

AGENDA

COUNCIL MEETING

Tuesday, August 11, 2015

5:30 P.M.

CITY HALL COUNCIL CHAMBERS

- I. CALL TO ORDER:**
- II. OPEN FORUM: This is a time for any concerned citizen to speak to the Council on an item that is not on the agenda.**
- III. CONSENT ITEMS:**
 - A. 7/28/15 council minutes
 - B. Casey's General Store #70, Class C Beer Permit
 - C. Hy-Vee Market Café Class C Liquor License
 - D. Jeremy Hinote, Golf Course employee to \$10.00/hr.
 - E. Payment of bills
- IV. NEW BUSINESS:**
 - A. Midwest Partnership report from Sarah Gomez
 - B. Consider Resolution for Plat of Survey for Gerald Wolterman
 - C. Placement of Trailblazer Signs on city right of way through the Department of Transportation (TODS) program for businesses
 - D. Presentation by Tim Christensen on the upcoming School Bond Referendum
 - E. Consider resolution designating alley north of library as one-way from east to west
 - F. Third reading of ordinance to increase water rates by 3%
 - G. Third reading of ordinance to increase sewer rates by 3%
 - H. Consider resolution approving extension of City Administrator Employment Agreement
- V. REPORTS:**
 - A. Mayor
 - B. Engineer
 - C. City Clerk
 - D. Attorney
 - E. City Administrator
 - F. Council & Committees
- VI. ADJOURN.**

AGENDA SUMMARY

DATE 8/11/15

NEW BUSINESS

- A. **Midwest Partnership report from Sarah Gomez.**
- B. **Consider Resolution for Plat of Survey for Gerald Wolterman.** Attached is a copy of the plat of survey and application for 700 East Lincoln Way (across from the fairgrounds and city ball fields). The City Engineer and City Attorney have reviewed these documents.
- C. **Placement of Trailblazer Signs on city right of way through the Department of Transportation (TODS) program for businesses.** The Streets Committee has met with a representative from the D.O.T.; Suzanne Sievers, The Stitch; Dean McAtee, McAtee Tire and Deb McGinn, Jefferson Matters Main Street regarding placement of directional signs in city right of way to their businesses off Highway #4. Committee is recommending their placement (near the intersections): on Harrison St (Harrison and Locust) and on Locust St (Locust and Lincoln Way) for The Stitch; on Central (Central and Maple) and on Clark (Clark and Maple) for McAtee Tire. Attached is a copy of the D.O.T.'s TODS sign program.
- D. **Presentation by Tim Christensen on the upcoming School Bond Referendum.** Supt. Christensen will present information regarding this upcoming referendum.
- E. **Consider resolution designating alley north of library as one way from east to west.** A request was made to the Council at their last meeting to make this a one-way alley from east to west between Vine St. and N. Elm St (Highway #4). This is for formal action by the Council regarding the one way alley.
- F. **Third reading of ordinance to increase water rates by 3%.** As part of the 2015-2016 budget the water rates would be increased by 3%. The change would increase the minimum monthly bill for the first 134 cubic feet (1000 gallons) by .29 per month plus .23 per month for each 134 cubic feet (1000 gallons) beyond the minimum charge.
- G. **Third reading of ordinance to increase sewer rates by 3%.** As part of the 2015-2016 budget the sewer rates would be increased by 3%. The change would increase the minimum monthly bill by .34 plus an additional .14 per 100 cubic feet (750 gallons) of water used.
- H. **Consider resolution approving extension of City Administrator Employment Agreement.** The extension is from July 1, 2015 – June 30, 2016. The Wage and Benefit Committee is recommending a wage adjustment from \$83,054.00 to \$86,376.00 for the same time frame.

COUNCIL MEETING

July 28, 2015

5:30 P.M.

PRESENT: Ahrenholtz (via telephone), Teeples, Black, Jaskey, Von Ahsen
ABSENT: None

Mayor Berry presided.

Ken Paxton updated the Council on GCDC activities.

On motion by Von Ahsen, second by Teeples, the Council approved the following consent agenda: July 14, 2015 Council Minutes, Casa De Oro Class C Liquor License.

AYE: Black, Von Ahsen, Ahrenholtz, Teeples, Jaskey
NAY: None

This was the time and place for a Public Hearing on July, 2015 Amendment to Urban Renewal Plan. There were no oral or written comments. On motion by Black, second by Jaskey, the Council closed the Public Hearing.

AYE: Von Ahsen, Ahrenholtz, Black, Teeples, Jaskey
NAY: None

RESOLUTION NO. 38-15

On motion by Teeples, second by Jaskey, the Council approved Resolution No. 38-15, a resolution approving July, 2015 Amendment to Urban Renewal Plan.

AYE: Jaskey, Von Ahsen, Teeples, Black, Ahrenholtz
NAY: None

This was the time and place for a Public Hearing on Development Agreement with Jcorp, Inc. There were no oral or written comments. On motion by Jaskey, second by Black, the Council closed the Public Hearing.

