

City of Knoxville
City Council Meeting
Monday, June 6, 2016 at 6:15 p.m.
Municipal Building Council Chambers

1. Call To Order

MEMBERS PRESENT:

Mayor Brian Hatch ____, Council Member Dawn Allspach-Kline ____, Council Member Rick Kingery ____, Council Member James Lane ____, Council Member Cal Stephens ____, Council Member Craig Kelley ____

2. Citizen/Public Comments
Discussion

3. Consent Agenda

3.I. Approve Special City Council Meeting Minutes Of May 23, 2016

Documents: [SPECIAL COUNCIL MINUTES 052316.PDF](#)

3.II. Approve City Council Minutes Of May 16, 2016

Documents: [COUNCIL MINUTES 051616.DOCX](#)

3.III. Accept Airport Commission Minutes Of April 16, 2016

Documents: [AIRPORT COMMISSION MINUTES 041616.PDF](#)

3.IV. Accept Housing Board Minutes Of April 18, 2016

Documents: [HOUSING BOARD 041816 MINUTES.PDF](#)

3.V. Accept Library Board Of Trustees Minutes Of May 18, 2016

Documents: [LIBRARY MINUTES 051816.PDF](#)

3.VI. Approve Class C Beer Permit For Casey's General Store #1827

3.VII. Approve Class C Beer Permit For Dollar General Store #6820

3.VIII. Accept May CSO Report

Documents: [CSO MAY 2016 MEMO.PDF](#)

4. Item Agenda

4.I. Reading Of National Garden Club Week Proclamation June 5-11, 2016

Documents: [GARDEN WEEK.DOCX](#)

4.II. Public Hearing- Directing The Sale Of An Interest In Real Property

- A. Open Hearing
- B. Filing of Affidavit of Publications- 05/27/16
- C. Written Comments or Objections
- D. Oral Comments or Objections
- E. Close Hearing

4.II.i. Approve Resolution Directing The Sale Of An Interest In Real Property Following The Public Hearing

Documents: [RES 063416 809 W JONES.PDF](#)

4.III. Presentation On Stormwater Utility

Documents: [PRESENTATION.PDF](#)

4.IV. Approve Street Closure Request For July 20th Public Library Outdoor Day

Documents: [STREET CLOSING REQUEST.PDF](#)

4.V. Discussion/Possible Action To Approve Tourism Advisory Commission Request For Use Of Funds

Documents: [REQUEST TO THE COUNCIL.PDF](#)

4.VI. Discussion/Possible Action Regarding Fireworks

Documents: [SIGNED FIREWORKS LETTER.PDF](#)

4.VII. Approve Proposal For Fiber Infrastructure Within The City Of Knoxville

4.VIII. Approve Resolution Approving Lease Between The City Of Knoxville, Marion County, Iowa And Knoxville Senior Center

Documents: [RES 063516 SENIOR CENTER LEASE.PDF](#), [LEASE.PDF](#)

4.IX. Approve Use Of Fire Department Memorial Funds To Purchase A TV In The Amount Not To Exceed \$1,000

Documents: [COUNCIL LETTER TV 060616.PDF](#), [TVS MEMORIAL FUND.PDF](#)

4.X. Approve Consent Amendment To Iowa DNR Administrative Consent Order

Documents: [KNOXVILLE AMENDMENT 011516.PDF](#), [KNOXVILLE CO 072213 FINAL.PDF](#)

4.XI. Discussion/Possible Action Regarding 1346 138th Place

Documents: [138TH PLACE MEMO.PDF](#)

4.XII. Approve Payment Of Claims

5. Reports

- A. Mayor's Report
- B. City Manager's Report

6. Adjourn

Motion _____ Second _____
Vote _____ Time _____

Heather Ussery, City Clerk

COUNCIL MINUTES

May 23, 2016

The City Council of the City of Knoxville, Iowa convened in special session Monday, May 23, 2016 at 6:15 p.m. in the City Hall Council Chambers. Mayor Brian Hatch presided and the following Council Members were present: Dawn Allspach-Kline, Rick Kingery, James Lane, Craig Kelley and Cal Stephens. Staffs present were City Manager Aaron Adams, City Clerk Heather Ussery, Streets Supervisor Dennis Webb and Water Reclamation Supervisor Pat Murphy.

City Manager Aaron Adams gave a presentation to inform citizens on a possible implementation of a stormwater utility. After the presentation Mayor Hatch opened discussion up to the public. Curt Schwanebeck asked what the dollar amount would be in revenue each year. City Manager Adams stated approximately \$200,000. Tom Grimm asked what the current budget for stormwater utility is for the city. Adams stated for fiscal year 2016 it was \$20,000. Marty Duffy asked if there were grants or other project funding available to allocate towards stormwater. Adams stated there aren't grants available for stormwater repairs, but explained state revolving fund availability. John Gotta asked if the city would ever be able to catch up with the repairs needed at the \$200,000 per year. Adams stated SRF funds could open up more funding availability quicker. Maureen Miller asked how Knoxville Estates would be calculated. Adams stated they aren't in the city limits and would not be charged at this time. Dave Roozeboom stated its good to make the utility as light as possible for residents, but also make sure the revenue is sufficient to fix problems. Jamie Moyle stated it saves money to fix problems the right way the first time instead of patch jobs. John Jensen stated he supports implementation of the utility. April Verwers asked when the utility would begin and stated the residents and business owners should be given notice. Adams clarified that most business owners when calculating the ERU would be less than the \$75 maximum discussed in the presentation. Cayde Sprecker asked how the city came up with the maximum amounts. Adams stated examples were used from other Iowa communities that have implemented the same utility.

Motion by Lane; seconded by Allspach-Kline adjourn at 7:16 p.m., all ayes.

ATTEST:

Brian Hatch, Mayor

Heather Ussery, City Clerk

COUNCIL MINUTES

May 16, 2016

The City Council of the City of Knoxville, Iowa convened in regular session Monday, May 16, 2016 at 6:15 p.m. in the City Hall Council Chambers. Mayor Brian Hatch presided and the following Council Members were present: Dawn Allspach-Kline, Rick Kingery, James Lane, Cal Stephens and Craig Kelley. Staffs present were City Manager Aaron Adams, City Clerk Heather Ussery, Deputy Clerk Jodi Bellon, Police Chief Dan Losada, Fire Chief Jim Mitchell, Water Reclamation Supervisor Pat Murphy and Street Supervisor Dennis Webb.

Mayor Hatch asked for Citizen/Public Comments regarding items not on the agenda. Dylan Morse with the Grand Theater Foundation stated their attendance at the theater has been down for the last two weekends when events downtown were held. Bob Wims 1902 W. Jackson stated his concerns with the theater attendance and requested council to consider their concerns.

Motion by Allspach-Kline; seconded by Kingery to approve the consent agenda as follows, all ayes.

1. Approve City Council Work Session Minutes of April 25, 2016
2. Approve City Council Minutes of May 2, 2016
3. Approve City Council Special Meeting Minutes of May 9, 2016
4. Accept February 2016 Parks and Recreation Commission Minutes
5. Accept Tourism Commission Minutes of May 3, 2016
6. Accept Water Board Minutes of May 10, 2016
7. Approve Class C Liquor License for Rib Shack, LLC
8. Approve PD Bike Sale for June 18, 2016 at 10 a.m.
9. Accept April CSO Report
10. Approve April 2016 Financials

Mayor Hatch read the National Public Works Week Proclamation. Water Reclamation Supervisor Pat Murphy and Street Supervisor Dennis Webb accepted the proclamation.

Mayor Hatch read the National Emergency Medical Services Week Proclamation. Fire Chief Jim Mitchell and members of the department Paula Beaman and Colton Rinehart accepted the proclamation.

Mayor Hatch announced now is the time and place for a public hearing for the fiscal year 2016 budget amendment. Filing of affidavits was 5/06/16. Under written comments there were none. Under oral comments there were none. Motion by Lane; seconded by Stephens to close the hearing, all ayes. Motion by Stephens; seconded by Lane to approve resolution amending the current budget for fiscal year ending June 30, 2016, all ayes.

A discussion was held to approve special event application for Knoxville Farmers Market. Elsie Kemp 1018 N. Kent stated she has a petition of 126 signatures requesting to keep farmers market on the square. There will be 3 businesses, Perkcup, Main Street Market and Coffee Connections that will open up their restrooms for market attendees. Motion by Lane; seconded by Kingery to accept handout into record, all ayes. Motion by Stephens; seconded by Lane to accept letter from Jerry Uitermarkt into record, all ayes. Megan Suhr 717 E. Montgomery requested to keep farmers market on the square. Roy Richardson 1447 Levin Drive requested to keep farmers market on the square for 2016 and look at changes for 2017.

A discussion was held regarding repairs to Second Street alley. Mayor Hatch previously met with all adjoining property owners regarding the alley. Colette McRoberts asked council if they approve fixing second street alley will they be fixing other alleys in Knoxville outside of regular

maintenance? Motion by Kingery; seconded by Stephens for staff to move forward with repairing the alley, ayes: Kingery, Lane, Stephens, nays: Kelley, abstain: Allspach-Kline.

A discussion was held by citizens' request regarding code enforcement. Council stated there was nothing they could do if the property in question met city code requirements.

Motion by Kelley; seconded by Kingery to approve grant requests submitted to Tourism Advisory Commission, all ayes.

Motion by Kelley; seconded by Lane to approve moving of sandstone blocks on county property, ayes: Kelley, Lane, Allspach-Kline, Kingery, abstained: Stephens.

Motion by Lane; seconded by Kelley to approve third consideration and adopt an ordinance amending the code of ordinances of the City of Knoxville, Iowa, 2009 by repealing title 2 chapter 4 pertaining to the Senior Citizen Center Board, ayes: Lane, Stephens, Allspach-Kline, Kelley, abstain: Kingery.

