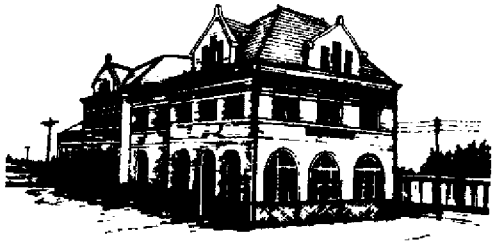
City of

CRESTON, IOWA

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



Creston's Restored Depot and City Hall

MAYOR: Warren Woods
COUNCIL: Randy White, Loyal Winborn, Betty Shelton, Marsha Wilson, Larry Wagner, Terri Koets, Nancy Loudon
CITY CLERK: Lisa Williamson
CITY ADMINISTRATOR: Mike Taylor
CITY ATTORNEY: Skip Kenyon & Todd Nielsen

Regular Meeting Agenda
City Hall/Restored Depot
Council Chambers
Tuesday, December 4, 2012
6:00 p.m.
11/30/2012 2:21 PM

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of Agenda**
5. **Consider Adoption of the Consent Agenda – NOTE:** *These items are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.*

    1. **Minutes:** November 20, 2012 – Regular Meeting
    2. **Claims and Fund Transfers:**
        i. Total Claims - $207,382.80
        ii. Fund Transfers - $18,795.00

6. **Public Forum** – *the Mayor and City Council welcome comments from the public on any subject pertaining to City business, including items on this agenda. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Chair. No action will be taken.*

7. **New Business**

    1. Appointment with Roger Main regarding barbed wire request
    2. Council to take action on request from Terian, Inc., to place a six foot tall chain link fence with three strands of barbed wire at 102 W. Union
    3. Resolution to schedule a Public Hearing for December 18, 2012 at 6:00 p.m. for sale of real estate located at 505 N. Elm to Kate Guiter for $68,000
    4. Resolution to approve Amendment #3 to Offer for Real Estate at 505 N. Elm – extend closing to on or before January 31, 2013
    5. Motion to approve Annual Urban Renewal Report
    6. Resolution to approve payment of $1,182.22 to Habitat for Humanity for the NSP House Project at 801 W. Jefferson
    7. Appointment with Chief Ver Meer regarding new officer

8. Motion to authorize the Mayor to sign Certificate of Title for Creston Municipal Airport as required by FAA

9. Mycale Downey appeal

10. Council to take action on appeal

11. Motion to Establish First Reading on Ordinance No. 13-143 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2011 NATIONAL ELECTRIC CODE

12. Motion to Establish First Reading on Ordinance No. 13-144 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING LICENSING OF ELECTRICAL CONTRACTORS

13. Motion to Establish First Reading on Ordinance No. 13-145 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2012 INTERNATIONAL MECHANICAL CODE AND THE 2012 UNIFORM PLUMBING CODE

14. Motion to Establish First Reading on Ordinance No. 13-146 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO LICENSING OF PLUMBING AND MECHANICAL CONTRACTORS

15. Motion to Establish First Reading on Ordinance No. 13-147 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2012 INTERNATIONAL BUILDING CODE AND THE 2012 INTERNATIONAL RESIDENTIAL CODE

8. Other

9. Adjournment

REGULAR MEETING OF THE CRESTON CITY COUNCIL NOVEMBER 20, 2012

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

Roll call being taken with the following Council members present: Loudon, Koets, Wagner, Wilson, Winborn and White. Shelton was absent.

Wilson moved seconded by Wagner to approve the agenda. All voted aye. Shelton was absent. Motion declared carried.

Wilson moved seconded by Wagner to approve the consent agenda, which included approval of minutes of November 6, 2012, regular meeting; claims of $312,710.09 and fund transfers of $80,382.63; and parade permit for Chamber of Commerce.

During Public Forum, Kevin Downey, 411 N. Maple, first thanked the City for the clean-up of property on Mills Street. He then discussed his concerns for the library moving and feels Council needs to put on the next November ballot whether the Library moves or not.

Todd Spencer spoke to Council regarding Skilled Iowa. The Skilled Iowa Initiative that the Governor announced in June 2012 allows a community to market themselves as a Skilled Iowa Community. Union County is now a Skilled Iowa Community and is currently meeting three of the four measuring sticks. Current employees can take the National Career Readiness Certificate tests free of charge. They need approximately 350 people that are currently employed to take the tests for Union County to meet all four measuring sticks. The tests can be taken at SWCC.

Wilson moved seconded by White to Establish the Third and Final Reading of Ordinance No. 13-140 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO CEMETERY REGULATIONS. Loudon, Koets, Wagner, Wilson, Winborn and White voted aye. Shelton was absent. Third and Final Reading declared Established.

Wilson moved seconded by Loudon to Establish the Third and Final Reading of Ordinance No. 13-141 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO INSTALLMENT PAYMENT OF COST OF ABATEMENT. Koets, Wagner, Wilson, Winborn, White and Loudon voted aye. Shelton was absent. Third and Final Reading declared Established.

Wilson moved seconded by White to Establish the Third and Final Reading of Ordinance No. 13-142 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY ADDING PROVISIONS PERTAINING TO LIEN EXEMPTION AND BY AMENDING PROVISIONS PERTAINING TO LIEN FOR NONPAYMENT. Loudon, Koets, Wagner, Wilson, Winborn and White voted aye. Shelton was absent. Third and Final Reading declared Established.

A resolution was offered by White seconded by Wilson to accept the Annual Audit Report for the City of Creston for Fiscal Year Ending June 30, 2012 and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve the proposed Engineering Services Agreement from Clapsaddle-Garber Associates for the Airport Fencing Improvements Project and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Koets, Wagner, Wilson, Winborn and White voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to approve an agreement with Barker Lemar Engineering Consultants to place soil boring/monitoring wells on City right-of-way in the area of South Elm and West Union Streets and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Loudon to approve a request of $18,795.00 from the Hotel-Motel Funds for the Chamber of Commerce's 2013 Tourism/Marketing Promotion Budget and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wagner, Wilson, Winborn, White and Loudon voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to accept a $3,500 Volunteer Assistance Grant Award on behalf of the Fire Department and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve payment of $1,753.18 to Habitat for Humanity for the NSP House Project at 801 W. Jefferson and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Koets, Wagner, Wilson, Winborn and White voted aye. Shelton was absent. Resolution declared passed.

Winborn moved seconded by Loudon to approve the requested temporary street closings for the Annual Lighted Christmas Parade and Fireworks on Thursday, November 29, 2012. The fireworks will be set off from the Bill Sears Ball Complex. All voted aye. Shelton was absent. Motion declared carried.

Wayne Pantini, Executive Director of the Union County Development Association (UCDA) discussed the proposed Development Agreement between UCDA and the City of Creston. It is similar to the agreement the City has with Habitat for Humanity. UCDA's plans are to purchase property located at 507 S. Elm Street, have asbestos testing and removal done, demolish the house, and have some site work done with the City's share of the agreement. They are estimating it could be $40,000 or possibly lower.

