

**AGENDA**  
**DEWITT CITY COUNCIL**  
**TOWN HALL MEETING**  
**HALL OF FAME PIZZA (BACK ROOM)**  
**7:00 p.m., Monday, November 22, 2009**

1. Discussion Items:
  - A. Capital Improvement Plan - Including Update on current projects
  - B. Burn Ban Reminder
  - C. Snow Removal Policies and Expectations
  - D. Snow mobile/ATV snow route
  - E. Sanitary Sewer Ordinance - Changes Considered
  - F. Chief of Police Hiring Process Review
  - G. Dog Park
  - H. Fiscal Year 2011 Budget Preparation
  
2. Public Comments/Concerns/Input
  
3. Adjournment

## TOWN HALL MEETING

### Capital Improvement Plan Summary

#### 17<sup>th</sup> Street/18<sup>th</sup> Avenue:

Completed for \$1,523,208.79 – the City is still to be reimbursed \$350,000 from private developers. The estimated cost was \$1.903 million.

#### Silver Creek Trail:

Nearly completed – Wetland mitigation needs to be finalized. Total Project cost to date \$541,984.60 including land purchases. Final total cost should be under \$600,000.00.

#### John Bloom Sculptures

The John Bloom Sculptures were installed in late October. The final cost for the sculptures and installation was \$265,168.75. The cost for the planning and presentation of maquettes was \$31,189.94. The cost for the original planning meeting with the artists was \$1,962.63 for a total cost of \$298,321.32.

#### Renovation of Westbrook Ball Diamonds – flip field and add lights:

This project is under construction. The earthwork was completed for \$59,202.50. The contract work for the fencing has just started with a cost of \$35,118.60. The lighting is to be bid out yet this winter. The total estimated cost for earthwork, fencing and lighting is \$280,000.00.

#### 12<sup>th</sup> Street Reconstruction 600 and 700 blocks:

Total Project Cost \$526,677.31. Total estimated cost is \$819,115.00.

#### I&I PROJECTS:

A number of activities are ongoing to work to reduce the City's inflow and infiltration problems. In addition to the large projects (such as 12<sup>th</sup> Street and 10<sup>th</sup> Street) the City continues to work in a number of ways to work on this problem. Last summer the City had the large/deep east side sewer cleaned and televised, including a written report. Additionally, the Utility crews continue to use the flow meter purchased last year to analyze flows within the sewers and try to prioritize where capital projects and inspections should occur. Finally, the Utility crews continue to carry out exterior inspection, trying to confirm where downspouts, area drains and sump pumps may dump into the City's Sanitary Sewers. These activities are likely to consider for an indefinite amount of time.

#### East Side Storm Water Improvement Project:

This project includes the cleaning and reshaping of the east side drainage ditch from 11<sup>th</sup> Street to East 3<sup>rd</sup> Avenue and from the Union Pacific Rail line through the Industrial Park. Additionally the project includes to detention areas; one detention area to be located north of 11<sup>th</sup> Street in the 200 block area (north of the School's Bus Parking) and one detention area to be located just to the south on the Union Pacific line and adjacent to East 3<sup>rd</sup> Avenue. The estimated cost is \$600,000.00 – this includes surveys for easements and the purchase of property for detention areas. The City has been

approved for an IJOBS grant of \$300,000 for this project. The East Side Storm Water project will be under contract this spring and work will begin in the summer of 2011.

#### **SCHEDULED PROJECTS:**

##### **10<sup>th</sup> Street Reconstruction from 5<sup>th</sup> Avenue to 1<sup>st</sup> Avenue:**

This 4-block stretch of 10<sup>th</sup> Street is in poor condition and receives quite a bit of school traffic. Additionally, these 4 blocks of the City does not have a true east west sewer main, but rather a maze of private laterals. The sewer system in this section is a high priority for replacement as a part of the City's Blight or I&I Reduction Project. Otherwise the major funding for this project will be Blight TIF Bond. The engineering contracts for this project total \$190,600 and the estimated construction cost is \$1,028,111 for a total project cost of \$1,218,711.00. This project will be let early spring of 2011 and construction will take place during the 2011 construction season. The City has held one public meeting on this project and plans to do another public preconstruction meeting this winter.

##### **Widen 11<sup>th</sup> Street from the Humeston to the New Central School Facilities:**

The City has preliminary plans for this project. The improvements are intended to make the route safe for the increase in traffic that will be generated by the new facilities. The City is trying to coordinate the timing of construction to work well with the School's Construction schedule and to have the roadway completed in time for the opening of the new STAR facilities. However, at this time it looks as if the School's project will be completed ahead of the road way by a couple of months. The City has held one public meeting on this project and plans to hold another this winter. The engineering contracts for the is project are in an amount of \$212,345.00 and the estimated cost of construction is \$1,462,254.00 for a total estimated project cost of \$1,675,254.00. This project is to be let early this spring and will take place during the 2011 construction season. This is a large project and will take the entire construction season (May-November), with some likelihood that seeding and other minor final items taking place in the spring of 2012. This project will coincide with the 10<sup>th</sup> Street project and will create some transportation challenges near the Central School Campus.

