

# **City of Charles City City Council Agenda Council Chambers, City Hall**

**1. Meeting Date And Time**

A. October 17, 2016 7:00 P.m.

**2. Call To Order**

**3. Citizen/Public Comments (Limited To 5 Minutes Per Comment)**

An opportunity for citizens, groups or representatives or organizations to address the Governing Body on any issue which is not on the agenda

**4. Mayor's Welcome**

**5. Consider Approval Of The Agenda**

Discussion

Motion

**6. Consider Approval Of The Minutes**

A. Minutes Of The September 28, October 3 And 12 Meetings

Discussion

Motion

Documents:

[SEPT 28, OCT 3 AND 12 MINUTES.PDF](#)

**7. Consider Approval Of The Consent Calendar**

A. Approve 9/16 Financials For City Of Charles City And CC Public Employees Health Plan

Documents:

[0916 FINANCIALS.PDF](#)

B. Payment Of Claims

Documents:

[CLAIMS.PDF](#)

**8. Business Of The Mayor**

A. Proclamation For Domestic Violence Awareness Month For October

Documents:

[DOM VIOL PROCLAMATION.PDF](#)

**9. Petitions, Public Hearings, Communications, Awards And Requests**

**10. Ordinances And Resolutions**

- A. Consider Resolution 78-16 Approving Contract For Fee Accountant Services For Public Housing
  - Discussion
  - Motion

Documents:

[10A CONTRACT FOR FEE ACCOUNTANT FOR HOUSING.PDF](#)

- B. Consider Resolution 79-16 Approving Change Order For Morningside Handrail Project
  - Discussion
  - Motion

Documents:

[10B HANDRAIL CHANGE ORDER.PDF](#)

- C. Consider Resolution 80-16 Approving Facade Application From Kurt Walderbach
  - Discussion
  - Motion

Documents:

[10C WALDERBACH FACADE APPLICATION.PDF](#)

- D. Consider Resolution No. 70-16 Awarding Contract For 2016 Victory Park Improvements
  - Discussion
  - Motion

Documents:

[10D VICTORY PARK.PDF](#)

- E. Consider Resolution 81-16 Approving Lease For Driveway Access On 1202 Clark Street
  - Discussion
  - Motion

Documents:

[10E LAURIE PEDERSON LEASE.PDF](#)

- F. Consider Motion Approving Acceptance Of Temporary And Permanent Easements From Property Owners For City Sidewalk And Storm Sewer Extension Projects
  - Discussion
  - Motion

Documents:

[10F TEMP AND PERM EASEMENTS.PDF](#)

## **11. Other Business**

- A. Miscellaneous Correspondence
- B. Attorney's Report
- C. City Clerk's Report
- D. City Administrator's Report
- E. Board, Commission or Committee Reports

## 12. Adjournment

COUNCIL MINUTES  
SPECIAL MEETING  
SEPTEMBER 28, 2016

Charles City City Council met in a special joint session with the Floyd County Board of Supervisors on September 28, 2016 at 5:30 p.m. in council chambers. Mayor James Erb presided for the city and council members present were Keith Starr, Jerry Joerger, Delaine Freeseaman, Dan Mallaro and Michael Hammond. Also present from the city were city administrator Steve Diers, assistant city attorney Brad Slotter and public safety director Hugh Anderson. Chair Mark Kuhn presided for the county and other supervisors present were Roy Schwickerath and Doug Kamm. Other county officials present were auditor Gloria Carr and chief deputy Jeff Crooks.

Motion by Freeseaman, second Joerger to approve the agenda. Ayes – 5  
Motion by Schwickerath, second Kamm to approve the agenda. Ayes – 3

Mayor Erb commented that we have several facilities to review in the city, such as the jail, city hall, old middle school, YMCA, Sportsmen's Park and the high school. All groups are trying to get their respective facilities modernized. An event center has also been mentioned. The city has a goal setting session and comprehensive plan formulation coming up and we need to be sure to prioritize our projects so we know how to move forward.

Supervisor Chair Mark Kuhn stated the county is looking forward to cooperating with the city.

City administrator Steve Diers reviewed the process the sub committee completed in determining which consulting firm to choose for the joint law enforcement study. They met with four firms and after those interviews, they narrowed it down to two that they were interested in. Prochaska and Associates quote had two phases: Phase 1 was needs design concept and Phase 2 was designing. Each phase would cost \$15,000. The other firm was Skott and Anderson and their quote was also two phase and was more broad. That total quote was closer to \$60,000 and included some items that could be possibly taken out such as site location research and work on a unified law concept. The sub committee is recommending Prochaska because they had a lot of experience in building jails. The sub committee also discussed what the scope of services should be. The concept of unified law enforcement, which is the concept where there is one overall entity providing law enforcement services for the entire county, was discussed. It was noted that none of the firms interviewed had any experience with the unified law enforcement concept. Also, Prochaska did not have any costs included in their quote for studying unified law enforcement concept whereas Scott Anderson did have some costs included in their quote for this. Council member Joerger stated that the city council had discussed unified law enforcement at their meeting Monday night and there was really no interest on the part of the city in pursuing unified law enforcement at this time, but are interested in studying a joint law enforcement center where the individual entities would operate from the same building. Auditor Gloria Carr stated that there are a couple counties in Iowa who have unified law enforcement now, but if the city has no interest in looking at that, we shouldn't waste the money on having it studied. Supervisor Schwickerath wants us to really look at as much joint effort as possible, citing the success of the CVTC joint street/roads maintenance facility. Joerger commented that the sheriff being an elected position makes the unified law enforcement not as desirable from the city's standpoint. We would have no control over who heads the law enforcement. Supervisor Kamm remarked that the other counties that have unified law enforcement are made up of many smaller cities, not one big city and the rest smaller like Floyd County has. Supervisor Kuhn stated that he had been in favor of studying the unified law concept but after witnessing firsthand how well the city and county law enforcement worked together during the recent flood event, he thinks we should just focus on the joint law enforcement center and keep the door open for unified law enforcement in the

future. Mayor Erb commented that the city is not committing to a joint law enforcement center yet, they just want to study it to see what the positive and negative points might be.

Motion by Joerger, second Starr to hire Prochaska and Associates to conduct a study of a joint law enforcement center. Ayes - 5

It was decided that the sub committee would meet to look at the proposal from Prochaska and possibly take some items out that would bring the cost down. They will also outline with Prochaska exactly what we want included in the study.

Motion by Schwickerath, second Kamm to hire Prochaska and Associates to do a study on a joint law enforcement center. Ayes - 3

Council member Starr asked how the cost of the study would be divided. Consensus was to share it equally.

Council member Hammond asked about including study on moving the police department and city hall over to a new building since a combined building was one of the options provided by SEH which received higher marks from the previous public input session. Consensus was that this study would not address any costs of moving city hall since that would not be a concern of the county, only affects the city.

Motion by Starr, second Freeseaman to adjourn. Ayes - 5.

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James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk

COUNCIL MINUTES  
REGULAR SESSION  
OCTOBER 3, 2016

Charles City City Council met in regular session on October 3, 2016 at 7:00 p.m. in council chambers. Mayor James Erb presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Michael Hammond and Dan Mallaro. Also present were city administrator Steve Diers, city engineer John Fallis and assistant city attorney Brad Slotter.

Citizen Comments – none

Mayor Erb welcomed everyone to the meeting.

Motion by Freeseaman, second Starr to approve the agenda. Ayes – 5

Motion by Joerger, second Freeseaman to approve the minutes of the September 13, 19 and 26 meetings. Ayes – 5

Motion by Hammond, second Starr to approve the consent calendar. Ayes – 5. Consent calendar consisted of the following items: renewal of Class C liquor license w/ Sunday Sales for Plaza Mexico and payment of claims (including those approved by other boards):

A proclamation for Alpha Delta Kappa month for October was presented by Julie Debower. ADK is an international honorary association for women educators. Eric Whipple, Charles City Fire Chief, was also present to request a proclamation for fire safety week in Charles City the week of October 9 – 15. This year's theme is "Don't Wait, check the Date" and focuses on replacing smoke alarms every 10 years. Motion by Freeseaman, second Mallaro to approve both proclamations. Ayes – 5. Mayor Erb then read both proclamations.

Erica Wipperling from Charles City Community Revitalization was present to request use of the city riverfront trail and the closure of St. Mary's street from Clark to Riverside and Riverside Drive from St. Mary's to Leland Avenue for the 21<sup>st</sup> annual Spook Walk. The event is scheduled for October 20 with a rain date of October 24. The event is free and open to all elementary children and younger with a guardian. There is an average of 1,500 participants for this event. Council member Starr asked if the homeowners along the closed streets are notified of this event and Erica stated she would be sure to do that. Motion by Hammond, second Joerger to approve this request. Ayes – 5

Erica also submitted a request for the Party in the Park dates for 2017 for the use of Central Park and closing the adjacent streets around the park except for Main Street from 3:00 to 10:30 pm on the following dates: May 26, June 9 and 23, July 14 and August 4. This number is down one from recent years. Motion by Hammond, second Starr to approve this request. Ayes – 5

Frank Rottinghaus, Floyd County Treasurer, is requesting use of a section of city street to be used for conducting truck driver skills testing for CDLs. City staff is recommending a section of Southgate Drive, since there is very little development in this area and traffic would be almost non-existent. A 28E agreement has been drafted and reviewed by both the city and county attorneys. The county will move the snow there as needed and would hold the city harmless. Council member Hammond introduced Resolution No. 76-16 entitled, "RESOLUTION APPROVING 28E AGREEMENT BETWEEN CITY OF CHARLES CITY AND FLOYD COUNTY, IOWA" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays – none.

Simply Essentials LLC has applied for an incentive from the Iowa Economic Development authority for their poultry production plant located in Charles City. It is based on the number of high quality jobs they will bring to the community. They plan to bring a total of 34 qualifying jobs and an investment of about \$35 million. A second production shift is anticipated which is not included in this application. Using our economic development matrix, this project qualifies for a tax exemption of 86.67% of the new additional tax value generated for the first seven years. Using an effective tax rate of \$36.55097, the total amount would be \$41,818 of taxes exempted over the seven years. Discussion on cross walk controls on that street for the employees. Council member Freeseaman introduced Resolution No. 77-16 entitled, "RESOLUTION OF THE CITY OF CHARLES CITY, IOWA APPROVING APPLICATION BY SIMPLY ESSENTIALS, LLC FOR THE PURPOSE OF RECEIVING BENEFITS UNDER 2015 IOWA CODE SECTIONS 15.326 – 15.336 THE HIGH QUALITY JOBS PROGRAM AND APPROVING CERTAIN PROPERTY TAX EXEMPTIONS FOR VALUE ADDED TO REAL PROPERTY BY SIMPLY ESSENTIALS, LLC" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes – Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays – none

Assistant city attorney Brad Sloter stated that they are working on finalizing the Jendro agreement.

City clerk O'Donnell reminded the council that the next planning session will be held on October 12 at 7:00 p.m.

City administrator Diers reported that the broadband survey is on the city website and on the Charles City Broadband page. He encouraged everyone to fill it out to help us determine our path forward for a city telecommunications utility. The deadline for submittal is October 15. Flood debris curbside pickup started today. Since a state declaration was made for the event, we have access to state prisoners labor to help with the pickup and they covered about 40% of the city today. We have not received a Federal declaration yet for the recent event. We have an initial meeting scheduled this Wednesday for flood disaster relief funding and Senator Joni Ernst will be Charles City tomorrow to view the damage. He also reminded council that their goal setting questionnaires are due back to him by October 12 in preparation for the goal setting session scheduled for November 2.

Motion by Freeseaman, second Hammond to adjourn. Ayes – 5.

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James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk

COUNCIL PROCEEDINGS  
OCTOBER 12, 2016

Charles City City Council met in a planning session on October 12, 2016 at 7:00 p.m. in council chambers. Mayor Pro Tem Jerry Joerger presided and the following council members were present: Keith Starr, DeLaine Freeseaman, Dan Mallaro and Michael Hammond. Also present were city engineer John Fallis and assistant city attorney Brad Slotter.

Heidi Nielsen, housing director, presented information on fee accountant proposals she had received. Request for proposal was sent to 6 firms with 3 proposals being returned and the fees were all very comparable. All three firms are very experienced in providing accounting services for housing authorities. The housing board has reviewed all the proposals and is recommending accepting the proposal from C. Naber and Associates, who is the current fee accountant. Their fees in the proposal are the same price they are charging us now and Heidi is very satisfied with the work they do. This item will be on the next regular agenda for council action.

Heidi also discussed the need for a change order for the South Cedar Terrace handrail project. Four additional areas have been identified as needing hand rails and were not included in the original specs. Also, additional sod is needed to repair the area disturbed due to drain tile work that was added in change order #1 for this project, it was inadvertently left out at that time. The cost of these additions is \$7,846.25. This item will be on the next regular agenda for council action.

