



AGENDA OF THE SPECIAL SESSION OF THE
COUNCIL OF THE CITY OF WASHINGTON, IOWA
TO BE HELD IN THE NICOLA-STOUFFER ROOM
AT 115 W. WASHINGTON STREET
AT 6:00 P.M., TUESDAY, MARCH 22, 2016

Call to Order

Pledge of Allegiance

Roll call

Agenda for the Special Session to be held at 6:00 P.M., Tuesday, March 22, 2016 to be approved as proposed or amended.

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

NEW BUSINESS

Discussion and Consideration of West Main Street Sewer Request.

Discussion and Consideration of RAGBRAI Start Up Money.

Discussion and Consideration of Columbarium Purchase Request – Nick Duvall

Discussion and Consideration of Municipal Building Process.

CONSIDERATION OF HEARINGS, ORDINANCES & RESOLUTIONS

Discussion and Consideration of First Reading of the 2016 RAGBRAI Ordinance.

MAYOR & COUNCILPERSONS

Sandra Johnson, Mayor
Brendan DeLong
Kerry Janecek
Jaron Rosien
Kathryn Salazar
Millie Youngquist
Russ Zieglowsky

ADJOURNMENT

Illa Earnest, City Clerk

*Brent Hinson, City Administrator
Sandra Johnson, Mayor
Illa Earnest, City Clerk
Kevin Olson, City Attorney*



*215 East Washington Street
Washington, Iowa 52353
(319) 653-6584 Phone
(319) 653-5273 Fax*

Memorandum

March 16, 2016

To: Mayor & City Council
Cc: Illa Earnest, City Clerk

From: Brent Hinson
City Administrator

Re: West Main Sewer Request

As was discussed in my budget presentation, we have an unsewered area on West Main Street, from the railroad tracks to close to Highway 1. This unserved area includes 6 residential properties and 2 commercial properties. All of the properties have existing septic tanks. We were approached by one of the property owners, who has a failing septic tank, as to whether the City would serve the area in the near future.

A project to provide sewer service would be complicated and expensive. We would have to obtain easements and run over 1,000 feet of sewer. The estimated cost of doing this is just over \$200,000. If it wanted to proceed with this project, the Council would have 3 options for funding it:

- 1) Substitute this project for I/I projects for the year.
- 2) Raise sewer fees higher than presented in the budget to provide additional funding.
- 3) Specially assess a large portion of the project, understanding that while the City may eventually be paid, if past precedents were followed most property owners could choose to use their existing septic tanks and not pay the assessment until their tank failed.

Based on the need for doing I/I projects, I cannot recommend Option 1, and Options 2 & 3 aren't particularly palatable, either. I do believe that the property owner deserves a straight answer, but I unfortunately think that answer will need to be "no".


Opinion of Cost for Main Street Sanitary Sewer
Washington, Iowa
2/11/2015

No.	Item Code	Description	Unit	Unit Price	Concept 1		Concept 2	
					Quantity	Extended Price	Quantity	Extended Price
1	2101-0850002	CLEAR+GRUBB	UNIT	\$300.00	50	\$15,000.00	50	\$15,000.00
2	2105-8425015	TOPSOIL, STRIP, SALVAGE+SPREAD	CY	\$7.00	1500	\$10,500.00	1500	\$10,500.00
3	2315-8275025	SURF, DRIVEWAY, CL A CR STONE	TON	\$25.00	50	\$1,250.00	50	\$1,250.00
4	2435-0130160	MANHOLE, SAN SWR, SW-301, 60"	EACH	\$8,000.00	5	\$40,000.00	5	\$40,000.00
5	2504-0114008	SAN SWR G-MAIN, TRENCHED, PVC, 8"	LF	\$30.00	970	\$29,100.00	1110	\$33,300.00
6	2504-0146016	SAN SWR G-MAIN/CAS, TRENCHLESS, DIP, 16"	LF	\$50.00	60	\$3,000.00	60	\$3,000.00
7	2504-0200404	SAN SWR SERVICE STUB, PVC, 4"	LF	\$25.00	133	\$3,325.00	242	\$6,050.00
8	2526-8285000	CONSTRUCTION SURVEY	LS	\$10,000.00	1	\$10,000.00	1	\$10,000.00
9	2528-8445110	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00	1	\$5,000.00
10	2533-4980005	MOBILIZATION	LS	\$10,000.00	1	\$10,000.00	1	\$10,000.00
11	2601-2634105	MULCH, BONDED FIBER MATRIX	ACRE	\$4,000.00	1	\$4,000.00	1	\$4,000.00
12	2601-2636044	SEED+FERTILIZE (URBAN)	ACRE	\$2,000.00	1	\$2,000.00	1	\$2,000.00
13	2602-0000020	SILT FENCE	LF	\$3.00	3000	\$9,000.00	3000	\$9,000.00
14	2602-0000071	RMVL OF SILT FENCE/SILT FENC-DITCH CHECK	LF	\$1.00	3000	\$3,000.00	3000	\$3,000.00
15	2602-0000101	MAINT OF SILT FENC/SILT FENC-DITCH CHECK	LF	\$1.00	3000	\$3,000.00	3000	\$3,000.00

