



SPECIAL CITY COUNCIL MEETING NOTICE
TUESDAY, NOVEMBER 29, 2022, 6:00 P.M.

CITY COUNCIL CHAMBERS

AGENDA

- 1) CALL TO ORDER SPECIAL COUNCIL MEETING: ROLL CALL**
- 2) APPROVE AGENDA AS PRESENTED AND/OR AMENDED**
- 3) PUBLIC COMMENT – Blue Sky Estates Sign**
- 4) CONSENT AGENDA – *These are routine business items and will be acted upon by one Roll Call Vote without separate discussion unless a Councilmember or citizen requests an item to be removed or considered separately.***
 - a. Approve Resolution No. 22-096 for Annual Urban Renewal Report for FY22
 - b. Approve Resolution No. 22-097 for Certification of TIF Debt for Huxley Urban Renewal Areas
 - c. Approve Resolution No. 22-098 for Iowa Department of Transportation Preconstruction Agreement for Relocation of the City of Huxley's Water and Sanitary Sewer Lines as Part of the Interstate 35 Expansion Project
- 5) CITY ADMINISTRATOR SEARCH: CLOSED SESSION**
 - a. Motion to Go into Closed Session in Accordance with Iowa Code Section 22.5(1)(i) to Evaluate the Professional Competency of an Individual Whose Appointment, Hiring, Performance, or Discharge is Being Considered When Necessary to Prevent Needless and Irreparable Injury to that Individual's Reputation and that Individual Requests a Closed Session
- 6) Return to Open Session – Consultant's Report on Next Step in the Selection Process**

For more information on this and other agenda items, please call the City Clerk's Office at 515-597-2561 or visit the Clerk's Office, City Administration Building at 515 N. Main Ave. Council agendas are available to the public at the City Clerk's Office on Monday morning preceding Tuesday's council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email.

Public Comment

Don VanHouweling (Blue Sky Estates Developer) and
Dan VanWheelden (Country Landscapes/Sign Designer)
will be at meeting to discuss the sign going in at entrance to Blue Sky Estates
and whether it complies with city code.



City of Huxley Sign Permit Application

A sign plan must be attached to this form and include the following information:

- Site map showing location of sign in relation to the boundaries of the lot where the sign is to be located and the location of buildings and structures on the lot.
- Full dimensions of sign as proposed with manufacturer's specifications (if available).
- Two (2) blueprints or ink drawings of the plans and specifications and method of construction and attachment to the building or ground.
- Written consent of the owner of the building, structure or land to which or on which the sign is to be erected. The lease between landlord and tenant will constitute written consent.
- The name of the person, firm, corporation or association that is registered with the City to do the work of installing or erecting the sign.
- Graphic representation of the sign facing including materials.
- Such other information as the building official shall require to show full compliance with sign regulations and all other laws and ordinances of the City which may be applicable, including the intended duration of temporary signs.

Name of Applicant DON VAN HOUWELING / BLUE SKY ESTATES

Address 14427 WILDEN DRIVE, URBANDALE IA 50323

Phone 515-242-7964 Email DON.VANHOUELING@VANWALL.COM

Address of Sign 32132 560TH AVE. HUXLEY 50124

Sign Type: Monument ☒ Wall ☐ Window ☐ Other ☐

Length of time sign will be displayed: Permanent ☒ Other ☐

Fees: City of Huxley Code of Ordinances Chapter 165.32
Permanent: \$2.00 per square foot with a minimum of \$25.00.
Temporary: \$25.00
Temporary (30 days or less)—no charge

I hereby acknowledge that I have read and completed this application and state that its contents are true and accurate. I agree to comply with all Ordinances of the City and all State laws regulating construction.

Don Van Houweling

11-21-22

Signature of Business Owner

Date

DAN VAN WEELEDEN / COUNTRY LANDSCAPES, INC.

NOV. 16, 2022

Signature of Sign Installer

Date

Office Use Only:

Sign Permit

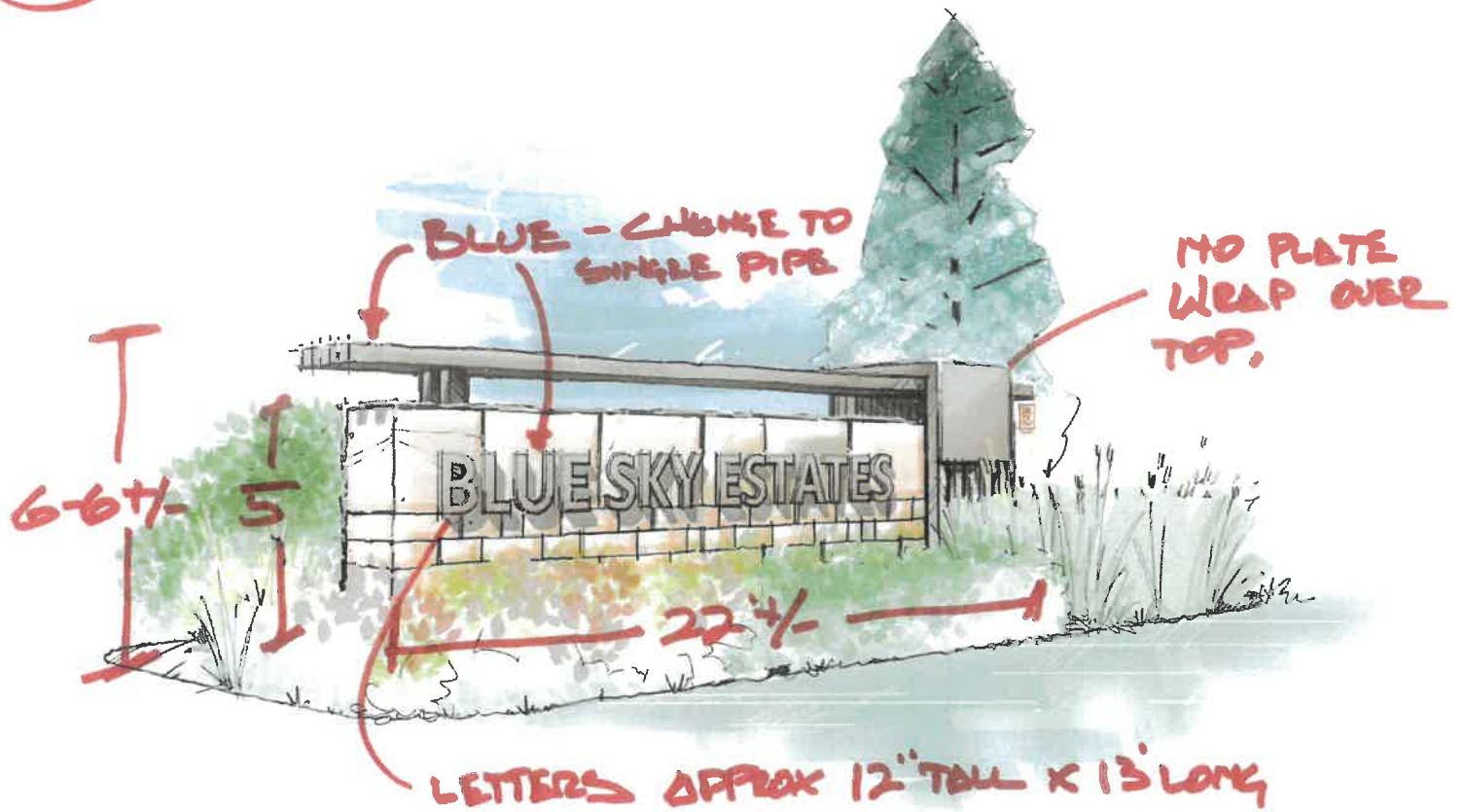
Amount Paid \$ _____ Date Paid _____ / _____ / _____ Payment Method: _____

Approved by:

