

# AGENDA

**COUNCIL MEETING**  
**Tuesday, September 26, 2023**  
**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. Limit of 3-5 minutes per speaker.**
- III. CONSENT ITEMS:**
- A. Forgiveness of High Sewer Bill for Milissa Banister.
  - B. 9/12/23 regular Council minutes.
- IV. NEW BUSINESS:**
- A. Nuisance Hearing: Eric & Jill Johnson.
  - B. Resolution Waiving Right to Review Plat of Survey.
  - C. PUBLIC HEARING on Proposed Amendments to the Flood Plain Ordinance.
  - D. ORDINANCE: “Amending the Code of Ordinance of the City of Jefferson, Iowa, 2017, Relating to Chapter 160 Flood Plain Regulations. First reading with consideration of waiving second and third readings.
  - E. ORDINANCE: “Amending the Code of Ordinance of the City of Jefferson, Iowa, 2017, Regarding Responsibility for Water Service Pipes.
  - F. Discussion of Proposed Regulations Pertaining to:
    - a. Camper / RV / Boat / Trailer Parking.
    - b. Zero Lot Line Structures
    - c. Front Yard Setbacks for Infill Lots.
    - d. Fence Regulations.
  - G. Resolution Approving the Removal of No Parking Lines on the East and West Sides of South Vine Street Adjacent to East Monroe Street.
  - H. Resolution Approving Policy Regarding Issuance of Solicitor License
  - I. Consider Approval of Street Projects.
  - J. Jefferson Airport Box Hanger project: Change Order #1.
  - K. Sewer Plant Project: Change to Influent Line.
  - L. Engineering Contract Amendment: Russell Street Watermain Improvements.
  - M. Engineering Contract Amendment: City Hall Entrance Project.
  - N. Update on Proposed Kading Housing Project.
- V. REPORTS:**
- A. Engineer, City Clerk, Attorney, City Administrator
  - B. Departments
  - C. Council & Committees
  - D. Mayor
- VI. ADJOURN.**

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**TO: Mayor and City Council Members**  
**FROM: Scott Peterson, City Administrator**  
**SUBJECT: General Information Memo**  
**Regular City Council Session**  
**Tuesday, September 26, 2023 5:30 p.m.**

Sewer Forgiveness: The Water Sewer Committee recommends forgiveness of \$ 94.22 in sewer charges for Milisa Banister, 401 W Lincoln Way. A garden hose was left running in their yard.

Nuisance Hearing: Eric & Jill Johnson, 402 N. Wilson, were given notice to abate a nuisance. Specifically, they were cited for: a non-compliant shed in the driveway, one car as a junk vehicle, a topper, and a golf cart. They have requested a hearing before the Council as to whether this constitutes a nuisance. Please look at this property prior to the Council meeting.

Plat of Survey: Rita Dunivan has submitted a plat of survey to subdivide a property west of town on 230<sup>th</sup> Street (this is outside the corporate limits and within the City's two-mile zoning authority). The Council is asked to approve the resolution on page 8 waiving the City's right of review of this plat.

Flood Plain Ordinance: The Council will hold a public hearing on the proposed changes to the City's Flood Plain Ordinance. Following the public hearing, the Council will consider the ordinance which begins on page 9.

Connection Fees for Large Water Services: Currently, the City is responsible for the installation costs of water services from the main to the curb stop, regardless of the size of the service. The Water/Sewer Committee recommends that the customer now be made responsible for the installation costs of water services larger than one inch. An ordinance making this change is on page 30.

This ordinance states that the customer is responsible for the installation costs (based on time & materials) of water services larger than 1". The City will still be responsible for the ongoing maintenance of these services.

P & Z Issues: Ordinances have been drafted for possible changes to the following:

- a. Camper / RV / Boat / Trailer Parking.
- b. Zero Lot Line Zoning.
- c. Front Yard Setbacks for Infill Lots.
- d. Fence Regulations.

The Council will discuss these draft Ordinances which begin on page 32. No action will be taken on these draft ordinances at this meeting.

Parking: The Water/Sewer/Streets committee recommends two changes regarding parking regulations. (1) The parking spaces on Vine Street east of the old gym and north of the Childcare Center are currently hash-marked for No Parking. The resolution on page 39 will remove this No Parking designation and create angle parking spaces.

The Committee also recommends removing the No Parking 8:00 – 4:00 signs from Sunset Place (by the middle school.)

Fundraising on Rights-of-Way: The Water/Sewer/Streets committee recommends approval of the policy beginning on page 41 regarding fundraising on rights-of-way.

Asphalt Street Work: The Water Sewer Streets Committee recommends entering into an agreement with Blacktop Service Co. for two small paving projects:

Grimmel Road from Lincoln Way to South of Monroe	\$ 48,790.50
The Parking Lot at Harrison and Wilson	\$ 21,594.00

Work on these two projects could still occur this year, as schedules allow.

Box Hanger Change Order #1: This Change Order on page 47 adds Alternates B & C to the project. This is: the hangar roll-up door & driveway and additional taxi lane paving. These alternates were bid at the original bid letting but could not be added into the project until the City received an additional grant from the State of Iowa,

Sewer Plant Project: Change to Influent Line: On page 51 is a narrative explaining the need to move the influent line to avoid damage during construction. Shank will install this pipe at no cost if the City purchases the ductile iron pipe. To replace around 100' of pipe will cost \$35 – 40,000. The Water Sewer Committee recommends this change. This is not an official “Change Order,” these funds will come from the \$200,000 allowance which is included in the contract price.

Engineering Contract Amendments: On pages 53 and 54 are requested amendment to the engineering contracts for the Russell Street Watermain project and the City Hall Entrance Project. Bolten & Menk seeks \$6,000 in additional fees for the Russell Street watermain project, and \$10,500 for the City Hall Entrance Project.

Kading Housing Project: I will have a project update at the meeting. As of Friday, I am unsure whether the information on the RISE grant application will be complete and available for Council consideration.

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APPLICATION FOR APPROVAL OF PLAT OF SURVEY

TO: City Council of Jefferson

The undersigned owner(s) of the land described in the attached plat of survey request the City Council of the City of Jefferson to approve the division of land reflected in the attached plat of survey pursuant to Section 166.22 of the Code of Ordinances of the City of Jefferson. The following information is submitted in support of this application:

1. A pre-application conference regarding this proposed subdivision was held with the City Administrator on July 26 2023.

2. A copy of a plat of survey prepared by ROBERT B BILLS, an Iowa registered land surveyor, dated 09/08/2023, showing the land proposed to be divided is attached to this application.

3. The purpose of this proposed division is: CONVEY PARCEL TO DAUGHTER FOR A FUTURE BUILDING SITE.

4. The name(s), address(es) and telephone number(s) of all the owners of the land described in the attached plat are as follows:

RITA DUNIVAN 1408 N ELM ST. JEFFERSON, IA  
CONTACT SANDY DUNIVAN (DAUGHTER) 515-707-8857

5. The names and addresses of all adjoining property owners are set forth below, and the approximate locations of their properties are shown on the attached plat.

N/A

6. (a) The existing zoning classification of the property covered by the plat is AG. (There is no pending plan or proposal to change this zoning classification./It is proposed that the zoning classification of this property be changed to NONE.)

(b) The zoning classification(s) for the adjoining properties is/are as follows: AG. (There is no pending plan or proposal to change any zoning classification for any of the adjoining properties./It is proposed that the zoning classification of adjoining property be changed to NONE.)

7. (Check applicable paragraph:)

       There are no structures located on the property proposed to be divided.

  X   There are one or more structures located on the property proposed to be divided, and the location of such structures and their distance from existing and proposed boundary lines has been shown by a registered land surveyor either on the attached plat or on a separate drawing attached to this application.

8. All existing and proposed public streets and roads, all public water and sanitary and storm sewer lines, and all gas and electrical services in relation to the property proposed to be divided have been described by a registered land surveyor either on the attached plat or on a separate drawing attached to this application. If any parcel shown on the attached plat does not have direct access to any such services, then it is proposed that access to such services be obtained as follows:

\_\_\_\_\_  
\_\_\_\_\_

If any private easements are proposed, copies of the same will be provided upon request.

The undersigned acknowledge that they have reviewed the foregoing application and represent and warrant that the information set forth above is true and accurate. This application is being submitted in quadruplicate.