Subtotal					\$148,175.00	\$155,100.00
Contingency				20%	\$29,635.00	\$31,020.00
Engineering & Legal				15%	\$22,226.25	\$23,265.00
Construction Total					\$200,036.25	\$209,385.00



X-REFS: MAP - UTILITIES & Sanitary Sewer Mapping (Reports)
FILE PATH: Z:\WASHINGTON 24616-020 W. MAIN ST SEWER\DRAWINGS\DESIGN DRAWINGS\SEWER CONCEPT 2

DATE	REVISONS				VERIFY SCALE		 VEENSTRA & KIMM, INC. 860 22nd Avenue • Suite 4 • Corvallis, Iowa 52241-1565 319-466-1000 • 319-466-1006(FAX) • 800-241-8000 (NATS)	MAIN STREET SANITARY SEWER CITY OF WASHINGTON	OVERALL PLAN - CONCEPT 2	DWG. NO.	C2-1
	SCALE	AS NOTED	DATE	BY	DRAWN CHECKED APPROVED DATE ISSUED FOR	ASK IF ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON ORIGINAL DRAWING, SCALE IS 1"=10'					

*Brent Hinson, City Administrator
Sandra Johnson, Mayor
Illa Earnest, City Clerk
Kevin Olson, City Attorney*



*215 East Washington Street
Washington, Iowa 52353
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(319) 653-5273 Fax*

Memorandum

March 18, 2016

To: Mayor & City Council
Cc: Illa Earnest, City Clerk

From: Brent Hinson
City Administrator

Re: RAGBRAI Workshop Items

We have two items related to RAGBRAI on the March 22 workshop agenda: 1) A request to provide startup funding for the event; and 2) The RAGBRAI ordinance.

Main Street Washington has agreed to be the fiduciary for the event and a separate bank account has been set up, but a variety of expenses are expected before the point at which funds will start flowing back in. In order to allow for the orderly conduct of business to make this event a big success, I recommend that the Council allocate \$5,000 to the Washington RAGBRAI Committee, through Main Street Washington. This should be done with expectation that this is a cash advance that will be repaid when the event is closed out.

The ordinance is necessary in order to set special rules for the day of RAGBRAI. An event of this magnitude requires special rules to ensure public safety, efficiency and order. This ordinance is largely just the stock ordinance provided by the statewide RAGBRAI organization, with a few small changes made. The RAGBRAI Advisory Board will be meeting to discuss and finalize the proposed ordinance on Monday. We will provide copies of the proposed ordinance as soon as it is approved by that body.



RAGBRAI Washington

Friday, July 29th

www.ragbraiWASHINGTON.com



RAGBRAI Washington

XLIV



City of Washington

Elm Grove & Woodlawn Cemetery

Elm Grove & Woodlawn Cemetery would like to request City Council's consideration for purchase of 2 – 80 niche columbariums similar to size, color, and design of the ones purchased in 2001. We contacted 4 manufacturers and received 2 bids back. The cemetery is responsible for all concrete sidewalks and foundations, landscaping, and crane service needed for project. We are currently expecting to spend approximately \$5,000 on crane service, \$6,000 on concrete for foundations and sidewalks, \$2,000 on benches, and \$2,000 on landscaping. The funds that will be used to pay for this project are in the cemetery gift fund (590). The cemetery personnel will be doing the work, except the crane service.

The lowest proposal received meeting all specifications was from Coldspring Granite. We also received a proposal from Eickhof Columbaria.

Coldspring Granite:	\$34,918.00
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Eickhof Columbaria:	\$63,595.00
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If you have any questions, please feel free to contact me. I will be happy to answer any questions that you may have. Thank you for your consideration.

