



**PUBLIC NOTICE AND AGENDA OF THE WEST BRANCH CITY COUNCIL MEETING
SCHEDULED TO CONVENE AT 7:00 P.M. MONDAY APRIL 19, 2021 IN THE CITY
COUNCIL CHAMBERS, 110 NORTH POPLAR STREET, WEST BRANCH, IOWA.**

Mayor
Mayor Pro Tem
Council Member
Council Member
Council Member
Council Member
City Administrator
City Attorney
Deputy City Clerk

Roger Laughlin
Colton Miller
Jodee Stoolman
Nick Goodweiler
Tom Dean
Jerry Sexton
Redmond Jones II
Kevin Olson
Leslie Brick

mayor@westbranchiowa.org
mcolton@rocketmail.com
j.stoolmanwbcc@yahoo.com
nickgoodweilerwbcc@gmail.com
tdiowa@hotmail.com
jerrysextonwb@gmail.com
rjonesii@westbranchiowa.org
kevinolsonlaw@gmail.com
leslie@westbranchiowa.org

Please note: *Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure. Electronic Meeting (Pursuant to Iowa Code section 21.8) An electronic meeting is being held because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff and the public presented by COVID-19. You can watch and/or participate in the meeting at the following link <https://zoom.us/j/5322527574> or dial in phone number 1-312-626-6799 with Meeting ID 532 252 7574. A video of the meeting will also be made available April 23th on the City Website. For your safety and the safety of others please explore all available opportunities to participate by phone or computer. If you are unable to attend or participate by computer or phone, you may come to City Hall as an audience member.*

AGENDA

A. Call to Order

B. Opening Ceremonies

1. Pledge of Allegiance
2. Welcome

C. Roll Call

D. Guest Speaker, Presentations and Proclamations.

1. Fair Housing Month Proclamation Presented to the Iowa City Area Association of Realtors.

E. Public Comment

Anyone wishing to address the City Council may come forward when invited; please state your name and address for the record. Public comments are typically limited to three minutes and written comments may be submitted to the Deputy City Clerk.

F. Approve Agenda / Consent Agenda / Move to Action

"Turning Vision into Reality is our Business"

*Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Council member, staff member or member of the Public wishes to discuss any item on the **Consent** Agenda, they can request the item be removed from the Consent Agenda for discussion.*

1. **Motion to Approve** Meeting Minutes for City Council Meeting April 5, 2021.
2. **Motion to Approve** a Class E Liquor License, Class B Wine, Class C Beer (Carryout), Sunday Sales for Dewey's Jack and Jill, Located at 115 E. Main St. West Branch, Iowa.
3. **Motion to Appoint** Cigarette Permit for Jack & Jill Store (ownership change for Fiscal Year 21).
4. **Motion to Appoint** a Member to and Establish an Animal Control Appeal Board (Leesa Johnson).
5. **Motion to Approve** the Claims Report.

G. Public Hearing / Non-Consent Agenda

1. **Motion to Accept** the Staff Recommended Equipment Replacement Set Aside Schedule for the Police Department.
2. **Resolution 1997** – A Resolution Continuing to Allow the Implementation of a Trap, Neuter, and Release Feral Cats Pilot Program Within the City Limits.
3. **Resolution 1998** – A Resolution Approving \$6,521.55 to Linn County Rural Electric Cooperative for the Relocation of Electrical Utilities Related to the Greenview Connection Project.
4. **Discussion Item:** Regarding the Roundabout (Cost Projections, Options, and Financing).
5. **Discussion Item:** Consider adding provisions for Annexation to the Municipal Code.

H. Reports

1. City Administrator's Report
2. City Attorney Report
3. Staff Hearsays

I. Comments from the Mayor and City Council Members

J. Adjournment



Proclamation

Fair Housing Month Proclamation

WHEREAS, April 11, 2021, marks the 53rd anniversary of the passage of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, sex, familial status, disability, and national origin, and encourages fair housing opportunities for all; and

WHEREAS, The Iowa City Area Association of REALTORS® is committed to highlight the Fair Housing Act by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every one of their right to fair housing; and

WHEREAS, The National Association OF REALTORS® Code of Ethics commits all REALTORS® to providing equal professional services without discrimination based on race, color, religion, sex, familial status, disability, sexual orientation, gender identity, and national origin,

NOW, THEREFORE, I, Roger Laughlin Mayor of the City of West Branch, do hereby resolve that April 2021, being Fair Housing Month, begins a year-long commemoration of the Fair Housing Act in the City of West Branch and urge all citizens to wholeheartedly recognize this celebration throughout the year.

* * * * *

APPROVED this 19th day of April 2021

CITY OF WEST BRANCH

Roger Laughlin, Mayor

(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection on the City of West Branch Website at westbranchiowa.org/city-of-west-branch/mayor-city-council/meetings/. The minutes are not approved until the next regularly scheduled City Council meeting.)

West Branch, Iowa
Council Chambers

City Council
Regular Meeting

April 5, 2021
7:00 p.m.

An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the City Council of the City of West Branch, Cedar County, IA was held on Monday, April 5, 2021 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Council Members, Staff and the Public presented by COVID-19.

Until further notice, all of our Council Meetings will be held electronically. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.

Mayor Pro Tem Colton Miller called the West Branch City Council regular meeting to order at 7:00 p.m. Roll call: Council members: Colton Miller, Jodee Stoolman, Jerry Sexton, Tom Dean and Nick Goodweiler were present. Mayor Laughlin attended via Zoom. City Staff present: Deputy Clerk Leslie Brick, Finance Officer Gordon Edgar, Fire Chief Kevin Stoolman and City Attorney Kevin Olson. City Staff attending via Zoom: City Administrator Redmond Jones II, Police Chief John Hanna, Public Works Director Matt Goodale, Parks & Recreation Director Melissa Russell, Library/IT Director Nick Shimmin, Officer Cathy Steen and City Engineer Dave Schechinger.

GUEST SPEAKER PRESENTATIONS - NONE

PUBLIC COMMENT - NONE

CONSENT AGENDA

Motion to Approve Meeting Minutes for City Council Meeting March 15, 2021.
Motion to Accept the Notice of Retirement Date for Gordon Edgar the Finance Director.
Motion to Appoint Members to and Establish an Animal Control Appeal Board
Motion to Approve the Claims Report.

EXPENDITURES	4/5/2021	
AE OUTDOOR POWER	EQUIPMENT REPAIR	796.54
ALTORFER INC	EQUIPMENT REPAIR	3,566.71
AMAZON	BOOKS, PROG, MISC, TECH SUPPLIES	989.90
AMAZON.COM.CA. INC.	OFFICE SUPPLIES	44.99
BAKER & TAYLOR INC.	CREDIT MEMO	970.70
BARNHART'S CUSTOM SERVICES	SNOW MOVING WATER TOWER	450.00
BARRON MOTOR SUPPLY	REPAIR SUPPLIES	2.32
BEAVER HEATING AND AIR CONDITIONING	SERVICE CALL	78.00
BROWN'S WEST BRANCH	VEHICLE REPAIR	65.44
DREAMHOST WEBHOSTING	WEB SITE HOST 3-23-21 TO 3-22	420.25
DROLLINGER, BRENT	BUILDING INCENTIVE PAYMENT	2,308.51
ELDON C STUTSMAN INC	BRINE PREPARATION EQUIPMENT	6,125.00
ELECTRICAL ENGINEERING & EQUIPMENT	SUPPLIES	91.77
GOODALE, MATTHEW	TRAINING	130.00
HI-LINE ELECTRIC COMPANY INC	SUPPLIES	337.34
HOLLYWOOD GRAPHICS	SUPPLIES	54.53
IOWA ONE CALL	UTILITY NOTIFICATION SERVICE	18.00
JJ NICHTING COMPANY	REPAIR PARTS	35.12
JOHANNS, DEREK OR SARAH	BUILDING INCENTIVE PROGRAM	1,791.34
JOHN DEERE FINANCIAL	MAINTENANC SUPPLIES, BATTERIES	253.09
JOHNSON COUNTY REFUSE INC	GARBAGE STICKERS	285.00
KANOPY	VIDEO RENTALS	75.00
KNOCHE, REBECCA	BUILDING INCENTIVE	53.62
KOCH OFFICE GROUP	COPIER MAINTENANCE	268.23
LIBERTY COMMUNICATIONS	LIBERTY COMMUNICATIONS	1,570.46
LOGAN CONTRACTOR'S SUPPLY	SUPPLIES-PARKING LOT	77.84
LYNCH'S EXCAVATING INC	SAND	538.80
LYNCH'S PLUMBING INC	VACUUM TRUCK RENTAL	556.80
MCELFRRSH, SARA	BUILDING INCENTIVE PAYMENT	1,111.22
MENARDS	SUPPLIES	162.70
MISCELLANEOUS VENDOR	DYNAMINDS PUBLISHING: INVESTING	277.00
MOORE'S WELDING INC	CUTTING EDGES & PLOW REPAIR	2,727.10
MUNDELL, JENNIFER	BUILDING INCENTIVE PAYMENT	789.73
MUNICIPAL SUPPLY INC.	WATER METER & CHARGER	1,232.00
OLSON, KEVIN D	LEGAL SERVICES-MARCH 2021	3,000.00
OVERDRIVE INC	BOOKS, AUDIO BOOKS	945.37
PETERSON, ADAM D OR LINDSEY	BUILDING INCENTIVE PAYMENT	900.45
PITNEY BOWES INC	POSTAGE METER RENTAL	180.00
PLAY IT AGAIN SPORTS	YOUTH SPORTS SUPPLIES	326.56
PORT 'O' JONNY INC.	SERVICE-CEMETERY	95.00
QUILL CORP	OFFICE SUPPLIES	87.13
SHIMMIN, NICK	SOFTWARE	309.97
STATE INDUSTRIAL PRODUCTS	CHEMICALS	244.00
THE HOME DEPOT PRO	CLEANING SUPPLIES	45.84
VEENSTRA & KIMM INC.	UTILITY MAPPING	18,648.12
WEST BRANCH TIMES	LEGAL PUBLICATIONS-ADVERTISING	592.89
WHITE CAP L.P.	SUPPLIES	197.32

TOTAL		53,827.70
PAYROLL	3/19/2021	56,356.58
PAYROLL	4/2/2021	44,402.26
PAID BETWEEN MEETINGS		
CJ COOPER & ASSOICIATES	DRUG TEST	159.80
FRONTLINE PLUS	SERVICE AGREEMENT-STORM SIREN	500.00
MEDIACOM	CABLE SERVICE	41.90
PITNEY BOWES GLOBAL FINANCIAL	MAILING EQUIPMENT LEASE	77.37
PITNEY BOWES PURCHASE POWER	REPLENISH POSTAGE METER	500.00
RAC SERVICES	SECURITY SERVICES	5,154.10
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	2,180.00
US BANK CORPORATE CARD	TRAINING, SUPPLIES	2,769.13
US BANK EQUIPMENT FINANCE	LEASE OF COPY MACHINE	223.13
VERIZON WIRELESS	WIRELESS SERVICE	420.89
WELLMARK	FLEX CLAIMS ADMINISTRATION	59.40
WEST BRANCH REPAIRS	VEHICLE REPAIR	76.67
TOTAL		12,162.39
GRAND TOTAL EXPENDITURES		166,748.93
FUND TOTALS		
001 GENERAL FUND	69,675.41	
022 CIVIC CENTER	45.07	
031 LIBRARY	15,988.62	
110 ROAD USE TAX	18,022.58	
112 TRUST AND AGENCY	17,325.32	
308 PARK IMP -PEDERSEN VALLEY	77.84	
321 WIDENING WAPSI CREEK @ BERANEK PARK	4,460.22	
323 I-80 WEST, WATER MAIN RELOCATE	783.87	
324 WW TREATMT FAC IMP 2021	11,660.00	
327 GREENVIEW CONNECTION	740.80	
600 WATER FUND	14,731.07	
610 SEWER FUND	13,238.13	
GRAND TOTAL	166,748.93	

Motion by Dean, second by Goodweiler approve agenda/consent agenda. AYES: Dean, Goodweiler, Stoolman, Miller, Sexton. NAYS: None. Motion carried.

PUBLIC HEARING / NON-CONSENT AGENDA

Resolution 1990 – Accepting Seal Coat Unit Pricing from LL Pelling and/or Shamrock Company. Move to action.

Goodale said that by the request of Councilperson Stoolman at a prior council meeting, he reached out to other suppliers and found that Shamrock (a River Products Company), offered similar services and prices that were competitive with LL Pelling. Goodale requested to accept quotes from both suppliers which would give flexibility on city needs and timing of projects. The council that having two suppliers to choose from would be beneficial.

Motion by Sexton, second by Stoolman to approve Resolution 1990. AYES: Sexton, Stoolman, Miller, Dean Goodweiler. NAYS: None. Motion carried.

Resolution 1991 – Establishing a New Fund for the Water Quality Improvement “Sponsor Project” Program. / Move to action.

Edgar explained that a new fund needed to be created because the city had received an invoice from Veenstra & Kimm for the project application. Jones reminded the Council of the approval of Resolution 1977 which approved the engineering services agreement with V&K for the application process to start the project. The Council had no questions.

Motion by Goodweiler, second by Dean to approve Resolution 1991. AYES: Goodweiler, Dean, Miller, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 1992 – Approving 28E Agreements Between the City Of West Branch, Iowa and the Boards of Trustees of Cass, Gower, Graham, Iowa, Scott and Springdale Townships for the Purposes of Fire Protection and Aid and Assistance for Other Emergencies or Disasters Relating to Life and Property, or Hazardous Materials. / Move to action.

No discussion.

Motion by Sexton, second by Goodweiler to approve Resolution 1992. AYES: Sexton, Goodweiler, Dean Stoolman, Miller. NAYS: None. Motion carried.

Resolution 1993 – Approving the General Agreement Between the United States Department of Interior National Park Service and the City of West Branch, Iowa Regarding Law Enforcement Assistance. / Move to action.

Hanna indicated he had reviewed the agreement and had no objections.

Motion by Stoolman, second by Dean to approve Resolution 1993. AYES: Stoolman, Dean, Sexton, Miller, Goodweiler. NAYS: None. Motion carried.

Resolution 1994 – Approving a Radio Frequency Use Agreement between the City of West Branch and the Herbert Hoover National Historic Site. / Move to action.

No discussion.

Motion by Dean, second by Goodweiler to approve Resolution 1994. AYES: Dean, Goodweiler, Miller, Sexton, Stoolman. NAYS: None. Motion carried.

Resolution 1995 – Approving the General Agreement Between the United States Department of the Interior National Park Service and the West Branch Fire/Rescue Department City of West Branch, Iowa. / Move to action.

Chief Stoolman indicated he had reviewed the agreement and had no objections.

Motion by Goodweiler, second by Sexton to approve Resolution 1995. AYES: Goodweiler, Sexton, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Resolution 1996 – Approving and Accepting Certain Municipal Improvements Constructed in the Meadows Subdivision, Part 4B; West Branch, Iowa. / Move to action.

Schechinger said he inspected the subdivision's municipal improvements late last week and noted that a few outstanding items still needed to be complete but felt they were minor. He listed a fire hydrant that needs to be lowered slightly, street signs to be placed (by Public Works), additional erosion control added and sidewalk aprons to be installed. Schechinger said that the local contractors involved with the finish work would remedy the outstanding items quickly. He reminded the Council that the City was holding an escrow for the remaining improvements and recommended approval of this resolution.

Motion by Sexton, second by Goodweiler to approve Resolution 1996. AYES: Sexton, Goodweiler, Miller, Stoolman, Dean. NAYS: None. Motion carried.

Discussion: Establishing the Downtown East Redevelopment Site (former Croell Ready-Mix site) as a Planned Unit Development zoning designation.

Laughlin explained that when the City Council approved the Planned Unit Development (PUD) zoning ordinance designation in 2018, the former Croell Redi-Mix site (which the City obtained through a land swap), was not formerly rezoned to a PUD. Laughlin said the property is currently zoned I-2 (Industrial). Laughlin said West Branch Roofing, who owns the property to the north of the former Croell site is wanting to build a new building on their property, however the size of the building they are proposing, will not meet the required set-backs for the I-2 zone. The Planning & Zoning Commission discussed the situation at their March 23rd meeting and determined that the City should rezone the Croell property to a PUD and allow West Branch Roofing to do the same, which would give flexibility on set-back requirements in exchange for the City to have input on design standards. Laughlin added that there are other surrounding properties that could benefit from a zoning change to PUD as well and suggested that he or another member of the Council reach out to the other property owners and present this idea. Miller suggested to the other Council members to familiarize themselves with the Planned Unit Development zoning classification before moving forward with this idea.

Discussion: City Goals and Projects.

Miller stated that he requested this item to be placed on the agenda for discussion. Miller continued and said he felt that City projects are not getting done timely as there are no official timelines attached to them and lack of project management. He specifically mentioned the Wapsi Creek Widening project as an example and said the City had no plan for actually beginning the work and that the project just seems to drag along. Miller said start and end dates are critical for keeping projects moving. The other council members nodded in agreement with Miller's assessment. Jones said he previously created a Staff Work plan, but admitted that the document had not recently been reviewed or updated and committed to do so and making it available on the City's website. Stoolman requested that Jones provide project start and end dates for current and future projects in thirty (30) days.

CITY ADMINISTRATOR REPORT – NO REPORT

CITY ATTORNEY REPORT – NO REPORT

STAFF REPORTS

Schechinger gave updates on the following projects:

Wapsi Creek Widening project: Schechinger is continuing to work with the Gaskills but said that the Parkside Hills subdivision and city project going on at the same time was making moving forward challenging with the Gaskills.

Greenview Drive extension: City Attorney Olson is working through easement and right-of way issues with regard to moving electric service. He said Olson is working with Cedar County to determine if the service is in an easement or right-of way as that determines who pays to move it. He added that they are trying to keep the emergency siren in the same area, but need will to get an easement from a property owner. Schechinger said he would find out the approximate cost to move the service and report back to Council.

Round-a-bout at Cedar-Johnson and West Main Street: Schechinger said that due to some additional engineering by Johnson County, the round-a-bout preliminary cost of \$278,000 has now increased to approximately \$450,000. He said this is due to the change in grade required at the transition at the county line. Schechinger felt that this was unacceptable and suggested a meeting with the Mayor, a council member, city attorney and City Administrator. He also said that Johnson County has also rejected the proposed 28E Agreement with gave the city the option to pay for the project over multiple years.

The Mayor and Council agreed that a meeting was needed to determine if the project could be saved and asked Schechinger to coordinate the meeting as soon as possible with Johnson County.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS – NO REPORTS

ADJOURNMENT

Motion to adjourn the regular meeting by Goodweiler, second by Stoolman. Motion carried on a voice vote.
City Council meeting adjourned at 8:13 p.m.

Colton Miller, Mayor Pro Tem

ATTEST: _____
Leslie Brick, Deputy City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Motion to Approve a Class E Liquor License, (Ownership Change) for Dewey's Jack and Jill, Located at 115 E. Main St. West Branch, Iowa.
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	April 15, 2021

BACKGROUND:

Ajay Kshetry, owner of Anisha LLC dba Jack & Jill has decided to sell the business effective 5/1/2021 to Bikram Gajurel (BPG LLC dba Jack & Jill)

Approve Class E Liquor permit: BPG LLC dba Jack & Jill

Effective May 1, 2021 to April 30, 2022.

STAFF RECOMMENDATION:	Approve the Motion – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Motion to Approve Cigarette Permit for Jack & Jill Store (ownership change for FY 2021).
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Leslie Brick, Deputy City Clerk
DATE:	April 15, 2021

BACKGROUND:

Ajay Kshetry, owner of Anisha LLC dba Jack & Jill has decided to sell the business effective 5/1/2021 to Bikram Gajurel (BPG LLC)

Approve FY21 Cigarette Permit for: BPG LLC dba Jack & Jill

Effective May 1, 2021 to June 30, 2021. **(THIS IS A PARTIAL YEAR)**

STAFF RECOMMENDATION:	Approve the Motion – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor

<https://tax.iowa.gov>

Instructions on the reverse side

For period (MM/DD/YYYY) 05/01/2021 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA BPG LLC dba Jack & Jill store
Physical Location Address 115 E. Main st. City West Branch ZIP 52358
Mailing Address PO BOX # 359 City West Branch State IA ZIP 52358
Business Phone Number 319-643-2611

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP BPG LLC

Mailing Address 2818 E. Diehl Ave City Des Moines State IA ZIP 50320

Phone Number 872-214-4934 Fax Number _____ Email Bikramgajurel129@yahoo

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Bikram Gajurel Name (please print) _____

Signature [Signature] Signature _____

Date 03/29/2021 Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit: \$18.75
- Fill in the date the permit was approved by the council or board: _____
- Fill in the permit number issued by the city/county: 08WBFY21
- Fill in the name of the city or county issuing the permit: West Branch
- New ☒ Renewal ☐

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

70-014a (06/22/17)



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Motion to Approve Members to the West Branch Animal Control Appeal Board.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Redmond Jones II, City Administrator
DATE:	April 15, 2021

BACKGROUND:

The following members are to be appointed by the Mayor and requested to be approved by the City Council:

B. The Chief Animal Control Officer shall notify the owner or agent in control by certified mail or personal service of the animal's behavior and classification as a potentially dangerous or dangerous animal and of the additional restrictions applicable to that animal by reason of its classification. The owner may appeal the classification to the Animal Control Board. Such Board will be appointed by the Mayor and be comprised of three (3) members: a veterinarian, a member of the City Council, and a member of the Animal Control Advisory Commission. The City Attorney, or a representative of the City Attorney, shall be present at all meetings of the Board. The person who was attacked or the owner of the domestic animal attacked must be notified and may be present during this appeal process.

(Ord. 666 – Mar. 11 Supp. and Ord. 681 – Feb. 13 Supp.)

The Mayor recommends Leesa Johnson as the Animal Control Advisory Board Representative to be appointed to the Animal Control Appeal Board. Current members include: Nick Goodweiler as the City Council Representative, and Dr. Alan Beyers as the Veterinarian Representative.

STAFF RECOMMENDATION:	Approve the Motion – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Motion to Approve the Claims Report.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Gordon Edgar, Finance Director
DATE:	April 15, 2021

BACKGROUND:

These are routine expenditures that include such items as payroll, budget expenditures, and other financial items that relate to City Council approved items and/or other day to day operational disclosures.

STAFF RECOMMENDATION:	Approve Claims Report – Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

"Turning Vision into Reality is our Business"

EXPENDITURES**4/19/2021**

AERO RENTAL INC	POWER RAKE - BERANEK PARK	88.00
ALLIANT ENERGY	ELECTRIC SERVICE	11,736.75
ALTORFER INC	MAINTENANCE SUPPLIES	27.66
AMAZON	BOOKS, PROGRAM & TECH SUPPLIES	2,883.85
AT & T MOBILITY	AT & T MOBILITY	344.72
BAKER & TAYLOR INC.	BOOKS	945.43
BOCWAY INVESTMENTS LLC	BUILDING INCENTIVE PAYMENT	428.34
BOOKLIST	SUBSCRIPTION	169.50
BOWERS CUSTOM SERVICES LLC	ROCK HAULING	480.00
CEDAR COUNTY COOPERATIVE	FUEL HOSE	78.29
CEDAR COUNTY RECORDER	RECORDING FEES	14.00
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	52.15
D&R PEST CONTROL	PEST CONTROL	70.00
F&B COMMUNICATIONS INC	SERVER & INSTALLATION	4,089.99
FINDAWAY WORLD LLC	PROGRAM ACTIVITY	69.99
HAWKINS INC	AZONE	613.21
HENDERSON PRODUCTS INC	SNOW PLOW REPAIR	265.68
HI-LINE ELECTRIC COMPANY I	SUPPLIES	31.50
HUEBBE MARY T OR TOBIOUS A	BUILDING INCENTIVE PAYMENT	620.53
IOWA POLICE CHIEFS ASSOCIATION	CONFERENCE REGISTRATION	135.00
JACOB DARBY	BUILDING INCENTIVE PAYMENT	1,099.45
JOHNSON COUNTY REFUSE INC.	RECYCLING & TRASH - MARCH, 202	15,680.00
JP PARTY RENTALS LLC	DEPOSIT - FOAM CANNON	437.50
KANOPY	VIDEO RENTALS	42.00
LINN COUNTY R.E.C.	STREET LIGHTS	205.73
LYNCH GARRETT H	BUILDING INCENTIVE PAYMENT	1,034.34
LYNCH'S EXCAVATING INC	WATER MAIN REPAIR- N DOWNEY	4,030.30
LYNCH'S PLUMBING INC	REPAIR PARTS	98.00
MATT PARROTT/STOREY KENWORTHY	WINDOW ENVELOPES	175.00
MEADOWS DEVELOPMENT INC	RETURN ESCROW DEPOSIT	82,725.00
MUNICIPAL SUPPLY INC.	WATER METERS & SUPPLIES	4,774.85
OVERDRIVE INC	BOOKS	3.68
PREMIER PARTS TIPTON	AIR FILTERS	425.76
PYRAMID SERVICES INC.	MAINTENANCE SUPPLIES	99.08
QUILL CORP	SUPPLIES	177.95
RAC SERVICES	SECURITY SYSTEM	1,854.80
RIVER PRODUCTS COMPANY INC	ROCK - CUBBY PARK	176.13
STATE HYGIENIC LAB	LAB ANALYSIS	27.00
THOMAS MARK & JEANETTE	BUILDING INCENTIVE PAYMENT	888.68
UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE	640.55
WELLMARK	MAY ADJUSTMENT	15,214.71
WEST BRANCH REPAIRS	VEHICLE REPAIR	476.87
WEST BRANCH TIMES	SUBSCRIPTION-EXPIRE 05-30-2022	1,148.50
WEX BANK	VEHICLE FUEL	1,110.96
WHITE CAP L.P.	CUBBY PARK-PARKING LOT	1,316.50
ZOOBEAN INC	LICENSING AGREEMENT	895.00
TOTAL		157,902.93

PAYROLL	04/16/21	56,499.75
PAID BETWEEN MEETINGS		
CEDAR VALLEY COOP	VEHICLE FUEL	1,051.60
GRAND TOTAL EXPENDITURES		215,454.28
FUND TOTALS		
001 GENERAL FUND		137,870.84
022 CIVIC CENTER		613.65
031 LIBRARY		9,756.31
110 ROAD USE TAX		6,354.18
112 TRUST AND AGENCY		21,926.70
308 PARK IMP - PEDERSEN VALLEY		4,192.28
600 WATER FUND		22,555.58
610 SEWER FUND		12,184.74
		-
GRAND TOTAL		215,454.28

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	WELLMARK	DENTAL INSURANCE	64.52
			DENTAL INSURANCE	64.52
			HEALTH INSURANCE	734.07
			HEALTH INSURANCE	734.06
			TOTAL:	1,597.17
POLICE OPERATION	GENERAL FUND	IOWA POLICE CHIEFS ASSOCIATION	CONFERENCE REGISTRATION	135.00
		WEST BRANCH REPAIRS	VEHICLE REPAIR	160.95
		WEX BANK	VEHICLE FUEL	766.15
		ALLIANT ENERGY	SERVICES	270.50
			SERVICES	13.32
		AT & T MOBILITY	AT & T MOBILITY	344.72
		RAC SERVICES	SECURITY SYSTEM	1,854.80
			TOTAL:	3,545.44
FIRE OPERATION	GENERAL FUND	WEST BRANCH REPAIRS	VEHICLE REPAIR	315.92
		WEX BANK	VEHICLE FUEL	117.72
		ALLIANT ENERGY	SERVICES	811.51
		CULLIGAN WATER TECHNOLOGIES	WATER SOFTENER SERVICE	52.15
			TOTAL:	1,297.30
STREET LIGHTING	GENERAL FUND	LINN COUNTY R.E.C.	STREET LIGHTS	205.73
		ALLIANT ENERGY	SERVICES	2,236.63
			SERVICES	248.50
			TOTAL:	2,690.86
PARK & RECREATION	GENERAL FUND	WEST BRANCH TIMES	LEGAL PUBLICATIONS, ADVERT	222.00
		LYNCH'S PLUMBING INC	REPAIR PARTS	9.00
		AERO RENTAL INC	POWER RAKE - BERANEK PARK	88.00
		ALLIANT ENERGY	SERVICES	233.53
		BOWERS CUSTOM SERVICES LLC	CUBBY PARK & DOG PARK	80.00
			TOTAL:	632.53
CEMETERY	GENERAL FUND	PYRAMID SERVICES INC.	MAINTENANCE SUPPLIES	99.08
			TOTAL:	99.08
COMM & CULTURAL DEVEL	GENERAL FUND	ALLIANT ENERGY	SERVICES	39.95
			TOTAL:	39.95
ECONOMIC DEVELOPMENT	GENERAL FUND	BOCWAY INVESTMENTS LLC	BUILDING INCENTIVE PAYMENT	428.34
		THOMAS MARK & JEANETTE	BUILDING INCENTIVE PAYMEN	888.68
		JACOB DARBY	BUILDING INCENTIVE PAYMENT	1,099.45
		HUEBBE MARY T OR TOBIOUS A	BUILDING INCENTIVE PAYMEN	620.53
		LYNCH GARRETT H	BUILDING INCENTIVE PAYMENT	1,034.34
			TOTAL:	4,071.34
CLERK & TREASURER	GENERAL FUND	MATT PARROTT/STOREY KENWORTHY	WINDOW ENVELOPES	175.00
		WEST BRANCH TIMES	SUBSCRIPTION-EXPIRE 05-30-	30.00
		F&B COMMUNICATIONS INC	SERVER & INSTALLATION	4,089.99
		QUILL CORP	OFFICE SUPPLIES	92.47
		ALLIANT ENERGY	SERVICES	304.68
			TOTAL:	4,692.14
LEGAL SERVICES	GENERAL FUND	WEST BRANCH TIMES	LEGAL PUBLICATIONS, ADVERT	804.00
		CEDAR COUNTY RECORDER	RECORDING FEES	14.00
			TOTAL:	818.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
SOLID WASTE	GENERAL FUND	JOHNSON COUNTY REFUSE INC.	RECYCLING & TRASH - MARCH,	15,680.00
			TOTAL:	15,680.00
LOCAL CABLE ACCESS	GENERAL FUND	ALLIANT ENERGY	SERVICES	100.00
			TOTAL:	100.00
NON-DEPARTMENTAL	GENERAL FUND	MEADOWS DEVELOPMENT INC	RETURN ESCROW DEPOSIT	82,725.00
			TOTAL:	82,725.00
TOWN HALL	CIVIC CENTER	ALLIANT ENERGY	SERVICES	613.65
			TOTAL:	613.65
LIBRARY	LIBRARY	OVERDRIVE INC	BOOKS	3.68
		LYNCH'S PLUMBING INC	SERVICE CALL - LIBRARY	89.00
		QUILL CORP	SUPPLIES	18.99
			WEBCAM & CHARGER	66.49
		BAKER & TAYLOR INC.	BOOK	15.78
			BOOKS	275.27
			BOOKS	336.05
			BOOKS	65.16
			BOOKS	242.30
			DVD	10.87
		D&R PEST CONTROL	D&R PEST CONTROL	70.00
		ALLIANT ENERGY	SERVICES	425.85
		AMAZON	BOOKS, PROGRAM & TECH SUPP	11.99
			BOOKS, PROGRAM & TECH SUPP	109.11
			BOOKS, PROGRAM & TECH SUPP	463.10
		FINDAWAY WORLD LLC	FINDAWAY WORLD LLC	69.99
		BOOKLIST	SUBSCRIPTION	169.50
		KANOPY	VIDEO RENTALS	42.00
		ZOOBEAN INC	LICENSING AGREEMENT	895.00
		JP PARTY RENTALS LLC	DEPOSIT - FOAM CANNON	437.50
			TOTAL:	3,817.63
NON-DEPARTMENTAL	ROAD USE TAX	WELLMARK	DENTAL INSURANCE	16.98
			DENTAL INSURANCE	16.98
			HEALTH INSURANCE	262.17
			HEALTH INSURANCE	262.18
			TOTAL:	558.31
ROADS & STREETS	ROAD USE TAX	WEST BRANCH TIMES	LEGAL PUBLICATIONS, ADVERT	92.50
		ALTORFER INC	MAINTENANCE SUPPLIES	27.66
		CEDAR COUNTY COOPERATIVE	FUEL HOSE	78.29
		WEX BANK	VEHICLE FUEL	75.69
		ALLIANT ENERGY	SERVICES	560.59
		HI-LINE ELECTRIC COMPANY INC	SUPPLIES	31.50
		HENDERSON PRODUCTS INC	SNOW PLOW REPAIR	265.68
			TOTAL:	1,131.91
POLICE OPERATIONS	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	3,146.11
			DENTAL INSURANCE	152.71
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	61.00
			SHORT TERM DISABILITY	64.71
			LONG TERM DISABILITY	38.36
			TOTAL:	3,462.89

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
FIRE OPERATION	TRUST AND AGENCY	WELLMARK	MAY ADJUSTMENT	1,844.01
			TOTAL:	1,844.01
ROADS & STREETS	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	1,223.49
			DENTAL INSURANCE	76.36
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	29.76
			SHORT TERM DISABILITY	30.52
			LONG TERM DISABILITY	18.26
			TOTAL:	1,378.39
LIBRARY	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	699.15
			DENTAL INSURANCE	28.25
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	40.70
			SHORT TERM DISABILITY	36.06
			LONG TERM DISABILITY	21.36
			TOTAL:	825.52
PARK & RECREATION	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	821.50
			DENTAL INSURANCE	68.45
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	17.54
			SHORT TERM DISABILITY	16.78
			LONG TERM DISABILITY	9.93
			TOTAL:	934.20
CEMETERY	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	489.40
			DENTAL INSURANCE	33.36
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	12.98
			SHORT TERM DISABILITY	14.53
			LONG TERM DISABILITY	8.77
			TOTAL:	559.04
CLERK & TREASURER	TRUST AND AGENCY	WELLMARK	HEALTH INSURANCE	367.04
			DENTAL INSURANCE	29.97
		UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	10.68
			SHORT TERM DISABILITY	17.89
			LONG TERM DISABILITY	11.08
			TOTAL:	436.66
LOCAL CABLE ACCESS	TRUST AND AGENCY	UNUM LIFE INSURANCE COMPANY OF AMERICA	LIFE INSURANCE	5.05
			SHORT TERM DISABILITY	5.36
			LONG TERM DISABILITY	3.18
			TOTAL:	13.59
INVALID DEPARTMENT	PARK IMP - PEDERSE	RIVER PRODUCTS COMPANY INC	ROCK - CUBBY PARK	176.13
		AMAZON	BOOKS, PROGRAM & TECH SUPP	2,299.65
		BOWERS CUSTOM SERVICES LLC	CUBBY PARK & DOG PARK	240.00
			CUBBY PARK - CAP IMPROVEME	160.00
		WHITE CAP L.P.	CUBBY PARK-PARKING LOT	1,316.50
			TOTAL:	4,192.28
NON-DEPARTMENTAL	WATER FUND	WELLMARK	DENTAL INSURANCE	20.38
			DENTAL INSURANCE	20.38
			HEALTH INSURANCE	314.61
			HEALTH INSURANCE	314.61
			TOTAL:	669.98

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
WATER OPERATING	WATER FUND	MUNICIPAL SUPPLY INC.	WATER METERS & SUPPLIES	4,521.25
			WATER METER & SUPPLIES	253.60
		LYNCH'S EXCAVATING INC	WATER MAIN REPAIR- N DOWNE	4,030.30
			LAB ANALYSIS	27.00
		STATE HYGIENIC LAB	HEALTH INSURANCE	1,468.17
			DENTAL INSURANCE	85.98
		WELLMARK	AZONE	613.21
			VEHICLE FUEL	75.69
		HAWKINS INC	SERVICES	3,124.30
			SERVICES	157.99
		WEX BANK	LIFE INSURANCE	29.37
			SHORT TERM DISABILITY	33.91
		ALLIANT ENERGY	LONG TERM DISABILITY	20.51
			TOTAL:	14,441.28
		UNUM LIFE INSURANCE COMPANY OF AMERICA	DENTAL INSURANCE	16.98
			DENTAL INSURANCE	16.98

NON-DEPARTMENTAL	SEWER FUND	WELLMARK	HEALTH INSURANCE	262.17
			HEALTH INSURANCE	262.17
			TOTAL:	558.30
			HEALTH INSURANCE	1,223.47
			DENTAL INSURANCE	73.53

SEWER OPERATING	SEWER FUND	WELLMARK	VEHICLE FUEL	75.71
			SERVICES	2,595.75
		WEX BANK	LIFE INSURANCE	29.30
			SHORT TERM DISABILITY	33.02
		ALLIANT ENERGY	LONG TERM DISABILITY	19.94
			AIR FILTERS	425.76
		UNUM LIFE INSURANCE COMPANY OF AMERICA	TOTAL:	4,476.48

===== FUND TOTALS =====		
001	GENERAL FUND	117,988.81
022	CIVIC CENTER	613.65
031	LIBRARY	3,817.63
110	ROAD USE TAX	1,690.22
112	TRUST AND AGENCY	9,454.30
308	PARK IMP - PEDERSEN VALLE	4,192.28
600	WATER FUND	15,111.26
610	SEWER FUND	5,034.78

	GRAND TOTAL:	157,902.93

REVENUE-FISCAL YEAR 2021**FUND****MAR**

001 GENERAL FUND	200,206.00
022 CIVIC CENTER	2,754.27
031 LIBRARY	257.95
036 TORT LIABILITY	5,647.36
110 ROAD USE TAX	10,051.05
112 TRUST & AGENCY	35,799.14
119 EMERGENCY TAX FUND	4,932.16
121 LOCAL OPTION SALES TAX	34,392.32
125 TIF	119,575.52
226 DEBT SERVICE	51,171.80
501 KROUTH PRINCIPAL FUND	230.81
502 KROUTH INTEREST FUND	62.85
600 WATER FUND	48,004.18
610 SEWER FUND	57,338.37
740 STORM WATER UTILITY	5,551.75
TOTAL	575,975.53



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Motion to Accept the Staff Recommended Equipment Replacement Set Aside Schedule for the Police Department.
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	John K. Hanna, Chief of Police
DATE:	April 15, 2021

BACKGROUND:

As directed in Fiscal Year 2022 list of city goals, the Police Department has developed a plan for future purchases by setting aside money for those purchases, reducing the necessity for wide ranging request for funding year to year.

By establishing a schedule and set aside program the department has a percentage of unspent balance (*in accordance with Resolution 1919*) at the end of the fiscal year will allow the Police Department to plan and anticipate equipment replacement needs into future fiscal budgets separately from vehicle or apparatus replacement. The Police Department shall keep up to date and utilize the Equipment Replacement Schedule that is presented within this agenda item.

STAFF RECOMMENDATION:	Approve Motion / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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WBPD Equipment Replacement Schedule
--

Equipment	FY Purchased	FY Replacement	Estimated Cost
Smith & Wesson MP40 handguns x5	2012	2022	\$2,750
Main Server-Existing becomes backup	2016	2024	\$15,000
Portable Radios, Multi-band x 5	2015	2025	\$35,000
Office Computers x 4, BodyCams x 5	2018-2021	2026	\$8,800
Main Server-Existing becomes backup	2024	2027	\$15,000
Shotguns x4, Rifles x4, Tasers x 5	2009?-2018	2028	\$11,000

Equipment Set Aside Fund Balance	Set Aside	FY Planned Expense	Estimated Fund Balance
FY2022	\$12,500	\$2,750	\$9,750
FY2023	\$12,500	\$0	\$22,250
FY2024	\$15,000	\$15,000	\$22,250
FY2025	\$15,000	\$35,000	\$2,250
FY2026	\$15,000	\$8,800	\$8,450
FY2027	\$10,000	\$15,000	\$3,450
FY2028	\$10,000	\$11,000	\$2,450

RESOLUTION 1919

A RESOLUTION APPROVING AND ESTABLISHING AN EQUIPMENT AND VEHICLE REPLACEMENT RESERVE POLICY FOR CITY DEPARTMENTS.

WHEREAS, during the recent budget process, the City Council expressed interest in creating a process supported by resolution that would create a reserve program; which allows city department to roll over unused budget funds into a vehicle and equipment reserve; and

WHEREAS, the same reserve would and could gain funding support from the General Fund by authorization of the City Council particularly during the budget process; and

WHEREAS, as a requirement to access the equipment and vehicle replacement reserves, city departments will have to maintain a vehicle and equipment replacement schedule that is anticipated to be funded annually or funded as the City Council deems appropriate; and

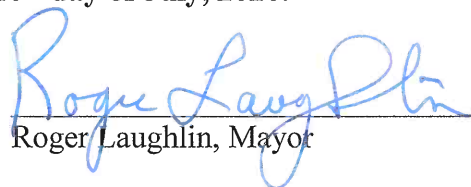
WHEREAS, the equipment and vehicle reserves balances will represent the unexpended resources of roll-over balances and any newly committed general fund amounts approved in the budget process, and departments will also be able to add to these reserve balances with proceeds from surplus equipment and vehicle sales, trade-ins, auction sales, savings from lower than expected replacement purchases; and

WHEREAS, the aforementioned policy incentivizes good financial stewardship of department managers by allowing fund balance contributions (to be approval by the City Administrator) from operational savings not to exceed 1% of their total department annual operational budget with other restrictions delineated in the equipment and vehicle replacement reserve policy.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Iowa, that the aforementioned equipment and vehicle replacement reserve policy are hereby accepted and approved.

* * * *

Passed and approved this 20th day of July, 2020.


Roger Laughlin, Mayor

ATTEST:


Redmond Jones II, City Administrator/Clerk



EQUIPMENT AND VEHICLE RESERVE POLICY

DATE: July 20, 2020

PURPOSE

The equipment and vehicle reserve policy will allow departments' greater latitude in planning and funding equipment and vehicle replacement schedules. These reserves will be funds that can be rolled over from year to year. During each budget cycle, the City Council through the budget process will determine if fund balances in these reserves are adequate to meet the long-term replacement needs of any said department.

ADMINISTRATION

Expenditures of these funds will follow normal planning, budgeting, and purchasing practices. These funds will be used to support the city's mission and goals. The equipment and vehicle reserves balances will represent the unexpended resources of roll-over balances and any newly committed general fund amounts approved in the budget process. Departments will also be able to add to these reserve balances with proceeds from surplus equipment and vehicle sales, trade-ins, auction sales, savings from lower than expected replacement purchases.

In the interest of incentivizing good financial stewardship, department managers will be allowed to request fund balance contributions (to be approved by the City Administrator) for operational savings not to exceed 1% of their total operational budget. For example, a department with a total operational budget of \$500,000 that finds saving within their budget savings, due to innovations, maximizing efficiencies, or other windfalls due to strong management principles; could submit a request for \$5,000 (1% of \$500,000) reserve fund enhancement. This would require consideration and written approval from the City Administrator. Any amount requested, the savings from the innovation, efficiency, or windfall must be greater than the amount requested or granted. This request would only be reviewed and/or granted if appropriated at the closing of the fiscal year.

APPLICABLE EQUIPMENT

Examples of applicable equipment shall include anything that is a long-term asset used in the commencement of an employee's job duties. In general items considered supplies are not applicable equipment. Currently, supplies are those assets used up within a year (more or less), while applicable equipment are long-term assets are used over several years. An example of applicable equipment whereby funds may be set aside in the equipment and vehicle reserve funds; shall include: instructional equipment, computer equipment, communication equipment, motor vehicles, furniture, operation and maintenance equipment.

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REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Resolution 1997 – A Resolution Continuing to Allow the Implementation of a Trap, Neuter, and Release Feral Cats Pilot Program Within the City Limits.
CITY GOAL:	Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
PREPARED BY:	Redmond Jones, City Administrator / John K. Hanna, Chief of Police
DATE:	April 15, 2021

BACKGROUND:

Resolution 1887 (passed last year) allowed the temporary implementation of the “Trap / Neuter and Release” (TNR) of feral cats as a part of a pilot program within the city limits.