AYE: Teeples, Black, Ahrenholtz, Jaskey, Von Ahsen
NAY: None

RESOLUTION NO. 39-15

On motion by Jaskey, second by Von Ahsen, the Council approved Resolution No. 39-15, a resolution approving the Development Agreement with Jcorp, Inc.

AYE: Ahrenholtz, Black, Von Ahsen, Teeples, Jaskey
NAY: None

ORDINANCE NO. 565

On motion by Teeples, second by Jaskey, the Council approved Ordinance No. 565, an ordinance adopting Planned Unit Development zoning classification for property in Water Tower Subdivision.

AYE: Von Ahsen, Black, Ahrenholtz, Teeples, Jaskey
NAY: None

RESOLUTION NO. 40-15

On motion by Jaskey, second by Teeples, the Council approved Resolution No. 40-15, a resolution approving preliminary and final plat for Water Tower Subdivision.

AYE: Black, Jaskey, Von Ahsen, Ahrenholtz, Teeples
NAY: None

On motion by Von Ahsen, second by Black, the Council approved to replace existing 4 inch water main on Walnut St between Central Ave and W. Mahlon.

AYE: Jaskey, Ahrenholtz, Teeple, Von Ahsen, Black
NAY: None

On motion by Black, second by Von Ahsen, the Council approved the hiring of Blayne Sunstrum as Patrol Officer at a salary of \$38,552.00.

AYE: Ahrenholtz, Black, Teeple, Jaskey, Von Ahsen
NAY: None

On motion by Black, second by Teeple, the Council approved the hiring of Kent Curtis as General Service Worker at a salary of \$32,926.40.

AYE: Jaskey, Von Ahsen, Teeple, Ahrenholtz, Black
NAY: None

On motion by Jaskey, second by Black, the Council approved the second reading of ordinance adjusting water service rates by 3%.

AYE: Teeple, Ahrenholtz, Jaskey, Von Ahsen, Black
NAY: None

On motion by Von Ahsen, second by Teeple, the Council approved the second reading of ordinance adjusting sewer service rates by 3%.

AYE: Ahrenholtz, Black, Jaskey, Teeple, Von Ahsen
NAY: None

There being no further business the Council agreed to adjourn.

Craig J. Berry, Mayor

Diane M. Kennedy, City Clerk

APPLICATION FOR APPROVAL OF PLAT OF SURVEY

TO: City Council of Jefferson

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

1. A pre-application conference regarding this proposed subdivision was held with the City Administrator on 06/15/15.

2. A copy of a plat of survey prepared by ROBERT B. BILLS, an Iowa registered land surveyor, dated 7/24/2015, showing the land proposed to be divided is attached to this application.

3. The purpose of this proposed division is: PROPERTY SPLIT

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

GERALD WOLTERMAN 700 E. LINCOLNWAY
JEFFERSON, IA 50129 515-370-0127

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

GARY AND ROBERT CARHILL 301 S WEST ST. JEFFERSON, IA 50129
515-386-4995

6. (a) The existing zoning classification of the property covered by the plat is L1. (There is no pending plan or proposal to change this zoning classification./It is proposed that the zoning classification of this property be changed to _____.)

(b) The zoning classification(s) for the adjoining properties is/are as follows: L1. (There is no pending plan or proposal to change any zoning classification for any of the adjoining properties./It is proposed that the zoning classification of adjoining property be changed to _____.)

7. (Check applicable paragraph:)

