that isn't the case. This is a matter of providing one more tool to local officers that can do a very high risk job safely. We have been involved in high risk missions in the past, which included a hostage rescue in Ainsworth in 2003. Our teams and the State Patrol team successfully conducted the rescue of a mother/wife and two children that were being held at gunpoint by the suspect with a 20 gauge shotgun with slugs.

The vehicle is of no cost to the department. I now have volunteers that will drive to Texas to pick the vehicle up and pay for their hotel room. We will provide fuel. The expense will come from forfeiture fund monies that we have set aside for law enforcement activities.

I have attached a couple of pages of information regarding these vehicles.

Please note the fact that they are putting in a brand new chasis, motor, transmission, suspension and all drive components and then putting the body back on. As you can also see in the memo, they have complete wheel sets that are available and the plan is to bring back as many as we can. They are giving away any amount we want.

We have talked to the local mechanics at the army maintenance shop and they are not concerned about the maintenance. They indicate that it's simply a large truck under the armored body and parts can be purchased at normal parts outlets. The maintenance shop has indicated that they believe the maintenance will be very minimal.

It's a 24 volt system, yet I have researched this and found that it can split to 12 volt at the fuse box for radios, etc. We have emergency lights and I am willing to take the radio from my office to put into this unit.

Upgrades to this unit will come from forfeiture funds.

Sheriff Jerry Dunbar has agreed to pay up to \$1,500.00 a year for maintenance. Sheriffs in this area have already discussed that if someone can get an armored vehicle, to help support that asset.

Please see the attached information from LESO DMIL, as well as Sheriff Gary Lauderville about the acquisition of their mrap.

This is an asset and NOT an offensive tool; it's a rescue tool that can be used for very high risk situations that can save lives of officers, citizens and suspects. It can be used for barricaded gunmen, hostage rescues, school violence situations to rescue children and teachers and / or in local businesses around the square.

The MRAP also has the ability to go through very large amounts of snow and could have been used a few years back when we had a very bad storm. At that time, there were county roads that weren't accessible to law enforcement or emergency ambulance personnel. With this vehicle, we would have the ability to load the back with emergency medical equipment and paramedics and get them where they needed to go.

Thank you for your consideration.

Greg L. Goodman

Chief of Police
City of Washington
(319) 653 2256 – voice
(319) 653 2317 - Fax
ggoodman@washingtioniowa.net
www.washingtioniowa.net

RESOLUTION NO. _____

A RESOLUTION OF REQUEST TO THE IOWA RACING AND GAMING COMMISSION REGARDING THE PROPOSED LINN COUNTY CASINO

WHEREAS, the Washington County Riverboat Foundation is a charitable organization in Washington County, Iowa; and,

WHEREAS, the Washington County Riverboat Foundation is the non-profit license holder for casino gaming in Washington County; and,

WHEREAS, the foundation has been a key partner with municipalities in the county, giving 25 percent of its total revenues directly to cities in Washington County, totaling nearly \$6 million since 2006; and,

WHEREAS, our municipality has expanded much-needed services and improved infrastructure for our residents with the funds provided by the Washington County Riverboat Foundation; and,

WHEREAS, the remaining 75 percent of total revenues are awarded in the form of grants to school districts and area non-profits in order to support their activities in communities across eastern Iowa; and,

WHEREAS, the Riverside Casino and Golf Resort has an enormous economic impact as the largest employer in Washington County, with nearly 750 employees; and,

WHEREAS, a new gaming facility in Linn County would dramatically decrease the annual revenue of the Washington County Riverboat Foundation, decreasing the funds available for municipalities and non-profit organizations:

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

Section 1. That the Iowa Racing and Gaming Commission is urged to deny a license for a casino in Linn County, recognizing the serious harm that a new gaming facility in a saturated market would have on the Washington County Riverboat Foundation's ability to partner with community organizations and municipalities in Washington County and the rest of eastern Iowa. In addition, the cannibalization of the Riverside Casino and Golf Resort's revenues will lead to layoffs and higher unemployment within our county.

PASSED AND APPROVED, this 4th day of March, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

Council Member _____ introduced the following Resolution entitled "RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$250,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$250,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014

WHEREAS, the City of Washington, State of Iowa, is in need of funds to carry out the purpose of providing funds to pay costs of:

a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places; the construction, reconstruction, and repairing of street improvements; the acquisition, installation, and repair of traffic control devices, sidewalks and street lighting; and the acquisition of real estate needed for any of the foregoing purposes; and

b. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams,

and it is deemed necessary and advisable that the City should authorize a Loan Agreement and issue General Obligation Capital Loan Notes, Series 2014, to the amount of not to exceed \$250,000, as authorized by Sections 384.24, 384.24A, and 384.25 of the City Code of Iowa, for the purpose of providing funds to pay costs thereof; and

WHEREAS, before said Notes may be issued, it was necessary to comply with the provisions of said Code, and to publish a notice of the proposal to enter into a Loan Agreement and issue such Notes and of the time and place of the meeting at which it is proposed to take action of the issuance of the Notes.