A resolution was offered by Wilson seconded by Koets to approve the Development Agreement with the Union County Development Association and authorize the Mayor and

Clerk to execute the proper documentation. Wagner, Wilson, Winborn, White, Loudon and Koets voted aye. Shelton was absent. Resolution declared passed.

White moved seconded by Wilson to approve a request from Terian, Inc. to place a 6' tall chain link fence with three strands of barbed wire at the top at 102 W. Union Street.

After much discussion, Winborn moved seconded by Koets to postpone the matter until the December 4, 2012, meeting. All voted aye. Shelton was absent. Motion declared carried.

Wagner moved seconded by Wilson to authorize the Mayor to sign an Acknowledgement of Covenants for MetroPlains. All voted aye. Shelton was absent. Motion declared carried.

The annual Setting Community and Economic Development Priorities Survey was handed out to each Council Member to be completed and returned on or before the next regularly scheduled Council Meeting on Tuesday, December 4, 2012.

Wagner moved seconded by Wilson to adjourn the meeting. All voted aye. Shelton was absent. Motion declared carried. Council adjourned at 6:37 p.m.

_____
Mayor

Attest:

_____
City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUM-DEC'12	2,766.65
			TOTAL:	2,766.65
.CE PROTECTION	GENERAL FUND	CARPENTER UNIFORM CO &	SERGEANT CHEVRONS	43.60
		GALLS INCORPORATED	NAME TAG-HEATHERINGTON	21.98
		PETTY CASH - POLICE	#792870-POSTAGE	5.75
			#792871-POSTAGE	45.00
			TOTAL:	116.33
FIRE PROTECTION	GENERAL FUND	AKIN BUILDING CENTER	BATHROOM LIGHT/VENT COMBO	39.99
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	33.10
			ELECTRICITY	381.75
		KELTEK INCORPORATED	LIGHTS, SIRENS NEW TRK	4,518.53
			TOTAL:	4,973.37
BUILDNG & HSNG SAFETY	GENERAL FUND	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	415.25
		GALLS INCORPORATED	ORGANIZER	55.99
		HEARTLAND TECHNOLOGY SOLUTIONS	SYMANTEC NOT UPDATING	57.50
			TOTAL:	528.74
ANIMAL CONTROL	GENERAL FUND	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	910.00
		BOWEN, JERRY	SUCCESSFUL ADOPTION	20.00
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRIC-ANIMAL POUND	141.71
		WAL-MART COMMUNITY	CAT LITTER	10.14
			CAMERA-SD CARD-CASE	121.88
			TOTAL:	1,203.73
T LIGHTING	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	8,411.50
		ECHO GROUP INC	RETURN PLUG INS-LIGHT POLE	36.36-
			PHOTO CELLS & FUSES	218.14
			TOTAL:	8,593.28
TRAFFIC SAFETY	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	1,306.40
			TOTAL:	1,306.40
AIRPORT	GENERAL FUND	CLAPSADDLE-GARBER ASSOCIATES INC	ENG SVCS-AIRPORT LAYOUT	200.00
			ENG SVCS-AIRPORT ROAD	5,040.43
		ALLIANT ENERGY-INT PWR&LGHT	1945 S CHERRY ST GARAGE	41.91
			ELECTRICITY	341.61
		SIRWA	WATER-AIRPORT	33.00
		WEST AVIATION INC	PER FBO CONTRACT	1,354.17
			TOTAL:	7,011.12
LIBRARY SERVICES	GENERAL FUND	AKIN BUILDING CENTER	ROOF CEMENT-BRUSHES	46.97
		DEMCO	LABELS, COVERS-JACKETS	375.79
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	49.96
			ELECTRICITY	415.41
		OFFICE MACHINES	4-CASES PAPER TOWELS	151.96
			TOTAL:	1,040.09
PARKS	GENERAL FUND	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	1,352.25
		CRESTON CITY WATER WORKS	WATER-HISTORICAL COMPLEX	9.07
		ALLIANT ENERGY-INT PWR&LGHT	MCKINLEY PARK VFW/FLAGS	160.71
			600 MCKINLEY ST BAND SHELL	18.73
			MCKINLEY CAMPGROUND	53.29
			ELECTRICITY	611.05

