

City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

MAYOR: Gary Lybarger
COUNCIL: Randy White, Rich Madison, Gabe Carroll, Marsha Wilson, Dave Koets, Christine Nielsen, Steve Wintermute
CITY CLERK: Lisa Williamson
CITY ADMINISTRATOR: Mike Taylor
CO-CITY ATTORNEYS: Skip Kenyon & Marion James

Regular Meeting Agenda
City Hall/Restored Depot
Council Chambers
Tuesday, May 3, 2016
6:00 p.m.
Friday, April 29, 2016

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of Agenda**
5. **Consider Adoption of the Consent Agenda – NOTE: These items are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.**
 1. **Minutes:** April 19, 2016 – Regular Meeting; April 27, 2016 – Special Meeting
 2. **Claims & Fund Transfers:**
 - i) **Total Claims - \$130,361.61**
 - ii) **Fund Transfers - \$38,341.46**
 3. **Liquor License:** Colburn's Corner Saloon – Class LC w/Outdoor Service & Sunday Sales; The Lobby – Class LC w/Sunday Sales; Hy-Vee – Class LE w/Sunday Sales; **Refund of former Sidetracked Again Liquor License**
6. **Public Forum – the Mayor and City Council welcome comments from the public on any subject pertaining to City business, including items on this agenda. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Chair. No action can be taken.**
7. **New Business**
 1. **Public Hearing** to receive public comment concerning amendment of the current budget for FY Ending June 30, 2016
 2. **Resolution** to approve amending the current budget of the City of Creston for FY Ending June 30, 2016
 3. **Public Hearing** to receive public comment to Consider \$875,000 General Obligation Refunding Capital Loan Notes 2016A
 4. **Resolution** to approve Consideration of \$875,000 General Obligation Refunding Capital Loan Notes 2016A
 5. **Public Hearing** to receive public comment regarding an easement request to place a fence in City right-of-way at 605 S Pine
 6. **Resolution** to approve easement request to place a fence in City right-of-way at 605 S Pine
 7. **Resolution** to approve replacement of sidewalk on the east side of Sumner Avenue from Fremont Street north through the pedestrian tunnel

8. **Resolution** to approve amending Engineering Agreement with Walker Coen Lorentzen Architects, Inc. for the Restored Depot Exterior Opening Restoration Project
9. **Resolution** to approve funding request by 10,000 Crestonians 4th of July Committee for \$5,500.00 to be paid from the Hotel-Motel Fund to help with expenses of the event held July 1 – July 4
10. **Resolution** to accept USDA Grant in the amount of \$16,500 on behalf of the Police Department
11. **Resolution** to set dates for Bid Letting on May 31, 2016, and Public Hearing on June 7, 2016, at 6:00 p.m. for the Replace Runway 16/34 VASIs (with PAPIs) and REILs, Creston Municipal Airport Project
12. **Resolution** to approve hiring an Equipment Operator I for the Street Department
13. **Appointment** with Jim Garrett, Iowa State Legislative Director of SMART-Transportation Division (UTU)
 - i) Possible Action
14. **Nuisance Appeal Hearing** – Jack & Denise Willis for property located at 627 New York Avenue
15. **Appointment** with Fire Chief Todd Jackson – Rental Housing Regulations

8. **Other**

9. **WORK SESSION**

1. Appointment with Veenstra & Kimm to discuss waste work concerns, permit, contributor agreements

10. **Adjournment**

SPECIAL MEETING OF THE CRESTON CITY COUNCIL APRIL 27, 2016

The Creston City Council met in special session at 12:12 o'clock p.m. on the above date in the Council Chambers of the City Hall Complex with Mayor Lybarger presiding.

Roll call being taken with the following Council members present: Wintermute (via phone), Wilson, Madison and Nielsen. Koets, Carroll and White were absent.

Wilson moved seconded by Madison to approve the agenda. All voted aye. Koets, Carroll and White were absent. Motion declared carried.

Wilson moved seconded by Madison to approve a new liquor license for Sidetracked Again. All voted aye. Koets, Carroll and White were absent. Motion declared carried.

Motion was made by Wilson seconded by Madison to adjourn the meeting. All voted aye. Koets, Carroll and White were absent. Council adjourned at 12:14 p.m.

Mayor

Attest:

City Clerk

REGULAR MEETING OF THE CRESTON CITY COUNCIL APRIL 19, 2016

The Creston City Council met in regular session at 6:00 o'clock p.m. on the above date in the Council Chambers of the City Hall Complex with Mayor Lybarger presiding.

Roll call being taken with the following Council members present: Wintermute, Koets, Wilson, Carroll, Madison, White and Nielsen.

Wilson moved seconded by Madison to approve the agenda as amended. All voted aye. Motion declared carried.

Wilson moved seconded by Madison to approve the consent agenda, which included approval of minutes of April 5, 2016-regular meeting and April 13, 2016-special meeting; claims of \$127,577.92; liquor license renewals for Casey's #2422, #2423 and #2424. All voted aye. Motion declared carried.

During Public Forum, Gary Borcharding, Creston Park & Recreation Board member, wanted to give advanced thanks to the high school and college students and anyone else that would be participating in the Hurley Creek cleanup on Saturday.

Mayor Lybarger added that it would be nice if our citizens took part and cleaned up their yards.

A resolution was offered by Madison seconded by White to set a Public Hearing on May 3, 2016, at 6:00 p.m. for the purpose of amending the current budget of the City of Creston for the FY Ending June 30, 2016 and authorize the Mayor and Clerk to execute the proper documentation. Nielsen, Wintermute, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment on the McKinley Lake Water Quality Improvement Project – Phase 1. He asked if anyone wished to speak in favor of the Project; no one did. He asked if there was any written correspondence in favor of the Project; there was none. He asked if anyone wished to speak against the Project; no one did. He asked if there was any written correspondence against the Project; there was none. He then called the Public Hearing to a close.

A resolution was offered by White seconded by Wintermute to accept bids and approve contract with C&J Conservation, LLC, for \$218,570.00, for the McKinley Lake Water Quality Improvement Project – Phase I and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wilson, Carroll, Madison, White, Nielsen and Wintermute voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment regarding the proposal of the City of Creston entering into a Development Agreement with Sonntag Development, LLC. He asked if anyone wished to speak in favor of the Agreement; no one did. He asked if there was any written correspondence in favor of the Agreement; there was none. He asked if anyone wished to speak against the Agreement; no one did. He asked if there was any written correspondence against the Agreement; there was none. He then called the Public Hearing to a close.

A resolution was offered by Wintermute seconded by Wilson to approve the City of Creston entering into a Development Agreement with Sonntag Development, LLC and authorize the Mayor and Clerk to execute the proper documentation. Carroll, Madison, White, Nielsen, Wintermute, Koets and Wilson voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment regarding the proposal of the City of Creston entering into a Development Agreement with Creston Development Group, LLC. He asked if anyone wished to speak in favor of the Agreement; no one did. He asked if there was any written correspondence in favor of the Agreement; there was none. He asked if anyone wished to speak against the Agreement; no one did. He asked if there was any written correspondence against the Agreement; there was none. He then called the Public Hearing to a close.

