

City of West Branch

~ A Heritage for Success ~

110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358
Ph. 319-643-5888 • Fax 319-643-2305 • www.westbranchiowa.org • wbcity@lcom.net

CITY COUNCIL WORK SESSION
Monday, November 4, 2013 • 6:00 p.m.
City Council Chambers, 110 North Poplar Street

1. Call to order
2. Roll call
3. Maggie Burger, Speer Financial – Introduction to Tax Increment Financing
4. Adjourn

CITY COUNCIL MEETING AGENDA
Monday, November 4, 2013 • 6:30 p.m.
City Council Chambers, 110 North Poplar Street
Action may be taken on any agenda item.

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Welcome
5. Approve Agenda/Consent Agenda/Move to action
 - a. Approve minutes from the October 21, 2013 City Council Meeting.
 - b. Approve claims.
 - c. Approve payment to Ricklefs Excavating, Ltd. in the amount of \$238,696.87 for Partial Pay Estimate No. 4 for the Lift Station & Force Main Project.
6. Communications/Open Forum
7. Public Hearing/Non-Consent Agenda
 - a. Maggie Burger, Speer Financial – Presentation of TIF Report
 - b. Accept the resignation of Al Rozinek from the Planning and Zoning Commission./Move to action.
 - c. Accept the resignation from Kandi Baylor from the Animal Control Commission./Move to action.
 - d. Accept the resignation of Lisa Harkey from the Preservation Commission./Move to action.
 - e. Accept the resignation of Jim Huber from the Zoning Board of Adjustment./Move to action.

Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, Dick Stoolman
City Administrator/Clerk: Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin
Parks & Rec Director: Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

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CITY COUNCIL MEETING AGENDA
Monday, November 4, 2013 • 6:30 p.m. (continued)
City Council Chambers, 110 North Poplar Street
Action may be taken on any agenda item.

- f. Councilperson Jordan Ellyson - Appointments/Reappointments/Move to action.
 - i. Helen Dauber – Planning & Zoning Commission, December 31, 2014
 - ii. Jennie Embree – Zoning Board of Adjustment, December 31, 2016
 - g. Mayor Mark Worrell - Appointments/Reappointments/Move to action.
 - i. Monica Tylee – Animal Control Commission, December 31, 2014
 - ii. Peggy Jeffries – Preservation Commission, December 31, 2016
 - h. Resolution 1146, approving staff negotiations with HBK Engineering for engineering services for the *Strategic Plan for Park & Rec Capital Improvements: West Branch, IA Project*./Move to action.
 - i. Resolution 1154, approving a dedication agreement and an option agreement in connection with the future construction of Rummells Avenue./Move to action.
 - j. Resolution 1148, approving the Preliminary Plat of Tidewater Heights Subdivision, a Subdivision of West Branch, IA./Move to action.
 - k. Resolution 1149, approving the Final Plat of Tidewater Heights Subdivision, a Subdivision to West Branch, IA./Move to action.
 - l. First reading of Ordinance 717 amending Chapter 165 “ZONING REGULATIONS”./Move to action.
- 8. City Staff Reports
 - 9. Comments from Mayor and Council Members
 - 10. Motion to adjourn to closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where the disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation pursuant to Section 21.5(c) of the Code of Iowa.
 - 11. Adjournment

Economic Development

Tax Increment Financing

Iowa League of Cities - Web Exclusive August 2011

Tax Increment Financing (TIF) is a tool cities can use to enhance a wide range of development efforts. After establishing a TIF district, cities can do a number of things, including public improvement projects, to encourage new development or to assist in redevelopment activities. While TIF can be useful in a variety of ways, city officials need to plan carefully when employing TIF to ensure it is being used in the best way possible. Consulting with the city attorney is also important as there are many steps to implementing and amending a TIF district.

Creating a TIF District

Chapter 403 of the *Code of Iowa* states that TIF districts must be located within an urban renewal area (for a full review of urban renewal, including how to create an urban renewal area, please visit the [Urban Renewal](#) resources page). The chapter recognizes that cities have slum and blight areas in their community, which can be dangerous, unhealthy, reduce tax bases and impede growth. It goes on to say that cities need tools to improve these areas, which could require them to acquire, rehabilitate or demolish buildings. The law also states that cities may create urban renewal areas to enhance economic development efforts, to assist in retaining and attracting businesses, and to perform public improvements for residential development. Cities also have the right to acquire property through the condemnation process.

With an urban renewal area established, a city can opt to create a TIF district by approving an ordinance. The ordinance must describe the territory of the district and be filed with the county. It is important to note that a TIF district or area and an urban renewal area are not the same thing. Often, a TIF area matches the geographic boundaries of the urban renewal area in which it resides. However, some urban renewal areas have a smaller TIF area within it or have multiple TIF areas while others do not have a TIF area at all. Once an urban renewal area is designated as a slum, blight or economic development area, the area cannot be redesignated.

Cities are required to mail a copy of the proposed urban renewal plan and hold a consultation with the other affected taxing entities prior to approval (cities, counties and schools). If the proposed urban renewal plan or proposed urban renewal project within the urban renewal area includes the use of TIF dollars for a public building then the city must include an analysis of alternative development options and funding for the urban renewal area or urban renewal project and the reasons such options would be less feasible than the proposed plan or project with the proposed plan notification. A copy of the analysis must also be included with the urban renewal report and filed by December 1 following adoption of the urban renewal plan or project. Public buildings include, but not limited to:

- administration building
- police station
- fire station
- library
- recreational building
- swimming pool
- hospital
- city hall
- other public building that is exempt from taxation, including the grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to, such a building

Anti-Piracy Requirement

No TIF dollars can be used on an urban renewal project which includes the relocation of a commercial or industrial enterprise not presently located within the municipality, unless one of the following occurs:

- The local governing body of the municipality where the commercial or industrial enterprise is currently located and the local governing body of the municipality where the commercial or industrial enterprise is proposing to relocate have either entered into a written agreement concerning the relocation of the commercial or industrial enterprise or have entered into a written agreement concerning the general use of economic incentives to attract commercial or industrial development within those municipalities.
- The local governing body of the municipality where the commercial or industrial enterprise is proposing to relocate finds that the use of deposits into the special fund for an urban renewal project that includes such a relocation is in the public interest. A local governing body's finding that an urban renewal project that includes a commercial or industrial enterprise relocation is in the public interest must include written verification from the commercial or industrial enterprise that the enterprise is actively considering moving all or a part of its operations to a location outside the state and a specific finding that such an out-of-state move would result in a significant reduction in either the enterprise's total employment in the state or in the total amount of wages earned by employees of the enterprise in the state.

"Relocation" means the closure or substantial reduction of an enterprise's existing operations in one area of the state and the initiation of substantially the same operation in the same county or a contiguous county in the state. Enterprises are not prohibited from expanding its operations in another area of the state provided that existing operations of a similar nature are not closed or substantially reduced.

Property Taxes in a TIF District

When a TIF district is established, the property values in the district at that time are determined, which is often referred to as the base valuation. For new plans, the base valuation of the property in the TIF district is the value of the property as of January 1 of the year before the year in which debt is first certified for the district. When amending a plan, the base valuation of the district is determined on January 1 of the calendar year before the effective date of the ordinance.

All of the taxes due on the base valuations are distributed to the various local taxing jurisdictions in the normal way. Only taxes generated on the improved value of the property, known as the increment, are retained by the authority implementing the TIF (such as a city) for investment within the area. The incremental value is the additional assessed value above the established base valuation. Any TIF funds remaining, after TIF project expenses are paid, must be returned for distribution to the other local taxing entities.

How TIF is Used

Using TIF gives a city the option to sell bonds (general obligation or revenue bonds, as detailed in *Code* Chapters 384 and 403) and raise the necessary money to pay for the needed improvements in an urban renewal area as described in the plan. As the properties in the area begin to grow and thrive, the city is able to access most of the new tax revenue to pay off the debt initially incurred to finance the improvement projects.

TIF is typically used by cities to fund public improvement projects in conjunction with developing or redeveloping different parts of a city. This may include upgrading areas of the city suffering from slum and blight, helping residential development efforts, and enhancing economic development activities. Depending on the size of the project, cities may need to incur debt to finance an improvement, such as installing infrastructure. The city would then use the increment property tax revenue to make their debt payments. Cities must hold a public hearing prior to approving an urban renewal project within an urban renewal area.

When contemplating whether to sell bonds, city officials should first consult with their city attorney as well as bond attorneys in order to meet the many legal requirements of such activity.

Iowa League of Cities

SPECIAL REPORT

Tax Increment Financing Basics

Tax Increment Financing (TIF) is a method to incite businesses to locate or expand operations in an area by directing the property tax revenues generated within the TIF district for investment in the district. An urban renewal plan outlining the geographic boundaries of the area slated for development, or redevelopment, within the community is adopted by the planning and zoning board and the city council. A public hearing must be held prior to adoption of the ordinance by the city council. The terms urban renewal area and TIF district are often used interchangeably, **but TIF districts are contained within urban renewal areas.**

Unlike tax abatement, for which property taxes are not paid for a period of time, **property in TIF districts is taxed at the consolidated tax rate** (this includes city, county and school property taxes). The taxes generated over and above the base value of the property are retained with the government that implemented the TIF for use within the district. Cities, counties and community colleges have the authority to implement a TIF district.

For new plans, the base valuation of the property in the TIF district is the value of the property as of January 1 of the year before the year in which debt is first certified for the district. When amending a plan, the base valuation of

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the district is determined on January 1 of the calendar year before the effective date of the ordinance. All of the taxes due on the base value are distributed to the various local taxing jurisdictions. Only taxes generated on the improved value of the property, known as the increment, are retained by the authority implementing the TIF for investment within the area. The incremental value is the additional assessed value above the established base valuation.

The most common use of increment taxes by a city is for public improvements within the district, such as extending infrastructure to an area to enable development. TIF agreements can take on many forms and the increment may also be rebated back to the developer in exchange for investment in the area.

TIF Perception and Reality

Perception: Development will occur without the use of TIF.

Reality: TIF allows Iowa to compete on a level playing field with the other 49 states that also use TIF to entice economic development.

Forty-nine states grant cities TIF authority. If Iowa restricts the ability of cities to provide this incentive to business, it is logical to assume that companies will look to other states that offer a more business-friendly climate. TIF allows small cities to compete for economic development, even if they do not offer some of the amenities of larger cities. For them, TIF is the great equalizer in putting together an attractive package for potential development. Even in situations where the development might have occurred without using TIF, utilizing TIF often increases the rate of development in the area and surrounding area.

Perception: The use of TIF by cities hurts county and school revenues.

Reality: Counties and schools continue to receive tax revenues calculated on the base value of the TIF property.

In other words, counties and schools receive the same amount of tax revenues with the district in place as before its establishment. To characterize the impact of TIF on counties and schools as reducing their revenue is inaccurate. For a period of time, counties and schools are not receiving additional revenue based on the improved value of the property due to the TIF district. When the district expires, counties and schools are the beneficiaries of the improved value of the property due to the establishment of the TIF district. During the existence of the TIF district, schools are reimbursed by the state for losses to the uniform school levy revenues generated by the increment. In addition, cities are required to return any physical plant and equipment levies (PPEL) generated in the increment, but not needed to meet city debt obligations, to schools. Also, counties and schools continue to receive debt service levy revenue from property taxes.

Perception: TIF districts are never-ending.

Reality: TIF districts designated for economic development are limited to a 20-year life span. Most are shorter in duration.

Since the change in the law in 1994, most TIF districts are designated for an economic development purpose, limited to

a 20-year life span. At the expiration of the district, the other taxing entities enjoy the benefit of the increased valuation generated by the district.

Perception: The legislature never intended TIF to be used as an economic development tool. The intent was to revitalize only "slum and blight" areas.

Reality: The legislature instituted TIF as an economic development tool in the 1980s.

While the legislature originally restricted the use of TIF for slum and blight purposes only, it opened up the use of TIF for economic development in the 1980s. The legislature recognized the importance of economic development as essential to the vitality of the state. Without TIF, much of the new expansion and retention of businesses in Iowa would not have occurred, resulting in fewer jobs.

TIF Legislation in Recent Years

1994. Cities were required to consult with the other affected taxing jurisdictions before approving an urban renewal plan or modifying an existing one.

TIF districts designated for economic development purposes were limited to a 20-year life span. Prior to this change, TIF districts were designated under a finding of "slum and blight" in the area and were unlimited in duration. Today, most new TIF districts have an economic development purpose. This translates into a much quicker expiration of the district and the return of the additional tax-base generated by the TIF district to the respective taxing jurisdictions.

1996. Allowed the use of TIF for residential construction that was not limited to low- and moderate-income housing. Restricting residential TIF to low- and moderate-income housing in 1991 greatly hindered residential development in Iowa. Lifting the restriction has enabled both cities and counties to provide a vital housing component to economic development efforts at the local level.

Established a separate fund for low- and moderate-income housing in residential housing TIF projects based upon the percentage of low- and moderate-income residents in the county.

Limited the duration of a residential TIF district to 10 years. The duration may be extended to 15 years for communities under 15,000 in population, if approved by the affected taxing entities.

1999. Required cities to submit reports to the Iowa Department of Management on all urban renewal areas.

2000. Allowed school districts to capture revenue generated by the PPEL from the increment in TIF districts.

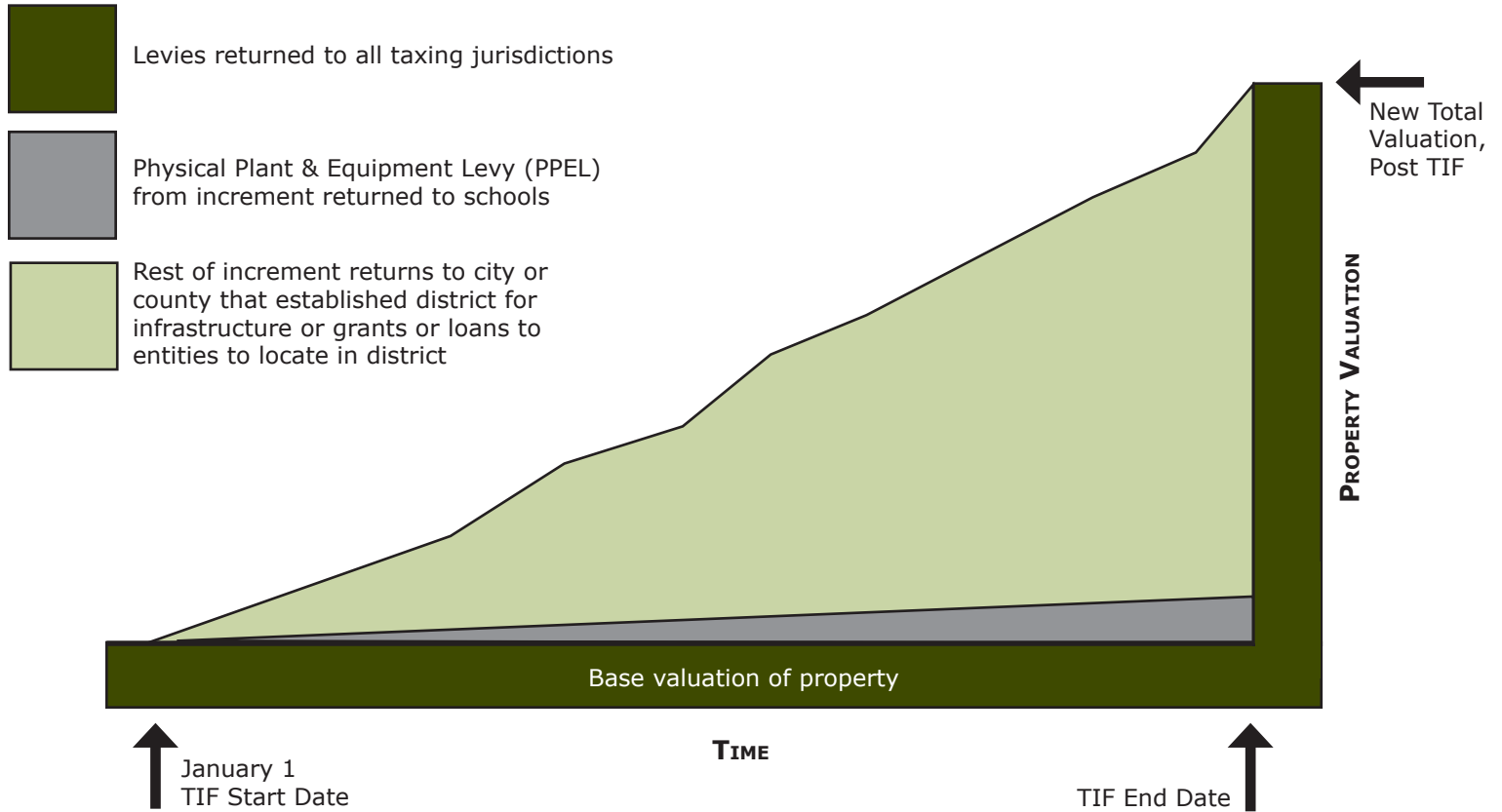
2003, 2006 and 2007. Several changes were made to TIF reporting, such as filing a report with the county auditor and including TIF information on the annual financial report.

2010. Created a new legislative committee to review tax incentive programs, such as TIF and LOST-TIF, on a five year basis.

- Place Iowa on a level playing field with 44 other states competing for economic growth opportunities.
- Expand the tax base for schools, counties and cities when districts expire.

How City & County TIF Districts Work

This is a simplified representation of a TIF district's distribution of levies. There are individual differences based on debt or slum and blight designation. The duration of a TIF districts may be shorter if the district debt is retired before the set number of years elapse. Maximum length of economic development TIF districts is 20 years.



TIF in Practice

Clive

The use of TIF in the city of Clive brought about the following development:

- Construction of the NCMIC (National Chiropractic Malpractice Insurance Company) national headquarters
- Development of the NW 86th Street Corridor Streetscape Improvement Project
- Development of the Country Club Market Place Commercial Park
- Development of the Mercy Wellness Campus at University and 128th Street

Indianola

The city was able to purchase two lots through its dangerous and dilapidated building program with the use of TIF. The lots were then sold to a developer who has since begun construction on renovations and additions to the current building, which has a minimum assessment of \$1,250,000.