Motion by Stephens; seconded by Kelley to table approval or resolution approving lease between the City of Knoxville, Marion County, Iowa and Knoxville Senior Center, ayes: Stephens, Kelley, Lane, abstain: Allspach-Kline, Kingery. Board President Roy Richardson stated the senior board hasn't reviewed the lease and need more time.

Motion by Stephens; seconded by Lane to approve resolution approving final plat for Tommy and Clara DeMoss subdivision, all ayes.

Motion by Stephens; seconded by Kelley to approve resolution proposing disposal of an interest in real property by sale at 809 W. Jones, all ayes.

Motion by Stephens; seconded by Lane to approve resolution authorizing and approving certain loan agreement, providing for issuance of \$2,715,000 general obligation corporate purpose and refunding bonds, series 2016A, and providing for the levy of taxes to pay the same, all ayes.

Motion by Allspach-Kline; seconded by Kingery to approve payment of claims, all ayes.

81803	MARION COUNTY SHERIFF	GARNISHMENT	219.38
81804	AFLAC	AFLAC-ACC/PRE	196.79
81805	I.U.P.A.T. DC81	UNION DUES	726.73
81806	COLLECTION SERVICES CENTER	CHILD SUPPORT	1,606.02
81807	ICMA RETIREMENT TRUST	ICMA	1,972.43
81808	KNOXVILLE FIRE & RESCUE ASSC	FIRE DUES	72.96
81809	COLONIAL LIFE	COLONIAL LIFE	22.85
81810	ABS SANITATION	MONTHLY GARBAGE SERVICE	48.00
81811	ALLIANT ENERGY	1545 HWY 14-AIRPORT	84.73
81812	COAST TO COAST STORE	FLAG,C-FOLD TOWELS	124.93
81813	DISH NETWORK	DISH SERVICE 5/18-6/17 CHEMICALS FOR AIRPORT	118.86
81814	MC CORKLE HARDWARE INC	FOUNDATIONS	414.75
81815	MIDAMERICAN ENERGY COMPANY	1545 HWY 14-AIRPORT	113.04
81816	SPAHN & ROSE LUMBER	SUPPLIES-MERCY ONE CREW QTRS	20.94
81817	AGSOURCE	MONTHLY POOL AND SPA TESTING	67.50
81818	AHLERS AND COONEY PC	PROFESSIONAL SERVICES	175.00
81819	AIRGAS USA, LLC	MATERIAL FOR PLASMA CUTTER	404.77
81820	ARAMARK UNIFORM SERVICES	10 MAT SERVICE	117.60

81821	ASSOCIATED COMPUTER SYSTEMS	SOFTWARE MAINTENANCE RENEWAL	2,859.40
81822	ATOMIC TERMITE & PEST CONTROL	MONTHLY PEST CONTROL	120.00
81823	BARCO MUNICIPAL PRODUCTS INC	12 STREET NAME SIGNS	873.92
81824	VANWALL EQUIPMENT	ANTIFREEZE	28.14
81825	BILL'S SERVICE AND REPAIR	REPAIRS TO REC CENTER TRUCK	371.73
81826	BROWN'S SANITATION	WWTP-12 YD ROLL OFF 4/13/16	979.93
81827	BRUENING ROCK PRODUCTS INC	1 1/8" ROAD STONE	1,965.46
81828	CENTRAL IOWA DISTRIBUTING INC	3 CASES MONK WIPES	809.90
81829	CITY OF KNOXVILLE	RANDY PUYEAR PREMIUMS	143.83
81830	COAST TO COAST STORE	DETERGENT	34.44
81831	CONTINENTAL RESEARCH CORP	DRAIN SHARK	215.00
81832	CREATIVE LANDSCAPING	MOW 7 PROPERTIES-CODE ENFORCE	347.50
81833	DIAMOND VOGEL PAINTS	20 WHITE TRAFFIC PAINT	2,991.40
81834	EMPLOYEE BENEFIT SYSTEMS	RANDY PUYEAR PREMIUMS	348.15
81835	EMS BILLING SERVICES	ELECTRONIC FUNDS TRANSFER	3,348.21
81836	FIRE SERVICE TRAINING BUREAU	CONFERENCE	20.00
81837	GRAINGER PARTS	TOGGLE ANCHOR	163.25
81838	HAWKEYE PAVING CORP	2016 STREET IMPROVEMENTS #1	310,192.97
81839	MARSHA HUDSON	OFFSET REIMBURSEMENT	72.00
81840	IOWA INSURANCE DIVISION	509A FILING FEE 3/1/15-2/28/16	100.00
81841	IOWA LAW ENFORCEMENT ACADEMY	OPEN SIGT RIFLE INST-ROWLAND	325.00
81842	WINDSTREAM	PHONE BASE/FAX	1,504.91
81843	KAY PARK-REC CORP	SHIPPING FOR PICNIC TABLES	155.00
81844	KEYSTONE LABORATORIES INC	WASTEWATER TESTING	1,381.00
81845	PHILLIP KIBBIE	OFFSET REIMBURSEMENT	262.00
81846	KNIA KRLS INC	MONTHLY RADIO ADVERTISING	970.73
81847	KNOXVILLE AVIATION KNOXVILLE CHAMBER OF	MAY CONTRACTUAL SERVICES	3,467.91
81848	COMMERCE	MAY SSMID	618.00
81850	KNOXVILLE FARM & HOME INC	(6) 2 GALLON 80W90 OIL	973.86
81851	KNOXVILLE PUBLIC HOUSING	OFFSET MATCH-K.SEDLOCK	690.00
81852	KNOXVILLE WATER WORKS	MARK SWANSON INSURANCE	678.63
81853	KONE INC	MAINTENANCE CONTRACT 5/16-7/16	181.08
81854	MARION COUNTY EMERGENCY MGMT	10 FLUID ABSORBENT	120.00
81855	MARION COUNTY RECORDER	CEMETERY DEED-VANDE KAMP	14.00
81856	MARION COUNTY TREASURER	217 S SECOND	3,333.00
81857	MID-IOWA SOLID WASTE EQUIPMENT	GUTTER BROOMS FOR SWEEPER	683.10
81858	MIDAMERICAN ENERGY COMPANY	301 W RENO ST ST DEPT	513.91
81859	MOTOR INN OF KNOXVILLE	SERVICE-2016 IMPALA	49.90
81860	MUNICIPAL EMERGENCY SERVICES	4 SUSPENDERS-STD	213.92

81861	MUNICIPAL SUPPLY INC	24 CURB BOX RECEPICAL	276.00
81862	CROSSROADS 5/92 NAPA	OIL FILTER	10.52
81863	NATIONAL PAPER & SAN SUPPLY	12-16 GALLON TRASH LINERS	72.12
81864	NOBLE INDUSTRIAL SUPPLY	5 HOSE & BUNKER GEAR CLEANER	334.82
81865	NORRIS ASPHALT PAVING INC	1.76 TON COLD PATCH	255.20
81866	O'REILLY AUTOMOTIVE INC	(2)ANTIFREEZE #311	42.21
81867	OFFICE DEPOT	1 CASE COPY PAPER	142.05
81868	OSKALOOSA HERALD INC	COUNCIL MINUTES 4/4	577.79
81869	PRAXAIR DISTRIBUTION INC	OXYGEN	500.08
81870	RED WING SHOE STORE	SAFETY SHOES	121.49
81871	ROMAR	1 3/4" OPEN END BOX END	58.16
81872	SHELL	ROTATE TIRES FROM 937 TO 938	75.00
81873	SIDELINE STEEL	REMOVE TRAFFIC LIGHT POLES	7,500.00
81874	SIRENNET.COM	BLUE LED LIGHTS	124.09
81875	SOUTH CENTRAL COOP	2 GALLON PERAMITAL	109.74
81876	STUYVESANT & BENTON	INCURRED MAILING EXPENSES	34.54
81877	SUNNY SLOPE GREENHOUSE	FLOWERS FOR BROOKS GARDEN	213.15
81878	TNT LANDSCAPING, LLC	WINDOW FOR VIN TRAC	380.51
81879	TRUE VALUE HARDWARE INC.	6 BAGS POTTING SOIL	114.68
81880	US CELLULAR	#937 & #938 CELL PHONES	587.83
81881	UTILITY EQUIPMENT CO	24 TRUNCATED DOMES	2,400.00
81882	VANCO SERVICES LLC	VANCO PROGRAM FEE	5.90
81883	VERIZON	WWTP HOT SPOT MAGIC	160.04
81884	WALMART COMMUNITY	ERASERS,TOWELS,CLEANER	104.72
81885	LISA WILLIS	REFUND-SWIM LESSONS	28.00
13168501	MASSMUTUAL	HARTFORD	61.63
13168502	IRS WITHHOLDING PAYMENTS	FED/FICA TAX	21,340.94
13168503	TOTAL ADMINISTRATIVE SERVICES	FLEX- MEDICAL	717.27
13168504	KNOXVILLE RECREATION CENTER	MONTHLY BANK CHARGES	245.49
13168506	IOWA PUBLIC EMPLOYEES	WAGE ADJUSTMENT HENRY	19.82

<u>FUND NAME</u>	<u>TOTAL</u>
GENERAL	36,061.40
URBAN DEVELOPMENT	1,716.00
ROAD USE TAX	20,768.99
EMPLOYEE BENEFITS	511.80
LOCAL OPTION SALES TAX	312,868.97
S.S.M.I.D.	618.00
CAPITOL PROJECT - LIBRARY	1,617.00
SEWER UTILITY	6,586.93
AIRPORT UTILITY	4,393.16
SELF FUND HEALTH INS	100.00

Under Mayor's Report, Mayor Hatch thanked both public works and fire/rescue departments for all their hard work.