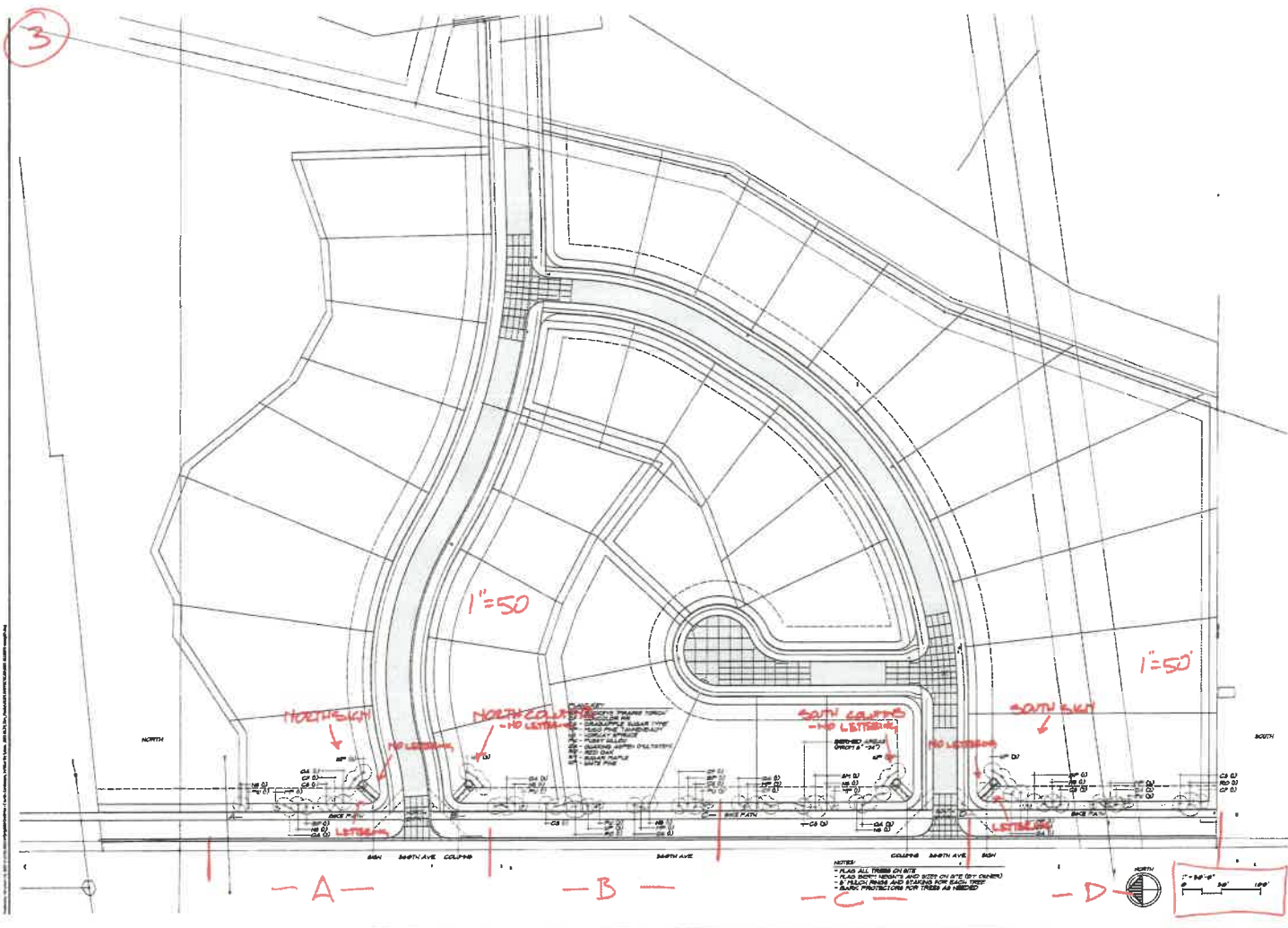
Title:

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* PRELIMINARY PERSPECTIVE OF SIGNS

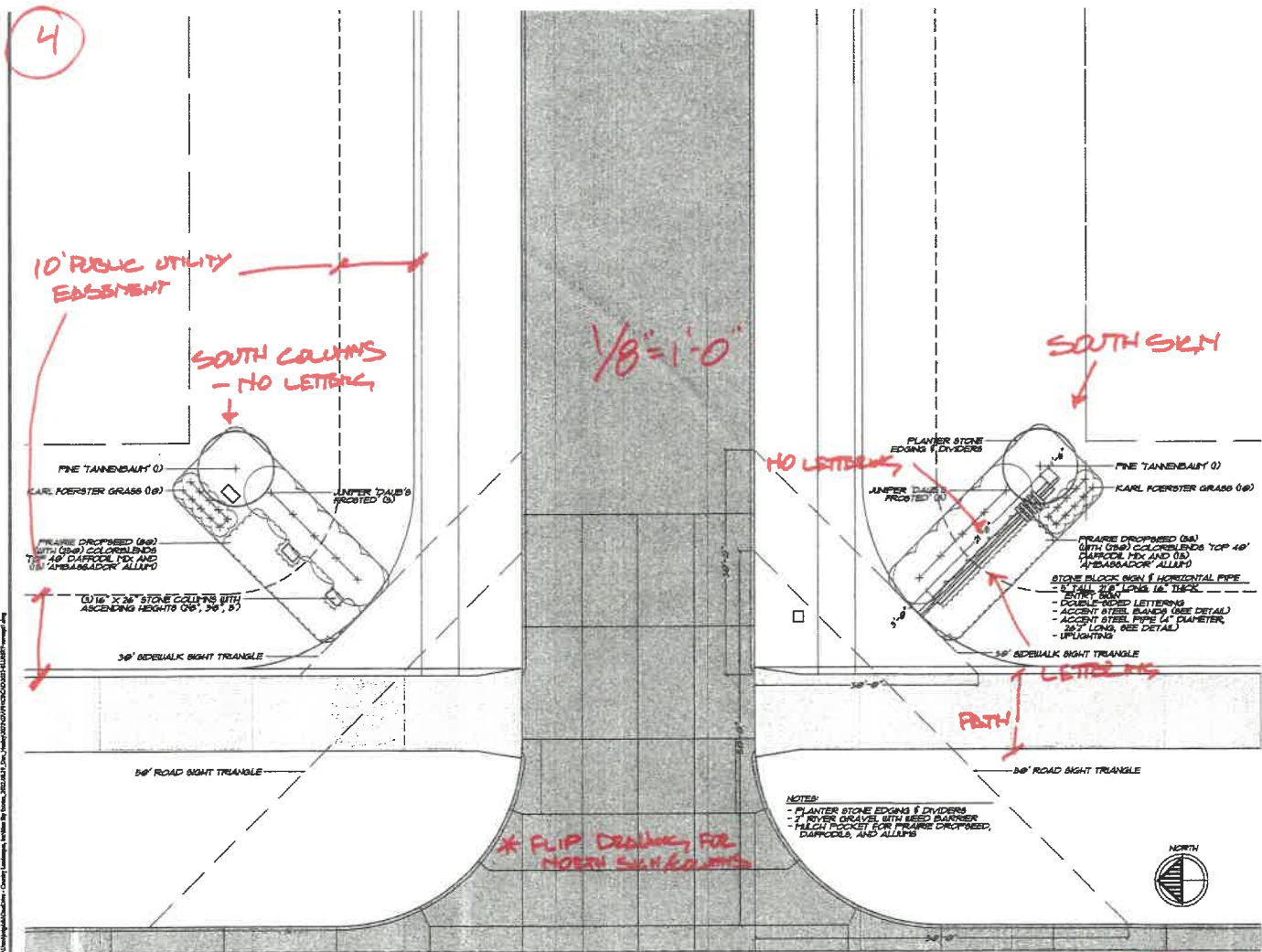


* PRELIM. PERSPECTIVE



NOTES:
 - PLANT ALL TREES BY SITE
 - PLANT TREES, SHRUBS AND BUSHES ON SITE BY OWNER
 - 6" TRUNK MEASUREMENTS FOR TREES AS NOTED

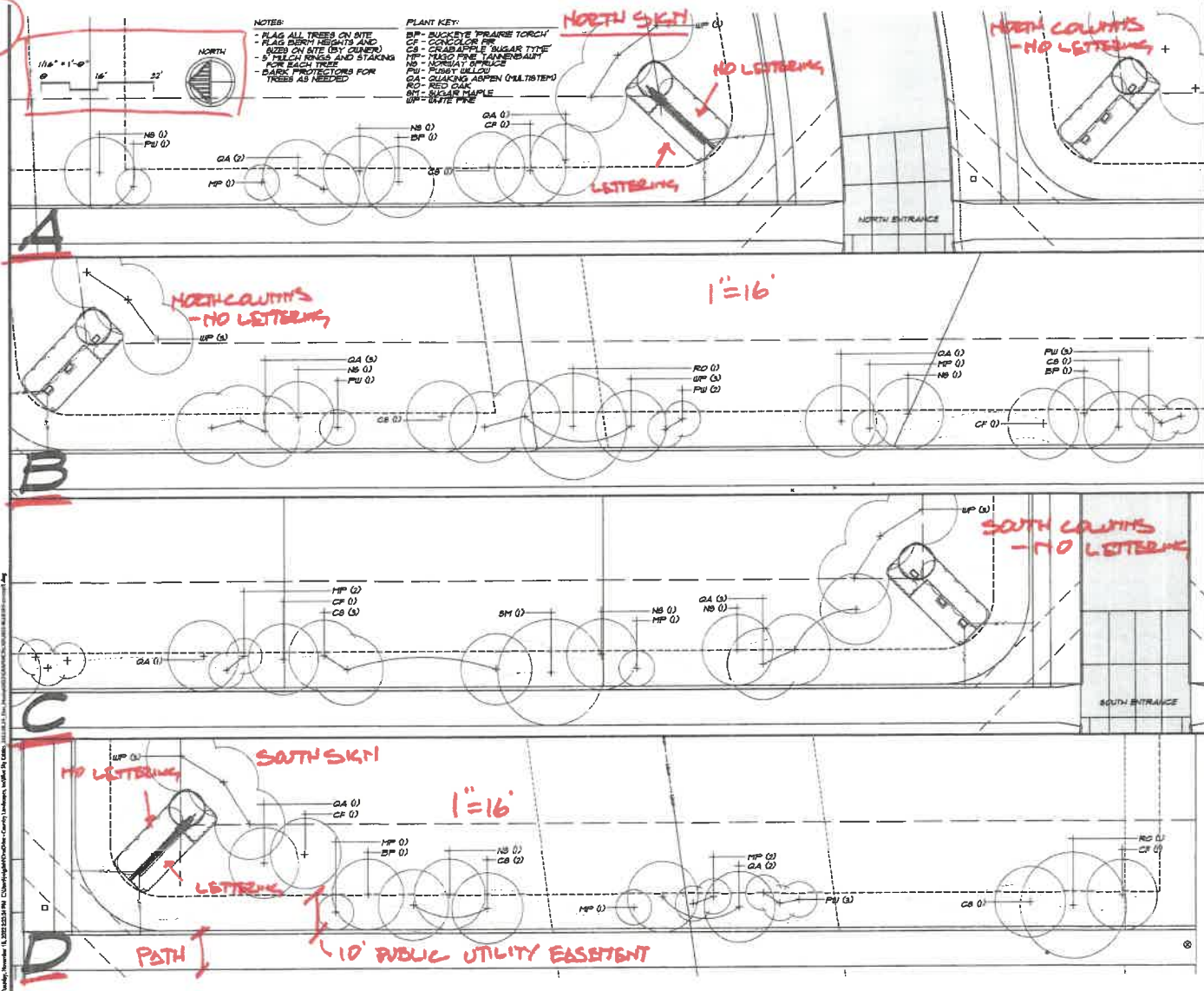
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**SOUTH SIGN/CORNER
CONCEPT 1**



