

City of Knoxville
City Council Meeting
Monday, July 18, 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 City Council Minutes Of July 5, 2016

Documents:

[COUNCIL MINUTES 070516.PDF](#)

3.II. Accept Airport Commission Minutes Of June 11, 2016

Documents:

[AIRPORT MINUTES 061116.PDF](#)

3.III. Approve Special City Council Meeting Minutes Of July 7, 2016

Documents:

[SPECIAL COUNCIL MINUTES 070716.PDF](#)

3.IV. Accept Tourism Commission Minutes Of July 12, 2016

Documents:

[TOURISM MINUTES 71216.PDF](#)

3.V. Accept Water Board Minutes Of July 12, 2016

Documents:

[WATER BOARD MINUTES 071216.PDF](#)

3.VI. Approve Class C Liquor License For A&P Pub

Documents:

[AANDP.PDF](#)

3.VII. Accept Resignation Of Ron Huelse From The Parks And Recreation Board

3.VIII. Accept June CSO Report

Documents:

[CSO JUNE 2016 MEMO.DOCX](#)

3.IX. Police Department End Of Year Financial Report
Accept Police Department End of Year Financial Report

Documents:

[EOY 2016 BUDGET.PDF](#)

3.X. Recreation Center Fiscal Year 2015-16 Report

Documents:

[FISCAL YEAR 2015 2016 REPORT.PDF](#)

3.XI. Approve June 2016 Financials

Documents:

[JUNE FINANCIALS.PDF](#)

4. Item Agenda

4.I. Reading Of Water And Wastewater Workers Of Iowa Proclamation July 17-23, 2016

Documents:

[WATER AND WASTEWATER WEEK.PDF](#)

4.II. Approve Nathan Winters As A Reserve Police Officer

Documents:

[COUNCIL LETTER RESERVE OFFICER WINTERS 2016.PDF](#)

4.III. Approve Requests From Tourism Committee

Documents:

[TOURISM COMMISSION REQUEST.PDF](#)

4.IV. Approve Second 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.V. 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

July 5, 2016

The City Council of the City of Knoxville, Iowa convened in regular session Monday, July 5, 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, 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 Lane; seconded by Stephens to approve the consent agenda as follows, all ayes.

1. Approve City Council minutes of June 20, 2016
2. Accept Housing Board Minutes of May 16, 2016
3. Accept Tourism Commission Minutes of June 14, 2016
4. Accept Water Board Minutes of June 14, 2016
5. Approve Class E Liquor License for Wal-Mart Supercenter #2935

Motion by Stephens; seconded by Allspach-Kline to accept John Greatbatch as reserve police officer, all ayes.

A discussion was held regarding downtown parking. Council member Stephens stated Warren County courthouse is closed until further notice. Several Warren County employees will be officed at the Marion County courthouse; which means more vehicles parking in the downtown area. Council discussed the current 3 hour parking. Elsie Kemp, business owner of Main Street Market stated she was against getting rid of the 3 hour parking. Police Chief Losada stated currently if someone receives a parking ticket downtown and they were there for court, the ticket can be waived by the police department. Council directed staff to add an insert to parking tickets issued in the downtown business district giving court attendees directions on how their ticket can be validated and waived.

Motion by Allspach-Kline; seconded by Lane to approve street closure request for August 11, 2016 public library show and shine; all ayes.

Motion by Kelley; seconded by Lane to approve special event application for Knoxville Chamber of Commerce nationals parade; all ayes.

Motion by Allspach-Kline; seconded by Lane to approve special event application for Knoxville Chamber of Commerce craft and vendor show; all ayes.

Motion by Lane; seconded by Stephens to approve resolution approving business agreement with LISCO; ayes: Stephens, Allspach-Kline, Kelley, Lane, nays: Kingery.

Motion by Kelley; seconded by Kingery to 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 as amended, all ayes.

A discussion was held regarding strategic/comprehensive plan proposals. Council requested staff to schedule a joint meeting with the planning and zoning commission along with: JEO Consulting, Confluence, Snyder and Associates and Olsson and Associates for presentations.

Motion by Stephens seconded by Allspach-Kline to approve payment of claims, ayes: Kelley, Lane, Stephens, Allspach-Kline, nays: Kingery.

82138	MASTERCARD	ANNUAL IEMSA MEMBERSHIP	1,458.06
82139	WALMART COMMUNITY	SONY 60" TV	1,069.71
82140	KEVIN DELONG	BOOT REIMBURSEMENT	133.75

