The City Council of the City of Anamosa met in a Regular Session this November 9, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann, Danny Young, Brian Harmon, Brady Reynolds and Tom Swisher present. Absent: Dennis Hansen. 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 - Addressing the Council: Heather Swain; Becky Dirkshaugsted; and Alvin Johnson. Mayor Jon Hatcher called the regular meeting to order at 6:00 p.m. with a quorum present.

Council Minutes
Motion by Feldmann, second by Young to approve the minutes from the October 26, 2009 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS:

Public Hearing Regarding Proposed General Obligation Loan Agreement to Finance Tax Increment Financing (TIF) Grant for Eagle View Land Development Commercial Project
Mayor Hatcher opened the pubic hearing regarding the proposed General Obligation Loan Agreement to Finance Tax Increment Financing (TIF) at 6:02 p.m.

Pat Callahan reviewed the purpose of the pubic hearing and stated that no written or verbal comments had been received.

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

Presentations
Swain – Purchase of City Alley
Heather Swain addressed the Council reviewing her research on the ownership of the alley. Heather stated that her research may indicate that they could possibly already own a portion of the alley. Pat stated that Option #5 in his letter to the Swains or possibly selling the Swains the full 24' x 100' section of the alley adjacent to their property, with the Swains giving the City an easement for pubic access may be the best two options. Bill Feldmann suggested a possible speed bump at the end of the alley to slow down any through traffic. Discussion followed. Larry Driscoll and Danny Young stated that the City could not provide snow removal with a speed bump. More discussion followed. Heather Swain stated that they would be willing to provide an easement to the City, but not for the proposed price of 25 cents a square foot.

Alvin Johnson addressed the Council stating that he would just like to maintain access to his property off of the alley. He also disagrees with the City not maintaining the alley since it has been improved. More discussion followed. Bill Feldmann stated that as the alley is already vacated, the City is not required to maintain the alley. Pat Callahan stated that the City Attorney concurred with this. It was suggested that the City check with the City Attorney regarding Alvin's statement that if the City had improved the alley, then the City is required to maintain the alley, even if it has been vacated.

COMMUNITY BETTERMENT

Conveying the North 100 Feet of a Vacated Alley Between East First Street and East Second Street to Tom and Heather Swain
Discussion continued on the proposed conveyance of alley to Tom and Heather Swain. Pat suggested selling the alley for the proposed 25 cents per square foot and the City paying for all other associated costs, such as legal fees. More discussion followed.

Motion by Feldmann, second by Reynolds to offer to sell to the Swains the 24' x 100' portion of the alley adjacent to the Swain's property for 25 cents a square foot and all other associated costs above and beyond the land purchase be paid by the City. 1-Nay, Swisher. All Remaining Ayes. Motion Carried.

Resolution Regarding Development Agreement with Eagle View Land Development Company ad the Issuance of a General Obligation Loan to Finance a TIF Grant for a Proposed Commercial Development Project
Pat reviewed the revisions to the proposed development agreement with Eagle View Land Development Company and the revised resolution.

Motion by Young, second by Feldmann to approve **Resolution 2009-85** regarding an agreement with Eagle View Land Development Company and the issuance of a General Obligation Loan to finance a TIF grant for a proposed commercial development project. Discussion followed. Bryce Ricklefs reviewed the two possible structures, either a "strip type" commercial building or one office building. Roll Vote. 1- Absent, Hansen. 1-Nay, Swisher. All Remaining Ayes. Motion Carried.

Resolution Granting a Waiver to Subdivision Platting Requirements
Motion by Young, second by Feldmann approving **Resolution 2009-86** granting a waiver to the Subdivision Platting requirements for the plat of survey, Parcel No. 2009-96 for J Parham Rentals LLC and McOtto's. Roll Vote. 1-Absent, Hansen. All Remaining Ayes. Motion Carried.

Resolution Authorizing Tax Increment Property Tax Rebate for F.Y. 2010-11 for the Anamosa Nursing Home Company d/b/a Anamosa Care Center
Motion by Feldmann, second by Young to approve **Resolution 2009-87** authorizing tax incremental property tax rebate for F.Y. 2010-11 for the Anamosa Nursing Home Company d/b/a Anamosa Care Center. Roll Vote. 1-Absent, Hansen. All Remaining Ayes. Motion Carried.

Parade of Lights
Becky Dirkshaugsted addressed the Council stating that she had several float entries request that the route continue past Huber Street. Discussion followed. Larry suggested that the route not end at the Lawrence Community Center due to access to the parking lot and possible "back up" on Main Street.
Motion by Harmon, second by Young to approve the Parade of Lights on November 27, 2009, with the route starting at High Street to the Lawrence Community Center. All Ayes. Motion Carried.

Request from Red's Towing Service for TIF Property Tax Rebate Agreement
Pat reviewed the request from Red's Towing for TIF property tax rebate and the City's previous reasons and requirements for granting TIF property tax rebates – i.e. number of new jobs created and the clean up of an old site or a brand new business. Pat stated that Red's would be creating two additional jobs with the move of the business. Discussion followed. No action was taken. It was the consensus of the Council present, with the exception of Brady Reynolds, to deny the request.

Recommendation to the IDOT on the Improvements to the Hwy 151 and Old Dubuque Road Intersection
Pat reviewed the proposed response to the IDOT regarding possible improvements to the Hwy 151 and Old Dubuque Road Intersection, tentatively recommending Alternative No. 3. Discussion followed. Pat stated that the proposed response is requesting copies of the public input before the City would make a final recommendation.

Motion by Young, second by Feldmann to authorize the City Administrator to send the proposed letter to the IDOT on the Hwy 151 and Old Dubuque Road Intersection. All Ayes. Motion Carried.

