



City Council Regular Business Meeting Agenda
Thursday, July 7th, 2016, 6:00 p.m.
City Hall – 705 North Avenue

COUNCIL MEETINGS

City Hall
Council Chambers
1st and 3rd
Thursdays at
6:00 P.M.

Tom Phillips
Mayor

Council Members:

Erika Isley
Ed Kuhl
David Lester
Jaki Livingston
Stephanie Riva

Vacant
City Manager

Jean Furler
Finance Director

Jodi Eddleman
City Clerk

Ryan Coburn
Fire Chief

Greg Staples
Police Chief

Tim Hoskins
Public Works Director

Nancy Kuehl
Parks & Recreation
Director

Wade Wagoner
Planning and
Economic
Development Director

Holly Sealine
Library Director

Jim Dougherty
City Attorney

1. Call to order.
2. Approval of agenda.
3. Presentation(s)-
 - Iowa Architectural Foundation – Claudia Cackler
Wade Wagoner street design
4. Welcome of guests and public comment.
(3 minute limit, no action)
5. Approval of minutes –
 - June 16 Regular City Council meeting.
 - June 30 Regular City Council meeting
6. Consent agenda –
 - a)Expenditures.
 - b)Tax abatements.
 - c) Liquor license applications for Variety Childrens Charity – Polo On the Green and Stag at Britts.
 - d)Block party applications for 9390 Lakewood Circle, Aug 20; 2660 Vista Court, July 15
 - e) Utilizing Govdeals to dispose of items at public works, library and police department.
7. Consideration of a Resolution awarding contract for the Beardsley Regional Detention 1 Phase 2 Grading and Drainage.
8. Consideration of a Resolution approving the construction contract, bond and insurance for the Beardsley Regional Detention 1 Phase 2 Grading and Drainage.
9. Consideration of a resolution accepting the public infrastructure for Orchard View Plat 3 final plat.
10. Consideration of a resolution for Orchard View Plat 3 final plat.
11. Consideration of an ordinance on urban chickens.
12. Discussion on traffic control around Oviatt Elementary.
13. Request from Scott Holt for outdoor display of utility sheds at 729 Main Street, Norwalk Hardware Store.
14. Gateway sign location
15. Discussion of potential ordinance to amend Chapter 21, City Manager, City of Norwalk, Iowa Municipal Code.
16. Council Inquiries and staff updates.
17. Adjournment

UNABRIDGED MINUTES OF THE NORWALK CITY COUNCIL MEETING ON 06-16-16

Mayor Phillips called the City Council meeting to order at 6:03 p.m. Present at roll call: Erika Isley, Ed Kuhl, Jaki Livingston and Stephanie Riva. Absent: David Lester. (RC = roll call vote)

Staff present included: Jodi Eddleman, City Clerk; Jean Furler, Finance Director; Nancy Kuehl, Parks and Recreation Director; Greg Staples, Police Chief; Tim Hoskins, Public Works Director; Ryan Coburn, Fire Chief; Luke Parris, City Planner and Jim Dougherty, City Attorney.

16-107 Motion by Livingston, seconded by Isley, to approve the **agenda** as amended to move item F from the consent to be heard directly after consent, passed unanimously by voice vote.

Welcome of Guests and Public Comment

With no one present wishing to speak, Mayor Phillips opened the business portion of the meeting.

16-108 Motion by Isley, seconded by Livingston, to approve the **minutes** of the June 2nd regular council meeting passed unanimously by voice vote.

Consent included Tax abatements; **Resolution 0616-16-059** accepting infrastructure for Silverado Plat 2; **Resolution 0616-16-060** accepting improvements for Estates on the Ridge Plat 2; **Resolution 0616-16-061** accepting temporary constructions easements for the ground surrounding Holland Farms; Approval of contract with HGAC for cooperative purchasing; **Resolution 0616-16-062** approving LED proposal and agreement with Ultra Green Lighting; CIAC update on art and culture; **Resolutions 0616-16-063, 0616-16-064 and 0616-16-065** approving transfers and closing of funds; **Block party applications** for 1300 block of Hunter Drive and 1000 Rolling Hills Court; **monthly department reports and treasurers report and expenditures:**

ADVENTURE LIGHTING	LIGHTING	460.66	IOWA SIGNAL	HWY 28 & MAIN	431.85
AIRPORT SIGNS	SIGN	140.00	IOWA WINDOW	BLDG	85.00
AMERICAN PUBLIC	MEMBERSHIP	184.00	JOSH DEBOWER	REFUND	30.00
ANKENY SANITATION	TRASH SERVICE	52.50	LASER RESOURCES	MAINT	707.41
BEDWELL GARDENS	TREES	5,334.24	LOGAN CONT	CEMENT	75.00
BEST PORTABLE TOILETS	SPORTS COMPLEX	140.00	MATHESON TRI-GAS	EQUIPMENT	201.53
BLUE TARP FINANCIAL	TREE WATER BAGS	269.85	MCHS EMS	SUPPLIES	10.00
BOBS CUSTOM	SERVICE AWARDS	158.00	MENARDS	PARTS	142.17
BOUND TREE MED	SUPPLIES	4,936.89	MERCY COLLEGE	CLASSES	147.00
CAPPEL'S HARDWARE	FERTILIZER	95.08	METRO WASTE	COMPOST	1,792.00
CARPENTER UNIFORM	UNIFORMS PARKER	813.83	MIDWEST BREATH	QUARTERLY AIR TEST	126.60
CENTURYLINK	MONTHLY SERVICE	546.00	NADO NATL ASSN	MEMBERSHIP	500.00
CITY OF WDSM	APRIL WESTCOM	51,561.72	NICHOLS EQUIP	ROLLER RENTAL	714.00
CNM OUTDOOR	EQUIPMENT	1,678.85	NWTC	MINUTES	55.80
COMM INNOVATORS	CHAMBERS REPAIR	323.58	NORWALK HARD	SUPPLIES	346.10
CONFLUENCE	MASTERPLAN	8,572.00	O'HALLORAN	VEHICLE	1,017.92
CONTRACT SPECIALTY	WHITE CHALK	1,586.00	OPTOMETRIC ASSOC	VISION BENEFIT	249.00
CONTRACTORS RENTAL	TRAILER	105.00	PLUMB SUPPLY	SUPPLIES	26.23
CROSSROADS CHURCH	REFUND	30.00	POLK COUNTY TREAS	BLOOD DRAW	150.00
CUMMINS CENTRAL	GENERATOR SVC	734.50	POOL TECH INC.	POOL EQUIPMENT	181.56
DES MOINES IRON	CONVEYOR PARTS	583.90	RED WING	UNIFORM	179.99
DOWNEY TIRE	JAC MOWER	203.91	ROSE DICKINSON	REFUND	29.00
EAGLE ENGRAVING INC	ID TAGS	97.40	S & P GLOBAL	GO BONDS	14,000.00
FAREWAY	SUPPLIES	210.13	SAM'S CLUB	DARE FOOD	668.45
G & L CLOTHING	UNIFORMS PARKER	813.85	SANDSTONE	ORCHARD VIEW	47,755.01
GARLAND'S INC.	SUPPLIES	578.98	SARAH HANRAHAN	REFUND	25.00
GREATER DSM	DC TRIP	9,000.00	SENECA COMPANIES	MAINT	1,411.50
GREGG YOUNG	SERVICE	709.85	SHRED IT	SERVICES	50.24
GRIMES ASPHALT	MATERIAL	3,863.54	STEVE BORMANN	REFUND	25.00
HARVEY'S	BOAT TRAILER	1,820.31	TERMINIX	BLDG	67.00

HD SUPPLY	PARTS	394.00	THE GRAPHIC EDGE	POOL SHIRTS	323.52
HENRY WHITE	REFUND	29.00	TORREY HOLST	REFUND	30.00
HYDRAQUIP LTD	PARTS	222.24	TRUCK EQUIP	LIFT TRUCK OIL	85.33
ILLINOIS FIRE STORE	EQUIPMENT	1,769.93	ULTRA GREEN	LIBRARY	33,559.24
INDOFF INC	OFFICE SUPPLIES	422.02	USA BLUE BOOK	FLAGS	424.89
INSIDE THE TAPE	EDU/TRAINING	295.00	VAN WALL GROUP	GROMMET	9.10
IOWA LIVING	PUBLICATION	1,050.00	VK	ORCHARD VIEW	112.00
			WADE WAGONER	REIMBURSEMENT	99.90

16-109 Motion by Riva, seconded by Livingston, to approve the consent agenda passed unanimously, RC.

Consent Item F

Isley stated sewer trunk line was put in two years ago when Bedwell noticed well wasn't filling. A plug solution was completed and the well is still not filling. Then asked city staff what the proposed improvements will do?

Hoskins responded that the well was primarily fed from surface water, now because of the work in the area the well isn't filling as much.

Mayor added that he doesn't believe the city is responsible; but in an effort to be a good neighbor, the city should pay 25% of the cost for Bedwell to hook up to rural water. The cost is \$6500-\$7000 opposed to the other option of drilling a new well for approximately \$15,000.

16-110 Motion by Kuhl, seconded by Isley, to adopt **Resolution 0616-16-066** approving allocation of up to \$2,500 to assist with well improvements at Bedwell Gardens passed unanimously, RC.

Estates at the Ridge

16-111 Motion by Isley, seconded by Livingston, to adopt **Resolution 0616-16-067** approving the Estates at the Ridge, Plat 2 – Final Plat passed unanimously, RC.

LOSST update

Finance Director Furler reported that effective July 1 the city will begin collecting a 1% local option sales and service tax; which is approximately \$700,000, based on receipts from last year. Monthly distribution will start in August. The unincorporated areas would like to take the option back to voters for FY 17/18 lowering the anticipated amount to be received. Per ballot 25% of revenue is earmarked for property tax relief and will go into the debt service fund.

Furler provided a list of potential LOSST projects for FY 16-17 through 19-20. Riva would like to wait for the bids from the Beardsley facility to come in to have a better idea of what it will cost. Isley would like to use the money for critical needs. Furler indicated the list was for discussion purposes and an attempt to get the conversation started regarding how to best utilize the LOSST funds.

Welcome Sign

Tim Hoskins indicated the sign project is scheduled to be bid July 21. Isley requested Parker Signs, Indianola, be sent the specification information.

