

RESOLUTION NUMBER 021311

RESOLUTION DIRECTING NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST OF CONSTRUCTION OF 5TH AVENUE SW, VERNON ROAD AND HIGHWAY 9 WATERMAIN IMPROVEMENTS, IN AND FOR THE CITY OF CRESCO, IOWA, AND THE TAKING OF BIDS FOR SAID IMPROVEMENTS

Council Member _____ introduced the following Resolution entitled “Resolution Directing Notice to Bidders and Notice of Public Hearing on Proposed Plans, Specifications, Form of Contract, and Estimate of Cost of Construction of 5th Avenue SW, Vernon Road and Highway 9 Watermain Improvements, in and for the City of Cresco, Iowa, and the Taking of Bids for Said Improvements” and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____
Nays: _____
Absent: _____

Thereupon, the Mayor declared said Resolution duly adopted.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

That WHKS & Co., Engineers, are hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of 5th Avenue SW, Vernon Road and Highway 9 Watermain Improvements.

BE IT FURTHER RESOLVED that the Engineers are hereby ordered and directed to prepare and file with the Clerk a Notice to Bidders and form of contract for the construction of 5th Avenue SW, Vernon Road and Highway 9 Watermain Improvements.

PASSED AND APPROVED THIS 18TH DAY OF FEBRUARY, 2013.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

NOTICE TO BIDDERS AND NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR CONSTRUCTION OF 5TH AVENUE SW, VERNON ROAD AND HIGHWAY 9 WATERMAIN IMPROVEMENTS, IN AND FOR THE CITY OF CRESCO, IOWA, AND THE TAKING OF BIDS FOR SAID IMPROVEMENTS

~~Sealed proposals, subject to the conditions contained herein, will be received by the City Clerk of the City of Cresco, Iowa, at the City Clerk's office in City Hall, 130 North Park Place, Cresco, Iowa, 52136 before 4:00 o'clock p.m. on the 14th day of March, 2013, for:~~

~~Construction of 5th Avenue SW, Vernon Road and Highway 9 Watermain improvements, as hereinafter described in general and as described in detail in the plans and specifications now on file in the office of the City Clerk, Cresco, Iowa.~~

Proposals received will be considered by the City Council at 7:00 o'clock p.m. on the 18th day of March, 2013, and will be acted upon at such time or at such later time as may then be fixed. At said time specified above at the City Council Chambers in said City Hall, a hearing will be held on the proposed plans, specifications, form of contract, and estimate of cost for said Improvements, and at said hearing any interested person may appear and file objections thereto.

The extent of the work involved is the furnishing of labor and new materials for the construction of 5th Avenue SW, Vernon Road and Highway 9 Watermain Improvements.

The Proposal shall be made out on the form furnished by the City of Cresco and obtained from WHKS & Co., Engineers, Planners, and Surveyors, and must be accompanied in a sealed envelope by either: (1) a certified check, or a cashier's check drawn on an Iowa bank, or a bank chartered under the laws of the United States, in an amount of 5% of bid amount; or (2) a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount of 5% of bid amount; or (3) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of 5% of bid amount.

The bid security shall be made payable to the Treasurer of the City of Cresco, Iowa.

The bid security must not contain any conditions either in body or as an endorsement thereon. The bid security shall be forfeited to the Owner in the event the successful bidder fails or refuses to enter into contract within ten (10) days after the award of contract and post bond satisfactory to the Owner insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and the other contract documents. The Owner will accept bid bond forms that meet the Requirements of Iowa Code, Section 38.8.

Bidders shall not be permitted to withdraw their bids for a period of thirty (30) days after the same are opened.

By virtue of statutory authority, preference will be given to products and provisions grown and produced within the State of Iowa and to Iowa domestic labor.

The right is reserved, as the interest of the Owner may require, to reject all bids, any unresponsive bid and to waive technicalities in bids received.

The Contractor shall commence work after the Notice to Proceed is issued and shall complete all work on or before August 30, 2013.

