

City of Knoxville  
City Council Meeting  
Tuesday, July 5, 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

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3. Consent Agenda

3.I. Approve City Council Minutes Of June 20, 2016

Documents: [COUNCIL MINUTES 062016.PDF](#)

3.II. Accept Housing Board Minutes Of May 16, 2016

Documents: [HOUSING BOARD MINUTES 051616.PDF](#)

3.III. Accept Tourism Commission Minutes Of June 14, 2016

Documents: [TOURISM MINUTES 061416.PDF](#)

3.IV. Accept Water Board Minutes Of June 14, 2016

Documents: [WATER BOARD MINUTES 061416.DOC](#)

3.V. Approve Class E Liquor License For Wal-Mart Supercenter #2935

4. Item Agenda

4.I. Accept John Greatbatch As Reserve Police Officer

Documents: [COUNCIL LETTER RESERVE GREATBATCH 2016.PDF](#)

4.II. Discussion/Possible Action Regarding Downtown Parking

4.III. Approve Street Closure Request For August 11, 2016 Public Library Show And Shine Car Show

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

4.IV. Approve Special Event Application For Knoxville Chamber Of Commerce Nationals Parade

Documents: [PARADE.PDF](#), [BIZ NOTIFICATION LIST PARADE CRAFT VENDOR SHOW.PDF](#)

4.V. Approve Special Event Application For Knoxville Chamber Of Commerce Craft And Vendor Fair

Documents: [CRAFT VENDOR SHOW.PDF](#), [BIZ NOTIFICATION LIST PARADE CRAFT VENDOR SHOW.PDF](#)

4.VI. Approve Resolution Approving Business Agreement With LISCO

Documents: [RES 073716 LISCO.PDF](#), [LISCO AGMT.DOC](#), [LISCO BREAKDOWN.XLS](#)

4.VII. Approve First Consideration Of An Ordinance Amending The Code Of Ordinances Of The City Of Knoxville, Iowa 2009 By Adding A New Chapter Establishing A Stormwater Utility

Documents: [ORD 1605 STORMWATER.PDF](#)

4.VIII. Discussion/Possible Action Regarding Strategic/Comprehensive Plan Proposals

4.IX. 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

## June 20, 2016

The City Council of the City of Knoxville, Iowa convened in regular session Monday, June 20, 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 and Interim Zoning Administrator Lauren Dietz.

Mayor Hatch asked for Citizen/Public Comments regarding items not on the agenda. There were none.

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

1. Approve City Council minutes of June 6, 2016
2. Accept Airport Commission Minutes of May 14, 2016
3. Accept Library Board of Trustees Minutes of June 15, 2016
4. Approve Reappointment to Library Board of Jean McKay- Term Expires 2022
5. Approve Reappointment to Library Board of Harv Sprafka- Term Expires 2022
6. Approve Special Class C Liquor License for Cobblestone Hotel and Suites
7. Approve Class C Liquor License for Veterans of Foreign Wars, Post 3519
8. Approve Class C Beer Permit for CSOI Corp dba Knoxville 66
9. Approve cigarette permits effective July 1, 2016 for Round Window Liquor, Casey's General Store #1610, 1827, 3217, Fareway, Hy-Vee Inc., Hy-Vee Wine and Spirits, Dollar General #3540, 6820, CSOI Corp., New Leaf E-Cigs, Wal-Mart
10. Approve May 2016 Financials

Motion by Stephens; seconded by Lane to approve Tourism Commission grant request for the Public Library in the amount of \$1,000, all ayes.

Motion by Kelley; seconded by Lane to approve petition and waivers for RJ Storage LLC, all ayes.

A discussion was held regarding strategic/comprehensive plan proposals. Interim Zoning Administrator Lauren Dietz stated there were eight proposals received. Planning and Zoning's top three choices were: JEO, Snyder and Associates and Confluence. Council wasn't prepared to determine which firms to have present at a future meeting. The item will be back on July 5<sup>th</sup> meeting.

Motion by Lane; seconded by Stephens to approve resolution setting salaries/wages for appointed officers and non-collective bargaining unit employees of the City of Knoxville for the fiscal year beginning July 1, 2016, all ayes.

Motion by Lane; seconded by Stephens to approve payment of claims, all ayes.

82013	ABS SANITATION	GARBAGE SERVICE	48.00
82014	ALLIANT ENERGY	1545 HWY 14	14.72
82015	COAST TO COAST STORE	SUPPLIES FOR AIRPORT TERMINAL	50.98
82016	DISH NETWORK	DISH SERVICE	118.86
82017	KNOXVILLE AVIATION	PARTS FOR BUSH HOG	1,599.88
82018	MC CORKLE HARDWARE INC	5 LB BAG MOJAVE	100.00
82019	MIDAMERICAN ENERGY COMPANY	1545 HWY 14	180.88

82020	MIDWEST METER INC	FREIGHT ON LOANER METER	19.62
82021	ABC PEST CONTROL	MONTHLY PEST CONTROL	39.85
82022	AMPERAGE CREATIVE SOURCES	CAPITAL CAMPAIGN	8,072.48
82023	BAKER & TAYLOR	49 BOOKS INV#2032043833	3,563.58
82024	JAY CADY	SUMMER READING PROGRAM	350.00
82025	CENTRAL IOWA DISTRIBUTING INC	BRUSH ASSEMBLY	62.87
82026	DEMCO INC	1 BOX SECURITY STRIPS	248.39
82027	DINO O'DELL	SUMMER READING PROGRAM	330.00
82028	EXCEL MECHANICAL CO INC	REPAIR A/C	339.00
82029	FORBES OFFICE SOLUTIONS	STAPLER	15.89
82030	GALE GROUP INC	3 LP BOOKS INV#58117127	73.47
82031	KNOXVILLE WATER WORKS	217 S 2ND ST-GEBHARDT HOUSE	40.16
82032	MEDIACOM	MONTHLY INTERNET SERVICE	75.90
82033	OSKALOOSA HERALD INC	AD FOR SUMMER READING PROGRAM	132.25
82034	QUALITY SCENT	BATHROOM DEODORIZING	24.00
82035	QUILL CORPORATION	PAPER TOWELS, PAPER	150.86
82036	SENTIMENTAL PRODUCTIONS	2 DVDS	55.00
82037	SPORT VIDEO	MEDICINE BALL WORKOUT DVD	30.00
82038	ROSLIN THOMPSON	BOOK 'THE TIME PARADOX'	29.68
82039	AFLAC	AFLAC-DIS/POST	196.79
82040	COLLECTION SERVICES CENTER	CHILD SUPPORT	1,606.02
82041	ICMA RETIREMENT TRUST	ICMA	1,853.15
82042	KNOXVILLE FIRE & RESCUE ASSC	FIRE DUES	72.96
82043	CITY OF KNOXVILLE	SLF FND BEN-F	11,721.89
82044	DELTA DENTAL OF IOWA	DELTA DENTAL	560.61
82045	COLONIAL LIFE	COLONIAL LIFE	22.85
82046	PLIC-SBD GRAND ISLAND	LIFE INSURANCE	547.44
82047	EMPLOYEE BENEFIT SYSTEMS	HEALTH SGL BEN	22,104.99
82048	A 6 FT GEEK	REPLACED HARD DRIVE ON LAPTOP	247.20
82049	ACCO UNLIMITED CORPORATION	CHLORINE AND ACID EMPLOYEE SCHEDULING SOFTWARE	1,659.70
82050	ALADTEC, INC		1,195.00
82051	AMERICAN MARKETING AND PUBLISH	TEXT PROGRAM	995.00
82052	ARROW INTERNATIONAL, INC	(2) 15 MM IO NEEDLE	354.98
82053	ASSOCIATED COMPUTER SYSTEMS	CIK-PEACE OF MIND	1,940.00
82054	ATOMIC TERMITE & PEST CONTROL	MONTHLY PEST CONTROL	70.00
82055	BARCO MUNICIPAL PRODUCTS INC	200 SAND BAGS	202.26
82056	VANWALL EQUIPMENT	BOLTS FOR TRACTOR	2.56
82057	BOUND TREE MEDICAL LLC	PEDIATRIC ENTUBATION KIT	749.59
82058	BOYER PETROLEUM COMPANY	(2) 5 GAL PAILS 600W OIL	250.16
82059	BROWN'S SANITATION	WWTP 12 YD ROLL OFF 5/6/16	1,292.78
82060	CANDI'S FLOWERS	MEMBERS FATHERS FUNERAL	46.80
82061	CARPENTER UNIFORM & PROMOTIONS	8 UNIFORM BADGES	890.95
82062	CENTER POINT LARGE PRINT	4 LP	125.82
82063	CENTRAL IOWA DISTRIBUTING INC	2 CASES TOILET PAPER, TOWELS	154.00
82064	CENTRAL IOWA FASTENERS	BOLTS,NUTS,WASHERS	59.80
82065	CITY OF KNOXVILLE	RANDY PUYEAR PREMIUMS	143.83

