

**REGULAR CITY COUNCIL MEETING
TUESDAY –APRIL 4, 2017 – 6:00 PM
EVANSDALE CITY HALL**

AGENDA

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approval of the April 4, 2017 agenda
5. Mayors Presentation of the Bunger Middle School Students of the Month – February 2017: Jenene Fluhr, Dylan Lange, Madison Embrey, Peyton Borseth, Christian Marquette, Iyanna Hoskins, and Victor Escobar-Garcia
6. Proclamation encouraging our citizens to undertake personal and organizational efforts that will enhance the cleanliness, health and beauty in our community and state.
7. Approval of the Consent Agenda – All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time Council votes on the motion
 - a. Approval of March 21, 2017 regular meeting minutes
8. Resolution 6063 authorizing payment of bills and transfers
9. Request from Public Works Director to dispose of equipment for scrap value
10. Resolution 6064 approving the proposed plans, specifications, form of contract, cost estimate, and accepting low bid for the project in the amount of \$18,053 to Frickson Backhoe & Trucking of Evansdale, Iowa, and authorizing Mayor to sign said documents for the Ellendale Drive Sanitary Sewer Extension Project
11. Resolution 6065 fixing compensation for Paramedic Christian Staley
12. Request from Animal Control Officer to remove vicious animal from the city
13. Distribution/Discussion: ordinance amendments
14. Public discussion – non agenda items
15. Mayor/Council Reports
16. Adjournment



PROCLAMATION

- WHEREAS,** Iowa's communities and countryside provide the basis for making this a special and unique place to live; and
- WHEREAS,** caring residents and citizens desire to build the pride and respect toward our communities natural lands and the environment, knowing that these are essential to the cultural and economic health and vitality of the state where we live; and
- WHEREAS,** visitors to Iowa will respect and admire the communities and countryside that make us special; and
- WHEREAS,** Iowa's towns and cities recognize the importance of maintaining clean and attractive areas; and
- WHEREAS,** The Iowa League of Cities serves as the unified voice of cities, providing advocacy, training and guidance to strengthen Iowa's communities, and
- WHEREAS,** Keep Iowa Beautiful, a state affiliate of Keep America Beautiful, works to build partnerships with government organizations, private companies, communities, counties and volunteer/service groups statewide to conduct litter prevention, recycling, beautification, community and landscape enhancement, increased volunteerism and waste minimization programs and projects; and
- WHEREAS,** for more than 16 years, Keep Iowa Beautiful, its Board of Trustees and sponsors, have combined leadership, creativity, insight and expertise that continues to enhance the beauty and cleanliness of Iowa:
- NOW, THEREFORE, I,** Doug Faas, Mayor of Evansdale, encourage our citizens to undertake personal and organizational efforts that will enhance the cleanliness, health and beauty in our community and state. I do hereby proclaim

April 2017 KEEP IOWA BEAUTIFUL MONTH

IN TESTIMONY WHEREOF, I have hereunto subscribed my name on this 4th day of *April* in the year of our Lord, two thousand and seventeen.

Doug Faas
Mayor of Evansdale

Attest: DeAnne Kobliska
City Clerk

CITY HALL
EVANSDALE, IOWA, MARCH 21, 2017
CITY COUNCIL
DOUG FAAS, MAYOR, PRESIDING

The City Council of the City of Evansdale, Iowa met in regular session, according to law, the rules of said Council and prior notice given each member thereof, in the Council Chambers of City Hall of Evansdale, Iowa at 6:00 P.M. on the above date. Council members present in order of roll call: Nichols, Walker, Loftus, Dewater, and Seible. Quorum present.

Loftus/Seible to approve the March 21, 2017 agenda as amended by removing item 11), request to enter into a transport agreement with CARE Ambulance, LLC, due to changes the attorney recommended. Roll call vote: Ayes-Five. Motion carried.

Walker/Loftus to approved the following items on March 21, 2017 consent agenda. a. Approval of March 7, 2017 regular meeting minutes. b. Accept and place on file the minutes and reports from the following Departments, Boards, and Commissions (n/a = not available): Ambulance & Fire Report (Feb), Building Inspection Report (Feb), Clerk/Treasurer Report (Feb), Code Enforcement Report (Feb), Evansdale Municipal Housing (Feb), Library (Feb), Parks Dept. (Feb), Planning & Zoning (Jan), Police Dept. (Feb), Storm Water Commission (n/a), and Water Works (Feb). Roll call vote: Ayes-Five. Motion carried.

Seible/Walker to approve resolution 6061 authorizing payment of bills and transfers. Councilman Seible question the payment to the Grade III Operator. Mayor Faas explained that the Waste Water Plant Foreman was on vacation and the Grade III Operator was covering those hours, in addition there where issues that required him to work extended hours. Roll call vote: Ayes-Five. Motion carried.

Loftus/Dewater to approve library contract with the City of Elk Run Heights FY18-FY20 in the amount of \$10,656.18 annually. Councilman Nichols questioned if there was an increase in the contract amount. Mayor Faas responded that there was not. City Clerk, DeAnne Kobliska, explained that the contract amounts are reviewed on the census years and the next census in 2020, which is when this expires. Mayor Faas added that the amount is partially based on population. Ayes-Five. Motion carried.

Dewater/Seible to approve library contract with the City of Gilbertville from FY18-FY20 in the amount of \$6,792.48 annually. Ayes-Five. Motion carried.

Walker/Loftus to approve resolution 6062 approving MOU between Black Hawk County Board of Supervisors and the City of Evansdale for the Lucas Assistive Device provided by the County to the Evansdale Fire Rescue to advance care in patients who suffer from Sudden Cardiac Arrest, and authorize the Mayor to sign said agreement. Councilman Nichols questioned how the device worked. Mayor Faas explained the devices potential to save a life during a heart attack. Councilman Seible asked if there will be training. Mayor Faas responded yes. Roll call vote: Ayes-Five. Motion carried.

Dewater/Seible to approve request from City Clerk to dispose of old telephone system (unable to sell due to age of product). Ayes-Five. Motion carried.

Loftus/Seible to approve request from Public Works Director to replace Dissolved Oxygen Testing probe and meter in an amount not to exceed \$1,828 utilized for testing waste water daily samples. Ayes-Five. Motion carried.

Distribution/Brief Discussion: ordinance amendments. Mayor Faas went over changes to Chapters 40, 50, 51, and 66. He pointed out in Chapter 50 section 50.02 number 14, this change would allow the city to

deal with any private property that have allowed driveways/parking lots to become unsuitable. Mayor Faas went on to number 18, pointing out to council that both ordinance 615 and the zoning manual specifically prohibited portable shelters and trying to determine when an accessory building was repaired or added would be difficult to enforce. Councilman Seible questioned if a resident removes the canvas will the structure have to be taken down. Mayor Faas responded yes. The Mayor went onto paragraph 21, regarding storage of vehicles outdoors, which will now exclude trailers. The council agrees that this will need some clarification before finalizing. Mayor Faas stated he will get the discussed language added. Mayor Faas continued to Chapter 51, section 51.01, stating the change in the definition in paragraph two, a vehicle is not an enclosed structure, the language was added to address vehicles parked at a residence that are full of junk. Paragraph 9 addresses what a vehicle is. In Chapter 66, section 66.03 Load Limits, we added language stating gross weight in excess of 10 tons was not allowed unless it was a school bus, city-owned vehicle, or vehicles making deliveries or pick-ups within City limits. Mayor Faas asked council to review all the changes to the four chapters and that we would discuss at the next council meeting.

Public discussion: John Peverill, 543 East End, stated a resident on Gilbertville Rd. has several junk cars on his property. Mayor Faas responded that he would have code enforcement look into it when he returns. Councilman Nichols stated he had a resident complaint about a city vehicle driving on the bike trail and resident had to get off the trail for the city employee to pass. Mayor Faas responded that the city ordinance allows city vehicles on the trails. Mark Brown, 105 Elk Run St., Elk Run Heights, spoke regarding ATV's/UTV's, and that an ordinance has been passed in Raymond and Elk Run Heights. Mark encouraged council to consider passing a like ordinance in Evansdale. Chief Jensen stated that he is not in favor of ATV's but would consider the UTV. Councilman Dewater stated he feels an ATV is no less safe than a moped. Mayor Faas questioned if Council would like topic on next agenda, the council agreed. John Peverill, questioned if we will continue to allow hobby car permits. Mayor Faas responded yes. John suggested we issue the permit for only 30 days and track their progress. Don McKinney, 542 Home Acres, expressed concerns with a couple of abandoned homes on his block. Mayor Faas responded that the amended ordinance would address these structures. Loraine Atkins, 625 River Forest Rd., stated that the house and senate passed today that Iowa doctors will be able to treat Lyme Disease legally.

Mayor/Council Reports: Mayor Faas updated the Council on the EMT position. He discussed moving forward with permanent part time option so we can start filling shifts. Councilman Seible questioned if the funds that were budgeted for the full time EMT position would be utilized for the part time EMT salaries. The Mayor responded yes. Seible questioned if the city owned a specific piece of property as a resident wanted to purchase it. Mayor Faas responded that he would look into it.

There being no further discussion, Seible/Loftus to adjourn the meeting at 6:42 p.m. Motion carried.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk

RESOLUTION 6063
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVANSDALE, IOWA, THAT
THE FOLLOWING BILLS BE PAID AND THE TRANSFERS ARE HEREBY ALLOWED.

