

AGENDA
CITY COUNCIL MEETING
November 2, 2023
501 Main Street
5:30 P.M.

1. Call to Order.
2. Pledge of Allegiance:
3. Roll Call.
4. Mayor's Correspondence:
5. Citizen's Request.
6. Consent Agenda.
 - Minutes of the Regular City Council meeting & Council Workshop of October 19, 2023;
 - Minutes of the Safety Committee meeting of October 26, 2023;
 - Resolution approving a Liquor License for Aldi, Inc. #15, 3379 Main Street, Class B Retail Alcohol License-effective November 3, 2023;
 - Resolution approving a Liquor License for Dr. Get Wells Bar & Grill, 1100 Main Street, Class C Retail Alcohol License – effective November 24, 2023;
 - Motion to pay bills and transfers listed in Register No. 's 5370-5372;
7. (a) Now is the time & place for a public hearing to consider the vacation & disposal of platted unimproved portion of H Street & the alley in Block 72, Mason's Lower Addition, City of Keokuk, Lee County Iowa. A public hearing notice was published in the Daily Gate City on October 31, 2023.

(b) Consider resolution to vacate & dispose of a platted unimproved portion of H Street between blocks 72 and 73 and alley in Block 72, Masons Lower Addition, City of Keokuk, Lee County Iowa.
8. (a) Now is the time & place for a public hearing on the submission of a US EPA Brownfield Grant Application. A public hearing notice was published in the Daily Gate City on October 26, 2023.

(b) Consider resolution approving the filing of a grant application through the Environmental Protection Agency (EPA) for Brownfield Cleanup Grant Funding in the amount of \$ 3,723,400.
9. Consider resolution setting a public hearing on the status of funded activities for the City of Keokuk, Comprehensive Neighborhood Revitalization Planning Grant.
10. Consider resolution setting a public hearing regarding the disposal of excess property at 1901 Main Street.
11. Consider resolution approving easement agreement with Decker Manufacturing.
12. Boards & Commissions:
13. Council Liaison Reports:
14. Staff Reports:
15. New Business:
16. Adjourn Meeting.

**MINUTES
CITY COUNCIL MEETING
October 19, 2023
501 Main Street
5:30 P.M.**

The City Council of the City of Keokuk met in regular session on October 19, 2023, at 501 Main Street. Mayor Kathie Mahoney called the meeting to order at 5:30 p.m. There were six council members present, three absent. Carissa Crenshaw, Tyler Walker, Shelley Oltmans, Steve Andrews, Roger Bryant, and Michael Greenwald were present. Roslyn Garcia, Dan Tillman, and John Helenthal were absent. Staff in attendance: City Administrator Cole O'Donnell, Public Works Director Brian Carroll, Community Development Director Pam Broomhall, Water Pollution Control Manager Tom Wills, Chief of Police Zeth Baum, Bridge, Cemetery, Park, and Sanitation Manager Bob Weis, and Fire Chief Gabe Rose.

MAYOR'S CORRESPONDENCE: Informed of local events.

CITIZEN'S REQUEST: Marquis Lewis, rural manager of the Domestic Violence Intervention Program introduced the program; Mayor Mahoney read proclamation proclaiming October to be Domestic Violence Awareness Month.

Motion made by Oltmans, second by Walker to approve the agenda, including the consent agenda. (6) AYES, (0) NAYS. Motion carried.

- Minutes of the Regular City Council meeting & Council Workshop of October 5, 2023;
- Cash Receipts & Treasurer's report for September 2023;
- Minutes of the Civil Service Commission of September 30, 2023;
- Certified list for candidates for consideration by the Keokuk Police Department;
- **RESOLUTION NO. 323-2023:** Approving a Liquor License for Los Tapatios Restaurant, 706 Main Street, Class C Retail Alcohol License-effective November 1, 2023 (pending fire inspection);
- Motion to pay bills and transfers listed in Register No.'s 5368-5369;

Motion made by Greenwald, second by Oltmans to approve the initial reading of an Ordinance amending Section 9.36 dealing with stop streets.

Roll Call Vote: AYES – Crenshaw, Walker, Oltmans, Andrews, Bryant, and Greenwald. NAYS – None, ABSENT- Garcia, Tillman, and Helenthal. 6-0 Motion carried.

Motion made by Oltmans, second by Andrews to waive the second and third reading of the Ordinance.

Roll Call Vote: AYES – Crenshaw, Walker, Oltmans, Andrews, Bryant, and Greenwald. NAYS – None, ABSENT- Garcia, Tillman, and Helenthal. 6-0 Motion carried.

Motion made by Greenwald, second by Crenshaw to adopt and give final approval of **ORDINANCE NO. 2046:** Amending Section 9.36 dealing with stop streets.

Roll Call Vote: AYES – Crenshaw, Walker, Oltmans, Andrews, Bryant, and Greenwald. NAYS – None, ABSENT- Garcia, Tillman, and Helenthal. 6-0 Motion carried.

Motion made by Oltmans, second by Greenwald to approve the following proposed resolution guaranteeing a line of credit for Keokuk Economic Development Corporation. Roll call requested.

Roll Call Vote: AYES –Oltmans, Andrews, Bryant, and Greenwald. NAYS – Walker, ABSTAIN - Crenshaw, ABSENT- Garcia, Tillman, and Helenthal. 4-1 Motion failed (lack of majority).

After more discussion a motion was made by Greenwald, second by Oltmans to reconsider.

Roll Call Vote: AYES –Oltmans, Andrews, Bryant, and Greenwald. NAYS – Walker, ABSTAIN - Crenshaw, ABSENT- Garcia, Tillman, and Helenthal. 4-1 Motion failed (lack of majority).

Motion made by Bryant, second by Oltmans to approve the following proposed resolution approving the 2022-2023 Annual Finance Report.

Roll Call Vote: AYES –Oltmans, Andrews, Bryant, and Greenwald. NAYS – Walker, ABSTAIN - Crenshaw, ABSENT- Garcia, Tillman, and Helenthal. 4-1 Motion failed (lack of majority).

Motion made Crenshaw, second by Greenwald to approve the following proposed **RESOLUTION NO. 324-2023**: “A RESOLUTION APPROVING THE 2022-2023 ANNUAL FINANCE REPORT.” (6) AYES, (0) NAYS. Motion carried.

Motion made by Crenshaw, second by Bryant to approve the following proposed **RESOLUTION NO. 325-2023**: “A RESOLUTION AWARDING CONTRACT FOR ENGINEERING SERVICES FOR LANDSLIDE AT NORTH 3RD AND FRANKLIN STREET.” (6) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Crenshaw to approve the following proposed **RESOLUTION NO. 326-2023**: “A RESOLUTION APPROVING LEASE WITH NANABY, LLC AT THE SOUTHEAST IOWA DEVELOPMENT CENTER.” (6) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Crenshaw to approve the following proposed **RESOLUTION NO. 327-2023**: “A RESOLUTION SETTING A PUBLIC HEARING ON THE SUBMISSION OF A US EPA BROWNFIELD GRANT APPLICATION.” (6) AYES, (0) NAYS. Motion carried.

Motion made by Greenwald, second by Andrews to approve a sewer credit for Joe Benson, 700 S. 6th Street for filling pool in August. (6) AYES, (0) NAYS. Motion carried.

Motion made by Oltmans, second by Crenshaw to acknowledge receipt and acceptance of a petition to change council presentation plan. (6) AYES, (0) NAYS. Motion carried.

BOARDS & COMMISSIONS: First notification to appoint Andrew Whitaker and re-appoint Amanda Rogers to the Rand Park Pavilion Commission, 5-year term to expire 10/22/2028. First notification to re-appoint Janice Linder, Raeann Salter, Terry Twitchell, and Jerry Herr to the Grand Theatre Commission, 3-year term to expire 11/5/2026.

Motion made by Oltmans, second by Andrews to approve the Mayoral Appointment to re-appoint Mike Hickey and Flint Peyton to Keokuk Municipal Waterworks Board, 6-year term to expire 11/1/2029. Mayoral Appointment to re-appoint Ralph Dial and Dick Malloy to the Park & Recreation Advisory Board, 3-year term to expire 11/2/2026. Accept resignation of Thomas Dressler from the Airport Commission, effective immediately. Accept resignation of James West from the Historic Preservation Commission, effective immediately. (6) AYES, (0) NAYS. Motion carried.

STAFF REPORTS: Wills updated on water pollution control; Broomhall reported on vacant property registry; Carroll reported on public works and leases regarding Southeast Iowa Development Center; Rose updated on fire truck; and O'Donnell reported on IDNR reporting and Amjet.

Motion made by Greenwald, second by Andrews to adjourn the meeting at 6:07 p.m.

**MINUTES
COUNCIL WORKSHOP
OCTOBER 19, 2023
IMMEDIATELY FOLLOWING REGULAR MEETING**

PRESENT: Crenshaw, Walker, Oltmans, Andrews, Bryant, Greenwald, Mayor Mahoney;
ABSENT: Garcia, Helenthal, and Tillman.

STAFF PRESENT: O'Donnell, Wills, Broomhall, Carroll, Rose, Baum.

Council discussed snow emergency ordinance, Bristol report, 18th street pavement width, and business registration.

Meeting was Adjourned at 6:52 p.m.

CITY OF KEOKUK
SAFETY COMMITTEE MEETING MINUTES
Thursday, October 26, 2023
8:30AM

Meeting called to order at 8:32 am.

In Attendance: Shannon Masterson, Brian Carroll, Roger Bryant, Kathie Mahoney, John Reiter, Ed Ketterer, Zeth Baum, Matt Maerz, Ryan Bell.

Masterson read the minutes from the September meeting.
Motion approved by Baum and second by Bryant.

OLD BUSINESS:

Follow up on items:

- This is a good time of year to make sure all company vehicles are ready for winter. Have the wiper blades replaced, check tires and fluid levels.
- Inspect your smoke alarms, fire extinguishers and first aid kits at your facility.
- Secure and cover outdoor equipment before freezing temperatures.

NEW BUSINESS

- The ICAP grant for 2023 for \$1,000 was used for the security system at City Hall. iPads were purchased and with an app we can monitor the front entrance from other offices.
- 4th quarter safety audit forms received are park, sanitation, street, vehicle, and sewer department.
- Personal safety awareness when you are aware of being safe the injuries are down. Reinforcing knowledge with practical techniques that help employees stay more alert to risk all day.
- I have put a monthly flyer in all department mailboxes to post in the breakrooms. October safety talk is fatigue avoidance.

Anything to report on Lead & Asbestos at SCC training? No

Monthly SCC Training.

October – Lead & Asbestos (Additional course Forklift Class)

November – Electrical Safety

New business –Zeth Baum asked about the security iPad app that is being used and Brian Carroll explained which one we purchased. John Reiter voiced concerns with the chamber doors being unlocked during business hours. There are doors in the chambers that can give individual access to other parts of the office.

There was no “near miss” item that needs attention.

There was no Company Nurse report.

Set the date of Thursday, November 30, 2023, for the next meeting.

The meeting adjourned at 8:43 am.

Respectfully submitted by Shannon Masterson.

RESOLUTION NO.
A RESOLUTION APPROVING A LIQUOR LICENSE FOR ALDI, INC. #15
3379 MAIN STREET

WHEREAS, Application has been made by Aldi, Inc., for a Class B Retail Alcohol License for Aldi, Inc. #15, 3379 Main Street; **AND**

WHEREAS, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

WHEREAS, such an investigation has been conducted.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA:

THAT, Aldi, Inc. has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class B Retail Alcohol License for Aldi, Inc. #15, 3379 Main Street, effective November 3, 2023, be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 2nd day of November 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: _____
K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

RESOLUTION NO.

**A RESOLUTION APPROVING A LIQUOR LICENSE FOR DR. GET WELLS
BAR & GRILL, 1100 MAIN STREET**

WHEREAS, Application has been made by Get Wells Corporation for a Class C Retail Alcohol License for Dr Get Wells Bar & Grill, 1100 Main Street; **AND**

WHEREAS, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

WHEREAS, such an investigation has been conducted.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA:

THAT, Get Wells Corporation has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class C Retail Alcohol License for Dr Get Wells Bar & Grill, 1100 Main Street, effective November 24, 2023, be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 2nd day of November 2023.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: _____
K. A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

PAYMENT OF THE FOLLOWING CLAIMS FOR THE CITY ARE APPROVED AND CLAIMS FOR THE LIBRARY AND AIRPORT ARE ACKNOWLEDGED FOR THE PURPOSE OF PAYING THE SEMI-MONTHLY BILLS FOR THE COUNCIL MEETING OF NOVEMBER 2, 2023.