51



165.32 SIGN REGULATIONS.

1. Short Title; Scope; Purpose. This section may hereafter be known and cited as the “sign regulations.” The provisions of this section shall govern the construction, repair, erection, alteration, location and maintenance of privately owned outdoor signs and outdoor advertising and identification devices of every kind, together with their appurtenant and auxiliary devices. The sign regulations are found and declared to be necessary and proper to the following purposes:

- A. Protecting property values within the City.
- B. To prevent the occurrence of urban blight and slum conditions.
- C. To protect the general public from damage and injury which may be caused by the faulty and unregulated use of signs.
- D. To prevent any unreasonable appropriation of the public domain, its open spaces, streets and ways to private use.
- E. To restore, preserve and promote aesthetic character in the City.

2. Definitions. As used in this section, the following words or terms shall have the following definitions:

- A. “Awning sign” means any sign affixed directly on or attached to an awning.
- B. “Canopy sign” means any sign mounted on or supported by a canopy.
- C. “Developer” means the legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase, or any other person having an enforceable proprietary interest in such land.
- D. “Electronic message sign” means any sign that displays a message by means of electronically induced changes in points of illumination.
- E. “Freestanding sign” means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- F. “Ground sign” means any sign supported by one or more uprights or braces placed or set into the ground, but not including any sign that is exempt from a permit fee under this section. Ground signs include, but are not limited to, pole signs and monument signs.
- G. “Illuminated sign” means any sign that has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.
- H. “Marquee sign” means any sign mounted on or supported by a marquee.
- I. “Menu board” means a sign that advertises primarily food and/or beverages in connection with drive-in and drive-through restaurants.
- J. “Monument sign” means a ground-based sign supported by a slab or base where at least 75 percent of the sign width is directly attached to the ground base. A sign mounted on two supporting poles at each end of the sign

would qualify as long as the bottom of the sign is no higher than three (3) feet off the ground.

K. "Off-premises sign" means any sign not located at the site of that which is advertised or identified.

L. "On-premises sign" means any sign located at the site of that which is advertised or identified.

M. "Projecting sign" means any sign other than a wall sign that is attached to a building and extends beyond the line of said building.

N. "Residential subdivision entrance sign" means any freestanding, on-premise, permanent, ground sign designating the name of a residential subdivision.

O. "Roof sign" means any sign erected, constructed and maintained wholly upon or over the roof of any building.

P. "Sign" means any advertising device or surface out-of-doors, on or off premises, which conveys information or identification.

Q. "Sign height" means the vertical distance between finished grade of the ground nearest the sign structure and the uppermost point of the sign structure.

R. "Sign structure" means an element or assemblage of elements that supports or is capable of supporting a sign. A sign structure may be free-standing, attached to a building, an integral part of the building, or a combination thereof.

S. "Structural member" means a component part of a structural system required to carry the primary supportive stresses of the building or other structure to the ground, as opposed to members carrying little or no supportive stress other than their own weight and functioning as an in-fill or nonstructural enclosure.

T. "Subdivision development sign" means any temporary sign identifying a new or developing residential housing subdivision by name.

U. "Temporary or portable sign" means any sign, banner, pennant or valance, to be displayed for a limited time only, or any sign set upon the ground unsecured. A portable sign shall be defined as any sign set upon or affixed to any device or ground with wheels, skids or framing so as to afford portability by persons or auxiliary devices.

V. "Wall sign" means any sign, impressed or painted on, or attached to a wall with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

3. Measurement Standards. If a sign has two or more faces, the area of all faces shall be included in determining the total area of the sign; except that if two sign faces are placed back to back, and are at no point more than 30 inches from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

4. Permit, Fee Required. It shall be unlawful for any person to erect, alter structurally or relocate within the City any sign as herein defined without first obtaining a permit from the building official. The City Council shall, from time to

time, establish a reasonable sign permit fee to cover costs related to issuance of permits.

5. Applications for Permits. Applications for permits shall be made upon forms provided by the City and shall contain or have attached thereto the following information:

- A. The name, address and telephone number of the applicant.
- B. The location of the sign in relation to the boundaries of the lot where the sign is to be located, and the location of buildings and structures on the lot where the sign is to be located.
- C. The location of the sign in relation to buildings or structures on the lot where the sign is to be located.
- D. Two (2) blueprints or ink drawings of the plans and specifications and method of construction and attachment to the building or on the ground.
- E. Written consent of the owner of the building, structure or land to which or on which the sign is to be erected. The lease between landlord and tenant will constitute written consent.
- F. The name of the person, firm, corporation or association that is registered with the City to do the work of installing or erecting the sign.
- G. Such other information as the building official shall require to show full compliance with these sign regulations and all other laws and ordinances of the City which may be applicable, including the intended duration of temporary signs.

6. Permit Issued if Application in Order. It shall be the duty of the building official upon the filing of an application for a sign permit to examine such plans and specifications and other data and the premises where it is proposed to erect the sign, and if it shall appear that the provisions of the sign regulations and all other laws and ordinances of the City are complied with, he shall then issue the permit. If the work authorized by such permit is not completed in six (6) months from the date of its issuance, such permit shall become null and void. In addition, where the permit is for a subdivision development sign, the sign permit shall be renewed annually until such time as the sign must be removed. Removal is subject to approval by the City.

7. Inspection. The building official or designees may inspect signs subject to the provisions of the sign regulations for the purpose of determining whether the same are in compliance with the sign regulations.

8. Permit Revocation. If the building official shall find that any sign subject to the sign regulations is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of the sign regulations, the building official shall give written notice thereof to the person in possession and control of the premises on which the sign is located. If such person fails to remove or alter the sign so as to comply with the provisions of the sign regulations within 30 days of such notice, such person commits a municipal infraction. If a sign is an immediate hazard, the building official may cause it to be removed immediately. A permit for a sign is a license revocable at any time by the City Council subsequent to notice to the permittee and an opportunity for the permittee to be heard by said City Council.

9. Construction. All signs shall be constructed in such a manner and installed with such materials so as to be considered safe and substantial by the building official. The building official may require a copy of stress sheets and calculations showing the structures as designed for dead load and wind velocity in the amount required by the building code adopted by the City.

10. Maintenance Provisions. All signs shall be maintained so as to be structurally sound and in a safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and by repair or replacement of damaged parts, panels or lights.

11. Removal of Certain Signs. Any sign now or hereafter existing, which for a period of six (6) months no longer advertises a bona fide business conducted, or a product sold, or a service offered, shall be taken down and removed by the owner or owners of the building or premises upon which it is located within thirty (30) days of written notice from the building official.

12. Prohibited Signs. No person shall have or permit on any premises in any zoning district:

A. Any permanent sign which consists of or incorporates pennants, twirler lights, pinwheels, whirligigs or other displays or devices which are designed to be activated by atmospheric conditions so as to attract or distract the attention of the public by virtue of their movements.

B. Any ground sign that extends to any degree over public property.

C. Any sign that employs flashing, blinking or rotating lights, except electronic message signs that conform to subsection 25 and are located in a commercial or industrial zoning district.

D. Any off-premises sign.

E. Signs attached to or placed upon rocks, fences, trees or utility poles.

F. Any marquee sign.

G. Any roof sign.

H. Any sign that extends into the sight-distance setback triangle, as such is described by Section 168.04 (7) of the City of Huxley Code of Ordinances.

13. Exemptions from Permit Fees. The following signs shall not require a permit fee; however, such signs shall be subject to the sign regulations:

A. Real estate signs that advertise the sale, rental or lease of the premises upon which said signs are located, provided that such signs do not exceed six (6) square feet in area in residential zoning districts or 32 square feet in area in other districts, and provided that such signs shall be set back at least 10 feet from all property lines. In C-3 Districts, no setback is required.

B. Nonelectrical signs, including bulletin boards, that are not over 16 square feet in area for public, educational, charitable, fraternal or religious institutions when the same are located on the premises of such institution.