Kurt Walderbach has submitted an application for funding through the city's Façade program to the design committee. They want to relocate the business sign currently on the front door to the back door, add printed window headers to doors and windows and install a new business sign on the front of the building. The amount they are requesting is \$2,958. The design committee is recommending approval of this funding and this item will be on the next regular agenda for council action.

Laurie Pederson, who owns property at 1202 Clark Street, was present to request leasing some city property to allow her access to the back of her property. Up until now, the three property owners there had been using a shared access driveway to the back of their properties. The owner of that access recently blocked that driveway off with big cement blocks. Laurie is proposing the lease of a 10' wide driveway that would go along the top of a FEMA parcel that the city currently owns and the city attorney has drafted a lease for this section for council to review. There is a line of trees/bushes that would need to have a portion removed to put in this access area and it was suggested to address that in the lease that's been drafted. That lot had previously been leased for a garden and \$50 a year was the payment. Laurie is proposing that she pay that amount per year for the three year term of the lease. Since this lease is for 3 years or less, it is not required to be put out for bids. She is interested in a permanent lease, but since this is a FEMA buyout lot, that might not be possible.

Norman Zimmerman was present to discuss the disposal of the city's compost materials. He would like to remove large quantities of this material for commercial use. There is an estimated 13,000 cubic yards of this compost now and we would consider allocating 3,000 cubic yards to Mr. Zimmerman per year for 3 years. The city attorney and Zimmerman's attorney have been in discussions and have drafted a proposed agreement for this. Street Superintendent Dirk Uetz was present and stated that we have tried different avenues to get rid of this material but have not had any luck. Mr. Zimmerman wants to bring in his own equipment to grind this material up again and leave it sit at our dump site until next spring. This item was not included in the draft agreement. Council expressed some concern over doing that and asked that both attorneys discuss this further.

City Engineer John Fallis discussed some upcoming small projects that will require temporary construction easements and permanent easements. Two are sidewalk projects to create ADA accessible walkways and are located between South Cedar Terrace and Kwik Star and at the northwest corner of Blunt and North Jackson intersection. The other is a storm sewer project that includes a short extension of 12" storm sewer and placement of an intake between the properties on Park and Central Avenues just north of First Avenue. Once approval is received from the private property owners involved, the easements will be presented to council for approval at a future regular meeting. These projects are planned for construction yet this fall.

City Engineer Fallis reported to the council that the house at 1911 Clark that the city had acquired has been demolished.

There being no further business, meeting was adjourned.

Jerry Joerger, Mayor Pro Tem

Attest:

Trudy O'Donnell, City Clerk

FUND#	TITLE	LAST REPORT ON HAND	REVENUE	EXPENSES	THIS MONTH CASH BALANCE
001	GENERAL	1,381,253.33	137,102.39	221,421.57	1,296,934.15
002	PETTY CASH	885.00	.00	.00	885.00
003	POLICE DISPATCH	27,419.67-	32,588.18	31,106.74	25,938.23-
004	K-9 UNIT	.00	.00	.00	.00
005	POLICE SAFETY EDUCATIO	3,622.46	.00	.00	3,622.46
007	PARK & REC C/I HOTEL/M	64,224.26	90.66	503.01	63,811.91
009	COMMUNCIATION EQUIP FU	31,918.72	1,212.73	.00	33,131.45
010	HOTEL MOTEL TAX	32,219.47	34,735.13	.00	66,954.60
030	NUISANCE ABATEMENT RES	40,419.00	.00	.00	40,419.00
050	POLICE PURCHASE RESERV	20,000.00	.00	.00	20,000.00
051	FIRE PURCHASE RESERVE	.00	.00	.00	.00
052	STREET PURCHASE RESERV	.00	.00	.00	.00
053	PARK & REC PURCHASE RE	.00	.00	.00	.00
054	ADMIN PURCHASE RESERVE	.00	.00	.00	.00
099	PAYROLL CLEARING	.00	.00	.00	.00
110	ROAD USE TAX	776,036.69	98,683.83	51,603.72	823,116.80
111	STEP GRANT	.00	.00	.00	.00
112	EMPLOYEE BENEFITS	149,909.73	46,898.32	69,324.77	127,483.28
113	CVTC OPERATING FUND	20,850.89	4,164.48	4,039.07	20,976.30
114	FEMA BUYOUT SUBSTANTIA	.00	.00	.00	.00
115	FEMA BUYOUT NON SUBS	.00	.00	.00	.00
116	2008 FLOOD	.00	.00	.00	.00
119	EMERGENCY	703.88	2,736.00	.00	3,439.88
120	WPC FLOOD WAL	.00	.00	.00	.00
121	LOCAL OPTION SALES TAX	2,608,151.89	64,462.12	.00	2,672,614.01
122	2013 FLOOD	.00	.00	.00	.00
123	2016 FLOOD	.00	.00	.00	.00
125	RIVERSIDE TIF	651,387.08	6,184.24	.00	657,571.32
126	SW BYPASS TIF	1,067,577.30	1,571.94	.00	1,069,149.24
127	SOUTH GRAND TIF	31,498.16	44.64	.00	31,542.80
128	EAST PARK TIF	37,348.35	118.60	.00	37,466.95
129	PARK AVENUE TIF	290,668.55	11,204.61	.00	301,873.16
139	CARRIE CHAPMAN CATT	.00	.00	.00	.00
160	CW REC TRAIL	.00	.00	.00	.00
163	CEBA GRANT	.00	.00	.00	.00
167	LIBRARY TRUST FUNDS	268,688.19	.00	.00	268,688.19
168	ROUK	.00	.00	.00	.00
170	FGP ADVISORY	5,488.37	13.00	94.92	5,406.45
171	FGP FEDERAL ADMINISTRA	14,966.50-	12,312.41	12,410.04	15,064.13-
172	PUBLIC HOUSING SEC DEP	40,176.61	314.40	1,400.00	39,091.01
173	PUBLIC HOUSING	2,291,776.90	65,360.65	43,085.39	2,314,052.16
174	SECTION 8 VOUCHER	96,171.26	60,426.79	55,940.58	100,657.47
177	POLICE ASSET FORFEITUR	4,182.11	.00	.00	4,182.11
178	DWELLING STRUCTURE	.00	.00	.00	.00
179	2012 REHAB GRANT	.00	.00	.00	.00
183	06 CAPITAL FUND	.00	.00	.00	.00
184	07 CAPITAL FUND	.00	.00	.00	.00
185	08 CAPITAL FUND	.00	.00	.00	.00
186	2009 CAPITAL FUND	.00	.00	.00	.00
187	2010 CAPITAL FUND	.00	.00	.00	.00
188	2011 CAPITAL FUND	.00	.00	.00	.00
199	CABLE TV	141,896.18	.00	10,289.00	131,607.18
200	DEBT SERVICE	121,542.29	15,139.53	.00	136,681.82

FUND#	TITLE	LAST REPORT ON HAND	REVENUE	EXPENSES	THIS MONTH CASH BALANCE
302	SUSPENSION BR	.00	.00	.00	.00
303	STREET RELATED C/I	403.11-	.00	22,130.31	22,533.42-
306	CLARK STREET TRAIL	.00	.00	.00	.00
308	RIVERFRONT PROJECT	15,285.15-	.00	.00	15,285.15-
309	PEDESTRIAN BRIDGE	.00	.00	.00	.00
310	I-JOBS FIRE STATION	.00	.00	.00	.00
313	2005 CDBG HOUSING REHA	.00	.00	.00	.00
314	LAW ENFORCEMENT GRANT	.00	.00	.00	.00
315	2008 CDBG GRANT	.00	.00	.00	.00
316	05 S MAIN	.00	.00	.00	.00
317	2011 PERMEABLE PAVING	.00	.00	.00	.00
318	9TH ST PERMEABLE PAVIN	.00	.00	.00	.00
319	NET ZERO HOUSING PROJE	.00	.00	.00	.00
320	MASTER FACADE PROJECT	.00	.00	.00	.00
321	2011 CAPITAL PROJECT	.00	.00	.00	.00
322	2012 CAPITAL PROJECT	.00	.00	.00	.00
323	2013 CAPITAL FUND	.00	.00	.00	.00
324	2014 CAPITAL PROJECT	.00	1,633.50	.00	1,633.50
325	2015 CAPITAL PROJECT	.00	.00	.00	.00
326	2016 CAPTIAL PROJECT	.00	.00	.00	.00
350	CAPITAL PROJECT-MCQUIL	13,000.00-	.00	.00	13,000.00-
600	WATER	1,981,145.73	180,649.70	93,053.96	2,068,741.47
602	UTILITY IMPROVEMENTS P	.00	.00	.00	.00
603	WATER METER DEPOSITS	48,688.41	3,600.00	2,250.00	50,038.41
610	SEWER	2,007,154.05	121,008.12	73,342.47	2,054,819.70
611	SEWER IMPROVEMENT	.00	.00	.00	.00
612	UV DISINFECTION PROJEC	109,077.57	.00	824.00	108,253.57
613	WWTP EXPANSION FUND	.00	.00	.00	.00
670	WASTE FUND	83,842.09	27,790.73	20,533.73	91,099.09
690	TRANSIT	81,808.20	1,865.40	.00	83,673.60
740	STORM WATER	295,495.97	13,630.10	3,809.79	305,316.28
741	FIRE EXTINGUISHER	10,347.61	101.00	733.23	9,715.38
Report Total		14,725,081.87	945,643.20	717,896.30	14,952,828.77

CITY OF CHARLES CITY  
 REVENUE REPORT  
 CALENDAR 9/2016, FISCAL 3/2017  
 BUDGET

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	GENERAL TOTAL	3,623,689.00	137,102.39	352,469.58	9.73	3,271,219.42
	PETTY CASH TOTAL	.00	.00	.00	.00	.00
	POLICE DISPATCH TOTAL	443,806.00	32,588.18	122,232.77	27.54	321,573.23
	K-9 UNIT TOTAL	.00	.00	.00	.00	.00
	POLICE SAFETY EDUCATION TOTAL	2,500.00	.00	.00	.00	2,500.00
	PARK & REC C/I HOTEL/MOTE TOTA	48,750.00	90.66	254.06	.52	48,495.94
	COMMUNCIATION EQUIP FUND TOTA	14,500.00	1,212.73	3,633.26	25.06	10,866.74
	HOTEL MOTEL TAX TOTAL	120,600.00	34,735.13	34,868.76	28.91	85,731.24
	NUISANCE ABATEMENT RESERV TOTA	5,000.00	.00	.00	.00	5,000.00
	POLICE PURCHASE RESERVE TOTAL	20,000.00	.00	.00	.00	20,000.00
	FIRE PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	STREET PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	PARK & REC PURCHASE RESER TOTA	.00	.00	.00	.00	.00
	ADMIN PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	ROAD USE TAX TOTAL	918,240.00	98,683.83	274,544.27	29.90	643,695.73
	EMPLOYEE BENEFITS TOTAL	1,146,003.00	46,898.32	58,382.78	5.09	1,087,620.22
	CVTC OPERATING FUND TOTAL	121,006.00	4,164.48	34,512.10	28.52	86,493.90

CITY OF CHARLES CITY  
 REVENUE REPORT  
 CALENDAR 9/2016, FISCAL 3/2017  
 BUDGET MTD

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	FEMA BUYOUT SUBSTANTIAL TOTAL	.00	.00	.00	.00	.00
	FEMA BUYOUT NON SUBS TOTAL	.00	.00	.00	.00	.00
	2008 FLOOD TOTAL	.00	.00	.00	.00	.00
	EMERGENCY TOTAL	66,855.00	2,736.00	3,439.74	5.15	63,415.26
	WPC FLOOD WAL TOTAL	.00	.00	.00	.00	.00
	LOCAL OPTION SALES TAX TOTAL	655,000.00	64,462.12	193,097.86	29.48	461,902.14
	2013 FLOOD TOTAL	.00	.00	.00	.00	.00
	2016 FLOOD TOTAL	.00	.00	.00	.00	.00
	RIVERSIDE TIF TOTAL	188,452.00	6,184.24	8,862.49	4.70	179,589.51
	SW BYPASS TIF TOTAL	108,819.00	1,571.94	4,606.59	4.23	104,212.41
	SOUTH GRAND TIF TOTAL	250.00	44.64	133.95	53.58	116.05
	EAST PARK TIF TOTAL	20,589.00	118.60	224.50	1.09	20,364.50
	PARK AVENUE TIF TOTAL	126,116.00	11,204.61	12,113.69	9.61	114,002.31
	CARRIE CHAPMAN CATT TOTAL	.00	.00	.00	.00	.00
	CW REC TRAIL TOTAL	.00	.00	.00	.00	.00
	CEBA GRANT TOTAL	.00	.00	.00	.00	.00
	LIBRARY TRUST FUNDS TOTAL	6,808.00	.00	40,223.47	590.83	33,415.47-