Payment to the Contractor for said Project will be made in cash derived from the proceeds of the issuance of bonds as may be legally used for such purposes, governmental grants and/or from cash on hand. Any combination of the above methods of payment may be used at the discretion of the Owner.

The successful bidder will be required to furnish a bond in an amount equal to one hundred (100) percent of the contract price, said bond to be issued by a responsible surety approved by the Owner and which shall guarantee a faithful performance of the Contract and the terms and conditions therein contained and shall guarantee the prompt payment of all materials and labor and protect and save harmless the Owner from claims and damages of any kind caused by the operations of the Contractor and shall also guarantee the maintenance of the improvements constructed for a period of two (2) year(s) after completion and acceptance by the Owner.

Plans and specifications governing the construction of the proposed improvements have been prepared by WHKS & Co., Engineers, Planners, and Surveyors, which plans and specifications and the proceedings of the Owner referring to and defining said proposed improvements are hereby made a part of the Notice by reference, and the proposed contract shall be executed in compliance therewith. Copies of said plans and specifications are now on file with the City Clerk and at the offices of WHKS & Co., and may be examined by the bidders.

Plans and specifications are available to download free of charge at www.questcdn.com, please use eBidDoc No. _____. Paper copies can be obtained from WHKS & Co., Engineers, Planners, and Surveyors, 2905 South Broadway, Rochester, MN, for a refundable deposit of \$100.00. If the plans and specifications are not returned to WHKS & Co. within fourteen (14) days after the award of the project and in reusable condition, the deposit shall be forfeited.

Published upon order of the City Council of the City of Cresco, Iowa.

CITY OF CRESCO, IOWA

Attest: _____ /s/ Michelle Girolamo
City Clerk

RESOLUTION NUMBER 021310

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO ENTER INTO A CONSULTANT AGREEMENT WITH
KIRKHAM, MICHAEL & ASSOCIATES, INC**

WHEREAS, the City of Cresco has determined that it needs an updated Airport Layout Plan to enable the City to make informed decisions and to apply for grants in the future; and

WHEREAS, the City of Cresco has received a grant from the Iowa Department of Transportation to update the Airport Master Plan for 85% of eligible project expenses not to exceed \$42,500; and

WHEREAS, Kirkham, Michael & Associates, Inc. has agreed to update the Airport Layout Plan to identify improvements to meet current demands and design standards of the airport for a fee of \$50,000.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized and directed to sign the Consultant Agreement with Kirkham, Michael & Associates, Inc of Des Moines, Iowa.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the Consultant Agreement between the City of Cresco and Kirkham, Michael & Associates, Inc is approved and that the Mayor and City Clerk are authorized to execute the contract on behalf of the City of Cresco.

PASSED AND APPROVED THIS 18TH DAY OF FEBRUARY, 2013.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

Council Member _____ introduced the following Resolution entitled "A RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2007, OF THE CITY OF CRESCO, STATE OF IOWA, DATED JANUARY 1, 2007, AND DIRECTING NOTICE BE GIVEN" and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION AUTHORIZING THE REDEMPTION OF
OUTSTANDING GENERAL OBLIGATION CAPITAL LOAN
NOTES, SERIES 2007, OF THE CITY OF CRESCO, STATE
OF IOWA, DATED JANUARY 1, 2007, AND DIRECTING
NOTICE BE GIVEN

WHEREAS, the City did by resolution dated January 8, 2007, authorize the issuance of \$1,885,000 General Obligation Capital Loan Notes, Series 2007, (the "Notes") dated January 1, 2007; and

WHEREAS, the Notes are redeemable in any order of their numbering on June 1, 2013 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Notes; and

WHEREAS, it is deemed necessary and advisable that \$1,210,000 be so redeemed on June 1, 2013 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. That outstanding General Obligation Capital Loan Notes, dated January 1, 2007, in the principal amount of \$1,210,000, be and the same are hereby redeemed as of June 1, 2013.

Wells Fargo Bank, N.A., in their capacity as Registrar and Paying Agent of the Notes, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Notes by registered mail, and to notify DTC and EMMA (via searchable PDF electronic filing).