Since the passage of this pilot program the city has not received any indication that the program has reduced the cat population. In some antidotal accounts it appears to have had the opposite effect with new cats appearing to join existing colonies. Despite, feedback from the Animal Control Advisory Commission that it is too soon to know if the program is working the police department has indicated the program did not work.

The program has also slightly gone over budget by \$400. The Animal Control Commission budget is \$3,000 and the over budgeted amount was easily picked up by the police department. In the future (if this program is to continue) will budget for a maximum 11 cats which will fit within the existing budget. I have asked the commission for some type of performance measure to be established to know if the program is meeting its intended purpose. At this time, the commission is still working on what those measure should be.

Without any meaningful performance measure, I support the police department’s stance that we suspend this program until greater details can be presented and gathered to know if this program is worth continuing. I have asked Chief Hanna and Dr. Beyers to provide information to be included in this packet.

STAFF RECOMMENDATION:	Table Resolution to establish measures / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

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The West Branch Animal Control Commission met on March 9, 2021 at 6:30 p.m.

Present: Alan Beyer, Amy Lynch, Leesa Johnson, Ashley Olson and Gina Heick. Absent: None.
Also present: Melissa Russell, Parks & Recreation Director, Redmond Jones, City Administrator, Police Chief, Kory Hanna and TNR Representative, Ashley Carroll.

Minutes from the January 12, 2021 meeting were approved. * The Animal Control Commission did not meet in February due to extreme temperatures.

Old Business:

The Commission discussed License Renewal Options. What does the Registration provide? With the goal of it being less time consuming with less administrative work. At the beginning it was intended that we would know if something happened, we would know if that animal was vaccinated, but you are going to call the vet anyway. Chief Hanna said the Police Department would need a certificate anyway. If we did a "Forever Tag", the Ordinance would have to be changed, hopefully have better compliance. It was suggested to have a \$50.00 life-time fee. Unneutered pets would be \$150.00 life-time fee. There were questions regarding puppies and senior dogs. Chief Hanna suggested they could have the option to not be registered until the pet is one year of age. Redmond suggested the deposit could be on the high end and when the animal comes of age, or is neutered, they would receive a refund. Alan will put it into form that we could put to motion.

Alan stated the Animal Control Commission budget is \$3,000.

\$2,000 for stray animals

\$1,000 for tags, supplies, etc.

\$250 for the Animal Control Commission for banners, certificates, pennants, to buy something, etc.

This past year, with the TNR program, expenses were taken from the \$250 portion.

TNR has been closed for now, due to our overspent budget. We need to propose to the City Council what we want to do this next year. There have been 10 or 11 cats TNR'd. Agreed that colonies should be taken care of first. Need to watch and see if TNR has made an impact. Should be fewer complaints for noise, fights, and would not reproduce, as usually neutered males will leave.

Alan stated we need a dollar amount and number of animals we can do. He also suggested we take it out of the \$2,000 portion. Chief Hanna cautioned the commission to committing those funds to just TNR and that \$2,000 could be extinguished in just one call, especially if you have another hoarding situation. He is not a proponent of TNR because we require residents to abide by the lease law and this program returns the animals back out into the public. He wondered if we could apply for a grant, seek wider ranging statewide funding. Alan said that because of the size of our town, we would not qualify. Fundraising?

Alan thought our town could TNR about 20 cats maximum, or \$1,000.00.

Redmond stated it would be helpful to have some type of performance measure, say what you are looking for, to show there has been some progress.

Alan: Say we did 11 cats this year, next year we do 9. That could be one measurement. If it is working, we should have less. If we did a timeline of 2 years, that would be a meaningful measure.

Motion to do 10 cats that would come from the Animal Control Commission budget and continue to monitor. It may be on the April agenda to City Council.

New Business:

Dog Park rules and other issues.

Melissa Russell spoke to the Commission regarding calls she has gotten about the Dog Park.

Stating there is a fine line on what she can and cannot enforce. The calls she received were about the furniture (items left at the Park), sign (with some words that may be offensive), drinking parties and unregistered animals. Melissa offered to check the park and to patrol it more, and if she observed drinking parties, she will notify the Police Department. She wants people to feel comfortable about coming to the Dog Park which would hopefully increase its use.

Melissa will talk to Matt from Public Works regarding reseeding the North side of the Dog Park. May need to block it off, but users would still be able to use the park in a limited capacity. This would take approximately 4 weeks to complete.

Melissa informed the Commission that the High School is doing an Earth Day Project on April 30th and will be looking for projects, so if we can think of anything that needs to be done at the Dog Park, just let her know. Also suggested if the Commission has a project they want done, she may be able to budget for it from the Parks and Recreation's budget.

It was approved to replace the Teether Ball at the Dog Park.

Commission will discuss furniture at the next meeting.

Police Report:

Chief Hanna reported one dog bite to a human that occurred in February. The dog was declared a Level 3 dangerous animal and notice was sent to the owners. The dog must now be muzzled and leashed when off the property and is prohibited from attending the Dog Park. One more incident would be a court order for destruction.

Amy was approached by a group who is working on an Animal Shelter for Cedar County. They would like to come to our next meeting and give us some information. They are coming up with prices, and budget plans with the hope of starting construction this summer. The shelter would be located in Tipton. They would still need West Branch's support. Animals would no longer go to the West Branch Animal Clinic, instead, they would go to the new shelter. This would be a County run shelter, so the County would have more control.

Chief Hanna had concerns about pulling an officer out of town to drive to Tipton with an animal.

Amy stated that they are planning on having paid employees to go into towns.

Chief Hanna commented on some restructuring at the West Branch Animal Clinic and they may not be boarding animals over the weekend due to staff restraints.

The commission agreed that the West Branch Animal Clinic has done a great job over the years.

Alan agreed to check with the Animal Clinic regarding the Contract we have with them.

Next meeting is April 13, 2021.

Meeting adjourned at 7:38 p.m.

Trap-Neuter-Return (TNR) Success Stories

FERAL TNR



Trap-neuter-return (TNR) is a management technique in which community cats are humanely trapped, evaluated, spayed or neutered by a licensed veterinarian, ear-tipped to show they've been sterilized, vaccinated against rabies and distemper,* and then returned to their original habitat. Targeted TNR (i.e., maximizing the number of cats sterilized at the colony or neighborhood level) offers several benefits over the inefficient approaches that have been used for generations, such as complaint-driven impoundment, which is often followed by lethal injection. These benefits include:

- Reduced shelter intake of cats and kittens
- Reduced shelter deaths of cats and kittens
- Stabilized and (over time) reduced community cat populations
- Reduced number of nuisance complaints

It's important to recognize that each of the examples cited below is a success in its own way. The studies in Alachua County, Florida, and San Jose, California, focus on decreased intake and shelter deaths, rather than reduced community cat populations (a much more difficult metric to quantify). From an animal welfare perspective, such examples are compelling, but might mean little to stakeholders whose most important (perhaps only) measure of success is population reduction.

*Not all TNR programs include a vaccination component. Rabies in cats is a rare event, so this step is optional in some programs. Vaccination is considered best practice, however.

Published case studies

2006–2007: Alachua County, Florida

Researchers documented a 66 percent decrease in shelter intake of cats from a “target” zip code of focused TNR efforts, compared with a 12 percent decrease from the rest of the county. Shelter deaths for cats coming from the target area decreased by 95 percent over the same period, compared with a 30 percent decrease observed in the rest of the county. ¹

1998–2005: Randolph County, North Carolina

A 36 percent average decrease in population among six sterilized colonies was observed in the first two years. Three unsterilized colonies experienced an average 47 percent increase over the same period. ² A four-year follow-up census found that one colony had been reduced from 10 cats to none. At seven years, another colony originally containing 10 cats had been reduced to one cat. ³

2000–2001: Rome, Italy

A survey of caretakers (caring for 103 cat colonies) revealed a 22 percent decrease overall in the number of cats, despite a 21 percent rate of “cat immigration.” Although some colonies experienced initial increases, the numbers began to decrease significantly after three years of TNR. “Colonies neutered three, four, five or six years before the survey showed progressive decreases of 16, 29, 28 and 32 percent, respectively.” ⁴

2010–2013: San Jose, California

Four years after implementing its return-to-field program, San Jose Animal Care and Services observed a 29 percent decrease in feline intake and a decrease in shelter killing from over 70 percent of intakes in 2009 to 23 percent in 2014.” ⁵

1991–2002: University of Central Florida (Orlando, Florida)

A campus TNR program led to the adoption of nearly half (47 percent) of the 155 cats living on campus over an 11-year observation period. In 2002, just 23 cats remained on campus.⁶ (Some critics of TNR suggest that the large number of adoptions documented in this study are somehow “cheating” or misrepresenting TNR’s effectiveness. But such critiques fail to acknowledge the obvious: Without the TNR program, these kittens would likely have remained intact and soon would have been contributing to the local population.)



The Evidence Against Trap, Neuter, Release

Overwhelmingly, the scientific literature indicates that Trap, Neuter, Release (TNR) programs fail to reduce feral cat populations and negatively impact people and wildlife. The following studies outline many of the failings of TNR programs.

Trap/Neuter/Release methods ineffective in controlling domestic cat “colonies” on public lands – Castillo and Clarke (2003)

Data “contradict[ed] the assertion that managed cat colonies decline in size over time” and “suggest[ed] that trap, neuter, and release programs are not an effective method to help control the population of unwanted feral and free-roaming cats.”

Professional, ethical, and legal dilemmas of trap-neuter-return – Barrows (2004)

“Although well meaning, many advocates of TNR lack professional training in the biological, ecologic, and wildlife sciences. Consequently, they may misunderstand, minimize, or choose to ignore the documented concerns regarding the ecologic, domestic animal and public health, legal, humane, and social nuisance impacts of feral cats, including those in TNR programs.”

Use of matrix population models to estimate the efficacy of euthanasia versus trap-neuter-return for management of free-roaming cats – Andersen et al. (2004)

Results indicated that a 50% humane euthanasia rate would yield a reduction in the feral cat population by 10% per year, but even a 75% spay/neuter rate would still yield an increasing feral cat population. A spay/neuter rate as high as 88% of the feral cat population would be needed to merely stabilize population growth.

The welfare of feral cats and wildlife – Jessup (2004)

“Attempting to maintain cats in colonies only compounds the problem by causing massive killing and crippling of native wildlife, jeopardizing biodiversity, undermining traditional animal control, enabling irresponsible people to abandon cats, and sending mixed messages about the...commitment to serve the welfare of all species, including cats and wildlife.” Furthermore, “[TNR]’s failures are, in part, attributable to its being based on several false assumptions.”

Analysis of the impact of trap-neuter-return programs on populations of feral cats – Foley et al. (2005)

Researchers evaluated two long-term TNR programs in California and Florida. Analyses “indicated that any population-level effects were minimal” and that “no plausible combination of life history variables [e.g., survival, fecundity] would likely allow for TNR to succeed in reducing population size.”



WEST BRANCH POLICE DEPARTMENT

105 S. SECOND STREET, P.O. BOX 218

WEST BRANCH, IOWA 52358

ROUTINE PHONE: (319) 643-2222 FAX: (319) 643-2464

"PROTECT, SERVE, VIGILANCE"



MEMORANDUM

TO: City Administrator Jones

FROM: Chief of Police John Hanna

DATE: 4/13/2021

SUBJECT: TRAP NEUTER RELEASE (TNR) PROGRAM

In consideration of continuing the Trap Neuter Release, hereafter "TNR" program, I must weigh whether the City of West Branch should establish laws that govern itself differently than the citizens we serve, and the ability of the TNR program to produce tangible results. The only tangible result that could be measured is a reduction in the City's stray cat population. That reduction, if any, could take years to see any viable results.

It is my opinion that the City as a governmental entity should not exempt itself from ordinances that we require the citizens to obey, such as animals at large, and abandonment of animals. Will the City be liable if that animal causes injury to any person after it was released, and identifiable by a notched ear?

Furthermore, I am concerned that targeting such a small number of cats, 9 or 10 as proposed will produce no meaningful reduction in stray cats. According to the Animal Rescue Professionals Association a single breeding pair can produce approximately 12 kittens, and that assumes the male cat only bred a single female 3 times in a year. Then the following year you now have 14 cats able to reproduce. Additionally, many cats within the community are pets that are allowed to be at large; do not belong to a "colony" and a portion of those animals are still intact.

At this time, I do not support the continuation of the TNR program, the TNR program will take away funding used in other animal control efforts, and with my personal observations the TNR pilot program made no meaningful reduction in stray cats within the City of West Branch.

Respectfully

John K. Hanna
Chief of Police

55.10 ANIMALS AT LARGE PROHIBITED.

1. It shall be unlawful for any person to permit any animal to be at large or to stray beyond the property of such person unless such animal is restrained by leash or confined within a motor vehicle. An animal shall not be deemed to be at large if it is contained by an electronic containment system, provided further that electronic containment systems shall not be allowed for dogs considered potentially dangerous as set forth in Section 55.16, Classification of Animals.

2. Notwithstanding the provisions of subsection 1, any animal shall be deemed at large at any time when the animal is attacking humans, other animals, or destroying property or is on any public property, except when under restraint as set forth above. In addition, any female animal in estrus shall be deemed at large at any time, except:

- A. When housed in a building completely enclosed; or
- B. When housed in a veterinary hospital or boarding kennel licensed or registered with the State; or
- C. When on the premises of the owner, provided the area in which such animal is located is completely enclosed by a fence or other structure; or
- D. When under the control of a person competent to restrain the animal, either by leash or properly restrained within a motor vehicle.

55.11 ANIMALS PROHIBITED ON PRIVATE PROPERTY. No animal shall be taken, allowed or permitted on private property not owned by the owner of the animal without the permission of the person owning such property or the person in possession or control thereof.

55.12 ANIMALS PROHIBITED IN FOOD ESTABLISHMENTS. No animal shall be allowed, taken or permitted on or in any building, store, restaurant or tavern where food or food products are sold, prepared or dispensed to humans other than the owners thereof, except for animals properly trained and certified to assist persons with disabilities while such animals are acting in such capacity.

55.13 TYING ANIMALS. No animal or livestock shall be tied by any person to a utility pole, parking meter, building, structure, fence, sign, tree, shrub, bush, newspaper or advertising rack or other object on public property or tied on private property without the consent of the owner or person in possession or control thereof or tied in such a manner as to intrude onto a public

RESOLUTION 1997

A RESOLUTION CONTINUING TO ALLOW THE IMPLEMENTATION OF A TRAP, NEUTER, AND RELEASE FERAL CATS PILOT PROGRAM WITHIN THE CITY LIMITS.

WHEREAS, The trap-neuter-return (TNR) is a management technique in which community cats are humanely trapped, evaluated, spayed or neutered by a licensed veterinarian, ear-tipped to show they've been sterilized, vaccinated against rabies and distemper,* and then returned to their original habitat.

WHEREAS, the West Branch Animal Control Commission, would like to investigate and continue testing TNR as a potential effective management tool for controlling feral cat population in West Branch; and

WHEREAS, Dr. Alan Beyers a retired trained professional veterinarian will be collecting data and coordinating this program for another year to be reevaluated April of 2022; and

WHEREAS, the program is to be evaluated annually and is subject to cancellation at any time; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council hereby approves a temporary exemption for TNR cats from current prohibition at large or stray animal ordinance.

Passed and approved this 19th day of April, 2021.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator / City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Resolution 1998 – A Resolution Approving \$6,521.55 to Linn County Rural Electric Cooperative for the Relocation of Electrical Utilities Related to the Greenview Connection Project.
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Dave Schechinger, City Engineer V&K / Redmond Jones, City Administrator / Matt Goodale, Public Works Director
DATE:	April 15, 2021

BACKGROUND:

From: Josh Pfannebecker <JPfannebecker@LINNCOUNTYREC.COM>
Sent: Tuesday, April 13, 2021 7:44 AM
To: Dave Schechinger <dschechinger@v-k.net>
Subject: RE: West Branch, Iowa

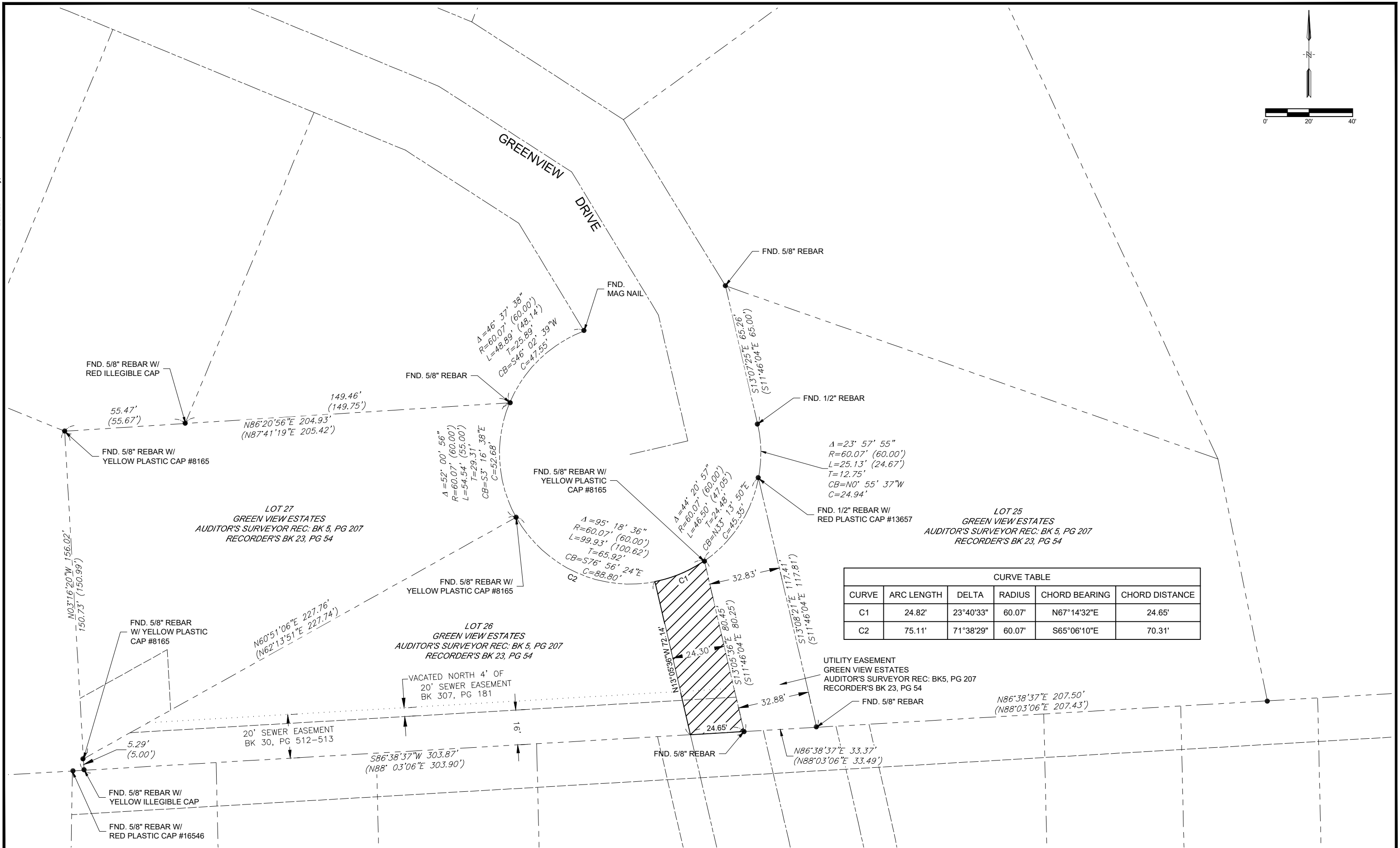
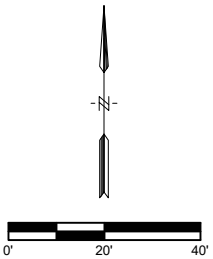
Dave,

The estimated cost to do this work is \$6521.55. Let me know when this is approved, and I will send the actual invoice and get the work scheduled.
 Thanks.

Josh Pfannebecker
Staking Technician Supervisor
Linn County Rural Electric Cooperative
5695 REC Dr
Marion, IA 52302
319-377-5754 Ext. 607

STAFF RECOMMENDATION:	Approve Resolution 1998 / Move to Action
REVIEWED BY CITY ADMINISTRATOR:	
COUNCIL ACTION:	
MOTION BY:	
SECOND BY:	

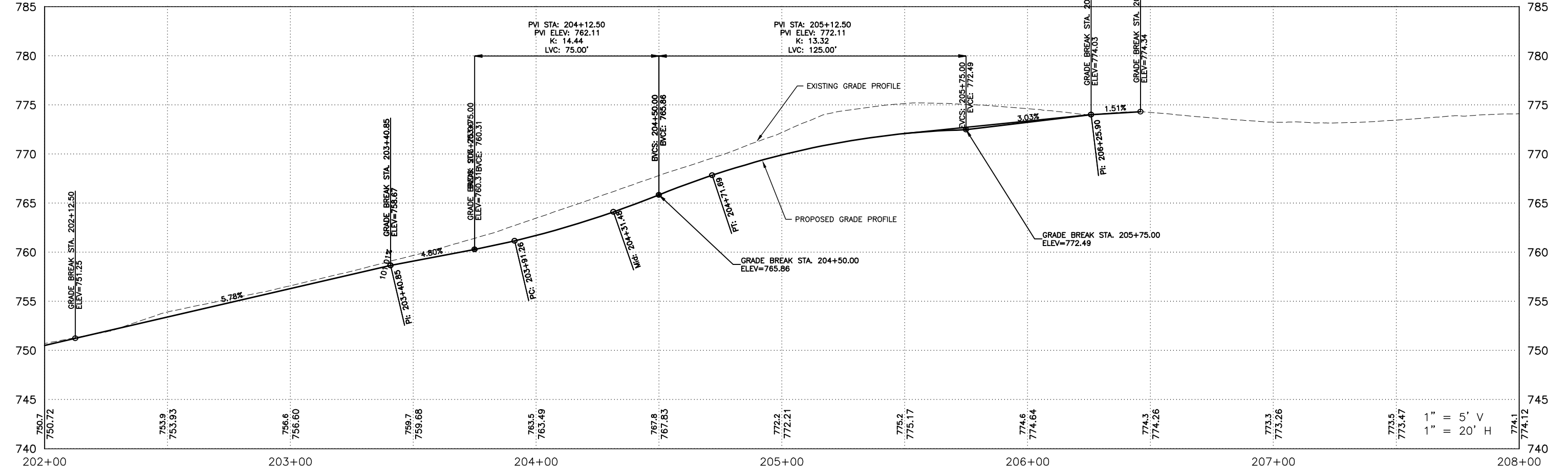
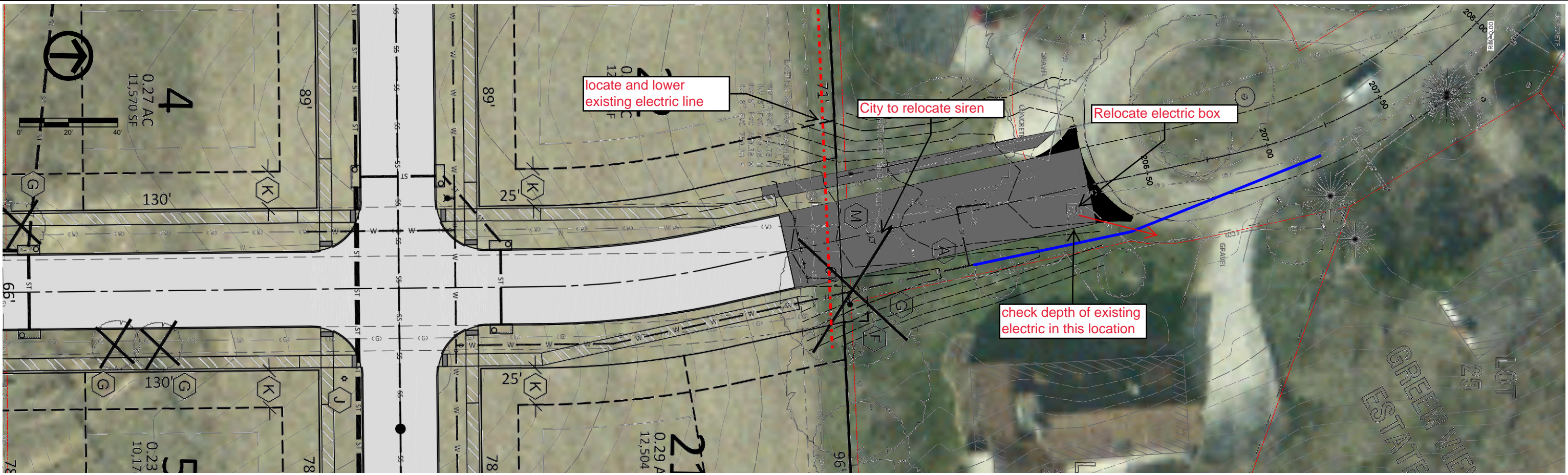
"Turning Vision into Reality is our Business"



CURVE TABLE					
CURVE	ARC LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE
C1	24.82'	23°40'33"	60.07'	N67°14'32"E	24.65'
C2	75.11'	71°38'29"	60.07'	S65°06'10"E	70.31'

DATE	REVISIONS	SCALE	AS NOTED		GREENVIEW DRIVE EXTENSION CITY OF WEST BRANCH, IOWA	UTILITY EASEMENT BETWEEN LOTS 26 AND 26 GREEN VIEW ESTATES WEST BRANCH, IOWA	DWG. NO.						
		DRAWN	BCT					GREENVIEW DRIVE EXTENSION CITY OF WEST BRANCH, IOWA	UTILITY EASEMENT BETWEEN LOTS 26 AND 26 GREEN VIEW ESTATES WEST BRANCH, IOWA	EX-01			
		CHECKED	DRS							DATE	2020-11-1	PROJECT	368278
		APPROVED	DRS							ISSUED FOR			
				VEENSTRA & KIMM, INC.	860 22nd Avenue - Suite 4 • Coralville, Iowa 52241-1565 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)								

PLOTTED: Tuesday, October 20, 2020 8:36:37 AM



DATE		REVISIONS		SCALE		AS NOTED		DWG. NO.	
				DRAWN		LJB		F.01	
				CHECKED		LJB		PROJECT	
				APPROVED		DRS		368278	
				DATE		09-11-2020			
				ISSUED FOR		REVIEW			


VEENSTRA & KIMM, INC.

GREENVIEW EXTENSION
CITY OF WEST BRANCH

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

PLAN & PROFILE - SEAL COAT

RESOLUTION 1998

A RESOLUTION APPROVING \$6,521.55 TO LINN COUNTY RURAL ELECTRIC COOPERATIVE FOR THE RELOCATION OF ELECTRICAL UTILITIES RELATED TO THE GREENVIEW CONNECTION PROJECT.

WHEREAS, The Greenview Connection Project is a “Top Priority” of the City Council goals and will connect two city neighborhoods; and

WHEREAS, the aforementioned connection will require the relocation of several utilities; and

WHEREAS, the Linn County Rural Electric Cooperative (R.E.C) is responsible electric utilities in that area of the City of West Branch; and

WHEREAS, after review it was determined that the City of West Branch is responsible for the cost of moving the electric utilities; and

WHEREAS, R.E.C has determined the cost of moving the electric utilities related to the Greenview Connection Project is \$6,521.55; and

WHEREAS, it is now necessary for the City Council to approve this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council hereby approve the payment of \$6,521.55 to the Linn County Rural Electric Cooperative. Further, the City Administrator is directed to execute the General Agreement on behalf of the City.

* * * * *

Passed and approved this 19th day of April, 2021.

Roger Laughlin, Mayor

ATTEST:

Redmond Jones II, City Administrator / City Clerk



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Discussion Item: Regarding the Roundabout (Cost Projections, Options, and Financing).
CITY GOAL:	Promote quality of life including public safety, community pride events, strong citizen involvement, parks and recreation opportunities and investment.
PREPARED BY:	Redmond Jones II, City Administrator / Dave Schechinger V&K
DATE:	April 15, 2021

BACKGROUND:

The roundabout intersection as Cedar-Johnson Road and Herbert Hoover Highway has undergone a number of revisions and renegotiations with Johnson County. At this time the overall price of the project has changed (increasing to as much as an additional \$150,000), the merits that supported the intersection's preferred infrastructure option may need to change, and the financing method is still in negotiations.

This item will review the chronological background as to what has transpired to date? What are the next steps? And, what are the financial impacts if a partnership agreement cannot be reached?

STAFF RECOMMENDATION: Seeking Feedback from the City Council
REVIEWED BY CITY ADMINISTRATOR:
COUNCIL ACTION:
MOTION BY:
SECOND BY:

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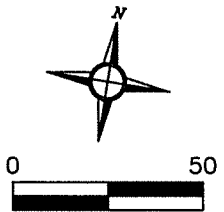
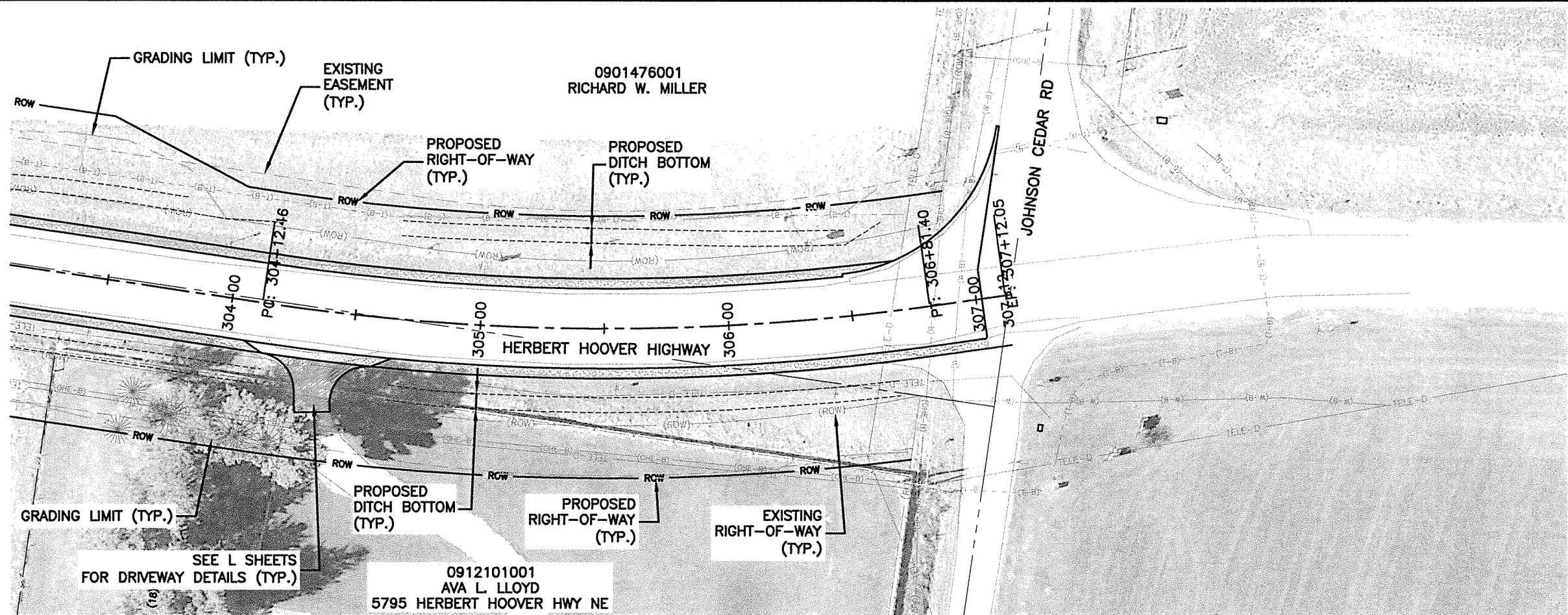
Insert

Oct 2020

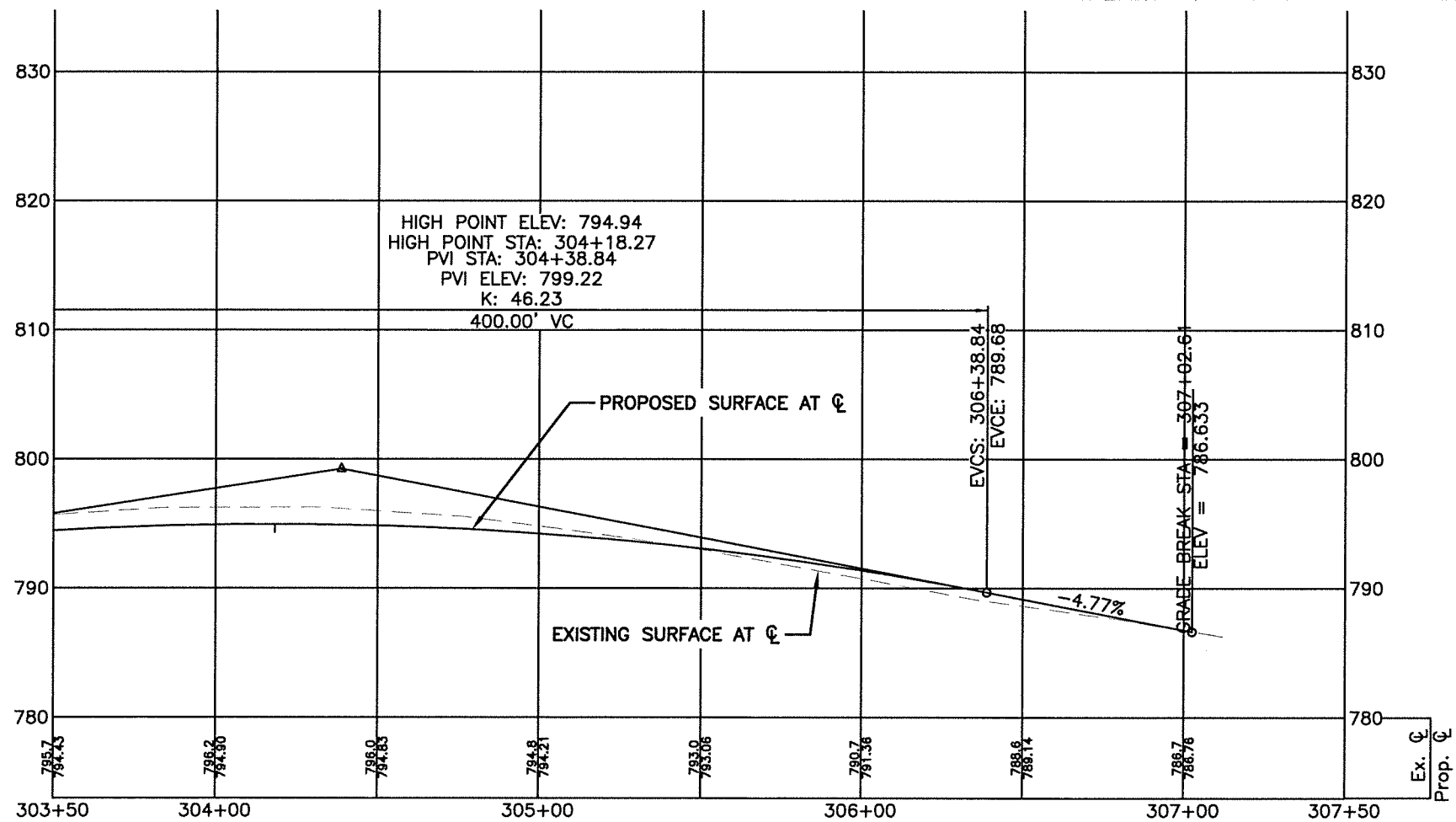
FW Herbert Hoover Hwy and Johnson
Cedar Rd-Intersection Alternatives
HHH-JohnsonCedar Intersection Options
Intersection Concepts Cost Estimate
FW Herbert Hoover Hwy and Johnson
Cedar Rd-Intersection Alternatives(2)
Exhibit 5

"Turning Vision into Reality is our Business"

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LEGEND	
	PCC PAVEMENT
	CLASS A GRAVEL SHOULDER
	CLASS A GRAVEL DRIVEWAY
	HMA PAVEMENT/DRIVEWAY



**2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE
INTERSECTION CONCEPTS
OPINION OF PROBABLE CONSTRUCTION COSTS - 10-15-2020 (PRELIMINARY PLANS)**

COST								
ITEM NO.	ITEM CODE	ITEM	UNIT	UNIT PRICE	EXHIBIT 5 LEFT TURN LANES	EXHIBIT 6 ROUNDAABOUT #1	EXHIBIT 7 TRADITIONAL	EXHIBIT 8 ROUNDAABOUT #2
1	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	\$ 10.00	\$ 16,973.00	\$ 16,851.00	\$ 12,817.00	\$ 16,553.00
2	2113-0001000	CEMENT TREATED BASE, 12"	SY	\$ 5.00	\$ 43,390.00	\$ 47,471.00	\$ 32,331.00	\$ 47,229.00
3	2115-0100000	MODIFIED SUBBASE, 6"	CY	\$ 40.00	\$ 57,852.00	\$ 63,296.00	\$ 43,108.00	\$ 62,972.00
4	2301-1033090	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	\$ 50.00	\$ 393,355.00	\$ 398,960.00	\$ 287,090.00	\$ 405,640.00
5	2312-8260201	GRAVEL SHOULDER, 4"	TON	\$ 40.00	\$ 7,120.00	\$ 5,188.00	\$ 7,088.00	\$ 5,012.00
6	2510-6745850	PAVEMENT REMOVAL	SY	\$ 15.00	\$ 84,303.00	\$ 84,775.50	\$ 76,449.90	\$ 86,898.00
7	2512-1725206	CURB AND GUTTER, PCC, 2.0'	LF	\$ 25.00		\$ 82,445.00		\$ 81,530.25
8	9999-0000001	PERMANENT ACQUISITION	SF	\$ 0.23	\$ 13,423.26	\$ 16,300.95	\$ 12,381.94	\$ 11,832.23
9	9999-0000002	DECORATIVE BRICK PAVERS	SY	\$ 130.00		\$ 44,538.00		\$ 27,196.00
10								
11								
12								
13								
14								
15								
				SUBTOTAL	\$ 616,416.26	\$ 759,825.45	\$ 471,265.84	\$ 744,862.48
				15% CONTINGENCY	\$ 92,462.44	\$ 113,973.82	\$ 70,689.88	\$ 111,729.37
				TOTAL	\$ 708,878.70	\$ 873,799.27	\$ 541,955.71	\$ 856,591.85

PROJECT LIMIT ASSUMPTIONS

EXHIBIT #5: STA 297+20 - STA 312+59.13

EXHIBIT #6: STA 297+20 - STA 310+63.46

EXHIBIT #7: STA 297+20 - STA 310+52.50

EXHIBIT #8: STA 802+08 - STA 815+72.90 (NEW ALIGNMENT)

QUANTITY ASSUMPTIONS

EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.

CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).

MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.

PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. INCLUDES BOTH PAVEMENT AND GRAVEL (REMOVAL EXCLUDES DRIVEWAYS).

PERMANENT ACQUISITION: \$10,000/ACRE

**2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE
INTERSECTION EXHIBIT #5 (LEFT TURN LANES)
OPINION OF PROBABLE CONSTRUCTION COSTS - 10-15-2020 (PRELIMINARY PLANS)**

ESTIMATED PROJECT QUANTITIES							COST			
ITEM NO.	ITEM CODE	ITEM	UNIT	EXHIBIT 5 LEFT TURN LANES	EXHIBIT 5 JOHNSON CO.	EXHIBIT 5 WEST BRANCH	UNIT PRICE	EXHIBIT 5 JOHNSON CO.	EXHIBIT 5 WEST BRANCH	EXHIBIT 5 LEFT TURN LANES
1	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	1,697.3	958.6	738.7	\$ 10.00	\$9,586.00	\$7,387.00	\$16,973.00
2	2113-0001000	CEMENT TREATED BASE, 12"	SY	8,678.0	4,433.4	4,244.6	\$ 5.00	\$22,167.00	\$21,223.00	\$43,390.00
3	2115-0100000	MODIFIED SUBBASE, 6"	CY	1,446.3	738.9	707.4	\$ 40.00	\$29,556.00	\$28,296.00	\$57,852.00
4	2301-1033090	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	7,867.1	4,511.7	3,355.4	\$ 50.00	\$225,585.00	\$167,770.00	\$393,355.00
5	2312-8260201	GRAVEL SHOULDER, 4"	TON	178.0	178.0	-	\$ 40.00	\$7,120.00	\$0.00	\$7,120.00
6	2510-6745850	PAVEMENT REMOVAL	SY	5,620.2	3,638.2	1,982.0	\$ 15.00	\$54,573.00	\$29,730.00	\$84,303.00
7	9999-0000001	PERMANENT ACQUISITION	SF	58,362.0	53,826.1	4,535.9	\$ 0.23	\$12,380.00	\$1,043.26	\$13,423.26
8								\$0.00	\$0.00	\$0.00
9								\$0.00	\$0.00	\$0.00
10								\$0.00	\$0.00	\$0.00
11								\$0.00	\$0.00	\$0.00
12								\$0.00	\$0.00	\$0.00
13								\$0.00	\$0.00	\$0.00
14										
15								\$0.00	\$0.00	\$0.00
							SUBTOTAL	\$360,967.00	\$255,449.26	\$616,416.26
							15% CONTINGENCY	\$54,145.05	\$38,317.39	\$92,462.44
							TOTAL	\$415,112.05	\$293,766.65	\$708,878.70

PROJECT ASSUMPTIONS

LIMITS: STA 297+20 - STA 312+59.13

WEST BRANCH TO PAY FOR ALL COSTS ASSOCIATED WITH ADDITIONAL PAVEMENT AND SIDEWALKS/TRAILS EAST OF PROPOSED INTERSECTION.

JOHNSON COUNTY TO PAY FOR ALL REMAINING COSTS.

QUANTITY ASSUMPTIONS

EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.

CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).

MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.

PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. INCLUDES BOTH PAVEMENT AND GRAVEL (REMOVAL EXCLUDES DRIVEWAYS).

PERMANENT ACQUISITION: \$10,000/ACRE

2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE

INTERSECTION EXHIBIT #6 (ROUNDAABOUT #1)

OPINION OF PROBABLE CONSTRUCTION COSTS - 10-15-2020 (PRELIMINARY PLANS)

ESTIMATED PROJECT QUANTITIES							COST			
ITEM NO.	ITEM CODE	ITEM	UNIT	EXHIBIT 6 ROUNDAABOUT #1	EXHIBIT 6 JOHNSON CO.	EXHIBIT 6 WEST BRANCH	UNIT PRICE	EXHIBIT 6 JOHNSON CO.	EXHIBIT 6 WEST BRANCH	EXHIBIT 6 ROUNDAABOUT #1
1	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	1,685.1	1,108.8	576.3	\$ 10.00	\$11,088.00	\$5,763.00	\$16,851.00
2	2113-0001000	CEMENT TREATED BASE, 12"	SY	9,494.2	6,244.1	3,250.1	\$ 5.00	\$31,220.50	\$16,250.50	\$47,471.00
3	2115-0100000	MODIFIED SUBBASE, 6"	CY	1,582.4	1,040.7	541.7	\$ 40.00	\$41,628.00	\$21,668.00	\$63,296.00
4	2301-1033090	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	7,979.2	5,315.4	2,663.8	\$ 50.00	\$265,770.00	\$133,190.00	\$398,960.00
5	2312-8260201	GRAVEL SHOULDER, 4"	TON	129.7	129.7	-	\$ 40.00	\$5,188.00	\$0.00	\$5,188.00
6	2510-6745850	PAVEMENT REMOVAL	SY	5,651.7	3,864.7	1,787.0	\$ 15.00	\$57,970.50	\$26,805.00	\$84,775.50
7	2512-1725206	CURB AND GUTTER, PCC, 2.0'	LF	3,297.8	1,648.9	1,648.9	\$ 25.00	\$41,222.50	\$41,222.50	\$82,445.00
8	9999-0000001	PERMANENT ACQUISITION	SF	70,873.7	61,717.6	9,156.1	\$ 0.23	\$14,195.05	\$2,105.90	\$16,300.95
9	9999-0000002	DECORATIVE BRICK PAVERS	SY	342.6	171.3	171.3	\$ 130.00	\$22,269.00	\$22,269.00	\$44,538.00
10								\$0.00	\$0.00	\$0.00
11								\$0.00	\$0.00	\$0.00
12								\$0.00	\$0.00	\$0.00
13								\$0.00	\$0.00	\$0.00
14										
15								\$0.00	\$0.00	\$0.00
							SUBTOTAL	\$490,551.55	\$269,273.90	\$759,825.45
							15% CONTINGENCY	\$73,582.73	\$40,391.09	\$113,973.82
							TOTAL	\$564,134.28	\$309,664.99	\$873,799.27

PROJECT ASSUMPTIONS

LIMITS: STA 297+20 - STA 310+63.46

WEST BRANCH TO PAY FOR ALL COSTS ASSOCIATED WITH ADDITIONAL PAVEMENT AND SIDEWALKS/TRAILS EAST OF PROPOSED INTERSECTION.