CITY OF CHARLES CITY  
 REVENUE REPORT  
 CALENDAR 9/2016, FISCAL 3/2017  
 BUDGET MTD BALANCE

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	ROUK TOTAL	.00	.00	.00	.00	.00
	FGP ADVISORY TOTAL	12,400.00	13.00	37.00	.30	12,363.00
	FGP FEDERAL ADMINISTRATIO TOTA	442,362.00	12,312.41	19,391.53	4.38	422,970.47
	PUBLIC HOUSING SEC DEP TOTAL	7,000.00	314.40	1,483.84	21.20	5,516.16
	PUBLIC HOUSING TOTAL	750,500.00	65,360.65	195,157.42	26.00	555,342.58
	SECTION 8 VOUCHER TOTAL	697,700.00	60,426.79	176,432.53	25.29	521,267.47
	POLICE ASSET FORFEITURE TOTAL	1,000.00	.00	447.00	44.70	553.00
	DWELLING STRUCTURE TOTAL	.00	.00	.00	.00	.00
	2012 REHAB GRANT TOTAL	.00	.00	.00	.00	.00
	06 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	07 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	08 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2009 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2010 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2011 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	CABLE TV TOTAL	65,000.00	.00	15,480.42	23.82	49,519.58
	DEBT SERVICE TOTAL	908,180.00	15,139.53	19,459.86	2.14	888,720.14

CITY OF CHARLES CITY  
 REVENUE REPORT  
 CALENDAR 9/2016, FISCAL 3/2017  
 BUDGET MTD

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	SUSPENSION BR TOTAL	.00	.00	.00	.00	.00
	STREET RELATED C/I TOTAL	200,000.00	.00	.00	.00	200,000.00
	CLARK STREET TRAIL TOTAL	.00	.00	.00	.00	.00
	RIVERFRONT PROJECT TOTAL	5,000.00	.00	.00	.00	5,000.00
	PEDESTRIAN BRIDGE TOTAL	.00	.00	.00	.00	.00
	I-JOBS FIRE STATION TOTAL	.00	.00	.00	.00	.00
	2005 CDBG HOUSING REHAB TOTAL	.00	.00	.00	.00	.00
	2008 CDBG GRANT TOTAL	.00	.00	.00	.00	.00
	2011 PERMEABLE PAVING TOTAL	.00	.00	.00	.00	.00
	9TH ST PERMEABLE PAVING TOTAL	.00	.00	.00	.00	.00
	NET ZERO HOUSING PROJECT TOTA	.00	.00	.00	.00	.00
	MASTER FACADE PROJECT TOTAL	.00	.00	.00	.00	.00
	2011 CAPITAL PROJECT TOTAL	.00	.00	.00	.00	.00
	2012 CAPITAL PROJECT TOTAL	.00	.00	.00	.00	.00
	2013 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2014 CAPITAL PROJECT TOTAL	.00	1,633.50	16,209.50	.00	16,209.50-
	2015 CAPITAL PROJECT TOTAL	105,174.00	.00	54,673.30	51.98	50,500.70

CITY OF CHARLES CITY  
 REVENUE REPORT  
 CALENDAR 9/2016, FISCAL 3/2017  
 BUDGET MTD BALANCE

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	2016 CAPTIAL PROJECT TOTAL	135,000.00	.00	.00	.00	135,000.00
	CAPITAL PROJECT-MCQUILLEN TOTA	.00	.00	.00	.00	.00
	WATER TOTAL	1,928,245.00	180,649.70	543,026.07	28.16	1,385,218.93
	UTILITY IMPROVEMENTS PLAN TOTA	.00	.00	.00	.00	.00
	WATER METER DEPOSITS TOTAL	20,000.00	3,600.00	7,830.00	39.15	12,170.00
	SEWER TOTAL	1,365,593.00	121,008.12	366,121.30	26.81	999,471.70
	SEWER IMPROVEMENT TOTAL	.00	.00	.00	.00	.00
	UV DISINFECTION PROJECT TOTAL	.00	.00	1,466,299.40	.00	1,466,299.40
	WWTP EXPANSION FUND TOTAL	.00	.00	.00	.00	.00
	WASTE FUND TOTAL	344,200.00	27,790.73	85,157.57	24.74	259,042.43
	TRANSIT TOTAL	105,022.00	1,865.40	4,300.40	4.09	100,721.60
	STORM WATER TOTAL	162,950.00	13,630.10	41,525.89	25.48	121,424.11
	FIRE EXTINGUISHER TOTAL	6,000.00	101.00	309.50	5.16	5,690.50
	TOTAL REVENUE BY FUND	<u>14,898,309.00</u>	<u>945,643.20</u>	<u>4,156,942.40</u>	<u>27.90</u>	<u>10,741,366.60</u>

CITY OF CHARLES CITY  
 BUDGET REPORT  
 CALENDAR 9/2016, FISCAL 3/2017

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	GENERAL TOTAL	3,440,595.00	221,421.57	914,959.11	26.59	2,525,635.89
	PETTY CASH TOTAL	.00	.00	.00	.00	.00
	POLICE DISPATCH TOTAL	443,806.00	31,106.74	105,404.55	23.75	338,401.45
	K-9 UNIT TOTAL	.00	.00	.00	.00	.00
	POLICE SAFETY EDUCATION TOTAL	1,000.00	.00	331.11	33.11	668.89
	PARK & REC C/I HOTEL/MOTE TOTA	35,595.00	503.01	6,483.11	18.21	29,111.89
	COMMUNCIATION EQUIP FUND TOTA	25,000.00	.00	.00	.00	25,000.00
	HOTEL MOTEL TAX TOTAL	120,105.00	.00	.00	.00	120,105.00
	NUISANCE ABATEMENT RESERV TOTA	.00	.00	.00	.00	.00
	POLICE PURCHASE RESERVE TOTAL	37,500.00	.00	.00	.00	37,500.00
	FIRE PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	STREET PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	PARK & REC PURCHASE RESER TOTA	.00	.00	.00	.00	.00
	ADMIN PURCHASE RESERVE TOTAL	.00	.00	.00	.00	.00
	PAYROLL CLEARING TOTAL	.00	.00	.00	.00	.00
	ROAD USE TAX TOTAL	816,881.00	51,603.72	237,769.12	29.11	579,111.88
	STEP GRANT TOTAL	.00	.00	.00	.00	.00

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	EMPLOYEE BENEFITS TOTAL	1,096,614.00	69,324.77	209,429.39	19.10	887,184.61
	CVTC OPERATING FUND TOTAL	113,806.00	4,039.07	15,215.96	13.37	98,590.04
	FEMA BUYOUT SUBSTANTIAL TOTAL	.00	.00	.00	.00	.00
	FEMA BUYOUT NON SUBS TOTAL	.00	.00	.00	.00	.00
	2008 FLOOD TOTAL	.00	.00	.00	.00	.00
	EMERGENCY TOTAL	66,855.00	.00	.00	.00	66,855.00
	WPC FLOOD WAL TOTAL	.00	.00	.00	.00	.00
	LOCAL OPTION SALES TAX TOTAL	416,020.00	.00	.00	.00	416,020.00
	2013 FLOOD TOTAL	.00	.00	.00	.00	.00
	2016 FLOOD TOTAL	.00	.00	.00	.00	.00
	RIVERSIDE TIF TOTAL	259,693.00	.00	.00	.00	259,693.00
	SW BYPASS TIF TOTAL	419,500.00	.00	.00	.00	419,500.00
	SOUTH GRAND TIF TOTAL	12,000.00	.00	.00	.00	12,000.00
	EAST PARK TIF TOTAL	28,275.00	.00	.00	.00	28,275.00
	PARK AVENUE TIF TOTAL	153,864.00	.00	5,131.33	3.33	148,732.67
	CARRIE CHAPMAN CATT TOTAL	.00	.00	.00	.00	.00
	LIBRARY TRUST FUNDS TOTAL	18,600.00	.00	425.92	2.29	18,174.08

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	FGP ADVISORY TOTAL	12,000.00	94.92	397.82	3.32	11,602.18
	FGP FEDERAL ADMINISTRATIO TOTA	442,323.00	12,410.04	32,937.29	7.45	409,385.71
	PUBLIC HOUSING SEC DEP TOTAL	7,250.00	1,400.00	2,050.00	28.28	5,200.00
	PUBLIC HOUSING TOTAL	666,507.00	43,085.39	177,654.10	26.65	488,852.90
	SECTION 8 VOUCHER TOTAL	701,697.00	55,940.58	159,792.96	22.77	541,904.04
	POLICE ASSET FORFEITURE TOTAL	2,000.00	.00	289.40	14.47	1,710.60
	DWELLING STRUCTURE TOTAL	.00	.00	.00	.00	.00
	2012 REHAB GRANT TOTAL	.00	.00	.00	.00	.00
	06 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	07 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	08 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2009 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2010 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2011 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	CABLE TV TOTAL	70,375.00	10,289.00	20,044.95	28.48	50,330.05
	DEBT SERVICE TOTAL	890,535.00	.00	.00	.00	890,535.00
	SUSPENSION BR TOTAL	.00	.00	.00	.00	.00

CITY OF CHARLES CITY  
 BUDGET REPORT  
 CALENDAR 9/2016, FISCAL 3/2017

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	STREET RELATED C/I TOTAL	200,000.00	22,130.31	22,533.42	11.27	177,466.58
	CLARK STREET TRAIL TOTAL	.00	.00	.00	.00	.00
	RIVERFRONT PROJECT TOTAL	.00	.00	.00	.00	.00
	PEDESTRIAN BRIDGE TOTAL	.00	.00	.00	.00	.00
	I-JOBS FIRE STATION TOTAL	.00	.00	.00	.00	.00
	2005 CDBG HOUSING REHAB TOTAL	.00	.00	.00	.00	.00
	LAW ENFORCEMENT GRANT TOTAL	.00	.00	.00	.00	.00
	2008 CDBG GRANT TOTAL	.00	.00	.00	.00	.00
	05 S MAIN TOTAL	.00	.00	.00	.00	.00
	2011 PERMEABLE PAVING TOTAL	.00	.00	.00	.00	.00
	9TH ST PERMEABLE PAVING TOTAL	.00	.00	.00	.00	.00
	NET ZERO HOUSING PROJECT TOTA	.00	.00	.00	.00	.00
	MASTER FACADE PROJECT TOTAL	.00	.00	.00	.00	.00
	2011 CAPITAL PROJECT TOTAL	.00	.00	.00	.00	.00
	2012 CAPITAL PROJECT TOTAL	.00	.00	.00	.00	.00
	2013 CAPITAL FUND TOTAL	.00	.00	.00	.00	.00
	2014 CAPITAL PROJECT TOTAL	.00	.00	14,576.00	.00	14,576.00-

CITY OF CHARLES CITY  
 BUDGET REPORT  
 CALENDAR 9/2016, FISCAL 3/2017

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	3/2017 MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	2015 CAPITAL PROJECT TOTAL	105,174.00	.00	54,673.30	51.98	50,500.70
	2016 CAPTIAL PROJECT TOTAL	135,000.00	.00	.00	.00	135,000.00
	CAPITAL PROJECT-MCQUILLEN TOTA	.00	.00	.00	.00	.00
	WATER TOTAL	2,016,186.00	93,053.96	264,511.62	13.12	1,751,674.38
	UTILITY IMPROVEMENTS PLAN TOTA	.00	.00	.00	.00	.00
	WATER METER DEPOSITS TOTAL	20,000.00	2,250.00	8,013.58	40.07	11,986.42
	SEWER TOTAL	1,352,631.00	73,342.47	223,543.74	16.53	1,129,087.26
	SEWER IMPROVEMENT TOTAL	.00	.00	.00	.00	.00
	UV DISINFECTION PROJECT TOTAL	.00	824.00	11,440.50	.00	11,440.50
	WWTP EXPANSION FUND TOTAL	.00	.00	.00	.00	.00
	WASTE FUND TOTAL	326,747.00	20,533.73	69,214.57	21.18	257,532.43
	TRANSIT TOTAL	101,780.00	.00	10,503.25	10.32	91,276.75
	STORM WATER TOTAL	166,212.00	3,809.79	38,016.73	22.87	128,195.27
	FIRE EXTINGUISHER TOTAL	6,000.00	733.23	1,396.83	23.28	4,603.17
	TOTAL EXPENSES BY FUND	<u>14,728,126.00</u>	<u>717,896.30</u>	<u>2,606,739.66</u>	<u>17.70</u>	<u>12,121,386.34</u>