Date: September 8, 2023

Rita J. Durivan

\_\_\_\_\_

APPROVAL RECOMMENDED/NOT RECOMMENDED

\_\_\_\_\_  
City Engineer Date

APPROVAL RECOMMENDED/NOT RECOMMENDED

\_\_\_\_\_  
City Administrator Date



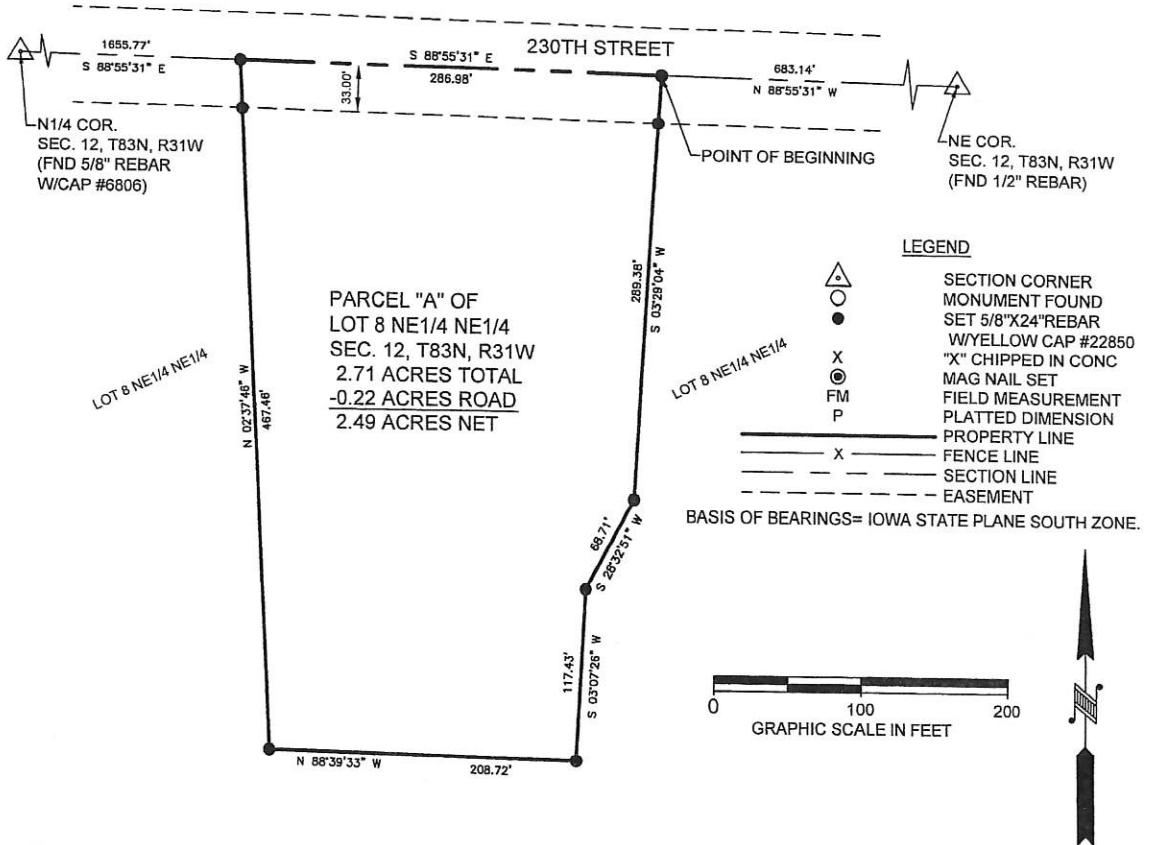
GENERAL NOTES:

1. NO CITY OF JEFFERSON UTILITIES (SANITARY SEWER, STORM SEWER, AND WATER) ARE LOCATED ON THIS PROPERTY.
2. AERIAL PHOTO IS ONLY APPROXIMATED TO PROPERTY LINES.



INDEX LEGEND	PLAT OF SURVEY
COUNTY: GREENE	
DESIGNATION: PARCEL "A" OF LOT 8 NE1/4 NE1/4	
LOCATION: SECTION 12, T83N, R31W	
SITE ADDRESS: N/A	
OWNER: RITA J. DUNIVAN	
SURVEY REQUESTED BY: RITA J. DUNIVAN	
SURVEYOR: ROBERT B. BILLS	

PREPARED BY AND RETURN TO: ROBERT B. BILLS CENTRAL IOWA SURVEYING, LLC P.O. BOX 67 JEFFERSON, IOWA 50129 (515)370-2399



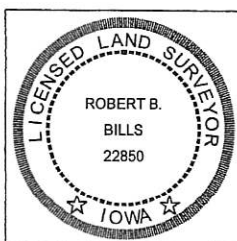
**FIELD NOTES:**

A TRACT OF LAND LOCATED IN LOT 8 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, T83N, R31W OF THE 5TH P.M., GREENE COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 12; THENCE N88°55'31"W ON THE NORTH LINE OF SAID LOT 8 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 683.14 FEET TO THE POINT OF BEGINNING; THENCE S03°29'04"W, A DISTANCE OF 289.38 FEET; THENCE S28°32'51"W, A DISTANCE OF 68.71 FEET; THENCE S03°07'26"W, A DISTANCE OF 117.43 FEET; THENCE N88°39'33"W, A DISTANCE OF 208.72 FEET; THENCE N02°37'46"W, A DISTANCE OF 467.46 FEET TO A POINT ON SAID NORTH LINE OF LOT 8 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE S88°55'31"E ON SAID NORTH LINE OF LOT 8 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 286.98 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS PARCEL "A" OF LOT 8 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, T83N, R31W OF THE 5TH P.M., GREENE COUNTY, IOWA.

THE ABOVE DESCRIBED PARCEL CONTAINS 2.71 ACRES AND IS SUBJECT TO 0.22 ACRES FOR ROAD EASEMENT AND IS SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.



I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signature: Robert B. Bills Date: 09/08/2023

License number #22850  
 My license renewal date is Dec, 31, 2024  
 Pages or sheets covered by this seal: 1

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION WAIVING RIGHT TO  
REVIEW PLAT OF SURVEY

WHEREAS, Rita J. Dunivan, as Trustee of the Rita J. Dunivan Revocable Trust, owner of the property described herein, requested the City Council of Jefferson to approve a plat of survey prepared by Robert B. Bills dated September 8, 2023, covering the following described property:

Parcel A of Lot 8 of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section Twelve (12), Township Eighty-three (83) North, Range Thirty-one (31) West of the 5<sup>th</sup> P.M., Greene County, Iowa;

located adjacent to and south of 230<sup>th</sup> Street west of Jefferson, Iowa, which parcel is located outside of the boundaries of the City of Jefferson but within the two mile limit within which the City has the right to review subdivision plats or plats of survey; and

WHEREAS, the City Engineer and City Administrator have reviewed said proposed plat and have recommended that the City Council waive its right to review the plat for the reason that it does not conflict with the extension of any existing City streets or other rights-of-way and that it will not interfere with development under the City's comprehensive plan; and

WHEREAS, based on its review of the plat and the recommendation of the City Engineer and City Administrator, the City Council finds that it should waive its right to review said plat.

NOW, THEREFORE, It Is Resolved by the City Council of the City of Jefferson, Iowa, as follows:

Section 1. The City waives its right to review the above described plat of survey prepared by Robert B. Bills, dated September 8, 2023. This action shall have no effect on any requirements that Greene County may have with respect to the filing of such plat.

Section 2. The Mayor, City Clerk and City Administrator are authorized and directed to execute such instruments as may be necessary to confirm the waiver of the City's right to review this plat of survey and to take such further action as may be necessary to carry out the intent and purpose of this resolution.

Section 3. All resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption and approval.

Passed and approved on September 26, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2017, PERTAINING TO  
CHAPTER 160 FLOOD PLAIN REGULATIONS

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Chapter 160 Replaced. Chapter 160 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby deleted in its entirety, and the following adopted in lieu thereof:

See attached Chapter 160 Flood Plain Regulations

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability. 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 4. When effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Finally passed by the Council on \_\_\_\_\_, 2023, and approved on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

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I hereby certify that the foregoing ordinance was published in The Jefferson Herald on \_\_\_\_\_.

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

**CHAPTER 160**

**FLOOD PLAIN REGULATIONS**

**160.01 Definitions**

**160.06 Standards for Floodplain  
(Overlay) District**

**160.02 Statutory Authority, Findings of Fact  
and Purpose**

**160.07 Appointment and Duties of Board  
of Adjustment**

**160.03 General Provisions**

**160.08 Nonconforming Uses**

**160.04 Administration**

**160.09 Penalties for Violation**

**160.05 Establishment of Zoning (Overlay)  
Districts**

**160.10 Amendments**

**160.01. DEFINITIONS.** Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

1. APPURTENANT STRUCTURE - A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.
2. BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year. (Also commonly referred to as the "100-year flood").
3. BASE FLOOD ELEVATION (BFE) - The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.
4. BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "lowest floor."
5. DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

6. ENCLOSED AREA BELOW LOWEST FLOOR - The floor of the lowest enclosed area in a building when all the following criteria are met:
  - A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of CH 160.06 (2)(D)(1) of this Ordinance, and
  - B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
  - C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
  - D. The enclosed area is not a “basement” as defined in this section.
7. EXISTING CONSTRUCTION - Any structure for which the “start of construction” commenced before the effective date of the first floodplain management regulations adopted by the community.
8. EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.
9. EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include “recreational vehicles” which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.
11. FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.
12. FIVE HUNDRED (500) YEAR FLOOD - A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

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13. FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.
14. FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.
15. FLOOD INSURANCE STUDY (FIS) - A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.
16. FLOODPLAIN - Any land area susceptible to being inundated by water as a result of a flood.
17. FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.
18. FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.
19. FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.
20. FLOODWAY FRINGE - Those portions of the Special Flood Hazard Area outside the floodway.
21. HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
22. HISTORIC STRUCTURE - Any structure that is:
  - A. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;

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- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
  - D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.
23. LOWEST FLOOR - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.
24. MAXIMUM DAMAGE POTENTIAL DEVELOPMENT - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.
25. MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.
26. NEW CONSTRUCTION - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.
27. NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the effective date of the first floodplain management regulations adopted by the community.
28. RECREATIONAL VEHICLE - A vehicle which is:
- A. Built on a single chassis;
  - B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
  - C. Designed to be self-propelled or permanently towable by a light duty truck; and

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- D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.
29. ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES - Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:
- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
  - B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
  - C. Basement sealing;
  - D. Repairing or replacing damaged or broken window panes;
  - E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.
30. SPECIAL FLOOD HAZARD AREA (SFHA) - The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.
31. START OF CONSTRUCTION - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.
32. STRUCTURE - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

33. SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

34. SUBSTANTIAL IMPROVEMENT - Any improvement to a structure which satisfies either of the following criteria:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the “start of construction” of the improvement, or (ii) if the structure has been “substantially damaged” and is being restored, before the damage occurred.