82141	J & M DISPLAYS INC	FIREWORKS DISPLAY	6,634.89
82142	AFLAC	AFLAC-DIS/POST	196.79
82143	COLLECTION SERVICES CENTER	CHILD SUPPORT	1,606.02
82144	ICMA RETIREMENT TRUST	ICMA	1,853.15
82145	MUNICIPAL FIRE & POLICE	MFPRSI	30,040.90
82146	KNOXVILLE FIRE & RESCUE ASSC	FIRE DUES	26.88
82147	COLONIAL LIFE	COLONIAL LIFE	22.85
82148	ACCO UNLIMITED CORPORATION	2 POOL ROPE HOOKS	39.90
82149	ALLIANT ENERGY	800 S PARK LANE DR-REC CENTER	761.46
82150	ARAMARK UNIFORM SERVICES	10 MATS	117.60
82151	ASSOCIATED COMPUTER SYSTEMS	ADD-ON 10 PACK	464.00
82152	KEEPITSAFE, INC.-LIVEVAULT	LIVEVAULT 90 DAY RETENTION	300.00
82153	BARCO MUNICIPAL PRODUCTS INC	4 ALL WAY STOP SIGNS	294.15
82154	VANWALL EQUIPMENT	REPAIR GENERATOR #312	304.42
82155	CANON FINANCIAL SERVICES INC. CARPENTER UNIFORM & PROMOTIONS	COPIER LEASE VESTS- FULLER,DERBY,CUPPLES,LOS	449.85 3,208.66
82157	CIRTPA	ANNUAL CIRTPA ASSESSMENT	951.00
82158	DENNISON RACING TEE'S	EMBROIDERY-HOUSER	260.00
82159	ELECTRICAL ENGINEERING &	2 LIGHTS FOR AULD PARK	368.94
82160	ELECTRONIC ENGINEERING	4 LED LIGHTS	27.80
82161	FIRE SERVICE TRAINING BUREAU	(5) FIREFIGHTER MANUALS	463.00
82162	FLINT TRADING INC.	CHECKERED FLAG CROSS WALK STONE & GRANDVIEW INTAKE REPAI	1,027.68 815.45
82163	IDEAL READY MIX CO	TOURISM BILLBOARD	249.00
82164	INDEPENDENT'S SERVICE CO IOWA CITY-COUNTY MANAGEMENT AS	IaCMA-USSERY	150.00
82166	IOWA DEPT OF HUMAN SERVICES	RESCUE OVERPAYMENT	104.21
82167	IOWA LEAGUE OF CITIES	ANNUAL DUES	2,992.00
82168	IOWA MUNICIPALITIES WORKERS'	WORK COMP PREMIUMS 16/17	99,760.00
82169	KLINE'S QUICK TIME	PROPANE	43.98
82170	KNOXVILLE WATER WORKS	SEWER RENT COLLECTION	4,845.29
82171	LISCO	FIBER INSTALL	37,000.00
82172	LOGAN CONTRACTORS SUPPLY INC	1 PALLET CRACK SEALANT	1,599.84
82173	LOGIN-IACP NET	IACP RENEWAL	525.00
82174	MARION COUNTY SHERIFF	2016-2017 DISPATCH SERVICES	85,000.00
82176	MIDAMERICAN ENERGY COMPANY	800 S PARK LANE DR-REC CENTER	19,341.93
82177	MIDWEST OFFICE TECHNOLOGY INC	COPIER MAINTENANCE	292.10
82178	MOODY'S INVESTORS SERVICE	2016A GO REFUNDING BOND	11,000.00
82179	MOTOR INN OF KNOXVILLE	BRAKE PADS,TRANS FLUSH,VALVE	773.08
82180	ROBERT PELONG	2 BAGS OF ICE	9.98
82181	PLUMB TECH MECHANICAL INC.	INT LIFT STATION AC FROZE UP	465.00
82182	PUBLIC FINANCIAL MANAGEMENT	FY2015 CONTINUING DISCLOSURE	2,000.00

82183	RACEWAY TIRE & EXHAUST	NEW TIRE FOR Z TURN MOWER 3 TUBES WEATHER STRIP	71.94
82184	ROMAR	ADHESIVE	78.10
82185	SANDRY FIRE SUPPLY	2 RESCUE ROPE BAGS	108.00
82186	HOLLY SHELFORD	6 MOVIES	113.57
82187	SHERATON NEW ORLEANS	HOTEL WEFTEC-MURPHY	1,677.86
82188	SNYDER & ASSOCIATES INC	GENERAL ENGINEERING SVCS #5	3,031.00
82189	SOUTH CENTRAL IOWA	INSULATION TO LANDFILL	45.17
82190	SOUTHEASTERN EMERGENCY EQUIP	REPLACE VACUUM SPLINT	195.99
82191	SPAHN & ROSE LUMBER	PAINT & LUMBER FOR TABLES	495.15
82192	STUYVESANT & BENTON	MONTHLY RETAINER	2,000.00
82193	TCF EQUIPMENT FINANCE	FINANCE DOCUMENTATION FEE	295.00
82194	US CELLULAR	GPS CELLPHONE	51.77
82195	USA BLUEBOOK	7 CANS OF GREEN LOCATE PAINT	32.83
82196	UTILITY EQUIPMENT CO	GREEN MARKING PAINT	49.32
13168536	MASSMUTUAL	HARTFORD	60.00
13168537	IA PUBLIC EMPLOYEES RETIREMENT	IPERS - REGULAR	27,507.17
13168538	TREASURER STATE OF IOWA	STATE TAX	11,899.00
13168539	IRS WITHHOLDING PAYMENTS	FED/FICA TAX	22,405.75
13168540	TOTAL ADMINISTRATIVE SERVICES	FLEX- MEDICAL	717.27

<u>FUND NAME</u>	<u>TOTAL</u>
GENERAL	196,108.14
ROAD USE TAX	20,802.42
EMPLOYEE BENEFITS	88,014.32
LOCAL OPTION SALES TAX	37,000.00
FIRE/RESCUE DONATIONS	827.96
DEBT SERVICE	13,000.00
SEWER UTILITY	33,104.63
AIRPORT UTILITY	1,025.74

Under Mayor's Report, Mayor Hatch thanked the police and fire Chief for their work with organizing the fireworks display. Hatch also thanked all involved for the avenue of flags. Hatch reminded citizens of the balloon fest this weekend at Lake Red Rock.