**FINANCIAL REPORT  
 SEPTEMBER 2016  
 CHARLES CITY  
 PUBLIC EMPLOYEES  
 HEALTH PLAN**

	MONTHLY TOTALS 9/1/16-9/30/16	PLAN YEAR TOTALS 7/1/16-6/30/17	TOTALS TO DATE 5/1/82-6/30/17
<b>Balance 8/31/2016</b>	\$358,783.00	\$315,020.69	\$0.00
<b>RECEIPTS</b>			
Contributions Paid	\$75,384.38	\$226,026.28	\$14,786,638.60
Refunds/Voids/Stop Loss	\$345.60	\$526.84	\$2,207,617.32
Interest-checking	\$452.37	\$1,285.69	\$118,299.59
Interest-CD	\$0.00	\$0.00	\$33,066.21
Transfers	\$0.00	\$0.00	\$365,000.00
<b>TOTAL</b>	<b>\$76,182.35</b>	<b>\$227,838.81</b>	<b>\$17,510,621.72</b>
<b>EXPENDITURES</b>			
Premiums/fees/admin.	\$19,054.74	\$55,643.44	\$4,138,458.10
Claims	\$70,847.14	\$142,152.59	\$12,295,226.85
Refunds-adj./stop loss	\$0.00	\$0.00	\$326,803.27
Transfers	\$0.00	\$0.00	\$255,037.03
Checks/bank fees/investment	\$0.00	\$0.00	\$150,033.00
<b>TOTAL</b>	<b>\$89,901.88</b>	<b>\$197,796.03</b>	<b>\$17,165,558.25</b>
<b>INVESTMENTS</b>			
	\$0.00	\$0.00	\$0.00
<b>Balance 9/30/2016</b>	<b>\$345,063.47</b>	<b>\$345,063.47</b>	<b>\$345,063.47</b>
Bank Balance	\$345,187.04		
Add Deposits in Transit	\$0.00		
Less Outstanding Checks	\$123.57		
Add Investments	\$0.00		
Revised Balance	\$345,063.47		

**CITY CLAIMS 10/17/16**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
PAYROLL ENDING 10/01/16	PAYROLL ENDING 10/01/16	\$ 93,732.99
PAYROLL LIABILITIES	PAYROLL LIABILITIES	\$ 41,318.49
CENTURYLINK COMMUNICATIONS	PHONE BILL-HOUSING	\$ 188.87
IFSMA	REGISTRATION-JOHN FALLIS-ENG	\$ 85.00
KWIK TRIP	FUEL-PD/P&R	\$ 2,130.53
UTILITY DEPOSIT REFUNDS	UTILITY DEPOSIT REFUNDS	\$ 1,592.35
OCTOBER FGP STIPEND CHECKS	OCTOBER FGP STIPEND CHECKS	\$ 13,841.96
OCTOBER HAP CHECKS	OCTOBER HAP CHECKS	\$ 46,694.30
AAA RECOVERY SERVICES	RECOVERY CHARGES-WTP	\$ 130.05
AGSOURCE COOPERATIVE SERVICES	SAMPLES-WTP/WWTP	\$ 193.00
AGVANTAGE FS	FLOOD FUEL-CITY DEPTS	\$ 1,106.24
AHLERS & COONEY PC	LABOR RELATIONS-LEGAL	\$ 75.00
AMERICINN HOTEL & SUITES	LODGING-CODY VANHORN-PD	\$ 291.20
AUTOZONE	PARTS-PD	\$ 27.73
BANCORPSV	FLEX PLAN DRAW-BENNY CARDS	\$ 522.76
BETTY HANSON (FGP)	MILEAGE-FGP	\$ 10.24
BRUENING ROCK PRODUCTS INC	CONCRETE SAND-FLOOD	\$ 6,184.64
CAL'S AUTO REPAIR INC	WATER WAGON MOTOR REPAIR-P&R	\$ 198.60
CARQUEST AUTO PARTS	PARTS/SUPPLIES-CITY DEPTS	\$ 369.91
CC FAMILY HEALTH CENTER	WORKER'S COMP-DIRK UETZ-STREET	\$ 110.00
CEDAR CREEK TREE SERVICE LLC	TREE WORK-STREET/P&R	\$ 7,420.00
CEDAR RIVER SOFTWARE	DROP BOX CAMERA-CITY HALL	\$ 389.00
CEDAR VALLEY PRINT & SUPPLY	SUPPLIES/SHIPPING-CITY DEPTS	\$ 624.56
CENTRAL SERVICE & SUPPLY INC	HOSES/PARTS-FLOOD	\$ 8,598.00
CENTURYLINK COMMUNICATIONS	PHONE BILLS-CITY DEPTS	\$ 2,019.05
CC CHAMBER OF COMMERCE	AMBASSADOR DUES-JIM ERB-MAYOR	\$ 45.00
CHARLES CITY ELECTRONICS	SINGLE USB-STREET	\$ 17.99
CHARLES CITY PRESS INC	LEGAL NOTICES-BUS OFF	\$ 967.93
CINTAS CORPORATION #762	MAT SERVICE-WTP	\$ 114.81
CITY MOTOR PARTS LTD	PARTS/SUPPLIES-CITY DEPTS	\$ 2,710.49
CITY OF CHARLES CITY	WATER/SEWER-CVTC	\$ 145.36
COMMUNITY REVITALIZATION	WALDERBACH SYNERGY PT-CED GRANT	\$ 10,000.00
CROELL INC	YARD M-4/2% CACL-STREET/SWU	\$ 2,028.63
DE LAGE LANDEN	COPIER LEASE-BUS OFF	\$ 166.62
DISH NETWORK	TV SERVICE-P&R	\$ 69.01
ENVIRONMENTAL RESOURCE ASSOC	QUALITY CONTROL SAMPLES-WWTP	\$ 250.89
ERIC WHIPPLE	TRAVEL REIMBURSEMENT-FD	\$ 64.33
FAREWAY STORE	FOOD-P&R	\$ 345.74
FARMCHEM	HELIX/REPAIR PARTS-FLOOD	\$ 216.30
FIRE EQUIPMENT SPECIALTIES INC	PLASTER HOOK/PICKHEAD AXE-FD	\$ 132.00
FIRST CITIZENS - CC	CREDIT CARD FEES-P&R	\$ 77.26
FLOYD COUNTY EXTENSION	PESTICIDE APPLICATOR CEU'S-P&R	\$ 105.00

GHD SERVICES INC	SHAW AVENUE SITE M&M 2016	\$ 264.50
GOLDER ASSOCIATES INC	PROFESSIONAL SERVICES-SHAW AVE	\$ 2,501.00
HAWKINS INC	CHLORINE-WTP	\$ 1,047.00
HD SUPPLY WATERWORKS	TOP BOLT CPLG EPOXY-WTP	\$ 1,294.43
HEIDI J. NIELSEN	TRAVEL REIMBURSEMENTS-HOUSING	\$ 390.23
HEWETT WHOLESALE	FOOD-P&R	\$ 85.20
I WIRELESS	PHONE BILL-FGP	\$ 72.34
IDOT-CASHIER'S OFFICE	FUEL/SUPPLIES-CITY DEPTS	\$ 4,393.50
IEMSA	REGIS-PARCHER/WHIPPLE-FD	\$ 680.00
IMAGETEK INC	RADIX STORAGE-CITY CLERK	\$ 355.75
INTERSTATE BATTERIES UPPER IA	BATTERIES-SANI SEWER/P&R	\$ 227.90
JACQUELINE FERCH (FGP)	MILEAGE-FGP	\$ 12.80
JANDA MOTOR SERVICES	WWTP MOTOR REPAIRS-FLOOD	\$ 6,621.00
JANET NIESS (FGP)	MILEAGE-FGP	\$ 46.08
JEAN BOLEY	OFFICE SUPPLIES REIMBURSEMENT-FGP	\$ 17.14
JEANETTE KLUNDER (FGP)	MILEAGE-FGP	\$ 5.60
JENDRO SANITATION SERVICES	GARBAGE PICKUP-CITY DEPTS	\$ 20,143.86
JESSICA RODRIGUEZ	SHELTER RESERVATION REFUND-P&R	\$ 25.00
JOHN DEERE FINANCIAL	PARTS/SUPPLIES-CITY DEPTS	\$ 3,093.01
JONATHAN SCHWERD	OVERPAYMENT UTIL BILL REFUND	\$ 15.33
KABRICK DISTRIBUTING CO	BEER-P&R	\$ 7.60
KEYSTONE LABORATORIES	WASTEWATER ANALYSIS-WWTP	\$ 416.40
KMART STORE #7767	FLOOD SUPPLY TOTES-FD	\$ 117.80
L&J INDUSTRIES INC	PIPE-STREET	\$ 25.40
LAW ENFORCEMENT SYSTEMS INC	TRAFFIC TICKETS-PD	\$ 604.00
LEAF	COPIER LEASE-PD	\$ 126.58
LESSIN SUPPLY COMPANY	PARTS/SUPPLIES-CITY DEPTS	\$ 622.33
LOU'S GLOVES INC	NITRILE EXAM GLOVES-WWTP	\$ 86.00
MAINSTAY SYSTEMS INC	MDT COMPUTER MAINT-PD/DISPATCH	\$ 657.00
MARCO TECHNOLOGIES LLC	CONTRACT OVERAGE CHARGE-BUS OFF	\$ 66.06
MERRITT COMPUTER SERVICE INC	DOMAIN CREDENTIALS-ITRON-BUS OFF	\$ 201.00
METERING TECHNOLOGY SOLUTIONS	METERS-WTP	\$ 2,310.69
MICK GAGE PLUMBING & HEATING	REPAIR PARTS-STREET	\$ 49.20
MID AMERICA METER, INC	NEW/REBUILT METERS-WTP	\$ 2,320.79
MIKE'S C&O TIRE INC	TIRE SERVICE-CITY DEPTS	\$ 1,457.62
MISTY THOMAS	OVERPAYMENT UTIL BILL REFUND-WTP	\$ 4.11
MTI DISTRIBUTING INC	MOWER PARTS-P&R	\$ 8.48
NEWBAUER INC	MAT SERVICE-CITY HALL	\$ 101.84
NIACC	REGION II CONF-ECKENROD-WTP	\$ 60.00
NIACOG	BUS #N014 REPAIRS-FGP	\$ 166.60
NOAH, SMITH & SCHUKNECHT PLC	LEGAL SERVICES-CITY DEPTS	\$ 4,734.56
PLANSCAPE PARTNERS	SEWER SRF-UV DISINFECTION	\$ 479.50
POSTMASTER	UTILITY BILL POSTAGE	\$ 910.00
R&S MOWING	PLANT/LAGOONS MOWING-WTP	\$ 300.00
RADAR ROAD TEC-J ESHELMAN	8-RADAR CERTIFICATIONS-PD	\$ 280.00
RILEY'S INC	SUPPLIES-BUS OFF	\$ 105.39
RYAN W WOLFE	TAPED MEETINGS-CABLE	\$ 90.00

SCHUETH ACE HARDWARE	REPAIR PARTS/SUPPLIES-CITY DEPTS	\$	486.62
SMI CO	SAFETY FIBER-P&R	\$	1,072.50
SNAP-ON TOOLS/DUANE KAY	SOLUS ULTRA LOY, SCANBAY-CVTC	\$	549.00
STEVEN T DIERS	MONTHLY PHONE STIPENDS-ADMIN	\$	100.00
STEVEN ZIMMER	TAPED MEETINGS-CABLE	\$	90.00
SUPERIOR LUMBER INC	LUMBER/SUPP-STREET/SANI SEWER/P&R	\$	272.49
T&C MACHINE	TERRA GATOR REPAIRS-WWTP	\$	315.00
TERRI NOVAK	MILEAGE-P&R	\$	132.30
TRANS IOWA EQUIPMENT	STRAIGHT PUSH L T00309-SANI SEWER	\$	54.94
TREASURER, STATE OF IOWA	SALES TAX-CITY DEPTS	\$	7,080.51
TREASURER, STATE OF IOWA	UNCLAIMED UTILITY DEPOSITS-WTP	\$	413.60
TRUGREEN LIMITED PARTNERSHIP	WEED CONTROL/FERTILIZER-P&R	\$	439.00
UNITED BEVERAGE-MC	BEER-P&R	\$	53.00
UNITED STATES CELLULAR	TABLETS & PHONES-CITY DEPTS	\$	944.46
UNITYPOINT HEALTH	BROADNET CONNECT-TIF	\$	1,200.00
USA BLUEBOOK	VERTICAL RESETTER-WTP	\$	297.93
VAN METER INC	NONINVEN GREENLIGHTING-STREET	\$	151.72
VIRGINIA TITUS	TRAVEL REIMBURSEMENT-BUS OFF	\$	75.60
WINDSTREAM	SHERIFF'S NIGHT ANSWER LINE-DISPATCH	\$	54.58
YOUNG CONSTRUCTION LTD	NEW BACK DOOR-CITY HALL	\$	3,284.25
ZEKE'S CONSTRUCTION	FLOOD CRANE SERVICE-WWTP	\$	9,000.00
	<b>TOTAL</b>	\$	<b>328,979.95</b>

*PROCLAMATION*

*WHEREAS*, home should be a place of warmth, unconditional love, tranquility & security, and for most of us, home and family can indeed be counted among our greatest blessings. Tragically, for many community members, these blessings are tarnished by violence and fear; and

*WHEREAS*, domestic violence is more than an occasional family dispute. It is a serious crime that affects people of all races, ethnicities, ages, mental or physical abilities, socioeconomic status, religious backgrounds and genders; and

*WHEREAS*, children who grow up in violent homes are abused and neglected at a higher rate than the national average and more than 4 million children in the United States are at risk for witnessing domestic violence each year; and

*WHEREAS*, domestic violence costs the nation over \$5 billion annually in medical expenses, law enforcement and court costs, shelters and foster care, sick leave, absenteeism and reduced worker productivity; and

*WHEREAS*, only a coordinated community effort will bring an end to this epidemic of crime and violence and we, as a community, must address the problem of domestic violence in our homes and neighborhoods every day of the year; and

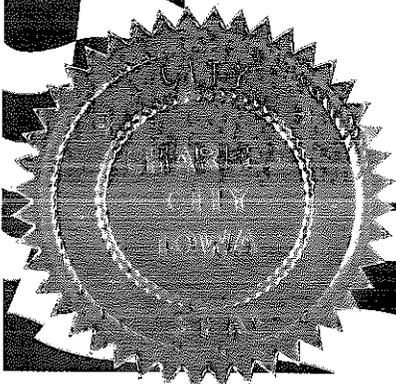
*WHEREAS*, a coalition of organizations has emerged to directly confront this crisis. Law enforcement officials, victim service programs, health care providers, the faith community and other concerned citizens are helping in the effort to end domestic violence. We must recognize the compassion & dedication of these volunteers & professionals applaud their efforts and increase public understanding of this importance social problem.