REGISTER NO. 5370

AMI PIPE & SUPPLY	SUPPLIES	\$ 4,597.60
KEOKUK MUNICIPAL WATER WORKS	RAND PARK/SEWER DEPT SHOP	\$ 1,559.36
GRAY QUARRIES, INC	ROADROCK	\$ 155.15
RIVER CITY PARTS, INC.	PARTS	\$ 19.04
PETTY CASH - WASTEWATER TREATM	WPC PETTY CASH REFILL	\$ 74.48
KERR FABRICATORS, INC.	PARTS/SUPPLIES	\$ 1,654.00
ACCESS SYSTEMS	MAINTENANCE AGREEMENT	\$ 47.85
S. J. SMITH WELDING SUPPLY	TANK RENTAL	\$ 18.43
IDEAL READY MIX COMPANY, INC	CONCRETE	\$ 1,260.50
HICKEY CONTRACTING COMPANY	OAKLAND CEMETERY PAVING JOB	\$ 10,800.00
MICROBAC LABORATORIES, INC	WPC TEST SAMPLES	\$ 271.50
KOKX-AM	ANNOUNCEMENTS	\$ 500.00
TASKE FORCE, INC.	TEMPORARY HELP	\$ 7,458.00
BAKER & TAYLOR BOOKS	BOOKS KEOKUK PUBLIC LIBRARY	\$ 534.59
ALLIANT	ELECTRIC BILL	\$ 42,184.74
CENTURY LINK	SERVICE	\$ 671.13
GREAT RIVER REGIONAL WASTE	INTEGRATED WASTE #353	\$ 21,823.52
LEE COUNTY RECORDER/REGISTRAR	DOCUMENT RECORDING	\$ 22.00
MIDLAND SCIENTIFIC, INC	LAB SUPPLIES	\$ 378.14
GWOKS	ANNUAL LICENSE SIMPLCITY	\$ 13,703.00
MEYERS PLUMBING	LABOR @ EXCHANGE STREET	\$ 660.00
PETTY CASH - FINANCE DEPT	PETTY CASH REFILL	\$ 49.49
DIAMOND CONSTRUCTION COMPANY	COLD PATCH	\$ 2,279.40
SOUTHEASTERN COMMUNITY COLLEGE	SAFETY TRAINING CLASSES	\$ 700.00
HUFFMAN MACHINE & WELDING, INC	SUPPLIES/PARTS	\$ 59.49
ENDERLE HEATING & A/C COMPANY	SEIDC MATERIALS	\$ 451.98
W. L. MILLER COMPANY	ASPHALT	\$ 79,913.73
HILL PRINTING	ANIMAL SERVICES CITY TAGS	\$ 102.00
HY-VEE, INC.	SUPPLIES	\$ 381.54
HOERNER YMCA	FINAL PAY POOL MANAGEMENT 2023	\$ 28,336.25
MIDWEST RADAR & EQUIPMENT	KEOKUK POLICE DEPARTMENT	\$ 280.00
PER MAR SECURITY SERVICES	SECURITY MONITORING	\$ 2,382.09
RAIRDEN'S AUTO SALVAGE AND	PARTS	\$ 25.00
OVERHEAD DOOR COMPANY OF	LABOR/MATERIALS	\$ 1,572.00
YOUNGGREN SHOES	SAFETY BOOTS	\$ 120.00
U.S. CELLULAR	CELL PHONE SERVICE	\$ 542.14
FASTENAL COMPANY	PARTS/SUPPLIES	\$ 434.13
KEOKUK COMMUNITY SCHOOL	FRANCHISE FEE REBATE	\$ 1,923.78
PSBA	BUILDING INSPECTIONS	\$ 1,200.00
USA BLUE BOOK	WPC SUPPLIES/MATERIALS	\$ 498.68
AUTOZONE	PARTS/SUPPLIES	\$ 59.84

REGISTER NO. 5371

PETE BENSON	TOOL ALLOWANCE	\$	425.32
CAPITAL ONE	LIBRARY SUPPLIES	\$	68.82
MENARD INC.	AIRPORT SUPPLIES/MATERIALS	\$	899.00
WALGREENS	FRIGHT NIGHT CANDY	\$	486.06
INTOXIMETERS	POLICE DEPT MATERIALS	\$	830.00
O'REILLY AUTOMOTIVE INC.	PARTS	\$	1,851.31
MEDIACOM	SERVICE	\$	641.84
ELECTRONIC ENGINEERING	SERVICE CALL/REPAIRS PD	\$	190.00
IMI EQUIPMENT, LLC	PARTS	\$	42.80
EMBLEM ENTERPRISES, INC.	POLICE DEPT SUPPLIES/MATERIALS	\$	525.79
RELIABLE PEST SOLUTIONS	PEST CONTROL	\$	392.00
BRITE-WAY WINDOW SERVICE	WINDOW CLEANING	\$	200.00
SOUTHEAST IOWA REGIONAL	RTA AGREEMENT	\$	2,125.00
SCP SCIENCE	WPC SUPPLIES/MATERIALS	\$	346.30
WHITE CAP, L.P.	SEWER SUPPLIES/MATERIALS	\$	135.00
FRESE ORNAMENTAL NURSERY, INC.	PARK TREES	\$	3,539.30
TWO RIVERS VETERINARY CENTER	ANIMAL SERVICES	\$	2,292.50
WEST CENTRAL FS INC.	BULK OIL	\$	779.00
INTERSTATE BATTERIES OF	BATTERIES	\$	437.85
WINDSTREAM	SERVICE	\$	492.44
LIBERTY UTILITIES MIDSTATES	SERVICE	\$	144.89
DIANNE STANLEY	MONTHLY MANAGER FEE @ GRAND	\$	452.25
INTERSTATE BILLING SERVICE, INC	PARTS	\$	390.50
KIMBALL MIDWEST	SEWER SUPPLIES/MATERIALS	\$	15.75
JEFFREY JOE HERR	CLEAN UP/SECURE PROPERTIES	\$	2,125.00
CINTAS CORPORATION #342	UNIFORM SERVICES	\$	3,640.25
RICOH USA, INC.	KEOKUK PUBLIC LIBRARY	\$	26.26
ICONNECTYOU	SERVICE	\$	726.58
IDENTIFIX INC	VEHICLE MAINT SUBSCRIPTION	\$	1,428.00
TREETOP PRODUCTS CONSOLIDATED	PARK BENCHES/FREIGHT	\$	2,031.19
DELTA GLOVES	POLICE DEPT SUPPLIES/MATERIALS	\$	236.80
FP MAILING SOLUTIONS	LIBRARY POSTAGE METER	\$	107.82
MEMORIAL HOSPITAL	MEDICAL SERVICES	\$	74.37
RICOH USA, INC.	KEOKUK PUBLIC LIBRARY	\$	126.00
STEVEN R LONG	CITY HALL JANITORIAL SERVICE	\$	600.00
QUARTIX INC.	CREDIT MEMO	\$	(579.42)
HOTSY CLEANING SYSTEMS INC.	VEHICLE MAINT SUPPLIES	\$	95.00
NEWBERRY LANDSCAPING LLC	MOW VARIOUS PROPERTIES	\$	300.00
QUADIENT FINANCE USA, INC	POSTAGE METER REFILL	\$	1,000.00
WALZ LABEL AND MAILING SYSTEMS	POSTAGE METER SUPPLIES	\$	28.49
SEALMASTER-ST. LOUIS	STREET DEPT MATERIALS	\$	6,686.28
BLESSING HEALTH KEOKUK CLINIC	MEDICAL SERVICES	\$	170.00
WB SOUTHEAST IOWA REGIONAL	MEDICAL SERVICES	\$	556.44
CJ COOPER & ASSOCIATES	ADMINISTRATIVE FEE	\$	190.00
SCOTT'S ULTRA CLEAN LLC	LIBRARY JANITORIAL	\$	1,375.00

REGISTER NO. 5372

MISSISSIPPI VALLEY PHOTOGRAPHY	DRONE PROPERTY SURVEY	\$ 280.00
RIVERSIDE PROPERTY MAINTENANCE	LABOR/MATERIALS @ LIBRARY	\$ 426.00
MIDWEST AUTOMOTIVE	FIRE DEPT LABOR/MATERIALS	\$ 355.92
L.J. ROTH RESTORATION INC	DRY DOWN SERVICES EXCHANGE ST	\$ 24,804.06
TRISHA RENDER	REIMBURSE LIBRARY PURCHASES	\$ 300.00
HENNIGES AUTOMOTIVE, INC	FRANCHISE FEE REBATE	\$ 11,377.70
BENJAMIN SPARROW	GRAND THEATER JANITORIAL	\$ 306.00
SHAW ELECTRIC, INC.	AIRPORT WORK	\$ 2,885.00
TRI-STATE VETERINARY SERVICES,	TAX REBATE	\$ 4,356.33
		\$ 313,443.36



COUNCIL ACTION FORM

Date: October 26, 2023

Presented By: Broomhall

Subject: Hold public hearing vacate & dispose Street/Alley Agenda Item: 7a&b

Description:

Keokuk Municipal Water Works requested vacation and disposal of a portion of a platted unimproved alley in block 72 and a platted unimproved portion of H Street between blocks 72 & 72, Masons Lower Addition. The purpose of the request is to use this property for a fill site.

The City Planning Commission reviewed and recommended approval of the vacation at their meeting on August 28, 2023. There was neighboring property owners in attendance that expressed concern/opposition about negative impact on roads that are in poor condition.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Set public hearing

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

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MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.

A RESOLUTION TO VACATE AND DISPOSE OF A PLATTED UNIMPROVED PORTION OF H STREET BETWEEN BLOCKS 72 AND 73 AND ALLEY IN BLOCK 72, MASONS LOWER ADDITION, CITY OF KEOKUK, LEE COUNTY IOWA.

WHEREAS, a public hearing was held on November 2, 2023, by the Keokuk City Council on a request to vacate and dispose of a 66' X 300' platted unimproved portion of H Street between blocks 72 and 73 and a 20' x 300' platted unimproved alley right of way in block 72, Mason's Lower Addition, City of Keokuk, Lee County, Iowa

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by the vacating instrument all its right, title, and interest in it to Keokuk Municipal Water Works; and

WHEREAS, the Keokuk City Council has deemed said right of way as no benefit to the public; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA: that a 66' X 300' platted unimproved portion of H Street between blocks 72 and 73 and a 20' x 300' platted unimproved alley right of way in block 72, Mason's Lower Addition, City of Keokuk, Lee County, Iowa be vacated and conveyed to Keokuk Municipal Water Works

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk be and are hereby authorized, empowered, and directed to take all necessary measures to convey the City's interest in the above-described alley right-of-way and,

BE IT FURTHER RESOLVED, that the aforementioned vacation shall be reflected in Appendix A, Section 8 of the Keokuk Municipal Code, and a copy recorded with the Lee County Recorder of Deeds and filed and indexed as a conveyance by the Lee County Auditor.

Passed and Approved this 2nd day of November 2023.

K. A. Mahoney, Mayor

Attest: _____
Celeste El Anfaoui, City Clerk



COUNCIL ACTION FORM

Date: November 2, 2023

Presented By: O'Donnell

Subject: EPA Clean Up Grant Application Agenda Item: _____

Description:

The second clean up grant application for the Elkem Carbide property is ready for submission to the US EPA. The second section was surveyed and an Auditor's Plat of Survey was created, approved, and recorded. The area of the section is 9.44 acres and grants funds being applied for is \$3,723,400. Prior to submission of the application a public hearing must be held.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Approve Survey of Plat

Date _____

09/21/2023

Recommendation:

Recommend approval.

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.

**RESOLUTION APPROVING THE FILING OF A GRANT APPLICATION
THROUGH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR
BROWNFIELD CLEANUP GRANT FUNDING IN THE AMOUNT OF \$3,723,400**

WHEREAS, the US EPA established the Brownfield Cleanup Grant Program and has announced availability under said Program; and,

WHEREAS, the City of Keokuk, Iowa is an eligible applicant with a proven track record of successfully implementing Funding under said Program; and,

WHEREAS, the former Elkem Carbide Auditor's Parcel located at 365 Carbide Lane has known contamination and presents a health hazard to the residents of Keokuk; and,

WHEREAS, the U.S. EPA Brownfields Cleanup Grant program is a source of funding to cleanup existing contaminants; and,

WHEREAS, the City Council of Keokuk, Iowa has reviewed the request and found it to be in the best interest of the City.

WHEREAS, the City of Keokuk, Iowa has the opportunity to apply for funding in the amount of \$3,723,400 for remediation of asbestos-containing materials and contaminated soil at the former Elkem Carbide Auditor's Parcel.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA that the City Council of the City of Keokuk, Iowa authorizes the filing of a grant application through the US EPA for Brownfields Cleanup funds in the amount of \$3,723,400.

PASSED, APPROVED, AND ADOPTED this 19th day of October 2023.