82066	COAST TO COAST STORE	TOOLS FOR STREET SHOP	197.78
82067	COBBLESTONE HOTEL & SUITES	P&Z INTERVIEW METTEE	94.65
82068	CONTINENTAL RESEARCH CORP	AIR CONDITIONER COIL CLEANER	213.00
82069	CREATIVE LANDSCAPING	WEED APPLICATION	820.00
82070	DE RUITER LAWN EQUIPMENT	MOWER REPAIR	43.00
82071	DMS BUILDING CO	STREET SHOP ROOF	28,325.00
82072	ELECTRONIC ENGINEERING	RADIO REPAIR & PROGRAMMING	841.45
		REPAIR SEWER CAMERA &	
		TRACTOR	4,567.66
82073	ELLIOTT EQUIPMENT COMPANY	SAFE-T FUND REQUEST	4,126.15
82074	EMPLOYEE BENEFIT SYSTEMS	ELECTRONIC FUNDS TRANSFER	3,874.87
82075	EMS BILLING SERVICES	5 SETS RUBBER SQUEEGEES	510.00
82076	EVOQUA WATER TECHNOLOGIES	48" CONCRETE FLAT TOP	1,105.00
82077	FORTERRA PIPE & PRECAST	3 NAME TAGS	44.71
82078	GALLS INC	30 GALLONS CORRSHIELD	1,076.75
82079	GE BETZ INC	(24) 20X25 FILTERS	594.84
82080	GRAINGER PARTS	NEW GUTTER AND DOWN SPOUTS	748.11
82081	GUTTER GUYZ		316,240.0
82082	HAWKEYE PAVING CORP	2016 STREET IMPROVEMENTS #2	4
82083	J.ROBERT HOPSON	509A ACTUARIAL CERTIFICATION	550.00
82084	IDEAL READY MIX CO	CONCRETE FOR ALLEY APPROACH	431.00
		DEMO STRUCTURAL FIRE	
82085	ILLINOIS FIRE STORE	COAT/PANT	1,395.00
82086	WINDSTREAM	PHONE BASE/FAX	1,571.03
82087	SHARRY JOHNSON	MILEAGE REIMBURSEMENT	31.76
82088	VICKI JOHNSTON	SHELTERHOUSE RENTAL REFUND	50.00
		NATIONAL SRO CONF-	
		APPLETON,WI	339.61
82089	KYLE KELLER	FLASHING AMBER LIGHT	153.90
82090	KELTEK INCORPORATED	MONTHLY LAB CONTRACT	873.90
82091	KEYSTONE LABORATORIES INC	FILL PROPANE TANK	21.99
82092	KLINE'S QUICK TIME	MAY MEDICATIONS	271.50
82093	KNOXVILLE HOSPITAL & CLINICS	JUNE CONTRACTUAL SERVICES	3,467.91
82094	KNOXVILLE AVIATION		
	KNOXVILLE CHAMBER OF		
	COMMERCE	JUNE SSMID	189.96
82095	KNOXVILLE FARM & HOME INC	WEED EATER STRING	573.81
82097	KNOXVILLE PUBLIC HOUSING	OFFSET MATCH-HARDIE	725.00
82098	LOGAN CONTRACTORS SUPPLY INC	(30) 3/4"X18" DOWELS	75.40
82099	MARION COUNTY ENGINEER	CONCRETE PATCHING	9,118.50
82100	MARION COUNTY HUMANE		
	SOCIETY	16 ANIMALS	1,410.25
82101	MARION COUNTY RECORDER	QUIT CLAIM DEED-BEAL	36.00
82102	MASTERCARD	MPA-BELLON	1,140.37
82103	MC KAY INSURANCE AGENCY INC	JUNE JOG ACCIDENT MEDICAL	67.80
82104	BRIAN MCNEILL	SIDEWALK REIMBURSEMENT	315.61
82105	MIDAMERICAN ENERGY COMPANY	2817 W LARSON ST LFT STATION	348.65
82106	MIDWEST OFFICE TECHNOLOGY INC	COPIER MAINTENANCE CONTRACT	30.00
82107	MIDWEST SANITATION SERVICE	SPRING CLEAN UP	13,923.20
82108	CROSSROADS 5/92 NAPA	BATTERY	107.39
82109	NORRIS ASPHALT PAVING INC	3.47 TON COLD PATCH	503.15
82110	O'REILLY AUTOMOTIVE INC	2 QT 15W40 MOTOR OIL	13.67
82111	OFFICE DEPOT	DVD'S	440.74
82112			

82113	OSKALOOSA HERALD INC	COUNCIL MINUTES 5/16	356.69
82114	PEAK SOFTWARE SYSTEMS INC	MEMBERSHIP CARDS	125.00
82115	JAYME PETERSON	REFUND FOR ADULT COUPLE PASS	151.00
82116	PRAXAIR DISTRIBUTION INC	OXYGEN	131.05
82117	RACEWAY TIRE & EXHAUST	BRAKES-2006 CROWN VIC	344.44
82118	RAMAEKER SCREEN PRINTING	5 LOGO SHIRTS-BREESE	118.90
82119	LARRY RENARD	STEEL TOE SHOES	50.00
82120	ROMAR	OIL & FILTER	34.06
82121	SHELL	OIL CHANGE #938	275.28
82122	SLIDWAYS KARTING CENTER	CITY LOGO FOR NEW TRUCKS	350.00
82123	SNYDER & ASSOCIATES INC	COMPETINE TRAIL GRANT APP	1,079.50
82124	SOUTH CENTRAL IOWA SOUTHEASTERN EMERGENCY	BAILEY HOUSE GARBAGE	42.18
82125	EQUIP	MEDICAL SUPPLIES	674.33
82126	SUMMIT COMPANIES	ANNUAL EXTINGUISHER SERVICE	154.35
82127	THE LIBRARY STORE, INC	26 AUDIOBOOK CASES	228.31
82128	TRUE VALUE HARDWARE INC.	ITEMS FOR PARKS DEPT	121.27
82129	ULRICH MOTOR	9 QTS MOTOR OIL	42.38
82130	US CELLULAR	#937 & #938 CELL PHONES	369.07
82131	UTILITY EQUIPMENT CO	19 BLACK DIPPED TRUNCATED DOME	1,806.40
82132	VANCO SERVICES LLC	PROGRAM FEE	6.95
82133	ANGELA VANDEKAMP	TENNIS LESSON REFUND	20.00
82134	VERIZON	WWTP HOT SPOTS	160.08
82135	WALMART COMMUNITY	8 MOVIES	497.39
82136	DENNIS WEBB	9 TREES-CEMET,CITY HALL,REC	152.73
82137	WEX BANK	MONTHLY FUEL CHARGES	5,775.21
13168528	TREASURER-STATE OF IOWA	SEWER SALES TAX	5,299.00
13168529	BANKERS TRUST	2016A GO REFUNDING BOND	250.00
13168530	MASSMUTUAL	HARTFORD	60.00
13168531	IRS WITHHOLDING PAYMENTS	FED/FICA TAX	22,980.17
13168532	TOTAL ADMINISTRATIVE SERVICES	FLEX- MEDICAL	717.27
13168534	KNOXVILLE RECREATION CENTER	MONTHLY BANK CHARGES	366.12
13168535	KNOXVILLE RECREATION CENTER	MONTHLY BANK CHARGES	253.36

<u>FUND NAME</u>	<u>TOTAL</u>
GENERAL	93,277.56
URBAN DEVELOPMENT	22.00
ROAD USE TAX	51,036.61
EMPLOYEE BENEFITS	348.15
LOCAL OPTION SALES TAX	318,362.05
S.S.M.I.D.	189.96
LIBRARY GIFT & MEMORIAL	812.25
DEBT SERVICE	250.00
BIKE TRAIL PROJECT	1,079.50
CAPITOL PROJECT - LIBRARY	8,112.64
SEWER UTILITY	25,676.21
AIRPORT UTILITY	5,787.29
SELF FUND HEALTH INS	4,471.83

Under Mayor's Report, Mayor Hatch announced the fireworks display with me held on July 3<sup>rd</sup> at the Knoxville Municipal Airport. Hatch also thanked Noon Kiwanis for their successful family fun fair.

Under City Manager's Report, City Manager Adams announced Bill Mettee will be filling the Zoning Administrator position beginning July 11<sup>th</sup>.

Motion by Lane; seconded by Stephens to adjourn to closed session according to section 21.5 (I) of the Iowa Code, all ayes.

Motion by Kelley; seconded by Stephens to reconvene in open session and council action as needed. No action was taken.

Motion by Allspach-Kline seconded by Lane to adjourn at 7:04 pm, all ayes.

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Brian Hatch, Mayor

ATTEST:

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Heather Ussery, City Clerk

## MINUTES

Low Rent Housing Agency of Knoxville  
Location: Conference Room of the Housing Agency  
May 16, 2016

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

Absent: Board Member Brent Hanna

Motion by Teresa Higginbotham with second by Jody Mansueto to accept the consent agenda. The consent agenda included the minutes of the regular Housing Board Meeting of April 18, 2016, the occupancy report, and the stop loss monitoring report. All voted aye.

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

The Director explained when Housing and Urban Development (HUD) updated how it would determine its top rents for the Public Housing program (aka flat rents), it included a method to alter the top rent if formula resulted in an amount that didn't reflect the market rent for the area. The Housing Agency had requested a variance for its 4 bedroom units. The request was submitted in November 2015. Kansas City HUD staff indicated in April 2016 that HUD has not started processing any exception requests and didn't have a schedule to do so. The Housing Agency expects to lose most of the affected families. These families generate about 25% of the Housing Agency's monthly rent. While there will not be a dollar for dollar loss, it is unlikely the new families will generate as much rental income.

Housing Assistance Payments (HAP) to landlords continue to exceed the amount that Housing and Urban Development has allocated the Housing Agency. The office will contact HUD and get the details on applying for shortfall funding.

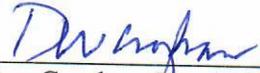
Resolution 04-05-16-2016 to delete of items from inventory the Housing Agency no longer has on hand was moved for adoption by Jerrold Jordan with second by Teresa Higginbotham. All voted aye.

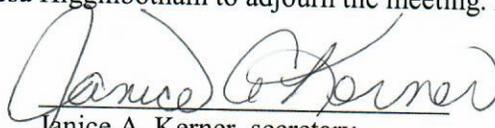
Resolution 05-05-16-2016 for a SEMAP submission was moved for adoption by Jerrold Jordan with second by Jody Mansueto. The submission is for the fiscal year ending March 31, 2016. SEMAP is the annual submission that Housing and Urban Development (HUD) uses to rate the Section 8 Voucher rental assistance program. The Director reviewed the Housing Agency will fail the test on waiting list selection and admission. This item requires 98% accuracy. The Housing Agency had one person in its sample that failed the sample and this was enough to fail this test. The Housing Agency will lose 15 points for this indicator. The Agency anticipates getting all other points. All voted aye.

The fee accountant does not have the March 2016 financial statements prepared yet. These will be presented at the next meeting.

Jody Mansueto had received an e-mail complaint from a tenant. Reviewed the e-mail and the Housing Agency's proposed response.