A resolution was offered by Wilson seconded by Madison to approve the City of Creston entering into a Development Agreement with Creston Development Group, LLC and authorize the Mayor and Clerk to execute the proper documentation. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment regarding the City of Creston entering into a Lease Agreement for a new dump truck for the Street Department. He asked if anyone wished to speak in favor of the Agreement; no one did. He asked if there was any written correspondence in favor of the Agreement; there was none. He asked if anyone wished to speak against the Agreement; no one did. He asked if there was any written correspondence against the Agreement; there was none. He then called the Public Hearing to a close.

A resolution was offered by Wilson seconded by White to approve the City entering into a five-year lease agreement with US Bancorp Government Leasing and Financing for a new dump truck for the Street Department and authorize the Mayor and Clerk to execute the proper documentation. Nielsen, Wintermute, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment regarding the proposed sale of City-owned property located at 908 West Adair Street to Habitat for Humanity of Union County for \$1.00. He asked if anyone wished to speak in favor of the proposed sale; no one did. He asked if there was any written correspondence in favor of the proposed sale; there was none. He asked if anyone wished to speak against the proposed sale; no one did. He asked if there was any written correspondence against the proposed sale; there was none. He then called the Public Hearing to a close.

A resolution was offered by Madison seconded by Wilson to approve the sale of City-owned property located at 908 West Adair Street to Habitat for Humanity of Union County for \$1.00, plus all publication, recording and legal fees and authorize the Mayor and Clerk to execute the proper documentation. Carroll, Madison, White, Nielsen, Wintermute, Koets and Wilson voted aye. Resolution declared passed.

Mayor Lybarger announced that now was the time for a Public Hearing to receive public comment regarding the proposal to establish an ordinance regarding rules and regulations for RAGBRAI in the City of Creston. He asked if anyone wished to speak in

favor of the ordinance; Gus King, co-owner of the Elm's Club, asked Council to consider allowing them to hold an event in front of the Elm's Club during the day before the Creston RAGBRAI Committee's bands and beer garden opened up. Ellen Gerharz, representing the Creston RAGBRAI Committee spoke to Council explaining the importance of having this ordinance in place. Mayor Lybarger asked if there was any written correspondence in favor of the ordinance; there was none. He asked if anyone wished to speak against the ordinance; no one did. He asked if there was any written correspondence against the ordinance; there was none. He then called the Public Hearing to a close.

Wilson moved seconded by Madison to Establish the First Reading of Ordinance 16-166 – AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR RAGBRAI IN THE CITY OF CRESTON. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. First Reading Established.

Koets moved seconded by Nielsen to Waive the Second Reading of Ordinance 16-166 – AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR RAGBRAI IN THE CITY OF CRESTON. Wintermute, Koets, Wilson, Carroll, Madison, White and Nielsen voted aye. Second Reading Waived.

Wilson moved seconded by Madison to Establish the Second Reading of Ordinance 16-166 – AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR RAGBRAI IN THE CITY OF CRESTON. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Second Reading Established.

Wilson moved seconded by Wintermute to Waive the Third and Final Reading of Ordinance 16-166 – AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR RAGBRAI IN THE CITY OF CRESTON. Koets, Wilson, Carroll, Madison, White, Nielsen and Wintermute voted aye. Third and Final Reading Waived.

Madison moved seconded by Carroll to Establish the Third and Final Reading of Ordinance 16-166 – AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR RAGBRAI IN THE CITY OF CRESTON. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Third and Final Reading Established.

A resolution was offered by Madison seconded by Carroll to accept bids and award contract for Lease of Hay Ground at the Waste Water Treatment Plant to Jared Johnson for \$101 per acre and authorize the Mayor and Clerk to execute the proper documentation. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Carroll to accept bids and award contract for Lease of Hay Ground near north property line of the "Taylor Property" to Jared Johnson for \$101 per acre and authorize the Mayor and Clerk to execute the proper documentation. Madison, White, Nielsen, Wintermute, Koets, Wilson and Carroll voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Madison to accept bids and award contract for Lease of Hay Ground at the Airport to Travis West for \$70 per acre and authorize the Mayor and Clerk to execute the proper documentation. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

A resolution was offered by White seconded by Madison to set a Public Hearing on May 3, 2016, at 6:00 p.m. to Consider \$875,000 General Obligation Refunding Capital Loan Notes 2016A and authorize the Mayor and Clerk to execute the proper documentation. Nielsen, Wintermute, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Wintermute to approve the purchase of new mowing equipment for the Cemetery and Park Departments as budgeted in FY '17 and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wilson, Carroll, Madison, White, Nielsen and Wintermute voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Madison to accept bids and award contract for asbestos removal at 701 West Adams Street to Mid-Iowa Environmental for \$2,700.00 and authorize the Mayor and Clerk to execute the proper documentation. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Madison to bid and award contract for hazardous waste removal at 701 West Adams Street to Hydro-Klean for \$1,635.00 and authorize the Mayor and Clerk to execute the proper documentation. Nielsen, Wintermute, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

A resolution was offered by Wintermute seconded by Madison to set a Public Hearing on May 3, 2016, at 6:00 p.m. for an easement request to place a fence in the City right-of-way at 605 South Pine Street and authorize the Mayor and Clerk to execute the proper documentation. White, Nielsen, Wintermute, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

A resolution was offered by Wintermute seconded by Carroll to allow Creston CWC, Inc., a local not-for-profit group, to provide hanging flower baskets, brackets and flower maintenance for 12 of the existing light poles along Adams Street from Memorial Day to Labor Day and authorize the Mayor and Clerk to execute the proper documentation. Madison, White, Nielsen, Wintermute, Koets, Wilson and Carroll voted aye. Resolution declared passed.

Mayor Lybarger asked Mr. King, Elm's Club, if he had any further discussion regarding his request, he did not.

Under Other, Bill Eads, District Operations Manager of Waste Management, discussed the abuse issues they are having with the cardboard recycling containers located in the Fareway parking lot. These are emptied twice a week at approximately 10:00 a.m. Monday mornings and 11:00 a.m. Thursday mornings. Waste Management has determined that the commercial businesses located in Creston are using these containers when these have been placed there for residential use. Once these containers are full, people are leaving their items outside on the ground and Waste Management has to pick that up as well, which can sometimes take up to a half hour. Waste Management would like to place magnetic signs on the bins that state "For Residential Use Only," and "No Littering." These containers will be removed July 1 when the Residential Recycling begins.

Mr. Eads also gave an update on the Residential Recycling that will begin July 1, 2016. The recycling totes will have a yellow lid and these will be delivered during the last two weeks of June. Recycling will be picked up twice a month. Their current plan is to pick up one-half of the residents' recycling on one Friday and the other half of the residents' recycling on the following Friday.

