

CITY OF RIVERSIDE COUNCIL MEETING AGENDA
RIVERSIDE FIRE STATION
217 E 1ST ST
REGULAR MEETING
Monday, August 3, 2020 – 6:00 P.M.

NOTICE TO THE PUBLIC: This is a meeting of the City Council to conduct the regular business of the City. Every item on the agenda is an item of discussion and action if needed.

1. Call meeting to order
2. Approval of agenda
3. Consent agenda
 - a. Minutes from 7-20-2020
 - b. Expenditures for 8-3-2020
4. PeopleService, Inc
 - a. Request approval of Jetco Quote #5771C VFD Well #9
5. Northern Heights
 - a. Update on punch list, excluding Outlot A, Approve release of Final Plat Northern Heights Phase 1 for recording
6. 4th Street
 - a. Resolution #080320-01 Change Order #3 J & L Construction \$3,500.00 **pg 9**
 - b. Resolution #080320-02 Change Order #4 J & L Construction \$2,830.00 **pg 11**
 - c. Resolution #083020-03 Change Order #5 J & L Construction \$715.00 **pg 14**
7. Safe Routes to School
8. Resolution #080320-04 Professional Services Agreement MMS Consultants, Inc for Parks Capital Improvements Master Plan, \$12,500.00 **pg 17**
9. Resolution #080320-05 Release Sod Retainage \$7,645.50, deducting \$2,40.00 for Galileo Reseeding **pg 25**
10. Request to update city sign-quote from Nesper Sign
11. Request from RACC for Movie, Band, and Meal in the Park 8/15
12. Request from RACC to have Demo Derby in Hall Park 10/3
13. Public Hearing for Codification of City Code **pg 33**
14. Resolution #080320-06 First reading of Ordinance 8-3-2020-01 City Code **pg 34**
15. Resolution #080320-07 Resolution Approving Water Billing, Late Fees, Disconnection Notices Policy to be added to Policy and Procedures Manual **pg 36**
16. Update on Interfund Transfers, Northern Heights Phase 1-adding interest **pg 38**

**CITY OF RIVERSIDE COUNCIL MEETING AGENDA
RIVERSIDE FIRE STATION
217 E 1ST ST**

17. Review and pending approval for Community Beautification Incentive Program for FY21 pg

18. Motion to adjourn

To allow for better social distancing, public council meetings have been moved to the fire station. If you are uncomfortable attending a public meeting, the city encourages the public to submit their comments in advance. Comments can be submitted by email to admin@cityofriversideiowa.com or by phone to 319- 648-3501. Written comments may also be left in the City Hall drop box up to the start of the meeting. The meeting will be recorded and can be viewed by visiting the city web site at www.riversideiowa.gov.

COUNCIL PACKET

RIVERSIDE CITY COUNCIL MEETING: July 20, 2020

The Riverside City Council meeting opened at 6:02 pm at the Fire Station with Mayor Allen Schneider requesting roll call. Council members present were: Andy Rodgers, Edgar McGuire, Lois Schneider, Jeanine Redlinger and Tom Sexton.

Motion by Sexton to approve agenda. Second by Redlinger, passed 5-0.

Rodgers moved to approve the minutes of July 6th, 2020, and expenditures. Second by Schneider, passed 5-0.

Council received June Fire Department update.

Bill Stuke, PeopleService, Inc. presented June water and wastewater report.

Sexton moved to approve City Wide Garage Sales for August 21st and 22nd. Second by Rodgers, passed 5-0.

Rodgers moved to open Public Hearing for Economic Development Agreement with Copper Creek Ridge LLC at 6:18 p.m. Second by McGuire, passed 5-0. There were no written or oral comments from the public. Sexton moved to close Public Hearing at 6:28 p.m. Second by McGuire, passed 5-0.

McGuire moved to table Resolution #072020-01, Grant Agreement with Copper Creek Ridge, LLC for site plan clarification. Second by Schneider, passed 5-0.

Rodgers moved to pass Resolution #072020-02, Setting Public Hearing for Codification of City Code of Ordinances, on August 3, 2020. Second by Redlinger, passed 5-0.

Rodgers moved to pass Resolution #072020-03, Approving Interfund Transfers for Phase 1 of the Northern Heights Development. Second by Schneider, passed 5-0.

Council reviewed Grant Programs, updating the Community Beautification Incentive program. Final Grant program will be on next agenda.

Sexton moved to approve the Downtown Business District Incentive program with an application deadline of August 31, 2020. Second by Rodgers, passed 5-0.

McGuire moved to accept the deduction of \$2400 from the HWY 22 Sod Retainage for the inadequate seeding on the Galileo project with Triple B Construction. Second by Schneider, passed 5-0.

Scott Pottorff, MMS Consultants joined meeting via phone.

McGuire moved to pass Resolution #072020-04, Approving Final Acceptance from APEX Construction for the Northern Heights Subdivision, contingent of the completion of final punch list by July 24, 2020. Second by Schneider, passed 4-1, Sexton opposed.

COUNCIL PACKET

Redlinger moved to pass Resolution #072020-05, Approving the Final Plat for Northern Heights Subdivision with plat recording held until punch list completion. Second by Schneider, passed 4-1, Sexton opposed.

Redlinger moved to pass Resolution #072020-06, Approving Change Order #1 to J&L Construction on the 4th Street Project in the amount of \$421.75 for trimming tree branches in the way of project. Second by Sexton, passed 5-0.

Sexton moved to pass Resolution #072020-07, Approving Change Order #2 to J&L Construction on the 4th Street Project in the amount of \$4507.00 to extend water main under Greene Street. Second by Rodgers, passed 5-0.

Rodgers moved to pass Resolution #072020-08, Approving Pay Request #3 to J&L Construction on the 4th Street Project in the amount of \$174,401.23. Second by Sexton, passed 5-0.

Sexton moved to pass Resolution #072020-09, Approving Pay Request #1 to All American Concrete, Inc. on the Safe Walk to School Project in the amount of \$24,298.50. Second by McGuire, passed 5-0.

Redlinger moved to pass Resolution #072020-10, Approving Final Acceptance from Cornerstone Excavating for the Ash/Tupelo Street Improvement Project. Second by Rodgers, passed 5-0.

Sexton moved to pass Resolution #072020-11, Approving Final Pay Request from Cornerstone Excavating for the Ash/Tupelo Street Improvement Project in the amount of \$33,551.80. Second by Rodgers, passed 5-0.

Redlinger moved to adjourn at 8:24 pm. Second by Rodgers, passed 5-0

Full content of Council Meetings can be viewed on the City web site; riversideiowa.gov

Council Meeting – Monday, August 3rd, 2020 at 6:00 p.m. in the Fire Station meeting room.

ATTEST:

Becky LaRoche; City Clerk

Allen Schneider; Mayor

COUNCIL PACKET

EXPENDITURES AUGUST 3, 2020					
COUNCIL MEETING		BILLS			
1	ALLIANT ENERGY	PARKS	001-5-430-6371	\$	464.43
2	ALLIANT ENERGY	SEWER	610-5-815-6371	\$	879.08
3	ALLIANT ENERGY	CITY HALL	001-5-650-6371	\$	540.71
4	ALLIANT ENERGY	WATER	600-5-810-6371	\$	287.09
5	ALLIANT ENERGY	STREET LIGHTS	001-5-230-6371	\$	1,531.92
6	ALLIANT ENERGY	FIRE STATION	002-5-150-6330	\$	662.38
7	BECKY LaROCHE	AUG CELL	001-5-650-6373	\$	50.00
8	BRYAN LENZ	AUG CELL	001-5-430-6373	\$	50.00
9	BRYAN LENZ	W-2 LEGAL FEE	001-5-650-6499	\$	40.00
10	CLIA LAB USER FEES	RVFD	002-5-150-6356	\$	180.00
11	COLBERT CARPET CARE	CITY HALL	001-5-650-6310	\$	717.84
12	DINGES FIRE CO	RFVD 2/50' HOSE	002-5-150-6356	\$	550.00
13	DOORS INC	LOBBY DOOR-PANIC DEVICE	001-5-650-6310	\$	565.00
14	ENGLISH RIVER WATER SHED	FY 21 CONTRIBUTION	001-5-520-6425	\$	7,500.00
15	FIRE SERVICE TRAINING	RFVD-MARPLE	002-5-150-6354	\$	100.00
16	IOWA DNR	NPDES FY 21 PERMIT	610-5-815-6245	\$	210.00
17	IOWA ONE CALL	LOCATES	600-5-810-6507	\$	54.10
18	J&S PLUMBING	LEAD LINE REPAIR	600-5-810-6374	\$	700.00
19	JAY STUELKE	AUG CELL	001-5-210-6373	\$	50.00
20	JAY STUELKE	W-2 LEGAL FEE	001-5-650-6499	\$	300.00
21	JETCO, INC.	WATER-VFD REPAIR	600-5-810-6507	\$	807.75
22	KOCH	COPIES	001-5-650-6496	\$	527.86
23	KUENSTER PLUMBING	SHOP A/C REPAIR	001-5-210-6506	\$	547.73
24	KUM & Go FLEET	FUEL	110-5-210-6331	\$	47.96
25	KUM & Go FLEET	RVFD	002-5-150-6350	\$	257.31
26	MID AMERICAN ENERGY	SHOP	001-5-210-6371	\$	12.76
27	MID AMERICAN ENERGY	RVFD	002-5-150-6371	\$	13.38
28	MID AMERICAN ENERGY	CITY HALL	001-5-650-6371	\$	12.13
29	PEOPLE SERVICES	JULY SERVICE	610-5-815-6500	\$	11,449.50
30	PEOPLE SERVICES	JULY SERVICE	600-5-800-6500	\$	11,449.50
31	PRECISION ELECTRIC	CITY HALL	001-5-650-6310	\$	978.20
32	RACC	RWB VIRTUAL CELEBRATION	145-5-650-6430	\$	50.00
33	RON SEXTON CONSTRUCTION	BARN BEAM REPAIR	001-5-430-6320	\$	1,115.00
34	STEVENS EROSION CONTROL	VETS PARK	001-5-430-6320	\$	250.00
35	SUEPPEL	LEGAL	001-5-640-6411	\$	1,600.00
36	WS WOODWORKS	LOBBY CABNET W/SHELVES	001-5-650-6506	\$	280.00
37		TOTAL BILLS		\$	44,831.63
38	EOM PAYABLES				
39	DELTA DENTAL	AUG BILLING	001-5-430-6150	\$	149.54
40	LINCOLN NAT'L LIFE INS	AUG BILLING	001-5-620-6150	\$	288.55
41	MEDIACOM	RVFD	002-5-150-6332	\$	209.59
42	MEDIACOM	CITY HALL	001-5-650-6373	\$	201.34
43	VERIZON	CELL COLLECTORS	600-5-810-6373	\$	63.54
44	WELLMARK	AUG BILLING	001-5-620-6150	\$	4,121.12
45		TOTAL PAID BILLS			\$ 5,033.68
46		TOTAL EXPENDITURES		\$	49,865.31
47	TOTAL BY FUND				
48	"001"	GENERAL FUND	\$	21,894.13	
49	"002"	FIRE DEPARTMENT	\$	1,972.66	
50	"110"	ROAD USE FUND	\$	47.96	
51	"145"	CASINO FUNDS	\$	50.00	
52	"200"	DEBT SERVICE	\$	-	
53	"301"	CAPITAL PROJECTS	\$	-	
54	"600"	WATER FUND	\$	13,361.98	
55	"610"	SEWER FUND	\$	12,538.58	
56	"670"	GARBAGE			
57		TOTAL EXPENDITURES	\$	49,865.31	