Sincerely,

Nicholas Duvall

Cemetery Sexton

Elm Grove & Woodlawn Cemetery

319-653-3927 Office

319-461-1490 Cell

nduvall@washingtونيowa.net

Proposal Submittal Form

March 11, 2016

Mr. Nicholas Duvall, Sexton
Elm Grove Cemetery
P.O. Box 516
Washington, IA 52353

RE: Columbarium project for Elm Grove Cemetery in Washington, IA
Job number 15077

Dear Mr. Duvall,

We propose to furnish and deliver two Canterbury (80 niche round) columbarium, F.O.B. Washington, Iowa for the lump sum price of \$63,595.00. You can choose from standard granite colors which are Mahogany, Morning Rose, Bellingham, Barre Gray, American Rose, and Cambrian Black. Other colors are available but may require a slight price adjustment.

After receiving approved drawings, we require 18 to 20 weeks for procurement of granite and fabrication of the columbarium.

Our proposal is based on the following quantities of Fickhof niches, hardware, & accessories for the round columbarium included in this proposal:

160	Fickhof companion niches
126	11 7/8" x 11 7/8" Single granite niche fronts (this includes 6 extra fronts)
42	11 7/8" x 15 7/8" Single granite niche fronts with attached base trim (this includes 2 extra fronts)
3	Temporary single fronts (this front is put into place during inscription)
2	3" Thick capstone - polished top with rock face edges
2	Concrete inner structure
3	Key Wrenches

Our terms of payment are as follows:

1/2 Payment with order	\$31,798.00
Balance after delivery	\$31,797.00
Sales/Use tax for Washington, IA	\$ 4,451.65
Total Contract	\$68,046.65



Crane rental/operator rental for day of delivery is responsibility of owner. We have a project lead time of approximately 18 to 20 weeks from signed order with down payment to delivery.

We appreciate the opportunity to provide you this preliminary quote for your project. Please let us know if you would like a formal confirmation of order with drawings to approve. Our toll free number is 800.253.0457!

Very Truly Yours,
Eickhof Columbaria Inc

Accepted for Elm Grove Cemetery:

By: _____

Derek Martin

Date: _____

Derek Martin
Sales & Marketing Associate



COLDSPRING™

02/08/2016

PH: 319-653-3927

FX:

No. of Pages: 1

City of Washington
PO Box 516
Washington, IA 52353
Attn: Nicholas Duvall

Project Name: Two 80 niche columbariums
Project Location: Washington, IA

Ref: Two 5252X columbariums

CONFIRMED PRICING (valid for 60 days)

Two columbariums Per Design #5252X, these units will be **eight (8) niches wide and 5 niches high with single depth niches loading two sides.
Interior units are reinforced concrete with a durable polystyrene liner and closure.
The cabinet is completely clad in granite.
Niche fronts will be polished (narrow range) Carnelian granite and hung with Sinner Bronze rosette hangers.
Each front covers two openings.
Excludes pre-drilling of fronts.
Niche trim will be polished (full range) Sunset Red granite.
Coldspring will provide foundation plans, and will furnish a lifting harness.
Unit will be shipped pre-assembled to the site.
Cemetery responsible for foundation, unloading the unit at the site, landscaping, and memorialization.
Coldspring10/50 Warranty is included.
Price, F.O.B. Washington IA, is \$ 34,918.00 (excludes any applicable sales tax.)

