

RESOLUTION 1242

RESOLUTION APPROVING THOSE CERTAIN AGREEMENTS IN CONNECTION WITH THE MAIN STREET SIDEWALK IMPROVEMENTS – PHASE 2 PROJECT.

WHEREAS, the City of West Branch is concerned about the safety of pedestrians walking in the Downtown Business District; and

WHEREAS, the City of West Branch, in cooperation with Main Street West Branch and affected property owners, has previously completed a Main Street Sidewalk Project on the south side of Main Street between Downey Street and Poplar Street;

WHEREAS, the City Council of the City of West Branch, is now interested in performing sidewalk repairs along the eastern side of 102 W. Main Street, the western side of 105 S. Downey Street and 102 East Main Street, and from Downey Street to the National Park Service boundary along Main Street, called the Main Street Sidewalk Improvements – Phase 2 Project (the “Project”); and

WHEREAS, the City intends to bid and complete the Project in early 2015; and

WHEREAS, the City Council of the City of West Branch has heretofore deemed it necessary to assess a portion of the Project to the adjoining property owners, said owners being located at:

105 South Downey Street
102 East Main Street
106 East Main Street
(the “Owners”); and

WHEREAS, the City has also entered into an agreement with the Friends of Historic West Branch, Inc. (d/b/a Main Street West Branch, hereafter “Main Street”) whereby Main Street will reimburse the City for the entire cost of constructing the Project; and

WHEREAS, the Owners will pay the City a portion of the assessment for each property on July 31st of each year; and

WHEREAS, the City will then forward said monies to Main Street to repay its advancement of the Project costs; and

WHEREAS, the City Attorney has prepared assessment agreements for each of the Owners and an agreement with Main Street to accomplish the same, all of which require approval of the City Council; and

WHEREAS, City staff and elected officials have discussed the proposed project with three property owners and the Superintendent of the Herbert Hoover National Historic Site whose property would be impacted as a result of the construction of the Main Street Sidewalk Improvements – Phase 2 Project; and

WHEREAS, the City Attorney and City Staff have prepared easement agreements for the review of these three property owners and Main Street; and

WHEREAS, the three property owners and Main Street have signed said agreements; and

WHEREAS, these easement agreements now require approval of the West Branch City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned assessment agreements with the Owners be and the same are hereby approved. Further, the Mayor and City Clerk are directed to execute said agreements on behalf of the City.

BE IT FURTHER RESOLVED that the agreement between the City and Main Street is also hereby approved and the Mayor and City Clerk are hereby directed to execute said agreement on behalf of the City.

Passed and approved this 20th day of October, 2014.


Mark Worrell, Mayor

ATTEST:


Matt Muckler, City Administrator/Clerk