16-112 Motion by Riva, seconded by Livingston, to adopt **Resolution 0616-16-068** ordering construction of certain public improvements, approving preliminary plans, and fixing July 21 as public hearing date, and taking of bids therefor for improvements known as the Gateway Sign project passed unanimously, RC.

Development Agreement Addendum Loffredo Holdings

This addendum extends the agreement until December 31, 2017 while parties actively seek a place to move the dirt.

16-113 Motion by Riva, seconded by Isley, to adopt **Resolution 0616-16-069** approving the development agreement addendum to the development

agreement with Loffredo Holdings LLC dated 12/27/2013 passed unanimously, RC.

Norwalk Dog Park Update

Jason Olerich presented the council with a budget and plans to develop a dog park, located behind Windflower Park. The group is discussing key fobs with electronic reader or badges for identifying those dogs.

Mayor asked who would monitor and Olerich answered that it would be self-monitored. Kuehl stated Park and Rec would monitor the software for fob registration.

Staff Updates

Mayor announced that the 2017 Home Show Expo will be at the Estates at The Ridge Plat 2.

Riva asked why Public Works staff is getting hepatitis shots and Hoskins responded that it is required by law because they are involved with sewer. She added that the Central Iowa Code Consortium (CICC) wants all cities to be consistent with Iowa codes after hearings are complete. CICC will come to council once data is collected.

Furler stated a new Utility Billing Clerk has been hired. Lindsey Offenburger will start on June 27. She comes from the City of Indianola with 10 years utility billing, payroll and accounting experience.

Kuehl gave update on pool and said letters are going out to people that have purchased passes explaining refund options for June. Jazz in July will be held on July 10.

Sealine said summer read program is in full swing with over 1000 community members signed up. Caddy shacks fundraiser for adults only will be Friday, July 1. It is mini golf in the library and the cost is \$20 for ticket.

Staples reported that the drug task overtime grant was approved for about \$3600. Lunch in the park was Friday, June 10.

Coburn stated the fire department is over 80 calls in call volume from where they were last year at this time. The storm siren at Hwy 28 and Beardsley will be relocated about 200 yards to the west.

Livingston said Judge Gamble has ordered all personnel to move out of the Warren County Courthouse.

16-114 Motion by Riva, seconded by Livingston, to **adjourn** at 7:20 p.m. passed unanimously by voice vote.

Tom Phillips, Mayor

Attest:

Jodi Eddleman, City Clerk

UNABRIDGED MINUTES OF THE NORWALK CITY COUNCIL MEETING ON 06-30-16
(Minutes to be approved at the July 7th, 2016 meeting)

Mayor Phillips called the City Council meeting to order at 6:03 p.m. Present at roll call: Erika Isley, Ed Kuhl, Jaki Livingston, Stephanie Riva and David Lester. Absent: (RC = roll call vote)

Staff present included: Jodi Eddleman, City Clerk; Jean Furler, Finance Director; Nancy Kuehl, Parks and Recreation Director; Greg Staples, Police Chief; Tim Hoskins, Public Works Director; Ryan Coburn, Fire Chief; Holly Sealine, Library Director and Jim Dougherty, City Attorney.

16-115 Motion by Livingston, seconded by Isley, to approve the **agenda** as amended to move item 8 before item 7 passed unanimously, RC.

Welcome of Guests and Public Comment

With no one present wishing to speak, Mayor Phillips opened the business portion of the meeting.

The consent agenda included a street closure application for Hakes Drive, a special event application for Party Before the Works and a block party application for 1900 block of E 19th & Swan Court and expenditures:

ALL INCLUSIVE REC	FIBAR TOP OFF	5,482.00	KATIE TICE	SWIM LESSON REFUND	90.00
ALL IOWA POOL	QUICK SHOCK	733.26	KRISTI FULLER	POOL PASS REFUND	19.37
AMANDA PELZER	SWIM LESSON REFUND	25.00	LAURA KIMBALL	SWIM LESSON REFUND	60.00
AMANDA WAGONER	SWIM LESSON REFUND	30.00	LINDSEY ATHERTON	POOL PASS REFUND	18.55
ANGIE ROSS	POOL PASS REFUND	37.10	LINDSEY EAGLE	POOL PASS REFUND	18.55
ANGIE VANDERMARK	SWIM LESSON REFUND	30.00	LIZEL BRAGGS	TENNIS REFUND	34.50
ANIMAL RESCUE LEAG	LIVE INTAKE	125.00	LOGAN	MATERIALS	207.60
ASHLEY SHEPPARD	POOL PASS REFUND	18.55	IACP NET	SERVICES	275.00
BOUND TREE	MED SUPPLIES	13.56	MARY JANE SHARP	FITNESS CLASS	2,023.70
CARPENTER	OPERATING SUP	1,176.00	MATHSON TRI	OXYGEN	200.99
CIS ATHLETIC	PITCHING MOUND	662.50	MEDIACOM	INTERNET	157.40
CRESCENT ELEC	BRINDLE RING	37.42	MELISSA CHINGWAY	SWIM LESSON REFUND	25.00
DARCY VOOG	SWIM LESSON REFUND	34.50	MERCY COLLEGE	TRAINING	100.00
DAVIS EQUIP	REPAIRS	1,336.36	MEREDITY	SWIM LESSON REFUND	15.00
DES MOINES REG	SUBSCRIPTION	35.00	MICHELE RICO	POOL PASS REFUND	37.10
DMW	LAB ANALYSIS	290.00	MUNI SUPPLY	MXU	7,713.60
DOUGHTERY	SERVICES	14,350.50	NANCY KUEHL	ART PARK	120.29
DREW SCHMIDT	SWIM LESSON REFUND	55.00	NFPA	MEMBERSHIP	175.00
DUSTIN KRALIK	TENNIS REFUND	69.00	NWTC	PUBLICATION	212.35
ERICK DANIELSEN	POOL PASS REFUND	37.10	NORWALK COMM	SHARED SERVICES	25,257.00
FIRE SERVICE	CONF FEE	50.00	SCHOOL	SUPPLIES	38.12
GARY GOINGS	RENTAL REFUND	200.00	OREILLY	REPAIRS	22.05
GOPHER'	SUPPLIES	502.63	PEEK SALES	GO BNODS	14,000.00
GRAINGER	OPERATING SUPPLIES	81.31	PFM	POSTAGE MACHINE	735.00
GREENWOODS SEWER	REPAIRS	291.50	PITNEY BOWES	EQUIPMENT	2,358.05
GRETCHEN WINFREY	POOL PASS REFUND	37.10	PLAYPOWER	PAYMENT SERVICE	1,888.72
HD ON GO	PAYMENT SERVICE	1,250.00	POLK CO TREAS	CHEMICALS	642.00
HD SUPPLY	PARTS	6,839.50	POOL TECH	SUPPLIES	150.00
ILLINOIS FIRE	RED VANTAGE	119.95	QUALITY TRAFFIC	GATEWAY SIGNS	8,745.07
INDOFF	SUPPLIES	315.28	RDG	PUBLIC NOTICE	52.75
IA ENVIRONMENTAL	BRIDGE SAMPLINT	400.00	REGISTER MEDIA	REFUND	79.00
IA LAW ENFORCEMENT	BRYANT	90.00	RENEE MESSAMAKER	POOL PASS REFUND	37.10
IA LEAGUE CITIES	ANNUAL DUES	3,590.00	ROBERT JOSS	POOL PASS REFUND	30.00
IA METHODIST	BRYANT	3,197.70	SANDY SPARKS	JAZZ JULY	187.50
IA ONE CALL	LOCATES	954.80	SARA ROUTH	TEST	128.00
JAMES OIL	FUEL	6,710.84	STANARD ASSOC	SUPPLIES	1,587.00
JAMIE PURVIANCE	POOL PASS REFUND	21.38	STANDRIDGE	SWIM LESSON REFUND	60.00
JEAN STANSBERY	SWIM LESSON REFUND	30.00	STEPHANIE HUDSON	REPAIRS	367.00
JENNIFER WUBBEN	SWIM LESSON REFUND	30.00	STIVERS FORD	WEB HOST	540.00
JESSICA LEEPER	SWIM LESSON REFUND	25.00	STRATEGIC AMERICA	REC	375.00
			SWANK MOTION		

JILL HILL	SWIM LESSON REFUND	90.00	TAMMI BETTS	WATER REFUND	56.00
JOHSON CONST	HYDRANT RENTAL	842.37	THE CUT EDGE	AERIFY FIELDS	6,000.00
KABEL	HRA CKS	1,451.44	TERESA WHITEFALL	PARK SHELTER	40.00
KATIE MCINTYRE	POOL PASS REFUND	18.55	TIM HOSKINS	REIMBURSEMENT	6.50
			TRACY SILZER	SWIM LESSON REFUND	30.00
			TRAVIS BENTZ	SWIM LESSON REFUND	55.00
			TYLER TECH	SUPPORT	1,512.53
			VERIZON	CELL PHONES	1,563.52
			ZIEGLER	PARTS	155.81

16-116 Motion by Livingston, seconded by Riva to approve the consent agenda passed unanimously RC.

Public Hearing Beardsley Regional Detention1 Project

Mayor Phillips opened the public hearing on the Beardsley Regional Detention1 phase 2 grading and drainage at 6:05 p.m., Eddleman reported receiving no comments, Phillips closed the public hearing at 6:05 p.m.

16-117 Motion by Riva, seconded by Isley to approve **Resolution No 0630-16-070** adopting plans, specifications, form of contract and estimate of costs for the Beardsley Regional Stormwater Detention Facility Phase 2 grading and drainage passed unanimously, RC.

Tony Bellizzi of Veenstra & Kimm addressed the council on the project. Tony stated that there are a few things that need to come into place before construction can begin a Corp of Engineers permit, the flood plain permit and the temporary easement from United Properties.

Council has concern about what would happen if the easement wasn't granted, Bellizzi responded that if it wasn't granted that a steeper transition grade would have to be done, modifications would need to be made so that it wouldn't impact the property. The entire project will not be able to be completed until the easement is received. Any additional modifications to the project would be brought back to the council as a change order.

Jean Furler gave the council a couple of different scenarios on how the city could fund the project. The Local Option Sales and Service Tax (LOSST) could be utilized for the first two to three years depending on the available increment. If development does not occur, the LOSST may be a long term solution to pay the debt. If the development occurs as anticipated then the payback could range from three to ten years. The total estimated revenues from developers/businesses that connect to the detention pond is projected to be \$217,000 that could also be utilized to offset the debt. The project total costs as of June 30 are \$3 million not including any additional requests that may be made by developers. In addition, other improvements will be made to the area as development occurs.