K.A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

Brownfields Cleanup Grant Application Narrative

1. Project Area Description and Plans for Revitalization

a. Target Area and Brownfields:

i. Overview of Brownfield Challenges and Description of Target Area: Located in the rural southeast corner of Lee County in the State of Iowa, the City of Keokuk is a small city of 9,977¹ residents. Keokuk is positioned on a high bluff overlooking the confluence of the Mississippi and Des Moines Rivers. In 1871, a railroad bridge was built across the Mississippi River. At the time, Keokuk was home to up to twenty-one hotels and blossomed as a commercial and industrial center. However, Keokuk's economy was negatively impacted by broader economic trends of the 1970s and 1980s, which led to the closures and significant downsizing of several local manufacturers, which had a devastating impact on the economy. From 1960 to 2020, the community experienced a 52% decrease in manufacturing jobs, a sector that once made up nearly 40% of the workforce². This has led to a large population decline of nearly 40% since 1960, when the city reached its peak population of 16,316². In 2022, Keokuk received another devastating blow with the closure of ADM's 43-year-old mill warehouse and the closure of Blessing Health Keokuk hospital, laying off 216 employees. These economic downturns have drastically changed the city's commercial corridors, neighborhoods, and former industrial areas. The once booming downtown has seen a significant decline is host to numerous vacant, abandoned, and dilapidated buildings. The declining population has created an overabundance of vacant housing (13%)³, along with an abundance of abandoned, dilapidated (273,378 square feet of building space and 201.49 acres) and contaminated industrial sites (232 sites)⁴. One such site is the targeted brownfield site for cleanup, Auditor's Parcel (Site). The target area (Lee County Census Tract 19111490800) and the Site were chosen because redevelopment of this area is needed due to its status as a disadvantaged community⁵, having a large low-income population (25.5%⁶) and a high environmental burden (76th percentile⁷).

ii. Description of the Proposed Brownfield Site: This project will specifically work to clean up the 9.44 acres of the Site, part of the original Elkem facility, and is owned by the City of Keokuk. The site is in an industrial area of the city and is bound to the north by Carbide First Additions (Plot 1) and then Carbide Lane; to the east and south additional industrial properties and then residential properties; and to the west by US Highway 61. The facility was initially planned without municipal oversight and was developed prior to being annexed by the city in the 1950's. The site once enjoyed manufacturing prominence, robust community development, and significant earnings among workers, until operations ceased, and the site was vacated in 2007. The site was part of the original United Lead Co. that operated as a zinc smelter and lead alloying facility, however by 1929 the site was operating as Midwest Carbide Corp. manufacturing carbide. Then in the 1950's the site transitioned to carbon products until 2007 when facility operations ceased. The site quickly fell into disrepair and became home to vandalism and squatters. In March of 2021, the City of Keokuk took ownership of the entire

¹ U.S. Census American Community Survey 2021 5-Year Estimate

² U.S. 2020 Census

³ U.S. Census 2020 DEC Redistricting Data

⁴ PEER: Platform for Exploring Environmental Records

⁵ Climate and Economic Justice Screening Tool

⁶ U.S. Census 2020 American Community Survey (ACS) 5-year estimates

⁷ CDC ATSDR Environmental Justice Index Explorer

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Elkem site, including the Site through Iowa Code 657A.10B Abandoned and Unsafe Buildings. This area has been identified as a redevelopment priority for the Elkem facility to secure the site and eliminate the health and safety threat it poses. The Site boasts easy accessibility to U.S. Highway 61 and U.S. Highway 218 and rail lines with utility infrastructure making it ideal for light industrial development. The City of Keokuk received a FY2018 Site Specific Assessment Grant for the entire 79- acre Elkem site. Activities conducted under this assessment grant included a Phase I Environmental Site Assessment (ESA) for the entire site as well as Phase II ESAs for portions of the Elkem site including the Site. Currently the city is working with EPA Region 7's Technical Brownfields Assistance program for Phase II ESAs on the western wooded area and the southern portion containing the old foundry on the Elkem site. An April 2022 Phase II ESA found that the Site is covered with varying thickness of dark gray to black, sand and gravel containing concentrations of polycyclic aromatic hydrocarbons (PAHs) and Resource Conservation and Recovery Act (RCRA) metals as lead and arsenic exceeding the Iowa Department of Natural Resources (IDNR) Statewide Standards (SWS0 and EPA Industrial Direct Contact (DC) Residual Contamination Levels (RCLs). These materials are typified by crushed coal, coal slag, carbonite, petroleum coke, and coal pitch tar in soil and fills. In August of 2016 Tetra Tech, Inc. through the Superfund Technical Assessment and Response Team (START) commissioned by U.S. EPA Region 7 Superfund Division preformed an Asbestos Containing Materials (ACM) and Lead-Based Paint (LBP) and a Household Hazardous Waste (HHW) inventory. This inspection found the buildings on the Site have almost 11,000 square feet of ACM, nearly 11,200 square feet of lead-based paint and several hazardous materials. The City of Keokuk has secured the vacant site; however, visually reminiscent of post Chernobyl, it has been subject to vandalism, looting, and decay, increasing the risk of exposure to the various site contaminants. Additional health risks associated with contaminated soil and stormwater runoff continue to be a significant problem and a contributing factor to the area being among the least healthy in the State of Iowa. Lee County was reported in the top 3 counties with the greatest releases of lead to air⁸. Without remediation, the contaminated soil will continue to represent a threat to human health and the environment, and the site left in its current state will exacerbate poor economic conditions (third highest city in poverty⁹) in the local region.

b. Revitalization of the Target Area:

i. Reuse Strategy and Alignment with Revitalization Plans: Redevelopment of brownfield sites including the Site is of the utmost priority for the city and has been identified in both the Keokuk Comprehensive Plan and the Great River Region Transportation & Development Plan 2050 (CEDs). The Comp Plan identifies the following strategy: "Pursue brownfield remediation projects, to open up land for redevelopment, and enhance the community's aesthetics", and identifies the Elkem site and the Site as an ideal site to meet this strategy. As redevelopment plans have identified the Site as the ideal location for industrial development, especially with its proximity to US Highways 61 and 218 and direct rail access. The CEDs identifies the following strategy "Pursue brownfield redevelopment opportunities that can serve as an economic catalyst for the community," which can be met once the Site has been remediated. Current trends have businesses locating in areas that offer clean energy alternatives, natural outdoor settings, and

⁸ Scorecard, online 2011

⁹ Stacker.com Cities in Iowa with the Most Living in Poverty

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shared by-product resources (known as business symbiosis). City leaders have created a redevelopment concept plan for the Elkem site that includes an ecologically friendly sustainable development with natural landscaped areas for inviting work environments.

ii. Outcomes and Benefits of Reuse Strategy: Performing the environmental cleanup of the Site is an important next step in a multi-phased process to redevelop the overall Elkem facility. This cleanup considers substantive data collected during prior EPA brownfield grant-funded and Targeted Brownfield Assessment (TBA) activities at the site. Enter potential redevelopment interest of the site.

c. Strategy for Leveraging Resources

i. Resources Needed for Site Characterization/ii. Resources Need for Site Remediation/iii. Resources Needed for Site Reuse: The City of Keokuk, with assistance from the Southeast Iowa Regional Planning Commission (SEIRPC), has been extraordinarily successful in recent years leveraging over **\$20 million** in funding for infrastructure improvements, community development, housing and economic development projects benefiting the target area. The table below highlights the available funding sources the city and its partners are eligible for assessment, remediation, and redevelopment of the Site and additional brownfields sites within the target area.

The leveraged funds described above will support the renovation/redevelopment of the Site; however, none of these improvements can be fully utilized if the site remains dilapidated, full of hazardous materials, and generally unsafe for workers. Until the site is cleaned up, redevelopment cannot be conducted, and many of the target area improvements will be of little consequence.

Industrial Construction Tax Exemption (Redevelopment)
Abated local property tax for the value-added to industrial real-estate. The maximum amount of actual value-added which is eligible to be exempted from taxation is: Year 1: 75%; Year 2: 60%; Year 3: 45%; Year 4: 30%; Year 5: 15%
Keokuk Revolving Loan Fund (RLF) (Redevelopment)
Provides low interest loans up to \$100,000 for gap financing for new business development in Keokuk.
Regional Revolving Loan Fund (RLF) (Redevelopment)
Assists eligible businesses in retaining and creating jobs in low-interest loans up to \$250,000. (Since 2017 \$1,010,000 has been loaned out to businesses within the target area).
New Market Tax Credit (Remediation & Redevelopment)
Gap financing for transformative projects that bring new opportunities to low-income and distressed communities.
U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) (Remediation & Redevelopment)
Funding to assist in the creation of affordable housing stock and community assets within the target area. (\$2,032,994 secured to benefit target area over the last 5 years)
State and Federal Historic Tax Credits (Redevelopment)
Tax credits to assist in the rehabilitation and preservation of historic buildings within the target area.
State Recreational Trails, Wellmark, REAP, Keokuk Parks Foundation
Funding for recreation projects to build a 1-mile Riverfront Trail (2021-2022) (\$1,182,371 secured)
Brownfield & Grayfield Redevelopment Tax Credits (Remediation & Redevelopment)
Tax credits for developers to cleanup and redevelop brownfield and grayfield sites.
Iowa DNR Brownfields Program Grants (Assessment & Remediation)

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Funding for assessments and up to 50% cost-share for environmental cleanups. Funding may be sought for additional Elkem site assessments and/or cleanup. (\$23,570 for assessment of target area brownfield sites)
U.S. EPA Region 7 Technical Brownfields Assistance (TBA) (Assessment)
Technical service provided by EPA to conduct assessments. The city has submitted an application for additional assessment work to assess the western and southern most portions of the Elkem Carbide site (excludes the Site).
State Revolving Loan Fund (Redevelopment)
Low-interest loans to fund drinking water and wastewater projects. With the option to add water quality initiatives. (\$13,000,000 secured for target area benefits)
Other Federal Programs (Redevelopment)
Economic Development Administration, U.S. Department of Agriculture, Small Business Administration, K-State TAB, etc. are expected to be utilized to support various site and target area efforts. (\$3,304,463 secured for projects that benefit the target area)
Other State Programs & Local Programs (Redevelopment)
Workforce Housing Tax Credits, Community Catalyst Building Remediation Program, Historic Preservation and Cultural and Entertainment Tax Credit Program, Great River Housing Trust Fund, etc. Are expected to be utilized for target area projects. (\$2,088,180 secured since 2017 for projects benefiting the target area)

iv. Use of Existing Infrastructure: As the Site is part of the Elkem facility, the site has access to existing infrastructure (water, sewer, electricity, and transportation systems). Where possible recycling and/or repurposing of the existing building structures and/or materials will be explored and encouraged to reduce landfill debris. Green/sustainable building, stormwater, and energy efficiency measures will be required through implemented language in city land transfer and incentive agreements with prospective developers. Redevelopment in an intermodal logistical warehousing hub provides the opportunity for in-floor geothermal based heat systems as well as photovoltaic solar on the roofs.

2. Community Need and Community Engagement

a. Community Need:

i. The Community's Need for Funding: Keokuk is limited in its ability to clean up the Site without EPA assistance. Years of declining populations, declining tax base, and low wages have created economic hardship for the city. The city had to make some drastic changes for the FY24 city budget. The property tax had to be increased to cover the loss of sewer revenue from the ADM closure. In addition, the property tax rollback passed by the Iowa legislature has caused the taxable valuation to decrease in the city by \$16 million, causing the general fund tax receipts, including the emergency levy to be reduced by \$55,108. To improve water quality and comply with EPA regulations, the city is undertaking a massive sewer separation project to separate all the combined sewer lines into individual stormwater and sanitary sewer lines. The project is estimated to cost \$78 million over the 20-year phased construction implementation and should be completed by 2030. To help finance the enormous project cost, the city has had to significantly increase sewer fees, with additional increases planned over time (~5% per year until the separation project is completed). In 2018, the city began working with SEIRPC to map out all impervious surfaces in the city to assist in establishing a fair and equitable utility billing system for storm water sewer users. To complicate matters, a pattern of long deferred maintenance and repairs has resulted in a severe problem. A 2016 city assessment found that 42% of the streets are

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in ‘poor’ condition’ (36 miles). Additionally, Keokuk owns a rail bridge over the Mississippi River that provides rail service to the community’s major industries. The bridge currently has a useful life of 10 to 15 years with approximately \$20 to \$30 million dollars in repairs needed. The city has submitted U.S. Department of Transportation’s Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant applications to provide \$10 million in funding for the project. Unfortunately, these applications have not been funded, causing the city to evaluate ways to fund this high demand rail line that will retain and attract businesses and thus have a positive impact on the city’s economy. The City of Keokuk is the 34th highest city in Iowa for property tax rates out of 941 communities. With modest growth in property value and an already high property tax rate and being the third most impoverished city in Iowa¹⁰, the city cannot justify additional taxes to raise revenue or to divert funds for brownfield cleanup from existing infrastructure projects.