Section 2. The City Clerk/Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Notes to the date of redemption.

Section 3. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF NOTES FOR REDEMPTION TO THE HOLDERS OF
THE FOLLOWING DESCRIBED NOTES:

Please take notice that the Notes described below have been called for redemption. Owners of the Notes should present their Notes for payment on the redemption date.

Issuer: City of Cresco, State of Iowa

Original Issue Amount: \$1,885,000

Note Issue: General Obligation Capital Loan Notes, Series 2007

Dated Date: January 1, 2007

Redemption Date: June 1, 2013

Redemption Price: At par, plus accrued interest

Notes Called for Redemption

<u>CUSIP</u> <u>Numbers</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>June 1st:</u>
225849 HU5	\$130,000	3.80%	2014
225849 HV3	\$135,000	3.85%	2015
225849 HW1	\$145,000	3.90%	2016
225849 HX9	\$145,000	3.95%	2017
225849 HY7	\$60,000	4.00%	2018
225849 HZ4	\$65,000	4.00%	2019
225849 JA7	\$65,000	4.00%	2020
225849 JB5	\$70,000	4.20%	2021
225849 JC3	\$75,000	4.20%	2022
225849 JD1	\$75,000	4.30%	2023
225849 JE9	\$80,000	4.30%	2024
225849 JF6	\$80,000	4.40%	2025
225849 JG4	\$85,000	4.40%	2026

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Notes.

Council Member _____ introduced the following resolution entitled "RESOLUTION APPOINTING WELLS FARGO BANK, NATIONAL ASSOCIATION OF MINNEAPOLIS, MINNESOTA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT", and moved that the resolution be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION APPOINTING WELLS FARGO BANK,
NATIONAL ASSOCIATION OF MINNEAPOLIS,
MINNESOTA, TO SERVE AS PAYING AGENT, NOTE
REGISTRAR, AND TRANSFER AGENT, APPROVING THE
PAYING AGENT AND NOTE REGISTRAR AND TRANSFER
AGENT AGREEMENT AND AUTHORIZING THE
EXECUTION OF THE AGREEMENT

WHEREAS, \$1,700,000 General Obligation Capital Loan Notes, Series 2013, dated March 1, 2013, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the notes; and

WHEREAS, this Council has deemed that the services offered by Wells Fargo Bank, National Association of Minneapolis, Minnesota, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered notes; and

WHEREAS, a Paying Agent, Note Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the City and Wells Fargo Bank, National Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. That Wells Fargo Bank, National Association of Minneapolis, Minnesota, is hereby appointed to serve as Paying Agent, Note Registrar and Transfer Agent in connection with the issuance of \$1,700,000 General Obligation Capital Loan Notes, Series 2013, dated March 1, 2013.

Section 2. That the Agreement with Wells Fargo Bank, National Association of Minneapolis, Minnesota, is hereby approved and that the Mayor and Clerk are authorized to sign the Agreement on behalf of the City.

PASSED AND APPROVED this 18th day of February, 2013.

Mayor

ATTEST:

City Clerk

Council Member _____ moved that the form of Tax Exemption Certificate be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ moved that the form of Continuing Disclosure Certificate be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ introduced the following Resolution entitled "RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013, AND LEVYING A TAX TO PAY THE NOTES" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared said Resolution duly adopted as follows:

RESOLUTION APPROVING AND AUTHORIZING A
FORM OF LOAN AGREEMENT AND AUTHORIZING
AND PROVIDING FOR THE ISSUANCE OF \$1,700,000
GENERAL OBLIGATION CAPITAL LOAN NOTES,
SERIES 2013, AND LEVYING A TAX TO PAY THE
NOTES

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of:

1. the settlement, adjustment, renewing, or extension of any part of all of the legal indebtedness of a city;

2. the equipping of fire department;

3. the rehabilitation and improvement of parks already owned, including equipment, and improvements commonly found in city parks;

