

The City Council of the City of Anamosa met in a Regular Session this April 27, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann (arrived at 6:12 p.m.), Danny Young, Brian Harmon, Dennis Hansen, Brady Reynolds and Tom Swisher present. Absent: None. Mayor Jon Hatcher presided. Also present were Patrick Callahan, City Administrator, Tammy Coons, City Clerk; Larry Driscoll, Public Works Director; Matt Menard, Police Chief; Jeff Swisher, Fire Chief; and Dave Stoklasa, Snyder & Associates. Guests Present: Loras Holub, Becky Dirks Haugsted and Terry Knockel. Mayor Jon Hatcher called the regular meeting to order at 6:00 p.m. Roll call was taken with a quorum present.

Council Minutes

Motion by Hansen, second by Young to approve the minutes from the April 13, 2009 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS**Public Hearing Regarding Improvements to Public Works Building Project**

Mayor Hatcher opened the public hearing regarding improvements to the Public Works Building Project: Concrete Floor, Interior Walls and Mechanical Equipment at 6:03 p.m.

Pat Callahan stated that there were no written or verbal comments received. No comments were offered by the public present.

Motion by Hansen, second by Harmon to close the public hearing at 6:04 p.m. All Ayes. Motion Carried.

Presentations**Request from Loras Holub Regarding Street Crossing on South Garnavillo Street**

Loras Holub addressed the Council on a recent accident on South Garnavillo where a child was struck by a car and fortunately was not hurt. Loras asked the Council to address the speed of the vehicles as they come up Walworth Avenue at S. Garnavillo Street. He requested that this traffic either be required to stop or yield at the top of the hill. Discussion followed. Loras also voiced his concern at the 2nd Street and S. Garnavillo intersection where people are dropping off children for school. Larry Driscoll suggested the placement of a portable speed bump in the non-winter months to help slow down the traffic. More discussion followed.

COMMUNITY BETTERMENT**Requests from Ron Etscheidt for a Waiver to the Subdivision Platting Requirements**

Pat Callahan reviewed the request made by Ron Etscheidt for a waiver to the Subdivision Platting Requirements for property in Meadow Ridge First Addition. Pat stated that no action is required tonight. He just wanted to make the Council aware of the upcoming request. He stated that the Planning & Zoning Commission will be reviewing the request at their April 29th meeting and will be making a recommendation to the Council. Larry Driscoll stated that the property owner will need to cross Breca Ridge to make a sewer connection.

Request for Memorial Day Parade and Service

Becky Dirks Haugsted addressed the Council stating that this is the same request as last year to hold a Memorial Day Parade and service to be held on May 25th.

Motion by Feldmann, second by Harmon to approve the request from VFW Post 4077 for a Memorial Day parade and service to held on May 25th. All Ayes. Motion Carried.

PUBLIC SAFETY**Designating the North Side of East First as No Parking**

Pat reviewed the proposed no parking ordinance on the north side of First Street. Dennis Hansen voiced his disagreement with the proposed ordinance stating that First Street does not have near the parking issues as Hamilton Street does. Discussion followed.

Motion by Feldmann, second by Young to approve the **second reading of Ordinance** designating the north side of First Street as no parking from Garnavillo to Williams Street (amended from first reading changing

Scott Street to Williams Street). Roll Vote. 3-Nays, Hansen, Reynolds, Swisher. All Remaining Ayes. Motion Failed.

Request for Stop Sign at East Main and Linn Street

Pat reviewed the citizen request for placement of stop sign at East Main and Linn Street making that four-way stop. Discussion followed.

Replacement of Overhead Doors at Anamosa Fire Station

Pat reviewed the ranking of the replacement of overhead doors at the Fire Station in the Council's CIP program, which received a B ranking. Jeff Swisher stated that the doors were originally installed in 1980 and he has slowly been replacing them and there are four out of the seven doors left to replace. He also stated they would like to raise the doors by 2 feet and the estimated cost is for seven door replacements and raising the doors would be \$27,500. Discussion followed on putting this project in the 2010-11 Budget and also possibly applying for a grant.

Noise Ordinance and Loud Music from Local Business

Pat reviewed the letter received from Anamosa resident residing on South Garnavillo Street regarding loud music coming from Knucklehead's. Police Chief Matt Menard reviewed the recent complaint and the action taken by the police department. Matt stated that he will be sending a written notice to all the bars in Anamosa that in the future when the police received a noise complaint the bar in question would be given one warning and if it was not corrected the owner would then be cited. The Council concurred with the plan.

Terry Knockel addressed the Council and distributed a letter from Sarah Vargason who lived above Knucklehead's, which stated that she has never had a problem with noise from a band playing at the bar, even living right above them. Terry asked why Knucklehead's was being "targeted" for the noise issue. Chief Matt Menard explained that they were addressing this one particular complaint at this time, but that other bars have also had problems in this area. Matt stated they address each complaint as they are received. Discussion followed.