ii. Threats to Sensitive Populations: (1) Health or Welfare of Sensitive Populations: Lee County Census Tract 4908 (target area), is located has a disproportionate rate of sensitive populations. The area’s sensitive population is comprised of children at nearly **25%**. Nearly a **third** of the sensitive population is made up of minorities and over **10%** are disabled¹¹. The target area has an extreme poverty rate of **25.5%**, **double** the state’s rate of 11.1%⁹. Another indicator of the extreme poverty experienced in this area is that almost 30% of all households receive food stamp assistance, which is nearly three times higher than both the city and state⁹. Children are disproportionately impacted by asbestos, hazardous materials, PAHs, petroleum, arsenic, and lead. These environmental pressures create additional burdens as impoverished people are already at higher risk due to lack of affordable housing locations and access to healthcare. The closure of Blessing Health System Hospital created another social inequality for the community and sensitive populations. The impact of not having a hospital has created a public health disparity, especially in the target area that is exposed to a combination of poor environmental quality and social inequities. Cleanup and subsequent redevelopment of the Site will directly improve the wellbeing of the area, by creating a cleaner and safer area and by bringing high paying jobs to the target area. The anticipated redevelopment of Site will help alleviate the extreme poverty, while removing blight and eliminating the contamination, vagrancy, and vandalism at the site.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions: Unfortunately, the target area experiences abnormally high incidence of diseases that have been known to be related to exposures from environmental contaminants (asbestos, hazardous materials, PAHs, and lead) on the Site. The area has a high pre-existing chronic disease prevalence sum for asthma, cancer, high blood pressure, diabetes, and poor mental health¹². The contaminants identified at the Site have been found to cause cancer and could be contributing to Lee County’s (smallest data group available) greater than the state rate for both new cancer and cancer deaths¹³. In addition, Lee County ranks 34th out of 99 (1 being the highest) Iowa counties for cancer rates and deaths and has an incidence rate of 516.1 per 100,000 cases and a death rate of

¹⁰ Stacker.com – Cities in Iowa with the most living in poverty

¹¹ U.S. Census 2020 ACA 5-year estimates

¹² CDC ATSDR Environmental Justice Index Explorer

¹³ University of Iowa’s Cancer in Iowa 2022

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167.3.¹⁴ Particulate matter (PM10 and PM2.5 specifically) emitted from local industry and asbestos throughout the areas older building and housing stock area is a known contributor to asthma cases. According to Iowa Department of Public Health (IDPH) Lee County (smallest data group available) found that asthma related emergency department visits to have a crude rate (per 10K) of 35.26, nearly thirteen points over the state's crude rate. Children in Lee County were especially susceptible to asthma related emergency department visits with ages 0-4 having a crude rate of 47.75 versus the state's 39.67 and ages 5-14 having a crude rate of 49.90 versus the state's 27.41. In addition to asthma, lead exposure can cause brain and nervous system damage especially in children and premature birth and miscarriage in pregnant women. Nearly 6% of all children in Lee County (smallest data group) tested positive for lead. Lee County also experiences child and infant mortality rates higher than the state average¹⁵. According to IDPH, 20% of all infant deaths are caused by birth defects. Living near hazardous waste and/or contaminated sites, especially those with lead, have been identified as a possible risk factor for birth defects. The high disease rates identified above are strong indicators of the negative health impacts associated with the presence of asbestos, hazardous materials, PAHs, petroleum, arsenic, and lead contamination. Cleaning up the Site will remove a source of contamination exposure and effectively eliminating potential public health hazards.

(3) Environmental Justice:

(a) Identification of Environmental Justice Issues: Not surprisingly, neighborhoods around the Site are chosen by those who cannot afford to pay rents in the "nicer" areas of the city. There is the perception that it is the individual's choice to live in these at-risk areas, but no one chooses to live in a structure close to heavy industry or know environmental contamination. In reality, no families, children, or women of childbearing age would desire to live in this area, unless it offered cheaper rents. Brownfield sites, especially the Site have added to the environmental justice challenges continuing the cycle of disinvestment and poverty for this area. The area has an environmental justice rank of 0.96 which signifies that only 4% of the nation's census tracts likely experience more severe cumulative impacts from environmental justice issues¹⁰. This is evident through the EPA's EJScreen, where ten environmental justice indexes are over the 75th percentile compared to the state. Unfortunately, the area continues to suffer from economic setbacks.

EPA EJScreen	
Environmental Justice Indexes	State Percentile
Particulate Matter 2.5	94 th
Ozone	88 th
Diesel Particulate Matter	83 rd
Air Toxics Respiratory HI	92 nd
Traffic Proximity	82 nd
Superfund Proximity	87 th
RMP Facility Proximity	87 th
Hazardous Waste Proximity	86 th
Underground Storage Tanks	90 th
Wastewater Discharge	95 th

(b) Advancing Environmental Justice: Environmental cleanup of the Site will function as a catalyst to attract more economic opportunity to the area, providing prime location for light industrial development with access to existing highway and rail infrastructure. The redevelopment of the Site is anticipated to bring the opportunity for intermodal logistical

¹⁴ Statecancerprofiles.cancer.gov

¹⁵ County Health Rankings & Roadmap



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warehousing hub that will connect commercial and industrial logistic businesses to the adjacent rail lines. Bringing jobs with an hourly rate between \$22.50 to \$32.00.

b. Community Engagement:

i. Project Involvement: The city of Keokuk City Council approved the EPA cleanup grant application process (Resolution Number XXXX) at the November 2, 2023, City Council Meeting. Draft versions of the brownfields cleanup grant application and associated Analysis of Brownfields Cleanup Alternatives (ABCA) were available for public comment. The resolution affirms that the well-being of the community is an important part of upholding the public interest and trust. Project involvement may be provided by a broad and diverse group of entities including by not limited to community organizations, property owners, developers, and the public.

ii. Project Roles: Partnerships provide the foundation to overcome a challenge as significant as posed by the Site. Effective partnerships leverage the strengths of each partner and apply them strategically to the opportunity at hand. For a community like Keokuk, the remediation and redevelopment of the Site requires an “all in” approach that demands all stakeholders make an important investment in the project. With staunch support from the local business sector, engagement of this community partnership will bring exciting and innovative projects to fruition. The following partners have pledged their support for this project:

Name of Organization	Point of Contact	Role
Iowa Department of Natural Resources (IDNR) , the state agency responsible for conserving and enhancing Iowa’s natural resources. The IDNR enforces the state and federal laws that protect air, land, water, and administers the Land Recycling Program (LRP) (state’s voluntary cleanup program). The city first began working with IDNR back in 2014 on this site.	Mel Pins mel.pins@dnr.iowa.gov 515.725.8344	Provide input on cleanup and additional grant funding, if necessary.
Lee County Health Department (LCHD) will continue its partnership with the city of Keokuk on this brownfields project. LCHD’s mission is to protect health, prevent disease, and promote health and well-being for all persons.	Michele Ross Administration lchd@leecountyhd.org 319.372.5225	Answer health related questions about contaminants of concern.
Lee County Economic Development Group (LCEDG) helps shape policies and programs explicitly directed at improving the business climate through specific efforts in business retention and expansion, workforce development, marketing, and new business attraction. Through site selection and analysis services LCDEG will provide businesses expertise regarding land, office, manufacturing, and distribution opportunities, including the Site.	Dennis Fraise President & CEO dfraise@leecountyedg.com 319.463.9030 x1009	Assist with property redevelopment.
Southeast Iowa Regional Planning Commission (SEIRPC) works with regional governments, businesses, and citizens to strengthen southeast Iowa.	Zach James Assistant Director zjames@seirpc.com 319.753.4313	Provide grant management and lead community engagement efforts.

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Keokuk Community School District (KCS D) provides an educational foundation where students are active participants in becoming adaptable and critical thinkers along with achieving the skills necessary for success.	Dan Mart, Interim Superintendent Dan.mart@keokukschools.org 319.524.1402	Assist in obtaining input from sensitive populations.
General Public – (with focus on the target area) Provide feedback regarding cleanup and redevelopment of the Site.		
Keokuk Area Chamber of Commerce (KACC) works with businesses for the better of the Keokuk area. KACC will continue to assist the city for site redevelopment.	Trena Myers, Interim Director director@keokukchamber.com 319.524.5055	Assist with property redevelopment.
Keokuk Economic Development Corporation (KEDC) works to better the city’s economic conditions.	Kerry Klepfer 319.524.4223	Assist with property redevelopment.

iii. Incorporating Community Input: The city recognizes the importance of community involvement activities as they build social strength and stability. This will be especially true for the area surrounding the Site, which is why the city will continue actively engaging residents. Most recently, on November 2, 2023, the city hosted a public meeting to share and solicit feedback on the draft EPA Cleanup Grant application and the draft ABCA. In addition, the city will actively engage in community participation and involvement in all phases of the redevelopment of the Site. The city intends to provide periodic progress updates to the City Council and the public. This will include information on the project schedule, providing draft and final versions of reports for public review/ comment/input and discussing cleanup and redevelopment plans. Progress will be updated on the city’s brownfields website at <https://www.keokukbrownfields.com>. The website will continue to have a comments and input section to allow citizens to ask questions and provide feedback on cleanup and redevelopment initiatives. The website highlights how impactful and necessary EPA and DNR funding is in assisting with a redevelopment of this magnitude. As part of the EPA Assessment grant, the city established a “Brownfields Advisory Group” in 2017 that meets monthly to discuss assessments, site cleanup, and future redevelopment. The group consists of representatives from the city, SEIRPC, EPA Region 7 staff, and LCEDG. This grant will allow the city will host at least two open house events (in person and/or virtual) at various venues throughout the area, such as churches, schools, or non-profits to keep interested citizens apprised about the progress and to solicit additional community input. Input will be recorded at each event and all substantive comments will be considered and presented to decision makers (City Council) so they can make informed decisions. Meeting information will be published in the local newspaper, city’s website, brownfields website, and posted on social media and throughout public buildings (city hall and library). The combination of these community input actions will provide an opportunity to update and engage residents on the progress of the city’s successful brownfields program.

3. Task Descriptions, Cost Estimates, and Measuring Progress

a. Proposed Cleanup Plan: The entire 9.44-acre site of the Site was found to be covered in varying thicknesses of dark gray to black, sand and gravel containing crushed coal, coal slag, carbonite, petroleum coke, and coal pitch tar containing PAHs and RCRA metals, and arsenic exceeding the SWS and EPA’s DC and RCLs. The Site buildings were found to contain 10,800 square feet of ACM, 11,189 square feet of LBP and HHW that will be removed and disposed of according to state and federal regulations. Prior to the start of cleanup, the city will utilize a

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competitive procurement process to hire a cleanup contractor that will be tasked with the removal of ACM, HHW, contaminated soil, and demolition. The Site buildings will be demolished so that the soil contamination can be adequately cleaned up. Items within the buildings that can be salvaged will be recycled to minimize landfill debris. All contaminated surface soils will be graded, stockpiled, and mechanically sorted to segregate unused combustible coal and petroleum coke from combusted foundry sands, spent foundry sands, and contaminated fine-grained sediments. The recovered coal and petroleum coke may be removed off-site via tractor trailer or rail to its end user for energy production or industrial purposes. Spent foundry sands will be segregated from fine grained materials and may be encapsulated in Portland concrete cement (PCC) within the development area for use as roadway and building subbase. Flexural strength will be incorporated in the PCC design mix given it stimulates flexural stresses that are subjected to loading. Excess contaminated fine-grained sediments will be disposed of at the adjacent landfill on the larger Elkem site to the east pending regulatory permits and approvals. In the unlikely event that regulatory permits and approvals are not granted, the excess contaminated fine-grained sediments will be stockpiled, sampled for toxicity characteristic leaching procedure (TCLP) analysis, and disposed of at the Lee County, Iowa Landfill in Fort Madison, Iowa if deemed non-hazardous waste. If the materials are determined to be hazardous waste, the stockpiled materials will be transported and disposed of at a designated RCRA hazardous waste landfill.

b. Description of Tasks/Activities and Outputs

i. Project Implementation/ii. Anticipated Project Schedule/iii. Task Lead/iv. Outputs:

Task 1: Cooperative Agreement Oversight
i. Project Implementation: This will include but is not limited to grant oversight, grant management procurement and oversight, QEP procurement and oversight, Cleanup Contractor procurement and oversight, ensuring reporting requirements are met, budget and invoice reconciliation, ACRES reporting, and overall planning and coordination of cleanup activities.
ii. Anticipated Schedule: Quarters 1-12
iii. Task Lead: Cole O'Donnell (City Administrator) with assistance from SEIRPC and QEP
iv. Outputs: • Workplan; • Quarterly, Annual, and Final Reporting, Closeout Reporting; • Monthly Funding Draws Prepared/Reconciled and Submitted to EPA; • Project Scopes of Work for Cleanup (Bid Specifications)
Task 2: Community Engagement/Outreach
i. Project Implementation: Includes conducting community engagement activities with the purpose to inform the public on cleanup plans and implementation while providing opportunities for the public to provide feedback; outreach with target area; and developing/updating project website and printed materials.
ii. Anticipated Schedule: Quarters 1-12
iii. Task Lead: Cole O'Donnell, SEIPRC, and QEP
iv. Outputs: • Two Public Meetings; • Annual Updates to City Council; • Project Website; • Target Area Meetings; • Print Materials (Program Flyers)
Task 3: Cleanup Planning
i. Project Implementation: Cleanup planning will include finalizing the ABCA document, preparing the Quality Assurance Project Plan for confirmation sampling, and negotiating and receiving the necessary regulatory approvals. Cleanup specification documents will be submitted to EPA and/or IDNR for approval prior to obtaining bids from qualified cleanup contractors. Following the acceptance of these documents, the city will initiate a competitive selection process and contract with a qualified cleanup contractor to implement cleanup.