4. the acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of a city;

an essential corporate purpose, and it is deemed necessary and advisable that a form of Loan Agreement be approved and authorized and General Obligation Capital Loan Notes to the amount of not to exceed \$1,670,000 be authorized for said purpose; and

WHEREAS, pursuant to notice published as required by Sections 384.24, 384.24A and 384.25 of said Code, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of said Notes, and the Council is therefore now authorized to proceed with the issuance of General Obligation Capital Loan Notes, Series 2013; and

WHEREAS, the City is also in need of funds to pay costs of:

1. the acquisition, construction, reconstruction, enlargement, improvement, and equipping of public buildings and property including, recreation grounds, recreation buildings, and recreation centers;

2. the acquisition, construction, reconstruction, enlargement, improvement, and equipping of public buildings and property including fire stations and garages,

a general corporate purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes to the amount of not to exceed \$130,000 be authorized for said purpose; and

WHEREAS, the City has a population of 5,000 or less; and

WHEREAS, pursuant to notice published as required by Sections 384.24, 384.24A, and 384.26 (5) of said Code, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the authorization to enter into a loan agreement and the issuance of said Notes for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of General Obligation Capital Loan Notes, Series 2013 thereof; and

WHEREAS, pursuant to Sections 384.24, 384.24A and 384.28 of the City Code of Iowa, it is hereby found and determined that the various general obligation notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$1,700,000 Corporate Purpose General Obligation Capital Loan Notes, Series 2013, as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

◆ "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.

◆ "Beneficial Owner" shall mean the person in whose name such Note is recorded as the beneficial owner of a Note by a Participant on the records of such Participant or such person's subrogee.

◆ "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Notes.

Resolution Number 021307

RESOLUTION SETTING CHARGES FOR SERVICES TO PRIVATE PARTIES

Be it resolved by the City Council of the City of Cresco, Howard County, Iowa, that the following charges for services to private parties are hereby approved and that the proper tax will be applied.

Labor \$ 40.00 an hour per man when only labor is involved

Equipment as follows:

- Endloader and operator \$90 per hour
- Grader and operator \$100 per hour
- Dump truck and Driver \$85 per hour
- Dump truck with plow and driver \$87.50 per hour
- Tractor with snow blower and operator \$98.50 per hour
- Street Sweeper and operator \$125 per hour
- Sand truck and driver \$80 per hour
- 1 Ton truck and driver \$75 per hour
- Oil truck and driver \$80 per hour plus cost of oil at \$6 per gallon
- Air Compressor \$75 per hour plus labor
- Snow removal and man \$150 per hour
- Mower and man \$150 per hour
- with anything over an hour getting into a second hour will be charged a full hour. (Example: 1 hour & 5 minutes would be \$300)

Material as follows:

- Sand \$16 a ton
- Rock \$10.25 a ton
- Cold Mix \$80 a ton \$10 minimum charge (Example: 5 gallon pail \$10 charge)
- Crack sealer \$6 a gallon

Traffic paint as follows:

- Yellow \$16 a gallon
- White \$19 a gallon
- Blue \$17 a gallon

Passed and approved this 18th day of February, 2013.

Mark Bohle, Mayor

Attest _____
Michelle Girolamo, City Clerk

BOARD OF ADJUSTMENT

TO: CRESCO CITY COUNCIL

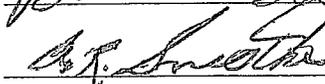
RE: Appointment/Reappointment

We, the Board of Adjustment for the City of Cresco, recommend that the City Council

1. Appoint (Name) Jeff Henderson
(To replace Jim Daly)
2. Reappoint (Name) _____

to the Board of Adjustment.