Under City Manager's Report, City Manager Adams also thanked the police and fire chief for their work in organizing the fireworks display.

Motion by Lane seconded by Stephens to adjourn at 7:03 pm, all ayes.

Brian Hatch, Mayor

ATTEST:

Heather Ussery, City Clerk

KNOXVILLE AIRPORT COMMISSION – June 11, 2016

The Knoxville Airport Commission met in regular session on June 11, 2016, 7 a.m., with Airport Commission Chairman, Wayne Westberg presiding. Members present were Larry Smith, Dixie Brown, Ella Crawford, Loren Steenhoek and Airport Manager, Dan Van Donselaar.

Wayne Westberg moved and Dixie Brown 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: Logan – 1 month; Leifert – 1 month; Martin 2 months and FTAC. Larry Smith moved and Ella Crawford seconded a motion to accept this report. Motion carried.

There was discussion on the update for Taxiway A and Apron Reconstruction Project and update on the West Taxi Lane Reconstruction Project.

Other New Business: None

Claims: Wayne Westberg moved and Ella Crawford seconded a motion to approve the claims. Motion carried.

Airport Manager Report and Safety Checklist: The runway lights are not working again. Weeds have been sprayed. Everything else is in working order. Ella Crawford moved and Wayne Westberg seconded a motion to accept this report. Motion carried.

Larry Smith moved and Dixie Brown seconded a motion to adjourn at 7:25 a.m. Motion carried.

Wayne Westberg, Airport Commission Chairman

ATTEST:
Janet Westberg, Secretary

COUNCIL MINUTES

July 7, 2016

The City Council of the City of Knoxville, Iowa convened in special session Thursday, July 7, 2016 at 10:00 a.m. in the City Hall Council Chambers. Mayor Pro Tem Dawn Allspach-Kline presided and the following Council Members were present: Rick Kingery and Cal Stephens. Staffs present were City Manager Aaron Adams and City Clerk Heather Ussery.

Motion by Stephens; seconded by Kingery to approve consent agenda as follows, ayes: Kingery, Stephens, abstained: Allspach-Kline.

1. Approve Cigarette Permit effective July 7, 2016 for Kline's Quick Time

Motion by Stephens; seconded by Kingery adjourn at 10:03 p.m., all ayes.

ATTEST:

Brian Hatch, Mayor

Heather Ussery, City Clerk

CITY OF KNOXVILLE
TOURISM ADVISORY COMMISSION MEETING MINUTES
7/12/2016

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

Commission Members Date	7/12/16	8/2/16	9/6/16	10/4/16	11/1/16	12/6/16	1/3/16
Bob Baker, Race Track Representative	E						
Bob Colbert, City Representative	P						
Jake Hughes, Chamber Representative	P						
Sharry Johnson, City Representative	P						
Elsie Kemp, City Representative	P						
Larry Kline, City Representative	P						
James Lane City Council Representative	P						
Marion County Representative member not yet established							
Visitors							

Call to Order	Larry Kline Called the meeting to order 5:15 PM		Closed
Review Monthly Minutes	Minutes from June approved, motion by Larry, 2nd by Elsie		
Agenda Grant Other Grant Request	None scheduled however the Draggins Car Club had representatives present to present a grant request.		Closed
Grant Request	The Draggins Car Club presented a grant request for \$2,500 dollars for a car show event to be held September 10th on the square in Knoxville. Please note; the grant request states that purposed grant states they are expecting 100 to attend this event, but after discussion, it was clarified that they expect 200 cars to be present at this event. See attached grant request.	 Grant Draggins car club.pdf The Tourism Commission is recommending to the City Council that \$1,300 be approved for this event.	Ongoing
Elsie Kemp	Elsie provided an outline reviewing the accomplishments and recommendations from the Tourism Commission to the City Council. Also a review of grants submitted and approved by the City Council. See attached.	 Tourism Commission Review 2016.pdf Overall the members felt that this	Ongoing

		commission has been successful, with the goal to be even more successful next year.	
Elsie Kemp	Elsie reported that there are 14 Welcome Centers in Iowa. Four of the centers are managed by the Tourism Iowa group and must approve all documentation placed at these centers. There are 10 centers that have accepted the booklets produced last year by the Chamber. Arrangements have been made to mail these booklets out to these centers.	Mailings will occur in the next few weeks, the postage will be paid for with funds coming from the Tourism Budget. Approval from the City Council will be requested.	Ongoing
Elsie Kemp	Elsie presented a bill from Travel Iowa for \$150.00 for our yearly dues. Discussion signified the majority agreed that we should remain members of Travel Iowa. There are monthly meetings that are very informative regarding Tourism in Iowa.	A request to the City Council will be submitted.	Ongoing.
Open Discussion	It was agreed that instead of breaking down our funds into categories we would just keep a running balance of expenditures.		
Adjourn	Motion to Adjourn made by Bob Colbert and 2nd by Elsie Kemp		
Adjourned	Meeting was adjourned 6:30		
Next Meeting	August 2, 2016		