A.C. INVESTMENTS	FY17 2ND 1/2 REBATE	2,714.00	
ADVANCED AUTO	PD-#14 LOF & BRAKES	719.26	
	PD-#8 LOF & BULB REPLACEMENT	61.57	
	PD-#13 DIAGNOSTIC CK	106.95	
	TOTAL	887.78	
ALLEN HOSPITAL	SUPERVISORY TRAINING	74.00	
ARROW INTNL	FD-MEDICAL SUPPLIES	359.80	
ASPRO	RU-COLD MIX	631.80	
AUTO PLUS	RU-COOLANT/STOCK	11.64	
	RU-BRAKES & PADS #57	122.99	
	RU-SHOCKS #57	154.44	
	TOTAL	289.07	
BARCO MUNICIPAL PRDTS	RU-WELCOME SIGNS	124.19	
B.H. COUNTY SHERIFF	PD-ANNL TRNG RANGE USE	500.00	
B.H. CNTY TREASURER - E911	PD-APR-JUNE 2017 EDAC FEES	2,865.03	
APPROVED BY COUNCIL 12/20/16	BLACK HAWK ELECTRICAL	PK-REPLACE ELECTRIC PANELS	82,520.00
	SR-FLYING J LIFT STATION PUMP	290.75	
	TOTAL	82,810.75	
CENTURY LINK	SR-INTERNET	78.99	
C.G.A.	2017 STREET REHAB PRJT	32,035.00	
	COLLEEN ST RECON	5,187.50	
	FLOOD CTRL/ER CREEK #3	1,711.20	
	LAFAYETTE RD CULVERT PRJT	4,103.85	
	LAFAYETTE RD RECON PRJT	515.25	
	DORIS DR RECON PRJT	4,098.85	
	RFR-RECON PRJT	2,397.35	
	TOTAL	50,049.00	
COUNTY MATERIALS	RU-REPAIR LEVEE	164.00	
	RU-REPAIR LEVEE	443.38	
	TOTAL	607.38	
COURIER	PY-PUBLISH ORD 648	16.19	
	PY-3/7 MINS & BILLS	121.73	
	TOTAL	137.92	
COVENANT MEDICAL CNTR	FD-DRUGS FOR AMB CALLS	72.61	
CREATIVE IMPACT	RU-FLOOD DAMAGE REPORTS	46.20	
D & D TIRE	RU-TIRES FOR #69	852.00	
ELLISON, COLTON	PD-WASH/WAX/DETAIL 5 CARS	200.00	
EMERGENCY MEDICAL PRDTS	FD-MEDICAL SUPPLIES	780.72	
	FD-MEDICAL SUPPLIES	9.54	
	TOTAL	790.26	
EMERSON CRANE RENTAL	SR-INSTALL PUMP @ FLYING J	320.00	
ESO SOLUTIONS	FD-2017 SFTWR SUBSCRIPTION	1,489.50	
APPROVED BY COUNCIL 2/21/17	HAWKEYE COMMUNITY COLLEGE	PD-ILEA ACADEMY	3,275.00
	IOWA PRISON IND	PD-ILEA UNIFORM	225.00
	KELTEK INC	PD-POCKET JET PRINTER/VEHICLE	290.83
	LAW ENFORCEMENT SYSTEMS	PD-EVIDENCE TAG	65.40
	LJ'S WELDING & FAB	RU-BEAMS/OVERHEAD HOIST	637.50
		RU-PADS/OVERHEAD HOIST	135.00
	TOTAL	772.50	
MEDIACOM	BI-INTERNET	41.18	
	PY-INTERNET	41.18	
	RU-INTERNET	75.90	
	RU-INTERNET	41.18	
	SR-INTERNET	41.18	
	TOTAL	240.62	
MUTUAL WHEEL	RU-MIRROR #56	25.47	
APPROVED BY COUNCIL 3/21/17	NORTH CENTRAL LABS	SR-OPTICAL PROBE/DO METER	1,825.94
	PPG ARCHITECTURAL FINISHES	RU-PAINT/SAFETY EQUIPMENT	280.73
	STAPLES	BI-TONER	53.98
	STOCKS, PHIL	GRADE III OPERATOR	960.00
	SUPERIOR WELDING	RU-SHOP SUPPLIES	266.31
		RU-WELDING SUPPLIES	46.23
		RU-REPAIR REGULATOR	68.09
		RU-WELDING WIRE	145.20
	TOTAL	525.83	

VAN METER IND	SR-LIGHT CAPS/SKIM PIT	70.12
	SR-FLYING J ALARM BATTERY	24.58
	TOTAL	94.70
VERIZON	FD-CELL PHONE	42.89
VIETH CONSTRUCTION	LEVEE RIP RAP REPAIR	14,750.00
WEBER PAPER	PD-JANITORIAL SUPPLIES	31.01
	FD-JANITORIAL SUPPLIES	31.02
	TOTAL	62.03
WERTJES UNIFORMS	PD-UNIFORMS	165.00
	PD-UNIFORMS	158.00
	PD-UNIFORMS	234.80
	PD-UNIFORMS	57.00
	PD-UNIFORMS	430.95
	PD-UNIFORMS	59.00
	TOTAL	1,104.75
	001 GENERAL FUND	93,695.39
	002 CAPITAL IMPROVEMENT	1,329.75
	005 STREETS	15,403.58
	110 ROAD USE TAX	51,344.32
	125 HOMEACRES TAX	2,714.00
	302 2015 CAPITAL PROJECTS	2,397.35
	610 SEWER FUND	3,611.56
	GRAND TOTAL	170,495.95

PREPAYS

EFT	ADVANTAGE ADMINISTRATORS	P/R DEDUCT	93.10
80761	CAPITAL ONE BANK	LIB-POSTAGE	10.85
		LIB-POSTAGE	2.50
		LIB POSTAGE	2.97
		TOTAL	16.32
80762	INGRAM LIBRARY SERVICES	LIB-BOOKS	5.99
		LIB-BOOKS	15.53
		LIB-BOOKS	4.79
		LIB-BOOKS	209.83
		LIB-BOOKS	(13.45)
		TOTAL	222.69
80763	THE SLED SHED	RU-SAFETY EQPTMNT/TREE REM	18.00
80764	IOWA CODIFICATION, INC	CODIFICATION INSTLLMNT #2	1,640.00
80765	MARYJANESFARM	LIB-SUBSCRIPTION RENEWAL	29.95
80766	RECORDED BOOKS INC.	LIB-ONLINE MEDIA-1 YEAR	500.00
80768	DEAN BELLINGER	RU-RUNNING GEAR-SAND SPREADER	450.00
80769	COLLECTION SRV	SR-P/R DEDUCT	188.80
80770	AFLAC	P/R DEDUCT	60.02
80771	IBEW LOCAL 288	DUES	163.00
80772	IPERS	RETIREMENT	9,406.45
80778	METLIFE	LIFE/DENTAL/VISION	23.20
80779	METLIFE	LIFE/DENTAL/VISION	1,961.91
80780	MFPRSI	RETIREMENT	13,773.17
80781	POLICE ASSOCIATION	POLICE ASSOC	105.00
80782	TREASURE STATE OF IOWA	STATE W/H	4,096.00
80784	TEAMSTERS LOCAL 238	DUES	301.00
80785	VALIC	LIFE/DENTAL/VISION	75.00
80786	WELLMARK	HEALTH INS	12,853.04
		TOTAL PREPAYS	45,976.65

MARCH PAYROLL

EFTPS	27,120.96
BIWEEKLY PAYROLL	74,398.80
COUNCIL PAYROLL	1,154.36
FIRE DEPT PAYROLL	2,091.72
TOTAL	104,765.84

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EVANSDALE, IOWA, ON THIS 4TH DAY OF APRIL 2017.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk



Clapsaddle-Garber Associates, Inc.
Ames – Marshalltown – Cedar Falls

INVOICE TRANSMITTAL

MAKE CHECKS PAYABLE TO: Clapsaddle-Garber Associates

**To: DeAnne Kobliska, City Clerk
Mayor Doug Faas
City of Evansdale, IA**

Date: March 29, 2017

**Sent via E-mail
17 Pages (including this one)**

RE: Engineering Services Invoices

DeAnne and Mayor attached are Invoices for the following projects.

1. **2017 Streets Rehabilitation**
Invoice No. 34918 - \$32,035.00
Time Period: Through March 25, 2017
2. **Colleen Street Reconstruction**
Invoice No. 34919 - \$5,187.50
Time Period: Through March 25, 2017
3. **Doris Dr. Reconstruction Project**
Topo Boundary Survey Phase
Invoice No. 34929 - \$4,098.85
Time Period: December 21, 2016 through January 2, 2017
4. **Lafayette Road Reconstruction Project**
Concept Design & Cost Estimate Phase
Invoice No. 34928 - \$515.25
Time Period: October 24, 2016 through January 2, 2017
5. **Lafayette Road Culvert Project**
Construction Phase
Invoice No. 34927 - \$4,103.85
Time Period: October 30, 2016 through January 2, 2017
6. **Flood Control Elk Run Creek Project**
Invoice No. 34926 - \$1,711.20
Time Period: January 9, 2017 through February 28, 2017
7. **River Forest Road Reconstruction Project**
Invoice No. 34925 - \$2,397.35
Time Period: January 28, 2017 through March 25, 2017

Sincerely,

Jerry Shoff, PE, PLS / Beth Kirkevold, Office/Accounting Administrator



Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34918
 Date 03/29/2017

Project **1664-CF 2017 Streets Rehabilitation - Evansdale**

For Professional Services Through 03/25/2017

Description	Contract Amount	Percent Complete	Total Earned	Prior Billed	Current Billed
Preliminary Planning & Cost Estimating	5,800.00	100.00	5,800.00	0.00	5,800.00
Lafayette Road (West) Design & Drawings	21,000.00	35.00	7,350.00	0.00	7,350.00
Evans Road Design & Drawings	46,500.00	25.00	11,625.00	0.00	11,625.00
Roosevelt Road Design & Drawings	22,300.00	20.00	4,460.00	0.00	4,460.00
Lawrence Avenue Design & Drawings	7,000.00	20.00	1,400.00	0.00	1,400.00
Feldt Avenue Design & Drawings	7,000.00	20.00	1,400.00	0.00	1,400.00
Bid Package & Letting	6,100.00	0.00	0.00	0.00	0.00
Total	115,700.00	27.69	32,035.00	0.00	32,035.00

Invoice total **32,035.00**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34918	03/29/2017	32,035.00	32,035.00				
	Total	32,035.00	32,035.00	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.



Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34919
 Date 03/29/2017

Project **1665-CF Colleen Street Reconstruction - Evansdale 2017**

For Professional Services Through 03/25/2017

Description	Contract Amount	Percent Complete	Total Earned	Prior Billed	Current Billed
Colleen Street Design, Drawings, & Bid Letting	24,750.00	25.00	6,187.50	0.00	6,187.50
Total	24,750.00	25.00	6,187.50	0.00	6,187.50

Invoice total **6,187.50**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34919	03/29/2017	6,187.50	6,187.50				
	Total	6,187.50	6,187.50	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.