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

Section 1. That the action of the Clerk setting a public hearing before the City Council to meet at the Council Chambers, 120 E. Main Street, Washington, Iowa, at _____ o'clock _____ .M., the 4th day of March, 2014, for the purpose of taking action on the matter of entering into a Loan Agreement and on the issuance of not to exceed \$250,000 General Obligation Capital Loan Notes, Series 2014, of the City, the proceeds of which will be used to provide funds to pay costs of:

a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places; the construction, reconstruction, and repairing of street improvements; the acquisition, installation, and repair of traffic control devices, sidewalks and street lighting; and the acquisition of real estate needed for any of the foregoing purposes; and

b. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams,

is hereby ratified, confirmed and approved.

Section 2. That the Clerk had caused publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City, said publication to be not less than four (4) nor more than twenty (20) clear days before the date of the public meeting on the issuance of the Notes.

Section 3. That the form of notice of public hearing is hereby ratified, confirmed and approved.

PASSED AND APPROVED this 4th day of March, 2014.

Mayor

ATTEST:

City Clerk

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$250,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of:

a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places; the construction, reconstruction, and repairing of street improvements; the acquisition, installation, and repair of traffic control devices, sidewalks and street lighting; and the acquisition of real estate needed for any of the foregoing purposes; and

b. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams,

essential corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended.

The Mayor then asked the Clerk whether any written objections had been filed by any city resident or property owner to the proposal. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the proposal and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$250,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ o'clock _____.M. on the _____ day of _____, 2014, at this place.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE AUTHORIZATION OF A
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO
EXCEED \$250,000 GENERAL OBLIGATION CAPITAL LOAN
NOTES, SERIES 2014

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$250,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of:

- a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places; the construction, reconstruction, and repairing of street improvements; the acquisition, installation, and repair of traffic control devices, sidewalks and street lighting; and the acquisition of real estate needed for any of the foregoing purposes; and

b. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams,

and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the City and residents thereof:

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

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$250,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 4th day of March, 2014.

Mayor

ATTEST:

City Clerk

Council Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$250,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF \$250,000
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES
2014, AND LEVYING A TAX FOR THE PAYMENT THEREOF

WHEREAS, the City of Washington, State of Iowa ("Issuer"), is a municipal corporation, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of:

a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places; the construction, reconstruction, and repairing of street improvements; the acquisition, installation, and repair of traffic control devices, sidewalks and street lighting; and the acquisition of real estate needed for any of the foregoing purposes; and

b. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, and for the collection and disposal of surface waters and streams

(the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, Series 2014, in the amount of \$250,000 be issued; and

WHEREAS, the City Council has taken such acts as are necessary to authorize issuance of the Notes; and

WHEREAS, the City Council has taken additional action to authorize issuance of the Notes.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, STATE OF IOWA:

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, Series 2014, in the amount of \$250,000 shall be issued pursuant to the provisions of Iowa Code Section 384.25 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in the City of Washington, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$53,000	2014/2015
\$57,260	2015/2016
\$55,726	2016/2017
\$54,193	2017/2018
\$52,658	2018/2019

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Council will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Washington, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 4th day of March, 2014.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. _____

**RESOLUTION ADOPTING THE ANNUAL BUDGET
FOR THE FISCAL YEAR ENDING JUNE 30, 2015**

WHEREAS, the City Council and staff have prepared an annual budget for the Fiscal Year ending June 30, 2015; and

WHEREAS, this proposed budget showing resource and requirements detail was published as required by law; and

WHEREAS, a Public Hearing was held on March 4, 2014, at which time citizen input was specifically requested and all citizen comments were heard:

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

Section 1. The City Council declares that the budget for the Fiscal Year ending June 30, 2015 is hereby approved.

Section 2. The City Clerk is directed to make all filings required by law related to the approval of this budget and prepare City financial records and systems accordingly.

PASSED AND APPROVED this 4th day of March, 2014 by the following roll-call vote:

Ayes: _____

Nays: _____

Absent: _____

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

92-887

Adoption of Budget and Certification of City Taxes

FISCAL YEAR BEGINNING JULY 1, 2014 - ENDING JUNE 30, 2015

The City of: Washington County Name: WASHINGTON Date Budget Adopted: _____

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.