Under City Manager's Report, City Manager Adams reminded council of the town hall meeting on May 23rd at 6:15 p.m. at KPAC for the stormwater utility presentation.

Motion by Lane; seconded by Stephens to adjourn at 7:43 pm, all ayes.

Brian Hatch, Mayor

ATTEST:

Heather Ussery, City Clerk

KNOXVILLE AIRPORT COMMISSION – April 16, 2016

The Knoxville Airport Commission met in regular session on April 16, 2016 at 7 a.m. with Airport Commission Chairman, Wayne Westberg presiding. Members present were Dixie Brown, Larry Smith, Loren Steenhoek and Airport Manager, Dan Van Donselaar. Ella Crawford was excused.

Dixie Brown moved and Loren Steenhoek seconded a motion to waive reading and approval of the minutes of the previous meeting. Motion carried.

Hangar Currency: The following are behind in their rent. Martin – 4 months and FTAC. Wayne Westberg moved and Larry Smith seconded a motion to approve this report. Motion carried.

Airport Project List: Discussion only.

Update on Taxiway A and Apron Reconstruction Project and Update on West Taxi Lane Reconstruction Project. Airport Manager, Dan Van Donselaar reported TK Concrete considers the project finished. Taxi lines need to be painted on the concrete. Seeding was recently done. Mc Clure Engineering's approval and sign-off will be done next. No action taken.

Other New Business: There was discussion on interior painting at the terminal and new overstuffed chairs for the lobby.

Claims: Wayne Westberg moved and Loren Steenhoek seconded a motion to approve the claims.

Airport Manager Report and Safety Checklist: Atwood Electric will be contacted to work on the runway lights now that the ground is thawed. Larry Smith moved Wayne Westberg seconded a motion to approve this report. Motion carried.

Wayne Westberg moved and Dixie Brown seconded a motion to adjourn at 7:26 a.m. Motion carried. Next meeting May 14, 2016.

Wayne Westberg, Airport Commission Chairman

ATTEST: Janet Westberg, Secretary

MINUTES

Low Rent Housing Agency of Knoxville
Location: Conference Room of the Housing Agency
April 18, 2016

Present: Board Chairman Don Croghan and Board Member(s) Jody Mansueto, Jerrold Jordan, Brent Hanna, and Teresa Higginbotham. Also present was Executive Director Janice Kerner, Secretary for the Board.

Absent: None

Motion by Teresa Higginbotham with second by Brent Hanna to accept the consent agenda. The consent agenda included the minutes of the regular Housing Board Meeting of March 21, 2016, the occupancy report, and the stop loss monitoring report. All voted aye.

Motion by Brent Hanna with second by Jody Mansueto to approve the payment of claims. All voted aye.

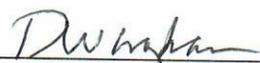
The Director briefly discussed the Housing Agency may need to apply for Section 8 Housing Assistance Payment (HAP) shortfall assistance. The Agency should know by the next meeting if this will be needed. Housing and Urban Development had issues with its mass mailing to notify agencies of their funding amounts early in March. The Housing Agency didn't find out its budget amount for 2016 until late in March. In addition, spending has not followed the Agency's projections and has been higher than expected. The grant will assist the higher than projected HAP costs but has restrictions attached to it.

Reviewed proposed plan to resolve a contracting issue on the former project 003 siding and door project. Current contractor lost his crew when he told them he was planning to retire. He will subcontract to finish out the two buildings that he has mostly completed. The Housing Agency would like to end the contract at that point and finish with the second lowest bidder if he will honor the price in the initial bidding process for the three remaining buildings.

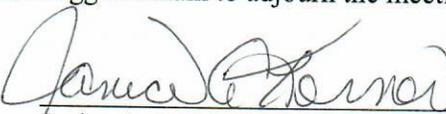
There are still no results of the July 2013 Civil Rights Compliance Review. The lead investigator has indicated she is close to finishing the report. The report goes to the Acting Head of the Civil Rights Division for review and then to the Head of the Kansas City HUD office for comment and review.

Motion by Jerrold Jordan with second by Teresa Higginbotham to accept the fee accountant's February 2016 financial statements. All voted aye. No particular problems were noted. Discussed that maintenance costs would be higher than projected for both this fiscal year and next fiscal year. The Housing Agency was notified in late February of the HUD inspection of its public housing units in April. The Housing Agency has had additional maintenance staff working to prepare for the inspection. The Board Chairman inquired as to why the allowance for extraordinary maintenance - tree trimming had not been used. Explained there had been scheduling difficulties.

Motion by Jerrold Jordan with second by Teresa Higginbotham to adjourn the meeting. All voted aye.



Don Croghan, Board Chairman



Janice A. Kerner, secretary

Library Board of Trustees Meeting
May 18, 2016

The Knoxville Public Library Board of Trustees met at the library on Wednesday, May 18, 2016. Members present were Jean McKay, Harv Sprafka, Mary Lane, Dave Garcia, Pat Wilson, Bob Leonard, and Scott Ziller.

The meeting was called to order by Dave Garcia. Mary Lane moved, Harv Sprafka seconded to approve the minutes of the April 20, 2016 meeting as mailed. Motion passed unanimously. Pat Wilson moved, Mary Lane seconded to approve the minutes of the special meeting on May 9, 2016 as mailed. Motion passed unanimously.

Under Correspondence, Roslin read a "Thank you" note from the librarians at the Ely Public Library thanking Dr. Bob and Roslin for presenting on a panel for ISLA on-line.

Roslin gave the librarian's report for April 2016. Total circulation was 3,158 printed materials, 1,385 non-print materials. E-downloading was 698 items. Computer usage was 1,307 with 671 recorded use of wireless. The Early Literacy AWE stations had 66 uses. The meeting room usage and outreach count was 30 times, with a total attendance of 399. There were 4,540 visits to the library with an average of 162 visits each day.

Registration for the SRP will be June 6 and 7. A letter requesting street closure has been sent to the city council for Outdoor Day on July 20. Roslin gave a brief overview of events being planned in the Fall. She attended a Director's Roundtable in Grinnell which discussed adult programming at public libraries.

Under Media Strategy Plan, Roslin said calendars for June and July will be printed soon and sent to the media channels. Flyers for SRP have been sent home with elementary and Middle School kids. The Spring newsletter is out and will be distributed electronically and physically.

Mary Lane moved, Harv Sprafka seconded that the financial report for April be approved. Motion was unanimous. Jean McKay moved, Scott Ziller seconded the city trust report for April be accepted. Motion was unanimous. Pat Wilson moved, Mary Lane seconded the approval for payment of bills for May. Motion passed unanimously, and a copy is attached to the minutes.

Under Unfinished Business, Dave reported on the meeting with Tyler Timko of Amperage. A lot of preparatory work will need to be done before the capital campaign starts. Tyler has an estimated timeline of the process.

Under New Business, Roslin presented the e-Reader policy for board's approval. Jean McKay moved, seconded by Scott Ziller that the policy be accepted with the addition of a statement including an Internet policy. Motion passed. Dave will talk to Pennie Sommar at the bank about parking in front of the library. Bank employees sometimes park all day in the front of the library, limiting parking for library patrons.

Jean McKay and Harv Sprafka agreed to extend their board terms for six more years and will write letters to the mayor for his consideration.

There being no further business, the meeting was adjourned. The next regular meeting will be held Wednesday, June 15, 2016 at 8:00 AM at the Knoxville Public Library.

Roslin Thompson, Secretary

Memo

To: City Council
From: Chief Dan Losada
Date: June 6, 2016
Re: May CSO Report

In May 2016 the Community Service Officer Arlene Worrall spent 71 hours on Code Enforcement issues and 90 hours on Police Department Records. Mike Miller CSO II, worked 78 hours on Code Enforcement issues. Together the CSOs worked on the following issues.

Abandoned Property Street)		1	-(continued 705 South 7 th)
Accumulation of Refuse	1		
Brush Pile	2		
Chicken Permit (Renewal)	2		
Debris Storage		4	
Fence -Dilapidated	1		
Junk Vehicle	2		
Mandatory Garbage	5		
Mowing (Vegetation Height Violation)	62		
Nuisance Structure	2		
Parking in Yard	3		
Refuse		2	
Water Discharge/ Drainage Issues		1	
Properties Inspected		80	
Citations Issued	2		
Court Dates	1		
Parking Citations	27		
Property Owners /Residents Contacted	76		
Work Hired Out	18		properties mowed

PROCLAMATION

National Garden Week

Gardening is a universal activity that bridges social, ethnic, cultural, and economic boundaries, and instills an appreciation for nature and a healthy respect for the environment; and

Whereas, Gardeners seek to add beauty, splendor, fragrance and nutrition to our lives through the growing of herbs, vegetables, foliage and flowers; and

Whereas, Gardening promotes a healthy lifestyle that lasts a lifetime, helps reduce stress from other areas of our life, teaches that rewards can come from diligent, patient efforts; and

Whereas, since 1998 the Knoxville Federated Garden Club has conducted monthly meetings that provide educational activities that promote conservation and the benefits of gardening; and

Whereas, since 1998 the Knoxville Federated Garden Club has sponsored the development, care and enhancement of the Bessie Spaur Butterfly Garden; and

Whereas, the Knoxville Federated Garden Club has provided annual funds to horticulture groups such as the Iowa Arboretum in Madrid, the Des Moines Botanical Center, Reiman Gardens in Ames, college scholarships for horticulture and landscape majors, as well as plants and landscaping materials for Habitat for Humanity projects;

Now, Therefore Be It Resolved that in an effort to acknowledge the importance of Gardening and the many contributions of the Knoxville Federated Garden Club, I, Brian Hatch, Mayor of the City of Knoxville, Iowa, hereby proclaim the week of June 5-11, 2016 as National Garden Week in the city of Knoxville. I call upon the citizens of our community to plant and trim their gardens and yards and improve the appearance of this community.