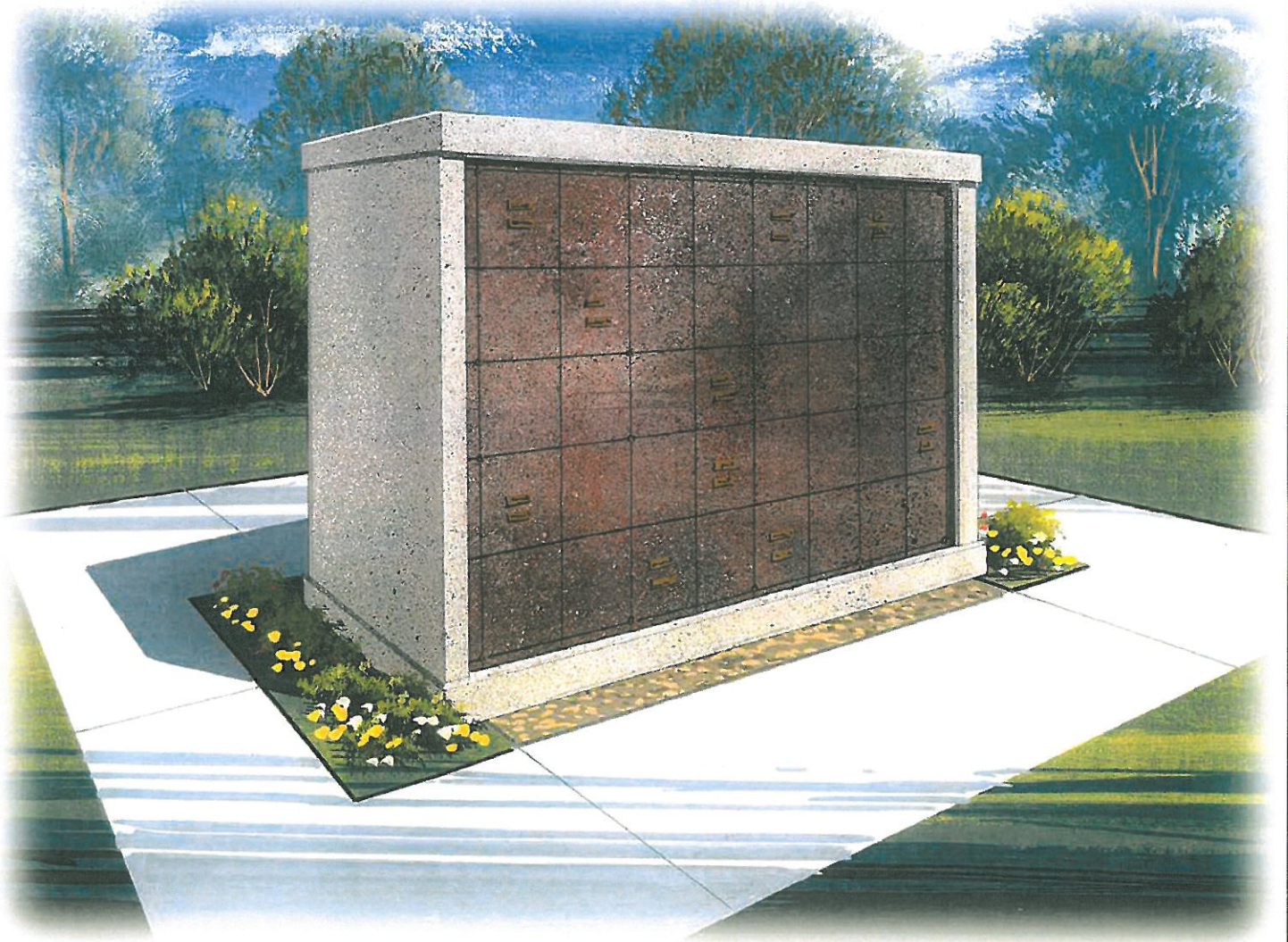
Please contact me @ (800) 328-5040, if you would like to proceed with an order or have any questions. Thank you!

Pricing as noted above is for budget purposes only.

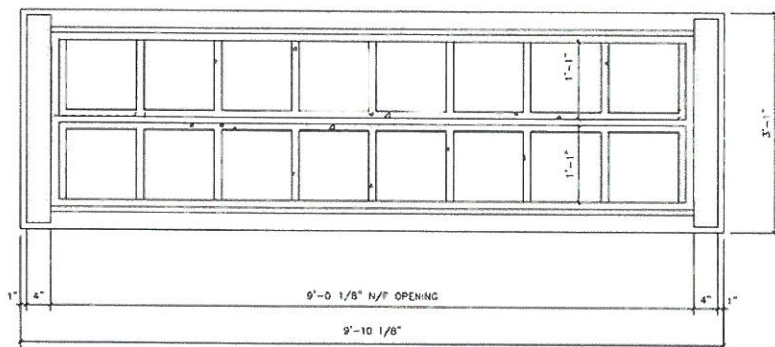
Submitted By

Gary Gertken

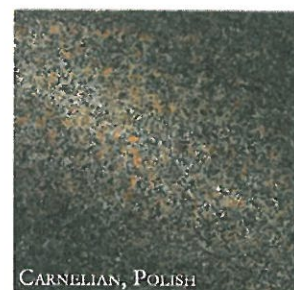
17482 Granite West Road, Cold Spring, MN 56320-4578 USA
P:800-328-5040 P:320-685-3621 F:320-685-8490



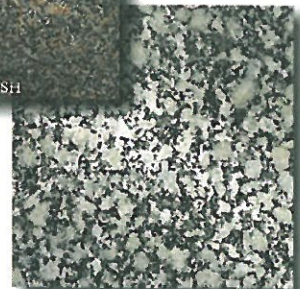
80 NICHE PRE-ASSEMBLED COLUMBARIUM



COLUMBARIUM HEIGHT = 6'-5"