	319-653-6584 <small>Telephone Number</small>	
County Auditor Date Stamp	January 1, 2013 Property Valuations	<small>Signature</small>
	Regular	2a <u>210,715,161</u> 2b <u>205,752,063</u>
	DEBT SERVICE	3a <u>217,046,901</u> 3b <u>212,083,803</u>
	Ag Land	4a <u>1,238,166</u>
		Last Official Census
		7,266

Code		Dollar	(A)		(B)		(C)
Sec.	Limit	Purpose	Request with	Utility Replacement	Property Taxes	Levied	Rate
384.1	8.10000	Regular General levy	5	1,706,793	1,666,592	43	8.10000
(384) 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(16)	0.06750	Levee Impr. fund in special charter city	13		0	51	0
12(18)	Amt Nec	Liability, property & self insurance costs	14	104,000	101,551	52	0.49356
12(22)	Amt Nec	Support of a Local Emerg.Mgmt.Comm.	462		0	465	0
(384) Voted Other Permissible Levies							
12(1)	0.13500	Instrumental/Vocal Music Groups	15		0	53	0
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(17)	0.20500	Maintain Institution received by gift/devise	22		0	60	0
12(19)	1.00000	City Emergency Medical District	463		0	466	0
12(21)	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	1,810,793	1,768,143		
384.1	3.00375	Ag Land	26	3,719	3,719	63	3.00375
Total General Fund Tax Levies (25 + 26)			27	1,814,512	1,771,862		Do Not Add
Special Revenue Levies							
384.8	0.27000	Emergency (if general fund at levy limit)	28	56,893	55,553	64	0.27000
384.6	Amt Nec	Police & Fire Retirement	29		0		0
	Amt Nec	FICA & IPERS (if general fund at levy limit)	30	312,413	305,054		1.48263
Rules	Amt Nec	Other Employee Benefits	31	330,493	322,708		1.56843
Total Employee Benefit Levies (29,30,31)			32	642,906	627,762	65	3.05106
Sub Total Special Revenue Levies (28+32)			33	699,799	683,315		
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	699,799	683,315		
384.4	Amt Nec	Debt Service Levy 76.10(6)	40	847,822	828,435	70	3.90617
384.7	0.67500	Capital Projects (Capital Improv. Reserve)	41		0	71	0
Total Property Taxes (27+39+40+41)			42	3,362,133	3,283,612	72	15.82079

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.

NOTICE OF PUBLIC HEARING BUDGET ESTIMATE

FISCAL YEAR BEGINNING JULY 1, 2014 - ENDING JUNE 30, 2015

City of Washington, Iowa

The City Council will conduct a public hearing on the proposed Budget at Former Library, 120 East Main St.
on 03/04/2014 at 7:00 PM
(Date) xx/xx/xx (hour)

The Budget Estimate Summary of proposed receipts and expenditures is shown below.
Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor,
City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property \$ 15.82079

The estimated tax levy rate per \$1000 valuation on Agricultural land is \$ 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

319-653-6584
phone number

Brent Hinson
City Clerk/Finance Officer's NAME

		Budget FY 2015	Re-estimated FY 2014	Actual FY 2013
		(a)	(b)	(c)
Revenues & Other Financing Sources				
Taxes Levied on Property	1	3,283,612	3,314,952	3,232,076
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	3,283,612	3,314,952	3,232,076
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	215,280	158,431	128,143
Other City Taxes	6	748,521	739,127	720,777
Licenses & Permits	7	120,000	112,050	111,345
Use of Money and Property	8	135,973	211,682	42,383
Intergovernmental	9	1,444,522	4,496,507	4,387,256
Charges for Fees & Service	10	4,654,389	4,539,197	4,378,047
Special Assessments	11	35,500	37,400	29,638
Miscellaneous	12	12,600	85,717	279,386
Other Financing Sources	13	6,768,924	6,360,703	3,176,464
Total Revenues and Other Sources	14	17,419,321	20,055,766	16,485,515
Expenditures & Other Financing Uses				
Public Safety	15	1,757,569	1,728,312	1,671,210
Public Works	16	1,645,372	1,675,532	1,151,337
Health and Social Services	17	0	0	0
Culture and Recreation	18	832,773	942,893	846,465
Community and Economic Development	19	19,570	60,395	237,235
General Government	20	720,121	802,033	784,150
Debt Service	21	950,458	885,780	1,531,946
Capital Projects	22	1,171,823	5,076,740	3,364,209
Total Government Activities Expenditures	23	7,097,686	11,171,685	9,586,552
Business Type / Enterprises	24	6,726,548	5,314,468	2,414,809
Total ALL Expenditures	25	13,824,234	16,486,153	12,001,361
Transfers Out	26	4,418,924	5,703,179	2,926,464
Total ALL Expenditures/Transfers Out	27	18,243,158	22,189,332	14,927,825
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	28	-823,837	-2,133,566	1,557,690
Beginning Fund Balance July 1	29	5,372,892	7,506,458	5,948,768
Ending Fund Balance June 30	30	4,549,055	5,372,892	7,506,458