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 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34929
 Date 03/29/2017

Project **1661-CF Doris Drive - Evansdale 2017**

For Professional Services After 12/21/2016 to 01/02/2017

Topo Boundary Survey

Professional Fees

	Hours	Rate	Billed Amount
AARON L. MUELLER	9.40	89.00	836.60
GENE E. WURTZEL	9.50	42.00	399.00
JERRY L. SHOFF	2.50	96.00	240.00
MATTHEW J. SCHINDEL	8.50	85.00	722.50
NICHOLAS C. BREWER	44.75	42.00	1,879.50
PHILLIP J. O'LOUGHLIN	0.25	85.00	21.25
Phase subtotal			4,098.85

Description

Preliminary Design	0.00
Total	0.00

Invoice total **4,098.85**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34929	03/29/2017	4,098.85	4,098.85				
	Total	4,098.85	4,098.85	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

Invoice Supporting Detail

1661-CF Doris Drive - Evansdale 2017

Topo Boundary Survey

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Senior Project Engineer

JERRY L. SHOFF

Eng-Administration 12/28/2016 1.50 96.00 144.00

Rev & revise Prelim Cost Est; cld Mayor to update & schedule a mtg to rev; reviewed aerial photo for traffic management

Eng-Administration 12/29/2016 1.00 96.00 96.00

Rev status of proj; requested authorization for geo-tech soils investigation; began ROW research re ownership of street

Subtotal 2.50 240.00

Project Engineer

MATTHEW J. SCHINDEL

Survey 12/27/2016 8.50 85.00 722.50

Survey Topo with Nick Brewer

Subtotal 8.50 722.50

PHILLIP J. O'LOUGHLIN

Survey 12/28/2016 0.25 85.00 21.25

Picking up Survey Signs

Subtotal 0.25 21.25

Licensed Land Surveyor(PLS)

AARON L. MUELLER

Survey 12/30/2016 3.20 89.00 284.80

chk topo dwg; set CL alignment; verify util; started email to Jim L regarding ROW Plat

Survey-Topo 12/22/2016 1.30 89.00 115.70

site chk on topo crew; dir crew on safety sign setup; downloaded boundary points; topo status chk at end of day

Survey-Topo 12/27/2016 3.10 89.00 275.90

dir NB & MS on additional topog, down loaded points; inserted pts into dwg

Survey-Topo 12/28/2016 0.40 89.00 35.60

topo chks; Q&A

Survey-Topo 12/29/2016 1.40 89.00 124.60

Dir NB on dwg; utility chk; water wasn't marked well enough, dir NB to dwg of specific water locate areas

Subtotal 9.40 836.60

Engineering Technician II

GENE E. WURTZEL

Survey 12/22/2016 9.50 42.00 399.00

topo survey

Subtotal 9.50 399.00

NICHOLAS C. BREWER

Eng-Computer Drafting/Design 12/23/2016 3.00 42.00 126.00

Worked on a coordinate shift to state plane, imported data, and created a surface.

Eng-Computer Drafting/Design 12/27/2016 1.75 42.00 73.50

Down loaded the topo file, and started the new surface.

Eng-Computer Drafting/Design 12/28/2016 4.00 42.00 168.00

Worked on completing the Surface.

Invoice Supporting Detail

1661-CF Doris Drive - Evansdale 2017
 Topo Boundary Survey

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor WIP Status: Billable

Engineering Technician II

NICHOLAS C. BREWER

Eng-Computer Drafting/Design 12/29/2016 9.00 42.00 378.00
updated the surface, created a base drawing and existing conditions drawing. Created a watermain verification drawing.

Eng-Computer Drafting/Design 12/30/2016 8.50 42.00 357.00
Worked on the storm and sanitary sewer networks and developed a checklist for the project.

Survey 12/22/2016 9.50 42.00 399.00
Collected topo data.

Survey 12/27/2016 8.00 42.00 336.00
Worked on additional topo data requested from Jerry and Aaron.

Survey-Plat Review/Office Calcs 12/23/2016 1.00 42.00 42.00
Stopped at the courthouse for another legal and plat of another piece of flying J property.

Subtotal	44.75	1,879.50
Labor total	74.90	4,098.85



Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34928
 Date 03/29/2017

Project **1662-CF Lafayette Rd Reconstruction - Evansdale 2016**

For Professional Services After 01/01/1900 to 01/02/2017

Concept Design/Cost Estimate

Professional Fees

	Hours	Rate	Billed Amount
BETH A. KIRKEVOLD	0.25	45.00	11.25
WILLIAM N. WRIGHT	5.25	96.00	504.00
Phase subtotal			515.25
		Invoice total	515.25

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34928	03/29/2017	515.25	515.25				
	Total	515.25	515.25	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

Invoice Supporting Detail

1662-CF Lafayette Rd Reconstruction - Evansdale 2016
 Concept Design/Cost Estimate

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Eng-Design	10/24/2016	1.00	96.00	96.00
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Reviewing DOT call for traffic study requests, study records of past traffic studies 2001 to 2014

Eng-Design	10/26/2016	1.00	96.00	96.00
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Mtg with mayor, considering probable scope of project

Eng-Design	11/01/2016	0.25	96.00	24.00
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Review traffic count letter from DOT with Jerry

Eng-Design	12/02/2016	1.50	96.00	144.00
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Review prior file information, project scope and cost data

Eng-Design	12/05/2016	1.50	96.00	144.00
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Looking at phasing of Lafayette Road reconstruction, and review of preliminary cost estimate of construction cost

Subtotal		5.25		504.00
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Administration-Clerical

BETH A. KIRKEVOLD

Office-Administration	11/16/2016	0.25	45.00	11.25
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set up files

Subtotal		0.25		11.25
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Labor total		5.50		515.25
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Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34927
 Date 03/29/2017

Project **944C-16 Lafayette Road Culvert Const
 Ph - Evansdale 2016**

For Professional Services After 10/30/2016 to 01/02/2017

Construction Observation

Professional Fees

	Hours	Rate	Billed Amount
AARON L. MUELLER	0.20	89.00	17.80
RYAN J. FISCHER	5.00	78.00	390.00
WILLIAM N. WRIGHT	6.00	96.00	576.00
Phase subtotal			983.80

Construction Administration

Professional Fees

	Hours	Rate	Billed Amount
AARON L. MUELLER	1.70	89.00	151.30
BETH A. KIRKEVOLD	0.50	45.00	22.50
JERRY L. SHOFF	2.50	96.00	240.00
KASEY N. WESTLEY	0.75	42.00	31.50
MATTHEW J. SCHINDEL	4.00	85.00	340.00
PHILLIP J. O'LOUGHLIN	3.75	85.00	318.75
WILLIAM N. WRIGHT	21.00	96.00	2,016.00
Phase subtotal			3,120.05

Invoice total **4,103.85**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34927	03/29/2017	4,103.85	4,103.85				
	Total	4,103.85	4,103.85	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

Invoice Supporting Detail

944C-16 Lafayette Road Culvert Const Ph - Evansdale 2016

Construction Observation

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Eng-Design	11/21/2016	1.00	96.00	96.00
<i>Finalizing duct bank profile for coordination with CenturyLink</i>				
Eng-Design	11/22/2016	1.00	96.00	96.00
<i>Conversation with Tony Vieth regarding needed clearance under duct bank to install 4x2 RCB</i>				
Eng-Design	11/28/2016	0.50	96.00	48.00
<i>Communications with CenturyLink regarding alternative culvert placement</i>				
Eng-Design	12/09/2016	1.00	96.00	96.00
<i>Construction details and notes</i>				
Eng-Design	12/16/2016	1.00	96.00	96.00
<i>Researching cost of smaller culvert to fit conditions, and reduced cost of that culvert</i>				
Eng-Design	12/19/2016	0.50	96.00	48.00
<i>Alternate culvert sizes, coordination with CenturyLink utilities</i>				
Eng-Design	12/22/2016	1.00	96.00	96.00
<i>Coordinating onsite meeting with CenturyLink, discuss drawing update with Matt</i>				
Subtotal		6.00		576.00

Licensed Land Surveyor(PLS)

AARON L. MUELLER

Eng-Design	11/02/2016	0.20	89.00	17.80
<i>imported shots on gas</i>				
Subtotal		0.20		17.80

Field Engineer

RYAN J. FISCHER

Eng-Administration	12/19/2016	0.50	78.00	39.00
<i>email utilities</i>				
Eng-Meetings/Site Visit	11/01/2016	2.00	78.00	156.00
<i>Onsite w midamerica pot holing gas main</i>				
Eng-Meetings/Site Visit	11/03/2016	2.50	78.00	195.00
<i>Onsite taking measurements of ductbank, fill utility potholes</i>				
Subtotal		5.00		390.00
Labor total		11.20		983.80

Construction Administration

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Eng-Design	10/31/2016	4.50	96.00	432.00
<i>Research plans for strm drain component const at Norma Ave detention basin, compare design flowlines w surveyed data, consider design options to reduce constantly wet area in detention basin</i>				
Eng-Design	11/01/2016	4.50	96.00	432.00

Invoice Supporting Detail

944C-16 Lafayette Road Culvert Const Ph - Evansdale 2016

Construction Administration

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Communications with Vieth Construction to expose communications ductbank, discussion with Ryan regarding MidAmerican exposing gas lines, considering design options for Norma Avenue detention basin cunnette,

Eng-Design	11/02/2016	1.50	96.00	144.00
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Preliminary design issues for cunnette in Norma Avenue detention basin, coordination with Vieth Construction and Ryan F regarding exposure of CenturyLink ductbank near existing 2'x2' culvert

Eng-Design	11/04/2016	6.00	96.00	576.00
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Onsite visit to culvert location, sketching area where utility needs to move ductbank. Site visit to Norma Avenue detention area to study area to construct cunnette for drainage, preliminary cunnette plan

Eng-Design	11/08/2016	0.50	96.00	48.00
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Ductbank profile details for determination of ductbank relocation

Eng-Design	11/17/2016	1.50	96.00	144.00
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Update sketch of profile through ductbank and manhole to show alternative proposal

Eng-Design	11/18/2016	1.00	96.00	96.00
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Ductbank profile to review with Vieth and forward to CenturyLink

Eng-Design	12/20/2016	1.50	96.00	144.00
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Communication with CenturyLink tech, cunnette alignment discussion

Subtotal		21.00		2,016.00
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Senior Project Engineer

JERRY L. SHOFF

Eng-Administration	10/31/2016	1.50	96.00	144.00
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Eng-Administration	11/22/2016	1.00	96.00	96.00
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Review new culvert location & utility relocations

Subtotal		2.50		240.00
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Project Engineer

MATTHEW J. SCHINDEL

Eng-Computer Drafting/Design	11/07/2016	4.00	85.00	340.00
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drainage

Subtotal		4.00		340.00
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PHILLIP J. O'LOUGHLIN

Eng-Design	12/21/2016	1.50	85.00	127.50
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Reviewing Plan and Creating Estimate on Options for Change Orders

Eng-Design	12/22/2016	2.25	85.00	191.25
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Creating Drawings for Utility Contractor showing conflicts for both Original and Alternate Designs.