Brian Hatch, Mayor

RESOLUTION NO. 06-34-16

RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY
FOLLOWING THE PUBLIC HEARING

BE IT ENACTED RESOLVED by the Council of the City of Knoxville, Iowa:

On behalf of the City of Knoxville, Iowa, the Mayor shall sell and deed the following real property, legally described as follows:

The East Half of the Southwest Quarter of Block One (1) in John M. Jones Addition to The City of Knoxville, Marion County, Iowa, Except the North Six (6) Feet

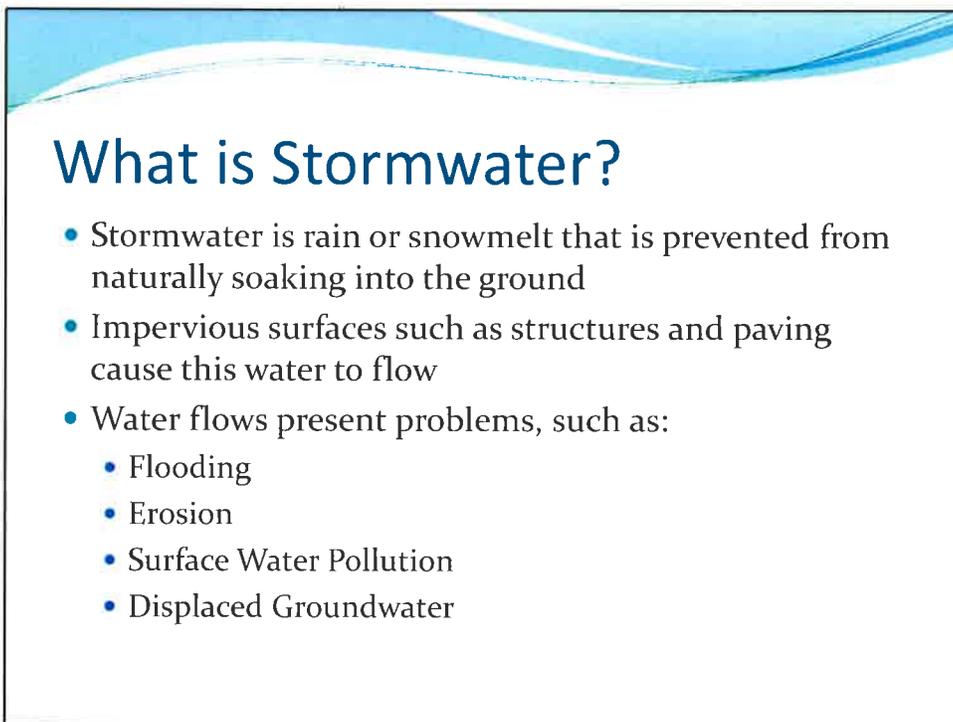
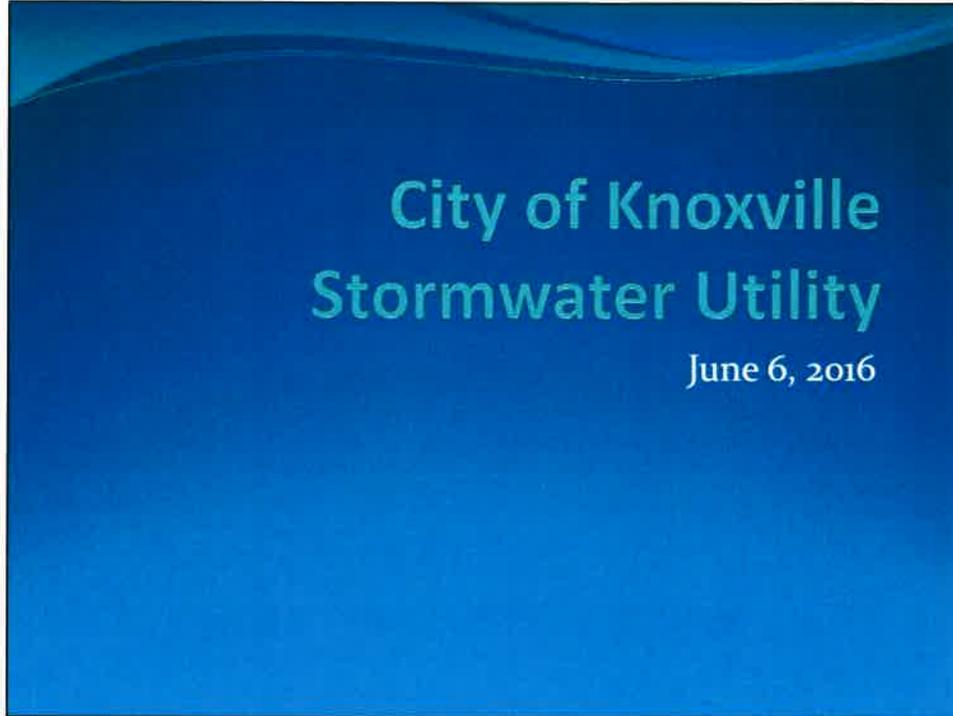
Locally known as: 809 W. Jones, Knoxville, Iowa 50138

subject to all utility easements, to Cushman Enterprises, pursuant to the Quit Claim Deed, a copy of which is attached to this Resolution and by this reference make a part hereof, for the sum of one thousand dollars (\$1,000.00) and other good and valuable consideration. The City Clerk shall co-sign the deed. The deed shall be delivered thirty (30) days after the date of this Resolution unless an appeal on this action has been made to the District Court. Action on this Resolution shall be final upon the purchaser of giving evidence to the City Clerk that the deed has been recorded, and such fact noted on the official record of this Resolution.

Brian J. Hatch, MAYOR

ATTEST:

Heather Ussery, CITY CLERK



Stormwater System

- A Stormwater System is comprised of several components, including:
 - Pipes
 - Culverts
 - Intakes
 - Creeks, Rivers, and Streams
- All these components are important and require maintenance



Storm vs. Sanitary

- The City currently operates a Sanitary Sewer Utility to handle water that needs to be treated
- Sanitary Utility Charges help maintain a healthy and viable system
- The City also maintains a Stormwater Sewer System, but without a Utility in place
- Without Stormwater Sewer Utility Charges the System is not adequately maintained, and may jeopardize other City services and infrastructure



Why a Utility?

- Utility Charges are used to fund specific services, revenues collected go directly to system maintenance
- Continued development increases Stormwater challenges, so a utility becomes increasingly important
- Approximately 100 communities in Iowa have Stormwater Utilities and more are being added all the time
- Knoxville faces its own issues



How are Utility Charges calculated?

- Staffs proposal is outlined as follows:
- Charges will be collected as part of the Water and Sewer bill
- Single family homes will be charged \$4 per month and multifamily properties will pay \$2 per unit per month
- A survey of Knoxville has shown an average of 3,034 square feet of impervious surface per residence, this is called an equivalent residential unit (ERU)

How are Utility Charges calculated?

- Non-residential properties impervious surface has been measured and divided by the ERU to establish a charge
- Maximum monthly charges are set by property type
 - Industrial Properties are capped at \$150 per month
 - Commercial Properties are capped at \$75 per month
 - Schools and Churches are capped at \$35 per month
- Properties with City approved Stormwater features have lowered monthly maximums

Moving Forward

- If City Council approved, the Utility would begin in the coming months
- Collected charges would be used to increase preventative maintenance of the Utility and to repair existing problems

*Knoxville Public Library
213 E. Montgomery Street
Knoxville, Iowa 50138*

May 16, 2016

Attn: City Hall
Street Closing Request

We would like to request the closing of Montgomery Street in the 200 block, (front of library) for our summer reading program Outdoor Day on Wednesday, July 20th. The activities start at 1:00pm but we will need time to set up beforehand. It would be helpful if the street was blocked off by 7:00am, so that no cars are parked in the area. We will re-open the street by 3:30pm.

Thanks so much for the past support with this day! If you have any questions, feel free to call me at the library.

Sincerely,

Holly Shelford
Youth Services Coordinator
Knoxville Public Library

5/9/16

Heather Ussery;

I would like to place a request for the following things to be placed on the City Council Agenda for June 6, 2016.

As Follow: Sharry Johnson attended an Iowa Tourism Meeting in March, cost of \$20.00 for attendance and mileage totaling 84 miles. A request for reimbursement was made of \$31.76. Approval is being requested from the City Council. (From allotted Membership budget)

Bob Baker located a billboard open south on HWY 5/92. Rent is \$300 a month. The wrap cost \$260 initially with a purposed replacement every two years. It was felt that this was a very good price compared to the cost of building. A total cost of \$3,850 would be the total for one year, with a one year commitment. (From the allotted Promotion budget)

The Knoxville Tourism Commission is asking for approval to move forward, committing the above cost.

Thank You

Sharry Johnson
Tourism Commission

May 10, 2016

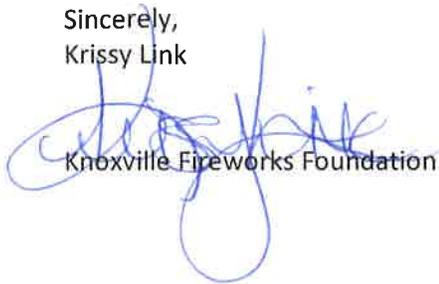
The Knoxville Fireworks Foundation is a local 501(c)3 non-profit, that was formed years ago after several Knoxville citizens voiced concerns about the lack of fireworks to celebrate our independence on July 4th. Our group was formed after a proposal to the City for funding was denied. We became a 501(c)3 for tax purposes and to aid in our effort to fundraise.