*NOW THEREFORE*, I, Jim Erb, Mayor of Charles City do hereby proclaim the month of October 2016 as *DOMESTIC VIOLENCE AWARENESS MONTH* and urge all citizens of Charles City to observe this month by becoming aware of the tragedy of domestic violence, supporting those who are working toward its end and participating in community efforts.

*Dated this 17<sup>th</sup> day of October, 2016.*

---

James A. Erb, Mayor of Charles City



## AGENDA ITEM SUMMARY

**Subject: Resolution Awarding Contract for Fee Accountant for Housing Department**

**Recommendation:** Consideration of approval of Resolution No. 78-16.

### Background Summary:

The Housing Department contracts with a fee accountant. A fee accountant is an accounting firm which specializes in the preparation of the financial statements in accordance with HUD 7475.1 REV. They also prepare and submit the unaudited financial reports utilizing HUD's complex on-line system. There are additional services that they perform, which include budget preparation, annual operating subsidy submission, depreciation schedule preparation, monthly Voucher Management Systems submissions, and Payment-In-Lieu of Taxes Reports. In addition, they provide guidance with HUD regulation regarding the submissions and assist with the annual audit.

Request for Proposals were sent out to six different accounting firms specializing in accounting services for public housing authorities. Three firms submitted proposals.

Their proposals are attached for review. Costs were requested for the following services.

	C. Naber & Associates	HA Accounting Specialties	Loucks & Schwartz
PH Monthly Reporting	\$175	\$200	\$206
S8 Monthly Reporting	\$220	\$250	\$262
PH Budget Preparation	\$100	*	\$160
PH Budget Revisions	\$ 80	*	\$ 80
Audit Disclosure Checklist	\$300	*	\$250
Operating Subsidy Submission	\$150	*	\$160
REAC Submission	\$670	*	\$580
MD&A	\$250	*	\$340

\* HA Accounting Specialties did not supply an individual cost breakdown for the additional services, they quoted a cost of \$135 per hour with no estimate on length of time required for each service. In addition, they are proposing a site visit to establish a master file at a cost of \$1000.00

All three firms have 30+ years experience providing accounting services for housing authorities. The Housing Board met and reviewed the proposals on October 6, 2016 and recommend awarding the contract to C. Naber & Associates. All three firms were qualified to perform the requested services. So the deciding factor was cost.

**RESOLUTION NO. 78-16**

*RESOLUTION APPROVING A CONTRACT FOR ACCOUNTING SERVICES WITH C. NABER AND ASSOCIATES FOR CHARLES CITY PUBLIC HOUSING, CHARLES CITY, IOWA*

WHEREAS, the Charles City housing department requires the services of a fee accountant to prepare their financial statements in accordance with HUD requirements, and

WHEREAS, requests for proposals were sent out to numerous firms, and

WHEREAS, the Charles City Housing Authority Board reviewed the proposals returned and are recommending securing the services of C. Naber and Associates in accordance with the schedule of fees submitted, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charles City, Iowa, meeting in regular session on the 17<sup>th</sup> day of October, 2016, that a contract with C. Naber and Associates for fee accounting services for Charles City public housing is hereby approved.

COUNCIL MEMBER moved the adoption of the foregoing Resolution;

COUNCIL MEMBER seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 17<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Jerry Joerger, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Trudy O'Donnell, City Clerk

---

## AGENDA ITEM SUMMARY

---

**Subject:** Change Order - Charles City Housing & Redevelopment Authority – South Cedar Terrace, North Cedar Terrace, & Morningside. Site Improvements, Charles City, Iowa, Project No. 14-120D

---

**Recommendation:** Consider adoption of Resolution No. 79-16

---

**Background Summary:** Preparations are being made to begin the work at South Cedar Terrace and there were some handrails that were inadvertently excluded from the project. In addition, there are some additions required to complete the work at Morningside. These areas need to be added to the scope of work. They are as follows:

1. Four additional areas require handrails to be in compliance. Refer to attached drawing for details.
2. Additional sod is required to repair the area disturbed due to drain tile work added in Change Order #1.

The proposed additions will cost \$7,846.25. A copy of the change order is attached.

Heidi Nielsen, Housing Director, will be present to discuss project.

**RESOLUTION NO. 79-16**

*RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER NUMBERS 2 FOR CHARLES CITY HOUSING & REDEVELOPMENT AUTHORITY – SOUTH CEDAR TERRACE, NORTH CEDAR TERRACE, & MORNINGSIDE SITE IMPROVEMENTS, CHARLES CITY, IOWA, PROJECT NO. 14-120D*

WHEREAS, the City Council of the City of Charles City, Iowa has by prior resolution awarded a contract to King Construction & Overhead Door, Inc. for the South Cedar Terrace, North Cedar Terrace, & Morningside Site Improvements, Charles City, Iowa, Project No. 14-120D as set forth in the preamble hereof, and

WHEREAS, Change Order No. 2 reflects an increase in contract price of \$7,846.25 for work at Morningside Apartments and South Cedar Terrace, and

WHEREAS, Waggoner & Wineinger Architects and the Housing Department recommend the approval of the above Change/Extra Work Order No. 2 as being in the best interest of the citizens of the City of Charles City, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charles City, Iowa, meeting in regular session on this 17<sup>th</sup> day of October, 2016, that Change/Extra Work Order No. 2 at an increase of the original cost to the contract of \$7,846.25 is hereby approved.

COUNCIL MEMBER                      moved the adoption of the foregoing Resolution;

COUNCIL MEMBER                      seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 17th day of October, 2016.

---

Jerry Joerger, Mayor Pro Tem

Attest:

---

Trudy O'Donnell, City Clerk



Construction & Overhead Door, Inc.

101 N. 8th Street  
Clear Lake, IA 50428  
P: 641-357-5575  
F: 641-357-5580

### Change Order

Number	Date
2	10/6/2016

**Architect:**  
Waggoner & Wineinger Architects  
15 S. Federal  
Mason City, IA 50401

**Job:** **Project #:** 14-120D  
Charles City Houing & Redevelopment Authority  
501 Cedar Terrace South  
Charles City, IA 50616

Project Design and Specifications	QTY	MSR	Per	Amount	Mark-Up	Total
85' more of Rail on S-9, S-10, S-11 Grosse Steel \$15/ft				1,275.00	15%	1,466.25
Powder Coat 85' x \$20/ft				1,700.00	15%	1,955.00
Labor to install rail & concrete				2,700.00		2,700.00
Extra Sod Due to drain tile excavation 2500 sq ft x \$.60				1,500.00	15%	1,725.00
<b>Change Order Total</b>						<b>7,846.25</b>

\_\_\_\_\_  
Tim Clark, King Construction & Overhead Door

\_\_\_\_\_  
Date

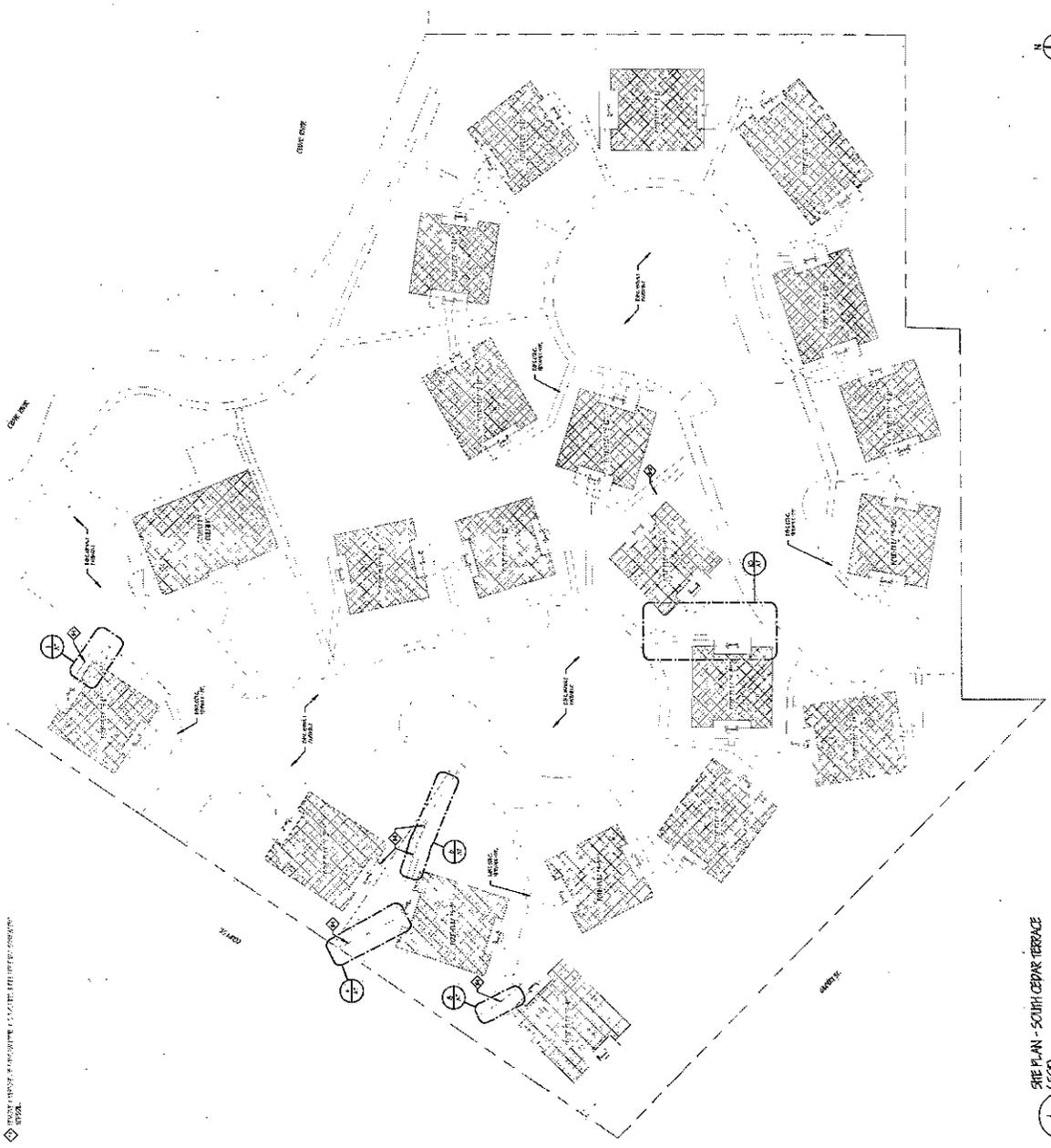
\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

The above price, specifications and conditions are satisfactory. You are authorized to do the work.  
Payment will be made as outlined above.

REVISION NOTES - SOT

- 1. CHECK FOR CONFLICTS WITH EXISTING UTILITIES AND RECORD.



SITE PLAN - SOUTH CEDAR TERRACE

CSCT  
 A6  
 SCALE: 1" = 40'-0"

THIS DOCUMENT IS THE PROPERTY OF WALCHER & WENIGER ARCHITECTS, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF WALCHER & WENIGER ARCHITECTS, INC.

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## AGENDA ITEM SUMMARY

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**Subject:** Kurt Walderbach Façade application

**Recommendation:** Consider Resolution No. 80-16

---

**Background Summary:**

Kurt Walderbach has submitted an application for Façade funding for his building located at 318 N. Main Street and that application is attached for your review.