Minutes Recorded by Sharry Johnson, 6/19/16

Regular Meeting
Knoxville Water Works
Board of Trustees
July 12, 2016

The Board of Trustees of the Knoxville Water Works met in regular session at 5:30 p.m. on July 12, 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 Sommar and seconded by Caviness to approve the Consent Agenda items as follows:

1. Approval of the minutes of the June 14, 2016 regular Board Meeting.
2. Approval of the audited claims.
3. Approval of the financial reports for June.

Summary of receipts for June-

Operating Funds = \$	137,732.18
Trust Funds =	<u>1,500.00</u>
	139,232.18

Summary of disbursements for June-

Operating Funds = \$	157,241.43
Trust Funds =	<u>1,625.00</u>
	158,866.43

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

Trustee Caviness made a motion to table Resolution 2016-4 "RESOLUTION REVISING RATES OF THE KNOXVILLE WATER WORKS" until the August meeting. Trustee Sommar provided a second.

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

Trustee Sommar motioned to accept the agreement with Veenstra & Kimm, Inc. for engineering services for the Water Treatment Plant Roofing Replacment Project. 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

Merle Vickroy
Chairman

Attest:

Brian W. Bailey
Secretary and General Manager

Memo

To: Knoxville City Council
From: Chief Dan Losada
Date: July 12, 2016
Re: A&P Liquor License Application

I have reviewed the application for a liquor license for A&P Pub, 105 S. 3rd Street. My only concern is that Mr. Stickel was convicted of operating a motor vehicle while under the influence of alcohol in 2009. Because there have been no other alcohol related convictions since 2009, I do not feel this is sufficient reason to deny a permit.

Listed below are the convictions found on Iowa Courts Online.

02/1997	Speed 6-10 over
05/1997	Speed 16-20 over
02-2002	Speed 16-20 over
10/2002	Speed 6-10 over
02/2003	Speed 11-15 over
10/2003	No current registration
12/2003	No license
11/2006	Speed 6-10 over
05/2007	Speed 6-10 over
08/2007	Siren/Whistle on bicycle
09/2009	Operate under influence of alcohol



Memo

To: City Council
From: Chief Dan Losada
Date: July 18, 2016
Re: June CSO Report

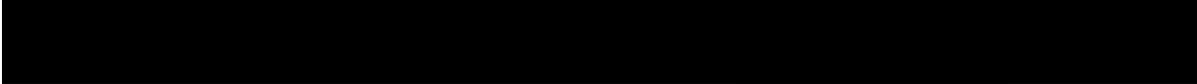
In June 2016 the Community Service Officer, Arlene Worrall spent 86 hours on Code Enforcement issues and 90 hours on Police Department Records. Mike Miller CSO II, worked 79.50 hours on Code Enforcement issues. Together the CSO's worked on the following issues including CSO Worrall worked the Police Dept. Annual Bile Sale.

CSO II Miller gave notice that he will be leaving his position as CSO II due to his wife taking a new job in Clinton, Iowa. He plans to stay until their house is sold.

Abandoned Property	1	continued at 705 South 7 th Street
Debris Storage	9	
Exterior Maintenance	2	
Junk Vehicle	5	
Mowing (Vegetation Height Violation)		85
Obstruction of Sidewalk (bushes)		2
Obstruction of Stop Sign (tree)		1
Parking in Yard	2	
Refuse	2	
Properties Inspected	103	
Citations Issued	1	
Court Dates	2	
Parking Citations	20	all are 3 hour parking on square
Property Owners /Residents Contacted	96	

Work Hired Out

11 properties mowed



Memo

To: City Council
From: Chief Dan Losada
Date: July 18, 2016
Re: End of Year Budget Report

I have reviewed the figures for the 2015-16 animal control and police budget.

Animal Control expenditures came in at about 102% or \$283 *over* budget. One reason for this was an increase in the number of cats taken to the Humane Society. In past years we had local farmers that had agreed to take feral cats. That was not the case this year.

Police Department general fund revenues came in at \$182,100, about 136% or \$48,100 *over* budget. Almost every line item in this category exceeded budget. The Federal Grants line accounted for almost \$48,000 of this amount, about \$28,000 *over* budget. Most of this was the Department of Justice Community Oriented Policing Grant. This was the final year of the 4-year grant.

General fund expenditures came in at 103% or \$32,917 *over* budget. If you take the over payment from revenues discussed above into account the expenditures are at 99% or \$15,183 *under* budget. These figures were almost identical to last year's numbers.