16-118 Motion by Riva, seconded by Livingston to table awarding the construction contract for the Beardsley Regional Storm water Detention Facility Phase 2 grading and drainage passed 4-1 with Lester abstaining.

16-119 Motion by Kuhl, seconded by Lester to enter into closed session pursuant to Iowa Code Chapter 21.5 (1) (i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individuals reputation ant that individual requests a closed session to discuss finalists for the City Manager position, passed unanimously RC.

16-120 Motion by Riva, second by Lester to go back into open session, passed unanimously RC.

16-121 Motion by Livingston, seconded by Riva to adjourn at *8:02 p.m., passed unanimously RC.

Tom Phillips, Mayor

Attest:

Jodi Eddleman, City Clerk



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 06
For Meeting of 07/07/2016

Item Title: Consent Agenda

Contact Person: Jodi Eddleman, City Clerk

Expenditures

This item is on the agenda for the approval of payment per the attached claims list.

Tax abatements

The following tax abatement applications were submitted for approval:

Hubbell Homes	208 West High Rd	SFR	\$300,000.
Jerrys Homes Inc	301 Sycamore Dr	SFR	\$206,356.
Orton Homes	303 Marie Ave	SFR	\$180,000.
Orton Homes	307 Marie Ave	SFR	\$180,000.
Orton Homes	311 Marie Ave	SFR	\$180,000.
Orton Homes	365 Aspen Dr	SFR	\$210,000.
Orton Homes	371 Aspen Dr	SFR	\$210,000.
Greenland Homes	506 Orchard Hills Dr	SFR	\$236,000.
Savannah Homes	516 Main Street	SFR	\$212,000.
Patrick Martin	593 Beardsley St	Add	\$40,000.
Hubbell Homes	601 Canterbury Pl	SFR	\$144,600.
Hubbell Homes	605 Canterbury Pl	SFR	\$144,600.
Hubbell Homes	609 Canterbury Pl	SFR	\$144,600.
Happe Homes	619 Orchard View Dr	SFR	\$217,932.
Alexandra Brown	645 Newport Pl	Add	\$29,610.
Happe Homes	707 Hickory	SFR	\$265,500.
Jerrys Homes	1122 Warrior Run Dr	SFR	\$200,000.
Happe Homes	1336 Green Hills Dr	SFR	\$279,250.
Happe Homes	1401 Green Hills Dr	SFR	\$275,900.
Happe Homes	1407 Green Hills Dr	SFR	\$302,790.
Neighborhood Builders	3129 Prairie Ridge Dr	SFR	\$390,000.
Tom Signor	9020 Prairie Clover Ct	SFR	\$1,100,000.

Liquor License Application

Variety Childrens Charity, Polo on the Green
Stagg at Britts

Block party application

The following block party application was submitted for approval; the paperwork has been distributed and is in order.

9350 Lakewood Circle August 20

2660 Vista Court July 15

Staff Recommendation: Approve consent agenda on a roll call vote.

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT_	
POLICE OPERATIONS	GENERAL FUND	FREEDOM TIRE & AUTO CENTER	P-132	326.82	
			INDOFF INC	COLOR COPY PAPER	31.92
				COPY PAPER	87.32
		SPRINGER PEST SOLUTIONS	PEST CONTROL	68.00	
		EXCEL MECHANICAL CO	BOILER ROOM REPAIR	1,508.00	
		GREGG YOUNG	P-132	463.91	
			P-131	106.27	
		SMITH PROMOTIONAL ADV	TRAFFIC SAFETY PROMO	398.88_	
			TOTAL:	2,991.12	
		FIRE PROTECTION	GENERAL FUND	INDOFF INC	OFFICE SUPPLIES
TOTAL:	43.20				
BUILDING INSPRCTOR	GENERAL FUND	INDOFF INC	OFFICE SUPPLIES	48.54_	
			TOTAL:	48.54	
ANIMAL CONTROL	GENERAL FUND	JP COOKE CO	2017 DOG TAGS AND HOOKS	23.15_	
			TOTAL:	23.15	
OTHER PUBLIC WORKS	GENERAL FUND	INDOFF INC	OFFICE SUPPLIES	44.62_	
			TOTAL:	44.62	
RECREATION	GENERAL FUND	INDOFF INC	PAPER AND SUPPLIES	72.80	
			IPRA	TICKET SALES	320.00
		THE GRAPHIC EDGE	BASEBALL TEES	14.78	
		BRENT WALKER	CHESS CAMP	97.16	
		ROBERT WADE	3-5 BBALL	225.00	
		TALIA ZOOK	2016 3-5 SBALL	75.00_	
			TOTAL:	804.74	
SPORTS COMPLEX	GENERAL FUND	CNM OUTDOOR EQUIPMENT	X MARK MOWER	69.33	
			BEACON ATHLETICS	SUPPLIES	352.00
		BROWN EQUIPMENT	PARTS	186.40_	
			TOTAL:	607.73	
SWIMMING POOL	GENERAL FUND	FARNER-BOCKEN COMPANY	CONCESSION SUPPLIES	572.10_	
			TOTAL:	572.10	
COMMUNITY DEVELOPMENT	GENERAL FUND	INDOFF INC	OFFICE SUPPLIES	31.18_	
			TOTAL:	31.18	
FINANCIAL ADMINSTRATIO	GENERAL FUND	JESTER INSURANCE SERVICES INC	COVERAGE CHANGES	304.00_	
			TOTAL:	304.00	
CITY HALL & GENERAL BU	GENERAL FUND	INDOFF INC	OFFICE SUPPLIES	86.68	
			NORTH WARREN TOWN & COUNTY NEWS	PUBLIC HEARING	54.25
			JOB POSTING	10.00_	
			TOTAL:	150.93	
POOL REPAIRS	CIP - POOL	SANDE CONSTRUCTION AND SUPPLY	POOL REPAIRS	40,000.00_	
			TOTAL:	40,000.00	
STORM SEWERS (DRAINAGE	STORM WATER UTILIT	STANDRIDGE GROUP	WAUGH BUSINESS CARDS	37.50_	
			TOTAL:	37.50	

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT_
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===== FUND TOTALS =====

001	GENERAL FUND	5,621.31
340	CIP - POOL	40,000.00
740	STORM WATER UTILITY	37.50

GRAND TOTAL:		45,658.81
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TOTAL PAGES: 2

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF NORWALK
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 7/07/2016 THRU 7/07/2016
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 0/00/0000 THRU 99/99/9999

PAYROLL SELECTION

PAYROLL EXPENSES: NO
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Department
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: COUNCIL CLAIMS LIST 7/07/16
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: NO
INCLUDE OPEN ITEM: YES



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No.6e
For Meeting of 07.07.16

ITEM TITLE: Consideration and Action on a Resolution Approving the Disposal of Municipal Equipment.

CONTACT PERSON: Tim Hoskins, Public Works Director

SUMMARY EXPLANATION: City Staff has assembled a considerable amount of equipment from various departments that are now due to be cycled out of service. The equipment list is listed in Attachment A. We also request the use of GovDeals as a means of disposing of this inventory. GovDeals is an on line auction service for government agencies and is widely used by other metro area communities, agencies in Iowa, as well as around the country. A cover sheet of the terms with GovDeals is included as Attachment B.

Staff intends provide the list of inventoried assets to GovDeals upon approval by the resolution.

<p><input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Contract <input type="checkbox"/> Other (Specify) _____</p> <p>Funding Source <u> N/A </u></p> <p>APPROVED FOR SUBMITTAL _____</p> <p style="text-align: center;">Jean Furler, Interim City Manager</p>

STAFF RECOMMENDATION: Staff recommends approval of the resolution.

RESOLUTION NO.

RESOLUTION APPROVING THE DISPOSAL OF MUNICIPAL PROPERTY

WHEREAS; over time the City of Norwalk has accumulated property by various methods and of wide ranging descriptions; and

WHEREAS; the City now has the need to dispose of this property as it is of no use and of no value to maintain; and

WHEREAS; GovDeals is an on line auction outlet for various government agencies throughout Iowa and the rest of the United States that will be utilized for the disposal of said property; and

WHEREAS; the said property has been inventoried and consists of items listed in Attachment A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA: To dispose of identified municipal property through the use of GovDeals.

PASSED and ADOPTED this 7th day of July, 2016

Tom Phillips, Mayor

ATTEST:

Jodi Eddleman, City Clerk

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Isley	___	___	___
Kuhl	___	___	___
Lester	___	___	___
Livingston	___	___	___
Riva	___	___	___

ATTACHMENT "A"

- 1 push bumper
- 2 used police sirens
- 1 used auto spot light
- 1 used treadmill
- 17 exterior building lights in 8 boxes and 1 lose
- 21 loose used light bulbs in 1 box
- Add 3 more green chairs to list below
- 1 welding cart
- 1 tub of alum letters from library "not all letters are there"
- 4 floor rugs
- 1 rotary laser level "never used and close to 15 years old"
- 1 elec power strip
- 1 paper tray
- 1 small hyd jack
- 1 jumper cables "extra cheap type"
- 1 small tub hinges
- 1 Megaloc- nonslip rug cushion
- 1 water fountain "non-working"
- 2 old torch sets
- 1 mirror from old endloader
- 1 single strap safety belt
- 1 VFH antenna
- 1 air hose reel
- 1 cloth tool bag
- 3 old hand saws "rusted"
- 1 steel tool box "small, for 3/4' socket set" (empty)
- 1 dewalt elec 3/8" drill
- 1 1/2' old 90* drill "parts missing"
- 1 water work vest life jacket
- 1 box of old elec : plates / covers / boxes / misc.
- 1 large crate of tire chains and parts
- 1 tool box off small pick-up "rusted"
- 1 large floor safe (pictures available)
- 24 green plastic/steel chairs
- 1 green box with the following
 - 8 ft gas line
 - 1 reel of speaker wire
 - 1 small tote of finishing nails and staples
 - 2 small plano plastic boxes
 - 1 small box of Remington stud drivers "22 rifle blanks"
 - 1 hand mic
 - 1 tire patching roller
 - 1 dirt plug
 - 1 sewer measuring equipment "has not been used in over 17 years"
 - 1 gate bolt
 - 1 1/4" hyd hose, maybe 15 foot
 - 1 regulator and hose for oxygen
 - 1 box of used toilet paper holders