PUBLIC WORKS**Public Works Building**

Pat reviewed the bid results for the Public Works Building Project – Concrete Floor. He stated that only one bid was received for \$35,311. Larry Driscoll stated that the estimated cost of the project was \$44,000.

Motion by Young, second by Feldmann to approve **Resolution 2009-21** approving plans and specifications, form of contract and accepting the bid and awarding contract to Rogers Concrete for the Public Works Building Concrete Floor Project. Roll Vote. All Ayes. Motion Carried.

Pat reviewed the bid results for the Public Works Building Project – Mechanical Equipment. Discussion followed.

Motion by Feldmann, second by Harmon to approve **Resolution 2009-22** approving plans and specifications, form of contract and accepting the bid and awarding contract to Kraus Plumbing & Heating for the Public Works Building Mechanical Equipment Project. Roll Vote. 1-Nay, Swisher. All Remaining Ayes. Motion Carried.

Pat stated that we are waiting for the Contractor to request a walk-through once the project is substantially complete. Discussion followed. Tom Swisher questioned if there should be plastic or some type of barrier between the wood and the metal siding. More discussion followed. Danny Young brought up discrepancies, i.e. the studs are not 16" off center and that maybe the City should be compensated for the extra work being done by City employees as a result of the discrepancies.

Larry stated that since no bids were received on the interior walls part of the project, the Public Works employees are completing the interior walls with the help of local contractors.

Engineering Agreement with IIW for Dillon Pedestrian Bridge

Pat reviewed the engineering proposal received by IIW Engineers for the Dillon Pedestrian Bridge. Pat stated that he has taken this proposal to the County and they have approved this proposal. Pat will ask IIW to add the County as a signer on the contract and he will also contact FEMA regarding this contract. Motion by Feldmann, second by Harmon to approve the engineering contract with IIW for the Dillon Pedestrian Bridge with the addition of the County as a signer on the contract contingent on receipt of written approval from FEMA. All Ayes. Motion Carried.

Wastewater Treatment Plant Operations Building

Dave Stoklasa, Snyder & Associates stated that good progress is being made on the electrical and mechanical areas and fifty percent of the painting is completed. He stated that the caulking process has been started and the suspended ceiling in the office and lab area should be started this week. The cabinets were installed last week. Dave also stated that the exterior work has some issues due to the Contractor being spread so thin between other jobs.

Dave stated that the arms on the trickling filter are rotating now. He said that the work approved with the recent change order has also been started. The exterior concrete work is a week or so out and per the Contractor the expected completion date will hopefully, by the end of May.

Dave stated that there have been delays on the conversion of the rock media to plastic media due to the delivery of the plastic media from the manufacturer due to trucking problems and the loads being shorted. Dave has been assured by the manufacturer that we will be receiving the remaining plastic media by the end of the week. Danny Young asked if this delay has caused the concerns by the DNR. Dave stated no. Danny stated that the Council had taken Dave's assurances that this would not be an issue with the DNR.

Dave stated that in his conversations with the DNR representative, the representative did not acknowledge that the City is still in flood recovery from the June 2008 flood and that the City has gone above and beyond what it has needed to. If the City hadn't been trying to make improvements instead of dragging its feet, there would be no issue today with regards to the alleged violation. Dave said that if the City would have left the media to continue to pond it would slowly degrade and as a result of that the effluent quality would slowly degrade as well. That could continue until and beyond the point that there was actually a violation and the DNR picked up on it. When they did that, they would then have to go to a compliance schedule requirement to develop a schedule for corrective action, which is a multi-month situation. Danny Young asked if the City is fined by the DNR, what does that do the City's receipt of FEMA money. Pat stated that in his recent conversation with Mike Wade of the DNR Mike is working very hard to make sure that the City still receives FEMA funds, except for the funds for the plastic media. Dave stated he is hopeful that the majority of this issue can be resolved. He stated that per a contact at the DNR that this is not the type of issue that would cause loss of the operator's license. There may be an administrative sanction or some sort of reprimand. Danny stated he hated to see the operator get "hammered" for something that the contractor and the engineer should be responsible for. Bill and Brady stated that the Council approved changing to the plastic media. Dave stated that contractor had removed the rock because they were anxious to keep moving and then there were delays in the delivery of the plastic media. Dave stated that he is not walking away from the discussion of responsibility. Pat asked the Council if they wished to be proactive by contacting the DNR in writing. Discussion followed on who should be contacted.

Motion by Feldmann, second by Reynolds to authorize the City Administrator and Engineer to write a letter to Mike Liebold, Governor Culver, Representative Ray Zirkelbach and Senator Tom Hancock explaining our situation and send the letter after Dave Stoklasa receives answers to the technical issues. All Ayes. Motion Carried.