He would like to relocate the business sign currently on the front door to the back door, add printed window headers to doors and windows and install a new business sign on the front of the building.

The design committee has reviewed this application and is recommending approval of funding for this project. There is \$2,958 left in the Façade funding for this current fiscal year, so they are requesting funding in that amount.

We recommend approval of this resolution.

**RESOLUTION NO. 80-16**

*RESOLUTION APPROVING FUNDING FOR A PROJECT AT 318 N. MAIN  
SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM*

WHEREAS, the City Council of the City of Charles City, Iowa has included funding for a local Façade program in the current fiscal year budget, and

WHEREAS, the Charles City Community Revitalization Design Committee has reviewed applications for this program, and

WHEREAS, they are recommending approval of \$2,958 funding for Kurt Walderbach's building located at 318 N. Main for his Façade project,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charles City, Iowa, meeting in regular session on this 17<sup>th</sup> day of October, 2016, that Façade program funding of \$2,958 is approved for property located at 318 N. Main.

COUNCIL MEMBER moved the adoption of the foregoing Resolution;

COUNCIL MEMBER seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 17<sup>th</sup> day of October, 2016.

---

Jerry Joerger, Mayor Pro Tem

Attest:

---

Trudy O'Donnell, City Clerk

COMMUNITY REVITALIZATION  
FACADE IMPROVEMENT GRANT APPLICATION

Date of application September 26, 2016

Applicant's name Kurt Walderbach - Synergy Physical Therapy

Mailing address 1612 S Grand Ave Charles City, Ia 50616

Telephone (641) 430-5905 (641) 715-1230  
(Home) (Work)

Project address 318 N Main St. Charles City, Ia 50616

Does the applicant own the building? Yes X No       

If no, who does own the building?       

Owner's address 16763 290th Street Mason City, Ia

Owner's telephone (641) 430-5905

Describe proposed project specifically: (attach additional sheets if necessary)

Relocate current business sign to back door

Add printed window headers to direct windows

Build and install new sign to front of building

All electrical connections for lighting of signs

Proposed starting date: September 2016

Proposed completion date: December 2016

Amount of funds requested: \$3,000<sup>00</sup>

Estimated cost of project \$8,300<sup>00</sup>

Provide a brief outline of project costs Adding signage to front  
of building, removing over hang, relocating  
sign to back of building adding window  
headers

List current assessed valuation of project property \$ \$250,320<sup>-</sup>

Please list the source and amount of all other funds to be supplied by the applicant or other public or private sources

<u>Source</u>	<u>Amount</u>
<u>NSB - Bank Loans</u>	<u>\$5000<sup>00</sup></u>
<u>personal financing of owner</u>	<u>as needed</u>
_____	_____
_____	_____

If the project property has been vacant, state how long 2 months

Is the project property properly zoned for the business? Yes

If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application.  
\_\_\_\_\_

Number of years the applicant has been in business  
30 years

Names and addresses of contractors and/or architect used for the proposed project.  
Nagle Signs Inc. 1030 Wilbur Ave.  
Waterloo, Iowa

Number of new jobs (if any) the proposed project will create 3-5 more

Number of existing jobs proposed project will preserve 3

Applicant should be aware that additional financial data may be required if requested by the Facade Improvement Review Committee. Applicant should also be aware that no application will be considered if expenditures are incurred prior to approval of the application.

It is understood that the Applicant will actively support and/or participate in the programs and activities of Community Revitalization.

The undersigned applicant affirms that the information submitted herein is true and accurate to the best to my (our) knowledge. I (we) have read and understand the conditions of the Community Revitalization Facade Improvement Program and agree to abide by its conditions and guidelines.

Kurt Waldersach Synergy PT Sept 29 2016  
Signature of Applicant Date

\_\_\_\_\_  
Signature of Applicant Date



1020 WILBUR AVENUE  
P.O. BOX 2098  
WATERLOO, IOWA 50704  
319-233-4604 • 1-800-728-4604  
FAX: 319-233-7514

605 IOWA AVENUE WEST  
MARSHALLTOWN, IOWA 50158  
641-752-6608 • 1-888-656-SIGN  
FAX: 641-752-6968

REMIT TO: PO. BOX 2098 WATERLOO, IA 50704

# PROPOSAL

## Proposal #: 26869

Proposal Date: 09/26/16  
Customer #: 76084  
Page: 1 of 5

<b>SOLD TO:</b>	<b>JOB LOCATION:</b>
SYNERGY 1612 S. GRAND CHARLES CITY IA 50616	Synergy Old Fastenal Building Charles City IA 50616
	REQUESTED BY: Curt

NAGLE SIGNS INC (HEREINAFTER CALLED THE "COMPANY") HEREBY PROPOSES TO FURNISH ALL THE MATERIALS AND PERFORM ALL THE LABOR NECESSARY FOR THE COMPLETION OF:

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #22811 Furnish and install (7) 3M printed window headers with 3M over laminate. Includes logo/hours on 2 doors. Install on same trip as sign. Tax is extra.	\$486.67	\$486.67
1	QUOTE #22811A Furnish and install 3M printed wrap with 3M over laminate. Apply on rollup overhead garage door. Install on same trip as sign as window graphics. Tax and permit extra.	\$1,825.24	\$1,825.24
1	QUOTE #22811B Remove existing 2'-4.5" x 10' channel style cabinet from existing location and cap electrical. Install on front of building. Connect electrical if present. Taxes and permit are extra.	\$745.97	\$745.97
1	QUOTE #22811C Furnish and install (1) 3'6" x 15' channel style cabinet. Sign built in 2 pieces. 3/16" white plexiglas face with 3M printed translucent graphics, 3M over laminate protectant. 2" trimcap, 5" deep black returns. .040 white aluminum backs. Internally lit with white LED with low voltage power supplies, photo cell controller. Mount to side elevation and connect electrical if present. Taxes and permit are extra.	\$5,327.95	\$5,327.95

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED, AND THE ABOVE TO BE IN ACCORDANCE WITH THE DRAWINGS AND OR SPECIFICATIONS SUBMITTED FOR THE ABOVE WORK AND COMPLETED IN A WORKMANLIKE MANNER FOR THE SUM OF:

**TOTAL PROPOSAL AMOUNT: \$8,385.83**

**TERMS: 50.0% DOWN, BALANCE DUE ON COMPLETION**  
(INTEREST OF 1.5% PER MONTH WILL BE ADDED TO PAST DUE ACCOUNTS)

**THIS PRICE DOES NOT INCLUDE ELECTRICAL HOOKUP, PERMITS, ENGINEERING, SHIPPING, FREIGHT OR SALES OR USE TAX UNLESS SPECIFICALLY STATED.**

COMPANY INITIALS

CUSTOMER INITIALS \_\_\_\_\_



1020 WILBUR AVENUE  
P.O. BOX 2098  
WATERLOO, IOWA 50704  
319-233-4604 • 1-800-728-4604  
FAX: 319-233-7514

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# PROPOSAL

## Proposal #: 26869

Proposal Date: 09/26/16  
Customer #: 76084  
Page: 2 of 5

NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS. WORK WILL NOT BEGIN UNTIL DOWN PAYMENT AND WRITTEN ACCEPTANCE IS RECEIVED.

ANY ALTERATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE TO BE PAID BY THE PURCHASER.

### TERMS AND CONDITIONS

1. All agreements contingent upon strikes, accidents, material shortages or any other delays beyond our control.
2. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.
3. This proposal is made for specially constructed equipment and when accepted by owner is not subject to cancellation. NAGLE SIGNS INC shall not be responsible for errors in plans, designs, specifications or drawings furnished by owner or its representatives, or for defects or increased costs caused by such errors.
4. NAGLE SIGNS INC shall commence the constructions of display and prosecute the work thereon with due diligence until completion. All obligations to be performed by NAGLE SIGNS INC hereunder shall be subject to delay or failure resulting from war, fire, labor disputes, material shortages, unforeseen commercial delays, acts of God, regulations or restrictions of the Government or public authorities, or other accidents, forces, conditions or circumstances beyond its control.
5. Owner shall be responsible for securing and maintaining in force all necessary permits from the owner of the premises upon which display is to be installed, and for all other private permissions necessary for the maintenance, use and existence of display. NAGLE SIGNS INC shall apply for public permits. Only the cost of normal permit applications is included in this proposal. Buyer shall be responsible for any and all costs incurred should procedures other than normal permit applications be required. NAGLE SIGNS INC shall not be obligated to commence construction of display until public permits have been issued. If public permits are denied after every reasonable effort by both parties to secure same, then this agreement shall terminate without liability to either party.
6. Buyer shall bring feed wires of suitable capacity and approved type to the locations of the display, and make connection thereto, and shall pay for all electrical energy used by display and shall be responsible for the supply thereof in the event substantially adverse building or soil conditions or underground obstructions are encountered at delivery site. In the event of such adverse building or soil conditions or underground obstructions, owner agrees that Nagle Signs shall be allowed to increase the price quoted in this proposal to the extent of Nagle Signs, Inc's. additional costs.
7. Owner shall be responsible for locating all property lines and utility

COMPANY INITIALS                     

CUSTOMER INITIALS



1020 WILBUR AVENUE  
P.O. BOX 2098  
WATERLOO, IOWA 50704  
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MARSHALLTOWN, IOWA 50158  
641-752-6608 • 1-888-656-SIGN  
FAX: 641-752-6968

REMIT TO: PO. BOX 2098 WATERLOO, IA 50704

# PROPOSAL

## Proposal #: 26869

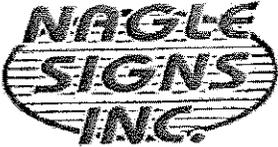
Proposal Date: 09/26/16  
Customer #: 76084  
Page: 3 of 5

easements and existing utilities located within or on the real estate on which the display is to be constructed.

8. NAGLE SIGNS INC unconditionally warrants the signs against defective workmanship and materials for 1 year from date of shipment or installation, if installation is effected by NAGLE SIGNS INC Any part found by NAGLE SIGNS INC to be defective due to faulty workmanship or materials within the warranty period will be repaired or replaced f.o.b. point of production. NAGLE SIGNS INC SPECIFICALLY DISCLAIMS ALL OTHER WARRANTIES OF ANY KIND OR NATURE WHATSOEVER, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. NAGLE SIGNS INC shall not be liable for any incidental or consequential damages or losses. Owners sole and exclusive remedy against NAGLE SIGNS INC for the breach of its express warranty contained herein shall be the replacement of such defective work or material.
9. Payment for items purchased under the terms of this agreement will be made upon receipt of invoices submitted. In the event payment is not made within thirty (30) days of the invoice date, Buyer agrees to pay a service charge on past due amounts at the rate of 1 1/2% per month. In the event this agreement is placed for collection with a collection agency or if litigation is commenced to collect amounts owed, Buyer shall be responsible for all costs incurred by Nagle Signs, including but not limited to its reasonable attorney's fees.
10. Title to all materials and property covered by this contract shall remain in NAGLE SIGNS INC and shall not be deemed to constitute a part of the realty to which it may be attached until the purchase price is paid in full. NAGLE SIGNS INC is given an express security interest in said material and property both erected and unerected notwithstanding the manner in which such personal property shall be annexed or attached to the realty and is authorized to file a financing statement perfecting this security interest. In the event of default by Buyer, including, but not limited to, payment of any amounts due and payable, NAGLE SIGNS INC may at once (and without process of law) take possession of and remove, as and when it sees fit and wherever found, all material used or intended for use in this construction of said equipment and any and all property called for in this Agreement without being deemed guilty of trespass.
11. When this Agreement is signed by a duly authorized person of each party, this document shall constitute a binding contract and the entire agreement between the parties and shall supersede all other written or oral agreements. The parties agree that a signature communicated by facsimile or by e-mail shall Have the same effect as an original signature on an original document, and either party may prove the existence of a binding contract by producing a copy thereof with a signature obtained through electronic means (by facsimile or e-mail). This contract shall be governed by the laws of the state of Iowa.
12. Owner is liable for any and all state, local or federal taxes imposed upon this transaction, including but not limited to sales and/or use tax. Owner will be liable for the taxes even if the taxes are not included in the original invoice to Owner if the taxes are imposed by a governing body after invoicing.

COMPANY INITIALS                     

CUSTOMER INITIALS



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REMIT TO: PO.BOX 2098 WATERLOO, IA 50704

# PROPOSAL

## Proposal #: 26869

Proposal Date: 09/26/16  
 Customer #: 76084  
 Page: 4 of 5

13. The Iowa District Court in and for Black Hawk County, Iowa shall have exclusive jurisdiction of all actions of any kind or nature whatsoever arising out of the work to be performed pursuant to this proposal including but not limited to any action by NAGLE SIGNS INC to collect amounts owed to it pursuant to the terms of this proposal and any corresponding invoice, and the parties consent to exclusive jurisdiction and venue in said court.