Councilperson Wintermute asked who is in charge of the Cedar Street Underpass. Kevin Kruse, Public Works Director, told him the underpass itself belongs to the railroad. The condition of the road through the underpass is terrible and to this point, the railroad has done nothing to repair it. The City tries to patch it weekly with cold patch as best they can on Mondays, but because of the water under the floor, the patch will not hold. Mr. Taylor has been in contact with someone at BNSF and told Council he will provide them the contact information.

Councilperson Carroll previously discussed the condition of the pedestrian sidewalk next to the Highway 25 Underpass with Mr. Taylor. Mr. Kruse said it will cost approximately \$4,000 - \$5,000 to replace the sidewalk. It will be put on the next Council Meeting agenda for approval to replace the sidewalk on the east side of Sumner Avenue north through the pedestrian tunnel.

Mr. Kruse updated Council on a request previously received from Bob Vogel to clean out the ditch located north of his property. He said they cut out brush in front of the mouth of the culvert, but can't clean the ditch further upstream as it's not the City's responsibility. When it was done previously, it was done by FEMA after the floods of 1993.

Mr. Kruse also mentioned that since there will be sewer going in on the west side of McKinley Lake at Adams Street, he's received calls from three residents that live outside of City limits, and would like to hook on to the city sewer system. He asked Council to give some thought to this, and if they decide to allow it, what type of fees would be associated with this?

Councilperson Wintermute asked where they were at with the possibility of hiring a nuisance officer. Mr. Taylor said even though they have cut positions from other departments in Fiscal Year '16, and not replacing those positions in Fiscal Year '17, they could fund a position for this from the General Fund. It would have an effect on the City's borrowing position in the future, as the fund balance is what is taken into consideration for lending purposes.

Motion was made by Madison seconded by White to adjourn the meeting. All voted aye. Council adjourned at 7:36 p.m.

Mayor

Attest:

City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
POLICE PROTECTION	GENERAL FUND	IOWA DEPT OF PUBLIC DEFENSE	LODGING-RIFLE SCHOOL-CARR	124.00		
			CARPENTER UNIFORM CO & WINDSTREAM	CUFF CASE/FLASHLGT HOLDER	57.99	
		MAINSTAY SYSTEMS INC	TELEPHONE	57.26		
			BATTERIES FOR CAR MDT	108.00		
		PETTY CASH - POLICE	USPS-POSTAGE	6.80		
			USPS-POSTAGE	6.45		
			USPS-POSTAGE	6.74		
			USPS-POSTAGE	6.80		
					TOTAL:	374.04
		FIRE PROTECTION	GENERAL FUND	BIG BOYZ TOYZ, INC.	ITEMS FOR BRUSH TRUCK	1,776.00
ED M FELD EQUIP CO INC	REPAIR RESCUE RAM				90.00	
WINDSTREAM	SCBA MASKS			550.00		
	TELEPHONE			226.77		
M & M BUICK GMC, INC	2016 DODGE RAM 3500			29,602.00		
	TOTAL:			32,244.77		
BUILDNG & HSNG SAFETY	GENERAL FUND			CJ COOPER & ASSOCIATES INC	RANDOM DRUG SCREEN-BRUCE	35.00
		WINDSTREAM	TELEPHONE		59.58	
					TOTAL:	94.58
ANIMAL CONTROL	GENERAL FUND	CRESTON VET CLINIC PC	EUTHANIZE POUND CAT	6.95		
			FARM & HOME SUPPLY INC	DOG FOOD	80.34	
		WAL-MART COMMUNITY	CAT LITTER	39.64		
			CAT LITTER/WATER NOZZLES	67.42		
					TOTAL:	194.35
AIF	GENERAL FUND	WINDSTREAM	TELEPHONE	167.80		
			IOWA PUBLIC AIRPORTS ASSOCIATION	IA AVIATION CONFERENCE	99.00	
		SIRWA	WATER-AIRPORT	33.00		
						TOTAL:
LIBRARY SERVICES	GENERAL FUND	DENNIS LAMASTERS	COMPUTER REPAIR	97.50		
			GALE CENGAGE LEARNING	LARGE PRINT MATERIAL	14.39	
		WINDSTREAM	TELEPHONE	233.89		
			MICROMARKETING LLC	NEW MATERIALS	106.99	
		OMAHA WORLD-HERALD	ANNUAL SUBSCRIPTION DUES	119.60		
		US POST OFFICE	STAMPS	735.00		
		WAL-MART COMMUNITY	LAMP SHADE/FLAG/LABELS	35.84		
			CLEANING SUPP/LIGHT BULBS	33.08		
					TOTAL:	1,376.29
		PARKS	GENERAL FUND	ARAMARK UNIFORM & CAREER APPAREL GROUP	UNIFORMS-PARK	8.00
UNIFORMS-PARK	8.00					
B M SALES	{4} CASES CAN LINERS			178.00		
	BYERS, JUSTIN G			KEYS & PADLOCKS	29.40	
CRESTON CITY WATER WORKS	WATER-TAYLOR PARK			1.81		
	WATER-MCKINLEY PARK			1.81		
	WATER-HISTORICAL COMPLEX			9.07		
	WATER-CAMPGROUND			2.12		
	WATER-MCKINLEY PARK			9.07		
FARM & HOME SUPPLY INC	{8} 20G TRASH CANS			107.52		
	CLAMPS			25.92		
WINDSTREAM	CHAIN			29.75		
	TELEPHONE			55.13		
	EMPLOYERS COUNCIL OF IOWA			HIRING OUR TEENS TRAINING	10.00	