The city has also expanded its downtown business incentive program, which provides a combination of loans and grants for downtown businesses to renovate existing buildings. The grants will be funded with TIF revenue.

Finally, the city received an I-JOBS grant for storm sewer improvements adjacent to the National Balloon Museum. The grant required a 50 percent match in funds, which the city will meet with TIF funds.

Oskaloosa

TIF has played a vital role in the construction of a soybean plant and a 155,000 square foot commercial center which has become one of the largest sources of property tax and sales tax revenue for the city, as well as a major employment center for the city's residents. The city has also improved infrastructure with TIF funds.

Mount Pleasant

The city worked with the Henry County Industrial Development Commission (HCIDC) to develop the 60 acre Crossroads Industrial Park. The HDIC has built three industrial spec buildings and sold two of them. There are now four industries located in the park employing nearly 500 people. The investment in these four industries is approximately \$40,000,000.

Lake View

Lake View successfully recruited Evapco, Inc. with the use of TIF as the primary part of an incentive package. The company built a \$2 million plant that initially created 60 new jobs. In 2003, Evapco expanded and now has a valuation of \$3.2 million and employs around 100 people.

In 2010, Boulders Inn & Suites completed a \$1.4 million project to bring much needed lodging to Lake View. TIF was used to fund the installation of infrastructure to the hotel site. This has also opened land for future development.

Pleasant Hill

Pleasant Hill used TIF for improvements and extensions to the water system, sanitary sewer and roadway paving and lighting systems. These efforts have helped create a new industrial park that is now nearly fully occupied and the city is currently assisting with a new business park under construction. TIF has also been used for business assistance for gap financing. The community has nearly doubled in population in the last decade fueled in part by the new businesses and infrastructure.

Perry

In Perry TIF funds were used to give incentives to Leisure Hotels LLC to purchase and reopen the historic Hotel Pattee. The incentives amounted to \$100,000 per year for five years. That amount was then matched by 50 percent by Perry Industries at \$50,000 per year for five years. The Hotel Pattee has now been open two years and aims to be self sustaining at the end of the agreement.

TIF was instrumental in financing portions of the city's downtown revitalization plan. Four city blocks have been completed and a new courtyard in the downtown is under construction with completion in 2010.

The city also used TIF to match a RISE grant that paved 26th Street in Perry to facilitate a new business opening on that street. That project went well and the new business is now looking at expansion.

Jefferson

Power Lift (formerly known as Parker Industries) has remained in Jefferson with the help of TIF and is a very successful company that manufactures weight lifting equipment. Also, Soy Chlor has used \$600,000 in TIF assistance to expand operations.

Algona

The use of TIF allowed the City of Algona to assist a major employer with an expansion, renovate a dilapidated building in the central business district that now houses five businesses and renovate a building for a five-screen movie theater when the only theater in town was scheduled to shut down.

Sheldon

With the expansion of Highway 60 to four lanes around Sheldon, the City of Sheldon purchased approximately 100 acres of ground for mixed-use development adjacent to the highway with the use of TIF funds. Thirty acres were developed as light industrial with the remaining 70 as mixed-use residential and commercial. Currently, 15 acres of the industrial ground and approximately 10 acres of the commercial ground is developed. The total increase in valuation is approximately \$5,750,000. The city also partnered with Holiday Inn Express for an indoor pool facility, which includes a four-lane lap pool, aquatic play area and 15 person hot tub for use by hotel guests as well as the public in this development.

Norwalk

Norwalk instituted a TIF district in 1998 with the purposes of development and infrastructure as a goal. Since that time the TIF district has grown to a value of \$53.5 million and features a number of projects including water and sanitary sewer improvements, the purchase of land for a business park and recreation complex, and a street system to provide access. In addition, the city has entered into development agreements with a new golf course, with several businesses and in 2010 has provided funding for traffic signal installation and interconnectivity. Improvements have allowed for both business and jobs development, several retail opportunities and a housing community to complement the commercial improvements at the golf club and a new public works facility that will meet the needs of the community for the next 25 years plus.

Garner

A housing TIF has led to the development of 82, affordable, single-family building lots, with 60 homes constructed in the development since 2003.

Since 2006, the city has assisted two additional industries, securing 20 new jobs, \$15 million in investment and \$3 million in tax base.

Boone

Schwan, AMPC, APC, CDS, Structural Component Systems, Specialty Leather, Composite Technologies, Proliant, Fareway Central Distribution Warehouse, Patterson Dental, Specification Chemical and TriLite Windows are among the existing industries and new companies that have expanded or established operations in Boone TIF districts. At least 550 new jobs have been created. Not only has TIF resulted in economic development, it has extended infrastructure to the district, resulting in other development.

Spencer

Spencer has used TIF to enhance business growth throughout the city. The city made use of TIF rebates to attract business and has also used TIF funds to help finance several infrastructure projects which have aided economic and residential growth.

Urbandale

TIF paved the way for development of the main commercial center for western Urbandale, called City Center. In exchange for improvements to this area, the developer assumed all risk for the repayment.

Sioux Center

The use of TIF helped with the following projects in Sioux Center:

- Revitalization of the downtown area with a central parking lot and a city owned 100,000 square foot enclosed mall.
- Pella Corporation's location to Sioux Center kept this plant in Iowa and their expansion created 400 jobs.
- Nemschoff Chairs came from Sheboygan, WI and created over 100 jobs.
- Assisted Link Manufacturing in one of their expansion projects.
- Storm sewer installation to assist in the development of new retail/office space in the downtown area.
- Intersection improvements to assist in the development of new retail/office space on the south end of town.
- Assisted in some of the infrastructure costs with the Ridge Commercial Park.

Knoxville

Knoxville used three TIF rebate agreements in recent years to spur development. In two cases, the developers incurred the debt for infrastructure construction (streets, sidewalks, sanitary and storm sewer) and the city rebated them through the TIF agreements. The other agreement consisted of rebates to a growing business which has so far experienced two plant and job growth expansions.

Summary

Tax Increment Financing districts...

- Allow cities to provide for updated infrastructure in urban renewal districts as well as in new areas, a pre-requisite for encouraging businesses to grow in Iowa.
- Place Iowa on a level playing field with 49 other states competing for economic growth opportunities.
- Expand the tax base for schools, counties and cities when districts expire.



(The following is a synopsis of the minutes of the West Branch City Council meeting. The full text of the minutes is available for inspection at the City Clerk’s office. The minutes are not approved until the next regularly scheduled City Council meeting.)

West Branch, Iowa
Council Chambers

City Council Meeting

October 21, 2013
7:00 p.m.

Mayor Worrell opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Deputy City Clerk Dawn Brandt, Public Works Director Matt Goodale, Police Chief Mike Horihan, and Parks & Recreation Director Melissa Russell.
Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Dick Stoolman, Mary Beth Stevenson.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the September 16, 2013 City Council Meeting.
- b) Approve minutes from the September 20, 2013 City Council Meeting.
- c) Approve claims.
- d) Approve Class C Beer license with Sunday Sales for Casey’s Marketing Co. DBA Casey’s General Store #2524.
- e) Approve Class C Liquor License with Sunday Sales for Agaves Inc. DBA Agaves, to include the dining room and banquet and reservation area.
- f) Approve transfer of \$27,123.00 from Park & Rec Reserve Fund to General Fund.
- g) Approve transfer of \$21,586.00 from Police Apparatus Reserve Fund to General Fund.
- h) Approve destruction of records with Document Destruction & Recycling Services listed on Records Destruction Form per the Record Retention Manual for Iowa Cities.

Motion by Ellyson to approve the agenda and consent agenda items a-h, second by Stevenson. AYES: Ellyson, Stevenson, Miller. NAYS: Oaks, Stoolman. Motion carried.

Date 10-21-13	City of West Branch	
	Claims Register Report	
AAA Budget Environmental	Econ Dev - Service	250.00
Aero Rental Inc	Streets - Dump Trailer Rental	194.40
Alliant Energy	Various Depts - Utilities	9,818.23
Amazon	Library - Supplies	119.27
Baker & Taylor Inc.	Library - Books	1,328.01
Barron Motor Supply	Fire/Streets - Supplies	189.60
BDC-Building Inspection	Admin - Building Inspections	193.20
Blue Cross Blue Shield	Insurance	9,776.19
BP Amoco	Police/Fire/Cemetery - Fuel	1,743.46
BSN Sports Inc	Park & Rec - Field Paint	134.94
Business Radio Sales	Fire - Service Radios	300.44
Carney, Carol	Park&Rec - Fitness Class Refund	52.50
Cedar County Public Health	Pol/Lib/Fire/Adm/St-Flu Shots	250.00
Cedar County Recorder	Legal - Document Recording	117.00
Cedar County Solid Waste	Streets - Waste Disposal	420.50
Cedar County Treasurer	P&R - Taxes For Park & Dog Park	2,277.00
Cedar Rapids Photo Copy	Library - Service	72.29
Cochran, Craig	Fire - Reimbursement For Supplies	44.00
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Country Inn & Suites	Admin-IA League Annual Conf	185.92
Croell Redi-Mix Inc	Streets - Various Projects	2,606.75
Crown Awards	Park & Rec - Supplies	236.82
Culligan Water	Fire - Water Cond Rental	37.65
Dearborn Insurance	Life Insurance	48.95
Demco	Library - Supplies	16.70
Deweys Jack & Jill	Library/P&R - Supplies	31.25
Donovan, Cale	Park&Rec - Flag Fball Ref	40.00
Donovan, Tyler	Park&Rec - Flag Fball Ref	40.00
Ed.M.Feld Equipment	Fire - Supplies	171.00
Eftps	Federal Withholdings	11,798.73
ETS Corporation	Water/Sewer -Credit Card Fees	32.78
F&B Communications Inc	Admin - Computer Service	1,037.95
Fareway Stores	Park & Rec - Supplies	109.86
Fenner, Coleman	Park&Rec - Flag Fball Ref	160.00
Fiesta Riviera	Liquor License Refund	308.75
Fiderlein, Debra	P&R-Session 2 Fitness Class	650.00
Frytown Trailers	Streets - Dump Trailer	7,350.00
Gaylord Bros Inc.	Library - Supplies	218.17
General Pest Control	Library - Service	70.00
Gierke-Robinson Company	Streets - Supplies	2,113.53
Goodale, Matthew	Sewer - Reimb For Training Exp	600.60
Greatamerica Leasing	Admin - Copier Lease	252.06
Hanna, John	Police- Reimb For Training Expenses	305.78
Hawkins Inc	Water - Azone 15	1,642.84
Horihan, Mike	Police - Reimb For Supplies	93.59
Hott, Leah	Park&Rec - Vball Helper	30.00
Iowa Assn. Mun. Utilities	Sewer - Training Classes	420.00
Iowa DNR	Water - Fy14 Annual Water Fee	66.00
Iowa Department Of Revenue	Payroll Expense	1,031.45
Iowa Dept Of Public Safety	Police - Training Conference	165.00

Iowa Insurance Division	Cemetery - Fy13 Annual Report	50.00
Iowa League Of Cities	Admin - Budget Training	70.00
Iowa Municipal Finance Office	Admin - IMFOA Fall Meeting	150.00
Iowa One Call	Water/Sewer - Service	113.40
IPERS	Ipers	7,748.99
Joey Dean Wenndt	Fire - Sept/Oct Fire Training	300.00
John Deere Financial	Streets/Cemetery - Supplies	295.62
Johnson County Refuse Inc.	Recycling - September	3,695.50
Jones, Carol	Park&Rec - Fitness Class Refund	52.50
Kevin D Olson	Legal Services For Oct 2013	1,500.00
Kingdom Graphics	Park & Rec - Flag Fball Shirts	372.00
Knoop, Abby	Park&Rec - Vball Helper	50.00
Kyllingstad, Maria	Park&Rec - Vball Helper	50.00
L. L. Pelling Co. Inc	Streets - Sealcoat	21,585.05
Lenoch & Cilek	Park&Rec- Supplies	31.92
Liberty Communications	Various Depts - Phone Service	1,080.38
Linn County R.E.C.	Streets - Utilities	120.00
Luneckas, Trystin	Park&Rec - Vball Helper	70.00
Lynch's Excavating Inc	Sewer - Service	6,656.07
Lynch's Plumbing Inc	Streets - Part	193.10
Martens, Sam	Park&Rec - Flag Fball Ref	40.00
Matt Parrott	Admin - Receipt Books	193.42
Mediacom	Admin - Service	40.90
Menards	Park & Rec - Supplies	946.64
Midwest Janitorial Service	Lib/TH/Admin/Police - Cleaning	646.56
Midwest Radar & Equipment	Police - Supplies	160.00
Miller, Paige	Park&Rec - Flag Fball Ref	40.00
Montgomery, Kaylee	Park&Rec - Vball Helper	50.00
Moore's Welding Inc	Streets - Service	70.42
Municipal Supply Inc.	Water - Supplies	1,964.00
Murry, Jenae	Park&Rec - Vball Helper	20.00
Overdrive Inc	Library - Ebook	133.46
Parkside Service	Cemetery - Tires For Tonner	207.97
Payroll Expense	Payroll Expense - 9-27-13	25,595.80
Payroll Expense	Payroll Expense - 10-11-13	25,481.73
Pierce, Shawn	P&R-Session 2 Fitness Classes	520.00
Pitney Bowes	Library/Admin - Postage Meter Leases	564.03
Pitney Bowes Purchase Power	Admin/Water/Sewer - Postage	500.00
Plato Electric	Street Lighting -Light Repairs	852.67
Plumbers Supply Co.	Water - Supplies	41.24
Plunkett's Pest Control	Admin/Town Hall - Service	91.52
Port 'O' Jonny Inc.	Park & Rec/Cemetery - Service	512.00
Proeller, John	Return Of Sidewalk Payment	100.00
Pyramid Services Inc.	Cemetery - Mower Blades	47.79
Qc Analytical Services	Sewer - Testing	1,168.00
Quality Engraved Signs	Admin - Nameplates	81.90
Quill Corp	Library/Admin/Streets - Office Supplies	213.87
RK Dixon	Admin - Blk & Color Copies	896.11
Robert's Towing & Recovery	Streets - Service	180.00
Ross, Rebecca	Water - Utility Refund	70.95
Schimberg Co	Streets/Water - Pipe & Supplies	7,701.97
Shanelle M Peden	Cable - Videotaping	300.00
Shimmin, Nick	Library - Reimb For Mileage & Supplies	151.95
Simpson, Allyson	Park&Rec - Vball Helper	30.00
Speer, Staci	Water - Utility Refund	48.19
Sprint	Police - Service	179.97
Stoolman, Morgan	Park&Rec - Vball Helper	70.00
The Book Farm Inc	Library - Books	22.96
The Library Store Inc	Library - Supplies	153.02
Thomas Heating & Air	Fire - Supplies & Service	5,210.00
Tisinger, Cole	Park&Rec - Flag Fball Ref	120.00
Toynes Ia. Fire Trk.Serv	Fire - Service	2,565.55
Treasurer State Of Iowa	Iowa Sales Tax/State W/H Pmt	4,573.33
Trugreen	Park & Rec - Service	145.00
Tumbleweed Press Inc	Library -Subscription Renewal	200.00
Univ Of Iowa: State Hygienic Lab	Water - Testing	24.00
UPS	Sewer - Shipping	124.62
US Bank Equipment Finance	Library - Copier Lease	51.13
US Cellular	Various Depts-Phone Service	1,136.23
USA Blue Book	Sewer - Filter Elements	636.26
Veenstra & Kimm Inc.	Engineering	9,587.01
VJ Engineering	Streets-Eng13-3153 Lot A Blk 1	1,600.00
Wageworks	Flex - Dcfsa2013	167.48
Walmart	Library - Supplies	245.25
Water Solutions	Water - Chemicals	2,472.00
West Branch Ford	Police - Police Car & Service	23,899.20
West Branch Repairs	Police - Service Vehicles	1,783.78
West Branch Times	Legal& Comm/Cult -Publications	3,230.01
Westrum Leak Detection Inc	Water -2013 Leak Det Survey	1,000.00
Wex Bank	Police - Fuel	405.58
Wier, Melanie	Water - Utility Refund	74.59
Yeggy, Jodi	P&R-Session 2 Fitness Classes	650.00
	Grand Total	241,692.32

Fund Totals	
001 General Fund	138,330.99
022 Civic Center	780.51
031 Library	14,179.35
110 Road Use Tax	12,791.18
112 Trust And Agency	12,660.34
226 Go Debt Service	8,364.57
600 Water Fund	30,290.45
610 Sewer Fund	24,127.45
950 BC/BS Flexible Benefit	167.48
Grand Total	241,692.32

COMMUNICATIONS/OPEN FORUM

Ellyson suggested that staff work with Main Street to develop a business license program for new & existing businesses. Stoolman commented that Public Works should quit doing cement work and focus on other tasks that are not getting done in town. Oaks questioned why the College Street hill and Poplar Street water main and parking lot improvement projects were done. Goodale stated that water mains were replaced in anticipation of parking lot and road improvements in the area. Ellyson and Worrell stated that the College Street project was approved as part of the annual budget. Oaks suggested a committee to set priorities for Public Works projects. Worrell asked if Chief Horihan could check street lights to make sure they are working. Miller said there is no longer a light near the Dog park and intersection to the mobile home village. He would like feedback if one is needed.

PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL

Mayor Mark Worrell – Recognition of Gary Robbins Trucking

Mayor Mark Worrell recognized Pat Robbins of Gary Robbins Trucking for their presence in the community and good service to the City of West Branch.

Consultation Report on proposed Amended and Restated West Branch Urban Renewal Plan.

Olson said the consultation meeting held on September 30 was required by law. The school board provided a letter stating their comments on TIF.

Public Hearing for the proposed Amended and Restated West Branch Urban Renewal Plan.