Dave reviewed change order no. 3 for the WWTP Operations Building for \$5,438.61. This will be placed on the next Council agenda for action.

Seeding of Easement for Highway 64 Water Main and Sanitary Sewer Project

Pat reviewed the problems with keeping the seeding in place on the easement for the Hwy 64 Water and Main Project. Larry reviewed the price quote received from Minger Mowing and Landscaping for this project.

Water Well No. 6

Pat stated that he had called the Penitentiary to let them know about the back-up pump being available to the City if one well would go down. Dave Stoklasa stated that Outlot A in the Anamosa Commercial Park

would not be feasible for locating Well No. 6. He is working on completing a site survey application for the DNR.

Larry asked if the City would be willing to pay the asking purchase price of a lot in the Commercial Park. Discussion followed.

Street Improvement Program

Discussion was held on the Street Improvement Program and the projected costs. It was the consensus of the Council to go out for bid for asphalt on Broadway, Chamber, N. Williams and Booth Street and the rest for sealcoat, as recommended by Larry Driscoll.

FINANCE

Ordinance Increasing Land Fill by \$1.00

Motion by Harmon, second by Feldmann to approve the **second reading of Ordinance No. 851** amending Section 106.10 of the City code of Ordinances regarding the assessment of a fee for solid waste material. Roll Vote. All Ayes. Motion Carried.

Motion by Hansen, second by Reynolds to approve the **waiver of the third reading of Ordinance No. 851** amending Section 106.10 of the City code of Ordinances regarding the assessment of a fee for solid waste material. Roll Vote. All Ayes. Motion Carried.

Communications Equipment on City Water Tower

Pat stated that Adrian is preparing the legal description for the rezoning request for the Water Tower property. Discussion followed.

Aqua Court Concession Stand Contract

Brian Harmon reviewed the recommendation of accepting the bid received from Renee Taylor for the leasing of the Aqua Court Concession Stand.

Motion by Young, second by Feldmann to approve accepting the bid received from Renee Taylor for the leasing of the Aqua Court Concession Stand. All Ayes. Motion Carried.

Hiring of Seasonal Employees for the Anamosa Aqua Court and Park Maintenance Department

Motion by Feldmann, second by Young to approve **Resolution 2009-23** approving the hiring of seasonal employees for the Anamosa Aqua Court and Park Maintenance for the upcoming season. Roll Vote. All Ayes. Motion Carried.

Aqua Court Daily and Season Passes

Motion by Young, second by Feldmann to approve the new rates for the Anamosa Aqua Court Daily and Season passes as recommended by the Parks & Recreation Board. All Ayes. Motion Carried.

Pay Request No. 4 for WWTP Operations Building

Motion by Feldmann, second by Harmon to approve Pay Request No. 4 to WRH, Inc. for the WWTP Operations Building for \$43,388.68. All Ayes. Motion Carried.

Pay Request No. 5 for WWTP Engineered Fill Project

Motion by Young, second by Reynolds to approve Pay Request No. 5 to Ricklefs Excavating for WWTP Engineered Fill Project for \$26,045.62. All Ayes. Motion Carried.

Pay Request No. 2 for Public Works Building Construction Project

Motion by Feldmann, second by Young to approve Pay Request No. 2 to Septagon Construction for Public Works Building Construction Project for \$83,545.94. All Ayes. Motion Carried.

Draft of Proposed Agreement on Sale of Liberty Street and Davis Street ROW's

Motion by Feldmann, second by Harmon to authorize Pat Callahan to send proposed agreement to Bahls with a 20' easement. All Ayes. Motion Carried.

Payment of Bills for April 2009

Motion by Hansen, second by Young to approve the payment of bills for the month of April, 2009. Discussion followed. All Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Proposed Change to Public Works Director's Employment Contract

Pat reviewed request from Larry Driscoll Public Works Director on proposed change to his employment contract. Discussion followed. Pat will meet with Larry and Adrian to review the proposed change.

Report on Highway 64 Sidewalk Project

Pat talked to the IDOT regarding the required width of a trail or sidewalk along Highway 64 and stated that the IDOT is willing to work with the City. Discussion followed on possibly having the engineer prepare plans for a sidewalk or trail from the BP station to Fawn Creek. More discussion followed.

Report on Sidewalk Inspection Program

Pat stated that Matt Menard has offered to do the sidewalk inspections while he is on "light duty". Discussion followed on the installation of a sidewalk from the LCC to the 5-way stop.

Adjournment

Motion by Young, second by Harmon to adjourn at 8:32 p.m. All Ayes. Motion Carried.

Jon Hatcher, Mayor

ATTEST:

Tammy Coons, City Clerk