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ii. Anticipated Project Schedule: Quarters 2-4
iii. Task Lead: Cole O'Donnell, SEIPRC, and QEP
iv. Outputs: • Final ABCA; • Quality Assurance Project Plan; • NHPA/Section 106 Compliance; • Technical Specifications for Site Cleanup; • Remediation Contract
Task 4: Site Cleanup
i. Project Implementation: This task includes but is not limited to correspondence with the QEP and cleanup contractor, providing minimal site preparation, providing site security during cleanup, and site cleanup.
ii. Anticipated Project Schedule: Quarters 5-8
iii. Task Lead: Cole O'Donnell, SEIPRC, and QEP
iv. Outputs: • Site Cleanup; • Cleanup monitoring of asbestos, hazardous waste, petroleum, and contaminated soil to ensure they are disposed of according to specifications; • Post Contamination Removal Action Cleanup Report

c. Cost Estimates

Budge Category		Project Tasks				Total
		Task 1 Cooperative Agreement Oversight	Task 2 Community Engagement	Task 3 Cleanup Planning	Task 4 Cleanup	
Direct Costs	Salary ¹	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Fringe ¹	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Travel ²	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$3,500.00
	Equipment ³	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Supplies ³	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Grant Administration (SEIRPC)					\$175,900
	QEP	\$	\$	\$	\$	\$351,800
	Cleanup Contractor					\$3,191,700
	Other ⁵	\$250.00	\$0.00	\$0.00	\$250.00	\$500.00
Total Direct Costs		\$	\$	\$	\$	\$
Total Indirect Costs ⁶		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Budget		\$	\$	\$	\$	\$3,723,400
Budget Justification:						

d. Plan to Measure and Evaluate Environmental Progress and Results: The city will develop a detailed project workplan for implementing planned outputs under the proposed grant. The workplan will detail key milestones within the grant period documenting and communicating outputs and outcomes to the public, EPA Region 7, IDNR, and other partners with all progress detailed in quarterly reports and on the city's brownfields website. At least monthly and prior to the completion of each quarter, the City Administrator will review and evaluate the project progress and take any necessary corrective actions should the schedule fall behind. Corrective actions may include holding weekly meetings/conference calls to all parties working on the grant as they occur. Lastly, the city will utilize the ACRES database to report, document, and track information such as job creation, dollars leveraged, property cleared for redevelopment, and

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exposure risks, reduced/eliminated. These statistics will also be communicated to IDNR, project partners, and the public.

4. Programmatic Capacity and Past Performance

a. Programmatic Capacity:

i. Organizational Structure/ii. Description of Key Staff: The City of Keokuk has the requisite skills to satisfy all phases of work under this grant. The city has a team of dedicated and highly qualified staff that will oversee grant management. SEIRPC will serve as a liaison between the EPA Brownfields staff, the City of Keokuk, community partners, community members, and technical contractors. SEIRPC has substantial capabilities and the experience to manage all activities under this grant, having a long record of successfully managing community projects and federal grant programs. SEIRPC has a positive working relationships with federal and state funding agencies involved in any aspect of community development, including USDA, EPA, HUD, EDA, FHWA, FTA, NPS, IEDA, IDNR, and IDOT. Over the past three years, SEIRPC has secured and administered over \$19.12 million of state and federal grant funding for Southeast Iowa communities. Key to the management of this Brownfields grant will be the development of a Community Involvement Plan with established milestones and responsibilities. This will be developed at an initial meeting, including participation from SEIRPC Executive Director, SEIRPC Planning Director, SEIRPC Regional Planner, SEIRPC Grants Manager, EPA staff, contractors (QEP and cleanup), and key staff from the City of Keokuk. The initial meeting will identify goals, strategies, and responsibilities to be included in the Community Involvement Plan. Performance measures will be established to track progress and ensure that the project is on schedule. In addition, staff will meet regularly with key partners to evaluate progress and keep the project moving forward from “discussion to development.” The following individuals will form our Brownfields Program team for the project: **Cole O’ Donnell**, Cole has been leading the Elkem Brownfield Redevelopment effort since 2018 when he was first appointed as the City Administrator. O’Donnell served as City Manager in Dixon, Illinois until August 2017. He previously worked as a city administrator in East Moline, Illinois, Algona, Iowa and Renville, Minnesota. He will continue to supervise administrative and environmental cleanup tasks as needed with assistance from local, regional, and state partners. **Zach James**, SEIRPC’s Assistant Director will be assigned EPA management duties. His areas of expertise include transportation planning, community, and economic development, grant writing and administration, and project management. He has assisted the City of Burlington, Iowa with an EPA Region 7 Technical Assistance Grant, EPA Brownfields Assessment Grant, and an EPA Brownfield Area Wide Planning Grant. Additionally, he assisted the City of Keokuk with a Targeted Brownfield Grant for the Elkem site in 2014. Mr. James has also successfully led and completed an Impervious Surface Mapping Survey within Keokuk in 2017 to be used by the city to create a storm water utility. Under the Brownfields Cleanup Grant, he will lead all the community engagement activities associated with the grant and will be responsible for hiring and managing outside consultants; **Kansha Tiwari** joined SEIRPC in June of 2017 and serves as a Regional Planner. Prior to this position, Ms. Tiwari served as the Brownfields Project Coordinator for the City of Coralville, IA from 2015 – 2016. Ms. Tiwari will serve as a liaison between EPA Region 7, SEIRPC, and local partners. She will also be responsible for ensuring compliance with the administrative and reporting requirements of the cooperative agreement. Her duties will include

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the administration of grants and loans from IDPH, FHWA, IDOT, EPA, and more. She will assist in the performance of grant administration, specifically dealing with reimbursement requests and financial tracking. She will also provide support with community outreach and will be involved in other administrative tasks as needed.

iii. Acquiring Additional Resources: The city and SEIRPC will prepare a Request for Proposals/Qualifications (RFP/RFQ) to procure a qualified cleanup contractor and a Qualified Environmental Professional (QEP). The focus will be on securing the services of a firm experienced in performing work funded through this program and familiar with the program's requirements. All hiring will follow federal procurement requirements which will also satisfy the Iowa Code. The city will require the QEP and cleanup contractor to have adequate experience with EPA Brownfield projects as well as hold appropriate state certifications to work on a project involving hazardous materials. The city and SEIRPC have experience with federal procurement and successfully followed all regulatory requirements with the previous EPA Site Specific Assessment Grant.

b. Past Performance and Accomplishments:

i. Currently Has or Previously Received an EPA Brownfields Grant: The City of Keokuk was the recipient of a 2018 EPA Brownfields Site Specific Assessment grant for the Elkem site.

(1) Accomplishments/(2) Compliance with Grant Requirements:

Assessments conducted as part of EPA Regional Assessment Grant (2010):

- A Phase I Environmental Site Assessment – dated July 2, 2009
- A Phase II Environmental Site Assessment – dated April 28, 2010

Assessments conducted as part of EPA Technical Brownfields Assessment Grant (2016):

- A Phase I Environmental Site Assessment – dated March 2, 2016
- A Phase II environmental Site Assessment – dated August 18, 2016
- A Phase II Environmental Site Assessment – dated September 22, 2016

Assessments conducted as part of EPA Brownfield Assessment Grant (2018 – 2022):

- A revised Phase I ESA completed on November 3, 2020, was conducted due to the expiration of the March 2, 2016 Phase I ESA and the City taking ownership in March of 2021.
- A Phase II ESA completed on April 18, 2022, confirmed petroleum coke and foundry slag stockpiles were still present on the site.

Community engagement activities were an extremely valuable part of this project. As a result, a dedicated brownfields program website was created where citizens could view project progress and provide input. The City of Keokuk complied with all grant requirements including ACRES reporting, and quarterly, annual, and closeout reports for the grant. The COVID-19 pandemic caused a delay in the project, and as a result, a one-year grant extension was obtained. The project was able to meet all adjusted milestones and closeout within the adjusted grant timeframe. EPA staff visited the site on March 23rd, 2022. The Brownfields Advisory Committee, the Mayor and City Council members were present during the visit. Local partners gave an overview of Keokuk and socio-economic demographics along with the history of the Elkem site and contaminants found. An overview of the history of the site as well as contaminants found on the site was presented.

ANALYSIS OF BROWNFIELDS CLEANUP ALTERNATIVES



**Elkem Carbide Auditors Plat
365 Carbide Lane
Keokuk, Iowa 52632**

Prepared For:

**City of Keokuk
501 Main Street
Keokuk, IA 52632**

Prepared by:



**8951 Windsor Parkway
Johnston, IA 50131**

October 20, 2022

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**APPENDIX C - April 18, 2016, Phase II Targeted Brownfield Assessment –
Hazardous Materials Survey**

APPENDIX D - November 3, 2020, Revised Phase I Environmental Site Assessment

**APPENDIX E - July 1, 2022, Phase II Environmental Site Assessment Elkem
Carbide Lots #7 through #15**

1.0 EXECUTIVE SUMMARY

The City of Keokuk (City) is currently applying for a U.S. Environmental Protection Agency (EPA) Brownfield Cleanup Project grant for Elkem Carbide Redevelopment Plat 1 (Plat 1) project. The 9.44-acre parcel is located in an industrial area of Keokuk, Iowa (Appendix A, Figure 2). Impact7G, Inc. (Impact7G) was retained by the City of Keokuk, Iowa to complete an Analysis of Brownfields Cleanup Alternatives (ABCA). After reviewing all the alternatives, Impact7G recommends the removal of all on-site asbestos, universal hazardous waste, and approximately 23,000 cubic yards (CY) of contaminated soil to enable industrial and/or commercial redevelopment of the Site. This ABCA will detail each alternative for cleanup.

2.0 INTRODUCTION

2.1 Site Description

The Auditors Parcel is located at 365 Carbide Lane in Keokuk, Iowa. The Site is one parcel comprising approximately 9.44-acres of land located in an industrial area of Keokuk, Iowa, and consists of five buildings (Plant office, Lab and Welfare building, Maintenance shop, former substation, and the paste block plant), railroad grades, degraded concrete surfaces, and stressed vegetated surfaces. The existing structures located on the Site were originally constructed in 1920 and 1929 with additions in 1942, 1970, and 1985. The Site is bound to the north and east by industrial and commercial development, to the south by industrial development and residential properties, and to the west by U.S. Highway 61.

2.2 Previous Site Use(s)

The Site was originally developed in 1915 for the purpose of smelting and refining zinc and lead. Other products produced at the Site included electrode paste, tin cans, bearings, and various carbide products. The carbide plant ceased operations in the late 1980s and remaining activities at the Site ceased in 2007.

2.3 Project Description

The Site will be redeveloped as an intermodal logistical warehousing hub that will connect commercial and industrial logistic businesses to the adjacent Burlington Northern and Santa Fe Railroad rail lines. To accomplish this goal all ACM will be abated, and all hazardous materials and oil waste will be removed from the Site buildings. All Site structures, stormwater conveyance structures, and foundations will be razed. All surficial, unconsolidated, contaminated surface soils containing concentrations of polycyclic aromatic hydrocarbons (PAHs), and RCRA metals as arsenic and lead above the EPA Industrial Direct Contact (DC) Residual Contamination Levels (RCLs) and the Iowa Statewide Standards (SWS) will be removed from the Site. These materials are typified by crushed coal, coal slag, carbonite, petroleum coke, and coal pitch tar in soil and fills. This action will allow the City of Keokuk to advance the reuse and redevelopment of the Site into a commercial and industrial intermodal logistical warehousing hub with potential for in-floor geothermal based heat systems in the warehouses as well as photovoltaic solar on the warehouse roofs.

2.4 Site Assessment Findings

Impact7G reviewed a Phase II Targeted Brownfields Assessment and Hazardous Materials Survey completed by Tetra Tech dated August 18, 2016; a Phase I Environmental Site Assessment (ESA) completed by Impact7G dated November 3, 2020;

and a Phase II ESA for the southern portion of the Site completed by Impact7G dated July 1, 2022.