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

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

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

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

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

Date: 7/29/15

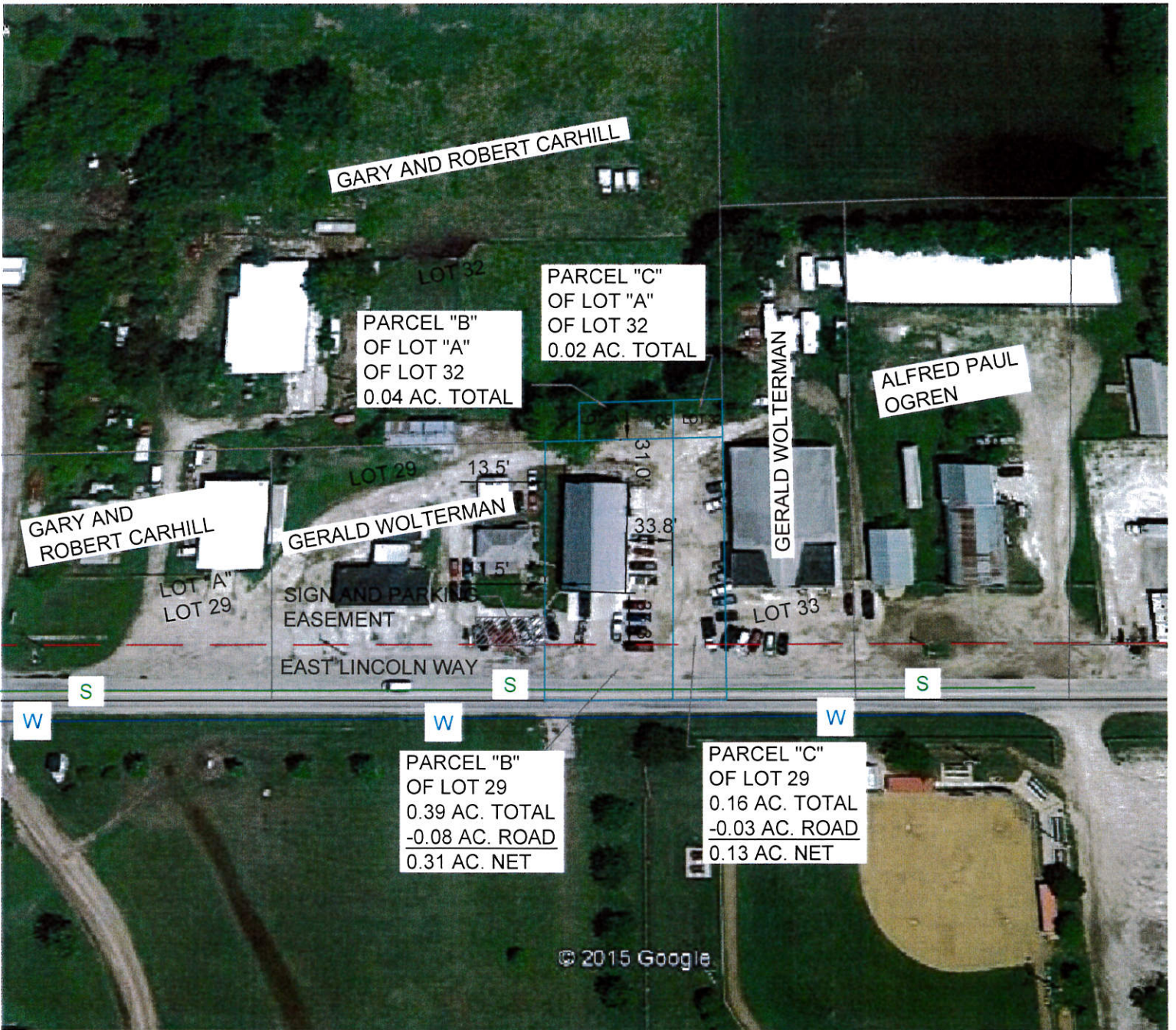
Sebold J. [Signature]

APPROVAL RECOMMENDED/NOT RECOMMENDED

John N. Milligan 7/31/15
City Engineer Date

APPROVAL RECOMMENDED/NOT RECOMMENDED

City Administrator Date



OWNER: GERALD WOLTERMAN

GENERAL NOTES:

1. CITY OF JEFFERSON UTILITY LINES ARE ONLY GENERALLY LOCATED. UTILITY SERVICES BY OTHERS ARE NOT SHOWN.
2. AERIAL PHOTO IS ONLY APPROXIMATED TO PROPERTY LINES.

CITY UTILITY LEGEND

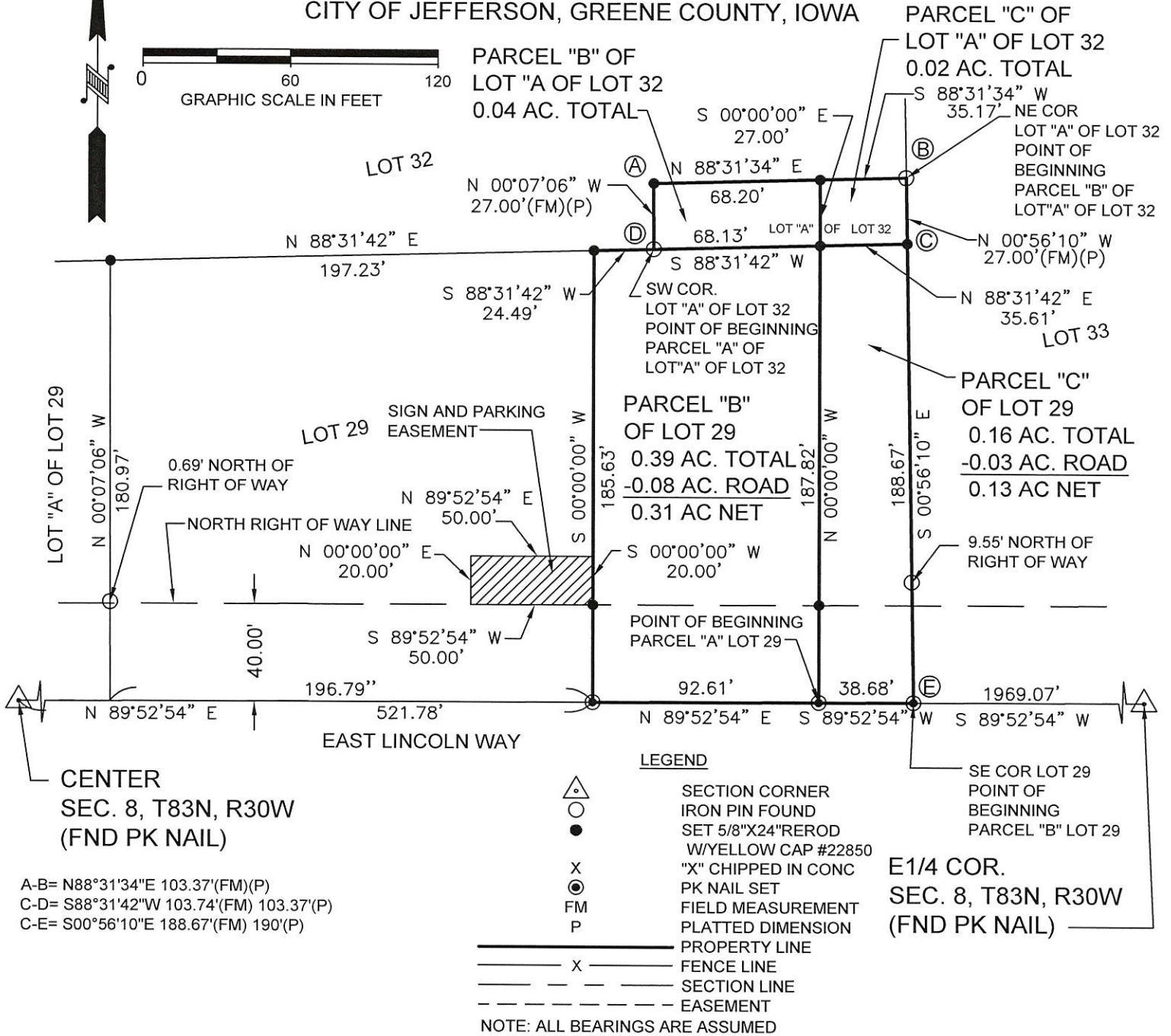
	S		SANITARY SEWER
	ST		STORM SEWER
	W		WATER MAIN