208 1ST Ave. S.
Altoona, IA 50009
Ph. 515.967.5874
Fax 515.967.4110
www.jetcoelectric.com

Tuesday, February 11, 2020
To: Riverside, IA WTP
Re: Allen Bradley VFD
Attn: Bill

Quote #: 5771C

Per your request Jetco is pleased to provide a proposal for the following equipment and services.

VFD:

- (1) Allen Bradley PowerFlex 753 Variable Frequency Drive
 - 60HP; 480Vac; 3PH; 77Amps
 - Remote Mounted HIM Module
 - 115V AC Input Module

Services provided by Jetco:

- Complete Labor and Materials for Installation, Configuration and Testing

Total Cost: \$ 9,175.00

Excludes:

- Any modifications to PLC system.
- Any modifications to VFD bypass contactors or isolation contactors. All other VFD components are assumed to be in operational condition.

Notes:

1. Price **does not include** any materials not listed above
2. Price **does not include** any state or local sales taxes that may apply
3. Price **does not include** any shipping and handling charges that may apply.
4. Quotation valid for 60 days

Sincerely,
Nick A. Hamann – Vice President



MMS Consultants, Inc.
Experts in Planning and Development Since 1975

1917 S. Gilbert Street
Iowa City, Iowa 52240

319.351.8282

mmsconsultants.net
mms@mmsconsultants.net

Environmental Specialists
Landscape Architects
Land Planners
Land Surveyors
Civil Engineers

July 24, 2020

2245-041

Mayor Allen Schneider and City Council
City of Riverside
60 N Greene Street
Riverside, Iowa 52327

RE: Acceptance of Public Improvements for Northern Heights Addition

Honorable Mayor and City Council,

I have reviewed the work for the public improvements for Northern Heights Addition on July 23, 2020. All of the items outlined on the punch list dated July 20, 2020 have been addressed that do not apply to Outlot A and the detention basin.

I certify that the public improvements shown on the construction plans have been completed in substantial compliance with the construction plans approved by the City Council.

I recommend that the City approve the Final Plat for Northern Heights Addition and accept the public improvements. I recommend that the City does not take over ownership of Outlot A until the remaining items on the punch list dated July 20, 2020 are addressed to the satisfaction of the City.

Respectfully yours,

Scott Pottorff, P.E.
MMS Consultants, Inc.

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July 21, 2020

2245-045

Mayor Allen Schneider and City Council
60 N Greene Street
Riverside, IA 52327

Re: 4th Street Improvements Project – Items to Be Addressed

It is intended that this list include items of concern raised by the City Council and/or City staff along with descriptions of the resolutions to these issues (in italics following the item) as they are addressed. Additional items may be added if they arise during the remainder of the project.

The following items were raised as concerns by the City Council at the work session on July 16, 2020:

1. There was a line coming from 241 E 4th Street which appeared to have been capped. Verify this line and why it was capped.
2. Finish of hardened concrete in several areas was a concern. Gouges in finished concrete, trowel marks and smooth finish. Specific areas of concern included 1) South lane of 4th Street just east of Rose Street (trowel marks, rough finish), 2) North lane of 4th east of Rose about halfway to Highway 22 (smooth finish, no texture), 3) west lane of Rose through 4th intersection (gouges in finished surface).
3. Broken edges of finished concrete. Specific areas include 1) At the common sidewalk panel at the SE corner of Rose and 4th.
4. Broken tile in the subgrade crossing 4th at an angle just west of Rose Street. What is this, should it be connected?
5. Are the manhole and beehive at the SW corner of the intersection of Rose and 4th the correct grades? Manhole looks low and beehive looks high.
6. Do we need to remove additional driveway behind the sidewalk at 320 E 4th Street to match the sidewalk that has been poured?
7. There appears to be a low spot in the top of curb in front of 330 E 4th Street. Can this be fixed?



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8. Was the sump pump line for 241 E 4th Street connected? Used to run water all the time but no evidence of water running into the subdrain and storm intake.
9. Why is the sidewalk on the east side of Rose Street south of 4th Street not a straight line?
10. It was decided to remove additional paving at the intersection of St. Mary's and Rose Street to connect the intersection radius to the existing curb and gutter better. This was on both the east and west sides.
11. There was concern about the slope of the curb ramp at the SE corner of Rose and 4th and how it would match the existing decorative sidewalk. It was discussed that there may need to be a step from the new sidewalk up to the decorative sidewalk in order to prevent removal of the decorative sidewalk.
12. Is the water service line at 181 E 4th Street going to be completed? Need to fence around the excavation if it will be open for any longer.

Additional items of concern raised after the Council work session on July 16, 2020.

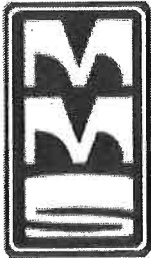
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COUNCIL PACKET

City Admin

From: Scott Pottorff <S.pottorff@mmsconsultants.net>
Sent: Friday, July 24, 2020 2:57 PM
To: admin@cityofriversideiowa.com
Subject: 4th Street Project Update

All underground work has been completed so the paving of streets and sidewalks remain. The paving and sidewalks on Rose Street and on 4th Street between Rose and Highway 22 are complete. Next week the grading and rock on 4th from Rose Street to the west will be completed. After that work will continue on street and sidewalk paving on 4th Street from Rose Street to the west toward Greene Street.



Scott Pottorff, P.E.

Project Manager

Ofc: (319) 351-8282

Direct: (319) 339-4153

Cell: (319) 631-0365

S.pottorff@mmsconsultants.net

mmsconsultants.net

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RESOLUTION #080320-01

**RESOLUTION APPROVING CHANGE ORDER #3 TO
J&L CONSTRUCTION FOR THE 4TH STREET PROJECT**

Whereas, the City of Riverside City at the recommendation of the City Engineering Firm, MMS Consultants, Scott Pottorff and it is the opinion of the City Engineering Firm that the City Council accept this change order in the amount of \$3500.00.

Therefore, be it resolved the City of Riverside City Council does hereby accept the Change Order #3 for SW-507 intake not on bid form.

It was moved by Councilperson _____ seconded by Councilperson _____, to approve the foregoing resolution.

Roll Call: Schneider, Sexton, Rogers, Redlinger, McGuire

Ayes:

Nays:

Absents:

PASSED AND APPROVED by City Council of Riverside, Iowa, on this 3rd day of August, 2020.

Signed: _____ Date _____

Allen Schneider, Mayor

Attest: _____ Date _____

Becky LaRoche, City Clerk



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July 29, 2020

2245-045

**4th Street Improvements Project
Change Order #3**

The following changes to the contract are requested to pay for the SW-507 intake shown on the plans but not included in the bid form.

The Contractor has offered a unit price for this work. The changes required are as follows;

<u>Item</u>	<u>Est Quantity</u>	<u>Unit Price</u>	<u>Total Estimated Cost</u>
Storm Intake, Type SW-507	1 EA	\$3,500.00	\$3,500.00
TOTAL CHANGE			\$3,500.00

Change to the Contract

This change order would add the above item to the contract and increase the amount of the contract by \$3,500.00.

Reason for changes

Intake #20 on the plans is shown as a Type SW-507 intake. The proposal form did not include a unit price for this type of intake. This type of intake is preferred at this location so a unit price needed to be established for this type of intake.

Approved by:

J&L Construction

City of Riverside

2245045changeorder3.docx

RESOLUTION #080320-02

**RESOLUTION APPROVING CHANGE ORDER #4 TO
J&L CONSTRUCTION FOR THE 4TH STREET PROJECT**

Whereas, the City of Riverside City at the recommendation of the City Engineering Firm, MMS Consultants, Scott Pottorff and it is the opinion of the City Engineering Firm that the City Council accept this change order in the amount of \$1850.00.

Therefore, be it resolved the City of Riverside City Council does hereby accept the Change Order #4 for lowering sewer services that were in conflict with the work..

It was moved by Councilperson _____ seconded by Councilperson _____, to approve the foregoing resolution.

Roll Call: Schneider, Sexton, Rogers, Redlinger, McGuire

Ayes:

Nays:

Absents:

PASSED AND APPROVED by City Council of Riverside, Iowa, on this 3rd day of August, 2020.