The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an “historic structure”, provided the alteration will not preclude the structure’s designation as an “historic structure”.

B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

35. VARIANCE - A grant of relief by a community from the terms of the floodplain management regulations.

36. VIOLATION - The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations.

**160.02. STATUTORY AUTHORITY, FINDINGS OF FACT AND PURPOSE**

1. The Legislature of the State of Iowa has in Chapter 414, Code of Iowa, as amended, delegated the power to cities to enact zoning regulations to secure safety from flood and to promote health and the general welfare.

2. Findings of Fact.

A. The flood hazard areas of the City of Jefferson are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.

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- B. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
  - C. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.
3. Statement of Purpose. It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of the City of Jefferson and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in CH 160.02(2)(A) of this Ordinance with provisions designed to:
- A. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially.
  - B. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
  - C. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
  - D. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
  - E. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

**160.03. GENERAL PROVISIONS.**

- 1. Lands to Which Ordinance Apply. The provisions of this Ordinance shall apply to all lands within the jurisdiction of the City of Jefferson which are located within the boundaries of the Floodplain (Overlay) District as established in CH 160.05.
- 2. Establishment of Official Floodplain Zoning Map. The Flood Insurance Rate Map (FIRM) for Greene County and Incorporated Areas, City of Jefferson, Panels 19073C0195B, 0215B, 0325B, 0350B, dated April 19, 2016, which were prepared as part of the Flood Insurance Study for Greene County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Greene County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.



3. Rules for Interpretation of Floodplain (Overlay) District. The boundaries of the Floodplain (Overlay) District areas shall be determined by scaling distances on the official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the Building Inspector shall make the necessary interpretation. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Building Inspector in the enforcement or administration of this Ordinance.
4. Compliance. No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.
5. Abrogation and Greater Restrictions. It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.
6. Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.
7. Warning and Disclaimer of Liability. The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated Floodplain (Overlay) District areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Jefferson or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.
8. Severability. If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

#### **160.04. ADMINISTRATION.**

1. Appointment, Duties and Responsibilities of Local Official
  - A. The Building Inspector is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.
  - B. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:

- i. Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
- ii. Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
- iii. Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.
- iv. Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
- v. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.
- vi. Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
- vii. Notify the Federal Insurance Administrator of any annexations or modifications to the community's boundaries.
- viii. Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the Board of Adjustment of potential conflict.
- ix. Maintain the accuracy of the community's Flood Insurance Rate Maps when;
  1. Development placed within the floodway results in any of the following:
    - a. An increase in the Base Flood Elevations, or
    - b. Alteration to the floodway boundary
  2. Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or

3. Development relocates or alters the channel.

- x. Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.
- xi. Perform site inspections to ensure compliance with the standards of this Ordinance.
- xii. Forward all requests for Variances to the Board of Adjustment for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the Board of Adjustment.

2. Floodplain Development Permit

- A. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations), including the placement of factory-built homes.
- B. Application for Permit - Application shall be made on forms furnished by the Administrator and shall include the following:
  - 1) Description of the work to be covered by the permit for which application is to be made.
  - 2) Description of the land on which the proposed work is to be done (e.g., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.
  - 3) Location and dimensions of all structures and additions.
  - 4) Indication of the use or occupancy for which the proposed work is intended.
  - 5) Elevation of the base flood.
  - 6) Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.
  - 7) For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

- 8) Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
- C. Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the Board of Adjustment.
- D. Construction and Use to be as Provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

**160.05. ESTABLISHMENT OF ZONING (OVERLAY) DISTRICTS.** The floodplain areas within the jurisdiction of this ordinance are hereby divided into the following districts:

1. Floodplain (Overlay) District - those areas identified as Zone A on the Official Flood Plain Zoning Map

The boundaries shall be as shown on the Official Floodplain Zoning Map. Within these districts, all uses not allowed as Permitted Uses are prohibited unless a variance to the terms of this ordinance is granted after due consideration by the Board of Adjustment.

**160.06. STANDARDS FOR FLOODPLAIN (OVERLAY) DISTRICT.**

1. Permitted Uses
  - A. All development within the Floodplain District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet the applicable performance standards of the Floodplain District.
  - B. Any development which involves placement of structures, factory-built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse shall be reviewed by the Department of Natural Resources to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. The applicant shall be responsible for providing



the Department of Natural Resources with sufficient technical information to make the determination.

C. Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where:

- 1) The bridge or culvert is located on a stream that drains less than two (2) square miles, and
- 2) The bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(2), Iowa Administrative Code.

2. Performance Standards. All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations and floodway data have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development shall:

- 1) Be designed and adequately anchored to prevent flotation, collapse or lateral movement.
- 2) Use construction methods and practices that will minimize flood damage.
- 3) Use construction materials and utility equipment that are resistant to flood damage.

B. Residential structures - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

C. Non-residential structures - All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.

D. All new and substantially improved structures:

1) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

- a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3) New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case on non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.

4) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the

case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.

E. Factory-built homes:

- 1) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.
- 2) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

F. Utility and Sanitary Systems:

- 1) On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
- 2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.
- 3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.
- 4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

G. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.

- H. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, the Department of Natural Resources shall approve structural flood control works.
- I. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, the Department of Natural Resources must approve such alterations or relocations.
- J. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Floodplain (Overlay) District.
- K. Accessory Structures to Residential Uses
  - 1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.
    - a. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
    - b. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
    - c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
    - d. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.
    - e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
    - f. The structure's walls shall include openings that satisfy the provisions of CH 160.06 (2)(D)(1) of this Ordinance.



- 2) Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

L. Recreational Vehicles

- 1) Recreational vehicles are exempt from the requirements of CH 160.06 (2)(E) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied.
  - a. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
  - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- 2) Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of CH 160.06 (2)(E) of this Ordinance regarding anchoring and elevation of factory-built homes.

M. Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.

N. Maximum Damage Potential Development - All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

**160.07. APPOINTMENT AND DUTIES OF BOARD OF ADJUSTMENT.**

1. Appointment and Duties of Board of Adjustment - A Board of Adjustment is hereby established which shall hear and decide (i) appeals and (ii) requests for variances to the provisions of this ordinance, and shall take any other action which is required of the Board.
2. Appeals - Where it is alleged there is any error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance, the aggrieved party may appeal such action. The notice of appeal shall be filed with the Board of Adjustment and with the official from whom the appeal is taken and shall set forth the specific reason for the appeal. The official from whom the appeal is taken shall transmit to the Board of Adjustment all the documents constituting the record upon which the action appealed from was taken.
3. Variance - The Board of Adjustment may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
  - A. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
  - B. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - C. In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
  - D. All variances granted shall have the concurrence or approval of the Department of Natural Resources.
4. Hearings and Decisions of the Board of Adjustment
  - A. Hearings. Upon the filing with the Board of Adjustment of an Appeal or a request for a Variance, the Board shall hold a public hearing. The Board shall fix a reasonable time for the hearing and give public notice thereof, as well as due notice to parties in interest. At the hearing, any party may appear in person or by agent or attorney and present

written or oral evidence. The Board may require the appellant or applicant to provide such information as is reasonably deemed necessary and may request the technical assistance and/or evaluation of a professional engineer or other expert person or agency, including the Department of Natural Resources.

B. Decisions. The Board shall arrive at a decision on an Appeal or Variance within a reasonable time. In passing upon an Appeal, the Board may, so long as such action is in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or modify the order, requirement, decision, or determination appealed from, and it shall make its decision, in writing, setting forth the findings of fact and the reasons for its decision. In granting a Variance, the Board shall consider such factors as contained in this section and all other relevant sections of this ordinance and may prescribe such conditions as contained in CH 160.07(4)(B)(2).

1) Factors Upon Which the Decision of the Board of Adjustment Shall be Based - In passing upon applications for Variances, the Board shall consider all relevant factors specified in other sections of this Ordinance and:

- a. The danger to life and property due to increased flood heights or velocities caused by encroachments.
- b. The danger that materials may be swept on to other land or downstream to the injury of others.
- c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- e. The importance of the services provided by the proposed facility to the City.
- f. The requirements of the facility for a floodplain location.
- g. The availability of alternative locations not subject to flooding for the proposed use.
- h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- j. The safety of access to the property in times of flood for ordinary and emergency vehicles.

- k. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
  - l. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
  - m. Such other factors which are relevant to the purpose of this Ordinance.
- 2) Conditions Attached to Variances - Upon consideration of the factors listed above, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
- a. Modification of waste disposal and water supply facilities.
  - b. Limitation of periods of use and operation.
  - c. Imposition of operational controls, sureties, and deed restrictions.
  - d. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
  - e. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Board of Adjustment shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.
5. Appeals to the Court - Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the Board.