Term to run from 2-18-13 to expire 6-30-15

	Signed	Date
Chairman	<u></u>	<u>2-5-13</u>
	<u>Dennis Camacho</u>	<u>2-5-13</u>
	<u>Brian J. Buel</u>	<u>2/5/13</u>
	<u></u>	<u>2-5-13</u>
	_____	_____

1/10/13

City of Cresco Board of Adjustment

I James Daly will be resigning
from my post on the board at this time.
The reason is because of health reason.
It has slowed me down a lot.
It's been a pleasure to serve with this Board

James D. Daly

CRESCO LIBRARY BOARD OF TRUSTEES
AND / OR
CRESCO LIBRARY FOUNDATION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Cresco Library Board of Trustees and/or the Cresco Library Foundation,
recommend that the City Council

1. Appoint (Name) Curt McNew
(To replace Karen Nance)
2. Reappoint (Name) _____

to the Cresco Library Board of Trustees and/or the Cresco Library Foundation.

Term to run from 2/11/13 to expire 6/30/18

Signed

Date

Chairman

<u>David J. Shaw</u>	<u>2-11-13</u>
<u>Mark Truhaug</u>	<u>02-11-2013</u>
<u>Denise Sheehy</u>	<u>2-11-13</u>
<u>Patsy Boman</u>	<u>2-11-13</u>
<u>Walter Rehmauss</u>	<u>2-11-13</u>
<u>Jan [unclear]</u>	<u>2-11-13</u>
<u>Jessie Dobson</u>	<u>2/11/13</u>
<u>Jan Dufumb</u>	<u>2-11-13</u>

CRESCO LIBRARY BOARD OF TRUSTEES
AND / OR
CRESCO LIBRARY FOUNDATION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Cresco Library Board of Trustees and/or the Cresco Library Foundation,
recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Flossie Morrison

to the Cresco Library Board of Trustees and/or the Cresco Library Foundation.

Term to run from June 30, 2012 to expire June 30, 2018

Chairman

Signed

Date

Karen Nance

10/08/12

Patsy Bronner

Oct 8, 2012

Mark Zwick

10-08-2012

[Signature]

10-08-2012

David Skow

10/8/12

Heleen Lehmann

10/8/12

Position held open for 3mths to
Advertised for gender based applicant.

RESOLUTION NUMBER 021308

**RESOLUTION ESTABLISHING A FUND WITHIN THE CITY'S ACCOUNTS
FUND 319 – STREET ASSESSMENT PROJECT FUND**

WHEREAS, the City of Cresco is receiving assessments from citizens for street projects done in the past; and

WHEREAS, the City will be doing future street assessment projects; and

WHEREAS, the City of Cresco, Iowa, would like to track funds received and expended with regards to these projects; and

WHEREAS, the City of Cresco, Iowa, promotes the transparency of its funds and accounting.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that the following fund be established:

FUND 319– STREET ASSESSMENT PROJECT FUND

BE IT FURTHER RESOLVED, by the City Council of the City of Cresco, Iowa, that the City Clerk be directed by the Mayor and the City Council to establish said fund and correct the books accordingly.

PASSED AND APPROVED THIS 18TH DAY OF FEBRUARY, 2013.

Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

RESOLUTION NUMBER 021309

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO
ENTER INTO A FIVE YEAR SEWER MAINTENANCE CONTRACT**

WHEREAS, the City of Cresco is committed to maintaining the sanitary sewer infrastructure around the City; and

WHEREAS, the lift stations and sewer lines need to be cleaned and televised on a routine schedule; and

WHEREAS, Municipal Pipe Tool Company LLC agrees to maintain the sewers of the City of Cresco for the duration of a five-year period at frozen prices.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized and directed to sign the five year sewer maintenance contract with Municipal Pipe Tool Company LLC of Hudson, Iowa.

Council Person _____ moved the adoption of the foregoing Resolution and Council Person _____ seconded said Motion. Following discussion, a roll call vote was requested by Mayor and said roll call resulted as follows:

Ayes: _____
Nays: _____
Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the maintenance contract between the City of Cresco and Municipal Pipe Tool Company LLC is approved and that the Mayor and City Clerk are authorized to execute the contract on behalf of the City of Cresco.