C. Occupational signs denoting only the name and profession of an occupant in a commercial building or public institutional building, and not exceeding two (2) square feet in area per occupant, not to exceed a total of 16 square feet.

D. Signs denoting the architect, engineer, contractor, lending institution or future occupant (or any one or more of them) placed upon work under construction, and not exceeding eight (8) square feet in area in residential zoning districts or 32 square feet in other zoning districts, provided that such sign is erected not more than five (5) days prior to the beginning of construction and removed prior to occupancy of the structure.

E. Nonelectrical memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

F. Nonelectrical public service signs that give only directions "in and out" or signs that provide only information about directing people to ancillary facilities such as parking, entrance, etc.

G. A nonelectrical temporary sign supporting a candidacy for office or urging action on any other matter on the ballot of a primary, general, special or city election shall not require a permit.

H. Publicly owned street name signs, traffic control signs, legal notices, railroad crossing signs, danger and temporary warning or emergency signs; and, emblems, names, logo, and symbols on motor vehicles and equipment being used for purposes other than the display of signs or advertising devices shall not require a permit.

I. Athletic fields and similar recreation area signage are permitted in addition to other permitted signage addressed herein, so long as said signs are intended to be viewed primarily from the playing field and spectator area. Said athletic field and similar recreation area signage shall not exceed the maximum 25-foot height and the maximum total sign area of all signs of 250 square foot area with a maximum 20 percent of said signage to be permitted as private non-school advertising. For clarity, this 250 square feet of signage is in addition to the 250 square feet of total signage allowed for public schools as presented herein.

J. On-premises signs offering "drive-up" service and/or items available may be excluded from the total allowable sign area permitted for the zone within which it is located, if such signs do not exceed 30 square feet in area.

K. Yard sale signs not exceeding a gross aggregate total of four square feet in area and auction sale signs not exceeding a total of four signs with a maximum of four square feet each. Such signs shall be displayed for a maximum period of 72 hours. No person shall display such sign on the property of another person without having first obtained the consent of the owner of such property. Such signs shall not require a permit.

14. Obstruction of Doors Windows or Fire Escapes Prohibited. No person shall erect, locate or maintain any sign so as to prevent free ingress to or egress from any door, window, or fire escape. No person shall attach any sign of any kind to a stand pipe or fire escape.

15. Signs May Not Constitute Traffic Hazards. No person shall erect any sign at the intersection of any street in such a manner as to obstruct free and clear vision of such intersection, or at any location where by reason of the position, shape or color it

may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

16. Reflector Lights. Lighting shall be permitted on signs; provided, however, that the reflectors shall be provided with proper lenses, concentrating the illumination on the area of the sign so as to prevent glare upon the street or adjacent property.

17. Floodlights and Spotlights. It shall be unlawful for any person to have any sign that is wholly or partially illuminated by floodlights or spotlights in a manner that interferes with the vision of pedestrian or vehicular traffic.

18. Beacon-Type Lights Prohibited. It shall be unlawful for a person to operate any device, or to permit a site under their use and control to be the location of any device that is being operated to produce a beacon-type beam of electric light, whether portable or fixed (except common battery powered hand held lights), the primary purpose of which is to cast a concentrated beam of light generally skyward during any time between sunset and sunrise as a means of attracting attention to a location rather than to illuminate any place, person or thing.

19. On-Premises Signage. For all signs subject to the sign regulations in all commercial and industrial zoning districts in the City three square feet of signage for each foot of street frontage shall be the maximum allowable area. Signs in the planned unit development zoning districts are as permitted on the approved site plan. Where any side of a building abuts on an alley, only painted-on wall signs shall be permitted on the side abutting the alley. Such sign shall be calculated as part of total permissible signage. For all signs subject to the sign regulations in all zoning districts in the City the following signs are permitted and cannot be placed in the public right-of-way; provided that in all residential zoning districts in the City the following signs are the only permitted signs:

A. Real estate signs not exceeding six square feet in area, that advertise the sale, rental or lease of the premises upon which said signs are located only.

B. Signs, including bulletin boards, that are not over 16 square feet in area for public, educational, charitable, fraternal or religious institutions when the same are located on the premises of such institution.

C. Signs denoting only the name and profession/business of an occupant in a commercial building, public institutional building, or dwelling house and not exceeding two square feet in area.

D. Single sign denoting the architect, engineer or contractor when placed upon work under construction and not exceeding 32 square feet in area; provided such signs shall not be placed any sooner than five (5) days prior to the start of construction and shall be removed upon completion of the construction.

E. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

F. Publicly owned street name signs, traffic control signs, legal notices, railroad crossing signs, danger and temporary warning or emergency signs; and emblems, names, logos, and symbols on motor vehicles and equipment being used for purposes other than the display of signs or advertising devices.

G. Public service signs which give only directions "in and out" or signs which provide only information about directing people to ancillary facilities such as parking, entrance, etc.

H. Temporary sign supporting a candidacy for office or urging action on any matter on the ballot of a primary, general or special election, or city election; provided such signs shall be removed within 48 hours after the election and cannot go up earlier than 60 days prior to the election.

I. Permitted and conditional uses, other than family residential uses, and home occupations shall be permitted one non-illuminated identification sign per establishment with a surface area not exceeding 10 square feet, denoting only the name and address of the premises, and the name of the management.

J. Church, school, other institutions and public buildings shall be permitted 100 square feet of signage. A maximum of 50 square feet may be used for an illuminated freestanding sign and the remaining 50 square feet shall be used in conjunction and/or attached to the principal building. This total square footage would also include any decorative supports and columns. Height of freestanding signs is not to exceed six feet and cannot be within 50 feet of an adjoining lot used and/or zoned for residential purposes. Churches, schools, other institutions and public buildings that cannot meet the 50-foot setback will be allowed one bulletin board displaying name, activities and services. Such bulletin boards shall not exceed 24 square feet in area, shall be located on the same lot as the building, and may be illuminated. State licensed public or private schools may be permitted to have up to 250 square feet of total signage; however, no ground sign shall exceed 25 feet in height. Churches, schools and other institutions and public buildings may be permitted no more than four (4) directional/informational signs located off-premises, not to exceed seven square feet per sign; provided that these signs may be permitted only after a special permit has been issued by the Board of Adjustment pursuant to Section 165.32(29)(D).

K. Mobile home parks shall be permitted one identification sign not exceeding 10 square feet for the entire development, displaying only the name and address, and may be illuminated.

L. Nonconforming uses, other than residential, shall be permitted a maximum of 40 square feet of signage. A maximum of 20 square feet of such signage may be illuminated.

M. Home occupations shall be permitted a maximum of 3.75 square feet of signage. Said sign shall be non-illuminated.

N. Signs as permitted and regulated in the single-family districts are subject to the following modification: For multiple-family dwelling buildings, one or two signs with a total surface area not exceeding two square feet for each dwelling unit contained in the building or complex, not to exceed a total maximum of 32 square feet in area, are permitted. Such signs shall indicate only the name and/or address of the building or complex and the name and location of the management thereof. Signs may be illuminated.

O. Subdivision Development Signs. One subdivision development sign is permitted per entrance per preliminary plat for subdivisions of two acres or more in area. This sign shall not exceed 32 square feet in area and eight feet in

height. It shall be located in the subdivision it identifies and no closer than 25 feet from any property line, no closer than 100 feet from any pre-existing residence and only on lots abutting collector or arterial streets. The sign shall be the sole use of the property on which it is located. The sign shall identify the name of the subdivision exactly as it is set out on the preliminary plat or conceptual development plan approved by the City and may include the names of the subdivision developers, a map of the area covered by the subdivision and a description of amenities in it. The sign shall not be installed until utility construction has begun in the subdivision, and the sign shall be removed once building permits have been issued for 50 percent of the lots in the subdivision.

P. Residential Subdivision Entrance Signs. The regulations described in this subsection apply to subdivision entrance signs in residential subdivisions. The location, number, size, height, materials, maintenance and message regulations for subdivision identification signs are as follows:

- (1) Signs located on private property shall be no closer to the traveled part of a street than the right-of-way line.
- (2) It shall be unlawful to erect a subdivision entrance sign on public property, and the Council shall grant no encroachment permits for such signs.
- (3) Subdivision entrance signs shall not be permitted off-premise.
- (4) Two signs shall be permitted at each subdivision entrance. Double-faced signs shall be counted as two signs.
- (5) The size of the message area (subdivision name and address) of the sign shall not exceed 20 square feet. The size of the sign structure in comparison to the size of the message area shall not exceed a ratio of 7 to 1, unless approved as part of a planned unit development.
- (6) Signs shall not exceed six feet in height.
- (7) Materials used in the construction of subdivision entrance signs shall be low-maintenance materials and may include metal, wood, brick, stone or concrete.
- (8) Maintenance of signs, illumination devices, and landscaping shall be the responsibility of the property owner. Signs that, by reason of deterioration, may become unsafe or unsightly, shall be repaired or removed by the property owner upon written notice of the City. Signs that, by reason of deterioration, become unsafe or unsightly may be removed by the City upon written notice from the City.
- (9) The message on a subdivision entrance sign shall include only the name and address of the subdivision.
- (10) Signs may be illuminated internally or by reflected light subject to the following:
 - (a) The light source shall not be directly visible and shall be arranged to reflect away from adjoining premises;

(b) The light source shall not be placed so to cause confusion or hazard to traffic, or to conflict with traffic control signs or lights;

(c) No illumination involving movement, by reason of the lighting arrangement, the lighting source, or other devices shall be permitted. This includes blinking, flashing, rotating and message changing; and

(d) The property owner's association or developer shall be responsible for the costs associated with providing electricity to the light source.