Subtotal		3.75		318.75
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Licensed Land Surveyor(PLS)

AARON L. MUELLER

Eng-Design	10/31/2016	1.00	89.00	89.00
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met w/ JS & BW regarding culvert relocation

Eng-Design	11/07/2016	0.20	89.00	17.80
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cunnette design review

Eng-Design	12/21/2016	0.20	89.00	17.80
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Invoice Supporting Detail

944C-16 Lafayette Road Culvert Const Ph - Evansdale 2016

Construction Administration

Phase Status: Active

Billing Cutoff: 01/02/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Licensed Land Surveyor(PLS)

AARON L. MUELLER

met w/PO regarding new culvert location

Eng-Design	12/22/2016	0.30	89.00	26.70
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review of 1:1 cross section, Cent. Link relocation

Subtotal		1.70		151.30
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Engineering Technician II

KASEY N. WESTLEY

Survey	11/01/2016	0.75	42.00	31.50
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Shot on gas main

Subtotal		0.75		31.50
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Administration-Clerical

BETH A. KIRKEVOLD

Office-Administration	11/29/2016	0.50	45.00	22.50
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rev of where design left off; combing hrs

Subtotal		0.50		22.50
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Labor total		34.20		3,120.05
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Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34926
 Date 03/29/2017

Project **907-15 Flood Control Elk Run Creek**

For Professional Services After 01/09/2017 to 02/28/2017

Design

Professional Fees

	Hours	Rate	Billed Amount
JERRY L. SHOFF	1.50	99.00	148.50
KASEY N. WESTLEY	0.50	55.00	27.50
WILLIAM N. WRIGHT	15.20	101.00	1,535.20
Phase subtotal			1,711.20
Invoice total			1,711.20

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34926	03/29/2017	1,711.20	1,711.20				
	Total	1,711.20	1,711.20	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

Invoice Supporting Detail

907-15 Flood Control Elk Run Creek

Design

Phase Status: Active

Billing Cutoff: 02/28/2017

Date	Units	Rate	Amount
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Labor

WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Eng-Design	01/10/2017	0.50	101.00	50.50
<i>Reviewing CAD drawings of proposed work</i>				
Eng-Design	01/12/2017	2.50	101.00	252.50
<i>Review preliminary plans, determine additional information needed</i>				
Eng-Design	01/13/2017	1.00	101.00	101.00
<i>Reviewing new quotes and specifications for in-line check valves</i>				
Eng-Design	01/16/2017	0.50	101.00	50.50
<i>Details of 8" culvert pipe, review updated checkvalve price quote</i>				
Eng-Design	01/17/2017	0.50	101.00	50.50
<i>Considering alternative valve for 8" culvert</i>				
Eng-Design	01/18/2017	0.50	101.00	50.50
<i>Discussing additional survey data needed to determine if there is an overflow path that has not been identified</i>				
Eng-Design	02/03/2017	1.20	101.00	121.20
<i>Researching valve options for small culvert</i>				
Eng-Design	02/14/2017	1.00	101.00	101.00
<i>Discuss finalizing project with Jerry, review prelim plans</i>				
Eng-Design	02/17/2017	3.00	101.00	303.00
<i>Reviewing plans details, checking sizes of pipe and checkvalves</i>				
Eng-Design	02/20/2017	1.25	101.00	126.25
<i>Researching dissimilar pipe couplings</i>				
Eng-Design	02/21/2017	0.50	101.00	50.50
<i>Researching RCP to CMP connection options</i>				
Eng-Design	02/22/2017	2.00	101.00	202.00
<i>Study where to place valve for 42" culvert, research I-380 toe drain creek backwater stop</i>				
Eng-Design	02/27/2017	0.75	101.00	75.75
<i>Location for check valve on 42" pipe, inquire about additional fieldwork scheduling</i>				

Subtotal 15.20 1,535.20

Senior Project Engineer

JERRY L. SHOFF

Eng-Meetings/Site Visit	01/12/2017	1.50	99.00	148.50
<i>Review additional dike culvert protection to be added to project w/ staff</i>				

Subtotal 1.50 148.50

Engineering Technician II

KASEY N. WESTLEY

Eng-Design	01/11/2017	0.50	55.00	27.50
<i>Updated survey info on 8" Plastic in berm, updt layout, plotted for bw</i>				

Subtotal 0.50 27.50

Labor total 17.20 1,711.20



Clapsaddle-Garber Associates
 PO Box 754
 Marshalltown, IA 50158-0754
 641-752-6701

City of Evansdale
 DeAnne Kobliska
 City Hall
 123 North Evans Dr
 Evansdale, IA 50707

Invoice number 34925
 Date 03/29/2017

Project **977C-16 River Forest Road
 Reconstruction - Evansdale 2016**

For Professional Services After 01/28/2017 to 03/25/2017

STP-U-2432(613)--70-07

Construction Engineering Services

Professional Fees

	Hours	Rate	Billed Amount
JERRY L. SHOFF	4.00	99.00	396.00
RYAN J. FISCHER	23.25	83.00	1,929.75
WILLIAM N. WRIGHT	0.50	101.00	50.50

Expenses

	Units	Rate	Billed Amount
UPS Shipping			21.10
Construction Engineering Services subtotal			2,397.35

Invoice total **2,397.35**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
34925	03/29/2017	2,397.35	2,397.35				
	Total	2,397.35	2,397.35	0.00	0.00	0.00	0.00

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

Invoice Supporting Detail

977C-16 River Forest Road Reconstruction - Evansdale 2016

**Construction Engineering Services
 Fall 2016 CO**

Phase Status: Active

Billing Cutoff: 03/25/2017

Date	Units	Rate	Amount
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Expense WIP Status: Billable

United Parcel Service

UPS Shipping 02/11/2017 21.10

T Brunscheon-IDOT on 2/4/17

Subtotal **21.10**

Expense total **21.10**

**Construction Engineering Services
 Spring 2017 CO**

Phase Status: Active

Billing Cutoff: 03/25/2017

Date	Units	Rate	Amount
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Labor WIP Status: Billable

Project Manager

WILLIAM N. WRIGHT

Eng-Administration 01/30/2017 0.50 101.00 50.50

Coordinate letter to Century Link with Ryan

Subtotal **0.50 50.50**

Senior Project Engineer

JERRY L. SHOFF

Eng-Administration 02/01/2017 2.00 99.00 198.00

Project review / discuss schedule w/ Staff / estimate to complete in Spring

Eng-Administration 03/08/2017 1.00 99.00 99.00

Discussion w/ contractor

Eng-Administration 03/16/2017 1.00 99.00 99.00

Discuss Spring start up w/ staff follow call from Contractor

Subtotal **4.00 396.00**

Field Engineer

RYAN J. FISCHER

Eng-Meetings/Site Visit 01/30/2017 1.50 83.00 124.50

Update books

Eng-Meetings/Site Visit 02/01/2017 0.50 83.00 41.50

Staff mtg

Eng-Meetings/Site Visit 02/02/2017 1.75 83.00 145.25

Review reimbursement claim

Eng-Meetings/Site Visit 02/03/2017 2.50 83.00 207.50

Deliver reimbursement to mayor, pickup airports from united and deliver to Edi, Swppp inspection

Eng-Meetings/Site Visit 02/20/2017 2.75 83.00 228.25

Calls to PCI, review project file

Eng-Meetings/Site Visit 02/21/2017 3.25 83.00 269.75

Update project file. Call from CF. Attend council meeting for updates

Eng-Meetings/Site Visit 02/22/2017 1.75 83.00 145.25

Update project file, review notes

Eng-Meetings/Site Visit 02/27/2017 1.50 83.00 124.50

Invoice Supporting Detail

977C-16 River Forest Road Reconstruction - Evansdale 2016
 Construction Engineering Services
 Spring 2017 CO

Phase Status: Active

Billing Cutoff: 03/25/2017

Date	Units	Rate	Amount
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Labor WIP Status: Billable

Field Engineer

RYAN J. FISCHER

Call from PCI, review file

Eng-Meetings/Site Visit	03/03/2017	0.50	83.00	41.50
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SWPPP inspection

Eng-Meetings/Site Visit	03/07/2017	1.50	83.00	124.50
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Update books, call to CF

Eng-Meetings/Site Visit	03/09/2017	3.25	83.00	269.75
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Update books, call RD

Eng-Meetings/Site Visit	03/10/2017	1.00	83.00	83.00
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Review previous pay estimates, discuss w JS and send to Julie

Eng-Observation	03/21/2017	1.00	83.00	83.00
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Revise core reports, corresponde with DOT materials office.

Eng-Observation	03/24/2017	0.50	83.00	41.50
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Email to PCI re spring construction

Subtotal	23.25			1,929.75
Labor total	27.75			2,376.25

Memo

To: Gentlemen of Council
From: Chris Schares
Date: 03/30/17
Re: Disposal of property

I would like to dispose of the following equipment as it does not have sufficient value to justify preparing it for reuse or reprocessing.

- 1997 Tenant Sweeper
- 1982 LeRoy Compressor
- 1989 Crack Sealer

Please contact me at 319-493-0644 if you have any questions.

Thank you,

Chris Schares
Public Works Director

RESOLUTION 6064

A RESOLUTION OF THE EVANSDALE CITY COUNCIL OF THE CITY OF EVANSDALE, IOWA APPROVING FINAL PLANS, SPECIFICATIONS, AND FORM OF CONTRACT CONCERNING THE ELLENDALE DRIVE SANITARY SEWER EXTENSION PROJECT AND ACCEPTING THE LOW BID OF FRICKSON BACKHOE & TRUCKING FOR SAID PROJECT.

WHEREAS, the City Council of the City of Evansdale, has heretofore deemed it necessary and desirable to install 151 LF of 8” PVC Truss Pipe, one manhole and 14 sanitary sewer services to complete sanitary sewer on Ellendale Drive; and

WHEREAS, sealed bids were accepted, reviewed, and tabulated by the City Engineer, CGA Engineering, on behalf of the City for the Ellendale Drive Sanitary Sewer Extension Project; and

WHEREAS, the City Engineer has reviewed said tabulation of bids and recommends acceptance and award of a contract to the low bidder, Frickson Backhoe & Trucking; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Evansdale, Iowa approves the final plans, specifications, and form of contract for said project.

BE IT FURTHER RESOLVED that the City Council of the City of Evansdale accepts the low bid of Frickson Backhoe & Trucking in the amount of \$18,053 and award said contract.

BE IT FURTHER RESOLVED, that the City Council of the City of Evansdale authorizes the Mayor, on behalf of the City of Evansdale, to sign a contract between the City and Frickson Backhoe & Trucking subject to contractor providing acceptable Insurance Certificates.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2017.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk



SHOFF CONSULTING ENGINEERS, L. C.