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

  
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Don Croghan, Board Chairman

  
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Janice A. Kerner, secretary

**CITY OF KNOXVILLE**  
**TOURISM ADVISORY COMMISSION MEETING MINUTES**  
**6/14/2016**

**Tourism Advisory Commission established by the City Council of the City of Knoxville, Iowa Code Ordinance NO. 15-08**

Commission Members Date	1/5/16	2/2/16	3/1/16	4/5/16	5/3/16	6/7/16	7/12/16
Bob Baker, Race Track Representative	A	A	P	P	P	P	
Bob Colbert, City Representative	A	P	P	P	P	P	
Jake Hughes, Chamber Representative	P	P	P	P	P	P	
Sharry Johnson, City Representative	P	P	P	P	P	P	
Elsie Kemp, City Representative	P	A	P	P	P	A	
Larry Kline, City Representative	A	P	P	P	P	P	
James Lane City Council Representative				P	A	P	
Marion County Representative member not yet established							
Visitors	1	0	1	3	1	4	

<b>Call to Order</b>	Larry Kline Called the meeting to order 5:15 PM		Closed
<b>Review Monthly Minutes</b>	Minutes for 5/3/15 were reviewed, motion to approve made by Bob Baker 2nd by Bob Colbert		
<b>Agenda</b> Grant Other Grant Request	<p>Roslin Thompson - Grant Request for a Hot Rod Car show August 11, 2016</p> <p>( Please not the funds for this would need to be pull from the Promotion funds) The City Council approved Funds in the amount of \$8,000 which we did not know about at the time we approved this grant. That funding depleted our grant money down to \$103.00.</p> <div style="text-align: center;">             Grant App            Library.pdf         </div>	<p>Ms. Thompson request \$1,000 dollars for advertising this event. The goal of this car show is to entertain guest for the Knoxville Nationals bring individuals down town August 11, 2016 which is on a Thursday of the Nationals. She was reminded that she would need to obtain approval from the city for this event.</p> <p>A motion was made to approve this event by Bob Baker, 2nd by Jake Hughes. Request to obtain final approval from the City Council June 20th.</p>	Open / ongoing

<b>Grant Request</b>	Ms. Kirsten Meyers & Ms. Josie McKay from Treasured Portraits Ms. Meyers is interested in applying for a grant to place pictures in the local McDonalds.	Ms. Meyers states that she has not as to date obtain permission for this project and so currently is not submitting a request for funds however she wanted to let this Commission that she was willing to help this Commission with photos and the planning for any future Brochures or publications.	Ongoing
<b>Grant Request</b>	Representatives from Slideways were not on the agenda but Gave us letters of intent on 10 events they were planning in the near future.	Slideways is outside the city limits so at the current time we are unable to approve any grant money for these events. Mr. Colbert suggested that maybe they could hold an event within the city limits that we might be able to help funding.	Closed
<b>Review Monthly Minutes</b>	Minutes for 5/3/15 were reviewed, motion to approve made by Bob Baker 2nd by Bob Colbert		
<b>Bob Baker</b>	Construction of the Billboard will start on 6/15/16		Closed.
<b>Elsie Kemp</b>	Elsie was not present but she is currently contacting the 17 Visitor Centers in Iowa to find out what types of Brochures they may allow us to place in their centers.		Ongoing and Cont.
<b>Open Discussion</b>	July's meeting will be held on the 12th instead of the 5th due to the July 4th Holiday.		
<b>Adjourn</b>	Motion to Adjourn made by Jake Hughes and 2nd by Bob Baker		
<b>Adjourned</b>	Meeting was adjourned 6:15		
<b>Next Meeting</b>	July 12, 2016		

Minutes Recorded by Sharry Johnson, 6/19/16

Regular Meeting  
Knoxville Water Works  
Board of Trustees  
June 14, 2016

The Board of Trustees of the Knoxville Water Works met in regular session at 5:30 p.m. on June 14, 2016 at the Water Works office. The meeting was called to order by Chairman Merle Vickroy, with Trustees Dwight Sommar and Kathy Caviness present.

Trustee Sommar motioned and Caviness provided a second to approve the agenda as presented.

Roll Call- AYES: Vickroy, Sommar, Caviness    NAYS: None

A motion was made by Caviness and seconded by Sommar to approve the Consent Agenda items as follows:

1. Approval of the minutes of the May 10, 2016 regular Board Meeting.
2. Approval of the audited claims.
3. Approval of the financial reports for May.

Summary of receipts for May-

Operating Funds = \$	139,321.83
Trust Funds	= <u>900.00</u>
	140,221.83

Summary of disbursements for May-

Operating Funds = \$	296,874.34
Trust Funds	= <u>905.00</u>
	297,779.34

Roll Call- AYES: Vickroy, Sommar, Caviness    NAYS: None

Trustee Caviness made a motion to approve Resolution 2016-3, a water purchase agreement with Central Iowa Rural Water Association. Trustee Sommar seconded.

Roll Call- AYES: Vickroy, Sommar, Caviness    NAYS: None

Trustee Sommar motioned to approve pay estimate #2 for the West Pleasant Street Water Main Reconstruction Project less the amount for concrete repairs. Trustee Caviness seconded.

Roll Call- AYES: Vickroy, Sommar, Caviness NAYS: None

The General Manager reported to the Board on operational and personnel issues.

Trustee Caviness made a motion to adjourn the meeting. Trustee Sommar seconded.

Roll Call- AYES: Vickroy, Sommar, Caviness NAYS: None

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Merle Vickroy  
Chairman

Attest:

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Brian W. Bailey  
Secretary and General Manager

**COUNCIL LETTER**  
**City of Knoxville**  
**July 5, 2016**

**Agenda Item:** Accept John Greatbatch as a reserve police officer.

**Background:** John Greatbatch applied to and was accepted by the Knoxville Police Department Reserves. Mr. Greatbatch has previously been a reserve officer for the Marion County Sheriff's Office and acted as an officer in Melcher.

**Policy Question:** Should the City Council accept John Greatbatch as a Reserve Police Officer.

**Budget Impact:** negligible

**Recommendation:** The Police Chief recommends John Greatbatch be accepted as a Reserve Police Officer.

**Supporting Document:** none

Knoxville Public Library  
213 E. Montgomery St.  
Knoxville, IA 50138  
641-828-0585

Mayor and City Council  
Knoxville, IA 50138

June 28, 2016

RE: Street Closing Request August 11, 2016

The Knoxville Public Library will be hosting a "Show and Shine Car Show" with cars, bicycles, and motorcycles on Thursday, August 11, 2016 from 11 a.m. to 3 p.m. The vehicles will be parked on the street in front of the library (200<sup>th</sup> block), the city parking lot, and between East Montgomery and Second St. (in front of the Gebhardt house). We hope to attract visitors during the Nationals. We will be offering a special Story Time with race car driver, Mckenna Haase, to entertain children of all ages from 1 to 3 p.m.

For safety reasons, we are requesting that the one block in front of the library on East Montgomery St. and the one block on Second Street in front of the Dixie Gebhardt house be closed to traffic on that day. Barriers can be set out at 6 a.m. and taken down by 4 p.m.  
Thank you.

Respectfully,

Roslin Thompson  
Knoxville Public Library Director

CC: City Clerk

# SPECIAL EVENT PERMIT APPLICATION FORM

1. SPONSOR Knoxville Chamber of Commerce

ADDRESS 217 S. Second St. PHONE 828-7555

2. EVENT TYPE:

Parade     Festival     Assembly     Street Closure     Block Party

Rally     Marches     Walks     Fund Raisers

City Property Rental     Other \_\_\_\_\_

3. EVENT CONTACT PERSON(S) Mary Spurgeon PHONE 828-7555  
641-218-0145 (cell)

ADDRESS 217 S. Second St E-MAIL chamber@winwithknoxville.com

4. ON-SITE CONTACT PERSON(S) Jayne McLaren PHONE \_\_\_\_\_

LOCATION DURING EVENT Roche and Main Streets

5. EVENT LOCATION Downtown Knoxville.

6. PARKING AND TRAFFIC PLAN Streets and city lots

STREET CLOSURE  YES  NO    LOCATION(S): Note on attached site plan.

7. EVENT DATE Aug 13 EVENT START TIME 10 am EVENT END TIME 11 a.m. to 11:30 a.m.

8. SET UP TIME 7:00 a.m. TAKE DOWN TIME - Coincides with the Craft and Vendor Show -

9. RAIN DATE/TIME None Clean up will occur @ 2:00 p.m.

10. SIZE OF EVENT (estimated number of people on-site at one time)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1 - 25               | <input type="checkbox"/> 701 - 900     | <input type="checkbox"/> 5,001 - 7,000   |
| <input type="checkbox"/> 26 - 100             | <input type="checkbox"/> 901 - 1,000   | <input type="checkbox"/> 7,001 - 9,000   |
| <input type="checkbox"/> 101 - 200            | <input type="checkbox"/> 1,001 - 1,500 | <input type="checkbox"/> 9,001 - 10,000  |
| <input type="checkbox"/> 201 - 300            | <input type="checkbox"/> 1,501 - 1,700 | <input type="checkbox"/> 10,001 - 15,000 |
| <input checked="" type="checkbox"/> 300 - 500 | <input type="checkbox"/> 1,701 - 2,000 | <input type="checkbox"/> 15,001 - 20,000 |
| <input type="checkbox"/> 500 - 700            | <input type="checkbox"/> 2,001 - 5,000 | <input type="checkbox"/> over 20,000     |

11. PORTABLE TOILETS: NUMBER OF TOILETS BEING PROVIDED 4

LOCATION(S) OF TOILETS 1 handicapped and 1 regular at 2<sup>nd</sup> + Main (on 2<sup>nd</sup> St); same on 3<sup>rd</sup> + Robinson (on 3<sup>rd</sup> St.)

12. TYPES OF ACTIVITIES/VENUES Nationals Parade -  
The Craft & Vendor Show will be also running during this time on the Court house yard and possibly 3<sup>rd</sup> Street.

12a. NON-FOOD VENDORS, CONCESSIONAIRES, RIDES (name, address, phone for each)

*N/a*

12b. FOOD VENDORS (name, address, phone for each)

*N/a*

12c. TENTS

*N/a*

13. UTILITIES TO BE USED (LIST EQUIPMENT TYPES) *N/a*

13a. ELECTRICAL SOURCE *N/a*

13b. WATER SOURCE *N/a*

14. ALCOHOLIC BEVERAGES SERVED? LICENSE CLASS *N/a*

ALCOHOLIC BEVERAGE LICENSE OBTAINED?  YES  NO

15. SECURITY *Knoxville Police Dept & Marion County Sheriff's Dept have been notified.*

HAVE THE POLICE BEEN CONTACTED ABOUT CROWD OR TRAFFIC CONTROL?

YES  NO

16. SOURCE OF GARBAGE/RUBBISH REMOVAL SERVICE:

Brown's Sanitation - Karen Brown 842-4170

17. SITE PLAN ATTACHED.  YES  NO

18. INDEMNITY AGREEMENT SIGNED AND ATTACHED.  YES  NO

19. INSURANCE CERTIFICATE ATTACHED.  YES  NO

20. DAMAGE DEPOSIT INCLUDED (AMOUNT \$ \_\_\_\_\_)  YES  NO

21. PERMIT FEE INCLUDED AMOUNT \$100.00  YES  NO  
If no, proof of non-profit status must included.

*I have read this Special Event Agreement and Permit Application packet and have accurately and truthfully completed the Application. I agree that I will obtain any other permits necessary and will follow the guidelines and requirements set forth in the packet.*

Mary Spurgeon 6-29-2016  
Signature Date

# INDEMNITY AGREEMENT

In consideration for the granting of permission by the City of Knoxville, Iowa to the undersigned for the use of the following described property:

For the following purpose only:

On the following date(s):

The undersigned agrees to defend, indemnify and hold harmless the City of Knoxville, its agents, officers and employees, from and against any and all claims for injury or damages to persons or property arising out of or caused by the use of such property.

The undersigned further agrees upon receipt of notice from the City of Knoxville to defend at its own expense the City of Knoxville, its agents, officers and employees from any action or proceeding against the City of Knoxville, its agents, officers or employees arising out of or caused by the use of such property. The undersigned agrees that a judgment obtained in any such action or proceeding shall be conclusive in any action by the City, its agents, officers or employees against the undersigned, when so notified as to the undersigned's cause of the injury or damage, as to the liability of the City, its agents, officers and employees to the plaintiff in the first named action, and as to the amount of the damage or injury. The City of Knoxville, its agents, officers and employees may maintain an action against the undersigned to recover the amount of the judgment together with all the expenses incurred by the City, its agents, officers and employees in the action.