Signed: _____ Date _____

Allen Schneider, Mayor

Attest: _____ Date _____

Becky LaRoche, City Clerk



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July 29, 2020

2245-045

**4th Street Improvements Project
 Change Order #4**

The following changes to the contract are requested to compensate the Contractor for lowering sewer services which were in conflict with the work

The Contractor proceeded with the work on a time and materials basis. Attached is a breakdown of the labor, materials and equipment required for the work, including prime contractor markup of 15%. The changes required are as follows:

<u>Item</u>	<u>Est Quantity</u>	<u>Unit Price</u>	<u>Total Estimated Cost</u>
Lower Sanitary Service at 316 E. 4 th Street	1 EA	\$1,850.00	\$1,850.00
Lower Sanitary Service at 241 E. 4 th Street	1 EA	\$980.00	\$980.00
TOTAL CHANGE			\$2,830.00

Change to the Contract

This change order would add the above items to the contract and increase the amount of the contract by \$2,830.00.

Reason for changes

During storm sewer installation these two sanitary sewer service lines were found to be in conflict with the proposed storm sewer. These service lines were lowered in the area of the storm sewer in order to remove the conflict. This work was done on a time and materials basis.

Approved by:

 J&L Construction

 City of Riverside

2245045changeorder4.docx



To: Jay Peiffer, J & L Construction
Scott Pottorff, MMS Consultants

Date: July 29, 2020

RE: Extra Work Items - Detail
Riverside – 4th Street Improvements

Carter and Associates submits the following for extra work incurred:

2. Lower sewer services in conflict with storm sewer.

- a. May 19, 316 E. 4th Street = \$1850.00
Labor = \$390
Equipment = \$740
Materials = \$720
- b. July 9, 241 W. 4th Street = \$ 980.00
Labor = \$410
Equipment = \$330
Materials = \$240

RESOLUTION #080320-03

RESOLUTION APPROVING CHANGE ORDER #5 TO
J&L CONSTRUCTION FOR THE 4TH STREET PROJECT

Whereas, the City of Riverside City at the recommendation of the City Engineering Firm, MMS Consultants, Scott Pottorff and it is the opinion of the City Engineering Firm that the City Council accept this change order in the amount of \$715.00.

Therefore, be it resolved the City of Riverside City Council does hereby accept the Change Order #5 for granular trench backfill material for water main extended under Greene Street .

It was moved by Councilperson _____ seconded by Councilperson _____, to approve the foregoing resolution.

Roll Call: Schneider, Sexton, Rogers, Redlinger, McGuire

Ayes:

Nays:

Absents:

PASSED AND APPROVED by City Council of Riverside, Iowa, on this 3rd day of August, 2020.

Signed: _____ Date _____

Allen Schneider, Mayor

Attest: _____ Date _____

Becky LaRoche, City Clerk



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July 29, 2020

2245-045

**4th Street Improvements Project
 Change Order #5**

The following changes to the contract are requested to compensate the Contractor for granular trench backfill material used for water main extended under Greene Street.

The Contractor has offered a unit price for the granular trench backfill material, including prime contractor markup of 15%. The changes required are as follows:

<u>Item</u>	<u>Est Quantity</u>	<u>Unit Price</u>	<u>Total Estimated Cost</u>
Granular Trench Backfill	65 TONS	\$11.00	\$715.00
TOTAL CHANGE			\$715.00

Change to the Contract

This change order would add the above item to the contract and increase the amount of the contract by \$715.00.

Reason for changes

The water main extended under Greene Street, included in change order #2, was backfilled with granular backfill material under the street for added stability of the street subgrade.

Approved by:

 J&L Construction

 City of Riverside

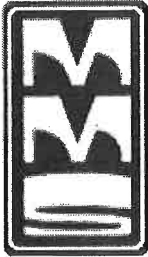
2245045changeorder5.docx

COUNCIL PACKET

City Admin

From: Scott Pottorff <S.pottorff@mmsconsultants.net>
Sent: Friday, July 24, 2020 3:00 PM
To: admin@cityofriversideiowa.com
Subject: Safe Routes to Schools Project Update

All of the sidewalk was poured this week. Next week the sidewalks will begin to be backfilled and topsoil will be brought in from offsite in preparation for final grading and sod placement. It is anticipated that all work will be complete by August 5th.



Scott Pottorff, P.E.

Project Manager

Ofc: (319) 351-8282

Direct: (319) 339-4153

Cell: (319) 631-0365

S.pottorff@mmsconsultants.net

mmsconsultants.net

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COUNCIL PACKET

RESOLUTION #080320-04

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH MMS CONSULTANTS FOR PARKS CAPITAL IMPROVEMENTS MASTER PLAN

Whereas, the City of Riverside City Council agrees to enter into a Profession Services Agreement with MMS Consultants for engineering services for Parks Capital Improvements Master Plan.

Therefore, be it resolved the City of Riverside City Council does hereby approve to enter into this attached agreement for this project.

It was moved by Councilperson _____ seconded by Councilperson _____, to approve the foregoing resolution.

Roll Call: Redlinger, Schneider, Sexton, Rodgers, McGuire

Ayes:

Nays:

Absents:

Passed and Approved by the City Council of Riverside, Iowa and approved this 3rd day of August, 2020

Signed: _____ Date: _____

Allen Schneider, Mayor

Attest: _____ Date: _____

Becky LaRoche, City Clerk

MMS CONSULTANTS, INC.

Professional Services Agreement

This is an Agreement made as of _____, 20~~20~~ between MMS Consultants, Inc. (MMS) and the City of Riverside, Iowa. (CLIENT - legally responsible party). CLIENT hereby engages MMS Consultants, Inc. to perform services as outlined and according to the terms and conditions expressed herein.

Services: Parks and Recreation Capital Improvements Master Plan - Riverside, Iowa.

MMS and CLIENT agree:

1. **Scope of Services.** MMS shall perform the services as stated in Exhibit 1, which shall hereinafter be referred to as the "Project." In the event the scope of services changes during the term of this Agreement, the parties shall execute a written change order specifying the nature of the change in the scope of services and any associated change in the payment required.
2. **Compensation and Payment.** Client shall compensate MMS for MMS's services as stated in Exhibit 2.
3. **Terms and Conditions.** MMS shall provide professional services in accordance with the terms and conditions stated in Exhibit 3. The terms and conditions contained within this Agreement shall apply to all change orders related to this project.
4. The following exhibits are attached to and made part of this Agreement:

- Exhibit 1 – Scope of Services
- Exhibit 2 – Compensation
- Exhibit 3 – Standard Terms & Conditions

IN WITNESS WHEREOF, the parties below have executed this Agreement as of the day and year first above written.

MMS Consultants, Inc.

By: 

Client Acceptance:

Signed By: _____

Printed Name: _____

Address for giving notices:

City of Riverside
60 N. Greene Street
Riverside, IA 52327

If CLIENT is a public body, attach evidence of authority to sign and resolution or other document authorizing execution of AGREEMENT.

MMS CONSULTANTS, INC.
Professional Services Agreement
Exhibit 1 – Scope of Services

Services: Parks and Recreation Capital Improvements Master Plan - Riverside, Iowa.

BASIC SERVICES SHALL INCLUDE:

A. CAPITAL IMPROVEMENTS MASTER PLANNING

MMS Consultants, Inc. will assist the City of Riverside to establish a Parks and Recreation Capital Improvements Master Plan (CIMP) to direct how major investments in new park construction projects, renovation of existing infrastructure and planning for future growth can be accomplished over the upcoming 5 year period.

The following steps will be included in the CIMP process:

1. **Goal Setting:** MMS will facilitate meetings with City staff and City Council to define the Parks and Recreation goals.
2. **Inventory:** Conduct an in-person visual and physical inventory of the existing parks and amenities. Utilize existing aerial photography, GIS data and other existing resources to create base maps for each park.
3. **Identify:** Create, along with City staff and Council, a list of new construction, renovations, maintenance and new acquisition projects that achieve the set goals while maintaining current level of service, functions and operations of the facilities.
4. **Prioritize:** Each project will be assigned a short, mid and long range classification. A rating system will then be created to assign a value to each project, thereby organizing the identified projects into short, mid and long term prioritized lists.
5. **Cost:** Once prioritized, budgetary cost opinions will be developed for each project, providing an individual and big picture of the financial impact of the construction and ongoing maintenance. To do this, conceptual designs of each project will be completed for each project, providing enough detail to extract preliminary costs.
6. **Time:** Along with money, time is a critical element in any CIMP. Each project will be assigned a tentative start and stop date.
7. **Graphic:** Rendered plans will be created, highlighting the existing parks and the proposed projects.

The CIMP is a planning document. Each project listed in the CIMP typically has further review and approval by the City Council as part of the project design, engineering and bid award process. In addition, priorities and needs can change over the five year period as funding scenarios change, new information becomes available, other priorities are established, etc. so it is not uncommon to see the project scopes and timelines proposed in the CIMP change. The entire CIMP should be reviewed and updated every 2-3 years as part of the annual budget process.

COUNCIL PACKET

PROJECT EXPERIENCE

We have two licensed landscape architects with a significant amount of experience with projects like this, Lucas Newton, ASLA and Keith Billick, ASLA.

Listed below are some related projects which MMS has completed. Attached to the end of the proposal is a sheet showing some additional information about a couple of the projects listed.

Kiwanis Park – Iowa City

Napoleon Park – Iowa City

Iowa City Community School District Playgrounds

- Horace Mann Elementary
- Shimek Elementary
- Longfellow Elementary
- Alexander Elementary
- Grant Elementary
- Hoover East Elementary
- Lincoln Elementary

Highland Community Schools

- Riverside Elementary – Currently in Design

Solon Recreation and Nature Area

Horace Mann



Lincoln



COUNCIL PACKET

Riverside Elementary Conceptual Rendering



MMS CONSULTANTS, INC.
Professional Services Agreement
Exhibit 2 – Compensation and Payment

Services: Parks and Recreation Capital Improvements Master Plan - Riverside, Iowa.

