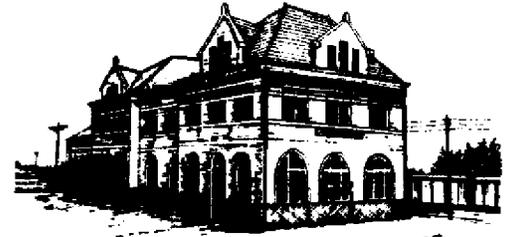


City of
CRESTON, IOWA

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: Larry Wynn, Randy White, Loyal Winborn, Betty Shelton, Marsha Wilson, Larry Wagner, Terry Koets
CITY CLERK: Lisa Williamson
CITY ADMINISTRATOR: Mike Taylor
CITY ATTORNEY: Skip Kenyon

Regular Meeting Agenda
City Hall/Restored Depot
Council Chambers
June 1, 2010
6:00 p.m.
Last updated: 05/28/2010 3:16 PM

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Mayor to Administer Oath of Office**
4. **Roll Call**
5. **Consideration of Agenda**
6. **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.***
 - a. Minutes of May 18, 2010 – Regular Meeting, May 25, 2010 – Special Meeting
 - b. Claims:
 - i. Total Claims - \$201,330.33
 - c. Licenses/Permits:
 - i. Amusement – 10,000 Crestonians, Oaks Brew Garden, American Legion, Sidetracked Again, Panther Lanes, Elks, Elm's Club
 - ii. Cigarette – Casey's #3, #2422, #2423, #2424; Pokorny BP; American Legion; HyVee; Kum & Go #500, #501; Farm & Home; Wal-Mart; Fareway; Elm's Club
 - d. Temporary Street Closings:
 - i. McKinley Street from Lake Street to Kirby Street from 8:00 a.m. June 19th to 4:00 a.m. June 20th for the Annual Concert in the Park on June 19, 2010
 - ii. Montgomery Street from Oak Street to Division Street from 4 p.m. July 3rd to 2 a.m. July 4th for the Elk's Annual Street Dance on July 3, 2010
7. **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.***
8. **New Business**
 1. Resolution to approve 28E Agreement between City of Creston and Union County for Parking Ticket Enforcement
 2. Motion to establish First Reading of Ordinance No. 10-123 – Amending provisions pertaining to speed regulations
 3. Motion to establish First Reading of Ordinance No. 10-124 – Amending provisions pertaining to violation of general traffic violations

4. Motion to establish First Reading of Ordinance No. 10-125 – Adding New Chapter allowing use of small wind energy conversion systems
5. Resolution to set a Public Hearing for the purpose of discussing current activities and providing a status of funds on CDBG #09-WS-013 (East Side Sewer Project) on June 15, 2010 at 6:00 p.m.
6. Resolution to special assess abatement charges of \$250.00 due to non-payment by property owner – snow removal
7. Resolution to approve Change Order No. 1 for work on the 2009 East Side Sanitary Sewer Replacement
8. Resolution to approve Pay Estimate No. 5 for \$39,369.90 to Havens Construction for work completed on the 2009 East Side Sanitary Sewer Replacement

9. Other Items

10. Adjournment

REGULAR MEETING OF THE CRESTON CITY COUNCIL MAY 18, 2010

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: Wynn, White, Winborn, Wagner and Koets. Shelton and Wilson were absent.

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

Wagner moved seconded by White to approve the consent agenda, which included approval of minutes of regular meeting on May 4, 2010, claims of \$998,594.83 and fund transfers of \$786,094.38. All voted aye. Shelton and Wilson were absent. Motion declared carried.

Councilperson Wilson arrived at 6:02 p.m.

No one spoke during Public Forum.

Public Works Director Kevin Kruse gave Council an update on costs of the different options available for the four-way stop at Adams and Elm Street intersection and recommended stop signs be placed at all four corners. To place stop signs at all four corners would cost approximately \$200; to have the current stoplight controller repaired, it would cost approximately \$500; to replace the controller with one that would sync with the railroad crossings would cost approximately \$4,800, this would not include any insulation or interconnection between the controller and the railroad gates.

A resolution was offered by Koets seconded by Wynn to reappoint Dick Lechtenberger to the Board of Adjustments with term expiring July 1, 2013 and Nadine Scadden to the Cemetery Board of Trustees with term expiring June 1, 2016 and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Wilson, Wagner, Koets and Wynn voted aye. Shelton was absent. Resolution declared passed.

White moved seconded by Koets to review and approve proposals for procurement of Technical Services for the Community Development Block Grant (CDBG) #09-HSG-022. All voted aye. Shelton was absent. Motion declared carried.

A resolution was offered by Wilson seconded by White to approve a contract with Southern Iowa Council of Governments for procurement of Technical Services for the CDBG #09-HSG-022 and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, Wynn, White, Winborn and Wilson voted aye. Shelton was absent. Resolution declared passed.

Wilson moved seconded by Winborn to reject a bid from Don's Truck Sales for the Snow Removal Equipment Project for the Creston Municipal Airport due to irregularities in the bid submission. All voted aye. Shelton was absent. Motion declared carried.

A resolution was offered by Wilson seconded by White to approve plans, specifications, form of contract and estimate of cost for Snow Removal Equipment Project for the Creston Municipal Airport and authorize the Mayor and Clerk to execute the proper

documentation. Wynn, White, Winborn, Wilson, Wagner and Koets voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve tentative award of contract to O'Halloran International, Inc., subject to FAA concurrence and execution of the grant for Snow Removal Equipment Project for the Creston Municipal Airport and authorize the Mayor and Clerk to execute the proper documentation. Wagner, White, Winborn and Wilson voted aye. Koets and Wynn voted nay. Shelton was absent. Resolution declared passed.

A resolution was offered by Winborn seconded by Wilson to authorize the Mayor to sign and submit the FAA Application for funding for acquisition of Snow Removal Equipment Project for the Creston Municipal Airport and authorize the Mayor and Clerk to execute the proper documentation. Koets, White, Winborn, Wilson and Wagner voted aye. Wynn voted nay. Shelton was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Wynn to approve the purchase of a used double-drum smooth roller for the Street Department and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Wilson, Wagner, Koets and Wynn voted aye. Shelton was absent. Resolution declared passed.

A resolution was offered by White seconded by Winborn to approve the Reimbursement of Training Expenses Agreements for Police Officers John Barney, Jason Catrenich, Jayrd Merritt and Tyler Rothmeyer and authorize the Mayor and Clerk to execute the proper documentation. Wilson, Wagner, Koets, Wynn, White and Winborn voted aye. Shelton was absent. Resolution declared passed.

Koets moved seconded by Wilson to approve a request for temporary street closing on Summit Street from Birch Street west to the alley, on June 12, 2010, from noon to 11 p.m. for a block party. All voted aye. Shelton was absent. Motion declared carried.

Wagner moved seconded by Wilson to go into Closed Session pursuant to Iowa Code 21.5(c) and 21.5(j). Koets, Wynn, White, Winborn, Wilson and Wagner voted aye. Shelton was absent. Motion declared carried.

White moved seconded by Wagner to come out of Closed Session pursuant to Iowa Code 21.5(c) and 21.5(j). Koets, Wynn, White, Winborn, Wilson and Wagner voted aye. Shelton was absent. Motion declared carried.

Under Other Items, Mike Taylor gave Council an update on the mowing nuisances. At least 18 properties have been identified and the City is having the Water Works locate the water shut-offs, so as not to damage them or the City's mowers. Mowing will begin this week.

Burlington Northern has notified the City regarding repair on the Elm Street Crossing. It is set to begin on Friday, May 21, 2010, and will be closed for about a week.

The company is still working on making adapters for the acorn-shaped street light fixtures to hold the Christmas decorations.

The Cottonwood Street Project is set to begin June 1, 2010. The project is broken into five different phases and they will work on two phases at a time. Work will begin at the north end of Cottonwood.