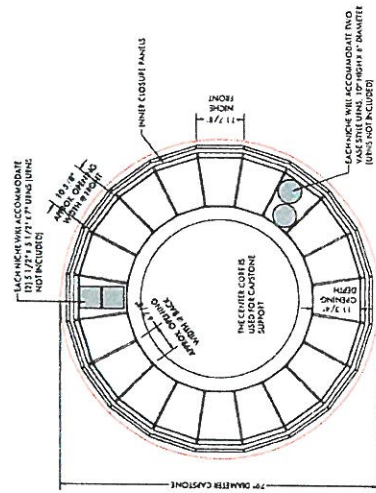
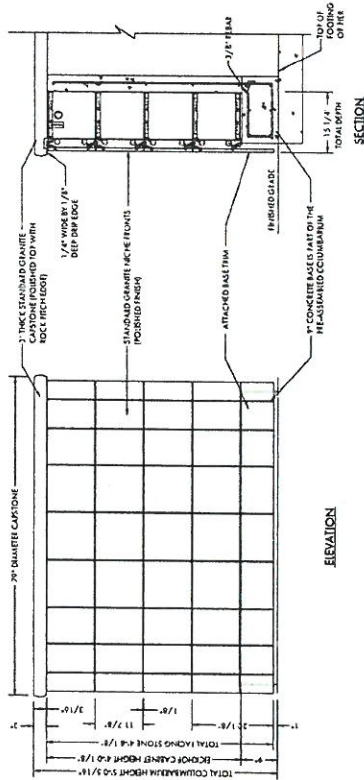
CARNELIAN, POLISH



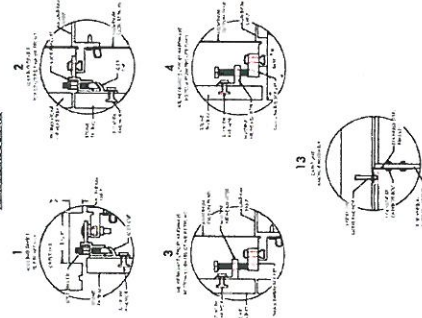
MOONLIGHT GRAY, POLISH

Drawing of Canterbury showing assembly details by Eickhof

CANTERBURY - 80 COMPANION NICHES 160 UBN SPACES



HARDWARE DETAILS



PATENTED
www.eickhof-columbia.com
© 1995 E. Eickhof Columbia, Inc.
1200 BRUCE STREET
CROOKSTON, MN 56716
PHONE:
218-281-5501
TOLL FREE:
800-253-0457

CANTERBURY

DATE	2/4/2016
DRAWING	CANTERBURY
DESIGNED BY	FAT S
REVISIONS	
SCALE	3/4" = 1'-0"
JOB NUMBER	00000
SHEET NUMBER	1 OF 1

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Memorandum

March 16, 2016

To: Mayor & City Council
Cc: Illa Earnest, City Clerk

From: Brent Hinson
City Administrator

Re: Municipal Building Process

The City Council last met on Municipal Building project issues at workshops on November 24 and December 8, 2015. My understanding of the outcome of those meetings was a consensus toward pursuing the Campus option, but after determining the final status of the Former Library.

Without overly rehashing items previously discussed, I believe the only way to proceed with major projects like this is with full consensus of the City Council; the Council needs to determine what process should be followed from this point forward to ensure, to the greatest extent possible, that all major decisions moving forward will be able to get a 6-0 majority. It is tough enough to get major building projects done, but it is nearly impossible with a divided Council.

My recommendation to you at this juncture is based on a belief from the discussions late last year that the City Council would fully support the Campus option if an acceptable alternative use could be found for the Former Library. If this is the case, I see the City Council as having one of two preferred options: 1) Establish a new process for marketing the building and put any project moves on hold until an acceptable offer for sale is received; or 2) Proceed with the process for constructing a new Fire Station under the Campus option, while marketing the Former Library on a parallel track.

Each option has pros and cons, of course. In either option, we run the risk that no buyer can be found for the building, which ultimately stalls project progress. Option 1 is very similar to what we did in October 2014- April 2015. We really worked hard to identify potentially interested parties, but ultimately did not receive any proposals. My

understanding of the process was that if we were unable to identify an alternate use for the building that we would then proceed with renovation of the Former Library for City Hall. However, this process somehow did not lead to City Council consensus. We went into the process with a 4-2 majority in favor of renovating the Former Library, and came out with the same majority. Half of the City Council membership has changed since that time, so perhaps the process could work this time if everyone agreed on a process for identifying a commercial realtor to market the building and a timeline, and everyone agreed to be bound by the result. However, I would consider it to be a waste of time and resources if we ended up in same place we are in now after going through another extensive process.