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		LOGAN CONTRACTORS SUPPLY INC	SEALANT	2,399.25
			CREDIT FOR SQUEEGE	119.85-
			SQUEEGE BLADE	32.97
		SERVICE TECHS INC	CHAPS & OIL	109.94
			TOTAL:	4,627.41
RECREATION	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	600 MCKINLEY PARK SEC LIGH	11.99
			ELECTRICITY	130.72
			TOTAL:	142.71
CEMETERY	GENERAL FUND	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	541.75
		BARKER IMPLEMENT & MOTOR CO INC	ANTIFREEZE-GASKET	34.05
			FRONT WEIGHTS-ROD	348.72
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	153.79
		SIRWA	WATER-CEMETERY	33.00
			TOTAL:	1,111.31
SWIMMING POOL	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-POOL	9.72
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	23.17
			ELECTRICITY	113.08
			TOTAL:	145.97
ECONOMIC DEVELOPMENT	GENERAL FUND	CRESTON CHAMBER OF COMMERCE	12/13 TOURISM-MARKETING	18,795.00
			TOTAL:	18,795.00
ADMINISTRATIVE	GENERAL FUND	WOODS, WARREN	MILEAGE REIMBURSEMENT	55.50
			TOTAL:	55.50
I .CIAL ADMINISTRATN	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-1707 W ADAMS	10.04
		HABITAT FOR HUMANITY	SUPPLIES @ 801 W JEFFERSON	297.77
		HEARTLAND TECHNOLOGY SOLUTIONS	LABOR-WINDOWS UPGRADE	690.00
			HP PRO-MIKE'S NEW COMPUTE	791.00
		ALLIANT ENERGY-INT PWR&LGHT	505 N ELM SHOP-ELECTRIC	15.80
			505 N ELM-ELECTRIC/GAS	65.57
			1707 W ADAMS-ELECTRIC/GAS	111.01
		IOWA CODIFICATION INC	2012 LEGISLATIVE CHANGE OR	450.00
		LYNCH DALLAS, P.C.	PROF SVCS-CIVIL SERVICE	1,567.50
			PROF SVCS-ARBITRATION	5,808.00
		SHRED-IT USA - DES MOINES	1-BAG SHRED	56.50
		UNION CO DEVELOPMENT ASSOCIATION	HLLI TUITION-KIM	250.00
			TOTAL:	10,113.19
LEGAL SERVICES	GENERAL FUND	WEST PAYMENT CTR	IA COURT RULES STATE/FED 2	167.00
			TOTAL:	167.00
CITY HALL	GENERAL FUND	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	535.50
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	512.89
			ELECTRICITY	489.29
		PEINELT, ROBERT	JANITORIAL SERVICES	72.00
			TOTAL:	1,609.68
INSURANCE (GENERAL)	GENERAL FUND	TYLER INSURANCE SERVICES INC	2013 CHEVY SILVERADO	176.00
			TOTAL:	176.00
COMMUNITY CENTER MAINT	COMMUNITY CENTER	ACADEMY ROOFING	RPRS ON PVC ROOF @ YMCA	829.64
		EXCEL MECHANICAL CO., INC.	YMCA DEHUMIDIFIER UNIT-FIN	39,198.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		J&A FLOORING	CARPET IN ADULT ED @ YMCA	6,995.00
			TOTAL:	47,022.64
DEPARTMENTAL	ROAD USE TAX	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUM-DEC'12	918.00
			TOTAL:	918.00
ROAD MAINTENANCE	ROAD USE TAX	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	6,767.29
		AMERICAN CONCRETE PRODUCTS INC	1 YD M-4	226.00
		ARAMARK (LAUNDRY ACCTS)	LAUNDRY SERVICE	32.81
		ARNOLD MOTOR SUPPLY, LLP	CARB, BREAK CLEANER-GREAS	81.28
			2-OIL SEALS	20.58
		CRESTON CITY WATER WORKS	WATER-BARN	9.07
			WATER-SHOP	38.88
		ZEE MEDICAL INC	BNDG, BACK RELIEF	47.55
		GRIMES ASPHALT & PAVING CORP	14.91 TON COLD PATCH	1,908.48
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	56.66
			ELECTRICITY	282.43
		IOWA DEPT OF TRANSPORTATION	5-24 IN BROOM HEAD MEDIUM	108.75
		PETTY CASH - MAINTENANCE	#3011-NOZZLE	3.44
			#3012-SOCKETS FOR BANNERS	7.98
			#3013-SUPPLIES	22.99
			#3014-BULBS	5.56
			TOTAL:	9,619.75
SNOW AND ICE CONTROL	ROAD USE TAX	EASTERN IOWA TIRE, INC	RECAP 4 TIRES-SKID LOADER	946.84
		HALLETT MATERIALS	30.25 T ICE CONTROL SAND	313.09
			29.61 T ICE CONTROL SAND	465.13
			29.93 T ICE CONTROL SAND	311.28
		TRANS IOWA EQUIPMENT	RELEASE AGENT	221.98
			TOTAL:	2,258.32
ADMIN-STREETS(ENGINR)	ROAD USE TAX	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	395.25
		ZEE MEDICAL INC	ASPIRIN-DILOTAB	29.50
			TOTAL:	424.75
SELF FUNDING INSURANCE	PAYROLL TAX BENEFI	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUM-DEC'12	24,682.94
			TOTAL:	24,682.94
MC KINLEY PARK RENOVAT	RESTRICTED GIFTS-M	LENOX MONUMENT CO	MONUMENT-MEMORIAL GARDEN	800.00
			TOTAL:	800.00
LIBRARY(RESTRICTED GIF	RESTRICTED GIFTS-L	AMAZON/GE MONEY BANK	DVD'S	13.72
			LATE FEE	15.99
			DVD'S	229.49
			DVD'S	7.99
		GALE CENGAGE LEARNING	BESTSELLERS	203.13
			LARGE PRINT	46.48
			MYSTERY	47.98
			GENTLE ROMANCE	89.96
			WESTERN	96.74
			WESTERN	54.96
			DISTRIBUTION	98.23
		INGRAM	BOOKS	426.93
			RETURN	4.79-
			BOOKS	22.75
			BOOKS	8.99

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			BOOKS	40.22
			BOOKS	16.10
			BOOKS	66.75
			BOOKS	31.04
			BOOKS	83.90
		MICROMARKETING LLC	BOOKS ON CD	308.83
			BOOKS ON CD	66.98
		PROFESSIONAL COMPUTER SOLUTIONS	COMPUTER SERVICES	75.00
			COMPUTER SERVICES	60.00
		SCHOLASTIC BOOK FAIRS	BOOKS	576.80
		WAL-MART COMMUNITY	SOAP-PAPER-CLOCK	23.47
			CARDSTOCK-PADLOCK	68.51
			SOAP-PAPER-CLOCK	47.40
			AIR FRESHENER-PAPER	52.16
			TOTAL:	2,875.71
NON-DEPARTMENTAL	SEWER OPERATING FU	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUM-DEC'12	467.47
			TOTAL:	467.47
SANITARY SEWER/WASTWTR	SEWER OPERATING FU	ILLOWA COMMUNICATIONS	RADIOS & ACCESSORIES	2,394.25
		ADVANCED AG LLC	10-BAGS LIME	62.50
		B M SALES	1 CASE PAPER TOWELS	71.25
			BOX CAN LINERS	47.75
		CENTRAL PLAINS ELECTRIC	VENT FAN MOTOR	93.57
		CRESTON CITY WATER WORKS	WATER-WWTP	214.20
		ZEE MEDICAL INC	FIRST AID SUPPLIES	63.35
		HAWKINS INC.	BIO BUGS	415.00
		HUDSON, ALAN	FOOTING TILE REIMBURSEMEN	500.00
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	1,010.97
			ELECTRICITY	3,665.06
		JETCO INC	OSAGE LIFT STATION REPAIR	775.50
		MUNICIPAL SUPPLY INC	6-MANHOLE CASTINGS/LIDS	1,701.00
		NAPA	6-RV ANTIFREEZE	39.54
		PETTY CASH - SANITATION	#497869-SUPPLIES	39.86
			#497870-BATTERIES	9.79
		SORDEN, BILL	FOOTING TILE REIMBURSEMEN	500.00
		UPS	POSTAGE	55.47
		VERIZON WIRELESS	ELECTRONIC FLOWMETER PHONE	80.14
			TOTAL:	11,739.20
ANIMAL CONTROL	ANIMAL SHELTER *AG	SOUTHERN HILLS VET SVC INC	LEUKEMIA VAC	10.00
			TEST/VACC 2 PND CATS	70.00
		HILLTOP VETERINARY CLINIC	NEUTER ADOPTED DOG-BOWEN	99.02
		JONES, MICHELLE	FUNDRAISING REIMBURSEMENT	125.28
		WAL-MART COMMUNITY	CANDY/SUPPLIES BRIGHT EYE	311.10
			TOTAL:	615.40

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

001	GENERAL FUND	64,483.48
006	COMMUNITY CENTER	47,022.64
110	ROAD USE TAX	13,220.82
112	PAYROLL TAX BENEFIT	24,682.94
166	RESTRICTED GIFTS-MCKNLY P	800.00
167	RESTRICTED GIFTS-LIBRARY	2,875.71
610	SEWER OPERATING FUND	12,206.67
953	ANIMAL SHELTER *AGENCY FU	615.40