The City denied our proposal for yearly funding as they, the former City Council, felt it wasn't the best use of tax payer funds. Instead of funding, one of the former council members joined our group and volunteered her time and efforts to aid in fundraising efforts. This volunteerism was done as an individual not as a representative of the City.

It is our want to present to you the opportunity to carry on this community celebration. We are looking for one, or more, of you to fill the void of the Knoxville Fireworks Foundation. We are looking for someone to lead the efforts securing a yearly patriotic display for the Knoxville citizens. We recognize how important veterans, and supporting veteran issues, are to this community. We feel so too. We recognize this council's strengths; a history of fundraising for this very issue and one of the ultimate acts of patriotism-service to this Country. Like all endeavors, our time is up. It's time to include new participants and pass organizing this celebration to the new City leaders. Should no one wish to accept leadership it is our intent to dissolve our non-profit in accordance to our bylaws. We want Knoxville to have a celebration this year however; without a new leader that will be impossible.

Please contact me with interest. We would gladly discuss the remaining fundraising efforts needed, and order information. We remain hopeful one of you will volunteer your time to this cause.

Sincerely,
Krissy Link



Knoxville Fireworks Foundation

RESOLUTION NO. 06-35-16

RESOLUTION APPROVING A LEASE BETWEEN THE CITY OF KNOXVILLE, MARION COUNTY, IOWA
AND THE KNOXVILLE SENIOR CENTER

BE IT ENACTED by the Council of the City of Knoxville, Iowa:

WHEREAS, the Knoxville Senior Center is a non-profit company providing services to Senior Citizens in the City of Knoxville, Iowa; and,

WHEREAS, for many years these services were provided by a committee through the City of Knoxville and those services were provided at a location in the basement of City Hall; and,

WHEREAS, in consideration of the dissolution of the Senior Board through the City and the establishment of the non-profit Knoxville Senior Center Company, the City now desires to lease the basement area to the new entity for an initial period of three (3) years; and,

WHEREAS, the Council has reviewed the proposed lease and believes that it is in the best interest of the City and its Citizens to enter into a lease with the Knoxville Senior Center for the period beginning May 23, 2016 and ending May 22, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Knoxville, Iowa, that the Mayor and City Clerk are hereby authorized to enter into a lease with the Knoxville Senior Center for the basement area of City Hall for the period beginning May 23, 2016 and ending on May 22, 2019 for the purpose of providing services to the Senior Citizens of Knoxville according to the terms set out in the lease.

PASSED AND APPROVED by the City Council this _____ day of _____, 2016.

Brian J. Hatch, MAYOR

ATTEST:

Heather Ussery, CITY CLERK

LEASE

This lease is made and entered into on the _____ day of May, 2016 by and between the City of Knoxville, Landlord, and the Knoxville Senior Center, Tenant.

1. Premises Being Leased. Landlord is leasing to Tenant and Tenant is leasing from Landlord the following premises: 308 East Montgomery, Knoxville, Iowa 50138.
[X] **Part of Building Only.** Specifically, Tenant is leasing the basement of the building.
[X] **Shared Facilities.** Tenant and Tenant's employees and customers may use the following additional facilities in common with other tenants, employees, and customers: Hallways, stairways, and elevators.

2. Term of Lease. This lease begins on May 23, 2016 and ends on May 22, 2019. Tenant may end the lease with the Landlord at any point prior to the end of term with 30 days' notice.

3. Rent. Tenant will pay rent of \$1.00 per year. Tenant will pay this rental amount for the entire term of the lease.

4. Option to Extend Lease. Landlord grants Tenant the option to extend this lease for an additional three years. To exercise this option, Tenant must give Landlord written notice on or before April 1, 2019. Tenant may exercise this option only if Tenant is in substantial compliance with the terms of this lease. Tenant will lease the premises on the same terms as in this lease.

5. Security Deposit. Tenant has deposited \$0.00 with Landlord as security for Tenant's performance of this lease. Landlord will refund the full security deposit to Tenant within 30 days following the end of the lease if Tenant returns the premises to Landlord in good condition (except for reasonable wear and tear) and Tenant has paid Landlord all sums due under this lease. Otherwise, Landlord may deduct any amounts required to place the premises in good condition and to pay for any money owed to Landlord under the lease.

6. Improvements by Landlord. Tenant accepts the premises in "as is" condition. Landlord need not provide any repairs or improvements before the lease term begins.

7. Improvements by Tenant. Tenant may make alterations and improvements to the premises after obtaining the Landlord's written consent, which will not be unreasonably withheld. At any time before this lease ends, Tenant may remove any of Tenant's alterations and improvements, as long as Tenant repairs any damage caused by attaching the items to or removing them from the premises.

8. Tenant's Use of Premises. Tenant will use the premises for the following business purposes: used as a senior center. Tenant may also use the premises for purposes reasonably related to the main use.

9. Landlord's Representations. Landlord represents that:

- A. At the beginning of the lease term, the premises will be properly zoned for Tenant's stated use and will be in compliance with all applicable laws and regulations.
- B. The premises have not been used for the storage or disposal of any toxic or hazardous substance and Landlord has received no notice from any governmental authority concerning removal of any toxic or hazardous substance from the property.

10. Utilities and Services. Landlord will pay for the following utilities and services:

- Electricity
- Gas
- Heat
- Air-Conditioning

These utilities and services listed above will be reimbursed to the Landlord at the rate of 29%. Landlord will submit an invoice to the Tenant of these charges, and tenant will make payment within 30 days of receipt by the Tenant.

- Water

Tenant will only pay for up to \$150.00 of the water utility bill. The utility and service costs paid by the tenant shall be reviewed annually by the landlord and the amount to be paid by the tenant may be amended at that time.

11. Maintenance and Repairs

- A. Landlord will maintain and make all necessary repairs to: (1) the roof, structural components, exterior walls, and interior common walls of the premises, and (2) the plumbing, electrical, heating, ventilating, and air-conditioning systems.
- B. Landlord will regularly clean and maintain (including snow removal) the parking areas, yards, common areas, and exterior of the building and remove all litter so that the premises will be kept in an attractive condition.
- C. Tenant will clean and maintain Tenant's portion of the building so that it will be kept in an attractive condition.
- D. Tenant shall pay the sum of 5% of any rent obtained from a sublease to the landlord to be used for maintenance and repairs of the area leased by the tenant. If there is a balance at the end of each annual lease period which has not been used for maintenance or repairs, then said sum shall be returned to the tenant for that lease year.

12. Insurance

- A. Landlord will carry fire and extended coverage insurance on the building.
- B. Tenant will carry public liability insurance; this insurance will include Landlord as an insured party. The public liability coverage for personal injury will be in at least the following amounts:
 - \$1,000,000 per occurrence.
 - \$2,000,000 in any one year.
- C. Landlord and Tenant release each other from any liability to the other for any property loss, property damage, or personal injury to the extent covered by insurance carried by the party suffering the loss, damage, or injury.

D. Tenant will give Landlord a copy of all insurance policies that this lease requires Tenant to obtain.

13. Taxes

A. Landlord will pay all real property taxes levied and assessed against the premises.

B. Tenant will pay all personal property taxes levied and assessed against Tenant's personal property.

14. Subletting and Assignment. Tenant may sublet any part of the premises with the written consent of Landlord.

15. Damage to Premises

A. If the premises are damaged through fire or other cause not the fault of Tenant, Tenant will owe no rent for any period during which Tenant is substantially deprived of the use of the premises.

B. If Tenant is substantially deprived of the use of the premises for more than 90 days because of such damage, Tenant may terminate this lease by delivering written notice of termination to Landlord.

16. Notice of Default. Before starting a legal action to recover possession of the premises based on Tenant's default, Landlord will notify Tenant in writing of the default. Landlord will take legal action only if Tenant does not correct the default within ten days after written notice is given or mailed to Tenant.

17. Quiet Enjoyment. As long as Tenant is not in default under the terms of this lease, Tenant will have the right to occupy the premises peacefully and without interference.

18. Eminent Domain. This lease will become void if any part of the leased premises or the building in which the leased premises are located are taken by eminent domain. Tenant has the right to receive and keep any amount of money that the agency taking the premises by eminent domain pays for the value of Tenant's lease, its loss of business, and for moving and relocation expenses.

19. Holding Over. If Tenant remains in possession after this lease ends, the continuing tenancy will be from month to month.

20. Disputes

Litigation. If a dispute arises, either party may take the matter to court.

Mediation and Possible Litigation. If a dispute arises, the parties will try in good faith to settle it through mediation conducted by the Knoxville City Council. The parties will share the costs of the mediator equally. Each party will cooperate fully and fairly with the mediator and will attempt to reach a mutually satisfactory compromise to the dispute. If the dispute is not resolved within 30 days after it is referred to the mediator, either party may take the matter to court.

Mediation and Possible Arbitration. If a dispute arises, the parties will try in good faith to settle it through mediation conducted by

_____.

a mediator to be mutually selected.

The parties will share the costs of the mediator equally. Each party will cooperate fully and fairly with the mediator and will attempt to reach a mutually satisfactory compromise to the dispute. If the dispute is not resolved within 30 days after it is referred to the mediator, it will be arbitrated by

_____.

an arbitrator to be mutually selected.

Judgment on the arbitration award may be entered in any court that has jurisdiction over the matter. Costs of arbitration, including lawyers' fees, will be allocated by the arbitrator. Landlord need not participate in mediation or arbitration of a dispute unless Tenant has paid the rent called for by this lease or has placed any unpaid rent in escrow with an agreed upon mediator or arbitrator.