1.0 Client shall pay MMS as follows:

- A. Lump sum in the amount of \$12,500 for the scope of services outlined in Exhibit 1. This fee does not include application or permit fees, outside services, equipment or materials.

All additions and changes to scope of services shall be agreed upon by use of a Change Order signed by both MMS and Client. All conditions for payment of Change orders will be the same as the conditions for payment within the original Agreement.

- B. Invoices will be prepared monthly in accordance with MMS standard invoicing practices and submitted to Client. Invoices are due upon receipt. If Client fails to make any payment due to MMS for services and expenses within 60 days after date of MMS invoice, the amounts due MMS will be increased at the rate of 1.5% per month from the 60th day after invoice date. In addition, MMS may, without liability and not in lieu of any other rights MMS may have at law or in equity, after giving seven days written notice to Client, suspend services under this Agreement until MMS has been paid in full all amounts due for services, expenses, and other related charges. In addition, in any action to collect unpaid amounts due pursuant to this Agreement, Client shall pay all cost of collection including but not limited to court costs and MMS's attorney's fees. Payments will be credited first to interest and then to principal.
- C. In the event of a disputed or contested invoice, only that portion so contested may be withheld from payment, and the undisputed portion shall be paid.
- D. Upon complete execution of this Agreement, MMS shall have the right to commence the performance of its services immediately and shall continue its performance of said services thereafter until said services are complete. Client shall not have the right to terminate this Agreement or to cancel MMS's services unless the entire project of which MMS's services are a component part has been ceased or cancelled. In said event, Client shall give MMS written notice of the termination of the project and MMS shall be entitled to payment for any services performed or expenses incurred prior to receipt of said written notice.

**Professional Services Agreement
Exhibit 3 – Terms and Conditions**

Services: Parks and Recreation Capital Improvements Master Plan - Riverside, Iowa.

- A. Standard of Care will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. MMS makes no warranties, express or implied, under this Agreement or otherwise, in connection with services required to be performed by this Agreement. MMS and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers and suppliers.
- B. MMS shall not at any time supervise, direct or have control over any contractor's work, nor shall MMS have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.
- C. MMS neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Client and such contractor.
- D. MMS Shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except MMS's own employees) at the Project site or otherwise furnishing or performing any construction work in connection with the Project; or for any decision made based on interpretations or clarifications of the construction contract given by Owner without consultation with and advice of MMS.
- E. All design documents prepared or furnished by MMS are instruments of service and MMS retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.
- F. To the fullest extent permitted by law, Client and MMS (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that MMS's total liability to Client under this Agreement shall be limited to the total amount of the compensation received by MMS pursuant to this Agreement.
- G. The information and services provided by MMS pursuant to this Agreement are intended for use only by Client. No third party shall have any right arising from this Agreement or the documents produced pursuant to this Agreement. As additional consideration for the performance the services called for hereunder, Client agrees to hold harmless and indemnify MMS and its employees, officer, directors, and agents for all costs, expenses, legal fees, awards, settlements, and judgments in any legal proceeding brought by any third party who claims that he or she relied on representations made in such documents and was damaged thereby. Client's request that MMS release copies of documents produced pursuant to the terms of this Agreement shall be at Client's risk with respect to the contents of this paragraph.
- H. If Client claims that MMS has made an error in any of the services provided hereunder, Client will inform MMS of the alleged error and allow MMS to inspect the property before Client takes any action to correct the alleged error or which would otherwise make it difficult or impossible for MMS to evaluate the existence of the alleged error. If Client repairs or otherwise provides a remedy for such alleged error or further disturbs the property such that it becomes impossible for MMS to confirm the existence or otherwise evaluate the alleged error, Client waives any and all actions against MMS for such alleged error.
- I. Client shall indemnify and reimburse MMS for any and all costs and expenses associated with any civil action arising under this Agreement, including but not limited to attorney's fees, costs, and expenses, unless Client unilaterally prevails in a court of competent jurisdiction.
- J. Upon complete execution of the Agreement, MMS shall have the right to commence the performance of its services immediately and shall continue its performance of said services thereafter until said services are complete. Client shall not have the right to terminate this Agreement or to cancel MMS's services unless the entire project of which MMS's services are a component part has been ceased or cancelled. In said event, Client shall give MMS written notice of the termination of the project and MMS shall be entitled to payment for any services performed or expenses incurred prior to receipt of said written notice.

REFERENCE PROJECT

KIWANIS PARK, IOWA CITY, IOWA

Kiwanis Park is a 14-acre park at Aber Avenue and Teg Drive in southwest Iowa City, Iowa.

This project included prairie restoration, multiple interior trails connecting to the larger Willow Creek Trail nearby and a one acre playground.

MMS Consultants, Inc. developed concept plans from meetings with neighborhood residents and city staff.

The playground is notable for its use of natural landscape elements rather than manufactured playground equipment (developed by Abundant Playscapes in 2000). Scope of the project included neighborhood meetings, construction documents, construction staking, construction administration and inspection by MMS.



Contact: Iowa City Park & Recreation Department,
(319) 356-5104

REFERENCE PROJECT

NAPOLEON PARK REC FACILITIES, IOWA CITY, IOWA

Napoleon Park is part of the larger Iowa City Public Works and Park and Recreation Complex. It includes a softball complex with concessions and an interconnecting trail system that links to the Iowa River Corridor Trail. MMS presented multiple concepts and developed the chosen design. Upon approval, MMS prepared construction documents for bidding and construction and completed construction staking.



Contact: Iowa City Park & Recreation Department,
(319) 356-5104

RESOLUTION #080320-05

RESOLUTION APPROVING RELEASE of RETAINAGE TO TRIPLE B CONSTRUCTION, FOR HWY 22 CONSTRUCTION PROJECT

Whereas, the City of Riverside City at the recommendation of the City Engineering Firm, MMS Consultants, Scott Pottorff and it is the opinion of the City Engineering Firm that the City Council approve HWY 22 Street Construction Project, and release retainage in the amount of \$7645.50.

Therefore, be it resolved the City of Riverside City Council does hereby accept the partial release of retainage, and will retain \$2,400.00 for repairs to seeding on the north side of Galileo Drive. Final payment to Triple B Construction will be \$5245.50.

It was moved by Councilperson _____, seconded by Councilperson _____ to approve the foregoing resolution.

Roll Call: Schneider, Sexton, Rogers, Redlinger, McGuire

Ayes:

Nays:

Absents:

PASSED AND APPROVED by City Council of Riverside, Iowa, on this 3rd day of August, 2020

Signed: _____ Date _____
Allen Schneider, Mayor

Attest: _____ Date _____
Becky LaRoche, City Clerk



MMS Consultants, Inc.
Experts in Planning and Development Since 1975

1917 S. Gilbert Street
Iowa City, Iowa 52240
319.351.8282
mmsconsultants.net
mms@mmsconsultants.net

Environmental Specialists
Landscape Architects
Land Planners
Land Surveyors
Civil Engineers

December 26, 2019

2245-038

Highway 22 Improvements Project
Closeout Agreement

Since much of the sod on the project was installed late in the Fall of 2019, it will be difficult to determine any sod areas which do not become established prior to closeout of the project.

Per SUDAS Specifications, the following criteria are used to determine acceptance of sod:

1. All requirements for the completed installation and maintenance have been met.
2. Sodded areas are healthy and even-colored, and a viable lawn is established, free from weeds, undesirable grass species, disease, and insects.
3. Sod is knit down to the soil so that it cannot be pulled up.
4. Sodded areas are without scattered bare spots and dead or dormant sod.
5. Clean up operations are completed.

The parties hereby agree to the following with regard to closing out the project:

1. The project will be closed out and the retainage released in accordance with contract requirements. \$7,645.50 of the retainage will be held by the City.
2. All sod areas will be reviewed in early May of 2020 to determine whether sod areas have become established
3. Any sod areas which have not become established, based on the criteria outlined above, shall be replaced by the Contractor prior to June 1, 2019
4. Contractor shall provide maintenance of replaced sod areas for 30 days as outlined by SUDAS specifications in 2020
5. City shall release \$7,645.50 to the Contractor once all sod areas have been accepted in Spring 2020.

Approved by:

Triple B Construction

City of Riverside

2245038sodagreement.docx

COUNCIL PACKET

City Admin

From: Scott Pottorff <S.pottorff@mmsconsultants.net>
Sent: Wednesday, July 1, 2020 10:30 AM
To: admin@cityofriversideiowa.com
Subject: FW: Galileo Drive Riverside

And include this email from Brad in the packet as well.



Scott Pottorff, P.E.

Project Manager

Ofc: (319) 351-8282

Direct: (319) 339-4153

Cell: (319) 631-0365

S.pottorff@mmsconsultants.net

mmsconsultants.net

This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: brad@triplebconstructionia.com [mailto:brad@triplebconstructionia.com]
Sent: Tuesday, June 16, 2020 2:24 PM
To: Scott Pottorff
Subject: RE: Galileo Drive Riverside

Scott

I talked Steven's Erosion Control and they thought the seed would have established if it has been mowed at proper intervals & height on the north side of the road. The south side the road was spec'd as a SUDAS rural mix with the intent that those lots would be built on fairly quickly, and it has pretty good coverage except at the areas where the utilities caused disturbance. We are outside the seeding window now, and nothing should be done until it opens back up. I looked at the original contract, and the price was \$1500/Acre for the 3.2 acres on the north side of the road. That comes to \$4,800. I would be willing to pay 1/2 of the contract price for reseeding. **You could deduct \$2,400 from the final payment for the Highway 22 sod retainage, which I think should be ready to be released? Thanks Scott!**

Brad Jipp
President, Owner
Triple B Construction Corporation
710 Ayres Progress Drive
Wilton, IA 52778
319-631-0320 (Cell)
563-732-DIRT (Office)
brad@triplebconstructionia.com

----- Original Message -----

Subject: RE: Galileo Drive Riverside

From: "Scott Pottorff" <S.pottorff@mmsconsultants.net>

COUNCIL PACKET

Date: Tue, June 16, 2020 1:08 pm
To: <brad@triplebconstructionia.com>

Any update on this?