April 18, 2016, Phase II ESA Targeted Brownfields Assessment – Hazardous Materials Survey

Hazardous Materials and Asbestos Containing Building Materials Inventory
Identified hazardous materials, oil waste, and asbestos include at the Site including:

Building 3 Laboratory	Quantity
Fire Extinguishers	1
Water Fountain	1
Air Conditioner	1
Fluorescent Lamps	60
PCB Ballasts	30
Paints	3 1-gallon cans
Solvents	1-gallon dimethylformamide
Other	2.5 Liters ammonium hydroxide; x-ray equipment; and lab equipment
Other electric recyclables	1 ISCO Automatic Water Sampler
ACM Grey Window Glaze	20 Linear Feet
Building 4 Locker Room	Quantity
Fluorescent Lamps	120
PCB Ballasts	60
ACM Wall Mastic Behind wood paneling in Office	800 square feet
Building 5 Electric Transformer Building	Quantity
Fire Extinguisher	1
Building 6 Maintenance Building	Quantity
Fire Extinguishers	3
Water Fountain	1
Air Conditioner	1
Fluorescent Lamps	64
PCB Ballasts	32
Halogen lights	20
Automobiles	1 Tractor
Paints	Two (2) 1-gallon primers
Solvents	One (1) 55-gallon Aqua-Sol
Oils	Four (4) 1-gallon containers One (1) 2-gallon container Three (3) 55-gallon drums Two (2) 5-gallon Drums
Hydraulic Lifts	Two (2)
Above Ground Petroleum Storage	Three (3) propane tanks
Other	Three (3) 1- gallon antifreeze One (1) 55-gallon antifreeze One (1) 5-gallon waterproofing sealer One (1) 1-gallon harvesting lubricant. One (1) 5-gallon transmission fluid.
Building 7 Maintenance Building	Quantity
Oil Containers	55-gallon oil 2-gallon gasoline Oil waste with gasoline
Unlabeled 55-gallon Drums	6
Building 9 Paste Block Building	Quantity
Fire Extinguishers	1
Tanks	1 AST
Oil Containers	1 55-gallon oil 1 2-gallons gasoline Oil waste with gasoline
Unlabeled 55-gallon Drums	6
Air Compressors	4

Halogen Lights	118
ACM Transite Paneling	10,000 square feet

November 3, 2020, Phase I ESA

The following RECs were identified in the Phase I ESA:

The Property was developed by at least 1915 for the purpose of smelting and refining zinc and lead. Other products produced at the Property included electrode paste, tin cans, ferrous metals, bearings, and various carbide products. Areas of concern that have historically been located at the Property include: a sulfuric acid building, acid tanks, solvent and drum storage, a machine shop, a foundry, a paste plant, an oil/water separator, coal tar tank areas, a landfill, and coal stockpiles. The carbide plant ceased operations in the late 1980s and remaining activities at the Property ceased in 2007. Impact7G reviewed the July 14, 2020, EPA review comments and recommendations letter for determining possible Superfund program involvement for the Property. A summary of RECs and associated contaminants identified at the Property include:

- Heavy metals are present in soil in the industrial area of the facility, primarily lead,
 - Polycyclic aromatic hydrocarbons (PAHs) are present in surface soils at the Property,
 - Groundwater at the site is not well defined, but one groundwater sample, collected by USGS in the industrial area, contained volatile organic carbons (VOCs) above Statewide Standards (SWS),
 - Asbestos, lead-based paint, and household hazardous waste are present in all onsite buildings,
 - Total Petroleum Hydrocarbons (TPHs), including coal tar, coal tar pitch, and coke are present throughout the Property,
-
- According to historical aerial photographs, Sanborn Fire Insurance Maps, topographic maps, and Property reconnaissance, railroad tracks have been located on the Property from prior to 1919 to present day. Railroad spurs represent environmental concerns due to the potential historical application of oils containing polychlorinated biphenyls (PCBs), application of pest and weed control chemicals including those that may have contained arsenic, the potential presence of creosote in the rail ties, and the historical practice of using coal cinders for track fill material.

July 1, 2022, Lots #7 through #15 Phase II ESA

The following was identified through the Phase II ESA:

- The detected concentration of PCBs in surficial sediments (0.141 mg/kg and 0.427 mg/kg) were below the SWS of 1.1 mg/kg).
- The detected concentration of soil PAHs as benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene indeno(1,2,3-cd)pyrene, phenanthrene and pyrene exceeded the Industrial DC RCLs and/or SWS at all locations explored.

- Lead was detected in surficial sediments exceeding the SWS and the EPA Industrial DC RCL.
- The detected concentrations of arsenic exceeded the Industrial DC RCL at all Lots explored; however, the concentrations are generally within the Background Threshold Value (BTV) of 10 mg/kg apart from Lots #10 (12.6 mg/kg) and 11 (11.6 mg/kg).

3.0 PROJECT GOAL

The Site is planned to be redeveloped as an intermodal logistical warehousing hub that will connect commercial and industrial logistic businesses to the adjacent Burlington Northern and Santa Fe Railroad rail lines. To accomplish this goal all ACM will be abated, and hazardous materials and oil waste will be removed from all Site buildings. All Site structures and foundations will be razed. All surficial, unconsolidated, contaminated surface soils containing concentrations of polycyclic aromatic hydrocarbons (PAHs), and RCRA metals as arsenic and lead above the EPA Industrial Direct Contact (DC) Residual Contamination Levels (RCLs) and the Iowa Statewide Standards (SWS) will be removed from the Site. These materials are typified by crushed coal, coal slag, carbonite, petroleum coke, and coal pitch tar in soil and fills. This action will allow the city to advance the reuse and redevelopment of the Site into commercial and industrial redevelopment.

4.0 APPLICABLE REGULATIONS AND CLEANUP STANDARDS

4.1 Cleanup Oversight Responsibilities

The City of Keokuk will be responsible for hiring contractors. A Qualified Environmental Professional (QEP) procured by the City of Keokuk will assist with contracting documents, cleanup contractor oversight, and documentation. All cleanup and demolition will be conducted in accordance with local, state, and federal regulations, including asbestos removal by a State of Iowa licensed asbestos abatement contractor.

During asbestos abatement, the QEP will provide air monitoring services and project observation, which will include the collection and analysis of short-term excursion limit air samples and field blanks as required by OSHA. In addition, area air samples by each removal area, air samples at each entrance to a containment area, and HEPA exhaust air samples will be collected and analyzed daily in order to document any potential fiber releases. These samples will be analyzed via the Phase Contrast Microscopy (PCM) method. At the completion of the asbestos removal and upon the passing of a visual inspection, final clearance air samples will be collected and analyzed using the PCM method.

As part of the soil cleanup the QEP will select soil samples for confirmation laboratory analysis to confirm that residual soil contaminants are below the most conservative SWS or EPA DC RCL standard. The QEP will also monitor dust control, truck and equipment track out decontamination procedures, and provide daily reports of work in progress. All documents prepared during cleanup activities will be compiled into a final cleanup report.

4.2 Cleanup Standards for Major Contaminants

Polycyclic Aromatic Hydrocarbons and RCRA Metals in Soil

Contaminants identified at the Site compared to the SWS and EPA DC RCL are presented on the following Table.

Constituent	SWS Soil (mg/kg)	EPA Industrial DC RCLs (mg/kg)	Highest Soil Concentration Sampled (mg/kg)
Benzo(a)anthracene	3.10	2.11	951
Benzo(a)pyrene	2.30	21.10	779
Benzo(b)fluoranthene	3.10	NE	991
Benzo(k)fluoranthene	0.31	2.11	16.7
Benzo(g,h,i)perylene	170	NE	305
Dibenz(a,h)anthracene	0.31	2.11	91.9
Indeno(1,2,3-cd)pyrene	3.10	21.1	476
Phenanthrene	1,700	NE	1,880
Pyrene	1,700	22,600	1730
Arsenic	1.90	3.0	33.3
Lead	400	800	12,200

NE=Not Established

Asbestos Containing Materials (ACM)

Building material samples were collected from each building onsite. Asbestos was identified in wood board mastic, transite panels, and window caulk. Prior to the demolition of the structure, an Iowa licensed asbestos abatement contractor will remove and dispose of identified ACM pursuant to National Emissions Standards Hazardous Pollutants (NESHAP) regulations. The asbestos NESHAP regulations specify work practices for asbestos to be followed during demolitions and renovations of all structures, installations, and buildings (excluding residential buildings that have four or fewer dwelling units). The regulations require the owner of the building or the operator to notify the appropriate state agency before any demolition, or before any renovations of buildings that could contain a certain threshold amount of asbestos or asbestos-containing material. In addition, particular manufacturing and fabricating operations either cannot emit visible emissions into the outside air or must follow air cleaning procedures, as well as follow certain requirements when removing asbestos-containing waste.

(<https://www.epa.gov/asbestos/asbestos-laws-and-regulations#ashara>)

Hazardous Materials

All hazardous materials that meet the criteria of “universal waste” will be recycled or disposed of in an EPA permitted hazardous waste disposal facility. Ballast/bulb fixtures present risk due to mercury in the bulbs and the potential for PCB oil in the ballasts so fixture and bulbs will also be recycled or disposed of at a hazardous waste disposal facility. All oil waste will be removed from the Site and recycled and a permitted facility.

Demolition

Unless directed otherwise in the Contract Documents, the Contractor shall:

- Disconnect and permanently cap all utility services before demolition.
- Remove and properly dispose of all structures, contents of structures, trash, rubbish, walls, floors, and foundations in accordance with federal, state and local regulations.
- Remove trash and surface debris from entire site.
- Remove and properly dispose of slabs and pavement as indicated on drawings.
- Remove and properly dispose of all sub-surface concrete conduits.
- Remove all reinforcing steel from concrete slabs and recover all steel and various metal structural components for offsite recycling.
- Crush all recovered concrete onsite and stockpile for use as pavement subbase

- aggregate for the new development.
- Remove and dispose of appliances and other items that may contain refrigerants in accordance with 40 CFR, Part 82. Appliances and other items that may contain refrigerants include, but are not limited to, refrigerators, freezers, dehumidifiers and portable or central air conditioners.
- Remove and properly dispose of hazardous and non-hazardous materials that cannot be co-disposed with building demolition materials prior to demolition, including but not limited to: ACM material, universal waste, drums, drummed waste, containerized solids and liquids, appliances and other items that may contain refrigerants.
- Remove and legally dispose of mercury-containing materials including fluorescent, high-pressure sodium, mercury vapor, metal halide light bulbs, and thermostats containing a liquid filled capsule. PCB-containing materials include capacitors, ballasts, and transformers where the component is contained within a metal jacket and does not have a specific, legible label stating no PCBs are present.
- Perform site clearance, backfilling, grading, and restoration.

4.3 Laws & Regulations Applicable to the Cleanup

4.3.1 ACM

Laws and regulations that are applicable to this cleanup include the NESHAP standards, Federal Small Business Liability Relief and Brownfields Revitalization Act, and City of Keokuk by-laws. Federal, state, and local laws regarding the procurement of contractors to conduct the cleanup will be followed.

4.3.2 Hazardous Materials

Characteristics of Hazardous Waste materials (HMs) includes materials defined by U.S. EPA in 40 CFR 261.20 through 261.24, universal waste as defined by U.S. EPA in 40 CFR 273 Subpart A, which includes batteries, pesticides, mercury containing devices (MCDs), lamps, and aerosol cans. Non-hazardous materials that may require special management in disposal as outlined in Iowa Administrative Code Chapter 109 and Chapter 119. Hazardous waste was historically used, treated, and disposed of at the Property.

The generator status of the Property is important to the Property Owners because of options for disposal that are associated with the size of generator as defined by the U.S. EPA in 40 CFR 262. HMs cannot be co-mingled with non-hazardous materials for disposal and must be managed by either a Household Hazardous Waste (HHW) facility or an EPA permitted hazardous waste disposal facility. If a site is determined to be a Very Small Quantity Generator (VSQG), hazardous materials at the site may be disposed through the regional HHW facility which can present significant savings to the City of Keokuk. The definition of VSQG as stated in 40 CFR 262 is:

- A generator which generates no more than 100 kg (220 lbs.) of hazardous waste in a calendar month.
- A generator which generates no more than 1 kg (2.2 lbs.) of acutely toxic hazardous waste in a calendar month.

- A generator which accumulates no more than 1,000 kg (2,200 lbs.) of hazardous waste on-site at any one time.

If sites are determined to have more than 1,000 kg stored on site or generate more than 100 kg of hazardous waste in a calendar month, they are either small or large quantity generators and are not eligible to use the HHW facility for disposal.

Hazardous materials that meet the criteria of “universal waste” must be recycled or disposed of in an EPA permitted hazardous waste disposal facility. Ballast/bulb fixtures present risk due to mercury in the bulbs and the potential for PCB oil in the ballasts so fixture and bulbs must be recycled. PCB oil is regulated separately under U.S. EPA 40 CFR; however, ballast/bulb fixture recycling facilities typically identify and manage the bulb/ballast fixture entirely as universal waste.

Special waste must be identified as such and, potentially, must be permitted by the Iowa Department of Natural Resources for approved burial at a Subtitle D landfill. Petroleum products such as motor oil and oil filters also offer opportunities for recycling but are regulated under the Iowa Administrative Code Chapter 119 and not as universal waste. For the purposes of assessment, motor oil and oil filters are classified as oil waste. Subtitle D landfilling of these materials is not allowable, and they must be managed through recycling or through hazardous waste disposal.

4.3.3 Demolition

Demolition work involves many of the hazards associated with construction; therefore, all United States Department of Labor 29 CFR Part 1926 and the Occupational Safety and Health Administration (OSHA) Subpart T – Demolition standards specifically for this project.

4.3.4 Polycyclic Aromatic Hydrocarbons and RCRA Metals in Soil

An estimated 23,000 cubic yards of PAHs and RCRA metals impacted soil are present at the Site. PAHs and RCRA metals in soil can pose a threat to human health and the environment. The IDNR uses the SWS as part of their evaluation to determine if a site may present an imminent and substantial endangerment and thus be eligible for inclusion on the CERCLA priority list. The SWS are also utilized by the IDNR for site cleanup levels while the U.S. EPA utilizes the Industrial Direct Contact (DC) Residual Contamination Levels (RCLs) to determine the presence of imminent and substantial endangerment.