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ECHO GROUP INC	(3) 100W LIGHT BULBS	28.83
		RJ'S PORTABLES	PORTA-POTTIES-CAMPGROUND	75.00
			PORTA-POTTIE SOCCER FIELD	75.00
			TOTAL:	654.43
RECREATION	GENERAL FUND	ZACHARY, BRIAN	YOUTH SOCCER T-SHIRTS	1,594.00
		B M SALES	(3) CASES CAN LINERS	133.50
		CRESTON CITY WATER WORKS	WATER-MCKINLEY BALLFIELD	1.81
			WATER-SEARS COMPLEX	2.12
			WATER-SEARS FOUNTAIN	2.12
		DES MOINES STEEL FENCE CO INC	SEARS COMPLEX-RPR FENCE	1,301.20
		FASTENAL	(6) CASES FIELD PAINT	190.61
		WINDSTREAM	TELEPHONE	59.58
		RJ'S PORTABLES	(3) PORTA-POTTIES BALLFIE	225.00
			TOTAL:	3,509.94
CEMETERY	GENERAL FUND	ARAMARK UNIFORM & CAREER APPAREL GROUP	UNIFORMS-CEMETERY	4.00
			UNIFORMS-CEMETERY	4.00
		WINDSTREAM	TELEPHONE	57.26
		EMPLOYERS COUNCIL OF IOWA	HIRING OUR TEENS TRAINING	10.00
		SIRWA	WATER-CEMETERY	33.00
		WAL-MART COMMUNITY	CLEANING SUPP/LATCH TOTES	39.57
			CLEANING SUPP/LATCH TOTES	40.70
			TAPE, SOIL	33.41
			BATTERIES	3.47
			SHOPVAC FILTER	10.97
			TOTAL:	236.38
SW. POOL	GENERAL FUND	B M SALES	(3) CASES CAN LINERS	133.50
		WINDSTREAM	TELEPHONE	15.98
			TOTAL:	149.48
FINANCIAL ADMINISTRATN	GENERAL FUND	INFO DOG SECURITY, LLC	INFO DOG SECURITY, LLC	34.95
		WILLIAMSON, LISA	REIMB MILEAGE-IMFOA CONF	86.67
		BANKERS LEASING CO	COPIER LEASE MAINT-MAY'16	216.64
		CRESTON CITY WATER WORKS	WATER-1707 W ADAMS	9.07
		NEWTEK TECHNOLOGY SERVICES	3 MONTH SERVICE-CITY WEBSI	50.85
		ELECTRONIC ENGINEERING CO	BATTERY-PORTABLE RADIO	58.00
		WINDSTREAM	TELEPHONE	354.43
		ALLIANT ENERGY-INT PWR&LGHT	ELEC & GAS-1707 W ADAMS	28.71
		ESA, INC	ASBESTOS REMOV-908 W ADAI	4,154.00
		STATE OF IOWA - AUDITOR	FILING FEE-FY15 AUDIT	625.00
			TOTAL:	5,618.32
LEGAL SERVICES	GENERAL FUND	AHLERS & COONEY, P.C.	PROF SVCS-SONNTAG DEVELOPM	4,534.92
		LYNCH DALLAS, PC	LEGAL SVS-EMPLOYEE MATTERS	99.00
			TOTAL:	4,633.92
CITY HALL	GENERAL FUND	WALKER COEN LORENTZEN ARCHITECTS	PROF. SERVICES-DEPOT REST	1,125.00
			PROF. SERV-DEPOT RESTORE	141.73
			TOTAL:	1,266.73
ROAD MAINTENANCE	ROAD USE TAX	AKIN BUILDING CENTER	MATERIALS FOR SALT SHED	1,874.42
		ARAMARK UNIFORM & CAREER APPAREL GROUP	UNIFORMS-STREET	48.99
			UNIFORMS-STREET	61.03
		CJ COOPER & ASSOCIATES INC	RANDOM DRUG SCREEN-JOHNSTO	35.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		CRESTON CITY WATER WORKS	WATER-CITY BARN	9.07
			WATER-CITY SHOP	58.32
		FARM & HOME SUPPLY INC	TRANSFER PUMP WATER TRUCK	279.00
			PARTS FOR WATER PUMP	54.88
			4' LEVEL/MISC HARDWARE	28.74
		WINDSTREAM	TELEPHONE	180.46
		GRIMES ASPHALT & PAVING CORP	15T COLD PATCH	2,394.40
		ECHO GROUP INC	100' FIBERGLASS TAPE	211.62
		IOWA DEPT OF TRANSPORTATION	(25) TRAFFIC CONES	223.50
		CRESTON MOTOR SUPPLY INC	STOOL CREEPER	113.14
		SCHILDBERG CONSTRUCTION COMPANY INC	250T CLASS D ROCK	1,238.87
			250T CLASS D ROCK	1,134.28
		TRANS-IOWA EQUIPMENT, INC	PARTS FOR SWEEPER	1,151.44
			TOTAL:	9,097.16
ADMIN-STREETS(ENGINR)	ROAD USE TAX	WINDSTREAM	TELEPHONE	59.58
		OFFICE DEPOT	(2) HP DESIGNJET PAPER	43.90
			TOTAL:	103.48
LIBRARY(RESTRICTED GIF RESTRICTED GIFTS-L MARKETING KINETICS LLC			MONTHLY CONTRACT-APR'16	5,265.00
		APPLE INC	ELECTRONIC EQUIPMENT	6,939.90
		INGRAM	NEW MATERIALS	29.90
			TOTAL:	12,234.80
SANITARY SEWER/WASTWTR SEWER OPERATING FU TESTAMERICA LABORATORIES, INC			WEEKLY TESTING	341.00
			WEEKLY TESTING	341.00
			METALS TEST	47.00
			WEEKLY TESTING	360.50
			WEEKLY TESTING	341.00
			(2) BODS	47.00
		CINTAS CORPORATION NO 2	MEDICAL SUPPLIES	105.33
		ARAMARK UNIFORM & CAREER APPAREL GROUP	UNIFORMS-WWTP	28.50
			UNIFORMS-WWTP	28.50
		B M SALES	TOWELS, WYPALLS	184.50
		CRESTON CITY WATER WORKS	WATER-WWTP	188.80
		D J GONGOL & ASSOC INC	FREIGHT ON PANEL VIEW	10.15
		DEZURIK INC	SEALS/GASKETS/PIN/SHAFT	87.00
		FARM & HOME SUPPLY INC	PIPES/CLAMPS/HOSE FITTING	12.01
			PIPES/CLAMPS/HOSE FITTING	17.70
			PIPES/CLAMPS/HOSE FITTING	8.86
		WINDSTREAM	TELEPHONE	438.64
		INDACOM ELECTRICAL SERVICE LLC	REPAIR GRIT TABLE	525.00
			OUTLET INSTALL-PILOT STUD	150.00
		ECHO GROUP INC	OUTLET COVER, LIGHT BULBS	119.42
		CRESTON MOTOR SUPPLY INC	(2) SNAP RING PLIERS	93.97
		NORTHERN TOOL & EQUIPMENT CO	PRESSURE WASHER #45811	349.99
			405943 SCAFFOLD	139.99
			405937 SCREW JACK	99.95
			405953 PLATFORM	239.98
			FREIGHT	104.30
		PETTY CASH - SANITATION	FARM & HOME-SCOOP	7.99
			NAPA-SUPPLIES	24.97
		USA BLUE BOOK	51545 SIGNS	70.81
		VEENSTRA & KIMM INC	ENG SVC FACILITY PLAN	240.00
			TOTAL:	4,753.86

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
ANIMAL CONTROL	ANIMAL SHELTER	*AG NORRIS, KAREN	SUCCESSFUL ADOPTION	20.00
		CRESTON VET CLINIC PC	SPRAY CAT-BOOTS-K. VICKER	112.00
			MEDICAL-S. KESSLER	75.50
			MEDICAL/VACC CAT "ZEUS"	182.15
			NEUTER CAT FOR R. LARKIN	65.00
			NEUTER DOG-P. SHIMER	87.00
			MEDICAL-L. KLECKNER DOG	100.00
			RECHECK TEETH CAT "ZEUS"	15.00
		DOWNEY, MYCALE	REIMBURSE-ARL & GAS	41.00
		SOUTHERN HILLS VET SVC INC	MEDICAL-"TINKERBELL"-SCOT	100.00
			TOTAL:	797.65