#### **160.08. NONCONFORMING USES.**

- 1. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:

- A. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.
  - B. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
  - C. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
2. Except as provided in CH 160.08(1)(B), any use which has been permitted as a Variance shall be considered a conforming use.

**160.09. PENALTIES FOR VIOLATION.** Violations of the provisions of this Ordinance or failure to comply with any of the requirements (including violations of conditions and safeguards established in connection with grants of Variances) shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 (FIVE HUNDRED DOLLARS) or imprisoned for not more than 30 (THIRTY) days. Each day such violation continues shall be considered a separate offense. Nothing herein contained prevent the City of Jefferson from taking such other lawful action as is necessary to prevent or remedy violation.

**160.10. AMENDMENTS.** The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2017, REGARDING THE RESPONSIBILITY FOR  
WATER SERVICE PIPES

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Amendment. Section 90.11 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by deleting the section in its entirety, and in its place a subsection stating as follows:

90.11 RESPONSIBILITY FOR WATER SERVICE PIPE. The costs and expenses incident to the installation, connection and maintenance of the water service pipe shall be in accordance with the following:

1. Property Owner. The property owner shall be responsible for all costs and expenses of the installation and maintenance of the water service pipe from the curb valve or street right of way line, whichever is closer to the main, to the building served. Additionally, for all water service pipes larger than one inch (1") in diameter, the property owner shall be responsible for all costs and expenses of the installation and connection of the water service pipe from the main to the curb valve or street right of way line, whichever is closer to the main.

2. City. The City shall be responsible for all costs and expenses of the maintenance of the water service pipe from the main to the curb valve of street right of way line, whichever is closer to the main. Additionally, for all water service pipes one inch (1") or smaller in diameter, the City shall be responsible for all costs and expenses of the installation and connection of the water service pipe from the main to the curb valve or street right of way line, whichever is closer to the main.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability. 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 4. When effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Finally passed by the Council on \_\_\_\_\_, 2023, and approved on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

- - - -

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on

\_\_\_\_\_.

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

ORDINANCE NO. \_\_\_\_\_  
**DRAFT**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2017, REGARDING THE **PARKING OF  
RECREATIONAL VEHICLES AND SIMILAR PERSONAL PROPERTY**

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Paragraph Added to Subsection. Section 69.09 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding the following second paragraph to Subsection 1:

No person shall park or store any recreational vehicle, camper, boat, trailer, or bus in the area of the front yard setback within a residential area. Any recreational vehicle, camper, boat, trailer or bus that is parked or stored in the side yard setback or rear yard setback must be parked or stored on a surface of crushed rock, concrete or asphalt. No shipping containers shall be allowed to stored or kept on any portion of a residential area, except for temporary containers utilized in moving from one residence to another, and in that case such temporary container shall be placed only on the driveway and out of the right-of-way and sidewalk, and for a period not to exceed 72 hours.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability. 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 4. When effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Finally passed by the Council on \_\_\_\_\_, 2023, and approved on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

- - - -

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on \_\_\_\_\_.

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

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DRAFT

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JEFFERSON, IOWA, 2017, TO ALLOW ZERO LOT LINE STRUCTURES

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Subsection Added. Section 165.26 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 10, which shall be as follows:

10. Zero Lot Line Structures. The purpose of this subsection is to allow for development of single-family and duplex dwellings on property with design standards prescribed to allow for zero lot line setbacks. This concept is intended to provide more usable yard area, maximize views, conserve energy, and provide development flexibility. Zero lot line development is intended to allow for alternate siting of single-family, duplex and townhouse dwellings on individual lots if the development standards of the residential zone can be met. The requirements of this chapter shall be considered as modifications to the zoning requirements relating only to setbacks. Any zero lot line development approval under this section shall be restricted to development as herein prescribed.

DRAFT

A. Zero lot line with existing subdivisions. Except as specifically provided otherwise, all requirements of plats on developed land within the City are unchanged, to include but not be limited to the application of all provisions of this title and the currently adopted International Residential Code adopted by the City.

B. Zero lot line with new subdivisions. A zero lot line development may be completed in conjunction with the subdivision of property through the subdivision process. Zero lot line applications in conjunction with plats by survey must be presented at a public hearing before approval may be granted.

C. Zero lot line design standards. Notwithstanding any other provision in the Code of Ordinances of the City of Jefferson and this title, a zero lot line development may be approved and thereafter developed in conformity with the following design standards:

- a. All dwellings constructed within the zero lot line development shall be so constructed as to share a common property line with an adjoining parcel or lot.
- b. All lots located within a zero lot line development shall be designated as having the following property lines:

DRAFT

- i. Front street property line, which shall be the property line adjacent to the street or public thoroughfare by which access is gained to the lot;
  - ii. Rear lot line, which shall be the lot line opposite the front street property line;
  - iii. Interior property line, which shall mean the lot line shared with the adjoining parcel or lots except for corner lots, where the side street property line shall be known as the side street property line;
  - iv. Common property line shall mean the property line on which the dwelling structure is located, and which is shared with an adjoining property owner;
  - v. The dwelling unit shall be placed upon only one interior property line with zero setbacks.
- c. No zero lot line shall be allowed for the yard adjacent to a public or private street.
- d. Each dwelling shall be located on its own individual platted lot. The plat shall indicate the zero lot line easements and restrictions appurtenant thereto. A construction maintenance agreement between the owners of the zero lot line lots shall be prepared at the expense of the property owners and recorded in the Greene County Recorder's Office. The agreement shall provide for a minimum five-foot reciprocal repair and maintenance easement extending in all directions from all zero setback walls. The purpose of the easement is for the maintenance and repair of the dwellings located on the zero lot line. The agreement shall address how maintenance and repairs are to be paid for, as well as how new construction shall be agreed to by the property owners. Restrictions shall be provided to limit changes of color, materials, and design of the dwelling as to be compatible with the attached unit.

SECTION 2. Subsection Added. Section 165.28 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 10, which shall be as follows:

10. Zero Lot Line Structures. The purpose of this subsection is to allow for development of single-family and duplex dwellings on property with design standards prescribed to allow for zero lot line setbacks. This concept is intended to provide more usable yard area,

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maximize views, conserve energy, and provide development flexibility. Zero lot line development is intended to allow for alternate siting of single-family, duplex and townhouse dwellings on individual lots if the development standards of the residential zone can be met. The requirements of this chapter shall be considered as modifications to the zoning requirements relating only to setbacks. Any zero lot line development approval under this section shall be restricted to development as herein prescribed.

D. Zero lot line with existing subdivisions. Except as specifically provided otherwise, all requirements of plats on developed land within the City are unchanged, to include but not be limited to the application of all provisions of this title and the currently adopted International Residential Code adopted by the City.

E. Zero lot line with new subdivisions. A zero lot line development may be completed in conjunction with the subdivision of property through the subdivision process. Zero lot line applications in conjunction with plats by survey must be presented at a public hearing before approval may be granted.

F. Zero lot line design standards. Notwithstanding any other provision in the Code of Ordinances of the City of Jefferson and this title, a zero lot line development may be approved and thereafter developed in conformity with the following design standards:

DRAFT

- a. All dwellings constructed within the zero lot line development shall be so constructed as to share a common property line with an adjoining parcel or lot.
- b. All lots located within a zero lot line development shall be designated as having the following property lines:
  - i. Front street property line, which shall be the property line adjacent to the street or public thoroughfare by which access is gained to the lot;
  - ii. Rear lot line, which shall be the lot line opposite the front street property line;
  - iii. Interior property line, which shall mean the lot line shared with the adjoining parcel or lots except for corner lots, where the side street property line shall be known as the side street property line;
  - iv. Common property line shall mean the property line on which the dwelling structure is located, and which is shared with an adjoining property owner;
  - v. The dwelling unit shall be placed upon only one interior property line with zero setbacks.

- c. No zero lot line shall be allowed for the yard adjacent to a public or private street.
- d. Each dwelling shall be located on its own individual platted lot. The plat shall indicate the zero lot line easements and restrictions appurtenant thereto. A construction maintenance agreement between the owners of the zero lot line lots shall be prepared at the expense of the property owners and recorded in the Greene County Recorder's Office. The agreement shall provide for a minimum five-foot reciprocal repair and maintenance easement extending in all directions from all zero setback walls. The purpose of the easement is for the maintenance and repair of the dwellings located on the zero lot line. The agreement shall address how maintenance and repairs are to be paid for, as well as how new construction shall be agreed to by the property owners. Restrictions shall be provided to limit changes of color, materials, and design of the dwelling as to be compatible with the attached unit.

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

SECTION 4. Severability. 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 after its final passage, approval and publication as provided by law.

Finally passed by the Council on \_\_\_\_\_, 2023, and approved on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

- - - -

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on \_\_\_\_\_.

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

ORDINANCE NO. \_\_\_\_\_

**DRAFT**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2017, TO ALLOW FOR  
**INFILL SITE DEVELOPMENT**

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Subsection Added. Section 165.07 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 94, which shall be as follows:

94. Infill Development. The construction of a building or structure on an undeveloped parcel located in a predominantly developed area.

