The City Council of the City of Anamosa met in a Regular Session this June 22, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann, Danny Young, Brian Harmon, Dennis Hansen, and Brady Reynolds present. Absent: Tom Swisher arrived at 7:36 p.m.. Mayor Jon Hatcher presided. Also present were Patrick Callahan, City Administrator, Tammy Coons, City Clerk; Larry Driscoll, Public Works Director; and Dave Stoklasa, Snyder & Associates. Guests Present: Matt McQuillen, Steve Moore, Todd Burkel, Jacob Huck and Randy Caspers. Mayor Jon Hatcher called the regular meeting to order at 6:00 p.m. with a quorum present.

Council Minutes
Motion by Hansen, second by Reynolds to approve the minutes from the June 8, 2009 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS

Public Hearing Regarding Proposed Vacation and Conveyance of Sadie Street ROW
Mayor Hatcher opened the public hearing regarding the proposed vacation and conveyance of Sadie Street ROW to the Anamosa Community School District at 6:04 p.m.

Matt McQuillen, representing Allen Rush addressed the Council extending a thank you to everyone concerned regarding the time and attention spent on the easement issues relating to this vacation and conveyance. Matt stated that the Rushes are in agreement with the easement and ordinance as presented and have no issues with the first reading of this ordinance and the waiver of the second and third readings. Bill Feldmann expressed agreement with the concerns voiced by Mr. Rush regarding this vacation and conveyance. Bill stated that this is not a "normal" vacation and conveyance and he would not like the City to make this a general practice or set a precedence. He stated that this is an unusual situation and agrees with the proposed stipulations. Larry Driscoll asked where the School would be connecting into the storm sewer as stated in #11 of the easement. Discussion followed on running the storm sewer for the School to connect to and the associated costs and who would be responsible for the costs. Pat stated that the storm water run off would be addressed with the submission of the site plan and building permit.

Motion by Young, second by Feldmann to close the public hearing at 6:18 p.m. All Ayes. Motion Carried.

COMMUNITY BETTERMENT

Ordinance Vacating and Conveying a portion of Sadie Street ROW
Motion by Feldmann, second by Hansen to approve the first reading of **Ordinance** vacating and conveying portion of Sadie Street, striking No. 11 in ordinance. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

Resolution Approving Sale and Conveyance of Portions of Vacated Liberty Street and Davis Street to Theodore J. Bahl and Kathleen A. Bahl
Motion by Hansen, second by Feldmann to approve **Resolution 2009-39** approving sale and conveyance of portions of vacated Liberty Street and Davis Street to Theodore J. Bahl and Kathleen A. Bahl. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

Resolution Accepting the Improvements in the Meadow Ridge Eighth Addition as Completed by Eagle View Land Development
Motion by Feldmann, second by Young to approve **Resolution 2009-40** accepting the street improvements in the Meadow Ridge Eighth Addition as completed by Eagle View Land Development, Inc. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

Payment of TIF Grant to Eagle View Land Development for Street Improvements in Meadow Ridge Eighth Addition
Motion by Young, second by Feldmann to approve the payment of the TIF Grant for $220,000 this Fiscal Year and the $32,000 payment next Fiscal Year to Eagle View Land Development, Inc. for the street improvements in the Meadow Ridge Eighth Addition. All Ayes. Motion Carried.

Resolution Accepting the Street Improvements in the Anamosa Commercial Park Second Addition
Motion by Young, second by Hansen to approve **Resolution 2009-41** accepting the street improvements in the Anamosa Commercial Park Second Addition. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

PUBLIC SAFETY

Beer and Liquor Licenses
Motion by Young, second by Reynolds to approve the outdoor service for beer garden on June 27, 2009 for Tucker's Tavern. All Ayes. Motion Carried.

COMMUNITY BETTERMENT

Site Plan for McDonalds Restaurant Project and Waiver of Specified Site Plan Requirements
Steve Moore addressed the Council giving an overview of the plan for the commercial building, including the McDonalds. Todd Burkel and Jake Huck of MSA distributed copies of the proposed site plan for McDonalds and reviewed the plan for the Council. Discussion followed. Dave Stoklasa of Snyder & Associates stated that they are still reviewing the site plan and do not recommend acceptance of the site plan at this time. More discussion followed.

Motion by Reynolds, second by Hansen that the Council is in agreement with what has currently been presented on the site plan for McDonalds and direct Patrick Callahan and Dave Stoklasa to complete the review of the site plan for formal approval at the next regular Council meeting. All Ayes. Motion Carried.

Resolution Approving the Preliminary and Final Plats of Neville's Second Addition
Motion by Young, second by Feldmann to approve **Resolution 2009-42** approving the preliminary and final plats of Neville's Second Addition. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

Resolution Approving a Waiver to the Subdivision Platting Requirements for Property on North Williams Street as Requested by Randy Caspers
Randy Caspers reviewed his request for waiver to the subdivision platting requirements for property on North Williams Street. Discussion followed.
Motion by Feldmann, second by Harmon to approve **Resolution 2009-43** approving a waiver to the subdivision platting requirements for property on North Williams Street as requested by Randy Caspers. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

Resolution Setting Public Hearing Date Regarding the Sale of a Parcel of Land Adjacent to North Williams Street to Randy Caspers
Randy Caspers requested that the price for the proposed sale be $2,000 for the entire parcel of land. Discussion followed.