21. Additional Agreements. Landlord and Tenant additionally agree that:

none.

22. Entire Agreement. This is the entire agreement between the parties. It replaces and supersedes any and all oral agreements between the parties, as well as any prior writings.

23. Successors and Assignees. This lease binds and benefits the heirs, successors, and assignees of the parties.

24. Notices. All notices must be in writing. A notice may be delivered to a party at the address that follows a party's signature or to a new address that a party designates in writing. A notice may be delivered:

(1) in person

(2) by certified mail, or

(3) by overnight courier.

25. Governing Law. This lease will be governed by and construed in accordance with the laws of the state of Iowa.

26. Counterparts. This lease may be signed by the parties in different counterparts and the signature pages combined will create a document binding on all parties.

27. Modification. This lease may be modified only by a written agreement signed by all the parties.

28. Waiver. If one party waives any term or provision of this lease at any time, that waiver will only be effective for the specific instance and specific purpose for which the waiver was given. If either party fails to exercise or delays exercising any of its rights or remedies under this lease, that party retains the right to enforce that term or provision at a later time.

29. Severability. If any court determines that any provision of this lease is invalid or unenforceable, any invalidity or unenforceability will affect only that provision and will not make any other provision of this lease invalid or unenforceable and shall be modified, amended, or limited only to the extent necessary to render it valid and enforceable.

CITY OF KNOXVILLE, LANDLORD

KNOXVILLE SENIOR CENTER, TENANT

Brian J. Hatch, Mayor

Roy Richardson, President

Heather Ussery, City Clerk

Council Letter

City of Knoxville

June 6, 2016

Agenda Item: Shall the City Council approve the purchase of a Television not to exceed \$1,000.00

Background: Knoxville Fire Department obtained a free television to utilize for entertainment and training in 2012, when the station was remodeled. The television has finally exceeded its life. The television display spontaneously changes to a blank screen or colored stripes throughout the entire screen disrupting the normal picture.

Budget Impact: This will not impact the current budget as the money will come from donated money in the memorial account.

Recommendations: Fire Chief Jim Mitchell recommends the purchase of a flat screen “smart” television that is at least a 55” to 60” screen. This will enable us to display PowerPoint presentations, watch training videos from the internet, and watch the news and prime time television.

Supporting Documents: Quote from Best Buy, Walmart, Target and Sears.



Home / TVs & Electronics / Televisions / LED TVs

Vizio Refurbished 55 In. 4K Ultra UHD 120Hz Smart LED HDTV w/ WiFi - M55-C2

Sold by: Sears

\$629.99

Earn \$16.30 in points to use later >

Gift Eligible >

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Description Item # 05742238000P Model # M55-C2-REFURB

VIZIO M55-C2 - 55" - M Series LED TV - Smart TV - 4K UHD (2160p) - full array, local dimming - refurbished

4K Ultra HD for all has arrived. VIZIO M-Series delivers incredible UHD picture quality, powerful performance and beautiful design, all driven by an ultra-intuitive Smart TV experience that makes UHD streaming simple.

Stunning Ultra HD

VIZIO M-Series commands premium 4K Ultra HD innovations with an ultra-sharp 2160p resolution to deliver masterful picture quality in UHD clarity down to the last detail.

Everything in Ultra HD

Every TV show, sporting event or movie is scaled up to Ultra HD resolution using an intelligent algorithm and a powerful VM50 Ultra HD picture processing engine. It doesn't matter what cable or satellite provider you have, both standard and high definition can be upscaled into Ultra HD quality.

Ultra upscaling

LG SUPER UHD TV 4K



High Dynamic Range Done Right

HDR + DOLBY VISION

Shop Now

VIZIO - 55" Class (54.64" Diag.) - LED - 2160p - Smart - 4K Ultra HD Home Theater Display - Black

Coming Soon

Model: E55U-D2 SKU: 4859403

Be the first to write a review.

1 Questions, 0 Answers (http://www.bestbuy.com/site/4k-ultra-hd-tvs/questions-answers/pcmcat748300707091...?id=pcmcat748300707091&skuld=4859403)

\$649.99

ON SALE

SAVE \$50 (Reg. \$699.99)

FREE DELIVERY

on TVs 51" and larger

Add to List

Add to Registry

Screen Size Class: ⓘ

43" (/site/products/4988400.p)

48" (/site/products/4904701.p)

50" (/site/products/5238200.p)

Delivery: Available

See soonest delivery date and what's included (&srcpage=pdp)

Store Pickup: Coming Soon

Special Offers

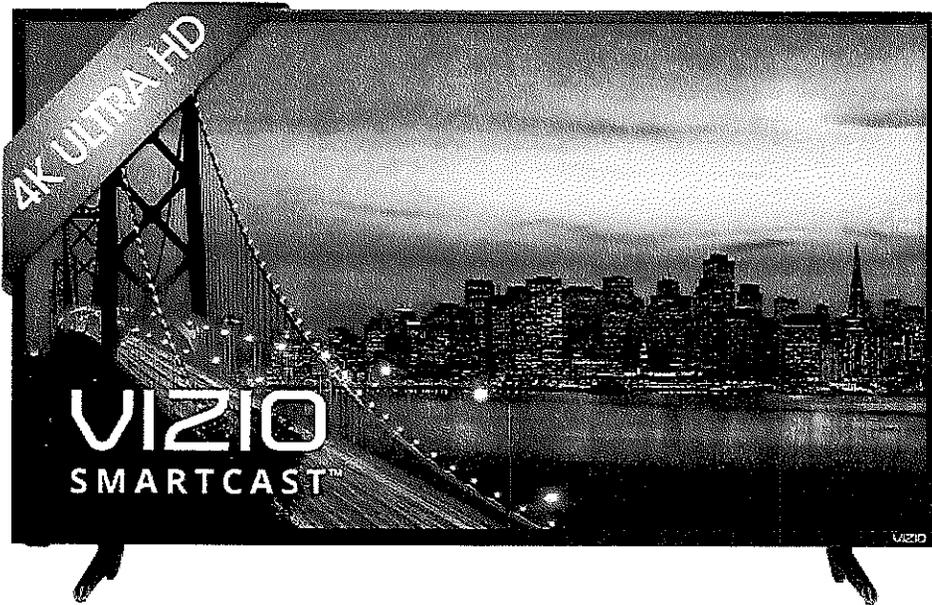
Free Delivery

Cardholder Offers

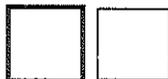
12-Month Financing (/site/olspage.jsp?id=pcat17098&skuld=4859403&type=page&fCode=3&hi)

Get 5% Back in Rewards (/site/olspage.jsp?id=pcat17098&skuld=4859403&type=page&index3=inde)

QUESTIONS?



Click or tap to enlarge



This VIZIO 55-inch E-Series smart Home Theater Display offers exceptional value and enhanced performance. A faster processor and full-array LED backlighting offer sharper, crystal-clear details. VIA Plus and Wi-Fi connectivity deliver entertainment options conveniently organized on your screen and launched with the easy-to-use remote, included with this VIZIO 55-inch E-Series smart Home Theater Display.



4K Ultra HD TV Buying Guide >

Overview

Specifications (/site/vizio-55-class-54-64-diag-led-2160p-smart-4k-ultra-hd-home-theater-display-black/4859403.pptemplate__specificationsTab)

What's Included Ratings & Reviews

Product Features

- 55" Class (54.64" Diag.) - LED - 2160p - Smart - Accessories (/site/vizio-55-class-54-64-diag-led-2160p-smart-4k-ultra-hd-home-theater-display-black/4859403.pptemplate__accessoriesTab) **Types: Free home theater display** Play content from cable and satellite set top boxes, game consoles, Blu-ray players and more

• Protection & Services (/site/vizio-55-class-54-64-diag-led-2160p-smart-4k-ultra-hd-home-theater-display-)

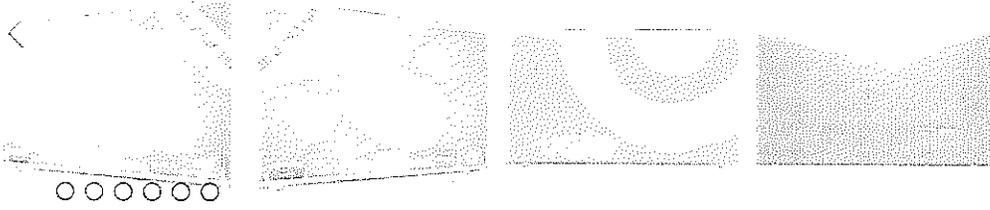
free shipping on orders of \$25+ & free returns.



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\$799.99 sale

List: \$999.99 Save \$200.0 (20.0% off)

spend \$25 get free shipping [details](#)

Target 3-Year Home Theater Protection Plan

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Most Helpful Positive Review

"Vizio works closely with Target to make their best products readily available. Their 2015 55-C2, which is specifically cert..." [more](#)

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free order pickup

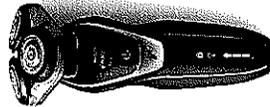
out of stock at South Des Moines

find at another store

Is this a gift? Please note this item ships in its original packaging and cannot be gift-wrapped or concealed.

great deals on Philips Norelco

the smarter way to shave



highlights

Introducing the all-new VIZIO M-Series Ultra HD Full-Array LED Smart TV. With over 8.3 million pixels in every image, four times the resolution of 1080p Full HD, M-Series Ultra HD displays produce breathtaking detail and clarity. Full-Array LED backlighting and 32 Active LED Zones™ deliver superior light uniformity with an extremely high contrast, and deep, pure black levels. Active Pixel Tuning enables pixel-level brightness adjustments for increased picture accuracy and contrast. And with Clear Action 360, sports and action fans will appreciate the powerful image processing of the M-Series with a blazing 120Hz effective refresh rate enhanced with backlight scanning for sharper detail in fast action scenes. In addition, the beautifully designed M-Series is optimized to deliver all of your favorite entertainment in stunning 4k Ultra HD right out of the box. Thanks to HEVC decoding and ultra-fast 802.11ac dual-band Wi-Fi (up to 3x faster), you'll get Ultra HD streaming from popular apps like Netflix, Amazon Instant Video and UltraFlix. Its powerful Spatial Scaling Engine beautifully transforms your favorite 360p and 1080p HD sports, movies, and TV shows into near Ultra HD. And support for the latest HDMI standards enables Ultra HD playback from next generation cable and satellite receivers, Blu-ray players and game consoles. It all adds up to a beautifully simple experience where the picture is everything and nothing is more captivating!