===== FUND TOTALS =====

001	GENERAL FUND	50,653.03
110	ROAD USE TAX	9,200.64
167	RESTRICTED GIFTS-LIBRARY	12,234.80
610	SEWER OPERATING FUND	4,753.86
953	ANIMAL SHELTER *AGENCY FU	797.65
GRAND TOTAL:		77,639.98

CITY OF CRESTON
MANUAL CHECKS/DEBITS - PERIOD ENDING 05/03/16

SELF FUNDING INSURANCE

SISCO	CLAIMS	1,603.76
SISCO	CLAIMS	26.55
SISCO	MONTHLY PREMIUM	51,004.32
KABEL	MONTHLY FEE	
SELF FUNDING INSURANCE	TOTAL	<u>\$ 52,634.63</u>

FINANCE DEPARTMENT

UNION COUNTY RECORDER	RECORDING FEES	60.00
FINANCE DEPARTMENT	TOTAL	<u>\$ 60.00</u>

AIRPORT

UNION COUNTY RECORDER	RECORDING FEES	27.00
AIRPORT	TOTAL	<u>\$ 27.00</u>

MANUAL CHECKS/DEBITS TOTAL

\$ 52,721.63

FUND TRANSFERS FOR PERIOD ENDING:

05/04/16
POSTING DATE

7. FOLLOWING TRANSFERS ARE SCHEDULED TO BE MADE AFTER COUNCIL APPROVAL:

AMOUNT	FROM	TO	-G/L ACCT-	DR	CR
\$ 250.00	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 001 3-4830 121 1110 001 1110	250.00 250.00	 250.00 250.00
<div style="border: 1px solid black; padding: 2px;"> FOR: ASBESTOS TEST-908 W ADAIR VENDOR: IOWA ENVIRONMENTAL SERVICES </div>					
\$ 4,154.00	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 001 3-4830 121 1110 001 1110	4,154.00 4,154.00	 4,154.00 4,154.00
<div style="border: 1px solid black; padding: 2px;"> FOR: ASBESTOS REMOVAL-908 W ADAIR VENDOR: ESA, INC </div>					
\$ 2,856.10	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 001 3-4830 121 1110 001 1110	2,856.10 2,856.10	 2,856.10 2,856.10
<div style="border: 1px solid black; padding: 2px;"> FOR: HOUSE DEMO-908 W ADAIR VENDOR: PRAIRIE SOLID WASTE AGENCY </div>					
\$ 14,048.52	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 001 3-4830 121 1110 001 1110	14,048.52 14,048.52	 14,048.52 14,048.52
<div style="border: 1px solid black; padding: 2px;"> FOR: DEPOT RESTORATION PROJECT VENDOR: WALKER COEN LORENTZEN ARCHITECTS </div>					
\$ 170.20	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 121 1110 001 1110 001 3-4830	170.20 170.20	 170.20 170.20
<div style="border: 1px solid black; padding: 2px;"> FOR: DEPOT RESTORATION DOCUMENTS VENDOR: BEELINE + BLUE </div>					
\$ 17,162.64	121 L.O.S.T.-PROP TAX RELIEF(50%)	001 GENERAL FUND	121 3-6910 121 1110 200 1110 200 3-4830	\$17,162.64 \$17,162.64	 \$17,162.64 \$17,162.64
<div style="border: 1px solid black; padding: 2px;"> FOR: DEPOT MASONRY PROJECT VENDOR: MIDLAND RESTORATION </div>					



FYI

April 28, 2016

To Whom It May Concern,

The Iowa Department of Natural Resources is currently undergoing an effort to update flood analyses along Hurley Creek within the City of Creston. The DNR has contracted with Stantec Consulting Services Inc. to provide engineering services. In addition to Stantec, Snyder & Associates will be providing surveying support to the DNR by collecting stream and hydraulic structure information at various locations along the stream.

The purpose of this letter is to make you aware of their presence and to request your support in the case that you should receive any calls from the public. Work is expected to start May 2016 and may extend until July 2016. Residents may see employees of either Stantec or Snyder & Associates. The scope of work will involve survey that extends up to approximately 50 feet on the overbank. Additionally, they will be collecting data along bridges which will involve a presence on the roadways on occasion.

If you have any questions or concerns, please contact Scott Ralston at 515-725-8321 or myself at 502-212-5048.

Regards,

Stantec Consulting Services, Inc.

A handwritten signature in cursive script that reads "Melissa A. Tucker".

Melissa Tucker, P.E.
Project Manager
Phone: (502) 212-5048
Fax: (502) 212-5055
Melissa.Tucker@stantec.com

mt document2

ITEMS TO INCLUDE ON AGENDA

CITY OF CRESTON, IOWA

Not To Exceed \$875,000 General Obligation Refunding Capital Loan Notes

- Public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder.
- Resolution instituting proceedings to take additional action.

**NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.**

May 3, 2016

The City Council of the City of Creston, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 116 West Adams, Creston, Iowa, at _____ .M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$875,000 General Obligation Refunding Capital Loan Notes, in order to provide funds to pay the costs of refunding or refinancing certain outstanding indebtedness of the City, including the General Obligation Capital Loan Notes, Series 2010 dated July 22, 2010, for essential corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 384.24A and 384.25 of the Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$875,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2016, at this place.

Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$875,000 GENERAL OBLIGATION REFUNDING
CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$875,000 General Obligation Refunding Capital Loan Notes, for the essential corporate purposes, in order to provide funds to pay the costs of refunding or refinancing certain outstanding indebtedness of the City, including the General Obligation Capital Loan Notes, Series 2010 dated July 22, 2010, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESTON, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not To Exceed \$850,000 General Obligation Refunding Capital Loan Notes, for the foregoing essential corporate purposes.

PASSED AND APPROVED this 3rd day of May, 2016.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF UNION)

I, the undersigned City Clerk of the City of Creston, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

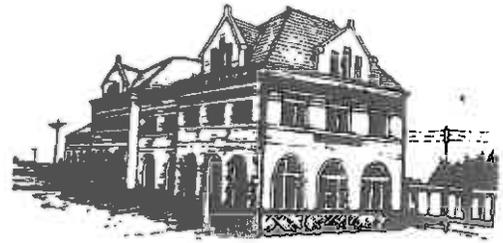
WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

City Clerk, City of Creston, State of Iowa

(SEAL)

City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, IA 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

April 14, 2016

TO: Mayor Lybarger and City Council Members

RE: Request for easement to place fence at 605 S Pine

Chuck and Peggy Erskine of 605 S Pine Street are requesting an easement to set a 6' tall plastic privacy fence in City right of way of an alley behind their residence.

The fence will be setting approximately 3 feet into the alley right of way towards the south end of their property, which will be approximately 2' - 3' from the rock surface of the alley.

From the rock surface of the alley to the lot line the ground slopes downward. They are requesting the easement so that they can get the most benefit of the height of the fence.

Please contact me with any questions at 641-782-2000 ext. 1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kevin Kruse'.