Scott Pottorff, P.E.

Project Manager
Ofc: (319) 351-8282
Direct: (319) 339-4153
Cell: (319) 631-0365
S.pottorff@mmsconsultants.net
mmsconsultants.net

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From: Scott Pottorff [<mailto:S.pottorff@mmsconsultants.net>]
Sent: Thursday, June 4, 2020 8:42 AM
To: brad@triplebconstructionia.com
Subject: FW: Galileo Drive Riverside

Here is pricing I got from Stevens. The City had already talked to Stutsmans about spraying so I may see if they can coordinate and pay for the spraying if you are willing to pay Stevens for seeding.

Let me know what you think.



Scott Pottorff, P.E.

Project Manager
Ofc: (319) 351-8282
Direct: (319) 339-4153
Cell: (319) 631-0365
S.pottorff@mmsconsultants.net
mmsconsultants.net

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From: Justin Neuzil [mailto:justin_neuzil@hotmail.com]
Sent: Thursday, June 4, 2020 6:52 AM
To: Scott Pottorff
Cc: brian.stevens@stevenserosion.com
Subject: Re: Galileo Drive Riverside

See attachment for quote. I put 3-line items on it. I am fine if the city just wants to use 1 and not 2 or 3, but wanted to give the options. Im sure Stutsmans knows this but if they do spray it please make sure that whatever herbicide they use will not affect the germination rate of our seed. Also as established as that clover is I would bet a second application in a few months would be a good idea. Either way let me know what you find out.

COUNCIL PACKET

Justin Neuzil

Stevens Erosion Control, Inc. | P.O. Box 98 Hills, IA 52235

justin.neuzil@stevenserosion.com | 319-330-1721 (cell) | 319-679-4990 (office) | 319-679-4991 (fax)

From: Scott Pottorff <S.pottorff@mmsconsultants.net>

Sent: Wednesday, June 3, 2020 4:57 PM

To: Justin Neuzil <justin_neuzil@hotmail.com>

Subject: Galileo Drive Riverside

There is about 2.5 acres of flat on the north side of Galileo Drive. The City is also interested in doing the small detention basin area and it is 0.27 acres. The City guys said something about the area directly north of the gravel never having been seeded but I didn't look at that area. There may be a smaller area of 0.10 acre or so that may need to be drilled as well up there.

The City would like to do this as soon as we can. They already talked to Stutsmans about spraying it but will hold off until you send me some numbers.

Let me know if you need any more information.



Scott Pottorff, P.E.

Project Manager

Ofc: (319) 351-8282

Direct: (319) 339-4153

Cell: (319) 631-0365

S.pottorff@mmsconsultants.net

mmsconsultants.net

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COUNCIL PACKET

City Admin

From: Kevin Meller <kevinmeller26@gmail.com>
Sent: Wednesday, July 29, 2020 3:15 PM
To: City Admin
Subject: Re: Council Monday

Christine,

Total cost with movie/band and sound guy is approx 1000. We hope to tackle social distancing by:

- not having seating set up near the stage. - have families bring blankets or chairs
- having a professional sound guy so we are not having inexperienced people having to troubleshoot to remember how to run the sound board.
- If it is deemed necessary we could spray paint markers of where to sit on the ground
- announce and remind people throughout the evening
- scatter picnic tables throughout the park to keep large groups gathering to eat
- strongly encourage volunteers that are within six feet of each other to have on face masks

We hope by having an outdoor event in a large park will lend itself to social distancing.

Thanks,

Kevin

On Wed, Jul 29, 2020 at 11:27 AM City Admin <admin@cityofriversideiowa.com> wrote:

Hi Kevin,

I have you on the agenda for Monday's council meeting for the 8/15 RACC event. A couple of questions. Do you have an estimate of the cost for the event, and what are your plans for the masks, social distancing aspect of the event? I would like to have a brief synopsis to put in the council packets.

Thanks,

Christine Yancey

City Administrator
City of Riverside, Iowa

319-648-3501

admin@cityofriversideiowa.com

COUNCIL PACKET

City Admin

From: rodgerskevin97 <rodgerskevin97@yahoo.com>
Sent: Thursday, July 30, 2020 11:31 AM
To: City Admin
Subject: Re: RACC Demo Derby

Demo derby for October 3rd

We have plans to have necessary sanitation and wash stations set up. Bleachers hold roughly 1000 people so that is a lot of space for people to practice social distancing. We will wear masks if the health department requires it for serving food and beverages. We will not have a mask mandate to come to this event but encourage people to wear them and practice social distancing.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: City Admin <admin@cityofriversideiowa.com>
Date: 7/30/20 8:58 AM (GMT-06:00)
To: 'Kevin Rodgers' <rodgerskevin97@yahoo.com>
Subject: RACC Demo Derby

Kevin,

Becky told me this morning that RACC would like to move forward with a demo derby in September, and that you wanted this on the council agenda for Monday. Do you have any information that you can provide in an email so I can put it in the council packet? What are your plans in response to COVID and handling masks and social distancing? That will be asked as well since this event will be held in Hall Park. I need this information by noon today to add to the agenda.

Thanks,

Christine Yancey

City Administrator
City of Riverside, Iowa

319-648-3501

admin@cityofriversideiowa.com

COUNCIL PACKET

City Admin

From: Danielle Pettit-Majewski <dpettitmajewski@washph.com>
Sent: Thursday, July 30, 2020 2:58 PM
To: 'Marissa Reisen'; 'City Admin'
Subject: RE: Demo Derby in the city park

Agreed. And October 3 is light-years from now. We might be in a completely different situation. However, I would 2nd Marissa's comment - whatever you would need to reduce capacity by to maintain 6ft of distance between people.

Danielle

-----Original Message-----

From: Marissa Reisen [mailto:mreisen@co.washington.ia.us]
Sent: Thursday, July 30, 2020 2:54 PM
To: 'City Admin'; Danielle Pettit-Majewski
Subject: RE: Demo Derby in the city park

The big thing that I would throw out is that whatever the "normal" capacity of the event would be should probably be cut, I believe that's what all the race tracks are doing? Or at least that was the requirement at one point...

Marissa Reisen, MS, BA, IA-CEM
Washington County Emergency Management Coordinator
2175 Lexington Blvd, Bldg 3
PO Box 889 | Washington, IA 52353
mreisen@co.washington.ia.us<mailto:mreisen@co.washington.ia.us>
(319) 653-7794 office | (319) 461-6413 cell

Build a kit. Make a plan. Be aware.

From: City Admin <admin@cityofriversideiowa.com>
Sent: Thursday, July 30, 2020 14:52
To: Marissa Reisen <mreisen@co.washington.ia.us>; Danielle Pettit-Majewski <dpettitmajewski@washph.com>
Subject: Demo Derby in the city park

Hi,

I received a request to put on the agenda for a demo derby for October 3. There response to me on the covid was that mask would be encouraged but not required unless Washington County required them. The mayor has asked if you could provide a minimum list of requirements for council before they decide if this event will be allowed. As you can imagine, there are some reservations on allowing this event.

Thanks,

Christine Yancey
City Administrator
City of Riverside, Iowa
319-648-3501
admin@cityofriversideiowa.com<mailto:admin@cityofriversideiowa.com>
[cid:image001.jpg@01D66681.3D9CAA20]

COUNCIL PACKET

PUBLIC HEARING FOR THE CITY COUNCIL
OF THE CITY OF RIVERSIDE, IOWA

The City Council of the City of Riverside, Iowa will hold a public hearing for the purpose of receiving input and suggestions from the general public concerning Codification of the City's Code of Ordinance Update. The City Code of Ordinances is intended to provide reasonable rules and regulations for the community to protect the health, safety and welfare of the general public. The Public Hearing will be held during the City Council meeting on Monday, August 3rd, 2020, at 6:00 p.m., at Riverside Fire Station.

All interested persons are invited to attend the public hearing and to offer comments, orally or in writing, in support of, or in opposition of the Ordinances. Written comments may be submitted to the Riverside City Clerk, P.O. Box 188, Riverside, IA 52327-0188, in advance of the public hearing. Any questions regarding the update on the Code of Ordinances may also be directed to City Hall.

The Code of Ordinance is available for public review at the City Clerk's office. For more information concerning this public hearing, please contact City Hall at 319-648-3501.

This notice is published at the direction of the City Council for the City of Riverside, Iowa.

Becky LaRoche, City Clerk

**PUBLIC HEARING FOR THE CITY
COUNCIL
OF THE CITY OF RIVERSIDE, IOWA**

The City Council of the City of Riverside, Iowa will hold a public hearing for the purpose of receiving input and suggestions from the general public concerning Codification of the City's Code of Ordinance Update. The City Code of Ordinances is intended to provide reasonable rules and regulations for the community to protect the health, safety and welfare of the general public. The Public Hearing will be held during the City Council meeting on Monday, August 3rd, 2020, at 6:00 p.m., at Riverside Fire Station.

All interested persons are invited to attend the public hearing and to offer comments, orally or in writing, in support of, or in opposition of the Ordinances. Written comments may be submitted to the Riverside City Clerk, P.O. Box 188, Riverside, IA 52327-0188, in advance of the public hearing. Any questions regarding the update on the Code of Ordinances may also be directed to City Hall. The Code of Ordinance is available for public review at the City Clerk's office. For more information concerning this public hearing, please contact City Hall at 319-648-3501.

This notice is published at the direction of the City Council for the City of Riverside, Iowa.