The County let the contract for the Green Valley Road Project and for the overall project, the bid came in approximately \$100,000 under estimate. The project may start around the end of July.

Wagner moved seconded by Wilson to adjourn the meeting. All voted aye. Shelton was absent. Motion declared carried. Council adjourned at 6:45 P.M.

Mayor

Attest:

City Clerk

SPECIAL MEETING OF THE CRESTON CITY COUNCIL MAY 25, 2010

The Creston City Council met in special 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: White, Shelton, Wilson and Koets. Wynn, Winborn and Wagner were absent.

Wilson moved seconded by Shelton to approve the agenda. All voted aye. Wynn, Winborn and Wagner were absent. Motion declared carried.

Mayor Woods announced that now was the time for a Public Hearing on the Budget Amendment for FY 2010. He asked if anyone wished to speak for the amendment; no one did. He asked if there was any written correspondence for the amendment; there was none. He asked if anyone wished to speak against the amendment; no one did. He asked if there was any written correspondence against the amendment; there was none. He then called the Public Hearing to a close.

A resolution was offered by Wilson seconded by Shelton to adopt the budget amendment for FY 2010 and authorize the Mayor and Clerk to execute the proper documentation. Koets, White, Shelton and Wilson voted aye. Wynn, Winborn and Wagner were absent. Resolution declared passed.

Wilson moved seconded by Shelton to adjourn the meeting. All voted aye. Wynn, Winborn and Wagner were absent. Motion declared carried. Council adjourned at 6:03 P.M.

Mayor

Attest:

City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	AMERICAN ADMINISTRATORS (PREMIUMS)	GRP 93001 PREMIUM-JUN'10	1,767.47
			TOTAL:	1,767.47
CE PROTECTION	GENERAL FUND	CARPENTER UNIFORM CO &	TROUSERS-HEATHERINGTON	145.71
			UNIFORMS-AUTEN	400.91
			NAMETAG-AUTEN	26.03
		CRESTON AUTO PARTS INC	1-MICRO V BELT-'06	36.88
		CRESTON AUTOMOTIVE	COOLANT FAN-'06	549.84
			DIAGNOSTIC ON CAR-'06	35.79
		IOWA TELECOM	TELEPHONE	56.42
		RINGGOLD COUNTY SHERIFF'S OFFICE	PURCHASE AUTEN'S EQUIPMEN	300.00
			TOTAL:	1,551.58
FIRE PROTECTION	GENERAL FUND	CRESTON AUTO PARTS INC	VALVE RELAY-ENG 3	67.17
		ED M FELD EQUIP CO INC	2-VALVE REBUILD KITS E-3	162.00
		IOWA TELECOM	TELEPHONE	233.51
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	37.17
			ELECTRICITY	262.71
		JOHNSTON FIREFIGHTERS ASSOCIATION	TRAINING-LADDER TRUCK	290.00
		KRANTZ PLUMBING & HEATING	FURNACE FOR TRUCK BAY	1,278.85
		PETTY CASH - FIRE	#1484-FUEL SMALL ENGINES	14.35
			#1485-VELCRO	12.94
			#1486-POSTAGE	2.38
			#1487-POSTAGE	4.63
		SERVICE TECHS INC	RPR CHAIN SAW	78.92
		WAL-MART COMMUNITY	SUPPLIES	74.19
		WITMER ASSOCIATES INC	HELMET FRONT-NAME	10.99
			HELMET FRONT-NAME	55.99
			TOTAL:	2,585.80
BUILDNG & HSNQ SAFETY	GENERAL FUND	IOWA TELECOM	TELEPHONE	44.94
		GREATER REG MEDICAL CNTR	DRUG SCREEN/TESTING-LYBARG	59.00
		OFFICE DEPOT	FOLDERS-PENS-RIBBON	34.87
		PETTY CASH - STREET	#1702-BATTERIES FOR CAMERA	16.84
			TOTAL:	155.65
ANIMAL CONTROL	GENERAL FUND	CRESTON VET CLINIC PC	EUTHANIZE LARGE DOG	6.50
		LECHTENBERGER, GAY LOU	SUCCESSFUL ADOPTION	20.00
		NAPA	SIP TIES	22.49
			TOTAL:	48.99
STREET LIGHTING	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	8,878.34
			TOTAL:	8,878.34
TRAFFIC SAFETY	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	1,397.04
			TOTAL:	1,397.04
AIRPORT	GENERAL FUND	IOWA TELECOM	TELEPHONE	105.37
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	316.87
		PETTY CASH - FINANCE	#1246-POSTAGE	4.90
		SIRWA	WATER-AIRPORT	30.75
		WEST AVIATION INC	PER FBO CONTRACT	1,354.17
			TOTAL:	1,812.06
LIBRARY SERVICES	GENERAL FUND	IOWA TELECOM	TELEPHONE	147.61
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	19.68

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			ELECTRICITY	444.27
		INGRAM	BOOKS	1,346.76
			BOOKS	171.29
			RETURN BOOK	8.40
			BOOKS	11.97
			BOOKS	143.17
			BOOKS	72.36
			BOOKS	13.77
			BOOKS	47.16
		LANDMARK AUDIOBOOKS	AUDIO CDS	115.20
			AUDIO CDS	117.90
			AUDIO CDS	77.40
		OFFICE MACHINES	TOILET TISSUE	100.98
		SWILSA	DIE CUTS	3.70
			TOTAL:	2,824.82
PARKS	GENERAL FUND	B M SALES	TOILET PAPER	108.17
		BARKER IMPLEMENT & MOTOR CO INC	DECK HANGERS	105.88
		CRESTON CITY WATER WORKS	WATER-RAINBOW PARK	6.19
			WATER-RAINBOW PRK FOUNTAIN	6.19
			WATER-LAKE/MCKINLEY	7.33
			WATER-HISTORICAL COMPLEX	7.12
			WATER-TAYLOR PARK	7.33
		IOWA TELECOM	TELEPHONE	53.88
		HEARTLAND TIRE & AUTO	MOUNT & REPAIR TIRES	198.00
		ALLIANT ENERGY-INT PWR&LGHT	MCKINLEY PARK VFW/FLAGS	72.92
			ELECTRICITY	547.58
		KELLY TIRE & EXHAUST	2-TIRES & 2-TUBES	475.00
		NAPA	BEARING FOR GANG MOWER	14.78
		TRUE VALUE HARDWARE & RENTAL	ACID-BULBS-CHLORINE TABS	94.97
			TOTAL:	1,705.34
RECREATION	GENERAL FUND	B M SALES	TOILET PAPER	108.17
		CRESTON CITY WATER WORKS	WATER-MCK BALLFIELD	7.12
			WATER-BILL SEARS FOUNTAIN	7.12
			WATER-SEARS COMPLEX	7.12
		FASTENAL	3 CASES FIELD PAINT	143.64
		IOWA TELECOM	TELEPHONE	44.94
		ALLIANT ENERGY-INT PWR&LGHT	600 MCKINLEY PARK SEC LIGH	12.43
			ELECTRICITY	110.08
		RJ'S PORTABLES	3-PORT-A-POTTIES	225.00
			TOTAL:	665.62
CEMETERY	GENERAL FUND	IOWA TELECOM	TELEPHONE	56.42
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	150.67
		SIRWA	WATER-CEMETERY	30.75
			TOTAL:	237.84
SWIMMING POOL	GENERAL FUND	AKIN BUILDING CENTER	4-TUBES CAULKING SEA	21.96
		B M SALES	TOILET PAPER	108.16
		BYERS, JUSTIN G	KEYS FOR POOL	34.90
		CENTRAL PLAINS ELECTRIC	RPR PUMP	103.85
			RPR WATERSLIDE	77.20
		CONSOLIDATED MATERIALS COMPANY	PLUMBING SUPPLIES	38.59
			PLUMBING SUPPLIES	0.78
			PLUMBING SUPPLIES	11.66

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			PLUMBING SUPPLIES	7.26
		CRESTON CITY WATER WORKS	WATER-POOL	683.45
		FARM & HOME SUPPLY INC	TUBING-TAPE-CAULKING	169.37
			TUBING-TAPE-CAULKING	7.50
			TUBING-TAPE-CAULKING	4.50
		IOWA TELECOM	TELEPHONE	53.88
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	18.35
			ELECTRICITY	252.78
		ECHO GROUP INC	LIGHT BULBS	38.22
		PETTY CASH - RECREATION	#1638-RUBBER PLUG	3.69
			#1639-PAINTERS TAPE	15.17
		TRUE VALUE HARDWARE & RENTAL	ACID-BULBS-CHLORINE TABS	60.47
			TOTAL:	1,711.74
FINANCIAL ADMINISTRATN	GENERAL FUND	DOWNTOWN GRAPHICS NETWORK INC	HARDWARE FOR BANNERS	4,282.70
		IOWA TELECOM	TELEPHONE	265.24
		OFFICE DEPOT	YEAR END SUPPLIES	86.05
		PETTY CASH - FINANCE	#1242-POSTAGE	4.90
			#1244-POSTAGE	0.44
			#1245-POSTAGE DUE	0.20
			#1245-RECORDING FEES	51.00
		PETTY CASH - STREET	#1703-POSTAGE	11.40
		SHRED-IT DES MOINES	1-BAG SHRED	50.00
		SWI CONSTRUCTION	DEMO @ 503 W IRVING ST	9,000.00
			TOTAL:	13,751.93
LEGAL SERVICES	GENERAL FUND	KENYON & NIELSEN PC-ATTYS AT LAW	PROF SVCS-APR/MAY'10	577.50
			TOTAL:	577.50
CITY HALL	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-CITY HALL	13.47
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	128.90
			ELECTRICITY	483.08
			TOTAL:	625.45
INSURANCE (GENERAL)	GENERAL FUND	TYLER INSURANCE SERVICES INC	ADDITIONAL EMC PKG ISSUED	14,989.00
			AMENDED PACKAGE	157.00
			TOTAL:	15,146.00
NON-DEPARTMENTAL	ROAD USE TAX	AMERICAN ADMINISTRATORS (PREMIUMS)	GRP 93001 PREMIUM-JUN'10	530.00
			TOTAL:	530.00
ROAD MAINTENANCE	ROAD USE TAX	ARAMARK (LAUNDRY ACCTS)	LAUNDRY SERVICE	31.65
		COUNTRYSIDE PRODUCTS	120.4 GAL PROPANE	301.00
		CRESTON AUTO PARTS INC	LAMP ASSEMBLY-SHP TRK	20.39
		CRESTON CITY WATER WORKS	WATER-SHOP	68.35
			WATER-BARN	7.12
		IOWA TELECOM	TELEPHONE	178.78
		GREATER REG MEDICAL CNTR	DRUG SCREEN-HAYS	25.00
			DRUG SCREEN-LOUDON	25.00
		GRIMES ASPHALT & PAVING CORP	15.27 TON COLD PATCH	1,756.05
		IDE WELDING	RPRS ON BLADE/GRADER	100.00
			RPRS ON BLADE/GRADER	90.00
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	60.86
			ELECTRICITY	310.98
		IOWA DEPT OF TRANSPORTATION	2-5 GAL GAS CANS	58.88
		IOWA PRISON INDUSTRIES	CREDIT	5.00-

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			14-SIGNS	453.31
		NAPA	6-OIL FILTERS	24.66
			BEARINGS-SEAL-WASHER	83.70
			HYDRO FITTINGS/BATRY	108.52
			TAIL GATE CHAINS	16.64
			GREASE GUN-SCRAPER	39.17
		PETTY CASH - FINANCE	#1243-POSTAGE	19.31
		PETTY CASH - MAINTENANCE	#2800-O'RING	0.19
			#2801-PIPE END	4.15
			#2802-CHAINSAW BLADES	12.00
			#2803-PIPE END	2.03
		SCHILDBERG CONSTRUCTION COMPANY INC	21.91 T CLASS D ROAD ROCK	230.06
			87.20 T CLASS D ROAD ROCK	915.62
			15.73 T CLASS D ROAD ROCK	165.17
			76.80 T CLASS D ROAD ROCK	806.42
			32.58 T CLASS D ROAD ROCK	342.10
			TOTAL:	6,252.11
ADMIN-STREETS(ENGINR)	ROAD USE TAX	IOWA TELECOM	TELEPHONE	44.94
		GREATER REG MEDICAL CNTR	DRUG SCREEN-KRUSE	25.00
		HEARTLAND TECHNOLOGY SOLUTIONS	COMPUTER REPAIR-NANCY	402.50
		OFFICE DEPOT	FOLDERS-PENS-RIBBON	34.88
			TOTAL:	507.32
SELF FUNDING INSURANCE PAYROLL TAX BENEFI		AMERICAN ADMINISTRATORS (PREMIUMS)	GRP 93001 PREMIUM-JUN'10	15,030.27
		TOTAL ADMINISTRATIVE SERVICES CORP	SVC PERIOD 07/01-07/31/10	97.00
			TOTAL:	15,127.27
W LINLEY PARK RENOVAT RESTRICTED GIFTS-M		BUILTNETWORKS	1 YR WEBSITE HOST	80.00
		PETZNICK'S	150-POSTERS FOR CONCERT	120.00
			TOTAL:	200.00
LIBRARY(RESTRICTED GIF RESTRICTED GIFTS-L		DELL	SERVER	1,500.00
		GALE CENGAGE LEARNING	EDITORS CHOICE-CHRISTIAN	94.36
			EDITORS CHOICE-CHRISTIAN	85.48
		INGRAM	LARGE PRINT BOOKS-FOL	35.95
			ISSB BOOKS	14.92
			ISSB BOOKS	4.77
			LARGE PRINT BOOKS-FOL	16.80
			LARGE PRINT BOOKS-FOL	35.95
			ISSB BOOKS	11.97
		LAUGERMAN ARCHITECT & ASSOCIATES PC	REPORT/MILEAGE/PRINTING	7,115.50
			TOTAL:	8,915.70
NON-DEPARTMENTAL	SEWER OPERATING FU	AMERICAN ADMINISTRATORS (PREMIUMS)	GRP 93001 PREMIUM-JUN'10	282.53
			TOTAL:	282.53
SANITARY SEWER/WASTWTR SEWER OPERATING FU		CENTRAL PLAINS ELECTRIC	ELECTRIC MOTOR	256.76
		CRESTON AUTO PARTS INC	1-U JOINT FOR RED VAN	12.49
		CRESTON CITY WATER WORKS	HYDRANT METER USAGE	59.80
			WATER-WWTP	336.12
		CRESTON PROF FIREFIGHTERS	3-20LB CO2 EXTINGUISHERS	768.90
		ELLIOTT EQUIPMENT CO	HYDRAULIC VALVE-FREIGHT	432.95
		IOWA TELECOM	TELEPHONE	462.09
		GREATER REG MEDICAL CNTR	DRUG SCREEN-JENSEN	25.00
		HAVENS CONSTRUCTION COMPANY, INC.	PMT #5-'09 EAST SIDE SEWER	39,369.90

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	766.50
			ELECTRICITY	5,673.60
		ECHO GROUP INC	4-PANEL FUSES	36.73
		OFFICE DEPOT	3' BINDERS-PCKING TA	31.34
		UPS	POSTAGE	25.72
			POSTAGE	19.19
		VEENSTRA & KIMM INC	ENG SVCS GENERAL SVCS	<u>1,690.00</u>
			TOTAL:	49,967.09
ANIMAL CONTROL	ANIMAL SHELTER *AG CRESTON VET CLINIC PC		BULK FRONTLINE/ADVANTAGE	158.85
			BULK DOG VACCINATIONS	101.54
			EMERGENCY MEDICAL	100.00
		CLARKE COUNTY VET	SPAY 2 CATS-LAWRENCE	<u>120.00</u>
			TOTAL:	480.39

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

001	GENERAL FUND	55,443.17
110	ROAD USE TAX	7,289.43
112	PAYROLL TAX BENEFIT	15,127.27
166	RESTRICTED GIFTS-MCKNLY P	200.00
167	RESTRICTED GIFTS-LIBRARY	8,915.70
610	SEWER OPERATING FUND	50,249.62
953	ANIMAL SHELTER *AGENCY FU	480.39

	GRAND TOTAL:	137,705.58

CITY OF CRESTON
 MANUAL CHECKS/DEBITS - PERIOD ENDING 06/01/10

NO DEPT ENTERED			
ELECTRONIC FEDERAL TAX	TAX DEPOSIT		13,213.33
IOWA DEPT OF REVENUE	STATE TAX		5,795.00
IPERS	PENSION		9,108.47
TOTAL ADMINISTRATIVE SVC	FLEX		906.11
COLLECTION SERVICES			216.46
NO DEPT ENTERED	TOTAL	\$ 29,239.37	
LIBRARY			
US POST OFFICE	\$1.00 STAMPS		300.00
LIBRARY	TOTAL	\$ 300.00	
FINANCIAL ADMINISTRATION			
NEOPOST	POSTAGE		500.00
MONDAY REALTY TRUST	EARNEST MONEY		500.00
FINANCIAL ADMINISTRATION	TOTAL	\$ 1,000.00	
SELF FUNDING INSURANCE			
AMERICAN ADMINIS - CLAIMS (2)	INV CHECK RUN		33,085.38
SELF FUNDING INSURANCE	TOTAL	\$33,085.38	
GRAND TOTALS		\$63,624.75	

Chapter 28E AGREEMENT

PARKING TICKET ENFORCEMENT AGREEMENT BETWEEN THE CITY OF CRESTON, IOWA AND THE COUNTY OF UNION, IOWA

This Agreement is made pursuant to Chapter 28E of the Iowa Code between the City of Creston, Iowa and the County of Union, Iowa.

WHEREAS Iowa Code Section 331.553(8) provides that a County Treasurer may enter into an agreement under Iowa Code 28E to collect or enforce delinquent parking fines on behalf of a City in conjunction with renewal of motor vehicle registrations pursuant to Iowa Code Sections 321.40(7) and 321.236; and

WHEREAS the City of Creston, Iowa, County of Union, Iowa and Union County Treasurer wish to enter into such an agreement for the collection or enforcement of delinquent parking fines owed to the City of Creston;

NOW, THEREFORE, the City of Creston and Union County do hereby agree as follows:

SECTION 1. AUTHORITY. The City of Creston, Iowa acting through its City Council and the County of Union, Iowa, acting through its County Board of Supervisors, enter into this Agreement by virtue of the powers granted to them under Chapter 28E of the Iowa Code.

SECTION 2. PURPOSE. The purpose of this Agreement is to authorize the Union County Treasurer's Office to collect delinquent parking fines at the time the motor vehicles are registered pursuant to Iowa Code Sections 321.40(7) and 321.236.

SECTION 3. SERVICE AREA. The service area of this Agreement is within the City limits of Creston, Iowa.

SECTION 4. DUTIES. The City of Creston shall, at least monthly, certify and provide to the Union County Treasurer a list of delinquent and unpaid parking fines owed to the city. Tickets that are unpaid within thirty (30) days after the issuance are subject to presentation for collection through the Union County Treasurer's Office and Iowa Department of Transportation.

The Union County Treasurer shall refuse to renew the registration of a vehicle registered to an applicant for whom the Treasurer has received certification that said applicant has one or more uncontested, delinquent parking tickets owed to the City of Creston. The Union County Treasurer will collect any such certified delinquent and unpaid fines at the time the motor vehicle is registered.

SECTION 5. COMPENSATION. The Treasurer's Office shall be permitted to charge \$5.00 per applicant as an administrative expense for each parking fee assessment collected by the County Treasurer's Office

under the terms of this Agreement. This shall be treated as a processing fee and be retained by Union County. The balance of the funds shall be conveyed to the City of Creston pursuant to Iowa Code Section 321.236(1)(a) no later than the 10th day of each month.

SECTION 6. EFFECTIVE DATE. This agreement shall be effective upon its approval and execution by the City of Creston and Union County and its recording with the Iowa Secretary of State and the Union County Recorder.

This Agreement shall remain in effect until terminated by the parties hereto.

SECTION 7. TERMINATION. Any party to this Agreement may terminate this Agreement by giving written notice to the other party at least ninety days in advance of the date of termination.

SECTION 8. NOTICE. Any Notice required or authorized by this agreement, including certification of delinquent parking fines, shall be in writing and either personally delivered or sent by ordinary mail to the following addresses:

City of Creston, Iowa
Attn: City Clerk
116 W Adams St
Creston, IA 50801

Union County, Iowa
Attn: Union County Treasurer
300 N Pine St
Creston, IA 50801

SECTION 9. SAVINGS CLAUSE. If any section, provision or part of this agreement shall be found to be unconstitutional, such finding shall not affect the validity of this agreement as a whole or any section, provision or part thereof not found to be invalid or unconstitutional.

SECTION 10. ENTIRE AGREEMENT. This agreement represents the entire agreement between the parties as to the subject of this agreement. Any subsequent modification to the terms of this agreement shall be in the form of duly executed Addendum to this agreement.

CITY OF CRESTON, IOWA

By: _____
Warren Woods, Mayor

ATTEST:

Lisa Williamson, City Clerk

COUNTY OF UNION, IOWA

By: Michael J. King
Michael J. King, Chairman of County
Board of Supervisors

ATTEST:

Sandy Hysell
Sandy Hysell, Auditor

Kelly Busch
Kelly Busch, Treasurer

ORDINANCE NO. 10-123

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO SPEED LIMITS ON DESIGNATED STREETS, SPECIAL SPEED ZONES AND SPECIAL SPEED RESTRICTIONS,

Be It Enacted by the City Council of the City of Creston, Iowa:

SECTION 1. SECTIONS MODIFIED. Chapter 63, Section 02, Subsections 1-3; Sections 03 and 04, Subsections 1-5; Sections 05 and 06; deleting Sections 07, 08, 09, 10, 11, 12, 13 and 14 of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

63.02 STATE CODE SPEED LIMITS. The following speed limits are established in Section 321.285 of the *Code of Iowa* and any speed in excess thereof is unlawful unless specifically designated otherwise in this chapter as a special speed zone.

1. Business District – twenty (20) miles per hour.
2. Residence of school District – twenty-five (25) miles per hour.
3. Suburban District – forty-five (45) miles per hour.

63.03 PARKS, CEMETERIES AND PARKING LOTS. A speed in excess of fifteen (15) miles per hour in any public park, cemetery or parking lot, unless specifically designated otherwise in this chapter, is unlawful.

(Code of Iowa, Sec. 321.236[5])

63.04 SPECIAL SPEED ZONES. In accordance with requirements of the Iowa Department of Transportation, or whenever the Council shall determine upon the basis of an engineering and traffic investigation that any speed limit listed in Section 63.02 is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the City street system, the Council shall determine and adopt by ordinance such higher or lower speed limit as it deems reasonable and safe at such location. The following special speed zones have been established:

(Code of Iowa, Sec. 321.290)

1. Special 25 MPH Speed Zones. A speed in excess of 25 miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On Sumner Avenue from Taylor Street to Adams Street
 - B. On North Lincoln Street from Townline Street to 300 feet north of Academic Avenue/Spartan Drive
 - C. On Townline Street from the west line of Spruce Street to the west line of Elm Street

2. Special 35 MPH Speed Zones. A speed in excess of 35 miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On Cottonwood Street between Adams Street and Townline Street.
 - B. On Townline Street from the west line of Spruce Street to 600 feet west of North Lincoln Street.
 - C. On Townline Street from the west line of Elm Street to Ash Street.
 - D. On North Lincoln Street from 300 feet north of Academic Avenue/Spartan Drive to 700 feet north of Academic Avenue/Spartan Drive.
 - E. On Taylor Street from 100 feet east of Chestnut/Cedar Street to the intersection of Taylor Street and Laurel Street.
 - F. On New York Avenue from Laurel Street to Smith Street.
3. Special 40 MPH Speed Zones. A speed in excess of 40 miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On Townline Street from Ash Street to Osage Street.
 - B. On Osage Street from Townline Street to Adams Street.
4. Special 45 MPH Speed Zones. A speed in excess of 45 miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On Townline Street from 600 feet west of Lincoln Street to Cottonwood Street.
 - B. On New York Avenue from Smith Street to the Cromwell Road.
 - C. On Taylor Street from 100 feet east of Chestnut Street to the east corporate limits.
5. Special 50 MPH Speed Zones. A speed in excess of 50 miles per hour is unlawful on any of the following designated streets or parts thereof.
 - A. On North Lincoln Street from 700 feet north of Academic Avenue/Spartan Drive to the north corporate limits.

63.05 MINIMUM SPEED. A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation, or in compliance with law.

(Code of Iowa, Sec. 321.294)

63.06 CONTROLLED ACCESS FACILITIES. Speed limits on controlled access facilities are as specified in Chapter 140 of this Code of Ordinances.

ORDINANCE NO. 10-124

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY AMENDING PROVISIONS PERTAINING TO VIOLATION OF GENERAL TRAFFIC REGULATIONS

Be It Enacted by the City Council of the City of Creston, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 62, Section 01 of the Code of Ordinances of the City of Creston, Iowa, 1996, is repealed and the following adopted in lieu thereof:

62.01 VIOLATION OF REGULATIONS. Any person who willfully fails or refuses to comply with any lawful order of a peace officer or direction of a fire department officer during a fire, or who shall fail to abide by the provisions of this chapter and the applicable provisions of the following Iowa statutory laws relating to motor vehicles and the statutory law of the road is in violation of this chapter. These sections of the Code of Iowa are adopted by reference and are as follows:

1. Display of Registration and License to Drive: 321.32, 321.37, 321.98, 321.174, 321.174A, 321.193, 321.216, 321.219 through 321.224.
2. Obedience to a Peace Officer and Responsibility of Public Officers, Emergency Vehicles, All Terrain Vehicles, Golf Carts and Bicycles to Obey Traffic Regulations: 321.229 through 321.234A and 321.247.
3. Traffic Signs, Signals and Markings: 321.256 through 321.260.
4. Accidents and Accident Reporting: 321.261 through 321.268.
5. Operation of Motorcycles and Motorized Bicycles: 321.275.
6. Reckless Driving, Drag Racing, Speed, Control of Vehicle and Minimum Speed: 321.277, 321.278, 321.285 through 321.288, 321.294, 321.295, 321.382 and 321.383.
7. Driving on the Right, Meeting, Overtaking, Following or Towing: 321.297 through 321.310.
8. Turning and Starting, Signals on Turning and Stopping: 321.311 through 321.328.
9. Right-of-Way: 321.319 through 321.324.
10. Pedestrian Rights and Duties and Safety Zones: 321.325 through 321.334 and 321.340.
11. Railroad Crossings: 321.341 through 321.344.
12. Stopping, Standing, Parking: 321.353 and 321.361.

13. Unattended Vehicle, Obstructing Driver's View, Crossing Median, Following Fire Apparatus or Crossing Fire Hose, and Putting Glass, Etc., on Streets: 321.362 through 321.371.
14. Lighting Equipment Required and Time of Use: 321.384 through 321.398, 321.402 through 321.409, 321.415, 321.417 through 321.424. In accordance with Authorization granted by Section 321.395, Code of Iowa, motor vehicles parked upon any street where permitted by this chapter need not display required lights where there is sufficient light emitted from City street lights to reveal any person or object within a distance of five hundred (500) feet upon such street.
15. Brakes, Horns, Sirens, Mufflers, Wipers, Mirrors, Tires, Flares, Windows, Safety Belts, and Special Markings for Transporting Explosives: 321.430 through 321.443 and 321.445 through 321.450.
16. Size, Weight and Load: 321.452 through 321.463, 321.465, 321.466, and 321.471 through 321.473.
17. Unsafe Vehicles: 321.240 and 321.381.
18. Open Containers on Streets and Highways: Scheduled fine of \$100.00 – 321.284 and 321.284A.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 5. 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 on the ___ day of _____, 2010, and approved this ___ day of _____, 2010.

WARREN WOODS
Mayor, City of Creston

ATTEST:

LISA WILLIAMSON
Clerk, City of Creston

ORDINANCE NO. 10-125

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CRESTON, IOWA, 1996, BY ADDING A NEW CHAPTER ALLOWING THE USE OF SMALL WIND ENERGY CONVERSION SYSTEMS AND IDENTIFYING LOCATIONS AND SAFETY IMPLICATION OF LOCATIONS

Be It Enacted by the City Council of the City of Creston, Iowa:

SECTION 1. CHAPTER ADDED. The Code of Ordinances of the City of Creston, Iowa, 1996 is amended by adding a new Chapter, numbered 171, entitled WIND ENERGY CONVERSION SYSTEMS, which is hereby adopted to read as follows:

CHAPTER 171

WIND ENERGY CONVERSION SYSTEMS

171.01 Purpose
171.02 Definitions
171.03 Commercial Wind Energy Conversion System
171.04 Special Accessory Use
171.05 Public Notification

171.06 Regulations
171.07 Minimum System Design Standards
171.08 Application Process
171.09 Collection of Costs

171.01 PURPOSE. The purpose of this chapter is to allow safe, effective and efficient use of small wind energy conversion systems; identify locations in areas of the city which may be least adversely impacted by the visual, aesthetic, and safety implication of their location.

171.02 DEFINITIONS. For use in this Chapter the following terms are defined:

1. "Blade" means an element of a wind turbine which acts as a part of an airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.
2. "Commercial Wind Energy Conversion System" means a wind energy conversion system which is intended to produce electricity for sale to a rated regulated or nonregulated utility or for use off site.
3. "Height, Total System" means the height above grade of the wind energy system, including the tower generating unit, and the highest vertical extension of any blades or rotors. Height shall be measured from the adjacent grade of the tower to the tip of the turbine (blade) at its highest point.
4. "Shadow Flicker" means alternating changes in light intensity caused by the moving blade of a wind power generator casting shadows on the ground and stationary objects such as the window of a dwelling.
5. "Small Wind Energy Conversion System" means a wind turbine, a tower, and associated control or conversion electronics, which is intended to reduce on-site consumption of utility power, is incidental and subordinated to a permitted use on the

same parcel and has a rated capacity of up to one hundred (100) kilowatts. No roof mounted wind energy conversion system shall be allowed. The use of guy wires shall be prohibited.

171.03 COMMERCIAL WIND ENERGY CONVERSION SYSTEM It shall be unlawful to erect or maintain a commercial wind energy conversion system within the City of Creston.

171.04 SPECIAL ACCESSORY USE

A. Special Use. A small wind energy conversion system may be only allowed as an accessory use to a permitted principal use and shall require approval of a conditional use permit from the Planning & Zoning Commission and City Council prior to construction, installation, alteration, or location of such structure.

B. Permit Required. It shall be unlawful to construct, erect, install, or alter or located any small wind energy conversion system within the City of Creston, unless a conditional use permit has been obtained from the Planning & Zoning Commission and City Council. The permit may be revoked at any time the approved system does not comply with the regulations, and rules established herein and any additional conditions imposed by the Commission or City Council. The owner of the system shall also obtain all other permits or licenses required by federal, state, and local agencies prior to construction of the system.

171.05 PUBLIC NOTIFICATION. Following receipt of the application for a conditional use permit, the Planning & Zoning Commission shall meet. Notice will be sent to the surrounding property owners within three hundred (300') feet of the property having the site plan considered. Notice shall be sent not less than seven (7) days and not more than twenty (20) days prior to the meeting at which the application is first considered. The notice shall contain the date, time and location of the meeting.

171.06 REGULATIONS

A. Minimum Lot Size:

1. No small wind energy conversion system shall be constructed on a lot smaller than one (1) acre.

B. Minimum Setback Requirements:

1. All small wind energy conversion systems shall have a setback of 110% of the total system height from any property line.

C. Maximum Height:

1. The maximum tower height for a small wind energy conversion system shall be sixty (60') feet.

D. Number of Systems Allowed:

1. No more than one (1) small wind energy conversion system may be allowed on any parcel.

E. Location:

1. A wind energy conversion system shall not be located in any required setback.

2. A wind energy conversion system shall be located entirely in the rear of the property.
3. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements, or on or over property lines.
4. A wind energy conversion system shall be in compliance with the guidelines of the Federal Aviation Administration (FAA) regulations.
5. No wind energy conversion system shall be constructed within twenty (20) feet laterally of an overhead electrical power line (excluding secondary electrical service lines or service drops). The setback from underground electric distribution lines shall be at least five (5) feet.
6. All wind energy conversion systems shall be located a minimum of one thousand feet (1,000') from the nearest dwelling unit or dwelling building lot, school, hospital or place of worship not on property owned or controlled by the owner/operator of the wind energy system. This setback can be reduced at the discretion of the Planning & Zoning Commission or City Council based upon the shadow flicker model provided.
7. All wind energy conversion systems shall be located a minimum of one thousand feet (1,000') from the nearest wind energy conversion system located on another parcel.
8. No roof mounted small wind energy conversion system shall be allowed.

171.07 MINIMUM SYSTEM DESIGN STANDARDS. The following standards are required of all small wind energy conversion systems and shall be deemed to be conditions of approval for every wind energy system.

- A. **Color:** The wind energy conversion system shall be white or light gray in color. Other neutral colors may be allowed at the discretion of the Planning & Zoning Commission or City Council. The surface of the structure shall be non-reflective.
- B. **Lighting:** No lights shall be installed on the tower, unless required by the Federal Aviation Administration (FAA).
- C. **Signs:** One sign, limited to four (4) square feet, shall be posted at or near the base of the tower. The sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in case of emergency. Such sign shall be directly visible from any external fencing and/or landscaping. Brand names or advertising associated with any installation shall not be visible from any public right-of-way.
- D. **Clearance of Blade Above Ground:** No portion of the wind energy conversion system shall extend within twenty feet (20') of the ground. No blades may extend over parking areas, driveways or sidewalks.

E. Installation: Installation must be done by a qualified professional and according to manufacturer's recommendations.

F. Noise: A noise study must demonstrate that the wind energy conversion system shall not exceed 50 decibels (dBA) within 100 feet of the wind tower, except during short-term events such as severe wind storms or utility outages.

G. Use of Electricity Generated: A wind energy conversion system shall be used exclusively to supply electrical power for onsite consumption by the principle structure only. When a parcel on which a wind energy conversion system is installed also receives electrical power supplied by a utility company, excess electrical power generated by the wind energy conversion system and not presently needed for onsite use may be used by the utility company in accordance with Section 199, Chapter 15.11(5) of the Iowa Administrative Code.

H. Automatic Overspeed Controls: All wind energy conversion systems shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the wind energy conversion system.

I. Electromagnetic Interference: All blades shall be constructed of a nonmetallic substance. No wind energy conversion system shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antenna for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception. No wind energy conversion system shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the link's operation.

J. Interconnection: The wind energy conversion system, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth by the utility and the Iowa Utilities Board.

K. Wind Access Easements: The enactment of this section does not constitute the granting of an easement by the City. The owner shall provide covenants, easements, or similar documentation to assure sufficient wind to operate the wind energy conversion system unless adequate accessibility to the wind is provided by the site.

L. Shadow Flicker: A shadow flicker model must demonstrate that shadow flicker shall not fall on, or in, any existing residential structure. Shadow flicker expected to fall on a roadway or a portion of a residentially zoned parcel may be acceptable if the flicker does not exceed thirty (30) hours per year, and the flicker will fall more than one hundred feet (100') from an existing residence; or the traffic volumes are less than five hundred (500) vehicles on the roadway.

1. Map and describe within a one thousand foot (1,000') radius of the proposed wind energy system the topography, existing residences and location of their windows, locations of other structures, wind speeds and directions, existing vegetation and roadways. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speed;

2. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations, calculate the total number of hours per year of flicker at all locations;

3. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed mitigation measures, including, but not limited to, a change in siting of the wind energy conversion system, a change in the operation of the wind energy conversion system, or grading or landscaping mitigation measures

M. Appearance: The owner of any wind energy conversion system shall maintain such system in a safe and attractive manner, including replacement of defective parts, painting, cleaning, and other acts that may be required for the maintenance and upkeep of the function and appearance of such a system. The owner shall maintain the ground upon which the system is located in an orderly manner, such that it is free of debris, tall grass and weeds, and any structures remain quality in appearance.

N. Insurance: The owner of a wind energy conversion system shall maintain one million dollars (\$1,000,000) liability insurance as a condition of obtaining a permit and shall file a copy of said insurance policy with the City of Creston. Upon granting of a permit, the owner shall assume full responsibility for any and all damages, claims, expenses, liabilities, judgments and costs of any kind, including reasonable attorney's fees related to or caused by the erection, location, use or removal of a facility, and shall agree to hold the City harmless, indemnify and defend it from all such liabilities incurred or judgments entered against it as a result of the erection, location, use or removal of the facility.

O. Removal: Any wind energy conversion system that remains non-functional or inoperative for a continuous period of one hundred eighty (180) consecutive days shall be considered abandoned and shall constitute a public nuisance. Within the next 180 days, after notice from the City, the owner shall reactivate the tower or it shall be dismantled and removed at the owner's expense. Removal of the system includes the entire structure including foundations, transmission equipment and fencing from the property.

1. Non-function or lack of operation may be proven by reports from the interconnected utility. The owner and successors shall make available to the City all reports to and from the user(s) of energy from the wind energy system if requested.

2. If removal of tower and appurtenant facilities is required, the City Council shall notify the owner. If the City removes a tower and appurtenant facilities, it may sell the salvage to defray the cost of removal. Further the City may collect any remaining costs of removal from the owner of the wind energy conversion system or owner of the ground upon which it is located. The City Clerk shall send a statement of the total expense incurred to the property owner who has failed to abide by the notice. If the amount shown by the statement has not been paid within one (1) month, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner as general property taxes.

3. The Creston City Council can revoke a wind energy conversion system permit at any time if the requirements set forth in this ordinance and/or any conditions imposed by the City Council are not met.

P. Right of entrance: By the acceptance of a permit, the owner grants permission to the City, to enter on the property to remove the tower and all fixtures pursuant to the terms of the permit and to assure compliance with the conditions set forth in the permit.

Q. New Technologies: Should new technology present itself within the term of any permit or lease that is more effective, efficient, and economical, the permit holder may petition the City to allow the upgrade, provided the upgrade does not alter the conditions set forth in this chapter.

R. Engineer Certification: Application for wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the application regulations and certified by a license professional engineer shall also be submitted.

S. Utility Notification: A wind energy conversion system shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator.

T. Inspections: At least every 24 months, every tower shall be inspected by a qualified professional who is regularly involved in the maintenance, inspection and/or erection of wind energy conversion systems. At a minimum, this inspection shall be conducted in accordance with the inspection checklist provided in the Electronics Industries Association (EIA) Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures." A copy of the inspection record shall be provided to the City.

U. Ice Shedding: Wind energy conversion system owners shall ensure that ice from the rotor blades does not impact any off-site properties.

V. Climbing Apparatus: All climbing apparatuses must be located twelve (12) feet from the ground and the tower must be designed to prevent climbing within the first 12 feet.

W. Fencing: All wind energy conversion systems shall be enclosed by a six (6) foot high opaque fence with smooth side to the outside, no more than 1 inch gaps and a securely locked gate to limit uncontrolled access and reduce safety hazards.

171.08 APPLICATION PROCESS. All applicants who wish to locate a wind energy conversion system must submit to the City's Planning & Zoning Commission, a plan including the following information:

1. Complete property dimensions.

2. Location and full dimensions of all buildings existing on the property where the system is to be located, including exterior dimensions, height of buildings, and all uses on the property.
3. Location and dimensions of any natural or manmade features within two hundred feet (200') of the property such as trees, ridges, highways, street, bridges and underpasses.
4. Location of all easements upon the property where the system is to be located.
5. Proposed location of tower, including height and setbacks from property lines.
6. Drawings, to scale, of the structure, including the tower, base, booting and electrical components. The drawings and any necessary calculations shall be certified by a licensed engineer.
7. Certification from a licensed engineer or qualified professional that the rotor and over speed controls have been designed for the proposed use on the proposed site.
8. Evidence that the proposed wind energy conversion system model has an operational history of at least one year
9. Evidence that the applicant has notified the utility that the customer intends to install an interconnected customer owned generator, and that the generator meets the minimum requirements established by the utility and the Iowa Utilities Board. Off grid systems shall be exempt from this requirement.
10. Evidence that the wind energy conversion system does not violate any covenants of record.
11. Evidence from a qualified professional that the site is feasible for a wind energy conversion system, or that covenants, easements and other assurance to document sufficient wind to operate the wind energy conversion system have been obtained.
12. Evidence that the proposed wind energy conversion system will comply with applicable federal aviation regulations, including any necessary approvals from the Federal Aviation Administration (FAA).
13. Evidence that the applicant can obtain and maintain adequate liability insurance for the facility.
14. A noise study.
15. A shadow flicker model.
16. Any other evidence or information as required by the Planning & Zoning Commission.

171.09 COLLECTION OF COSTS

- A. A fee of \$300 shall be submitted with the Application.
- B. Any additional costs incurred by the City regarding review of plan submitted with a Permit Application will be paid in full by the applicant.

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 invalid or unconstitutional, such adjudication shall not affect the validity of



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320
 515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

PAY ESTIMATE NO. 5

Date: **May 27, 2010**

Project Title	2009 CDBG East Side Sanitary Sewer Replacement City of Creston, Iowa		Contractor	Havens Construction Company, Inc. 9400 Liberty Drive Liberty, Missouri 64068
Orig. Contract Amount & Date	\$1,225,183.00	July 7, 2009	Pay Period	February 2, 2010 through May 7, 2010

BID ITEMS

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Complete	Value Completed
1.1	Traffic Control	LS	xxx	xxx	\$ 13,500.00	75%	\$10,125.00
1.2	Construction Staking	LS	xxx	xxx	\$ 13,300.00	100%	\$13,300.00
1.3	Seeding	LS	xxx	xxx	\$ 10,000.00	0%	\$0.00
1.4	Erosion Control and Pollution Prevention Plan	LS	xxx	xxx	\$ 2,500.00	100%	\$2,500.00
1.5	Granular Surfacing	Tons	4,000	\$ 20.00	\$ 80,000.00	3,453.38	\$69,067.60
1.6	Pipe Removal	LF	9,125	\$ 1.00	\$ 9,125.00	9,125	\$9,125.00
1.7	Manhole Removal	Ea.	26	\$ 550.00	\$ 14,300.00	26	\$14,300.00
1.8	Rip Rap	Tons	10	\$ 56.00	\$ 560.00	10	\$560.00
1.9	Culverts and Storm Sewer Pipe in Place						
	1.9.1 8" pvc	LF	64	\$ 28.00	\$ 1,792.00	32	\$896.00
	1.9.2 10" pvc	LF	32	\$ 30.00	\$ 960.00	16	\$480.00
	1.9.3 10" CMP	LF	94	\$ 33.00	\$ 3,102.00	47	\$1,551.00
	1.9.4 12" CMP	LF	16	\$ 35.00	\$ 560.00	8	\$280.00
	1.9.5 12" RCP	LF	64	\$ 41.00	\$ 2,624.00	32	\$1,312.00
	1.9.6 18" RCP	LF	32	\$ 48.00	\$ 1,536.00	16	\$768.00
	1.9.7 24" RCP	LF	16	\$ 60.00	\$ 960.00	8	\$480.00
	1.9.8 54" RCP	LF	24	\$ 160.00	\$ 3,840.00	12	\$1,920.00
1.10	Sanitary Sewer Pipe in Place						
	1.10.1 8" pvc	LF	6,318	\$ 66.00	\$ 416,988.00	6,325	\$417,450.00
	1.10.2 10" pvc	LF	2,518	\$ 70.00	\$ 176,260.00	2,518	\$176,260.00
	1.10.3 10" Ductile Iron	LF	20	\$ 109.00	\$ 2,180.00	20	\$2,180.00
1.11	10" Sanitary Sewer Pipe Directional Bored	LF	137	\$ 100.00	\$ 13,700.00	137	\$13,700.00
1.12	6" pvc Sanitary Sewer Service Pipe in Place	LF	1,795	\$ 61.00	\$ 109,495.00	607	\$37,027.00
1.13	Sanitary Manholes	Ea.	35	\$ 2,750.00	\$ 96,250.00	35	\$96,250.00

BID ITEMS

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Complete	Value Completed
1.14	Sanitary Sewer Service Connections	Ea.	107	\$ 300.00	\$ 32,100.00	111	\$33,300.00
1.15	Drop Connection, Interior	Ea.	2	\$ 745.00	\$ 1,490.00	2	\$1,490.00
1.16	PCC Pavement						\$0.00
	1.16.1 7"	SY	751	\$ 59.00	\$ 44,309.00	401.83	\$23,707.97
	1.16.2 8"	SY	316	\$ 63.00	\$ 19,908.00	214	\$13,482.00
1.17	3' PCC Curb and Gutter	LF	258	\$ 29.00	\$ 7,482.00	16	\$464.00
1.18	6" PCC Driveway	SY	182	\$ 50.00	\$ 9,100.00	181.7	\$9,085.00
1.19	4" PCC Sidewalk	SF	19	\$ 7.00	\$ 133.00	19	\$133.00
1.20	Bituminous Seal Coat	SY	8,070	\$ 7.50	\$ 60,525.00	945.1	\$7,088.25
1.21	Cured in Place Pipe Lined Sewer						\$0.00
	1.21.1 6"	LF	155	\$ 75.00	\$ 11,625.00	155	\$11,625.00
	1.21.2 8"	LF	376	\$ 46.00	\$ 17,296.00	376	\$17,296.00
1.22	CIPP Sewer Service Connection	Ea.	3	\$ 200.00	\$ 600.00	4	\$800.00
2.1	Traffic Control	LS	xxx	xxx	\$ 2,500.00	75%	\$1,875.00
2.2	Construction Staking	LS	xxx	xxx	\$ 1,000.00	100%	\$1,000.00
2.3	Seeding	LS	xxx	xxx	\$ 1,000.00	0%	\$0.00
2.4	Erosion Control and Pollution Prevention Plan	LS	xxx	xxx	\$ 1,000.00	100%	\$1,000.00
2.5	Granular Surfacing	Tons	50	\$ 22.00	\$ 1,100.00	50	\$1,100.00
2.6	Pipe Removal	LF	190	\$ 2.00	\$ 380.00	0	\$0.00
2.7	Manhole Removal	Ea.	3	\$ 650.00	\$ 1,950.00	3	\$1,950.00
2.8	36" RCP Storm Sewer Pipe in Place	LF	32	\$ 70.00	\$ 2,240.00	0	\$0.00
2.9	12" pvc Sanitary Sewer Pipe in Place	LF	158	\$ 75.00	\$ 11,850.00	0	\$0.00
2.10	6" pvc Sanitary Sewer Service Pipe in Place	LF	9	\$ 67.00	\$ 603.00	0	\$0.00
2.11	Sanitary Manholes	Ea.	3	\$ 3,000.00	\$ 9,000.00	3	\$9,000.00
2.12	Sanitary Sewer Service Connections	Ea.	2	\$ 300.00	\$ 600.00	0	\$0.00
2.13	PCC Curb and Gutter	LF	20	\$ 35.00	\$ 700.00	0	\$0.00
2.14	Bituminous Seal Coat	SY	127	\$ 15.00	\$ 1,905.00	0	\$0.00
2.15	12" Cured in Place Pipe Lined Sewer	LF	201	\$ 55.00	\$ 11,055.00	359	\$19,745.00
2.16	CIPP Sewer Service Connection	Ea.	1	\$ 200.00	\$ 200.00	2	\$400.00
	TOTAL		xxx	xxx	\$ 1,225,183.00		\$1,024,072.82

MATERIALS STORED SUMMARY

Description	Number of Units	Unit Price	Extended Cost
None			
		Total	\$0.00

SUMMARY			
		Contract Price	Value Completed
Original Contract Price		\$1,225,183.00	\$ 1,024,072.82
Approved Change Order (list each)	No. 1	\$111,129.00	\$ 34,556.00
		\$	\$
		\$	\$
Revised Contract Price		\$ 1,336,312.00	\$ 1,058,628.82
Materials Stored			\$ 0.00
Value of Completed Work and Materials Stored			\$ 1,058,628.82
Less Retained Percentage (5%)			\$ 52,931.44
Net Amount Due This Estimate			\$ 1,005,697.38
Less Estimate(s) Previously Approved	No. 1	\$ 167,062.25	
	2	\$ 258,540.57	
	3	\$ 424,695.46	
	4	\$ 116,029.20	
	5	\$	
	6	\$	
	7	\$	
	8	\$	
	9	\$	
Total Previously Approved			\$ 966,327.48
Percent Complete	79%	Amount Due This Estimate	\$ 39,369.90

The amount \$39,369.90 is recommended for approval for payment in accordance with the terms of the Contract.

Prepared By: Havens Construction Company, Inc.	Recommended By: Veenstra & Kimm, Inc.	Approved By: City of Creston
Signature	Signature <i>Foness Alcid</i>	Signature
Title	Title <i>Project Engineer</i>	Title
Date	Date <i>5/27/2010</i>	Date

Creston Lodge #605
Benevolent and Protective Order of Elks
403 W. Montgomery St.
Creston, IA 50801
Exalted Ruler: Dean Schulte

To the Creston City Council

The Elks Lodge is asking if the Montgomery street in front of the lodge (Oak to Division) be closed Saturday July 3rd from 3:00 PM to Sunday July 4th 2:00 AM, for the annual street dance.

Thank you for your cooperation in this matter. If you should have please call me at 641-344-3269

Sincerely



Dean Schulte

Minutes of Gibson Memorial Library Board of Trustees
Monday, April 5, 2010 – at Gibson Memorial Library, Creston, IA

Vice Chairperson Calvin Huffman called meeting to order at 5:00 p.m.

Present and **answering roll call**: Ann Coulter, Ed Ritter, Calvin Huffman, Karin Coleman, and Dottie Dunphy.
Also present was: Marilyn Ralls, Librarian.
Also present was: Mayor Warren Woods.

Consideration of Agenda:

Ed Ritter moved to **accept the agenda**; Karin Colman seconded the motion. Motion passed.

Karin Coleman moved to **accept the minutes** from the February 15th, March 1st, and March 15th meetings; Ed Ritter seconded the motion. Motion passed.

Ed Ritter moved to **approve the bills** for payment; Karin Coleman seconded the motion. Motion passed.

Marilyn Ralls (Librarian Director) Report:

Marilyn reported on the workshop she and Susan attended concerning weeding of books from the Library. She reported we are 737 short of last years count for check-outs on computers. We will no doubt exceed last year in check- outs as well as computer use. The use of WILBOR is up to 310 people for this year so far. Marilyn reported that Dekko is on line and has simplified its applications. The Library has been offered \$500.00 from the Investment Education Program. This is in the way of materials and the staff will be trained to train others. Marilyn reported that in the past week the Library Facebook page has received 394 visits.

Old Business:

Warren Woods presented a recent letter from the contractors for the building project estimates. It was announced that Jan and Carl Knock, Lou Ann Snodgrass, and Connie and Dennis Purdum have offered help for fundraising for the new building. Wood's asked the Board to consider the possibility of hiring a fundraising organization for the building project. The next steps for the project are the City Council approval and the School Board Public Hearing on April 19th.

New Business:

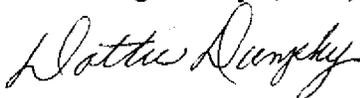
The Board decided to hold off on hiring a fundraising organization at this time. A check list of previous donors to the proposed addition to the present library will be contacted by letter asking them to convert their donation to the building project. The Board will go over the floor plan and make revisions following the April 19th School Board meeting. Ed Ritter proposed we ask Dick Anderson to attend this meeting.

The Personnel Handbook adoption was made by Calvin Huffman and seconded by Karin Colman. Adoption passed.

The proposal for adoption of the Exhibits Policy was made by Ed Ritter and seconded by Calvin Huffman. Adoption passed.

Meeting was adjourned at 6:45 P.M.

Next Meeting on May 3, 2010, at 5:00 pm at the Library



Dottie Dunphy, Secretary

PARK AND RECREATION BOARD
Meeting Minutes
Tuesday – May 4, 2010

The Park and Recreation Board met in regular session.

Attending were: John Kawa Terri Koets
 Jane Brown Birdie Sandeman
 Gary Borcharding Dave Lamphear
 Mark Huff Rich Paulsen

The Board approved the minutes of the April 27, 2010 meeting.

Motion --- Kawa

Second --- Brown

All voted Aye. Motion carried.

The Board reviewed claims/payments through May 5, 2010.

The Board approved the payment of \$7,539.23 to Echo Electric for lighting on the Walking Trail from the McKinley Park Restricted Gift Fund.

Motion --- Kawa

Second --- Borcharding

All voted Aye. Motion carried.

The Board approved payments of \$400.00 to Linda Starmer for flowers in the park and \$200.00 for a deposit for the Round Guy to perform at the June 19 concert from the McKinley Park Restricted Gift Fund.

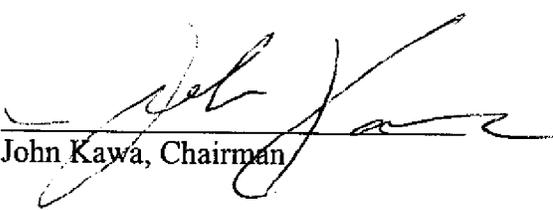
Motion --- Borcharding

Second --- Brown

All voted Aye. Motion carried.

The next meeting is scheduled for Tuesday, May 18, 2010 at 5:30 pm in McKinley Park, Shelter #2.

The meeting adjourned at 5:55pm.



John Kawa, Chairman



Jane Brown, Secretary
Gary Borcharding