Motion by Feldmann, second by Young to approve **Resolution 2009-44** setting a date for public hearing regarding the sale of a parcel of land adjacent to North Williams Street to Randy Caspers for an amount not less than $2,000 for July 27, 2009 at 6:00 p.m. Roll Vote. 1-Absent, Swisher. All Remaining Ayes. Motion Carried.

PUBLIC SAFETY

Renewal of Cigarette Permits
Motion by Young, second by Feldmann to approve the renewal of cigarette permits as presented. All Ayes. Motion Carried.

PUBLIC WORKS

Resolution Approving Agreement for Public Works Building – Concrete Floor Project
Motion by Harmon, second by Young to approve **Resolution 2009-45** approving the agreement for the Public Works Building – Concrete Floor Project. Roll Vote. 1- Absent, Swisher. All Remaining Ayes. Motion Carried.

Flood Plain Map Submitted by FEMA
Pat reviewed the six locations on the Flood Plain Map as noted by Snyder's, himself and Gary Weers.

Motion by Feldmann, second by Reynolds to submit comments from the City as prepared by Dave Stoklasa, Patrick Callahan and Gary Weers to FEMA on the flood plain insurance map. All Ayes. Motion Carried.

Accepting Price Quotes on 2009 Street Maintenance Program
Pat noted an error on North Williams Street, that this should not be concrete. Larry Driscoll recommended accepting the low bid from Kluesner Construction with the understanding that Kluesner will only get paid what they bid, regardless of what the actual square footage is. Discussion was held on what additional funding sources were available for the street maintenance program. Pat suggested using additional LOT funds, beyond what had been budgeted. Larry Driscoll suggested using the G.O. loan money borrowed recently that was originally designated for a possible right turn lane to the new hospital. More discussion followed.

Motion by Young, second by Feldmann to approve accepting the low bid from Kluesner Construction with the stipulation that Kluesner will only get paid what they bid regardless of what the actual square footage of the projects are. All Ayes. Motion Carried.

Seal Coat Program for 2009
Motion Feldmann, second by Young to table any action on the seal coat quotes. All Ayes. Motion Carried.

Retainage for Sycamore Street Box Culvert Project
Pat reviewed the recommendation for City Attorney, Adrian Knuth on the release of retainage on the Sycamore Street Box Culvert project. Discussion followed.

Motion by Feldmann, second by Hansen to approve the release of retainage to Arensdorf Excavating on the Sycamore Street Box Culvert Project. All Ayes. Motion Carried.

Sealing of Cracks in Concrete in Anamosa Commercial Park First Addition
Pat reviewed his memo to the Council regarding the cracking in the concrete in the Anamosa Commercial Park First Addition. Discussion followed. Larry Driscoll stated that he would accept the offer to seal the cracks by the contractor in the ACP First Addition.

Motion by Hansen, second by Young to request that the Contractor fill all the cracks as identified in the Anamosa Commercial Park First Addition and not require an extension of the maintenance bond. All Ayes. Motion Carried.

Tom Swisher arrived at 7:36 p.m.

<u>FINANCE</u>

Pay Request No. 6 for $79,874.07 to WRH, Inc. for Wastewater Treatment Plant Operations Building
Motion by Feldmann, second by Swisher to approve pay request No. 6 to WRH, Inc. for $79,874.07 for the Wastewater Plant Operations Building. All Ayes. Motion Carried.

Resolution Specifying City Contributions to Outside Agencies for F.Y. 2009-10
Motion by Feldmann, second by Young to approve **Resolution 2009-46** appropriating funds to outside agencies for F.Y. 2009-10. Roll Vote. All Ayes. Motion Carried.

Approval of Bills for the Month of June 2009
Motion by Harmon, second by Hansen to approve the payment of bills for the month of June, 2009. Discussion followed. All Ayes. Motion Carried.

<u>CITY ADMINISTRATOR'S REPORT:</u>

Request to Remove Trees in City ROW

Pat reviewed the liability concerns with the City not taking down or removing the dead trees in City ROW. Discussion followed.

MAYOR AND COUNCIL REPORTS:

Appointments to Eastern Iowa Regional Housing Authority
Pat will put this resolution to make appointments to the Eastern Iowa Regional Housing Authority on the next agenda.

Report on Jones County Boards and Commissions
Bill Feldmann reported that the E911 Board is receiving bids on the tower in Wyoming. He also stated that Brenda Leonard is continuing to acquire funds and spending them for emergency management. Bill said that Ryan LaFrenz is working on the GIS mapping system for E911.

Adjournment
Motion by Young, second by Harmon to adjourn at 7:53 p.m. All Ayes. Motion Carried.

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Jon Hatcher, Mayor

ATTEST:

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Tammy Coons, City Clerk