Bike description

Approximately 15 no tags or description

Red Next Wipeout bike
Blue Schwinn Flight bike
Red GT bicycle
Brown Schwinn Bike
Next pro mountain bike
Red/white schwinn
Razor purple/gray tricycle
Black/green storm upland bike
Blue/white bicycle
black/orange bike
blue mountain bike
Yellow NEXT freestyle kids bike
silver razor
blue 21 speed schwinn sidewinder
small red kids bike
blue Huffy Rockit
blue huffy rockslide
purple starburst
brown mountain tour
green/silver Next Turbo
Red Next Wipeout bike
21 speed schwinn bike
24" girls mountain bike
Purple/gray Trek bike
Stone mountain Huffy girls bike
purple/pink Rallye bike
black hyper bike co spinner pro
Red roadmaster
blue kent copilot
Pink Slumberparty Next Bike
Grey Huff
Silver Murry ultra terrain
Purple Magna great divide
Red Magna Double Divide bike
Silver Shimano Mnt Ridge
Purple Roadmaster Mnt Sport
Red Galaxy 10 spd
Black Hyper Aluminum Havoc
Green Huffy Storm
Yellow Uproar Huffy
2 seat red pull behind stroller
Razor 2 wheel scooter
Thruster 2.0
HR200FS Honda Racing/Red

ATTACHMENT "B"

GovDeals

Client Logo Here

Client Name

City, State

Online Sales - Terms and Conditions

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale "AS IS, WHERE IS." **Client Name** makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. **Seller** warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If **Seller** confirms the property does not conform to the description, **Seller** will keep the property and refund any money paid. The liability of the **Seller** shall not exceed the actual purchase price of the property. Please note upon removal of the property, **all sales are final.**

Personal and property risk. Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and GovDeals from liability therefore.

Inspection. Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See instructions on each asset page for inspection details.

Consideration of Bid. **Seller** reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.

Buyer's Certificate. Successful bidders will receive a Buyer's Certificate by email from GovDeals.

Buyers Premium. If a **Buyers Premium** is shown on the auction page bidder box, then that amount (expressed as a percentage of the final selling price) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the Buyers Certificate. Payment must be made electronically through the GovDeals Website. Acceptable forms of payment are:

GovDeals, Inc. Revision May 2014

- PayPal
- Wire Transfer
- Visa
- MasterCard
- American Express
- Discover

PayPal and Credit Card purchases are limited to below \$5,000.00. If the winning bid plus applicable taxes, if any indicated, and the buyer's premium, equals more than \$4,999.99, PayPal and Credit Cards may not be used. If Wire Transfer is chosen, a Wire Transfer Transaction Summary page will provide payment and account information. The Wire Transfer must be completed within 5 days.

Removal. All assets must be removed within **ten (10) business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

Vehicle Titles. **Seller** will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller reserves the right to reclaim and resell all items not removed by the specified removal date.**

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on GovDeals. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.

Sales to Employees. Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 7

For Meeting of 07/07/2016

ITEM TITLE: Consideration of a Resolution Awarding Contract for the Beardsley Regional Stormwater Detention Facility Phase 2 –Grading and Drainage.

CONTACT PERSON: Tim Hoskins, Public Works Director

SUMMARY EXPLANATION: Veensta & Kimm, Inc. (V&K) is the City's engineer for the project known as the Beardsley Regional Stormwater Detention Facility Phase 2 – Grading and Drainage. The engineering estimate for this project is \$2,472,917.00. Proposals were received on June 23, 2016 at 2:00 p.m. at the Norwalk City Hall. There were 5 bids received. As of the drafting of this item the apparent low bidder is CJ Moyna & Sons from Elkader, Iowa in the amount of \$2,329,681.80. V&K will review the bids and will be recommending awarding the construction contract to the apparent low bidder upon tabulation of the bid documents. The project consists of all labor, materials and equipment necessary to construct two permanent pool detention ponds including approximately 174,100 cubic yards of excavation, impervious clay seal, hauling and spreading excess excavation of approximately 156,000 cubic yards on adjacent properties, approximately 78 linear feet of 6-foot x 6-foot RCBC, 68 linear feet of 8-foot x 5-foot RCBC, 63 linear feet of 42-inch RCAP, 9 RCP culverts varying from 15-inch to 24-inch diameter in open cut with area intakes, 9 manhole adjustments, 6 spillway structures, outlet structure, excavation, backfill, gabion lined drainage swales, rip-rap, erosion stone, erosion control, surface restoration, mobilization, traffic control and miscellaneous associated work including cleanup.

<p><input checked="" type="checkbox"/> Resolution _____ Ordinance _____ Contract _____ Other (Specify) _____</p> <p>Funding Source: _____ Connection Fee District Revenue Bonds, Revenue Bonds _____</p> <p>APPROVED FOR SUBMITTAL _____</p> <p style="text-align: center;">Jean Furler, Interim City Manager</p>

STAFF RECOMMENDATION: Approval of the resolution.

RESOLUTION NO

**RESOLUTION MAKING AWARD OF THE
CONSTRUCTION CONTRACT FOR
THE BEARDSLEY REGIONAL STORMWATER DETENTION FACILITY
PHASE 2—GRADING AND DRAINAGE**

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

Section 1. That the following bid for the construction of certain public improvements described in general as BEARDSLEY REGIONAL STORMWATER DETENTION FACILITY PHASE 2—GRADING AND DRAINAGE, described in the plans and specifications heretofore adopted by this Council on May 19, 2016, be and are hereby accepted, the same being the lowest responsible bid received for said work, as follows:

Contractor: CJ Moyna & Sons, Inc.

Amount of Bid: \$ 2,329,681.80

Section 2. That the Mayor and Clerk are hereby directed to execute contract with the contractor for the construction of said public improvements known as BEARDSLEY STORMWATER DETENTION FACILITY PHASE 2—GRADING AND DRAINAGE, said contract not to be binding on the City until approved by this Council.

PASSED and ADOPTED this 7th day of July, 2016

Tom Phillips, Mayor

ATTEST:

Jodi Eddleman, City Clerk

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Isley	___	___	___
Kuhl	___	___	___
Lester	___	___	___
Livingston	___	___	___
Riva	___	___	___



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No.08
For Meeting of 07.07.16

ITEM TITLE: Consideration and Action Approving the Construction Contract and Bond for the **Beardsley Regional Stormwater Detention Facility Phase 2 – Grading and Drainage** with CJ Moyna & Sons, Inc.

CONTACT PERSON: Tim Hoskins, Public Works Director

SUMMARY EXPLANATION: Veensta & Kimm, Inc. (V&K) is the City’s engineer for the project known as the **Beardsley Regional Stormwater Detention Facility Phase 2 –Grading and Drainage**. V& K has recommended that the contract be awarded to CJ Moyna & Sons, Inc. of Elkader, Iowa in the amount of \$2,329,681.80. The contractor has provided a signed contract, necessary bonds and insurance for approval by the council.

<p><input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Other (Specify) _____</p> <p>Funding Source: _____ <u>Connection Fee District, Revenue Bonds</u> _____</p> <p>APPROVED FOR SUBMITTAL _____ Jean Furler, Interim City Manager</p>
--

STAFF RECOMMENDATION: Approval of the resolution.

RESOLUTION NO

RESOLUTION APPROVING CONTRACT & BONDS FOR THE PROJECT KNOWN AS THE BEARDSLEY REGIONAL STORMWATER DETENTION FACILITY PHASE 2—GRADING AND DRAINAGE

WHEREAS, the City Council of the City of Norwalk, Iowa, has heretofore awarded a contract for the BEARDSLEY REGIONAL STORMWATER DETENTION FACILITY PHASE 2—GRADING AND DRAINAGE (the “Project”) and fixed the amount of the performance and/or payment bonds to be furnished by such contractor, and instructed and authorized the Mayor and City Clerk to execute the said contract on behalf of the City, subject to the approval of the Council; and

WHEREAS, the said contract has been duly signed by the contractor; and

WHEREAS, the contractor has filed satisfactory performance and/or payment bonds in the required amount;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Norwalk, Iowa, as follows:

Section 1. The aforementioned contract and performance and/or payment bonds are hereby approved and declared to be binding upon the parties thereto.

Section 2. The Mayor and City Clerk, upon approval by this City Council are authorized to execute said contract on behalf of the City.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved July 7th, 2016.

Tom Phillips, Mayor

ATTEST:

Jodi Eddleman, City Clerk

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Isley	___	___	___
Kuhl	___	___	___
Lester	___	___	___
Livingston	___	___	___
Riva	___	___	___



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 09
For Meeting of 07/07/2016

ITEM TITLE: Resolution for Consideration Accepting Public Infrastructure for Orchard View Plat 3

CONTACT PERSON: Tim Hoskins, Public Works Director

SUMMARY EXPLANATION: The Orchard View Plat 3 contains 28 lots that will be an extension of Orchard Hills Dr. connecting to Wright Road as well as Braeburn Dr. The developer's engineer, Civil Engineering Consultants, Inc. has submitted documentation that the improvements have been installed in accordance with the plans and specifications. A site inspection performed on June 27, 2016 found only very minor items yet to be completed. The contractors have provided the necessary bonds. With the acceptance of these improvements the 4 year maintenance bonds will start. The developer, Norwalk Land Co. L.L.C. is now requesting the City accept the following improvements:

STREETS

- 2,021', 7" thick, 31' wide concrete street with curb & gutter

SANITARY SEWER

- 1,578' of 8" sanitary sewer main
- 7 manholes

STORM SEWER

- 1,943' of various sized storm sewer main
- 5 manholes
- 16 intake structures

WATER

- 1,091' of 8" water main
- 10 valves
- 3 fire hydrants and 4 existing fire hydrant adjustments

<input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Other (Specify) _____
Funding Source: _____ N/A _____
APPROVED FOR SUBMITTAL _____ Jean Furler, Interim City Manager

STAFF RECOMMENDATION: Approval of the resolution.

RESOLUTION NO

**RESOLUTION ACCEPTING IMPROVEMENTS
KNOWN AS
ORCHARD VIEW PLAT 3**

WHEREAS, the owner/developer Norwalk Land Co. L.L.C. contracted with Civil Engineering Consultants, Inc. to prepare construction plans and specifications for Orchard View Plat 3; and,

WHEREAS, Civil Engineering Consultants, Inc. is responsible for overseeing all the infrastructure improvements including the installation of the site grading and sub-grade preparation, sanitary sewer, streets, storm water, and water mains; and,

WHEREAS, Civil Engineering Consultants, Inc. has submitted a letter stating that the work of constructing the site grading, sanitary sewer, storm water, streets, and water mains have been completed and substantially complies with the terms, conditions, and stipulations of the plans and specifications; and,

WHEREAS, Norwalk Land Co. L.L.C. desires to dedicate the sanitary sewer, storm water, streets, and water main improvements to the City of Norwalk as public improvements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norwalk, Iowa, that said public improvements be formally accepted and approved at this time.