Soil waste that contains RCRA metals and PAHs may be considered a hazardous waste, depending on the leachability of the chemicals as determined using the Toxicity Characteristic Leaching Procedure (TCLP) analysis. Analysis will include TCLP SVOCs and RCRA Metals. If the material is deemed hazardous, it is subject to Resource Conservation Recovery Act (RCRA) handling and disposal requirements per 40 CFR 261, Subpart C. If the materials are determined to be nonhazardous, they will be transported and disposed of at the adjacent closed RCRA Landfill adjacent landfill pending evaluation and regulatory approvals. An alternative disposal site is the Lee County Sanitary Landfill Great River Regional Waste Authority (GRRWA) located at 2092 303rd Avenue in Fort Madison, IA 52627.

5.0 EVALUATION OF CLEANUP ALTERNATIVES

5.1 ACM, Hazardous Materials, and Soil Cleanup Alternatives Considered

Based on the information available for the Site, three alternatives have been considered as the most reasonable alternatives to address soils impacted with RCRA metals and PAHs. The three cleanup alternatives considered for the Site are:

- Alternative #1 – No Action, included for comparison purposes.
- Alternative #2 – ACM Abatement, hazardous materials removal, and demolition of all on-site buildings, pavements, and sub-grade concrete wastewater conveyance structures to access contaminated sub-base materials. All recovered concrete and steel will be recycled offsite. All contaminated surface soils will be graded, stockpiled, and mechanically sorted to segregate unused combustible coal and petroleum coke from combusted foundry sands and contaminated fine-grained sediments. The recovered coal and petroleum coke may be removed off-site via tractor trailer or rail to its end user for energy production or industrial purposes. All contaminated surface soils and subbases will be graded and stockpiled, sampled for TCLP analysis, and disposed of at the Great River Regional Waste Authority Landfill in Fort Madison, Iowa if deemed non-hazardous waste. If the material is determined to be hazardous waste the materials will be transported to a designated RCRA landfill.
- Alternative #3 – ACM Abatement, hazardous materials removal, and demolition of all on-site buildings, pavements and sub-grade concrete wastewater conveyance structures to access contaminated sub-base materials. All recovered concrete and steel will be recovered and recycled offsite. All contaminated surface soils will be graded, stockpiled, and mechanically sorted to segregate unused combustible coal and petroleum coke from combusted foundry sands and contaminated fine-grained sediments. The recovered coal and petroleum coke may be removed off-site via tractor trailer or rail to its end user for energy production or industrial purposes. The remaining contaminated soils will be stockpiled, sampled for TCLP analysis, and disposed of at the adjacent closed RCRA Landfill on the adjacent east portion of the Property. Cap thickness, slope, and stability will be designed to ensure that the waste stays in place, leaching does not occur, and there will be no chemical reactions or mixing of the existing waste and recovered contaminated materials. An estimated 23,000 CY (9.4-acres x 1.5-feet thick) of the excavated clean materials from the Site redevelopment will be distributed and compacted on top of the contaminated materials to serve as a landfill cap. A geotextile membrane will be placed between the contaminated materials and the compacted cap to serve as a demarcation and additional physical barrier for direct contact with discarded contaminated fine-grained materials.

Criteria	Alternative 1: No Action	Alternative 2: ACM Abatement, hazardous materials removal, and building demolition. Segregate and recover unused combustible coal and petroleum coke for redistribution in energy or industrial production. Excavation and off-site disposal of all contaminated s soil.	Alternative 3: ACM Abatement, hazardous materials removal, and building demolition. Segregate and recover unused combustible coal and petroleum coke for redistribution in energy or industrial production. Off- site disposal of remaining contaminated surface and building subbase soil.
Effectiveness	Not Effective	Effective	Effective
Implement ability	None	Readily Implementable	Readily Implementable
Cost	None	\$6,193,300	\$3,543,500

Effectiveness:

- Alternative 1: No Action is not effective in mitigating the human exposure risk from contaminants or removing barriers to Site redevelopment.
- Alternative 2: The recovery and redistribution of unused combustible materials and the removal of all ACM, hazardous materials, buildings, building subbase and soil contaminated with PAHs and RCRA metals for **off-site** disposal is an effective method of eliminating the human exposure risk and would remove barriers to commercial and industrial intermodal Site redevelopment.
- Alternative 3: The recovery and redistribution of unused combustible materials and the removal of all ACM, hazardous materials, buildings, building subbase and soil contaminated with PAHs and RCRA metals for **on-site** disposal is an effective method of eliminating the human exposure risk, reduces transportation cost, and would remove barriers for commercial and industrial intermodal Site redevelopment.

Implementability:

- Alternative 1: No Action is easy to implement since no actions would be conducted.
- Alternative 2: The recovery and redistribution of unused combustible materials and the removal of all ACM, hazardous materials, buildings, building subbase and soil contaminated with PAHs and RCRA metals for **off-site** disposal is readily implementable.
- Alternative 3: The recovery and redistribution of unused combustible materials and the removal of all ACM, hazardous materials, buildings, building subbase and soil contaminated with PAHs and RCRA metals for **on-site** disposal is readily implementable.

Cost:

- Alternative 1: No Action and no associated costs.
- Alternative 2: Based on current information, the estimated cost for the recovery and redistribution of unused combustible materials and the removal of all ACM, hazardous materials, buildings, building subbase and soil contaminated with PAHs and RCRA metals for **off-site** disposal is as follows:
 - ACM abatement: \$139,000,
 - Hazardous materials and oil waste removal, testing of unlabeled materials, and regulated disposal: \$36,000,
 - Building demolition: \$1,340,000,
 - Remove and dispose of approximately 23,000 CY of contaminated surface soil at the Great River Regional Waste Authority Landfill: \$4,115,300 and
 - Project Management: \$563,000.

Total Approximate Cost: \$6,193,300

- Alternative 3: Based on current information, the estimated cost for ACM Abatement, HAZMAT removal, building demolition and recycling, and segregation and recovery of combustible coal and petroleum coke materials combined with on-site disposal of contaminated surface soils and building subbase is as follows:
 - ACM abatement: \$139,000,
 - Hazardous materials and oil waste removal, testing of unlabeled materials, and regulated disposal: \$36,000.
 - Building demolition: \$1,340,000,
 - Remove and dispose of approximately 23,000 CY of contaminated soil at the adjacent on-site landfill to the east of the Property: \$1,288,000.
 - Landfill Cap: \$388,700
 - Project Management: \$351,800

Total Approximate Cost: \$3,543,500

6.0 RECOMMENDED CLEANUP ALTERNATIVE

6.1 Recommended ACM, Hazardous Material, and Soil Cleanup Alternative

Each of the alternatives and the comparison criteria are summarized in the table below. Based on the evaluation of remedial alternatives presented above, the recommended action is Alternative #3: ACM abatement, hazardous materials removal, building demolition, segregation and recovery of combustible coal and petroleum coke, and disposal of remaining contaminated surface soils and building subbase at the adjacent onsite landfill to the east was selected as an effective method of eliminating the human exposure risk from contaminants and would remove barriers to commercial and industrial intermodal Site redevelopment.

Summary of Remedial Alternatives for Soil		Alternative #1 No Action		Alternative #2	Alternative #3
Evaluation Criteria				ACM Abatement, hazardous materials removal, and building demolition. Segregate and recover unused combustible coal and petroleum coke for redistribution in energy or industrial production. Off-site disposal of remaining contaminated surface soil	ACM Abatement, hazardous materials removal, and building demolition. Segregate and recover unused combustible coal and petroleum coke for redistribution in energy or industrial production. Disposal of remaining contaminated surface soil at on-site landfill to the east.
Effectiveness & Reliability		Not Effective or Reliable.		Is an effective measure to eliminate exposure to ACM, hazardous materials, and contaminated soil and would allow for Site redevelopment as commercial and industrial intermodal logistical warehousing.	Is an effective measure to eliminate exposure to ACM, hazardous materials, and contaminated soil and would allow for Site redevelopment as commercial and industrial intermodal logistical warehousing
Feasibility & Ease of Implementation		Not feasible but easily implementable.		Readily implementable as all ACM, HAZMAT and contaminated surface soils will be excavated and disposed of off-site.	Readily implementable as all ACM and HAZMAT will be disposed of off-site. All contaminated surface soils will be excavated and disposed of on-site.
Risk Reduction & Green and Sustainable Remediation		No reduction in risks to human health and the environment. No reduction in contaminant mobility or toxicity. No green or sustainable remediation benefits.		The risk to health human exposure would be eliminated and allows for Site redevelopment as commercial and/or industrial. The new Site development may include in-floor geothermal based heat systems in the warehouses as well as photovoltaic solar on the warehouse and building roofs.	The risk to health human exposure would be eliminated and allows for Site redevelopment as commercial and/or industrial. Disposing of contaminated soils on the Site landfill to the east would save approximately 38,000 gallons of diesel fuel and reduce the project cost by 2.6 million dollars. The new Site development may include in-floor geothermal based heat systems in the warehouses as well as photovoltaic solar on the warehouse and building roofs.
Costs		None		\$6,193,300	\$3,543,500
Time to Reach Permanent Solution		Will not be achieved.		12 to 18 months	12 to 18 months

7.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Signatures of the environmental professionals responsible for this report:



James Goodrich, Project Manager, Field Lead/Report Preparer

Nicole Turpin, Project Manager, Quality Control / Quality Assurance

Michael Fisher, Vice President, Quality Control and Assurance

APPENDIX A – Qualifications

APPENDIX B – Figures

Figure 1 – Property Vicinity Map

Figure 2 – Sample Location Map

Figure 3.1 – Soil PAHs Lots #7 Through #15

Figure 3.2 – Soil RCRA Metals Lots #7 Through #15

APPENDIX C

April 18, 2016, Phase II Targeted Brownfield Assessment – Hazardous Materials Survey

APPENDIX D

November 3, 2020, Phase I Environmental Site Assessment

APPENDIX E

July 1, 2022, Phase II Environmental Site Assessment Elkem Carbide Lots #7 through #15



COUNCIL ACTION FORM

Date: October 27, 2023

Presented By: Broomhall

Subject: Set public notice status of funding Agenda Item: 9

Description:

Pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, a public hearing to discuss the status of funding for the Comprehensive Revitalization Neighborhood grant shall be held. The project is being funded in part through a Community Development Block Grant provided by the Iowa Economic Development Authority.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date _____

Recommendation:

--

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

Set public hearing

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.

**A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT A PUBLIC
HEARING ON THE STATUS OF FUNDED ACTIVITIES FOR THE CITY OF
KEOKUK, COMPREHENSIVE NEIGHBORHOOD REVITALIZATION
PLANNING GRANT**

WHEREAS, pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987 as amended a public hearing to discuss the status of funding for the Comprehensive Neighborhood Revitalization Planning Grant.

**NOW THEREFORE, BE IT HEREBY RESOVLED, BY THE CITY COUNCIL
OF THE CITY OF KEOKUK, IOWA**

That a Public Hearing, be scheduled for Thursday, November 16, 2023, at 5:30 p.m. at City of Keokuk City Hall; 501 Main Street, Keokuk, IA. The purpose of the hearing will be to discuss the status of funding for the Comprehensive Neighborhood Revitalization Planning Grant. The project is being funded in part through a Community Development Block Grant provided by the Iowa Economic Development Authority and further that the attached public notice of the time and place of said public hearing shall be given by publication in the Daily Gate City, a local paper of general circulation, as required by the Code of Iowa.

Passed & Approved this 2nd day of November 2023.

K. A. Mahoney, Mayor

Attest: _____
Celeste El Anfaoui, City Clerk

**NOTICE OF PUBLIC HEARING
STATUS OF FUNDED ACTIVITIES**

**NOTICE OF PUBLIC HEARING ON THE STATUS OF FUNDED ACTIVITIES FOR THE CITY OF KEOKUK,
COMPREHENSIVE NEIGHBORHOOD REVITALIZATION PLANNING GRANT**

Pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, as amended, the City of Keokuk will hold a public hearing on Thursday, November 16 at 5:30 p.m. at Keokuk City Hall; 501 Main Street; Keokuk, Iowa. The purpose of the hearing will be to discuss the status of funding for the Comprehensive Neighborhood Revitalization Planning Grant located in the targeted neighborhood of Main Street to Franklin Street and 4th Street to 9th Street in Keokuk. The project is being funded in part through a Community Development Block Grant provided by the Iowa Economic Development Authority. If you have questions concerning the project or if you require special accommodations to attend the hearing such as handicapped accessibility or translation services, you may contact Sara Hecox at Southeast Iowa Regional Planning Commission at (319) 753-4311. Persons interested in the status of funding, or the progress of the project is welcome to attend this meeting.



COUNCIL ACTION FORM

Date: October 29, 2023

Presented By: Broomhall

Subject: Set public hearing to sale property 1901 Main Street Agenda Item: 10

Description:

Jerry Palmer has proposed to purchase 1901 Main Street at the appraised value of to place a self serve ice machine at the property. The property was formerly a gas station, gas tanks have been removed, but there was leakage prior to removal. Mr. Palmer is aware of the condition of the property and that the property will be sold as is.