SECTION 2. Subsection Added. Section 165.07 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 95, which shall be as follows:

95. Infill Site. Any undeveloped lot, parcel or tract within developed areas and where water, sewer, streets and fire protection have already been constructed or are provided to the predominantly developed area.

SECTION 3. Subsection Added. Section 165.26 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 5(K), which shall be as follows:

Infill Development. Notwithstanding anything to the contrary in this Section 165.26, the minimum front yard setback of a residential dwelling on an Infill Site shall be the minimum front yard setback of the dwelling closest to the street on the same block that faces the same street that abuts the Infill Site, exclusive of steps, decks and other accessor structures.

SECTION 4. Subsection Added. Section 165.28 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 5(K), which shall be as follows:

Infill Development. Notwithstanding anything to the contrary in this Section 165.26, the minimum front yard setback of a residential dwelling on an Infill Site shall be the minimum front yard setback of the dwelling closest to the street on the same block that faces the same street that abuts the Infill Site, exclusive of steps, decks and other accessor structures.

SECTION 5. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. Severability. 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.

**DRAFT**

**DRAFT**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JEFFERSON, IOWA, 2017, REGULATING FENCING MATERIALS

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Subsection Added. Section 165.45 of the Code of Ordinances of the City of Jefferson, Iowa, 2017, is hereby amended by adding Subsection 9, which shall be as follows:

9. Fence Materials. Fences in every district shall conform to the following specifications:

- A. Fences shall be constructed only of materials commonly used for landscaping or fencing, such as masonry block, brick, field stone, limestone, concrete, lumber, vinyl, or chain link. Fences shall not be constructed from corrugated sheet metal, chicken wire, livestock panels or salvage material. Vertical board fences shall have a maximum edge to edge spacing between the boards of one inch less than the width of the widest board.
- B. Fences shall not be electrified.
- C. Chain link fences shall have a maximum opening between the links of 2 3/8 inches as measured diagonally. Support posts shall be firmly implanted in the ground and shall be spaced not more than ten feet apart. Chain link fencing shall be attached to the top rail by fence ties at intervals of not more than three feet apart. Fencing shall be attached to the support posts and top rail by using standard chain link fence hardware.
- D. Wrought iron fences shall have a maximum spacing of four inches between the vertical rails and a minimum spacing of five feet between the horizontal rails.
- E. The finished side of any fence shall face out from the enclosed lot.
- F. Every fence shall remain structurally sound and in a good state of repair or shall be removed.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING THE REMOVAL OF NO PARKING LINES ON THE EAST AND WEST SIDES OF SOUTH VINE STREET ADJACENT TO EAST MONROE STREET

WHEREAS, the City of Jefferson previously enacted Sections 69.04(10) and 69.04(12) of the Code of Ordinances of the City of Jefferson, Iowa, 2017, allowing, in pertinent part, diagonal parking on both the east and the west sides of South Vine Street between East Harrison Street and East Monroe Street;

WHEREAS, when the building located at 203 West Harrison Street served as the Greene County Community School District's Middle School, a crosswalk was established from the east side to the west side of South Vine Street just north of East Monroe Street;

WHEREAS, when the crosswalk was established City staff painted no parking lines to restrict parking in the crosswalk area;

WHEREAS, the building located at 203 West Harrison Street no longer serves as the Greene County Community School District's Middle School, and City staff has determined it appropriate to remove the no parking lines in the crosswalk area to remove the restriction of diagonal parking in the area in accordance with Sections 69.04(10) and 69.04(12) of the Code of Ordinances of the City of Jefferson, Iowa, 2017; and

WHEREAS, it is deemed to be in the best interests of the City of Jefferson, Iowa, that the no parking lines noted herein be removed.

NOW, THEREFORE, It Is Resolved by the City Council of Jefferson, Iowa as follows:

Section 1. The City approves removal of the no parking lines painted on the east and west sides of South Vine Street just north of East Monroe Street.

Section 2. The Mayor, City Clerk, and City Administrator are authorized to take such further action as may be necessary to carry out the intent and purpose of this resolution.

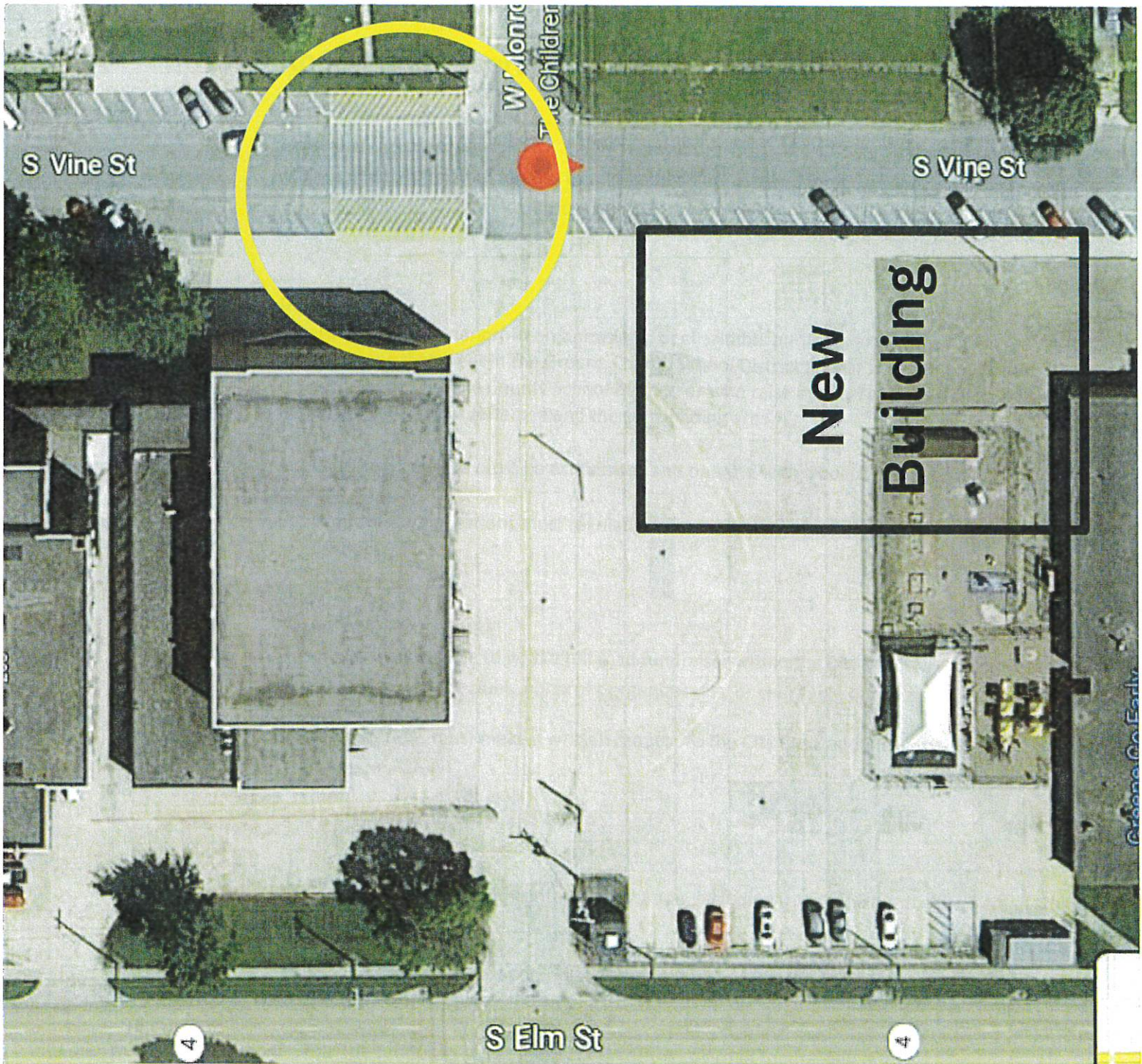
Section 3. All resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption and approval.

Passed and approved on September 26, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk



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1



- 6) A copy of the requesting group's insurance certificate
- B. Toll Road Fundraisers are allowed only at intersections with 4-way stop signs.
- C. The Water, Sewer, Streets Committee will review the request and make a recommendation to the City Council based on the criteria established by this policy. Only the City Council may formally approve the request for a toll road fundraiser.

If the Water, Sewer, Streets Committee recommends against approving the request and the organization feels their project meets the criteria, they may appeal the committee's decision before the City Council at their next regularly scheduled meeting.

#### 4. **INSURANCE**

- A. There must be a valid insurance certificate accompanying each request that indicates the insured and lists the City as an additional insured.
- B. The insurance must contain liability coverage with a minimum amount of \$1,000,000 per occurrence and holding the City harmless for any damage or injuries caused as a part of the fund raising activity.

#### 5. **RESERVING A DATE**

Upon approval of the City Council, the date for the toll road fundraising event is considered reserved. Dates may be reserved on a first come, first served basis with a maximum of one toll road fundraising event permitted per calendar month.

#### 6. **REQUIREMENTS**

The following is a list of some of the requirements for operating a toll road fundraiser:

- A. Hours shall be between 6:00 a.m. – 6:00 p.m.
- B. There must be adult supervision at all times.
- C. No child under 14 years of age is permitted in the street.
- D. All volunteer participants must wear outer clothing that is bright and / or made of reflectorized material.
- E. All volunteers must wear or carry information identifying them as a volunteer of the sponsoring organization.