Passed and approved this 7th day of July, 2016.

Tom Phillips, Mayor

ATTEST:

Jodi Eddleman, City Clerk

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Isley	___	___	___
Kuhl	___	___	___
Lester	___	___	___
Livingston	___	___	___
Riva	___	___	___



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 10
For Meeting of 7.7.2016

REQUEST:	Review of the Final Plat of <i>Norwalk Orchard View Plat 3</i>	
STAFF CONTACT:	Luke Parris, AICP City Planner	
APPLICANT(S):	Norwalk Land Co, LLC 475 Alice's Rd, Ste A Waukee, Iowa 50263	Civil Engineering Consultants, Inc. 2400 86 th St. Unit 12 Des Moines, Iowa 50322
GENERAL DESCRIPTION:	This request would create 28 single family lots in the Norwalk Orchard View and Orchard Hills developments.	
IMPACT ON NEIGHBORHOOD:	The request would not appear to have a negative impact on the area.	
VEHICULAR & PEDESTRIAN TRAFFIC:	The development creates a critical connection of Orchard Hills Drive from North Avenue to Wright Road and the McAninch Sports Complex. While staff does not feel this connection is a negative impact on the community, it should be noted that the connection to the sports complex will increase traffic along Orchard Hills Drive, particularly during times of heavy use of the sports complex.	
TRAIL PLAN:	This plat includes an 8' sidewalk along the east side of Orchard Hills Drive. In certain cases a sidewalk easement has been provided at the front of lots to avoid conflicts with hydrants along the trail.	
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	Lots 1-21 are part of the Orchard Hills PUD. Lots 22-28 along Bradford Drive at part of the Orchard View PUD. Outlot X, to the west of this subdivision, is an R-3 parcel of the Orchard View Townhomes that is currently owned by Norwalk Land Co, LLC.	
BULK REGULATIONS:	Bulk Regulations Lots 1-21: 25' front setback, 12' side setback (minimum 5' on one side), 30' rear yard setback. Bulk Regulations Lots 22-28: 30' front setback, 12' side setback (minimum 5' on one side), 35' rear yard setback.	

In certain instances, where an easement encroaches into the setback, the easement line is set as the setback line.

DRAINAGE: The storm water from lots on the east side of this development drains into onsite detention basins. The other lots drain to the street collection system which is ultimately detained in an offsite detention pond to the east.

DEVELOPMENT HISTORY: The Orchard View PUD was approved on October 4, 2012. The Orchard Hills PUD was last amended on May 31, 2012. The preliminary plat for the overall Orchard View development was approved on January 16, 2014. The preliminary plat for Norwalk Orchard View Plat 3 was approved on August 6, 2015.

FLOODPLAIN: None of the proposed lots are located within a floodplain.

PARKLAND: Parkland dedication for the area is identified in the PUD as the 4 acre park to the north along Orchard Hills Drive.

**UTILITIES: WATER,
SANITARY SEWER, STORM
SEWER.**

- 10' PUEs are identified at the front and rear of each lot.
- Occasional lots have a 5' PUE along the side lot line.
- A 20' sanitary sewer easement is at the front of lots 22-25.
- A 25' sanitary sewer easement is at the front of lot 28.
- A 17' sanitary sewer easement is at the front of lots 7-11.
- A 20' surface water flowage easement is at the rear of lots 16-21.
- A stormwater detention easement is at the rear of lots 16-18.
- A 45' surface water flowage easement is at the rear of lots 12-15.
- A stormwater detention easement is at the rear of lots 7-9.
- A 20' surface water flowage easement is at the rear of lots 1-6.
- A 30' storm sewer easement is at the rear of lots 15 & 16.
- A 20' storm sewer easement is at the rear of lots 7 & 8.
- A 5' sidewalk easement is at the front of lots 11, 12, & 16.

**RELATIONSHIP TO
COMPREHENSIVE LAND
USE PLAN:**

The Future Land Use Map designates the area in question as Medium Density Residential. This request would be in compliance with such designation.

**STAFF ANALYSIS –
ZONING ORDINANCE:**

The Final Plat consists of 28 single family lots, containing approximately 35.614 acres of land, south of the existing Orchard View development and west of the existing Orchard Hills development.

Streets shown will be dedicated to the City for street use upon approval of the Final Plat. The streets include a continuation of the 31' wide Orchard Hills Drive, a continuation of the 28' wide Braeburn Drive, and a new 28' wide Bradford Drive.

**STAFF ANALYSIS –
SUBDIVISION
ORDINANCE:**

The Subdivision Ordinance requires that Final Plat submissions include such criteria as boundaries of property, engineer's certificate, easements and right-of-way widths. All information has been submitted by the applicant. The Final Plat shows platted building lines, property lines with dimensions, easements and right-of-way widths.

The applicant will need to submit all other required documents prior to release of the final plat for recording.

**PLANNING & ZONING
RECOMMENDATION:**

Therefore, staff recommends that the request for the Final Plat of Norwalk Orchard View Plat 3 be approved with the following conditions:

- That the applicant provides all supporting documentation required within the Norwalk Subdivision Regulations.
- That any significant modifications to the final plat be reviewed and approved by the Planning & Zoning Commission and City Council.

<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Contract	<input type="checkbox"/> Other (Specify)
Funding Source: <u>NA</u>			
APPROVED FOR SUBMITTAL		Jean Furler	
		Interim City Manager	

RESOLUTION NO. ____

A RESOLUTION APPROVING THE NORWALK ORCHARD VIEW PLAT 3 – FINAL PLAT

WHEREAS, the Planning & Zoning Commission reviewed this request at their regular meeting on June 27, 2016 and recommends approval of the Final Plat; and

WHEREAS, that upon final approval of the final plat, the developer adheres to all provisions detailed in the Norwalk Subdivision Regulations and Norwalk Municipal Code of Ordinances; and

WHEREAS, that any significant modifications to the final plat be reviewed and approved by the Planning & Zoning Commission and City Council; and

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the Final Plat for the Norwalk Orchard View Plat 3 as described and shown in Attachment "A" attached hereto and made a part thereof by reference.

PASSED AND APPROVED this 7th day of July, 2016.

Tom Phillips - Mayor

ATTEST:

JODI EDDLEMAN, CITY CLERK

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>
Kuhl	___	___
Lester	___	___
Isley	___	___
Riva	___	___
Livingston	___	___



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 11
For Meeting of 07.07.2016

ITEM TITLES: Discussion on draft Urban Chicken Ordinance amendments.

CONTACT PERSONS: Luke Parris, AICP
City Planner

SUMMARY EXPLANATION

At the June 2, 2016 City Council meeting, the Council directed staff to develop a finalized draft of an ordinance amendment that would allow up to four chickens at a residence provided specific criteria was met and that an annual license was obtained. Staff has developed the requested draft using the 2009 Proposed Urban Chicken Ordinance as a guide. The draft ordinance amendment also includes relevant changes needed to other sections of the City's codes to allow for urban chickens.

ATTACHMENTS

Attachment A: 2009 Proposed Chicken Ordinance

Attachment B: Draft Ordinance Amendment to allow and regulate Urban Chickens

<p>___Resolution ___ Ordinance ___ Contract <u>X</u> Other (Specify) <u>Discussion</u></p> <p>Funding Source: <u>NA</u></p> <p>APPROVED FOR SUBMITTAL <u>Jean Furler</u> Interim City Manager</p>

ORDINANCE NO

**AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE:
CHAPTER 55 ANIMAL CONTROL AND PROTECTION;
CHAPTER 177 RATES AND FEES; AND
ZONING ORDINANCE SECTION 17.10.030 SINGLE FAMILY RESIDENTIAL DISTRICT.**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend Chapter 55 Animal Control and Protection, and Chapter 177 Rates and Fees of the City of Norwalk City Code and Section 17.10.030 R-1 Single-Family Residential District of the City of Norwalk Zoning Ordinance.

SECTION 2. AMENDMENT.
The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by removing the follow struck through language is Section 55.05:

55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the City ~~except by written consent of the Council or~~ except in compliance with the City's zoning regulations.

The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by adding the follow new Section 55.16:

55.16 URBAN CHICKENS. The keeping of chickens within the City is allowed in compliance with the City's zoning regulations and the following criteria:

1. No more than four (4) chickens allowed per lot.
2. An annual chicken license will be obtained by the property owner.
 - a. The cost of the license shall be established in Chapter 177 of this Code of Ordinances.
 - b. If the property owner acquires possession of the chicken(s) less than six (6) months prior to the expiration date of a license, the license fee shall be reduced fifty percent (50%).
 - c. All license fees shall become delinquent on April 1 of the year in which they are due and a delinquent penalty of ten dollars (\$10.00) shall be added to each unpaid license on and after said date.
 - d. The application for a chicken license runs with the owner and their current location, any change in ownership or change in address will require the submittal of a new license application.
3. No person shall keep any rooster.
4. No person shall slaughter any chickens.
5. No chickens without an approved enclosure that meets the standards of the zoning ordinance. The enclosure shall be covered and fully secured so that it can be locked at night.
 - a. The enclosure shall be completely secure and free of any attractive nuisances as spelled out in Chapter 50 Nuisance Abatement of the municipal code.

6. All chicken coops shall obtain the proper accessory structures permit and meet all setback requirements spelled on in the zoning ordinance.
7. More than two violations of Chapter 50 Nuisance Abatement in a calendar year may result in revocation of the license and subsequent removal of the chickens, subject to City Council review.