CENTRAL IOWA SURVEYING, LLC
 P.O. BOX 67 JEFFERSON, IOWA 50129
 PHONE (515) 370-2399 EMAIL rbills@centrاليواسurveying.com



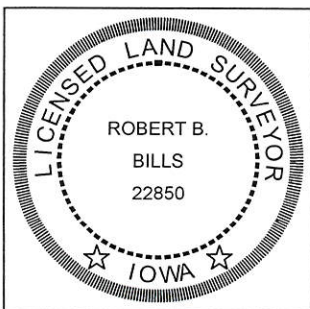
PREPARED BY AND RETURN TO: ROBERT B. BILLS CENTRAL IOWA SURVEYING, LLC P.O. BOX 67 JEFFERSON, IOWA 50129

PLAT OF SURVEY
PARCEL "B" AND PARCEL "C" OF LOT 29
PARCEL "B" AND PARCEL "C" OF LOT "A" OF LOT 32
ALL IN THE SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W OF THE 5TH P.M.,
CITY OF JEFFERSON, GREENE COUNTY, IOWA



A-B= N88°31'34"E 103.37'(FM)(P)
 C-D= S88°31'42"W 103.74'(FM) 103.37'(P)
 C-E= S00°56'10"E 188.67'(FM) 190'(P)

SURVEYORS NOTE: THIS IS A TWO PAGE DOCUMENT AND IS INCOMPLETE UNLESS BOTH PAGES ARE PRESENT.



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

 Signature Date

Robert B. Bills

License number #22850
 My license renewal date is Dec, 31, 2016
 Pages or sheets covered by this seal: _____ 2

PREPARED BY AND RETURN TO: ROBERT B. BILLS CENTRAL IOWA SURVEYING, LLC P.O. BOX 67 JEFFERSON, IOWA 50129

PLAT OF SURVEY
PARCEL "B" AND PARCEL "C" OF LOT 29
PARCEL "B" AND PARCEL "C" OF LOT "A" OF LOT 32
ALL IN THE SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W OF THE 5TH P.M.,
CITY OF JEFFERSON, GREENE COUNTY, IOWA

SURVEY REQUESTED BY: GERALD J. WOLTERMAN

OWNER: GERALD J. WOLTERMAN

LEGAL DESCRIPTION:

PARCEL "B" OF LOT "A" OF LOT 32 SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W

A TRACT OF LAND LOCATED IN LOT "A" OF LOT 32 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT "A" OF LOT 32; THENCE N00°07'06"W ON THE WEST LINE OF SAID LOT "A", A DISTANCE OF 27.00 FEET TO THE NORTHWEST CORNER OF SAID LOT "A"; THENCE N88°31'34"E ON THE NORTH LINE OF SAID LOT "A", A DISTANCE OF 68.20 FEET; THENCE S00°00'00"E, A DISTANCE OF 27.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT "A"; THENCE S88°31'42"W ON SAID SOUTH LINE, A DISTANCE OF 68.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.04 ACRES. SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS PARCEL "B" OF LOT "A" OF LOT 32 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA.