Resolution Setting Date for Public Hearing on Rezoning Request Submitted by Brad Roe
Pat reviewed the proposed rezoning request submitted by Brad Roe for property at 609 E. Main Street rezoning the property from R-2 to C-2.

Motion by Feldmann, second by Young to approve **Resolution 2009-88** setting the date of the public hearing for the rezoning request made by Brad Roe for the rezoning of property located in block 35 of Shaw's Addition to Anamosa, Iowa from R-2 Residential to C-2 Commercial for November 23, 2009 at 6:00 p.m. at the Anamosa Library. Roll Vote. 1-Absent, Hansen. All Remaining Ayes. Motion Carried.

Anamosa Community School District – Need for Special Exception Permit for High School Expansion
Pat asked the Council if they had any comments on City Attorney Adrian Knuth's response to the letter from the Legal Counsel, Don Hoskins for the Anamosa Community School District. He asked if the Council wished to change the current Zoning Ordinances to clarify these types of situations. Discussion followed. It was suggested by the Council members present to have the Planning & Zoning Commission review possible changes to the Zoning Ordinances and make a recommendation to the Council.

PUBLIC SAFETY

Designation of Handicapped Parking Space at 305 North Garnavillo Street
Pat stated that two neighbors across the street on North Garnavillo expressed disagreement with the designation of a handicapped space across from 305 N. Garnavillo, which would be in front of their residences. Discussion followed.

Motion by Feldmann, second by Reynolds to deny the request for a handicapped parking space across from 305 N. Garnavillo Street. All Ayes. Motion Carried.

Alley Closure Permit Requested by Nancy Shaffer
Motion by Feldmann, second by Young to approve the alley closure permit submitted by Nancy Shaffer for Friday November 27, 2009 between 4:00 p.m. and 8:00 p.m. for the north/south alley between 109 & 113 E. Main Street to the south side of the movie theatre building. All Ayes. Motion Carried.

PUBLIC WORKS

2010 Street Improvement Program
Pat stated that he had met with the IDOT regarding the proposed 2010 Street Improvement Program and STP Funding. The IDOT stated that the water and sewer line repairs/replacement are not covered under the STP program.

Division Street Repair Project
Pat stated that Division Street is now open to traffic again. He also stated that are some large pieces of stone that will need to be moved out yet.

Discussion was held on NRCS possibly providing partial funding for the replacement of the Gabion baskets along Stallion Creek. Bill Feldmann suggested the placement of a snow fence to block the edge of the area, to help keep people away from the area.

Hwy 64 Trail Project
Pat stated that Dave Stoklasa of Snyder & Associates has determined that the ROW is farther back than originally thought. Pat also stated that the Trail Grant application had been denied again partially because the trail does not connect to a larger trail system.

Resolution Setting Date for Public Hearing for the Rosemary Sanitary Sewer Lift Station
Motion by Feldmann, second by Young to approve **Resolution 2009-89** setting the date for taking of bids and public hearing for the Rosemary Sanitary Sewer Lift Station Improvement Project for November 30, 2009 at 6:00 p.m. at the Anamosa Library. Roll Vote. 1-Absent, Hansen. All Remaining Ayes. Motion Carried.

FINANCE

Proposed Electronic Sign at the Lawrence Community Center
Brian Harmon stated that the P & R Board did not want any involvement in the initial and operational expense associated with a proposed electronic sign, but they were not against it if Dennis Walters wished to pursue the grant or any additional fund raising. Brian stated that this sign would not be a priority of the P&R Board. They also questioned the for-profit businesses advertising on this sign.

I-JOBS Grant Agreement
Pat updated the Council, stating that the City of Anamosa did not receive the CDBG Grant for the improvements to the WWTP, which would have funded the 50% of the improvements not covered by the I-JOBS Grant. IDED did state that they would review this application again and consider this application in future funding opportunities. Discussion followed.

CITY ADMINISTRATOR'S REPORT:

Proposed Letter and Ordinance to Refuse Collectors
Pat asked the Council for any comments or changes to the proposed letter and ordinance to the refuse collectors that would prohibit the collection of refuse on City alleys in commercial areas. No comments were offered.

Easement Request from I-Wireless for Easement on City Property
Pat reviewed the proposed easement request received from I-Wireless for access to a cell phone tower. Larry Driscoll stated that there is a sewer line that runs where the proposed cell tower site is located and this line would have to be relocated. Discussion followed. Larry will verify the location of the sewer line as it relates to the proposed tower location. The Council discussed the possibility of designating a pubic alley through the area.

Property Maintenance Letters
Pat updated the Council on the letters sent to property owners who had property maintenance issues.

University of Iowa Graduate Students Providing Assistance to the Downtown Committee and the Trails Committee
Pat stated that the Committees had met with the Graduate Students and the discussions will continue. The Students will be preparing a plan of action for the City.

Proposed Ordinance to Recover Costs for Violations to the Zoning Ordinances
Pat reviewed the proposed ordinance as prepared by City Attorney, Adrian Knuth.

MAYOR AND COUNCIL REPORTS:

Report on Boards and Commissions
Bill Feldman reported that Diane Desotel at Jones County has ordered GIS maps for the County.

Joint Meeting with the City of Monticello
Pat stated that the joint Council meeting is scheduled for November 30th at 6:30 p.m. at the new Kirkwood Center in Monticello. Pat asked Council members to contact him with any suggested topics for the agenda.

Adjournment
Motion by Young, second by Harmon to adjourn at 7:35 p.m. All Ayes. Motion Carried.

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Jon Hatcher, Mayor

ATTEST:

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Tammy Coons, City Clerk