5106 Nordic Drive
Cedar Falls, Iowa
50613-6967

- Civil • Environmental • Wastewater • Municipal • Water •
- Industrial • Structural • Construction Management • Transportation •
- Electrical • Land Surveying • Land Development • Insurance Claim Investigation •

Phone: (319) 266-0258
Fax: (319) 266-1515
jshoff@shoffengineering.com

March 30, 2017

Mayor Faas and City Council
City of Evansdale
123 N Evans Road
Evansdale, IA 50707

Subject: Recommendation for Award of Contract
Ellendale Sanitary Sewer Extension Project

The bids for the Ellendale Sanitary Sewer Extension Project were opened and reviewed at City Hall on Wednesday, March 29 at 2:00 pm. There were two bidders: R Company dba Frickson Backhoe & Trucking of Evansdale, Iowa and Vieth Construction Corporation of Cedar Falls, Iowa. **The actual Bids are attached for your reference.**

The low bidder was R Company dba Frickson Backhoe & Trucking. Their total bid for the project was \$18,053.00. The Engineer's Base Construction Estimate was \$19,730.00

We recommend that the City Council accept the low bid and award this contract to R Company dba Frickson Backhoe & Trucking for \$18,053.00.

Please contact us if you have any questions or need additional information.

Sincerely,
Shoff Consulting Engineers, LC

Beth Kirkevold, *on behalf of* William N. Wright, PE

Attachments: Bid - R Company dba Frickson Backhoe & Trucking
Bid - Vieth Construction Corporation

c. DeAnne Kobliska, City Clerk

(CONT'D.... - PROPOSAL)
ELLENDALE DRIVE SANITARY SEWER EXTENSION
 City of Evansdale, Iowa

R Company
 dba Frickson Backhoe?
 Trucking

ELLENDALE DRIVE SANITARY SEWER EXTENSION					
CONTRACTOR BID ITEMS					
DIVISION 3- CITY OF EVANSDALE CONSTRUCTION					
ITEM NO.	ITEM DESCRIPTION	UNITS	QUANT.	UNIT PRICE	EXTENDED PRICE
7	CLASS "A" ROADSTONE	TN	126	18.75	2362.50
8	SANITARYSEWER GRAVITY MAIN, TRENCHED, POLYVINYL CHLORIDE PIPE (PVC), 8 IN. (TRUSS)	LF	151	43.50	6568.50
10	MANHOLE, SANITARY SEWER, 6010.301, 48 IN.	EA	1	3400.00	3400.00
11	SANITARY SEWER SERVICE STUB, POLYVINYL CHLORIDE PIPE (PVC), 4 IN.	LF	208	24.00	4992.00
12	FOUNDATION STONE, SUDAS 3010, 2.05	TN	40	18.25	730.00
PROJECT TOTAL					18,053.00

PROPOSAL: PART G - IDENTITY OF BIDDER

The Bidder shall indicate whether the bid is submitted by a/an:

- Individual, Sole Proprietorship
- Partnership
- Corporation
- Limited Liability Company
- Joint-venture: all parties must join-in and execute all documents
- Other

The Bidder shall enter its Public Registration Number _____ - _____ issued By the Iowa Commissioner of Labor Pursuant Section 91C.5 of the Iowa Code.

Failure to provide said Registration Number shall result in the bid being read under advisement. A contract will not be executed until the Contractor is registered.

All non-resident bidders must complete the following:

Are any of the following preferences in effect in your state or country of domicile?

- Bidders preference: Yes ___ No ___
- Resident labor preference: Yes ___ No ___
- Any other form of preference: Yes ___ No ___

If yes, indicate type of preference: _____

NOTE: The signature on this proposal must be an original signature in ink; copies, facsimiles, or electronic signatures will not be accepted.

R Company
dba Frickson Backhoe & Trucking

Bidder

Rodney P. Frickson

Signature

By Rodney P. Frickson

Name (Print/Type)

President

Title

911 Central Avenue

Street Address

Evansdale, Ia 50707

City, State, Zip Code

319 234 2421

Telephone Number

Type or print the name and title of the company's owner, president, CEO, etc. if a different person than entered above

Name

Title

(CONT'D. - PROPOSAL)

ELLENDALE DRIVE SANITARY SEWER EXTENSION

City of Evansdale, Iowa

ELLENDALE DRIVE SANITARY SEWER EXTENSION					
CONTRACTOR BID ITEMS					
DIVISION 3- CITY OF EVANSDALE CONSTRUCTION					
ITEM NO.	ITEM DESCRIPTION	UNITS	QUANT.	UNIT PRICE	EXTENDED PRICE
7	CLASS "A" ROADSTONE	TN	126	30	3,780
8	SANITARYSEWER GRAVITY MAIN, TRENCHED, POLYVINYL CHLORIDE PIPE (PVC), 8 IN. (TRUSS)	LF	151	62	9,362
10	MANHOLE, SANITARY SEWER, 6010.301, 48 IN.	EA	1	4,000	4,000
11	SANITARY SEWER SERVICE STUB, POLYVINYL CHLORIDE PIPE (PVC), 4 IN.	LF	208	35	7,280
12	FOUNDATION STONE, SUDAS 3010, 2.05	TN	40	72	2,880
PROJECT TOTAL					27,302

PROPOSAL: PART G – IDENTITY OF BIDDER

The Bidder shall indicate whether the bid is submitted by a/an:

- Individual, Sole Proprietorship
- Partnership
- Corporation
- Limited Liability Company
- Joint-venture: all parties must join-in and execute all documents
- Other

The Bidder shall enter its Public Registration Number C 0 9 1 8 - 6 5 issued By the Iowa Commissioner of Labor Pursuant Section 91C.5 of the Iowa Code.

Failure to provide said Registration Number shall result in the bid being read under advisement. A contract will not be executed until the Contractor is registered.

Vieth Const. Corp.
Bidder

Alex Weber
Signature

By Alex Weber
Name (Print/Type)

Estimator
Title

6419 Nordic Dr.
Street Address

LeDor Falls, IA 50613
City, State, Zip Code

319-277-1006
Telephone Number

Type or print the name and title of the company's owner, president, CEO, etc. if a different person than entered above

TONY VIETH
Name

PRES.
Title

All non-resident bidders must complete the following:

Are any of the following preferences in effect in your state or country of domicile?

Bidders preference: Yes ___ No ___

Resident labor preference: Yes ___ No ___

Any other form of preference: Yes ___ No ___

If yes, indicate type of preference: _____

NOTE: The signature on this proposal must be an original signature in ink; copies, facsimiles, or electronic signatures will not be accepted.

RESOLUTION 6065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVANSDALE, IOWA FIXING COMPENSATION FOR THE PARAMEDIC POSITION OF THE CITY OF EVANSDALE, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSDALE, IOWA:

That the following person and position named shall be paid the salary or wage indicated and the clerk is authorized to issue warrants/checks, less legally required or authorized deductions from the amount set out below and make such contributions to I.P.E.R.S., M.F.P.R.S.I., Social Security or other purposes as required by law or authorization of the council with an effective date of April 5, 2017, with a successful completion of pre-employment physical examination.

<u>Employee</u>	<u>Department/Job Title</u>	<u>Proposed Wage</u>	<u>Reason</u>	<u>Effective</u>
Christian Staley	Paramedic	\$43,500.00/yr.	New hire	04/05/2017

BE IT FURTHER RESOLVED, that the City Council of the City of Evansdale, Iowa has reviewed the Blanket Honesty Bond covering Public Officials, members of the City Clerk's office, Water Works office, City Treasurer, who are responsible for handling City of Evansdale funds and has determined that \$100,000 limit is adequate coverage.

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2017.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk

Memo

To: Gentlemen of Council
From: Chris Schares – Animal Control
Date: 03/30/17
Re: Removal of a Vicious Animal

The Police Department received a call on 03/20/17 in regards to an animal at large that had bitten a resident. This was the 2nd time the animal bite the same resident.

The Evansdale Code of Ordinance states the following:

55.13 KEEPING OF VICIOUS ANIMALS PROHIBITED.

1. No person shall keep, shelter, or harbor a vicious animal for any reason within the City.
2. The Animal Control Officer, in his or her discretion or upon receipt of a complaint alleging that a particular animal is a vicious animal, may initiate proceedings to declare such animal as a vicious animal. A hearing on the matter shall be conducted by the Council. The person owning, keeping, sheltering, or harboring the animal in question shall be given not less than 24 hours' written notice of the time and place of the hearing. Said notice shall set forth the description of the animal in question and the basis for the allegation of viciousness. The notice shall also set forth that if the animal is determined to be vicious, the owner will be required to remove it from the City or allow it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located or may be posted on those premises if no adult is present to accept service.
3. If, after the hearing, the Council determines that an animal is vicious, the Council shall order the person owning, sheltering, harboring, or keeping the animal to remove it from the City, or to cause it to be destroyed in a humane manner. The order shall immediately be served upon the person against whom issued in the same manner as the notice of hearing. If the order is not complied with within three (3) days of its issuance, the Animal Control Officer is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of seven (7) days. If at the end of the impoundment period, the person against whom the order of the Council was issued has not petitioned the District Court for a review of said order, the Animal Control Officer shall cause the animal to be destroyed.
4. Failure to comply with an order of the Council issued pursuant hereto shall constitute a misdemeanor offense.
5. Any animal found at large which displays vicious tendencies may be processed as a vicious animal pursuant to the foregoing, unless the animal is so vicious that it cannot safely be apprehended; in which case, the Animal Control Officer may immediately destroy it, or unless its ownership is not ascertainable, in which case, it may be destroyed after three days' impoundment.
6. Any animal which is alleged to be vicious and which is under impoundment or quarantine shall not be released to the owner but shall continue to be held at the expense of the owner pending the outcome of the hearing. All costs of such impoundment or quarantine shall be paid by the owner whether or not the animal is determined to be vicious.
7. The prohibition contained in this section does not apply to keeping of guard dogs. However, guard dogs must be kept within a structure or a fenced enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of this section. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "Guard Dog," "Vicious Dog," or words of similar import, and the owner of such premises shall inform the Police Department that a guard dog is on duty at the premises. It is the owner's responsibility to notify the Police Department immediately when a guard dog has escaped and is running at large.

The city is declaring the animal a vicious animal.

Thank you,

Chris Schares
Animal Control Officer

CHAPTER 40

PUBLIC PEACE

40.01 Assault
40.02 Harassment
40.03 Disorderly Conduct

40.04 Unlawful Assembly
40.05 Failure to Disperse
40.06 Noise & Vibrations

40.01 ASSAULT. No person shall, without justification, commit any of the following:

1. Pain or Injury. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1[1])

2. Threat of Pain or Injury. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.

(Code of Iowa, Sec. 708.1[2])

However, where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk or serious injury or breach of the peace, the act is not an assault. Provided, where the person doing any of the above enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds or at an official school function regardless of the location, the act is not an assault, whether the fight or physical struggle or other disruptive situation is between students or other individuals if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

(Code of Iowa, Sec. 708.1)

40.02 HARASSMENT. No person shall commit harassment.

1. A person commits harassment when, with intent to intimidate, annoy, or alarm another person, the person does any of the following:

A. Communicates with another by telephone, telegraph, writing, or via electronic communication without legitimate purpose and in a manner likely to cause the other person annoyance or harm.