CITY OF

Washington

ADOPTED BUDGET SUMMARY
YEAR ENDED JUNE 30, 2015

Fiscal Years

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
		GENERAL REVENUES	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET	RE-ESTIMATED	ACTUAL
		(C)	(D)	(E)	(F)	(G)	(H)	(I)	2015	2014	2013
		(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
Revenues & Other Financing Sources											
Taxes Levied on Property	1	1,771,862	683,315		828,435	0			3,283,612	3,314,952	3,232,076
Less: Uncollected Property Taxes-Levy Year	2	0	0		0	0			0	0	0
Net Current Property Taxes	3	1,771,862	683,315		828,435	0			3,283,612	3,314,952	3,232,076
Delinquent Property Taxes	4	0	0		0	0			0	0	0
TIF Revenues	5			215,280					0	0	0
Other City Taxes	6	42,650	686,484		19,387	0			215,280	158,431	128,143
Licenses & Permits	7	120,000	0		0	0			748,521	739,127	720,777
Use of Money and Property	8	105,623	0		0	30,150	200		120,000	112,050	111,345
Intergovernmental	9	284,224	720,817	0	14,481	425,000			135,973	211,682	42,383
Charges for Fees & Service	10	543,770	1,560		0	0			1,444,522	4,496,507	4,387,256
Special Assessments	11	0	0		0	0		4,109,059	4,654,389	4,539,197	4,378,047
Miscellaneous	12	0	12,600		0	35,500			35,500	37,400	29,638
Sub-Total Revenues	13	2,868,129	2,104,776	215,280	862,303	490,650	200	4,109,059	10,650,397	13,695,063	13,309,051
Other Financing Sources:											
Total Transfers In	14	1,313,030	157,467	0	60,611	1,078,824	0	1,808,992	4,418,924	5,703,179	2,926,464
Proceeds of Debt	15	0	0	0	0	250,000		2,100,000	2,350,000	657,524	250,000
Proceeds of Capital Asset Sales	16	0	0	0	0	0		0	0	0	0
Total Revenues and Other Sources	17	4,181,159	2,262,243	215,280	922,914	1,819,474	200	8,018,051	17,419,321	20,055,766	16,485,515
Expenditures & Other Financing Uses											
Public Safety	18	1,757,569	0	0	0	0	0	0	1,757,569	1,728,312	1,671,210
Public Works	19	694,555	950,817	0	0	0	0	0	1,645,372	1,675,532	1,151,337
Health and Social Services	20	0	0	0	0	0	0	0	0	0	0
Culture and Recreation	21	808,913	23,660	0	0	0	200	0	832,773	942,893	846,465
Community and Economic Development	22	0	17,000	2,570	0	0	0	0	19,570	60,395	237,235
General Government	23	715,121	5,000	0	0	0	0	0	720,121	802,033	784,150
Debt Service	24	0	0	0	923,970	0	0	0	950,458	885,780	1,531,946
Capital Projects	25	0	0	0	0	1,171,823	0	0	1,171,823	5,076,740	3,364,209
Total Government Activities Expenditures	26	3,976,158	996,477	29,058	923,970	1,171,823	200	6,726,548	7,097,686	11,171,685	9,586,552
Business Type Proprietary: Enterprise & ISF	27								6,726,548	5,314,468	2,414,809
Total Gov & Bus Type Expenditures	28	3,976,158	996,477	29,058	923,970	1,171,823	200	6,726,548	13,824,234	16,486,153	12,001,361
Total Transfers Out	29	68,253	1,455,616	186,222	0	1,052,934	0	1,655,899	4,418,924	5,703,179	2,926,464
Total ALL Expenditures/Fund Transfers Out	30	4,044,411	2,452,093	215,280	923,970	2,224,757	200	8,382,447	18,243,158	22,189,332	14,927,825
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	31										
	32	136,748	-189,850	0	-1,056	-405,283	0	-364,396	-823,837	-2,133,566	1,557,690
Beginning Fund Balance July 1	33	873,915	908,243	0	1,056	949,957	218,109	2,421,612	5,372,892	7,506,458	5,948,768
Ending Fund Balance June 30	34	1,010,663	718,393	0	0	544,674	218,109	2,057,216	4,549,055	5,372,892	7,506,458

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF
THE CITY OF WASHINGTON, IOWA, BY ADDING A
NEW CHAPTER 48, DRUG PARAPHERNALIA

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

SECTION 1. Add Chapter. A new Chapter 48 is adopted as follows:

“

48.01 PURPOSE. The purpose of this chapter is to prohibit the use, possession with intent to use, manufacture and delivery of drug paraphernalia as defined herein.