The City of Norwalk City Code Chapter 177 Rates and Fees is hereby amended by adding the following license fee for Urban Chickens:

- | | |
|--|-----------------------------|
| 4. Chapter 55 – Urban Chicken Licenses | |
| License Fee | \$25.00 per year |
| Delinquency Fee | \$10.00 per delinquent year |

The City of Norwalk Zoning Ordinance Section 17.10.030.3 Permitted Accessory Uses is hereby amended with the following:

- K. The keeping of up to four (4) chickens on a lot in accordance with City Code Chapter 55.16 Urban Chickens. The necessary chicken enclosure is also allowed, provided the following standards are met:
 - a. The enclosure is covered and fully enclosed.
 - b. The enclosure is able to be locked.
 - c. The enclosure provides a minimum of 5 square feet per chicken.
 - d. The enclosure shall have a minimum height of four feet.
 - e. A completely fenced in area outside of the covered enclosure shall be provided with a minimum of 10 square feet per chicken and a height of six feet.
 - f. The enclosure shall not be located closer than 25' to any principal structure on an adjacent lot.

SECTION 3. SEVERABILITY CLAUSE. In any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the ____ day of _____, 2016.

Tom Phillips, Mayor

ATTEST:

Jody Eddleman, City Clerk

PREPARED BY: Luke Parris, City Planner



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 12
For Meeting of 07/07/2016

ITEM TITLE: Traffic Control around Oviatt Elementary

CONTACT PERSON(S): Greg Staples, Chief of Police

SUMMARY EXPLANATION

During the last few months of the recently concluded school year, there were concerns expressed to the police department about traffic control around Oviatt Elementary during the afternoon student pick up. Specifically, concerns were noted about parking issues on School Street and the need for stop signs on Elm Avenue at Lane Avenue.

1) By City Ordinance 69.08, parking is always restricted city wide on the Northside or Eastside of any street except in cases where council codifies an exception or alternative.

A review of the School Street area showed a single no parking sign on the south side of school Street between the western most exit from the Oviatt parking lot and Main Street. There are also multiple no parking signs on the Northside of School Street between Lane Avenue and Main Street.

City Ordinance 69.08(9) codifies a no parking zone "**On the north side of School Avenue from Main Street to Lane Avenue between the hours of 7:30 A.M. and 4:30 P.M. Monday through Friday**". (*Ord. 13-02 – Mar. 13 Supp.*) A review of the agenda statement for ordinance change 13-02 showed that the intent of ordinance 69.08(9) was to restrict parking on the Southside of School Street during school hours not the Northside as was written into the code.

2) The police department has received a number of requests from residents who live in the area of Elm Avenue and Lane Avenue to make this intersection a 4 way stop. Currently, stop signs are located on Lane Avenue but not on Elm Avenue at this intersection. Residents are concerned for the safety of children walking to and from the school property and for children and parents who park in the area during student pick up.

Speed survey data indicates that 17.2% of cars on Elm travel faster than the posted speed limit of 25 in this area

A stop sign at this intersection would require all cars to stop in all directions at 3 of the 5 intersections surrounding the school property. 2 way stops would remain at Pine Avenue and Main Street and at Elm Avenue and Main Street.

The purpose of this item is to discuss with Council proposed ideas on traffic control around Oviatt elementary and to craft ordinance changes / updates for future consideration based on the resulting discussion.

<input checked="" type="checkbox"/> Resolution _____ Ordinance ____ Contract _____ Other (Specify) _____
Funding Source: _____
APPROVED FOR SUBMITTAL

City Manager

STAFF RECOMMENDATION: No action required at this time



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 13
For Meeting of 7.7.2016

ITEM TITLES: Consider a resolution regarding a request from Scott Holt for outdoor display of utility sheds at 727 Main Street. Norwalk Hardware Store

CONTACT PERSONS: Luke Parris, AICP
City Planner

SUMMARY EXPLANATION:

City staff was contacted regarding a desire to display utility sheds for sale on the lot of the Norwalk Hardware Store, located at 727 Main Street. The property is zoned C-4 Founders Business District. This zoning district allows the outdoor display of merchandise as an accessory use of the property with Council approval. The zoning ordinance does not provide a procedure for review and approval of these requests.

Mr. Holt will attend the meeting to discuss his request and provide more information on the outdoor display.

<input checked="" type="checkbox"/> Resolution _____ Ordinance ____ Contract _____ Other (Specify) _____
Funding Source: _____ NA _____
APPROVED FOR SUBMITTAL _____ Jean Furler _____ Interim City Manager

RESOLUTION NO. ____

A RESOLUTION APPROVING THE OUTDOOR DISPLAY OF MERCHANDISE AT 727 MAIN STREET

WHEREAS, the City of Norwalk Zoning Ordinance identifies the property at 727 Main Street as being zoned C-4 Founders Business District; and

WHEREAS, the outdoor display of merchandise is allowed as an accessory use in the C-4 Founders Business District with consent of the City of Norwalk City Council; and

WHEREAS, Mr. Scott Holt is the current owner of 727 Main Street; and,

WHEREAS, Mr. Holt has requested that the City Council allow the outdoor display of utility sheds for sale at the property located at 727 Main Street; and,

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the outdoor display of utility sheds at 727 Main Street.

PASSED AND APPROVED this 7th day of July, 2016.

Tom Phillips - Mayor

ATTEST:

JODI EDDLEMAN, CITY CLERK

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>
Kuhl	___	___
Lester	___	___
Isley	___	___
Riva	___	___
Livingston	___	___



BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT

Item No. 14
For Meeting of 7.7.2016

ITEM TITLES: Gateway sign location

CONTACT PERSONS: Wade R. Wagoner, AICP LEED GA
Planning & Economic Development Director

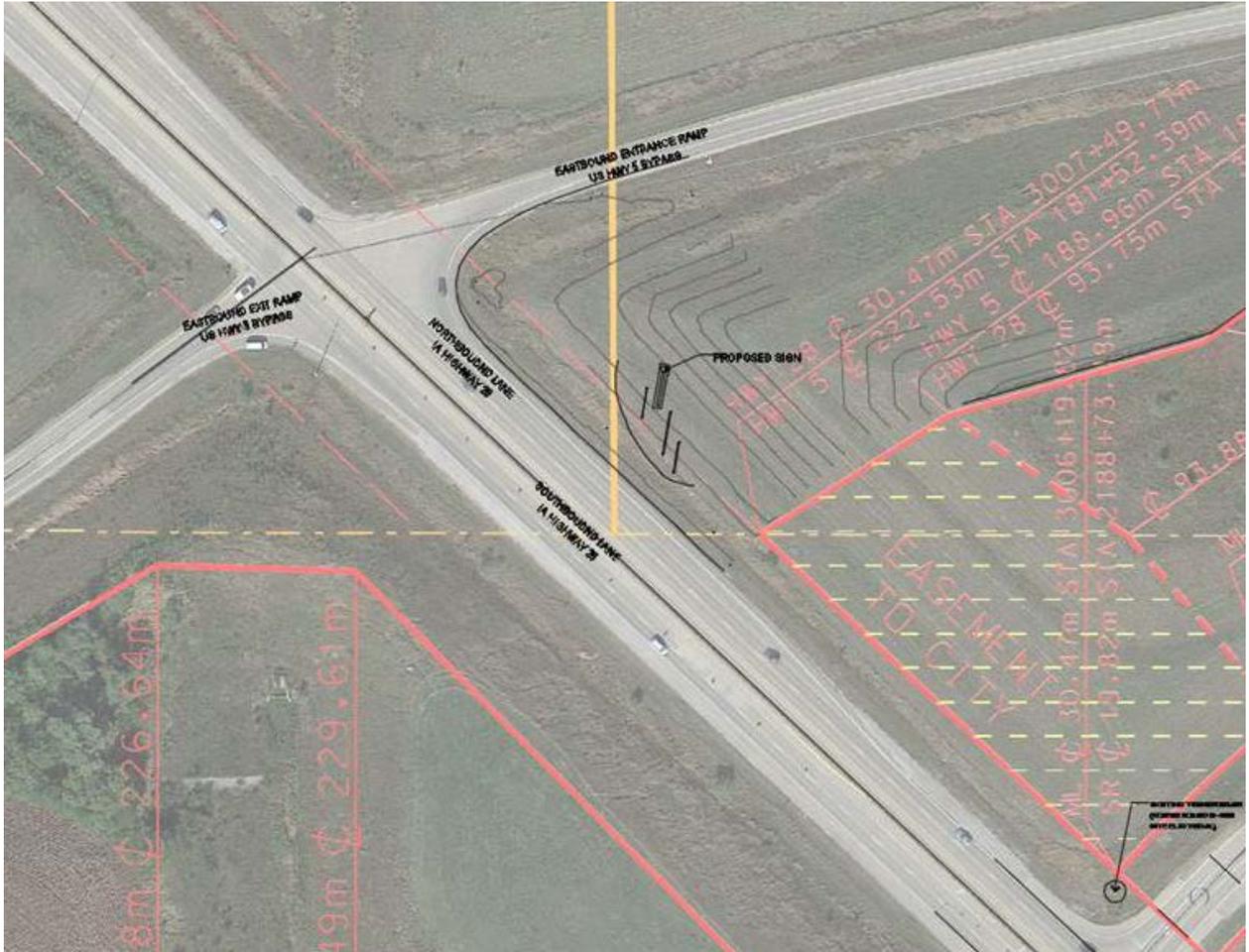
& Tim Hoskins, Public Works Director

SUMMARY EXPLANATION:

Please see the attached image. The original location of the sign is not in the easement area. The thought was the easement went further north. That being said, the council should discuss the following options.

1. Move the sign 165' south into the easement. Tim Hoskins has placed a mock up sign in that area. To best prepare for the discussion, please view the sign from Highway 5 and other vantage points prior to the meeting. This location allows us to meet our original timeline.
2. Place sign as shown in the images at its original location 165' North of Tim's mock up and secure an additional easement for original location. Necessitates a 6 month review by the DOT.
3. Consider an alternate location on the West side in conjunction with North Shore's plans to beautify the entry to their development and Norwalk by default.

<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Contract <input type="checkbox"/> Other (Specify) <input type="checkbox"/> Discussion
Funding Source: <u>NA</u>
APPROVED FOR SUBMITTAL _____ Jean Furler <div style="text-align: center;">Interim City Manager</div>



Option 1's project schedule. Options 2 and 3 TBD.

The project schedule is as follows:

- 6-16-16 Resolution-Ordering Construction, approval of preliminary plans, and fixing a date for public hearing and taking bids.
- 6-15-16 Send public notice to be published
- 6-24-16 Publication in papers
- 6-20-16 Issue contract document to bidders
- 7-8-16 Bid Letting at 10:00 a.m. City Hall
- 7-21-16 Public Hearing & Resolution adopting final plans and specifications
- 7-21-16 Resolution-Award of Contract
- 7-21-16 Resolution-Approving Contracts
- 7-26-16 Issue Notice to proceed



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 15
For Meeting of 07/07/2016

ITEM TITLE: Discussion of potential ordinance to amend Chapter 21, City Manager, City of Norwalk, Iowa, Municipal Code. At Request of the City Council.