THIS PROPOSAL DOES NOT BECOME EFFECTIVE UNTIL SIGNED AND DATED BY THE COMPANY.

THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

SALESPERSON: *[Signature]*

DATE: 9-26-16

ACCEPTED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

COMPANY INITIALS *[Signature]*

CUSTOMER INITIALS \_\_\_\_\_



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641-752-6608 • 1-888-656-SIGN  
FAX: 641-752-6968

REMIT TO: PO.BOX 2098 WATERLOO, IA 50704

# DEPOSIT INVOICE

Invoice #: DP26869

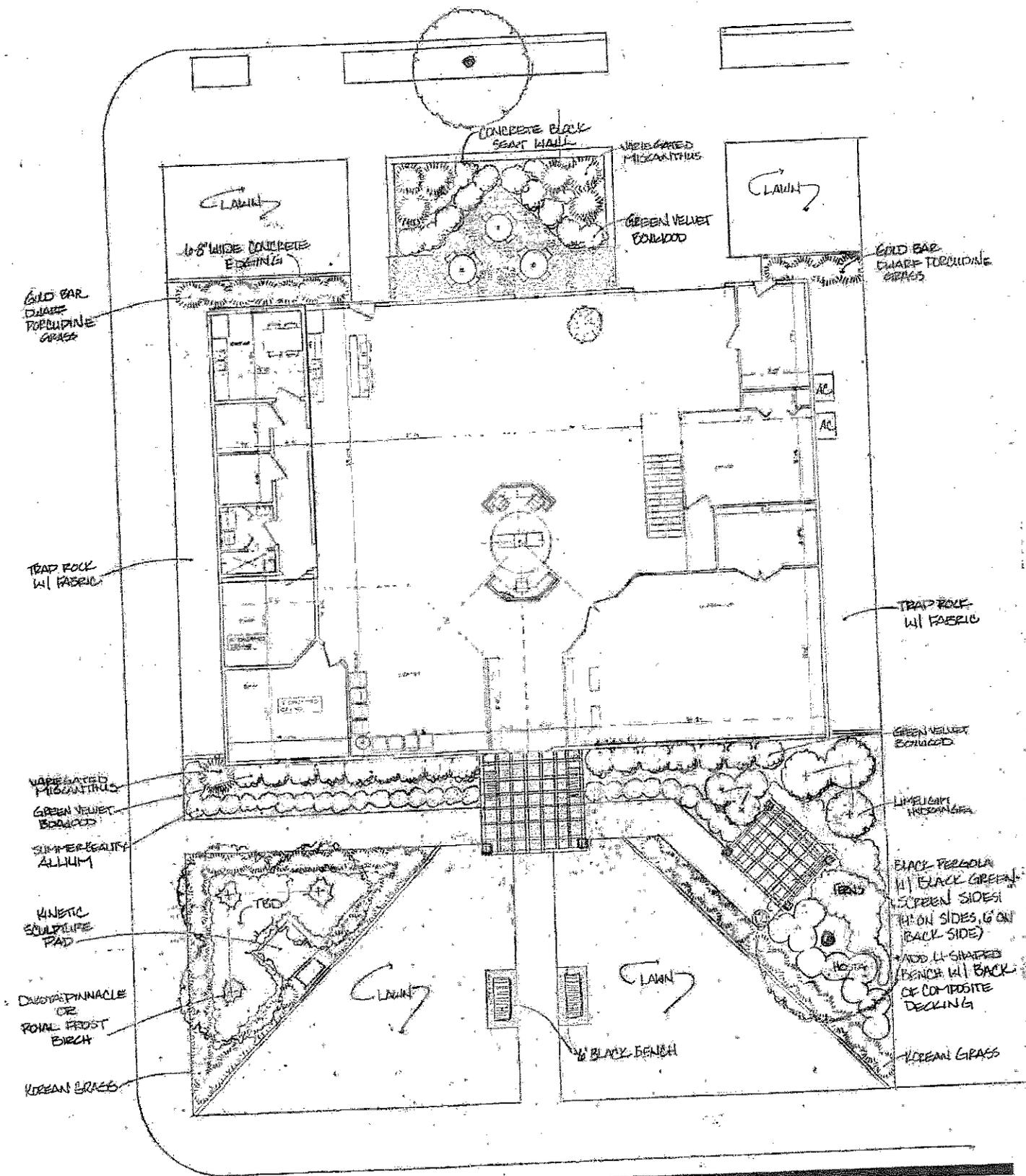
Inv Date: 09/26/16  
Customer #: 76084  
Page: 5 of 5

<b>SOLD TO:</b>	<b>JOB LOCATION:</b>
SYNERGY 1612 S. GRAND CHARLES CITY IA 50616	Synergy Old Fastenal Building Charles City IA 50616
	REQUESTED BY: Curt

ORDERED BY	PO NUMBER	SALESPERSON	ORDER DATE	PAYMENT TERMS	DUE DATE
Curt		SCOTT KANE	09/26/16	50.0% Due Upon Receipt	03/30/17

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #22811 Furnish and install (7) 3M printed window headers with 3M over laminate. Includes logo/hours on 2 doors. Install on same trip as sign. Tax is extra.	\$486.67	\$486.67
1	QUOTE #22811A Furnish and install 3M printed wrap with 3M over laminate. Apply on rollup overhead garage door. Install on same trip as sign as window graphics. Tax and permit extra.	\$1,825.24	\$1,825.24
1	QUOTE #22811B Remove existing 2'-4.5" x 10' channel style cabinet from existing location and cap electrical. Install on front of building. Connect electrical if present. Taxes and permit are extra.	\$745.97	\$745.97
1	QUOTE #22811C Furnish and install (1) 3'6" x 15' channel style cabinet. Sign built in 2 pieces. 3/16" white plexiglas face with 3M printed translucent graphics, 3M over laminate protectant. 2" trimcap, 5" deep black returns. .040 white aluminum backs. Internally lit with white LED with low voltage power supplies, photo cell controller. Mount to side elevation and connect electrical if present. Taxes and permit are extra.	\$5,327.95	\$5,327.95
TOTAL PROPOSAL AMOUNT			\$8,385.83
*** FINAL INVOICE AMOUNT MAY VARY UPON COMPLETION ***			

PLEASE PAY THIS DEPOSIT AMOUNT:	\$4,192.92
---------------------------------	------------



<b>SYNERGY</b> PHYSICAL THERAPY & SPORTS MEDICINE	 NORTH	DATE August 2016	 <b>outdoor</b> TRANSFORMATIONS <small>landscape architecture • outdoor styling</small> <a href="http://www.transformoutdoors.com">www.transformoutdoors.com</a>
		DRAWN BY L. KUNAL	
318 N. MAIN ST., CHARLES CITY			



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**AGENDA ITEM SUMMARY**

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**Subject: Consider awarding bid for the 2016 Victory Park Improvements Project**

---

Recommendation: Approve Resolution No. 70-16 awarding the bid for the 2016 Victory Park Improvements Project

---

**Background Summary:**

The City Council approved the preliminary plans and specifications for this project and authorized taking bids for the construction work at the July 5<sup>th</sup> meeting. The City Council held a public hearing on the plans and specifications and approved the construction documents at the September 19<sup>th</sup> meeting. The park improvements include sidewalks, plantings, benches, irregular rock walls, and other ground covers and will enhance the new Victory Park and compliment the sculpture highlighting the historic swinging bridge which was destroyed during the 2008 flood.

Bids were opened on September 16<sup>th</sup>, and we received a single bid from Building & Grounds, LLC dba Super Landscapes from Ossian, Iowa. Since Super Landscapes bid for the project was higher than the funds budgeted for the project, we have worked with the Contractor to decrease the scope of the project to lower the construction cost. Super Landscapes original bid amount was \$72,932.00. We have eliminated 200 square feet of proposed sidewalk. The decreased sidewalk area also eliminates the need for the construction of pedestrian curb ramps at the intersection of Clark Street and Illinois Street and eliminates the installation of two (2) benches. The decrease cost for this work is \$8,840.00. The area around the sculpture was planned to be paved with special porous pavement. In lieu of the porous pavement the Contractor will pave this area with stained concrete and seal the concrete to help protect the surface. Using stained concrete instead of porous pavement reduces the cost by \$10,003.00

These changes to the project do not negatively affect the scope of the project, and the deleted sidewalk work can be added in subsequent budgets to complete the total project in a phased approach. The Park Board concurs in the proposed changes to the project. The new contract amount that will be awarded to Super Landscapes is \$54,089 or \$18,843 less than the original bid amount.

I recommend approval of Resolution 70-16 awarding the bid to Super Landscapes LLC in the amount of \$54,089.00

**RESOLUTION NO. 70-16**

*RESOLUTION AWARDING CONTRACT FOR THE 2016 VICTORY PARK  
IMPROVEMENT PROJECT, CHARLES CITY, IOWA*

WHEREAS, the City Council of the City of Charles City, Iowa has by prior resolution published notice of letting on the 2016 Victory Park Improvement Project, set forth in the preamble hereof, and

WHEREAS, there were no written or oral objections at said hearing and Building and Grounds LLC d/b/a Super Landscapes of Ossian, Iowa was the best bidder in the amount of \$\_\_\_\_\_ ; and

WHEREAS, it is in the best interest of the citizens of the City of Charles City, that said improvements be completed.

NOW, THEREFORE, BE IT RESOLVED by the City of Charles City, Iowa meeting in regular session on this 17<sup>th</sup> day of October, 2016, that a contract is hereby awarded to Building and Grounds, LLC d/b/a Super landscapes of Ossian, Iowa in the amount of \$\_\_\_\_\_ for the 2016 Victory Park Improvement Project.

COUNCIL MEMBER moved the adoption of the foregoing Resolution;

COUNCIL MEMBER seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 17<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Jerry Joerger, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Trudy O'Donnell, City Clerk

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## AGENDA ITEM SUMMARY

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**Subject: Review lease agreement with Laurie Pederson for portion of FEMA lot on St. Mary Street**

**Recommendation: Consider Resolution 81-16 approving lease agreement**

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**Background Summary:**

Laurie Pederson owns the property at 1202 Clark Street. This house is located across the street from IC School. The property does not have direct street access from Clark Street, but there is a shared driveway between 1202 and 1204 Clark Street. Until recently, Ms. Pederson could use the rear of the property located at 1200 Clark Street to access her property from St. Mary Street.

Ms. Pederson recently submitted a request to lease a portion of the City owned lot located at 102 St Mary Street, and use this City owned property as a way to access the rear portion of her 1202 Clark Street property. The City acquired this property through the FEMA buyout program following the 2008 flood event.

An amount of \$50 per year for each of the next 3 years has been proposed. A revised agreement has been attached that includes the price of \$150 for the three years and also a reference in Section 4 that any maintenance is the responsibility of the lessee. Brad thinks that should cover her removal of trees/shrubs to install the driveway being her responsibility.

**RESOLUTION NO. 81-16**

**RESOLUTION APPROVING LEASE AGREEMENT FOR CITY PROPERTY**

WHEREAS, the City Council of the City of Charles City, Iowa is hereby interested in leasing a portion of City property located at 102 St. Mary's Street and legally described as follows: The Northeasterly 60 feet of Lot Eight, Block One Hundred fifty-eight, Lane's Addition to Charles City, Iowa , and

WHEREAS, Laurie Pederson is interested in leasing a portion of the above property to be used for driveway access to her property located at 1202 Clark Street for three years commencing October 18, 2016 and ending October 18, 2019, and

WHEREAS, the said Tenant, in consideration of the City leasing a section ten feet in width over and across the North one-half of the West Three-quarters of its parcel described above for the purpose of gaining access to her property at 1202 Clark Street, does agree to pay the City the sum of \$150 for a three year term commencing October 18, 2016 and ending October 18, 2019. The lessee may place gravel within the access area but no permanent improvement is allowed. The lessee shall be responsible for general maintenance associated with the use of the access area at her own expense. Upon termination, the Lessee shall be responsible for returning the property to the City in its original condition, ordinary wear and tear excepted. The Tenant also agrees to hold the City harmless from and shall indemnify the city for any claims asserted against the city arising from the lessor's use of the leased premises.

NOW, THEREFORE IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CHARLES CITY, IOWA, that the lease agreement is approved and the Mayor and City Clerk are authorized and directed to execute same with Laurie Pederson.

COUNCIL MEMBER moved the adoption of the foregoing Resolution;

COUNCIL MEMBER seconded the motion to adopt, and on roll call the voting was as follows:

AYES:

NAYS:

Passed and approved this 17<sup>th</sup> day of October, 2016.

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Jerry Joerger, Mayor Pro Tem

## LEASE AGREEMENT

Laurie Pederson (Lessee) is the owner of residential real property at 1202 Clark Street in Charles City, Iowa, legally described as:

The Southeast One-half of Lots Nine and Ten, Block One Hundred Fifty-eight, Lane's Addition to Charles City, Iowa

The City of Charles City, Iowa (Lessor) is the owner of an adjacent "FEMA" lot legally described as:

The Northeasterly 60 feet of Lot Eight, Block One Hundred Fifty-eight, Lane's Addition to Charles City, Iowa.