Becky LaRoche, City Clerk

*E-mailed to
NEWS
7-23-20
BL*

RESOLUTION #080320-06

**RESOLUTION ACCEPTING THE CODE OF ORDINANCE FOR
THE CITY OF RIVERSIDE IOWA**

Whereas, the City Council of the City of Riverside, Iowa held a public hearing for the purpose of receiving input and suggestions from the general public concerning the City's Code of Ordinance Updates. An ordinance is intended to provide reasonable rules and regulations for the community, to protect the health, safety and welfare of the general public. The Public Hearing was held during the City Council meeting on Monday, August 3, 2020, which started at 6:00 p.m. in the Riverside Fire Station.

Therefore, be it resolved the City of Riverside City Council does hereby pass the first reading of the Code of Ordinance #8-3-2020-01 City Code for the City of Riverside, Iowa.

It was moved by Councilperson _____, seconded by Councilperson _____, to adopt the foregoing resolution.

Roll Call: Schneider, Redlinger, Sexton, Rodgers, McGuire

Ayes:

Nays:

Absents:

Passed and approved by the City Council of Riverside, Iowa, on this 3rd day of August, 2020.

Signed: _____ Date: _____

Allen Schneider, Mayor

Attest: _____ Date: _____

Becky LaRoche, City Clerk

COUNCIL PACKET

Chapter	Chapter Title	Original Page #	New Page #	Changes Made	Notes
1	Code of Ordinances	4	4	Deleted section 1.14	Will use Chapter 3 "Municipal Infractions" as standard penalty
3	Municipal Infraction	12	12	Added: "and code section" to 3.04 (2)	
8	Mayor	46	46	Checked town Code and section 6.04 (1-5) is still current	"Meetings of the City Council shall include regularly scheduled Council meetings, work-sessions and specially called meetings."
15	Industrial Property Tax Exemption	76	76	Added clarifying language to section 15.04	"Meetings of the City Council shall include regularly scheduled Council meetings, work-sessions and specially called meetings."
17	Council	81	81	Replaced old Chapter 35 with new ordinance	
35	Volunteer Fire Department	151	154	Added "See also Chapter 162" to section 50.02 (9)	
50	Nuisance Abatement Procedure	251	251	Deleted: "Junk" and changed to "Unused" Vehicles	
50	Nuisance Abatement Procedure	253	253	Changed all references to "Junk" vehicles to "Unused" vehicles	
51	Unused Junk Vehicles	261	261	Added: "boat, RV, camper" to list of defined vehicles in section 51.01 (3)	
51	Unused Junk Vehicles	261	261	Changed: "per-son" to "person" in section 61.07	
61	Traffic Control Devices	320	320	Added: "D. Cherry Lane" and "E. Galileo Drive" to section 63.04 (1)	
63	Speed Regulations	331	346	Added: "S. Schmebelen Street" and numbers 1 and 2 to section 69.01 (6)	
69	Parking Regulations	346	346	Added: numbers 7 and 8 to list of streets with angle parking	
69	Parking Regulations	349	349	Changed: "Elle" Street to "Green" street in 69.07 (18)	
75	All-terrain Vehicles and Snowmobiles	402	402	Updated section 75.04 (1) to include River Street as the only street for snowmobiles	
92	Water Rates	449	449	Updated section 92.02 (1) with new rates and gallon totals	
92	Water Rates	449	449	Deleted section 92.02 (2)	
92	Water Rates	449	449	Updated section 92.03	
92	Water Rates	449	449	Updated section 92.04 (3)	
92	Water Rates	450	450	Deleted: new number 4 (Door Posting Fee) and changed numbers accordingly to section 92.05	
92	Water Rates	450	450	Deleted last sentence of number 5 in section 92.05 (5)	Also changed the titles accordingly on page 449
92	Water Rates	451	451	Changed: "Customer" to "Renter" throughout 99.09 (1-2) including title	
92	Water Rates	451	451	Updated section 92.09 (2) and deleted sections 92.09 (3 and 4)	Also changed the titles accordingly on page 449
92	Water Rates	451	451	Deleted sections 92.10 and 92.11 and made them RESERVED for future use	
92	Water Rates	452	452	Changed: "\$20.00" to "\$30.00" in section 92.12	
92	Water Rates	452	452	Changed: "can" to "may" in section 95.06	
95	Sanitary Sewer System	483	483	Added: "a flat fee of \$60/month" and deleted "125% of the rates..."	
95	Sanitary Sewer System	484	483	Changed: "\$50.00" to "\$100.00"	
96	Building Sewers and Connections	488	488	Updated section 96.02 with new rates	Also added language that rates for sanitary service outside of the city was set in Section 95.06
99	Sewer Service Charges	497	497	Deleted sections 99.06, 99.08 and 99.07 and made them RESERVED for future use	Also changed the titles accordingly on page 497
99	Sewer Service Charges	498, 499	498, 499	Changed: "\$20.00" to "\$30.00" in section 99.10	
99	Sewer Service Charges	499	499	Checked town Code and section 121.04 is still current	
121	Cigarette and Tobacco Permits	650	650	Updated section 122.05 to say that fees shall be set by city resolution and deleted the rest	
122	Dealers, Solicitors and Transient Merch.	654	634	Added: "within a two (2) mile radius of the City" to section 122.19 (3)	
122	Dealers, Solicitors and Transient Merch.	655	635	Updated insurance required in section 123.05	
123	House Movers	657	637	Updated permit fee from \$100.00 to \$500.00 in section 123.06	
123	House Movers	658	638	Added new ordinance dealing with the sale and use of fireworks	
124	Fireworks	n/a	639	Updated insurance required in section 135.09 (5) (A-B)	
135	Street Use and Maintenance	672	672	Deleted Chapter 138 and made it RESERVED for future use	Also added chapter to the table of contents
138	Street Grades	681	681	Updated section 150.02 (4)	Also changed the table of contents title
150	Builder and Contractor Requirements	781	781	Added new ordinance dealing with maintaining property	Also added chapter to the table of contents
162	Weeds, Vines and Brush	n/a	837	Added new ordinance requiring permits for outdoor furnaces	Also added chapter to the table of contents
168	Outdoor Furnaces	n/a	840	Added new ordinance requiring permits for outdoor furnaces	Also added chapter to the table of contents
167	Site Plan	n/a	865	Added new Site Plan Ordinance	

Additional Changes to the Code - what's left:

p. 49 - addition of 2 new Urban Renewal ordinances to the table

Updates pending ordinance with changes as per City Administrator

Timeline

December / January - have city attorney review draft code, city council review of changes

January - make any changes required by attorney

February - City Council public hearing and first reading of code (weeks 2nd and 3rd readings and adopt)

March - City Council 2nd reading of code (week 3rd reading and adopt)

April - City Council 3rd reading of code and adoption

COUNCIL PACKET

RESOLUTION #080320-07

RESOLUTION APPROVING WATER BILLING, LATE FEES, DISCONNECTION NOTICES AND DISCONNECTION POLICY

WHEREAS, The Riverside City Council is in full support of establishing a formal, written policy which function involves the process for water billing, late fees, disconnection notices as well as disconnection in accordance with procedures outlined in the City of Riverside Code of Ordinances Chapter 92.

WHEREAS, The intent of this policy is to provide a uniform procedure for the billing and collection of city utilities, in accordance with City of Riverside Code of Ordinances Chapter 92.

Water Billing, Late Fees, Disconnect Procedures

- Bills processed on or before the first day of the month.
- Bills due 15th of each month
- Clerk runs the delinquent account report once all payments have been processed through the accounting system. Bills not paid shall be considered delinquent.
- 10% late penalty applied for delinquent accounts.
- Disconnect notices mailed by normal mail by the 16th of the month, which shall include the final date before shut-off. Late notices mailed include the 10% penalty.
- Door hangers placed noting disconnection five days from the due date-placed on doors by PeopleService. All accounts with a balance of \$25.00 and up will receive a door hanger. Notice of right to a hearing to file an appeal with the Clerk will be included with the notice. If the account holder disagrees with the findings of the clerk, they may appeal to the City Council.
- City Clerk may work with delinquent accounts to set up pay arrangements. All payment arrangements need to be in writing, signed by the resident and city clerk, and reviewed and approved by the City Administrator. Failure to pay as outlined in the payment agreement makes the address eligible for shut off without notice.
- Once an account is shut off, there is a \$75.00 reconnect fee during normal business hours, \$95.00 outside of normal business hours.

BE IT HERBY RESOLVED that the Riverside City Council has determined it is important to have a Written Policy for Water Billing, Late Fees, and Disconnection, included in this Resolution.

Motion made by _____, seconded by _____ that the foregoing Resolution be adopted.

Roll Call: Schneider, Sexton, Redlinger, Rodgers, McGuire

AYE:
NAY:
ABSENT:

COUNCIL PACKET

Passed and Approved by the City Council of Riverside, Iowa, on this _____ day of August 2020.

Signed: _____
Allen Schneider, Mayor

Date: _____

Attest: _____
Becky LaRoche, City Clerk

Date: _____

COUNCIL PACKET

Riverside/436225-21/Internal TIF Advance & Ec Dev Loan

MINUTES AUTHORIZING ECONOMIC DEVELOPMENT GRANTS

Riverside, Iowa

436225-21

August 3, 2020

The City Council of the City of Riverside, Iowa, met at the _____ in the City, at _____ o'clock, __.m., on August 3, 2020. The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: _____

Absent: _____.

The matter of authorizing a Grant to Apex Development Group, L.L.C. for economic development purposes was considered by the City Council.

Whereupon, Council Member _____ introduced a proposed resolution entitled: "Resolution Authorizing Internal Advance For Funding of Economic Development Grant," and moved that the said resolution be adopted, seconded by Council Member _____ and after due consideration thereof by the City Council, the Mayor put the question on the motion for adoption of the said resolution and, the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the said resolution duly adopted and signed approval thereto.

* * * *

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

COUNCIL PACKET

Riverside/436225-21/Internal TIF Advance & Ec Dev Loan

RESOLUTION NO. _____

Resolution Authorizing Internal Advance For Funding of Economic Development Grant

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a city may provide grants, loans, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans or other financial assistance, a city council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that, in determining whether funds should be spent, a city council must consider any or all of a series of factors; and

WHEREAS, the City of Riverside, Iowa (the “City”), has previously established the Northern Heights Housing Urban Renewal Area (the “Urban Renewal Area”) and has established the Northern Heights Housing Urban Renewal Area Tax Increment Revenue Fund (the “Tax Increment Fund”) in connection therewith; and

WHEREAS, the City has undertaken an urban renewal project consisting of funding an economic development grant (the “Grant”) to Apex Development Group, L.L.C. (the “Developer”) in connection with the construction of public infrastructure improvements necessary for the development of a residential housing subdivision (the “Project”); and

WHEREAS, in order to cover the City’s costs in funding the Grant and to make such costs eligible to be recouped from future incremental property tax revenues, it is necessary to facilitate an internal advance (the “Advance”) of funds in the amount of \$692,000; and

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Riverside, Iowa, as follows:

Section 1. It is hereby directed that an amount not to exceed Six Hundred Ninety-Two Thousand Dollars (\$692,000) be advanced to the funding of the Grant from the City’s Casino Revenue Fund-145 (the “Source Fund”). The Advance shall be repaid to the Source Fund, with interest at the per annum rate of 2.00%, out of incremental property tax revenues received into the Tax Increment Fund. Interest shall be calculated from August 1, 2020 and shall be computed on the basis of the actual 365-day calendar year.

It is intended that the Advance, plus accrued interest thereon, shall be repaid in eleven (11) installments on June 1, in each of the years 2022 through 2032, provided however that repayment of the Advance is subject to the determination of future City Councils that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the City Council reserves the right to appropriate funds, or to withhold such appropriation, at its discretion. All payments made will be applied first to accrued interest and then to the Advance.

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Riverside/436225-21/Internal TIF Advance & Ec Dev Loan

Section 2. Pursuant to Section 403.22 of the Code of Iowa, 2019, provision shall be made for providing housing assistance to families of low and moderate income. The amount to be set aside for such purpose (the "LMI Requirement") shall be equal to 38.02% of every dollar of Incremental Property Tax Revenues collected into the Tax Increment Fund and used for the repayment of the Advance. In no event shall the aggregate dollars set aside for the satisfaction of the LMI Requirement exceed \$263,098.

Section 3. A copy of this Resolution shall be filed in the office of the County Auditor of Washington County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify, no later than December 1, 2020, the original amount of the Advance, plus the estimated LMI Requirement.

Section 4. Pursuant to the factors listed in Chapter 15A, the City Council hereby finds that:

- a) The Project will add diversity and generate new opportunities for the Riverside and Iowa economies;
- b) The Project will generate public gains and benefits, which are warranted in comparison to the amount of the proposed Grant;

Section 5. The City Council further finds that a public purpose will reasonably be accomplished by making the Grant in connection with the Project. The Grant is hereby approved and the City Clerk is hereby authorized and directed to take all action necessary to fund the Grant to the Developer in accordance with the terms of this Resolution. All action heretofore taken by the City Clerk is all hereby ratified and affirmed.

Section 6. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 3rd day of August, 2020.

Mayor

Attest:

City Clerk



July 28, 2020

Via Email

Becky LaRoche
City Clerk/City Hall
Riverside, IA

Re: Internal TIF Advance Resolution/Authorize Grant
Our File No. 436225-21

Dear Becky:

We have prepared and enclose an Internal TIF Advance Resolution for use by the City Council. Please review the details in the Resolution to ensure that they match the City's current circumstances. Please pay particular attention to ensuring that the proposed advance is consistent with the City's budget. This Resolution also authorizes the funding of the economic development Grant to Apex Development Group, L.L.C. in compliance with Chapter 15A of the Code of Iowa.

After it is adopted, an executed copy of the Resolution must be placed on file in the office of the Washington County Auditor. Please print extra copies for this purpose. Please return one fully executed copy of all of the completed pages in these proceedings.

Please call John Danos or me with any questions.

Kind regards,

Amy Bjork

Attachment

cc: Chris Yancey



Trek
"Where the Best Begins"

**City of Riverside
Residential
Community Beautification Incentive Program**

Guidelines & Policies

The Community Beautification incentive program is designed to stimulate improvements to dwellings and properties in the residential district of Riverside. This grant is to encourage growth and attract new families by creating a positive, clean, and welcoming environment for our residents of Riverside.

Program Objectives

- To make positive, high-impact visual improvements to dwellings and properties by providing an overall enhanced image for Riverside, thereby attracting families to want to live and raise a family in Riverside.

Available Assistance

- To provide a maximum of \$2,500 financial assistance per project as a ***matching monetary incentive*** grant package as a forgivable loan to property owners for the ***restoration or rehabilitation of dwelling and property, or***
- To provide a maximum of \$2,500 financial assistance per project as a ***matching monetary incentive*** grant package as a forgivable loan to help property owners ***update or beautify their dwelling or property.***

Eligibility Requirements

- Assistance under this program will be considered subject to the availability of funding.
- Property owners within the City limits of Riverside are eligible to apply.
- For Residential use only.

Minimum Guidelines

- Dwellings and Properties improved with funds from this program must remain livable, occupied, and free of deterioration for period of (12) twelve months from the date of agreement. In the event these terms are not met any grant funds must be returned to the City.
- Tax payments for the subject property shall be up to date at the time of application.
- Grants will be approved at the sole discretion of the City.
- To be considered for approval, projects must make a substantial, visible improvement to the appearance of the building (to be determined by City staff).
- Dwelling and property improvements should maintain the character of the residential area.
- Retroactive applications will not be accepted. Applicants must consult with City Staff before work begins to define a project scope.

Eligible Improvements

- Sidewalks, Driveways, and Landscaping.
- Permanent exterior improvements to include but not limited to:
 - Installation, repair, or replacement of exterior exit doors.
 - Roof installation, repair, or replacement.
 - Repair, replacement, or addition of exterior shutters, awnings, and/or canopies.
 - Repair and/or rebuilding exterior walls, including siding, painting, sealing, and tuck pointing.
 - Repair or replacement of frames, sills, glazing, glass, and/or installation of new windows.
 - Installation, repair, or replacement of exterior lighting.
 - Repair, replacement of front porches, decks.
- Compliance with Americans with Disabilities Act (ADA) for sidewalks on properties.

Ineligible Improvements

- Structural additions that would enlarge the residential (livable) space of building—or an area not originally a livable space made livable.
- Furnishings and equipment purchase.
- Working capital.
- Inventory.
- Labor provided by the applicant, tenant, or property owner of the building.
- Extermination of insects, rodents, vermin, and other pests.

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- Improvements that do not comply with the City of Riverside's Land Use Plan, Zoning Ordinance, Building Code, and/or other applicable laws.
- Expenses incurred prior to grant application approval.

Grant Awarding. Grants are awarded while funding is available per budget year. One Grant application per property owner per year is allowed or at Council discretion. Prioritization may be given to those properties valued under \$180,000. Preference is given to new applicants and may be given to those who use local businesses in their project.

Application Process / Additional Information

- After reviewing the program guidelines, the applicant will meet with the Grant Committee to discuss the desired work to be undertaken. Written bids, sketches, color samples, material supplies, and photographs are encouraged to be submitted along with the application.
- The Grant Committee will review application making sure all requirements have been met and then present to the City Council for either approval or rejection of the grant request.
- Once Council approval is obtained the City Clerk will contact the applicant and provide the authorization to proceed.
- ***The applicant is responsible for obtaining any necessary building permits prior to beginning the project and will be responsible for complying with all Ordinances and laws, including all required inspections.***
- The applicant has ninety (90) days to begin the project and the length of time authorized to complete the project will be determined by City staff (based on the scope of the project).
- Deviations from approved plans and specifications without the prior authorization of the Grant Committee may disqualify the applicant from receiving any grant funds.
- When the project is complete, the applicant will submit to the City Clerk copies of all bills including proof of payment and at which time the City Clerk will present the paperwork to the Grant Committee to determine whether the overall project met program guidelines. If all requirements have been met, the City Clerk will take the request for payment to council for approval, and once approve is received, the City Clerk will issue payment to the applicant. Please allow 30 days for processing.

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"Where the Best Begins"

City of Riverside Residential
Community Beautification Incentive Program
GRANT APPLICATION

Applicant Name: _____ Phone Number: _____

Property Address: _____

Type of Work to be performed:

Please describe in detail the project you are requesting funding for. Attach all supporting documents including formal drawings/plans for the project, photos of the project area, itemized budget listing projected expense, estimated cost of materials, grant dollars applied for, bid/estimates from contractors, and property owner's estimated financial contribution

Briefly explain how these improvements to your building will enhance the dwelling and the reason for the improvements.

If the grant is awarded, will this grant complete the proposed project, or will additional work need to be done? Please explain.

Total Project Cost: \$ _____

Total Amount Requested from the City: \$ _____

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I understand the City of Riverside Community Beautification Incentive Program must be used in the manner described in the attached requirements and that funding is contingent on both the application being approved by the City Council and funding being available.