(Code of Iowa, Sec. 708.7)

~~B.~~ Places any simulated explosive or simulated incendiary device in or near any building, vehicle, airplane, railroad engine or railroad car, or boat occupied by the other person.

(Code of Iowa, Sec. 708.7)

~~C.~~ Orders merchandise or services in the name of another, or to be delivered to another, without such other person's knowledge or consent.

(Code of Iowa, Sec. 708.7)

~~G-D.~~ Reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or reports the alleged occurrence of a criminal act, knowing the same did not occur.

(Code of Iowa, Sec. 708.7)

2. A person commits harassment when the person, purposefully and without legitimate purpose, has personal contact with another person, with the intent to threaten, intimidate or alarm that other person. As used in this section, unless the context otherwise requires, “personal contact” means an encounter in which two or more people are in visual or physical proximity to each other. “Personal contact” does not require a physical touching or oral communication, although it may include these types of contacts.

40.03 DISORDERLY CONDUCT. No person shall do any of the following:

1. Fighting. Engage in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct which is reasonably related to that sport.

(Code of Iowa, Sec. 723.4[1])

2. Noise. Make loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.

(Code of Iowa, Sec. 723.4[2])

3. Abusive Language. Direct abusive epithets or make any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another.

(Code of Iowa, Sec. 723.4[3])

4. Disrupt Lawful Assembly. Without lawful authority or color of authority, disturb any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly.

(Code of Iowa, Sec. 723.4[4])

5. False Report of Catastrophe. By words or action, initiate or circulate a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless.

(Code of Iowa, Sec. 723.4[5])

6. Disrespect of Flag. Knowingly and publicly use the flag of the United States in such a manner as to show disrespect for the flag as a symbol of the United States, with the intent or reasonable expectation that such use will provoke or encourage another to commit trespass or assault. As used in this subsection:

(Code of Iowa, Sec. 723.4[6])

A. “Deface” means to intentionally mar the external appearance.

B. “Defile” means to intentionally make physically unclean.

C. “Flag” means a piece of woven cloth or other material designed to be flown from a pole or mast.

D. “Mutilate” means to intentionally cut up or alter so as to make imperfect.

E. “Show disrespect” means to deface, defile, mutilate, or trample.

F. “Trample” means to intentionally tread upon or intentionally cause a machine, vehicle, or animal to tread upon.

7. Obstruct Use of Street. Without authority or justification, obstruct any street, sidewalk, highway, or other public way, with the intent to prevent or hinder its lawful use by others.

(Code of Iowa, Sec. 723.4[7])

8. Funeral or Memorial Service. Within 500 feet of the building or other location where a funeral or memorial service is being conducted, or within 500 feet of a funeral procession or burial:

- A. Make loud and raucous noise which causes unreasonable distress to the persons attending the funeral or memorial service or participating in the funeral procession.
- B. Direct abusive epithets or make any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another.
- C. Disturb or disrupt the funeral, memorial service, funeral procession or burial by conduct intended to disturb or disrupt the funeral, memorial service, funeral procession or burial.

This subsection applies to conduct within 60 minutes preceding, during, and within 60 minutes after a funeral, memorial service, funeral procession, or burial.

(Code of Iowa, Sec. 723.5)

40.04 UNLAWFUL ASSEMBLY. It is unlawful for three or more persons to assemble together, with them or any of them acting in a violent manner, and with intent that they or any of them will commit a public offense. No person shall willingly join in or remain part of an unlawful assembly, knowing or having reasonable grounds to believe it is such.

(Code of Iowa, Sec. 723.2)

40.05 FAILURE TO DISPERSE. A peace officer may order the participants in a riot or unlawful assembly or persons in the immediate vicinity of a riot or unlawful assembly to disperse. No person within hearing distance of such command shall refuse to obey.

(Code of Iowa, Sec. 723.3)

40.06 NOISE & VIBRATIONS.

1. Prohibited Noises Generally.

A. Standards for determination of violation. It shall be unlawful for any person to permit, make, continue or cause any excessive or unusually loud noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the City. The standards which shall be considered in determining whether a violation exists shall include the following:

- i. The sound pressure level of the noise
- ii. Whether the origin of the noise is natural or manmade.
- iii. The sound pressure level of the background noise.
- iv. The proximity of the noise to residential sleeping facilities.
- v. The nature and zoning of the area within which the noise emanates.
- vi. The time of the day or night the noise occurs.
- vii. Whether the noise is recurrent, intermittent or constant.

B. Enumeration of prohibited acts. Each of the following acts, among others, is hereby declared to be in violation of this article and is prohibited. The following enumerated acts shall not be construed as limiting or precluding enforcement of any other provision of this article.

- i. Loud operation of radios, etc. The using, operating or permitting to be placed, used or operated of any radio receiving set, musical instrument, or other machine or device for the providing or reproducing of sound in

such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants.

- ii. Operation of defective or improperly loaded vehicle. The use of any automobile, motorcycle or vehicle so out of repair or so loaded in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- iii. Creation of noise near schools or churches. The creation of loud and excessive noise on any street adjacent to any school, institution of learning, or church while the school, institution, or church are in use, which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys those using the buildings.
- iv. Repairing vehicle during certain hours. The repair or rebuilding of any motor vehicle within any residential area of the city between the hours of 9:00 p.m. and 8:00 a.m. in such a manner that the reasonable person of normal sensitivities residing in the area is caused discomfort or annoyance.
- v. Discharge of unmuffled exhaust. The discharge into the open air of the exhaust of any steam engine, internal combustion engine, motorboat or motor vehicle, or discharge of air or other gases, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- vi. Unnecessary use of engine breaks. The use of a Jacob brake or any other engine brake within the City limits, except as required for safety purposes.

2. Group Noise. When a group of persons act together to create noise, each individual shall be deemed responsible as though solely the principal person producing the resultant noise.

3. Noise from Motor Vehicles. It shall be unlawful for any person to operate, or for the owner to cause or permit to be operated within the public right-of-way in this city, any motor vehicle which emits a noise in excess of 75 decibels measured at a distance of twenty-five feet.

A. Measurement. The sound level shall be measured on a sound level meter of standard design and quality operated on the "A" slow response weighting scale.

B. This section applies to the total noise form a motor vehicle and shall not be construed as limiting or precluding the enforcement of any other provisions of this ordinance.

C. Exceptions. The requirements, prohibitions, and terms of this section shall not apply to:

i. Emergency work or any authorized emergency vehicle, when responding to an emergency call or acting in time of emergency;

ii. Activities of a temporary duration, permitted by law, and for which a license or permit therefore has been granted by the city, including but not limited to parades;

iii. Reasonable or ordinary noises associated with athletic contest or lawful public meetings, parades, or celebrations;

iv. Noises from construction, landscaping, lawn care and maintenance between the hours of 6:00 a.m. and 9:00 p.m.;

v. Construction work;

vi. All other authorized activities occurring on government property.

D. Right to additional test. Where a motor vehicle is deemed to be in violation of this section, the owner thereof may transport it to a central testing location, the location to be determined by the chief of police, where such vehicle may be tested under normal

operating conditions for further evaluation. If the vehicle is reevaluated and found not to be in violation of the decibel standards as outlined, no further proceedings shall be instituted and any citation issued shall be dismissed. All costs of retesting shall be borne by the owner of the vehicle being tested.

4. Vibrations. Any vibration that can be felt beyond the property line in any zoning district, whether manufacturing, business, commercial or residential, is in violation of this article, and no instrument is needed to make a determination of the vibration.

CHAPTER 50
NUISANCE ABATEMENT PROCEDURE

50.01 Definition of Nuisance
50.02 Nuisances Enumerated
50.03 Other Conditions
50.04 Nuisances Prohibited

50.05 Nuisance Abatement
50.06 Abatement of Nuisance by Written Notice
50.07 Municipal Infraction Abatement Procedure

50.01 DEFINITION OF NUISANCE. Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property so as essentially to interfere unreasonably with the comfortable enjoyment of life or property is a nuisance.

(Code of Iowa, Sec. 657.1)

50.02 NUISANCES ENUMERATED. The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:

(Code of Iowa, Sec. 657.2)

~~2~~1. **Offensive Smells.** Erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public.

~~3~~2. **Filth or Noisome Substance.** Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.

~~4~~3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.

~~5~~4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.

~~6~~5. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.

~~7~~6. **Billboards.** Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. **(See also Section 62.08.)**

~~8~~7. **Storing of Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such articles within the fire limits of the City, unless in a building of fireproof construction. **(See also Chapter 51.)**

~~9~~8. **Air Pollution.** Emission of dense smoke, noxious fumes, or fly ash.

~~10~~9. **Weeds, Brush.** Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard. **(See also Chapter 52.)**

~~11~~10. **Dutch Elm Disease.** Trees infected with Dutch elm disease. **(See also Chapter 151.)**

~~12~~11. **Airport Air Space.** Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may

endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.

12. Houses of Ill Fame. Houses of ill fame, kept for the purpose of prostitution and lewdness; gambling houses; places resorted to by persons participating in criminal gang activity prohibited by Chapter 723A of the Code of Iowa or places resorted to by persons using controlled substances, as defined in Section 124.101 of the Code of Iowa, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.

13. Real property maintained in such condition as it becomes so defective, unsightly, or in such condition of deterioration or disrepair that the same causes substantial depreciation of the property values of the surrounding properties or is materially detrimental to properties and improvements.

Commented [LF1]: Additional definitions/enumeration of nuisances from Cedar Falls ordinance

14. Any area located outside of any building or structure on private property, whose sidewalks, walkways, stairs, driveways, parking lots, parking spaces or similar areas are not kept in a proper state of repair, or are not maintained free from hazardous conditions. Hazardous conditions include, but are not limited to, poor lighting in parking lots, missing or severely cracked pavement, pot holes, and unnecessary obstacles.

15. Creating, maintaining, causing or allowing to exist for a continuous period of more than 30 days or without a valid permit any man-made excavation, hole, or other depression in the ground in or on any lot or parcel of land in the City of a depth of more than three feet below the surrounding grade, other than as part of the active construction of a building or other structure on the lot which will ultimately close in and completely cover such excavation, hole or depression.