The Department seizure account came in at 33% of budgeted revenue (down \$8,000) and 14% of budgeted expenditures (down \$14,196). Seizures have been down across the country as State and Federal governments have reevaluated these programs. I saw this early in the

year and purposely curtailed purchases looking to save this money in case it is needed for an unexpected event.

The following accounts showed significant over spending.

- 001-110-6010 Regular Salaries 106%
\$48,252 over budget, paying off retiring officer's accumulated benefits
- 001-110-6170 Unemployment 3530%
\$3,530 over budget, payments for fired officer
- 001-110-6210 Dues, Memberships, Subscriptions 188%
\$657 over budget, \$550 was for access (with MCSO) to a program that allows officers with a warrant to obtain information from cell phones
- 001-110-6332 Vehicle Repair 174%
\$7,357 over budget, over \$9,000 was spent repairing patrol vehicle involved in 2 accidents
- 001-110-6350 Operational Equipment Repair 177%
\$1,530 over budget, storm siren repair and additional memory for video computer
- 001-110-6414 Printing & Publishing 253%
\$613 over budget, purchase of citations
- 001-110-6419 Technology Services 137%
\$4,426 over budget, computer issues and new copier lease
- 112-110-6150 Group Insurance 147%
\$37,366 over budget, higher than anticipated costs
- 112-110-6160 Workers Compensation 145%
\$6,822 over budget, employee injuries

The following accounts showed significant under spending.

- 001-110-6040 Overtime 76%
\$3,875 under budget
- 001-110-6230 Training 89%
\$1,053 under budget
- 001-110-6331 Vehicle Operations 88%
\$3,452 under budget, low fuel prices
- 001-110-6373 Telecommunications 71%
\$3,731 under budget
- 001-110-6493 Prisoner Medical Expenses 11%
\$6,703 under budget
- 001-110-6506 Office Supplies 65%
\$1,767 under budget
- 001-110-6507 Operating Supplies 26%

	\$7,171 under budget	
➤ 001-110-6599 Other Supplies		55%
	\$3,612 under budget	
➤ 117-110-6141 Police - 411 Contribution		95%
	\$10,418 under budget	
➤ 167-110-6xxx Seizure Expenditures		14%
	\$14,196 under budget, intentional reduction in purchases	
➤ 398-110-6710 Vehicles - Police		80%
	\$5,714 under budget	

Overall, when all categories are combined the original budget was for a total Police Department cost to the City of \$1,403,550 with the anticipated total revenue of \$146,005. The Police Department actually spent \$1,450,956 and brought in \$186,497 for a total cost to the City of \$1,217,053 or 96.8% of the original budget.

Knoxville Recreation Center Revenue and Expenses per Fiscal Year

<u>Fiscal Year</u>	<u>Pass Revenue</u>	<u>Daily Revenue</u>	<u>All Revenue</u>	<u>Expenses</u>	<u>% Self Supporting</u>
05-06	\$46,420	\$38,741	\$179,870	\$435,072	41 %
06-07	\$113,654	\$33,376	\$216,107	\$480,268	45 %
07-08	\$131,827	\$30,312	\$266,439	\$513,127	52 %
08-09	\$134,759	\$33,133	\$243,735	\$577,146	44 %
09-10	\$135,789	\$30,122	\$234,034	\$607,406	39 %
10-11	\$146,909	\$35,196	\$261,611	\$484,504	54 %
11-12	\$163,136	\$34,647	\$271,402	\$482,255	56 %
12-13	\$193,374	\$34,883	\$314,391	\$494,252	64 %
13-14	\$172,554	\$35,262	\$287,359	\$463,412	62 %
14-15	\$160,858	\$30,892	\$278,907	\$507,638	55 %
15-16	\$165,018	\$32,444	\$276,658	\$498,622	55 %
16-17					

Knoxville Recreation Center
Fiscal Year 2015-16

	Fitness Class Attendance (Land and Water)	Swimming Attendance (Open, Lap, and Adult)
July 2015	1,259	2,038
August 2015	958 (Classes half of the month)	1,695
September 2015	1,339	988
October 2015	1,262	917
November 2015	1,111	791
December 2015	667 (Classes half of the month)	1,131
January 2016	1,299	1,224
February 2016	1,389	1,206
March 2016	1,606	1,491
April 2016	1,563	1,394
May 2016	1,329	1,079
June 2016	1,544	2,120
Total	15,326	16,074

Knoxville Recreation Center
Fiscal Year 2015-16
Monthly Attendance

2015 **Admits**

July	4,544
August	3,513
September	3,242
October	3,094
November	3,312
December	3,296