##### **Overlay of 11<sup>th</sup> Street from 6<sup>th</sup> Avenue to Silver Creek Bridge:**

This portion of 11<sup>th</sup> Street continues to deteriorate. It is planned to get a concept plan to the IDOT for this project in the spring of 2011 to be let in 2012. This project would be similar of the work done on 11<sup>th</sup> Street east of 6<sup>th</sup> Avenue.

#### **UPCOMING PROJECTS:**

##### **6<sup>th</sup> Avenue from St. Josephs Church to the Union Pacific:**

This part of 6<sup>th</sup> Avenue is deteriorating quickly and needs attention in the upcoming years. There was some discussion about doing an overlay project rather than a reconstruction because that would be significantly less expensive. However, the utilities under the street are extremely old (original sewer), therefore the City is leaning toward the reconstruction and the higher price tag. The estimate for the reconstruction on this project is \$1.7 million.

#### **LIBRARY ADDITION**

The Library continues to plan for the expansion of the Frances Banta Waggoner Community Library. The Board has already underwent a charrette process and a conceptual plan has been developed. The adopted plan calls for an addition of approximately 10,000sf (to the current 7,500sf) at an estimated total cost of \$4.5 million. The Library Board is slowly working to build support and put the people in place to begin fundraising as soon as next spring. A bond referendum may be necessary to fund this project. This project is not scheduled for construction, but it would be anticipated to occur in the next 3-7 years.

### **NEW POLICE STATION**

The City has purchased the former Eastern Iowa Light and Power property at 1505 6<sup>th</sup> Avenue for the purpose of relocating the Police Station. Although a nice building the current facility is becoming crowded and is not conducive for the parking and storage needs of the PD. Last year the City entered into an agreement with IOW to do a facility study to work to determine the actual space needs of the PD and come up with an estimated cost of a new facility based on the needs study. Those results were reported this fall. The recommendation was to reuse the structural parts of the existing REC facility to construct a ~5,800 sf police station for an estimated cost of \$1.7 million. The actual construction of a new Police Station is not scheduled, although it would be anticipated to occur in the next 3-7 years.

### **WASTE WATER DISINFECTION SYSTEM**

Changes in regulations will require the City to install a UV disinfection system at the Waste Water Treatment Plant. The Ultra Violet system is the preferred method over chlorination to reach the required disinfection for the Water Pollution Control Plants effluent. This project is estimated to cost \$200,000 and has not been scheduled yet.

### **POTENTIAL PROJECTS**

The City will continue to work on reconstructing streets and sanitary sewers, focusing on areas where both the street and sanitary sewers are in very poor condition. Some potential areas that the City might consider for this reconstruction work are:

600-800 blocks of 10<sup>th</sup> Avenue

East 8<sup>th</sup> Street east of 2<sup>nd</sup> Avenue

8<sup>th</sup> Avenue north of 14<sup>th</sup> Street

There are other areas that may also be considered. These projects would be funded through the City's Blight TIF

There are other future projects where private development may spur the completion of a project. These potential projects include:

The extension of the Silver Creek Trail system east from near Well # 7 to 4<sup>th</sup> or 5<sup>th</sup> Street

the extension of Industrial Drive to 300<sup>th</sup> Avenue and improvements of 300<sup>th</sup> Avenue to US 30

the extension of 18<sup>th</sup> Avenue south to 14<sup>th</sup> Street to intersect with 17<sup>th</sup> Avenue to connect to 11<sup>th</sup> Street or the extension of 18<sup>th</sup> Avenue south to 11<sup>th</sup> Street

A new water pump/water storage tanks/water tower in north DeWitt

The addition of lights on all WB ball fields

The extension of 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue east

The extension of East 6<sup>th</sup> Street to 300<sup>th</sup> Avenue

**These projects do not have a designated time of construction nor a designated source of funding.**

## **BURN BAN REMINDER**

Section 105.10(c). Burning Restrictions. The following restrictions apply to burning:

- A. Burning of leaves, grass clippings, pine needles, garden waste and other similar organic debris is prohibited except as provided below.
- B. Burning of brush, sticks, branches, trees, and shrubs (excluding garden waste) is allowed on properties being legally used for single-family and two-family residential purposes.
- C. All burning must take place no closer than 50 feet from an adjoining or neighboring residential dwelling.
- D. Burning is prohibited in the public right of way or any public easement area.
- E. Property owners/tenants must be present at all times while the fire is burning.