CONTACT PERSON: Jim Dougherty, City Attorney

BACKGROUND: Ordinance 12-02 prescribing City Manager powers and duties along with the job description that followed that ordinance are included in your packet. Jim has also provided a draft that was presented to you at the January 28th work session.

___ Resolution ___ Ordinance ___ Contract ___ Other (Specify) _____

Funding Source: _____

APPROVED FOR SUBMITTAL _____

STAFF RECOMMENDATION:

City Manager
City of Norwalk, Iowa

Job Description/Acknowledgement Form

Please Read the following statements and circle your answer

Yes No I have been provided a copy of the job description, or the job functions/requirements have been explained to me.

Yes No I understand the job requirements

Yes No I can perform all of the functions of this job

Yes No I understand a post job offer drug test and physical exam are required

Yes No I understand that within six (6) months I must have residency within the city limits of Norwalk

A negative response will not preclude your being considered for this particular job. If the answer to one of the above questions is "NO", please identify each and every function or task included with the job description which you are unable to perform, with or without reasonable accommodation.

Please sign and return this acknowledgement form with your completed application. Thank you.

Applicant Name (Printed)

Applicant Signature

Date

City Manager City of Norwalk, Iowa

Adopted Date:

FLSA Status: Exempt

Job Status: Full Time, Salaried, Management

Residency: Within City Limits of Norwalk

Department: Administration

Reports To: Mayor and Council

Pay Range: Council Determination

Purpose of Position: The Office of City Manager as conferred on the Norwalk City Council by the Code of Iowa, Chapter 372 is created by ordinance. The City Manager is a direct employee of the City Council but works at the direction of the Mayor and City Council. The City Manager is the chief administrative officer of the City;

Appointment, Term and Compensation: The City manager shall be appointed by a majority vote of the Council at a regular meeting of such body. The City manager shall hold office at the discretion of the Council and shall be subject to removal by a majority vote thereof. The Council shall from time to time, determined by resolution set the salary of the City Manager. The City Council will also approve any employment agreement or revisions to same at a regular Council meeting.

Essential Duties of Position: The City Manager is the chief administrative Officer of the City. The City Manager is under general direction of the Mayor and City Council to perform a variety of administrative duties as required by the Code of Iowa, Norwalk Municipal Code or as directed by the Mayor or Council for the efficient, effective, accountable, transparent operation of the City of Norwalk and include:

- A. Ensures that all resolutions, ordinances, laws, Council and Mayoral directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance with the action.
- B. The Manager shall act as administrative assistant to the Mayor and perform duties in the coordination of all phases of municipal activity as directed by the Mayor and Council.
- C. Attends all Council meetings unless otherwise excused by the Mayor or Council. Shall ensure the meetings of the Council occur in an orderly and professional fashion by;
 - 1. Ensuring preparation of all City Staff involved in the meeting,
 - 2. Preparation of an orderly agenda and supporting documentation.
 - 3. Provision of resources to the Council so it has the opportunity to become fully informed of issues prior to Council action.

4. Providing for the efficient use of technology available to the Council during meetings.
 5. Ensure the location of the meeting is prepared to accommodate the Council and public.
- D. Conducts continuous study of procedures, organization and municipal, advises and recommends programs to the Mayor and City Council as the City Manager deems necessary or expedient for good local government and the welfare of the residents of Norwalk.
- E. Supervises and directs the administration, operations and functions of the following departments, offices, functions and services and is directly responsible to the Mayor and Council for the proper function of the same.
1. City Clerk/Finance Officer
 2. Fire/EMS Department(subject to the Mayor's authority)
 3. Police Department(subject to the Mayor's authority)
 4. Development Services, Planning and Building Department
 5. Public Works Department
 6. Parks and Recreation Department
 7. Library (subject to the Board of Trustees authority)
 8. Personnel/Human Resources
 9. Budget control and fiscal matters
 10. Insurance and public bonds
 11. Economic Development
 12. Capital Improvements
- F. Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- G. Is responsible for the supervision and performance of all contracts for work and services to be done for the city, except as specified otherwise in said construction or service program involved.
- H. Serves as the official who maintains accounting of all obligations, agreements, contracts, covenants, franchises and commitments of the City of Norwalk and monitors same with regular reporting to the Mayor and Council on inconsistencies or deviations or issues related to same.
- I. Develops and directs all policies and programs related to the purchase of commodities, materials, supplies, services and capital outlay for all departments of the City that have been budgeted and appropriated by Council resolution, and enforce programs to determine that such purchases are received and are of the quality and character called for by the City.

1. The City Manager shall require that the taking of bids, determination of procedures to acquire services and other matters which the manager deems advisable, is required by law or as directed by the Council.
 2. When time is of the essence and to maintain City operations, the City Manager may approve the purchase of unbudgeted items costing less than \$5,000 or budgeted items costing less than \$15,000 without prior approval of the Council. Amounts over these two limits need to be approved by the City Council prior to the expenditure. This authority can include change orders.
- J. The manager has the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney, Police Chief, Fire Chief or City Clerk. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- K. The manager administers the City personnel policy, bargaining unit contracts and has the power to suspend or discharge employees as outlined in said procedures, provided that as it relates to veterans, Chapter 35C of the Code of Iowa is followed.
- L. Evaluates the performances of those that the manager is responsible for under the actions allowed by this description, and develop measures and tools to carry out through the organization.
- M. Has the authority to hire any person for emergency purposes as deemed necessary for the benefit and welfare of the City. Such appointments are subject to approval by the Council as soon as possible after the event or a procedure is in place that pre authorizes such action.
- N. Supervises the management of all buildings, structures, facilities and land under jurisdiction of the City and be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies and commodities under the control of city employees or departments.
- O. Keeps the Mayor and Council apprised of the City fiscal condition.
- P. Prepares and submits an annual budget to the Mayor and Council that meets all requirements of the Code of Iowa.
- Q. See that all business affairs of the City are conducted by modern approved methods in an efficient manner and audited. Knowledge of modern business operations, communications and ever changing technological advances.

- R. Is responsible at all times for the maintenance of accurate and current records of all affairs of the departments under the jurisdiction of the City Manager , and in a form acceptable to the Council and accessible to the public as required by law. Ensures continuity of services by providing continuous operation of the City government in the event of disaster, including document and records preservation.
- S.
- T. Assists standing or ad hoc committees of the City in the execution of their assignments, investigations, reviews, reports or recommendations and provide necessary administrative support in the functioning of their objectives.
- U. Communicates and represents the City at public speaking engagements, public information, with the media and others that seek information about the City. Represents the City at official, governmental or civic matters, legislative matters and disseminates City goals, objectives and image.
- V. Performs other duties as directed by the Mayor or City Council.

Job Specifications:

The following requirements are representative of the knowledge, skill and ability for the position.

- A. Education and Experience
 - 1. Masters Degree (MA) in Public Administration, Political Science, Business Administration, Personnel Management or related areas of study and at least five years of responsible experience in municipal government management. An equivalent combination of education and experience may be acceptable.
 - 2. Knowledge of the principles and methods of public administration, public finance including existing and alternative revenues such as tax increment financing, local option sales taxes, taxable levies, bonding and borrowing options.
 - 3. Knowledge of the operations and management of a local government organization, its differences, functions and problems of a public entity.
 - 4. Knowledge of applicable local, state or federal laws or regulations and statutes

5. Knowledge of economic development practices and local and state programs and regulations including local land use, zoning and planning matters.
6. Significant experience in human resource management, contracts and policy development.
7. Shall possess or be able to acquire a valid Iowa Drivers license.
8. Shall be bondable for the faithful performance of duties in favor of the City
9. Has the language and cognitive abilities to carry out the functions of this job and be able to adapt to the work environment, safety programs and physical demands of the position.

The physical demands described here are representative of those that must be met by an employee to successfully perform the duties associated with this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the functions of the job.

ORDINANCE NO. 12-02

AN ORDINANCE PROVIDING FOR THE POSITION OF "CITY MANAGER"
PURSUANT TO SECTION 372.4 CODE OF IOWA AND PRESCRIBING THE
MANAGERS POWERS AND DUTIES;

- Section 1. PURPOSE.
- Section 2. APPOINTMENT, TERM, AND COMPENSATION.
- Section 3. POWERS AND DUTIES GENERALLY.
- Section 4. COUNCIL REPORTS
- Section 5. REPEALER.
- Section 6. SEVERABILITY CLAUSE.
- Section 7. WHEN EFFECTIVE.

Section 1. PURPOSE. The City of Norwalk currently operates under the Mayor-Council form of government pursuant to Section 372.4 of the Iowa Code. By virtue of the authority conferred by Section 372.4, Code Of Iowa, the office of city manager for the city of Norwalk, Iowa, is hereby created.

Section 2. APPOINTMENT, TERM, AND COMPENSATION: The city manager shall be appointed by a majority of the city council at a regular meeting of such body, and such manager shall hold office at the pleasure of the said body and shall be subject to removal by a majority vote thereof, subject to the terms and conditions of any existing agreement executed between the city council and the manager. The manager shall receive such annual salary as the council shall, from time to time, determine by agreement and/or approve by resolution, and time of payment shall be fixed in accordance with other city employees.

Section 3. POWERS AND DUTIES GENERALLY.. The duties of the manager shall be as follows:

- A. Resolutions, Policies, and Laws: The manager shall see that all resolutions, ordinances, laws, council's and mayor's directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance thereof.
- B. Attend Council Meetings: The manager shall attend all meetings of the city council unless otherwise excused by the mayor or council.
- C. Recommendations: The manager shall recommend to the mayor and council such measures as the manager may deem necessary for good efficient government and the general welfare of the city.
- D. Departmental Administration: The manager shall have general supervision and direction of the administration of the following departments, offices, classifications, and services and be directly responsible to the mayor and council for the proper function of same:
 - 1. City clerk.

2. Public works.
3. Community and Economic Development.
4. Finance.
5. Development services.
6. Fire department.
7. Emergency medical services department.
8. Police department.
9. Purchasing.
10. Human resources.
11. Human services.
12. Parks and recreation.
13. Public buildings, land, and custodians thereof under the direct jurisdiction of the council.
14. Budget preparation and operation.
15. Contracts and agreements as approved by council.
16. Administrative policies and procedures.
17. Library (through the Board of Trustees)
18. All others as directed by council.