2016 **Admits**

January	5,148
February	5,140
March	4,881
April	4,143
May	3,602
June	4,501

Total **48,416**

**City of Knoxville
Bank Reconciliation-June 2016**

		Bank		
		Balance	Investments	Total
<u>Iowa State Savings Bank</u>				
Checking	369	\$6,010,793.44		\$6,010,793.44
<u>Great Southern Bank</u>				
General Fund Pool	53755000350		42,296.32	\$42,296.32
Debt Service/Capital Projects	53755000369		514,449.85	\$514,449.85
Sewer Utilities	53755000377		738,057.73	\$738,057.73
Equipment Replacement	53755000385		211,064.58	\$211,064.58
Police Retirement	53755000393		65,791.93	\$65,791.93
Police Dept Trust	53755000407		12,557.31	\$12,557.31
Library Gift & Memorial	53755000415		6,859.47	\$6,859.47
Rescue & Fire Donation	53755000423		8,932.54	\$8,932.54
<u>Wells Fargo Bank</u>				
General Fund Pool	008-4312909		78,640.86	\$78,640.86
Perpetual Care	6990785435		99,633.17	\$99,633.17
IPAIT	11460 11461		1,159,377.05	\$1,159,377.05
<u>MM Total</u>			1,778,283.76	
Calculated balance		6,010,793.44	2,937,660.81	8,948,454.25
	Less O/S checks	110,656.97		110,656.97
	Petty Cash	295.00	-	295.00
	Add: Reconciling Item (Deposit in Transit)			-
Total Calculated bank balance		5,900,431.47	2,937,660.81	8,838,092.28
Book Balance				8,838,092.28
Difference				0.00

Approved By:



FUND	LAST MONTH ENDING BAL	REVENUES	EXPENSES	CHANGE IN LIAB	ENDING BALANCE
001 GENERAL	1,341,060.91	172,839.54	352,969.40	151.71	1,161,082.76
005 URBAN DEVELOPMENT	64,307.11	7,500.00	22.00	.00	71,785.11
110 ROAD USE TAX	403,042.69	84,746.19	110,104.03	.00	377,684.85
111 I-JOBS	3,090.93	.00	.00	.00	3,090.93
112 EMPLOYEE BENEFITS	202,719.85	5,525.53	55,854.58	.00	152,390.80
117 MFPRSI	363,984.26	2,083.30	22,443.80	.00	343,623.76
119 EMERGENCY	776.19	.00	.00	.00	776.19
121 LOCAL OPTION SALES TAX	249,077.09	381,232.08	115,941.63	.00	514,367.54
125 FIVE STAR TIF	84,027.85	15.91	.00	.00	84,043.76
127 WESTRIDGE TIF	30,938.35	5.86	.00	.00	30,944.21
128 WALMART TIF	.00	.00	.00	.00	.00
129 PARK LANE TIF	.00	.00	.00	.00	.00
130 COBBLESTONE TIF	.00	.00	.00	.00	.00
145 URBAN RENEWAL	3,906.28	.00	.00	.00	3,906.28
146 REVOLVING LOAN	115,744.88	.00	.00	.00	115,744.88
162 S.S.M.I.D.	.00	189.96	189.96	.00	.00
167 POLICE DEPARTMENT TRUST	10,970.99	44.13	.00	.00	11,015.12
168 FIRE/RESCUE DONATIONS	10,498.47	.00	827.96	.00	9,670.51
169 LIBRARY GIFT & MEMORIAL	15,372.96	100.00	1,792.06	.00	13,680.90
170 RECREATION DONATIONS	4,832.74	.00	.00	.00	4,832.74
171 AULD PARK PLAYGROUND TRST	34,184.14	3.23	.00	.00	34,187.37
172 PARKS	.00	.00	.00	.00	.00
173 K-9 UNIT PROGRAM	8,044.69-	.00	.00	.00	8,044.69-
200 DEBT SERVICE	1,047,280.64	5,536.05	1,372,295.00	.00	319,478.31-
302 CEMETERY ROADS	53,774.96	81.03	.00	.00	53,855.99
304 BIKE TRAIL PROJECT	212,616.26	.00	2,359.22	.00	210,257.04
305 SIDEWALKS AND ALLEYS	.00	.00	.00	.00	.00
306 GO BOND PROJECTS	66,609.43	2,741,295.15	626,465.51	.00	2,181,439.07
307 ENTRANCE SIGNS	3,661.30	.69	.00	.00	3,661.99
313 2007 CDBG HOUSING REHAB	10,245.05-	.00	.00	.00	10,245.05-
314 2009 CDBG NSP GRANT	19,620.35	.00	.00	.00	19,620.35
315 CAPITOL PROJECT - LIBRARY	102,036.18	4,400.00	8,112.64	.00	98,323.54
316 CAPITAL PROJECTS-REC	7,000.00	.00	.00	.00	7,000.00
398 EQUIPMENT REPLACEMENT	1,196,592.82	.00	27,695.95	.00	1,168,896.87
399 BUILDING REPLACEMENT	65,242.12	1.15	.00	.00	65,243.27
500 PERPETUAL CARE	268,673.82	483.39	.00	.00	269,157.21
501 LIBRARY-REAVER TRUST	500.00	.00	.00	.00	500.00
610 SEWER UTILITY	1,534,502.08	190,402.04	231,609.35	.00	1,493,294.77
611 SEWER REVENUE SINKING	659,432.06	63,928.23	582,873.75	.00	140,486.54
615 SEWER REVENUE BOND RSRV	808,960.00	.00	.00	.00	808,960.00
640 AIRPORT IMPROVEMENTS	239,990.23-	.00	.00	.00	239,990.23-
660 AIRPORT UTILITY	153,871.33-	3,910.00	6,504.13	.00	156,465.46-
820 SELF FUND HEALTH INS	135,506.91	15,633.77	32,349.01	.00	118,791.67
821 SELF INSURED PROPERTY INS	.00	.00	.00	.00	.00
Report Total	8,708,393.32	3,679,957.23	3,550,409.98	151.71	8,838,092.28