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- F. Vehicles must be provided with some type of material, placard, brochure, or other suitable item to serve as recognition that the car has been stopped once already.
- G. Approved Toll Road Fundraisers shall also obtain a Solicitors Permit per Chapter 122 of the City Code of Ordinances.

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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING POLICY REGARDING ISSUANCE OF  
SOLICITOR LICENSE

WHEREAS, solicitor licenses are issued only pursuant to Chapter 122 of the Code of Ordinances of the City of Jefferson, Iowa, 2017;

WHEREAS, additional guidance to City staff and employees is needed in order to comply with Chapter 122 when solicitors desire to utilize public streets to solicit funds from motorists; and

WHEREAS, the attached policy has been developed to assist staff and employees when being presented with an application for a solicitor license, and the City Council desires that it be so utilized.

NOW, THEREFORE, It Is Resolved by the City Council of Jefferson, Iowa as follows:

Section 1. The City approves the attached policy regarding the issuance of licenses for solicitors when desiring to utilize public streets to solicit funds.

Section 2. The Mayor, City Clerk, and City Administrator are authorized to take such further action as may be necessary to carry out the intent and purpose of this resolution.

Section 3. All resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption and approval.

Passed and approved on September 26, 2023.

\_\_\_\_\_  
Matt Gordon, Mayor

Attest:

\_\_\_\_\_  
Roxanne Gorsuch, City Clerk

2/3A



PO Box 632  
Humboldt, IA 50548  
(515)332-4208 office • (515)332-3653 fax

City of Jefferson

- East McKinley: Overpass to N Cedar 6620 SY
  - Mill off existing asphalt and repave with 2" of new hot mix asphalt from curb to curb
  - Includes 20' back on intersections at Vine, Wilson, Chestnut, Locust, and Olive
  - Includes 9 manhole risers & 5 water valve risers  
(see photo) \$133,072.50
  
- West McKinley: Overpass to Pinet 4578 SY
  - Mill off existing asphalt and repave with 2" of new hot mix asphalt from curb to curb
  - Includes 20' back on intersections at Oak, Maple, and South on Pinet, and 50' back North on Pinet
  - Includes 1 manhole riser (other manholes to be matched)  
(see photo) \$101,077.50
  
- Grimmel Road: Lincoln Way to South of Monroe 2451 SY
  - Mill off existing asphalt and repave with 2" of new hot mix asphalt from curb to curb
  - Includes 10' back at Harrison intersection and 20' back at Monroe intersection
  - Includes 2 manhole risers  
(see photo) \$48,790.50
  
- Parking Lot at Harrison and Wilson approximately 939 SY
  - Mill off 2" of existing asphalt and repave with 2" of new hot mix asphalt  
(see photo) \$21,594.00

Robert P. Weyner  
Proposed by

8-25-23  
Date

\_\_\_\_\_  
Accepted by

\_\_\_\_\_  
Date

44

GZIMM 54

You are currently running an experimental version of Earth.

[Learn more](#) [Send feedback](#)

Connie Semke  
Temporarily closed

Camera: 690 m 42°00'47"N 94°23'13"W 325 m

50 m

Google Earth Imagery date: 9/4/19 - newer

Open Bible Church

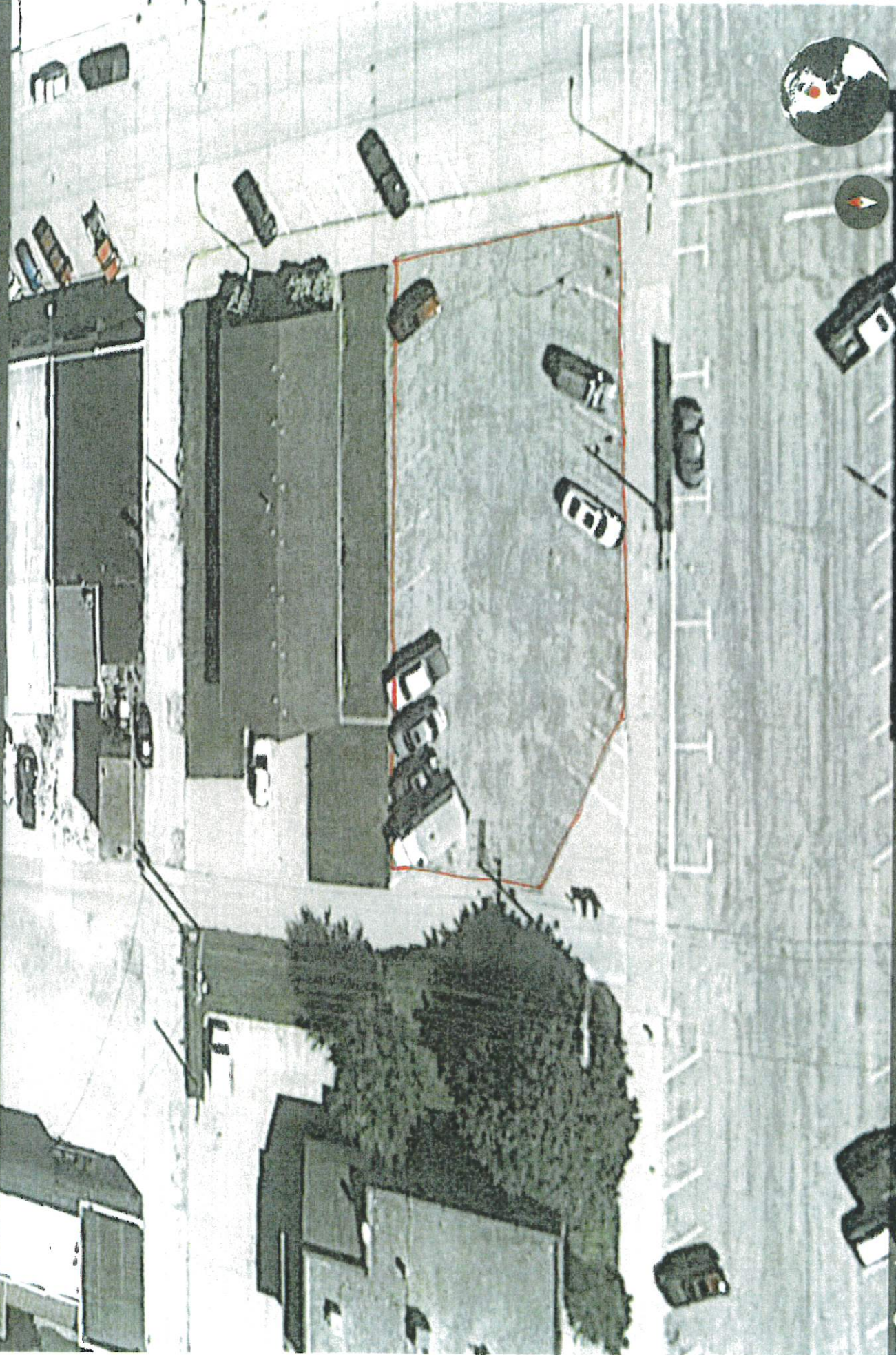
45

Parking lot

You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



Google Earth Imagery date: 9/4/19 - newer

10 m

Camera: 419 m 42°00'51"N 94°22'30"W

325 m

46

CHANGE ORDER NO. 1

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CONSTRUCT BOX HANGAR  
JEFFERSON MUNICIPAL AIRPORT

DATE OF ISSUANCE September 26, 2023

EFFECTIVE DATE September 26, 2023

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OWNER CITY OF JEFFERSON, IA

Contract No. IDOT Project No. 9I240EFW100

CONTRACTOR JENSEN BUILDERS, LTD.

FAA AIP 3-19-0049-019-2023

ENGINEER BOLTON & MENK, INC.

FAA AIG-BIL 3-19-0049-020-2023

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You are directed to make the following changes in the Contract Documents.

Description: This change order is to provide construction items related to Bid Alternates B and for Bid Alternate C. These items were approved previously by the council, pending receipt of an Iowa DOT Grant. At the time of the contract, only the FAA grant was in hand. Therefore a contract was established with the contractor based on the base bid. To include these items into the contract, a change order is now warranted.

Attachments:

1. Change Order #1 – Supporting Documentation
2. Exhibit A – Contract Provisions – Targeted Small Business (TSB) Affirmative Action Responsibilities, dated September 2020

**CHANGE ORDER NO. 1**

**CONSTRUCT BOX HANGAR  
JEFFERSON MUNICIPAL AIRPORT**

DATE OF ISSUANCE September 26, 2023

EFFECTIVE DATE September 26, 2023

OWNER CITY OF JEFFERSON, IA  
CONTRACTOR JENSEN BUILDERS, LTD.  
ENGINEER BOLTON & MENK, INC.

Contract No. IDOT Project No. 9I240EFW100  
FAA AIP 3-19-0049-019-2023  
FAA AIG-BIL 3-19-0049-020-2023

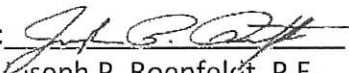
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price	Original Contract Times
<u>\$ 1,190,028.00</u>	Substantial Completion: <u>80 Calendar Days*</u> Final Completion: <u>0</u>
Net changes from previous Change Orders No. <u>N/A to N/A</u>	Net changes from previous Change Orders No. <u>N/A to N/A</u>
<u>\$0.00</u>	<u>0</u>
Contract Price Prior to this Change Order	Contract Times prior to this Change Order
<u>\$ 1,190,028.00</u>	Substantial Completion: <u>80 Calendar Days*</u> Final Completion: <u>0</u>
Net Increase of this Change Order	Net Increase (decrease) of this Change Order
<u>\$ 48,450.00</u>	Substantial Completion: <u>0</u> Final Completion: <u>0</u>
Contract Price with all approved Change Orders	Contract Times with all approved Change Orders
<u>\$ 1,238,478.00</u>	Substantial Completion: <u>80 Calendar Days*</u> Final Completion: <u>0</u>

\*After Delivery of Building

RECOMMENDED:

APPROVED

ACCEPTED:

By:   
Joseph P. Roenfeldt, P.E.  
Bolton & Menk, Inc.

By: \_\_\_\_\_  
Scott Peterson  
City Administrator

By:   
Jack Kersten  
Project Manager

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CHANGE ORDER NO. 1

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CONSTRUCT BOX HANGAR  
JEFFERSON MUNICIPAL AIRPORT

DATE OF ISSUANCE September 26, 2023

EFFECTIVE DATE September 26, 2023

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OWNER CITY OF JEFFERSON, IA

Contract No. IDOT Project No. 9I240EFW100

CONTRACTOR JENSEN BUILDERS, LTD.

FAA AIP 3-19-0049-019-2023

ENGINEER BOLTON & MENK, INC.

FAA AIG-BIL 3-19-0049-020-2023

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**HAS THIS CHANGE ORDER BEEN DISCUSSED WITH CITY OFFICIALS?**

Items of this Change Order have been discussed with the City Council of Jefferson, IA at the time of acceptance of the bids. Items related to this change order were awarded, subject to receipt of a grant from the Iowa DOT. At the time of the contract, only the FAA grant was in hand. Therefore a contract was established with the contractor based on the base bid. To include these items into the contract, a change order is now warranted.

**1. BRIEF DESCRIPTION OF THE PROPOSED CONTRACT CHANGE(S) AND LOCATION(S).**

Cost related to Bid Alternates B and C were included in the Engineers Letter of Recommendation and the City's Recommendation of Award to be included in the project, contingent upon receipt of a grant from the Iowa DOT.

**2. REASON(S) FOR THE CHANGE(S).**

Grant has been received from the Iowa DOT.

**3. JUSTIFICATIONS FOR UNIT PRICES OR TOTAL COST.**

Costs were obtained at the time of bidding and the contractor is willing to honor those bid unit prices as a part of this change order.

**4. CONFORMANCE WITH SPECIFICATIONS AND SUDAS STANDARDS.**

All items mentioned in this Change Order will comply with the Project Specifications.

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## CHANGE ORDER SUPPORTING DOCUMENTATION

ITEM NO.	ITEM	UNIT	UNIT PRICE	ORIGINAL BID QUANTITY	ORIGINAL BID COST	CHANGE ORDER UNIT PRICE CHANGE	CHANGE ORDER QUANTITY CHANGE	REVISED CONTRACT QUANTITY	REVISED CONTRACT COST	CURRENT CHANGE ORDER VALUE
CO1-B1	AGGREGATE BASE COURSE, 6"	SY	\$ -	0	\$ -	\$ 18.00	115	115	\$ 2,070.00	\$ 2,070.00
CO1-B2	SEPARATION GEOTEXTILE	SY	\$ -	0	\$ -	\$ 4.00	115	115	\$ 460.00	\$ 460.00
CO1-B3	CONCRETE PAVEMENT, 6"	SY	\$ -	0	\$ -	\$ 68.00	90	90	\$ 6,120.00	\$ 6,120.00
CO1-B4	HANGAR ROLL UP DOOR	LS	\$ -	0	\$ -	\$ 10,000.00	1	1	\$ 10,000.00	\$ 10,000.00
CO1-C1	AGGREGATE BASE COURSE, 6"	SY	\$ -	0	\$ -	\$ 18.00	350	350	\$ 6,300.00	\$ 6,300.00
CO1-C2	SEPARATION GEOTEXTILE	SY	\$ -	0	\$ -	\$ 4.00	350	350	\$ 1,400.00	\$ 1,400.00
CO1-C3	CONCRETE PAVEMENT, 6"	SY	\$ -	0	\$ -	\$ 68.00	325	325	\$ 22,100.00	\$ 22,100.00
<b>TOTAL AMOUNT CHANGE ORDER NO. 1</b>										<b>\$ 48,450.00</b>

Change Order No.: 1 Project: Construct Box Hangar  
 Engineers Project No.: 0T5.125744 FAA AIG-BIL: 3-19-0049-020-2023 IDOT Prj No. 91240 EFW100  
 FAA AIP: 3-19-0049-019-2023

## Narrative for Jefferson WWTP Influent Line

To enable SCI to install the Biosolids Loadout Building we are putting forth this plan of action which we believe will be best for construction and leave the city with the best end game.

Shank proposes to move the existing 24" VCP line 1'6" +/- to the north and lower it 12" to 14". While converting the VCP to DIP.

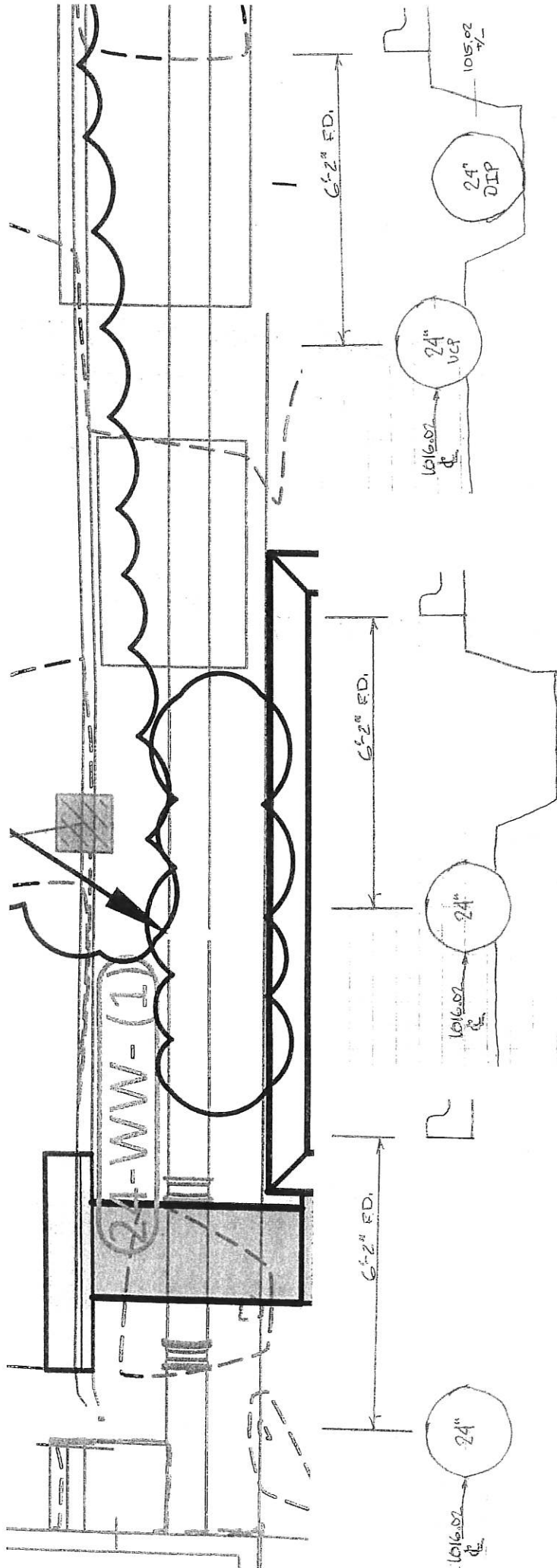
The drawing shows the existing pipe curb relationship, the prework excavation (if possible) and the final location of the 24" DIP.

While Shank is responsible for soil retention of the structure, all types of retention will result in  $\frac{3}{4}$ " to 1" of settlement and not knowing if the VCP can absorb that type of movement Shank believes it would be to everyone's best interest to minimize all parties risk by moving the line and changing material type.

By rolling the vertical rise to the horizontal and using the MJ 45° salvaged from the rapid mix excavation we believe it will minimize the cost to all.

Shank is proposing that the city pay for the piping materials only and Shank will provide the bypass pumping and labor for installation in lieu of the shown retention.

Shank will still do the soil correction as shown on the drawings.



Existing

Proposed

Final

1. Excavate both sides of existing 24".
2. Prework for bypass.
3. Bag off manhole 2 and install 4" submersible pump discharge to in front of bar screen.
4. Bag off 24" and east wall of Headworks building.
5. Excavate along 24" MJ 22-1/2 and roll down to 1% grade or 1/8"/ft.
6. Lay 24" DIP for 60' to east at 1%.
7. Use 24" MT 45 from rapid mix tank work to realign with existing 24" VCP and connect with existing repair coupling.



Real People. Real Solutions.