E. Supervise Contracts: The manager shall supervise the performance of all contracts for work and services to be done for the city except as specified otherwise in said construction or service program involved.

F. Franchises: The manager shall maintain an accounting of all obligations, agreements, commitments, and contractual franchises involving the city and report to the mayor and council any deviations from the exact terms as specified.

G. Purchasing: The manager shall be authorized to direct the purchasing of all commodities, materials, supplies, capital outlay, and services for all departments of the city that have been budgeted and appropriated by a resolution of the council and enforce a program to determine that such purchases are received and are of the quality and character called for in the order.

- H. **Require Taking Of Bids:** The manager shall require the taking of bids on all matters deemed advisable as required by law, or as directed by the council.
- I. **Hire, Suspend, And Discharge Employees:** The manager shall have the power to hire, suspend, or discharge any employee over which the manager has, by this article, authority to appoint or employ, The manager shall have the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney or City Clerk. Subject to provisions of Section 372.4, Code Of Iowa, the Manager appoints the Police Chief as coordinated with the Mayor. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- J. **Emergency Employees:** The manager shall have the authority to employ any person for emergency purposes as deemed necessary for the welfare of the city, but in no case shall said employment be extended after the first council meeting following the date of employment, unless otherwise approved by vote of the council.
- K. **Supervision Of Facilities And Equipment:** The manager shall supervise and manage all buildings, structures, and land under the jurisdiction of the council and shall also be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies, and commodities under the control of employees or departments over which the manager has, by this article, specific authority.
- L. **Personnel Functions:** Unless such power is specifically assigned by law to another appointing authority, the city manager shall have the power to appoint, employ, transfer, promote, reclassify, determine rate of pay, discipline, or discharge all persons to city service. The city manager shall review and comment on personnel actions made by department heads to the city council. The city manager shall develop, administer, and enforce personnel rules and regulations for employees under the authority delegated to the office of city manager.
- M. **Fiscal Advice:** The manager shall keep the mayor and council fully advised of the financial and other conditions of the city.
- N. **Annual Budget:** The manager shall prepare and submit to the mayor and council an annual budget in the manner as prescribed by law.
- O. **Business Affairs:** The manager shall see that all business affairs of the city are conducted by modern, approved methods and in an efficient manner.
- P. **Records And Reports:** The manager shall, at all times, be responsible for the maintenance of accurate and current records of all affairs of the departments under the manager's jurisdiction, and in a form acceptable by the council. Copies of such reports shall be available for public inspection.
- Q. **Assist Council Committees:** The manager shall assist the council committees in the execution of their reviews, investigations, reports and assignments, and perform in compliance with

their directives; provided, same is not in conflict with established procedure governed by this article or not in conflict with existing city ordinances.

- R. Other: The manager shall perform duties and have direct authority on all matters delegated by council action.
- S. Public Relations: Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- T. Administrative Assistant to Mayor: The manager shall act as administrative assistant to the mayor and perform duties in the coordination of all phases of municipal activity as directed by the mayor and council.

Section 4. COUNCIL REPORTS. The City Manager is directly responsible to the Council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the Council shall be brought before the body by the Manager and all Council involvement in administration initiated by the Council must be through the Manager.

Section 5. REPEALER. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. WHEN EFFECTIVE. This ordinance shall be in full force and effect upon final passage, approval, and publication as provided by law.

Passed and approved this 15th day of March, 2012.



Mayor

Attest:



City Clerk

Published on MARCH 29TH, 2012.

City Manager
City of Norwalk, Iowa

Job Description/Acknowledgement Form

Please Read the following statements and circle your answer

Yes No I have been provided a copy of the job description, or the job functions/requirements have been explained to me.

Yes No I understand the job requirements

Yes No I can perform all of the functions of this job

Yes No I understand a post job offer drug test and physical exam are required

Yes No I understand that within six (6) months I must have residency within the city limits of Norwalk

A negative response will not preclude your being considered for this particular job. If the answer to one of the above questions is "NO", please identify each and every function or task included with the job description which you are unable to perform, with or without reasonable accommodation.

Please sign and return this acknowledgement form with your completed application. Thank you.

Applicant Name (Printed)

Applicant Signature

Date

City Manager City of Norwalk, Iowa

Adopted Date:

FLSA Status: Exempt

Job Status: Full Time, Salaried, Management

Residency: Within City Limits of Norwalk

Department: Administration

Reports To: Mayor and Council

Pay Range: Council Determination

Purpose of Position: The Office of City Manager as conferred on the Norwalk City Council by the Code of Iowa, Chapter 372 is created by ordinance. The City Manager is a direct employee of the City Council but works with the Mayor as directed by the City Council. The City Manager is the chief administrative officer of the City; the Manager is the point of contact for all departmental activity. Performs other duties as directed by the City Council.

Appointment, Term and Compensation: The City manager shall be appointed by a majority vote of the Council at a regular meeting of such body. The City manager shall hold office at the discretion of the Council and shall be subject to removal by a majority vote thereof. The Council shall from time to time, determined by resolution, set the salary of the City Manager. The City Council will also approve any employment agreement or revisions to same at a regular Council meeting.

Essential Duties of Position: The City Manager is the chief administrative Officer of the City. The City Manager is under general direction of the City Council to perform a variety of administrative duties as required by the Code of Iowa, Norwalk Municipal Coder or as directed by the Council for the efficient, effective, accountable, transparent operation of the City of Norwalk and include:

- A. Sees that all resolutions, ordinances, laws, Council and Mayoral directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance with the action.
- B. Attends all Council meetings unless otherwise excused by the Mayor or Council.
- C. Conducts continuous study of procedures, organization and municipal, advises and recommends programs to the Mayor and City Council as the City Manager deems necessary or expedient for good local government and the welfare of the residents of Norwalk.

- D. Has general responsibility for the supervision, direction, and administration of the following departments, offices, functions and services and is directly responsible to the Council for the proper function of the same.
1. City Clerk/Finance Officer
 2. Fire/EMS Department
 3. Police Department
 4. Development Services, Planning and Building Department
 5. Public Works Department
 6. Parks and Recreation Department
 7. Library (through the Board of Trustees)
 8. Personnel/Human Resources
 9. Budget control and fiscal matters
 10. Insurance and public bonds
 11. Economic Development
 12. Capital Improvements
- E. Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- F. Is responsible for the supervision and performance of all contracts for work and services to be done for the city, except as specified otherwise in said construction or service program involved.
- G. Serves as the official who maintains accounting of all obligations, agreements, contracts, covenants, franchises and commitments of the City of Norwalk and monitors same with regular reporting to the Mayor and Council on inconsistencies or deviations or issues related to same.
- H. Develops and directs all policies and programs related to the purchase of commodities, materials, supplies, services and capital outlay for all departments of the City that have been budgeted and appropriated by Council resolution. Enforce programs to determine that such purchases are received and are of the quality and character called for by the City.
1. The City Manager shall require that the taking of bids, determination of procedures to acquire services and other matters which the manager deems advisable, is required by law or as directed by the Council.
 2. The City Manager may approve the purchase of unbudgeted items costing less than \$5,000 or budgeted items costing less than \$15,000. Amounts over these two limits need to be approved by the City Council. This authority can include change orders.

- I. The manager has the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney or City Clerk. The Manager appoints the Police Chief as coordinated with the Mayor. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- J. The manager administers the City personnel policy, bargaining unit contracts and has the power to suspend or discharge employees as outlined in said procedures, provided that as it relates to veterans, Chapter 35C of the Code of Iowa is followed. The suspension or discharge of officers or employees at the department head level is subject to review and confirmation by the Mayor, Council or Library Board of Trustees as specified by the Code of Iowa.
- K. Evaluates the performances of those that the manager is responsible for under the actions allowed by this description and develops measures and tools to carry out through the organization.
- L. Has the authority to hire any person for emergency purposes as deemed necessary for the benefit and welfare of the City provided that either it is approved by the Council as soon as possible after the event or a procedure is in place that pre authorizes such action.
- M. Supervises the management of all buildings, structures, facilities and land under jurisdiction of the City and be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies and commodities under the control of city employees or departments.
- N. Keeps the Mayor and Council appraised of the City fiscal condition.
- O. Prepares and submits an annual budget to the Mayor and Council that meets all requirements of the Code of Iowa.
- P. See that all business affairs of the City are conducted by modern approved methods in an efficient manner and audited. Has knowledge of modern business operations, communications and ever changing technological advances.
- Q. Is responsible at all times for the maintenance of accurate and current records of all affairs of the departments under the jurisdiction of the City Manager, and in a form acceptable to the Council and accessible to the public. Certain records either as active investigations or HIPPA regulations are exempt.
- R. Assists standing or ad hoc committees of the City in the execution of their assignments, investigations, reviews, reports or recommendations and provide necessary administrative support in the functioning of their objectives.

- S. Communicates and represents the City at public speaking engagements, public information, with the media and others that seek information about the City. Represents the City at official, governmental or civic matters, legislative matters and disseminates City goals, objectives and image.
- T. Performs and provides administrative support and assistance to the Mayor on all activities directed by the Council for efficient and effective local government.

Job Specifications:

The following requirements are representative of the knowledge, skill and ability for the position.

A. Education and Experience

1. Masters Degree (MA) in Public Administration, Political Science, Personnel Management or related areas of study and at least five years of responsible experience in municipal government management. An equivalent combination of education and experience may be acceptable.
2. Knowledge of the principles and methods of public administration, public finance including existing and alternative revenues such as tax increment financing, local option sales taxes, taxable levies, bonding and borrowing options.
3. Knowledge of the operations and management of a local government organization, its differences, functions and problems of a public entity.
4. Knowledge of applicable local, state or federal laws or regulations and statutes
5. Knowledge of economic development practices and local and state programs and regulations including local land use, zoning and planning matters.
6. Significant experience in human resource management program, contracts and policy development.
7. Shall possess or be able to acquire a valid Iowa Drivers license.
8. Shall be bondable for the faithful performance of duties in favor of the City
9. Has the language and cognitive abilities to carry out the functions of this job and be able to adapt to the work environment, safety programs and physical demands of the position.

The physical demands described here are representative of those that must be met by an employee to successfully perform the duties associated with this position. Reasonalbe accommodations may be made to enable individuals with disabilities to perform the functions of the job.