A public hearing is required for disposal of any city owned property.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date

Recommendation:

Set public hearing

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

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MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO.
A RESOLUTION SETTING PUBLIC HEARING REGARDING THE DISPOSAL OF
EXCESS PROPERTY

WHEREAS, Sections 364.7, 403.12, and 362.3 of the Code of Iowa set forth the manner in which the City of Keokuk may dispose of its interest in real property; and

WHEREAS, the City of Keokuk is the present owner of the property, described as follows: 1901 Main Street, 125' x 150' of E SD Main SD N of 19th SW 24 65 5; and

WHEREAS, the City Council of the City of Keokuk hereby determines that this real property is no longer needed by the City nor for the use of the Public, and the city has received a proposal from Jerry Palmer to purchase said property for appraised value of \$14,625, and

WHEREAS, pursuant to Iowa Code 364.7 a public hearing must be held prior to the sale of such property; and

WHEREAS, it is now necessary to set a time and date for a public notice and hearing on the disposal of the real property as described pursuant to Section 364.7 of the Code of Iowa;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, LEE COUNTY, IOWA

That a Public Hearing pertaining to the sale and disposal of the aforementioned properties be scheduled for 5:30 p.m., Thursday, November 16, 2023, at Keokuk City Hall, 501 Main Street, Keokuk, Iowa and further that the attached public notice of the time and place of said public hearing shall be given by publication in the Daily Gate City, a local paper of general circulation, as required by the Code of Iowa.

this 2nd day of November 2023.

K. A. Mahoney, Mayor

Attest: _____
Celeste El Anfaoui, City Clerk

PUBLIC NOTICE

Public Notice is hereby given that the City Council of the City of Keokuk, Iowa, will conduct a Public Hearing to review a request to purchase city owned real estate as described:

1901 Main Street, 125' x 150' of E SD Main SD N of 19th SW 24 65 5; and

The Public Hearing will be held at 5:30 p.m., on Thursday, November 16, 2023, Keokuk City Hall, 501 Main Street, Keokuk, Iowa.

All interested person is invited to attend and comment on the request at that time or provide written comment to the Community Development Director no later than 4:30PM on Wednesday, November 16, 2023. Questions may be directed to the Community Development Director at (319)524-2050 x 2209.



COUNCIL ACTION FORM

Date: November 2, 2023

Presented By: O'Donnell

Subject: Granting of Easement Agenda Item: _____

Description:

Decker Manufacturing is purchasing a lot in Kindustry Park Kindusrty from KEDC. The City owns a lot directly adjacent to the lot being purchased that has access to Kindustry Road. Decker is requesting an easement across the lot for access to the rear of the building they intend to construct. A draft copy of the easement is attached with a slightly revised agreement to be forwarded as soon as it is finalized.

A public hearing on the granting of the easement was held October 5, 2023.

FINANCIAL

Is this a budgeted item? YES ☐ NO ☐

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES ☐ NO ☐ CIP Project Number: _____

COUNCIL ACTION FORM

Any previous Council actions:

Action

Date _____

Recommendation:

--

Required Action

ORDINANCE ☐ RESOLUTION ☒ MOTION ☐ NO ACTION REQUIRED ☐

Additional Comments:

--

MOTION BY: _____ SECONDED BY: _____

TO _____

CITY COUNCIL VOTES

[illegible]

RESOLUTION NO. _____

**RESOLUTION APPROVING EASEMENT AGREEMENT WITH DECKER
MANUFACTURING IN KINDUSTRY PARK**

WHEREAS, Decker Manufacturing Parcel No. 044521221520060 in
Kindustry Park; and

WHEREAS, Decker Manufacturing desires to have the ability to said parcel
from the backside; and

WHEREAS, the City of Keokuk, Iowa owns Parcel No. 044521221770040
in Kindustry Park.

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY
OF KEOKUK, IOWA** approves an Easement Agreement with Decker, MFG, a
copy of which is attached hereto.

PASSED, APPROVED, AND ADOPTED 2nd day of November 2023.

K.A. Mahoney, Mayor

ATTEST: _____
Celeste El Anfaoui, City Clerk

EASEMENT AGREEMENT

This easement agreement ("Agreement") is entered into on the _____ day of _____, 2023, by and between the City of Keokuk, Iowa, Grantor, hereafter referred to as "Grantor" and Decker Manufacturing Company, hereafter referred to as "Grantee" collectively referred to as the "Parties". The parties do hereby agree as follows:

1. The Grantor is the owner of certain real property (the "Property") situated in the City of Keokuk, Lee County, State of Iowa, Parcel No. 044521221770040, and more particularly described in Exhibit A.

2. Grantee is the owner of certain real property (the "Property") situated in the City of Keokuk, Lee County, State of Iowa, Parcel No. 044521221520060, and more particularly described in Exhibit B.

3. Grantor does hereby grant and convey unto Grantee a perpetual, non-exclusive easement (the "Easement") to construct, repair, replace, rework, and maintain a driveway over the real estate described in Exhibit A, the location and dimensions of which are set out in Exhibit C. This Easement is granted in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor.

4. Grantor warrants there are no tenants or other lien holders or parties with an equitable interest in or on the premises.

5. Possession for easement purposes shall begin upon signing of this document.

6. The easement granted in this Agreement shall be for so long as the Grantee, or its assigns, utilizes the easement area for the purposes described in paragraph 3.

7. The Grantee covenants that following the construction of the driveway improvements, it will maintain the driveway at its costs.

8. The Grantor shall have and retain all rights to the use and occupation of said real estate, except as herein expressly granted and provided; and such use and occupation by the Grantor shall not unnecessarily interfere with any construction or maintenance work performed under this Grant of Perpetual Right and Easement.

9. The Grantor covenants and agrees that the Grantor will not in any manner disturb, damage, destroy, injure, or obstruct any improvements made by Grantee on the Easement Property, or any part thereof, and will not obstruct or interfere with said Grantee, its employees, agents, contractors or subcontractors, in the exercise of any rights, privileges, or authorities hereby given and granted.

10. Grantee shall not permit any lien to accrue or become established against the Easement Property or any improvements thereon for any labor or materials in connection with work performed on the Easement Property at the direction or sufferance of the Grantee. Grantee shall be solely responsible for maintaining, cleaning, inspecting, and repairing the driveway described in paragraph 3.

11. This Agreement, a Perpetual Right and Easement, shall run with the land and be binding not only upon Grantor, but also upon Grantor's successors, assigns, heirs, devisees, lessees, and all other successors in interest to the Easement Property or any portion thereof and shall continue as a servitude running in perpetuity with the land and shall continue and survive subsequent to the lifetime

of Grantor. All rights herein granted to Grantee shall run for the benefit of and may be exercised by Grantee's successors, assigns, heirs, devisees, lessees and duly authorized officers, representatives and agents.

12. This Agreement, including any interest in this Agreement, shall not be assigned without the prior written consent of the other party.

13. Grantee shall hold Grantor free, harmless, and indemnified from liability, claims, loss, demands, lawsuits, causes of actions, penalties, fines, attorney's fees, and liens arising from any work, operations, or activity performed or allowed by Grantee, pursuant to this GRANT OF PERPETUAL RIGHT AND EASEMENT.

FOR THE GRANTOR:

Dated this ____ day of _____, 2023

CITY OF KEOKUK, IOWA

By: _____
Kathie Mahoney, Mayor of the
City of Keokuk, Iowa
(Grantor)

(Seal of the City)

STATE OF IOWA)
COUNTY OF LEE)ss.

On this day of _____, 2023 before me, a Notary Public, in and for said county, personally appeared Kathie Mahoney, to me personally known, who being by me duly sworn did say that that person is Mayor of the City of Keokuk, and that said instrument was signed on behalf of the said City acting with the appropriate authority, and the above named officer, Kathie Mahoney acknowledged the execution of said instrument to be the voluntary act and deed of said City of Keokuk, by it voluntarily executed.

Notary Public

FOR THE GRANTEE:

Dated this ____ day of _____, 2023

DECKER MANUFACTURING, INC.

By: _____
_____, Pres.

STATE OF IOWA,)
COUNTY OF LEE) ss.

On this _____ day of _____, 2023, before me, a Notary Public, in and for said county, personally appeared _____, to me personally known, who being by me duly sworn did say that that person is an authorized officer of Decker Manufacturing Company, and that said instrument was signed on behalf of the said Corporation acting with the appropriate authority, and the above named officer, acknowledged the execution of said instrument to be the voluntary act and deed of said Corporation, by it voluntarily executed.

Notary Public

EXHIBIT A

All of Lots 8 and 12, EXCEPT the North Four Hundred (400.00) feet thereof, Kindustry Park, City of Keokuk Lee County, Iowa; beginning at the Northwest Comer of said Lot Eight (8); thence South Eighty-nine (89) degrees Fifty-four (54) minutes Forty (40) seconds East Two Hundred Forty-four and Forty-six Hundredths (244.46) feet with the North right of way line of said Lot Eight (8) to a point of curvature; thence Southeasterly Three Hundred Sixty-nine and Ninety-five Hundredths (369.95) feet with a curve concave Southwesterly having a L.C. bearing of South Forty-four (44) degrees Forty-eight (48) minutes forty-four (44) seconds East, Three Hundred Thirty-two and Ninety-one Hundredths (332.91) feet to a point of tangency; thence South Zero (00) degrees Seventeen (17) minutes Eleven (11) seconds West, One Hundred Sixty-four and Nineteen Hundredths (164.19) feet; thence North Eighty-nine (89) degrees fifty-four (54) minutes forty (40) seconds West, Four Hundred Eighty and Twenty-eight Hundredths (480.28) feet to the West line of said Lot Eight (8); thence continuing North Eighty-nine (89) degrees, fifty-four (54) minutes forty (40) seconds West, Two Hundred Sixty-six and Eighty-three Hundredths (266.83) feet to a point located on the Southerly line of said Lot Twelve (12); thence North Sixty-nine (69) degrees thirty-five (35) minutes thirty-three (33) seconds West, Two Hundred Twenty-seven and Twenty Hundredths (227.20) feet to a point on curvature; thence with the South right of way line of Kindustry Road the following courses and distances: Northerly Ninety-eight and Thirty-seven Hundredths (98.37) feet with a curve concave Westerly having a L.C. bearing of North Eleven (11) degrees Twenty-seven (27) minutes Fifty-five (55) seconds East, Ninety-seven and Ninety-seven Hundredths (97.97) feet to a point of reverse curvature; Northeasterly Three Hundred Twenty-seven and Fifty-three Hundredths (327.53) feet with a curve concave Southeasterly having a L.C. bearing of North Forty-two (42) degrees Twenty-six (26) minutes thirty-one (31) seconds East, Three Hundred One and Sixty-five Hundredths (301.65) feet to a point of non-tangential curvature; Easterly One Hundred Twenty-nine and Sixty-four Hundredths (129.64) feet with a curve concave Northerly having a L.C. bearing of South Eighty (80) degrees Thirteen (13) minutes .zero (00) seconds East, One Hundred Fifteen and Twenty-two Hundredths (115.22) feet to a point of compound curvature; Easterly Sixty-seven and Fifty Hundredths (67.50) feet with a curve concave Southerly having a L.C. bearing of North Seventy-one (71) degrees, Seven (07) minutes Forty-Seven (47) Seconds East, Sixty-six and Twenty-eight Hundredths (66.28) to a point tangency; thence South Eighty-nine (89) Degrees Fifty-four (54) minutes Forty (40) seconds East, Eighty-two and Forty-eight Hundredths (82.48) feet to the point of beginning, containing Seven and Eight Hundred Seventy-two Thousandths (7.872) acres;

EXHIBIT B

The North Four Hundred (400) Feet of Lot Twelve, in Kindustry Park, City of Keokuk, Lee County, Iowa, with the grantor reserving for itself a perpetual easement for ingress and egress across the following described property: The East 15.0 feet of Lot 12 in Kindustry Park, City of Keokuk, Lee County, Iowa, being subject to easements of record, the plat of said Kindustry Part recorded June 29, 1987, at microfilm 87S-35 CI in the Lee County Recorder's Office, Keokuk, Iowa.

EXHIBIT C



Overview



Legend

- Corporate Limits
- Geographic Townships
- Parcels
- Named Roads

Date created: 9/12/2023
Last Data Uploaded: 9/11/2023 10:14:40 PM

Developed by Schneider
GEOSPATIAL



TO: Mayor and Council
FROM: Mayor Mahoney
DATE: November 2, 2023
RE: Committee Nominations

RAND PARK PAVILION COMMISSION (Second notification. No vote required.)
(5-YEAR TERM)

Andrew Whitaker
Amanda Rogers

Term to expire 10/22/2028
Term to expire 10/22/2028

GRAND THEATRE COMMISSION (Second notification. No vote required.)
(3 YEAR TERM)

Janice Linder
Raeann Salter
Terry Twitchell
Jerry Herr

Term to expire 11/05/2026
Term to expire 11/05/2026
Term to expire 11/05/2026
Term to expire 11/05/2026

VETERANS MEMORIAL COMMISSION (First notification. No vote required)
(5-YEAR TERM)

Philip Caropreso

Fulfill Term to expire 06/01/2027

AGENDA
COUNCIL WORKSHOP
November 2, 2023
IMMEDIATELY FOLLOWING REGULAR MEETING

1. Business Registration Ordinance.
2. City Administrator Hiring Process.