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED
	POLICE TOTAL	1,374,550.00	142,616.00	1,427,671.13	103.86
	FIRE TOTAL	107,763.00	16,110.89	118,639.18	110.09
	RESCUE TOTAL	561,625.00	59,232.81	584,989.69	104.16
	ANIMAL CONTROL TOTAL	18,100.00	2,920.50	18,383.25	101.56
	PUBLIC SAFETY TOTAL	2,062,038.00	220,880.20	2,149,683.25	104.25
	ROADS, BRIDGES, SIDEWALK	815,643.00	116,129.56	826,531.68	101.33
	STREET LIGHTING TOTAL	38,428.00	2,869.12	34,933.39	90.91
	TRAFFIC CONTROL & SAFETY	35,251.00	1,428.25	31,443.18	89.20
	PUBLIC WORKS - GENERAL T	.00	271.60	3,960.20	.00
	PUBLIC WORKS-RUT TOTAL	29,060.00	6,101.50	33,412.20	114.98
	PUBLIC WORKS TOTAL	918,382.00	126,800.03	930,280.65	101.30
	LIBRARY TOTAL	346,076.00	34,139.39	348,815.83	100.79
	PARKS TOTAL	76,820.00	8,148.66	55,264.21	71.94
	RECREATION TOTAL	453,404.00	47,160.93	454,401.01	100.22
	POOL TOTAL	62,584.00	4,431.71	44,221.48	70.66
	CEMETERY TOTAL	197,551.00	26,325.39	192,326.52	97.36
	CULTURE & RECREATION TOT	1,136,435.00	120,206.08	1,095,029.05	96.36
	ECONOMIC DEVELOPMENT TOT	526,436.00	14,674.89	475,166.75	90.26
	HOUSING & URBAN RENEWAL	33,000.00	22.00	22,514.53	68.23
	PLANNING & ZONING TOTAL	95,040.00	11,835.01	90,803.47	95.54
	COMMUNITY & ECONOMIC DEV	654,476.00	26,531.90	588,484.75	89.92
	ROADS, BRIDGES, SIDEWALK	.00	.00	.00	.00
	MAYOR/COUNCIL/CITY MGR T	194,979.00	27,562.37	165,183.65	84.72
	CLERK/TREASURER/ADM TOTA	94,345.00	8,114.08	99,073.28	105.01
	LEGAL SERVICES/ATTORNEY	12,000.00	1,000.00	11,361.64	94.68
	CITY HALL/GENERAL BLDGS	236,259.00	13,109.13	237,831.35	100.67
	TORT LIABILITY TOTAL	34,000.00	.00	30,574.53	89.93
	OTHER GENERAL GOVERNMENT	.00	.00	304.38	.00
	GENERAL GOVERNMENT TOTAL	571,583.00	49,785.58	544,328.83	95.23
	DEBT SERVICE - 3 TOTAL	.00	.00	.00	.00
	DEBT SERVICE-2002 SEWER	.00	.00	.00	.00
	DEBT SERV-2000 GO BOND T	.00	.00	.00	.00
	DEBT SERVICE - 6 TOTAL	.00	.00	.00	.00
	DEBT SERV-2003C SEWER TO	.00	.00	.00	.00
	DEBT SERV-2005 A SEWER T	.00	.00	.00	.00
	DEBT SERV-2005 B GO BOND	.00	.00	.00	.00