CITY OF CRESTON
MANUAL CHECKS/DEBITS – PERIOD ENDING 12/04/12

NO DEPT ENTERED			
AMERITAS GROUP	DENTAL		391.56
ELECTRONIC FEDERAL TAX	TAX DEPOSIT		14,062.43
IOWA DEPT OF REVENUE	STATE TAX		6,200.00
IPERS	PENSION		12,473.90
TOTAL ADMINISTRATIVE SVC	FLEX		670.87
NO DEPT ENTERED	**TOTAL**	**$ 33,798.76**	
FINANCIAL ADMINISTRATION			
UNION CO TREASURER	TAXES(308 S WALNUT)		64.00
FINANCIAL ADMINISTRATION	**TOTAL**	**$ 64.00**	
SELF FUNDING INSURANCE			
TRISTAR BENEFIT (2)	INV CHECK RUN		7,612.38
SELF FUNDING INSURANCE	**TOTAL**	**$ 7,612.38**	

MANUAL CHECK/DEBITS TOTAL **$ 41,475.14**

FUND TRANSFERS FOR PERIOD ENDING: 12/05/12
POSTING DATE

THE FOLLOWING TRANSFERS ARE SCHEDULED TO BE MADE AFTER COUNCIL APPROVAL:

AMOUNT	FROM	TO	-G/L ACCT-	DR	CR
$ 18,795.00	009 HOTEL-MOTEL TAX	001 GENERAL FUND	009 6910	18,795.00	
			009 1110		18,795.
	FOR: TOURISM CONTRIBUTION		001 1110	18,795.00	
	VENDOR: CRESTON CHAMBER OF COMMERCE		001 4830		18,795.
$ 18,795.00	TOTAL - TRANSFERS		HASH TOTALS:	$ 37,590.00	$ 37,590.0

AKIN BUILDING CENTERS

604 Sheldon
Creston, Iowa 50801

(641)-782-3310 Phone
(641)-782-3234 Fax

To:	Attn: Mike Taylor	**From:**	Deanna
Fax:	641-782-6377	**Pages:**	2 with cover sheet
Phone:		**Date:**	11/19/12
Re:	Bills for Habitat for next City Council Mtg	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☑ **Please Reply** ☐ **Please Recycle**

Mike-

Attached is a bill for the next city council meeting. I have sent copies to Jeremy as well.

Let me know if you have any questions.

Thanks!

Deanna Petersen
Akin Building Center
604 Sheldon Ave
Creston, IA 50801
641-782-3310
641-782-3234

#884.45

AKIN BUILDING CENTERS

604 Sheldon
Creston, Iowa 50801

(641)-782-3310 Phone
(641)-782-3234 Fax

To:	Attn: Mike Taylor	**From:**	Deanna
Fax:	641-782-6377	**Pages:**	2 with cover sheet
Phone:		**Date:**	11/24/12
Re:	Bills for Habitat for next City Council Mtg	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☑ **Please Reply** ☐ **Please Recycle**

Mike-

Attached is a bill for the next city council meeting. I have sent copies to Jeremy as well.

Let me know if you have any questions.

Thanks!

Deanna Petersen
Akin Building Center
604 Sheldon Ave
Creston, IA 50801
641-782-3310
641-782-3234

$ 357.14

$ 297.77

CERTIFICATE OF TITLE
FAA Central Region

To: Manager, Safety and Standards Branch

Subject: Creston Municipal Airport

AIP Project No. 3-19-0023-05

This certification is made to satisfy (check **both** if applicable):

X **Part II Section C.10 of the Grant Application (FAA Form 5100-100) for existing airport property**
☐ **Grant conditions relative to satisfactory title evidence for land being acquired under this project**

The City of Creston, Iowa (hereinafter referred to as the "Sponsor"), pursuant to Section 47105(d) of the Federal Aviation Administration Authorization Act of 1994 (and amendments), hereby certifies that satisfactory property interest to the land indicated herein is vested in the Sponsor, as required by obligations of the referenced Grant Agreement with the Federal Aviation Administration.

The Sponsor hereby certifies that it holds the quality of title described below, as of the date of the attorney's title opinion on which this certification is based.

Parcel Number (Per Exhibit A)	**Quality of Interest** (Fee, Easement*, etc.,)
1,3,4,5,6,7 and 10	Fee
8 and 9	Easement

Parcels must be listed. Avoid simply referencing the Exhibit A Property Map. Attach additional sheets as necessary.

*The Sponsor certifies that grantors of easements constitute all of the owners of the land affected by such easements, and they had such quality of title in and to such land as to enable them to convey the interest purported to be conveyed in and by the easements granted. No other interests or rights exist which are incompatible with or would interfere with the exercise and enjoyment by the Sponsor of the rights and interests conveyed.

Sponsor hereby certifies that the Sponsor or the Sponsor's attorney have reviewed, evaluated and subordinated to airport use where necessary, all encumbrances and that no outstanding encumbrances exist which might affect the maintenance, operation, or development of the airport.

Sponsor further certifies that if defects in the title require correction after acceptance of this Certificate of Title by the FAA, the Sponsor accepts full responsibility for clearing such defects, encumbrances, or exceptions at its own expense.

This Certificate of Title is based upon a current title opinion dated November 2, 2012 by the sponsor's attorney Todd G. Nielsen.

Sponsor certifies that the title opinion referenced above corresponds with the "Exhibit A" airport property map dated 11/29/2012, AIP project number 3-19-0023-05. Although specific title evidence documents are not submitted herewith, copies of deeds and other appropriate evidence of title for the land are on file with the Sponsor and are available for inspection by the FAA.

It is understood that the FAA reserves the right to require additional information at any time.

City of Creston
Name of Sponsor

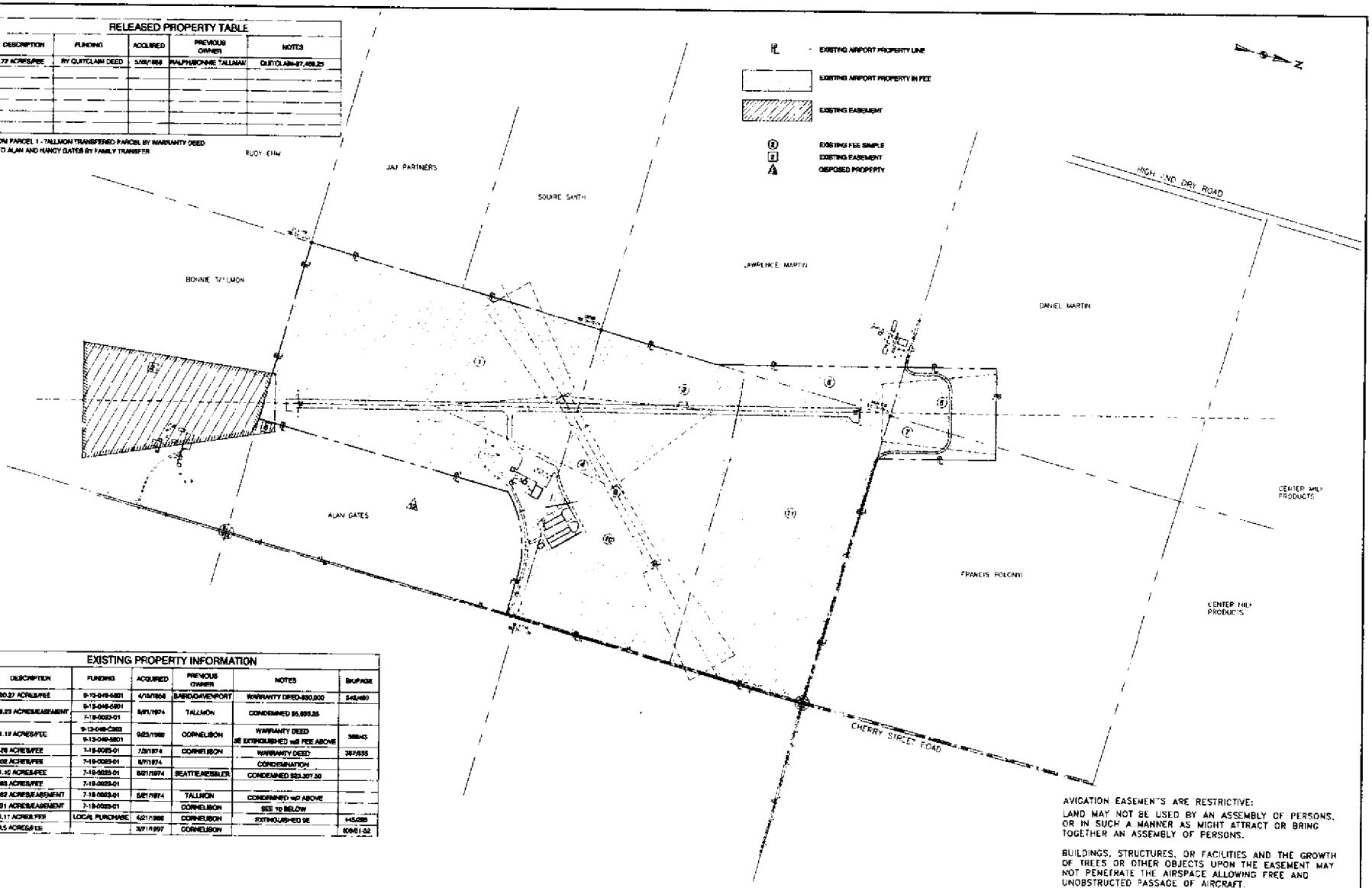
Signature and Title of Sponsor Official Authorized to Sign Grant Agreement

Date

RELEASED PROPERTY TABLE

TRACT ID	DESCRIPTION	FUNDING	ACQUIRED	PREVIOUS OWNER	NOTES
12*	58.72 ACRES/FEE	BY QUITCLAIM DEED	5/28/1958	RALPH/BONNIE TALLMAN	QUITCLAIM-87,468.25

* RELEASED FROM PARCEL 1 - TALLMON TRANSFERED PARCEL BY WARRANTY DEED ON 2/24/1994 TO ALAN AND NANCY GATES BY FAMILY TRANSFER



EXISTING PROPERTY INFORMATION

PARCEL EX.A/ALP	DESCRIPTION	FUNDING	ACQUIRED	PREVIOUS OWNER	NOTES	BK/PAGE
ORIG. SITE/1	100.27 ACRES/FEE	9-13-049-5801	4/15/1958	BARD/DAVENPORT	WARRANTY DEED-$30,000	548/480
2/2	28.23 ACRES/EASEMENT	9-13-049-5801 7-19-0023-01	8/21/1974	TALLMON	CONDEMNED $6,855.25	
3E/3	41.12 ACRES/FEE	9-13-049-C303 9-13-049-5801	9/23/1988	CORNELISON	WARRANTY DEED 3E EXTINGUISHED w/3 FEE ABOVE	388/43
/4	7.28 ACRES/FEE	7-19-0023-01	7/3/1974	CORNELISON	WARRANTY DEED	387/335
/5	8.02 ACRES/FEE	7-19-0023-01	8/7/1974		CONDEMNATION	
/6	11.10 ACRES/FEE	7-19-0023-01	8/21/1974	SEATTLE/KESSLER	CONDEMNED $23,307.50	
/7	5.63 ACRES/FEE	7-19-0023-01				
/8	0.82 ACRES/EASEMENT	7-19-0023-01	8/21/1974	TALLMON	CONDEMNED w/2 ABOVE	
/9	7.31 ACRES/EASEMENT	7-19-0023-01		CORNELISON	SEE 10 BELOW	
/10	31.11 ACRES/FEE	LOCAL PURCHASE	4/21/1988	CORNELISON	EXTINGUISHED 9E	445/285
/11	69.5 ACRES/FEE		3/21/1997	CORNELISON		606/61-52

AVIGATION EASEMENTS ARE RESTRICTIVE:

LAND MAY NOT BE USED BY AN ASSEMBLY OF PERSONS, OR IN SUCH A MANNER AS MIGHT ATTRACT OR BRING TOGETHER AN ASSEMBLY OF PERSONS.

BUILDINGS, STRUCTURES, OR FACILITIES AND THE GROWTH OF TREES OR OTHER OBJECTS UPON THE EASEMENT MAY NOT PENETRATE THE AIRSPACE ALLOWING FREE AND UNOBSTRUCTED PASSAGE OF AIRCRAFT.

GRAPHIC SCALE 0 400 800 1200

NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA

DESIGNED: DATE:
DRAWN: DATE:
CHECKED: DATE:
APPROVED: DATE:

CRESTON MUNICIPAL AIRPORT
CRESTON, IOWA

EXHIBIT 'A' PROPERTY MAP

PROJECT NO. 4312.03
SHEET NO.

REC'D NOV 09 2012

Friday Nov. 9th, 2012

This is my formal request to appeal the decision made by Mayor Woods to have a dog, currently at the city pound, destroyed on Monday Nov. 12th. This dog, in my opinion, is not dangerous and the decision to deem him so was made without proper investigation into the events. This dog is social, calm, non-aggressive and listens well. The bite incident that occurred was not an 'attack' but rather a 'rough play' occurance. I plan to prove this and have the 'labeling' of this dog removed so that it may find a home or be transferred without prejudice. In the very least, I hope to enlighten the council as to dog behavior in general and let them hear the case FOR this dog.

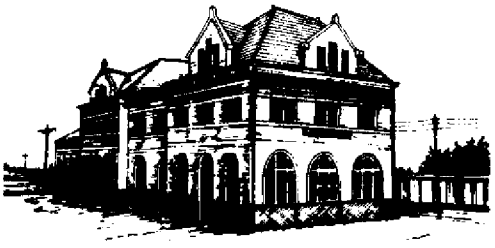
Sincerely,

Mycale Downey

Mycale Downey
Creston Animal Rescue Effort
641-782-2330

City of
CRESTON, IOWA

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



Creston's Restored Depot and City Hall

November 29, 2012

TO: Mayor Woods and City Council Members

RE: Updating of Building, Plumbing, Mechanical and Electrical Codes and Licensing Requirements

The reason needed for an update of Chapters 126 and 127, licensing of contractors, is that in recent years the State of Iowa has taken over the licensing of Electricians, Plumbers and Mechanical Contractors in most cases. There are some exceptions in which the City may still issue a license and the new ordinances covers those.

In respect to the electricians the State did allow for "grandfathering" in established electricians who had previously carried a city license before the law change. We still have 14 of those. These electricians can legally work only within the City limits of Creston. The City can not issue any licenses to any new electricians or require a City license to anyone who has a state electrical license. The City still issues electrical permits and inspects the electrical work done within the city limits

While the state has taken over the licensing of interior plumbers they have not licensed those who do sewer or water work on the exterior of buildings. The city will continue to license those contractors and require the certificate of insurance from those contractors. The City still issues permits and inspects the plumbing and mechanical work done with in the city limits.

Chapter 157, dealing with adoption of the Electrical Code and Chapter 156, dealing with the adoption of the Plumbing and Mechanical Codes are unchanged from the existing codes other than updating to the 2011 National Electric Code and the 2012 International Codes.

Chapter 158, dealing with the adoption of the 2012 International Building Code (IBC) and the 2012 International Residential Code (IRC) has several changes as listed following:

1. Section 105.02 of the IBC and IRC has been amended to include the exception from acquiring a permit for reroofing or residing. Currently a permit is not required to do residing or reroofing so nothing is changing from current practice. This is being put into this code section to help simplify finding this exception. Under the new code the exception from acquiring a permit will not waive the requirements of the IBC or IRC to do the work according to code.

2. Section 108 of the IRC and Section 109 of the IBC has been amended to help with the collection of permit fees. While most permit fees are paid there are some that are hard to collect. This section will help collect those who refuse to pay.

3. The 2012 editions of the IRC and IBC require fire sprinklers in single family dwellings, duplex dwellings and townhouse dwellings. Several of the changes in this ordinance deal with deleting those requirements and then requiring proper fire wall separations in the cases of duplexes and townhouses in order to eliminate the fire sprinkler requirement. This proposed change has been discussed with the Creston Fire Department personnel and have their approval.

4. Section 403 of the IRC and IBC is being amended to meet what is currently being done. Accessory buildings (garages) currently do not require a frost footing (a 42" deep footing) if the building is 780 square feet or less, so nothing is changing from current practice. The 2012 code would require a frost footing with any building over 600 square feet.

If you have any questions on any of these ordinances please give me a call or stop by the office and we can discuss these proposed ordinances.

Yours truly,

Kevin Kruse
Public Works Director

ORDINANCE NO. 13 - 143

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2011 NATIONAL ELECTRIC CODE

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

SECTION 1. SECTION MODIFIED. Section 157.01, of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

157.01 ADOPTION OF CODE. The National Electrical Code of 2011, or the latest edition, as recommended by the National Fire Protection Association, is hereby adopted in full except for such portions that are deleted or modified or amended by this chapter. All electrical work shall be performed in accordance with the provisions of this Code as modified by this chapter. A copy of the National Electrical Code as adopted shall be on file in the office of the Clerk for public inspection.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, 20__, and approved this ___ day of _____, 20__.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 13 – 143 on the _____ day of _____, 20___.

_____
City Clerk

ORDINANCE NO. 13 - 144

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING LICENSING OF ELECTRICAL CONTRACTORS

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

SECTION 1. SECTION MODIFIED. Chapter 126, of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

126.01 PURPOSE AND SCOPE. The purpose of this chapter is to provide for the licensing of electrical contractors and for the issuance of permits in order to protect the public safety, health and welfare.

126.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Electrical contracting" means undertaking or offering to undertake the planning or supervision of electrical work.

2. "Electrical contractor" means any person who has the necessary qualifications, training, experience and technical knowledge to plan or supervise electrical work.

3. "Electrical equipment" means all electrical materials, wiring, conductors, fittings, devices, appliances, fixtures, signs and apparatus or parts thereof.

4. "Electrical work" means all installations, alterations, repairs, removals, renewals, replacements, disturbances, connections, disconnections and maintenance of all electrical equipment.

5. "Licensed" means licensed under this chapter unless otherwise specified.

126.03 LICENSE REQUIRED. No person shall engage in electrical contracting within the City unless such person has obtained from the City or the State of Iowa an electrical contractor's license. No person shall engage in doing electrical work unless licensed in accordance with Section 103 of the Iowa Code.

126.04 ISSUANCE OF PERMITS. Permits to do electrical work as required by the Electrical Code of the City (Chapter 157 of this Code of Ordinances) shall be issued only to electrical contractors licensed by the State of Iowa or the City of Creston. However, any permit required by the Electrical Code may be issued to the owner of a single-family dwelling used exclusively for living purposes, to do any work regulated by the Electrical Code in that dwelling, including the usual accessory buildings located on the same lot as the dwelling, provided that the dwelling will be occupied by the owner, that the owner appears before the City Building Inspector and shows competency to do the specific work for which the owner desires a permit, and that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in

accordance with this exception must meet all the requirements of the Electrical Code and shall be inspected like other work.

126.05 EXPIRATION DATES. All City issued licenses shall expire on June 30 and shall be renewed annually upon application of the licensee and payment of the license fee to the Clerk. Any license not renewed prior to July 31 shall expire on July 31 and may not be renewed by the City.

126.06 ACCOUNTING FOR FEES. License fees shall be turned over to the City Clerk not later that the tenth day of the month following the month in which they were received, with a written report of the amounts and sources of the fees. The resulting fund shall be used to pay the costs of issuance of licenses and enforcement of this chapter.

126.07 INSURANCE OR BOND. Any person who has been issued a license by the City of Creston as an electrical contractor shall execute and deposit with the Clerk a bond in the sum of $100,000.00 or insurance certificate with sureties approved by the Clerk and Mayor. This bond or insurance is to be held as surety that the licensee will fulfill these conditions:

1. All electrical work performed by the licensee or under his or her supervision shall be performed in accordance with the provisions of the Electrical Code of the City.

2. He or she will pay all fines and penalties imposed upon the contractor for violation of this chapter or the Electrical Code.

3. The City shall be held free from any liability sustained by reason of the negligence or incompetence of such electrical contractor or other person working under his or her supervision.

126.08 REVOCATION OF LICENSE. After notice and hearing, the Council may revoke any license issued by the City under this chapter for the following reasons:

1. Fraudulent Statements. The licensee has made fraudulent statements in the application for the license or in the conduct of the business.

2. Violation of Law. The licensee has violated this chapter or the Electrical Code or has otherwise conducted the business in an unlawful manner.

3. Endangered Public Welfare, Health or Safety. The licensee has conducted the business in such manner as to endanger the public welfare or safety.

126.09 NOTICE. The Clerk shall send a notice to the licensee at the licensee's local address or hand deliver the notice not less than ten (10) days before the date set for a hearing on the possible revocation of a license. Such notice shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and the date, time and place for hearing on the matter.

126.10 HEARING. The Council shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. The licensee shall have the right to be represented by counsel, to

testify and present witnesses in his or her own behalf, and to cross-examine adverse witnesses. Should the licensee, or authorized representative, fail to appear without good cause, the Council may proceed to a determination of the complaint.

126.11 RECORD AND DETERMINATION. The Council shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Council finds clear and convincing evidence of substantial violation of this chapter or State law.

126.12 EFFECT OF REVOCATION. Revocation of any license issued by the City shall bar the licensee from being eligible for any license renewal by the City.

126.13 SUMMARY SUSPENSION. If the Council finds that the public health or safety requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending suspension or revocation proceedings under this chapter. Immediately upon issuance of an order of summary suspension, the Council shall institute proceedings pursuant to Sections 126.09 and 126.10.

126.14 TRANSFER OF LICENSE. It is unlawful for any license holder to transfer his or her license or to allow it to be used, directly or indirectly, by any other person.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, 20__, and approved this ___ day of _____, 20__.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 13 - 144 on the ___ day of _____, 20__.

_____
City Clerk

ORDINANCE NO. 13 - 145

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2012 INTERNATIONAL MECHANICAL CODE AND THE 2012 UNIFORM PLUMBING CODE

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

SECTION 1. SECTION MODIFIED. Section 156.01, of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

156.01 ADOPTION OF CODE. The 2012 editions of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, and the 2012 International Mechanical Code, as published by the International Code Council, are hereby incorporated by reference. The latest editions are hereby adopted in full except for such portions as hereinafter may be deleted, modified or amended. All installations, repairs and alterations of plumbing and mechanical systems shall be performed in accordance with the provisions of such Codes. Official copies of the Uniform Plumbing Code and the International Mechanical Code, latest editions as adopted, are on file in the office of the Clerk for public inspection.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, 20__, and approved this ___ day of _____, 20__.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 13 -145 on the ___ day of _____, 20__.

_____
City Clerk

ORDINANCE NO. 13 - 146

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO LICENSING OF PLUMBING AND MECHANICAL CONTRACTORS

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

SECTION 1. SECTION MODIFIED. Chapter 127, of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

127.01 PURPOSE. The purpose of this chapter is to provide for the examination and licensing of plumbing and mechanical contractors in order to protect the public safety, health and welfare.

127.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Apprentice" or "plumber/mechanic's helper" means any person who, while learning the trade of plumbing or mechanical work, is assisting in the installation, alteration or repair of plumbing or mechanical work and is actually with and in the presence of a plumbing or mechanical contractor.

2. "Mechanical" has the meaning given in the Uniform Mechanical Code.

3. "Plumbing" has the meaning given in the Uniform Plumbing Code.

4. "Plumbing or mechanical contractor" means any person engaged in planning, supervising and contracting for the installation of plumbing and who is licensed as a plumbing or mechanical contractor.

5. "Exterior Plumbing Contractor" means any person engaged in planning, supervising and contracting for the installation of plumbing only on the exterior of buildings and who is licensed as a plumbing or mechanical contractor.

127.03 LICENSE REQUIRED. No person shall engage in the business of plumbing or mechanical work unless licensed as a plumbing or mechanical contractor in accordance with Chapter 105 of the Iowa Code. No person shall engage in the practice of installing, repairing or altering plumbing on the exterior of buildings unless licensed as a plumbing contractor by the State of Iowa or as an "Exterior Plumbing Contractor" by the City of Creston.

127.04 ISSUANCE OF PERMITS. Permits to do plumbing and mechanical work as required by the Plumbing and Mechanical Code of the City (Chapter 156 of this Code of Ordinances) shall be issued only to plumbing or mechanical contractors licensed by the City. However, any permit required by the Plumbing and Mechanical Code may be issued to the owner of a single-family dwelling used exclusively for living purposes, to do any work regulated by the Plumbing and Mechanical Code in that dwelling, including the usual accessory buildings located on the same lot as the dwelling, provided that the dwelling will be occupied by the owner, that the owner appears before the City Building

Inspector and shows competency to do the specific work for which the owner desires a permit, and that the owner personally shall purchase all materials and perform all labor in connection with the work. All work done in accordance with this exception must meet all the requirements of the Plumbing and Mechanical Code and shall be inspected like other work.

127.05 APPRENTICES AND HELPERS. Apprentices and helpers employed to assist a City licensed plumbing contractor to do exterior work need not be licensed, provided, however, that such apprentices and helpers perform their work under the direct supervision of a licensed plumbing contractor.

127.06 LICENSE FEES. Any person who desires to be licensed as an exterior plumbing contractor shall make a written, signed application to the Clerk on forms provided by the Building Department. The annual license fee shall be paid to the Clerk in the amount of $25.00. The license fees shall be used for the payment of the costs of issuing such licenses and the enforcement of this chapter.

127.07 EXPIRATION OF LICENSE. All licenses shall expire on June 30 and shall be renewed annually upon application of the licensee and payment of the license fee to the Clerk. Any license not renewed prior to July 31 shall expire on July 31.

127.08 INSURANCE OR BOND. Any person who has been issued a license as an exterior plumbing contractor shall execute and deposit with the Clerk a bond in the sum of $100,000.00 or insurance certificate with sureties approved by the Clerk and Mayor. This bond or insurance is to be held as surety that the licensee will fulfill these conditions:

1. All exterior plumbing performed by the licensee or under his or her supervision shall be performed in accordance with the provisions of the Plumbing Code of the City.

2. He or she will pay all fines and penalties imposed upon the contractor or person working under his or her supervision for violation of this chapter or the Plumbing Code.

3. The City shall be held free from any liability sustained by reason of the negligence or incompetence of such exterior plumbing contractor or other person working under his or her supervision.

4. The contractor shall indemnify the City for work done by the City to correct any condition during excavation or backfilling, including safety measures required therefor.

127.09 REVOCATION OF LICENSE. After notice and hearing, the Council may revoke any exterior plumbing license issued under this chapter for the following reasons:

1. Fraudulent Statements. The licensee has made fraudulent statements in the application for the license or in the conduct of the business.

2. Violation of Law. The licensee has violated this chapter or the Plumbing Code or has otherwise conducted the business in an unlawful manner.

3. Endangered Public Welfare, Health or Safety. The licensee has conducted the business in such manner as to endanger the public welfare or safety.

127.10 NOTICE. The Clerk shall send a notice to the licensee at the licensee's local address or hand deliver the notice not less than ten (10) days before the date set for a hearing on the possible revocation of a license. Such notice shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and the date, time and place for hearing on the matter.

127.11 HEARING. The Council shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. The licensee shall have the right to be represented by counsel, to testify and present witnesses in his or her own behalf, and to cross-examine adverse witnesses. Should the licensee, or authorized representative, fail to appear without good cause, the Council may proceed to a determination of the complaint.

127.12 RECORD AND DETERMINATION. The Council shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Council finds clear and convincing evidence of substantial violation of this chapter or State law.

127.13 EFFECT OF REVOCATION. Revocation of any license shall bar the licensee from being eligible for any license under this chapter for a period of one year from the date of the revocation.

127.14 USE OF LICENSEE'S NAME BY ANOTHER. No licensee shall allow his or her name to be used by another person either for the purpose of obtaining permits or for the purpose of doing business or work under the license. Every licensee shall notify the Building Department of the address of his or her place of business and the name under which such business is carried on and shall give immediate notice to the Building Department of any change in either. No license issued under this chapter shall be transferable.

127.15 INSPECTIONS AND INVESTIGATIONS. It is the duty of the Building Inspector to make any investigations or inspections which he or she believes necessary or any investigations or inspections required or requested by the Council to carry out the purposes of this chapter.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, 20__, and approved this ___ day of _____, 20__.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 13 146 on the ___ day of _____, 20__.

_____
City Clerk

ORDINANCE NO. 13 - 147

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO ADOPTION OF THE 2012 INTERNATIONAL BUILDING CODE AND THE 2012 INTERNATIONAL RESIDENTIAL CODE

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

SECTION 1. SECTION MODIFIED. Chapter 158, of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

158.01 ADOPTION OF CODE. The 2012 Edition of the International Building Code, (IBC) as published by the International Code Council, and the 2012 International Residential Code, (IRC) as published by the International Code Council are hereby adopted in full except for such portions deleted, modified or amended. The latest editions are hereby adopted in full except for such portions as hereinafter may be deleted, modified or amended.

158.02 COPIES ON FILE. Official copies of the aforementioned Codes are on file in the office of the Clerk.

158.03 SECTIONS DELETED OR MODIFIED. The following sections of the 2012 IRC and the 2012 IBC are hereby deleted or amended:

Amend IBC Section 105.2, Work Exempt from Permit IBC Section 105.2, Work Exempt from Permit is hereby amended by adding #14.

> 14. Siding, shingling or reroofing while replacing or repairing roof coverings or siding on existing structures providing that no structural alterations are being done to the existing structure. The waiver of permits shall not waive the requirements of the IBC pertaining to the installation of siding or shingles.

Amend IRC Section R105.2, Work Exempt from Permit IRC Section R105.2, Work Exempt from permit by adding #11.

> 11. Siding and shingling while replacing or repairing roof coverings or siding on existing structures providing that no structural alterations are being done to the existing structure. The waiver of permits shall not waive the requirements of the IRC pertaining to the installation of siding or shingles.

Amend IRC Section R108 Fees. Subsection 108.1, Payment of Fees, of the IRC is hereby amended by adding Subsection 108.1A and is hereby established by adding the following subsection:

> Subsection 108.1A Payment of Fees. Fees remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

Amend IBC Section 109 Fees. Subsection 109.1, Payment of Fees, of the IBC is hereby amended by adding Subsection 109.1A and is hereby established by adding the following subsection:

> Subsection 109.1A Payment of Fees. Fees remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

Amend IRC Section 302.2 Townhouses. Subsection R302.2, Townhouses, of the IRC, is hereby amended by deleting said subsection and inserting in lieu thereof the following (exception remains unchanged)

> Subsection P302.2 Townhouses. Each sprinklered townhouse shall be considered a separate building and shall be separated by fire resistant rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Amend IRC Section 302.2 Townhouses. Subsection R302.2, Townhouses, of the IRC, is hereby amended by adding Subsection R 302.2A and is hereby established by adding the following subsection and exception:

> Subsection R302.2A Townhouses. Each non-sprinklered townhouse shall be considered a separate building and shall be separated by fire resistant rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.
>
> Exception: A common 2-hour fire resistant rated wall assembly tested in accordance with ASTM E 119 0r UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be in accordance with the Creston Electrical Code. Penetrations of electrical boxes shall be in accordance with Section R302.4.

Amend IRC Subsection R302.3 Two Family Dwelling Units. Subsection R302.3, Two Family Dwellings of the IRC is hereby amended by deleting said subsection and inserting in lieu of therefore the following and deleting exception 2:

R302.3 Two-Family Dwellings. For the purposes of fire resistive separation, two family dwelling units shall be considered as townhouses and shall be constructed in accordance with R-302.2A

Exception 2 deleted.

Amend IRC Section R403.1.4.1, Frost Protection, Exception 1 Subsection R403.1.4.1 Frost Protection of the IRC is hereby amended by deleting said subsection and inserting in lieu of therefore the following:

R 403.1.4.1 Frost protection, Exception 1. Protection of free standing accessory structures with an area of 780 square feet or less, of light frame construction, shall not be required.

Amend IRC Section R403.1.4.1, Frost Protection, Exception 2 Subsection R403.1.4.1 Frost Protection of the IRC is hereby amended by deleting said subsection and inserting in lieu of therefore the following:

R 403.1.4.1 Frost protection, Exception 2. Protection of free standing accessory structures with an area of 780 square feet or less, of other than light frame construction, shall not be required.

Amend IRC Section R-313.1, Townhouse Automatic Fire Sprinkler Systems. Subsection 313.1 Townhouse automatic fire sprinkler system, of the IRC is hereby deleted said subsection and inserting the following in lieu of (exception remains unchanged):

Subsection R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses containing more that 8 (eight) units.

Amend IRC Subsection Section R-313.2 One and Two Family Dwelling Automatic Fire Systems by deleting said subsection.

Subsection R-313.2 One and Two Family Dwelling Automatic Fire Systems Deleted

Amend IRC Section P-2904, Dwelling Unit Fire Sprinkler Systems, Subsection P 2904.1 is hereby deleted said subsection and inserting the following in lieu of (exceptions remain the unchanged):

> Subsection P 2904.1 Required Sprinkler Locations. Sprinklers, when installed, shall protect all areas of a dwelling unit.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, 20__, and approved this ___ day of _____, 20__.

_____
Mayor

ATTEST:

_____
City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 13 - 147 on the ___ day of _____, 20__.

_____
City Clerk