Mayor Worrell opened the public hearing at 7:46 p.m. Olson said the amended plan combines three separate documents into one and lists out projects to be done in the TIF districts. It removes the residential homes on Scott Dr. from the TIF area. Stevenson asked if we should take out all residential areas, which includes WB Village and Northridge Dr. Worrell said the N 4th Street paving project is in that area. There were no public comments. Mayor Worrell closed the public hearing at 7:52 p.m.

Resolution 1144, approving the proposed Amended and Restated West Branch Urban Renewal Plan./Move to action.

Miller amended resolution to update and make correction to page 5. Motion by Stoolman to approve Resolution 1144 as amended, second by Ellyson. AYES: Stoolman, Ellyson, Miller, Oaks, Stevenson. Motion carried.

Public Hearing on budget amendment.

Mayor Worrell opened the public hearing at 7:54 p.m. City Administrator Muckler gave an overview of the budget amendment. There were no public comments. Mayor Worrell closed the public hearing at 7:57 p.m.

Resolution 1145, approving budget amendment./Move to action.

Motion by Ellyson to approve Resolution 1145 and second by Stevenson. AYES: Ellyson, Stevenson, Miller, Oaks, Stoolman. Motion carried.

Resolution 1147, approving the Final Plat of Cookson Subdivision, a Subdivision to West Branch, IA./Move to Action.

Motion by Miller to approve Resolution 1147 and second by Stoolman. AYES: Miller, Stoolman, Ellyson, Oaks, Stevenson. Motion carried.

Resolution 1148, approving the Preliminary Plat of Tidewater Heights Subdivision, a Subdivision of West Branch, IA./Move to action.

City Engineer Dave Schechinger gave a report on the land and area to be developed. Council had discussion and agreed to table this until they have an agreement with other property owners that could be affected. Motion by Miller to table Resolution 1148 and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

Resolution 1149, approving the Final Plat of Tidewater Heights Subdivision, a Subdivision to West Branch, IA./Move to action.

Motion by Ellyson to table Resolution 1149 and second by Stevenson. AYES: Ellyson, Stevenson, Miller, Oaks, Stoolman. Motion carried.

Resolution 1150, approving service agreement with Kid Again Inflatables for \$11,500 for Hoovers Hometown Days 2014./Move to action.

Russell said the total cost was \$9500.00 this year with the Park Service and Alliant giving donations. A zip line will be added next year which is the additional cost. She would like to set a goal to raise \$5,000.00 through donations. Motion by Stoolman to approve Resolution 1150 and second by Stevenson. AYES: Stoolman, Stevenson, Ellyson, Miller, Oaks, Motion carried.

Resolution 1151, endorsing the West Branch Priority Routes II Project grant submittal and agreeing to maintain the completed project for its intended public use for ten years./Move to action.

Muckler said this is a new program through our local COG for sidewalk grant opportunities. The Council has established priority sidewalk projects on Maple Street, Oliphant Street and 4th Street. This grant application could provide some funding from the Transportation Alternatives Program with an applicant match of at least twenty percent.

Motion by Miller to approve Resolution 1151 and second by Stevenson. AYES: Miller, Stevenson, Ellyson, Oaks, Stoolman. Motion carried.

Resolution 1152, ordering construction of certain public improvements, approving preliminary plans, and fixing a date for hearing thereon and taking of bids therefor./Move to action.

Schechinger said this is for the lining and grouting project for Sanitary sewer rehabilitation - Phase 1. He provided a preliminary schedule for the public hearing and to accept bids.

Motion by Miller to approve Resolution 1152 and second by Ellyson. AYES: Miller, Ellyson, Oaks, Stoolman, Stevenson. Motion carried.

Discussion of the Request for Qualifications for the Strategic Plan for Park & Rec Capital Improvements: West Branch, IA Project.

Tim Shields member of the Park & Recreation Commission gave a report on the RFQ interview process. They sent out requests for qualifications to twenty different engineering firms. Nine applications were returned, the commission narrowed it down to three firms, Shive Hattery, McClure and HBK. They chose HBK because they are a local company, their proposal was specific to West Branch, and they were motivated to make the project a priority.

Worrell said that he was involved in the process and approved the Park & Recreation Commissions decision. Ellyson and Stevenson also were confident in the Commission's decision, Stevenson liked the charrette proposal from Shive Hattery and would like to see HBK's public input procedure.

Accept resignation of Jim Huber from Zoning Board of Adjustment./Move to action.

Miller thanked Jim for his years on the board. Ellyson asked what the Council could do to keep Jim on the board and not accept his resignation.

Motion by Ellyson to accept resignation and second by Stevenson. AYES: Stevenson, Miller. NAYS: Ellyson, Oaks, Stoolman. Motion failed.

Resolution 1153, directing the zoning administrator to file a petition for writ of certiorari on the board of adjustment decision concerning 203 Ridge View Drive./Move to action.

Olson explained that according to State law there are three or four items that need to apply for the Board of Adjustment to approve a variance. In his opinion, the retaining wall at 203 Ridge View Drive did not meet any of the circumstances to approve a variance. Olson explained to the members on the board that they were the fact finders to the law. Oaks asked if the neighbor has a problem with retaining wall. Muckler said that a very good person is leaving the Board because of the outcome of the variance request at 203 Ridge View Drive. Muckler also suggested that this Board of Adjustment decision compromises the future enforcement of zoning regulations. Olson suggested that Council make the retaining wall legal in the Code if they decide not to file the petition.

Motion by Stevenson to approve Resolution 1153 and second by Ellyson. AYES: Stevenson, Ellyson. NAYS: Miller, Oaks, Stoolman. Motion failed.

CITY STAFF REPORTS

City Engineer Dave Schechinger – Casey's Site Plan Update

Schechinger said that things are moving slowly and they are still working with the DOT on roadway improvements for access off of Baker. He has reviewed the preliminary site plan.

City Engineer Dave Schechinger – Lift Station Project

Schechinger said that the new lift station and force main are in place and have been running for a few weeks with no errors or alarms. The contractor is setting the generator tomorrow, with dirt work and final grading being completed this week. Training on the equipment will begin soon.

City Engineer Dave Schechinger – Beranek Street Project

Schechinger showed two concept drawings for the Beranek Street project, that would add additional parking, repaving the lot and adding curb and gutter to the street. Muckler said this could be a budget decision to fund for FY15. The parking lot is currently budgeted in FY14.

Public Works Director Matt Goodale – ISWEP Training Update

Goodale said that the City joined the Iowa storm water education program two months ago. He has attended two good training workshops and will be attending another in the next few weeks. A watershed approach to community planning workshop is open for registration and being held on November 18, if Council is interested in attending.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Council member Ellyson reminded all members of Council to watch every item as a whole cause some items affect other items. She apologized to Mr. Huber because she felt that the Council failed to support his principles and values by the way the voting came out tonight.

ADJOURNMENT

Motion to adjourn meeting by Miller, second by Stevenson. Motion carried on a voice vote. City Council meeting adjourned at 9:37 p.m.

Mark Worrell, Mayor

ATTEST: _____
Dawn Brandt, Deputy City Clerk

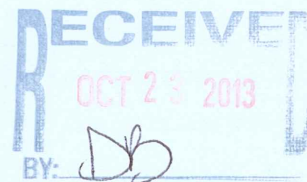


VEENSTRA & KIMM, INC.

860 22nd Avenue - Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

October 18, 2013

Matt Muckler
City Administrator
City of West Branch
110 Poplar Street
P.O. Box 218
West Branch, IA 52358



WEST BRANCH, IOWA
LIFT STATION & FORCE MAIN
PARTIAL PAY ESTIMATE NO. 4

Enclosed is one copy of Partial Payment Estimate No. 4 for work completed from July 23, 2013 to October 11, 2013 under the contract between the City of West Branch and Ricklefs Excavating, Ltd.

We have checked the estimate and recommend payment to Ricklefs Excavating, Ltd. in the amount of \$238,696.87.

By separate cover we have forwarded three copies of Partial Payment Estimate No. 4 to Ricklefs Excavating, Ltd. for signature and return to the City of West Branch.

Please sign all copies of the partial payment estimates forwarded to you by Ricklefs Excavating, Ltd. in the spaces provided and return one signed copy to our office and one copy Ricklefs Excavating, Ltd. with payment.

Should you have any questions or comments concerning the enclosed information, please contact us at 319-466-1000.

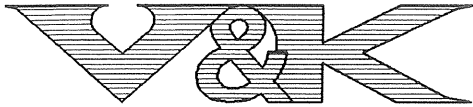
VEENSTRA & KIMM, INC.

Dave Schechinger

DRS:mmc

36846

Enclosures



VEENSTRA & KIMM, INC.

860 22nd Avenue, Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

October 18, 2013

PAY ESTIMATE NO. 4
LIFT STATION & FORCE MAIN
WEST BRANCH, IOWA

Ricklefs Excavating, Ltd.
12536 Buffalo Rd.
Anamosa, IA 52205

Contract Amount \$1,016,519.00
Contract Date December 17, 2013
Pay Period July 23, 2013 - Oct. 11, 2013

BID ITEMS							
	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.1	Mobilization	LS	xxxxx	xxxxx	\$ 70,000.00	90%	\$ 63,000.00
1.2	Construction Staking	LS	xxxxx	xxxxx	\$ 6,500.00	100%	\$ 6,500.00
1.3	Erosion Control	LS	xxxxx	xxxxx	\$ 500.00	20%	\$ 100.00
1.4	Silt Fence	LF	3,000	\$ 1.60	\$ 4,800.00		\$ -
1.5	Stabilizing Material	Tons	350	\$ 17.50	\$ 6,125.00	120	\$ 2,100.00
1.6	6" Granular Surfacing	Tons	800	\$ 16.50	\$ 13,200.00	642	\$ 10,589.87
1.7	16" Force Main in Place	LF	3,054	\$ 36.00	\$ 109,944.00	3,054	\$ 109,944.00
1.8	16" DI Force Main in Place	LF	400	\$ 56.00	\$ 22,400.00	400	\$ 22,400.00
1.9	Storm Sewer in Place						
	1.9.1 12" Dia. RCP	LF	80	\$ 65.00	\$ 5,200.00	72	\$ 4,680.00
	1.9.2 15" Dia. RCP	LF	50	\$ 70.00	\$ 3,500.00	32	\$ 2,240.00
	1.9.3 24" Dia. RCP	LF	10	\$ 85.00	\$ 850.00		\$ -
1.10	Field Drain Lines	LF	100	\$ 5.00	\$ 500.00	100	\$ 500.00
1.11	Lift Station Improvements	LS	xxxxx	xxxxx	\$ 700,000.00	90%	\$ 630,000.00
1.12	Lagoon Improvements	LS	xxxxx	xxxxx	\$ 65,000.00	98%	\$ 63,700.00
1.13	Seeding	LS	xxxxx	xxxxx	\$ 8,000.00		\$ -
Total					\$1,016,519.00		\$ 915,753.87

MATERIALS STORED SUMMARY				
	Description	# of Units	Unit Price	Extended Cost
Total				\$ -

SUMMARY			
		Total Approved	Total Completed
Contract Price		\$ 1,016,519.00	\$ 915,753.87
Approved Change Order (list each)			
	Revised Contract Price	\$ 1,016,519.00	\$ 915,753.87

Stored

Total Earned \$ 915,753.87

Retainage (5%) \$ 45,787.69

Total Earned Less Retainage \$ 869,966.17

Total Previously Approved (list each)	Pay Estimate No. 1	\$ 402,705.00	
	Pay Estimate No. 2	\$ 184,959.30	
	Pay Estimate No. 3	\$ 43,605.00	

Total Previously Approved \$ 631,269.30

Percent Complete 90%

Amount Due This Request \$ 238,696.87

The amount \$238,696.87 is recommended for approval for payment in accordance with the terms of the contract.

Prepared By:
Ricklefs Excavating, Ltd.

Recommended By:
Veenstra & Kimm, Inc.

Approved By:
West Branch, Iowa

Signature: Sarah Ricklefs

Name: Sarah Ricklefs

Title: Secretary

Date: 10/22/13

Signature: Dave Schechinger

Name: Dave Schechinger

Title: Engineer

Date: October 18, 2013

Signature: _____

Name: _____

Title: _____

Date: _____

Annual Urban Renewal Report TIF Taxing District Information

1989 – Establishment of the Urban Renewal Area: Res. 343/Ord. 421

Taxing Districts 311, 491, and 502

1994- Amendment of the Urban Renewal Area: Res. 427/Ord. 465

Taxing District 503

2002- Addition of new property to the Urban Renewal Area: Res. 649/Ord. 556

Taxing District 502

Base #	Increment #	Taxing District	FY12 Assessed Value
16093	16094	311	1,468,171
16103	16104	491*	37,026
16105	16106	0**	0
16107	16108	502 & 491***	7,854,420
16109	16110	503****	15,487,640
16147	16148	504	10,926,052 (P&G, Phase 1)
16169	16170	502	9,617,040 (Acciona)
16 171	16172	504	1,348,450 (P&G, Phase 3)
16179	16180	504	7,299,270 (P&G, Phase 2)

* TIF Taxing district 16104 includes a portion of taxing district 491, on the east side of the urban renewal area, but not including the old Rummells Farm property.

** City of West Branch Wastewater Treatment Facility.

*** This TIF taxing district includes taxing district 502 and the portion of taxing district 491 that was formerly known as the Rummells Farm property.

**** This is the 1994 amendment. While the 1994 amendment included the City of West Branch Wastewater treatment facility, this TIF taxing district does not include the City of West Branch wastewater treatment facility.

Prepared by City Administrator/Clerk Matt Muckler, November 14, 2012

Updated by City Administrator/Clerk Matt Muckler and Deputy City Clerk Dawn Brandt, October 25, 2013

AO of 10-15-2013 I am Retiring
from the P&I commission.

Albert J. Rozynek

October 15, 2013

Mayor and Members of the City Council,

I am submitting my resignation from the West Branch Zoning Board of Adjustment. I have served in this position for several years and have enjoyed working with residents and other members of the commission on issues related to zoning regulations. Most recently, I served as the Chair of this organization.

One of my duties was to hear and decide applications for variances from the terms of Chapter 165 of the City Code because of unnecessary hardship. An application for a variance was heard by the Planning and Zoning Commission on September 30, 2013. It is my view that the Board's decision on this matter was illegal and extremely detrimental to the future enforcement of zoning regulations in this city.

I believe that this decision was illegal because the Iowa Code that governs the provision of variances was ignored in this case. The result, in my opinion, is a total disregard for the City's zoning regulations found in Chapter 165. I can no longer be part of an organization (the Zoning Board of Adjustment) that has so blatantly ignored the law and the best interests of the city on this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Huber", written in dark ink.

Jim Huber
118 Lincoln Street
West Branch, IA 52358

**City of West Branch
Advisory Board/Commission
Application Form**

RECEIVED
10/24/2013

Individuals serving on boards or commissions play an important role in advising the City Council on matters of interest to our community and its future. For the most part, Board and Commission members must be residents of West Branch.

When a vacancy occurs an announcement of that vacancy will be posted. No sooner than two weeks later the Mayor and City Council will review all applications. The appointment will be made at a formal City Council meeting. Appointees serve as unpaid volunteers.

This application is a public document and as such it or the information it contains may be reproduced and distributed. This application will remain active for two years and you will automatically be considered for any vacancy occurring during that time.

Name of Board or Commission: Planning and Zoning Date: 10/24/2013

Your Name: Helen Dauber Street Address: 254 Pedersen St

Phone number: _____

Email: _____

Do you live within the corporate limits of West Branch? ☒ Yes ☐ No

How long have you been a resident of West Branch? 44 yrs

Occupation: Retired Employer: _____

Optional Questions (use back of application if necessary)

What experience and/or skills do you have that might especially qualify you to serve on this board or commission?

I am a good listener and try to do what is best for the community. A desire to see the community grow and prosper by informed decisions.

What particular contributions do you feel you can make to this board or commission?

I would keep an open perspective on items brought to the board. Wish for the community to expand in recreational, housing and still keep the historic aspects that make West Branch what it is.

**City of West Branch
Advisory Board/Commission
Application Form**

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Name of Board or Commission: Zoning Board of Adjustment Date: 10/29/2013

Your Name: Jennie Embree Street Address: 326 N. 4th St., West Branch

Do you live within the corporate limits of West Branch? ☒ Yes ☐ No

How long have you been a resident of West Branch? 9 years

Occupation: Data Manager Employer: University of Iowa

Optional Questions (use back of application if necessary)

What experience and/or skills do you have that might especially qualify you to serve on this board or commission?

I am accustomed to the requirements of serving on a board/commission, having previously served on the WB Library Board of Trustees. I am also currently serving as the treasurer of three separate local organizations. I understand the importance of operating under the law; creating and maintaining accurate records; and following transparent procedures.

What particular contributions do you feel you can make to this board or commission?

I believe in the importance of thoroughly researching the facts before formulating an opinion. I also have an interest in urban and regional planning and am familiar with the West Branch Code of Ordinances.

**City of West Branch
Advisory Board/Commission
Application Form**

RECEIVED
202812013

Individuals serving on boards or commissions play an important role in advising the City Council on matters of interest to our community and its future. For the most part, Board and Commission members must be residents of West Branch.

When a vacancy occurs an announcement of that vacancy will be posted. No sooner than two weeks later the Mayor and City Council will review all applications. The appointment will be made at a formal City Council meeting. Appointees serve as unpaid volunteers.

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Name of Board or Commission: West Branch Historic Preservation Date: Oct 26, 2013

Your Name: Mary (Peggy) Hurley Jeffries Street Address: 142 Wetherell St. WB.

Do you live within the corporate limits of West Branch? ☒ Yes ☐ No

How long have you been a resident of West Branch? 37 yrs.

Occupation: Retired Teacher Employer: Self employed - currently a
(32 yrs.) co-op member at the WB Emporium

Optional Questions (use back of application if necessary)

What experience and/or skills do you have that might especially qualify you to serve on this board or commission?

I have very good communication and organizational skills.

I communicate well in person and in written form. I

have years of experience working on committees, and I am
able to draw people together to complete a project successfully.

What particular contributions do you feel you can make to this board or commission?

I have strong ties to this community. My husband's family
are WB "natives". His parents and grandparents set a good
example for us (me) regarding community involvement.
They were particularly interested in the historical
aspects of the downtown area. Now that I am
retired, I have the time to commit to continue
this "family tradition."