(11) Landscaping shall be incorporated at the base of each subdivision entrance sign that enhances the site and the surrounding area. Plant materials shall not obstruct the visibility of moving vehicles or interfere with the maintenance of adjacent public property. Approval of a landscape plan for each residential subdivision entrance sign by the Director of Public Works is required.

20. Ground Signs. All ground signs subject to the sign regulations shall meet the following requirements:

A. All letters, figures, characters or representations in cut out or irregular form maintained in conjunction with or attached to or superimposed upon any ground sign shall be safely and securely built or attached to the sign's structure.

B. Sign Height. Ground signs located within 1,500 feet from the right-of-way of Interstate 35 (excluding on and off ramps), and the content of which is visible from Interstate 35, shall not exceed 50 feet in height. All other ground signs shall not exceed 10 feet in height.

C. Sign Area. Ground signs located within 1,500 feet from the right-of-way of Interstate 35 (excluding on and off ramps), and the content of which is visible from Interstate 35, shall not exceed 400 square feet in area. All other ground signs shall not exceed ten 100 square feet in area.

D. No more than two ground signs are permitted per 200 feet of frontage on any one business location. The minimum distance between ground signs on any one business location shall be 50 feet.

E. No ground sign shall be erected or permitted nearer the street than the property line. No ground sign shall be erected or permitted within any special building line setback as established from time to time by City Council. No part of any ground sign shall be permitted to overhang the public domain.

F. The premises surrounding all ground signs shall be maintained by the owner in a sanitary and uncluttered condition, free and clear of all obnoxious substances, rubbish, litter and weeds.

21. Wall Signs. All wall signs subject to the sign regulations shall meet the following requirements:

A. Limitation on Placement. No wall sign shall cover wholly or partially any wall opening or project beyond the ends or tops of the wall to which it is attached.

- B. Projection over Public Property. No wall sign shall be erected on public right-of-way without approval of the City Council.
- C. Size Regulations. With respect to each building, one permanent wall sign shall be permitted for each of the building's sides that parallel a public street. No single wall sign on any one side of a building shall exceed one square foot per front foot of wall on which the sign is located; provided that the size limitations of this subsection shall apply to wall signs in lieu of the general size limitations for on-premises signs set forth in subsection 19.
22. Projecting Signs. All projecting signs subject to the sign regulations shall meet the following requirements:
- A. Support. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural members of the building to the ground in such manner as not to overstress any of the elements thereof.
- B. Limitations on Glass. The lettering or advertising design to be illuminated on projecting signs may be composed of glass or other transparent or semitransparent material. Any glass forming a part of any sign shall be safety glass or wire glass.
- C. Movable Parts to be Secured. Any movable parts of a projecting sign, such as a cover of a service opening, shall be securely fastened by safety chains or hinges.
- D. Height Limitations. The top line of a projecting sign shall not be higher than the roof or parapet line of the building to which attached, except that when the roof line is less than 15 feet in height the sign may extend three feet above the roof line; but under no circumstances shall the top line of a projecting sign be permitted at a height of more than 50 feet above ground level.
- E. Thickness Limitations. The distance measured between the principal faces of any projecting sign shall not exceed 18 inches.
- F. Location. The bottom line of every projecting sign shall be placed at least 10 feet above any sidewalk over which it is erected. No projecting signs shall be erected in an alleyway. No projecting signs shall project across or over any portion of public right-of-way.
23. Temporary and Portable Signs. Temporary and/or portable signs subject to the sign regulations shall meet the following requirements:
- A. A banner shall not exceed 100 square feet in area. All other temporary and/or portable signs shall not exceed 32 square feet in area.
- B. Except for those temporary signs and banners affixed to city light and utility poles with the permission of the city, no temporary or portable sign shall be displayed longer than 90 consecutive days without removal or replacement.
- C. No permit fee shall be required for a temporary or portable sign that will be displayed for less than 30 days, provided that a permit is required for such a sign, and further provided that no new sign shall be displayed on the

same premises for a period of fourteen (14) days immediately following the removal of the original sign.

24. **Awning and Canopy Signs.** No portion of an awning or canopy may be lower than eight feet above a sidewalk. They may overhang public right-of-way only by permission of the City Council.

25. **Electronic Message Signs.** Electronic message signs shall meet the following requirements:

A. No more than one electronic message sign shall be installed on or in relation to the same building.

B. An electronic message sign shall not have more than two sides on which messages can be displayed by electronic means.

C. No electronic message sign shall have a continuously running message or messages. That is, each display of a message shall have a clearly discernible beginning and ending indicated by a blank or dark time on the message display device or screen, which blank or dark time shall be not less than three tenths (0.3) of a second in duration.

D. The minimum time for display of a message shall be four seconds, except for time and temperature displays.

E. A message that requires sequential changes in the image displayed on the message display shall be displayed in its entirety in not more than eight seconds.

26. **Illuminated Signs.** All electrically illuminated signs shall be subject to the provisions of all electrical codes adopted by the City.

27. **Menu Boards.** Outdoor menu boards are only allowed on zone lots that have previously been approved for the current operation of restaurants with drive-thru windows and under the following conditions:

A. Only one outdoor menu board shall be permitted per order window on a lot.

B. Display service area shall not exceed 32 square feet.

C. Stacking lane (drive-thru lane) shall be a minimum of 80 feet from the menu board.

D. If the sign is lighted, it may be lighted by illuminated sign only.

E. The outdoor menu board lettering may not be legible from any distance off the zoned lot for which it is approved.

28. **Nonconforming Signs.** Any sign that was lawful when erected, but which does not conform to the provisions of sign regulations that became effective on a later date, may continue in existence subject to the following:

A. **Continued Use.** Each nonconforming sign shall be permitted to continue in use for so long as the sign remains otherwise lawful.

B. **Structural Alteration; Moving of Sign.** A nonconforming sign shall not be altered structurally or moved unless it is brought into conformity with the sign regulations, except that the changing of the movable parts of an

existing sign that is designed for such changes, or the repainting or reposting of display matter shall not be deemed a structural alteration.

C. Discontinuance of Use. If the use of a nonconforming sign is discontinued for a continuous period of six (6) months, the sign either shall be brought into conformity with the sign regulations or shall be removed.

D. Damage. If a nonconforming sign is damaged, for any reason, to the extent that 50 percent or more of the sign is destroyed, the sign either shall be brought into conformity with the sign regulations or shall be removed. Any nonconforming sign that has been damaged to an extent less than 50 percent may be restored to its condition which existed prior to the damage, and may continue in use as a nonconforming sign. A sign shall be considered as destroyed to the extent of 50 percent or more if 50 percent or more of the face or message portion of the sign is damaged, or if 50 percent or more of the supporting structure of the sign is damaged.

29. Board of Adjustment; Special Permits. The Board of Adjustment, after public hearing, may grant a special permit to authorize a sign that otherwise would not be permitted under the provisions of the sign regulations of this section. Any special permit granted by the Board shall authorize a sign only for the current use of the premises, and the permit shall terminate immediately at such time as the use of the premises changes. In granting any special permit, the Board may include appropriate conditions and time limitations. The Board may grant such a special permit only if the applicant establishes all of the following elements:

A. An extraordinary or exceptional situation exists with respect to the property on which the sign is to be located, such as exceptional narrowness, shallowness or shape of the property, or exceptional topographical conditions, or obstructions on the subject property or adjacent property, that prohibits or significantly reduces the ability of the property owner to use a sign meeting the strict sign regulations to communicate as effectively as the use of comparable signs by other property owners in the same district.

B. The special permit authorizes the least exception from the sign regulations reasonably necessary to allow the property owner to use the subject sign to communicate as effectively as the use of comparable signs by other property owners in the same district.

C. The exception authorized by the special permit is in harmony with the essential character of the neighborhood of the land in question.

D. A special permit shall be required for all directional/information signs otherwise permitted under Section 165.32(19)(J). Such special permit shall be granted if the Board determines that the proposed signs do not create a traffic hazard. If a sign is proposed to be erected in the right-of-way, the Board may not grant a special permit without the written approval of all public agencies having jurisdiction over the right-of-way. Applications for permits under this subsection are not subject to the standards of subsections A, B and C of Section 165.32(29).

[The next page is 977]

Consent Agenda

RESOLUTION NO. 22-096

RESOLUTION APPROVING ANNUAL URBAN RENEWAL REPORT FOR FY 2022 TO THE IOWA DEPARTMENT OF MANAGEMENT

BE IT RESOLVED, THEREFORE, the City of Huxley, Iowa has completed the Annual Urban Renewal Report that is due December 1, 2022 and now approves its submittal to the Iowa Department of Management and authorizes the Mayor to sign.

PASSED, ADOPTED AND APPROVED this 29th day of November, 2022.

Roll Call	Aye	Nay	Absent
Niko Pilcher	—	—	—
David Kuhn	—	—	—
Kevin Thompson	—	—	—
Rory Echer	—	—	—
Tracey Roberts	—	—	—

APPROVAL BY MAYOR PRO TEM

I hereby approve the foregoing **Resolution No. 22-096** by affixing below my official signature as Mayor Pro Tem of the City of Huxley, Iowa, this 29th day of November 2022.

David Kuhn, Mayor Pro Tem

ATTEST:

Jolene R. Lettow, City Clerk

RESOLUTION NO. 22-097

**RESOLUTION APPROVING CERTIFICATION OF TIF DEBT FOR HUXLEY URBAN RENEWAL AREA,
HUXLEY HOUSING URBAN RENEWAL AREA AND THE IRON BRIDGE DEVELOPMENT,
PER CODE OF IOWA SECTION 403.19,
TO THE STORY COUNTY AUDITOR BY DECEMBER 1, 2022 FOR FISCAL YEAR 2024**

WHEREAS, the Iowa Legislature adopted legislation that mandates that a City shall prepare an Annual Tax Increment Financing (TIF) Indebtedness Report; and

WHEREAS, the reports are due to Story County on or before December 1 for appropriation of the TIF funds for the next fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HUXLEY, IOWA, that the Huxley City Council has considered the FY 2024 Annual Tax Increment Financing (TIF) Indebtedness Reports for fiscal year ending June 30, 2024 and does hereby approve the reports as printed and attached.

PASSED, ADOPTED AND APPROVED this 29th day of November 2022.

Roll Call	Aye	Nay	Absent
Niko Pilcher	—	—	—
David Kuhn	—	—	—
Kevin Thompson	—	—	—
Rory Echer	—	—	—
Tracey Roberts	—	—	—

APPROVAL BY MAYOR PRO TEM

I hereby approve the foregoing **Resolution No. 22-097** by affixing below my official signature as Mayor Pro Tem of the City of Huxley, Iowa, this 29th day of November 2022.

David Kuhn, Mayor Pro Tem

ATTEST:

Jolene R. Lettow, City Clerk

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area**

City: Huxley County: Story

Urban Renewal Area Name: Huxley Urban Renewal Area

Urban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 2,402,569

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this 29th day of November, 2022

Signature of Authorized Official

515-597-2561
Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Huxley County: StoryUrban Renewal Area Name: Huxley Urban Renewal AreaUrban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. Westview Heights II - Phase I Resolution No. 19-145	10/8/2019	175,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2. Westview Heights II - Phase II Resolution No. 19-145	10/8/2019	25,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3. Fareway Resolution No. 14-050	06/24/2014	48,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4. South Story Bank & Trust Resolution No. 13-010	02/12/2013	67,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5. Continental Manufacturing Chemist Resolution No. 17-055	08/03/2017	100,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 415,000

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Huxley County: StoryUrban Renewal Area Name: Huxley Urban Renewal AreaUrban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
6. Iowa Earthworks Resolution No. 19-083	06/25/2019	11,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
7. Pacific Drywall Resolution No. 18-115	12/18/2018	14,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
8. Mr. Storage II Resolution No. 18-116	12/18/2018	12,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
9. VisionBank Resolution No. 15-050	06/09/2015	12,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
10. 2022A GO Water Improvement and Refunding Bond - \$6,930,000 Resolution No. 21-110	11/23/2021	908,150
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 3.

Total For City TIF Form 1.1 Page 2: 957,150

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Huxley County: StoryUrban Renewal Area Name: Huxley Urban Renewal AreaUrban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
11. 2017 GO Annual Appropriation Refunding Bond - \$6,855,000 Resolution No. 17-020	03/27/2017	876,450
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
12. 2019A GO Corporate Purpose and Refunding Bond - \$3,695,000 Resolution No. 19-150	10/802019	153,969
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
13.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
14.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
15.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 4.

Total For City TIF Form 1.1 Page 3: 1,030,419

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR**

**Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area**

City: Huxley County: Story

Urban Renewal Area Name: Huxley Housing Urban Renewal Area

Urban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 217,000

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this _____ day of _____, _____

Signature of Authorized Official

Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Huxley County: StoryUrban Renewal Area Name: Huxley Housing Urban Renewal AreaUrban Renewal Area Number: 85027 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. Meadow Lane Plat 2 East Resolution No. 17-081	10/24/2017	30,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2. Meadow Lane Plat 3 East Resolution No. 17-081	10/24/2017	35,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3. Kading Development Resolution No. 18-021	03/27/2018	152,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 217,000

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area**

City: Huxley County: Story

Urban Renewal Area Name: Iron Bridge Urban Renewal Area

Urban Renewal Area Number: 85028 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ 175,000

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this 29th day of November, 2022

Signature of Authorized Official

515-597-2561
Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEARCity: Huxley County: StoryUrban Renewal Area Name: Iron Bridge Urban Renewal AreaUrban Renewal Area Number: 85028 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. Iron Bridge Resolution No. 17-093	11/28/2017	175,000
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5.		
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 175,000

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

RESOLUTION NO. 22-098

RESOLUTION APPROVING PRECONSTRUCTION AGREEMENT WITH THE IOWA DEPARTMENT OF TRANSPORTATION FOR PRIMARY ROAD PROJECT: RELOCATION OF WATER AND SANITARY SEWER LINES AS PART OF THE I-35 EXPANSION PROJECT

WHEREAS, the Iowa Department of Transportation (DOT) has proposed to make improvements to Interstate 35 within Story County, and

WHEREAS, the DOT and City of Huxley are willing to jointly participate in said project in the manner provided in agreement, and

WHEREAS, the agreement reflects the current concept of the project for the relocation of water and sanitary sewer lines owned and operated by the City of Huxley, and

BE IT RESOLVED, THEREFORE, by the City Council of the City of Huxley, Iowa that the preconstruction agreement is hereby approved and authorizes the Mayor to sign.

PASSED, ADOPTED AND APPROVED this 29th day of November, 2022.

Roll Call	Aye	Nay	Absent
Niko Pilcher	—	—	—
David Kuhn	—	—	—
Kevin Thompson	—	—	—
Rory Echer	—	—	—
Tracey Roberts	—	—	—

APPROVAL BY MAYOR PRO TEM

I hereby approve the foregoing **Resolution No. 22-098** by affixing below my official signature as Mayor Pro Tem of the City of Huxley, Iowa, this 29th day of November 2022.

David Kuhn, Mayor Pro Tem

ATTEST:

Jolene R. Lettow, City Clerk

July 2014

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	Story
City	Huxley
Project No.	IMN-035-4(319)103--0E-85 and IM-035-4(269)104--13-85
Iowa DOT	
Agreement No.	2023-12-030
Staff Action No.	

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the city of Huxley, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Interstate 35 within Story County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

A bridge replacement on County Road E63/315th Street.

- b. Water and sanitary sewer lines owned and operated by the LPA located on its own easements upon privately owned land affected by the project shall be adjusted to accommodate the DOT project. The LPA has requested said relocation of water and sanitary sewer lines be completed as part of the DOT project. (See Exhibits A and C for location and Exhibit B for costs).
- c. Upon completion of construction, the LPA agrees to accept ownership and jurisdiction of the following referenced improvements. The LPA shall also assume responsibility for all future maintenance operations associated therewith, all at no additional expense or obligation to the DOT:
- i. East 1st Street (County Road E63/315th Street) will be reconstructed from 400 feet west of Interstate 35 to 1200 feet east of Interstate 35. A 24-foot wide paved roadway with 5-foot wide granular shoulders will be constructed.

2. Project Costs

- a. The total cost of the relocation of the water and sewer facilities is estimated to be \$1,627,100 (\$1,522,100 DOT: \$105,000 LPA) as shown on Exhibit B. The DOT shall be responsible for a portion of the construction costs and for the cost of easement acquisition, design and construction observation to be completed by the LPA (\$1,280,000 construction: \$242,100 easements, design, and construction observation).

- b. The LPA shall reimburse the DOT for its share of the project costs estimated at \$105,000.00, as shown in Exhibit B. LPA reimbursement will be made in three (3) equal yearly installments of approximately \$35,000.00 each. The first installment will be due upon completion of construction and proper billing by the DOT. The final two installments will be billed to the LPA one and two years subsequent to the date of the first billing respectively. The actual amount of reimbursement will be determined by the quantities in place and the accepted bid at the contract letting.
- c. The LPA will initially pay for the cost of easements, design and construction observation. The LPA may elect to provide the DOT with an invoice at various stages of completion of the aforementioned items, however, the invoices shall only be for expenses incurred prior to the date of the invoice. The LPA shall provide the DOT with an invoice that includes the following:
 - i. The name of the city
 - ii. Date of the invoice
 - iii. Invoice number
 - iv. Agreement number as shown on page 2 of this agreement
 - v. Phase numbers as shown on page 1 of this agreement
 - vi. Beginning and ending dates of work
 - vii. An itemized statement of actual costs incurred, including a specific description of each item, product, or service provided. Labor, indirect costs, and direct costs shall be identified separately.
 - viii. Percent of work actually completed
 - ix. Total amount claimed to date
 - x. Previous payments, if any
 - xi. Company project or activity numbers
- d. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

3. Traffic Control

- a. Interstate 35 through-traffic will be maintained during the construction.
- b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT will furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT will work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures will be the responsibility of the LPA all at no expense or obligation to the DOT.
- c. If this project causes the temporary closure of a road during construction, the DOT shall meet with the LPA to determine whether said closure(s) will cause increased traffic on other LPA roads. The DOT and the LPA shall determine a plan, and the costs thereof, for the LPA to perform dust control on said LPA roads with increased traffic, should dust control become necessary. In that event, the LPA shall inform the DOT prior to performing said dust control. The DOT shall reimburse the LPA for the cost of said dust control measures following the receipt of a bill for the agreed upon costs (see Iowa Code section 313.4 subsection 1.b.).