I HAVE READ THIS INDEMNITY AGREEMENT, I UNDERSTAND THE EFFECT OF THIS INDEMNITY AGREEMENT, I AM AUTHORIZED TO SIGN THIS INDEMNITY AGREEMENT, AND I AM SIGNING THIS INDEMNITY AGREEMENT VOLUNTARILY.

Dated this 29<sup>th</sup> day of June, 2016.

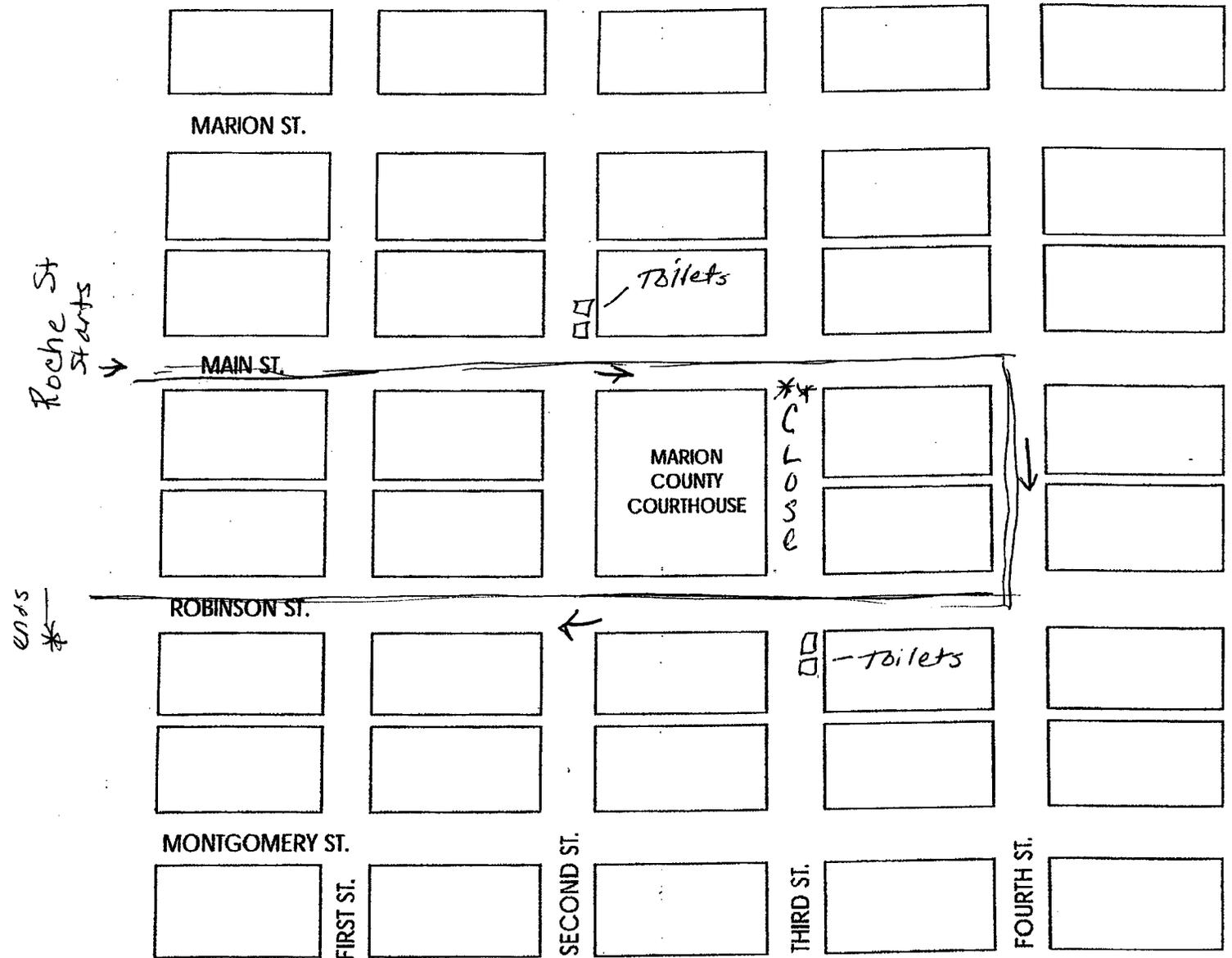
Organization: Knoxville Chamber of  
Commerce

By: Mary Spurgeon

Title: Exec Assistant/Ofc Manager

CITY OF KNOXVILLE  
Downtown Street Map

Nationals Parade  
Line-up 9:00 a.m.  
Parade Starts 10:00 a.m.



\* Parade Line-up starts at Roche and Main Sts and ends at Roche and Robinson Sts.  
\* \* Close 3<sup>rd</sup> Street from 9- after parade (11-11:30 a.m.)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/21/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> McKay Insurance Agency, Inc. 106 East Main Street P O Box 151 Knoxville IA 50138		<b>CONTACT NAME:</b> Terri Van Ryswyk <b>PHONE (A/C, No, Ext):</b> (641) 842-2135 <b>FAX (A/C, No):</b> (641) 828-2013 <b>E-MAIL ADDRESS:</b> tvanryswyk@mckayinsagency.com	
<b>INSURED</b> Knoxville Chamber of Commerce 217 S 2nd St Knoxville IA 50138-2204		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: West Bend Mutual NAIC # 15350 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

**COVERAGES** CERTIFICATE NUMBER: CL1662147124 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1298261	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 200,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Voluntary Property Damage \$ 2,500 COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			1298261	4/1/2016	4/1/2017	BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	1298262	4/1/2016	4/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Proof of Insurance

<b>CERTIFICATE HOLDER</b>  Proof of Insurance	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE T Van Ryswyk/TERRI <i>Terri Van Ryswyk</i>

# BUSINESS NOTIFICATION LIST

\*Note: Your signature on this list is for the sole purpose of businesses being affected by special events being notified of the event. It is not intended to indicate whether you are for or against the event. If you have comments and/or arguments concerning the event, they must be put in writing and delivered to the Zoning Administrator's Office at City Hall as soon as possible to be considered prior to the special event application being approved.

Business Name And Signature	Address	Telephone #
--------------------------------	---------	-------------

Contacted the following businesses by phone  
and received their approval of the Special events for  
the Nationals Parade and Craft + Vendor Show - Aug 13

Pearson

<u>Brothers/Jan Pearson</u>	<u>101 E. Robinson St</u>	<u>641-891-4587</u>
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Treasured Portraits

<u>Kirsten Meyers</u>	<u>208 S. Second St.</u>	<u>641-828-8120</u>
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I 55B

<u>David Hoke (DLH)</u>	<u>222 E. Robinson St.</u>	<u>641-828-8391</u>
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The Grand Theater

<u>Dylan Morse</u>	<u>212 E. Robinson St.</u>	<u>641-828-8000</u>
--------------------	----------------------------	---------------------

Plush Pony

<u>Christine Richards</u>	<u>109 S. Third St</u>	<u>641-828-6121</u>
---------------------------	------------------------	---------------------

This That and the Other

<u>Nancy Beal</u>	<u>101 S. Third St.</u>	<u>641-842-4200</u>
-------------------	-------------------------	---------------------

McKay Insurance

<u>Todd Chambers</u>	<u>106 E. Main St.</u>	<u>641-842-2135</u>
----------------------	------------------------	---------------------

Larman Liquidations /Twin Palms

<u>Ben + Juli Larman</u>	<u>309 E. Robinson</u>	<u>641-218-0267</u>
--------------------------	------------------------	---------------------

New Leaf ECigs

<u>Randy Runquist</u>	<u>107 S. Third St.</u>	<u>641-205-8057</u>
-----------------------	-------------------------	---------------------

Dengs Garden

<u>* Closed until July 11</u>	<u>221 E. Main St</u>	<u>641-842-2575</u>
-------------------------------	-----------------------	---------------------

Hong Kong /Lucky

<u>Buffet</u>	<u>114 S. Second St.</u>	<u>641-842-3538</u>
---------------	--------------------------	---------------------

Downtown Diner

Peace Tree Brewing Co

Meghan McKay

119 W. Main St

641-828-2050

107 W. Main St

641-230-0468

# BUSINESS NOTIFICATION LIST

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Business Name And Signature	Address	Telephone #
Marion Co Mutual Susan Meier	303 E Main Knoxville	641-842-2519
Kuon's BP		842-6262
Rum Take Damon Falson	319 E. Main Knoxville	
Wells Fargo	102 S. 2 <sup>nd</sup> St.	828-7500
Helping Hands Cathy Miller	110 West Main	842-6933
Knoxville Dental Center	211 S. 2 <sup>nd</sup> St. Markers Crews	828-7777
Knoxville Journal Express	122 E Robinson	Jennifer Wilson 842-2155
Lois Vroom PC	116 E Robinson	842-6226
Renae Marshall	114 E Robinson	Salon 114 828-6233
Diane Carbridget	112 E Robinson St	Sundance Realty <sup>641</sup> 842-7214
Flops - Betty Hugen	109 E Robinson	641-842-6231
The Still - Anna Peterson	124 S 2 <sup>nd</sup>	828-6342
Optimae Ann Gell	204 E Robinson St Knoxville	805-0805
Carlye	206 E. Robinson St. Knoxville	205-8889
Sandra Nealley	202 E. Robinson	828-2016
Rockland R Bank Seminet Realty	306 E Robinson	891-6220
almost Free Shop Marilyn Jordan	312 E Robinson	W-A
Candis Flowers	1235 3 <sup>rd</sup>	828-7720

# BUSINESS NOTIFICATION LIST

**\*Note:** Your signature on this list is for the sole purpose of businesses being affected by special events being notified of the event. It is not intended to indicate whether you are for or against the event. If you have comments and/or arguments concerning the event, they must be put in writing and delivered to the Zoning Administrator's Office at City Hall as soon as possible to be considered prior to the special event application being approved.

Business Name And Signature	Address	Telephone #
Jacobsen Travel Agency <i>Jacobsen</i>	113 W. Main St.	842-5322
Judy Kiggery Shear Designers	103 W Main	842-7144
Olivia Kane Olivia Kane	105 E. Main St	842-2424
<i>James Kane</i>	107 E. Main St	842-2424
Donald W. Croghan CPA PC	109 E. Main	842-5821
Perk Cup <i>Perk Cup</i>	113 E Main St	842-5152
Linda Socher Knoxville Chiropractic Clinic	115 E. Main St.	842-3007
<i>Melba</i> Towa Realty	119 E. Main St.	842-2910
Jamar Walters Whyllie Eye Care	123 E. Main St.	842-2020
Shotz Bar Ammi Hill	205 E. Main St.	218-0808
<i>3 COMPANIES EXCEPTING</i> Darrin Limb	106 W MARION	842-6165
<i>in 70s</i> A6ft Creek	207 E. main st	218-9777
Main Street Market	209 E. Main St.	842-3222
HCI hospice Care Services Duchonall	213 E Main St	842-4312
<i>Heather</i> <i>Shirley</i> - Coffee Connection	213 E Main St	828-8141
Steve Farm <i>Steve</i>	217 E. Main	842-2161
Central Cellular	225 E Main	828-8745



City  
Art + Vendor  
Show.