CITY OF WEST BRANCH
COUNCIL ACTION REPORT

MEETING DATE: November 4, 2013 AGENDA ITEMS: 7i

DATE PREPARED: October 29, 2013

STAFF LIAISON: Matt Muckler, City Administrator
and Melissa Russell, Park & Rec Director

ACTION TITLE:

Resolution 1146, approving staff negotiations with HBK Engineering for engineering services for the *Strategic Plan for Park & Rec Capital Improvements: West Branch, IA Project.*/Move to action.

☐ WORKSHOP ☐ SPECIAL ☐ CONSENT ☒ NON-CONSENT ☐ PUBLIC HEARING

RECOMMENDATIONS:

Approve Resolution 1146.

PROJECT DESCRIPTION:

At the July 22, 2013 Council Meeting, the City Council passed resolutions 1129 and 1130, agreeing to a purchase agreement on new park land and approving a loan agreement on the purchase. The RFQ process for park planning services was discussed by the City Council at their August 5, 2013 Council Meeting. The purpose for the strategic plan was detailed, the proposed RFQ was included in the August 5, 2013 Council Packet and Council Members were encouraged to provide staff with feedback. Councilperson Stevenson requested that online survey services be included in the RFQ. On August 8, 2013, city staff posted the revised RFQ on the City Website and distributed the RFQ for park planning services to twenty-six firms. On September 9, 2013, the City received eight statements of qualification. The Park & Rec Commission reviewed the eight statements of qualifications from vendors interested in providing planning services for the City's parks at their September 18, 2013 Commission Meeting. The Commission then narrowed their list to three vendors, which they interviewed on October 10, 2013. After discussion at a Park & Rec Commission Meeting, held on October 17, 2013, HBK was selected as the recommended vendor. Park & Rec Commission Member Tim Shields presented HBK Engineering as the recommended firm to the City Council at the October 21, 2013 Council Meeting. If the Council approves Resolution 1146, staff will negotiate with HBK Engineering for provision of the services detailed in the RFQ and Scope of Services (attached). If those negotiations are successful, staff would bring back an engineering services agreement for Council consideration at a future Council Meeting.

ATTACHMENTS:

Resolution 1146
Strategic Plan RFQ
Distribution List of Vendors
Vendors Responding to RFQ
Proposed Scope of Services
Statement of Qualifications – HBK Engineering

CURRENT FISCAL YEAR TOTAL COST: To be determined.

☐ BUDGETED ☐ UNBUDGETED (check one) FISCAL YEAR BUDGET 2013-2014

The balance of the loan proceeds on the \$400,000 General Obligation Property Acquisition Loan Agreement and funds from the Park & Rec General Fund reserve line are available for these planning services.

RESOLUTION NO. 1146

RESOLUTION APPROVING STAFF NEGOTIATIONS WITH HBK ENGINEERING FOR ENGINEERING SERVICES FOR THE *STRATEGIC PLAN FOR PARK & REC CAPITAL IMPROVEMENTS: WEST BRANCH, IA PROJECT*.

WHEREAS, the City of West Branch has recently obtained three city parks (Wapsi Creek Park, the West Branch Dog Park, and an approximate 18-acre parcel off the northerly extension of Scott Drive) and enlarged a fourth city park (Lions Field); and

WHEREAS, the City Council is expecting to acquire another park in the Meadows Subdivision and has recognized the need for comprehensive park planning; and

WHEREAS, the City Council of the City of West Branch discussed the RFQ process for the Strategic Plan for Park & Rec Capital Improvements their August 5th and August 19th City Council Meetings; and

WHEREAS, the City Council adopted the park planning process as a priority goal at their September 3, 2013 Goal Setting Session; and

WHEREAS, the Park & Rec Commission interviewed three potential providers of planning services on October 10, 2013 and further discussed the park planning process and potential providers at their October 17, 2013 Commission Meeting; and

WHEREAS, the Park & Rec Commission has provided the City Council with feedback on potential partners based on the review of requests for proposals and interviews.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Cedar County, Iowa, hereby approves staff negotiations with HBK Engineering for engineering services for the *Strategic Plan for Park & Rec Capital Improvements: West Branch, IA Project*.

Passed and approved this 4th day of November, 2013.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

City of West Branch

~A Heritage for Success~

Request for Qualifications - Strategic Plan for Park & Rec Capital Improvements: West Branch, IA

August 8, 2013

The City of West Branch, Iowa is requesting qualifications from interested architecture and/or engineering firms for the design of a strategic plan for capital improvements in six city parks including: Beranek Park, Wapsi Creek Park, Lions Field, Pedersen Valley Recreation Complex, Meadows Park and the West Branch Dog Park. The selected firm will work with the Park & Recreation Commission and emphasize community input throughout the process. The Strategic Plan will be completed and presented to a joint meeting of the West Branch City Council and the Park and Recreation Commission by May 5, 2014.

The Strategic Plan will be reflective of the City of West Branch Comprehensive Plan, updated April 1, 2013, and shall rely heavily on community input regarding public needs in each of the six parks. The process would kick-off with a Joint Meeting of the Commission and City Council. At least three public input meetings and a community survey would be included in the process. An online citizen input survey would be made available by the consultant. The survey and the public input meetings will be completed by February 3, 2014. The end result of the Strategic Plan shall include detailed site plans for each of the above mentioned parks, specific trail connectivity throughout and to each of the parks, a phased approach to development of capital improvements in each of the parks, a cost estimate for each of the phases, a proposed timeline, and a funding recommendations for each phase.

Several criteria will be used to evaluate qualifications including the firm's past experience with similar projects, the firm's experience with community engagement, the availability and capability of the firm's staff, the ability of the firm to work with various city staff and commission members, the firm's technical and financial resources, the firm's familiarity with the City of West Branch, and the firm's ability to complete the project in a timely manner and within budget.

The City of West Branch is seeking proposals to provide the above-mentioned services by September 9, 2013. Please respond by mail to West Branch City Offices at 110 North Poplar, PO Box 218, West Branch, IA 52358 or via e-mail to matt@westbranchiowa.org. For questions concerning the project, please contact City Administrator Matt Muckler at (319) 643-5888 or via e-mail at matt@westbranchiowa.org.

Strategic Planning for Park Capital Improvement Plan

Position is publicly posted on the website and was sent to the following firms:

Ament Design	Cedar Rapids, IA
BCA	Elgin, IL
Confluence	Iowa City, IA
Daly, Leo A.	Omaha, NE
Delta 3 Engineering, Inc.	Platteville, WI
Enberg Anderson	Madison, WI
FEH	Dubuque, IA
Gardner Architecture	Strawberry Point, IA
Hart-Frederick Consultants P.C.	Tiffin, IA
HBK Engineering	Iowa City, IA
Howard R. Green Company	Cedar Rapids, IA
IIW, P.C.	Davenport, IA
McClure Engineering Company	North Liberty, IA
Morning Star Studio, LLC	Cedar Rapids, IA
MSA Professional Services	Dubuque, IA
Newmann Monson Architects	Iowa City, IA
OPN Architects	Cedar Rapids, IA
RDG Planning & Design	Des Moines, IA
Rohrback Associates P.C.	Iowa City, IA
Shoemaker & Haaland	Coralville, IA
Shive-Hattery Architecture and Engineering	Iowa City, IA
Snyder & Associates	Cedar Rapids, IA
Stuxture Architects	West Des Moines, IA
SVPA Architects	West Des Moines, IA
Veenstra & Kimm	Coralville, IA
VJ Engineering	Coralville, IA

City of West Branch

~A Heritage for Success~

Request for Qualifications - Strategic Plan for Park & Rec Capital Improvements: West Branch, IA

Received on September 9, 2013 (in order received):

- 1) Rohrbach Associates PC
- 2) Shive Hattery
- 3) The Lakota Group and IIW, P.C.
- 4) Confluence
- 5) HBK Engineering, LLC
- 6) MMS Consultants, Inc.
- 7) McClure Engineering Company
- 8) Genus Landscape Architects

Regrets:

- 1) Delta 3 Engineering, Inc.

Public Input

1. Kick off meeting with Council/Commission on December 2nd at 6:00 pm. During this meeting a steering committee will be established as well as goals for success.
2. Project public kick-off meeting (maps of 6 parks, trails and connectivity), including a steering committee with representation from civic, religious, school representatives.
3. Public Surveys to include the both online and paper surveys
4. Surveys to be distributed as a West Branch times insert, Friday folder insert, and other community outlets determined by the committee
5. Advertisements in the West Branch Times to inform citizens about upcoming surveys, meetings, and updates on the project.
6. Advertisements online using social media and the city website
7. Report back to Council regarding the survey results
8. Charrette process

Planning

1. Six site plans to include the following items
 - a. Pipeline compliance
 - b. Floodplain compliance
 - c. Ball field complex on Pederson Valley site
 - d. Water and sewer hookups
 - e. Parking at all parks
 - f. Trail throughout and to the park
2. Phasing of the park projects. During each of the phases there will be amenities added to each of the parks.
3. Cost estimates breakdown for each of the phases and amenities in each phase
4. Potential revenue sources for each of the phases
5. Storm water best management practices plan for all the parks except the dog park

Ballot Initiative Public Information

1. Written summary
2. Visual summary

Implementation

1. Develop fundraising campaign
2. Advise on two grants by May 1, 2014
3. Write five grants on behalf of city including Christopher and Dana Reeve Foundation: Quality of Life Grants, Minnesota Twins Community Fund and Baseball Tomorrow Fund.

Final report to be delivered to West Branch City Council by June 20th, 2014.

STATEMENT OF QUALIFICATIONS

CITY OF WEST BRANCH

September 9th, 2013

STRATEGIC PLAN FOR PARK & REC CAPITAL IMPROVEMENTS



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I: PROFILE OF FIRM



Iowa City Office
610 Eastbury Drive
Suite #1
Iowa City, IA 52245
(319)338-7557 *phone*
(319)358-2937 *fax*

Contact Information for Project Leads

BRIAN BOELK, PE, CPESC, CMS4S

HBK Engineering, LLC

Office Manager

Project Oversight and Lead Designer

(319) 400-1056

bboelk@hbkengineering.com

ROB DECKER

HBK Engineering, LLC

Assistant Office Manager

Project Manager

(319) 333-9322

rdecker@hbkengineering.com

II: EXPERIENCE

HBK Engineering, LLC (HBK) is a professional civil engineering firm that has been in business since 1998. Our Iowa City staff combines more than 50 years of experience in the following civil engineering services:

- Municipal Infrastructure Design
- Roadway/Trail Design
- Stormwater Engineering
- Sustainable Practices
- Low-impact Development
- Project Management
- Survey
- GIS
- Specification Preparation
- Grant Management/CDBG
- Construction Management
- Construction Inspection
- Structural Engineering
- Geotechnical Engineering

HBK offers an experienced design and project management team that can provide the City of West Branch with a very strong and well-conceived end product. We can use a diverse combination of Civil Engineering and Municipal Infrastructure services focused on community involvement and public input to integrate them into intelligent and sensible design. HBK specializes in low impact development, green infrastructure, and municipal rehabilitation projects. Our years of field experience and construction inspection give us a unique advantage in truly understanding value engineering services. Our background also provides us with a deep understanding of the unique nature of projects with heavy public interaction and high visibility.

Brian Boelk, office manager for HBK, is a resident of the City of West Branch and takes great pride in the community. He is interested in smart and thoughtful growth and can provide quick and decisive implementation of requests and needs to the City. Brian has an established relationship within the community and with several members of the Park & Recreation Commission, and looks forward to growing those connections on a professional level. He leads an office staff with a long history of

municipal work in Eastern Iowa. This combined experience will be a huge asset to the City of West Branch moving forward.

Project team coordination and communication is vital for municipal projects. Our familiarity with civil infrastructure design, engineering, procurement, construction management and public sector interaction will serve us well on this type of project. We intend to work closely with the City of West Branch and associated agencies to ensure that every issue is efficiently resolved and the project requirements are achieved in order to keep the project within budget and on schedule.

Related Experience

HBK intends to design and manage this project from the Iowa City office. Brian Boelk and Rob Decker manage the Iowa City location and have a combined 25 years of municipal experience with a focus on civil infrastructure and capital improvement. They designed, managed and completed many successful municipal projects including trails, parks, streetscapes, stormwater improvements and projects of similar scope.

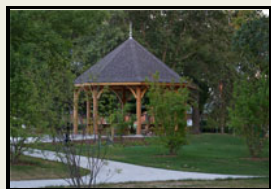
HBK has an excellent understanding of City Councils and have been involved in many meetings and work sessions over the years. Brian and Rob are familiar with the unique nature of city projects, their inherent challenges, and have an excellent reputation with contractors, city officials and the general public in dealing successfully with such challenges. They are well versed in public processes and have completed many similar projects involving neighborhood/community meetings and surveys in Iowa City.



Low impact development is always at the forefront of what we do. We have a history of working on jobs which incorporate green practices and always consider these methods in every design we undertake.

We have included a list of projects below detailing those of similar scope and relevance to the City of West Branch Strategic Plan for Park and Rec Capital Improvements. Additional project information and experience can be found in staff resumes towards the end of this document.

REFERENCE PROJECTS



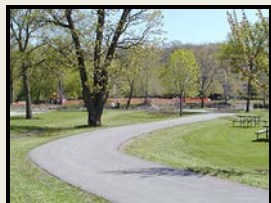
JOB NAME: North Market Square Park and Gazebo
LOCATION: Iowa City, IA
DATE: 2012
BUDGET: \$200,000+
INVOLVEMENT: Project management, construction inspection
AREAS: Structural footings, gazebo, PCC trails, lighting, decorative concrete, landscaping
STAFF INVOLVED: Rob Decker
CONTACT: Dave Panos – City of Iowa City Engineer; (319)356-5145



JOB NAME: Iowa Department of Agriculture and Land Stewardship Study
LOCATION: Iowa City, IA
DATE: 2013-2014
BUDGET: \$75,000
INVOLVEMENT: Design and construction expertise
AREAS: Permeable pavement study across Eastern Iowa
STAFF INVOLVED: Brian Boelk, Rob Decker
CONTACT: Wayne Peterson – IDALS; (319)325-1644



JOB NAME: Linn Street Streetscape – Literary Walk
LOCATION: Iowa City, IA
DATE: 2011
BUDGET: \$702,000
INVOLVEMENT: Project management, construction inspection
AREAS: Decorative concrete, public art, PCC/HMA paving, ADA ramps
STAFF INVOLVED: Brian Boelk, Rob Decker
CONTACT: Dave Panos – City of Iowa City Engineer; (319)356-5145



JOB NAME: Court Hill Trail

LOCATION: Iowa City, IA

DATE: 2008-2009

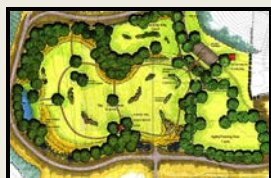
BUDGET: \$446,000

INVOLVEMENT: Project management, construction inspection, DOT audit

AREAS: PCC paving, HMA paving, retaining walls, gabion basket revetment, landscaping, storm sewer improvements, bridge installation, grading

STAFF INVOLVED: Rob Decker

CONTACT: Dan Scott – City of Iowa City Engineer; (319)356-5144



JOB NAME: Thornberry Off-Leash Dog Park

LOCATION: Iowa City, IA

DATE: 2006

BUDGET: \$204,000+

INVOLVEMENT: Project management, construction inspection

AREAS: Decorative pavers, fencing, landscaping, pond installation, architectural entrance, water service, HMA paving

STAFF INVOLVED: Rob Decker

CONTACT: Barb Meredith – City of Iowa City; (319)356-5146



JOB NAME: Waterworks Park, Butler House & Amphitheater Trails

LOCATION: Iowa City, IA

DATE: 2003-2004

BUDGET: \$250,000+

INVOLVEMENT: Design, project management, construction inspection

AREAS: PCC recreational trail, storm sewer, handrail, native seeding

STAFF INVOLVED: Brian Boelk, Rob Decker

CONTACT: Terry Robinson – City of Iowa City; (319)356-2066

II: SCOPE OF SERVICES

The HBK team will provide the City of West Branch with a complete product and years of reliable municipal project experience and capable individuals who are attentive to stakeholder needs and project requirements. Our work history and extensive municipal background make us a sound candidate for this project.

Approach

Our team will use all of the existing data provided by the City of West Branch to perform a thorough initial analysis of site requirements and conditions. Shortly thereafter, a kick-off meeting can be held where project stakeholders and HBK will set the stage for project coordination going forward. This will allow the Park & Recreation Commission and City Council an opportunity to describe their goals and best management practices. With the City's vision, HBK will begin to develop a Strategic Plan that incorporates connectivity amongst the parks ***while keeping in mind the 2011 West Branch Community Trails Plan***. A phased plan will be included to show how to best implement improvement projects in order to reach the set goals in a timely manner.



HBK takes great pride in understanding the importance of budget and schedule for all projects and feels that this is critical to the development and growth of West Branch. As a result, HBK can provide

the dedicated staff and time to ensure the project stays on schedule. Our extensive experience in the construction management phases of projects allow HBK to provide a detailed and accurate cost estimate based on construction

Through progress meetings, HBK will maintain a consistent exchange of information with the City of West Branch and relevant stakeholders allowing everyone to ask questions, address areas of interest, and develop an atmosphere for implementing innovative engineering concepts and good design. In addition, HBK takes great pride in our low-impact stormwater management designs and sustainable construction principals. We would welcome the chance to put some of these practices into place on a job such as this.

Key Elements

We have identified a couple of critical areas which set this project apart and have identified how we plan to negotiate those challenges, including our history is in regards to them:

MUNICIPAL PROJECT/SMALL TOWN ATMOSPHERE-

Municipal projects can be extremely challenging due to their high visibility, expectations and demands of the public. Brian Boelk and Rob Decker have many years of experience with the City of Iowa City as well as smaller towns in Iowa and Illinois - coordinating and communicating with the public and project stakeholders. They have designed, managed and closed out successful projects, while maintaining an excellent reputation with contractors, municipal staff and the general public. In addition we understand this work will take place in public spaces that illicit a high degree of emotion. We will address this by having heavy interaction and involvement with the public – by means of holding meetings, weekly email updates, and meeting with people face to face are especially valuable tools and ones that Brian and Rob have utilized frequently in the past.