JOHNSON COUNTY AND WEST BRANCH TO SPLIT COST OF ROUNDAABOUT 50/50.

QUANTITY ASSUMPTIONS

EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.

CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).

MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.

PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. INCLUDES BOTH PAVEMENT AND GRAVEL (REMOVAL EXCLUDES DRIVEWAYS).

PERMANENT ACQUISITION: \$10,000/ACRE

**2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE
INTERSECTION EXHIBIT #7 (TRADITIONAL)
OPINION OF PROBABLE CONSTRUCTION COSTS - 10-15-2020 (PRELIMINARY PLANS)**

ESTIMATED PROJECT QUANTITIES							COST			
ITEM NO.	ITEM CODE	ITEM	UNIT	EXHIBIT 7 TRADITIONAL	EXHIBIT 7 JOHNSON CO.	EXHIBIT 7 WEST BRANCH	UNIT PRICE	EXHIBIT 7 JOHNSON CO.	EXHIBIT 7 WEST BRANCH	EXHIBIT 7 TRADITIONAL
1	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	1,281.7	910.5	371.2	\$ 10.00	\$9,105.00	\$3,712.00	\$12,817.00
2	2113-0001000	CEMENT TREATED BASE, 12"	SY	6,466.2	4,658.3	1,807.9	\$ 5.00	\$23,291.50	\$9,039.50	\$32,331.00
3	2115-0100000	MODIFIED SUBBASE, 6"	CY	1,077.7	776.4	301.3	\$ 40.00	\$31,056.00	\$12,052.00	\$43,108.00
4	2301-1033090	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	5,741.8	4,223.2	1,518.6	\$ 50.00	\$211,160.00	\$75,930.00	\$287,090.00
5	2312-8260201	GRAVEL SHOULDER, 4"	TON	177.2	177.2	-	\$ 40.00	\$7,088.00	\$0.00	\$7,088.00
6	2510-6745850	PAVEMENT REMOVAL	SY	5,096.7	3,638.2	1,458.5	\$ 15.00	\$54,573.00	\$21,876.90	\$76,449.90
7	9999-0000001	PERMANENT ACQUISITION	SF	53,834.5	51,975.1	1,859.4	\$ 0.23	\$11,954.27	\$427.66	\$12,381.94
8								\$0.00	\$0.00	\$0.00
9								\$0.00	\$0.00	\$0.00
10								\$0.00	\$0.00	\$0.00
11								\$0.00	\$0.00	\$0.00
12								\$0.00	\$0.00	\$0.00
13								\$0.00	\$0.00	\$0.00
14										
15								\$0.00	\$0.00	\$0.00
							SUBTOTAL	\$348,227.77	\$123,038.06	\$471,265.84
							15% CONTINGENCY	\$52,234.17	\$18,455.71	\$70,689.88
							TOTAL	\$400,461.94	\$141,493.77	\$541,955.71

PROJECT ASSUMPTIONS

LIMITS: STA 297+20 - STA 310+52.50

WEST BRANCH TO PAY FOR ALL COSTS ASSOCIATED WITH ADDITIONAL PAVEMENT AND SIDEWALKS/TRAILS EAST OF PROPOSED INTERSECTION.

JOHNSON COUNTY TO PAY FOR ALL REMAINING COSTS.

QUANTITY ASSUMPTIONS

EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.

CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).

MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.

PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. INCLUDES BOTH PAVEMENT AND GRAVEL (REMOVAL EXCLUDES DRIVEWAYS).

PERMANENT ACQUISITION: \$10,000/ACRE

2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE

INTERSECTION EXHIBIT #8 (ROUNDAABOUT #2)

OPINION OF PROBABLE CONSTRUCTION COSTS - 10-15-2020 (PRELIMINARY PLANS)

ESTIMATED PROJECT QUANTITIES							COST			
ITEM NO.	ITEM CODE	ITEM	UNIT	EXHIBIT 8 ROUNDAABOUT #2	EXHIBIT 8 JOHNSON CO.	EXHIBIT 8 WEST BRANCH	UNIT PRICE	EXHIBIT 8 JOHNSON CO.	EXHIBIT 8 WEST BRANCH	EXHIBIT 8 ROUNDAABOUT #2
1	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	1,655.3	1,069.1	586.2	\$ 10.00	\$10,691.00	\$5,862.00	\$16,553.00
2	2113-0001000	CEMENT TREATED BASE, 12"	SY	9,445.8	6,172.4	3,273.4	\$ 5.00	\$30,862.00	\$16,367.00	\$47,229.00
3	2115-0100000	MODIFIED SUBBASE, 6"	CY	1,574.3	1,028.7	545.6	\$ 40.00	\$41,148.00	\$21,824.00	\$62,972.00
4	2301-1033090	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	8,112.8	5,273.4	2,839.4	\$ 50.00	\$263,670.00	\$141,970.00	\$405,640.00
5	2312-8260201	GRAVEL SHOULDER, 4"	TON	125.3	125.3	-	\$ 40.00	\$5,012.00	\$0.00	\$5,012.00
6	2510-6745850	PAVEMENT REMOVAL	SY	5,793.2	3,918.0	1,875.2	\$ 15.00	\$58,770.00	\$28,128.00	\$86,898.00
7	2512-1725206	CURB AND GUTTER, PCC, 2.0'	LF	3,261.2	1,630.6	1,630.6	\$ 25.00	\$40,765.25	\$40,765.00	\$81,530.25
8	9999-0000001	PERMANENT ACQUISITION	SF	51,444.5	43,190.3	8,254.2	\$ 0.23	\$9,933.77	\$1,898.46	\$11,832.23
9	9999-0000002	DECORATIVE BRICK PAVERS	SY	209.2	104.6	104.6	\$ 130.00	\$13,598.00	\$13,598.00	\$27,196.00
10								\$0.00	\$0.00	\$0.00
11								\$0.00	\$0.00	\$0.00
12								\$0.00	\$0.00	\$0.00
13								\$0.00	\$0.00	\$0.00
14										
15								\$0.00	\$0.00	\$0.00
							SUBTOTAL	\$474,450.02	\$270,412.46	\$744,862.48
							15% CONTINGENCY	\$71,167.50	\$40,561.87	\$111,729.37
							TOTAL	\$545,617.52	\$310,974.33	\$856,591.85

PROJECT ASSUMPTIONS

LIMITS: STA 802+08 - STA 815+72.90 (NEW ALIGNMENT)

WEST BRANCH TO PAY FOR ALL COSTS ASSOCIATED WITH ADDITIONAL PAVEMENT AND SIDEWALKS/TRAILS EAST OF PROPOSED INTERSECTION.

JOHNSON COUNTY AND WEST BRANCH TO SPLIT COST OF ROUNDAABOUT 50/50.

QUANTITY ASSUMPTIONS

EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.

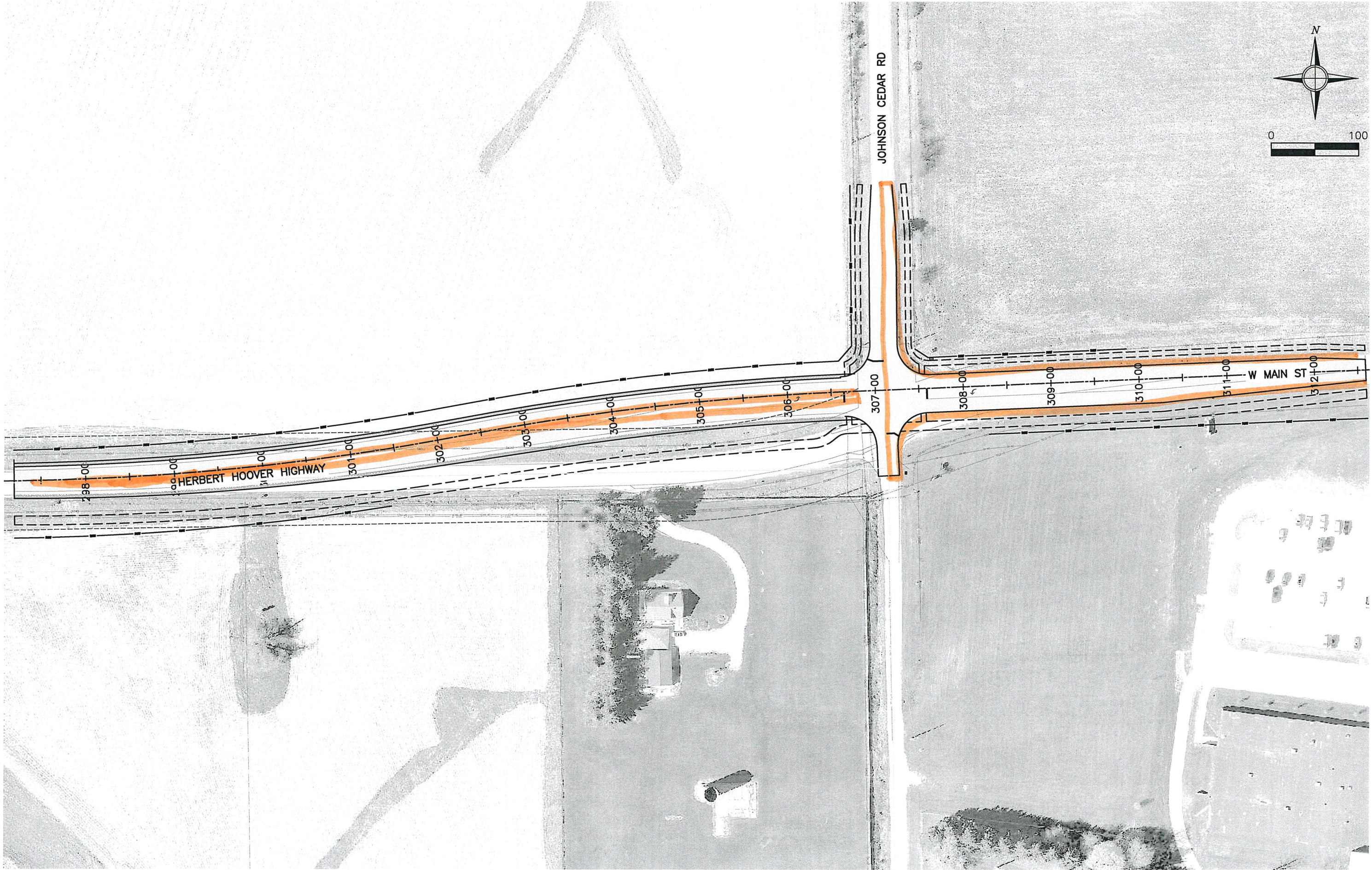
CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).

MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.

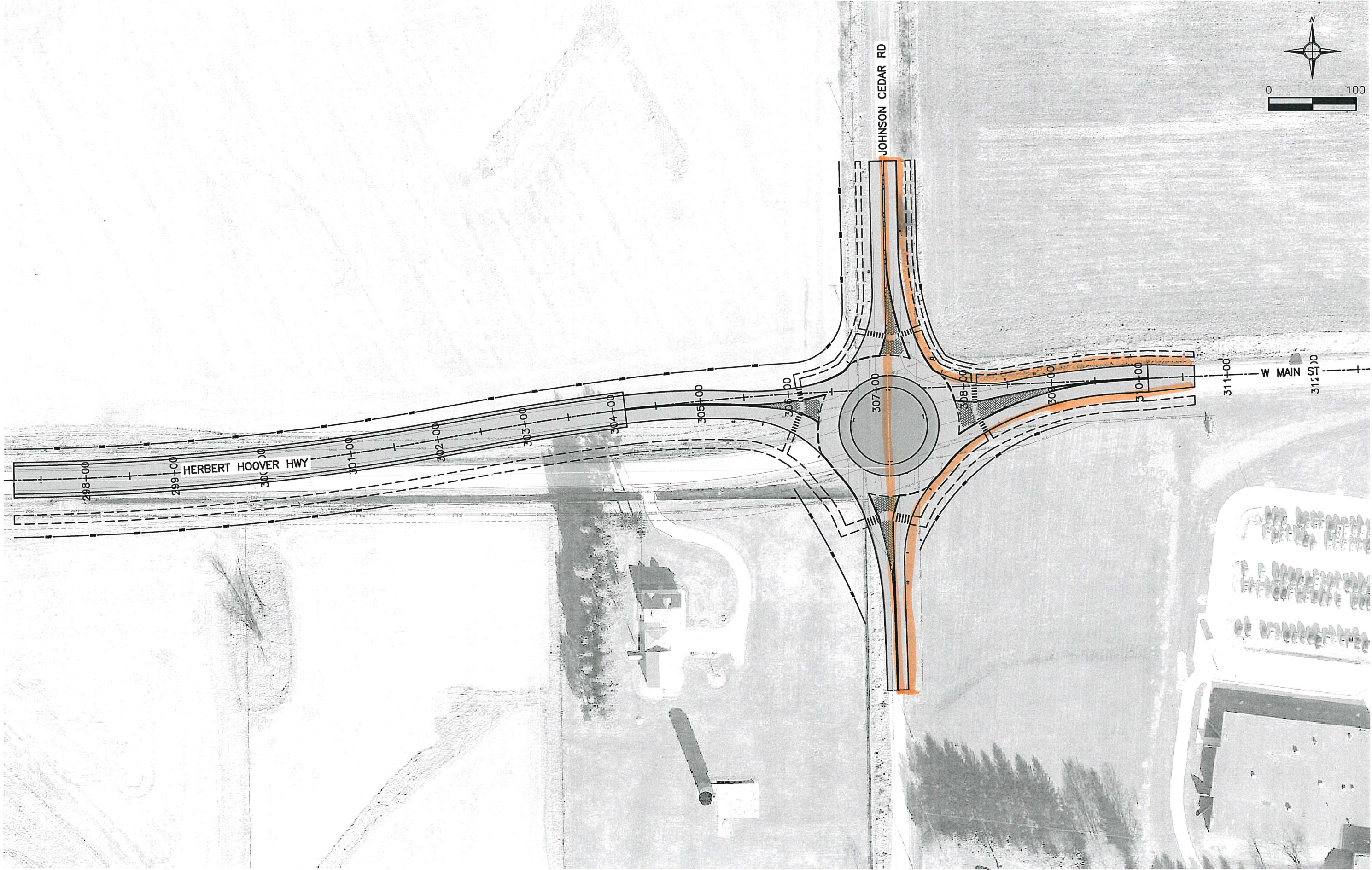
PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. INCLUDES BOTH PAVEMENT AND GRAVEL (REMOVAL EXCLUDES DRIVEWAYS).

PERMANENT ACQUISITION: \$10,000/ACRE

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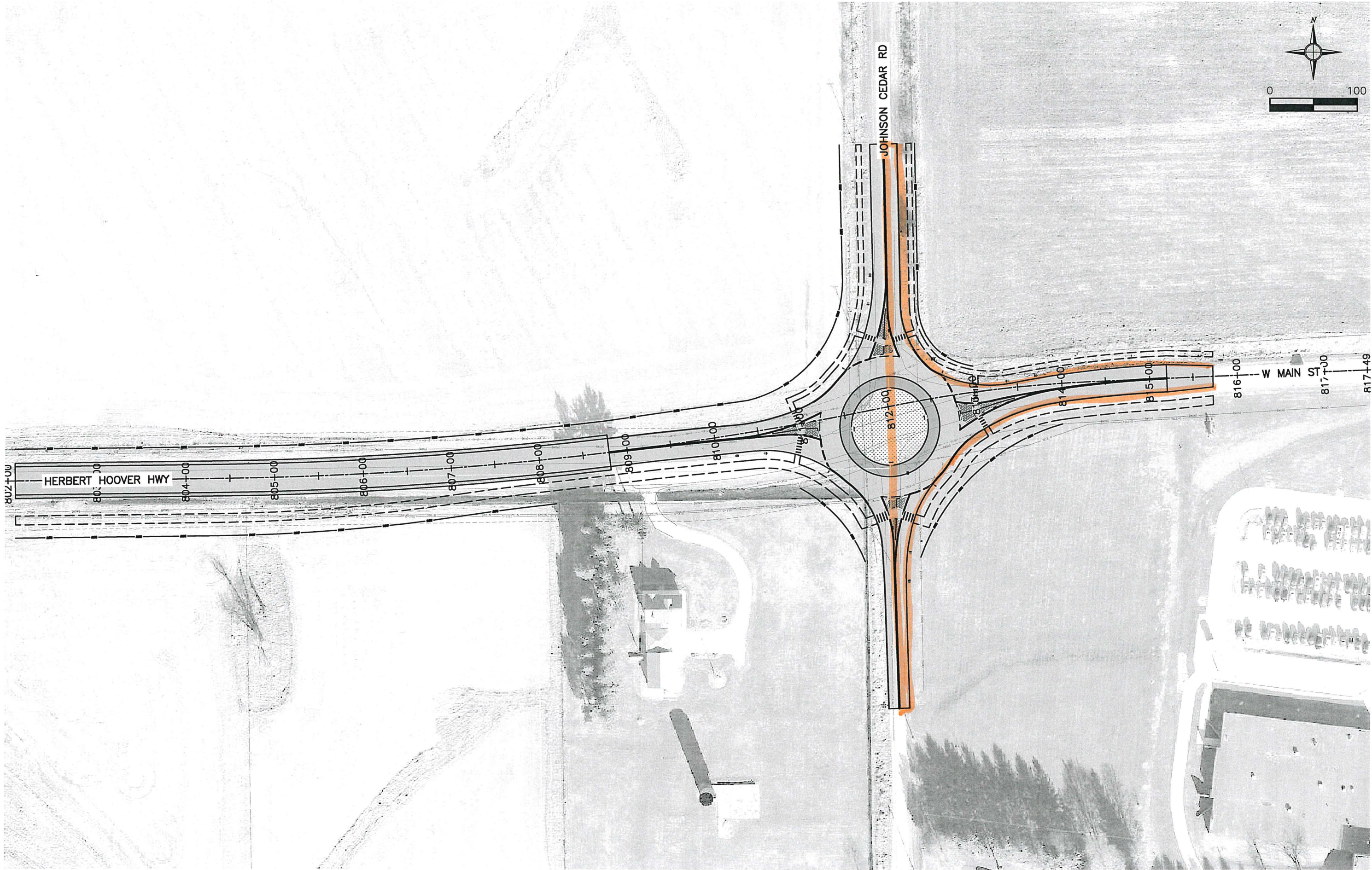
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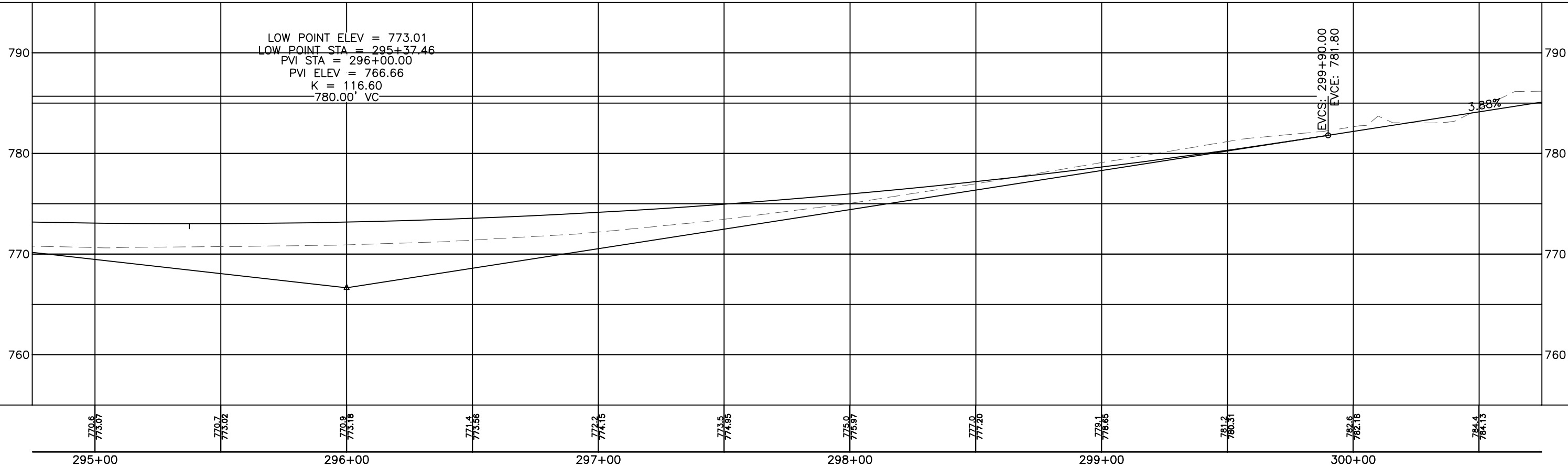
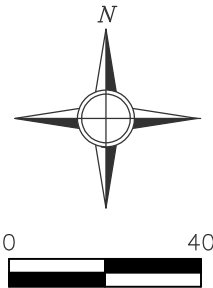
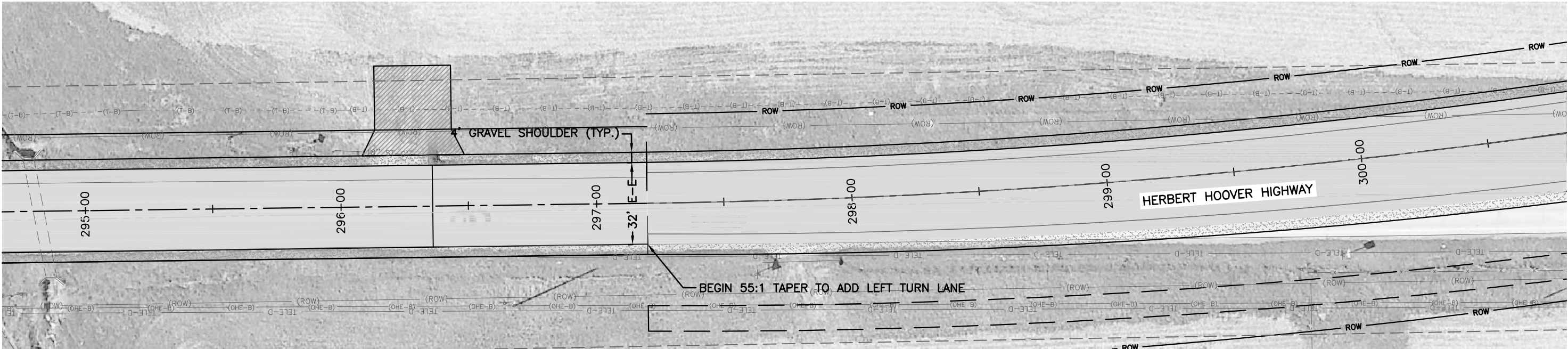
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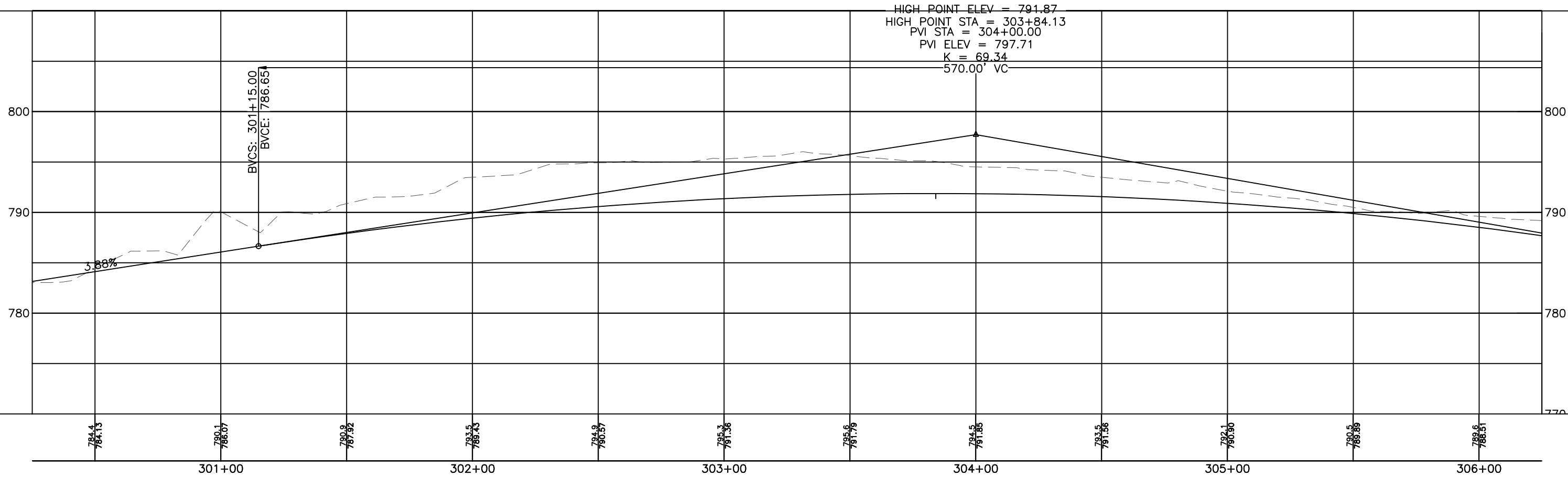
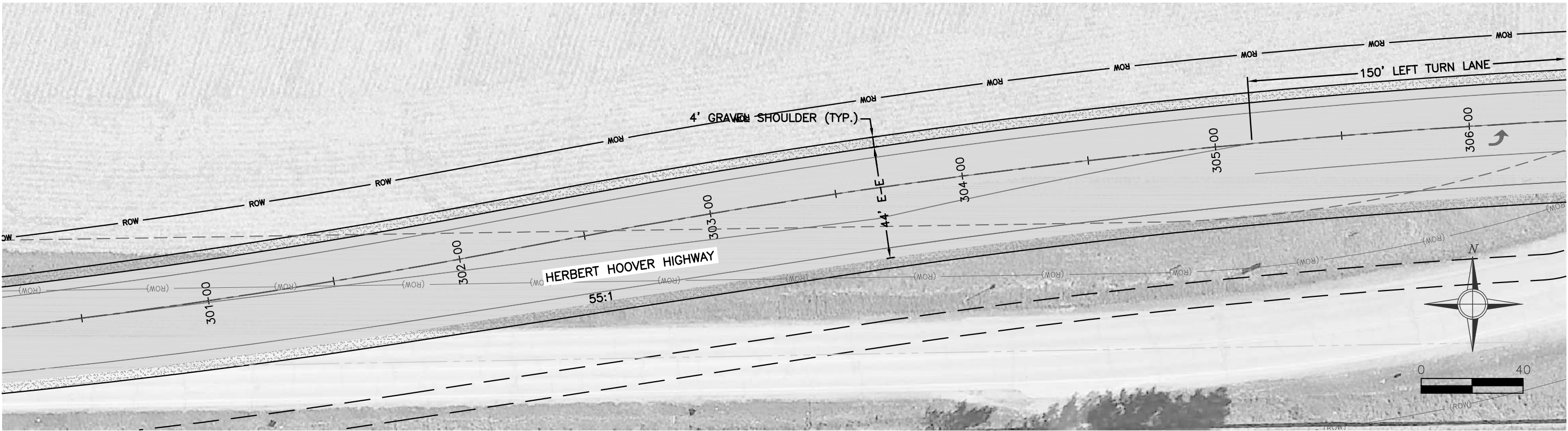
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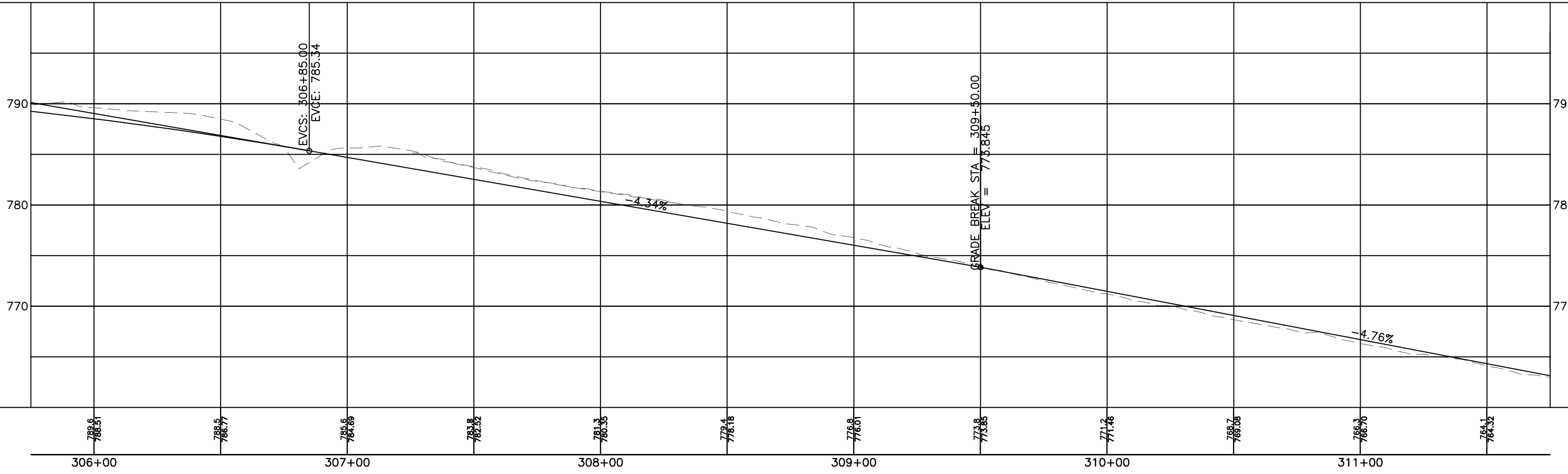
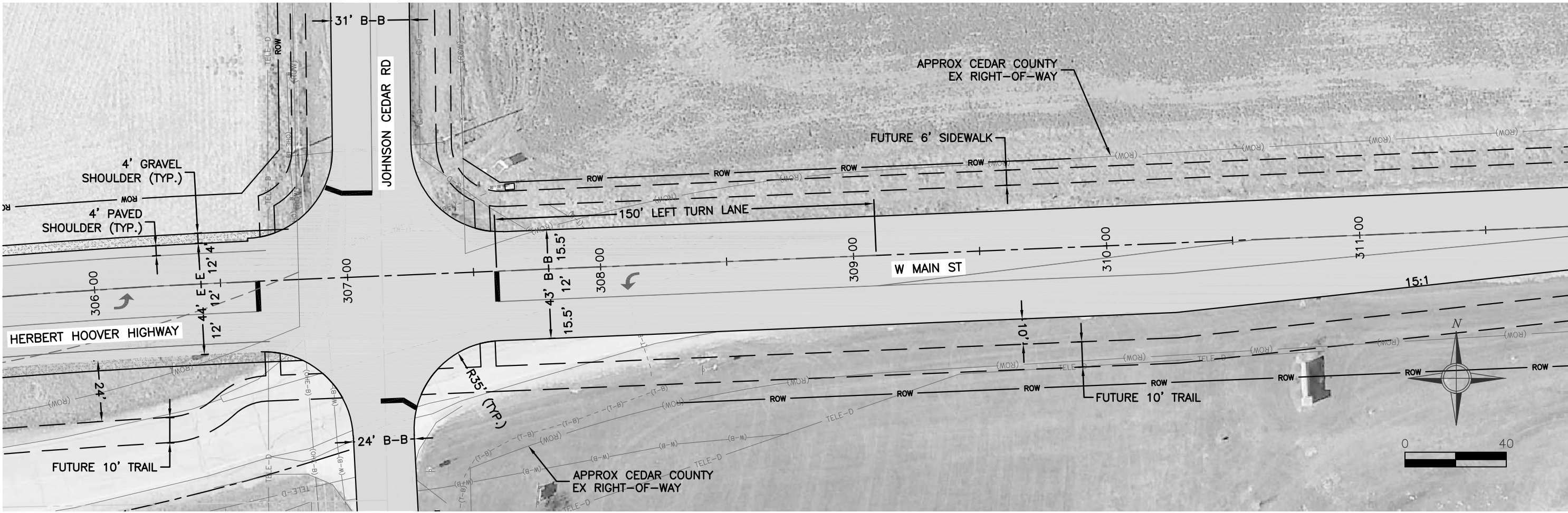
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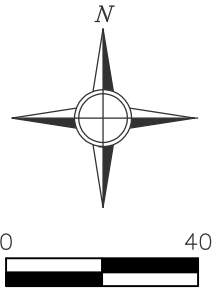
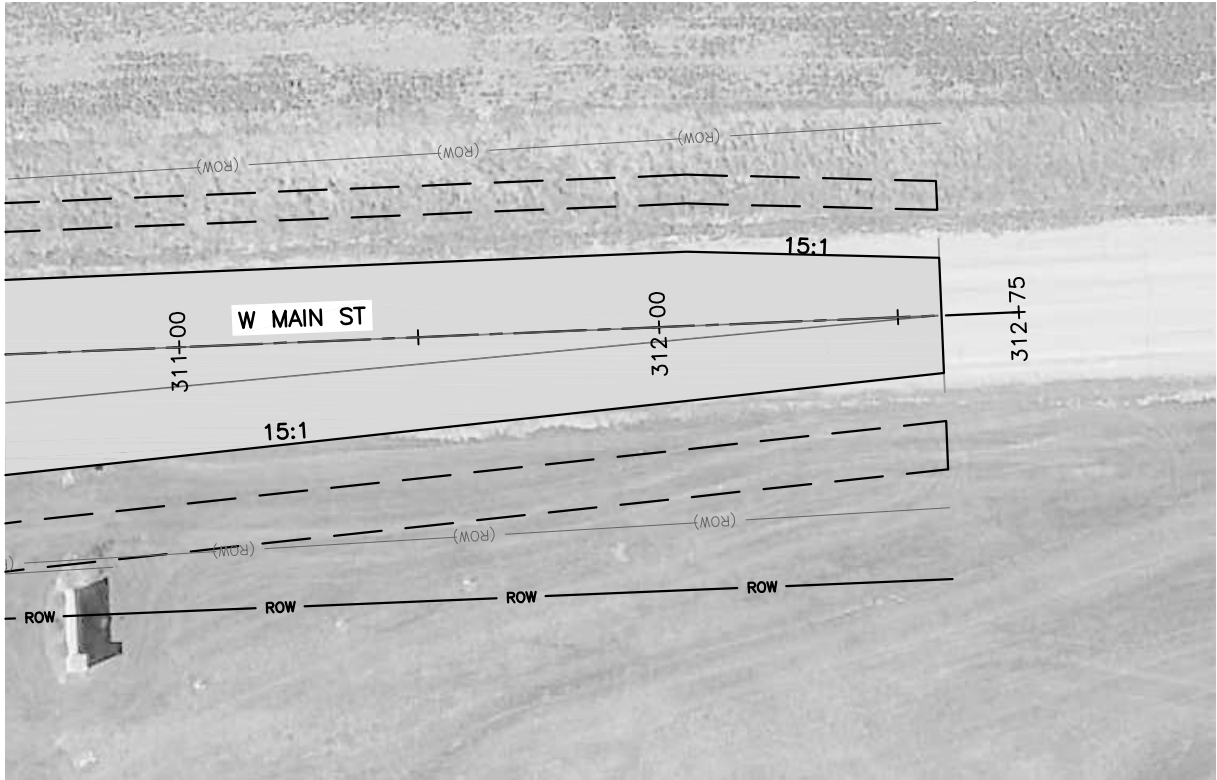
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Insert

Nov 2020

F44-28E- West Branch
Roundabout Exhibit A Scope of Services
Exhibit 8

"Turning Vision into Reality is our Business"

**28E Project Agreement between Johnson County, Iowa and the City of West Branch, Iowa
Regarding the F44 (Herbert Hoover Highway NE) Phase 3 Roudabout Project,
LFM-HHH3-RAB--7X-52**

WHEREAS, both the City of West Branch (“the City”) and Johnson County (“the County”) are public agencies as is defined by Section 28E.2 of the Code of Iowa (2020); and

WHEREAS, the City and the County recognize that the route known as F44 (West Main Street within the City and Herbert Hoover Highway NE within the County) is an important link between the City and the County and is a roadway with common interest and responsibility; and

WHEREAS, the City and the County are in the process of designing improvement Project #LFM-HHH3-RAB--7X-52 on F44 beginning approximately 1,000’ west of Wapsi Avenue in Johnson County, Iowa at project Station 802+00 and ending approximately 400’ east of the Cedar County-Johnson County line in Cedar County, Iowa at project Station 816+00, along with improvements to the intersection of F44 and Johnson Cedar Road on the Cedar County-Johnson County line; and

WHEREAS, the City and the County wish to enter into an agreement relating to improving their respective portions of F44 and Johnson Cedar Road and sharing the cost thereof.

IT IS NOW AGREED that the City and the County enter into an agreement pursuant to Chapter 28E and Section 28E.12 of the Code of Iowa providing for cooperative action pursuant to the proposed construction project described above and that said cooperative actions include the following:

- 1. Purpose and Project Scope:** The purpose of this Agreement is, among other things, to define specific responsibilities for and implement construction of improvements to F44 and Johnson Cedar Road in Johnson County, Iowa and Cedar County, Iowa. Those portions of F44 and Johnson Cedar Road under the County’s jurisdiction are designated as Division I. Those portions of F44 and Johnson Cedar Road under the City’s jurisdiction are designated as Division II. Said divisions are graphically depicted in the Attached Exhibit 8 and tabulated in Table 1 below. Said Divisions are further classified into project Segments One through Three as indicated in Table 1. Said improvements shall consist generally of grading and paving (altogether as described in this paragraph, the “Project”). The City improvements (Division II) may include an urban cross section design with curb and gutters along with storm sewers and intakes as needed. County improvements (Division I) are intended to include a rural cross section which exclude a curb and gutter along the

outside edge of the paved roadway. The costs associated with upgrading Division I improvements from a rural to an urban cross section will be included with Division II.

Table 1: Construction Limits for Project # LFM-HHH3-RAB--7X-52						
Segment	Station From	Station To	Length (feet)	Side of Road	Construction Share (%)	Division
1	802+00	812+00	1,000	Both	100*	I (Johnson County)
2	812+00	816+00	400	Both	100	II (City of West Branch)
3	Johnson Cedar Rd. north and south of F44 as needed to match existing			West	100*	I (Johnson County)
				East	100	II (City of West Branch)

*Costs to upgrade the cross section from a rural to urban cross section will be added to Division II.

2. **Consideration:** The mutual consideration herein is the cooperative undertaking of the improvements to F44. No separate legal entity is created by this Agreement. The Johnson County Board of Supervisors shall administer the County's duties and responsibilities herein. The City Council of West Branch shall administer the City's duties and responsibilities herein.
3. **No Annexation:** In exchange for the County entering into this Agreement to share in the costs of Project, the City agrees it will not annex into the city limits any real property west of Johnson Cedar Road and abutting F44 for a period of ten (10) years after completion of the road repairs along F44 as described in this Agreement. If the City desires to annex, or otherwise facilitate the incorporation or addition of, any of the real property located west of Johnson Cedar Road and abutting F44 into its corporate boundaries within ten (10) years after the road repairs along F44 are completed, the City agrees to reimburse the County an amount equal to ten percent (10%) of the County's actual total expenditures related to improvement of the applicable annexation segment along F44 multiplied by the number of years (or fractional portions of years) remaining in the ten (10) year period during which the City had agreed not to exercise its powers of annexation. For example, if the City desires to annex any real property east of Johnson Cedar Road and abutting F44 Seven (7) years after the road repairs along F44 are completed, the City would be required to reimburse the County for the three (3) years remaining, or thirty percent (30%) of the total costs paid by the County for improvements to the applicable segment(s).
4. **Responsibility for work:** The County shall be responsible for coordinating the project development as necessary for the proposed improvements. This responsibility generally shall include, but not necessarily be limited to preconstruction project development and design: preparation of plans, specifications, letting documents, and review of shop drawings. The City's Engineer shall review and approve the plans prior to letting the project. All necessary design work shall be prepared by the County, but may incorporate plans, designs, and/or supporting information developed by the City. The County Engineer

shall also provide contract administration and construction inspection services for Project; and shall prepare construction progress estimates bi-weekly. The County will issue progress vouchers to the contractor. Final acceptance of work performed within their respective jurisdictions shall be the responsibility of the corresponding jurisdiction. The City will designate a licensed engineer who will be available to visit the project site as needed to address construction issues as they arise.

Each entity shall be responsible for obtaining any necessary right-of-way interests, temporary construction easements, utility relocations, and permits required in their respective county so as not to delay project construction. Each party shall ensure that all contracts with consultants, constructors, or other service providers for this Project where insurance is maintained to protect the City or County as the case may be, shall also name the other party to this agreement as an additional insured and that such other party shall be included as an additional indemnified party in the same manner and extent as the contracting vendee may so be.

5. **Timing of work:** The City and the County shall use all good faith efforts to substantially complete construction on the entire Project on or before November 30, 2021. Final seeding and project closeout is expected to be completed no later than May 31, 2022.
6. **Financing:** The City and the County agree to share in the costs of this Project as set out below. Estimated costs are for budgeting purposes only.
 - a) The City and the County shall apportion actual costs for obtaining any necessary rights-of-way, easements, permits, or utility relocations fully to the corresponding jurisdiction.
 - b) The City and the County shall apportion one-half (1/2) of the engineering design fees. Total engineering design fees are estimated at \$72,797.
 - c) The City and the County shall apportion one-half (1/2) of construction administration, management, project inspection, and construction survey costs. Said costs are estimated to total \$71,200 or 8% of the construction costs.
 - d) The City and the County shall apportion actual construction costs fully to the corresponding jurisdiction based on the divisions described in Table 1, above. Construction costs are estimated to total \$890,000 with Division I and Division II work amounting to \$562,500 and \$327,500 respectively.
7. **Timing of payments:** For construction costs, the City shall reimburse the County consistent with its responsibilities set out above within thirty (30) days after City's receipt of written notice from the County that a contract with a construction company to complete the Project has been signed and accepted by the County. For engineering, design, and construction management services provided by the County's Engineer or other firms for the benefit of the Project, the City shall reimburse the County consistent with its responsibilities set out above as invoices for services are tendered to the County by such vendors, consultants, and/or service providers. All reimbursements shall be paid within a reasonable amount of time after presentment, unless there is a dispute as to the basis or validity of the underlying charges described in a contested invoice or progress estimate.