Kevin Kruse
Public Works Director

WALKER COEN LORENTZEN | ARCHITECTS, INC.

Mike Taylor, City Administrator
City of Creston
116 W Adams St
Creston, IA 50801

April 20, 2016

RE: Creston Depot Phase 3 – Project #15-098

In light of the current construction cost and our time invested in the project, we would like to amend our agreement to an hourly fee not to exceed 15000 rather than 15% of the cost of construction.

Please advise on the process to make this change.

Many thanks,

A handwritten signature in black ink, appearing to read 'Mathew Coen', written in a cursive style.

Mathew Coen, AIA
Principal



10,000 CRESTONIANS, INC.
July 4th Celebration
P. O. Box 471 - 641-782-7021
Creston, Iowa 50801

**REQUEST OF \$5500.00 FROM HOTEL/MOTEL MONEY FOR THE
2016 10,000 CRESTONIANS 4TH OF JULY CELEBRATION**

DEAR MAYOR LYBARGER & CRESTON CITY COUNCIL MEMBERS:

**ON BEHALF OF THE 10,000 CRESTONIANS 4TH OF JULY COMMITTEE I AM REQUESTING
\$5500.00 FROM HOTEL/MOTEL MONEY TO HELP WITH EXPENSES OF THE EVENT HELD
JULY 1 THROUGH JULY 4.**

**THE MONEY WILL BE USED TO COVER SOME OF THE EXPENSES INVOLVED WITH THE
EVENT, INCLUDING THE COST OF THE FIREWORKS, EVENT INSURANCE AND
ADVERTISING.**

THANK YOU FOR YOUR PAST SUPPORT.

10,000 CRESTONIANS 4TH OF JULY CELEBRATION COMMITTEE

**ROGER NURNBERG
PRESIDENT**

REQUEST FOR OBLIGATION OF FUNDS

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED () Complete Items 1 through 29 and applicable Items 30 through 34. See FMI.			
1. CASE NUMBER ST CO BORROWER ID 16-088-****4446		LOAN NUMBER	FISCAL YEAR 2016
2. BORROWER NAME Creston, City of 116 W Adams Street PO Box 449		3. NUMBER NAME FIELDS (1, 2, or 3 from Item 2)	
		4. STATE NAME Iowa	
		5. COUNTY NAME Union	
GENERAL BORROWER/LOAN INFORMATION			
6. RACE/ETHNIC CLASSIFICATION 1 - WHITE 2 - BLACK 3 - AIAN 4 - HISPANIC 5 - A/P	7. TYPE OF APPLICANT 1 - INDIVIDUAL 2 - PARTNERSHIP 3 - CORPORATION 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARMERS 7 - NONPROFIT-SECULAR 8 - NONPROFIT-FAITH BASED 9 - INDIAN TRIBE 10 - PUBLIC COLLEGE/UNIVERSITY 11 - OTHER		8. COLLATERAL CODE 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 4 - MACHINERY ONLY 5 - LIVESTOCK ONLY 6 - CROPS ONLY 7 - SECURED BY BONDS 8 - RLF ACCT
9. EMPLOYEE RELATIONSHIP CODE 1 - EMPLOYEE 2 - MEMBER OF FAMILY 3 - CLOSE RELATIVE 4 - ASSOC	10. SEX CODE 1 - MALE 2 - FEMALE 3 - FAMILY UNIT 4 - ORGAN MALE OWNED 5 - ORGAN FEMALE OWNED 6 - PUBLIC BODY	11. MARITAL STATUS 1 - MARRIED 2 - SEPARATED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED)	12. VETERAN CODE 1 - YES 2 - NO
13. CREDIT REPORT 1 - YES 2 - NO	14. DIRECT PAYMENT (See FMI)	15. TYPE OF PAYMENT 1 - MONTHLY 2 - ANNUALLY 3 - SEMI-ANNUALLY 4 - QUARTERLY	16. FEE INSPECTION 1 - YES 2 - NO
17. COMMUNITY SIZE 1 - 10 000 OR LESS (FOR SFH AND RFG ONLY) 2 - OVER 10,000	18. USE OF FUNDS CODE (See FMI)		
COMPLETE FOR OBLIGATION OF FUNDS			
19. TYPE OF ASSISTANCE 687 (See FMI)	20. PURPOSE CODE	21. SOURCE OF FUNDS	22. TYPE OF ACTION 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION
23. TYPE OF SUBMISSION 1 - INITIAL 2 - SUBSEQUENT	24. AMOUNT OF LOAN		25. AMOUNT OF GRANT \$16,500
26. AMOUNT OF IMMEDIATE ADVANCE	27. DATE OF APPROVAL MO DAY YR 04/14/2016	28. INTEREST RATE %	29. REPAYMENT TERMS
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
30. PROFIT TYPE 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE-ASSUMPTION	
31. DISASTER DESIGNATION NUMBER (See FMI)	32. TYPE OF SALE 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUBSEQUENT LOAN 4 - ASSUMPTION WITH SUBSEQUENT LOAN		
FINANCE OFFICE USE ONLY		COMPLETE FOR FP LOANS ONLY	
33. OBLIGATION DATE MO DA YR 04/15/2016	34. BEGINNING FARMER/RANCHER (See FMI)		

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

Position 2

ORIGINAL - Borrower's Case Folder COPY 1 - Finance Office COPY 2 - Applicant/Lender COPY 3 - State Office

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0061 and 0570-0062. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION APPROVAL

For All Farmers Programs

EM, OL, FO, and SW Loans

This loan is approved subject to the availability of funds. If this loan does not close for any reason within 90 days from the date of approval on this document, the approval official will request updated eligibility information. The undersigned loan applicant agrees that the approval official will have 14 working days to review any updated information prior to submitting this document for obligation of funds. If there have been significant changes that may affect eligibility, a decision as to eligibility and feasibility will be made within 30 days from the time the applicant provides the necessary information.

If this is a loan approval for which a lien and/or title search is necessary, the undersigned applicant agrees that the 15-working-day loan closing requirement may be exceeded for the purposes of the applicant's legal representative completing title work and completing loan closing.

35. COMMENTS AND REQUIREMENTS OF CERTIFYING OFFICIAL

Please see Letter of Conditions.

36 I HEREBY CERTIFY that I am unable to obtain sufficient credit elsewhere to finance my actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in or near my community for loans for similar purposes and periods of time. I agree to use the sum specified herein, subject to and in accordance with regulations applicable to the type of assistance indicated above, and request payment of such sum. I agree to report to USDA any material adverse changes, financial or otherwise, that occur prior to loan closing. I certify that no part of the sum specified herein has been received. I have reviewed the loan approval requirements and comments associated with this loan request and agree to comply with these provisions.

(For FP loans at eligible terms only) If this loan is approved, I elect the interest rate to be charged on my loan to be the lower of the interest rate in effect at the time of loan approval or loan closing. If I check "NO", the interest rate charged on my loan will be the rate specified in Item 28 of this form YES NO

WARNING: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined under this title or imprisoned not more than five years, or both."

