

City of Williamsburg
210 West State Street
PO Box 596
Williamsburg, IA 52361
319 668 1133 Fax 319 668 9108

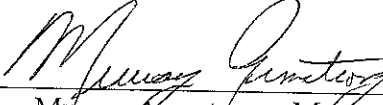
Special Session
Tuesday, May 31, 2005
5:30 p.m.

Mayor Armstrong and council members Kirkpatrick, Greiner, Lortz, and Phillips were present. Wanner was absent.

City Engineer, Jim Jacob, presented a plan for annexation east of Williamsburg. Jim Jacob and Public Works Director, John Avery, will talk with Edna Shepard regarding annexation of her residence.

It was the consensus of the council to authorize Jim Jacob to design plans and specs for a sewer line to the east end of the City limits.

1. Motion by Kirkpatrick and seconded by Lortz to approve Resolution 41-05-05 to initiate condemnation procedure for all previously described easement areas associated with the south trunk sewer project. Roll call: ayes; PL, MG, DK, nay; TP. Absent GW. Motion carried.
2. Motion by Kirkpatrick and seconded by Greiner to approve Resolution No. 42-05-05 approving the contract with Synergy and the change order concerning the form of contract. Roll call: ayes; DK, TP, PL, MG, Absent GW. Motion carried.
3. Motion by Greiner and seconded by Lortz to approve Resolution 43-05-05 to authorize entering into a permanent easement with Sport Hill Country, d/b/a Stone Creek Golf Course, in exchange for the appraised value which is \$5500.00. Roll call: ayes; DK, TP, PL, MG, Absent GW. Motion carried.
4. Motion by Kirkpatrick and seconded by Lortz to adjourn at 6:45 p.m. All Ayes. Motion carried.


Murray Armstrong, Mayor


Julie A. Spratt, Office Asst.

Eric D. Tindal, 600 Court Street, Williamsburg, Iowa 52361 319-668-1323

CITY OF WILLIAMSBURG RESOLUTION NO. 41-05-05

Resolution authorizing legal counsel for the City of Williamsburg to initiate condemnation procedures on all easement property previously described by the City Engineer for purposes of completing the South Trunk Sewer Project.

WHEREAS, the City of Williamsburg has determined that it is in the best interests of the City to complete a public works project known as the South Trunk Sewer Project.

WHEREAS, the City Engineer has previously presented plans and specifications for the construction of said project; and appraisals of property affected by the project have been completed;

WHEREAS, certain portions of necessary easement have not yet been granted by the owners of such property;

WHEREAS, time is of the essence in the completion of the project;

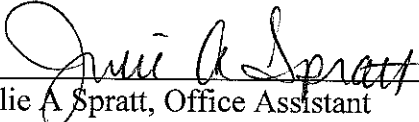
WHEREAS, the City of Williamsburg by a vote of three to one with one council member not being present approves the initiation of condemnation procedures at such time as it appears that further negotiations will be fruitless;

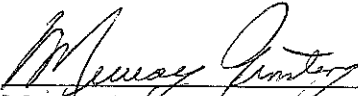
NOW, THEREFORE, that the City Attorney is authorized to initiate condemnation procedures at such time as it appears that further negotiations with any effected property owner will be fruitless but only after the City's legal counsel has, in his opinion, exhausted attempts at negotiation.

All resolutions or parts of resolutions in conflict herewith are and the same are hereby repealed.

Passed and approved May 31, 2005.

Attest:


Julie A. Spratt, Office Assistant


Murray Armstrong, Mayor

Resolution No. 42-05-05
FORM OF CONTRACT

**CITY OF WILLIAMSBURG
2005 SOUTH TRUNK SEWER**

THIS AGREEMENT, made and entered into this ____ day of ___, 2005, by and between the City of Williamsburg, Iowa, party of the first part, hereinafter referred to as the "Owner" and Synergy Contracting, L.L.C., party of the second part, hereinafter referred to as the Contractor.

WITNESSETH

THAT WHEREAS the Owner has heretofore caused to be prepared certain drawings, specifications, and Form of Proposal dated the 3rd day of March, 2005 for the City of Williamsburg 2005 South Trunk Sewer Project, for Williamsburg, Iowa under the terms and conditions therein fully stated and set forth, and whereas, said drawings, specifications and proposal accurately and fully describe the terms and conditions upon which the Contractor is willing to perform the work specified.

NOW THEREFORE, IT IS AGREED:

1. That the Owner hereby accepts the proposal of the Contractor for the work and for the sum listed below:

**CITY OF WILLIAMSBURG
2005 SOUTH TRUNK SEWER PROJECT**

CONTRACT AMOUNT \$ 915,781.00

2. That this contract consists of the following component parts which are made a part of this Agreement and Contract as fully and absolutely as if they were set out in detail in this Contract:
 - a. This Instrument
 - b. Addendum Numbers 1, 2 and
 - c. Form of Proposal (signed copy)
 - d. General Conditions
 - e. Special Conditions
 - f. Specifications
 - g. Drawings

The components listed above are complimentary and what is called for by one shall be as binding as if called for by all. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the most stringent provision shall govern.