48.02 CONTROLLED SUBSTANCE DEFINED. The term “controlled substance” as used in this chapter is defined as the term “controlled substance” is defined in the Uniform Controlled Substance Act, Chapter 124 of the Code of Iowa, as it now exists or is hereafter amended and shall also include simulated and counterfeit substances, Salvia, Divinorum, Salvinorin A, as well as synthetic catinones, synthetic cannabinoids and their analogues or homologues.

48.03 DRUG PARAPHERNALIA DEFINED. The term “drug paraphernalia” as used in this chapter means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa. It includes, but is not limited to:

1. Growing Kits. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
2. Processing Kits. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
3. Isomerization Devices. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance.

4. Testing Equipment. Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
5. Scales. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances.
6. Diluents and Cutting Agents. Diluents and adulterants, such as quinine hydrochloride, inositol powder, dextrose, fentanyl or any other powder, chemical or substance used to enhance or dilute the potency or amount of any controlled substance.
7. Separators, Sifters and Filters. Separation, sifting or filtering apparatus designed to assist in the manufacturing or refining of any controlled substance or any component of a controlled substance.
8. Mixing Devices. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances.
9. Containers. Any container or other object used, intended for use, or designed for use in storing, packaging or concealing controlled substance, to include but not be limited to capsules, plastic bags and containers, envelopes, clothing and clothing accessories, manufactured "false interior" objects, or any other container or object where a controlled substance is found.
10. Injecting Devices. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.
11. Ingesting-Inhaling Device. Objects used, intended for use, or designed for use in ingesting, inhaling, snorting, or otherwise introducing any controlled substance into the human body, such as:
 - A. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, filter and bowls;
 - B. Water, chamber, carburetor and air driven pipes;
 - C. Smoking and carburetion masks;
 - D. Roach clips and similar objects, meaning objects used to hold burning materials, such as marijuana cigarettes;
 - E. Spoons and stirrers or any other utensil used to hold or

- mix controlled substances before, after or during their use;
 - F. Chilliums, bongs, ice pipes and chillers;
 - G. Rolling papers or cigar wrappers used to contain any controlled substance;
 - H. Tubes, whether plastic, paper, metal or otherwise which are used in snorting any controlled substance;
12. Huffing Device. Pressurized containers used, but not intended for such use, to ingest, inhale, or otherwise introduce products, chemicals, or aerosols into the human body.

48.04 DETERMINING FACTORS. In determining whether an object is drug paraphernalia for the purpose of enforcing this chapter, the following factors should be considered in addition to all other logically relevant factors:

1. Statements. Statements by an owner or by anyone in control of the object concerning its use.
2. Prior Convictions. Prior convictions, if any, of an owner, or of anyone in control of the object under any State or federal law relating to any controlled substance.
3. Proximity To Violation. The proximity of the object, in time and space, to a direct violation of the Uniform Controlled Substance Act, Chapter 124 of the Code of Iowa.
4. Proximity To Substances. The proximity of the object to controlled substances.
5. Residue. The existence of any residue of controlled substances on the object.
6. Evidence of Intent. Direct or circumstantial evidence of the intent of an owner or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa.
7. Innocence of an Owner. The innocence of an owner, or of anyone in control of the object, as to a direct violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa, should not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia.

8. Instructions. Instructions, oral or written, provided with the object concerning its use.
9. Descriptive Materials. Descriptive materials accompanying the object which explain or depict its use.
10. Advertising. National and local advertising concerning its use.
11. Displayed. The manner in which the object is displayed for sale.
12. Licensed Distributor or Dealer. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.
13. Sales Ratios. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise.
14. Legitimate Uses. The existence and scope of legitimate uses for the object in the community.
15. Expert Testimony. Expert testimony concerning its use.

48.05 POSSESSION OF DRUG PARAPHERNALIA. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substance Act, Chapter 124 of the Code of Iowa.

48.06 MANUFACTURE, DELIVERY OR OFFERING FOR SALE. It is unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver, or offer for sale drug paraphernalia, intending that the drug paraphernalia will be used, or knowing, or under circumstances where one reasonably should know that it will be used, or knowing that it is designed for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa.