PARCEL "C" OF LOT "A" OF LOT 32 SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W

A TRACT OF LAND LOCATED IN LOT "A" OF LOT 32 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT "A" OF LOT 32; THENCE S88°31'34"W ON THE NORTH LINE OF SAID LOT "A", A DISTANCE OF 35.17 FEET; THENCE S00°00'00"E, A DISTANCE OF 27.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT "A"; THENCE N88°31'42"E ON SAID SOUTH LINE, A DISTANCE OF 35.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT "A"; THENCE N00°56'10"W ON THE EAST LINE OF SAID LOT "A", A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES. SUBJECT TO ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS PARCEL "C" OF LOT "A" OF LOT 32 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA.

PARCEL "B" OF LOT 29 SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W

A TRACT OF LAND LOCATED IN LOT 29 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 29; THENCE S89°52'54"W ON THE SOUTH LINE OF SAID LOT 29, A DISTANCE OF 38.68 FEET TO THE POINT OF BEGINNING; THENCE N00°00'00"W, A DISTANCE OF 187.82 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 29; THENCE S88°31'42"W ON SAID NORTH LINE, A DISTANCE OF 92.62 FEET; THENCE S00°00'00"W, A DISTANCE OF 185.63 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 29; THENCE N89°52'54"E ON SAID SOUTH LINE, A DISTANCE OF 92.61 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES. SUBJECT TO 0.08 ACRES OF ROAD EASEMENT AND ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS PARCEL "B" OF LOT 29 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA.

PARCEL "C" OF LOT 29 SW1/4 SW1/4 NE1/4 SEC. 8, T83N, R30W

A TRACT OF LAND LOCATED IN LOT 29 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 29; THENCE S89°52'54"W ON THE SOUTH LINE OF SAID LOT 29, A DISTANCE OF 38.68 FEET; THENCE N00°00'00"W, A DISTANCE OF 187.82 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 29; THENCE N88°31'42"E ON SAID NORTH LINE, A DISTANCE OF 35.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 29; THENCE S00°56'10"E ON THE EAST LINE OF SAID LOT 29, A DISTANCE OF 188.67 FEET TO THE POINT OF BEGINNING, CONTAINING 0.16 ACRES. SUBJECT TO 0.03 ACRES OF ROAD EASEMENT AND ANY AND ALL EASEMENTS APPARENT OR OF RECORD.

THE ABOVE DESCRIBED PARCEL SHALL HEREAFTER BE KNOWN AS PARCEL "C" OF LOT 29 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, T83N, R30W OF THE 5TH P.M., CITY OF JEFFERSON, GREENE COUNTY, IOWA.

SIGN AND PARKING EASEMENT:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL "B" OF LOT 29; THENCE N00°00'00"E, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE S89°52'54"W ON THE NORTH RIGHT OF WAY LINE OF EAST LINCOLN WAY, A DISTANCE OF 50.00 FEET; THENCE N00°00'00"E, A DISTANCE OF 20.00 FEET; THENCE N89°52'54"E, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL "B"; THENCE S00°00'00"W, ON SAID WEST LINE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,000 SQUARE FEET.

SURVEYORS NOTE: THIS IS A TWO PAGE DOCUMENT AND IS INCOMPLETE UNLESS BOTH PAGES ARE PRESENT.

CENTRAL IOWA SURVEYING, LLC
P.O. BOX 67 JEFFERSON, IOWA 50129
PHONE (515) 370-2399 EMAIL rbills@centrاليowa surveying.com

CHAPTER 119
TOURIST-ORIENTED DIRECTIONAL SIGNING

761—119.1(321) Definitions.

“*Primary highway*,” for the purpose of this chapter, does not include an interstate highway or a freeway primary highway as defined in Iowa Code section 306C.10.

“*Tourist-oriented directional signing*” is official signing that is located within the right-of-way of a primary highway and that identifies and gives directions to activities or sites of significant interest to the traveling public. However, official signing for campgrounds and ski area facilities is not included in this definition. This signing is provided for elsewhere.

761—119.2(321) General.

119.2(1) Conformance to MUTCD. Tourist-oriented directional signing shall conform to the “Manual on Uniform Traffic Control Devices” (MUTCD), as adopted in rule 761—130.1(321).

119.2(2) Spacing and location.

- a. Tourist-oriented directional signing shall be installed only when sufficient space is available.
- b. Tourist-oriented directional signing shall be installed in advance of the intersection where the motorist leaves the primary highway system to travel to the activity or site. However, tourist-oriented directional signs may be placed on a higher classified highway to direct motorists onto a lower classified highway, or on a greater traveled highway to direct motorists onto a lesser traveled highway.
- c. Tourist-oriented directional signing shall not be placed at interchanges. If an at-grade intersection on a primary highway is replaced with an interchange, the intersection will no longer qualify for tourist-oriented directional signing. Any tourist-oriented directional signing previously erected shall be removed by the department.
- d. If an adjacent landowner complains to the department about the placement of a tourist-oriented directional sign, the department shall attempt to reach an agreement with the landowner for relocating the sign. If possible, the sign shall be relocated to the least objectionable place.
- e. Tourist-oriented directional signing shall not be placed within the urban area as established by the U.S. Census Bureau of an incorporated municipality with a population of 5000 or more.