Date April 5, 20 16

[Signature of Gary Lybarger]

Gary Lybarger, Mayor

(Signature of Applicant)

Date _____, 20 _____

(Signature of Co-Applicant)

37 I HEREBY CERTIFY that all of the committee and administrative determinations and certifications required by regulations prerequisite to providing assistance of the type indicated above have been made and that evidence thereof is in the docket, and that all requirements of pertinent regulations have been complied with. I hereby approve the above-described assistance in the amount set forth above, and by this document, subject to the availability of funds, the Government agrees to advance such amount to the applicant for the purpose of and subject to the availability prescribed by regulations applicable to this type of assistance.

[Signature of Randall D. Campbell]

(Signature of Approving Official)

Typed or Printed Name:

Randall D. Campbell

Date Approved: 04/14/2016

Title:

Area Director

38. TO THE APPLICANT: As of this date 04/25/2016 MLC, this is notice that your application for financial assistance from the USDA has been approved, as indicated above, subject to the availability of funds and other conditions required by the USDA. If you have any questions contact the appropriate USDA Servicing Office.



"The Grantee understands the requirements for receipt of funds under the Community Facilities Grant program. The grantee assures and certifies that it is in compliance with all applicable laws, regulations, Executive Orders, and other generally applicable requirements, including those set forth in Form RD 3570-3, 2 CFR parts 200 as subsequently modified, and the letter of conditions. The following conditions may apply if CFG funds were used to purchase equipment or obtain or improve real property:

- 1) The grantee understand that any property acquired or improved with Federal grant funds may have use and disposition conditions which apply to the property as provided by 2 CFR parts 200 in effect at this time and as may be subsequently modified.
- 2) The grantee understands that any sale or transfer of property is subject to the interest of the United States Government in the market value in proportion to its participation in the project as provided by 2 CFR parts 200 in effect at this time and as may be subsequently modified.

NOTICE OF HEARING AND LETTING

Notice is Hereby Given:

A hearing on the proposed Plans, Specifications, Form of Contract, and Estimate of Cost for the project described as *Replace Runway 16/34 VASIs (with PAPIs) and REILs, Creston Municipal Airport*, will be held at City Hall at 116 W. Adams Street, Creston, Iowa 50801, at 6:00 p.m. local time on June 7, 2016. At said time and place, any interested person may appear and file objections thereto.

Sealed proposals will be received by the City Clerk of the City of Creston, Iowa, at her office in the City Hall Building at 116 W. Adams Street, Creston, Iowa 50801, until 11:00 a.m. local time on May 31, 2016, for the project described as *Replace Runway 16/34 VASIs (with PAPIs) and REILs, Creston Municipal Airport*, as hereinafter described in general and as described in detail in the Plans and Specifications for said improvements now on file in the office of the City Clerk. Proposals will be opened and read aloud at that time.

Proposals will be acted on by the City Council at a meeting to be held at City Hall at 116 W. Adams Street, Creston, Iowa 50801, at 6:00 p.m. local time on June 7, 2016 or at such later time and place as may then be fixed. The City reserves the right to award the Contract at the time of said meeting or at such later time may then be fixed and to reject any or all bids and to waive technicalities and irregularities and to enter into such Contract as it shall deem to be for the best interests of said Owner.

The extent of the work involved is as follows: Removal and replacement of Runway 16-34 REILs, removal of Runway 16-34 VASIs, installation of new PAPIs on Runway 16-34 and related miscellaneous items of work at the Creston Municipal Airport.

Contract Time

The work under the contract shall actively commence within ten (10) days of the Notice to Proceed, and be completed within twenty (20) working days thereafter. This project is subject to liquidated damages as prescribed within the project manual.

Bid Security

Each proposal must be accompanied either by a cashier's check or certified check in the amount of five percent (5%) of the proposal drawn on an Iowa bank or a bank chartered under the laws of the United States, a bid bond, or credit union certified share draft in the amount of five percent (5%) of the proposal, drawn on a credit union in Iowa or chartered under the laws of the United States, and filed in an envelope separate from the one containing the proposal, made payable to: Treasurer, City of Creston, Iowa. Said check or draft may be cashed or the bid bond declared forfeited by the Treasurer as liquidated damages in the event the successful bidder fails to enter into a Contract within ten (10) days and post bond satisfactory to the Owner insuring the faithful fulfillment of the Contract and maintenance of said improvements as required by law and the Specifications.

Bonding Requirements

The successful bidder will be required to furnish a performance, payment and maintenance bond in the amount equal to 100% of the contract price at the time of contract execution.

Award of Contract

Bidders shall not be permitted to withdraw their bids for a period of sixty (60) days after the date set for opening bids. The Owner reserves the right to reject any and all bids and to waive any informality in the bids received. Award will be subject to concurrence in award from the Federal Aviation Administration and upon the Owner receiving Federal funding assistance under the Airport Improvement Program.

Payment to the Contractor

Payment to the Contractor for said construction will be made in cash from cash on hand in any fund of

said City which may be legally used for such purposes and a Federal grant-in-aid from the Federal Aviation Administration.

Federal Provisions

This project is subject to the following Federal provisions, statutes and regulations:

Equal Employment Opportunity - Executive Order 11246 and 41 CFR Part 60: The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth within the supplementary provisions. The successful Bidder shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin.

Goals for Minority and Female Participation – Executive Order 11246 and 41 CFR Part 60:

1. The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth within the supplementary provisions.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Timetables:

Goals for minority participation for each trade:	2.4 %
Goals for female participation in each trade:	6.9%

These goals are applicable to all of the contractor's construction work (whether or not it is Federal or federally-assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its Federally involved and non-federally involved construction.

Certification of Nonsegregated Facilities – 41 CFR Part 60: A certification of Nonsegregated Facilities must be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.

Contractors receiving federally assisted construction contract awards exceeding \$10,000, which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Davis-Bacon Act, as amended – 29 CFR Part 5: The Contractor is required to comply with wage and labor provisions and to pay minimum wages in accordance with the current schedule of wage rates established by the United States Department of Labor.

Debarment, Suspension, Ineligibility and Voluntary Exclusion – 49 CFR Part 29: The bidder certifies, by submission of a proposal or acceptance of a contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. Individuals or companies listed in the General Services Administration's "Excluded Parties Listing System" will not be considered for award of contract.

Foreign Trade Restriction – 49 CFR Part 30

The Bidder and Bidder's subcontractors, by submission of an offer and/or execution of a contract, is required to certify that it:

- a. Is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms published by the Office of the United States Trade Representative (USTR);
- b. Has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country on said list, or is owned or controlled directly or indirectly by one or more citizens or nationals of a foreign country on said list;
- c. Has not procured any product nor subcontracted for the supply of any product for use on the project that is produced in a foreign country on said list.

Buy American Certificate – Aviation Safety and Capacity Act of 1990:

This contract is subject to the "Buy American Preferences" of the Aviation Safety and Capacity Act of 1990. Per Title 49 U.S.C. Section 50101, all steel and manufactured products installed under an AIP assisted project must be produce in the United States unless the Federal Aviation Administration has granted a formal waiver.