48.07 POSSESSION, MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA BY MINORS. It is unlawful for any minor to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate,

grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa. It is also unlawful for any minor to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, intending that the drug paraphernalia will be used or knowing, or under circumstances where one reasonably should know, that it will be used or knowing that it is designed for use to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa.”

SECTION 2. **Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

SECTION 4. **Effective Date.** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this ____ day of _____, 2014.

Sandra Johnson, Mayor

Attest:

Illa Earnest, City Clerk

Approved on First Reading: _____

Approved on Second Reading: _____

Approved on Third & Final Reading: _____

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

City Clerk

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
WASHINGTON, IOWA, BY ADDING A NEW CHAPTER 168,
FLOOD PLAIN MANAGEMENT REGULATIONS**

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

SECTION 1.

168.01 STATUTORY AUTHORITY, FINDINGS OF FACT AND PURPOSE.

A. The Legislature of the State of Iowa has in Chapter 414, Code of Iowa, as amended, delegated the power to cities to enact zoning regulations to secure safety from flood and to promote health and the general welfare.

B. Findings of Fact

1. The flood hazard areas of the City of Washington are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
2. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.

C. Statement of Purpose

It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of the City of Washington and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in Section 168.01(B)(1) of this Ordinance with provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
2. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
3. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.

4. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

168.02 GENERAL PROVISIONS.

A. Lands to Which Ordinance Apply

The provisions of this Ordinance shall apply to all lands within the jurisdiction of the City of Washington which are located within the boundaries of the Floodplain (Overlay) District as established in Section 168.03.

B. Rules for Interpretation of Floodplain (Overlay) District

The boundaries of the Floodplain (Overlay) District areas shall be determined by scaling distances on the official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the zoning administrator shall make the necessary interpretation. The Zoning Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the zoning administrator in the enforcement or administration of this Ordinance.

C. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

D. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

E. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

F. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated Floodplain (Overlay) District areas will be free from flooding or flood damages. This Ordinance shall not create liability on

the part of the City of Washington or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

G. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

168.03 ESTABLISHMENT OF FLOODPLAIN (OVERLAY) DISTRICT.

The areas within the jurisdiction of the City of Washington having special flood hazards are hereby designated as a Floodplain (Overlay) District and shall be subject to the standards of the Floodplain (Overlay) District (as well as those for the underlying zoning district). The Floodplain (Overlay) District boundaries shall be as shown on the Flood Insurance Rate Map (FIRM) for Washington County and Incorporated Areas, City of Washington, Panels 19183C0280B, 285B, 290B, and 295B, dated January 16, 2013.

168.04 STANDARDS FOR FLOODPLAIN (OVERLAY) DISTRICT.

All uses must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where 100-year flood data has not been provided on the Flood Insurance Rate Map, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development within the Floodplain (Overlay) District shall:

1. Be consistent with the need to minimize flood damage.
2. Use construction methods and practices that will minimize flood damage.
3. Use construction materials and utility equipment that are resistant to flood damage.
4. Obtain all other necessary permits from federal, state and local governmental agencies including approval when required from the Iowa Department of Natural Resources.

B. Residential buildings - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the 100-year flood level. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the 100-year flood level and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers) may be allowed subject to favorable consideration by the Board of Adjustment, where existing topography, street grades, or other factors preclude elevating by fill. In such cases,

the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures shall be provided with a means of access which will be passable by wheeled vehicles during the 100-year flood.

C. Non-residential buildings - All new or substantially improved non-residential buildings shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the 100-year flood level, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood; and that the structure, below the 100-year flood level is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.

D. All new and substantially improved structures:

1. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

2. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
3. New and substantially improved structures must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

E. Factory-built homes:

1. All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level.
2. All factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

F. Utility and Sanitary Systems:

1. On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
2. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the 100-year flood elevation.
3. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the 100-year flood elevation.
4. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

G. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the 100-year flood level. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.

H. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from a 100-year flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.

I. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

J. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the 100-year flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include 100-year flood elevation data for those areas located within the Floodplain (Overlay) District.

K. Accessory Structures

1. Detached garages, sheds, and similar structures accessory to a residential use are exempt from the 100-year flood elevation requirements where the following criteria are satisfied.
 - a. The structure shall not be used for human habitation.
 - b. The structure shall be designed to have low flood damage potential.
 - c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - d. The structure shall be firmly anchored to prevent flotation which may result in damage to other structures.
 - e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the 100-year flood level.
2. Exemption from the 100-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

L. Recreational Vehicles

1. Recreational vehicles are exempt from the requirements of Section 168.04(E) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
 - a. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
 - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

2. Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of Section 168.04(E) of this Ordinance regarding anchoring and elevation of factory-built homes.

M. Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.

168.05 ADMINISTRATION.

A. Appointment, Duties and Responsibilities of Zoning Administrator

1. The zoning administrator is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.
2. Duties of the Administrator shall include, but not necessarily be limited to the following:
 - a. Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
 - b. Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
 - c. Record and maintain a record of the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures in the Floodplain (Overlay) District.
 - d. Record and maintain a record of the elevation (in relation to North American Vertical Datum 1988) to which all new or substantially improved structures have been floodproofed.
 - e. Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
 - f. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.

B. Floodplain Development Permit

1. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes.

2. Application for Permit - Application shall be made on forms furnished by the Administrator and shall include the following:
 - a. Description of the work to be covered by the permit for which application is to be made.
 - b. Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.
 - c. Indication of the use or occupancy for which the proposed work is intended.
 - d. Elevation of the 100-year flood.
 - e. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.
 - f. For buildings being improved or rebuilt, the estimated cost of improvements and market value of the building prior to the improvements.
 - g. Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
3. Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the City Board of Adjustment.
4. Construction and Use to be as Provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, building floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

C. Variance

1. The City Zoning Board of Adjustment may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
 - a. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
 - b. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - c. In cases where the variance involves a lower level of flood protection for buildings than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
2. Factors Upon Which the Decision of the Zoning Board of Adjustment Shall be Based - In passing upon applications for Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:
 - a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 - b. The danger that materials may be swept on to other land or downstream to the injury of others.
 - c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - e. The importance of the services provided by the proposed facility to the City.
 - f. The requirements of the facility for a floodplain location.
 - g. The availability of alternative locations not subject to flooding for the proposed use.

- h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - j. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - k. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 - l. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
 - m. Such other factors which are relevant to the purpose of this Ordinance.
3. Conditions Attached to Variances - Upon consideration of the factors listed above, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
- a. Modification of waste disposal and water supply facilities.
 - b. Limitation of periods of use and operation.
 - c. Imposition of operational controls, sureties, and deed restrictions.
 - d. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
 - e. Floodproofing measures.

168.06 NONCONFORMING USES.

- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:
 - 1. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.

2. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
- B. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.

168.07 PENALTIES FOR VIOLATION.

Violations of the provisions of this Ordinance or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars (\$500) or imprisoned for not more than thirty (30) days. Nothing herein contained prevent the City of Washington from taking such other lawful action as is necessary to prevent or remedy violation.

168.08 AMENDMENTS.

The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

168.09 DEFINITIONS.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year. (See 100-year flood).

BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "lowest floor."

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this

section. It also does not include gardening, plowing, and similar practices that do not involve filling, grading.

EXISTING CONSTRUCTION - Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the community.

EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FACTORY-BUILT HOME - Any structure, designed for residential use, which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

FACTORY-BUILT HOME PARK - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

FLOOD ELEVATION - The elevation floodwaters would reach at a particular site during the occurrence of a specific flood. For instance, the 100-year flood elevation is the elevation of flood waters related to the occurrence of the 100-year flood.

FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

FLOODPLAIN - Any land area susceptible to being inundated by water as a result of a flood.

FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited

to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.

FLOODWAY FRINGE - Those portions of the floodplain, other than the floodway, which can be filled, leveed, or otherwise obstructed without causing substantially higher flood levels or flow velocities.

HISTORIC STRUCTURE - Any structure that is:

- a. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either (i) an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR - The floor of the lowest enclosed area in a building including a basement except when all the following criteria are met:

- a. The enclosed area is designed to flood to equalize hydrostatic pressure during floods with walls or openings that satisfy the provisions of Section 168.04(D)(1) of this Ordinance, and
- b. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and

- c. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the 100-year flood level, and
- d. The enclosed area is not a "basement" as defined in this section.

In cases where the lowest enclosed area satisfies criteria a, b, c, and d above, the lowest floor is the floor of the next highest enclosed area that does not satisfy the criteria above.

MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.

NEW CONSTRUCTION - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.

NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the community.

ONE HUNDRED (100) YEAR FLOOD - A flood, the magnitude of which has a one (1) percent chance of being equaled or exceeded in any given year or which, on the average, will be equaled or exceeded a least once every one hundred (100) years.

RECREATIONAL VEHICLE - A vehicle which is:

- a. Built on a single chassis;
- b. Four hundred (400) square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES – Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- a) Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;

- b) Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- c) Basement sealing;
- d) Repairing or replacing damaged or broken window panes;
- e) Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA - The land within a community subject to the "100-year flood". This land is identified as Zone A on the community's Flood Insurance Rate Map.

START OF CONSTRUCTION - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factor-built homes, storage tanks, and other similar uses.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any improvement to a structure which satisfies either of the following criteria:

1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred.