Section 105.10(d). Exemptions. This ordinance shall not apply to the following:

- a. Outdoor charcoal or wood broiler grills, fireplaces and chimneys burning untreated wood or charcoal, used only for the preparation of food or social activities. It shall be unlawful for these installations to be utilized for the disposal of any other objects, material, or matter by fire.
- b. A controlled fire of untreated wood or coal for enjoyment of fraternal, religious, educational or other similar organizations when application for exemption is made upon forms approved by the City Administrator and approved by the DeWitt City Council.
- c. Disposal of waste occurring by reason of a severe storm or other community disaster declared to be an emergency by resolution of the city council. The type of waste, the manner in which it can be disposed and the period of time for disposal shall be specified in the resolution.
- d. Prairie maintenance (reestablishment, and creation) and agricultural field maintenance shall be allowed subject to the rules, regulations and public notification requirements established by Clinton County. The City shall be provided a copy of the approved Clinton County permit prior to the burn, if a permit is required.

## SNOW AND SNOW RELATED REGULATIONS

### 69.10 Parking Regulations. SNOW REMOVAL

This ordinance states that it is prohibited to park on the street during a snow event (with the exception of the downtown area) up until the time the streets are cleared of snow. Cars parked on the street during a snow storm make snow removal very difficult – each car is an obstacle. Cars left on the street during a snow storm will usually end up surrounded by a large amount of snow. Owners of these vehicles can be ticketed and often are. It is a great help to the snow removal crews to have vehicles off the street during snow events as much as possible.

The exception to this regulation is the downtown area, which is basically 6<sup>th</sup> Avenue and 1 block east and west of 6<sup>th</sup> Avenue from 7<sup>th</sup> Street to 11<sup>th</sup> Street. In this area parking is permitted during a snow up until temporary signs are posted giving notice that snow will be removed in this area. These signs are placed on portable sign posts and will be posted in the street on the day that snow will be removed. The snow in the downtown area will be removed for the most part between midnight and 6:00 a.m.

### 135.12 Streets and Sidewalks. DUMPING OF SNOW

It is prohibited to push piles of snow out into the travel portion of the roadway or in a way that will obstruct drainage. When this is done it can create hazards for drivers and makes it difficult to keep the streets clear.

### 136.12 Sidewalk Regulations DUTY OF PROPERTY OWNER TO REMOVE SNOW AND ICE

A property owner in the City has 12 daylight hours after the end of a snow event – in most cases this is a day or two – to remove snow and ice from their public sidewalks. To allow the accumulation of snow or ice on sidewalks beyond the 12 day light hours is a misdemeanor punishable by fine. Additionally, the City, without contacting the owner, can have the snow or ice removed at the owner's expense. The property owner then can be invoiced for the expense and if the property owner does not pay the cost of the snow removal can be assessed against the property. The related ordinances are below.

**136.21 DUTY OF PROEPRTY OWNER TO REMOVE SNOW AND ICE.** It is the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks.

(Code of Iowa, Sec. 364.12 [2b] )

**136.22 FAILURE TO REMOVE SNOW AND ICE.** Any owner who shall, for a period of twelve (12) daylight hours after the cessation of the storm or other cause or accumulation, permit snow, ice or accumulations to remain upon the adjoining and abutting sidewalks, is guilty of a misdemeanor.

**136.23 REMOVAL OF SNOW AND ICE BY CITY; ASSESSING COSTS.** Should snow, ice or accumulations be permitted to remain upon any sidewalk for a period of twelve (12) daylight hours after the cessation of the storm or cause of accumulations, the City Administrator may, without notice to the property owner, cause the same to be removed. The City may use its own forces to remove the snow and ice or the City may hire an independent contractor to remove the snow and ice. The actual cost of the removal and an administrative fee of no less than thirty-five (\$35.00) shall be assessed against the property in the following manner:

The City Administrator shall submit to the Director of Finance an itemized and verified statement showing expenditures of material, labor and equipment or the contracted cost

used in making the removal, the name of the owner or owners of the property, and the description of the lot, part of lot or parcel of ground abutting upon the sidewalk from which snow, ice or accumulations have been removed. The Director of Finance will be directed to bill the property owner. If not paid within thirty (30) days, the Clerk is to certify the cost and assessments to the County Treasurer and it shall then be collected with and in the same manner as general taxes.

(Ord. 2009-08 – Dec. 09 Supp.)

**77.04 ATV's and Snowmobiles PLACES OF OPERATION (map is attached)**

Below is section 77.04 pertaining to permitted snowmobile and ATV routes

B. A south-north route described as starting at the south City limits and then continuing north on the east side of South 6<sup>th</sup> Avenue to the 400 block. After crossing private property easements negotiated by private snowmobile rider organizations, the south-north route picks up again just south of the Union Pacific railroad tracks at South 3<sup>rd</sup> Avenue East, then north on the east side of South 3<sup>rd</sup> Avenue East continuing north on 3<sup>rd</sup> Avenue East to East 4<sup>th</sup> Street, thence west on East 4<sup>th</sup> Street/4<sup>th</sup> Street, thence north on 3<sup>rd</sup> Avenue to the northerly end of 3<sup>rd</sup> Avenue. After crossing private property easements negotiated by private snowmobile rider organizations, the south-north route picks up again at the point where 6<sup>th</sup> Avenue joins Northridge Road continuing northwest on the north side of Northridge Road to the north City limits.

(Ord. 2000-21 – Jan. 01 Supp.)

C. The routes established herein shall be the only permitted ATV/snowmobile routes, and ATV's snowmobiles shall be operated within the roadways (except as noted in paragraphs 1A and 1B above) of said public streets. ATV's and snowmobiles shall be transported to the ATV/snowmobile routes. They shall also be subject to the following regulations.

2. Exceptions. ATV's and snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. ATV's and snowmobiles may be operated on any street in an emergency (e.g., medical or when needed to transport hospital staff to hospital, etc.) during the period of time when and at locations where snow and ice upon the roadway render travel by conventional motor vehicles impractical and unsafe.

(Code of Iowa, Sec. 321G9[4c])

B. Direct Crossing. ATV's and snowmobiles may make a direct crossing of a prohibited street provided:

(1)The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;(2)The ATV or snowmobile is brought to a complete stop before crossing the street

(3)The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and(4)In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

C. Police Department Use. ATV's and snowmobiles may be operated on any street when operated by an on-duty City of DeWitt Police Officer.

D. Public Works Department and Parks and Recreation Department Use. ATV's may be operated on any street when operated by an on-duty City of DeWitt employee that has the appropriate license and is doing work for the Public Works Department or the Parks and Recreation Department.

(Ord. 2010-02 – July 10 Supp.)

3. Railroad Right-of-way. ATV's and snowmobiles shall not be operated on an operating railroad right-of-way. An ATV or snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13 [8])

4. Trails. ATV's shall not be operated on snowmobile trails and snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

(Code of Iowa, Sec. 321G.9 [4f and f])

5. Parks and Other City Land. ATV's and snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. ATV's and snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

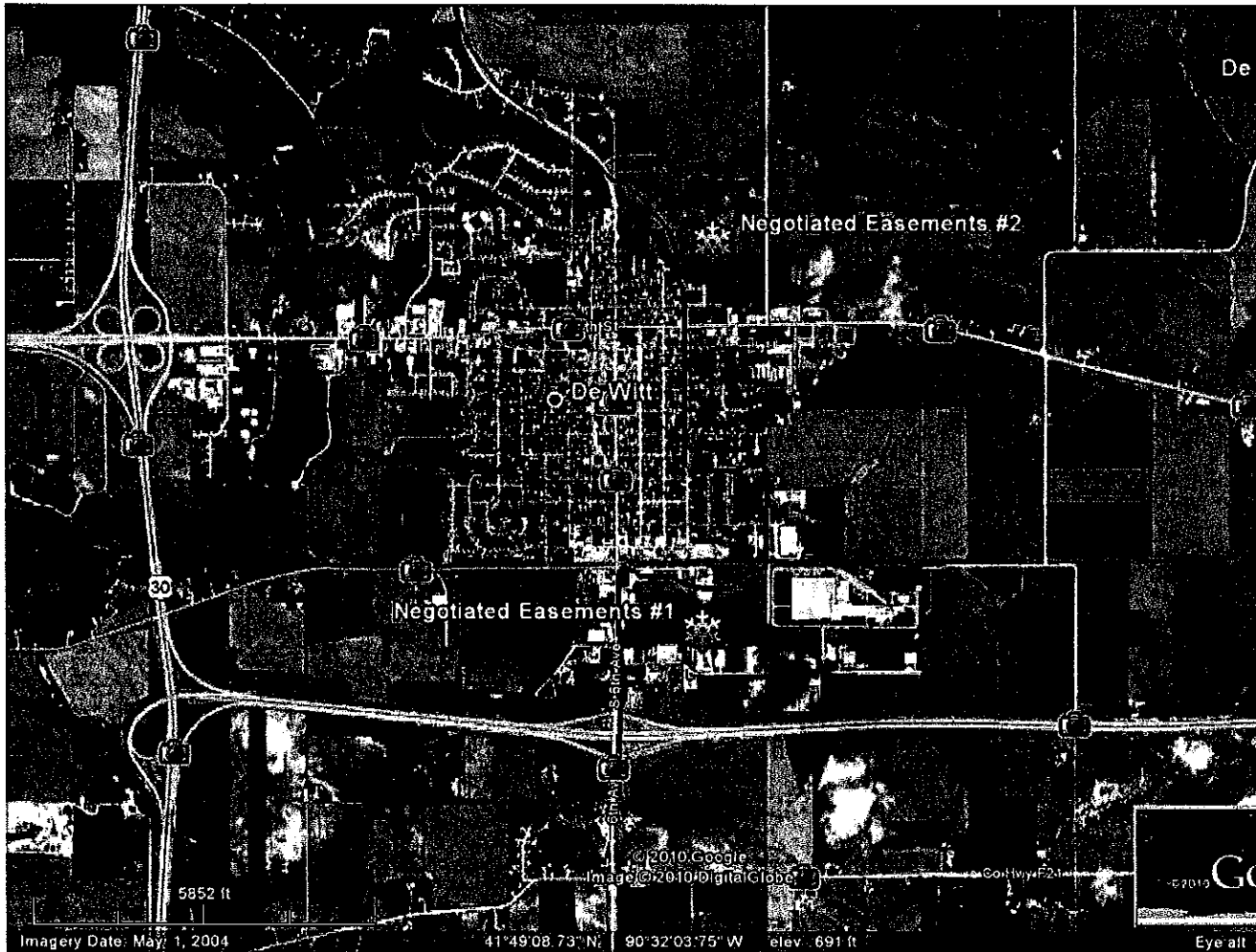
**77.05 NEGLIGENCE.** The owner and operator of an ATV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile.

**77.06 ACCIDENT REPORTS.** Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

(Code of Iowa, Sec. 321G.10)

## Snow Route -----

A south-north route described as starting at the south City limits and then continuing north on the east side of South 6<sup>th</sup> Avenue to the 400 block. After crossing private property easements negotiated by private snowmobile rider organizations\*(Easements # 1), the south-north route picks up again just south of the Union Pacific railroad tracks at South 3<sup>rd</sup> Avenue East, then north on the east side of South 3<sup>rd</sup> Avenue East continuing north on 3<sup>rd</sup> Avenue East to East 4<sup>th</sup> Street, thence west on East 4<sup>th</sup> Street/4<sup>th</sup> Street, thence north on 3<sup>rd</sup> Avenue to the northerly end of 3<sup>rd</sup> Avenue. After crossing private property easements negotiated by private snowmobile rider organizations\*(Easements # 2), the south-north route picks up again at the point where 6<sup>th</sup> Avenue joins Northridge Road continuing northwest on the north side of Northridge Road to the north City limits.



**SANITARY SEWER ORDINANCE CHANGES UNDER CONSIDERATION:**

The major issues with the changes are the following:

- requiring exterior cleanouts to be cast-iron and whether or not to require all of these to be changed immediately or upon failure;
- requiring permits with a set fee for any work on a private sanitary sewer lateral
- requiring the replacement of orangburg sewer laterals – should the City require that the entire lateral be replaced, only the portion in the City's ROW, or only the portion that needs to be repaired
- related to these issues is if the City should require new sanitary sewer connections where there are shared laterals – that is where more than one home or building is connected to the same private sewer lateral

**BELOW ARE SOME OF THE PROPOSED ORDINANCE CHANGES:**

**96.04 (7) Sanitary Sewer Cleanouts:** install or repair an exterior sanitary sewer cleanout cover with any material other than cast iron. The Director of Public Works is authorized to order failing exterior cleanout covers to be replaced. The order to replace shall be in writing to the owner.

**96.01 PERMIT REQUIRED.** No unauthorized person shall uncover, make any connection with or opening into, use, alter, repair, partially replace or disturb any public sewer, or appurtenance thereof, including a private sewer lateral that connects to a public sewer, without first obtaining a written permit from the Clerk in accordance with the following:

**Comment:** Added language highlighted

1. **Application.** Any person requesting a permit to make a connection with or opening into, use, alter, repair, partially replace or disturb any public sewer, or appurtenance thereof, including a private sewer lateral that connects to a public sewer, shall first file with the Clerk an application therefore, on blanks furnished by the city, setting forth the location and description of the property to be connected with the sewer system and for what purpose for which the sewer is to be used.

**Comment:** Added language highlighted

2. **Plans and Specifications.** The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Building Official.

3. The person who make the application shall pay a fee, the amount hereinafter set by resolution, to the Clerk to cover the cost of issuing the permit and the cost of the Building Official supervising, regulating and inspecting the work.

4. **Limited Responsibility for Permit Revocation.** All sewer connection permits shall be given upon the express condition that the Council may at any time before the work is completed revoke and annul the same and no party interested shall have a right to claim damages in consequence of any such permits being revoked or annulled.
  
5. **Connection Charge.** There shall be a connection charge, the amount hereinafter set by resolution, paid to reimburse the City for costs borne by the City in making sewer service available to the property served.
  
6. **Silver Creek Interceptor.** For lots created as a result of a subdivision pursuant to the subdivision laws of the City, after July 1, 1993, and abutting the Silver Creek Interceptor or its extensions, the connecting charge shall be an amount equal to fifty percent (50%) of the costs, at the rate not to exceed thirty dollars (\$30.00) per lineal foot, of installing an eight inch (8") sanitary sewer line through the building lot on the same route as the Silver Creek Interceptor. Such frontage and cost shall be determined by the Director of Public Works and frontage extended to the center of an intersection for corner lots.

(Ord. 2003-08 – Apr. 03 Supp.)

**96.02 PLUMBER REQUIRED.** All installations of building sewers and connections to the public sewer shall be made by a plumber approved by the City. The Building Official shall have the power to suspend the approval of any plumber for violation of any of the provisions of these Sanitary Sewer chapters; a suspension, unless revoked, shall continue until the next regular meeting of the Council. The Building Official shall notify the plumber immediately by personal written notice of the suspension, the reasons for the suspension, and the time and place of the Council meeting at which the plumber will be granted a hearing. At this Council meeting the Building Official shall make a written report to the Council stating the reasons for the suspension, and the Council, after fair hearing, shall affirm or revoke the suspension or take any further action that is necessary and proper. The plumber shall provide a surety bond in the minimum sum of ten thousand dollars (\$10,000.00) secured by a responsible surety bonding company authorized to operate within the State, conditioned to indemnify and save the City harmless against all losses or damages that may arise from or be occasioned by the making of connections with the public sewers or excavations therefore or by carelessness, negligence or with the public sewers or excavations therefore or by carelessness, negligence or unskillfulness in making the same. Such bond shall remain in force and must be executed for a period of one year except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued there under prior to such expiration. In lieu of a surety bond, a cash deposit of one thousand dollars (\$1,000.00) may be filed with the City.

**96.03 EXCAVATIONS.** All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the City. Pipe laying and backfill shall be performed in accordance with A.S.T.M. Specification C-12, except that no backfill shall be placed until the work

has been inspected. The excavations shall be made in accordance with the provisions of Chapter 135 where applicable.

**96.04 CONNECTION REQUIREMENTS.** Any connection with a public sanitary sewer or repair or partial or total replacement of a private sewer lateral that connects to a public sewer must be made under the direct supervision of the Director of Public Works or Building Official and in accordance with the following:

**Comment:** Added language highlighted

1. **Old Building Sewers.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test conducted by the owner and observed by the Building Official, to meet all requirements of this chapter.
2. **Separate Building Sewers.** A separate and independent building sewer shall be provided on every occupied building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In such cases the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
3. **Installation.** All sewer drain pipes connecting with a sewer shall be watertight and shall have a check valve to prevent backup. The check valve shall have a clean-out mechanism. That portion of the connection located in the street, and under the curb line and driveways shall be ductile iron. Schedule 40 PVC may be used in lieu of ductile iron in houses and buildings, including under concrete flooring in a house or building, and under yards. All sewer drain pipe connections shall be made with a watertight rubber boot with stainless steel straps.
4. **Water Lines.** When possible, building sewers should be laid at least ten (10) feet horizontally from a water service. The horizontal separation may be less, provided the water service line is located at one side and at least twelve (12) inches above the top of building sewer.
5. **Size.** Building sewers shall be sized for the peak expected sewage flow from the building with a minimum building sewer size of four (4) inches.

6. Alignment and Grade. All building sewers shall be laid to a straight line and at a uniform grade of not less than the following:

A. Four (4) inch lines: one-fourth (1/4) inch per foot.

B. Six (6) inch lines: one-eighth (1/8) inch per foot.

C. Minimum velocity: 2.50 feet per second with the sewer half full.

D. Deviations: any deviation in alignment or grade shall be made only with the written approval of the Building Official and shall be made only with properly curved pipe and fittings.

7. Depth. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth of cover above the sewer shall be sufficient to afford protection from frost.

8. Sewage Lifts. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

9. Pipe Specifications. Building sewer pipe shall be free from flaws, splits, or breaks. Materials shall be as specified in Division 4 of the State Building Code or the City plumbing code except that the building sewer pipe, from the property line to the public sewer, shall comply with the current edition of one of the following:

A. Extra heavy cast iron soil pipe – A.S.T.M. A-74.

B. Cast and ductile iron water pipe – A.S.T.M. A-377. Ductile pipe is required under streets for sewer.

C. P.V.C. – DWV – A.S.T.M. D-2665.

10. Bearing Walls. No building sewer shall be laid parallel to, or within three (3) feet of any bearing wall, which might thereby be weakened.

11. Jointing. Fittings, type of joint, and jointing material shall be commensurate with the type of pipe used, subject to the approval of the Building Official.

12. Unstable Soil. No sewer connection shall be laid so that it is exposed when crossing any watercourse. Where an old watercourse must of necessity be crossed or where there is any danger of undermining or settlement, cast iron solid pipe or vitrified clay sewer pipe thoroughly encased in concrete shall be required for such crossings. Such encasement shall extend at least six (6) inches on all sides of the pipe. The cast iron pipe or encased clay pipe shall rest on firm, solid material at either end.