What I present here as Option 2 may be the way to go if the City Council believes it could never reach consensus on the Former Library option. In this option, we would commit to marketing and selling the Former Library, whatever it takes, while moving forward on the Fire Station project. The chief advantage to this approach is that we would be able to proceed with Fire Station planning and additional property acquisition. The chief disadvantage is that if we are unable to sell the Former Library prior to the public referendum, it could really hurt us in the eyes of the voters to have an “extra” building while pursuing funding for a new building.

I look forward to discussion at the meeting.

Washington Municipal Building Project Process Timeline

As of 3/16/16

1974	Municipal Building constructed with current 9,403 square foot footprint
2005	Police Department moves into Municipal Building (Council Chambers); City Council meetings move to Helen Wilson Gallery of (Now Former) Library
2009	Library moves out of 120 East Main; City Council agrees to take responsibility for building; Council Chambers moved to main floor of building & upper floor leased to Public Health
January 11, 2013	Request for Proposals (RFP) prepared for architect study of building options for City Hall, Police & Fire
February 20, 2013	City Council approves architect study proposal by Klingner & Associates Architects of Burlington
February 18, 2014	Klingner completes building study & reports to Council; Council defers to April 22 workshop for further discussion
March/April, 2014	Staff group meets to review and discuss building study and formulate recommendation to Council; recommends Option 2 (build new Fire Station; renovate Municipal Building for Police & City Hall)
April 22, 2014	Council holds workshop on study; votes to proceed with Option 1 (renovate Former Library for City Hall; renovate Municipal Building for Police & Fire)
May 6, 2014	Staff presents preliminary Former Library construction schedule & budget; Council tables to May 20 meeting
May 20, 2014	Council votes to hold off on construction process for Former Library; directs staff to investigate a process for advertising the sale of the Former Library
June 24, 2014	Council holds workshop to discuss draft RFP for advertising sale of Former Library
September 2, 2014	Council passes resolution to create Former Library RFP Committee to finalize & publicize RFP to sell building
October 1, 2014	Committee finalizes & begins publicizing Former Library RFP
January 15, 2015	Due date for proposals (none received, deadline extended by committee to allow more time based on two possible interested parties)
April 28, 2015	Having received no proposals, Council meets to discuss moving forward with Former Library renovation project, including acquisition of three properties (216 & 220 East Jefferson & 123 E. 2 nd Street); Council authorizes property acquisition negotiations following closed session discussion
May 5, 2015	Council authorizes purchase agreement for 123 W. 2 nd Street
May 19, 2015	Council authorizes purchase agreements for 216 & 220 East Jefferson Street
June 23, 2015	Council holds workshop to discuss Former Library construction

	project committee; directs staff to bring back a resolution to this effect, in consultation with committee chair Jaron Rosien
July 7, 2015	Council votes to create project committee; asks committee to review former Kirkwood site as an option for City Hall
July 28, 2015	Project committee meets & tours former Kirkwood facility; votes to eliminate it as an option
September 1, 2015	Project committee meets to discuss tours of similar (City Hall) facilities in comparable communities
October 6, 2015	Project committee tours facilities in Oskaloosa and Pella
November 24 & December 8, 2015	City Council workshop meetings held to discuss status of projects and to establish future direction. The consensus of the Council was favorable to the Campus option, but only after determining the status of the Former Library

Municipal Building Options



COUNCIL WORKSHOP EXAMINATION
NOVEMBER 24, 2015

What are the Options?



- The issue: Police, Fire and City Hall are all out of space. Police has been in a temporary location since 2005, and the City owns the Former Library building, which is essentially vacant.
- Municipal Building Study, completed February 2014, identified four options, but only two received serious consideration:
 - “Former Library Option”: Renovate Former Library for City Hall, then expand Municipal Building for Police and Fire.
 - “Campus Option”: Build new Fire Station, then renovate Municipal Building for Police and City Hall.

What Formal Steps Have Been Taken?