The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an "historic

structure", provided the alteration will not preclude the structure's designation as an "historic structure".

- 2. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

VARIANCE - A grant of relief by a community from the terms of the floodplain management regulations.

VIOLATION - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

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

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

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

PASSED AND APPROVED by the City Council on the _____ day of _____, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

Approved on First Reading: _____
Approved on Second Reading: _____
Approved on Third & Final Reading: _____

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

City Clerk

RESOLUTION NO. _____

**A RESOLUTION SETTING A NEW REGULAR
COUNCIL MEETING DATE OR TIME**

WHEREAS, the City Council has set the 1st and 3rd Tuesdays of each month at 7 PM as regular meeting dates under the provisions of Section 17.04(1) of the Washington Municipal Code of Ordinances; and

WHEREAS, Council members have expressed interest in changing the meeting to a different time, which must be done by resolution under the provisions of Chapter 17 of the Code:

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

Section 1. The regular Council meeting date is hereby set as 1st and 3rd Tuesdays of each month at 6 PM.

Section 2. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 4th day of March, 2014.

Sandra Johnson, Mayor

ATTEST:

Illa Earnest, City Clerk

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING LEVY,
ASSESSMENT, AND COLLECTION OF COSTS TO
THE WASHINGTON COUNTY TREASURER.**

WHEREAS, the City of Washington, Iowa is empowered to levy, assess, and collect costs of improvement and removal of debris against the abutting property owner,

WHEREAS, snow and ice were removed from the following listed property owners:

The property of Oscar and Heather German at 426 S. 2nd Ave. for the amount of \$15.00. Legal description (04 ROUSSEAU S D S 66 FT). Parcel Number (11-17-384-005).

The property of Molly S. Myren-Fillinger at 909 N. Marion Ave. for the amount of \$50.00. Legal Description (17 75 07 J H YOUNGS ADD E 254 FT OL 6 & ADJ 15 FT N SID). Parcel Number (11-17-105-010).

The property of La Canada, Inc. at 321 S. Iowa Ave. for the amount of \$110.00. Legal Description (07 23 OP E 53 FT LOT 6 EXC N 24 FT OF W 19 FT & S1/2 LOT 7 8 & W 41FT). Parcel Number (11-17-379-012).

The property of David Bell at 727 S. B Ave. for the amount of \$55.00. Legal Description (06 02 S WASH N 35 FT LOT 1 BLK 16 & MILLERS ADD S 34 FT). Parcel Number (11-20-102-013).

The property of Arthur L. Young and Misty Utzinger at 608 S. 9th Ave. for the amount of \$45.00. Legal Description (02 A W CHILCOTES OL ADD S 50 FT OF N 160 FT). Parcel Number (11-20-226-003).

The property of Thomas W. and Stacy B. Ross at 1304 E. Washington St. for the amount of \$60.00. Legal Description (09 11 SMOUSES 2ND ADD LOT 10 & E1/2). Parcel Number (11-16-310-010).

The property of Jennifer A. Chalupa at 222 N. 4th Ave. for the amount of \$50.00. Legal Description (06 02 NE WASH N1/2). Parcel Number (11-17-405-001).

The property of Nicholas J. and Desirae M. McClelland at 609 N. B Ave. for the amount of \$45.00. Legal Description (01 02 M M YOUNGS 2ND ADD). Parcel Number (11-17-153-007).

The property of Lisa E. Wenger at 829 S. B Ave. for the amount of \$47.00. Legal Description (01 31 S WASH LOT 3 BLK 18 & N 9 FT). Parcel Number (11-20-106-014).

WHEREAS, trash and junk were removed from the following listed property owners:

The property of Lisa E. Wenger at 829 S. B Ave. for the amount of \$135.00. Legal Description (01 31 S WASH LOT 3 BLK 18 & N 9 FT). Parcel Number (11-20-106-014).

WHEREAS, water service charges remain unpaid and delinquent for the following listed property owner:

The property of Lisa E. Wenger at 829 S. B Ave. for the amount of \$306.11 Legal Description (01 31 S WASH LOT 3 BLK 18 & N 9 FT). Parcel Number (11-20-106-014).

and,

WHEREAS, due notice was given to the above property owners that said amount would be assessed to the property if payment was not made or an appeal was not made,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WASHINGTON, IOWA that the City Clerk be instructed to certify the above delinquent payment to be assessed against said property as listed above and that the City Clerk certify a copy of this resolution to the Washington County Treasurer.

Passed and Approved this 4th day of March, 2014.

Sandra Johnson, Mayor

Attest:

Illa Earnest, City Clerk