Screen Size: 55.000

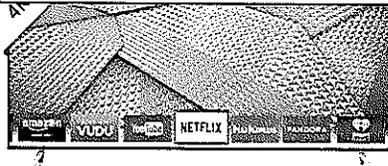
FREE Walmart Grocery pickup

VIZIO M50-C1 50" 4K Ultra HD 2160p Class LED Smart HDTV (4K x 2K)

39 reviews Q&A By: VIZIO



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Quantity: 1 ▾

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IOWA DEPARTMENT OF NATURAL RESOURCES

CONSENT AMENDMENT TO ADMINISTRATIVE CONSENT ORDER

IN THE MATTER OF: CITY OF KNOXVILLE Wastewater Facility No. 6-63-42-0-01	CONSENT AMENDMENT TO ADMINISTRATIVE CONSENT ORDER NO. 2013-WW-13-A1
---	--

TO: City of Knoxville
c/o Honorable Mayor and Council
City Hall, 305 S. 3rd
Knoxville, IA 50138

1. Section I, Summary, to Administrative Consent Order No. 2013-WW-13 (order) is hereby amended by rescission of the original summary and the addition of the following.

This consent amendment to the order is entered into between the City of Knoxville (City) and the Iowa Department of Natural Resources (Department). The parties hereby agree to the issuance of this consent amendment to the order for the purpose of revising the schedule contained in the order.

Any questions or response regarding this order should be directed to:

Relating to Technical Requirements:

Tom Atkinson
Environmental Specialist Senior
IDNR Field Office No. 5
7900 Hickman Rd., Suite 200
Des Moines, Iowa 50324
Ph: 515/725-0371

Relating to Legal Matters

Diana L. Hansen
Attorney at Law
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034
Ph: 515/725-8248

2. Section II, Jurisdiction, remains the same and is adopted and incorporated by reference into this consent amendment to the order.

3. Section III, Statement of Facts, remains the same and is adopted and incorporated by reference into the consent amendment to the order. New Paragraphs III.8, III.9 and III.10 are added to this consent amendment to the order.

8. The City requested an amendment to the City's order that had been issued to eliminate bypassing and to install disinfection equipment. The City appears to be well ahead of schedule on the collection system rehabilitation project in Areas 3 and 4 of the City and has received good results in I/I reduction. Due to this experience and success,

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

the City is requesting to conduct collection system rehabilitation in Area 5, which is the south and southeast area of the City, and to delay the installation of disinfection equipment until the treatment plant upgrades at the end of the schedule. Moving the disinfection project to the end of schedule would be necessary to allow the City to fund the collection system rehabilitation project. A map showing the areas of the City was attached to the order as Appendix 1 and incorporated by reference into the order. Appendix 1 applies to this consent amendment as well and is adopted and incorporated by reference into this consent amendment to the order.

9. The City's new NPDES permit contains a requirement to submit an analysis to determine the reasonableness and feasibility of reducing nutrients in accordance with the Nutrient Reduction Strategy by July, 2017. The City is anticipating that in order to continue to provide adequate wastewater treatment to the community, eliminate bypassing at the treatment plant, install disinfection to meet the E. coli limits, and provide nutrient removal, a major plant upgrade will be necessary. In view of all of the issues that need to be resolved, moving the disinfection project to the end of the schedule appears to be prudent.

10. The revised schedule approved by the Department is included in this consent amendment in revised Section V, Order.

4. Section IV, Conclusions of Law, remains the same as in the original order and is adopted and incorporated by reference into this consent amendment to the order.

5. Section V, Order, is amended as follows. The City has complied with paragraphs 1, 2 and 3 of Section V of the order. Paragraphs V.1, V.2, V.3 and V.7 of the order remain the same and are adopted and incorporated by reference into this consent amendment to the order. Paragraphs V.4, V.5, and V.6 are rescinded and replaced with new paragraphs V.4, V.5, and V.6 set forth below.

The City agrees to comply with the following construction schedule:

4. Complete the sanitary sewer rehabilitation projects in Area 5 of the City by December 1, 2019.

5. By December 31, 2020, submit a Facility Plan for any remaining projects determined to be necessary to eliminate bypassing and to comply with the final effluent E. coli limitation contained in the NPDES Permit.

6. By March 15, 2023, eliminate bypassing and comply with the final effluent E. coli limitation contained in the NPDES Permit.

6. Section VI, Penalty, remains the same and is adopted and incorporated by reference into this consent amendment to the order.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

7. Section VII, Waiver of Appeal Rights, remains the same and is adopted and incorporated by reference into this consent amendment.

8. Section VIII, Noncompliance, remains the same and is adopted and incorporated by reference into this consent amendment to the order.

_____ Dated this ____ day of
BRIAN HATCH, MAYOR
MAYOR OF KNOXVILLE _____, 2016

_____ Dated this ____ day of
CHUCK GIPP
DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES _____, 2016

City of Knoxville- NPDES Permit No. 6-63-42-0-01 (Copy to Central Office Records File), Tom Atkinson- Field Office No. 5, Satya Chennupati, P.E.- Wastewater Engineering Section, Eric Wiklund- NPDES Permits, Diana L. Hansen- Legal Services Bureau, U.S. E.P.A. Region VII, I.B.2.b. and I.B.2.c.

IOWA DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATIVE CONSENT ORDER

IN THE MATTER OF: CITY OF KNOXVILLE Wastewater Facility No. 6-63-42-0-01	ADMINISTRATIVE CONSENT ORDER NO. 2013-WW-
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TO: City of Knoxville
c/o Honorable Mayor and Council
City Hall, 305 S. 3rd
Knoxville, IA 50138

I. SUMMARY

This administrative consent order (order) is entered into between the City of Knoxville (City) and the Iowa Department of Natural Resources (Department). The parties hereby agree to the issuance of this order for the purpose of resolving bypassing by the City's wastewater treatment facility (WWTF). The City hereby agrees to comply with the schedule contained in this order and to properly operate and maintain the existing WWTF. In the interest of avoiding litigation, the parties have agreed to the following order.

Any questions or response regarding this order should be directed to:

Relating to Technical Requirements:

Tom Atkinson, Environmental Specialist
IDNR Field Office No. 5
401 S.W. 7th, Suite I
Des Moines, Iowa 50309
Ph: 515/725-0371

Relating to Legal Matters

Diana L. Hansen, Attorney at Law
Iowa Department of Natural Resources
502 East 9th Street
Des Moines, Iowa 50319-0034
Ph: 515/281-6267

II. JURISDICTION

The parties hereby agree that this order is issued pursuant to Iowa Code section 455B.175(1), which authorizes the Director to issue any order necessary to secure compliance with or prevent a violation of Iowa Code chapter 455B, Division III, Part I, and the rules promulgated or permits issued pursuant thereto, and Iowa Code section 455B.109 and 567 Iowa Administrative Code (IAC) chapter 10, which authorize the Director to assess administrative penalties.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

III. STATEMENT OF FACTS

1. The City owns and operates a WWTF located in Section 5, Township 75N, Range 19W, in Marion County, Iowa. This WWTF consists of a two-stage trickling filter/bio-tower treatment plant with anaerobic digestion and sludge de-watering. Treatment units include the following: screening with grit removal, three primary clarifiers, two trickling filters with domes, two intermediate clarifiers, a rotary screen for final humus and trickling filter recycle, one plant pump station, two biotowers, two final clarifiers, a chlorine contact basin that is not in use, two anaerobic digesters, and one belt filter press. Flow is measured at four locations, including flow to the plant, flow to the storm water basin, bio-tower recycle flow and effluent flow. A six million-gallon (MG) storm water basin is provided for flows in excess of 4.5 MG.

There are two lift stations in the collection system. One serves the northwest corner of Knoxville, with two centrifugal pumps. The second was installed to serve a subdivision that was not built, but remains in place with four suction pumps. This lift station is maintained by the City.

2. The City operates its WWTF pursuant to Iowa NPDES Permit No. 6-63-42-0-01, issued by the Department. Treated wastewater is discharged pursuant to this facility's permit. The permit contains effluent limitations for the discharge of pollutants, including but not limited to carbonaceous biochemical oxygen demand (CBOD5), total suspended solids (TSS), and pH.

3. The City reported bypassing to Department Field Office No. 5 (FO 5) for bypassing that occurred from the WWTF equalization basin in June 2009, March 2010, April 2010, May 2010, June 2010, July 2010, August 2010, April 2011, and June 2011. Bypass pumping from the collection system or bypassing from manholes occurred in June 2009, April 2010, May 2010, June 2010, July 2010, August 2010, and June 2011.