- 8. Effective date:** This Agreement shall be effective when approved and signed by the Johnson County Board of Supervisors and the City Council of West Branch, and filed with the Secretary of State as provided in Chapter 28E.8 of the Code of Iowa (2020).
- 9. Duration:** This Agreement shall continue in force until final acceptance of work is made by the County Engineer and the City Engineer and final payment has been made to the County by the City as set forth above.
- 10. Interpretation and enforcement:** Interpretation and enforcement of the Agreement shall be in accordance with Chapter 28E of the Code of Iowa (2020) and statutes respecting the rights and responsibilities of the political subdivisions.
- 11. Dispute resolution:** The parties acknowledge their mutual desire to complete the proposed improvements for this Project as listed above. The parties therefore agree to work diligently and negotiate in good faith to reach any agreements necessary to secure completion of the proposed improvements. Matters in dispute or subject to interpretation shall be first submitted to the parties for resolution prior to either party pursuing administrative or judicial remedies. In the event such matters must be submitted to the parties, they shall be submitted specifically to the Mayor of the City of West Branch, as representative for the City, and to the Johnson County Engineer, as representative for the County, who will both make a good faith effort to resolve the dispute.
- 12. Amendment:** This Agreement may be amended only in writing which is executed by the County and the City.
- 13. Severability:** If any provision or provisions of this Agreement shall be held to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

JOHNSON COUNTY

This Agreement was approved by official action of the Johnson County Board of Supervisors in official session on the _____ day of _____, 2020.

Rod Sullivan, Chairperson
Johnson County Board of Supervisors

ATTEST: _____
Travis Weipert, County Auditor

CITY OF SWISHER

By: _____
Roger Laughlin, Mayor

ATTEST: _____
Redmond Jones II, City Administrator

STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger Laughlin and Redmond Jones II, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of West Branch, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 2020 and that Roger Laughlin and Redmond Jones II acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa



4001 River Ridge Drive NE
Cedar Rapids, IA 52402
Office: (319) 377-4629
Fax: (319) 377-8498

ANDERSON BOGERT
Project No. XXXXXX
Johnson County Secondary Roads
Herbert Hoover Highway/Johnson Cedar Road Roundabout

Exhibit A

Scope of Services

Location and Understanding of Project

The project is located at the Johnson County/Cedar County line near the City of West Branch. The project involves the reconstruction of F44/Herbert Hoover Highway NE from approximately 900 feet west of Johnson Cedar Road and the reconstruction of the intersection of Herbert Hoover Highway NE and Johnson Cedar Road. A roundabout will be installed at this intersection using a WB-67 design vehicle.

The design cross section of Herbert Hoover Road west of Johnson Cedar Road shall match the phase currently under design by Anderson Bogert. This includes a 40 foot road top, subdrains, and 32 foot wide PCC pavement. The design shall include grading that can accommodate a future 10 foot wide multi-use trail within the right-of-way on the south side of the road. Roadway and entrance culverts will also be replaced. The other three legs of the roundabout shall be designed as a rural cross section or urban cross section with curb and gutter and graded to include a future trail and future sidewalk. Construction costs are estimated at \$890,000. The project will be funded by Johnson County and the City of West Branch with local funds.

Scope of Services

The CONSULTANT shall perform all aspects of design in preparation for a local letting on behalf of Johnson County. The CONSULTANT shall follow the Iowa DOT Instructional Memorandums to Local Public Agencies (IM's) and Iowa DOT Standard Specifications for Highway and Bridge Construction. The scope of services shall generally include, but not be limited to:

1. Project Management

- a. Monitor Project Budget, Schedule, and Scope:** CONSULTANT shall monitor the project scope, schedule, progress, and budget, and will report to Johnson County on a regular basis. The CONSULTANT shall make Johnson County aware of any changes to the scope or problems.
- b. Project Meetings:** The CONSULTANT shall meet with Johnson County during various phases of the project to discuss design elements and plan review comments. The City of West Branch City Engineer/Representative will be invited to all meetings. Meetings may either be face to face, video conference, or conference calls. The CONSULTANT shall organize the meeting, prepare agendas, and distribute meeting minutes.
 - i. Preliminary Plans:** Meet one (1) time with Johnson County to discuss design elements and comments.
 - ii. Check Plans:** Meet one (1) time with Johnson County to discuss design elements and comments.

- iii. **Final Plans:** Meet one (1) time with Johnson County during the final plans phase.

2. Information and Data Gathering

- a. **Topographic Survey:** The CONSULTANT previously completed the topographic survey under the Herbert Hoover Highway Phase 3 scope of services. Additional survey was completed beyond that scope of services due to the understanding that the Herbert Hoover Highway and Johnson Cedar Road intersection would be designed and reconstructed under that project. The additional survey that was completed is included in this fee and scope of services.
- b. **Boundary Survey:** On the Herbert Hoover Highway Phase 3 scope of services, Shoemaker & Haaland Professional Engineers located and calculated the existing right-of-way, adjacent parcel lines, and existing private utility easement as part of a separate contract. This information was shared with the CONSULTANT. The right-of-way was not calculated to the east of the Herbert Hoover Highway/Johnson Cedar Road intersection. Anderson Bogert completed part of the boundary survey with the understanding that the intersection would be designed and reconstructed under the Herbert Hoover Highway Phase 3 project. The additional boundary survey that was completed as well as any remaining boundary survey that will need to be completed is included in this fee and scope of services. This information shall be used for preparing additional acquisition plats and for properly aligning the proposed improvements.
- c. **Utility Coordination:** Maps were requested and a portion of the utilities were marked and field located at the intersection of Herbert Hoover Highway and Johnson Cedar Road. The CONSULTANT shall request additional field locates through the Iowa One Call process. The CONSULTANT shall shoot marked utilities and plot these utilities on the base drawing.
The CONSULTANT shall closely coordinate with utility companies that are located within the project limits. The procedures outlined in Iowa DOT I.M. 3.640 will be closely followed. This includes notifying utility companies of the upcoming project, sending preliminary plans and final plans, organizing a utility coordination meeting with all the utility companies within the project limits if warranted, reviewing utility relocation plans, and coordination during the relocation process.
- d. **Review of Ely Road Roundabout Plans:** Johnson County previously indicated that the design standards (inscribed circle diameter, design vehicle, etc) used for the Ely Road roundabout near Solon should be reviewed and used for the Herbert Hoover Highway roundabout. Johnson County shall provide these plans to the CONSULTANT to review and incorporate the design standards into the design.

3. Right of Way Acquisitions:

- a. **Plats and Exhibits:** The CONSULTANT shall determine Right of Way (ROW) and Temporary Construction Easements (TCE) required for design. Plats and exhibits to the west of the intersection will be completed under the Herbert Hoover Highway Phase 3 scope of services. ROW and TCE linework for the subdivision property on the northeast corner of the intersection owned by KLM Investments, will be provided to the City of West Branch. The ROW and easements needed will be dedicated and platted on their final plat by the developer's engineer or surveyor.

The property on the southeast corner of the intersection is owned by the West Branch School District. A ROW acquisition plat and temporary construction easement shall be prepared by the CONSULTANT for this parcel. These will be provided to the City of West Branch to record. After construction is complete, the CONSULTANT shall set new property pins for any new acquisitions that plats were prepared for by the CONSULTANT.

- b. Assistance with Acquisitions:** Stake the ROW and/or TCE in the field if requested by property owner to visualize acquisition.
- c. Appraisals and Acquisitions:** The appraisals and acquisitions to the west of the intersection shall be completed by the SUBCONSULTANT, JCG Land Services, Inc., or equally qualified SUBCONSULTANT, under the current scope of services for Herbert Hoover Highway Phase 3 contract. All appraisals and acquisitions east of the intersection shall be completed by the City of West Branch.

4. Permits

- a.** The CONSULTANT shall complete the following permits:
 - i.** NPDES Permit: The CONSULTANT shall complete the NPDES permit hard copy application as well as the Notice of Intent. These shall be provided to Johnson County for Johnson County to submit the Notice of Intent to the newspaper and complete the online permit application. Any fees shall be paid by Johnson County.

5. Design

a. Concepts

- i.** Intersection concepts were previously prepared and provided to Johnson County and the City of West Branch. Any comments received from Johnson County and the City of West Branch will be incorporated and advanced into the Preliminary Plan phase.

b. Preliminary Plans (60%)

- i.** The CONSULTANT shall prepare preliminary plans to the 60% plan level and submit to Johnson County and the City of West Branch for review. It is important to complete the design further along than typical 30% Preliminary Plans in order to determine right of way needs. The plans will be in substantial compliance with the project concept. The plan sheets will be prepared in accordance with requirements to provide plans suitable for a local Johnson County bid letting process. Sheets will be plotted at 11"x17" and must maintain legibility and utilize typical civil drawing scales. Also included in this task will be the following:
 - 1. (A) Cover Page
 - 2. (A) Storm Water Pollution Prevention Plan
 - 3. (B) Typical Sections
 - 4. (D) Plan and Profile Sheets
 - 5. (H) Right of way and easement acquisition sheets.
 - 6. (J) Preliminary traffic control and construction phasing plan. It is assumed that the intersection will be closed to traffic. The actual phasing will be determined by the contractor. A simple detour plan will be created.
 - 7. (K) Driveway and intersection details.

8. (M) Storm sewer drainage analysis and plan and profile. The existing intersection appears to be located near a high point which translates to very minor offsite runoff draining towards the intersection. A simple drainage analysis will be completed to ensure any storm sewer pipes and/or culverts are adequately sized. Assuming the roundabout will include curb and gutter, a system of intakes and storm sewer will be sized and designed.
 9. (NP) Pavement Marking and Signage
 10. (P) Lighting Plan and Details. A lighting layout and wiring plan with a photometrics analysis will be completed. The power source will be coordinated with MidAmerican Energy.
 11. (W) Detailed Cross Sections
 - ii. Construction Cost Opinion: Update the construction cost opinion and evaluate compared to project budget.
- c. Check Plans (90% Plans)**
- i. The CONSULTANT shall prepare check plans, which include the comments from the Johnson County and City of West Branch review of the 60% Preliminary Plans as well as additional detail included. The plan sheets shall generally include the following as applicable for this project:
 1. (A) Cover Page (Update)
 2. (A) Storm Water Pollution Prevention Plan (Update)
 3. (A) General Notes
 4. (B) Typical Sections (Update)
 5. (C) Quantity Estimate and References
 6. (D) Plan and Profile Sheets (Update)
 7. (G) Control Points and Alignment Information
 8. (H) Right-of-way and Easement Acquisition Sheets (Update)
 9. (J) Traffic Control and Construction Phasing (Update)
 10. (K) Intersection and Driveway Details (Update)
 11. (L) Jointing Detail Plans (Update)
 12. (M) Storm Sewer Plan and Profile (Update)
 13. (NP) Pavement Marking and Signage (Update)
 14. (P) Lighting Plan and Details
 15. (R) Removals
 16. (T) Erosion Control Plan
 17. (U) Special Details
 18. (W) Detailed Cross Sections (Update)
 - ii. Construction Cost Opinion: Update the construction cost opinion and evaluate compared to project budget.
 - iii. Quality Review by Design Team – The CONSULTANT will perform a field review regarding the quality of the design completed. Issues such as property owner concerns, coordination with utility companies and other agencies, and the maintenance aspects of the facilities will be considered while making the review. The input from a contractor will be included when appropriate. The accuracy and completeness of documents will also be scrutinized in order to minimize the need for

modifications to the design. Any necessary modifications will be included in the documents following the quality review by the designer.

d. Final Plans (100% Plans):

- i. The CONSULTANT shall incorporate check plan comments of Johnson County, City of West Branch, and the design team quality review in order to prepare Final Plans. These will be completed and submitted on or before the date established in the schedule.
- ii. Construction Cost Opinion: Update the construction cost opinion and evaluate compared to project budget.

e. Bid Letting Services

- i. The bid letting will be a local letting through Johnson County. The CONSULTANT shall assist Johnson County with preparing and submitting all required documents for a local Johnson County letting. This shall include the following:
 1. Notice to Bidders
 2. Bidding Proposal including proposed construction start date, working days, site restrictions, specifications, etc.
 3. Schedule of Prices
 4. Cost Opinion
 5. Final Plans in pdf form
- ii. Special Provisions: It is assumed that colored/stamped concrete or concrete pavers will be incorporated into the truck apron or splitter islands. A special provision will be created for the chosen material.
- iii. Answer Bid Related Questions and Prepare Addenda: Assist with answering bid related questions and preparing addenda. For budget purposes, it is assumed that one addendum will be prepared.

Additional Services

The following additional services are not included in this scope of services. If authorized under a supplemental agreement, CONSULTANT shall furnish or obtain from others the following services:

- Construction Observation/Administration Services. A separate contract will be executed for these services before construction starts, if these services are desired.
- Construction Testing Services, including PCC testing
- Geotechnical Services
- Subsurface Utility Investigation, such as potholing or televising of sewer lines
- Construction Survey
- As-built Survey
- Landscape Plan
- Reestablishing any found section corners

Client Responsibilities

The following items shall be the responsibility of the client:

- Access to the site.
- Signatures on permit applications.

- NPDES Storm Water Runoff Permit fees.
- Any publication fees.

Schedule

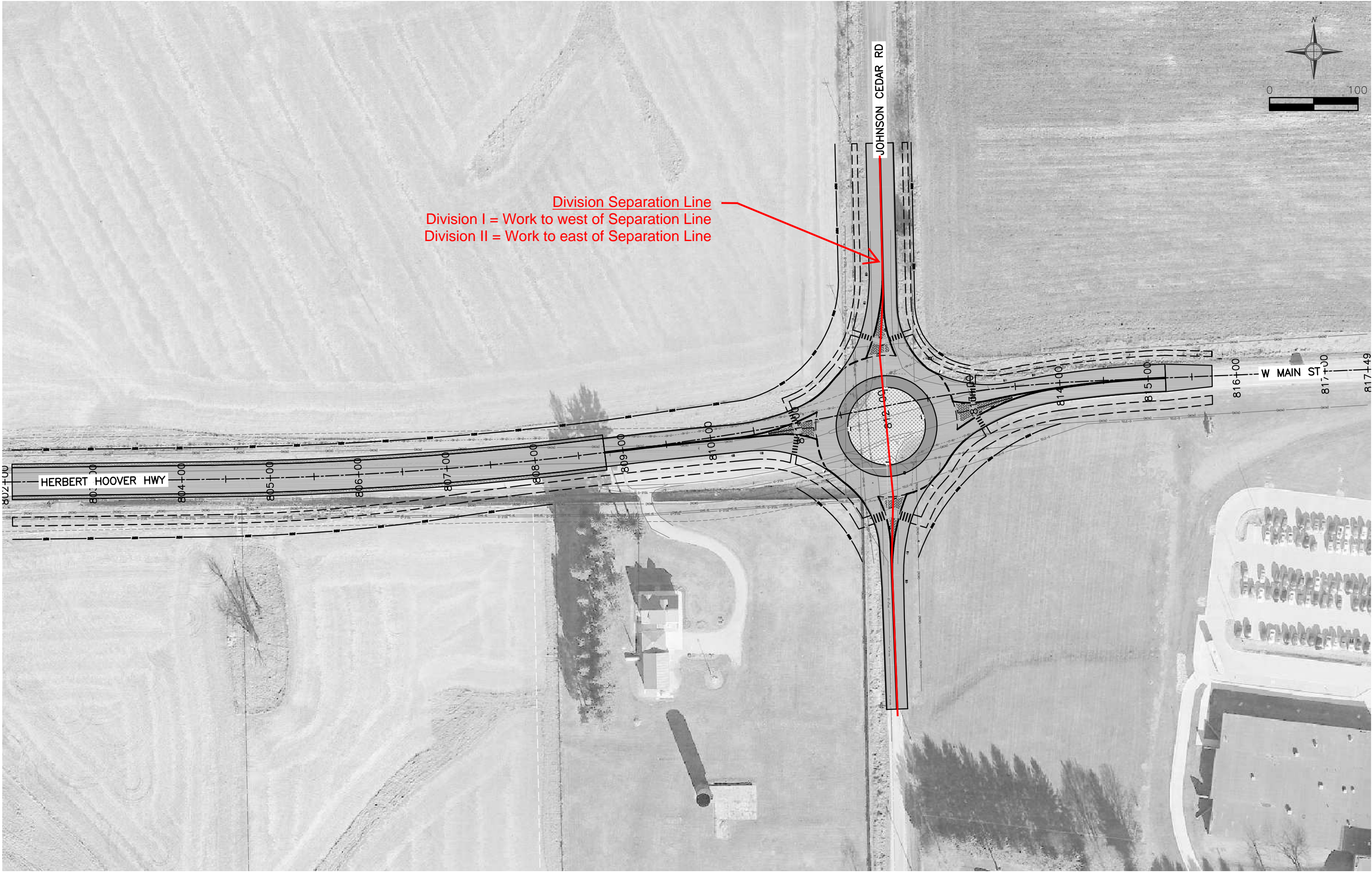
We anticipate being able to meet the following schedule unless delayed by conditions not within the control of the CONSULTANT.

	Completion Date
Preliminary Plans*	1/15/21
Check Plans	2/12/21
Final Plans and Contract Documents	3/19/21
Notice to Bidders Discussion-BOS Informal	3/25/21
Notice to Bidders Approved-BOS Formal	4/1/21
Letting	5/4/21
Report Bid Results-BOS Informal	5/6/21
Project Award-BOS Formal	5/13/21
Construction Late Start Date	6/28/21
Construction Completion Date**	10/1/21

*Submittal date selected to allow 4 weeks of review and edits prior to Check Plans however design will need to be far enough along prior to this to determine ROW needs so that acquisitions can be negotiated with the Herbert Hoover Highway Phase 3 Project.

**Estimate based on 14 week construction timeframe which includes 55 working days with 25% loss.

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Jan 2021

F44-28E- West Branch draft210104-njs
Intersection Concept-Exhibit 8
Intersection Cost Option 12-13-2020

"Turning Vision into Reality is our Business"

**28E Project Agreement between Johnson County, Iowa and the City of West Branch, Iowa
Regarding the F44 (Herbert Hoover Highway NE) Phase 3 Roundabout Project,
LFM-HHH3-RAB--7X-52**

WHEREAS, both the City of West Branch (“the City”) and Johnson County (“the County”) are public agencies as is defined by Section 28E.2 of the Code of Iowa (2020); and

WHEREAS, the City and the County recognize that the route known as F44 (West Main Street within the City and Herbert Hoover Highway NE within the County) is an important link between the City and the County and is a roadway with common interest and responsibility; and

WHEREAS, the City and the County are in the process of designing improvement Project #LFM-HHH3-RAB--7X-52 on F44 beginning approximately 1,000’ west of Wapsi Avenue in Johnson County, Iowa at project Station 802+00 and ending approximately 400’ east of the Cedar County-Johnson County line in Cedar County, Iowa at project Station 816+00, along with improvements to the intersection of F44 and Johnson Cedar Road on the Cedar County-Johnson County line; and

WHEREAS, the City and the County wish to enter into an agreement relating to improving their respective portions of F44 and Johnson Cedar Road and sharing the cost thereof.

IT IS NOW AGREED that the City and the County enter into an agreement pursuant to Chapter 28E and Section 28E.12 of the Code of Iowa providing for cooperative action pursuant to the proposed construction project described above and that said cooperative actions include the following:

- 1. Purpose and Project Scope:** The purpose of this Agreement is, among other things, to define specific responsibilities for and implement construction of improvements to F44 and Johnson Cedar Road in Johnson County, Iowa and Cedar County, Iowa. Those portions of F44 and Johnson Cedar Road under the County’s jurisdiction are designated as Division I. Those portions of F44 and Johnson Cedar Road under the City’s jurisdiction are designated as Division II. Said divisions are graphically depicted in the Attached Exhibit 8 and tabulated in Table 1 below. Said Divisions are further classified into project Segments One through Three as indicated in Table 1. Said improvements shall consist generally of grading and paving (altogether as described in this paragraph, the “Project”). The City improvements (Division II) may include an urban cross section design with curb and gutters along with storm sewers and intakes as needed. County improvements (Division I) are intended to include a rural cross section which exclude a curb and gutter along the

outside edge of the paved roadway. The costs associated with upgrading Division I improvements from a rural to an urban cross section will be included with Division II.

Table 1: Construction Limits for Project # LFM-HHH3-RAB--7X-52						
Segment	Station From	Station To	Length (feet)	Side of Road	Construction Share (%)	Division
1	802+00	812+00	1,000	Both	100*	I (Johnson County)
2	812+00	816+00	400	Both	100	II (City of West Branch)
3	Johnson Cedar Rd. north and south of F44 as needed to match existing			West	100*	I (Johnson County)
				East	100	II (City of West Branch)

*Costs to upgrade the cross section from a rural to urban cross section will be added to Division II.

2. **Consideration:** The mutual consideration herein is the cooperative undertaking of the improvements to F44. No separate legal entity is created by this Agreement. The Johnson County Board of Supervisors shall administer the County's duties and responsibilities herein. The City Council of West Branch shall administer the City's duties and responsibilities herein.
3. **Responsibility for work:** The County shall be responsible for coordinating the project development as necessary for the proposed improvements. This responsibility generally shall include, but not necessarily be limited to preconstruction project development and design: preparation of plans, specifications, letting documents, and review of shop drawings. The City's Engineer shall review and approve the plans prior to letting the project. All necessary design work shall be prepared by the County, but may incorporate plans, designs, and/or supporting information developed by the City. The County Engineer shall also provide contract administration and construction inspection services for Project; and shall prepare construction progress estimates bi-weekly. The County will issue progress vouchers to the contractor. Final acceptance of work performed within their respective jurisdictions shall be the responsibility of the corresponding jurisdiction. The City will designate a licensed engineer who will be available to visit the project site as needed to address construction issues as they arise.
Each entity shall be responsible for obtaining any necessary right-of-way interests, temporary construction easements, utility relocations, and permits required in their respective county so as not to delay project construction. Each party shall ensure that all contracts with consultants, constructors, or other service providers for this Project where insurance is maintained to protect the City or County as the case may be, shall also name the other party to this agreement as an additional insured and that such other party shall be included as an additional indemnified party in the same manner and extent as the contracting vendee may so be.

4. **Timing of work:** The City and the County shall use all good faith efforts to substantially complete construction on the entire Project on or before November 30, 2021. Final seeding and project closeout is expected to be completed no later than May 31, 2022.
5. **Financing:** The City and the County agree to share in the costs of this Project as set out below. Estimated costs are for budgeting purposes only.
- a) The City and the County shall apportion actual costs for obtaining any necessary rights-of-way, easements, permits, or utility relocations fully to the corresponding jurisdiction.
 - b) For engineering design fees, the City shall pay \$9,000 of the engineering design fees for survey work, right of way platting, and storm sewer design that is exclusive to the City. For the remaining engineering design fees, the City and the County shall apportion engineering design fees based upon each Division's pro-rata share of the final design estimate of project construction costs. Total engineering design fees are estimated at \$72,797.
 - c) The City and the County shall apportion construction administration, management, project inspection, and construction survey costs based upon each Division's pro-rata share of actual project construction costs. Said costs are estimated to total \$71,200 or 8% of the construction costs.
 - d) The City and the County shall apportion actual construction costs fully to the corresponding jurisdiction based on the divisions described in Table 1, above. Construction costs are estimated to total ~~\$890,853~~,000 with Division I and Division II work amounting to ~~\$562,574~~,500 and ~~\$327,278~~,500 respectively.

6. **Construction Costs Exceeding Estimate:** The cost estimate for the portion of construction for which the City is responsible herein is \$292,000, including an approximate five percent (5%) contingency. The cost estimate for the portion of construction for which the County is responsible herein is \$603,000, including an approximate five percent (5%) contingency. If the lowest responsive, responsible bid received by the County results in the City portion exceeding \$292,000, the City may reject all bids and if the same bid results in the County portion exceeding \$603,000, the County may reject all bids. If either entity rejects all bids, the Parties shall have no further obligations under this Agreement unless the Parties have reached an agreement related to financing Project Costs exceeding the cost estimate or amending the scope of the Project.

4.7. **Timing of payments:** For construction costs, the City shall reimburse the County for the actual construction costs described in paragraph 5 in four (4) equal payments. The first payment shall be due to the County from the City no more than thirty (30) days from the date of acceptance by the County Engineer of the improvement. The second payment shall be due no later than on the same day and month one calendar year from the due date of the first payment. The third payment shall be due no later than on the same day and month two calendar years from the due date of the first payment. The fourth payment shall be due no later than on the same day and month three calendar years from the due date of the first payment. Early payments may be made at any time.

For engineering, design, and construction management services provided by the County's Engineer or other firms for the benefit of the Project, the City shall reimburse the County consistent with its responsibilities set out above as invoices for services are tendered to the County by such vendors, consultants, and/or service providers. All reimbursements shall be paid within a reasonable amount of time after presentment, unless there is a dispute as to the basis or validity of the underlying charges described in a contested invoice or progress estimate.

2.8 Effective date: This Agreement shall be effective when approved and signed by the Johnson County Board of Supervisors and the City Council of West Branch, and filed with the Secretary of State as provided in Chapter 28E.8 of the Code of Iowa (2020).

3.9 Duration: This Agreement shall continue in force until final acceptance of work is made by the County Engineer and the City Engineer and final payment has been made to the County by the City as set forth above.

4.10 Interpretation and enforcement: Interpretation and enforcement of the be in accordance with Chapter 28E of the Code of Iowa (2020) and statutes respecting the rights and responsibilities of the political subdivisions.

5.11 Dispute resolution: The parties acknowledge their mutual desire to complete the improvements for this Project as listed above. The parties therefore agree to work diligently and negotiate in good faith to reach any agreements necessary to secure completion of the proposed improvements. Matters in dispute or subject to interpretation shall be first submitted to the parties for resolution prior to either party pursuing administrative or judicial remedies. In the event such matters must be submitted to the parties, they shall be submitted specifically to the Mayor of the City of West Branch, as representative for the City, and to the Johnson County Engineer, as representative for the County, who will both make a good faith effort to resolve the dispute.

6.12 Amendment: This Agreement may be amended only in writing which is executed County and the City.

7.13 Severability: If any provision or provisions of this Agreement shall be held to be illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

JOHNSON COUNTY

This Agreement was approved by official action of the Johnson County Board of Supervisors in official session on the _____ day of _____, 2020.

Rod Sullivan, Chairperson
Johnson County Board of Supervisors

ATTEST: _____
Travis Weipert, County Auditor

CITY OF SWISHER

By: _____
Roger Laughlin, Mayor

ATTEST: _____
Redmond Jones II, City Administrator

STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger Laughlin and Redmond Jones II, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of West Branch, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 2020 and that Roger Laughlin and Redmond Jones II acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

WEST LEG APPROACH C

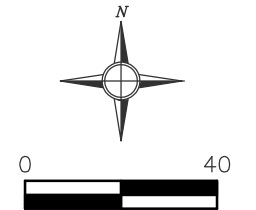
PC=804+37.31


PT=814+38.20


PRC=811+96.39


RADIUS #1=4000'

RADIUS #2=1500'



 PCC PAVEMENT

 PCC PAVEMENT, COLORED

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2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE
INTERSECTION EXHIBIT #8 (ROUNDBOUT #2)
OPINION OF PROBABLE CONSTRUCTION COSTS - 12-31-2020 (RURAL SECTION CONCEPT)

ITEM NO.	ITEM	UNIT	ESTIMATED PROJECT QUANTITIES				COST				
			WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	TOTAL	UNIT PRICE	WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	TOTAL
1	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	4374.3	572.2	486.7	5433.2	\$ 10.00	\$ 43,742.52	\$ 5,722.00	\$ 4,867.00	\$ 54,331.52
2	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	1019.0	415.0	415.0	1849.0	\$ 5.00	\$ 5,095.01	\$ 2,075.00	\$ 2,075.00	\$ 9,245.01
3	MODIFIED SUBBASE, 6"	CY	472.2	424.2	457.3	1353.7	\$ 35.00	\$ 16,526.48	\$ 14,847.00	\$ 16,005.50	\$ 47,378.98
4	MACADAM STONE FOR SOFT SPOTS	CY	94.4	84.8	91.5	270.7	\$ 40.00	\$ 3,777.48	\$ 3,393.60	\$ 3,658.40	\$ 10,829.48
5	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	2386.0	2031.0	2192.3	6609.3	\$ 50.00	\$ 119,297.50	\$ 101,550.00	\$ 109,615.00	\$ 330,462.50
6	PCC PAVEMENT SAMPLES	LS	0.6	0.2		0.8	\$ 2,000.00	\$ 1,200.00	\$ 400.00	\$ -	\$ 1,600.00
7	HOT MIX ASPHALT MIXTURE, COMMERCIAL MIX	TON	0.0	70.5	70.5	141.0	\$ 150.00	\$ -	\$ 10,575.00	\$ 10,575.00	\$ 21,150.00
8	GRAVEL SHOULDER, 4"	TON	125.3	76.3	76.3	277.9	\$ 30.00	\$ 3,757.88	\$ 2,289.00	\$ 2,289.00	\$ 8,335.88
9	SURFACING, DRIVEWAY, CLASS A CRUSHED STONE	TON	14.0			14.0	\$ 30.00	\$ 420.00	\$ -	\$ -	\$ 420.00
10	SHOULDER FINISHING, EARTH	STA	13.4			13.4	\$ 175.00	\$ 2,348.50	\$ -	\$ -	\$ 2,348.50
11	APRONS, METAL, 18 IN. DIA.	EACH	2.0			2.0	\$ 279.00	\$ 558.00	\$ -	\$ -	\$ 558.00
12	APRONS, METAL, 24 IN. DIA.	EACH	0.0	1.0	1.0	2.0	\$ 400.00	\$ -	\$ 400.00	\$ 400.00	\$ 800.00
13	CULVERT, CORRUGATED METAL ROADWAY, 24 IN. DIA.	LF	0.0	50.0	50.0	100.0	\$ 75.00	\$ -	\$ 3,750.00	\$ 3,750.00	\$ 7,500.00
14	CULVERT, CORRUGATED METAL ENTRANCE PIPE, 18 IN. DIA.	LF	30.0			30.0	\$ 40.00	\$ 1,200.00	\$ -	\$ -	\$ 1,200.00
15	SUBDRAIN, LONGITUDINAL (SHOULDER) 4 IN. DIA.	LF	1342.0	750.0	750.0	2842.0	\$ 4.50	\$ 6,039.00	\$ 3,375.00	\$ 3,375.00	\$ 12,789.00
16	SUBDRAIN OUTLET, DR-306	EACH	4.0	1.0	1.0	6.0	\$ 350.00	\$ 1,400.00	\$ 350.00	\$ 350.00	\$ 2,100.00
17	PAVEMENT REMOVAL	SY	1789.3	1336.4	1465.5	4591.2	\$ 8.00	\$ 14,314.67	\$ 10,690.96	\$ 11,724.00	\$ 36,729.63
18	SIGNS	EACH	4.0	6.0	6.0	16.0	\$ 300.00	\$ 1,200.00	\$ 1,800.00	\$ 1,800.00	\$ 4,800.00
19	CONSTRUCTION SURVEY	LS	0.4	0.3	0.3	1.0	\$ 10,000.00	\$ 4,000.00	\$ 3,000.00	\$ 3,000.00	\$ 10,000.00
20	PAINTED PAVEMENT MARKINGS, WATERBORNE	STA	26.8	8.0	8.0	42.8	\$ 50.00	\$ 1,342.00	\$ 400.00	\$ 400.00	\$ 2,142.00
21	MOBILIZATION	LS	0.4	0.3	0.3	1.0	\$ 60,000.00	\$ 24,000.00	\$ 18,000.00	\$ 18,000.00	\$ 60,000.00
22	REMOVE AND REINSTALL FIRE HYDRANT	EACH		0.0	1.0	1.0	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00	\$ 2,500.00
23	MULCHING, BONDED FIBER MATRIX	ACRE	1.3	0.5	0.5	2.3	\$ 2,625.00	\$ 3,315.97	\$ 1,312.50	\$ 1,312.50	\$ 5,940.97
24	HYDRAULIC SEEDING, PERMANENT RURAL	ACRE	1.3	0.5	0.5	2.3	\$ 600.00	\$ 757.94	\$ 300.00	\$ 300.00	\$ 1,357.94
25	SILT FENCE	LF	1000.0	600.0	600.0	2200.0	\$ 2.00	\$ 2,000.00	\$ 1,200.00	\$ 1,200.00	\$ 4,400.00
26	REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS	LF	1000.0	600.0	600.0	2200.0	\$ 0.50	\$ 500.00	\$ 300.00	\$ 300.00	\$ 1,100.00
27	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 12 IN. DIA.	LF	100.0	250.0	250.0	600.0	\$ 2.00	\$ 200.00	\$ 500.00	\$ 500.00	\$ 1,200.00
28	REMOVAL OF PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE	LF	100.0	250.0	250.0	600.0	\$ 0.50	\$ 50.00	\$ 125.00	\$ 125.00	\$ 300.00
29	MOBILIZATION, EROSION CONTROL	EACH	1.0	1.0	1.0	3.0	\$ 560.00	\$ 560.00	\$ 560.00	\$ 560.00	\$ 1,680.00
30	MOBILIZATION, EMERGENCY EROSION CONTROL	EACH	1.0	1.0	1.0	3.0	\$ 850.00	\$ 850.00	\$ 850.00	\$ 850.00	\$ 2,5

POSSIBLE COST SAVINGS

- 1 BID ALTERNATE FOR THE CEMENT TREATED SUBGRADE ITEMS. MOST OF DIRTWORK WILL LIKELY BE CUT WITH SOME FILL ALONG THE EDGES. SUBGRADE IS UNDER EXISTING ROAD AND HAS BEEN COMPACTED AND IS LIKELY IN DECENT SHAPE. A CONTINGENCY ITEM FOR MACADAM STONE IN CASE SOFT SPOTS ARE ENCOUNTERED IS INCLUDED AND WOULD BE REPLACED WITH BID ALTERNATE IF BIDS ARE LOW.
- 2 COLORED CONCRETE TRUCK APRON IS EXPENSIVE. CHEAPER ALTERNATIVES COULD BE EXPLORED.

PROJECT ASSUMPTIONS

- 1 ROUNDABOUT LIMITS: STA 808+80 - STA 815+75 (NEW ALIGNMENT)
2 WEST BRANCH TO PAY FOR ALL COSTS ASSOCIATED WITH ADDITIONAL PAVEMENT EAST OF PROPOSED INTERSECTION.
3 JOHNSON COUNTY AND WEST BRANCH TO SPLIT COST OF ROUNDABOUT APPROX. 50/50.

QUANTITY ASSUMPTION

- 1 ROUNDABOUT EXCAVATION: 6" DEPTH OF ALL PROPOSED PCC PAVEMENTS & FUTURE SIDEWALKS.
2 CEMENT TREATED BASE: 12" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS (EXCLUDES SIDEWALKS).
3 MODIFIED SUBBASE: 6" DEPTH, 2' OFFSET OF ALL PROPOSED PCC PAVEMENTS.
4 PCC PAVEMENT: CURBS & SPLITTER ISLANDS WILL BE CONSIDERED INCIDENTAL.
5 PAVEMENT REMOVAL: INCLUDES ALL PAVEMENT WITHIN PROPOSED LIMITS. (REMOVAL EXCLUDES DRIVEWAYS).
6 PERMANENT ACQUISITION: \$10,000/ACRE

Insert

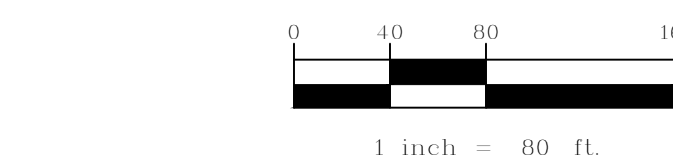
Feb 2021

161211-PRELIM PLAT 02-28-2017
220027_D-Sheet (Roundabout)-njsCom...
220027-Roundabout Overview(To JC
2.12..
Intersection Cost Opinion-210225

"Turning Vision into Reality is our Business"

DESCRIPTION - PHASE 3B
COMMENCING AT THE SOUTHEAST CORNER OF AUDITOR PARCEL "G", IN ACCORDANCE WITH THE PLOT THEREOF RECORDED IN PLAT BOOK I, AT PAGE 103 OF THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N00°40'57"S, ALONG THE EAST LINE OF SAID AUDITOR PARCEL "G", 46. 71 FEET; THENCE S87°07'22"W, ALONG SAID EAST LINE, 350.51 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S87°07'22"W, 113.67 FEET; THENCE NORTHWESTERLY, 40.82 FEET ALONG A 25.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, WHOSE 36.44 FOOT CHORD BEARS N46°05'56"W; THENCE N00°40'47"E, 23.75 FEET; THENCE S89°1'13"E, 140.00 FEET, TO A POINT ON THE EAST LINE OF SAID AUDITOR PARCEL "G"; THENCE S00°40'47"W, ALONG SAID EAST LINE, 251. 65 FEET, TO THE POINT OF BEGINNING. SAID REZONING TRACT #3 CONTAINS 0.82 ACRE (35,685 SQUARE FEET), AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION - PHASE 3B
COMMENCING AT THE SOUTHEAST CORNER OF AUDITOR PARCEL "G", IN ACCORDANCE WITH THE PLOT THEREOF RECORDED IN PLAT BOOK I, AT PAGE 103 OF THE RECORDS OF THE CEDAR COUNTY RECORDER'S OFFICE; THENCE N00°40'57"S, ALONG THE EAST LINE OF SAID AUDITOR PARCEL "G", 46. 71 FEET; THENCE S87°07'22"W, ALONG SAID EAST LINE, 350.51 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S87°07'22"W, 113.67 FEET; THENCE NORTHWESTERLY, 40.82 FEET ALONG A 25.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, WHOSE 36.44 FOOT CHORD BEARS N46°05'56"W; THENCE N00°40'47"E, 23.75 FEET; THENCE S89°1'13"E, 140.00 FEET, TO A POINT ON THE EAST LINE OF SAID AUDITOR PARCEL "G"; THENCE S00°40'47"W, ALONG SAID EAST LINE, 251. 65 FEET, TO THE POINT OF BEGINNING. SAID REZONING TRACT #3 CONTAINS 0.82 ACRE (35,685 SQUARE FEET), AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



Boundary or Property Line	_____
Congressional Section Line	_____
Lot Line, Internal	_____
Lot Line, Platted or by Deed	_____ . . .
Existing Centerline	_____
Proposed Centerline	_____
Existing Easement	_____
Proposed Easement	_____
Existing Contour	_____ 650 _____
Proposed Contour	_____ 650 _____
Existing Water Main	_____ W _____ W _____
Proposed Water Main	_____ W _____ W _____
Existing Sanitary Sewer	_____ S _____ S _____ S _____
Proposed Sanitary Sewer	_____ S _____ S _____ S _____
Existing Storm Sewer	_____ ST _____ ST _____
Proposed Storm Sewer	_____ → _____ → _____ → _____
Existing Telephone	_____ T _____ T _____ T _____
Existing Fiber Optic	_____ FO _____ FO _____
Existing Underground Electric	_____ E _____ E _____ E _____
Existing Overhead Electric	_____ (X) _____ (X) _____
Existing Gas Main	_____ G _____ G _____ G _____
Existing Fence Line	_____ x _____ x _____ x _____ x _____
Recorded Dimensions	(R)
Measured Dimensions	(M)

CURRENT ZONING IS A-1 AGRICULTURAL DISTRICT
ALL ADJACENT PROPERTIES ARE R-1 ZONING
PROPOSED ZONING IS LISTED IN THE FOLLOWING TABLE:

RB-1 BUSINESS REQUIREMENTS	
MINIMUM LOT AREA	NONE
MINIMUM SETBACK FRONTAGE	NONE
FRONT YARD SETBACK	25 FEET
SIDE YARD SETBACK	10 FEET
REAR YARD SETBACK	25 FEET

RB-1 RESIDENTIAL REQUIREMENTS	
MINIMUM LOT AREA	SINGLE FAMILY: 7,700 SF 3 TO 4 FAMILY: 10,000 SF 5 TO 8 FAMILY: 2,000 SF PER UNIT 9 TO 12 FAMILY: 1,800 SF PER UNIT
MINIMUM SETBACK FRONTAGE	SINGLE FAMILY: 70 FEET MULTIPLE FAMILY: 80 FEET
FRONT YARD SETBACK	25 FEET
SIDE YARD SETBACK	8 FEET
REAR YARD SETBACK	25 FEET

OUTLOT "A"
TO BE DEDICATED TO THE CITY OF WEST BRANCH FOR
STORMWATER MANAGEMENT AND OPEN PARK SPACE.

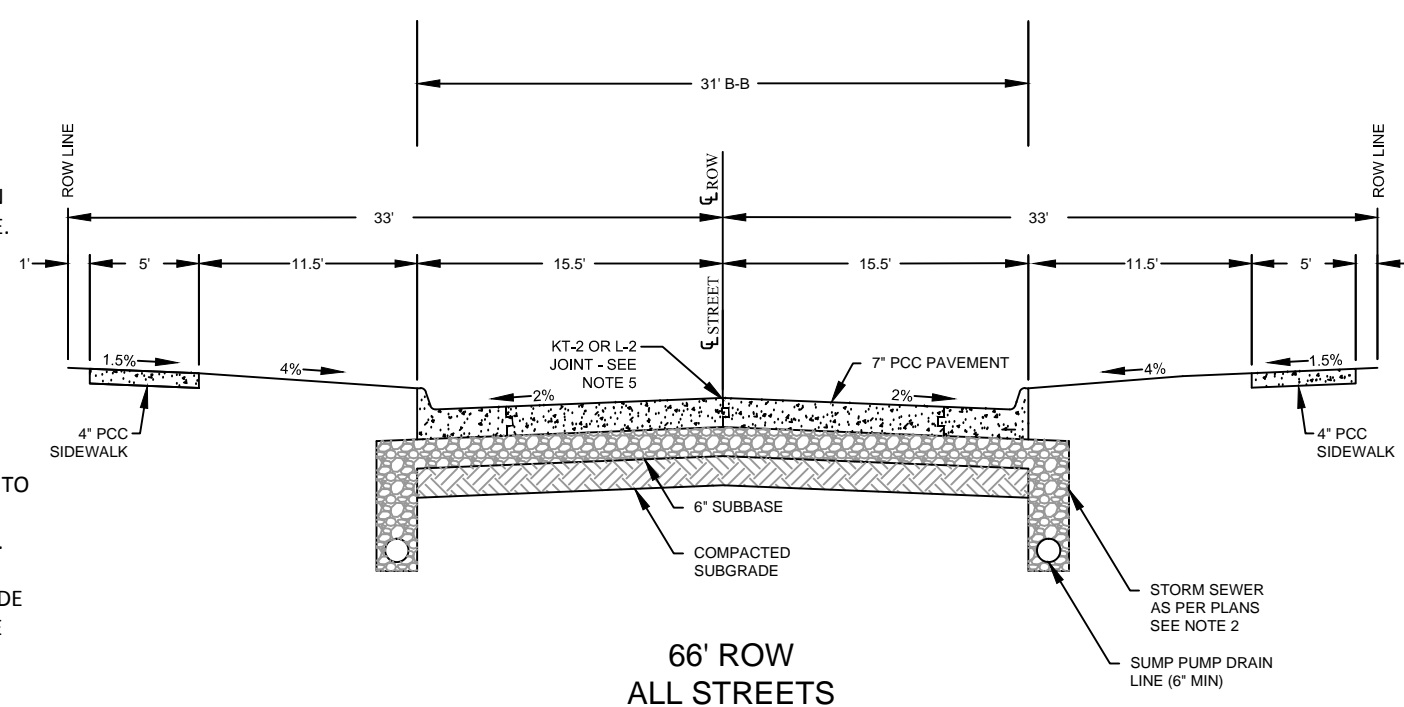
1. BASIS OF BEARINGS IS GPS MEASUREMENTS IN THE IOWA PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83.