CITY OF KNOXVILLE
 BUDGET REPORT
 CALENDAR 6/2016, FISCAL 12/2016

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED
	DEBT SERVICE TOTAL	500,000.00	.00	454,898.20	90.98
	2007 CAP LOAN TOTAL	.00	.00	.00	.00
	2007A GO REF TOTAL	164,585.00	612,792.50	625,085.00	379.79
	2008 SEWER REVENUE TOTAL	.00	.00	.00	.00
	2010B SEWER BOND TOTAL	.00	.00	.00	.00
	2010 C GO BOND TOTAL	262,855.00	241,427.50	262,855.00	100.00
	2010 D GO BOND TOTAL	86,336.00	.00	86,336.00	100.00
	2012A GO BOND TOTAL	183,110.00	176,555.00	183,110.00	100.00
	2013 A GO BOND TOTAL	357,540.00	341,270.00	357,540.00	100.00
	2016A GO REFUNDING BOND	.00	250.00	250.00	.00
	STORM WATER TOTAL	.00	.00	.00	.00
	DEBT SERVICE TOTAL	1,554,426.00	1,372,295.00	1,970,074.20	126.74
	POLICE TOTAL	29,000.00	.00	23,285.75	80.30
	FIRE TOTAL	.00	27,695.95	178,479.70	.00
	RESCUE TOTAL	30,000.00	.00	.00	.00
	ROADS, BRIDGES, SIDEWALK	325,000.00	.00	260,456.81	80.14
	PUBLIC WORKS-RUT TOTAL	.00	.00	.00	.00
	LIBRARY TOTAL	39,200.00	8,112.64	48,030.39	122.53
	PARKS TOTAL	24,117.00	.00	22,431.00	93.01
	RECREATION TOTAL	6,250.00	.00	.00	.00
	CEMETERY TOTAL	24,000.00	.00	24,360.00	101.50
	COMMUNITY BEAUTIFICATION	.00	.00	.00	.00
	HOUSING & URBAN RENEWAL	.00	.00	7,503.00	.00
	PLANNING & ZONING TOTAL	.00	.00	.00	.00
	MAYOR/COUNCIL/CITY MGR T	.00	.00	.00	.00
	CLERK/TREASURER/ADM TOTA	.00	.00	.00	.00
	CITY HALL/GENERAL BLDGS	3,500.00	.00	.00	.00
	CAPITAL PROJECTS TOTAL	3,753,267.00	318,631.76	854,480.18	22.77
	LOCAL OPTION TAX TOTAL	180,000.00	115,941.63	646,634.16	359.24
	SEWER/SEWAGE DISPOSAL TO	22,000.00	.00	135,916.00	617.80
	CAPITAL PROJECTS TOTAL	4,436,334.00	470,381.98	2,201,576.99	49.63
	SEWER CLEANING TOTAL	2,000.00	.00	.00	.00
	CAPITAL IMPROVEMENTS TOT	.00	.00	39,653.75	.00
	SEWER BONDS TOTAL	163,995.00	86,889.17	248,862.53	151.75
	SEWER/SEWAGE DISPOSAL TO	1,568,131.00	657,596.27	1,490,700.35	95.06
	PUBLIC WORKS - SEWER TOT	46,760.00	4,584.43	45,473.53	97.25
	SEWER PLANT REPLACEMENT	148,000.00	1,485.00	75,519.98	51.03
	I & I IMPROVEMENTS TOTAL	1,815,738.00	.00	1,772,386.05	97.61
	AIRPORT TOTAL	695,682.00	6,504.13	684,343.65	98.37
	OTHER BUSINESS TYPE TOTA	.00	.00	.00	.00
	INTERNAL SERVICE TOTAL	160,000.00	32,349.01	125,142.63	78.21
	ENTERPRISE FUNDS TOTAL	4,600,306.00	789,408.01	4,482,082.47	97.43

CITY OF KNOXVILLE
BUDGET REPORT
CALENDAR 6/2016, FISCAL 12/2016

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED
	TRANSFERS TOTAL	1,785,223.00	374,121.20	2,039,806.73	114.26
	TRANSFER OUT TOTAL	1,785,223.00	374,121.20	2,039,806.73	114.26
	TOTAL EXPENSES	17,719,203.00	3,550,409.98	16,001,346.92	90.31

City of Knoxville

PROCLAMATION OFFICE OF THE MAYOR



WHEREAS, the state of Iowa's surface and ground waters are a treasured natural resource; and

WHEREAS, the water and wastewater workforce of Iowa have dedicated themselves to applying environmental science to enhance drinking and recreational waters of Iowa; and,

WHEREAS, their applied environmental science-based practices continue to be a vital element in improving the quality of life and preserving and protecting public health in our state, and promoting sustainability in our way of living; and

NOW, THEREFORE, I, Brian Hatch, Mayor of the City of Knoxville, do hereby proclaim the week of July 17-23, 2016, as Water and Wastewater Workers of Iowa Week.

IN WITNESS WHEREOF, I hereunto set my hand this 18th day of July, 2016

Signed by,

Brian Hatch, Mayor

COUNCIL LETTER
City of Knoxville
July 18, 2016

Agenda Item: Accept Nathan Winters as a reserve police officer.

Background: Nathan Winters applied to and was accepted by the Knoxville Police Department Reserves. Nathan Winters is a 2015 graduate of Knoxville High School. Nathan Winters is a long time Knoxville resident and is going to school for criminal justice.

Policy Question: Should the City Council accept Nathan Winters as a Reserve Police Officer.

Budget Impact: negligible

Recommendation: The Police Chief recommends Nathan Winters be accepted as a Reserve Police Officer.

Supporting Document: none

7/13/16

Please place on the next City Councils Agenda

Requesting Approval for the following items submitted by the Tourism Commission;

Draggins Car Club Grant request, the Draggins Car Club submitted a grant for \$2500 dollars for a car event being held on the square September 10th 2016. The Tourism Commission is recommending \$1,300 for the grant.

The Tourism Commission has been approved by 10 Welcome Centers in Iowa to place Knoxville Chamber booklets. These will be mailed to the centers; we are requesting funds from the Tourism budget for the postage uncured.

The Tourism Commission would like to remain members of Tourism Iowa and is requesting the membership fee of \$150.00 be approved.

Thank You

Sharry Johnson

Knoxville Tourism Commission

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 charge¹:

¹ 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 1st 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 1st 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 1st 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 1st 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 1st 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.

ATTEST:

Brian J. Hatch, MAYOR

Heather Ussery, CITY CLERK