# SPECIAL EVENT PERMIT APPLICATION FORM

1. SPONSOR Knoxville Chamber of Commerce  
ADDRESS 217 S. Second St PHONE 828-7555

2. EVENT TYPE:

- Parade
- Festival
- Assembly
- Street Closure
- Block Party
- Rally
- Marches
- Walks
- Fund Raisers
- City Property Rental
- Other Art + Craft Show

3. EVENT CONTACT PERSON(S) Mary Spurgeon PHONE 828-7555  
ADDRESS 217 S. Second St. E-MAIL chamber@winwithknoxville.com

4. ON-SITE CONTACT PERSON(S) Elsie Kemp PHONE 842-3222  
LOCATION DURING EVENT Marion County Court house lawn

5. EVENT LOCATION Marion County Court house

6. PARKING AND TRAFFIC PLAN Streets and City lots

STREET CLOSURE  YES  NO LOCATION(S): Note on attached site plan.

7. EVENT DATE 8/13 EVENT START TIME 8 am EVENT END TIME 2 pm

8. SET UP TIME 6:00 a.m. TAKE DOWN TIME 2-4 p.m.

9. RAIN DATE/TIME N/A

10. SIZE OF EVENT (estimated number of people on-site at one time)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1 - 25               | <input type="checkbox"/> 701 - 900     | <input type="checkbox"/> 5,001 - 7,000   |
| <input type="checkbox"/> 26 - 100             | <input type="checkbox"/> 901 - 1,000   | <input type="checkbox"/> 7,001 - 9,000   |
| <input type="checkbox"/> 101 - 200            | <input type="checkbox"/> 1,001 - 1,500 | <input type="checkbox"/> 9,001 - 10,000  |
| <input type="checkbox"/> 201 - 300            | <input type="checkbox"/> 1,501 - 1,700 | <input type="checkbox"/> 10,001 - 15,000 |
| <input checked="" type="checkbox"/> 300 - 500 | <input type="checkbox"/> 1,701 - 2,000 | <input type="checkbox"/> 15,001 - 20,000 |
| <input type="checkbox"/> 500 - 700            | <input type="checkbox"/> 2,001 - 5,000 | <input type="checkbox"/> over 20,000     |

11. PORTABLE TOILETS: NUMBER OF TOILETS BEING PROVIDED 4

LOCATION(S) OF TOILETS 2<sup>nd</sup> + Main and 3<sup>rd</sup> + Robinson

12. TYPES OF ACTIVITIES/VENUES Art + Craft Vendors will sell products in addition to the Farmers' Market

12a. NON-FOOD VENDORS, CONCESSIONAIRES, RIDES (name, address, phone for each)

At this time, we are receiving entries.  
Vendors have a deadline of July 31 to  
submit entries.

12b. FOOD VENDORS (name, address, phone for each)

We have not received any entries for food  
vendors at this time.

12c. TENTS Vendors provide canopies, tables, etc.

13. UTILITIES TO BE USED (LIST EQUIPMENT TYPES)

13a. ELECTRICAL SOURCE Marion County electrical outlets and  
light poles;

13b. WATER SOURCE

14. ALCOHOLIC BEVERAGES SERVED? LICENSE CLASS N/A

ALCOHOLIC BEVERAGE LICENSE OBTAINED?  YES  NO

15. SECURITY Knoxville Police Dept + Marion County  
Sheriff's Dept have been notified.

HAVE THE POLICE BEEN CONTACTED ABOUT CROWD OR TRAFFIC CONTROL?

YES  NO

16. SOURCE OF GARBAGE/RUBBISH REMOVAL SERVICE:

Brown's Sanitation - Karen Brown 842-4170

17. SITE PLAN ATTACHED.

YES  NO

18. INDEMNITY AGREEMENT SIGNED AND ATTACHED.

YES  NO

19. INSURANCE CERTIFICATE ATTACHED.

YES  NO

20. DAMAGE DEPOSIT INCLUDED (AMOUNT \$ \_\_\_\_\_)

YES  NO

21. PERMIT FEE INCLUDED AMOUNT \$100.00

YES  NO

If no, proof of non-profit status must included.

*I have read this Special Event Agreement and Permit Application packet and have accurately and truthfully completed the Application. I agree that I will obtain any other permits necessary and will follow the guidelines and requirements set forth in the packet.*

Mary Spurgeon  
Signature

6-29-2016  
Date

## INDEMNITY AGREEMENT

In consideration for the granting of permission by the City of Knoxville, Iowa to the undersigned for the use of the following described property:

For the following purpose only:

On the following date(s):

The undersigned agrees to defend, indemnify and hold harmless the City of Knoxville, its agents, officers and employees, from and against any and all claims for injury or damages to persons or property arising out of or caused by the use of such property.

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I HAVE READ THIS INDEMNITY AGREEMENT, I UNDERSTAND THE EFFECT OF THIS INDEMNITY AGREEMENT, I AM AUTHORIZED TO SIGN THIS INDEMNITY AGREEMENT, AND I AM SIGNING THIS INDEMNITY AGREEMENT VOLUNTARILY.

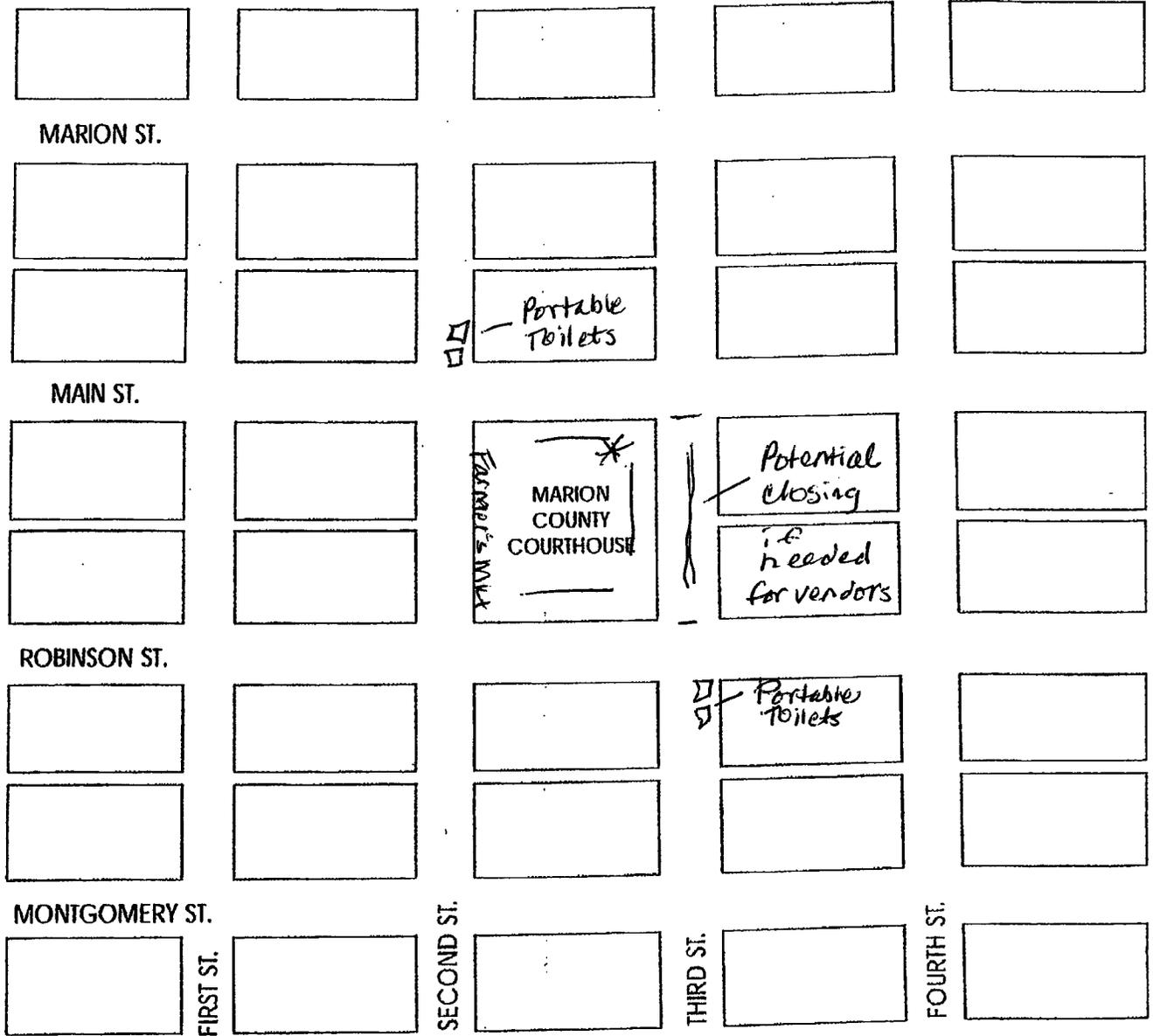
Dated this 29<sup>th</sup> day of June, 20 16.