2. THE SIZE AND LOCATION OF ALL PROPOSED UTILITIES SHOWN ON THE PLAT ARE SUBJECT TO MODIFICATION AND/OR CHANGE. 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 PLAT.

3. VARIANCE REQUESTED FOR STREET WIDTH OF 31' RATHER THAN 34'.

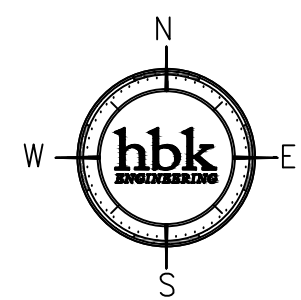
4. FUTURE CROSSWALK OF W MAIN STREET AT DAWSON DRIVE TO BE DETERMINED AND APPROVED AT TIME OF SIDEWALK INSTALLATION WITHIN WEST BRANCH HIGH SCHOOL PROPERTY.

5. GRADE OF LOT 31 TO BE FILLED AND RAISED TO PLACE OUTSIDE OF THE EXISTING FLOODPLAIN. MINIMUM LOW OPENING TO BE DEFINED PRIOR TO FINAL PLAT AND BUILDING ON LOT. MODELING TO BE COORDINATED WITH IDNR TO ESTABLISH BASE FLOOD ELEVATION AND NEED FOR LOMA.



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	13.53	15.50	50.03	S66° 18' 19"E	13.11
C2	52.39	60.00	50.03	S66° 18' 19"E	50.74
C3	170.50	60.00	162.82	N7° 16' 15"E	118.65
C4	70.38	60.00	67.21	S72° 15' 21"W	66.42
C5	13.53	15.50	50.03	S63° 39' 53"W	13.11

**Notes on this plat are not intended to create any vested private interest in any stated use restriction or covenant or create any third party beneficiaries to any noted use restriction or covenant.



PROJECT NAME:

WEST BRANCH

THE MEADOWS PHASE 3

TITLE:

PRELIMINARY PLAT

hbk

ENGINEERING

**IOWA DEPARTMENT
OF LABOR
REGISTRATION
NO. 00527328**

OWNER:

**KLM INVESTMENTS, INC
920 EASTVIEW PLACE NE
IOWA CITY, IA 52240**

MEADOWS DEVELOPMENT INC
920 EASTVIEW PLACE NE
IOWA CITY, IA 52240

MICHAEL N. KENNEDY
920 S. DUBUQUE STREET
IOWA CITY, IA 52240

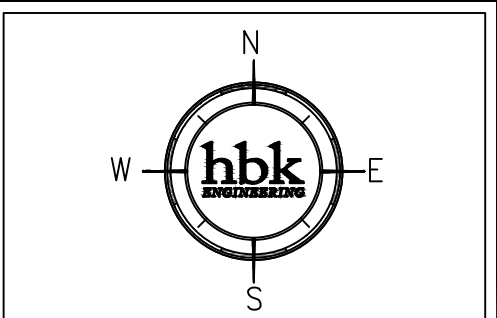
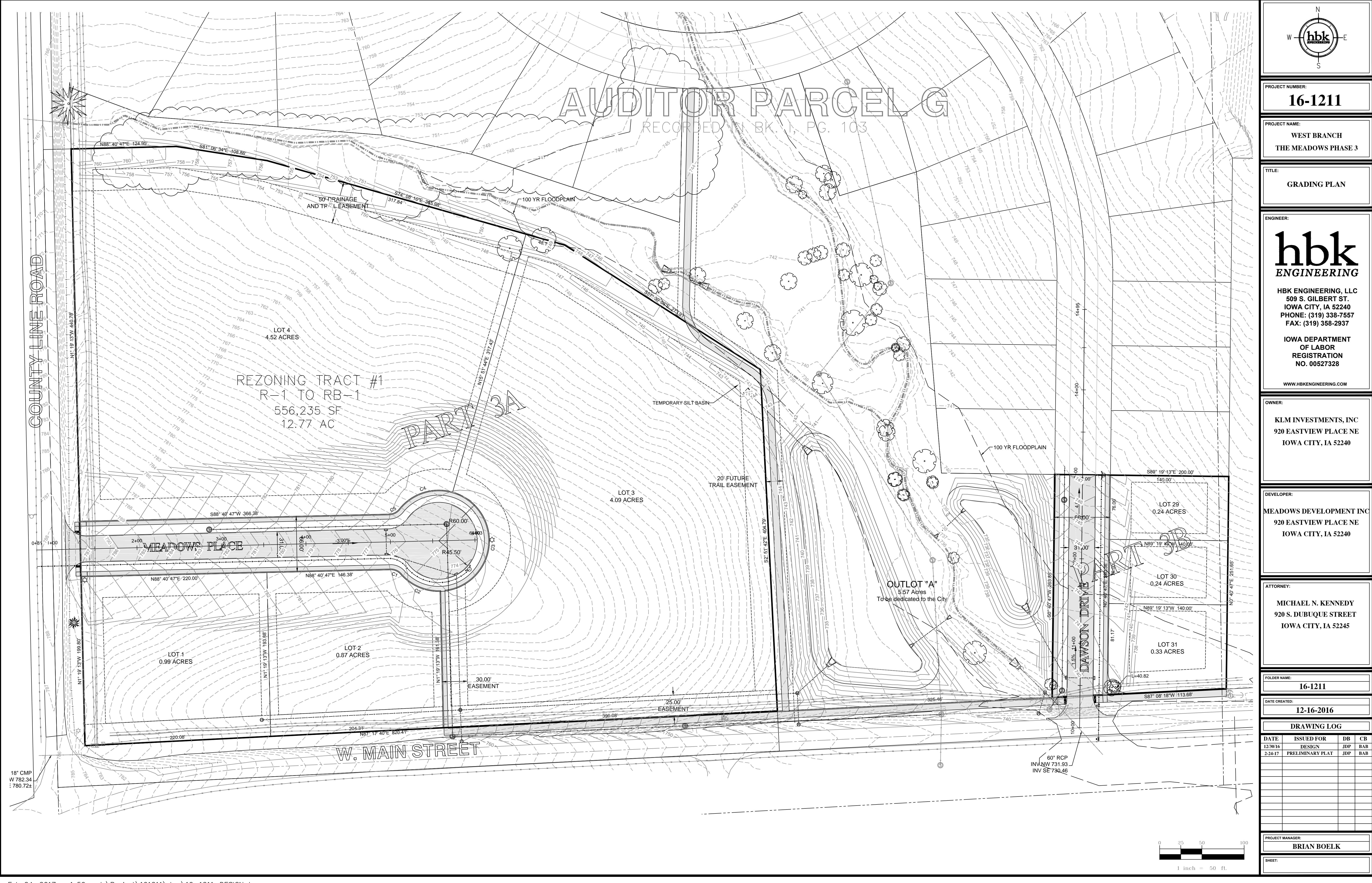
161211

DATE CREATED:	12-01-2016
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DATE	ISSUED FOR	DB	
01-19-17	DESIGN	JDP	
02-24-17	PRELIMINARY PLAT	JDP	

PROJECT MANAGER:
BRIAN BOELK

SHEET: **1 OF 2**



PROJECT NUMBER:
16-1211

PROJECT NAME:
**WEST BRANCH
THE MEADOWS PHASE 3**

TITLE:
GRADING PLAN

ENGINEER:
**hbk
ENGINEERING**

HBK ENGINEERING, LLC
509 S. GILBERT ST.
IOWA CITY, IA 52240
PHONE: (319) 338-7557
FAX: (319) 358-2937

IOWA DEPARTMENT
OF LABOR
REGISTRATION
NO. 00527328

WWW.HBKENGINEERING.COM

OWNER:
**KLM INVESTMENTS, INC
920 EASTVIEW PLACE NE
IOWA CITY, IA 52240**

DEVELOPER:
**MEADOWS DEVELOPMENT INC
920 EASTVIEW PLACE NE
IOWA CITY, IA 52240**

ATTORNEY:
**MICHAEL N. KENNEDY
920 S. DUBUQUE STREET
IOWA CITY, IA 52245**

FOLDER NAME:
16-1211

DATE CREATED:
12-16-2016

DRAWING LOG			
DATE	ISSUED FOR	DB	CB
12/30/16	DESIGN	JDP	BAB
2-24-17	PRELIMINARY PLAT	JDP	BAB

PROJECT MANAGER:
BRIAN BOELK

SHEET:

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NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: JOHNSON COUNTY SECONDARY ROADS
4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046



DRAWN BY: LTR
DATE: XX/XX/XXXX
PROJECT NO. 221008

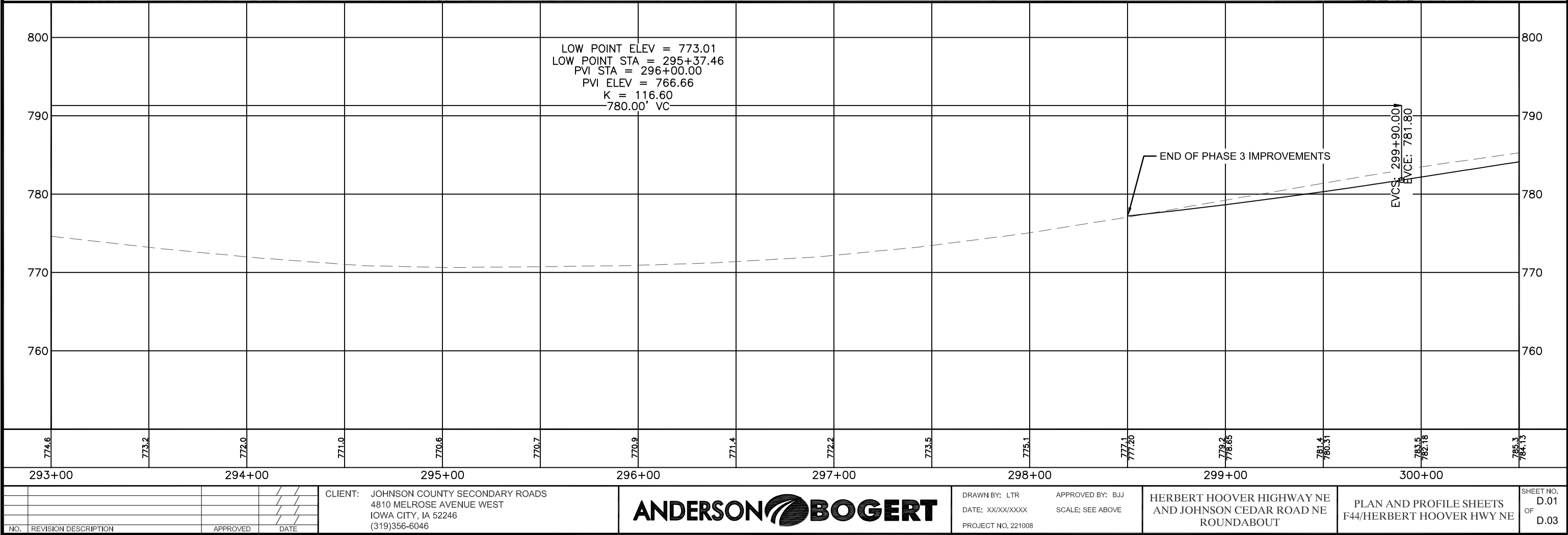
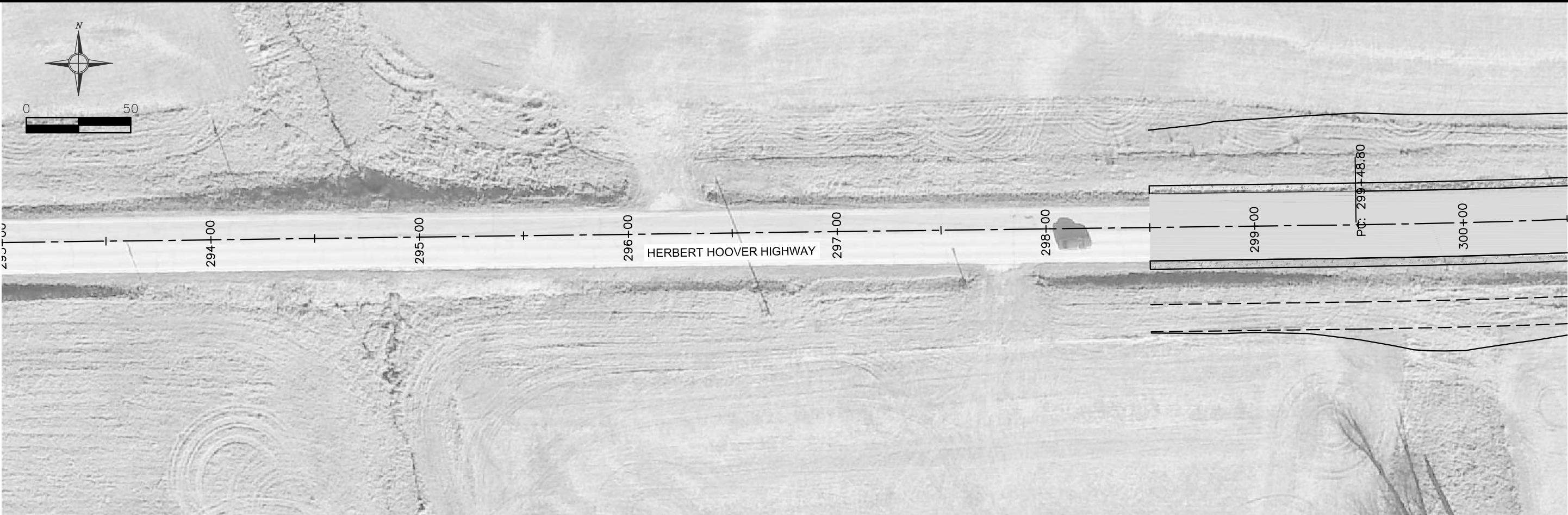
APPROVED BY: BJJ
SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

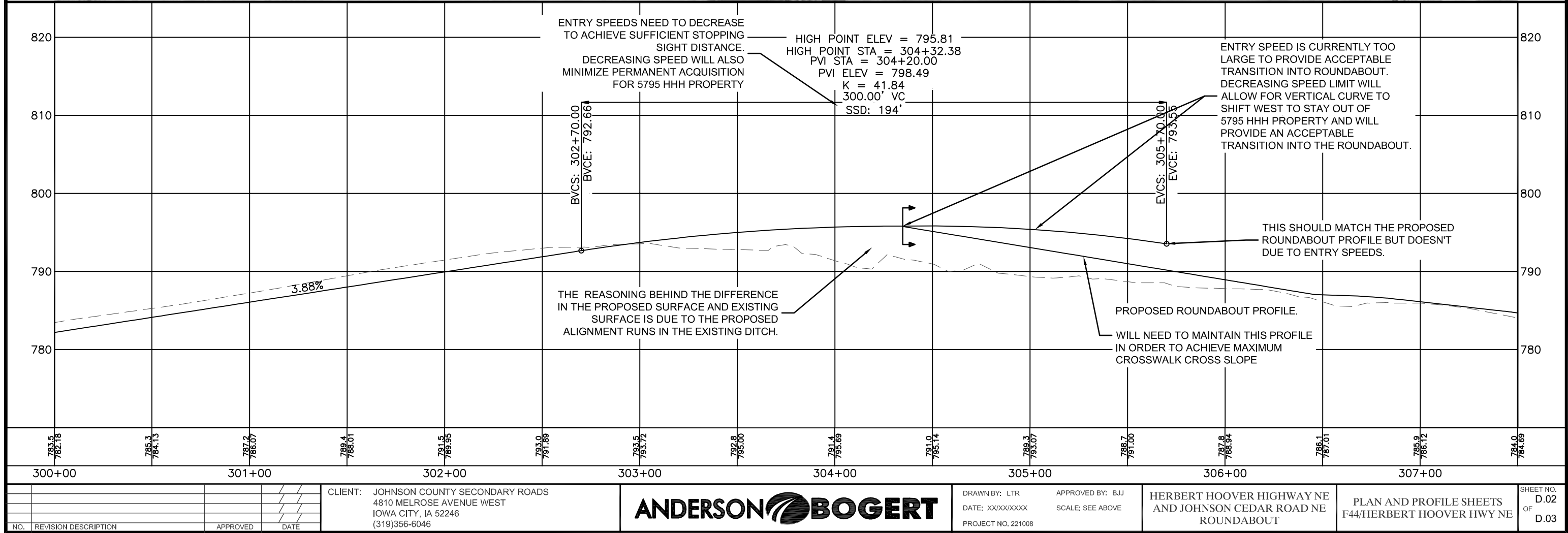
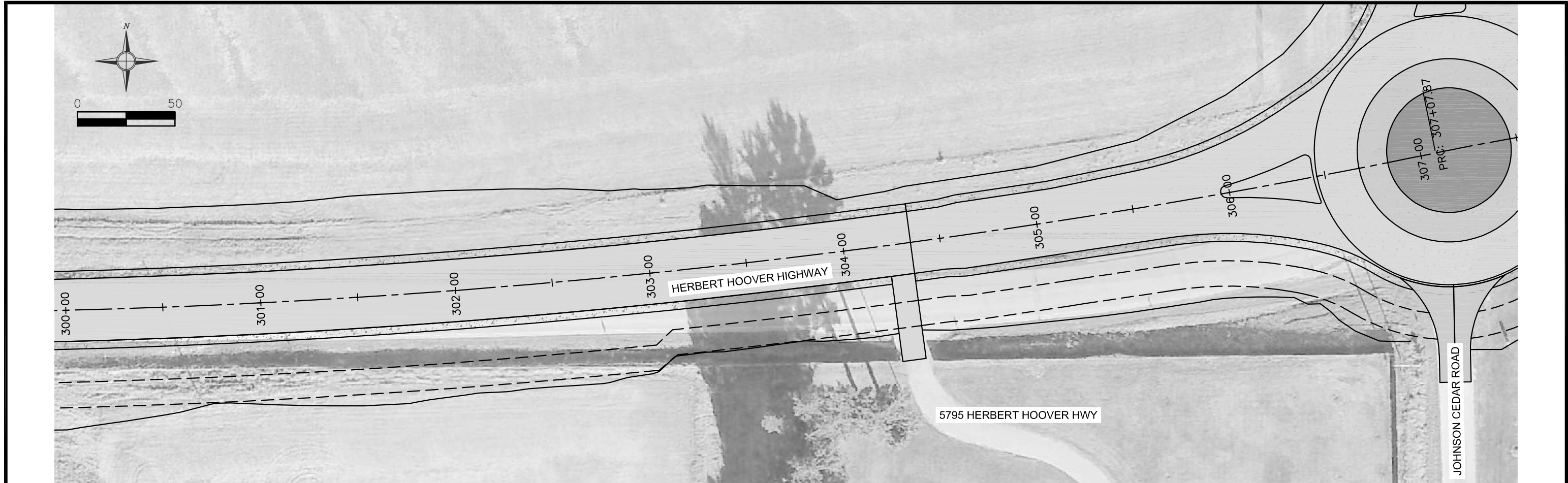
OVERALL

SHEET NO. XX
OF D.03

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NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: JOHNSON COUNTY SECONDARY ROADS
4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046



DRAWN BY: LTR
DATE: XX/XX/XXXX
PROJECT NO. 221008

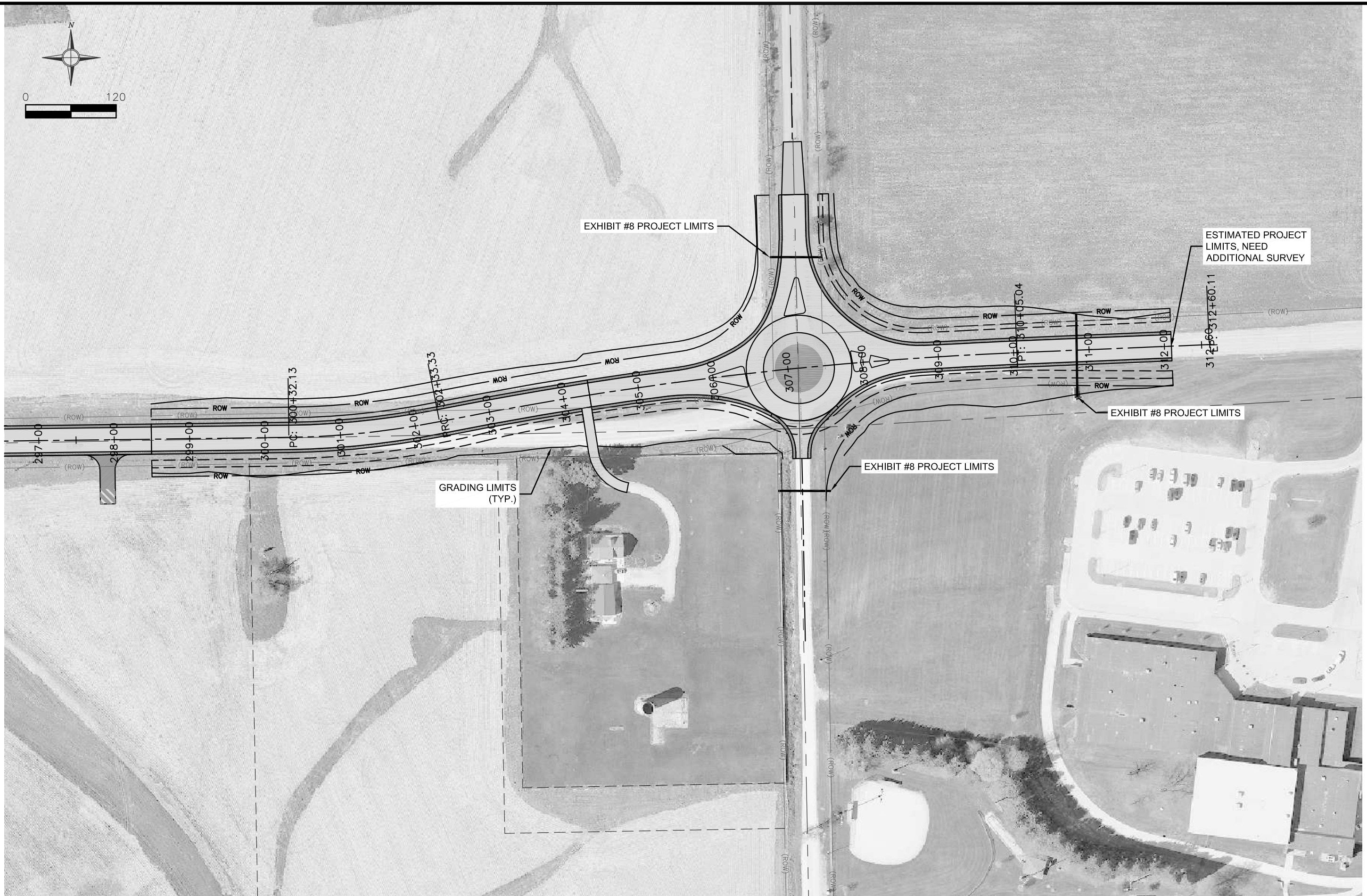
APPROVED BY: BJJ
SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDABOUT

PLAN AND PROFILE SHEETS
F44/HERBERT HOOVER HWY NE

SHEET NO.
D.02
OF
D.03

LTR370T: \ACAD\220027\Roundabout\DWG\220027_Prof (Roundabout) - 2.24.21 (after meeting).dwg 2-25-21 11:24:35 AM



NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: JOHNSON COUNTY SECONDARY ROADS
4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046

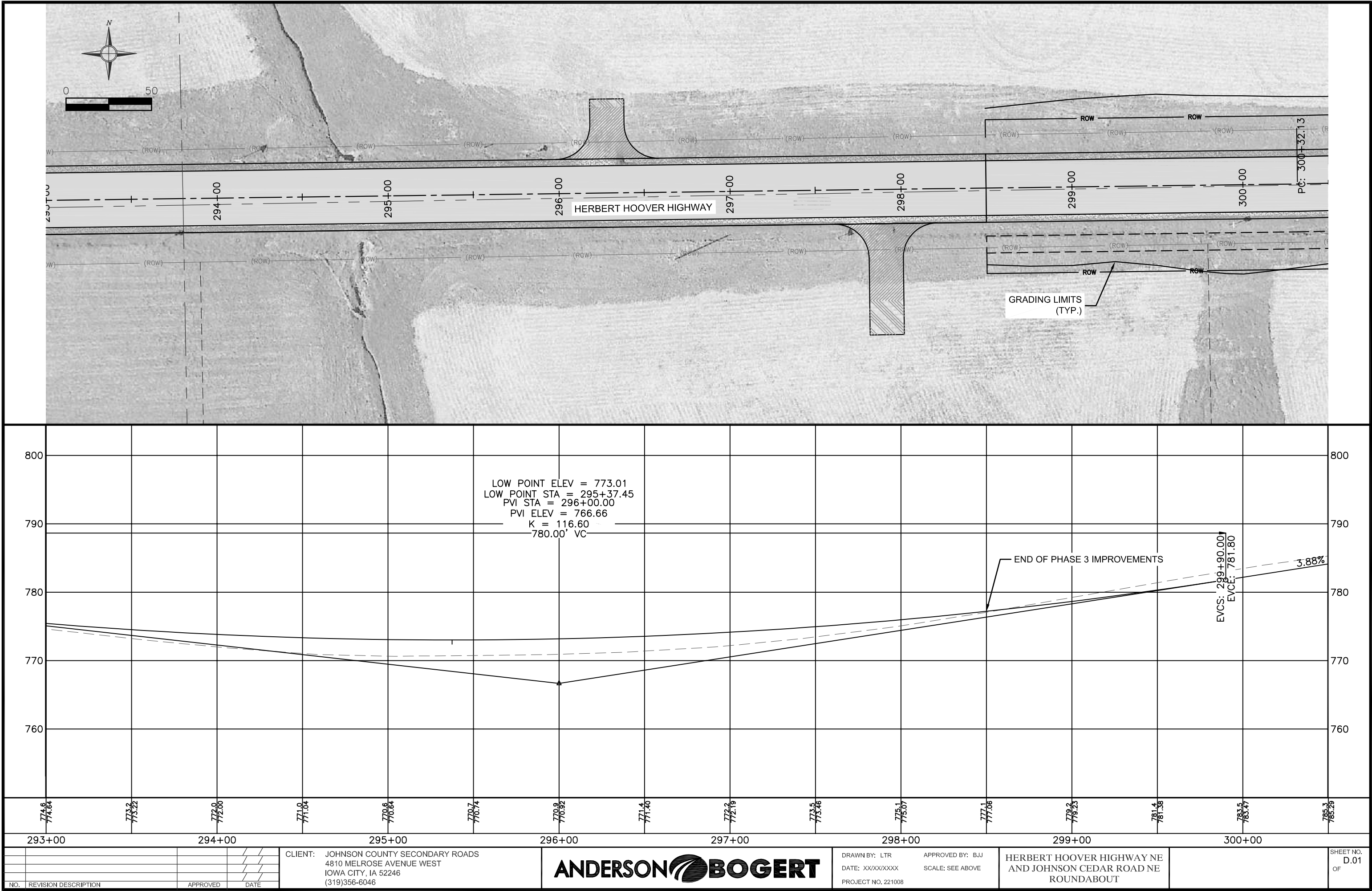


DRAWN BY: LTR
DATE: XX/XX/XXXX
PROJECT NO. 221008
APPROVED BY: BJJ
SCALE: SEE ABOVE

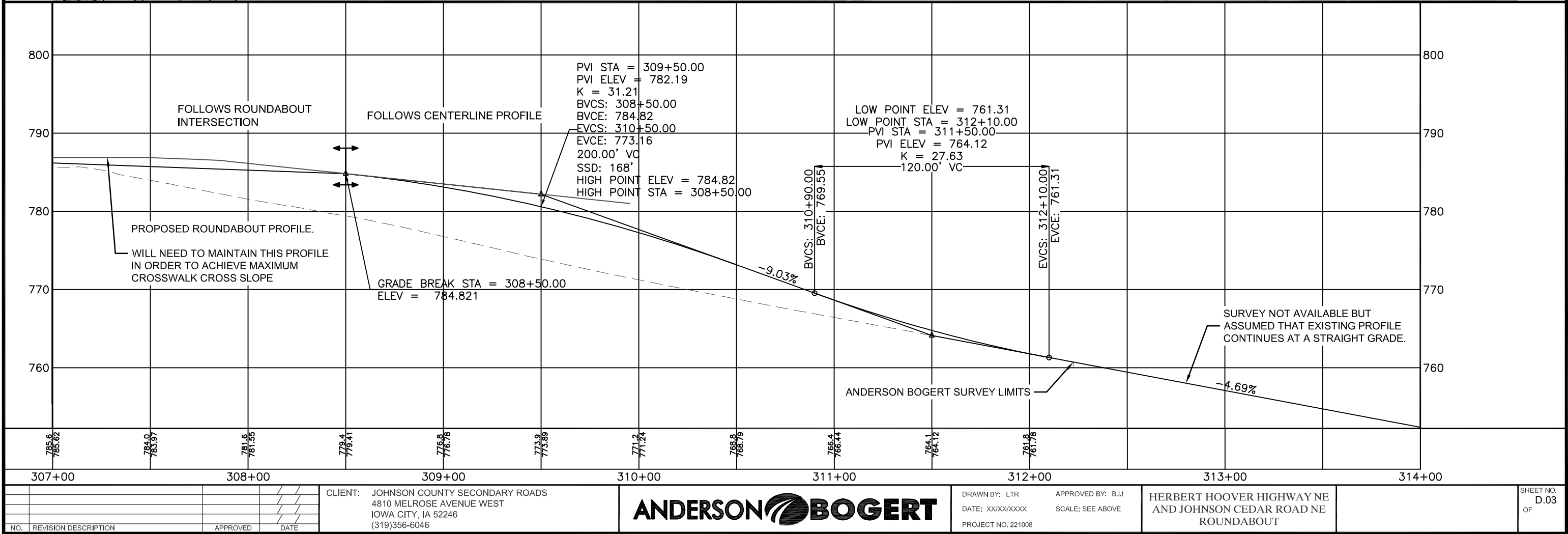
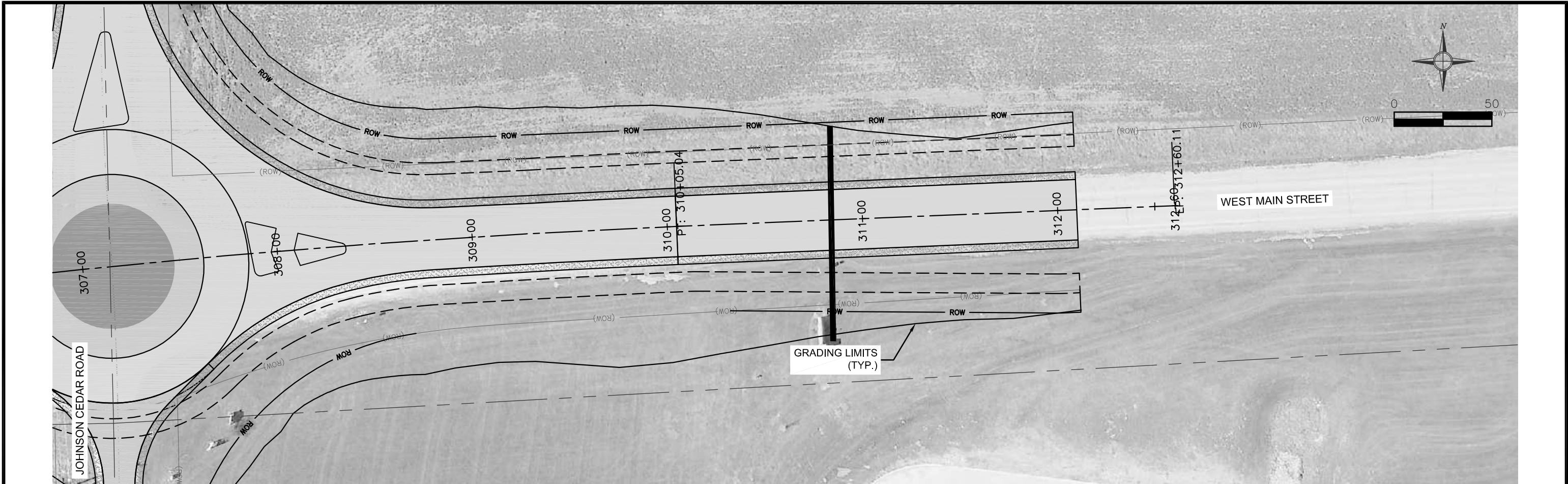
HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

SHEET NO.
D.00
OF

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CLIENT: JOHNSON COUNTY SECONDARY ROADS
4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046



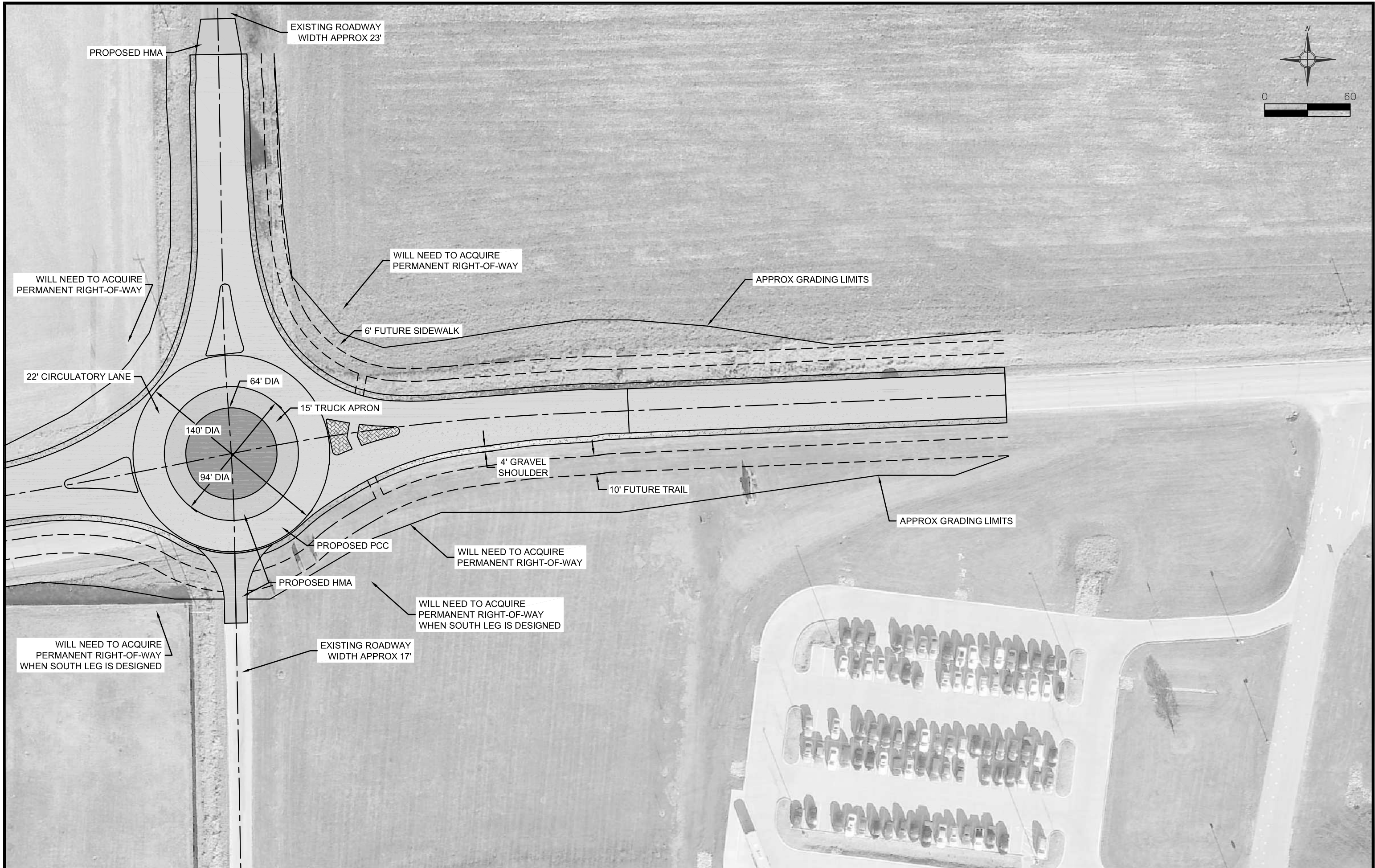
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PROJECT NO. 221008

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SCALE: SEE ABOVE

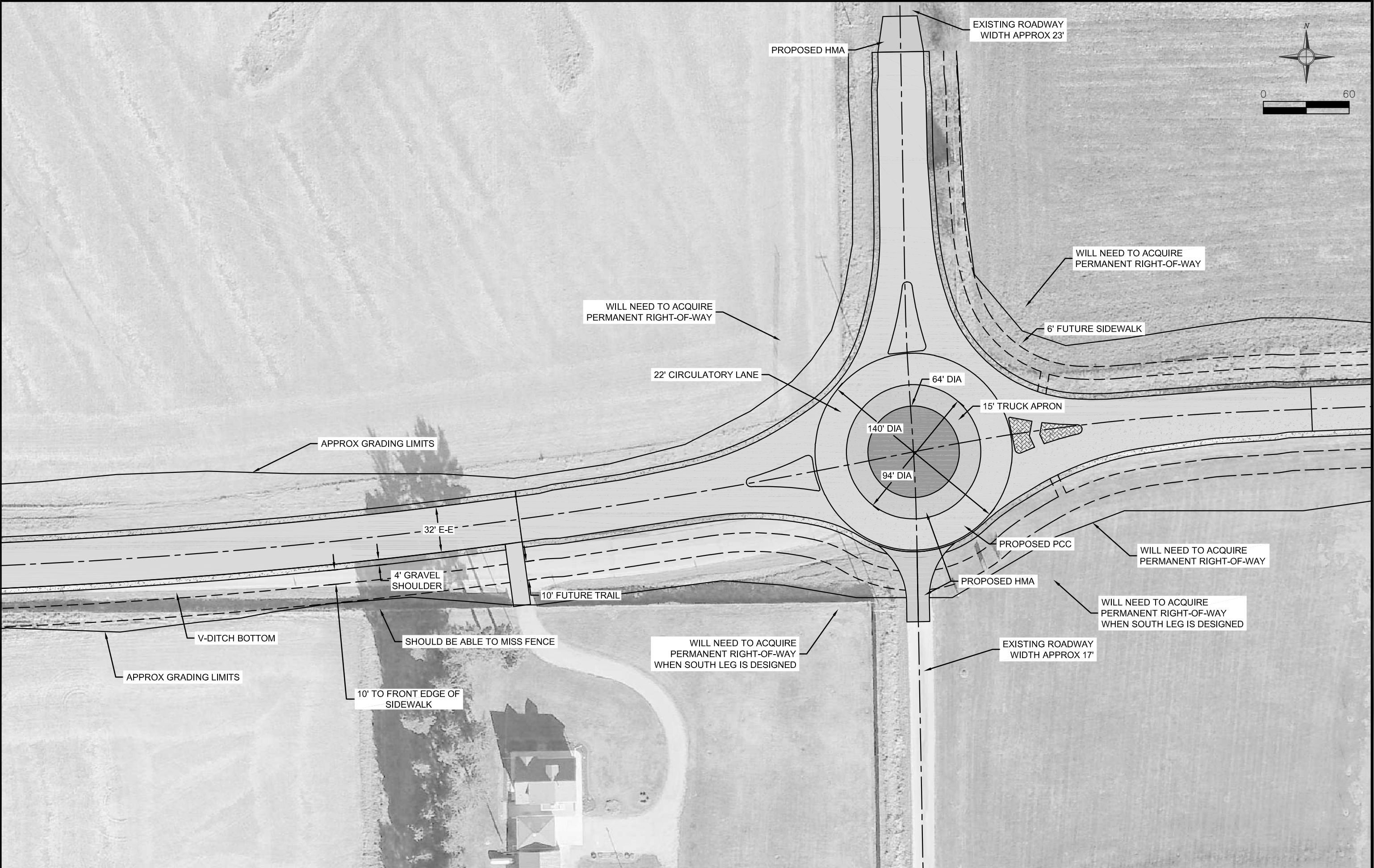
HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDABOUT

SHEET NO.
D.03
OF

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2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE INTERSECTION EXHIBIT #8 (ROUNDAABOUT #2) OPINION OF PROBABLE CONSTRUCTION COSTS - 2-25-2021 (RURAL SECTION CONCEPT)													
			ESTIMATED PROJECT QUANTITIES					COST					
ITEM NO.	ITEM	UNIT	WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	EAST OF ROUNDAABOUT WEST BRANCH	TOTAL	UNIT PRICE	WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	EAST OF ROUNDAABOUT WEST BRANCH	TOTAL
1	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	3845.9	814.8	814.8	1336.3	6811.9	\$ 10.00	\$ 38,459.26	\$ 8,148.15	\$ 8,148.15	\$ 13,362.96	\$ 68,118.52
2	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	1311.1	386.8	386.8	117.7	2202.3	\$ 5.00	\$ 6,555.56	\$ 1,933.84	\$ 1,933.84	\$ 588.32	\$ 11,011.55
3	MODIFIED SUBBASE, 6"	CY	434.9	402.9	402.9	135.4	1376.1	\$ 35.00	\$ 15,220.38	\$ 14,101.95	\$ 14,101.95	\$ 4,740.56	\$ 48,164.84
4	MACADAM STONE FOR SOFT SPOTS	CY	87.0	80.6	80.6	27.1	275.2	\$ 40.00	\$ 3,478.94	\$ 3,223.30	\$ 3,223.30	\$ 1,083.56	\$ 11,009.11
5	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	2268.0	1910.5	1910.5	706.0	6794.9	\$ 50.00	\$ 113,397.56	\$ 95,525.00	\$ 95,525.00	\$ 35,299.06	\$ 339,746.61
6	PCC PAVEMENT SAMPLES	LS	0.5	0.2	0.2	0.1	1.0	\$ 3,000.00	\$ 1,500.00	\$ 600.00	\$ 600.00	\$ 300.00	\$ 3,000.00
7	HOT MIX ASPHALT MIXTURE, COMMERCIAL MIX	TON	0.0	91.1	91.1	0.0	182.1	\$ 150.00	\$ -	\$ 13,657.64	\$ 13,657.64	\$ -	\$ 27,315.28
8	GRAVEL SHOULDER, 4"	TON	107.9	73.8	73.8	38.3	293.7	\$ 30.00	\$ 3,236.40	\$ 2,213.40	\$ 2,213.40	\$ 1,147.78	\$ 8,810.98
9	SURFACING, DRIVEWAY, CLASS A CRUSHED STONE	TON	14.0	37.6	37.6	0.0	89.3	\$ 30.00	\$ 420.00	\$ 1,128.75	\$ 1,128.75	\$ -	\$ 2,677.50
10	SHOULDER FINISHING, EARTH	STA	11.8	8.7	8.7	4.1	33.2	\$ 175.00	\$ 2,065.00	\$ 1,515.50	\$ 1,515.50	\$ 717.50	\$ 5,813.50
11	APRONS, METAL, 18 IN. DIA.	EACH	2.0	0.0	0.0	0.0	2.0	\$ 279.00	\$ 558.00	\$ -	\$ -	\$ -	\$ 558.00
12	APRONS, METAL, 24 IN. DIA.	EACH	0.0	1.0	1.0	0.0	2.0	\$ 400.00	\$ -	\$ 400.00	\$ 400.00	\$ -	\$ 800.00
13	CULVERT, CORRUGATED METAL ROADWAY, 24 IN. DIA.	LF	0.0	60.0	60.0	0.0	120.0	\$ 75.00	\$ -	\$ 4,500.00	\$ 4,500.00	\$ -	\$ 9,000.00
14	CULVERT, CORRUGATED METAL ENTRANCE PIPE, 18 IN. DIA.	LF	25.0	0.0	0.0	0.0	25.0	\$ 40.00	\$ 1,000.00	\$ -	\$ -	\$ -	\$ 1,000.00
15	SUBDRAIN, LONGITUDINAL (SHOULDER) 4 IN. DIA.	LF	1180.0	920.0	920.0	410.0	3430.0	\$ 4.50	\$ 5,310.00	\$ 4,140.00	\$ 4,140.00	\$ 1,845.00	\$ 15,435.00
16	SUBDRAIN OUTLET, DR-306	EACH	4.0	1.0	1.0	2.0	8.0	\$ 350.00	\$ 1,400.00	\$ 350.00	\$ 350.00	\$ 700.00	\$ 2,800.00
17	PAVEMENT REMOVAL	SY	1574.0	1597.5	1597.5	999.0	5768.0	\$ 8.00	\$ 12,592.00	\$ 12,780.00	\$ 12,780.00	\$ 7,992.00	\$ 46,144.00
18	SIGNS	EACH	4.0	6.0	6.0	4.0	20.0	\$ 300.00	\$ 1,200.00	\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 6,000.00
19	CONSTRUCTION SURVEY	LS	0.4	0.3	0.3		1.0	\$ 12,500.00	\$ 5,000.00	\$ 3,750.00	\$ 3,750.00	\$ -	\$ 12,500.00
20	PAINTED PAVEMENT MARKINGS, WATERBORNE	STA	23.6	16.0	16.0	8.2	63.8	\$ 50.00	\$ 1,180.00	\$ 800.00	\$ 800.00	\$ 410.00	\$ 3,190.00
21	MOBILIZATION	LS	0.3	0.3	0.3	0.1	1.0	\$ 70,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 7,000.00	\$ 70,000.00
22	REMOVE AND REINSTALL FIRE HYDRANT	EACH	0.0	0.5	0.5	0.0	1.0	\$ 2,500.00	\$ -	\$ 1,250.00	\$ 1,250.00	\$ -	\$ 2,500.00
23	MULCHING, BONDED FIBER MATRIX	ACRE	1.4	0.7	0.7	0.5	3.3	\$ 2,625.00	\$ 3,675.00	\$ 1,837.50	\$ 1,837.50	\$ 1,312.50	\$ 8,662.50
24	HYDRAULIC SEEDING, PERMANENT RURAL	ACRE	1.4	0.7	0.7	0.5	3.3	\$ 600.00	\$ 840.00	\$ 420.00	\$ 420.00	\$ 300.00	\$ 1,980.00
25	SILT FENCE	LF	1100.0	700.0	700.0	400.0	2900.0	\$ 2.00	\$ 2,200.00	\$ 1,400.00	\$ 1,400.00	\$ 800.00	\$ 5,800.00
26	REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS	LF	1100.0	700.0	700.0	400.0	2900.0	\$ 0.50	\$ 550.00	\$ 350.00	\$ 350.00	\$ 200.00	\$ 1,450.00
27	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 12 IN DIA.	LF	200.0	400.0	400.0	100.0	1100.0	\$ 2.00	\$ 400.00	\$ 800.00	\$ 800.00	\$ 200.00	\$ 2,200.00
28	REMOVAL OF PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE	LF	200.0	400.0	400.0	100.0	1100.0	\$ 0.50	\$ 100.00	\$ 200.00	\$ 200.00	\$ 50.00	\$ 550.00
29	MOBILIZATION, EROSION CONTROL	EACH	1.0	0.5	0.5	1.0	3.0	\$ 650.00	\$ 650.00	\$ 325.00	\$ 325.00	\$ 650.00	\$ 1,950.00
30	MOBILIZATION, EMERGENCY EROSION CONTROL	EACH	1.0	0.5	0.5	1.0	3.0	\$ 950.00	\$ 950.00	\$ 475.00	\$ 475.00	\$ 950.00	\$ 2,850.00
31	PERMANENT ACQUISITION	SF	41629.6	0.0	0.0	17231.3	58860.9	\$ 0.23	\$ 9,574.81	\$ -	\$ -	\$ 3,963.20	\$ 13,538.01
32	COLORLED CONCRETE TRUCK APRON	SY	0.0	207.0	207.0	0.0	414.0	\$ 105.00	\$ -	\$ 21,732.67	\$ 21,732.67	\$ -	\$ 43,465.33
33	LIGHTING	LS	0.0	0.5	0.5	0.0	1.0	\$ 33,000.00	\$ -	\$ 16,500.00	\$ 16,500.00	\$ -	\$ 33,000.00
34	RETAINING WALL, AVERAGE 4' HEIGHT	SF	500.0	0.0	0.0	0.0	500.0	\$ 45.00	\$ 22,500.00	\$ -	\$ -	\$ -	\$ 22,500.00
X.1	COST SAVINGS: 1.5' ADDED GRAVEL SHOULDERS (VS. 31' PAVED)	SY	0.0	14.2	14.2	0.0	56.7	\$ 50.00	\$ -	\$ 708.33	\$ 708.33	\$ -	\$ 1,416.67
	COST SAVINGS: HMA TAPER FOR 28' VS 31' NORTH LEG	SY	0.0	22.5	22.5	0.0	89.9	\$ 150.00	\$ -	\$ 3,372.61	\$ 3,372.61	\$ -	\$ 6,745.22
X.2	COST SUBSTITUTE: 5795 HHH EXCAVATION (4:1 SLOPES OFF DWY)	CY	221.3	0.0	0.0	0.0	0.0	\$ 10.00	\$ 2,213.24	\$ -	\$ -	\$ -	\$ 2,213.24
	COST SUBSTITUTE: 5795 HHH TREE REMOVAL (50')	EA	2.0	0.0	0.0	0.0	0.0	\$ 1,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ 2,000.00
	COST SUBSTITUTE: REMOVE AND REINSTALL FENCE, 6' HEIGHT	LF	80.0	0.0	0.0	0.0	0.0	\$ 70.00	\$ 5,600.00	\$ -	\$ -	\$ -	\$ 5,600.00
								SUBTOTAL	\$ 275,012.91	\$ 236,857.70	\$ 236,857.70	\$ 84,812.42	\$ 811,040.73
								15% CONTINGENCY	\$ 41,251.94	\$ 35,528.66	\$ 35,528.66	\$ 12,721.86	\$ 121,656.11
								TOTAL	\$ 316,264.84	\$ 272,386.36	\$ 272,386.36	\$ 97,534.28	\$ 932,696.84

	ORIGINAL	CURRENT	DIFFERENCE
JOHNSON COUNTY	\$ 574,770.81	\$ 588,651.20	\$ (13,880.39)
WEST BRANCH	\$ 278,524.67	\$ 369,920.64	\$ (91,395.97)

Insert

March 2021

Intersection Cost Option 210311
RAB – Alternate Profile210311

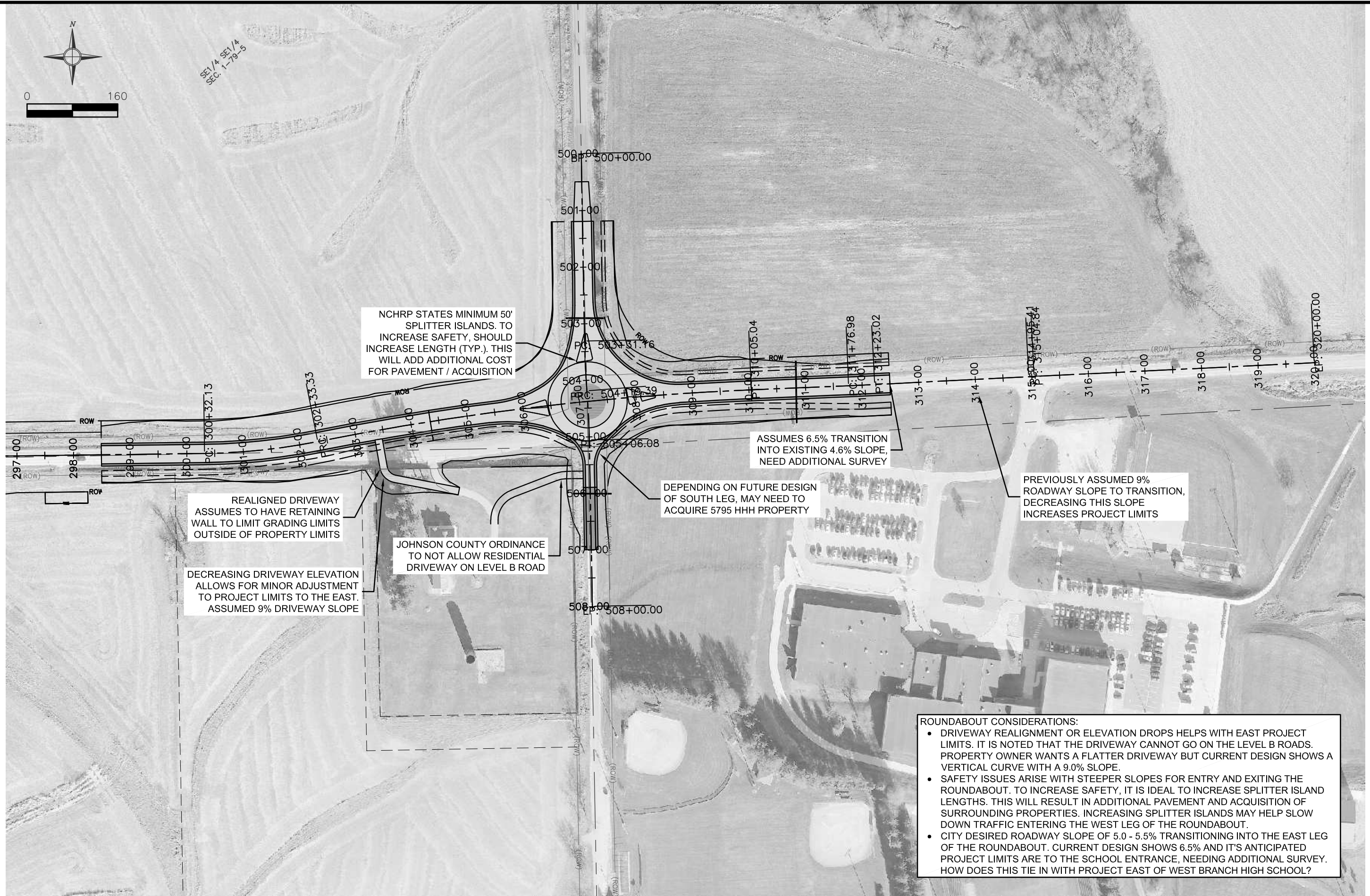
"Turning Vision into Reality is our Business"

<p align="center"> 2021 F44/HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE INTERSECTION EXHIBIT #8 (ROUNDAABOUT #2) OPINION OF PROBABLE CONSTRUCTION COSTS - 3-11-2021 (RURAL SECTION CONCEPT) </p>

ITEM NO.	ITEM	UNIT	ESTIMATED PROJECT QUANTITIES					COST					
			WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	EAST OF ROUNDAABOUT WEST BRANCH	TOTAL	UNIT PRICE	WEST OF ROUNDAABOUT JOHNSON COUNTY	ROUNDAABOUT JOHNSON CO.	ROUNDAABOUT WEST BRANCH	EAST OF ROUNDAABOUT WEST BRANCH	TOTAL
1	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	10314.1	2336.4	2336.4	324.1	15310.9	\$ 10.00	\$ 103,140.74	\$ 23,363.89	\$ 23,363.89	\$ 3,240.74	\$ 153,109.26
2	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	885.0	532.7	532.7	305.6	2256.0	\$ 5.00	\$ 4,425.00	\$ 2,663.66	\$ 2,663.66	\$ 1,527.78	\$ 11,280.09
3	MODIFIED SUBBASE, 6"	CY	455.7	463.7	463.7	161.4	1544.4	\$ 35.00	\$ 15,949.10	\$ 16,228.83	\$ 16,228.83	\$ 5,647.50	\$ 54,054.27
4	MACADAM STONE FOR SOFT SPOTS	CY	91.1	92.7	92.7	32.3	308.9	\$ 40.00	\$ 3,645.51	\$ 3,709.45	\$ 3,709.45	\$ 1,290.86	\$ 12,355.26
5	PCC PAVEMENT, CLASS A, CLASS 3, 9"	SY	2363.5	2061.9	2061.9	843.7	7331.1	\$ 50.00	\$ 118,177.22	\$ 103,096.06	\$ 103,096.06	\$ 42,186.11	\$ 366,555.44
6	PCC PAVEMENT SAMPLES	LS	0.3	0.2	0.2	0.3	1.0	\$ 4,000.00	\$ 1,200.00	\$ 800.00	\$ 800.00	\$ 1,200.00	\$ 4,000.00
7	HOT MIX ASPHALT MIXTURE, COMMERCIAL MIX	TON	0.0	105.0	105.0	0.0	210.0	\$ 150.00	\$ -	\$ 15,750.74	\$ 15,750.74	\$ -	\$ 31,501.48
8	GRAVEL SHOULDER, 4"	TON	109.1	94.7	94.7	45.8	344.3	\$ 30.00	\$ 3,271.92	\$ 2,840.71	\$ 2,840.71	\$ 1,375.44	\$ 10,328.77
9	SURFACING, DRIVEWAY, CLASS A CRUSHED STONE	TON	0.0	46.2	46.2	0.0	92.4	\$ 30.00	\$ -	\$ 1,386.00	\$ 1,386.00	\$ -	\$ 2,772.00
10	SHOULDER FINISHING, EARTH	STA	11.8	11.4	11.4	5.0	39.6	\$ 175.00	\$ 2,065.00	\$ 1,995.00	\$ 1,995.00	\$ 875.00	\$ 6,930.00
11	APRONS, METAL, 18 IN. DIA.	EACH	0.0	1.0	1.0	0.0	2.0	\$ 279.00	\$ -	\$ 279.00	\$ 279.00	\$ -	\$ 558.00
12	APRONS, METAL, 24 IN. DIA.	EACH	0.0	1.0	1.0	0.0	2.0	\$ 400.00	\$ -	\$ 400.00	\$ 400.00	\$ -	\$ 800.00
13	CULVERT, CORRUGATED METAL ROADWAY, 24 IN. DIA.	LF	0.0	60.0	60.0	0.0	120.0	\$ 75.00	\$ -	\$ 4,500.00	\$ 4,500.00	\$ -	\$ 9,000.00
14	CULVERT, CORRUGATED METAL ENTRANCE PIPE, 18 IN. DIA.	LF	0.0	12.5	12.5	0.0	25.0	\$ 40.00	\$ -	\$ 500.00	\$ 500.00	\$ -	\$ 1,000.00
15	SUBDRAIN, LONGITUDINAL (SHOULDER) 4 IN. DIA.	LF	1180.0	815.0	815.0	500.0	3310.0	\$ 4.50	\$ 5,310.00	\$ 3,667.50	\$ 3,667.50	\$ 2,250.00	\$ 14,895.00
16	SUBDRAIN OUTLET, DR-306	EACH	4.0	1.0	1.0	2.0	8.0	\$ 350.00	\$ 1,400.00	\$ 350.00	\$ 350.00	\$ 700.00	\$ 2,800.00
17	PAVEMENT REMOVAL	SY	1573.3	1473.3	1473.3	722.2	5242.2	\$ 8.00	\$ 12,586.67	\$ 11,786.67	\$ 11,786.67	\$ 5,777.78	\$ 41,937.78
18	SIGNS	EACH	4.0	6.0	6.0	4.0	20.0	\$ 300.00	\$ 1,200.00	\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 6,000.00
19	CONSTRUCTION SURVEY	LS	0.35	0.20	0.20	0.30	1.1	\$ 15,000.00	\$ 5,250.00	\$ 3,000.00	\$ 3,000.00	\$ 4,500.00	\$ 15,750.00
20	PAINTED PAVEMENT MARKINGS, WATERBORNE	STA	23.6	17.6	17.6	10.0	68.8	\$ 50.00	\$ 1,180.00	\$ 880.00	\$ 880.00	\$ 500.00	\$ 3,440.00
21	MOBILIZATION	LS	0.35	0.20	0.20	0.25	1.0	\$ 90,000.00	\$ 31,500.00	\$ 18,000.00	\$ 18,000.00	\$ 22,500.00	\$ 90,000.00
22	REMOVE AND REINSTALL FIRE HYDRANT	EACH	0.0	0.5	0.5	0.0	1.0	\$ 2,500.00	\$ -	\$ 1,250.00	\$ 1,250.00	\$ -	\$ 2,500.00
23	MULCHING, BONDED FIBER MATRIX	ACRE	1.4	1.3	1.3	0.6	4.6	\$ 2,625.00	\$ 3,675.00	\$ 3,412.50	\$ 3,412.50	\$ 1,575.00	\$ 12,075.00
24	HYDRAULIC SEEDING, PERMANENT RURAL	ACRE	1.4	1.3	1.3	0.6	4.6	\$ 600.00	\$ 840.00	\$ 780.00	\$ 780.00	\$ 360.00	\$ 2,760.00
25	SILT FENCE	LF	1200.0	800.0	800.0	600.0	3400.0	\$ 2.00	\$ 2,400.00	\$ 1,600.00	\$ 1,600.00	\$ 1,200.00	\$ 6,800.00

	EXHIBIT #8	CURRENT	DIFFERENCE
JOHNSON COUNTY	\$ 574,770.81	\$ 705,740.12	\$ (130,969.31)
WEST BRANCH	\$ 278,524.67	\$ 445,755.76	\$ (167,231.10)

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4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046



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PROJECT NO. 221008

APPROVED BY: BJJ
SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDABOUT

SHEET NO.
D.XX
OF

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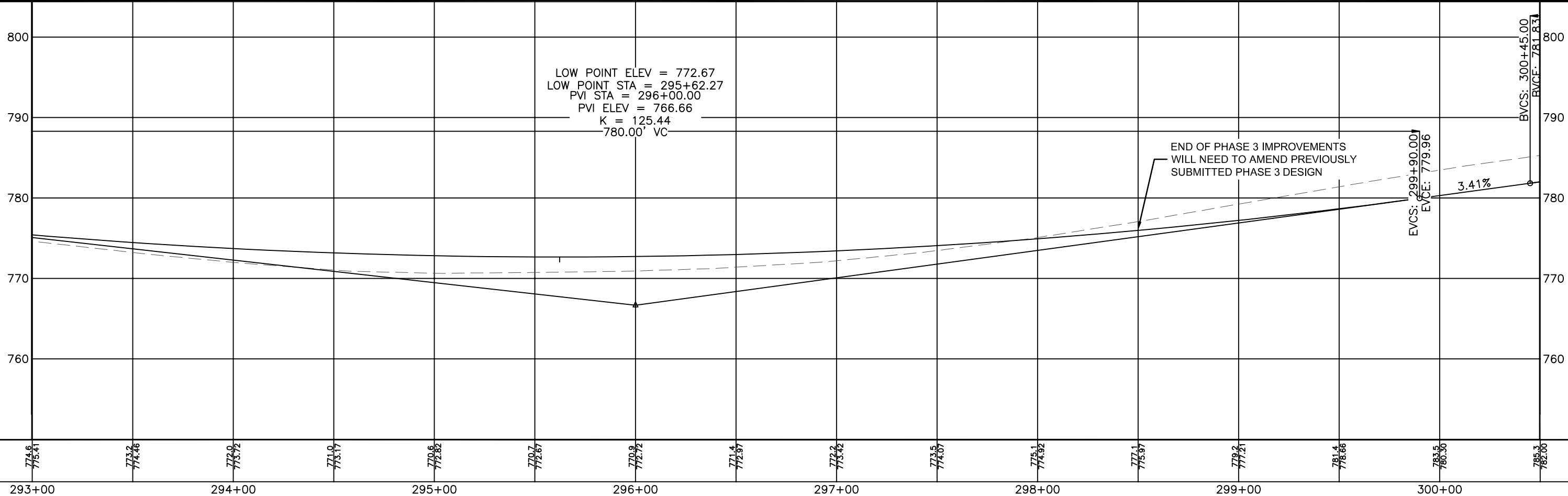
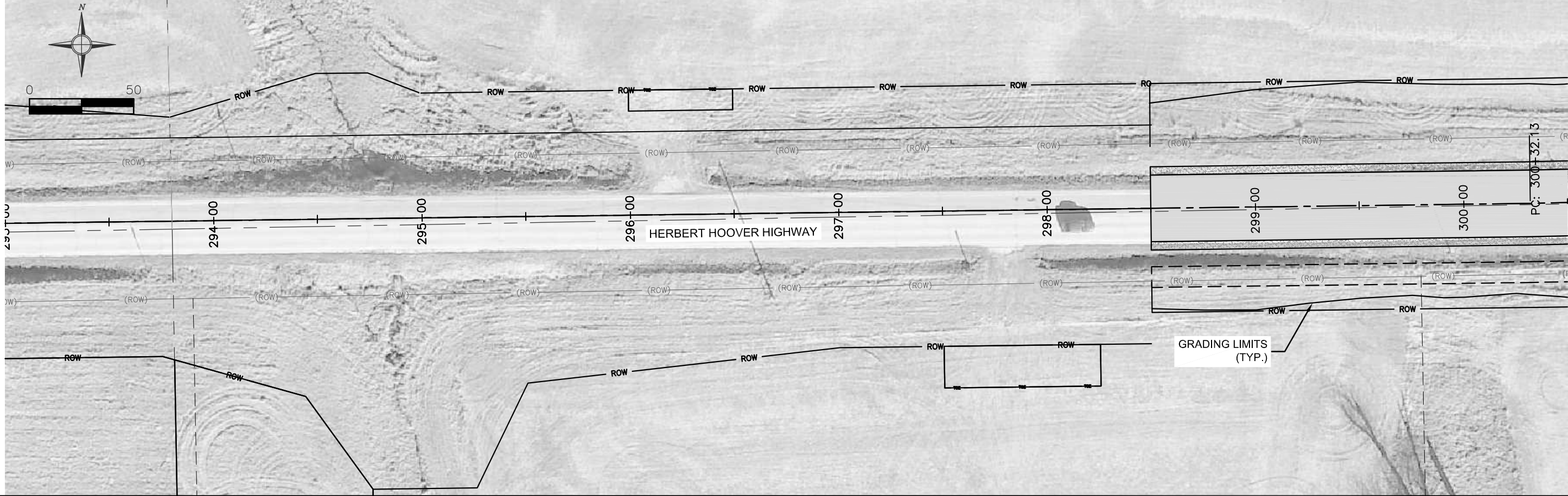
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PROJECT NO. 221008

APPROVED BY: BJJ
SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

SHEET NO.
D.00
OF

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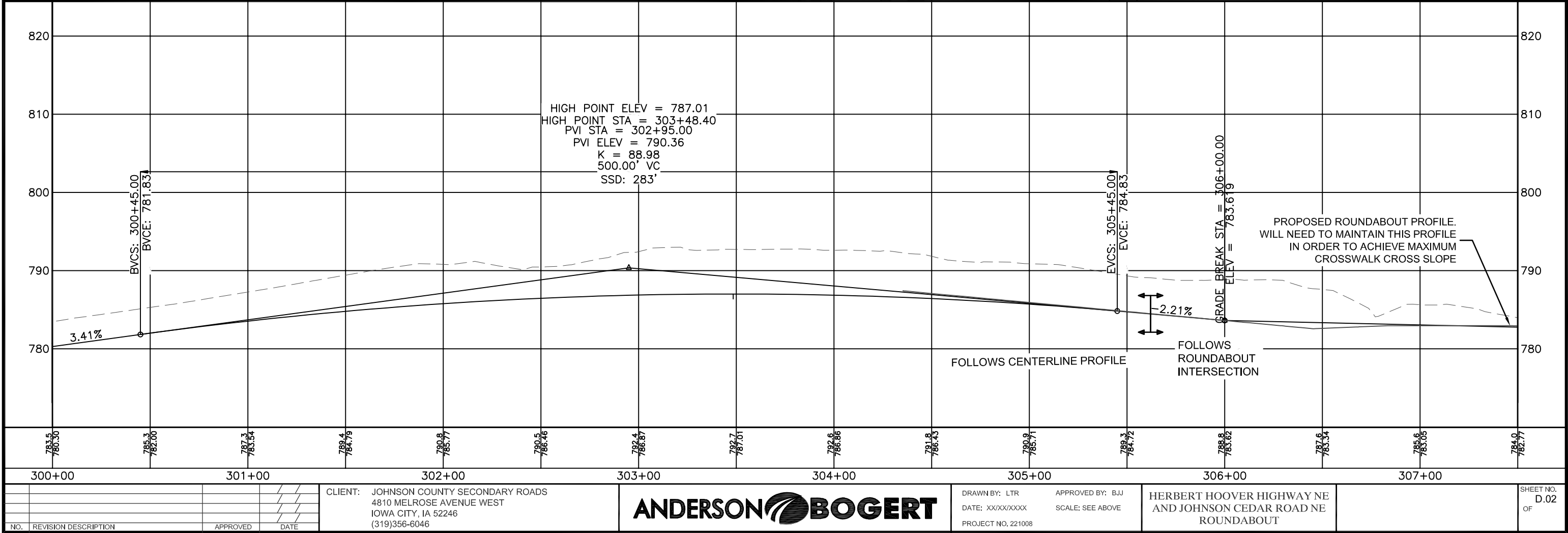
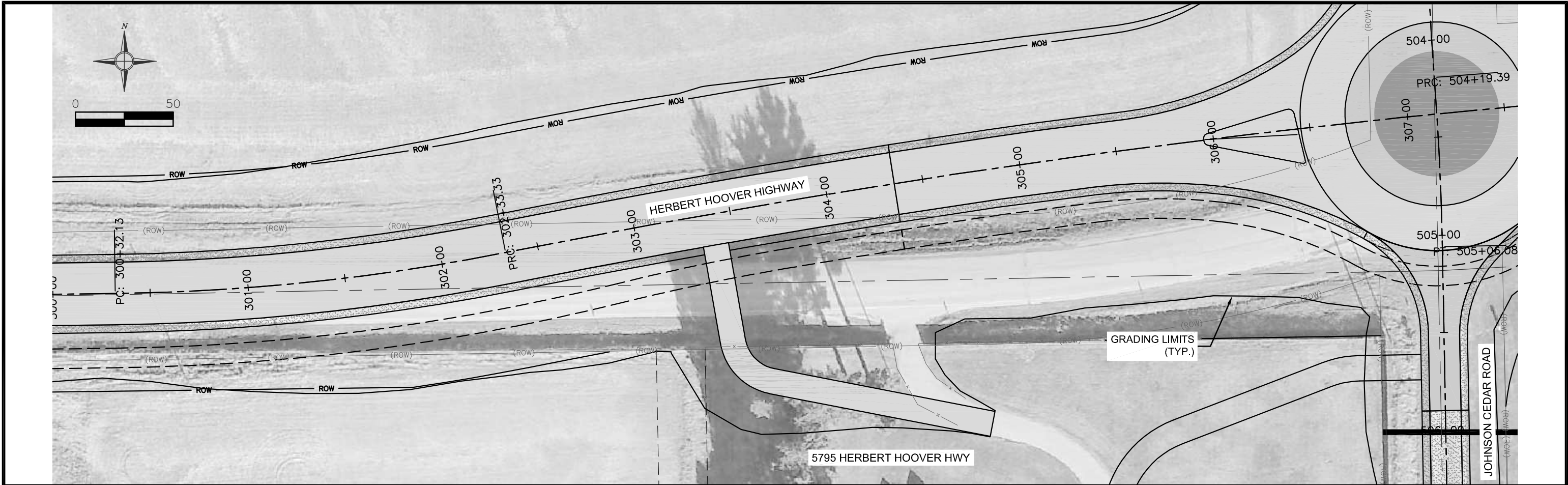
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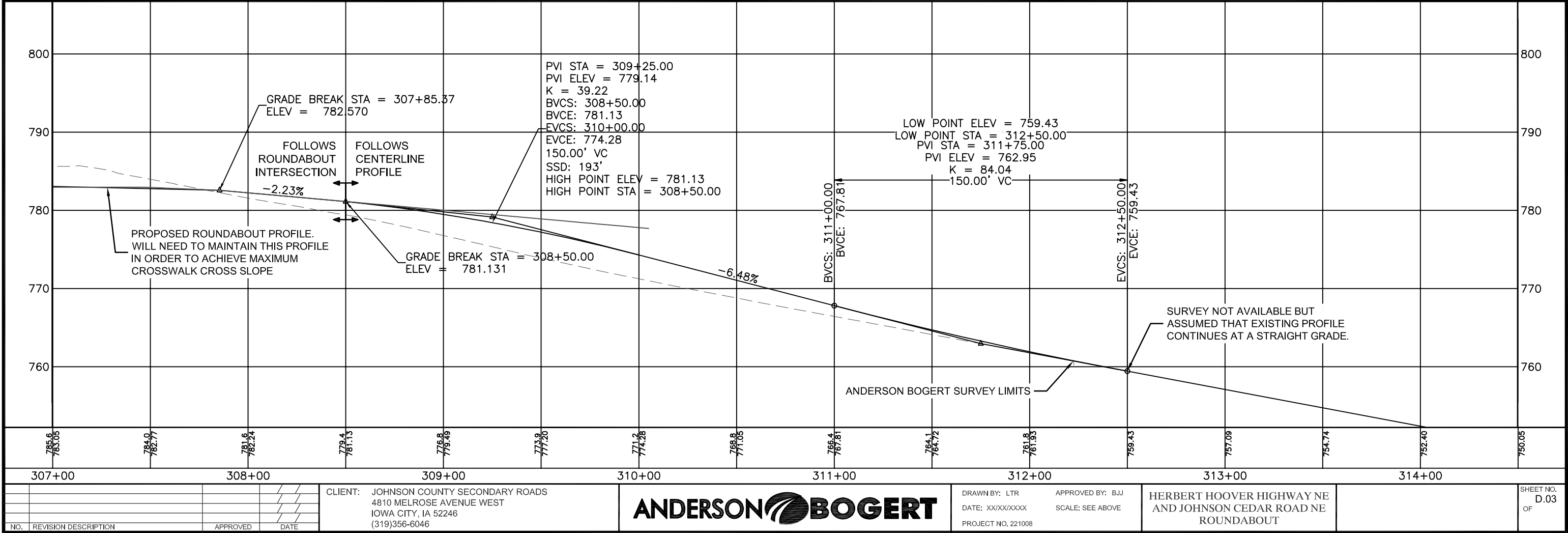
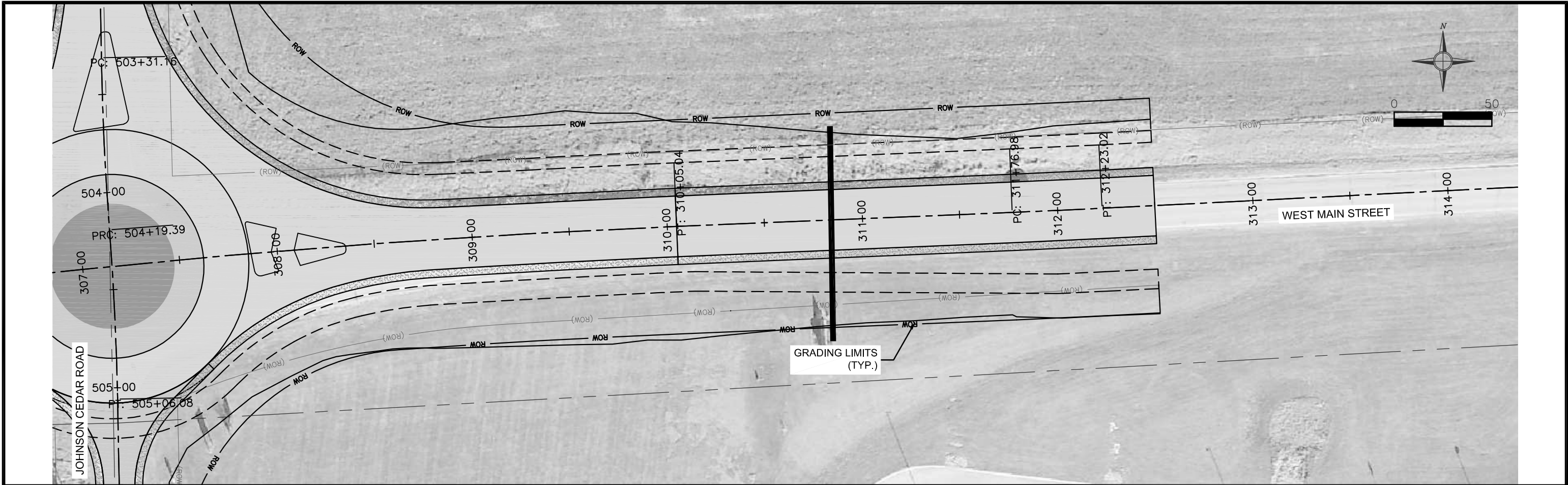
HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

SHEET NO.
D.01
OF

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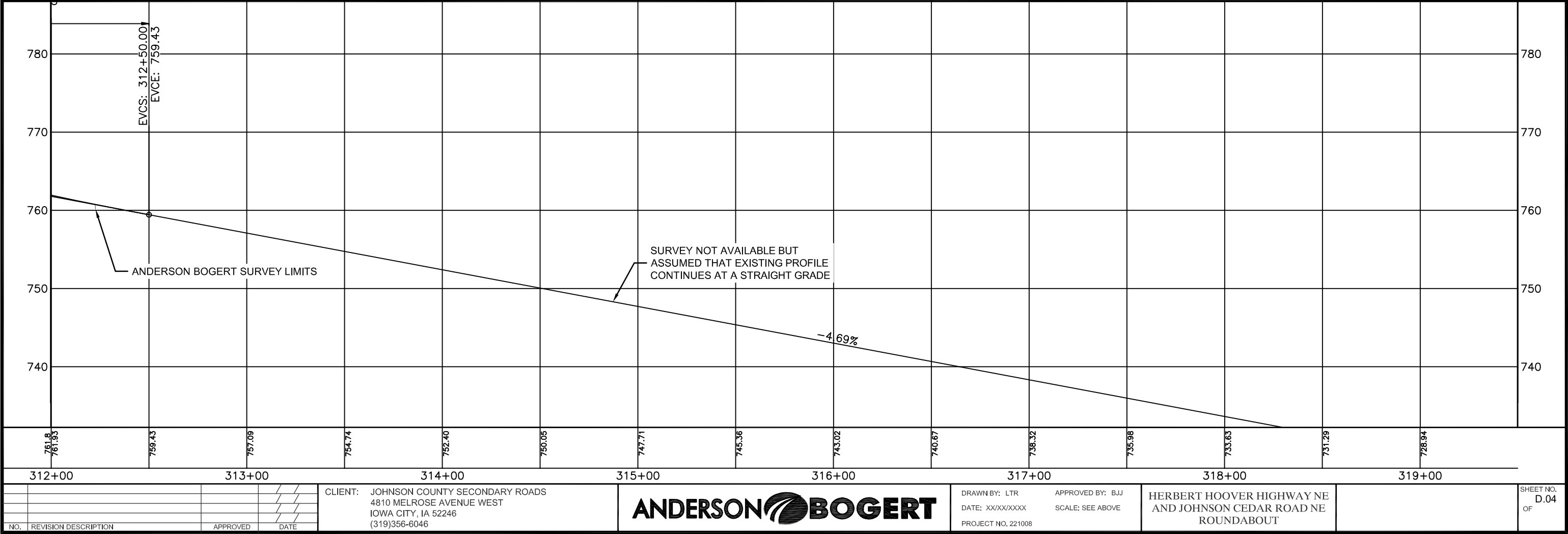
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PROJECT NO. 221008

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SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

SHEET NO.
D.03
OF

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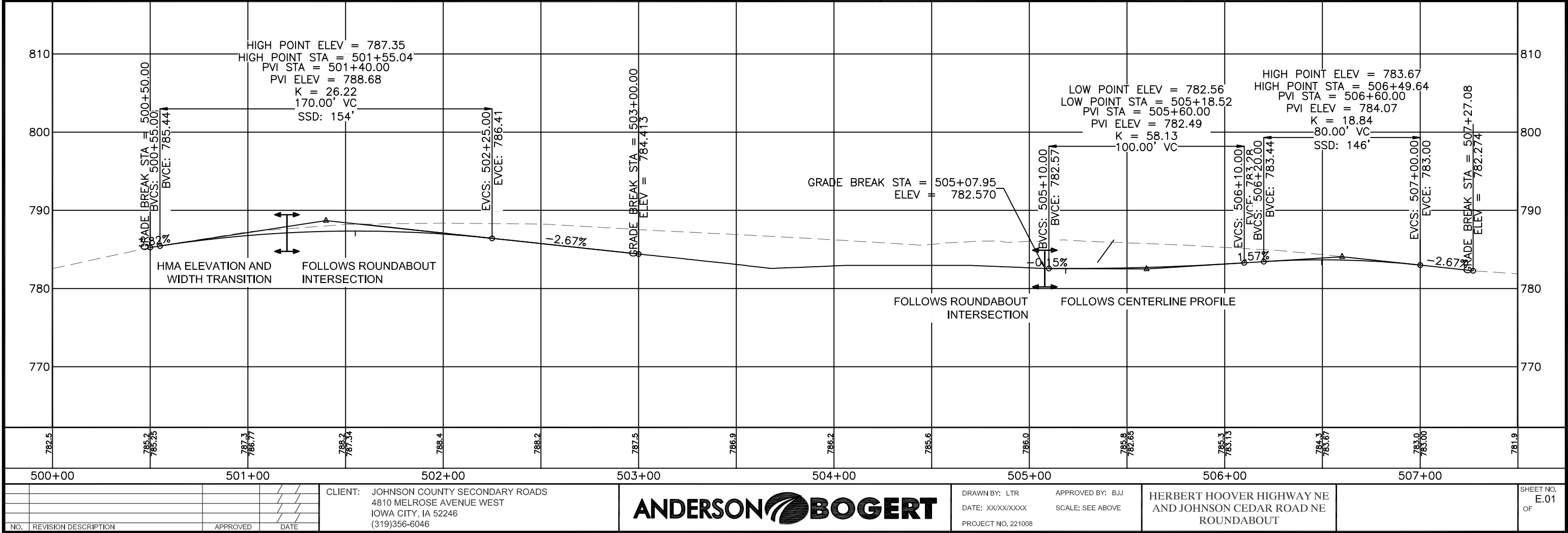
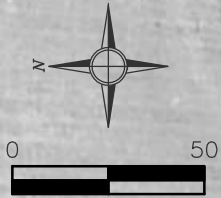
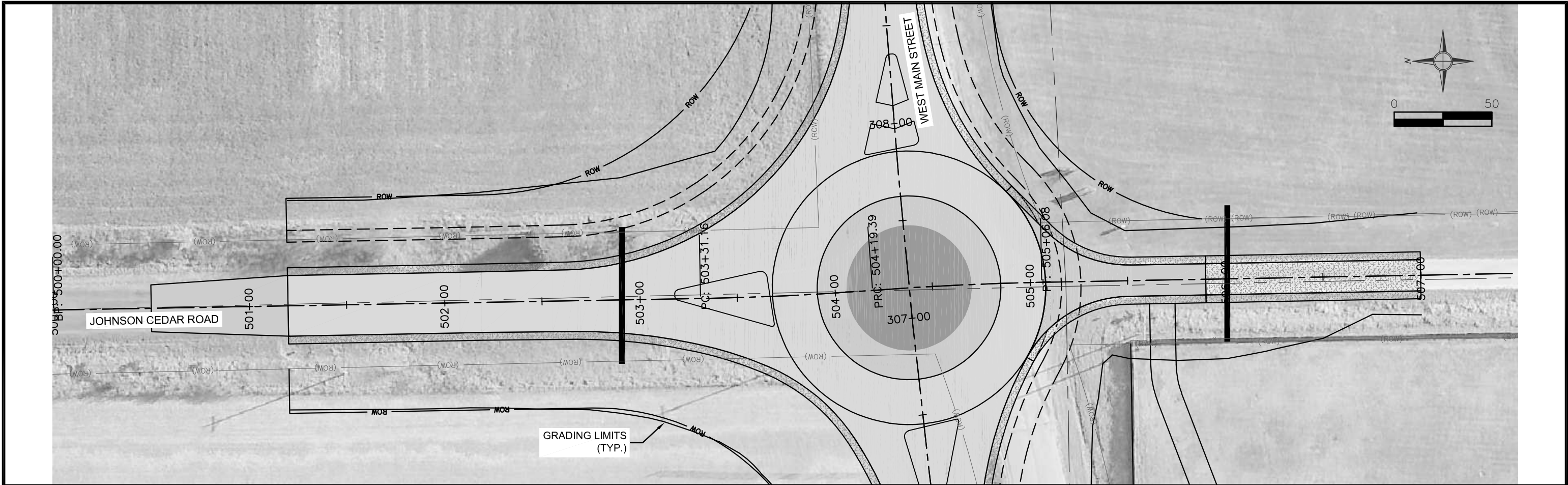
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PROJECT NO. 221008