16. Creating, maintaining, causing or allowing to exist a man-made excavation that is not protected with adequate barricades, fencing, and warning lights meeting standards specified by the City from the time the excavation work is started until it is completed to the satisfaction of the City Inspector.

17. All structures, both commercial and residential, including detached accessory structures on any commercial, residential, agricultural, or industrial property shall be free of significant defects. The phrase "free from significant structural defects" means:

A. The roof and roofing material are of such a nature and condition that they do not permit water, snow or ice to penetrate into the structure. Roofing materials shall be in good condition and made up of consistent materials and consistent coloration throughout the roof area.

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B. Drainage gutters and downspouts are securely attached to the structure and in proper functioning order.

C. All exterior exposed surfaces, including siding materials, must be sound, in good condition and securely attached to the structure.

D. Exterior walls must be free of holes and made of a consistent material, such that patches or repairs consisting of dissimilar materials or colors compared to the prevailing surface material of the exterior walls are not present.

E. The foundation of the structure is sound, capable of supporting the structure and not deteriorated to the point that failure is judged to be inevitable, but not necessarily imminent. The foundation shall be plumb and free from cracks, breaks and holes so as to prevent the entry of animals.

F. Windows and doors, including outer screen or storm windows and doors, must be intact, containing no holes, squarely hung with properly operating latches or locks so as to be securely closed, and where the windows have intact glass or normal window material that allows the entry of light with no holes in said window surface areas.

G. All points of egress/ingress into and out of the structure must be of a secure and safe design and made of standard building materials and must also provide clear and easy access via properly installed steps, porches, entryway landings and hand rails that are intact, with no protruding or loose boards or surface materials causing a hazard, and which provide ready access to all points of entry into the structure.

H. Exterior wall surfaces are properly painted and/or maintained with appropriate exterior wall materials, including wood, vinyl, steel or metal siding materials, stucco or exterior insulation finish system materials, brick or similar masonry materials, that are in all cases intact, not in a condition of deterioration, are of uniform coloration and are not patched with dissimilar materials. Plastic wrap material shall not be considered to be an acceptable siding material. No flaking or chipped paint or outer loose material dominates or detracts from the exterior appearance of the structure.

I. All fencing, including gates, shall be maintained in good condition, free from damage, breaks, holes or missing structural members. All fencing shall be of consistent materials and coloration.

J. Detached accessory structures, including garages and storage sheds, must conform to the standards outlined above. In addition, all doors and windows must be of functional design and materials and in proper working order. No plastic wrap material or tarps shall be used to substitute for doorways or windows.

K. All exterior wires which are hanging or unsecured on the exterior of the structure must be fastened to the structure in order to avoid life safety issues.

L. Reconstruction and repair: materials and practices used in the reconstruction or repair of any building structure, whether of roofing materials, siding materials, foundation, walls, windows, doorways, entryways or detached accessory structures shall be of standard quality and appearance, consistent with currently applicable International Building Code requirements and consistent with the appearance and character of the structure under repair and consistent with other properties in the immediate vicinity of the premises.

M. Vacant structures: all vacant structures shall comply with the above-cited maintenance provisions with the exception that windows and doors may be secured with boards or other materials intended to provide security and protection to the structure. All vandalized portions of the structure must be promptly repaired, including repainting areas that are defaced with paint or graffiti.

18. Any freestanding or attached portable shelter on residential property consisting of a fabric covering stretched over poles used as a carport or similar structure that was built or repaired after the passage of Ordinance 615.

19. Any hazardous thing or condition on property which may contribute to injury of any person present on the property, including but not limited to open holes, open foundations, open wells, or dangerous trees or limbs.

20. Residing in, or living in, or using for night-time living accommodation purposes, such as sleeping activities, a tent, camper, motor home, travel trailer, recreational vehicle, or any other vehicle on any private property in the City for a period of more than 7 days.

Commented [LF2]: This is from Article 5 (2A-7)(F) of P&Z.

21. Storage of vehicles (as defined in Chapter 51) outdoors, including trailers, wagons, and other nonmotorized vehicles is deemed to be a nuisance subject to the following exceptions:

A. Vehicles in property zoned for residential use that are (i) parked on a hard surface of asphalt, concrete, or at least 3 inches of gravel, that does not contain shrubbery, weeds or grass; and (ii) moved or used as an operating vehicle at least every 15 days shall not be deemed a nuisance.

B. Vehicles in property zoned for commercial use that are (i) parked on a hard surface of asphalt, concrete, or at least 3 inches of gravel, that does not contain shrubbery, weeds or grass; and (ii) moved or used as an operating vehicle at least every 60 days shall not be deemed a nuisance.

C. Vehicles kept in commercial automobile salvage yards lawfully operated within the City shall not be deemed a nuisance.

D. One motor home, pickup truck with camper top, or similar recreational vehicle or fifth-wheel per residential property, which is currently licensed for operation on the public highways, may be parked on a hard surface of asphalt, concrete, or at least 3 inches of gravel, that does not contain shrubbery, weeds or grass shall not be deemed a nuisance.

E. Up to two utility trailers may be parked on a hard surface of asphalt, concrete, or at least 3 inches of gravel, that does not contain shrubbery, weeds or grass shall not be deemed a nuisance. "Utility trailer" means a vehicle, without motive power, designed and used to carry motor vehicles, goods, or materials. The utility trailer may not exceed 8 feet in width nor 3,500 pounds in weight, and it must be licensed and registered for highway use.

F. A vehicle currently licensed for operation on the public highways and lawfully parked off the streets while the owner or other person in lawful possession and control thereof, if a resident of this city, is out of the city for more than fifteen (15) days but not more than one hundred eighty (180) days shall not be deemed a nuisance.

13. G. A wagon or other nonmotorized vehicle that is displayed as a decorative, tasteful lawn ornament shall not be deemed a nuisance.

(Code of Iowa, Sec. 657.2)

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50.03 OTHER CONDITIONS. The following chapters of this Code of Ordinances contain regulations prohibiting or restricting other conditions which are deemed to be nuisances:

1. Public Peace (See Chapter 40)

2. Junk and Junk Vehicles (See Chapter 51)

3. Weeds (See Chapter 52)

4. Construction and Maintenance of Building Sewers (See Chapter 96)

5. Storage and Disposal of Solid Waste (See Chapter 105)

6. Trees (See Chapter 151)

50.04 NUISANCES PROHIBITED. The creation or maintenance of a nuisance is prohibited, and a nuisance, public or private, may be abated in the manner provided for in this chapter or State law.

(Code of Iowa, Sec. 657.3)

50.05 NUISANCE ABATEMENT. Whenever any authorized municipal officer finds that a nuisance exists, such officer has the authority to determine on a case-by-case basis whether to utilize the nuisance

abatement procedure described in Section 50.06 of this chapter or the municipal infraction procedure referred to in Section 50.07.

(Code of Iowa, Sec. 364.12[3h])

50.06 ABATEMENT OF NUISANCE BY WRITTEN NOTICE. Any nuisance, public or private, may be abated in the manner provided for in this section:

(Code of Iowa, Sec. 364.12[3h])

1. Contents of Notice to Property Owner. The notice to abate shall contain: †
 - A. Description of Nuisance. A description of what constitutes the nuisance.
 - B. Location of Nuisance. The location of the nuisance.
 - C. Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance.
 - D. Reasonable Time. ~~A reasonable time~~A statement that the property owner has fourteen days within which to complete the abatement.
 - E. Assessment of City Costs. A statement that if the nuisance or condition is not abated as directed and no request for hearing is made within the time prescribed, the City will abate it and assess the costs against the property owner.
2. Method of Service. The notice ~~shall be may be in the form of an ordinance or~~ sent by certified mail to the property owner.
(Code of Iowa, Sec. 364.12[3h])
3. Request for Hearing. Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists and it must be abated as ordered. The hearing will be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.
4. Abatement in Emergency. If it is determined that an emergency exists by reason of the continuing maintenance of the nuisance or condition, the City may perform any action which may be required under this chapter without prior notice. The City shall assess the costs as provided in subsection 6 of this section after notice to the property owner under the applicable provisions of subsection 1 and 2, and the hearing as provided in subsection 3.
(Code of Iowa, Sec. 364.12[3h])
5. Abatement by City. If the person notified to abate a nuisance or condition neglects or fails to abate as directed, the City may perform the required action to abate, keeping an accurate account of the expense incurred. The itemized expense account shall be filed with the Clerk, who shall pay such expenses on behalf of the City.
(Code of Iowa, Sec. 364.12[3h])

† **EDITOR'S NOTE:** A suggested form of notice for the abatement of nuisances is included in the Appendix of this Code of Ordinances. Caution is urged in the use of this administrative abatement procedure, particularly where cost of abatement is more than minimal or where there is doubt as to whether or not a nuisance does in fact exist. If compliance is not secured following notice and hearings, we recommend you review the situation with your attorney before proceeding with abatement and assessment of costs. Your attorney may recommend proceedings in court under Chapter 657 of the *Code of Iowa* rather than this procedure.

6. Collection of Costs. The Clerk shall send a statement of the total expense incurred by certified mail to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within one month, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner as, general property taxes.

(Code of Iowa, Sec. 364.12(3h))

7. Installment Payment of Cost of Abatement. If the amount expended to abate the nuisance or condition exceeds one hundred dollars (\$100.00), the City may permit the assessment to be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rates provided for assessments against benefited property under State law.

(Code of Iowa, Sec. 364.13)

8. Failure to Abate. Any person causing or maintaining a nuisance who shall fail or refuse to abate or remove the same within the ~~reasonable~~ time required and specified in the notice to abate is in violation of this Code of Ordinances. Each day the person permits the violation to continue after the time specified in the notice shall be a new violation of this chapter.

(Code of Iowa, Sec. 364.12(3)(h) and 364.13)

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50.07 MUNICIPAL INFRACTION ABATEMENT PROCEDURE. In lieu of the abatement procedures set forth in Section 50.06, the requirements of this chapter may be enforced under the procedures applicable to municipal infractions as set forth in Chapter 4 of this Code of Ordinances.

CHAPTER 51
JUNK AND JUNK VEHICLES

51.01 Definitions

51.02 Junk and Junk Vehicles Prohibited Nuisance

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51.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Abandoned Vehicle” means:

- A. A vehicle which has been left unattended on public property for more than forty-eight hours and lacks current registration plates or two or more wheels, or other parts which render the vehicle inoperable, or
- B. A vehicle that has remained illegally on public property for more than seventy-two hours, or
- C. A vehicle that has been unlawfully parked on private property or has been placed on private property without the consent of the owner or person in the control of the property for more than twenty-four hours, or
- D. A vehicle that has been legally impounded by order of the department and has not been reclaimed for a period of ten days, or
- E. Any vehicle parked on the highway determined by the department to create a hazard to other vehicle traffic.