Organization: Knoxville Chamber of Commerce

By: Mary Spurgeon

Title: Exec Assistant / Ofc Manager

CITY OF KNOXVILLE  
Downtown Street Map



\* Vendors  
\* Will be located on Courthouse lawn  
and potentially on 3rd Street if we  
have a large # of vendors.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/21/2016

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> McKay Insurance Agency, Inc. 106 East Main Street P O Box 151 Knoxville IA 50138	<b>CONTACT NAME:</b> Terri Van Ryswyk <b>PHONE (A/C No. Ext):</b> (641) 842-2135 <b>FAX (A/C No):</b> (641) 828-2013 <b>E-MAIL ADDRESS:</b> tvanryswyk@mckayinsagency.com												
<b>INSURER(S) AFFORDING COVERAGE</b>													
<b>INSURED</b> Knoxville Chamber of Commerce 217 S 2nd St Knoxville IA 50138-2204	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><b>INSURER A:</b> West Bend Mutual</td> <td style="text-align: right;"><b>NAIC #</b> 15350</td> </tr> <tr> <td><b>INSURER B:</b></td> <td></td> </tr> <tr> <td><b>INSURER C:</b></td> <td></td> </tr> <tr> <td><b>INSURER D:</b></td> <td></td> </tr> <tr> <td><b>INSURER E:</b></td> <td></td> </tr> <tr> <td><b>INSURER F:</b></td> <td></td> </tr> </table>	<b>INSURER A:</b> West Bend Mutual	<b>NAIC #</b> 15350	<b>INSURER B:</b>		<b>INSURER C:</b>		<b>INSURER D:</b>		<b>INSURER E:</b>		<b>INSURER F:</b>	
<b>INSURER A:</b> West Bend Mutual	<b>NAIC #</b> 15350												
<b>INSURER B:</b>													
<b>INSURER C:</b>													
<b>INSURER D:</b>													
<b>INSURER E:</b>													
<b>INSURER F:</b>													

**COVERAGES** **CERTIFICATE NUMBER: CL1662147124** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1298261	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 200,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							Voluntary Property Damage \$ 2,500
A	AUTOMOBILE LIABILITY  <input type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			1298261	4/1/2016	4/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	1298262	4/1/2016	4/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
							E.L. EACH ACCIDENT \$ 100,000
							E.L. DISEASE - EA EMPLOYEE \$ 100,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 Proof of Insurance

<b>CERTIFICATE HOLDER</b>  Proof of Insurance	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  T Van Ryswyk/TERRI <i>Terri Van Ryswyk</i>
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# BUSINESS NOTIFICATION LIST

\*Note: Your signature on this list is for the sole purpose of businesses being affected by special events being notified of the event. It is not intended to indicate whether you are for or against the event. If you have comments and/or arguments concerning the event, they must be put in writing and delivered to the Zoning Administrator's Office at City Hall as soon as possible to be considered prior to the special event application being approved.

Business Name And Signature	Address	Telephone #
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Contacted the following businesses by phone  
and received their approval of the Special events for  
the Nationals Parade and Craft + Vendor Show - Aug 13

Pearson

<u>Brothers/Jan Pearson</u>	<u>101 E. Robinson St</u>	<u>641-891-4587</u>
<u>Treasured Portraits</u>		

<u>Kirsten Meyers</u>	<u>208 S. Second St.</u>	<u>641-828-8120</u>
<u>I 55B</u>		

<u>David Hoke (DLH)</u>	<u>222 E. Robinson St.</u>	<u>641-828-8391</u>
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The Grand Theater

<u>Dylan Morse</u>	<u>212 E. Robinson St.</u>	<u>641-828-8000</u>
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Plush Pony

<u>Christine Richards</u>	<u>109 S. Third St</u>	<u>641-828-6121</u>
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This That and the Other

<u>Nancy Beal</u>	<u>101 S. Third St.</u>	<u>641-842-4200</u>
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McKay Insurance

<u>Todd Chambers</u>	<u>106 E. Main St.</u>	<u>641-842-2135</u>
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Larman Liquidations /Twin Palms

<u>Ben + Juli Larman</u>	<u>309 E. Robinson</u>	<u>641-218-0267</u>
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New Leaf ECigs

<u>Randy Runquist</u>	<u>107 S. Third St.</u>	<u>641-205-8057</u>
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Dengs Garden

<u>* Closed until July 11</u>	<u>221 E. Main St</u>	<u>641-842-2575</u>
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Hong Kong /Lucky

<u>Buffet</u>	<u>114 S. Second St.</u>	<u>641-842-3538</u>
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Downtown Diner

<u>Peace Tree Brewing Co</u>	<u>119 W. Main St</u>	<u>641-828-2050</u>
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Meghan McKay

	<u>107 W. Main St</u>	<u>641-230-0468</u>
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# BUSINESS NOTIFICATION LIST

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Business Name And Signature	Address	Telephone #
Marion Co Mutual Susan Meier	303 E Main Knoxville	641-842-2519
Kuon's BP		842-6262
Rum Take Damon Falson	319 E. Main Knoxville	
Wells Fargo	102 S. 2 <sup>nd</sup> St.	828-7500
Helping Hands Cathy Miller	110 West Main	842-6933
Knoxville Dental Center	211 S. 2 <sup>nd</sup> St. Markers Crews	828-7777
Knoxville Journal Express	122 E Robinson	Jennifer Wilson 842-2155
Lois Vroom PC	116 E Robinson	842-6226
Renae Marshall	114 E Robinson	Salon 114 828-6233
Diane Carbridget	112 E Robinson St	Sundance Realty <sup>641</sup> 842-7214
Flops - Betty Hugen	109 E Robinson	641-842-6231
The Still - Anna Peterson	124 S 2 <sup>nd</sup>	828-6342
Optimae Ann Gell	204 E Robinson St Knoxville	805-0805
Myra Myers, DAKS C 206 Cayde	206 E. Robinson St. Knoxville	205-8889
Sanjida Realty	202 E. Robinson	828-2016
Rockland R Bank Seminet Realty	306 E Robinson	891-6220
almost Free Shop Maralyn Jordan	312 E Robinson	W-A
Candis Flowers	1235 3 <sup>rd</sup>	828-7720

# BUSINESS NOTIFICATION LIST

**\*Note:** Your signature on this list is for the sole purpose of businesses being affected by special events being notified of the event. It is not intended to indicate whether you are for or against the event. If you have comments and/or arguments concerning the event, they must be put in writing and delivered to the Zoning Administrator's Office at City Hall as soon as possible to be considered prior to the special event application being approved.

Business Name And Signature	Address	Telephone #
Jacobsen Travel Agency <i>Jacob Jacobsen</i>	113 W. Main St.	842-5322
Judy Kiggery Shear Designers	103 W Main	842-7144
Olivia Kane <i>Olivia Kane</i>	105 E. Main St	842-2424
<i>James Kane</i>	107 E. Main St	842-2231
Donald W. Croghan CPA PC	109 E. Main	842-5821
Perk Cup <i>Ken Anderson</i>	113 E Main St	842-5152
Linda Socher Knoxville Chiropractic Clinic	115 E. Main St.	842-3007
<i>Melba Steen</i> Iowa Realty	119 E. Main St.	842-2910
Jamar Walters Whyllie Eye Care	123 E. Main St.	842-2020
Shotz Bar Ammie Hill	205 E. Main St.	218-0808
<i>3 COMPANIES EXCEPTING</i> Darrin Limb	106 W MARION	842-6165
<i>in 70s</i> A6ft Creek	207 E. main st	218-9777
Main Street Market	209 E. Main St.	842-3222
HCI hospice Care Services Duchonall	213 E Main St	842-4312
<i>Heather Hill</i> Coffee Connection	213 E Main St	828-8141
Steve Farm <i>Steve</i>	217 E. Main	842-2161
Central Cellular	225 E Main	828-8745



RESOLUTION NO. 07-37-16

RESOLUTION APPROVING A BUSINESS AGREEMENT WITH LISCO

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

WHEREAS, the City and LISCO have engaged in discussions regarding the potential for LISCO to provide local telecommunications and data of services for the City of Knoxville; and

WHEREAS, after receiving proposals from LISCO and other similar companies, the City Council and Staff have determined that the City should enter into an agreement with LISCO to provide those services; and

WHEREAS, LISCO has submitted a proposed business agreement for a three (3) year period which has been reviewed by City Staff and it has been determined that it is in the best interest of the City of Knoxville to enter into this business agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Knoxville, Iowa, that the three (3) year business agreement with LISCO for purposes of providing local telecommunications and data of service to the City of Knoxville is hereby approved and the Mayor and City Clerk are hereby authorized to sign said agreement in behalf of the City.

PASSED AND APPROVED by the City Council this 5<sup>th</sup> day of July 2016.

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Brian J. Hatch, MAYOR

ATTEST:

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Heather Ussery, CITY CLERK

### 3-YEAR BUSINESS AGREEMENT

An agreement between **LISCO**, of 1680 Hwy 1 Suite 1500, POB 1750, Fairfield, IA 52556 and  
**City Of Knoxville**  
**Knoxville, Iowa**

**1. AGREEMENT:** LISCO shall provide local telecommunications and data service to Customer under these terms and conditions, the order form attached here to (“Order”) and applicable LISCO tariffs on file with regulatory bodies, as amended from time to time (collectively the “Agreement”).

**2. TERM:** This contract begins the day service begins and is a three-year agreement. This agreement will renew automatically month to month thereafter until either party gives written notice of termination to the other at least (30) days before the end of any term.

**3. CHARGES:** Customer shall pay LISCO the rates and charges set forth on the Order.

**4. PAYMENT:** Payment is due by the due date indicated on the monthly bill. Customer may be assessed a late payment charge if billed amounts remain unpaid after the due date, as specified in the LISCO tariff.

**5. ADJUSTMENTS:** LISCO may impose surcharges to recover amounts it is required by governmental or quasi-governmental authorities to collect on their behalf or to pay to others in support of statutory or regulatory programs. Examples of such charges include, but are not limited to, taxes, the E-911 Charge and the Universal Service Charge.

**6. LIABILITY FOR EARLY TERMINATION:** If an Order is terminated in whole or in part before expiration of the Order Term, Customer will pay, as termination charges, a lump sum equal to half of the monthly charge for the service terminated multiplied by the number of months remaining in the term. Upon prior approval of LISCO, Customer will not be liable for termination charges if Customer orders another service of the same or greater monthly price with a term no less than the remaining months in the initial Order Term. If customer moves to a location not served by LISCO, charges for early termination will not apply.

**7. FORCE MAJEURE:** LISCO will not be responsible for delay, interruption or other failure to perform under the Agreement due to forces beyond its control. Such forces include, but are not limited to, natural disasters (e.g., lightning, earthquakes, hurricanes, floods), wars, riots, terrorist activities and civil commotions, inability to obtain equipment from third party suppliers, cable cuts by third parties, a local exchange carrier’s activities and other acts of third parties, explosions and fires, embargoes, strikes and labor disputes, and governmental decrees or any other cause beyond the reasonable control of a party.

**8. ACCEPTABLE USE POLICY:** Customer agrees to abide by LISCO’s posted Acceptable Use Policy available at:  
<http://www.lisco.com/PDF/AUPolicy.pdf>

**9. INTERNET SPEED:** Customer understands that speeds up to 100 mbps refer to those portions of the Internet under LISCO’s control. Other factors, not under LISCO’s control, such as one’s personal computer, network equipment at one’s location, overhead of optical fiber transport, and speed of the Internet itself all affect real-world speed. The limiting facts will not be LISCO Service.

**10. LISCO’s BANDWIDTH POLICY:** LISCO constantly monitors its own connection to the Internet. LISCO’s ongoing policy is to keep increasing its connection to the Internet as necessary to supply contracted speeds to all LISCO customers. See also Fair Access Policy at <http://www.lisco.com/PDF/FAPolicy.pdf>

**11. LISCO’s Fraudulent Usage Policy:** Customer is solely responsible for all long distance usage accessed through LISCO’s network, fraudulent or otherwise. Claims of fraudulent usage shall not constitute a valid basis for dispute of an invoice. The Parties agree that Customer, and not LISCO, shall bear all risk of loss arising from fraudulent or unauthorized use of the Services. LISCO reserves the right, but has no duty, to take any action it deems appropriate to prevent any fraud or abuse in connection with the Services, consistent with applicable federal and state laws and regulations.