As a condition of bid responsiveness, Bidders must complete and submit as part of their proposal the enclosed Buy American certification. Bidder must indicate whether it intends to meet Buy America preferences by only installing steel and manufactured products produced with the United State of America; or if it intends to seek a permissible waiver to the Buy America requirements.

Additional Provisions

Modification to the project documents may only be made by written addendum as issued by the Owner or Owner's authorized Representative. The bidder's proposal must be made on the forms provided within the bound project manual. Bidders must supply all required information prior to the time of bid opening.

Copies of Plans, Specifications and Wage Rate Decision are on file and may be inspected at the office of the City Clerk, at 116 W. Adams Street, Creston, Iowa 50801 and at Clapsaddle-Garber Associates, 16 East Main Street, Suite 400, Marshalltown, Iowa 50158. Copies may be downloaded at no charge from www.cgaconsultants.com or a printed copy may be obtained by contacting Beeline + Blue at 2507 Ingersoll Ave., Des Moines, Iowa 50312 or by phone at (515) 244-1611. A \$50 refundable deposit is required for all printed copies. This fee is REFUNDABLE, provided the following conditions are met: 1) The plans and specifications are returned to CGA complete and in good usable condition and 2) they are returned to the above address within fourteen (14) calendar days after the award of the project.

This notice is given by order by the City of Creston, Iowa.

By: _____
City Clerk

**NOTICE TO ABATE NUISANCE:
DANGEROUS BUILDING**

TO: Danise Willis, Willis Investments LLC
827 New York Ave. Apt. 1
Creston, IA 50801

COPY

1. ORDER TO ABATE NUISANCE OR REQUEST HEARING

You are hereby notified to abate the nuisance as specified below, or file a written request with the Mayor for a hearing before the City Council of the City of Creston, Iowa, within ten (10) days from the date of the receipt of this notice.

2. LOCATION OF NUISANCE

The nuisance described below is located upon the following real estate, to-wit:

A. **Street address:** 827 New York Ave.

B. **Legal description:**
S Hill Lot 17 EX BEG NW COR NE 100FTSE TO SHERMAN AVE SW 100FT NW TO PT OF BEG

3. DESCRIPTION OF NUISANCE

A. **Dangerous/unsafe Building**

The structure located on the above property is dangerous and constitutes a public nuisance as an unsafe building in violation of the Code of Ordinances of the City of Creston, Iowa, 1996, Building and Property Regulations, Chapter 145, Dangerous Buildings, Section 145.03, Unsafe Building.

B. **The specific violations of Section 145.03 are as follows (check applicable section):**

1. Various Inadequacies. Section 145.03 (1)

a. Dilapidation, deterioration, or decay, including but not limited to exterior surfaces of any structure with holes, breaks, unpainted or peeling surfaces, loose or rotting materials, areas of exterior walls not maintained weatherproof and properly surface coated or sided to prevent deterioration and/or roofs or flashing with defects that admit rain. Describe (shown in attached photograph(s)): unpainted and peeling paint, rotted fascia, missing siding on garage, missing corners on siding

b. Faulty or unfinished construction. Describe (shown in attached photograph(s)):

_____ c. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building. Describe (shown in attached photograph(s)): _____

_____ d. The deterioration, decay or inadequacy of its foundation. Describe (shown in attached photograph(s)): _____

_____ e. Any other cause, is likely to partially or completely collapse. Describe (shown in attached photograph(s)): _____

x 2. Manifestly Unsafe; Section 145.03 (2)

The building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used. Describe (shown in attached photograph(s)): _____

Stairs on back of house unsafe, gutters hanging in power lines

x 3. Inadequate Maintenance: Section 145.03 (3)

A building or structure, used or intended to be used for dwelling purposes, because of dilapidation, decay, damage, faulty construction, or otherwise, that is determined by any health officer to be unsanitary, unfit for human habitation or in such condition that is likely to cause sickness or disease. Describe (shown in attached photograph(s)): _____

Numerous areas of rotting and lack of paint or peeling paint.

_____ 4. Fire Hazard; Section 145.03 (4)

Any building or structure, because of dilapidated condition, deterioration, damage, or other cause, is determined by the Fire Marshall or Fire Chief to be a fire hazard. Describe (shown in attached photograph(s)): _____

_____ 5. Abandoned; Section 145.03 (5)

Any portion of a building or structure that remains on a site after the demolition or destruction of the building or structure or any building or structure abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public. Describe (shown in attached photograph(s)): _____

4. ABATEMENT OF NUISANCE

The nuisances described above must be abated by repair, rehabilitation, demolition, or removal of the building located on the above premises.

5. TIME LIMIT FOR ABATEMENT OF NUISANCES

You are required under Chapter 130 of the Code of Ordinances of the City of Creston, Iowa, 1996, to commence abatement of the foregoing nuisance within forty-eight (48) hours of the service of this notice upon you or such reasonable time as the circumstances require, and to complete all such work within ninety (90) days from the date of the service of this notice upon you, unless a hearing is requested before the Creston City Council, as stated above.

Vacation of Building Required: Yes/No

6. FAILURE TO ABATE NUISANCE

A. Criminal charges

In the event you fail to abate or cause to be abated the above nuisance as directed, or file written request for a hearing within the time prescribed herein, you may also be prosecuted, and upon conviction, fined as much as \$625.00 and also imprisoned for as long as 30 days. Each day the nuisances remain unabated may be charged as a separate and distinct offense for which punishment may be imposed accordingly. Code of Ordinances of the City of Creston, Iowa, 1996, Section 1.10.

B. Municipal infraction

In the alternative, the City may treat failure to comply with a final order as a municipal infraction for which you can be subject to a civil penalty not to exceed \$500.00 for the first offense and not to exceed \$750.00 for each repeat offense. Code of Ordinances of the City of Creston, Iowa, 1996, Section 4.03.

C. Removal by the City and assessment of costs

If you fail to abate or cause to be abated the nuisance, as directed above, or fail to file a written request for a hearing within the time prescribed, the City of Creston may take such steps as are necessary to abate the nuisance or cause it to be abated. The costs will be assessed against you, or the real estate described above, as authorized by Sections 145.07 and 145.08 of the Code of Ordinances of the City of Creston, Iowa, 1996, and Iowa Code Section 364.12 (3h) (2015).

D. Petition for title to abandoned property pursuant to Iowa Code Section 657A.10A (2015)

Failure to abate the nuisance as directed above or to file a written request for a hearing within the time prescribed, may result in the commencement of an action in the Iowa District Court by the City of Creston, Iowa, to obtain title to the above property pursuant to Iowa Code Section 657A.10A (2015).

Date: 04/12/16

CITY OF CRESTON, IOWA
City Hall
116 W. Adams St.
P.O. Box 449
Creston, Iowa 50801

By: 
Authorized Municipal Officer