- April 2014: Council selects Former Library option; this decision later suspended.
- September 2014-April 2015: Following Council approval, RFP committee markets Former Library for sale. No proposals received.
- April-May 2015: Council authorizes proceeding with purchases of 123 E. 2nd Street, 216 & 220 E. Jefferson
- July 2015: Council creates project committee for renovation of Former Library

Pros & Cons of Former Library Option



Pros	Cons
Reuse of large downtown building	Lowest Fire Dept square footage
Least property acquisition (and it is completed)	Uncertainty in cost of renovating (Former Library)
Investment in time & resources up to this point	ADA issues (Former Library)
Potential to finance without a public referendum	Parking lot location serves more to keep staff vehicles off street than public parking (Former Library)
	Difficulty of major construction-blocking of streets (Former Library)
	Possible interference with “egg” sewer (Fire)

Project Flow & Finance: Former Library Option

- **Former Library-** \$700,000 loan, not subject to referendum
 - Most of the remainder of funding comes from quarterly Riverboat payments
 - Any streetscape improvements paid from Essential Corporate Purpose bond money
- **Former Library** is renovated fully before City Hall moves in
- **Municipal Building** improvements are financed by additional \$700,000 loan, not subject to referendum, and other funding sources, including quarterly Riverboat payments & grants
- **Municipal Building** (City Hall portion) is renovated for Police, and then they move in
- **Municipal Building** (Police portion) is renovated for Police & for joint training room
- **Municipal Building** (Fire portion) addition is constructed

Pros & Cons of Campus Option



Pros	Cons
Keeps 3 departments together <ul style="list-style-type: none">• Public convenience• Security, safety, shared space Most square footage for Fire	May require working with up to 2 additional property owners Lowest square footage for Police (still 3.5x larger than current)
Probable best plan for phasing of project construction & least public disruption	Status of Former Library?
Shared generator- current generator sized to handle entire complex	Likely need for a public referendum (Fire)- most expensive part done first
Best access for public traffic	Possible interference with “egg” sewer

Project Flow & Finance: Campus Option



- Fire Station approx \$1,800,000 loan, subject to referendum
 - Additional money from grants & funds on hand
- New Fire Station is constructed; Fire Station moves out of Municipal Building
- Municipal Building- \$700,000 loan, non-referendum
 - Additional money from quarterly Riverboat and other funds
- Phase 1 of Municipal Building renovation begins- renovation of current Fire Station portion
- City Hall and Police temporarily move into Phase 1 portion after it is completed
- Phase 2 of Municipal Building renovation is done; City Hall and Police move into full office space

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF WASHINGTON, IOWA BY ADDING A TEMPORARY SECTION ENTITLED "RAGBRAI ORDINANCE"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, IOWA:

Section 1. That the Municipal Code of the City of Washington, Iowa be amended by the following Ordinance designated "RAGBRAI ORDINANCE", which because of its temporary nature shall not be printed as part of the permanent Code of Ordinances. The RAGBRAI Ordinance is as follows:

RAGBRAI ORDINANCE

1. Definitions

- A. As used herein, "food" shall include food products of all kind including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.
- B. As used herein, "person" shall include any individual person, club, group, organization, partnership, corporation or entity of any kind.
- C. The RAGBRAI Committee for purposes herein shall be defined as the RAGBRAI Advisory Board and the RAGBRAI Executive Committee.

2. Commercial Vendor Booth – Permit Required

No for-profit person, shall provide or sell food or goods to the public in Washington, Iowa on July 29, 2016 or July 30, 2016 at a location other than their regularly-established place of business unless said person shall first obtain a Commercial Vendor Booth Permit from the Washington RAGBRAI Committee through the Chamber office located at 205 West Main Street, Washington, Iowa.

3. Commercial Vendor Booth Fees

The fee for a Commercial Food Booth Permit shall be \$850.00.

4. Commercial Vendor Booth Location

A Vendor who has been granted a Washington Commercial Vendor Booth Permit shall locate its temporary sale facility at a location, and only at that location, to be determined by the official Washington RAGBRAI Committee.

5. Non-Profit Vendor Booth – Permit Required

No non-profit person of any kind shall provide or sell food or goods to the public in Iowa Lake on July 29, 2016 or July 30, 2016, at a location other than their regularly-established place of business unless said person or entity shall first obtain a Non-Profit Vendor Booth permit from the Washington RAGBRAI Committee through the Chamber office located at 205 West Main Street, Washington, Iowa.

6. Non-Profit Vendor Booth Fees

The fee for a local Non-Profit Vendor Booth Permit shall be \$350.00.

7. Non-Profit Vendor Booth Location

A Vendor who has been granted a Washington Non-Profit Vendor Booth Permit shall locate its temporary facility at a location, and only at that location, to be determined by the official Washington RAGBRAI Committee.