4. Right of Way and Permits

- a. The LPA will be responsible acquiring its own replacement easements, if necessary.
- b. Without further compensation, other than performance by the DOT of its obligations as stated in this

agreement, the LPA shall execute and deliver to the DOT, on forms supplied by the DOT, a Disclaimer of Interest in Realty in and to all rights-of-way acquired by the DOT for this project.

- c. Subject to the provisions hereof, the LPA in accordance with 761 Iowa Administrative Code Chapter 150.3(1)c and 150.4(2) will remove or cause to be removed (within the corporate limits) all encroachments or obstructions in the existing primary highway right of way. The LPA will also prevent the erection and/or placement of any structure or obstruction on said right of way or any additional right of way which is acquired for this project including but not limited to private signs, buildings, pumps, and parking areas.
- d. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- e. The LPA agrees to relocate all city-owned utilities necessary for construction which are located within the existing street or alley right of way, subject to the approval of and without expense to the DOT and in accordance with 761 Iowa Administrative Code Chapter 150.4(5) and the DOT Utility Accommodation Policy.
- f. With the exception of service connections no new or future utility occupancy of project right of way, nor any future relocations of or alterations to existing utilities within said right of way will be permitted or undertaken by the LPA without the prior written approval of the DOT. All work will be performed in accordance with the Utility Accommodation Policy and other applicable requirements of the DOT.

5. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150.

6. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
- c. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the

July 2014

Agreement cannot be fulfilled.

- e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2023-12-030 as of the date shown opposite its signature below.

CITY OF HUXLEY:

By: _____ Date _____, 20__.

Title: Mayor

I, _____, certify that I am the Clerk of the City, and that
_____, who signed said Agreement for and on behalf of
the City was duly authorized to execute the same on the ____ day of _____, 20__.

Signed: _____

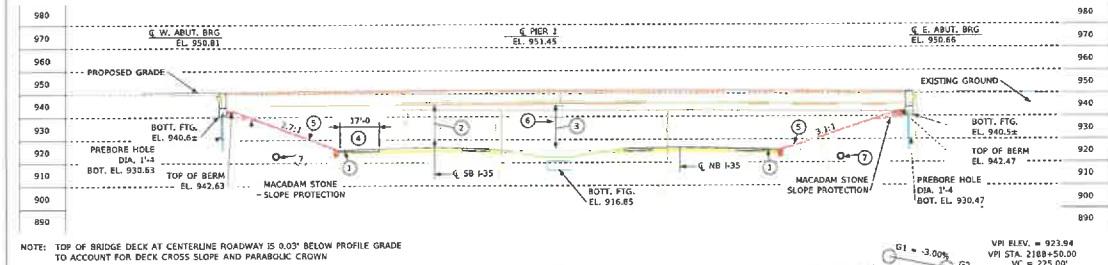
City Clerk of Huxley, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20__.

Tony J. Gustafson, P.E.
District Engineer
District 1

CONTROL POINT FENO 9: N 7601127.1, E 18538990; SET FENO MONUMENT 0.4' BELOW GROUND SURFACE ON NE 315TH ST, 0.39 MILES EAST OF 560TH AVENUE 315TH ST INTERSECTION;
80' SE OF PP TO NORTH; 37' NE OF CUT X IN CONCRETE EDGE; 23' N OF CONCRETE EDGE WBL 28' NW OF CUT X IN CONC EDGE, EL. 951.433



NOTE: TOP OF BRIDGE DECK AT CENTERLINE ROADWAY IS 0.03' BELOW PROFILE GRADE TO ACCOUNT FOR DECK CROSS SLOPE AND PARABOLIC CROWN

LONGITUDINAL SECTION ALONG C ROADWAY

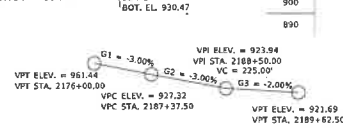
- 8) ROADWAY SKEW 0° 48' 0.50". ROADWAY SKEW ANGLE IS MEASURED FROM LINE NORMAL TO C 315TH ST TO C CONSTRUCTION OF I-35
- 9) EXISTING 218'-7" X 28' PPCB BRIDGE DESIGN 852 FHWA NO. 049140 MAINT. NO. 8504.20035 TO BE REMOVED
- 10) MACADAM STONE SLOPE PROTECTION

GENERAL NOTES
THIS DESIGN IS FOR THE REPLACEMENT OF THE EXISTING 218'-7" X 28' PPCB BRIDGE, DESIGN NO. 852, FHWA NO. 049140, MAINT. NO. 8504.20035

- DESIGN NOTES
1. TL-5 BRIDGE RAILING PROPOSED
2. FRAME TYPE PIER PROPOSED
3. BTE BEAMS PROPOSED
4. PIER EXEMPT FROM VEHICULAR COLLISION FORCE DESIGN

PROPOSED PROFILE GRADE I-35

- EXHIBIT A
- EW-203 GRADING
 - MIN. VERT. CLEARANCE 18.00' PROPOSED CONDITION
 - MIN. VERT. CLEARANCE 17.37' EXISTING CONDITION
 - MEASURED FROM EDGE OF DRIVING LANE TO TOE OF BERM (TYP.)
 - GRADING SURFACE
 - FRAME PIER
 - PROPOSED 30 IN RCP CULVERT



PROPOSED PROFILE GRADE 315TH ST

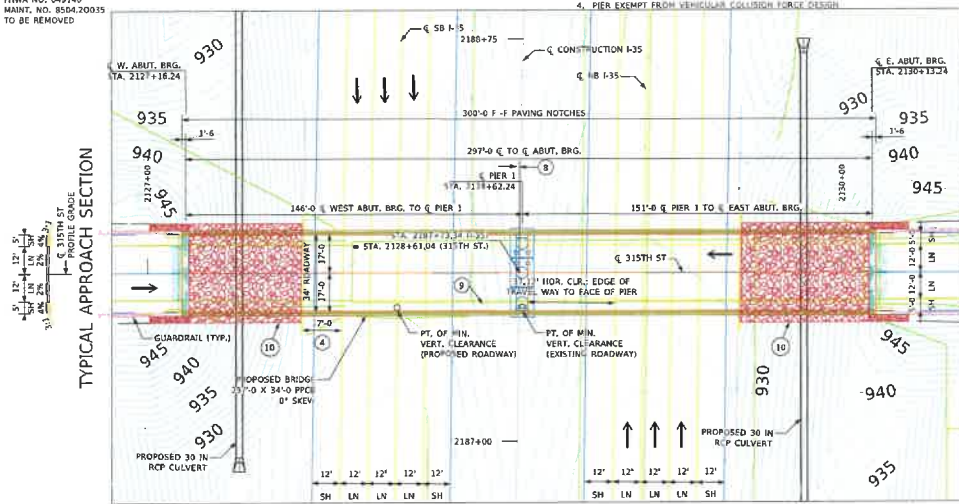
EXISTING CONDITION	PROPOSED CONDITION
OVERHEAD STATION = 2128+62.57 15.00' RT	OVERHEAD STATION = 2128+07.82, 15.00' RT
OVERHEAD ELEVATION = 950.21	OVERHEAD ELEVATION = 951.10
DEPTH OF SUPERSTRUCTURE = 6.13'	DEPTH OF SUPERSTRUCTURE = 6.13'
I-35 STATION = 2187+58.05, 0.00' RT	I-35 STATION = 2187+57.64, 53.00' LT
I-35 ELEVATION = 926.71	I-35 ELEVATION = 926.97
MIN. VERT. CLEARANCE = 17.37'	MIN. VERT. CLEARANCE = 18.00'

TRAFFIC ESTIMATE 315TH ST	TRAFFIC ESTIMATE INTERSTATE 35
2016 ADT 1,200 V.P.D.	2016 ADT 32,000 V.P.D.
2041 ADT 1,200 V.P.D.	2041 ADT 70,000 V.P.D.
2027 DMV % V.P.H.	2027 DMV % V.P.H.
TRUCKS %	TRUCKS 22 %
TOTAL DESIGN ESALS	TOTAL DESIGN ESALS

UTILITIES LEGEND

NO KNOWN UTILITIES

LOCATION
315TH ST. OVER I-35
T 82M, R 23W
SECTION 19
UNION TOWNSHIP
STORY COUNTY
MAINT. NO. 8504.20035
FHWA NO. 049141
LATITUDE 41.899598°
LONGITUDE -93.571222°



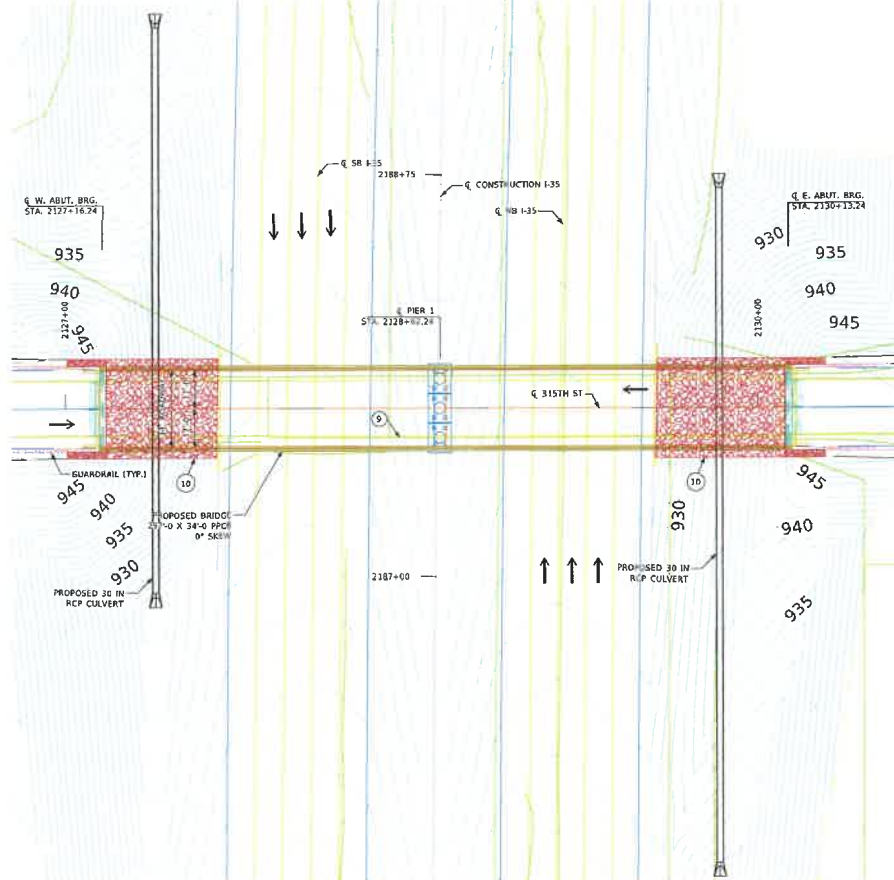
TYPICAL BRIDGE SECTION

SITUATION PLAN

2023-12-030_Huzley

FILE NO.	ENGLISH	DESIGN TEAM	STORY COUNTY	PROJECT NUMBER	IN-035-4(259)104-13-85	SHEET NUMBER	V.1	REVISED
SYSTEMTIME	SYSTEMDATE	USERNAME	DGN&SPEC					

PRELIMINARY
DESIGN FOR 0° SKEW
297'-0" X 34'-0" PRETENSIONED
PRESTRESSED CONC. BEAM BRIDGE
146'-0" AND 151'-0" SPANS BTE BEAMS
STA. 2128+64.74
SITUATION PLAN
POLK COUNTY
DESIGN SHEET NO. 1 OF 2 FILE NO. 32044 DESIGN NO. 322
APRIL 2021



- 9 EXISTING 219'-7" X 28' PPCB BRIDGE
DESIGN 882
FHWA NO. 049140
MAINT. NO. 8504.20035
TO BE REMOVED

- 10 MACADAM STONE
SLOPE PROTECTION

DESIGN NOTES

1. TL-5 BRIDGE RAILING PROPOSED
2. FRAME TYPE PIER PROPOSED
3. BTE BEAMS PROPOSED
4. PIER EXEMPT FROM VESICULAR COLLISION FORCE DESIGN

SITE PLAN



0 20 40
SCALE IN FEET

PRELIMINARY
DESIGN FOR 0° SKEW
297'-0" X 34'-0" PRESTRESSED
PRESTRESSED CONC. BEAM BRIDGE
34'-0" AND 15'-0" SPANS BTE BEAMS
SITUATION PLAN - SITE
POLK COUNTY
DESIGN SHEET NO. 2 OF 2 FILE NO. 22044 DESIGN NO. 222
APRIL 2021

FILE NO. 22044	ENGLISH	DESIGN TEAM	STORY COUNTY	PROJECT NUMBER IM-035-4(269)104-13-85	SHEET NUMBER V-2	REVISED
SYSTEMTIME	SYSTEMDATE	USERNAME	DQHSPEC			

EXHIBIT B

77-035-4309 CITY OF HUXLEY UTILITIES RELOCATION PROJECT COST ESTIMATE										
ITEM NO	ITEM CODE	ITEM	UNIT	ESTIMATED QUANTITY	UNIT PRICE	IDOT COVERED QUANTITY	IDOT COVERED PRICE	CITY OF HUXLEY COVERED QUANTITY	CITY OF HUXLEY COVERED PRICE	TOTAL, EXTENDED PRICE
1	2552-0000300	COMPACTION TESTING	LS	1	\$ 75,000.00	1	\$ 75,000.00	—	\$ —	\$ 75,000.00
2	2554-0134012	WATER MAIN/CAS, TRENCHED, PVC, 12"	LF	460	\$ 350.00	160	\$ 56,000.00	300	\$ 105,000.00	\$ 161,000.00
3	2554-0114012	WATER MAIN, TRENCHED, PVC 12"	LF	4,120	\$ 100.00	4,120	\$ 412,000.00	—	\$ —	\$ 412,000.00
4	2554-0207012	VALVE, GATE, DIP, 12"	EA	6	\$ 6,000.00	6	\$ 36,000.00	—	\$ —	\$ 36,000.00
5	2599-9999005	FIRE HYDRANT RELOCATION	EA	1	\$ 6,500.00	1	\$ 6,500.00	—	\$ —	\$ 6,500.00
7	2599-9999005	CONNECTION TO EXISTING SYSTEM	EA	8	\$ 10,000.00	8	\$ 80,000.00	—	\$ —	\$ 80,000.00
8	2599-9999005	SANITARY SEWER CASING, TRENCHED, HDPE 12"	LF	25	\$ 300.00	25	\$ 7,500.00	—	\$ —	\$ 7,500.00
9	2504-0132627	SAN SWR 6-M/CASING, TRENCHED, IRCP 3750D, 27"	LF	95	\$ 1,000.00	95	\$ 95,000.00	—	\$ —	\$ 95,000.00
10	2504-0112627	SAN SWR 6-M/CASING, TRENCHED, IRCP 3750D, 27"	LF	20	\$ 500.00	20	\$ 10,000.00	—	\$ —	\$ 10,000.00
11	2504-0114024	SAN SWR 6-M/MAIN, TRENCHED, PVC 24"	LF	190	\$ 450.00	190	\$ 85,500.00	—	\$ —	\$ 85,500.00
12	2504-0114018	SAN SWR 6-M/MAIN, TRENCHED, PVC 18"	LF	390	\$ 307.69	390	\$ 120,000.00	—	\$ —	\$ 120,000.00
13	2401-6745650	REMOVAL OF EXISTING STRUCTURE (SANITARY SEWER MANHOLE NO. 329)	EA	1	\$ 50,000.00	1	\$ 50,000.00	—	\$ —	\$ 50,000.00
14	2504-0240235	ABANDONMENT OF EXISTING STRUCTURES (SANITARY SEWER MANHOLES NO. 328 & 341)	EA	2	\$ 34,500.00	2	\$ 69,000.00	—	\$ —	\$ 69,000.00
15	2435-0130196	MANHOLE, SAN SWR, SW-301, 96"	EA	1	\$ 50,000.00	1	\$ 50,000.00	—	\$ —	\$ 50,000.00
16	2435-0130360	MANHOLE, SAN SWR, SW-303, 60"	EA	2	\$ 40,000.00	2	\$ 80,000.00	—	\$ —	\$ 80,000.00
17	2101-0850002	CLEARING AND GRUBBING (TREE REMOVAL)	UNIT	95	\$ 500.00	95	\$ 47,500.00	—	\$ —	\$ 47,500.00
SUBTOTAL CONSTRUCTION COSTS							\$ 1,280,000.00		\$ 105,000.00	\$ 1,385,000.00
18	N/A	EASEMENTS (PERPETUAL)					\$ 50,000.00		\$ —	\$ 50,000.00
19	N/A	EASEMENTS (TEMPORARY)					\$ 25,000.00		\$ —	\$ 25,000.00
20	N/A	ENGINEERING/SURVEY EASEMENT SERVICES					\$ 24,800.00		\$ —	\$ 24,800.00
21	N/A	ENGINEERING DS & GS					\$ 74,800.00		\$ —	\$ 74,800.00
22	N/A	RESIDENT REVIEW					\$ 67,500.00		\$ —	\$ 67,500.00
SUBTOTAL EASEMENTS, DESIGN, CONSTRUCTION OBSERVATION							\$ 242,100.00		\$ —	\$ 242,100.00
SUBTOTAL OF PROJECT COSTS							\$ 1,522,100.00		\$ 105,000.00	\$ 1,627,100.00
TOTAL COST OF RELOCATION									\$ 1,627,100.00	

Closed Session

City Administrator Search