13. Preparation of Basement or Crawl Space. No connection for any residence, business or other structure with any sanitary sewer shall be made unless the basement floor is poured, or in the case of a building with a slab or crawl space, unless the ground floor is installed with the area adjacent to the foundation of such building cleared of debris and backfilled. The backfill shall be well compacted and graded so that the drainage is away from the foundation. Prior to the time the basement floor is poured, or the first floor is installed in buildings without basements, the sewer shall be plugged and the plug shall be sealed by the Building Official. Any accumulation of water in any excavation or basement during construction and prior to connection to the sanitary sewer shall be removed by means other than draining into the sanitary sewer.

14. Elimination of Oranburg: Upon repair or partial replacement of a private sewer lateral, if determined by the Director of Public Works to be constructed of Oranburg or other material that is failing, the Director of Public Works is authorized to order the replacement of the Oranburg or failing material within the City's Right-of-way or utility easement. The owner shall be responsible for the cost of the replacement.

Comment: New section

**96.05 INTERCEPTORS REQUIRED.** Grease, oil, sludge, and sand interceptors shall be provided by filling stations, automobile wash racks, garages, schools, hospitals, meat departments, restaurants and other facilities, when, in the opinion of the Building Official, they are necessary for the proper handling of such wastes that contain grease in excessive amounts or any flammable waste, sand or other harmful ingredients. Such interceptors shall not be required for private living quarters or dwelling units. When required, such interceptors shall be installed in accordance with the following:

1. **Design and Location.** All interceptors shall be of a type and capacity as provided by the Iowa Public Health Bulletin and Division 4 of the State Building Code, to be approved by the Building Official, and shall be located so as to be readily and easily accessible for cleaning and inspection.

2. **Construction Standards.** The interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers that shall be gastight and watertight.

3. **Maintenance.** All such interceptors shall be maintained by the owner at the owner's expense and shall be kept in continuously efficient operations at all times.

**96.06 SEWER TAP.** Connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If no properly located "Y" branch is available, a "Y" saddle shall be installed at the location specified by the Building Official. At no time shall a building sewer be constructed so as to enter a manhole unless special written permission is received from the Building Official and in accordance with the Building Official's direction if such connection is approved.

**96.07 CONNECTION DEADLINE.** All approved connection permits shall require the owner to complete construction and connection of the building sewer to the public sewer within thirty (30) days from the approval of the permit, except that when , in the judgment of the Building Official, a property owner on application has made sufficient showing that due to conditions beyond the owner's control or peculiar hardship, the period of time set forth for the completion of the connection shall be inequitable or unfair, an extension of time within which to comply with the provisions herewith may be granted.

**96.08 INSPECTION REQUIRED.** All connections with the sanitary sewer system, including repair or replacement of private sewer laterals that connect to the public sewer system, before being covered, shall be inspected and approved, in writing, by the Director of Public Works or Building Official. As soon as all pipe work from the public sewer to inside the building has been completed, and before any backfilling is done, the Director of Public Works or Building Official shall be notified and the Director of Public Works or Building Official shall inspect and test the work as to workmanship and material; no sewer pipe laid under ground shall be covered or trenches filled until after the sewer has been so inspected and approved. If the Director of Public Works or Building Official refuses to approve the work, the plumber or owner must proceed immediately to correct the work.

**Comment:** Added language highlighted

## CHIEF OF POLICE HIRING PROCESS

The City of DeWitt is a Civil Service Community, which means the Police Department hiring process must follow Chapter 400 of the Iowa Code and specifically Chapter 400.13 of the Iowa Code. One of the requirements of Chapter 400 is that the City appoints a 3-person Civil Service Commission. Chapter 400.13 states that the "chief of the police department shall be appointed from the chief's civil service eligible list. Such list shall be determined by original examination open to all persons applying whether or not members of the employing city". Chapter 400.13 also states that actual "appointment" of the chief "shall be made as provided by city ordinance", and in the case of DeWitt, Chapter 30.06 provides that "the council shall appoint the Chief of Police to serve at the pleasure of the Council". Finally, Chapter 400.08 states that "the commission shall establish the guidelines for conducting the examinations under subsection 1 of this section. It may prepare and administer the examinations or may hire persons with expertise to do so if the commission approves the examination".

With Chapter 400 setting the framework for how the City of DeWitt hires a Police Chief, what follows are the actual steps taken by the City to follow that framework. Between July 14, 2010, and August 5, 2010 the Civil Service Commission met 3 times to discuss the procedure they would use to hire the next Chief. In general the discussion focused finally on an assessment center for "finalists", with candidates initially providing letters of application, resumes, and City applications. Resumes and applications would be screened to determine a group of "semi-finalists". The semi-finalists would be narrowed down to a group of 5 finalists through a 15-item questionnaire that would be completed by all interested semi-finalists. On August 5, 2010 the Commission approved hiring Jeff Cayler to set up and direct an assessment center process scheduled for Saturday, October 16. Cayler had proposed to set up a 3-police chief panel to run the assessment center, in addition to the 3 chief's one retired City Administrator was added to the assessment panel. The assessment center process is generally a day-long testing that includes a number of activities directly relevant to the Chief's actual job-duties. In the case of DeWitt the activities were a "leaderless" group discussion, a number of "mailbox" writing activities, a proposal presentation and an interview. Assessment Centers are fairly typical in hiring Police Chiefs, and for police promotions. The City of DeWitt has been using professionally run assessment centers for over 10-years for police promotions/hiring chiefs (recently the City has started using this process for other department hiring). The City Council approved the contract with Jeff Cayler for the Assessment Center services on August 16.

After the Council approved the contract with Cayler, the City Administrator prepared and placed ads locally and regionally for the position, primarily using state municipal job sites. The first review of applications was to occur beginning September 13. All interested applicants received a detailed position profile that described the position, the organization, the community, and the process used to determine the next Police Chief. By September there were 9 applications received. The City Administrator screened those 9 applications and selected 6 to receive the semi-finalist questionnaires. The City Administrator in consultation with the Council extended the date to receive applications to September 29 because so few applications were received (in 2009 nearly 40 applications were received). Only 2 more applications were received, those 2 applicants received the semi-finalist questionnaire. In total there were 8 semi-finalist chosen by the City Administrator, 7 of those responded to the questionnaire, 5 were selected as finalists and invited to the Assessment Center. All of the 5 finalists had submitted their applications on or prior to the initial review date of September 13, of the 5 finalists 2 were internal candidates and 3 were external candidates. All 5 of the finalists selected attended the Assessment Center activities.

During the screening and selection process the City Administrator and Cayler were in communications pertaining to the details of the assessment center. Cayler provided a profile questionnaire that is used to help determine the most meaningful way to set up the assessment center and activities. This questionnaire was distributed by the City

Administrator to the City Council, the Commission, employees of the police department, employees of the city, and selected members of the Citizen Police Academy Alumni. Their responses were returned to Cayler and used to help him understand the police department, perception about it and how to best set up an assessment center.

The finalists were invited to take part of a community tour at 2 p.m. on Friday, October 15. The internal candidates elected not to take a tour of the community. At 3:15 the 5 finalists were given their homework assignment, which was to begin to prepare their presentation for the next day. At 5:30 p.m. there was a public "meet and greet" held at the Community Center for the public, Commission, Council, Press, and anyone else interested to meet the 5 finalists. Additionally, the 3 chiefs of police who made up  $\frac{3}{4}$  of the assessment panel were at the meet and greet.

On Saturday, October 16, the 5 finalists the assessment panel, a quorum of the Civil Service Commission, the entire City Council, the Mayor, and the City Administrator gathered for the Assessment Center at DeWitt City Hall. Introductions were made and ground rules were discussed beginning about 7:30 a.m. Assessment Center activities started at about 8:00 a.m. and ended around 4:30 p.m. During this time the Assessment Center was an "open public" meeting, which anyone could attend and watch. The City Council, the Mayor and a quorum of the Civil Service were present all day to watch and judge the activities.

Late in the afternoon when the assessment center activities were completed the assessment panel finalized their scores and Cayler tabulated all of the scores. At approximately 4:20 p.m. the Civil Service and City Council went into closed session to discuss the Assessment Center and the performance of the finalists with the assessment panel. Near 4:40 p.m. the Civil Service went back into open session and approved their civil service eligible list in rank order. After that the Council went into closed session for additional discussion pertaining to the selection of the Chief of Police. The meeting was adjourned at 5:58 p.m.

On October 18, 2010 at the regular City Council Meeting the City Council went into closed session to continue their discussion pertaining to the selection of a Chief of Police and the terms of any offer. The City Administrator was directed to make a verbal conditional offer to David Porter of Flint, Michigan. Porter received the highest score from the assessment panel, was ranked # 1 by the Civil Service on the eligible list and had provided the best responses to the semi-finalist questionnaire. On Wednesday, October 20, Porter accepted the verbal offer over the phone. On November 1, 2010, the City Council approved the conditional appointment of Porter as the next Chief of Police with a start date of December 28, 2010. The conditions include a satisfactory outcome of a comprehensive background investigation, passing the physical agility test and the POST exam, passing the required physical and psychological exams, and completing all components of certification for the Iowa Law Enforcement Academy. At the November 1, meeting the Council also reviewed a proposed employment contract for Porter that will likely be approved in December, prior to Porter starting as the next DeWitt Chief of Police.

The two major objectives of the City of DeWitt's hiring process and in particular the process used to hire the Chief of Police are simply: 1) to comply with the law; 2) to hire the best person for the position. With the focus on these two items the City Council directs the City Administrator to coordinate a process that meets high professional standards. If there are any questions regarding the process please feel free to contact the City Administrator, the Mayor or any member of the City Council.