**12. LISCO Reserves the Right:** To charge a cancellation fee when construction of a fiber drop was started prior to cancellation.

*Samantha Staber*

LISCO -Sales  
Date: June 30, 2016

\_\_\_\_\_  
City of Knoxville



1680 Hwy 1 Ste 1500, Fairfield IA 52556 641-209-7168 Fax: 641-209-5483

**FIBER PROPOSAL GOOD FOR 30 DAYS FROM 6/30/2016**

**City of Knoxville**

**Knoxville Iowa 50138**

**Monthly Recurring Charges (MRC)**

	Item	MRC each	Qty	Total MRC
<b><u>City Hall</u></b> <b><u>305 S 3rd St #4</u></b>	Data Via Fiber @ 25Mbps Symmetrical	\$150.00	1	\$150.00
	Static IP	\$10.00	1	\$10.00
	25% Vital Services Discount	-\$40.00	1	-\$40.00
<b><u>Police Department</u></b> <b><u>305 S 3rd St</u></b>	Data Via Fiber @ 25Mbps Symmetrical	\$150.00	1	\$150.00
	Static IP	\$10.00	1	\$10.00
	25% Vital Services Discount	-\$40.00	1	-\$40.00
<b><u>Fire Department</u></b> <b><u>305 S 3rd St</u></b>	Data Via Fiber @ 25Mbps Symmetrical	\$150.00	1	\$150.00
	Static IP	\$10.00	1	\$10.00
	25% Vital Services Discount	-\$40.00	1	-\$40.00
<b><u>Water Reclamation</u></b> <b><u>1703 E Pleasant St</u></b>	Data Via Fiber @ 25Mbps Symmetrical	\$150.00	1	\$150.00
	Static IP	\$10.00	1	\$10.00
<b><u>Library</u></b> <b><u>213 E Montgomery St</u></b>	Data Via Fiber @ 25Mbps Symmetrical	\$150.00	1	\$150.00
	Static IP	\$10.00	1	\$10.00
	25% Vital Services Discount	-\$40.00	1	-\$40.00
<b>GRAND TOTAL, MRC</b>				<b><u><u>\$640.00</u></u></b>

**One-Time (Non-Recurring) Charges (NRC)**

	Item	NRC each	Qty	Total NRC
	Fiber Construction up to 250Ft Waived	\$0.00	1	\$0.00
	Order Fee	\$55.00	1	\$55.00
<b>GRAND TOTAL, NRC</b>				<b><u><u>\$55.00</u></u></b>

Signature for LISCO: Samantha Staber  
Date: 6/30/2016

Signature for City of Knoxville:

ORDINANCE NO.16-05

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KNOXVILLE, IOWA,  
2009, BY ADDING A NEW CHAPTER ESTABLISHING A STORMWATER UTILITY

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

Section 1. The Code of Ordinances of the City of Knoxville, Iowa, 2009, is hereby amended by adding a new Chapter 10, entitled Stormwater Utility, which is hereby adopted to read as follows:

**CHAPTER 10**

**STORMWATER UTILITY**

SECTION:

- 10-1-1: Purpose and Objective.
- 10-1-2: Creation of Stormwater Management and Drainage Systems Utility.
- 10-1.3: Definitions.
- 10-1-4: Funding the Stormwater Management and Drainage Systems Utility.
- 10-1-5: Stormwater Management and Drainage Systems Utility Budget.
- 10-1-6: Rate Structure and Stormwater Service Charge.
- 10-1-7: Powers of Director of Public Works.
- 10-1-8: Powers and Duties of the City.
- 10-1-9: Scope of Responsibility for the Drainage Systems.
- 10-1-10: Requirements for On-Site Stormwater Systems, Enforcement and Inspections.
- 10-1-11: Right to Appeal.
- 10-1-12: Billing and Collections.
- 10-1-13: Adjustments to Stormwater Service Charges.
- 10-1-14: Exemptions and Credits Applicable to Stormwater Service Charges.

**10-1-1: Purpose and Objective.**

(a) The purpose of this Article is to establish a policy and procedure for managing and controlling the quantity and quality of stormwater runoff, within the city limits of Knoxville, Iowa. The management shall include the establishment of a stormwater utility to provide revenues for whatever aspects of this requirement are deemed appropriate by the City.

(b) The city finds, determines and declares that the stormwater drainage system provides benefits and services to all property within the city limits. Such benefits include, but are not limited to: the provision of adequate systems for collection, conveyance, detention, treatment and release of stormwater for quality and quantity management that minimize impacts on receiving waters.

(c) In order to manage additions and improvements to the city stormwater systems, the City must have adequate and stable funding for its stormwater management program operating and capital investment needs.

**10-1-2: Creation of a Stormwater Management and Drainage Systems Utility.**

(a) The function of the Stormwater Management and Drainage Systems Utility [hereinafter referred to as "stormwater utility"] within the Public Works Department is to provide for the safe and efficient capture of stormwater runoff, mitigate the damaging effects of stormwater runoff, correction of stormwater problems, to fund activities of stormwater management, and include design, planning, regulations, education, coordination, construction, operations, maintenance, inspection and enforcement activities.

(b) There is hereby established a stormwater utility within the City of Knoxville, Iowa which shall be responsible for creating revenue for stormwater management throughout the City's corporate limits, and shall provide for the management, protection, control, regulation, use, and enhancement of stormwater systems and facilities. Such utility shall be under the operational direction of the Public Works Director. The corporate limits of the City, as increased from time to time, shall constitute the boundaries of the stormwater utility district.

(c) The City shall establish a Stormwater Utility Fund in the City budget and accounting system, separate and apart from its General Fund, for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the utility.

**10-1-3: Definitions.**

"City" City of Knoxville

"Adjustment" means a modification in a nonresidential customer's stormwater service fee for certain activities that impact stormwater runoff or impact the City's costs of providing stormwater management.

"Director" means the director of the Stormwater Utility.

“Detached Dwelling Unit” shall mean developed land containing one structure which is not attached to another dwelling and which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one family. Detached dwelling units may include houses, manufactured homes, and mobile homes located on one or more individual lots or parcels of land.

“Equivalent Residential Unit” (ERU) shall mean the average impervious area of a detached dwelling unit property within the City, and shall be used as the basis for determining stormwater service charges to detached dwelling unit properties. 3,034 square feet shall be equivalent to 1 ERU.

“ERU Rate” The dollar value periodically determined and assigned to each ERU as a charge for stormwater management services, expressed as \$6.00 per ERU.

“Impervious Area” The number of square feet of hard-surfaced areas which either prevent or resist the entry of water into soil surface, as it entered under natural conditions as undeveloped property, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as undeveloped property. This includes but is not limited to roofs, roof extensions, patios, porches, driveways, sidewalks, pavement, athletic courts, and semi-impervious surfaces such as gravel which are used as driveways or parking lots.

“Occupant” shall mean the person residing or doing business on the property. In a family or household situation, the person responsible for the obligation imposed shall be the adult head of the household. In a shared dwelling or office situation, the adult legally responsible for the management or condition of the property shall be responsible.

“Owner” shall mean the legal owner(s) of record as shown on the tax rolls of City of Knoxville, except where there is a recorded land sale contract, the purchaser thereunder shall be deemed the owner.

“Stormwater” means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

“Storm Sewer” means a sewer, which carries stormwater, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than permitted discharges.

“Service Charges” shall mean the periodic rate, fee or charge applicable to a parcel of developed land, which charge shall be reflective of the service provided by the City of Knoxville stormwater utility. Service charges are based on measurable parameters which influence the stormwater utility’s cost of providing services and facilities, with the most important factor being the amount of impervious area on each parcel of developed land.

“Stormwater Drainage System” means all man-made facilities, structures, and natural watercourses owned by the City of Knoxville, used for collection and conducting stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to, any and all of the following: conduits and appurtenant features, canals, creeks, catch basins, ditches, streams, gullies, ravines, flumes, culverts, siphons, streets, curbs, gutters, dams, floodwalls, levees, and pumping stations.

“Stormwater Management” means the tasks required to control stormwater runoff using stormwater management systems, to protect the health, safety, and welfare of the public, and comply with relevant state and federal regulations.

“Stormwater Management Systems” address the issues of drainage management (flooding) and environmental quality (pollution, erosion, and sedimentation) of receiving rivers, streams, creeks, lakes, ponds, and reservoirs through improvements, maintenance, regulation and funding of plants, works, instrumentalities and properties used or useful in the collection, retention, detention, and treatment of stormwater or surface water drainage.

“Stormwater Utility” means the utility established under this Section for the purpose of managing stormwater and imposing charges for the recovery of costs connected with such stormwater management.

“Surface Water” means water bodies and any water temporarily residing on the surface of the ground including lakes, reservoirs, rivers, ponds, streams, puddles, channelized flow and runoff.

“Undeveloped Property” describes land in its unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have minimal concrete pavement, asphalt, or compacted gravel surfaces or structures which create an impervious surface.

“Water Course” A natural overland route through which water passes, including drainage courses, streams, creeks, and rivers.

### **Additional Definitions**

These definitions are not found in this model ordinance but could be added to local ordinances when needed to clarify the meaning of specific words.

“Developed Agricultural Properties” means a lot or parcel of real estate used as a “farm,” which may contain one or greater dwelling units and/or other building structures but does not include undeveloped properties.

“Developed Property” means property altered from its natural state by the construction or installation of a structure or more than [INSERT AMOUNT OF IMPERVIOUS SURFACE] feet of impervious surface thus increasing the amount of rainwater or surface water runoff.

“Exempt Property” includes public streets, alleys and sidewalks; all undeveloped properties.

“Ground Water” means sub-surface water or water stored in pores, cracks, and crevices in the ground below the water table.

“Nonresidential properties” means all properties not encompassed by the definition of residential shall be defined as nonresidential. Nonresidential properties shall include: apartment building properties; condominiums properties; mobile home parks; commercial property; industrial property; institutional

property; governmental property; churches; hospitals; schools; transient rentals; parking lots; federal, state and local properties; and any other property not mentioned in the lists of properties.

“Residential Property” means all single-family and duplex properties within the City of Knoxville.

“Stormwater Facilities” means various stormwater and drainage works that may include inlets, pipes, pumping stations, conduits, manholes, energy dissipation structures, stream channels, outlets, retention/detention basins, infiltration practices and other structural components.

“User” means the owner and/or occupant of any developed property within the limits of the City of Knoxville, and shall mean any person who uses property which maintains connection to, discharges to, or otherwise receives services from the City for stormwater management. The occupant of any habitable property is deemed the user. If the property is not occupied, then the owner shall be deemed the user.