119.2(3) Advance signing. Advance signing authorized by the MUTCD may be installed where the department determines that advance notification of an activity or site would reduce vehicle conflicts and improve highway safety.

119.2(4) Message. The message on a tourist-oriented directional sign is limited to a descriptive name, a directional arrow, and travel distance to the activity or site. However, if an agricultural business activity offers tours, the message for the activity shall include the word “tours.”
[ARC 1202C, IAB 12/11/13, effective 1/15/14]

761—119.3(321) General eligibility requirements for an activity or site. This rule describes the general requirements which an individual activity or site must meet to qualify for tourist-oriented directional signing.

119.3(1) Hours. The activity or site shall be open to the general public during regular and reasonable hours and not by appointment, reservation or membership only.

- a. Seasonal activities shall be in operation a minimum of four consecutive weeks.
- b. The current months, days and hours of operation shall be conspicuously posted on the premises.

119.3(2) Building or area. The activity shall be conducted in an appropriate area or in a building appropriately designed or well-suited for the purpose.

- a. The activity shall not be conducted in a building principally used as a residence unless there is a convenient, separate, and well-marked entrance.
- b. The building or area must be maintained in a manner consistent with standards generally accepted for that type of business or activity.

119.3(3) Location of activity or site. The activity or site shall be located:

a. Within ten miles of the intersection on the primary highway where the tourist-oriented directional sign will be placed.

b. Outside the urban area, as established by the U.S. Census Bureau, of an incorporated municipality with a population of 5000 or more.

119.3(4) *Signing restrictions.* An activity or site does not qualify for a tourist-oriented directional sign if:

a. The activity or site or an on-premises sign advertising the activity or site is readily recognizable from the primary highway far enough ahead of the entrance to allow the motorist time to safely make the turn into the entrance.

b. An advertising device which serves the activity or site is erected or maintained in violation of Iowa Code chapter 306B; Iowa Code chapter 306C, division II; or other statutes or administrative rules regulating outdoor advertising.

119.3(5) *Nondiscrimination.* The activity or site shall comply with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.

[ARC 1202C, IAB 12/11/13, effective 1/15/14]

761—119.4(321) *Specific eligibility requirements for the type of activity or site.* This rule describes the types of activities or sites that may qualify for tourist-oriented directional signing. Within each type, this rule also describes the specific requirements that an individual activity or site must meet to qualify for tourist-oriented directional signing. These requirements are in addition to those found in rule 761—119.3(321).

119.4(1) *Motorist service.*

a. A service of significant interest to motorists may qualify. The types of services which may qualify include, but are not limited to: gas, food, lodging, or passenger vehicle service or repair.

b. An activity or a site providing a motorist service must:

(1) Be open a minimum of eight hours a day, six days a week, except for vehicle services or repair facilities, which shall be open a minimum of eight hours a day, five days a week.

(2) Be open 12 months a year or during the normal seasonal period.

119.4(2) *Tourist attraction.*

a. An attraction that is of significant interest to tourists as a historic, cultural, scientific, or religious site, or as a site of natural scenic beauty or naturally suited for outdoor recreation, may qualify.

b. In determining significant interest, the tourist signing committee shall consider information provided by the applicant and a site review of the attraction, and may seek advice from agencies or organizations who have specific information on the attraction.

c. A tourist attraction must:

(1) Be open a minimum of 40 hours a week, five days a week.

(2) Be open a minimum of three consecutive months each year.

119.4(3) *Agricultural business activity.*

a. An agricultural business activity of significant interest to the traveling public may qualify.

b. “Significant interest” means the agricultural business activity does one of the following:

(1) Provides a regular and reasonable tour along with a brochure. The brochure must fully describe the tour if it is self-guided.

(2) Offers products which are of interest to the traveling public and can be purchased from the site.

(3) Provides a service which is of interest to the traveling public.

c. An agricultural business activity must:

(1) Be open a minimum of 40 hours a week, five days a week.

(2) Be open 12 months a year or during the normal seasonal period.

119.4(4) *Other commercial activity.*

a. A nonagricultural commercial activity, business, service or site of significant interest to the traveling public may qualify. A major portion of the products or services provided must be tourist- or motorist-oriented.

b. A nonagricultural commercial activity must:

(1) Be open a minimum of 40 hours a week, five days a week.

(2) Be open 12 months a year or during the normal seasonal period.

[ARC 1202C, IAB 12/11/13, effective 1/15/14]

761—119.5(321) Application and approval procedure.

119.5(1) Applications for tourist-oriented directional signing shall be submitted to: Advertising Management Section, Office of Traffic and Safety, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

119.5(2) The department of transportation shall verify compliance with the minimum requirements and develop an agenda for the tourist signing committee's review of applications that meet the minimum requirements. The department shall return to the applicant an application that does not meet the minimum requirements.

119.5(3) The tourist signing committee consists of representatives from the economic development authority, the department of transportation, the department of agriculture and land stewardship, the department of natural resources, the department of cultural affairs, the Travel Federation of Iowa, and the Outdoor Advertising Association of Iowa. The committee's responsibility is to approve or deny applications.