Applicant Signature: _____ Date: _____

FOR CITY USE ONLY

Date Draft Application Received (if applicable): _____

Date Grant Application Received: _____

Date Reviewed by Grant Committee: _____

Responses from Grant Committee:

Recommendation for Approval by Grant Committee: _____ Yes _____ No

Council Decision: _____ Yes _____ No

Comments:

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City of Riverside
Administrator Report
August 3, 2020

- Staff is holding daily meetings from 8:00-8:15, 8:30 to discuss the tasks for the day and any updates on projects. We practice social distancing.
- Washington zoom meetings for updates
- Phone meetings with council members
- Payroll review
- Hall Park possible expansion
- Opening of city hall, parks, playgrounds, pavilions-bathrooms, but not drinking fountains
- Agenda prep
- Code Update
 - Sent to the attorney for review
 - 7/20 set Public Hearing for 8/3
 - 8/3 Public Hearing, 1st reading
 - 8/17 - 2nd reading
 - 9/8 – 3rd reading
 - 9/17 – publish
- Project emails with MMS-working to provide ongoing punch list
- Review of Northern Heights pick list-completion date 7/24
- Signed up for Municipal Institute classes required for recertification 7/27-7/29 Zoom, Adobe Connect
- Checking on nuisance issues
- Worked on job descriptions
- Newsletter
- Review of playground surface at school
-
- MPI classes July 27-29
 - Iowa City Budgeting System & Capital Planning, Budgeting
 - Public Funds Investing
 - Financing Option and Economic Development
 - Accounting, Auditing, and Other Fiscal Responsibilities
 - General Ledger Accounting

Public Works:

- Mowed parks, ball diamonds
- Don watering flowers, weeding
- Cleaning, disinfecting bathrooms 2/day
- Sprayed for weeds around ballfields
- Weed cutting-parks
- Put dirt in hole left by tree on 1st St
- Cleaned silt off boat ramp
- Serviced mowers
- Jay-Review of building permit-Casey's
- Replaced ceiling tiles at city hall-wrapped vent to stop condensation

COUNCIL PACKET

- Emptied trash downtown
- Watered trees
- Review of playground surface at school



WASHINGTON COUNTY SHERIFF'S OFFICE
Call Count By Zone

CRIV

6/1/2016 - 6/30/2016

Call Type	# of Calls
ALL OTHER OFFENSES	2
ALL OTHER THEFT	1
ANIMAL COMPLAINT	2
ASSAULT	2
DRUG/NARCOTICS VIOLATION	1
FAMILY OFFENSE NON-VIOLENT	2
INTIMIDATION/HARASSMENT	1
MEDICAL CALL	1
SUICIDE	2
TRAFFIC ACCIDENT	2
TRAFFIC STOP	9
TRAFFIC STOP SERIOUS	1
TRESPASS	1
VANDALISM	1
TOTAL	28



WASHINGTON COUNTY SHERIFF'S OFFICE
Call Count By Zone

CRIV

6/1/2017 - 6/30/2017

Call Type	# of Calls
ALL OTHER OFFENSES	2
ASSAULT	1
DISABLED VEHICLES	2
DISORDERLY CONDUCT	1
DP&Q	1
FRAUD	1
ILLEGAL DUMPING	1
INTIMIDATION/HARASSMENT	1
SUSPICIOUS ACTIVITY	1
TRAFFIC ACCIDENT	3
TRAFFIC OTHER	2
TRAFFIC STOP	7
TRAFFIC STOP SERIOUS	1
WELFARE CHECK	1
TOTAL	25



WASHINGTON COUNTY SHERIFF'S OFFICE
Call Count By Zone

CRIV

6/1/2018 - 6/30/2018

Call Type	# of Calls
ALL OTHER OFFENSES	4
ALL OTHER THEFT	2
ANIMAL COMPLAINT	2
ASSAULT	1
BARKING DOG	1
CURFEW/LOITERING/VAGRANCY	1
DISABLED VEHICLES	1
DISORDERLY CONDUCT	2
DP&Q	1
FRAUD	2
INTIMIDATION/HARASSMENT	1
MEDICAL CALL	1
PUBLIC INTOX	2
TRAFFIC ACCIDENT	3
TRAFFIC OTHER	1
TRAFFIC STOP	10
WEAPONS VIOLATION	1
WELFARE CHECK	2
TOTAL	38



WASHINGTON COUNTY SHERIFF'S OFFICE Call Count By Zone

CRIV

6/1/2019 - 6/30/2019

Call Type	# of Calls
ALL OTHER OFFENSES	3
ALL OTHER THEFT	1
ANIMAL COMPLAINT	3
ASSAULT	3
DISORDERLY CONDUCT	2
FAMILY OFFENSE NON-VIOLENT	1
FRAUD	1
INTOXICATED DRIVER	1
SUSPICIOUS ACTIVITY	1
TRAFFIC ACCIDENT	3
TRAFFIC STOP	12
TRESPASS	1
TOTAL	32



WASHINGTON COUNTY SHERIFF'S OFFICE

Call Count By Zone

CRIV

6/1/2020 - 6/30/2020

Call Type	# of Calls
ALL OTHER OFFENSES	2
ALL OTHER THEFT	2
ANIMAL COMPLAINT	1
DISABLED VEHICLES	3
DISORDERLY CONDUCT	2
DP&Q	1
FAMILY OFFENSE NON-VIOLENT	1
FRAUD	1
INTOXICATED DRIVER	1
MOTOR VEHICLE THEFT	1
PUBLIC INTOX	3
RUNAWAYS/MISSING PERSON	2
SEX OFFENDER	1
SHOPLIFTING	2
SUICIDE	2
SUSPICIOUS ACTIVITY	3
TRAFFIC ACCIDENT	3
TRAFFIC STOP	11
TRAFFIC STOP SERIOUS	2
TRESPASS	1
WELFARE CHECK	5
TOTAL	50

VOLUNTEER RESPONDER INCENTIVE PROTECTION ACT RESTORED FOR 2020 TAX YEAR

December 20, 2019

On December 20, President Trump signed into law appropriations legislation ([H.R. 1865](#)), which includes language restoring the [Volunteer Responder Incentive Protection Act \(VRIPA\)](#) in the 2020 tax year. VRIPA exempts nominal volunteer recruitment and retention incentives from being subject to federal income tax and reporting requirements for the 2020 tax year. Specifically, H.R. 1865 exempts property tax benefits and up to \$600 per year in other incentives, such as stipends, that volunteer fire and EMS personnel receive as a reward for their service.

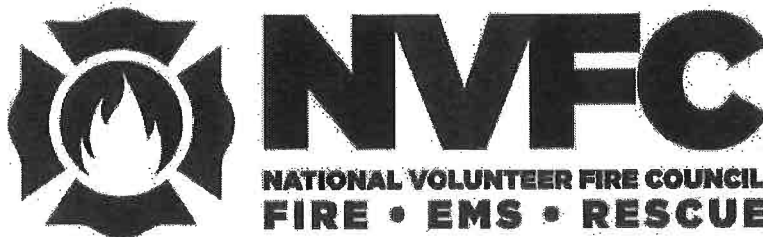
VRIPA was first enacted in 2007 and was in effect from 2008-2010. Originally, VRIPA exempted property tax benefits and up to \$360 per year of other incentives. VRIPA expired in 2011 and 2020 will be the first year that it is back in effect since then. In addition to restoring VRIPA for the 2020 tax year, H.R. 1865 raises the maximum exempted benefits amount for non-property tax benefits from \$360 to \$600 per year.

"I'd like to thank Representatives John Larson (D-CT) and Mike Kelly (R-PA), Senators Susan Collins (R-ME) and Ben Cardin (D-MD), and all of the [bi-partisan cosponsors](#) of the Volunteer Responder Incentive Protection Act for their support in getting this legislation passed," said National Volunteer Fire Council (NVFC) Chair Steve Hirsch. "Federal taxation of volunteer benefits reduces their value as an incentive and creates administrative challenges for small departments that have to essentially set up a payroll system even for small stipends. Passage of this bill will help volunteer departments and personnel in 2020, while improving our chances of making VRIPA permanent."

When VRIPA was in effect previously, [the IRS issued guidance](#) on how volunteer emergency services agencies and personnel could take advantage of it. The NVFC is in the process of working with Congress and the IRS to develop updated guidance.

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While H.R. 1865 restores VRIPA for one year, passage of separate legislation is required to exempt nominal volunteer incentives permanently. You can use the [NVFC's Legislative Action Center](#) to ask Congress to make VRIPA permanent.



Volunteer Responder Incentive Protection Act (H.R. 1241/S. 1210)

- **Request: Co-sponsor H.R. 1241/S. 1210**
- **What does VRIPA do?**

The Volunteer Responder Incentive Protection Act (VRIPA) allows communities to provide volunteer firefighters and EMS personnel with property tax reductions and/or up to \$600 per year of recruitment and retention incentives without those benefits being subject to federal income tax and withholding.

- **Why do communities provide recruitment and retention incentives?**

A volunteer firefighter in the United States donates services worth, on average, approximately \$18,000 per year to the department that he or she belongs to. Without those donated services many communities would be unable to provide emergency services protection at all while others would be forced to raise taxes to pay salaries and benefits for full- or part-time staff.

Unfortunately, emergency services agencies are finding it increasingly difficult to recruit and retain the next generation of volunteers. Over the past six years the number of volunteer firefighters in the United States has declined by 41,000 or about five percent. At the same time, in small communities where volunteer firefighters are nearly ubiquitous, more than 30 percent of firefighters are 50 years of age or older, up from just 18 percent in 2000.

In order to bolster recruitment and retention many fire and EMS agencies now provide non-monetary gifts, reductions in property taxes or other fees, per-call payments, stipends and/or retirement benefits. Volunteer benefits are typically small but demonstrate community support, which builds morale.

- **Why should minor volunteer benefits be exempted from taxation as income?**

As volunteer incentives have become more common, the Internal Revenue Service has made ensuring that benefits are properly reported and taxed a priority – at least in some parts of the country. A decade ago, volunteer fire departments in Oregon and Connecticut were audited and fined for improperly reporting benefits. Since then the NVFC has heard from departments in other states that had corrective actions initiated against them by the IRS.

Concerns over becoming the target of an IRS investigation only add to the significant burden that having to process tax paperwork and withholding for dozens of volunteer emergency responders imposes on small communities that may not employ anyone or have administrative staff. Passing VRIPA would allow agencies to provide minor benefits without having to worry about being audited by the IRS. It would also enhance the incentive value of volunteer benefits by allowing individuals to keep the entire amount.

H.R. 1241 was introduced by Representatives John Larson (D-CT) and Mike Kelly (R-PA). S. 1210 was introduced by Senators Susan Collins (R-ME) and Ben Cardin (D-MD).