SUSTAINABLE DESIGN AND GREEN INFRASTRUCTURE

HBK Iowa City has a strong focus on low impact development involving sustainable design and we consider various methodologies in every design we undertake. HBK is a corporate member of the Iowa Stormwater Education Program and our design staff attend green infrastructure continuing education classes throughout the year. We also attend sustainable development seminars on a regular basis. HBK is a partner in an IDALS study regarding permeable pavement performance and analysis statewide.

The Work Plan below briefly details how HBK would uniquely approach stages of the project:

ITEM	PERSONNEL	NOTES
Review and Analyze Existing Records and Historical Data	Brian Boelk Rob Decker	Investigate existing records and historical data to best evaluate past improvements and potential future upgrades.
Meetings with Stakeholders	Brian Boelk Rob Decker	Attend and lead joint meetings with the Park & Recreation Commission and City Council. Communicate and openly coordinate with all stakeholders to determine outlook, goals, budget, schedule and additional needs.
Public Input Meetings	Brian Boelk Rob Decker	Coordinate and attend formal and informal meetings with the local business owners and general public to better facilitate and smooth process and incorporate public needs.
Citizen Input Survey	Brian Boelk Laura Roberts	Create and implement an online citizen input survey in order to evaluate and incorporate the general public's experience, opinions, and knowledge.
Analysis of Sustainable Practices	Brian Boelk	Evaluate project sites for potential locations to implement sustainable stormwater practices.
Work with Agencies in Attempt to Secure Additional "Green Funding"	Brian Boelk	Research, communicate, and apply for local, state, and federal funding to provide assistance for implementation of "green" practices if available.
Survey	Jim Langel Laura Roberts HBK Survey	Gather and obtain topographic survey as needed for civil site work associated with overall project improvements.
Conceptual Design & Renderings	Brian Boelk Rob Decker	Develop conceptual drawings incorporating gathered data and city needs in order to begin preliminary design phase.
Strategic Plan	Brian Boelk Jim Langel Lori Boren	Combine survey data, site analysis, field data and conceptual design feedback to create preliminary design drawings and specifications.
Site Plan	Brian Boelk Jim Langel	Incorporate City and all stakeholders' preliminary design comments to complete final design and construction documents.
Cost Estimates	Brian Boelk Rob Decker	Use past construction records, State of Iowa data and personal experience with similar work to create accurate and reliable cost estimates.
Schedule	Rob Decker	Track progress of the project as a whole in order to stay on schedule and provide accurate updates to the City and all stakeholders.
Project Management	Rob Decker Brian Boelk	Manage the project team in order to keep all facets of the design on schedule and within the proposed budget.

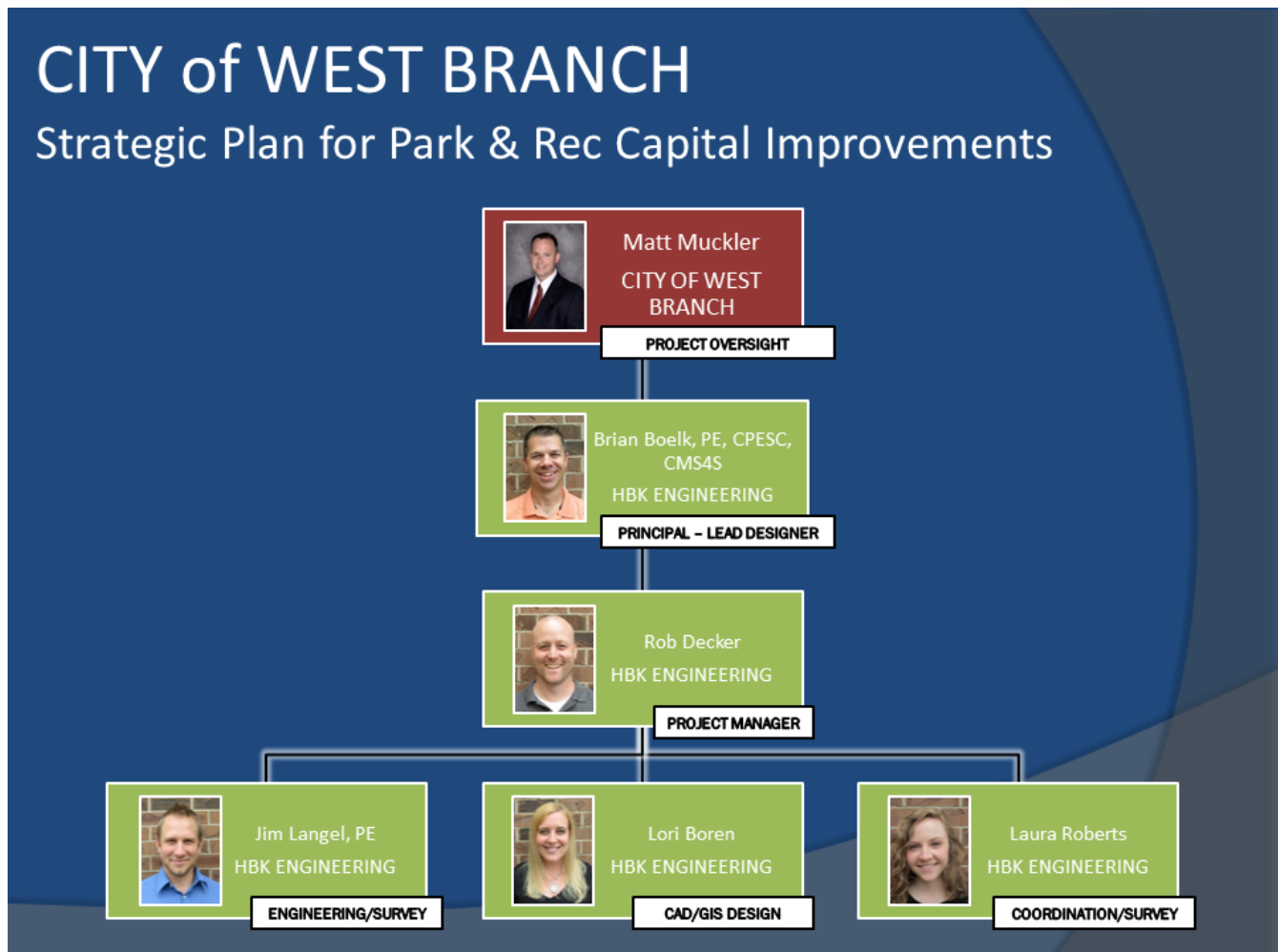
III: PROJECT TEAM QUALIFICATIONS

Our team is able to effectively integrate the guidelines and requirements of stakeholders to develop effective solutions to all varieties of challenging conditions. A flow chart of our proposed project team is included with resumes detailing applicable projects.

Brian Boelk, principal and lead designer, will be the main point of contact for the City of West Branch and will be present for each major event of the project from the initial joint meeting to the final site plan design. Rob Decker will manage the project, with design assistance from James Langel, Lori Boren and Laura Roberts.

HBK believes strongly in checks and balances and will support this project at multiple levels from personnel to quality control of deliverables. We have multiple design personnel check our end-products before they go out and we value engineer everything we do.

- BRIAN A. BOELK, PE, CPESC, CMS4S – Principal and Lead Designer
- ROB DECKER – Project and Construction Manager
- JAMES P. LANGEL, PE – Professional Engineer and Survey
- LORI BOREN – GIS and CAD Designer
- LAURA ROBERTS – Project Coordination and Survey Crew



Brian A Boelk, PE, CPESC, CMS4S

POSITION IN FIRM: Licensed Professional Engineer, Project Manager

TOTAL YEARS OF EXPERIENCE: 15

KEY QUALIFICATIONS:

Brian A. Boelk joined HBK Engineering, LLC in 2013 with more than 12 years of practice as a civil engineer. His experience in municipal and consulting engineering encompasses project management, design engineering, contract plan and specification preparation, and construction inspection oversight for public agencies and municipalities as well as for privately owned corporations. Areas of design experience include sanitary sewers, storm sewers, storm water management facilities, storm water runoff analysis, roadway improvements, roundabouts, water mains, residential/commercial/educational/industrial site development, EPA and IDOT audits, and agency permit application.

Mr. Boelk has a clear understanding of how civil engineering design integrates with other disciplines in a variety of project types. His experience includes emphasis on stormwater management practices, green infrastructure and low-impact development principles. He has designed rainscapes, LID projects, streambed improvements, and other modern best management practices. He consistently delivers products that meets client's expectation of presentation quality and specification compliance and is known for providing quality work in a professional and timely manner. Mr. Boelk is an efficient problem solver with a strong ability to communicate with other and assemble resources needed to obtain success.

EDUCATION:

Bachelor of Science:	Civil Engineering, University of Iowa (May 1998)
Professional Registration:	State of Iowa Licensed Professional Engineer (No. 16503) Certified Professional in Erosion and Sediment Control (No. 3828) Certified Municipal Separate Storm Sewer System Specialist (No. 0244)
Professional Societies:	Member of the American Society of Civil Engineers Member of American Public Works Association Member of Iowa Stormwater Education Program Member of Iowa Stormwater Partnership Committee Member Statewide Urban Design Standards & Specifications Committee Member Iowa Stormwater Management Manual
Continuing Education:	ICS-100 Certified, FEMA, National Incident Management System (2011) ICS-300 Certified, FEMA, National Incident Management System (2011) IS-00700 Certified, FEMA, National Incident Management System (2010) IOWATER Monitoring Certification (2009) Concrete Pavement Full Depth Repairs (2009) Rain Garden Design Certification (2008) <i>IDOT Work zone Safety and Traffic Control</i> <i>Excavation Safety and Competent Person Training</i> <i>American Red Cross CPR/AED/First Aid</i>

RELEVANT EXPERIENCE RECORD:

Iowa City Stormwater Program Management, Iowa City, IA

Project Team: HBK, City of Iowa City, Department of Natural Resources, EPA, ISWEP

- Manage and administer the City of Iowa City's NPDES MS4 permit and all associated activities within it. Management of this project is a continuation of the creation, development, and implementation of such program. Created annual reports for DNR submittal and facilitated annual audits. (current)

Dempster Drive Stormwater Improvements 2013, Coralville, IA

Project Team: HBK, City of Coralville

- Project Manager and lead engineer for design of improvements to storm water management and low-impact practices between the City of Coralville Youth Sports Complex and Pine Valley Estates. Project includes coordination with City Parks Department and Engineering to improve existing stormwater drainage concerns and incorporate sustainable design and construction into park. (current)

First Ave. Grade Separation Project, Iowa City, IA

Project Team: City of Iowa City, IDOT, VJE

- Project Manager for the design, construction, and IDOT bid document process for the First Ave. Grade Separation Project. This project separates a current at grade railroad crossing on a major arterial street in Iowa City by lowering First Ave. an estimated fourteen feet and raising the railroad four feet by way of a new railroad bridge. Included in this project is stormwater management (pump station and detention basin analysis), retaining walls, trails, railroad overpass bridge, new pavement, all associated utilities, and property acquisition. (current)

Dubuque Street Over Iowa River, Iowa City, IA

Project Team: City of Iowa City, Shoemaker & Haaland, Peterson Contractors, Inc.

- Project Manager for design and construction of new pedestrian trails and bridge across the Iowa River near Waterworks Park in Iowa City. Design and construction consisted of new attached pedestrian bridge with post tensioning off existing county road bridge, stormwater drainage, and trail connections. Project included State and Federal funding and Parks Department coordination. (2012)

Gilbert Street Streetscapes, Iowa City, IA

Project Team: City of Iowa City, Confluence, Calacci Construction

- Project manager for design and construction of streetscape project along prominent downtown business and arterial street. Streetscape included new pavement, storm sewer, street lighting, and landscaping. (2012)

McCollister Boulevard, Iowa City, IA

Project Team: City of Iowa City, Peterson Contractors, Inc., EarthTech

- Project Manager for design and construction of a new roadway and bridge across Iowa River to create by-pass along the south side of Iowa City. Design and construction included a new one mile long roadway, new bridge, storm sewer, water main, sanitary sewer, grading, and all other associated utilities. (2009-10)

Gilbert St. and Bowery/Prentiss Street Intersection Improvements, Iowa City, IA

Project Team: City of Iowa City, Anderson-Bogert Engineering, Metro Pavers

- Project manager for the design and construction of the intersection replacement at Gilbert Street and Bowery/Prentiss Street. This project consisted of new intersection alignment, addition of dedicated turn lanes, new traffic signals, and new utilities consisting of storm sewer, water main, electrical, and gas. (2007)

Waterworks Park Trail and Butler House Access

Project Team: City of Iowa City, Dunbar-Jones, and All American Concrete

- Project manager and head inspector for construction of new trail system for the Water Plant Prairie Park. Construction of new parking lot, stormwater improvements, trail system, access to the Historic Butler House property, native prairie seeding and more. (2003)

ROBERT A. DECKER

POSITION IN FIRM: Project Manager

TOTAL YEARS OF EXPERIENCE: 17

KEY QUALIFICATIONS:

Robert A. Decker joined HBK Engineering, LLC in 2013 with more than 17 years of experience in project management and inspection of civil and private construction. He is responsible for planning, directing, coordinating activities concerned with the construction and maintenance of structures, facilities, and systems. He participates in the conceptual design and development of construction projects and oversees their organization, scheduling, budgeting, implementation, quality control/assurance, and closeout.

Mr. Decker has a proven record of nearly seventeen years of experience in capital program project management and construction inspection on projects in Iowa, Utah and Colorado. His areas of expertise include civil infrastructure improvements, structural construction, geotechnical field and lab experience, environmental and geological services, stormwater design and management, electrical/fiber optic/gas installation and more. He has fully participated in numerous state and federal audits and has a large amount of municipal experience.

Mr. Decker has overseen project management and inspection teams in order to provide professionally managed standards and specifications, accurate field notes and records, public project implementation, inter-departmental coordination, electronic CAD-based as-built records, contractor coordination and successful deliverables within specified time and budget constraints. He is directly responsible for resolution of field related issues, key problem solving, scheduling and interaction with clients, stakeholders, consultants, and contractors. Mr. Decker is knowledgeable in all project phases including planning, preliminary engineering, layout/survey, design, drafting, estimating, construction, and closeout.

Mr. Decker serves as a safety supervisor and is exceptionally well trained in jobsite safety, safe work practices and personal protective equipment. He has an excellent safe work history as have his teams. He attends many safety training sessions, updates and continuing education courses on an annual basis.

EDUCATION:

Bachelor's Degree:	Geology & Anthropology, University of Iowa (1995) <i>Double Major</i>
Professional Societies:	Iowa Stormwater Education Program (ISWEP) member
Professional Registration:	Iowa Department of Transportation EC954 – Aggregate II, PCC II, HMA NICET Certified: Asphalt II, Soils II, Concrete II ICCSPI – IA Certified Construction Site Pollution Prevention Inspector
Continuing Education:	OSHA 10-hour Safety Training IDOT Workzone Safety and Traffic Control IAMU – Flagger Training Certification American Red Cross CPR/AED/First Aid Excavation Safety and Competent Person Training OSHA Confined Space Awareness Trench Safety

RELEVANT EXPERIENCE RECORD:

North Market Square Park, Iowa City, IA

Project Team: City of Iowa, Confluence, Feldman Construction

- Project manager and head inspector for complete overhaul of high profile City park involving new trails, a gazebo, structural concrete, re-grading, new landscaping, basketball court, and more. Project involved a high degree of communication with stakeholders, city departments and the general public. (2012)

Linn Street Streetscape

Project Team: City of Iowa City, Confluence, All-American Concrete

- Project manager and head inspector for installation of new streetscape for literary walk extension along Linn St. Coordinated high profile and complicated project to accommodate local business owners and City of Iowa City departments. Involved installation of decorative elements and public art. (2011)

Flood Manager – Idyllwild Neighborhood

Project Team: City of Iowa City Departments, Volunteers, Residents and OEC

- Directed entire flood operation in the Idyllwild neighborhood of Iowa City. Coordinated sandbagging efforts, City and volunteer crews, equipment operations, survey crews and more during the flood of 2008. Named a Press-Citizen “Hero of the Flood”. (2008)

Court Hill Trail

Project Team: City of Iowa City, Shive-Hattery, Peterson Contractors

- Project manager and head inspector for new one mile trail between city parks. IDOT funded/audited project involved complex installation and a high degree of coordination with residents and businesses. Included paving, retaining walls, grading, bridge installation and embankment repair. (2008)

Thornberry Dog Park

Project Team: City of Iowa City, Shoemaker-Haaland Engineers, All-American Construction

- Project manager and head inspector for new dog park in Iowa City. High profile project involving many concerned stakeholders consisted of trail system, utilities installation, fencing, structures, landscaping, pond construction, recreation facilities, parking lot and specialized facilities. (2005-06)

Iowa River Power Dam Reconstruction and Renovation

Project Team: City of Iowa City, Howard R. Green and Schmidt Construction

- Project manager and head inspector for reconstruction of the Iowa River Power Dam. Involved coordination between Iowa City and Coralville engineering divisions to demolish old dam and install new structural concrete shell, overlooks, informational kiosks and steel pedestrian bridge. Required continual coordination with historical society, archaeological firm, general public and other city divisions. (2003-05)

Waterworks Park Trail and Butler House Access

Project Team: City of Iowa City, Dunbar-Jones, and All American Concrete

- Project manager and head inspector for construction of new trail system for the Water Plant Prairie Park. Construction of new parking lot, stormwater improvements, trail system, access to the Historic Butler House property, native prairie seeding and more. (2003)

City of Iowa City Water Plant, Wellhouse, Site Developments and Prairie Park

Project Team: City of Iowa City, Howard R. Green and Peterson Contractors

- Project coordinator and head inspector for construction of new \$26 million dollar water plant and overall site improvements. Involved construction of new buildings, collector wells, river intake structure, new roads, water/sewer installation, extensive grading operations, lime lagoon, trail system, wetlands, picnic area, and native prairie establishment. (1999-2000)

JAMES P. LANGEL, P.E.

POSITION IN FIRM: Licensed Professional Civil Engineer

TOTAL YEARS OF EXPERIENCE: 6

KEY QUALIFICATIONS:

Mr. Langel is responsible for the civil design, planning, permitting, and construction support of engineering services for site developments, utilities, and infrastructure projects. Mr. Langel is a licensed professional engineer with an emphasis in construction and engineering management. Mr. Langel has spent multiple years supporting construction projects both internally and in the field.

Mr. Langel's background in residential, commercial and agricultural construction provides a foundation for strong constructability alternatives and these experiences make Mr. Langel a hybrid in the industry. Mr. Langel's capabilities include engineering, procurement and construction support services. Mr. Langel's experiences provide clients with a balance between engineering and construction that bodes well for any civil project. Mr. Langel has previous industrial experience on electric power generation, distribution, and transmission projects.

Mr. Langel's engineering experience has included the site planning, permitting, engineering design, plan production, specification preparation, coordination of site utilities, construction cost estimating, grading and drainage design, storm sewer networks, storm water quantity and quality control structures, and erosion control. Mr. Langel has prepared site development plans and specifications, storm water studies, NPDES plans, Storm Water Management Plans (SWMP), Spill Prevention Countermeasure and Control (SPCC) Plans, and SWPPP & WQMP documents.

EDUCATION:

Bachelors of Science:	Civil Engineering, University of Iowa (Dec. 2006) Emphasis on Construction Management Minor in Business Administration
Masters of Science:	Engineering Management, University of Kansas (Present)
Professional Registration:	State of Iowa Professional Engineer (No. 20836) NCEES Record Certificate (No. 48119) State of Missouri Professional Engineer (No. 2012021280) State of North Dakota Professional Engineer (No. PE- 7657)
Professional Societies:	American Society of Civil Engineers (ASCE)
Continuing Education:	OSHA 10-hour Safety Training Forklift Training – Clark CGC25 with 188TSU

RELEVANT EXPERIENCE RECORD:

Construction Management Experience

Eastowne 345-kV Substation, St. Joseph, Missouri

Project Team: Segra, Kansas City Power & Light Co., Capital Electric Line Builders, Leavcon II Construction

- Construction manager as part of a \$5.5 million, Segra led EPC contract for the installation of a new 161-kV/345-kV substation including the installation of foundations, cable trench, ground grid, wiring, relay panels, and steel structures and equipment. (2012-2013)

Peculiar 345-kV Substation, Peculiar, Missouri

Project Team: Segra, Kansas City Power & Light Co., Guettermann Excavating, Inc.

- Civil engineer and Site Manager for a storm water management plan and construction of a 345-kV substation as part of a \$400K, Segra led, EPC Project incorporating culvert upgrades, permanent erosion control, riprap, and permeable solutions. (2010)

Design Experience

Clyburn Renewable Energy Facility, Williamsburg County, South Carolina

Project Team: Segra and NorthStar Renewable Energy

- Civil engineer responsible for the permitting of a proposed biomass facility including a stormwater permit and a stormwater pollution prevention plan. (2011)

Casa Blanca Substation, Riverside, California

Project Team: Segra and Riverside Public Utilities

- Civil and structural engineer for an existing 69/13-kV substation expansion project; improvements include drainage, demolition, mat foundation design, pier foundation design, and CMU wall design. (2011)

University of Missouri Power Plant Combined Heat and Power Upgrades, Columbia, Missouri

Project Team: Segra, University of Missouri-Columbia, McCarthy Construction Co.

- Civil engineer for the combined heat and power upgrades including utility relocation and stormwater quality improvements for an amended facility operating NPDES permit. Stormwater evaluation outlining stormwater quality alternatives to manage metal in rain water runoff. (2011)

Longview Substation Expansion, Lee's Summit, Missouri

Project Team: Segra and Kansas City Power & Light Co.,

- Civil engineer for a substation expansion project; design of stormwater system, 100-year floodplain storage compensation, and retaining wall. (2009)

Liberty West Substation Expansion, Kansas City, Missouri

Project Team: Segra and Kansas City Power & Light Co.

- Civil engineer for a 69/13kV substation expansion project for drainage and grading improvements. (2009)

Orange Grove Power Plant, San Diego County, California

Project Team: Segra, San Diego Gas & Electric, Orange Grove Energy (J-Power), TRC Solutions, and ICC Construction

- Civil engineer for a 96-MW dual simple-cycle combustion turbine (GE LM6000 Classic) and substation addition to a Greenfield 16-acre site on a 212 acre development. Design includes detention basin design and major stormwater upgrades. (2007-09)

LORI B. BOREN

POSITION IN FIRM: Designer, GIS Specialist

TOTAL YEARS OF EXPERIENCE: 8

KEY QUALIFICATIONS:

Lori B. Boren joined HBK Engineering, LLC in 2013 with over 8 years of experience working with Geographical Information Systems (GIS) with an emphasis in database management. Mrs. Boren has designed several projects for municipalities that incorporated infrastructure location, data coordination and design. She has worked for small and large communities to create GIS models specific to the needs of that community.

Mrs. Boren is experienced at compiling geographic data from a variety of sources including census data, field observation, aerial photographs, and existing maps. She can analyze geographic relationships among varying types of data. She conducts research, defines user needs, reviews project requirements and determines the best way information can be utilized and displayed using GIS. Mrs. Boren is experienced at data collection in the field using GPS equipment and technology that is then integrated into a GIS model. She has managed parcel, sanitary sewer, storm sewer, water, sidewalk centerlines, street centerlines, boundary mapping and several other databases for multiple municipalities.

Mrs. Boren assists with drafting and updating plans on a multitude of projects. She is a well-organized technician and quick learner who possesses strong skills in communication to meet and achieve project goals.

EDUCATION:

Bachelor of Science: Community and Regional Planning, Iowa State University (December 2004)

Associates Degree: Liberal Arts, Scott Community College (May 2002)

RELEVANT EXPERIENCE:

Committee Member: Parks & Rec Commission, City of Mount Vernon, IA

Water Infrastructure Maintenance, Iowa Water Distribution, City of Dubuque, IA

Project Team: City of Dubuque, Missman, Inc

- The Distribution Department contracted with Missman to scan existing paper documents and place those documents into an existing GIS for the Water Department. This contract also included updating all distribution feature classes to include the data associated with the scanned document. Used a GPS to shoot in water features including hydrants, water valves, curb stops and other miscellaneous points. (2006-2008).

Sanitary Sewer Flood Coordination GIS, City of Cedar Rapids, IA

Project Team: City of Cedar Rapids, Anderson Bogert Engineers & Surveyors

- Updated a GIS model from survey points after the Flood of 2008 for the City of Cedar Rapids. Created files that categorized each sanitary sewer line into groups based on the level of work required to repair each line, if any. Large map books were created for each quadrant displaying locations, city map overlays and rehabilitation mapping. (2009-2013).

Laura K. Roberts

POSITION IN FIRM: Project Coordinator and Field Technician

TOTAL YEARS OF EXPERIENCE: 4

KEY QUALIFICATIONS:

Laura K. Roberts joined HBK Engineering, LLC in 2013 with experience in design and social media marketing, program development, project coordination, volunteer management and environmental education including waterways, wetlands and prairies. She assisted in running the City of Iowa City's Stormwater Program by conducting water quality tests, recruiting, training and managing volunteers, and leading environmental education efforts to further grow the mission of the program.

EDUCATION:

Bachelor's Degree: Geography, University of Iowa (2009)
Concentration in Environmental Studies

Professional Registration: ICCSPPI – Iowa Certified Construction Site Pollution Prevention Inspector

RELEVANT EXPERIENCE RECORD:

Program Development:

Teams: AmeriCorps VISTA, Trees Forever

- Developed a volunteer leader program to train lead-volunteers to direct other volunteers at future events, developed and lead a youth council to encourage youth involvement in Trees Forever programs, and developed an affiliate program to foster long-term communications and partnerships with Trees Forever and the communities throughout Iowa and Illinois. (2010 -11).

Water Quality Testing & City Stormwater Program Assistance

Team: City of Iowa City

- Conducted water quality tests (pH, Phosphates, Chloride, Nitrate, Nitrite, etc.) of 15 tests sites on two urban creeks in Iowa City. The data was then entered into a state-wide online database. Additionally assisted the City of Iowa City's Public Information and Volunteer Coordinator in implementing procedures necessary for compliance with the City's MS4 stormwater permit. (2008- 13).

Project Leadership:

Teams: City of Iowa City, AmeriCorps VISTA and Trees Forever

- Assisted the Public Works' Public Information and Volunteer coordinator with environmental clean-ups of area waterways, wetlands and prairies through volunteer management. Planned, designed and coordinated large-scale tree planting projects including volunteer management and environmental education. (2008 -13).

Environmental Education:

Teams: City of Iowa City, AmeriCorps VISTA and Trees Forever

- Provided environmental education (waterways, wetlands, trees and prairies) through IOWATER (Iowa's volunteer water monitoring program) field days, and events like the Iowa Children's Water Festival. Lead a program on the energy-saving benefits of trees to high school students as part of an AmeriCorps program with a local non-profit, Trees Forever. (2008-13).

RESOLUTION NO. 1154

RESOLUTION APPROVING A DEDICATION AGREEMENT AND AN OPTION AGREEMENT IN CONNECTION WITH THE FUTURE CONSTRUCTION OF RUMMELLS AVENUE.

WHEREAS, the City Council of the City of West Branch, Cedar County, Iowa has heretofore deemed it necessary to obtain future right-of-way needs at the time of platting of subdivisions; and

WHEREAS, the Sacaba, LLC, the owner of the proposed Tidewater Heights Subdivision has heretofore entered into a dedication agreement with the City of West Branch to dedicate to the City a portion of right-of-way for the future construction of Rummells Avenue; and

WHEREAS, in addition, the City has negotiated an Option Agreement with Plastic Products Company, Inc., to acquire right-of-way for the future construction of Rummells Avenue; and

WHEREAS, it is now necessary for the City Council to approve said Agreements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned agreements are hereby approved. Further, the Mayor and City Clerk are hereby directed to execute said Agreements on behalf of the City.

* * * * *

Passed and approved this 4th day of November, 2013.

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358

DEDICATION AGREEMENT

THIS AGREEMENT entered into by and between the City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358; hereinafter referred to as “City”; and Sacaba, LLC, 120 E. Washington Street, Iowa City, Iowa 52240, hereinafter referred to as “Owner.”

WHEREAS, the Owner has submitted a proposed subdivision (Tidewater Heights Subdivision) to the City for approval; and

WHEREAS, the City desires to make improvements to Tidewater Drive and construct Rummells Avenue in the future (the “Projects”); and

WHEREAS, the City has asked the Owner to dedicate certain rights-of-way to the City to accomplish the construction of the Projects; and

WHEREAS, the parties desire to outline each party’s obligation with regards to the Project.

THE PARTIES AGREE AS FOLLOWS:

1. That Owner shall dedicate, at no cost to the City, a 10-foot right-of-way for the reconstruction of Tidewater Drive to the City as part of the platting proceedings.
2. That Owner shall dedicate, at no cost to the City, a right-of-way as shown on Exhibit “A” for the future construction of Rummells Avenue as part of the platting proceedings.
3. That in consideration of the dedication of the rights-of-ways to the City as described in Paragraphs 1 and 2 above, the City agrees that the Owner of Lot 2 in said subdivision, its successors and assigns shall have no responsibility for the construction, nor pay any of the cost of construction, for the construction of Tidewater Drive or Rummells Avenue.
4. That provisions hereof shall inure to the benefit of and bind the heirs, successors, personal representatives and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated this ____ day of October, 2013.

SACABA, LLC

By: _____
Mary Kate Pilcher Hayek, Manager

STATE OF IOWA, COUNTY OF JOHNSON, ss:

This instrument was acknowledged before me on this ____ day of October, 2013, by Mary Kate Pilcher Hayek, as Manager of Sacaba, LLC.

Notary public

CITY OF WEST BRANCH:

By: _____
Mark Worrell, Mayor

ATTEST:

By: _____
Matt Muckler, City Administrator/Clerk

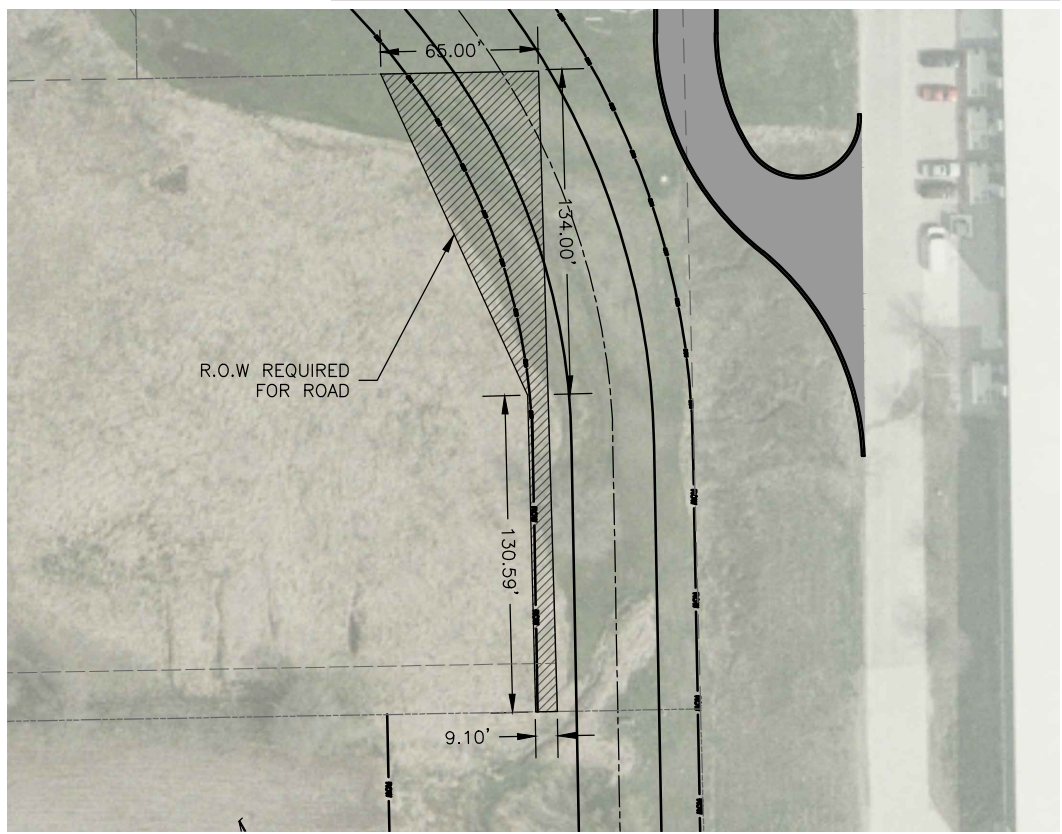
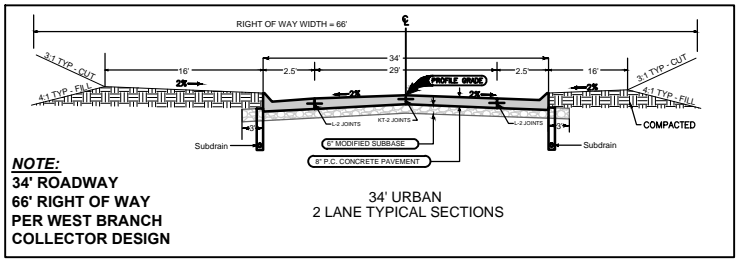
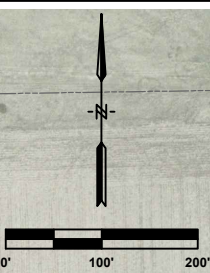
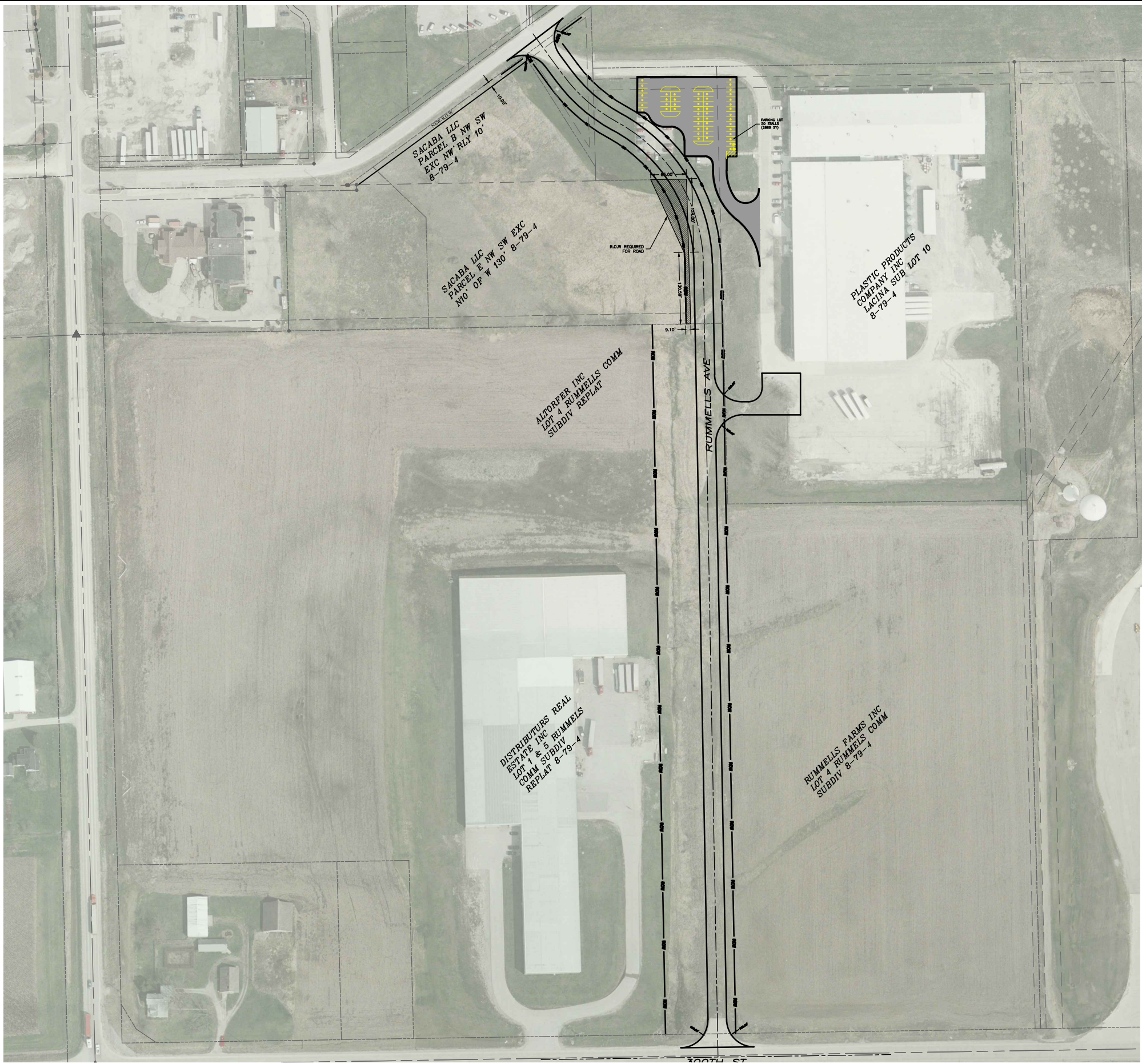
STATE OF IOWA)
) ss
COUNTY OF CEDAR)

On this ____ day of _____, 2013, before me a Notary Public in and for said County, personally appeared Mark Worrell and Matt Muckler, to me personally known, who being duly swore that they are the Mayor and City Clerk, respectively of the City of West Branch, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Notary Public

PLOTTED: Thursday, October 24, 2013 12:13:37 PM

X-REFS: 2012-3-1 Aerial 2 & Prop Lines
 FILE PATH: C:\USERS\KIMM\DESKTOP\PROJECTS\WEST BRANCH\RUMMELL AVE OPTION 1



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	EDG
		CHECKED	DRS
		APPROVED	DRS
		DATE	10-24-13
		ISSUED FOR	REVIEW

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING.
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.



EASEMENT REQUIRED CITY OF WEST BRANCH
860 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565 319-466-1000 • 319-466-1008 (FAX) • 888-241-8001 (WATS)

S-CURVE 300' RUMMELLS AVE SACABA LLC. R.O.W

DWG. NO.
1
PROJECT 368117

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, Iowa, PO Box 218, West Branch, Iowa 52358

OPTION AGREEMENT

THIS AGREEMENT entered into by and between the City of West Branch, Iowa, 110 N. Poplar Street, West Branch, Iowa 52358; hereinafter referred to as “City”; and Plastic Products Company, Inc., 30355 Akerson Street, Lindstrom, Minnesota 55045, hereinafter referred to as “Owner.”

WHEREAS, the Owner is the owner of that certain property legally described as Lot 10, Lacina Subdivision, West Branch, Cedar County, Iowa (the “Property”), whose address is 228 Commercial Drive, West Branch, Iowa 52358; and

WHEREAS, the City may desire in the future to build Rummells Avenue (the “Project”) across a portion of the Property; and

WHEREAS, in the case that the City desires to construct said Project, the City would need to acquire right-of-way for the Project from the Owner; and

WHEREAS, upon notice of the City described below, the Owner would convey the right-of-way to the Owner and the City would relocate the disturbed parking spaces located on the Property to a different location on the Property; and

WHEREAS, the parties desire to outline each party’s obligation with regards to the Project.

THE PARTIES AGREE AS FOLLOWS:

1. **Option to acquire Rummells Avenue right-of-way**

a. Upon 180 days notice to the Owner in writing at the address outlined below, Owner shall convey, via Warranty Deed, the right-of-way described on the plat attached hereto as Exhibit “A” and incorporated into this Agreement by this reference. Said Warranty Deed shall be on a form prepared by the West Branch City Attorney which is acceptable to both parties.

b. This Option to acquire the Rummells Avenue right-of-way from the Owner shall be in full force and effect for 25-years from the date of this Agreement.

- c. All fees associated with transfer taxes or recording for this Agreement and subsequent documents shall be paid by the City.

2. Consideration for the Option .

a. In the event the City exercises its Option to acquire the right-of-way from the Owner as described in Section 1 above, the City shall, at no cost to the Owner, relocate and rebuild parking spaces (the “Relocation”) for the Owner as shown on Exhibit “B” attached hereto and incorporated into this Agreement by this reference.

b. Said Relocation shall be constructed by the City within 180 days of the conveyance of the right-of-way to the City as described in Section 1 above.

3. General Provisions.

a. This Agreement is to be governed by the laws of the State of Iowa. The parties hereto agree that any action, suit or proceeding based upon any matter, claim or controversy arising under this Agreement shall be brought solely in the state courts located in Cedar County, Iowa or the federal courts located in Linn County, Iowa. The parties hereto hereby irrevocably waive objection to the venue of the above-mentioned courts, including any claim that such action, suit or proceeding has been brought in an inconvenient forum. Both parties hereto expressly acknowledge and agree that nothing contained in this Agreement shall be construed to require the parties to submit to mandatory arbitration or mediation in the event of a breach or dispute hereunder.

b. Both the Owner and the City hereby expressly acknowledge and agree that this Agreement is intended to set forth the entire agreement between the parties regarding this Option in connection with the Project, that there are no other considerations or monies contingent upon or resulting from the execution of this Agreement, and that no other monies or considerations have been solicited. No waiver, change, modification or amendment of this Agreement shall be binding upon either party hereto unless in writing and signed by both the Owner and the City. The waiver by either party hereto of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach of that provision or of any other provision or condition in this Agreement.

c. This Agreement may be executed by the parties hereto in counterparts. Accordingly, each partially-executed original signature page shall hereby be deemed fully integrated and incorporated into this document.

d. The person(s) signing this Agreement warrant and represent that they have the authority to sign as, or on behalf of, the party for whom they are signing.

e. The headings of sections of this Agreement are for convenient reference only and shall not be deemed to limit, construe, affect, modify or alter the meaning of such sections.

f. That provisions hereof shall inure to the benefit of and bind the heirs, successors, personal representatives and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated this ____ day of _____, 2013.

Plastic Products Company, Inc.

By:_____

Print name and title

STATE OF MINNESOTA, COUNTY OF _____, ss:

This instrument was acknowledged before me on this ____ day of _____, 2013, by _____ as _____ of Plastic Products Company, Inc.

Notary public

Dated this ____ day of _____, 2013.

CITY OF WEST BRANCH:

By: _____
Mark Worrell, Mayor

ATTEST:

By: _____
Matt Muckler, City Administrator/Clerk

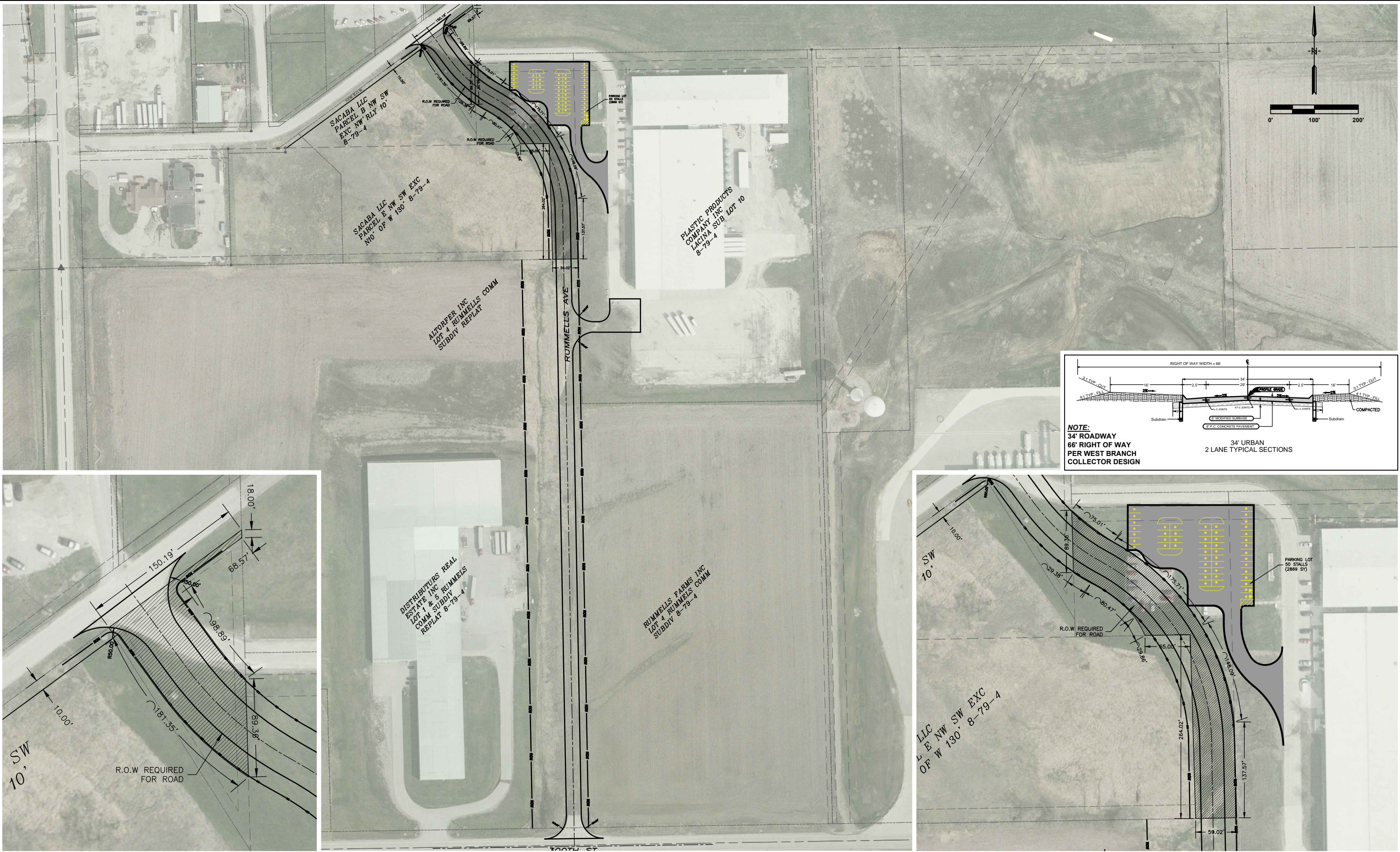
STATE OF IOWA)
) ss
COUNTY OF CEDAR)

On this ____ day of _____, 2013, before me a Notary Public in and for said County, personally appeared Mark Worrell and Matt Muckler, to me personally known, who being duly swore that they are the Mayor and City Clerk, respectively of the City of West Branch, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Notary Public

PLOTTED: Thursday, October 24, 2013 12:13:48 PM

X-REFS: 2012-3-1 Aerial 2 & Prop Lines
FILE PATH: C:\USERS\ERIC\DESKTOP\PROJECTS\WEST BRANCH\RUMMELL AVE OPTION 1



DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	EDG
		CHECKED	DRS
		APPROVED	DRS
		DATE	10-24-13
		ISSUED FOR	REVIEW

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING.
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IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.



EASEMENT REQUIRED
CITY OF WEST BRANCH

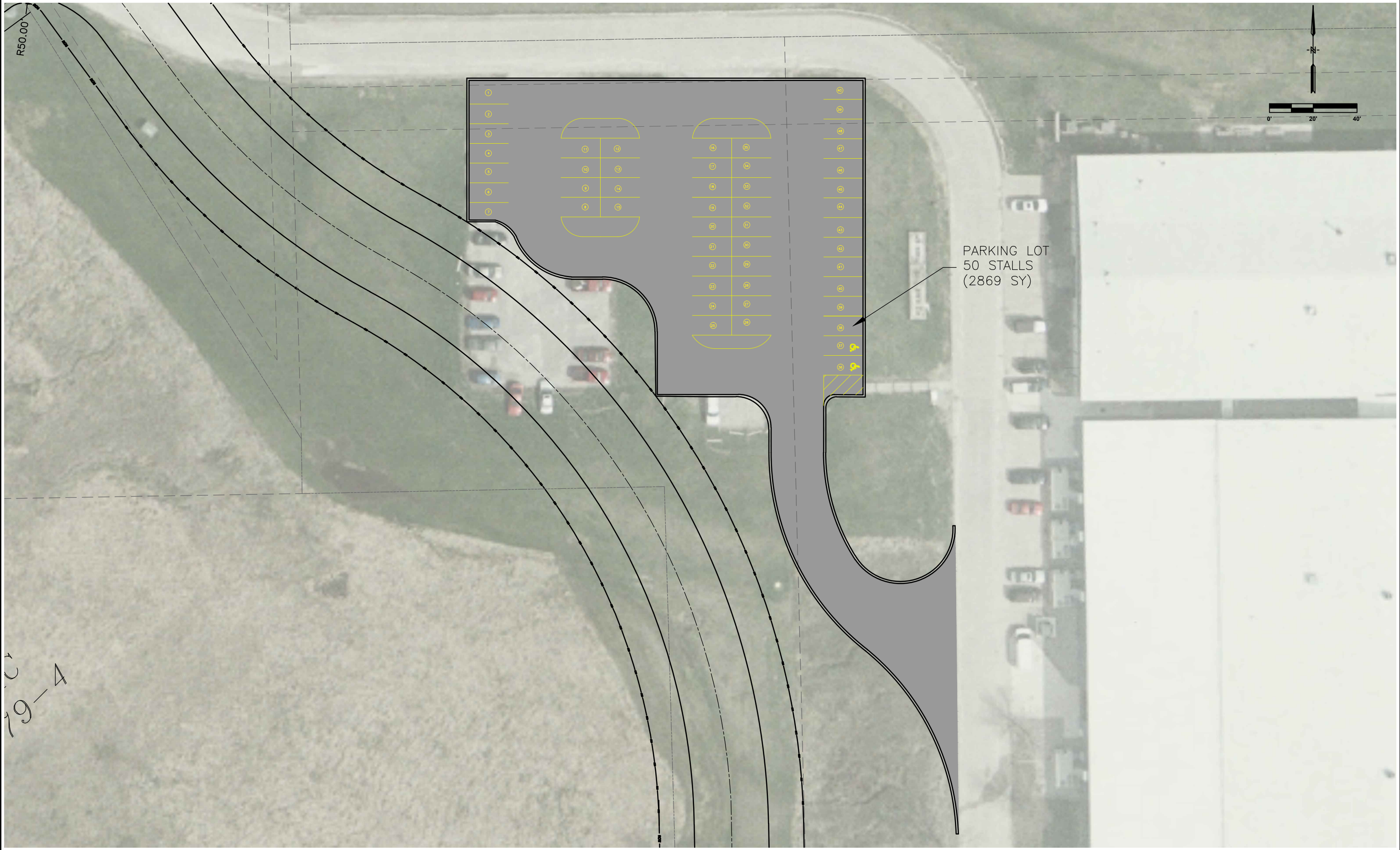
860 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008 (FAX) • 888-241-8001 (WATS)

S-CURVE 300'
RUMMELLS AVE
PLASTIC PRODUCTS R.O.W

DWG. NO.
2
PROJECT 368117

PLOTTED: Thursday, October 24, 2013 12:13:54 PM

X-REFS: 2012-3-1 Aerial 2 & Prop Lines
FILE PATH: C:\USERS\ERIC\DESKTOP\PROJECTS\WEST BRANCH\RUMMELL AVE OPTION 1



DATE		REVISIONS		SCALE		AS NOTED		VERIFY SCALE		DWG. NO.	
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				CHECKED		DRS		0 1"			
				APPROVED		DRS		IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.			
				DATE		10-24-13					
				ISSUED FOR		REVIEW					

		PARKING LOT CITY OF WEST BRANCH		S-CURVE 300' RUMMELLS AVE PLASTIC PRODUCTS COMPANY INC	
VEENSTRA & KIMM, INC.		360 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565 319-466-1000 • 319-466-1008 (FAX) • 888-241-8001 (WATS)			

PROJECT	368117
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RESOLUTION NO. 1148

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF TIDEWATER HEIGHTS
SUBDIVISION, A SUBDIVISION TO WEST BRANCH, IA

WHEREAS the owner, Sacaba LLC, has filed with the City Clerk of the City of West Branch, Iowa, a preliminary plat of the following described real estate situated within the corporate limits of the City of West Branch, Cedar County, Iowa, to-wit:

A PORTION OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 79 NORTH, RANGE 4 WEST OF THE 5TH P.M. CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF AUDITOR'S PARCEL "E", ACCORDING TO THE PLAT RECORDED IN BOOK C AT PAGE 146 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N90°00'00"W, ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL "E", 732.72 FEET TO THE SOUTHWEST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE N00°25'56"W, ALONG THE WEST LINE OF SAID AUDITOR'S PARCEL "E", 254.40 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A QUIT CLAIM DEED RECORDED IN BOOK 667 AT PAGE 349 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N89°59'12"E, ALONG THE SOUTH LINE OF SAID TRACT OF LAND, 129.96 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND; THENCE N00°28'25"W, 9.85 FEET TO A POINT ON THE NORTH LINE OF SAID AUDITOR'S PARCEL "E"; THENCE S88°46'20"W, 14.83 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TIDEWATER DRIVE; THENCE N54°41'31"E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 398.97 FEET TO THE NORTHWEST CORNER OF LOT 10, LACINA SUBDIVISION, CEDAR COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK 54 AT PAGES 114-130 IN SAID CEDAR COUNTY, RECORDER'S OFFICE; THENCE S31°22'59"E, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, A DISTANCE OF 240.96 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 10; THENCE S00°07'24"W, 25.02 FEET TO A POINT ON THE NORTHERLY LINE OF SAID AUDITOR'S PARCEL "E"; THENCE N89°55'01"E, ALONG SAID NORTHERLY LINE, 165.51 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE S00°39'53"E, ALONG THE EASTERLY LINE OF SAID AUDITOR'S PARCEL "E", 264.08 FEET TO THE POINT OF BEGINNING, CONTAINING 5.64 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD; and

WHEREAS, said property is owned by the above-named owner; and

WHEREAS, the Plat has been examined by the Planning and Zoning Commission of the City of West Branch, Iowa, which recommended that such plat be accepted and approved; and

WHEREAS, the City Council of the City of West Branch, Iowa, finds that said plat complies with the statutes of the State of Iowa and the Ordinances for the City of West Branch, Iowa, relative to plats, additions and subdivisions within the corporate limits of the City of West Branch, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Branch, Iowa:

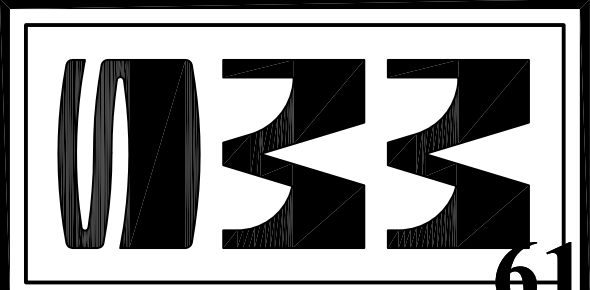
That said preliminary plat and subdivision located on the above-described property be and the same is hereby approved.

Passed, approved and adopted this 4th day of November, 2013.

Mayor Mark Worrell

ATTEST:

City Administrator/Clerk Matt Muckler



CIVIL ENGINEER
LAND PLANNER
LAND SURVEYOR
LANDSCAPE ARCHITECT
ENVIRONMENTAL SPECIALIST

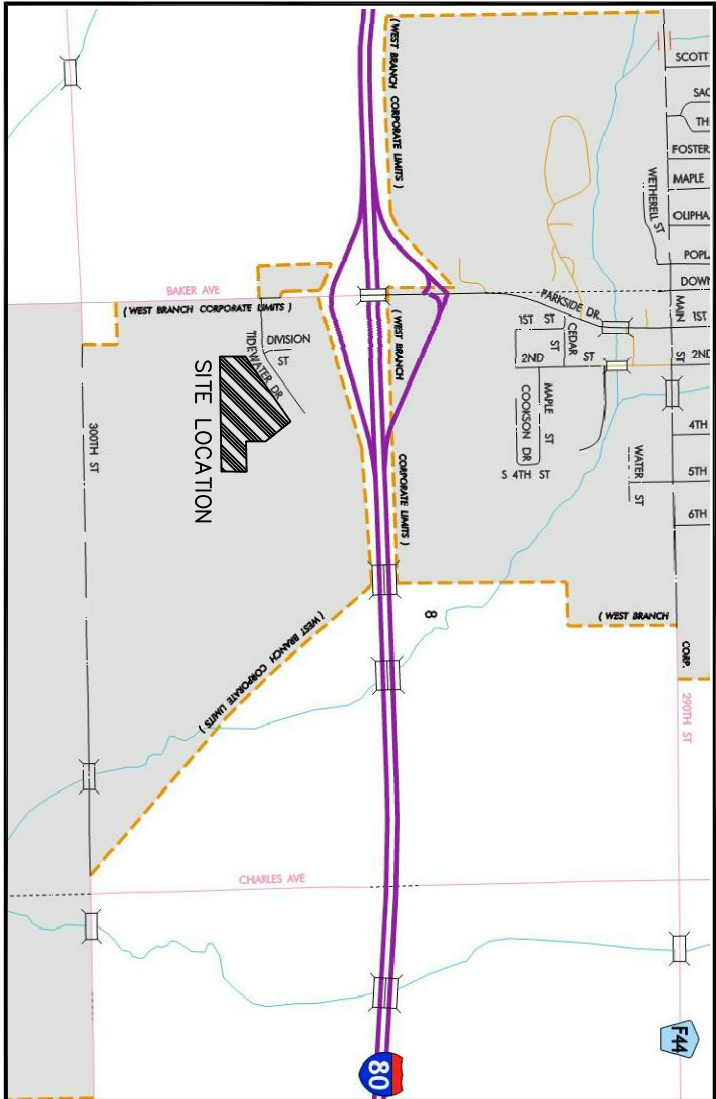
1917 S. GILBERT S.
IOWA CITY, IOWA 5224
(319) 351-826
www.mmsconsultants.net

Date	Revision

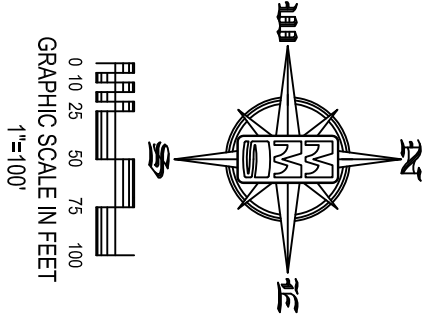
PRELIMINARY PLAT
TIDEWATER HEIGHTS
SUBDIVISION

A PORTION OF THE
NW 1/4 SW 1/4 OF
SEC. 8-T79N-R4W OF THE 5TH P.
CITY OF WEST BRANCH
CEDAR COUNTY
IOWA

Dated:	10/02/1
Designed by:	MMS
Drawn by:	BRT
Checked by:	GDM
Project No.:	IOWA CITY
9257001	of:



LOCATION MAP



DEVELOPMENT CHARACTERISTICS	
CURRENT ZONING IS HCI - HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT	
HCI - HIGHWAY COMMERCIAL INDUSTRIAL DISTRICT	
HCI REQUIREMENTS	NONE
MINIMUM LOT AREA	25 FEET
FRONT YARD SETBACK	NONE
SIDE YARD SETBACK	NONE
REAR YARD SETBACK	NONE

STANDARD LEGEND AND NOTES

—	PROPERTY &/or BOUNDARY LINES
---	CONGRESSIONAL SECTION LINES
---	RIGHT-OF-WAY LINES
---	CENTER LINES
---	EXISTING CENTER LINES
---	LOT LINES, INTERNAL
---	LOT LINES, PLATTED OR BY DEED
---	PROPOSED EASEMENT LINES
---	EXISTING EASEMENT LINES
---	RECORDED DIMENSIONS
---	CURVE SEGMENT NUMBER
—(R)—	—EXIST—
—(P)—	—PROP—
—	POWER POLE
—	POWER POLE W/DROP
—	POWER POLE W/TRANS
—	POWER POLE W/LIGHT
—	GUY POLE
—	LIGHT POLE
—	SANITARY MANHOLE
—	FIRE HYDRANT
—	WATER VALVE
—	DRAINAGE MANHOLE
—	CURB INLET
—	EXISTING SANITARY SEWER
—	PROPOSED SANITARY SEWER
—	EXISTING STORM SEWER
—	PROPOSED STORM SEWER
—	WATER LINES
—	ELECTRICAL LINES
—	TELEPHONE LINES
—	GAS LINES
—	CONTOUR LINES (EL. INTERVAL)
—	EXISTING TREE LINE
—	EXISTING DECIDUOUS TREE
—	EXISTING EVERGREEN TREES

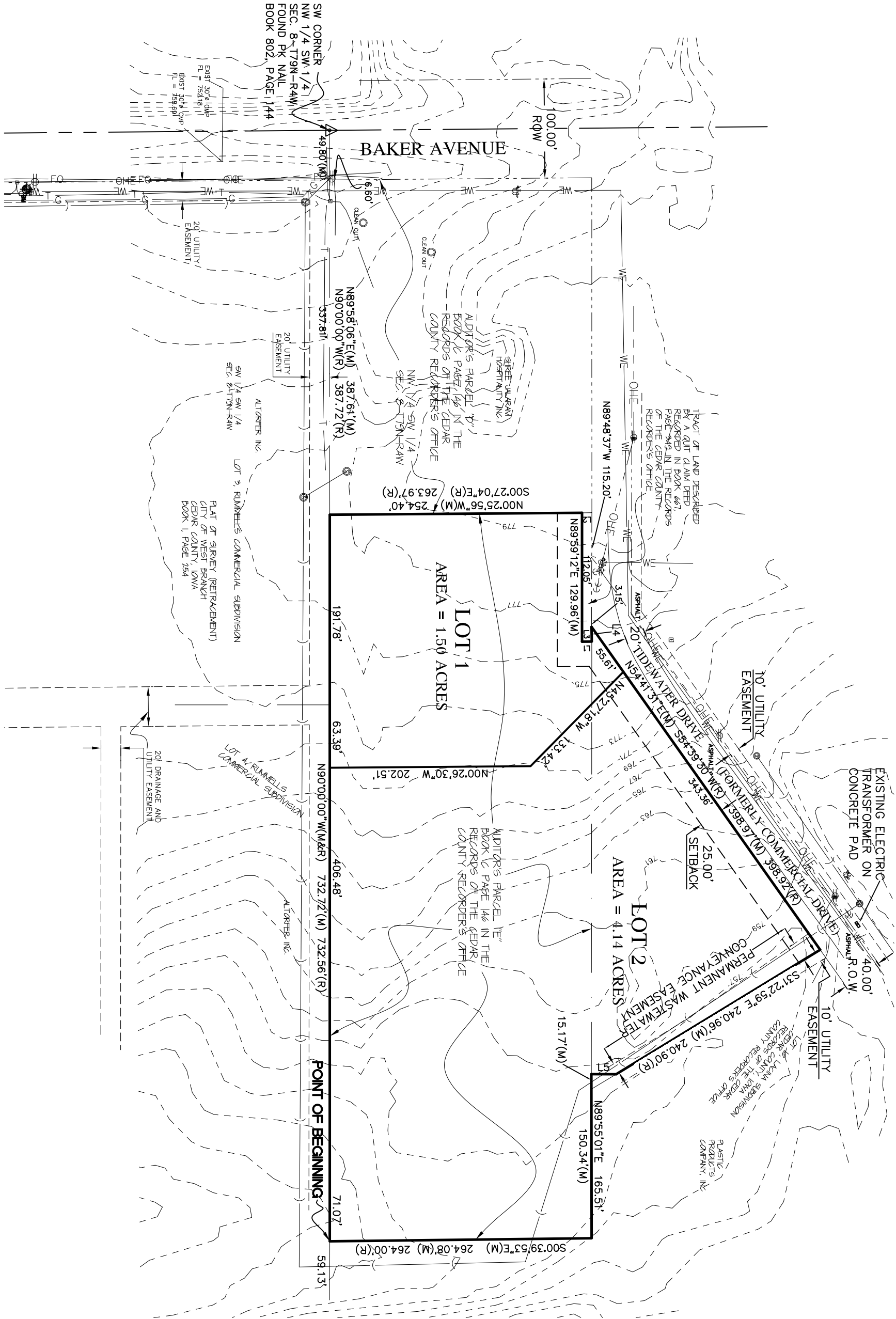
THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

PRELIMINARY PLAT
TIDEWATER HEIGHTS SUBDIVISION
CITY OF WEST BRANCH, CEDAR COUNTY, IOWA

PLAT PREPARED BY: MMS CONSULTANTS, INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBDIVIDER: MATT HAYEK
C/O MATT HAYEK
HAYEK BROWN MORELAND & SMITH LLP
120 E. WASHINGTON STREET
IOWA CITY, IOWA 52240

OWNER'S ATTORNEY: MATT HAYEK
HAYEK BROWN MORELAND & SMITH LLP
120 E. WASHINGTON STREET
IOWA CITY, IOWA 52240



LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 79 NORTH, RANGE 4, WEST OF THE 5TH P.M., CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF AUDITOR'S PARCEL "E", ACCORDING TO THE PLAT RECORDED IN BOOK C AT PAGE 146 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N90°00'00"W, ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL "E", 732.72 FEET TO THE SOUTHWEST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE N00°25'56"W, ALONG THE WEST LINE OF SAID AUDITOR'S PARCEL "E", 254.40 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A QUIT CLAIM DEED RECORDED IN BOOK 667 AT PAGE 349 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N89°59'12"E, ALONG THE SOUTH LINE OF SAID TRACT OF LAND, 129.96 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND; THENCE N00°28'25"W, 9.85 FEET TO A POINT ON THE NORTH LINE OF SAID AUDITOR'S PARCEL "E"; THENCE S88°46'20"W, 14.83 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF TIDEWATER DRIVE; THENCE N54°24'13"E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 398.97 FEET TO THE NORTHWEST CORNER OF LOT 10, LACINA SUBDIVISION, CEDAR COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK 34 AT PAGES 114-130 IN SAID CEDAR COUNTY, RECORDER'S OFFICE; THENCE S31°22'59"E, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, A DISTANCE OF 240.96 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 10; THENCE S00°07'24"W, 25.02 FEET TO A POINT ON THE NORTHERLY LINE OF SAID AUDITOR'S PARCEL "E"; THENCE N89°55'01"E, ALONG SAID NORTHERLY LINE, 165.51 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE S00°39'53"E, ALONG THE EASTERLY LINE OF SAID AUDITOR'S PARCEL "E", 264.08 FEET TO THE POINT OF BEGINNING, CONTAINING 5.64 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

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Return to: City of West Branch, PO Box 218, West Branch, Iowa 52358 (319) 643-5888

RESOLUTION NO. 1149

A RESOLUTION APPROVING THE FINAL PLAT OF TIDEWATER HEIGHTS
SUBDIVISION, A SUBDIVISION TO WEST BRANCH, IOWA

WHEREAS, the owner, Sacaba LLC, has filed with the City Clerk of the City of West Branch, Iowa, a Preliminary and Final Plat of the following described real estate situated within the corporate limits of the City of West Branch, Cedar County, Iowa, to-wit:

A PORTION OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 79 NORTH, RANGE 4 WEST OF THE 5TH P.M. CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF AUDITOR'S PARCEL "E", ACCORDING TO THE PLAT RECORDED IN BOOK C AT PAGE 146 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N90°00'00"W, ALONG THE SOUTH LINE OF SAID AUDITOR'S PARCEL "E", 732.72 FEET TO THE SOUTHWEST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE N00°25'56"W, ALONG THE WEST LINE OF SAID AUDITOR'S PARCEL "E", 254.40 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A QUIT CLAIM DEED RECORDED IN BOOK 667 AT PAGE 349 IN THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N89°59'12"E, ALONG THE SOUTH LINE OF SAID TRACT OF LAND, 129.96 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND; THENCE N00°28'25"W, 9.85 FEET TO A POINT ON THE NORTH LINE OF SAID AUDITOR'S PARCEL "E"; THENCE S88°46'20"W, 14.83 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-

OF-WAY LINE OF TIDEWATER DRIVE; THENCE N54°41'31"E, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, 398.97 FEET TO THE NORTHWEST CORNER OF LOT 10, LACINA SUBDIVISION, CEDAR COUNTY, IOWA, ACCORDING TO THE PLAT RECORDED IN BOOK 54 AT PAGES 114-130 IN SAID CEDAR COUNTY, RECORDER'S OFFICE; THENCE S31°22'59"E, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, A DISTANCE OF 240.96 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 10; THENCE S00°07'24"W, 25.02 FEET TO A POINT ON THE NORTHERLY LINE OF SAID AUDITOR'S PARCEL "E"; THENCE N89°55'01"E, ALONG SAID NORTHERLY LINE, 165.51 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR'S PARCEL "E"; THENCE S00°39'53"E, ALONG THE EASTERLY LINE OF SAID AUDITOR'S PARCEL "E", 264.08 FEET TO THE POINT OF BEGINNING, CONTAINING 5.64 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD; and

WHEREAS, the Preliminary and Final Plats have been examined by the Planning and Zoning Commission of the City of West Branch, Iowa, which recommends that such Plats be accepted and approved; and

WHEREAS, the City Council of the City of West Branch, Iowa finds that said Preliminary and Final Plats comply with the statutes of the State of Iowa and the Ordinances for the City of West Branch, Iowa relative to plats, additions, and subdivisions within the corporate limits of the City of West Branch, Iowa.

NOW, THEREFORE, BE IT RESOLVED that said plat named and designated as Tidewater Heights Subdivision, an Addition to the City of West Branch, Cedar County, Iowa, be and the same is hereby approved and accepted by the City Council of the City of West Branch, Iowa, subject to the filing of the required certificates, subject to the signing of the Subdivider's Agreement, and subject to completion of final inspection requirements. The Mayor and City Clerk of the City of West Branch, Iowa, are hereby authorized and directed to certify upon said Plat the examination, consent, approval and acceptance of the same by the City Council of the City of West Branch, in order that said Plat may be recorded in the Office of the County Recorder among the real estate records of Cedar County, Iowa.

PASSED, APROVED, AND ADOPTED THIS _____ DAY OF _____, 2013.

Mayor Mark Worrell

ATTEST:

City Administrator/Clerk Matt Muckler

ORDINANCE NO. 717

AN ORDINANCE AMENDING CHAPTER 165 "ZONING REGULATIONS."

WHEREAS, the Owners of 203 Ridge View Drive applied for a variance to locate a retaining wall in a required side yard; and

WHEREAS, the Board of Adjustment of the City of West Branch, Iowa, granted the variance by a 3-2 vote; and

WHEREAS, the Zoning Administrator believes that the Board of Adjustment had no authority to grant said variance; and

WHEREAS, the Zoning Administrator recommended that the City Council appeal said decision to the Iowa District Court; and

WHEREAS, the City Council of the City of West Branch, Cedar County, Iowa denied this recommendation from the Zoning Administrator voting down Resolution 1153 by a 3-2 vote on October 21, 2013; and

WHEREAS, the City Attorney now recommends that the City Council amend the City Code on this issue accordingly.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

Section 1. Amendment. The Code of Ordinances is hereby amended by the City Council of West Branch, Iowa by incorporating the following language to Title, "ZONING AND SUBDIVISION", Chapter 165, "ZONING REGULATIONS", Section 165.11, PERMITTED OBSTRUCTION IN REQUIRED YARDS, Subsection 165.11.4, SIDE YARDS:

“Retaining Walls”

Section 2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

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

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

* * * * *

Passed and approved this 4th day of November, 2013.

First Reading: November 4, 2013

Second Reading:

Third Reading:

Mark Worrell, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk