

AGENDA

COUNCIL MEETING

Tuesday, June 9, 2020

5:30 P.M.

CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER:

II. OPEN FORUM: This is a time for any concerned citizen to speak to the Council on an item that is not on the agenda.

III. CONSENT ITEMS:

- A. 5/26/20 regular Council meeting minutes.
- B. Coaches Corner, Wild Rose Jefferson, LLC, Class C Liquor License (commercial).
- C. Wild Rose Jefferson, LLC, Class C Liquor License (commercial).
- D. Part time help at Jefferson Community Golf Course – Jordan Aubrey - \$7.75, Janice Sharpe - \$7.75
- E. Façade rehabilitation grant of \$4562.50 for window replacement at 110 E State Street.
- F. Neighborhood Improvement Incentive Program grant of \$2,000 for roof replacement at 407 E Monroe St
- G. Neighborhood Improvement Incentive Program grant of \$2,000 for house demolition at 903 W Monroe St
- H. Appointment of Matt Gordon and Pat Zmolek to Police Entity Board.
- I. B.P.O. Elks Lodge #2306, Class C Liquor License.
- J. Fireworks permit for Wild Rose Casino and Resort-7/04/20 or rain dates 7/5/20, 7/6/20.
- K. Establish wage of \$22 per hour for part-time police officers.
- L. Payment of monthly bills

IV. NEW BUSINESS:

- A. Consider approval of pay estimate #2 to Leroy and Sons for \$282,763.70 to relocate 243rd Street for airport runway extension.
- B. Consider approval of façade improvement application for \$75,000 for Court Street, LLC for 215 South Wilson Avenue, White House Apartment project.
- C. Consider resolution setting date for public hearing on detailed plans and specifications, form of contract, and estimate of cost for the Arch Alley and City Hall Parking Improvements Project and setting date for receiving bids.
- D. Consider approval of first reading of ordinance adding Chapter 48, Noise Control, to the Jefferson Municipal Code.
- E. Consider approval of resolution in support of Main Street's application to designate Jefferson as an Iowa Great Place.
- F. Consider approval of video recording services for Council meetings
- G. Consider approval of a 2-year lease with Gravitate for property at 202 East State Street.
- H. Consider approval to apply for Community Development Block Grant (CDBG) for second floor living development in the downtown area.

V. REPORTS:

- A. Engineer
- B. City Clerk
- C. Attorney
- D. City Administrator
- E. Council & Committees
- F. Mayor

VI. ADJOURN.

AGENDA SUMMARY

DATE 6/9/20

NEW BUSINESS

- A. **Consider approval of pay estimate #2 to Leroy and Sons for \$282,763.70 to relocate 243rd Street for airport runway extension.** Pay estimate attached
- B. **Consider approval of façade improvement application for \$75,000 for Court Street, LLC for 215 South Wilson Avenue White House Apartment project.** Attached is a conceptual of what the improvements would look like. The funds would be supplied from TIF.
- C. **Consider resolution setting date for public hearing on detailed plans and specifications, form of contract, and estimate of cost for the Arch Alley and City Hall Parking Improvements Project and setting date for receiving bids.** The improvements are part of the 2019 bond issue. This action would put the bidding process in place. Project timeline attached.
- D. **Consider approval of first reading of ordinance adding Chapter 48, Noise Control, to the Jefferson Municipal Code.** Police Committee has reviewed the ordinance and is recommending adoption. Attached
- E. **Consider approval of resolution in support of Main Street's application to designate Jefferson as an Iowa Great Place.**
- F. **Consider approval of video recording services for Council meetings.**
- G. **Consider approval of a 2-year lease with Gravitate for property at 202 East State Street.** Chris Deal will be here to discuss items F&G
- H. **Consider approval to apply for Community Development Block Grant (CDBG) for second floor living development in the downtown area.**

COUNCIL MEETING

May 26, 2020

5:30 P.M.

PRESENT: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek

ABSENT: None

Mayor Gordon presided.

Meeting was held at City Hall with Mayor Gordon. Also present was Councilman Ahrenholtz, Sloan, Jackson, Wetrich and Zmolek via invite on electronic Zoom application. This was necessary due to the State of Iowa Governor issuing a State Public Disaster Emergency which limited the meeting to no more than 10 people. The Disaster Emergency was due to the 2019 Novel Coronavirus.

No citizens spoke during Open Forum.

On motion by Sloan, second by Wetrich, the Council approved the following consent agenda May 12, 2020 Council Minutes and Cigarette Permits for July 1, 2020 – June 30, 2021.

AYE: Jackson, Wetrich, Zmolek, Sloan, Ahrenholtz

NAY: None

This was the time and place for the Public Hearing on the FY 2019-2020 Budget Amendment. Mayor Gordon called for any oral or written comments and there were none. On motion by Wetrich, second by Jackson, the Council closed the Public Hearing.

AYE: Ahrenholtz, Sloan, Jackson, Zmolek, Wetrich

NAY: None

RESOLUTION NO. 28-20

On motion by Sloan, second by Zmolek, the Council approved Resolution No. 28-20, a resolution approving the FY 2019-2020 Budget Amendment.

AYE: Jackson, Sloan, Zmolek, Ahrenholtz, Wetrich

NAY: None

On motion by Wetrich, second by Zmolek, the Council approved hiring Mark Wolterman as Police Officer for Jefferson Police Department at a salary of \$42,554/yr effective June 15, 2020.

AYE: Sloan, Ahrenholtz, Jackson, Wetrich, Zmolek

NAY: None

RESOLUTION NO. 29-20

On motion by Ahrenholtz, second by Jackson, the Council approved Resolution No. 29-20, a resolution supporting Court Street LLC application for Workforce Housing Tax Incentives and Credits.

AYE: Ahrenholtz, Wetrich, Sloan, Jackson, Zmolek

NAY: None

RESOLUTION NO. 30-20

On motion by Ahrenholtz, second by Wetrich, the Council approved Resolution No. 30-20, a resolution approving \$150,000 Economic Development Forgivable Loan Agreement with Sebolt Wrestling Academy, LLC.

AYE: Jackson, Zmolek, Wetrich, Sloan, Ahrenholtz

NAY: None

The quarterly workshop with Main Street Committee was held to update the Council on activities with the Main Street Program.

City of Jefferson

Façade Rehabilitation Program Application

Purpose:

The purpose of this grant program is to assist business/building owners within the City of Jefferson Main Street District to strengthen their neighborhood's appearance, to promote the area to visitors, and to improve the quality of life.

Eligible Applicants:

- ◆ Eligible applicants are building owners in the City of Jefferson Main Street District who are committed to the Historical District.

Eligible Projects to be Considered for Funding:

- ◆ Projects that correct violations of the current International Property Maintenance Code.
- ◆ Projects for facade improvements only.

Funding Requirements:

- ◆ Grant funds are available on a reimbursement basis only.
- ◆ Grants will generally be awarded on a 50/50 cash match basis.
- ◆ Building design and materials must be approved by Facade Review Committee.
- ◆ Before and after pictures are required for funding.
- ◆ Projects must abide by the City of Jefferson Downtown Building Design Guidelines
- ◆ Projects may be required to obtain design assistance through Main Street Iowa.
- ◆ Large projects must submit building renderings of design.

Applicant Information

Organization Name: 603 LLC Project Name: Window Replacement
Contact Person: Jill Morton Mailing Address: 110 E State Street
City, State, Zip: Jefferson, IA 50129 Daytime Phone Number: 515-370-3678
Fax: 515-386-2284 E-mail: jillm@midioinsurance.com
Total Project Cost: \$ 9,125.00 Amount requesting from this grant program: \$ 4,562.50
Project Address: 110 1/2 E State St, Jefferson, IA 50129
Project Description: Replacing front 3 windows (south facing) in 2nd floor apartment.

The Facade Review Committee will make final recommendations to the City Council regarding which projects should be funded. However, they will solicit input by utilizing, the City Engineer, City Department Staff, and/or City Council Members.

For More Information/Questions:

Contact the City Administrator or Building Official at 515-386-3111.

City of Jefferson

Neighborhood Improvement Incentive Program

Purpose:

The purpose of this grant program is to assist organizations, residents, and business owners within the City of Jefferson to strengthen their neighborhood's appearance, to promote the area to visitors, and to improve the quality of life.

Eligible Applicants:

- ◆ Eligible applicants are property owners in the City of Jefferson who are committed to improve neighborhoods, promote the area, and improve the quality of life.

Eligible Projects to be Considered for Funding: (Must demonstrate at least one of the items listed below)

- ◆ Projects that demolish a structure, including grading and seeding the area, in residential or commercial and public or private property.
- ◆ Projects that correct violations of the 2012 International Property Maintenance Code
- ◆ Project must be completed one year from application approval date.

Funding Requirements:

- ◆ Maximum request is \$2,000.
- ◆ Grant funds are available on a reimbursement basis only.
- ◆ Grants will generally be awarded on a 50/50 cash match basis up to \$2,000.
- ◆ Before and after pictures are required for funding.

Applicant Information

Organization Name: _____ Project Name: ROOF REPLACEMENT
Contact Person: AMY LEWMAN Mailing Address: 407 E MONROE ST
City, State, Zip: JEFFERSON, IA 50129 Daytime Phone Number: 515-391-0187
Fax: _____ E-mail: amy.l.lewman@gmail.com
Total Project Cost: \$ 7,051.37 Amount requesting from this grant program: \$ 2,000.00
Project Address: 407 E MONROE ST. JEFFERSON IA 50129
Project Description: REPLACE OLD, LEAKING ASPHALT SHINGLE ROOF WITH A

NEW METAL ROOF, ALSO REPAIRED/REPLACED ROTTEN SOFFITS +
FACIA BOARDS, PAINTED SOFFITS + FACIAS, PUT ALL NEW GUTTER + DOWN
The City Administrator and the Building Official will make final recommendations to the City Council regarding which projects should be funded. However, they will solicit input by utilizing, the City Engineer, City Department Staff, and/or City Council Members. SPRINKLER SYSTEM ON.

For More Information/Questions:

Contact the City Administrator, City Clerk or Building Official at 515-386-3111.

City of Jefferson

Neighborhood Improvement Incentive Program

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- ◆ Maximum request is \$2,000.
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- ◆ Grants will generally be awarded on a 50/50 cash match basis up to \$2,000.
- ◆ Before and after pictures are required for funding.

Applicant Information

Organization Name: GARY & ROBERT CARHILL Project Name: _____
Contact Person: GARY CARHILL Mailing Address: 117 S. CHESTNUT
City, State, Zip: JEFFERSON IA 50129 Daytime Phone Number: 515-386-8191
Fax: _____ E-mail: _____
Total Project Cost: \$ 4092.39 Amount requesting from this grant program: \$ 2000.00
Project Address: 903 W MONROE
Project Description: REMOVE HOUSE & TREES

The City Administrator and the Building Official will make final recommendations to the City Council regarding which projects should be funded. However, they will solicit input by utilizing, the City Engineer, City Department Staff, and/or City Council Members.

For More Information/Questions:

Contact the City Administrator, City Clerk or Building Official at 515-386-3111.

**APPLICATION FOR
FIREWORKS PERMIT**

The undersigned,

Name: Wild Rose Casino & Resort Jefferson and the City of Jefferson

Address: 777 Wild Rose Drive
Jefferson, IA 50129

Telephone: Aaron 515-564-7606

hereby applies pursuant to the provisions of the Iowa Code for a permit to display fireworks at Wild Rose Casino & Resort Jefferson, 777 Wild Rose Dr.,

such permit to be effective from 7/4/2020
to 7/5/2020, Rain Date 7/5/2020 to 7/6/2020. If this application is approved the undersigned agrees to faithfully observe all applicable laws governing the use of fireworks.

Date: 06/02/2020

Aaron 06/02/2020
Wild Rose Jefferson

CONTRACTOR'S PAY REQUEST

RELOCATE GREENE COUNTY ROAD, 243RD STREET
CITY OF JEFFERSON
JEFFERSON MUNICIPAL AIRPORT
BMI PROJECT NO. T51.117681

DISTRIBUTION:

CONTRACTOR (1)
OWNER (1)
ENGINEER (1)

TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	\$563,897.45
TOTAL, COMPLETED WORK TO DATE	\$410,919.50
TOTAL, STORED MATERIALS TO DATE	\$0.00
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	\$0.00
TOTAL, COMPLETED WORK & STORED MATERIALS	\$410,919.50
RETAINED PERCENTAGE (5%)	\$20,545.98
TOTAL AMOUNT OF OTHER PAYMENTS OR (DEDUCTIONS)	\$0.00
NET AMOUNT DUE TO CONTRACTOR TO DATE	\$390,373.53
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	\$107,609.83
PAY CONTRACTOR AS ESTIMATE NO. 2 5/29/2020	\$282,763.70

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: LEROY & SONS, INC.
405 DUNLAP STREET
ARCADIA, IOWA 51430

By Bruce Donnalme Pres
Name Title

Date 5-28-20

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:

ENGINEER: BOLTON & MENK, INC., 300 W. MCKINLEY STREET, JEFFERSON, IOWA 50129

By Devin Mashek, PROJECT ENGINEER
Devin J. Mashek, P.E.

Date 5/28/2020

APPROVED FOR PAYMENT:

OWNER: CITY OF JEFFERSON, JEFFERSON MUNICIPAL AIRPORT
CITY HALL, 220 N. CHESTNUT STREET, JEFFERSON, IOWA 50129

By _____ Date _____
Name: Matt Gordon Mayor

And _____ Date _____
Name: Diane M. Kennedy City Clerk/Treasurer

Roxanne Gorsuch

Partial Pay Estimate No.:

2

RELOCATE GREENE COUNTY ROAD, 243RD STREET
CITY OF JEFFERSON

JEFFERSON MUNICIPAL AIRPORT

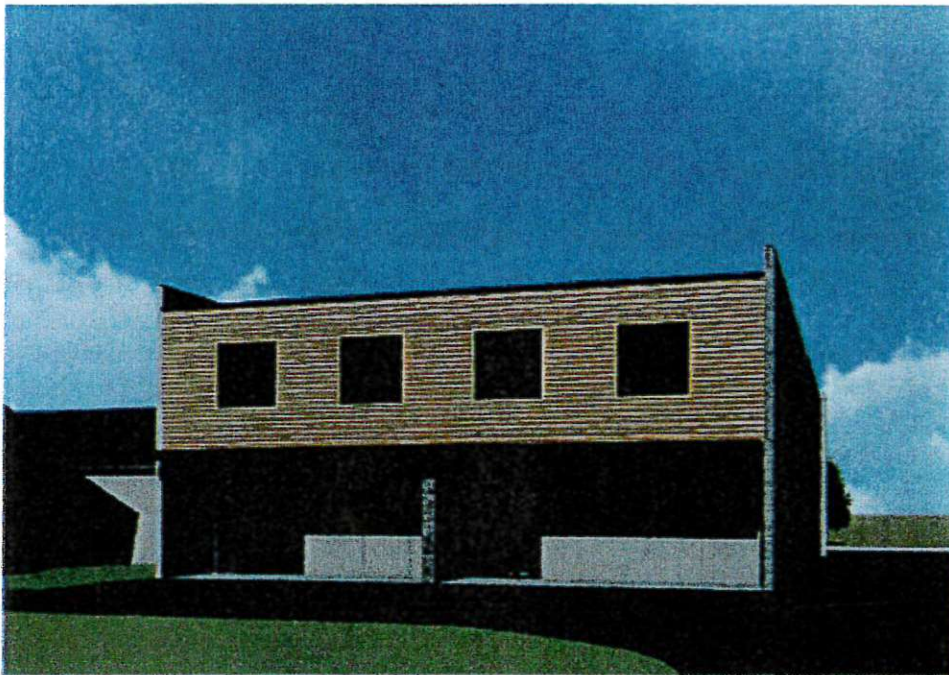
BMI PROJECT NO. T51.117681

WORK COMPLETED THROUGH MAY 29, 2020

ITEM NO.	ITEM	UNIT PRICE	AS BID WITH CHANGE ORDERS		PREVIOUS ESTIMATE		COMPLETED TO DATE				
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT			
RELOCATE GREENE COUNTY ROAD, 243RD STREET											
1	MOBILIZATION	\$60,000.00	1	LS	\$60,000.00	0.5	LS	\$30,000.00	1.00	LS	\$60,000.00
2	TRAFFIC CONTROL	\$5,000.00	1	LS	\$5,000.00	0	LS	\$0.00	0.75	LS	\$3,750.00
3	TOPSOIL, ON-SITE	\$8.00	7170	CY	\$57,360.00	1792.5	CY	\$14,340.00	5,792.50	CY	\$46,340.00
4	EXCAVATION, CLASS 13	\$8.00	15948	CY	\$127,584.00	3987	CY	\$31,896.00	15,948.00	CY	\$127,584.00
5	BORROW EXCAVATION	\$10.00	777	CY	\$7,770.00	0	CY	\$0.00	0.00	CY	\$0.00
6	SUBGRADE PREPARATION	\$2.00	13594	SY	\$27,188.00	0	SY	\$0.00	13,594.00	SY	\$27,188.00
7	SUBGRADE TREATMENT, GEO-GRID	\$2.75	13594	SY	\$37,383.50	0	SY	\$0.00	0.00	SY	\$0.00
8	SUBBASE, MACADAM STONE, 6-INCH	\$7.25	11059	SY	\$80,171.75	0	SY	\$0.00	8,000.00	SY	\$58,000.00
9	SUBBASE, MODIFIED SUBBASE, 4-INCH	\$5.20	11721	SY	\$60,949.20	0	SY	\$0.00	5,000.00	SY	\$26,000.00
10	REMOVAL OF KNOWN PIPE CULVERT, RCP, 15"	\$10.00	88	LF	\$880.00	0	LF	\$0.00	88.00	LF	\$880.00
11	REMOVAL OF KNOWN PIPE CULVERT, RCP, 18"	\$10.00	88	LF	\$880.00	0	LF	\$0.00	88.00	LF	\$880.00
12	REMOVAL OF KNOWN PIPE CULVERT, RCP, 24"	\$10.00	37	LF	\$370.00	0	LF	\$0.00	37.00	LF	\$370.00
13	REMOVE AND SALVAGE SIGN	\$250.00	2	EA	\$500.00	0	EA	\$0.00	2.00	EA	\$500.00
14	COMPACTION TESTING	\$8,000.00	1	LS	\$8,000.00	0	LS	\$0.00	1.00	LS	\$8,000.00
15	STORM SEWER, TRENCHED, RCP, CLASS III, 24"	\$70.00	81	LF	\$5,670.00	81	LF	\$5,670.00	81.00	LF	\$5,670.00
16	STORM SEWER, TRENCHED, RCP, CLASS III, 30"	\$100.00	32	LF	\$3,200.00	0	LF	\$0.00	32.00	LF	\$3,200.00
17	STORM SEWER, TRENCHED, RCP, CLASS III, 29"x18" ARCH	\$120.00	64	LF	\$7,680.00	64	LF	\$7,680.00	64.00	LF	\$7,680.00
18	STORM SEWER, TRENCHED, RCP, CLASS III, 36"x23" ARCH	\$150.00	32	LF	\$4,800.00	32	LF	\$4,800.00	32.00	LF	\$4,800.00
19	PIPE APRON, RCP, 24"	\$1,000.00	4	EA	\$4,000.00	4	EA	\$4,000.00	4.00	EA	\$4,000.00
20	PIPE APRON, RCP, 30"	\$1,000.00	2	EA	\$2,000.00	0	EA	\$0.00	2.00	EA	\$2,000.00
21	PIPE APRON, RCP, 29"x18" ARCH	\$1,500.00	4	EA	\$6,000.00	4	EA	\$6,000.00	4.00	EA	\$6,000.00
22	PIPE APRON, RCP, 36"x23" ARCH	\$1,500.00	2	EA	\$3,000.00	2	EA	\$3,000.00	2.00	EA	\$3,000.00
23	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING	\$5,400.00	4.1	AC	\$22,140.00	0	AC	\$0.00	0.00	AC	\$0.00
24	TEMPORARY SEEDING, SEEDING, FERTILIZING, AND MULCHING	\$750.00	4.1	AC	\$3,075.00	0	AC	\$0.00	0.00	AC	\$0.00
25	SWPPP PREPARATION	\$4,000.00	1	LS	\$4,000.00	0.5	LS	\$2,000.00	0.50	LS	\$2,000.00
26	SWPPP MANAGEMENT	\$2,000.00	1	LS	\$2,000.00	0.25	LS	\$500.00	0.75	LS	\$1,500.00
27	SILT FENCE OR SILT FENCE DITCH CHECK	\$2.50	3000	LF	\$7,500.00	515	LF	\$1,287.50	515.00	LF	\$1,287.50
28	SILT FENCE OR SILT FENCE DITCH CHECK REMOVAL OF SEDIMENT	\$0.50	3000	LF	\$1,500.00	0	LF	\$0.00	0.00	LF	\$0.00
29	SILT FENCE OR SILT FENCE DITCH CHECK REMOVAL OF DEVICE	\$1.00	3000	LF	\$3,000.00	0	LF	\$0.00	0.00	LF	\$0.00
30	REMOVAL OF FENCE	\$2.00	2145	LF	\$4,290.00	0	LF	\$0.00	2,145.00	LF	\$4,290.00
31	CONSTRUCTION SURVEY	\$6,000.00	1	LS	\$6,000.00	0.25	LS	\$1,500.00	1.00	LS	\$6,000.00
TOTAL AMOUNT:											\$112,673.50
											\$410,919.50



NW VIEW
215 S WILSON - JEFFERSON
04/27/20



NW VIEW
215 S WILSON - JEFFERSON
04/27/20



City Hall Parking Lot & Arch Alley Improvements Bidding and Construction Schedule



Project Timeline

- **Milestones**

<input type="checkbox"/>	June 9, 2020	Resolution/Plans put on File with the Council
<input type="checkbox"/>	June 10 – July 9, 2020	Bidding Phase
<input type="checkbox"/>	June 26 or July 3	Send Notice of Public Hearing to Paper
<input type="checkbox"/>	July 2 or July 9	Notice of Public Hearing published
<input type="checkbox"/>	July 9, 2020 @ 3:00 PM	Jefferson City Hall Bid Letting
<input type="checkbox"/>	July 14, 2020 @ 5:30 PM	City Hall Public Hearing, Consider Bids, Resolution/Award
<input type="checkbox"/>	July 14 – August 15	Contracts (estimated)
<input type="checkbox"/>	Late August	Preconstruction Conference (estimated)
<input type="checkbox"/>	September 2, 2020	Construction Start (estimated)
<input type="checkbox"/>		Substantial Completion -
<input type="checkbox"/>	December 4, 2020	Final Completion -

- **Plans on File**

- Thursday Prior to Council Meeting (Date)**

- *Bidding Documents received by City for inclusion in packets*
 - *Public Hearing Notice assembled by Bolton & Menk and sent to City*
 - *Project Background assembled by Bolton & Menk and sent to City*

- Council Meeting (Date):**

- *Resolution Ordering Plans/Specs, Set Public Hearing*

- **Bidding Phase**

- Notice to Bidders:**

- *Published at least once - _____*
 - ***not less than 13 or more than 45 days*** before date for filing bids by Bolton & Menk
 - *Advertise on QuestCDN, Master Builders, & Iowa League of Cities*

- Notice of Public Hearing:**

- *Sent to City to send to paper – _____*
 - *Published at least once, **not less than 4 or more than 20 days** prior to Public Hearing by City*
 - *Published in local paper – _____*

- **Bid Letting/Opening**

- (Date @ Time AM/PM in Bolton & Menk Office)**

- Addendums

City Hall Parking Lot & Arch Alley Improvements Bidding and Construction Schedule

Project Timeline

- **Thursday Prior to Council Meeting (Date _____)**
 - Award Recommendation received by City for inclusion in packets*
 - Notice of Award and Draft Contract assembled by Bolton & Menk and sent to City*
 - Project Background assembled by Bolton & Menk and sent to City*
- **Council Meeting (Date _____):** Public Hearing and Award Contract
- **Contract Executed (Date) - _____**
 - Bolton & Menk routes to Contractor, Contractor signs and returns to Bolton & Menk with attachments, Bolton & Menk routes to City
- **Preconstruction Meeting (Date) - _____**
- **Construction Begins (Date) - _____**
- **Construction Progress Meetings (Day/Time) - _____**
- **Construction Substantially Complete (Date) - _____**
 - Certificate of Substantial Completion*
- **Construction Complete (Date) - _____**
 - No punchlist items remaining*
- **Tuesday prior to Council Meeting (Date estimated) - _____**
 - Final Pay Application*
 - Reconciliation Change Order*
 - Other related closeout documents provided to City*
- **Council Meeting (Date estimated) - _____**
 - Council Approves Final Pay Application/Project close*

CHAPTER 48

NOISE CONTROL

48.01 Purpose	48.07 Measurement of Noise and Sound
48.02 Definitions	48.08 Permits
48.03 Noise Disturbance Prohibited	48.09 Maximum Sound to be Permitted
48.04 Sounds Not Allowed	48.10 Other Laws and Ordinances
48.05 Vehicle Noise Limits	48.11 Penalty
48.06 Exceptions	

48.01 PURPOSE. It is the purpose of this chapter to prevent excessive sound which is a serious hazard to the public health and welfare and to the quality of life in the City of Jefferson.

48.02 DEFINITIONS. Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms have the following meanings. Definitions of technical terms used in this chapter which are not herein defined shall be obtained from publications of acoustical terminology issued by the American National Standards Institute (ANSI):

1. “Application” means the application submitted to the City requesting a noise permit.
2. “Emergency” means any occurrence or set of circumstances involving actual or imminent physical or psychological trauma or property damage which demands immediate action.
3. “Emergency work” means any work performed for the purpose of alleviating or resolving an emergency.
4. “Motor vehicle” means any motor-powered vehicle designed to carry at least one passenger or driver and of the type typically licensed for use on the public highways.
5. “Noise” means any sound which disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
6. “Noise disturbance” means those sounds defined by Section 48.04 and 48.05 of this chapter.
7. “Person” means any individual, association, partnership corporation or officer thereof.
8. “Public right-of-way” means the traveled portion of any street or alley or similar place which is owned or controlled by the City or other governmental entity.
9. “Real property boundary” means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one

person from that owned by another person, but not including intra-building real property division.

10. “Sound” means an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

11. “Sound level meter” means an instrument, including a microphone, amplifier, RMS detector, integrator or time average, output or display meter, and weighting networks used to measure sound pressure levels, which complies with American National Standards Institute standards. A “weighted sound level” or “sound level” means the sound pressure level in decibels as measured on a sound level meter using the A weighting network. The level so read shall be designated as dB(A) or dBA. “Decibel” means a logarithmic and dimensionless unit of measure often used in describing the amplitude of sound and is denoted as dB.

48.03 NOISE DISTURBANCE PROHIBITED. It is unlawful for any person to willfully make, continue, cause or allow any noise disturbance within the City.

48.04 SOUNDS NOT ALLOWED. Except for sounds excluded under other sections of this chapter, the term “noise disturbance” means any of the following sounds:

1. Injurious or Disturbing Sounds Generally. Any sound which endangers or injures the welfare, safety or health of a human being or disturbs a reasonable human being of normal sensitivities or causes or tends to cause an adverse physiological or physical effect on human beings or devalues or injures property.
2. Maximum Permitted Level. Except as specifically identified in this section, a sound measured or registered in excess of the maximum permitted levels according to the following table, is declared to be a noise disturbance.

MAXIMUM PERMITTED LEVELS

RECEIVING LAND USE:	MAXIMUM dB PERMITTED:
Residential:	65 between 7 a.m. and 9 p.m. 55 between 9 p.m. and 7 a.m.
Commercial:	70
Industrial:	75
Park:	65

Sound in excess of the maximum permitted levels shall not be a noise disturbance if such sound is emitted in accordance with a noise permit issued by the City.

48.05 VEHICLE NOISE LIMITS. It shall be unlawful for any person to operate or for the owner to cause or permit to be operated within the public right-of-way in this city, any motor vehicle which emits a noise in excess of the dB(A) level established in this section.

1. The maximum allowable noise levels for motor vehicles shall be 75 dB(A) measured at a distance of twenty-five feet.
2. This section applies to the total noise from a motor vehicle and shall not be construed as limiting or precluding the enforcement of any other provisions of this ordinance.
3. No person shall modify the exhaust system of a motor vehicle or any other noise abatement device of a motor vehicle or operate any such vehicle or device in this city in a manner that the noise emitted by the motor vehicle is above that emitted by the vehicles as originally manufactured. Muffler cutouts, by-passes, or other devices which increase sound emitted shall be unlawful.
4. The sound shall be measured on a sound level meter of standard design and quality operated on the "A" slow response weighting scale.

48.06 EXCEPTIONS. Any other provision of Section 48.04, 48.05 or any other section of this chapter to the contrary notwithstanding, the term "noise disturbance," as used in this chapter, does not mean or include the following sounds:

1. Emergencies. The sounds emitted by emergency work or by any authorized emergency personal or vehicle, when responding to an emergency call.
2. Alarms. The sounds emitted by the intentional sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device for emergency purposes.
3. Alarm Testing. The sounds emitted by the intentional sounding outdoors of any privately-owned fire alarm, burglar alarm, siren, whistle, or similar stationary emergency signaling device for the essential testing of such device, when conducted between the hours of 8:00 a.m. and 5:00 p.m.
4. Bell Tower and Church Bells. The sounds emitted by the Mahanay Memorial Carillon Tower and the sounds emitted by church carillons, bells or chimes.
5. Certain Signaling Devices. The sounds emitted by mobile radio or telephone signaling devices.
6. Law Enforcement. The sounds made or caused to be made by law enforcement officials in the performance of their official duties.
7. Railroad. The sounds emitted by railroad equipment while operated on the railroad right-of-way.

8. Government Vehicles. The emission of sound made or caused to be made by government owned, operated, or contracted vehicles in the performance of their official duties.
9. Fairground. The sound emitted in conjunction with activities conducted on the Greene County fairgrounds during the Greene County Fair or other exposition approved by the City or County.
10. Weapons and Fireworks. The emission of sound in the legal discharge of weapons or in fireworks displays licensed by the City.
11. Snow Removal Equipment. The sound emitted by motor-powered, muffler-equipped snow removal equipment operated between the hours of 6:00 a.m. and 10:00 p.m. and the sound emitted by City-owned or hired snow removal equipment.
12. Marching Bands and Athletics. The emission of sound in conjunction with marching bands and athletic events.
13. Construction Noise. The sound made by privately-owned and operated tools or equipment in erection, demolition, excavation, drilling, or other such construction work between the hours of 7:00 a.m. and 9:00 p.m.
14. Engine Testing and Repair. The sound made by the repairing, rebuilding, modifying, or testing a motor vehicle or recreational vehicle between the hours of 7:00 a.m. and 9:00 p.m.
15. Loading and Unloading. The sound made by outdoor loading, unloading, opening, closing, or handling of boxes, crates, containers, building materials, trash cans, containers, receptacles, or dumpsters between the hours of 7:00 a.m. and 9:00 p.m.
16. Musical Instruments. The sound made by a drum, horn, reed, string instrument, or other musical instrument between the hours of 7:00 a.m. and 9:00 p.m.
17. Outdoor Power Equipment. The sound emitted by outdoor power equipment, including but not limited to aerators, augers, blowers, brush clearers, brush cutters, chain saws, dethatchers, edgers, hedge trimmers, lawn mowers, pole saws, power rakes, snowblowers, tillers, and power tools between the hours of 7:00 a.m. and 9:00 p.m.
18. Other Permitted or Authorized Sounds. The sounds emitted by activities of a temporary duration, authorized by law and for which a license or permit therefor has been granted by the City, including but not limited to parades, fireworks displays, the outdoor warning system and all other authorized activities occurring on government property

48.07 MEASUREMENT OF NOISE AND SOUND. The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute. The instruments shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone shall be positioned so as not to create an unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. The measurement shall be an A weighted, slow response sound level. Except as otherwise provided, the sound is measured at the edge of a city street or alley right-of-way nearest to the source of the sound. A measurement may also be taken on the property where the complaining party was disturbed.

48.08 PERMITS. Applications for a permit for relief from the provisions of this ordinance may be made to the City Council, or a duly authorized representative, pursuant to the following procedure:

1. All permits must be applied for in writing, on the forms prescribed by the City Clerk, during normal business hours stating what devices are to be employed, where they are to be employed, on what date(s) and at what times of day they are to be used, the nature of the sounds to be produced or amplified and the number of people in attendance, and the persons responsible for the activity.
2. Permits granted shall state with reasonable specificity the date(s), location(s), time(s), nature of the sound, devices permitted, number of people in attendance, and the persons responsible for the activity.
3. Permits shall not be arbitrarily or unreasonably withheld nor shall the free expression of ideas or lawful speech be restrained, but sound and noise producing conduct having no communicative value and serving only to unreasonably disturb and disrupt the enjoyment of residences and normal pursuits shall be restrained.
4. The City Council may prescribe any conditions or requirements deemed necessary to minimize adverse effects upon the community or the surrounding neighborhood.
5. Upon applying for a noise permit, the applicant shall deposit with the City the sum of \$100.00 which shall be returned to the applicant after the event provided that all of the conditions for issuance of the permit were fully complied with.

48.09 MAXIMUM SOUND TO BE PERMITTED. When a permit has been issued pursuant to this chapter the sound levels listed in the following table shall be the maximum levels permitted:

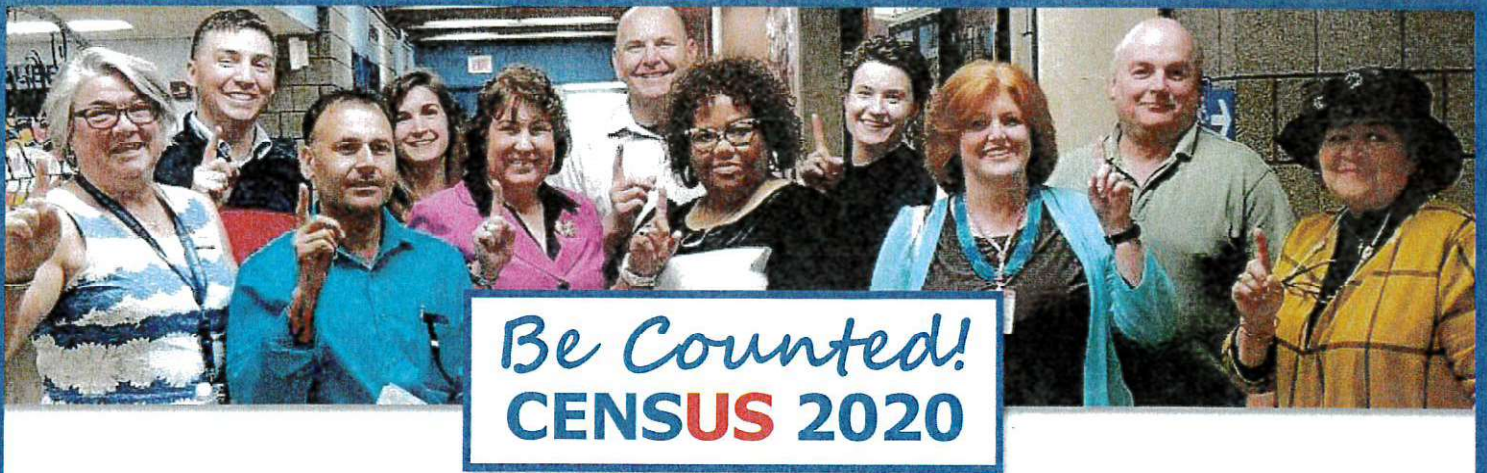
RECEIVING LAND USE:	MAXIMUM dB PERMITTED:
Residential:	75 between 7 a.m. and 9 p.m. 65 between 9 p.m. and 7 a.m.
Commercial:	80
Industrial:	80
Park:	80

When granting the permit, the Council may impose lower sound level limits based upon the location and length of the proposed event for which the permit is requested and the Council may impose other reasonable conditions and requirements to be met or fulfilled by the noise permit holder preliminary to or at the time of the use or operation of the sound equipment. Such conditions shall be those necessary or advisable to protect the health, welfare and quality of life of the residents of the City and may include, without limitation, restrictions on the time of day the sound equipment can be used or operated and restrictions on the length of time that the sound equipment may be used or operated. The permit holder shall be responsible for monitoring the level of sound to ensure that the conditions of the permit are not violated.

Should the person holding a permit not attentively observe all limitations and restrictions found in this chapter and in the noise permit, the City authorities shall be authorized to stop such permitted event or to turn the sound equipment off or reduce it to the level authorized by the noise permit.

48.10 OTHER LAWS AND ORDINANCES. No provisions of this chapter should be construed to legalize or permit sounds, devices or activities made unlawful by other ordinances of the City or State or Federal statutes.

48.11 PENALTY. Unless another penalty is expressly provided by this chapter for any particular provision or section, any person violating any provision of this chapter or any rule or regulation adopted herein by reference shall be guilty of a simple misdemeanor or a municipal infraction punishable by a criminal or civil penalty as provided by Chapters 1 and 4 of this Code of Ordinances. Each day that a violation occurs or is permitted to exist constitutes a separate offense.



The current worldwide pandemic COVID-19 brings to light many of the support systems we rely on for our health care and emergency response services. It also emphasizes the significance of the U.S. Census. Our State and Federal governments use Census data to determine how disaster recovery will be dispatched and how much financial support will be dispersed.

By responding to the Census, you help ensure our community will receive its fair share of federal funds, grants and support for local hospitals, first responders, health clinics and many other programs such as the school lunch program and services for needy families.

You have the opportunity to help our community by completing your Census online, by phone or by mail. To do so, start by going to my2020census.gov and enter either the code from the Census envelope or your address. If you prefer to fill it out by phone, call **844-330-2020**.

TEN MINUTES CAN IMPACT THE NEXT TEN YEARS

In less than ten minutes, the Census form can be completed easily, quickly and safely from the comfort of your home by internet, by phone or by mail. No matter how you choose to fill it out, make sure you do so as quickly as possible and encourage others to do so as well.

By law, your information is strictly confidential. Only statistical data is extracted by Census tract to determine Federal funding and Congressional districting.

IT'S NEVER BEEN EASIER TO RESPOND

Online: my2020Census.gov

Phone: 1-844-330-2020

Phone lines are open every day of the week, including weekends, from 6 a.m. to 1 a.m. Central Time. Feel free to call with questions and/or to complete your Census response by phone. For guides in 59 non-English languages, including large print, Braille and American Sign Language, please go to www.2020Census.gov/languages.

This community is working with the Census Bureau to ensure a fair and accurate count.

Please do your part to help - complete your Census NOW.



Shape
your future
START HERE >
2020Census.gov

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Census
2020