2. “Enclosed Structure” means any permanent structure built for the enclosure of property, which contains a roof and at least four exterior walls constructed in such a manner as to obscure from a person’s view from any street or adjacent property the contents within the structure. A vehicle is not an enclosed structure.

3. “Junk” means the following items stored in outdoor areas or in partially enclosed sheds, lean-tos or other structures that do not meet the definition of Enclosed Structure: building materials not part of an active building project authorized by a current city building permit; abandoned, inoperable, or junk vehicles; non-registered or unlicensed vehicles; auto parts; miscellaneous steel, plastic, rubber or metal parts; junk tires; packing boxes; wood pallets; tree limbs; brush piles; discarded lumber, not including neatly stacked firewood located on a side yard or a rear yard; broken or unused furniture and appliances; any upholstered or finished furniture intended for indoor usage such as couches, beds, mattresses, desks, chairs, shelving or wooden tables; broken or unused household furnishings or equipment including carpeting, appliances and other typical household items intended for indoor usage; plastic tarps; trash bags containing leaves, debris, garbage or other items; trash and garbage not properly contained within a trash disposal container; or any other discarded or miscellaneous item or items not normally required in the day to day use of the exterior area of the property, when stored continuously in excess of 48 hours on any portion of any property outside of a totally enclosed structure located on the property.

4. “Junk Vehicle” means any vehicle, trailer or semitrailer stored 48 hours within the City limits, whether currently licensed or not, which because of any one of the following characteristics constitutes a threat to public health, welfare, and/or safety:

- A. Any vehicle, trailer, or semitrailer which has a missing or broken windshield or window glass, fender, door, bumper, hood, steering wheel, driver’s seat, trunk, fuel tank, two or more wheels, engine, drive shaft, differential, battery, generator or alternator or other component part of an electrical system, or any component or structural part, rendering said vehicle inoperable; or

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~~B. Any vehicle, trailer or semitrailer which has become the habitat of rats, mice, snakes or any other vermin or insects; or~~

~~C. Any vehicle, trailer or semitrailer which contains stored gasoline or other flammable fuel, paper, cardboard, wood or other combustible materials, garbage, refuse, solid waste, debris, etc.; or~~

~~D. Any vehicle, trailer or semitrailer used for storage purposes or harborage, cage or dwelling for animals of any kinds; or~~

~~E. Any other vehicle, trailer or semitrailer which because of its defective or obsolete condition in any other way constitutes a threat to the public health or safety of the citizens of Evansdale, Iowa; or~~

~~F. Any vehicle which is uninsured or in violation of the laws of the State of Iowa, or which for any reason is uninsurable.~~

~~5. "Nuisance" means whatever is injurious to health, indecent, or offensive to the senses, or obstruction to the free use of property, so as essentially to interfere with the comfortable enjoyment of life or property.~~

~~6. "Inoperable" means not capable of being moved under its own power.~~

~~7. "Stored" means not capable of being used or operated.~~

~~8. "Unlicensed vehicle" means any vehicle which is required to be licensed if it is operated on a public street or high way, but which is not displaying a valid and current license.~~

~~9. "Vehicle" means every implement, upon or by which a person or property may be transported on land, water, or air, and shall include, without limitation, a motor vehicle, automobile, truck, trailer, motor home, wagon, fifth wheel trailer, camper, motorcycle, etc.~~

~~1. "Junk" means all old or scrap copper, brass, lead, or any other non ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered junk.~~

~~2. "Junk vehicle" means any vehicle legally placed in storage with the County Treasurer or unlicensed, or licensed but inoperable, and which has any of the following characteristics:~~

~~A. Broken Glass. Any vehicle with a broken or cracked windshield, window, headlight or tail light, or any other cracked or broken glass.~~

~~B. Broken, Loose, or Missing Part. Any vehicle with a broken, loose, or missing fender, door, bumper, hood, steering wheel or trunk lid.~~

~~C. Habitat for Nuisance Animals or Insects. Any vehicle which has become the habitat for rats, mice, snakes, or any other vermin or insects.~~

~~D. Flammable Fuel. Any vehicle which contains gasoline or any other flammable fuel.~~

~~E. Inoperable. Any motor vehicle which lacks an engine or two or more wheels or other structural parts, rendering said motor vehicle totally inoperable, or which cannot be moved under its own power or has not been used as an operating vehicle for a period of thirty (30) days or more.~~

~~F. Defective or Obsolete Condition. Any other vehicle which, because of its defective or obsolete condition, in any other way constitutes a threat to the public health and safety.~~

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~~G. — Uninsured or Uninsurable. Any vehicle which is uninsured in violation of the laws of the State of Iowa, or which for any reason is uninsurable.~~

~~Mere licensing of such vehicle shall not constitute a defense to the finding that the vehicle is a junk vehicle.~~

~~3. — “Vehicle” means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, or any combination thereof.~~

~~**51.02 JUNK AND JUNK VEHICLES PROHIBITED.** It is unlawful for any person to store, accumulate, or allow to remain on any private property within the corporate limits of the City any junk or junk vehicle.~~

51.023 JUNK AND JUNK VEHICLES A NUISANCE. ~~Except as hereinafter provided, it~~ is hereby declared that any junk, ~~or~~ junk vehicle, inoperable vehicle, or abandoned vehicle located upon private property, unless excepted by Section 51.034, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the Code of Iowa. If any junk, ~~or~~ junk vehicle, inoperable vehicle, or abandoned vehicle is kept upon private property in violation hereof, the owner of or person occupying the property upon which it is located shall be prima facie liable for said violation.
(Code of Iowa, Sec. 364.12[3a])

51.043 EXCEPTIONS. The provisions of this chapter do not apply to:

1. Structure. Any junk, ~~or~~ a junk vehicle, inoperable vehicle, or abandoned vehicle stored within a garage or other enclosed structure; or
2. Salvage Yard. Any junk, ~~or~~ a junk vehicle, inoperable vehicle, or abandoned vehicle stored within an auto salvage yard or junkyard lawfully operated within the City; or
3. Business Enterprise. A junk vehicle, inoperable vehicle, or abandoned vehicle on the premises of a business enterprise operated in a district properly zoned therefor, when necessary to the operation of said business enterprise, as authorized under the zoning ordinance of the City; or
4. Hobbyist Permit. Any junk vehicle, inoperable vehicle, or abandoned vehicle covered under a hobbyist permit obtained from the Evansdale Police Department.

51.054 NOTICE TO ABATE. Upon discovery of any junk, ~~or~~ junk vehicle, inoperable vehicle, or abandoned vehicle located upon private property in violation of Section 51.023, the City shall be authorized to initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.
(Code of Iowa, Sec. 364.12[3a])

51.056 REPEAT OFFENDERS. Persons who have received a notice to abate within the last 24 months under the provisions of this chapter and who, notwithstanding said previous notice, cause or allow a violation of this chapter to reoccur on their property shall not be entitled to another notice to abate, and may be issued a civil citation in accordance with Chapter 4 of this Code of Ordinances. This section does not preclude the City from seeking other or additional remedies in accordance with Chapter 4 or the Code of Iowa.

CHAPTER 66
LOAD AND WEIGHT RESTRICTIONS

66.01 Temporary Embargo
66.02 Permits for Excess Size and Weight
66.03 Load Limits Upon Certain Streets

66.04 Load Limits on Bridges
66.05 ~~Truck Routes~~ Penalties

66.01 TEMPORARY EMBARGO. If the Council declares an embargo when it appears by reason of deterioration, rain, snow or other climatic conditions that certain streets will be seriously damaged or destroyed by vehicles weighing in excess of an amount specified by the signs, no such vehicles shall be operated on streets so designated by such signs erected in accordance with Chapter 61 of this Traffic Code.

(Code of Iowa, Sec. 321.471 ~~&~~ 472)

66.02 PERMITS FOR EXCESS SIZE AND WEIGHT. The Police Chief may, upon application and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight or load exceeding the maximum specified by State law or the City over those streets or bridges named in the permit which are under the jurisdiction of the City and for which the City is responsible for maintenance.

(Code of Iowa, Sec. 321.473 & 321E.24)

66.03 LOAD LIMITS UPON CERTAIN STREETS. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of ~~the amounts specified on such signs at any time 10 tons~~ upon any of the streets ~~or parts of streets for which said signs are erected in accordance with Chapter 61 of this Traffic Code~~ within the City limits.

This section shall not apply to school buses, city-owned vehicles, or vehicles making deliveries or pickups within the City limits.

(Code of Iowa, Sec. 321.473 & 475)

66.04 LOAD LIMITS ON BRIDGES. Where it has been determined that any City bridge has a capacity less than the maximum permitted on the streets of the City, or on the street serving the bridge, the Council may cause to be posted and maintained signs, in accordance with Chapter 61 of this Traffic Code, on said bridge and at suitable distances ahead of the entrances thereof to warn drivers of such maximum load limits, and no person shall drive a vehicle weighing, loaded or unloaded, upon said bridge in excess of such posted limit.

(Code of Iowa, Sec. 321.471)

66.05 PENALTIES. In addition to any applicable penalties proscribed in Chapter 4 of this Code of Ordinances, the City may impose penalties authorized in Iowa Code Chapter 321 for violation of Chapter 66 of this Code of Ordinances. Such additional penalties include fines and liability for damage to the road. When damage is caused by a driver who is not the owner of the vehicle, but is driving with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for such damage.

(Code of Iowa, Sec. 321.471-475)

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~~66.05—TRUCK ROUTES. When truck routes have been designated in accordance with Chapter 61, any motor vehicle exceeding established weight limits shall comply with the following:~~

~~Use of Established Routes. Every such motor vehicle having no fixed terminal within the City or making no scheduled or definite stops within the City for the purpose of loading or unloading shall travel over or upon those streets within the City designated as truck routes and none other.~~

~~(Code of Iowa, Sec. 321.473)~~

~~Deliveries Off Truck Route. Any such motor vehicle, when loaded or empty, having a fixed terminal, making a scheduled or definite stop within the City for the purpose of loading or unloading shall proceed over or upon the designated routes to the nearest point of its scheduled or definite stop and shall proceed thereto, load or unload and return, by the most direct route to its point of departure from said designated route.~~

~~(Code of Iowa, Sec. 321.473)~~

~~Employer's Responsibility. The owner, or any other person, employing or otherwise directing the driver of any vehicle shall not require or knowingly permit the operation of such vehicle upon a street in any manner contrary to this section.~~

~~(Code of Iowa, Sec. 321.473)~~