4. On August 18, 2009, FO 5 issued an inspection report concerning the City's WWTF. The report identified infiltration and inflow (I/I) as a continued problem and indicated that FO 5 expected bypasses to be eliminated by January 1, 2012. On June 6, 2010, FO 5 issued an inspection report that identified I/I as a continued problem and noted the expectation that bypassing would be eliminated by January 1, 2012. The report found that all bypasses had not been verbally reported to FO 5 within 12 hours as required by Department rule 567 IAC 63.6(455B).

5. The Department's Wastewater Engineering Section (WES) received a facility plan on February 22, 2010 from the City for construction of WWTF upgrades. The facility plan included a 50 MG equalization basin. A project initiation meeting was held on March 22, 2010 to discuss the equalization basin project. Following review of the facility plan, WES determined that the facility plan was incomplete on July 30, 2010. On June 11, 2010, WES received a revised facility plan for the equalization basin project. On August 9, 2011, WES sent preliminary facility plan review comments to the City. The

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

review comments indicated that the Department did not agree with the proposed design loadings and that the June 9, 2011 facility plan could not be approved. On July 10, 2012, WES received the appendices to complete the facility plan. On July 25, 2012, WES sent facility plan review comments to the City. On October 9, 2012, the City's consulting engineer submitted a proposed construction schedule to FO 5 to be included in an administrative order. On October 10, 2012, WES received the City's response to the July 25, 2012 comment letter concerning the facility plan. On November 8, 2012, WES sent the City a letter with further facility plan review comments and questions in response to prior comments from the City.

6. The Department and the City agree to the implementation schedule included in this order in Section V. The implementation schedule is based on the schedule that FO 5 negotiated with the City and that the City indicated would be appropriate for the project on May 15, 2013. A map is attached to this order as Appendix No. 1. The map indicates the boundaries of Areas 3 and 4 of the City. This map is referenced in Section V. Order and is incorporated by reference into this order.

7. This order rescinds Administrative Order No. 2006-WW-05.

IV. CONCLUSIONS OF LAW

1. Iowa Code section 455B.186 prohibits the discharge of pollutants into waters of the state, except for adequately treated pollutants discharged pursuant to a permit. Iowa Code section 455B.183 prohibits the operation of a wastewater disposal system without a permit from the Department.

2. Iowa Code section 455B.173 authorizes and requires the Environmental Protection Commission (Commission) to promulgate rules relating to the operation of waste disposal systems, including rules relating to monitoring and reporting requirements. The Commission has done so at 567 IAC chapters 60- 64. Subrule 64.3(1) prohibits the operation of a waste disposal system without or contrary to the terms of a permit. Rule 64.7 specifies the conditions that are to be included in a permit, including applicable effluent limitations in chapters 61 and 62 of the rules.

3. This facility's NPDES permit requires these facilities to be adequately operated and maintained. Standard Condition 8 of the permit provides that all facilities and control systems shall be operated as efficiently as possible and maintained in good working order. This standard permit condition is based upon subrule 64.7(5)"f". This subrule states "the permittee at all times shall maintain in good working order and operate as efficiently as possible any facilities or systems of control to achieve compliance with the terms and conditions of the permit." The number of SSO discharge points in the City's collection system and the number of past discharges from the SSO discharge points are indicative of operational and maintenance deficiencies in the City's collection system that needed to be corrected.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

V. ORDER

THEREFORE, the Department hereby orders and the City consents to the following:

The City agrees to comply with the following construction schedule:

1. Begin implementation of the System Wide I/I Removal Program by August 30, 2013.
 - a. This should include the I/I Removal Policy prohibiting clear water connections and provide measures to require corrections of deficiencies identified during residential inspections.
 - b. Residential inspections need to be conducted at a pace sufficient to allow the sewer service rehabilitation and clear water connection removal in Areas 3 and 4 of the City, as indicated in Appendix No. 1, to be completed by December 31, 2018.
 - c. Rehabilitate an average of twenty percent (20 %) of the sanitary sewer main sewer service connections in Areas 3 and 4 of the City, as indicated in Appendix No. 1, each year from 2013 to 2018.
 - d. Footing drains and sump pumps in Areas 3 and 4 of the City, as indicated in Appendix No. 1, are required to be disconnected from the sanitary sewers by December 31, 2018.
2. Complete sanitary sewer lining projects in Area 4 of the City, as indicated in Appendix No. 1, by December 31, 2016.
3. Complete sanitary sewer lining projects in Area 3, as indicated in Appendix No. 1, by December 31, 2018.
4. Install the equipment necessary for disinfection of the final effluent by December 31, 2018.
5. By December 31, 2019, submit a preliminary engineering report for any remaining projects determined to be necessary to eliminate bypassing.
6. By December 31, 2022, eliminate bypassing.
7. This order rescinds Administrative Order No. 2006-WW-05.

VI. PENALTY

1. Iowa Code section 455B.191 authorizes the assessment of civil penalties of up to \$5,000.00 per day of violation for the violations involved in this matter.

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

2. Iowa Code section 455B.109 authorizes the Commission to establish by rule a schedule of civil penalties up to \$10,000.00 that may be assessed administratively. The Commission has adopted this schedule with procedures and criteria for assessment of penalties in 567 IAC chapter 10. Pursuant to these rules, the Department has determined that the most effective and efficient means of addressing the above-cited violations is the issuance of an administrative order without an administrative penalty.

The cost of the of collection system work and the WWTP upgrades are substantial. The City has been cooperative in identifying the needed work and making progress on the selected projects. Given the cost of the projects and the cooperation of the City, the Department has elected to not assess an administrative penalty. The Order is needed to provide an enforceable schedule for the improvements selected by the City.

A. Economic Benefit. The plan set forth in this order, and the activities to date, have been undertaken with consideration of the cost impacts on the City. Delaying the upgrade or replacement of the existing sanitary sewer system collection system allows for the distribution of costs over time to reduce the fiscal impact of the improvements. The execution of this order constitutes a good faith attempt by both parties to achieve compliance and resolve past violations. Due to this, the Department is not assessing any penalty for economic benefit in this order.

B. Gravity of the violation. One of the factors to be considered in determining the gravity of a violation is the amount of penalty authorized by the Iowa Code for the type of violation. As indicated above, substantial civil penalties are authorized by statute. Despite the high penalties authorized, the Department has decided to handle the violations administratively at this time as the most equitable and efficient means of resolving the matter. Maintaining compliance with water pollution control laws is a major program priority of the federal and state pollution control agencies.

The City's sewer collection system has not been able to maintain compliance with applicable requirements and has bypassed untreated wastewater to the receiving stream during significant wet weather events. Bypassing of untreated or partially treated sewage from a separate sanitary sewer system often poses significant environmental pollution and health problems. Bypasses can pollute receiving surface waters with adverse impacts to aquatic life and drinking water quality. Basement backups create a significant health risk, reduce property values, and cause damage to building. In view of the current cooperative efforts of the City, no amount will be assessed for this factor.

C. Culpability. The City has been aware of the inadequacies of the existing sanitary sewer collection system for a considerable period of time but has not completed the improvements required to correct the problem to date. FO 5 documented I/I problems in routine inspection reports. The City's direct responsible charge operators reported various studies and projects to improve the problem, including smoke testing, cleaning, televising, relief sewers and manhole improvements. Nonetheless, these efforts failed to fully address the complete collection system and eliminate problems. The City's

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
ISSUED TO: CITY OF KNOXVILLE**

culpability is mitigated by the steps the City has been taking over the past several years to address the problem and in response to a deadline given to the City for correction of deficiencies. No amount will be assessed for this factor.

VII. WAIVER OF APPEAL RIGHTS

Iowa Code section 455B.175, and 561 IAC 7.4(1), as adopted by reference by 567 IAC chapter 7, authorize a written notice of appeal to the Commission. This order is entered into knowingly by and with the consent of the City. By signature to this order, all rights to appeal this order are waived.

VIII. NONCOMPLIANCE

Compliance with Section "V. Order" of this order constitutes full satisfaction of all requirements pertaining to the violations described in this order. Failure to comply with this order may result in the imposition of administrative penalties pursuant to an administrative order or referral to the Attorney General to obtain injunctive relief and civil penalties pursuant to Iowa Code section 455B.191.

_____ Dated this ____ day of
DONALD ZOUTTE, MAYOR
MAYOR OF KNOXVILLE _____, 2013

_____ Dated this ____ day of
CHUCK GIPP
DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES _____, 2013

City of Knoxville- NPDES Permit No. 6-63-42-0-01 (Copy to Central Office Records File), Tom Atkinson- Field Office No. 5, Emy Liu- Department Project Engineer, Adam Schnieders- NPDES Permits, Diana L. Hansen- Legal Services Bureau, U.S. E.P.A. Region VII, I.B.2.b. and I.B.2.c.

COUNCIL LETTER
CITY OF KNOXVILLE
June 6, 2016

AGENDA ITEM: Staff is seeking Council direction on the property at 1346 138th Place.

BACKGROUND: In planning for future needs for the City's Water Reclamation Facility the City acquired property at 1346 138th Place. The property includes acreage for future plant upgrades and expansion, and for spreading byproduct material generated through the treatment process. This property also included a residence that has been rented in the past. It has been difficult for the City to find good renters, and recent renters have not paid rent. At the same time the City has maintained this property and received minimal if any returns on these investments.

POLICY QUESTION: What should the City do with the residence at 1346 138th Place?

BUDGET IMPACT: Budget impact will depend on Council direction. If the property continues as a rental the impact would be the cost of continued maintenance, and additional expense of rehabbing the home. If the home is demolished or used as a training burn for the Knoxville Fire Department there would be costs associated with removal of the structure. Staff has not bid the demolition to take quotes as we are waiting for Council direction.

RECOMMENDATION: Staff recommends removal of the structure. Efforts to find reliable renters have been unsuccessful in the past and have resulted in costs to the City that have exceeded any revenues collected.