The Lessee wishes to acquire an additional access to her residential property through the property owned by the Lessor as above described, and the Lessor is willing to provide such access on the terms and provisions set forth herein.

NOW THEREFORE BE IT AGREED by the undersigned Lessor and Lessee as follows:

1. Lease of Driveway Access. The Lessor hereby leases to Lessee a driveway access ten feet in width over and across the North One-half of the West Three-Quarters of its parcel, as above described, from St. Mary's Street to the Lessee's residential parcel as described above.
2. Term of Lease. The term of this lease shall be three years, except that the Lessor may terminate the lease earlier upon twenty-four hour notice to the Lessee in the event that the Lessor determines, in its sole discretion, that such easement interferes with a future use of the property by the Lessor or violates any statute or ordinance of the City, the State, or the federal government.
3. Rent. The rent for the leasehold rights granted by Lessor to Lessee herein shall be \$150.00 for the three year term of the lease, payable in full upon execution of this Agreement by both parties and approval by the City Council. If the lease is terminated by the Lessor prior to the conclusion of the full three year term, then the Lessor shall reimburse the Lessee a prorated portion of the rent representing the unfulfilled portion of the lease term.
4. Maintenance. The Lessee may place gravel within the access area in order to provide a satisfactory driveway surface and shall thereafter maintain such surface in good condition. No permanent surface or other permanent improvement may be placed within the leased area. The Lessee shall be responsible for general maintenance associated with the use of the access area at her own cost and expense. Upon termination of this lease, Lessee shall be responsible for returning the property to the City in its original condition, ordinary wear and tear excepted.

5. Indemnification. The Lessee shall hold the Lessor harmless from and shall indemnify the Lessor for any claims asserted against the Lessor arising from the Lessee's use of the leased premises.
6. Contingency. This lease will be contingent upon approval by the City Council of the Lessor.

LESSOR

LESSEE

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City of Charles City, Iowa  
James A. Erb, Mayor

---

Laurie Pederson

Attest:

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Trudy O'Donnell, City Clerk

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## AGENDA ITEM SUMMARY

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**Subject: Consider motion to accept easements for sidewalk and storm sewer extension projects**

**Recommendation: Approve motion authorizing the Mayor to sign the easement agreements accepting the temporary construction and permanent easements for the 2016 Miscellaneous Sidewalks Project and the 2016 Storm Sewer Extension and Intake Project**

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**Background Summary:**

The City is working on two sidewalk projects to create ADA accessible walkways and a short storm sewer extension which will require the acquisition of easements for the construction of the projects. The sidewalk projects include a connection between South Cedar Terrace and Kwik-Star and pedestrian curb ramps at the northwesterly corner of Blunt and North Jackson. The Storm sewer project includes a short extension of 12" storm sewer and placement of an intake between the properties on Park and Central Avenues immediately north of First Avenue.

Both sidewalk projects will each require the acquisition of temporary construction easements for the construction and grading of the private property abutting the sidewalks. The City will need to acquire both a permanent easement and a temporary construction easement for the construction of the storm sewer project. We will acquire a 15 foot wide permanent easement for future maintenance of the storm sewer facility and a wider temporary construction easement to allow access and room to construct the storm sewer extension.

We recommend the Council approve of the motion and authorize the Mayor to sign the easement agreements on behalf of the City of Charles City.

Prepared by and Return to: Ralph A. Smith, 200 N. Johnson St., Charles City, IA 50616, 641-228-4533

### EASEMENT AGREEMENT

WHEREAS, Daniel L. Kehret and Allisa S. Kehret, husband and wife, are owners of Lot 8 and Lot 7, except the North 45 feet thereof, in Block 3, Highland Terrace Addition to Charles City, Iowa; and

WHEREAS, Wayne Davis as Trustee of the Wayne Davis Revocable Trust, and Patricia Davis as Trustee of the Patricia Davis Revocable Trust, are owners as tenants in common of Lot 9, Block 3, Highland Terrace Addition to Charles City, Iowa; and

WHEREAS, Terri L. Jacobs, a single person, is the owner of Lot 10, in Block 3, Highland Terrace Addition to Charles City, Iowa; and

WHEREAS, the aforesaid owners are collectively referred to herein as Grantors; and

WHEREAS, the City of Charles City, Iowa (herein after referred to as Grantee) proposes to extend a storm sewer main within a portion of the properties owned by the Grantors, and for this purpose needs to acquire both a permanent easement for the construction and future location, maintenance, and repair of this storm sewer main and related appurtenant equipment, together with a temporary construction easement associated with the initial construction of the storm sewer main extension and appurtenant improvements; and

WHEREAS, the Grantors acknowledge the benefit to their properties conferred by the construction of this utility improvement.

NOW THEREFORE in consideration of \$1.00 and other good and valuable consideration the Grantors and Grantee agree as follows:

1. Grant of Permanent Easement. Grantors hereby grant and convey to the Grantee for the use and benefit of the Grantee a Permanent Easement under, over, through, and across that portion of their properties described in Exhibit A attached hereto and by this reference made a part hereof for the purpose of constructing, reconstructing, repairing, enlarging, maintaining, accessing, and operating a storm sewer main, together with necessary appurtenant improvements above and below ground, under, over, through, and across the Permanent Easement area.

2. Temporary Construction Easement. Grantors further hereby grant and convey to the Grantee, its agents, contractors, and employees, a temporary construction easement within the area described in Exhibit A attached hereto and by this reference made a part hereof for all purposes related to the construction of the storm sewer main and appurtenant equipment within the Permanent Easement area, including but not limited to hauling, transporting, and storage of materials and equipment during construction of the storm sewer main. This temporary construction easement will terminate upon conclusion of the construction work.
3. Improvements/Easements Prohibited. Grantors shall not erect any structure or improvement over or within the Permanent Easement area without obtaining the prior written consent of the Grantee. Grantors shall also not change the grade, elevation, or contour, or any part of the Permanent Easement area without first submitting a description of the proposed change of grade, elevation, or contour to the Grantee for review and comment. Grantors shall also not grant or convey easements to other individuals or entities both above and below ground, under, over, through, or across the Permanent Easement area without first submitting a description of the proposed easement to the Grantee for review and a determination by the Grantee that such easement will not interfere with the use of its easements.
4. Right of Access. The Grantee shall have a permanent right of access to the Permanent Easement area and shall have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Permanent Easement area as herein described including, but not limited to, the right to remove any unauthorized obstructions or structures placed or erected on the Permanent Easement area.
5. Duty to Repair. The Grantee agrees that following construction activities that the property of the Grantors will be restored to its original condition at no expense to the Grantors.
6. Easement Runs with the Land. The easements granted herein are deemed to run with the land and shall be binding on the Grantors and on their successors and assigns.
7. Warranty of Title. Grantors do hereby covenant with the Grantee that the Grantors hold both the Permanent Easement area and the temporary construction easement area by title in fee simple, and that Grantors have good and lawful authority to convey the same and that Grantors covenant to warrant and defend the same premises against the lawful claims of all persons whomsoever.
8. Representations. No representations made by either the Grantors or the Grantee associated with the acquisition of the easements set forth herein may be relied upon unless incorporated herein in writing. This Agreement constitutes the entire agreement between the Grantors and the Grantee and there is no agreement to do or not to do any act or deed except as specifically provided herein.
9. Contingency. This Agreement shall only become effective and enforceable upon approval by the City Council of the Grantee.

GRANTEE

GRANTORS

\_\_\_\_\_  
Daniel L. Kehret

\_\_\_\_\_  
City of Charles City, Iowa  
by James A. Erb, Mayor

\_\_\_\_\_  
Allisa S. Kehret

Attest:

\_\_\_\_\_  
Trudy O'Donnell, City Clerk

\_\_\_\_\_  
Wayne Davis, Trustee  
Wayne Davis Revocable Trust

\_\_\_\_\_  
Patricia Davis, Trustee  
Patricia Davis Revocable Trust

\_\_\_\_\_  
Terri L. Jacobs

STATE OF IOWA, COUNTY OF FLOYD )ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Daniel L. Kehret and Allisa S. Kehret, husband and wife, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF FLOYD )ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Wayne Davis, Trustee of the Wayne Davis Revocable Trust, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF FLOYD )ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Patricia Davis, Trustee of the Patricia Davis Revocable Trust, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF FLOYD )ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terri L. Jacobs to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF FLOYD )ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public in and for the state of Iowa, personally appeared James A. Erb and Trudy O'Donnell, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Charles City, Iowa; that the seal affixed to the foregoing instrument is the seal of said municipality of Charles City, Iowa, and that the instrument was signed and sealed on behalf of said City by authority of its City Council, and that James A. Erb and Trudy O'Donnell acknowledged the execution of the instrument to be the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

## EXHIBIT A

### PERMANENT EASEMENT AREA

The East 12 feet of Lot 9; the East 12 feet of the South 12 feet of Lot 10; and the West 3 feet of the South 87 feet of Lot 8 and Lot 7, except the North 45 feet thereof, all being in Block 3, Highland Terrace Addition to Charles City, Iowa

### TEMPORARY CONSTRUCTION EASEMENT AREA

The East 22 feet of Lot 9; and the West 18 feet of Lot 8 and Lot 7, except the North 45 feet thereof, all being in Block 3, Highland Terrace Addition to Charles City, Iowa

TEMPORARY EASEMENT AGREEMENT

WHEREAS Lane R. Schradle and Sigrid A. Schradle, husband and wife (Grantors), are the owners of property at 401 N. Jackson Street in Charles City, Iowa; and

WHEREAS the City of Charles City, Iowa (Grantee) desires to make alterations in the grade of the sidewalk pavement located on the Grantors' property at the northwesterly corner of North Jackson Street and Blunt Street in order to provide ADA compliant sidewalks at the location; and

WHEREAS the Grantee, as part of this re-grading will be required to enter upon the area shown in the attached exhibit (the Easement Area) in order to do PCC sidewalk work within the City right-of-way and to regrade the property of the Grantors in the Easement Area to match it to the surface of the sidewalk pavement.

NOW THEREFORE in consideration of the benefit conferred upon the Grantors from the work to be performed by the Grantee it is agreed as follows:

1. The Grantors hereby grants a temporary easement to the Grantee to enter upon the Easement Area as depicted in the attached exhibit for the purpose of performing construction work within the City right-of-way and for the purpose of re-grading the Grantors' property within this Easement Area as necessary to match the grade of the surface to the PCC sidewalk surface.
2. The Grantee agrees to hold the Grantors harmless from and to indemnify the Grantors for any claims asserted against the Grantors for damages to persons or property arising from the work performed by the City within the easement area including any reasonable legal costs incurred in defending against such claims or actions.
3. This easement will terminate upon conclusion of the construction work and acceptance of this work by the City and in any case no later than November 30, 2016.
4. Grantors hereby warrant that they are the owners in fee simple of the property affected by this easement agreement and that they have the right to grant this temporary easement.

GRANTORS

GRANTEE

\_\_\_\_\_  
Lane R. Schradle

\_\_\_\_\_  
Jim Erb, Mayor

\_\_\_\_\_  
Sigrid A. Schradle

Attested to by:

\_\_\_\_\_  
Trudy O'Donnell, City Clerk

TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) KT Real Estate Holdings, LLC, a Delaware Limited Liability Company, Successor to Convenience Store Investments, Grantor, hereby grants to the City of Charles City, Iowa, Grantee, a temporary construction easement to be used for sidewalk improvement purposes on all that part of the following described property in Floyd County, Iowa, provided however that such Easement shall not interfere with Grantor's business operation or access thereto:

The Southeasterly 75 feet of vacated Court Street and the Southwesterly 20 feet of Lot 1 Block A all located in Kelly and Company's Addition to St. Charles, now incorporated in and a part of Charles City, Floyd County, Iowa.

This temporary construction easement is granted during the construction period of Grantee's sidewalk improvement project, provided that such easement shall terminate upon completion of the construction project, but no later than November 30, 2016. Grantee's use of the easement property shall be subject to a duty to restore the property to a condition reasonably similar to its condition prior to use by the Grantee.

Grantee shall and hereby does indemnify Grantor for any claim, loss, damage, cost and expense whatsoever incurred by Grantor, including without limitation, reasonable attorneys' fees, as a result of the exercise of Grantee's easement rights hereunder.

Grantor does hereby covenant with the Grantee that the Grantor holds the temporary construction easement area by title in fee simple, and that Grantor has good and lawful authority to convey the same.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2016.

GRANTOR:

GRANTEE:

KT REAL ESTATE HOLDINGS, LLC

THE CITY OF CHARLES CITY, IOWA

By: \_\_\_\_\_

By: \_\_\_\_\_