#### **10-1-4: Stormwater Utility Fund.**

(a) Funding for the stormwater utility’s activities may include, but are not limited to: stormwater service charges; stormwater permits and inspection fees; other funds or income obtained from federal, state, local, and private grants, or loans.

(b) All service charges and all sources of revenue generated by or on behalf of the stormwater utility shall be deposited in a stormwater utility fund and used exclusively for management of the stormwater utility.

#### **10-1-5: Stormwater Utility Budget.**

The City shall adopt an operating and capital budget for the stormwater utility each fiscal year. The budget shall set forth revenues for such fiscal year and estimated expenditures for operations, maintenance, improvements, replacement and debt service.

#### **10-1-6: Rate Structure and Stormwater Service Charge.**

Any property, lot, parcel of land, building or premises that is tributary directly or indirectly to the stormwater system of the city, shall be subject to a charge based upon the quantity of impervious area situated thereon. This charge is not related to the water and/or sewer service and does not rely on occupancy of the premises to be in effect. All properties having impervious area within the City of Knoxville will be assigned an equivalent residential unit (ERU) or a multiple thereof, with all properties having any impervious area receiving at least one ERU, which shall be considered the base rate.

Establishment of Equivalent Residential Unit (ERU) rate and stormwater utility charge<sup>1</sup>:

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<sup>1</sup> The rate information provided is to be used as general guidance. Each community must evaluate their billing infrastructure and program needs and establish rates accordingly.

1. For the purpose of this Ordinance, an ERU is equivalent to \$3,034 of impervious area.

2. Determination of Stormwater Utility Fee.

a. The stormwater utility fee for single-family residential shall be 100% of the ERU rate.

The rate shall be set at \$6 per month.

The monthly rate for each fiscal year thereafter shall be determined by resolution of the city council prior to July 1<sup>st</sup> of each year.

b. The stormwater utility fee for multi-family residential shall be set at \$3 per unit per month.

The monthly rate for each fiscal year thereafter shall be determined by resolution of the city council prior to July 1<sup>st</sup> of each year.

c. The stormwater utility fee for school and church/religious properties shall be set at \$6/ERU/month:

Monthly charges for a commercial account shall not exceed \$35 per month.

The monthly rate based for each fiscal year thereafter shall be determined by resolution of the city council prior to July 1<sup>st</sup> of each year.

The number of ERUs on each property shall be determined by the stormwater utility.

OR, A base rate of one ERU plus \$6 multiplied by the numerical factor obtained by dividing the total impervious area of the property by the number of square feet in one ERU.

d. The stormwater utility fee for commercial properties shall be set at \$6/ERU/month:

Monthly charges for a commercial account shall not exceed \$100 per month.

The monthly rate based for each fiscal year thereafter shall be determined by resolution of the city council prior to July 1<sup>st</sup> of each year.

The number of ERUs on each property shall be determined by the stormwater utility.

OR, A base rate of one ERU plus \$6 multiplied by the numerical factor obtained by dividing the total impervious area of the property by the number of square feet in one ERU.

e. The stormwater utility fee for industrial properties shall be set at \$6/ERU/month:

Monthly charges for a commercial account shall not exceed \$200 per month.

The monthly rate based for each fiscal year thereafter shall be determined by resolution of the city council prior to July 1<sup>st</sup> of each year.

The number of ERUs on each property shall be determined by the stormwater utility.

OR, A base rate of one ERU plus \$6 multiplied by the numerical factor obtained by dividing the total impervious area of the property by the number of square feet in one ERU.

#### **10-1-7: Powers of Director of the Stormwater Utility.**

Stormwater service charges incurred pursuant to this ordinance may be collected by the stormwater utility director or designee who is also responsible for the regulation, collection, rebating and refunding of such stormwater charges.

#### **10-1-8: Powers and Duties of the City.**

The City shall have the following powers, duties, and responsibilities with respect to the stormwater utility:

- (a) Administer the design, construction, maintenance and operation of the utility system, including capital improvements designated in the comprehensive drainage plan.
- (b) Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, conduct, manage, and finance such facilities, operations, and activities, as are deemed by the City to be proper and reasonably necessary for a system of storm and surface water management. These facilities may include, but are not limited to, surface and underground drainage facilities, storm sewers, watercourses, ponds, ditches, and such other facilities relating to collection, runoff, treatment and retention as will support a stormwater management system.
- (c) The City shall separately account for the stormwater utility finances. The stormwater utility shall prepare an annual budget, which is to include all operation and maintenance costs and costs of borrowing. The budget is subject to approval by the City Council. Any excess of revenues over expenditures in a year shall be retained in a segregated fund, which shall be used for stormwater utility expenses in subsequent years. Stormwater utility fees collected shall be deposited in the stormwater utility fund and shall be used for no other purpose.

#### **10-1-9: Responsibility for the Stormwater Management and Drainage System.**

(a) The City stormwater management and drainage system consists of all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage ways, channels, ditches, swales, storm sewers, culverts, inlets, catch basins, pipes, head walls and other structures, natural or man-made, within the political boundaries of the City of Knoxville which control and/or convey stormwater through which the City intentionally diverts surface waters from its public streets and properties. The City owns or has legal access for purposes of operation, maintenance and improvements to those segments of this system which

- (1) are located within public streets, rights-of-way, and easements;
- (2) are subject to easements of rights-of-entry, rights-of-access, rights-of-use, or other

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permanent provisions for adequate access for operation, maintenance, and/or improvement of systems and facilities; or

- (3) are located on public lands to which the City has adequate access for operation, maintenance, and/or improvement of systems and facilities. Operation and maintenance of stormwater systems and facilities which are located on private property or public property not owned by the City of Knoxville and for which there has been no public dedication of such systems and facilities for operation, maintenance, and/or improvement of the systems and facilities shall be and remain the legal responsibility of the property owner.

(b) It is the intent of this section to protect the public health, safety and general welfare of all properties and persons in general, but not to create any special duty or relationship with an individual person or to any specified property within or without the boundaries of the City of Knoxville. The City of Knoxville expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the City, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may now exist or hereafter be created.

#### **10-1-10: Requirements for On-site Stormwater Systems, Enforcement and Inspections.**

(a) All property owners and developers of developed real property within the City of Knoxville shall provide, manage, maintain, and operate on-site stormwater systems sufficient to collect, convey, detain, and discharge stormwater in a safe manner consistent with all City, State, and Federal laws and regulations.

(b) Pursuant Iowa Code Section 364.12(3) or successor section of the State Code, any failure to meet this obligation may constitute a nuisance and may be subject to an abatement action filed by the City. In the event a nuisance is found to exist, which the owner fails to properly abate within such reasonable time as allowed by the City, the City may enter upon the property and cause such work as is reasonably necessary to be performed, with the actual cost thereof assessed against the owner in the same manner as a tax levied against the property. The City shall have the right, pursuant to the authority of this section, for its designated officers and employees to enter upon private and public property owned by entities other than the City, upon reasonable notice to the owner thereof, to inspect the property and conduct surveys and engineering tests thereon in order to assure compliance.

#### **10-1-11: Right to Appeal.**

Any customer who believes the provisions of this chapter have been applied in error may appeal in the following manner:

- (a) An appeal must be filed in writing with the City of Knoxville City Manager. In the case of service charge appeals, the appeal shall include a survey prepared by a registered Iowa land surveyor or

professional engineer containing information on the total property area, the impervious surface area and any other features or conditions which influence the hydrologic response of the property to rainfall events.

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- (b) Using the information provided by the appellant, the City Manager shall conduct a technical review of the conditions on the property and respond to the appeal in writing within thirty (30) days.
- (c) In response to an appeal, the City Manager may adjust the stormwater service charge applicable to a property in conformance with the general purpose and intent of this chapter.
- (d) A decision of the City Manager which is adverse to an appellant may be further appealed to the City Council within thirty (30) days of receipt of notice of the adverse decision. Notice of the appeal shall be served on the City Council by the appellant, stating the grounds for the appeal. The City Council shall schedule a public hearing within thirty (30) days. All decisions of the City Council shall be served on the appellant by registered mail, sent to the billing address of the appellant.
- (e) All decisions of the City Council shall be final.

#### **10-1-12: Billing and Collection.**

- (a) A storm water service charge bill may be sent through the United States mail or by alternative means, notifying the customer of the amount of the bill, the date the payment is due, and the date when past due. Failure to receive a bill is not justification for non-payment. Regardless of the party to whom the bill is initially directed, liability for payment of the stormwater management charge attributable to that property shall be joint and several as to the owner and occupant.
- (b) All comprehensive stormwater service charges are due and payable thirty days after the date of billing.
- (c) A penalty of five percent shall be added to a comprehensive stormwater service charge when the charge is not paid in said thirty days.

OR A one and one-half percent (1.5%) per month late charge shall be billed based on the unpaid balance of any storm water utility service charge that becomes delinquent.

OR Each stormwater service charge rendered under or pursuant to this chapter is hereby made a lien upon the corresponding lot, parcel of land, building or premises that are tributary directly or indirectly to the stormwater system of the city, and, if the same is not paid within sixty days of invoice date, it shall be certified to the county treasurer, who shall place a lien on said property as allowed by law and be collected in the same manner as property taxes.

- (d) Certification. The director shall certify to the City Clerk any comprehensive stormwater service charge, which is owed after a sixty-day payment period. All certified service charges constitute a lien upon the premises served by the stormwater system for which the service charges were made and shall

be collected in the same manner as property taxes. Failure to send or receive a bill for comprehensive stormwater service charge is not a defense to the collection of the service charges.

(e) Suits for collection shall be commenced by the City in the Iowa District Court for Marion County. No lien shall be imposed for delinquent collections unless a judgment is first obtained from a

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court of competent jurisdiction. The City may employ any lawful means to collect funds owed, and is not restricted to filing a lawsuit.

(f) The stormwater utility service charge may be billed on a common statement and collected along with other city utility services, usually on a quarterly basis.

**10-1-13: Adjustments to Stormwater Service Charges.**

Increase adjustments (debit) can be made to nonresidential service charges by property owners adding additional impervious area such as rooftops, parking lots, driveways and walkways.

**10-1-14: Exemptions and Credits Applicable to Stormwater Service Charges.**

All public or private property shall be subject to stormwater utility service charges except as provided in this Ordinance below. A stormwater utility service charge formula is available in the office of the stormwater utility. The following areas are exempt from stormwater utility service charges:

1. Undeveloped property as defined in this Ordinance.
2. Streets, alley ways, and highways in the public and private domain are exempt from utility service charges or connection fees.
3. Railroad rights-of-way (tracks) shall be exempt from stormwater service charges. However, railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from storm water service charges.

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016, and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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ATTEST:

Brian J. Hatch, MAYOR

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Heather Ussery, CITY CLERK