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SCALE: SEE ABOVE

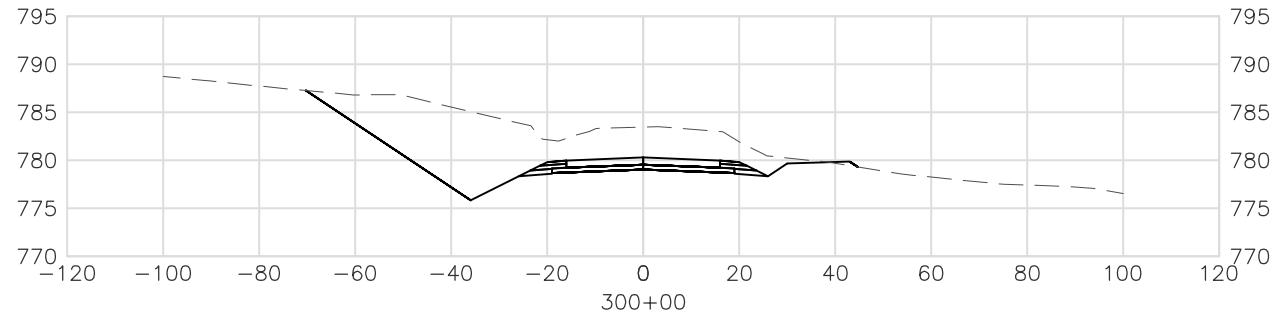
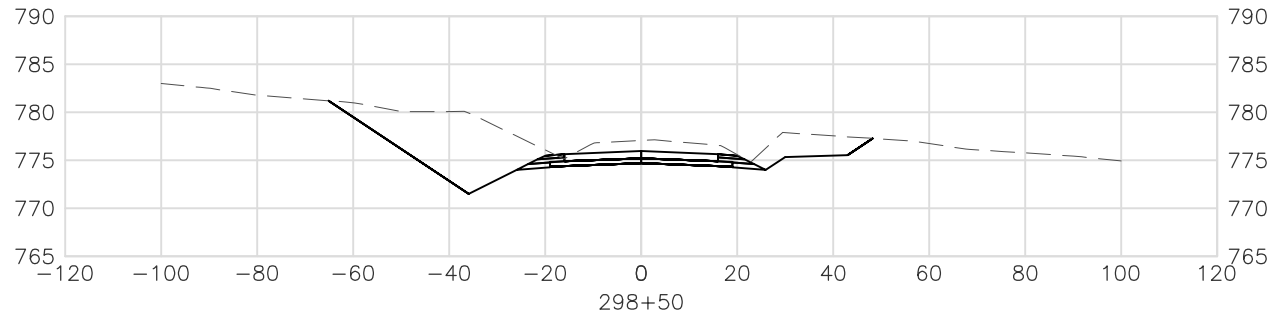
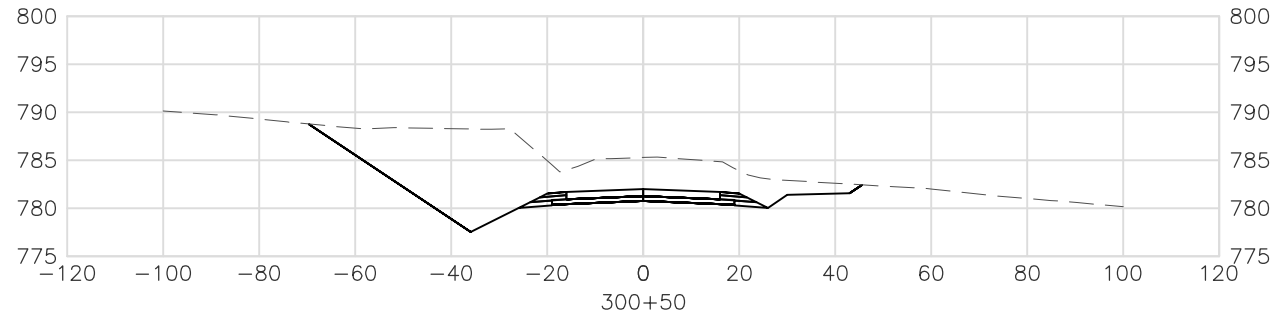
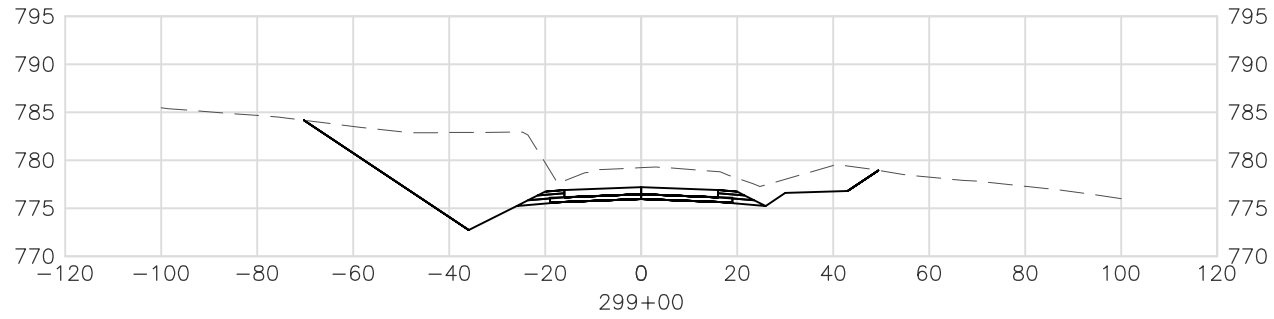
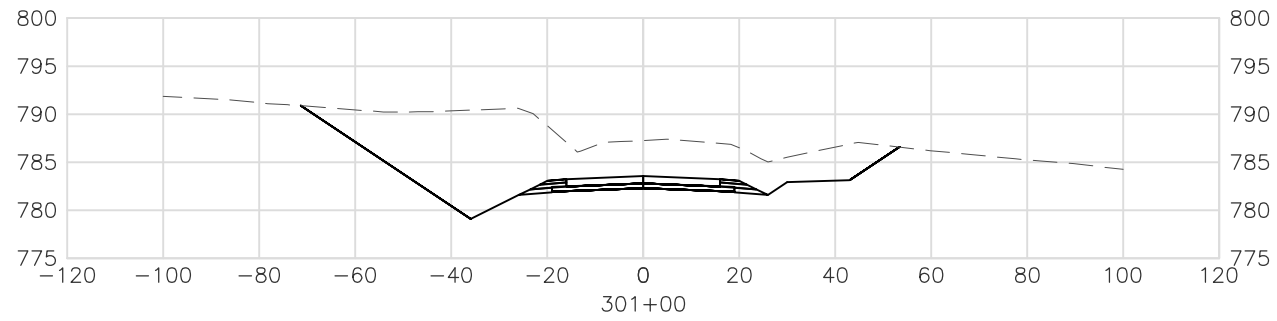
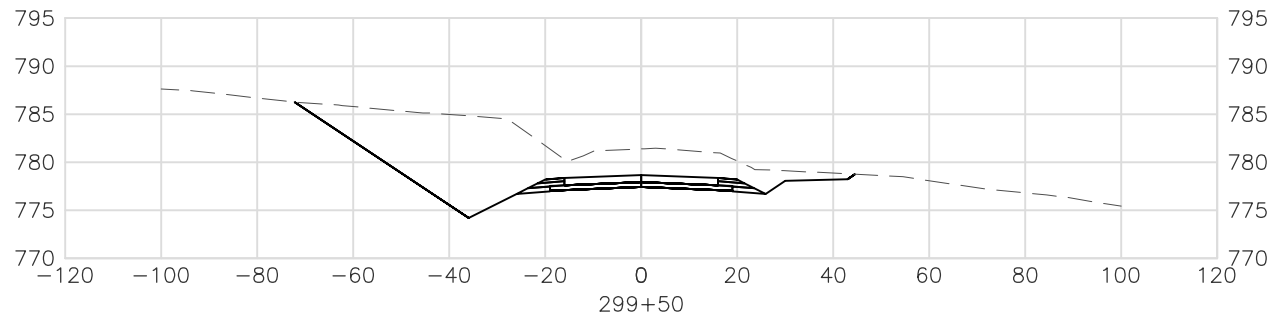
HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

SHEET NO.
D.04
OF

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4810 MELROSE AVENUE WEST
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DATE: XX/XX/XXXX
PROJECT NO. 221008

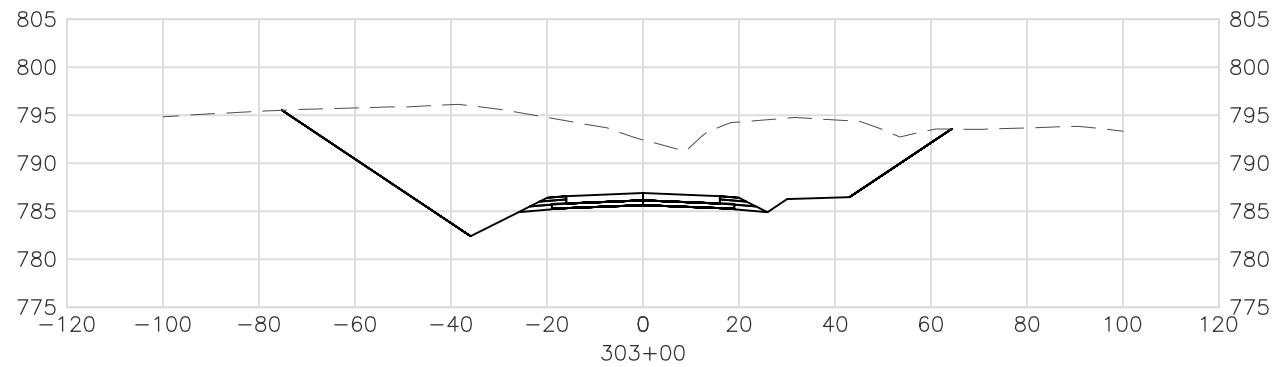
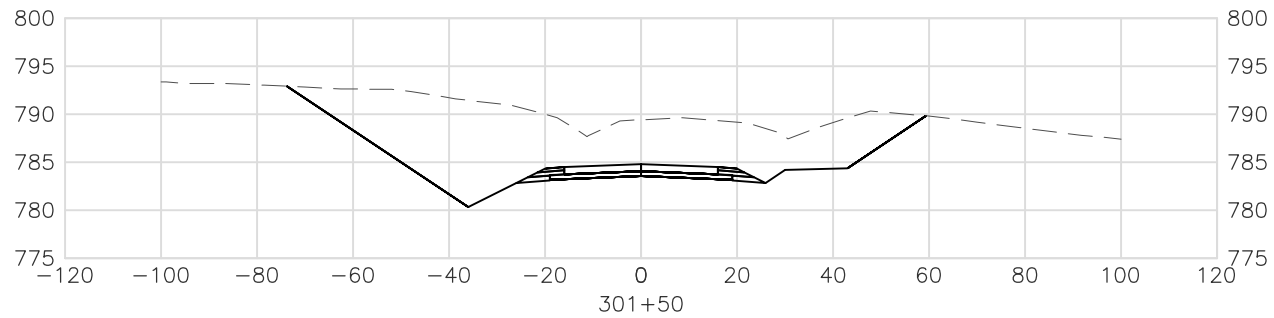
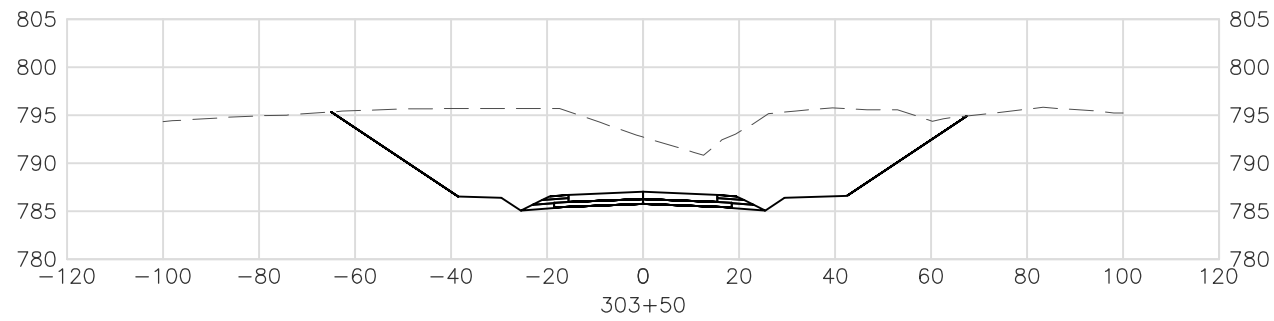
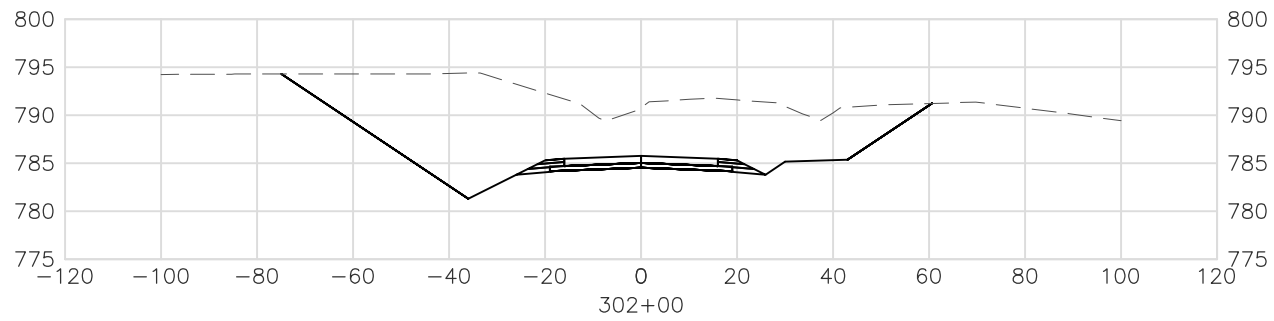
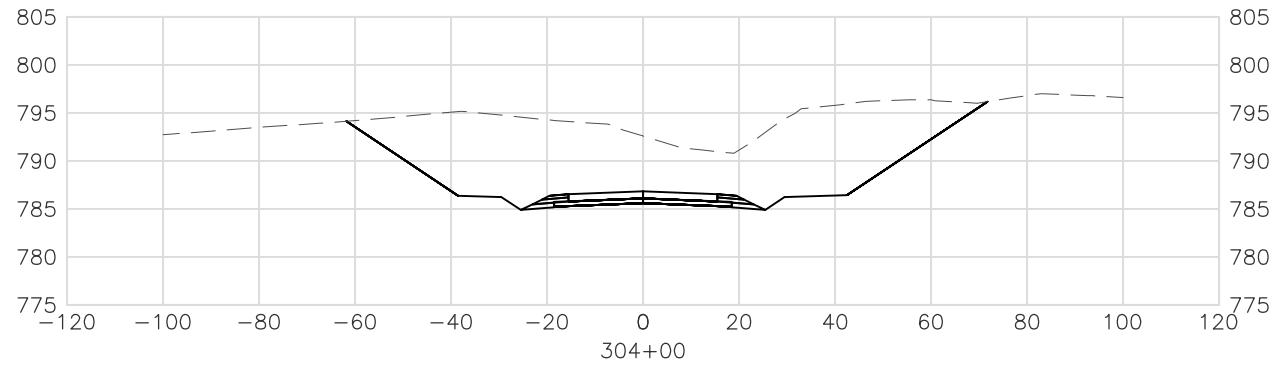
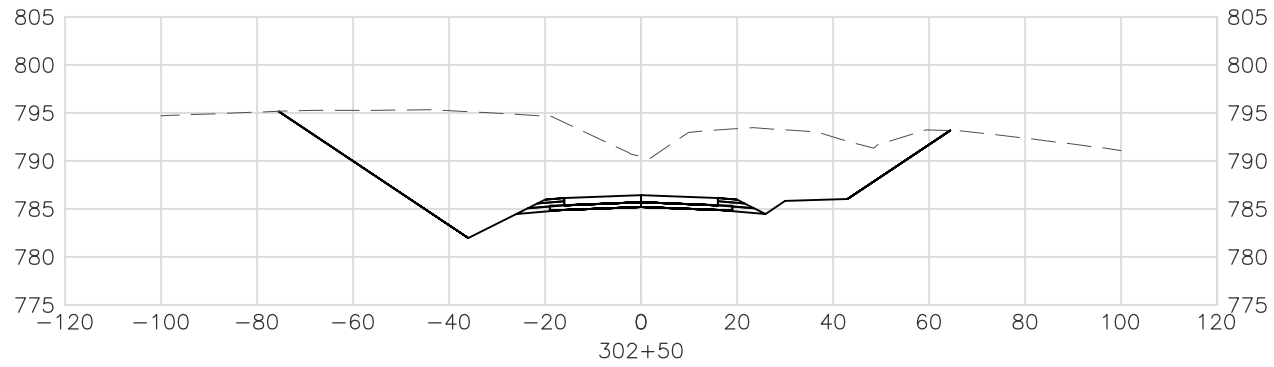
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SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
F44|HERBERT HOOVER HWY
PHASE 4

SHEET NO.
W.1
OF
W.5

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CLIENT: JOHNSON COUNTY SECONDARY ROADS
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IOWA CITY, IA 52246
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DATE: XX/XX/XXXX
PROJECT NO. 221008

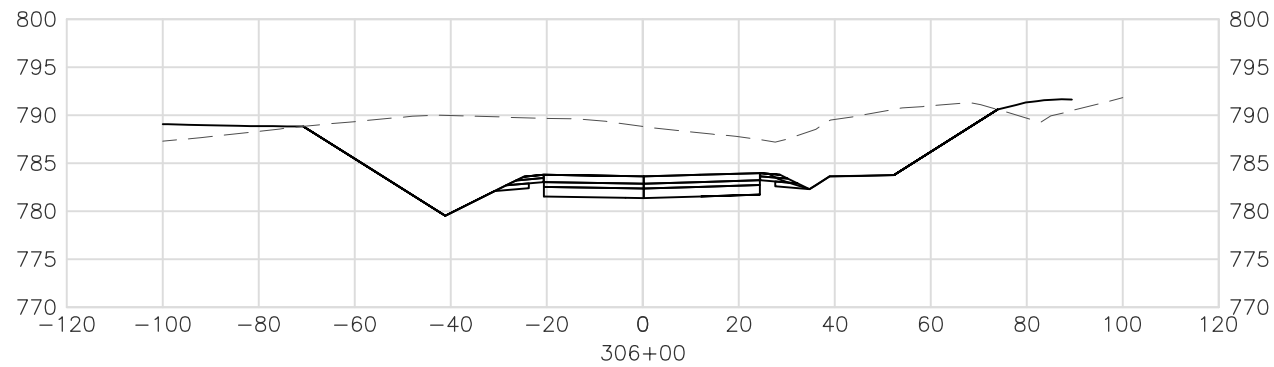
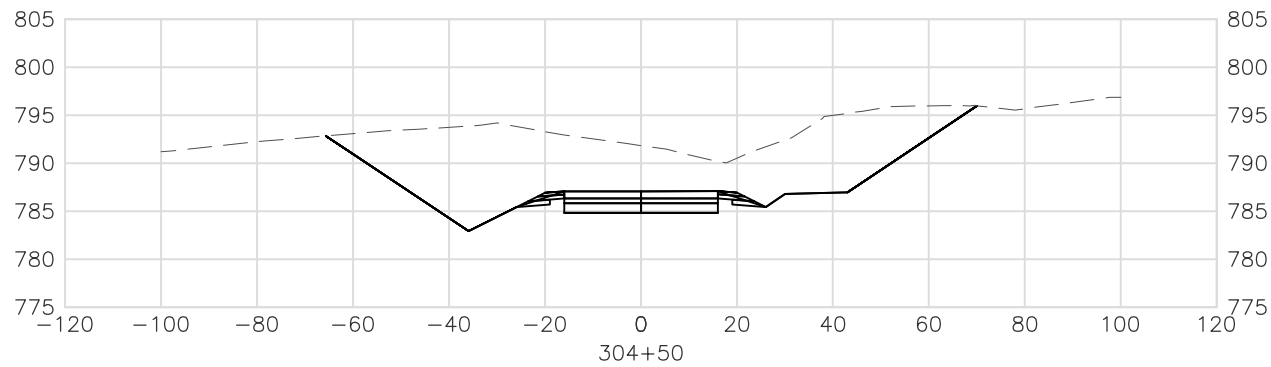
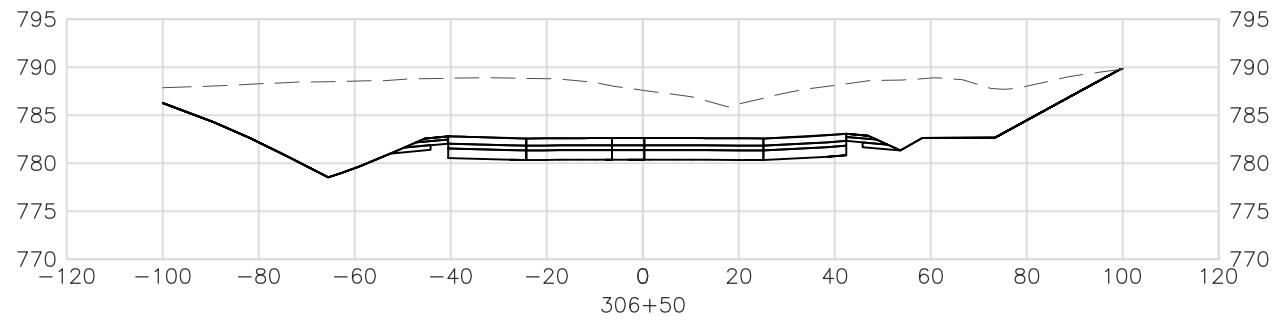
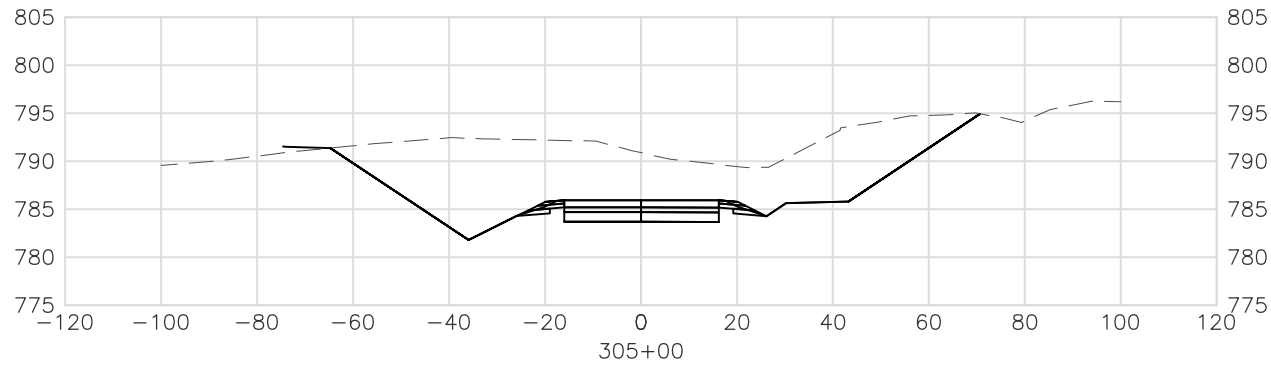
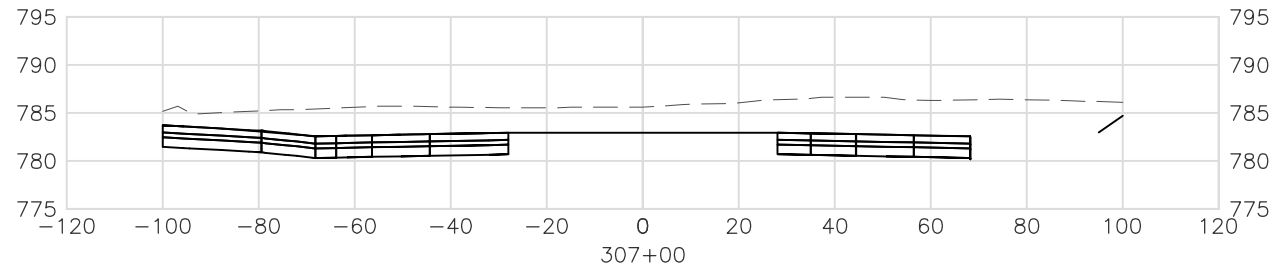
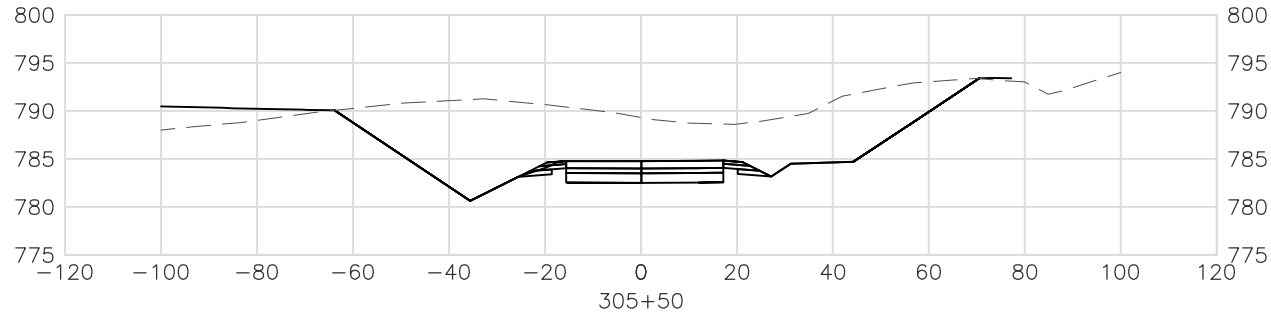
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SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDABOUT

CROSS SECTIONS
F44|HERBERT HOOVER HWY
PHASE 4

SHEET NO.
W.2
OF
W.5

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DATE: XX/XX/XXXX
PROJECT NO. 221008

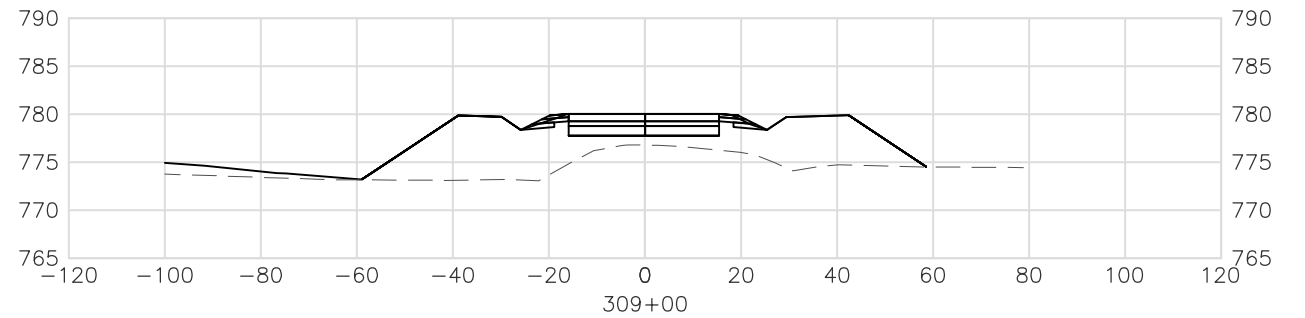
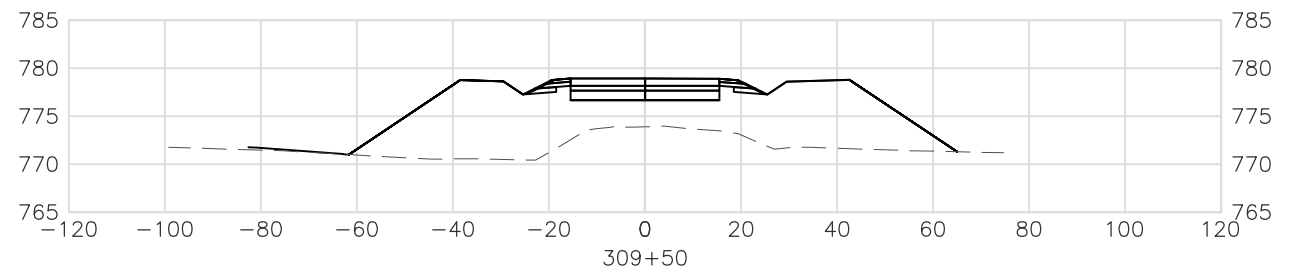
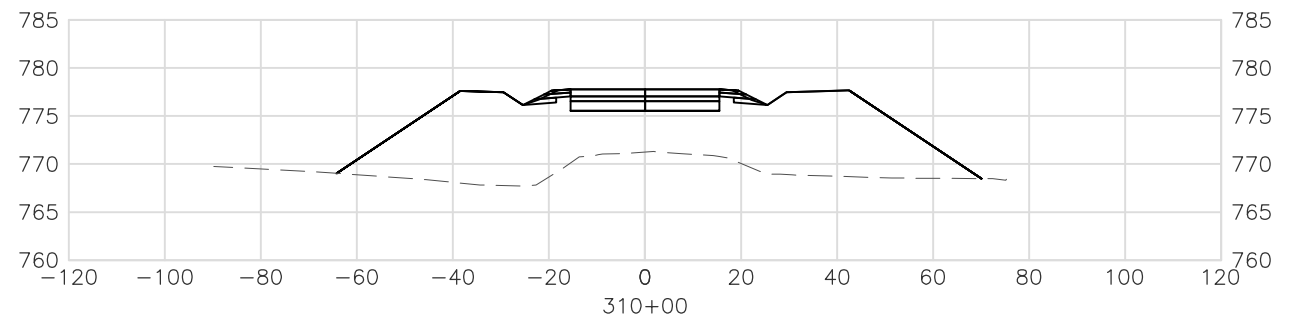
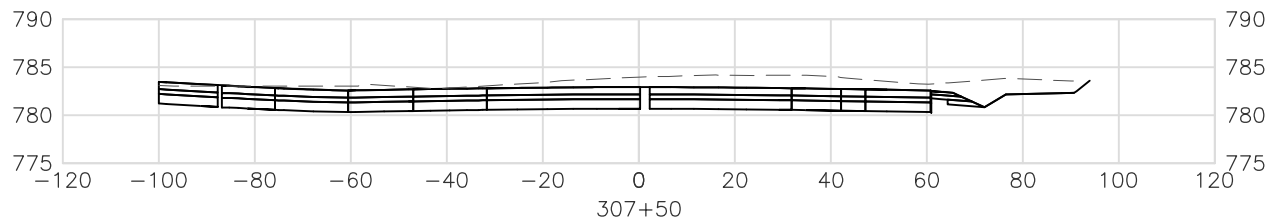
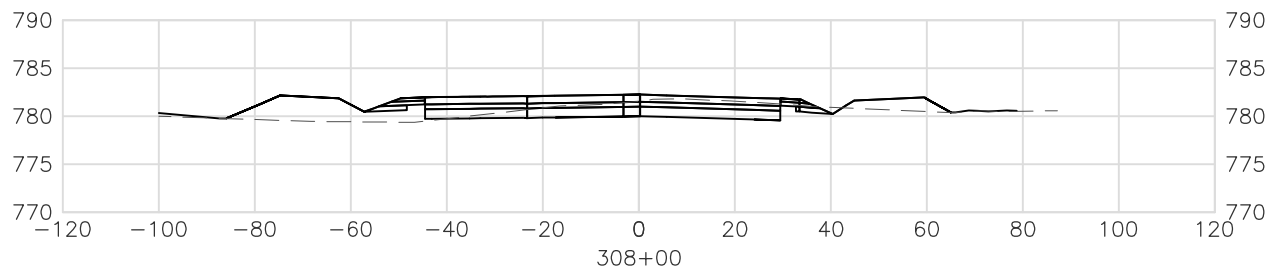
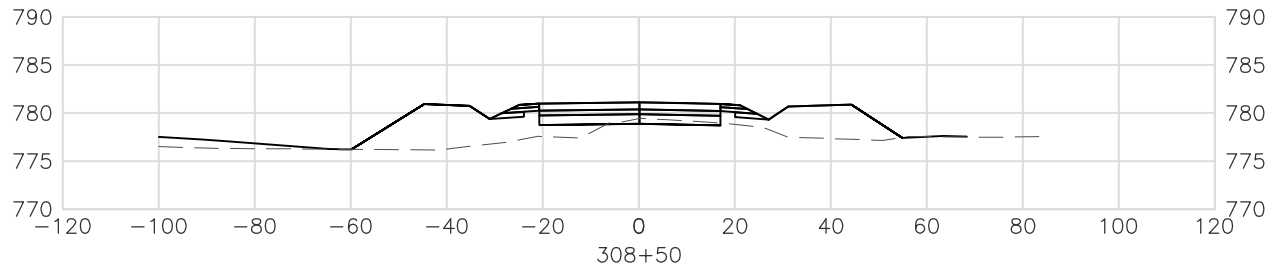
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SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
F44|HERBERT HOOVER HWY
PHASE 4

SHEET NO.
W.3
OF
W.5

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PROJECT NO. 221008

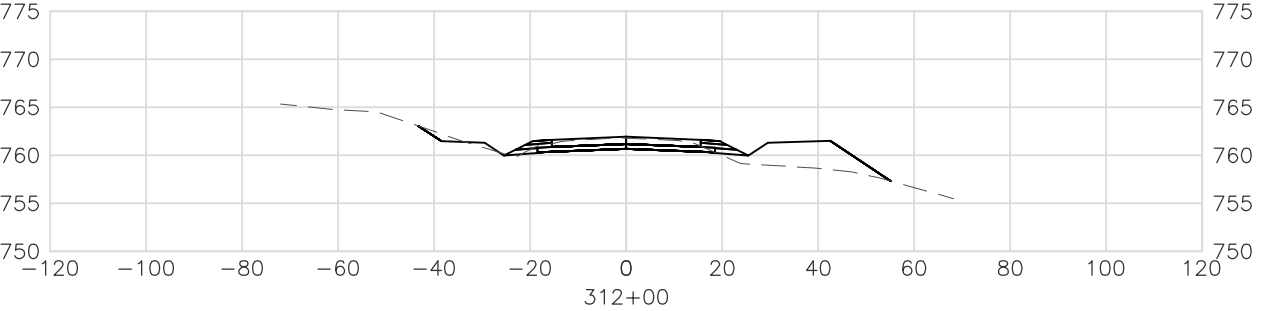
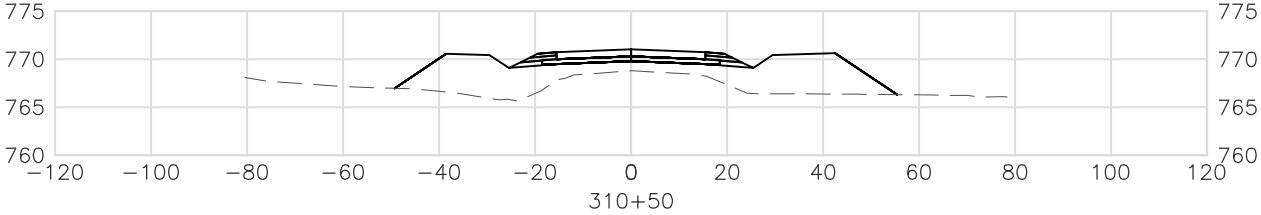
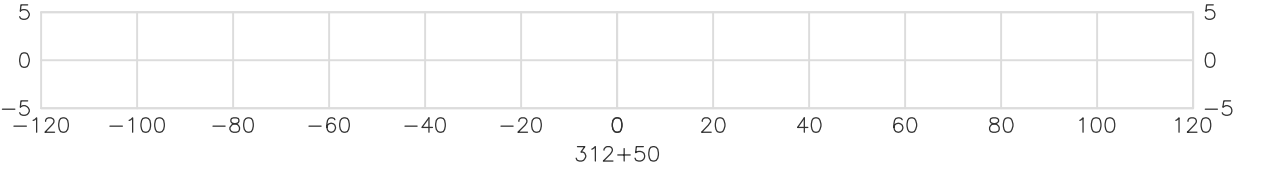
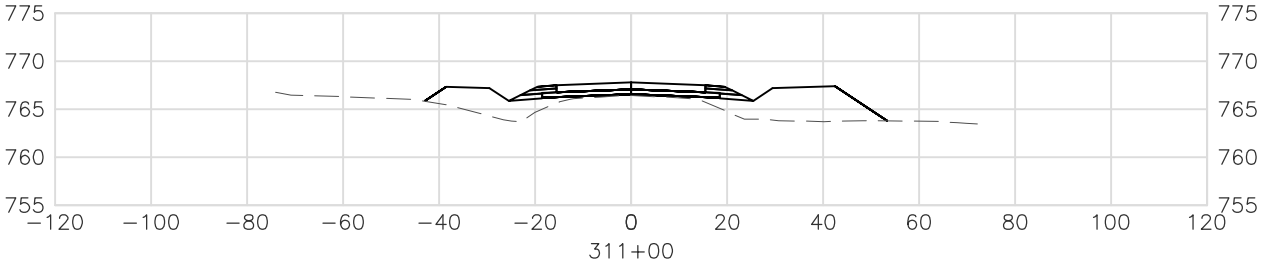
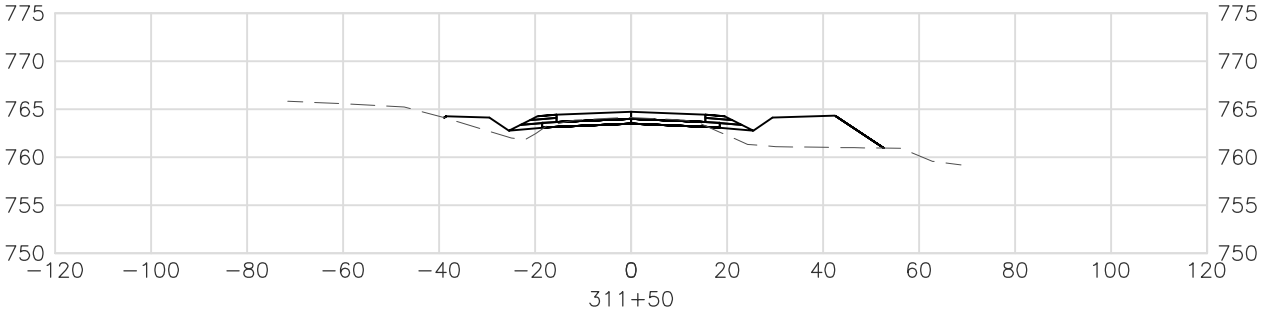
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HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
F44|HERBERT HOOVER HWY
PHASE 4

SHEET NO. W.4
OF
W.5

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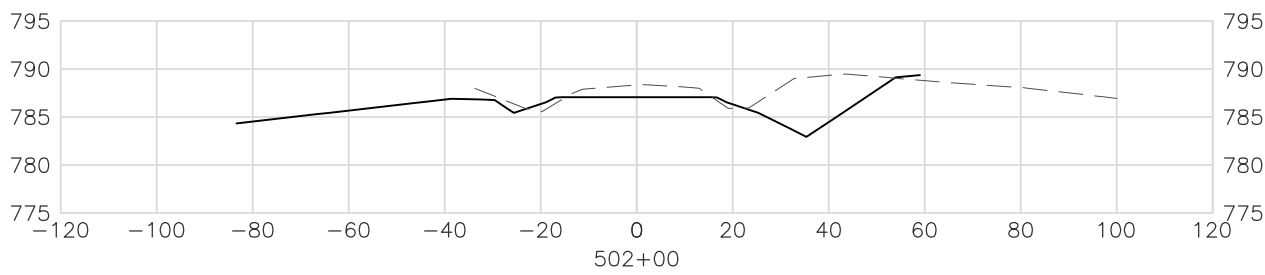
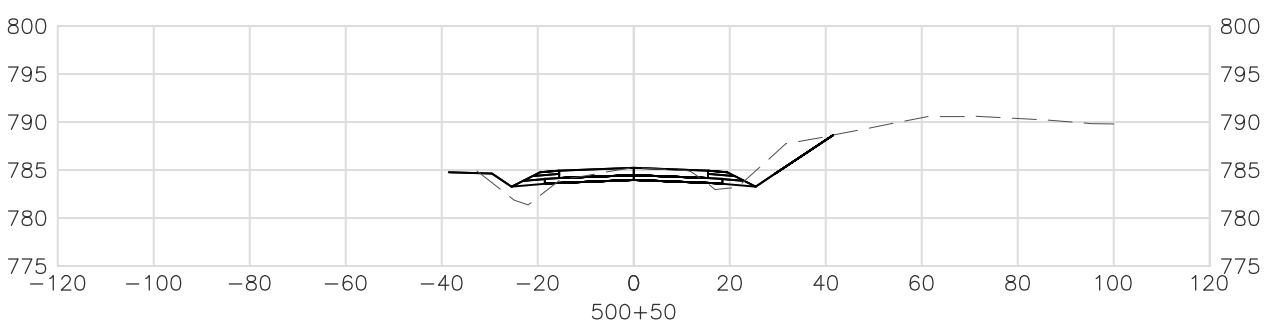
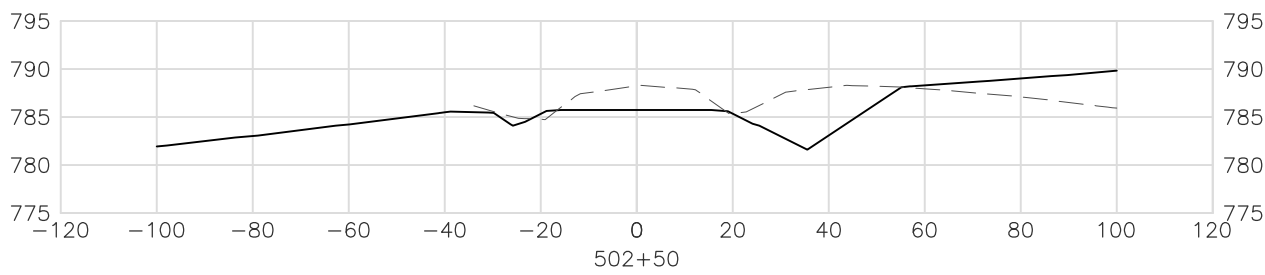
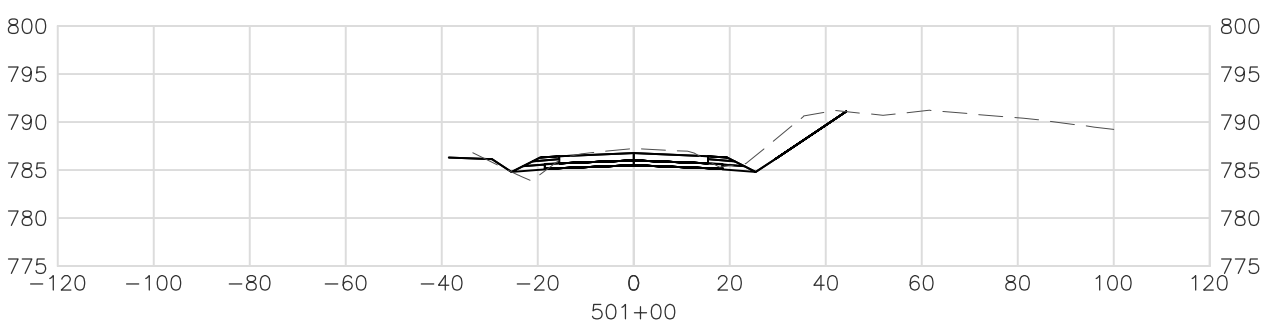
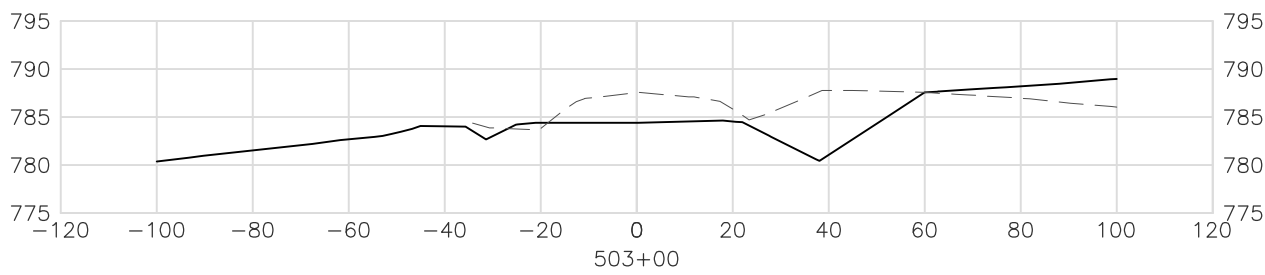
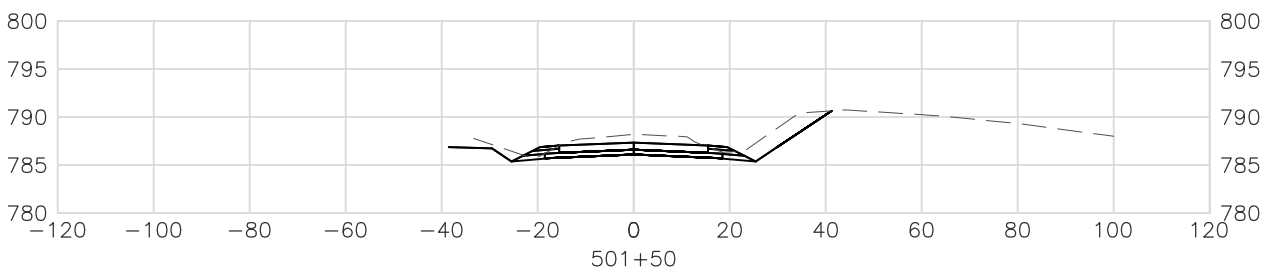
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PROJECT NO. 221008
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HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
F44|HERBERT HOOVER HWY
PHASE 4