PASSED AND APPROVED THIS 18TH DAY OF FEBRUARY, 2013.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

MUNICIPAL PIPE TOOL COMPANY, LLC
515 FIFTH STREET - PO BOX 398 - HUDSON, IOWA 50643
Phone: 319-988-4205 Toll Free: 1-800-798-4205 Fax: 319-988-3506

Five Year Sewer Maintenance Contract

The City of Cresco hereby enters into a five year contract with Municipal Pipe Tool Company LLC, 515 5th St. - Hudson, Iowa, to maintain the sewers of the City by use of Municipal Pipe Tool Company LLC's equipment for the duration of a five-year period at frozen prices, according to the following terms:

1. The City will furnish a sewer map, the necessary water, expose all manhole lids, provide a disposal area for debris removed and furnish legal access to all manholes, which may include traffic control.
2. The City will be responsible for all excavations and/or replacement of manholes, sewer tile, or damages caused by storms, floods, blowbacks or other unavoidable causes. Stoppages caused by structural failure or sewer tile, manholes, frozen sewer lines or other utilities are not covered by this agreement. Should Municipal Pipe Tool Company LLC, equipment (hose, camera, cleaners, nozzles, etc.) become lodged during attempts to perform duties specified by the customer, all costs associated with removal and replacement of equipment will be the responsibility of the customer.
3. **It will be the responsibility of the City to notify us of any stoppages that occur in lines maintained the previous year so that any such stoppage may be opened by us without charge.**
4. Municipal Pipe Tool Company LLC agrees to furnish all equipment, manpower, insurances and other incidentals necessary for proper maintenance. All services will be performed by experienced workmen in a neat and orderly manner. It is the responsibility of Municipal Pipe Tool to be compliant with all applicable OSHA regulations. A copy of our Confined Space Entry Program is available for review by the City upon request.
5. Complete records, maps and other information will be kept by Municipal Pipe Tool Company LLC with a copy available to the City upon request. A written report will be sent to the city after each performance, as per this contract.
6. The time and performance of this contract, such as frequency of cleaning, methods used, and extent of cleaning necessary, will be determined by actual conditions found. The areas of the sewers to be maintained each year will be determined from discussions between Municipal Pipe Tool representatives, the City, and the City's representative at a time preceding each year's work.

Sewer Maintenance and Rehabilitation Contractors
Jet/Vacuum Cleaning, Television Inspections, I/I Studies, Grouting, Manhole Rehab
Trenchless Technology Pipeline Repairs

7. Guaranteed prices to the City for services which the City uses during the term of the 5-year agreement are as follows:

a.	Jet/Vac Cleaning 8" - 12" (two passes or less)	0.52/ft
	Jet/Vac Cleaning 15" – 18" (two passes or less)	0.64/ft
b.	Hydro root sawing	0.76/ft
c.	Television inspection- pan & tilt (includes choice of CD/DVD/flash drive, & Electronic or Paper Report, & Rehabilitation Report)	0.81/ft
	PACP (Pipe Assessment Certification Program) Reports	0.19/ft
d.	Vacuum Cleaning Service	182.00/hr
e.	Smoke Testing	0.35/ft
f.	Joint grouting sealing & testing grout materials (inch/diameter/per joint)	3.76/ea
	Grout materials (per gal.)	8.50/ea
g.	Emergency Calls	
	Jet cleaning	130.00/hr
	Vacuum Cleaning/Tving	182.00/hr
	Mobilization – port to port – per hour depending on above work	182.00/hr
h.	Rehabilitation Recommendation Report	\$0.12/ft televised

8. Manhole exposing, cleaning or televising of storm sewers, cleaning of catch basins, grit chambers, more than two passes of cleaning etc., will be performed with the vacuum unit due the large amounts of sand and debris that normally collect in these locations and will be charged according to item 7-d.

Total amount of work to be performed yearly by Municipal Pipe Tool Company LLC, will be in a minimum amount of \$3000.00 per year. This work may be a combination of any of the services offered in paragraph 7.

The minimum amount of prescheduled work to be performed will be \$1500.00 per visit. For emergency calls outside of sewer lines covered by item 3 of this contract please see pricing for emergency calls above.