8. Health Regulations

A person issued a commercial or non-profit food booth permit pursuant to this Ordinance shall comply with the Iowa Department of Health and Washington County Department of Environmental Health rules and regulations, including obtaining appropriate permits, pertaining to the sale and dispensing of food for consumption on its premises.

9. Refundable Cleanup Deposit

Permitted vendors shall pay, at the time of application, a \$100.00 refundable deposit. If cleanup of the site is approved by the Sanitation Committee, the deposit will be refunded.

10. Declining Permit

The Washington RAGBRAI committee shall approve all permits and have sole discretion to decline to issue a permit for any reason, provided, however, that no applicant for a permit shall be denied based upon the race, creed, color, sex, age, or country of origin of the applicant.

11. Application Deadline

All applications for permits must be received by June 1, 2016. Applications received after this date are not ensured of approval and are subject to a \$250 late fee.

12. Electrical Service

The fee for providing electrical service to each booth shall be \$75.00 per booth. Additional charges may apply if more than basic electrical needs are requested.

13. Outdoor Alcoholic Beverage Garden

The presence of 25,000 additional people in Washington on July 29, 2016, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, in order to ensure public safety and to facilitate police protection, the Council determines that there may be no more than one applicant permitted to operate an outdoor alcoholic beverage garden from a temporary location with a five day or fourteen day beer permit and/or five day or fourteen day liquor license. To help support the cost incurred by the Washington RAGBRAI Committee to host RAGBRAI as an overnight stop, the Washington RAGBRAI Committee, or its designee, shall have the first option to apply for the necessary permits or licenses to operate such alcoholic beverage garden at such location, but if the Committee does not secure such a permit and/or license before July 1, 2016, the Council shall have the option to consider applications from other vendors. Businesses that have an existing liquor license for an outdoor beverage garden as of the date of approval of this Ordinance shall be permitted to operate such within the space defined in their license.

14. Motorized Vehicles

The use of motorized vehicles such as scooters, golf carts, ATV's, etc. are prohibited in event venue areas, as designated by the Washington RAGBRAI Committee, unless specifically authorized by the Committee or Washington Police Department.

15. Nuisance.

The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a commercial or non-profit vendor permit on July 29, 2016 and July 30, 2016 is in violation of this Chapter shall be considered a nuisance as defined by Chapter 50 of this Municipal Code. If this type of nuisance is determined to exist by the Police Chief, an emergency abatement procedure pursuant to Chapter 50 of the Municipal Code is hereby authorized and may be executed by any peace officer or those acting at their discretion by dismantling and removing the nuisance without notice.

16. Violations - Penalties

Selling or supplying food or goods to the public without a Washington Commercial/Non-Profit Vendor Booth Permit on July 29, 2016 or July 30, 2016 when such a permit is required, is in violation of this Ordinance. The Washington RAGBRAI Committee at its sole discretion could issue a permit, subject to receipt of booth fee, regular late fee, and an additional late fee of \$250.00.

17. Indemnity

The Washington RAGBRAI Committee shall establish an indemnity agreement to be signed and returned with each Washington RAGBRAI Vendor Application. The vendor must indemnify and hold harmless the Washington RAGBRAI Committee, its agents, officers, employees, the Washington Chamber of Commerce, Main Street Washington, and the City of Washington from and against all claims for injury or damage to persons or property arising out of or caused by the act of vending during the Washington RAGBRAI event.

18. Non-Glass Containers

To promote public safety, Vendors are hereby prohibited from selling beverages in glass containers on July 29, 2016 at 5 o'clock A.M. to July 30, 2016 at 5 o'clock P.M.

18. Street Closings

During the Effective dates of this ordinance and without prior Council approval regarding the blocking of any city streets, any Washington police officer, or those at their direction, may place barricades or road blocks in any City street, alley or roadway to redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the City limits of the City of Washington.

19. Effective Period

The provisions of this Ordinance shall be in effect upon passage by the Washington City Council and remain in effect until 5 o'clock P.M. on July 30, 2016.

20. Certain Ordinances Suspended

Effective July 29, 2016 at 5 o'clock A.M. to July 30, 2016 at 5 o'clock P.M., all ordinances in conflict with this ordinance shall be suspended and shall not be enforced, at the discretion of the Police Chief.

21. Authority

Any and all issues and appeals regarding this ordinance will be brought to the Washington RAGBRAI Advisory Board for resolution.

Section 2. Repealer. All previous ordinances or parts of such ordinances in conflict with provisions of this Ordinance are hereby repealed.

Section 3. Severability. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2016.

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 _____, 2016.

City Clerk