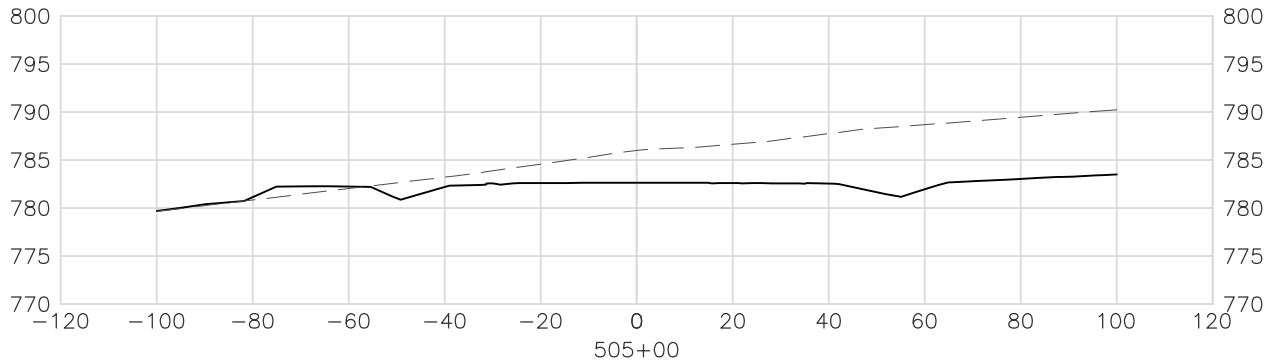
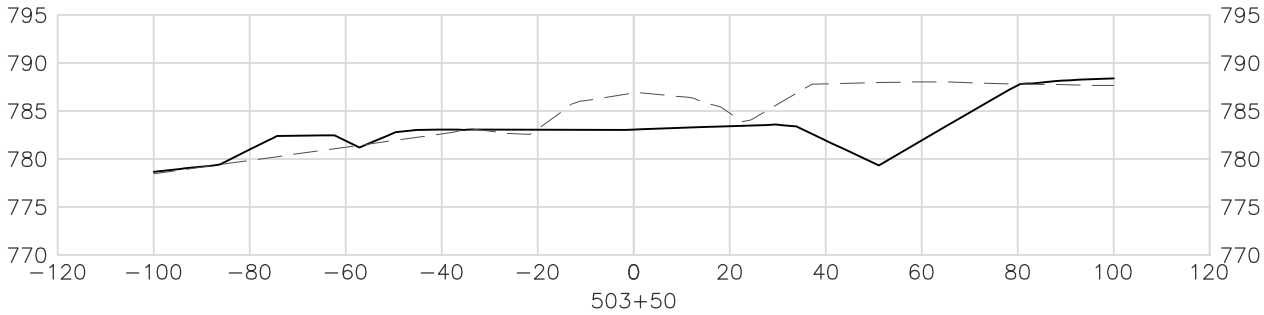
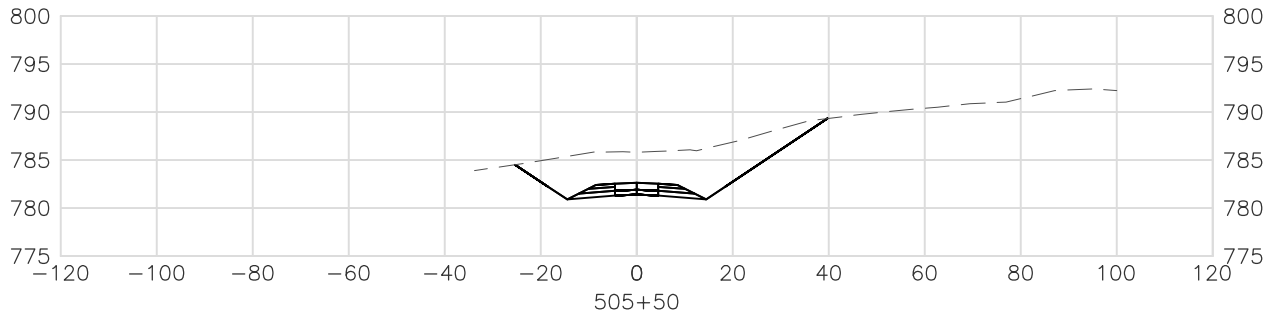
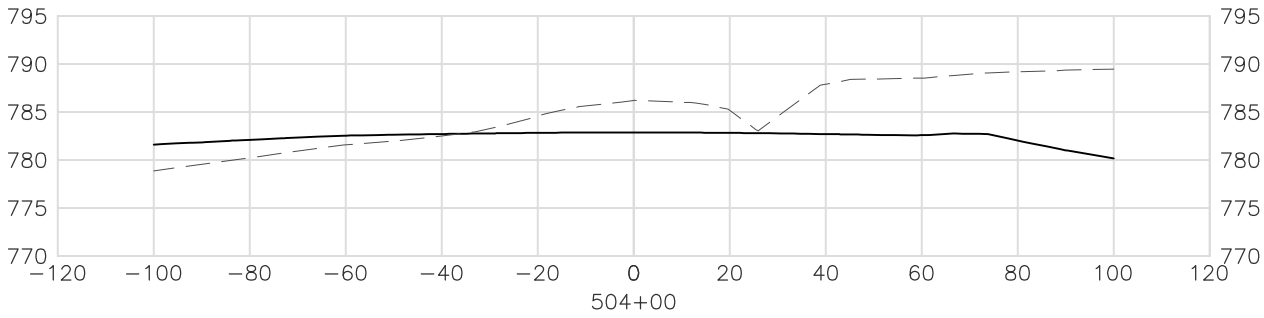
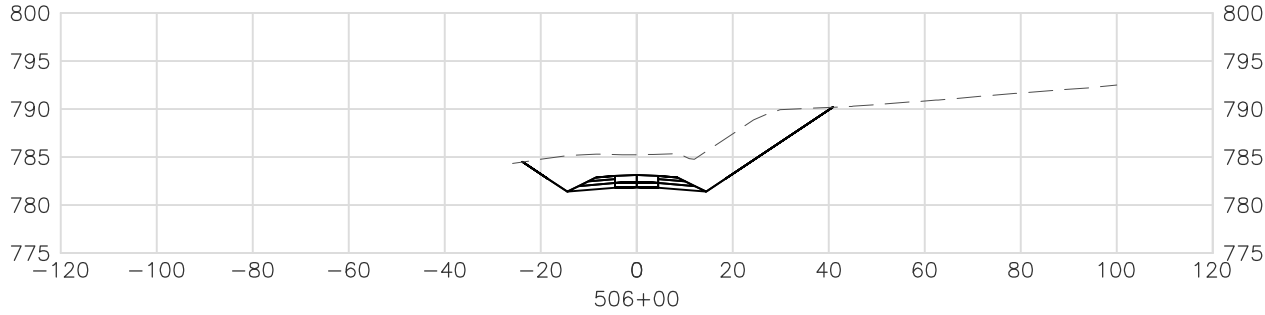
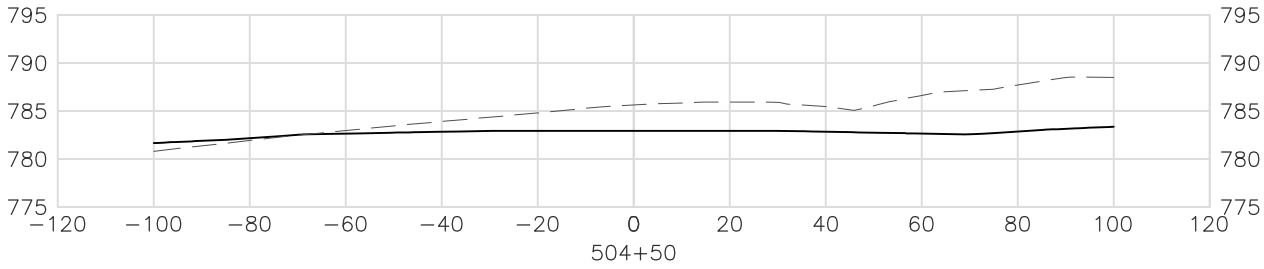
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				CLIENT: JOHNSON COUNTY SECONDARY ROADS 4810 MELROSE AVENUE WEST IOWA CITY, IA 52246 (319)356-6046		DRAWN BY: LTR		APPROVED BY: BJJ	HERBERT HOOVER HIGHWAY NE AND JOHNSON CEDAR ROAD NE ROUNDABOUT	CROSS SECTIONS JOHNSON CEDAR ROAD PHASE 4	SHEET NO. X.1 OF X.3	
						DATE: XX/XX/XXXX		SCALE: SEE ABOVE				
						PROJECT NO. 221008						
NO.	REVISION DESCRIPTION	APPROVED	DATE									

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NO.	REVISION DESCRIPTION	APPROVED	DATE

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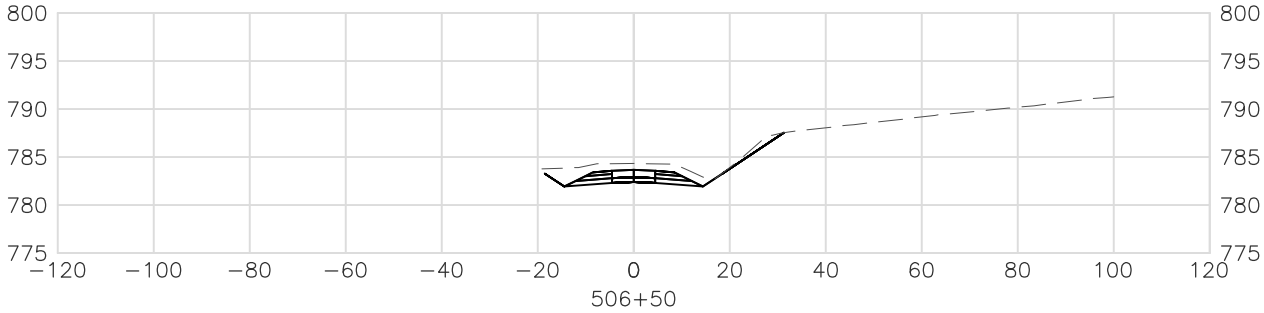
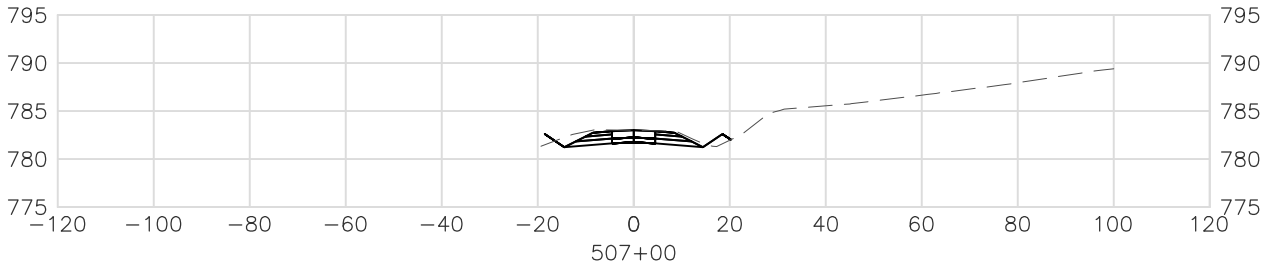
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HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
JOHNSON CEDAR ROAD
PHASE 4

SHEET NO.
X.2
OF
X.3

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NO.	REVISION DESCRIPTION	APPROVED	DATE

CLIENT: JOHNSON COUNTY SECONDARY ROADS
4810 MELROSE AVENUE WEST
IOWA CITY, IA 52246
(319)356-6046



DRAWN BY: LTR
DATE: XX/XX/XXXX
PROJECT NO. 221008
APPROVED BY: BJJ
SCALE: SEE ABOVE

HERBERT HOOVER HIGHWAY NE
AND JOHNSON CEDAR ROAD NE
ROUNDBOUT

CROSS SECTIONS
JOHNSON CEDAR ROAD
PHASE 4

SHEET NO.
X.3
OF
X.3



REQUEST FOR COUNCIL CONSIDERATION

MEETING DATE:	April 19, 2021
AGENDA ITEM:	Discussion Item: Consider Adding Provisions for Annexation to the Municipal Code.
CITY GOAL:	Develop inviting high profile visual impact projects; including gateways, establishing destination, branding and other projects that reflect tax results.
PREPARED BY:	Redmond Jones II, City Administrator
DATE:	April 16, 2021

BACKGROUND:

What is annexation? Annexation is the process of bringing property into the City limits. It is one of the primary means by which cities grow. Cities annex territory to provide urbanizing areas with municipal services and to exercise regulatory authority necessary to protect public health and safety. Annexation is also a means of ensuring that current and future residents and businesses outside a city's corporate limits who benefit from access to the city's facilities and services share the tax burden associated with constructing and maintaining those facilities and services.

With some variations In Iowa there are three basic types of Annexation in Iowa:

1. Voluntary Annexation
2. 80/20 Voluntary Annexation
3. Involuntary Annexation

This item was prioritized as a City Council Goal for FY 2020 – 2021.

STAFF RECOMMENDATION: Seeking City Council Direction
REVIEWED BY CITY ADMINISTRATOR:
COUNCIL ACTION:
MOTION BY:
SECOND BY:

"Turning Vision into Reality is our Business"

Solon, Iowa Example

165.11 VOLUNTARY ANNEXATION. All applications for voluntary annexation of land to the City shall, in addition to the necessary requirements for annexation, designate the zoning classification which the applicant wishes for subject property. Upon receipt thereof, the application shall be referred to the Planning and Zoning Commission for recommendation on both the annexation and requested zoning. The Commission shall have the same time periods for its consideration as in any rezoning matter. The Commission may recommend approval of the requested zoning or the denial thereof. In the event the Commission recommends denial, they shall make an additional recommendation as to what zoning classification the Commission would recommend. A copy of this recommendation shall be forwarded to the applicant and shall be on the agenda for the next meeting of the Council. The Council shall set the zoning matter for public hearing, prescribing the same notice requirements as for a rezoning application and shall specify the proposed zoning for consideration. If the Council approves the zone, it shall be set by ordinance. No zoning classification not recommended by the Commission shall become effective except by the favorable vote of three-fourths of the members of the Council and no voluntary annexation not recommended by the Commission shall be approved by the Council except by a favorable vote of three-fourths of the members of the Council. The resolution providing for annexation shall be acted upon by the Council at the time of the public hearing on the zoning classification.

Adel, Iowa Example

The 80/20 annexation procedure allows a city to potentially annex land when more than 80% (by acreage) but less than 100% of the affected property owners are agreeable to the proposed annexation. Under all forms of annexation, any area annexed receives all the benefits and burdens just like other land already in the city. Such benefits and burdens may include added city services such as water, sewer, and police and fire protection. The City Council members would need to approve such an 80/20 annexation by simple majority vote. Additionally, upon approval by a city council, the City Development Board (a 5 member board appointed by the Governor of Iowa) conducts somewhat of a balancing test to ensure the benefits of the annexation outweigh the burdens. In all 80/20 annexations, the City Development Board must approve any proposed annexation by a supermajority 80% or greater vote. (*The City Development Board reviews cities' requests for boundary changes, approves and denies requests, and maintains records on city development actions*).

Solon Example

165.12 INVOLUNTARY ANNEXATION. Whenever after a public hearing thereon the Council determines that involuntary annexation proceedings should be undertaken against lands to be annexed, the matter shall be referred to the Planning and Zoning Commission for its recommendation as to the zoning of the lands. Upon receipt of the recommendation, the Council shall hold a public hearing thereon, prescribing the regular notice for rezoning set forth in the Zoning Code. If the Council approves the zoning, it shall adopt an ordinance setting forth the various zoning classifications for the lands. The Council may approve a higher classification or more restrictive classification than recommended by the Commission after the hearing; but prior to approval of any lower classification or less restrictive classification, the Council must send the matter back to the Commission for action on the lower classification. This may be done prior to the public hearing. In the event it is returned subsequent to the public hearing, a new public hearing shall be held thereon. If the Commission recommends against the lower classification, it shall not become effective except by a favorable vote of three-fourths of the members of the Council.

"Turning Vision into Reality is our Business"



Annexation Policy

DATE: ???

The Process of Annexing, which must be approved by the City Council, is required to make an annexation effective. The State of Iowa requires a review by a State Board (appointed by the Governor) to grants authority to annex territory in five different manners:

- Voluntary Annexation not in an Urbanized Area
- Voluntary Annexation in an Urbanized Area
- Voluntary Annexation (80/20) in an Urbanized Area including Land without the Consent of the Owner
- Voluntary Annexation (80/20) not in an Urbanized Area including Land without the Consent of the Owner
- Involuntary Annexation

All annexations must be carried out according to State law and the City Charter. City staff will seek state City Development Board Approval prior to City Council approval, and monitor changes in state law and periodically recommend changes to applicable ordinances, the City's annexation policy and internal procedures consistent with any changes in the law. Annexations will be initiated when the City receives a petition for voluntary annexation from property owner(s) or 80% of the proposed land intended to be annexed. The City will then adopt a resolution initiating the annexation process. The City will hold two public hearings and three ordinance readings to approve a voluntary annexation (the hearings take place during our City Council meetings typically on the 1st and 3rd Monday of every month), unless otherwise notified. The annexation is completed upon third reading of the ordinance, which includes adoption of a municipal service plan for the newly annexed area. For voluntary and non-voluntary annexations (less than 100 occupied parcels in an annexation) the same process applies. The City will hold two public hearings and three ordinance readings to approve the annexation (the hearings take place during our City Council meetings unless otherwise notified). The annexation is completed upon third reading of the ordinance, which includes adoption of a municipal service plan for the newly annexed area.

The Process of Annexing will be conducted at regular meetings, but the timing of hearings under state law occasionally requires special called meetings. They are always posted, and are required to be posted at locations that coincide with the normal location that City Council, Board, & Commission meetings and the agendas are posted including the city website. This also includes special called meeting postings.

100% VOLUNTARY ANNEXATION NOT IN AN URBANIZED AREA

The City Development Board provides this summary for general informational purposes only and is not intended to serve as a precise statement of Iowa law concerning boundary adjustments. For further information, review Iowa Code chapter 368 and the City Development Board's rules contained in the Iowa Administrative Code. Should you have legal questions concerning the boundary adjustment process, including annexations, city personnel are strongly encouraged to contact their City Attorney.

1. City receives application(s) for voluntary annexation by all the owners of land in territory adjoining the city and that territory is not within two miles of a city other than the city to which the annexation is directed. *See Iowa Code section 368.7(2).*
2. At least **14 business days** prior to any action by the city council on the application, the city shall provide a copy of the application(s) by **Certified Mail** to the board of supervisors of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
3. At least **14 days** prior to any action by the city council on an application the City provides **published notice** of application in an official county newspaper of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
4. If the city council approves the annexation application by resolution the city clerk:
 - a) **Files** a copy of the resolution, map and legal description of the territory with:
 - i) The Secretary of State
 - ii) The County Board of Supervisors of each county which contains a portion of the territory;
 - iii) Each affected public utility;
 - iv) The Iowa Department of Transportation.
 - b) **Records** a copy of the legal description, map and resolution with the County Recorder of each county that contains a portion of the territory. *See Iowa Code section 368.7(2).*
5. The annexation is complete upon acknowledgement by the Secretary of State that the legal description, map and resolution have been received. *See Iowa Code section 368.7(2).* An optional tool for consideration of smart planning principles is offered by Iowa State University at:
<http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

100% VOLUNTARY ANNEXATION IN AN URBANIZED AREA

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1. City receives application(s) for annexation from all property owners of land in territory adjoining the city and that territory is within two miles of a city other than the city to which the annexation is directed. *See Iowa Code section 368.7(3).*
2. At least **14 business days** prior to any action by the city council on the application(s), the city shall by **Certified Mail**, provide notice of the application to:
 - a. Cities whose boundary adjoin the territory or that are within two miles of the territory;
 - b. Each affected public utility;
 - c. The Board of Supervisors of each county containing a portion of the territory; and
 - d. The regional planning authority for the territory.

See Iowa Code section 368.7(3).

3. At least **10 business days** prior to any action by the city council on an application the city provides published notice of application and pending council action in an official county newspaper of each county that contains a portion of the territory. *See Iowa Code section 368.7(3).*
4. Prior to city council action, the city must provide a copy of the landowners' application(s) and the legal description of the entire annexation territory to the county auditor with a request that the auditor verify the accuracy and completeness of the legal description and verify current ownership of the parcel(s) involved. *See Iowa Administrative Code r. 263—7.2(2)(d).*
5. If city council approves the annexation by resolution the city forwards the annexation proposal to the City Development Board. A city must file one original and 8 copies of its request and all supporting documentation. Materials to be submitted to the Board include:
 - a. Applications of the owners;
 - b. City council resolution approving the annexation;
 - c. Map of the territory- **CLEARLY** showing the entire boundary of the existing city, the entire annexation territory, adjacent roadways, the relationship of the territory to the annexing city and the relationship of the territory to the neighboring city or cities. More than one map may be submitted if necessary to provide all of the required information to the Board. Board prefers color aerial map as well that clearly shows same.

d. Legal description of the territory including calculations of the total number of acres being annexed.

e. Copies of notices and publications;

f. Summary of the reasons for the annexation, current and proposed land uses in the territory, and services that will be provided to the territory. Additionally, a statement indicating whether the city has applied smart planning principles to the territory and, if applicable, a description of how the city has applied, or intends to apply, smart planning principles. An optional tool for consideration of smart planning principles is offered by Iowa State University at:

<http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>

g. Auditor's verification of ownership and legal description for each property within the proposed annexation territory.

h. A statement indicating whether the territory is subject to an existing moratorium agreement, and if so whether the proposed annexation is consistent with the terms of the agreement.

i. A statement indicating whether state-owned property or county-owned road right-of-way has been included in the proposal pursuant to Iowa Code section 368.5 and, if so, certification that the city has complied with the notice requirement of that section.

j. Certification that the city has complied with the notice requirements of Iowa Code section 368.7(3), including proof of mailing of the application and affidavit of publication of the required public notice, and, if railway right-of-way is included, certification of notice to the owner as required by Iowa Code section 368.7(1). For purposes of calculating the required period of notice, "business days" shall include Monday through Friday of each week, excluding "legal holidays" as set forth in Iowa Code section 4.1(34).

See Iowa Code section 368.7 and Iowa Administrative Code r. 263—7.7(2).

6. City Development Board considers the annexation proposal at the first board meeting conducted 31 days or more after the filing of the request.

a. The Board provides notice of its consideration of the annexation proposal.

b. Input on the proposal is received by the Board.

c. The Board approves or denies the proposal and issues its written ruling.

7. If the annexation is approved and no appeal is filed within 30 days of the issuance of the written ruling, the Board files and records documents to complete the annexation.

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

**(80/20) VOLUNTARY ANNEXATION INCLUDING LAND WITHOUT THE
CONSENT OF THE OWNER WITHIN AN URBANIZED AREA**

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1. City receives applications and includes up to 20% of territory without the consent of the property owner of the territory involved to avoid the creation of islands or to make more uniform boundaries. *See Iowa Code section 368.7(1)(a).*

2. City holds a consultation with the board of supervisors and township trustees of each county and township that contains a portion of the territory to be annexed at least **14 business days** prior to the mailing of applications in item No. 3 listed below. *See Iowa Code section 368.7(1)(b).*

3. At least **14 business days** prior to any action by the city council on the application, the city shall by **Certified Mail** provide a copy of the application including legal description and map of the territory showing its location in relationship to the city to:

- a. All non-consenting property owners, and
- b. Each affected public utility.

See Iowa Code section 368.7(1)(c).

4. At least **14 business days** prior to any action by the city council on the application, including the public hearing, the city shall by **Regular Mail** provide written notice of the application, including a legal description of the territory and the time and place of the public hearing to:

- a. The chair of the county board of supervisors for each county containing a portion of the territory,
- b. Each non-consenting owner,
- c. Each owner of property that adjoins the territory, and
- d. Each public utility that serves the territory.

See Iowa Code section 368.7(1)(d).

5. At least **14 business days** prior to any action on the application, including the public hearing, the city shall by **Certified Mail**, provide written notice of the application to:

- a. The council of each city with a boundary that adjoins or is within two miles of the territory,
- b. The county board of supervisors of each county that contains a portion of the territory,
- c. Each affected public utility, and
- d. The regional planning authority.

See Iowa Code section 368.7(3)

6. Prior to any action by the city council on the application, including the public hearing, the city shall publish notice of the application and public hearing in an official county newspaper

and the notice shall include the time and place of the public hearing and a legal description of the territory. *See Iowa Code section 368.7(1)(d).* At least ten business days prior to any action by the city council on the application, the city also needs to publish notice of the application. *See Iowa Code section 368.7(3).*

7. If the city approves the annexation after the public hearing it forwards the annexation proposal to the City Development Board. *Note: voluntary applications may be withdrawn within three (3) business days following the public hearing. See Iowa Code section 368.7(1)(d).*

8. A city must file one original and 8 copies of its request and all supporting documentation. Materials to be submitted to the Board include:

- a. Applications of the owners.
- b. The names and addresses of all owners of the land included within the owner's consent and a legal description of all land owned by each non-consenting owner.
- c. City council resolution approving the annexation, which sets forth the reasons that non-consenting land is included in the proposal.
- d. Map of the territory- **CLEARLY** showing the entire boundary of the existing city, the entire annexation territory including the consenting and non-consenting portions of the territory, adjacent roadways, the relationship of the territory to the annexing city and the relationship of the territory to the neighboring city or cities. More than one map may be submitted if necessary to provide all of the required information to the Board. Board prefers color aerial map as well that clearly shows same.
- e. Legal description of the territory including calculations of the total number of acres being annexed and the number of acres included without the consent of the owners.
- f. Copies of notices and publications.
- g. Summary of the total number of acres within the proposed annexation territory; the reasons for the annexation; current and proposed land uses in the territory; new municipal services that will be provided; and statements regarding public, county, or state land included in the proposed territory. Additionally, a statement indicating whether the city has applied smart planning principles to the territory and, if applicable, a description of how the city has applied, or intends to apply, smart planning principles. An optional tool for consideration of smart planning principles is offered by Iowa State University at:
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- h. Auditor's verification of ownership and legal description for each consenting and non-consenting property within the proposed annexation territory.
- i. A statement indicating whether the territory is subject to an existing moratorium agreement, and if so whether the proposed annexation is consistent with the terms of the agreement.
- j. A statement indicating whether state-owned property or county-owned road right-of-way has been included in the proposal pursuant to Iowa Code section 368.5 and, if so, certification that the city has complied with the notice requirement of that section.
- k. Certification that the city has complied with the notice requirements of Iowa Code section 368.7(3), including proof of mailing of the application and affidavit of publication of the required public notice, and, if railway right-of-way is included, certification of notice to the owner as required by Iowa Code section 368.7(1). For purposes of calculating the

required period of notice, “business days” shall include Monday through Friday of each week, excluding “legal holidays” as set forth in Iowa Code section 4.1(34).

See Iowa Code section 367.7 and Iowa Administrative Code r. 263—7.7(2) & (3).

9. The City Development Board considers the annexation proposal at the first board meeting conducted 31 days or more after the filing of the request. The Board provides notice of its meeting to consider the filing of the annexation proposal. At this meeting the Board hears input on whether the proposal is complete and properly filed. If the application is accepted, a date for public hearing is set. *See Iowa Administrative Code r. 263—7.8.*

10. The City Development Board holds a public hearing. After hearing all evidence the Board decides whether to approve or deny the annexation.

a. If the annexation is approved, the Board notifies the parties and 30-days following the notification the Board files and records documents to complete the annexation if no appeal is filed.

b. If the annexation is denied the Board notifies the parties.

See Iowa Administrative Code r. 263—7.8.

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

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1. City receives applications and includes up to 20% of territory without the consent of the property owner of the territory involved to avoid the creation of islands or to make more uniform boundaries. *See Iowa Code section 368.7(1)(a).*

2. City holds a consultation with the board of supervisors and township trustees of each county and township that contains a portion of the territory to be annexed at least **14 business days** prior to the mailing of applications in item No. 3 listed below. *See Iowa Code section 368.7(1)(b).*

3. At least **14 business days** prior to any action by the city council on the application, the city shall by **Certified Mail** provide a copy of the application including legal description and map of the territory showing its location in relationship to the city to:

a. All non-consenting property owners, and

b. Each affected public utility.

See Iowa Code section 368.7(1)(c).

4. At least **14 business days** prior to any action by the city council on the application, including the public hearing, the city shall by **Regular Mail** provide written notice of the application, including a legal description of the territory and the time and place of the public hearing to:

a. The chair of the county board of supervisors for each county containing a portion of the territory,

b. Each non-consenting owner,

c. Each owner of property that adjoins the territory, and

d. Each public utility that serves the territory.

See Iowa Code section 368.7(1)(d).

5. Prior to any action by the city council on the application, including the public hearing, the city shall publish notice of the application and public hearing in an official county newspaper and the notice shall include the time and place of the public hearing and a legal description of the territory. *See Iowa Code section 368.7(1)(d).*

6. If the city approves the annexation after the public hearing it forwards the annexation proposal to the City Development Board. *Note: voluntary applications may be withdrawn within three (3) business days following the public hearing. See Iowa Code section 368.7(1)(d).*

7. A city must file one original and 8 copies of its request and all supporting documentation. Materials to be submitted to the Board include:

a. Applications of the owners.

b. The names and addresses of all owners of the land included within the owner's consent and a legal description of all land owned by each non-consenting owner.

- c. City council resolution approving the annexation, which sets forth the reasons that non-consenting land is included in the proposal.
- d. Map of the territory- **CLEARLY** showing the entire boundary of the existing city, the entire annexation territory including the consenting and non-consenting portions of the territory, adjacent roadways, and the relationship of the territory to the annexing city. More than one map may be submitted if necessary to provide all of the required information to the Board. Board prefers color aerial map as well that clearly shows same.
- e. Legal description of the territory including calculations of the total number of acres being annexed and the number of acres included without the consent of the owners.
- f. Copies of notices and publications.
- g. Summary of the total number of acres within the proposed annexation territory; the reasons for the annexation; current and proposed land uses in the territory; new municipal services that will be provided; and statements regarding public, county, or state land included in the proposed territory. Additionally, a statement indicating whether the city has applied smart planning principles to the territory and, if applicable, a description of how the city has applied, or intends to apply, smart planning principles. An optional tool for consideration of smart planning principles is offered by Iowa State University at: <http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>
- h. Auditor's verification of ownership and legal description for each consenting and non-consenting property within the proposed annexation territory.
- i. A statement indicating whether the territory is subject to an existing moratorium agreement, and if so whether the proposed annexation is consistent with the terms of the agreement.
- j. A statement indicating whether state-owned property or county-owned road right-of-way has been included in the proposal pursuant to Iowa Code section 368.5 and, if so, certification that the city has complied with the notice requirement of that section.
- k. Certification that the city has complied with the notice requirements of Iowa Code section 368.7(3), including proof of mailing of the application and affidavit of publication of the required public notice, and, if railway right-of-way is included, certification of notice to the owner as required by Iowa Code section 368.7(1). For purposes of calculating the required period of notice, "business days" shall include Monday through Friday of each week, excluding "legal holidays" as set forth in Iowa Code section 4.1(34).

See Iowa Code section 367.7 and Iowa Administrative Code r. 263—7.7(2) & (3).

8. The City Development Board considers the annexation proposal at its regular monthly business meeting. The Board provides notice of its meeting to consider the filing of the annexation proposal. At this meeting the Board hears input on whether the proposal is complete and properly filed. If the application is accepted, a date for public hearing is set. *See Iowa Administrative Code r. 263—7.8.*

9. The City Development Board holds a public hearing. After hearing all evidence the Board decides whether to approve or deny the annexation.

- a. If the annexation is approved, the Board notifies the parties and 30-days following the notification the Board files and records documents to complete the annexation if no appeal is filed.

b. If the annexation is denied the Board notifies the parties.
See Iowa Administrative Code r. 263—7.8.

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

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2. City holds a consultation with the board of supervisors and township trustees of each county and township that contains a portion of the territory to be annexed at least **14 business days** prior to the mailing of applications in item No. 3 listed below. *See Iowa Code section 368.7(1)(b).*

3. At least **14 business days** prior to any action by the city council on the application, the city shall by **Certified Mail** provide a copy of the application including legal description and map of the territory showing its location in relationship to the city to:

a. All non-consenting property owners, and

b. Each affected public utility.

See Iowa Code section 368.7(1)(c).

4. At least **14 business days** prior to any action by the city council on the application, including the public hearing, the city shall by **Regular Mail** provide written notice of the application, including a legal description of the territory and the time and place of the public hearing to:

a. The chair of the county board of supervisors for each county containing a portion of the territory,

b. Each non-consenting owner,

c. Each owner of property that adjoins the territory, and

d. Each public utility that serves the territory.

See Iowa Code section 368.7(1)(d).

5. Prior to any action by the city council on the application, including the public hearing, the city shall publish notice of the application and public hearing in an official county newspaper and the notice shall include the time and place of the public hearing and a legal description of the territory. *See Iowa Code section 368.7(1)(d).*

6. If the city approves the annexation after the public hearing it forwards the annexation proposal to the City Development Board. *Note: voluntary applications may be withdrawn within three (3) business days following the public hearing. See Iowa Code section 368.7(1)(d).*

7. A city must file one original and 8 copies of its request and all supporting documentation. Materials to be submitted to the Board include:

a. Applications of the owners.

b. The names and addresses of all owners of the land included within the owner's consent and a legal description of all land owned by each non-consenting owner.

c. City council resolution approving the annexation, which sets forth the reasons that non-consenting land is included in the proposal.

d. Map of the territory- **CLEARLY** showing the entire boundary of the existing city, the entire annexation territory including the consenting and non-consenting portions of the territory, adjacent roadways, and the relationship of the territory to the annexing city. More than one map may be submitted if necessary to provide all of the required information to the Board. Board prefers color aerial map as well that clearly shows same.

e. Legal description of the territory including calculations of the total number of acres being annexed and the number of acres included without the consent of the owners.

f. Copies of notices and publications.

g. Summary of the total number of acres within the proposed annexation territory; the reasons for the annexation; current and proposed land uses in the territory; new municipal services that will be provided; and statements regarding public, county, or state land included in the proposed territory. Additionally, a statement indicating whether the city has applied smart planning principles to the territory and, if applicable, a description of how the city has applied, or intends to apply, smart planning principles. An optional tool for consideration of smart planning principles is offered by Iowa State University at: <http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>

h. Auditor's verification of ownership and legal description for each consenting and non-consenting property within the proposed annexation territory.

i. A statement indicating whether the territory is subject to an existing moratorium agreement, and if so whether the proposed annexation is consistent with the terms of the agreement.

j. A statement indicating whether state-owned property or county-owned road right-of-way has been included in the proposal pursuant to Iowa Code section 368.5 and, if so, certification that the city has complied with the notice requirement of that section.

k. Certification that the city has complied with the notice requirements of Iowa Code section 368.7(3), including proof of mailing of the application and affidavit of publication of the required public notice, and, if railway right-of-way is included, certification of notice to the owner as required by Iowa Code section 368.7(1). For purposes of calculating the required period of notice, "business days" shall include Monday through Friday of each week, excluding "legal holidays" as set forth in Iowa Code section 4.1(34).

See Iowa Code section 367.7 and Iowa Administrative Code r. 263—7.7(2) & (3).

8. The City Development Board considers the annexation proposal at its regular monthly business meeting. The Board provides notice of its meeting to consider the filing of the annexation proposal. At this meeting the Board hears input on whether the proposal is complete and properly filed. If the application is accepted, a date for public hearing is set. *See Iowa Administrative Code r. 263—7.8.*

9. The City Development Board holds a public hearing. After hearing all evidence the Board decides whether to approve or deny the annexation.

a. If the annexation is approved, the Board notifies the parties and 30-days following the notification the Board files and records documents to complete the annexation if no appeal is filed.

b. If the annexation is denied the Board notifies the parties.
See Iowa Administrative Code r. 263—7.8.

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.

INVOLUNTARY ANNEXATION

The City Development Board provides this summary for general informational purposes only and is not intended to serve as a precise statement of Iowa law concerning boundary adjustments. For further information, review Iowa Code chapter 368 and the City Development Board's rules contained in the Iowa Administrative Code. Should you have legal questions concerning the boundary adjustment process, including annexations, city personnel are strongly encouraged to contact their City Attorney.

1. At least **14 business days** prior to filing a Petition for Involuntary Annexation with the City Development Board, the Petitioners shall by **Certified Mail** provide notice of the involuntary annexation and that Petitioners will hold a public hearing on the Petition to:
 - a. the city council for each city whose urbanized area contains a portion of the territory;
 - b. the board of supervisors of each county that contains a portion of the territory;
 - c. the regional planning authority of the territory involved;
 - d. each affected public utility; and
 - e. each property owner listed in the Petition.

See Iowa Code section 368.11(4).

2. Prior to filing a Petition for Involuntary Annexation with the City Development Board, the Petitioners shall hold a public meeting on the Petition and comply with the following:
 - a. at least five days prior to the public meeting, Petitioners must publish notice of the meeting in an official county newspaper in each county that contains a part of the territory;
 - b. the mayor of the city proposing to annex the territory, or designee, shall serve as the chair of the public meeting;
 - c. the city clerk of the same city, or designee, shall record the proceedings of the public meeting; and
 - d. the chairperson of the public meeting shall send copies of the minutes of the public meeting and all documents submitted at the meeting to the board of supervisors of each county that where the territory is located and to the City Development Board.

See Iowa Code section 368.11(5).

3. Prior to filing a Petition for Involuntary Annexation with the City Development Board, the Petitioners must obtain in writing from the city or county assessor the assessed value and classification assigned for tax purposes for each parcel of platted and unplatted land within the territory. *See Iowa Administrative Code r. 263—8.3(5).*

4. Prior to filing a Petition for Involuntary Annexation with the City Development Board, the Petitioners must provide a copy of the legal description, map of the territory, and list of property owners to the county auditor with a request that the auditor verify the accuracy and completeness of the legal description and verify current ownership of the parcel(s) involved. *See Iowa Administrative Code r. 263—8.3(4).*

5. Petitioners must file one original and 15 copies of its Petition for Involuntary Annexation and all supporting documentation. The Petition shall be in the form set forth in Iowa Administrative Code r. 263—8.3. Materials to be submitted to the Board include:

- a. **A general statement of the proposal:** This statement must describe the characteristics of the city and territory and the reason for the annexation.
- b. **A map of the territory and city or cities:** The Petition must include a map that **CLEARLY** shows all boundaries of the city or cities involved, the entire territory proposed to be annexed, the relationship of the territory to the city or cities involved, adjacent roadways, and all geographic features or land use patterns if relevant to the proposed action.
- c. **Legal description:** The Petition shall include a complete legal description of the territory proposed for annexation that includes a description of right-of-ways of secondary roads with the auditor's verification.
- d. **Assessed valuation of land:** The Petition must include the assessed valuation and classification assigned for tax purposes for each parcel of platted and unplatted land within the territory as verified by the city or county auditor.
- e. **Property owners:** The name and address of each property owner within the territory must be included.
- f. **Population density:** A statement must be included indicating the population density in terms of persons per acre for the territory, the existing city, and the resulting city if the proposal is approved as well as the potential population growth for the city and territory for a 10 or 20 year period and the data must be taken from the existing comprehensive plan or, if no such plan exists, may be calculated based on relevant data.
- g. **Topography:** The Petition must include a description of the topography that includes: (1) a map that includes both the city and territory and consists of contour lines at ten-foot intervals, and (2) a narrative that describes the area's topography with identification of flood plains, drainage areas, drainage ways, slopes, and bluffs. The narrative must also address topography as it relates to development of urban uses and the extension of municipal services.
- h. **Municipal service plans:** A description of existing municipal services and facilities (e.g., water supply, sewage disposal, police and fire protection, and street and road maintenance) and a proposal for providing said services to the territory must be included. Additionally, the Petition must also include a statement of the capability of the existing city sewage system, water system, transportation infrastructure, park and recreational system, and police, fire, and public works departments to accommodate the increased demand resulting from addition of the territory to the city. The Petition must also include an analysis of existing bond capacity and bonded indebtedness and the assets the city may receive that will offset the cost of providing municipal services, including property tax, increase in municipal bonding capacity, state and federal shared revenue, special assessment policies, revenue bonds, user fees, and federal funds were applicable.
- i. **Service agreements:** The Petition shall identify services that may be provided through agreement with other entities and shall include examples of existing service agreements.

- j. **Effect of proposal and possible alternative proposals:** The Petition must include a description of the effect that approval of the proposal will have on the cost and adequacy of services and facilities and a description of the effect of disapproval of the proposal on the cost and adequacy of services and facilities.
- k. **Development regulations and projections:** The Petition shall include a description of current and proposed zoning regulations that apply to the annexation territory. Projected development and land use patterns shall be described under the assumption of continuation of existing land use regulations and under the assumption of law use regulations that would be applied after the annexation, if approved. Residential, commercial, and industrial development projections shall be provided based on population projections for the city and territory. The amount of vacant developable land within the existing corporate limits and an estimate of the amount of developable land needed to accommodate future growth shall be provided. The Petition, if filed by a city, must include a statement indicating whether the city has applied smart planning principles to the territory and if applicable, a description of how the city has applied, or intends to apply, smart planning principles. An optional tool for consideration of smart planning principles is offered by Iowa State University at:
<http://blogs.extension.iastate.edu/planningBLUZ/files/2010/07/Annexation-Checklist.pdf>
- l. **Effect on adjacent areas:** The Petition shall document the amount of revenue lost or gained by any city, township, or county affected by the proposal.
- m. **Shared roads:** The Petition shall include a proposed formal agreement between affected municipal corporations and the counties for maintenance, improvement, and traffic control of any road that would be divided if the proposal is approved.
- n. **Tax Transition:** If the city approves a provision for the transition for the imposition of city taxes, the Petition must so indicate and set forth the transition tax schedule, which may not be greater than set forth in Iowa Code section 368.11(3)(m).
- o. **Island:** The Petition must state whether approval of the proposal will create an island of unincorporated territory.
- p. **Location:** The Petition must state whether the territory adjoins the city to which annexation is proposed and whether the territory is currently in an existing city.

See Iowa Code section 368.11(3) and Iowa Administrative Code r. 263—8.3.

6. Within seven days of filing the Petition, Petitioners shall serve notice of the filing and a copy of the Petition upon each city council for which the annexation is proposed, the board of supervisors for each county that contains a portion of the territory, and the regional planning authority for the area involved. *See Iowa Administrative Code r. 263—8.5.*

7. Following the filing of a complete Petition, the City Development Board will examine the Petition at its next scheduled meeting. If it finds the Petition is in substantial compliance with the Iowa Code and Iowa Administrative Code, the Board will accept the Petition as complete and properly filed and direct the appointment of a committee. *See Iowa Administrative Code r. 263—8.9 through 8.11.*

8. The committee will hold a public hearing where evidence in support of and against the proposal will be accepted. Following the public hearing, interested parties will be afforded an opportunity to submit written briefs. *See Iowa Code section 368.15 and Iowa Administrative Code r. 263—9.10.*

9. After the public hearing and filing of briefs and no later than 90 days after the public hearing, the committee will meet to decide whether to approve the Petition. The committee's decision will always be in writing and rendered at a time following the decisional meeting. Copies of the written decision shall be transmitted to the parties via certified mail. *See Iowa Code section 368.19 and Iowa Administrative Code r. 263—9.11.*

10. If the committee approves the Petition, the City Development Board submits the matter to the county commissioner of elections to submit it to an election. Registered voters of the city and the territory may vote. The proposal is authorized if a majority of the total number of persons voting approves it. *See Iowa Code section 369.19.*

11. If the proposal is authorized by an election, the county commissioner of elections will certify the results to the City Development Board. The Board then shall:

- a. file the original petition and amendments, publication notices, certification of election results, and any other important information with the Secretary of State and the city clerk involved in the annexation, and will record the same information with the recorder of each county that contains a portion of any city or territory involved, and
- b. file with the Iowa State Department of Transportation a copy of the map and legal land description.

See Iowa Code section 368.20.

12. Prior to the expiration of three years following the completion of the involuntary annexation, the annexing city must submit a report to the City Development Board regarding the provision of municipal services to the annexed territory and the Board determines whether any further action is required. *See Iowa Code section 368.25.*

PLEASE NOTE: Pursuant to Section 312.3(4) Iowa Code, the Mayor and Council are required to certify to the State Treasurer the actual population of the annexed area as determined by the last federal census of that area. The certification should be sent to: Treasurer of the State of Iowa, c/o RUT Acctg, 1st Floor Lucas State Office Building, 321 E. 12th Street, Des Moines, IA 50319.