3. That payments are made to the Contractor in accordance with and subject to the provisions embodied in the documents, which are hereby made a part of the

FORM OF CONTRACT

Contract.

- 4. That this Contract is executed in three (3) original copies.
- 5. That the Contractor shall complete all work on or before **July 16, 2005**.
- 6. **That the Contractor shall receive a tax exempt certificate for all supplies to be used for this project.**

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the date first written above.

CITY OF WILLIAMSBURG, IOWA

CONTRACTOR

Murray Gentry
 Signature
Mayor
 (Title)

[Signature]
 Signature
V.P. Janner
 (Title)

ATTEST:

Joni A. Spratt
 Office Asst
 (Title)

ATTEST:

Jodi Agan
 Office manager
 Title (Company Official)



CERTIFICATION: I hereby certify that the foregoing is a true and correct copy of a resolution of the City of Williamsburg adopted at a meeting of said public body, duly called and held on the 31st day of July, 2005, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it now is in full force and effect.

Janifer J. Karsten
 Janifer J. Karsten, City Clerk

CHANGE ORDER

Order No. 1

Date: 5-23-05

Agreement Date: _____

NAME OF PROJECT: 2005 SOUTH TRUNK SEWER

OWNER: CITY OF WILLIAMSBURG

CONTRACTOR: Synergy Contracting LLC

The following changes are hereby made to the CONTRACT DOCUMENTS: The project specifications are amended to include Exhibit 11 documents as attached. The Contractor must fully comply with the requirements, terms, and conditions of Exhibit 11.

Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$ 915,781.00

Current CONTRACT PRICE adjusted by previous

CHANGE ORDER \$ 915,781.00

The CONTRACT PRICE due to this

CHANGE ORDER will be increased by \$ 0.00

The new CONTRACT PRICE including this

CHANGE ORDER will be \$ 915,781.00

Change to CONTRACT TIME:

The CONTRACT TIME will be increased by 0 calendar days.

The date for completion of all work will be ~~9-30-05~~ 10-15-05 BRL.

APPROVALS REQUIRED:

To be effective this Order must be approved by the OWNER.

OWNER: *Mayor*

CONTRACTOR: *[Signature]* 5-27-05

ENGINEER: *James C. Jacob*

Eric D. Tindal, 600 Court Street, Williamsburg, Iowa 52361 319-668-1323

CITY OF WILLIAMSBURG RESOLUTION NO. 43-05-05

Resolution authorizing legal counsel for the City of Williamsburg to enter into an agreement where Sport Hill Country Club, Inc. grants the City a permanent easement in exchange for \$5,500.00.

WHEREAS, the City of Williamsburg has determined that it is in the best interests of the City to complete a public works project known as the South Trunk Sewer Project.

WHEREAS, Sport Hill Country Club, Inc. is the owner of property on which a permanent easement is required to complete the South Trunk Sewer Project. Said real estate is described as follows:

The West 20 feet of Lots 4 and 6, H. A. Cook's 1st Addition, Williamsburg, Iowa; containing 0.12 acres more or less and is subject to any easements and restrictions of record

AND

Commencing at the Northwest corner of Lot 5, H. A. Cook's 1st Addition, Williamsburg, Iowa; thence S 89°52'44" E 20.00 feet along the North line of Lot 5 to the Point of Beginning; thence S 00°00'04" W 55.99 feet; thence N 45°24'28" E 79.52 feet to the North line of Lot 5; thence N 89°52'44" W 56.63 feet along the North line of Lot 5 to the Point of beginning; containing 1,585 square feet more or less and is subject to any easements and restrictions of record

WHEREAS, an appraisal was completed estimating the lost landscaping and value of the permanent easement to be \$5,500.00.

WHEREAS, based upon discussions with members of the Sport Hill Country Club Board of Directors it is anticipated that Sport Hill Country Club, Inc. will grant the City of Williamsburg the described easement in exchange for the appraised value.

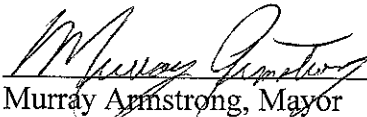
NOW, THEREFORE, be it resolved that the City of Williamsburg approves payment of \$5,500.00 in exchange for the permanent easement drafted by the City Attorney.

All resolutions or parts of resolutions in conflict herewith are and the same are hereby repealed.

Passed and approved May 31, 2005.

Attest:


Julie A. Spratt, Office Assistant


Murray Armstrong, Mayor