119.5(4) If the number of approved applicants for an intersection is greater than the number of spaces available, the department of transportation shall hold a lottery among the approved applicants to select the applicants who will fill any vacant spaces.

[ARC 1202C, IAB 12/11/13, effective 1/15/14]

761—119.6(321) Installation, maintenance, replacement and removal.

119.6(1) *Installation and maintenance of tourist-oriented directional signs.* Except as provided in subrule 119.6(5), the department shall fabricate and perform all required installation, maintenance, removal and replacement of tourist-oriented directional signs that are located within the right-of-way.

a. The department shall design the tourist-oriented directional sign and provide a scaled drawing of it to the applicant prior to sign fabrication.

b. A tourist-oriented directional sign for a for-profit activity or site shall not be installed until the applicant has paid the department the initial fee specified in subrule 119.6(3). If the activity or site is not for profit, the department shall fabricate and install the sign and provide normal maintenance at no cost to the applicant.

119.6(2) *Installation and maintenance of trailblazing signs.* If the activity or site is not located adjacent to the secondary road or city street intersecting the primary route, trailblazing signs are required. Trailblazing signs shall conform to requirements in the MUTCD.

a. The department shall fabricate trailblazing signs and provide them to cities and counties for installation on secondary roads and city streets. Cities and counties are responsible for the installation and maintenance of trailblazing signs on routes under their jurisdiction.

b. Trailblazing signs for a for-profit activity or site shall not be installed until the applicant has paid the department a fee for the cost of sign fabrication.

c. Tourist-oriented directional signs shall not be installed until necessary trailblazing signs are in place.

119.6(3) *Fees.* The initial fee, payable once an application is approved, is \$100 per sign plus the cost of sign fabrication and installation. The annual renewal fee, payable on or before June 30 of each year, is \$50 per sign, which covers administrative costs and normal maintenance. These fees apply to for-profit activities or sites only.

119.6(4) *Additional services.* The department may perform additional services requested for an activity or site in connection with the modification of a tourist-oriented directional sign. If the sign is for a for-profit activity or site, the activity or site shall prepay a \$50 service charge plus the cost of any required new or renovated sign.

119.6(5) *Seasonal activity or site.* A tourist-oriented directional sign for a seasonal activity or site must either be masked or have a "closed" panel installed over the sign's directional information when the

activity or site is closed or when the hours of operation decrease below the minimum requirements during the off-season period. Either the department or the activity or site with the department's permission shall perform the work. If the department performs the work, the approved applicant must pay the actual cost to install and remove the "closed" panel or to mask the sign.

119.6(6) Required replacement.

a. The department shall determine when a tourist-oriented directional sign is no longer serviceable and needs to be replaced. A for-profit activity or site must pay for the cost of a new sign and its installation prior to installation. If the activity or site is not for profit, the department shall replace the sign at no cost to the activity or site.

b. The department is not responsible for theft of tourist-oriented directional signs or damage to them caused by vandalism, vehicle accidents, or natural causes. If a sign for a for-profit activity or site requires repair or replacement due to theft or damage, the activity or site must pay the cost of a new sign and its installation. At the activity's or site's request, this cost may be spread over a 12-month period. If the activity or site is not for profit, the department shall repair or replace the sign at no cost to the activity or site.

119.6(7) Removal. The department shall remove a tourist-oriented directional sign if the activity or site no longer qualifies for tourist-oriented directional signing. As official signs, all tourist-oriented directional signs are the property of the department and shall not be given to applicants upon the signs' removal.

These rules are intended to implement Iowa Code section 321.252.

[Filed 5/11/87, Notice 3/11/87—published 6/3/87, effective 7/8/87]

[Filed 5/3/89, Notice 3/22/89—published 5/31/89, effective 7/5/89]

[Filed 8/7/96, Notice 7/3/96—published 8/28/96, effective 10/2/96]

[Filed 11/7/02, Notice 9/4/02—published 11/27/02, effective 1/1/03]

[Filed ARC 1202C (Notice ARC 1018C, IAB 9/18/13), IAB 12/11/13, effective 1/15/14]

Section 2A.18 Mounting Height**Standard:**

01 **The provisions of this Section shall apply unless specifically stated otherwise for a particular sign or object marker elsewhere in this Manual.**

Support:

02 The mounting height requirements for object markers are provided in Chapter 2C.

03 In addition to the provisions of this Section, information affecting the minimum mounting height of signs as a function of crash performance can be found in AASHTO's "Roadside Design Guide" (see Section 1A.11).

Standard:

04 **The minimum height, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement, of signs installed at the side of the road in rural areas shall be 5 feet (see Figure 2A-2).**

05 **The minimum height, measured vertically from the bottom of the sign to the top of the curb, or in the absence of curb, measured vertically from the bottom of the sign to the elevation of the near edge of the traveled way, of signs installed at the side of the road in business, commercial, or residential areas where parking or pedestrian movements are likely to occur, or where the view of the sign might be obstructed, shall be 7 feet (see Figure 2A-2).**

Option:

06 The height to the bottom of a secondary sign mounted below another sign may be 1 foot less than the height specified in Paragraphs 4 and 5.