If at any time in the 5 year contract period, either the City of Cresco or Municipal Pipe Tool Company LLC, wishes to terminate the contract, either party may do so by giving thirty (30) days written notice.

Fuel Escalation Clause – if diesel fuel prices rise above \$5.00 per gallon per the IDNR Fuel Price Survey at www.iowadnr.gov/news/index.html, the price for each per foot charge above will increase four cents a foot; the hourly prices increase eleven dollars an hour.

This contract period extends from January 2013 to January 2018 .

Agreement dated this day of , 20 .

Municipality

Attest:

Mayor

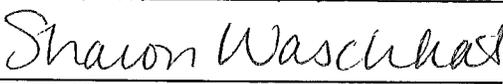
City Scheduling Contact Person

Scheduling Contact Phone Number

Attest:



Chuck Schrader, Customer Service

Municipal Pipe Tool Company LLC


Sharon Waschkat, COO

TO THE MAYOR AND COUNCIL:

WHY YOU SHOULD TAKE ADVANTAGE OF OUR 5-YEAR MAINTENANCE AGREEMENT:

1. Total elimination of sanitary sewer line stoppages, back-ups, and flooded basements.
2. Lines cleaned within the past 12 months receive guaranteed FREE emergency service.
3. Trained and experienced sewer maintenance crews available year round.
4. You have the use of equipment and technologies current within the industry to produce the most modern, efficient, and advanced sewer maintenance program possible, operated by skilled technicians. This is a much greater inventory of equipment than that of even large cities such as Des Moines, Minneapolis, and Kansas City.
5. By using our maintenance program, you will eliminate a costly initial investment, subsequent parts replacements, machine breakdowns, costs of labor, and insurance.
6. This equipment includes high resolution, low light capability complete robotic closed circuit television cameras for sewer investigation to locate sewer line infiltrations, exfiltrations, and problem areas. Also, a visual guarantee of proper installation on all new sewer pipes is available. We furnish a videotape of all televised lines.
7. All television inspection reports are reviewed by a trained technician. A report of recommended rehabilitation techniques will be issued for every line televised. The cost of sewer pipeline trenchless repairs performed by Municipal Pipe Tool can be used as part of your annual contracted dollar amount.
8. Our services include:
 - Trenchless technology (CIPP relining and point repairs)
 - Manhole rehabilitation
 - Grouting: joint pressure testing and sealing
 - Television inspection
 - Vacuum and Jet cleaning
 - Storm & Sanitary sewer cleaning
 - Smoke testing
 - Infiltration/Inflow studies
 - High pressure water blasting
 - Large diameter pipe cleaning
 - Root removal
 - Plug rental
 - Consulting
 - 24-Hour Emergency Service
9. We are a privately-owned business which has operated in the State of Iowa and the surrounding Midwest area for 35 years and we are proud of our personal interest and concern for our customers. Our reputation is well established with hundreds of cities – both large and small. The record speaks for itself.

Formula for estimating minimum yearly sewer maintenance costs:

Example City

	Example City	Your City
1. Total footage of City sewer lines	47,520	
2. Divide footage by 4	$47,520 / 4 = 11,880$	
3. Multiply by jet/vac cleaning price	$11,880 \times .52 = \$6,177.60$	
Estimated yearly cost	\$6,177.60	
4. Divide total footage by 5	$47,520 / 5 = 9,504$	
5. Multiply by jet/vac cleaning price	$9,504 \times .52 = \$4,942.08$	
Yearly cost for jet/vac cleaning	\$4942.08	
6. Subtract cleaning from yearly cost	$\$6,177.60 - \$4,942.08 = \$1,235.52$	
7. Divide remainder by TV price	$\$1,045.44 / .76 = \$1,376.00$	
Footage of sewer to televise yearly	1,376	

For the Example City with 47,520' of sewer lines to service, each year 9,504' should be jet/vac cleaned and 1,376' should be televised. These numbers should provide for adequate maintenance of the City's sewer system.