300 W McKinley Street  
PO Box 68  
Jefferson, IA 50129

Ph: (515) 386-4101  
Bolton-Menk.com

**ADDENDUM #2 TO PROFESSIONAL SERVICES AGREEMENT**  
**RUSSELL STREET WATERMAIN IMPROVEMENT - 2022**

DATED January 24, 2022

by and between

**Bolton & Menk, Inc. (hereinafter referred to as BMI)**  
300 W McKinley Street  
PO Box 68  
Jefferson, IA 50129  
and

Client	
Name: <u>City of Jefferson, IA</u>	Phone No.: <u>515-386-3111</u>
Address: <u>220 N. Chestnut St.</u>	Fax No.:
City: <u>Jefferson</u> State: <u>IA</u> Zip: <u>50129</u>	
(hereinafter referred to as Client)	

Changes to Fee Arrangement
Addition of Hourly, Not to Exceed amount of \$6,000.00 to the total fees provided in the contract. Revised Total Not to Exceed fee of \$79,000.

Changes to Scope / Additional Services
Bolton & Menk, Inc. agrees to complete the Construction Contract Administration and Construction Phase Services tasks of the original agreement and previous estimate of additional work on Oak St.
Original and amended effort have been exceeded due to the work by the contractor taking longer than anticipated. Replacement of pavement was completed by several small pours on multiple days.

**BMI and Client agree to the Terms and Conditions as stated on the original Agreement (first mentioned above) unless otherwise stated above. The below signed represents that he or she has been authorized to order and accept changes to Scope / Additional Services on behalf of the Client.**

Offered by: Bolton & Menk, Inc.  
Matthew W. Ferrier, Principal  
print name title  
signature and date

Ordered and Accepted by:  
\_\_\_\_\_  
print name title  
signature and date

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**BOLTON  
& MENK**

Real People. Real Solutions.

300 W McKinley Street  
PO Box 68  
Jefferson, IA 50129

Ph: (515) 386-4101  
Bolton-Menk.com

**ADDENDUM #2 TO PROFESSIONAL SERVICES AGREEMENT**

**CITY HALL ENTRANCE IMPROVEMENTS**

**DATED April 27, 2021**

by and between

**Bolton & Menk, Inc. (hereinafter referred to as BMI)**

**300 W McKinley Street**

**PO Box 68**

**Jefferson, IA 50129**

and

Client	
Name: <u>City of Jefferson, IA</u>	Phone No.: <u>515-386-3111</u>
Address: <u>220 N. Chestnut St.</u>	Fax No.:
City: <u>Jefferson</u> State: <u>IA</u> Zip: <u>50129</u>	
(hereinafter referred to as Client)	

Changes to Fee Arrangement
Addition of Hourly, Not to Exceed amount of \$10,500.00 to the total fees provided in the contract. Revised Total Not to Exceed fee of \$38,000.

Changes to Scope / Additional Services
Bolton & Menk, Inc. agrees to complete the Re-Bidding Phase Services including updates to the Plans and Specifications (\$2,400) and completing the public bidding process for a second time (\$3,000).
Also, the contractor is new to the City and Bolton & Menk and ensuring the project goes as planned has increased the construction phase services for on-site observation (\$5,100).

**BMI and Client agree to the Terms and Conditions as stated on the original Agreement (first mentioned above) unless otherwise stated above. The below signed represents that he or she has been authorized to order and accept changes to Scope / Additional Services on behalf of the Client.**

Offered by: Bolton & Menk, Inc.

Matthew W. Ferrier, Principal

print name title

\_\_\_\_\_

signature and date

Ordered and Accepted by:

\_\_\_\_\_

print name title

\_\_\_\_\_

signature and date

Addendum 2 to Professional Services Agreement

City Hall Entrance Improvements

September 19, 2023

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COUNCIL MEETING  
SEPTEMBER 12, 2023  
5:00 P.M.

PRESENT: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek  
ABSENT: None

Mayor Gordon presided.

On motion by Jackson, second by Wetrich, the Council moved to go into Closed Session strategy meeting of a public employer regarding an employee organization pursuant to Iowa Code Section 20.17(3).

AYE: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek  
NAY: None

On motion by Jackson, second by Wetrich, the Council moved to return to open session.

AYE: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek  
NAY: None

During the open forum Jim North read a letter from Allison Drewry addressed to the Council regarding an incident involving her dog.

During the open forum Noel Drewry addressed the Council about his daughter Allison Drewry moving back to her hometown Jefferson and how he felt Jefferson treated her poorly.

On motion by Zmolek, second by Jackson, the Council approved the following consent items: FY. 22-23 Annual Financial Report, FY 22-23 Annual Urban Renewal Report, Wild Rose Jefferson, LLC Class C Retail Alcohol License LC, payment of monthly bill from City funds, and August 22, 2023 council minutes.

AYE: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek  
NAY: None

Karie Ramsey, CEO of Kading Properties gave a presentation with information on Kading Housing.

**ORDINANCE NO. 624**

On motion by Jackson, second by Ahrenholtz, the Council approved the third reading and final adoption of an ordinance amending the code of ordinances of the City of Jefferson, Iowa, 2017, by amending provisions relating to building permit fees.

AYE: Zmolek, Wetrich, Sloan, Jackson, Ahrenholtz  
NAY: None

Denny Hammen, Greene County Community Center Parks and Recreation director approached the Council with a proposed project in constructing two pickleball courts in Russel Park. His proposal was to use \$40,000 from the Radebaugh fund trust as match for grants and also private fundraising. On motion by Ahrenholtz, second by Sloan, the Council approved the amount of \$40,000 could be used toward the pickleball project.

AYE: Jackson, Sloan, Wetrich, Zmolek, Ahrenholtz  
NAY: None

On motion by Jackson, second by Ahrenholtz, the Council approved a forgivable loan application for renovations of \$70,000 for Greene Ventures LLC building located at 200 and 202 North Wilson.

AYE: Wetrich, Sloan, Jackson, Ahrenholtz, Zmolek  
NAY: None

On motion by Sloan, second by Jackson, the Council approved Pay estimate #7 to Shank Constructors, Inc., of \$537,584.11 for Wastewater Treatment Plant Project.

AYE: Zmolek, Ahrenholtz, Jackson, Sloan, Wetrich  
 NAY: None

**RESOLUTION NO. 48-23**

On motion by Ahrenholtz, second by Wetrich, the Council approved Resolution No. 48-23, a resolution setting public hearing regarding adoption of the 2023 Department of Natural Resources Floodplain Ordinance.

AYE: Zmolek, Wetrich, Sloan, Jackson, Ahrenholtz  
 NAY: None

On motion by Wetrich, second by Jackson, the Council approved to move forward with what the planning and zoning commission recommended and draft the ordinance pertaining to Camper/RV/Boat/Trailer Parking, Zero Lot Line Zoning, Front Yard Setbacks for Infill Lots, and Fence Regulations.

AYE: Ahrenholtz, Jackson, Sloan, Wetrich, Zmolek  
 NAY: None

The following bill were approved for payment from the City funds:

ABC PEST CONTROL	SW PEST CONTR	143.32
ACCESS SYSTEMS	RN COPIES OVERAGE	73.32
ACCESS SYSTEMS LEASING	COPIER LSE	1,119.64
ACCO UNLIMITED CORP	WA SUPP	4,933.59
ACUSHNET COMPANY	GCRSE BAGS;SUPP	1,411.09
AFLAC	AFLAC INS W/H	35.36
AG SOURCE COOP SERV	SW/WA TSTG	2,207.50
ALL STAR PRO GOLF	GCRSE PENCILS	189.01
ALLIANT ENERGY	UTILITIES	31,595.81
AMAZON	OFFICE SUPP	731.38
ANDY & JUDY MURPHY	WA DEP REF	94.56
BAKER & TAYLOR INC.	LB MOVIES;BOOKS;SUPP	3,099.97
BARCO MUNICIPAL PRODUCTS	RUT SUPP	303.09
BILL MONROE	SIDEWALK PROGRAM	3,400.00
BOLTON & MENK INC	WWTF IMPROV (0317415)	56,449.62
BOMGAARS	SUPP	1,832.34
BOONE GLASS CO	RN WINDOW	1,038.65
BRADLEY PATIENCE	WA DEP REF	95.21
BRICK GENTRY P.C.	PA LEGALS	405.00
C&D MASONRY INC	MEYTHALER/VFW(FORGIV LN)	103,615.00
CAMPBELL SUPPLY CO.	PK PAINT	760.80
CARD SERVICE CENTER	CREDIT CARD	2,688.67
CARROLL COUNTY SOLID WASTE	RC MRKTG FEES	306.90
CENGAGE LEARNING INC / GAL	LB BOOKS	186.31
CENTER POINT LARGE PRINT	LB BOOKS	748.18
CENTRAL IOWA BUILDING SUPP	PK TUBE	81.53
CENTRAL IOWA READY MIX	RUT CONCRETE	5,355.00
CHAD STEVENS	REIMB;H INS SINK	1,817.07
CHERYL MCALISTER	WA DEP REF	23.72
CHRIS & AMY MILLIGAN	SIDE WALK PROG	3,000.00
CINTAS CORP	FIRST AID	584.91
CLARION DISTRIBUTING LLC	SN CLEANER	161.00
CLEANING SOLUTIONS INC.	RN CLEAN	4,644.00
COBRAHELP	PA FEE	48.00
COMMUNITY INS AGENCY	WORK COMP 22/23	8,200.00