Standard:

07 **The minimum height, measured vertically from the bottom of the sign to the sidewalk, of signs installed above sidewalks shall be 7 feet.**

08 **If the bottom of a secondary sign that is mounted below another sign is mounted lower than 7 feet above a pedestrian sidewalk or pathway (see Section 6D.02), the secondary sign shall not project more than 4 inches into the pedestrian facility.**

Option:

09 Signs that are placed 30 feet or more from the edge of the traveled way may be installed with a minimum height of 5 feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement.

Standard:

10 **Directional signs on freeways and expressways shall be installed with a minimum height of 7 feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement. All route signs, warning signs, and regulatory signs on freeways and expressways shall be installed with a minimum height of 7 feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement. If a secondary sign is mounted below another sign on a freeway or expressway, the major sign shall be installed with a minimum height of 8 feet and the secondary sign shall be installed with a minimum height of 5 feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement.**

11 **Where large signs having an area exceeding 50 square feet are installed on multiple breakaway posts, the clearance from the ground to the bottom of the sign shall be at least 7 feet.**

Option:

12 A route sign assembly consisting of a route sign and auxiliary signs (see Section 2D.31) may be treated as a single sign for the purposes of this Section.

13 The mounting height may be adjusted when supports are located near the edge of the right-of-way on a steep backslope in order to avoid the sometimes less desirable alternative of placing the sign closer to the roadway.

Standard:

14 **Overhead signs shall provide a vertical clearance of not less than 17 feet to the sign, light fixture, or sign bridge over the entire width of the pavement and shoulders except where the structure on which the overhead signs are to be mounted or other structures along the roadway near the sign structure have a lesser vertical clearance.**

Option:

15 If the vertical clearance of other structures along the roadway near the sign structure is less than 16 feet, the vertical clearance to an overhead sign structure or support may be as low as 1 foot higher than the vertical clearance of the other structures in order to improve the visibility of the overhead signs.

Support:

- 03 An example of modifying a device's design would be to modify the Combination Horizontal Alignment/Intersection (W1-10) sign to show intersecting side roads on both sides rather than on just one side of the major road within the curve.

Option:

- 04 With the exception of symbols and colors, minor modifications in the specific design elements of a device may be made provided the essential appearance characteristics are preserved.

Section 1A.04 Placement and Operation of Traffic Control Devices

Guidance:

- 01 *Placement of a traffic control device should be within the road user's view so that adequate visibility is provided. To aid in conveying the proper meaning, the traffic control device should be appropriately positioned with respect to the location, object, or situation to which it applies. The location and legibility of the traffic control device should be such that a road user has adequate time to make the proper response in both day and night conditions.*
- 02 *Traffic control devices should be placed and operated in a uniform and consistent manner.*
- 03 *Unnecessary traffic control devices should be removed. The fact that a device is in good physical condition should not be a basis for deferring needed removal or change.*

Section 1A.05 Maintenance of Traffic Control Devices

Guidance:

- 01 *Functional maintenance of traffic control devices should be used to determine if certain devices need to be changed to meet current traffic conditions.*
- 02 *Physical maintenance of traffic control devices should be performed to retain the legibility and visibility of the device, and to retain the proper functioning of the device.*

Support:

- 03 Clean, legible, properly mounted devices in good working condition command the respect of road users.

Section 1A.06 Uniformity of Traffic Control Devices

Support:

- 01 Uniformity of devices simplifies the task of the road user because it aids in recognition and understanding, thereby reducing perception/reaction time. Uniformity assists road users, law enforcement officers, and traffic courts by giving everyone the same interpretation. Uniformity assists public highway officials through efficiency in manufacture, installation, maintenance, and administration. Uniformity means treating similar situations in a similar way. The use of uniform traffic control devices does not, in itself, constitute uniformity. A standard device used where it is not appropriate is as objectionable as a non-standard device; in fact, this might be worse, because such misuse might result in disrespect at those locations where the device is needed and appropriate.

Section 1A.07 Responsibility for Traffic Control Devices

Standard:

- 01 **The responsibility for the design, placement, operation, maintenance, and uniformity of traffic control devices shall rest with the public agency or the official having jurisdiction, or, in the case of private roads open to public travel, with the private owner or private official having jurisdiction. 23 CFR 655.603 adopts the MUTCD as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel (see definition in Section 1A.13). When a State or other Federal agency manual or supplement is required, that manual or supplement shall be in substantial conformance with the National MUTCD.**
- 02 **23 CFR 655.603 also states that traffic control devices on all streets, highways, bikeways, and private roads open to public travel in each State shall be in substantial conformance with standards issued or endorsed by the Federal Highway Administrator.**

Support:

- 03 The Introduction of this Manual contains information regarding the meaning of substantial conformance and the applicability of the MUTCD to private roads open to public travel.
- 04 The "Uniform Vehicle Code" (see Section 1A.11) has the following provision in Section 15-104 for the adoption of a uniform manual: