

The City Council of the City of Anamosa met in a Regular Session this May 11, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann, Danny Young, Brian Harmon (arrived at 6:04 p.m.), 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; and Dave Stoklasa, Snyder & Associates. Guests Present: Dennis Walters, Dale Monroe, Alan Rush, Robert Martin, Sara & Jerry Venenga and Brian Brokaw. 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 Feldmann to approve the minutes from the April 27, 2009 Regular Council meeting with correction on spelling of DNR representative name. All Ayes. Motion Carried.

PUBLIC HEARINGS

Public Hearing Regarding Proposed Development Agreement with Eugene Hartman

Mayor Hatcher opened the public hearing regarding development agreement for TIF rebate with Eugene Hartman Enterprises, LLC, d/b/a Engineered Welding, Inc. at 6:02 p.m.

Pat Callahan explained that this is the final step in the process. The HWY 151 Urban Renewal Area has already been expanded to include the property. He stated that there were no written or verbal comments received. No comments were offered by the public present.

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

COMMUNITY BETTERMENT

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

Pat Callahan stated this item will be placed on the Council agenda for formal action by resolution.

Resolution Approving Development Agreement for TIF Rebate with Eugene Hartman, LLC, d/b/a Engineered Welding

Motion by Feldmann, second by Harmon to approve **Resolution 2009-24** approving development agreement with Eugene Hartman Enterprises, LLC authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement Roll Vote. All Ayes. Motion Carried.

Amendments to Development Agreement for Anamosa Commercial Park Second Addition

Dennis Walters explained that the request was for a waiver on the construction of the third speculative building, but that John Parham would be agreeable to an extension on the construction of the third speculative building. He stated that due to the current banking situation and that John had made a larger investment than expected in the Americ Inn Hotel, he is requesting a waiver or possible extension of the construction of the third speculative building. Dennis stated a two year extension would be agreeable. Danny Young asked Dennis if John Parham would be willing to make some concessions on the City's possible purchase of a lot in the Commercial for a new City well, if the City made concessions on the third speculative building. Dennis stated that he and Pat had discussed this and Pat is aware of what is required of John Parham regarding the sale of the lots in the Commercial Park, but they are willing to discuss all available options. Bill Feldmann asked if they could meet somewhere in the middle by basing a possible 18 month extension after the sale of either of the two first speculative buildings. Pat Callahan read the section of the development agreement that pertained to the requirements for the building of the speculative buildings. Dennis clarified this section. Discussion followed.

Motion by Feldmann, second by Young to table any action on this request until the City Administrator and Parham, LLC could meet to determine what options were available. More discussion followed. All Ayes. Motion Carried.

Amendment to Development Agreement with Doug Ricklefs

Motion by Feldmann, second by Hansen to approve the requested amendment to the development agreement for Theresa Avenue with Doug Ricklefs to extend the deadline for the construction of a residential building to the end of 2009. Discussion followed. All Ayes. Motion Carried.

Resolution Setting Public Hearing on Proposed Vacation and Conveyance of Sadie Street to the Anamosa Community Schools

Motion by Harmon, second by Feldmann to approve **Resolution 2009-25** setting a date for public hearing for the vacation and conveyance of Sadie Street ROW through the Anamosa Community School District property for May 26, 2009 at 6:00 p.m. Bill Feldmann asked Superintendent Dale Monroe to discuss the vacation and conveyance being taken all the way down the hill to the 5-way stop. Dale stated that that school had discussed this and that was no change in the flow of the traffic on the street with the proposed design. Alan Rush, resident of Sadie Street addressed the Council voicing concerns on where the vacation and conveyance ends and begins, traffic control, that there should be a written easement that protects the people and asked who is going to maintain the street. Dale Monroe stated that the City will continue to maintain the street and that this location of the street will be an improvement creating better parking and cleaner access. More discussion followed. Roll Vote. All Ayes. Motion Carried.

Agreement for Sale of Liberty Street and Davis Street ROW and Easement for Drainage Tile

Pat stated the width of the easement on Bahl's property is still an outstanding issue. He stated that the Bahls would be willing to give a 20 ft. easement if the City paid for the survey of Davis Street ROW. Discussion followed. Larry stated that if the Bahls add an additional two feet of fill, that this will cause drainage problems. Pat stated that in his last conversation with the Bahls that they were not looking at adding two foot of fill and that they would only be using the fill for low spots on their property. More discussion followed.

Motion by Feldmann, second by Young to authorize the City Administrator to obtain the price to complete a survey on the Davis Street ROW and bring it back to the next Council meeting for further action. All Ayes. Motion Carried.

Resolution Setting Public Hearing for Proposed Conveyance of Liberty and Davis Streets ROW

Motion by Feldmann, second by Harmon to approve **Resolution 2009-26** setting a date for public hearing regarding conveyance of Liberty Street ROW – north one half and Davis Street ROW – west one half to Ted and Kathy Bahl for June 8, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Resolution Setting Public Hearing for Rezoning Request of City Property Along Elm Street and south Walworth Avenue

Motion by Young, second by Feldmann to approve **Resolution 2009-27** setting the date of the public hearing for the rezoning request made by City Public Works Department for the rezoning of property owned by the City and lying east of Elm Street and south of Walworth Avenue and Cemetery Road for May 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Resolution Setting Public Hearing for Rezoning Request of City Property on North Williams Street for the Water Plant

Motion by Harmon, second by Young to approve **Resolution 2009-28** setting the date of the public hearing for the rezoning request made by the City Water Department for the rezoning of property owned by the City on North Williams Street for the Water Plant for June 8, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Request Authorizing Ridiculous Day on June 20, 2009 and Display Tables on Public Sidewalks

Motion by Feldmann, second by Hansen to authorize Ridiculous Day on June 20, 2009 and allow display tables on public sidewalks, as allowed in Section 140.19 of the Anamosa City Code. All Ayes. Motion Carried.

PUBLIC SAFETY**Beer and Liquor Licenses**

Motion by Young, second by Feldmann to approve the renewal of Class C Beer & Liquor License permit with Sunday Sales Privileges for Hot Shots Bar & Grill. All Ayes. Motion Carried.

Parking of Trailers on City Streets that are not Attached to a Motor Vehicle

Police Chief Matt Menard explained the reason for this discussion with the recent issues of a trailer being parked on Kaitlynn Avenue, but he stated that this continues to be a problem throughout the whole city.

Becky Martin of 532 Kaitlynn addressed the Council regarding the issues with a citizen parking a trailer on Kaitlynn Avenue in front of her house. Discussion followed. Jerry Venenga of 533 Kaitlynn Avenue stated that there is a school bus stop there on Kaitlynn and the parking of this large trailer creates issues for the children and the bus driver. More discussion followed. Sara Venenga stated that small children cannot see around this particular trailer when it is parked there. Brian Brokaw stated that the trailer is now being parked on City property. Matt Menard stated that the owner of the trailer has been sent written notification that he cannot park the trailer on City property without asking Council permission. Larry Driscoll stated that along with the issue of the trailers being unhitched and parked on City streets, they have also been parked in the City parking lots. He stated that this issue should also be addressed.

Motion by Hansen, second by Feldmann to authorize the City Administrator, Police Chief and City Attorney to meet and prepare an ordinance for consideration at the next Council meeting concerning the parking of unhitched trailers on City streets and in City parking lots. All Ayes. Motion Carried.

Ordinance Amending Snow Emergency Parking

Motion by Feldmann, second by Reynolds to approve the **first reading of Ordinance No. 852** amending snow emergency parking regulations to permit snow emergency to be declared by Mayor, City Administrator or Director of Public Works. Roll Vote. All Ayes. Motion Carried.

Motion by Reynolds, second by Young to approve the **waiver of the second and third readings of Ordinance No. 852** amending snow emergency parking regulations to permit snow emergency to be declared by Mayor, City Administrator or Director of Public Works. Roll Vote. All Ayes. Motion Carried.

Moving Trees in City ROW to the East of the First Lutheran Church

Pat reviewed the offer made by property to remove the trees at their own cost located in City ROW to the east of the First Lutheran Church and replant them on their property. Pat also reviewed other options of the City removing the trees and replanting them at other City locations, such as the Chamber Park or cutting the trees down. Discussion followed.

Motion by Hansen, second by Feldmann to authorize the City Administrator to contact the interested property owner to accept their offer to remove the trees at their own cost and relocate the trees on their property. All Ayes. Motion Carried.

PUBLIC WORKS

Change Order No. 3 for the WWTP Operations Building with WRH, Inc. for \$28,819.13

Dave reviewed proposed Change Order No. 3 for the WWTP Operations Building for \$28,819.13 to move the sludge pump, move the grit equipment and extend the roof drain to the toe of the slope. Discussion followed.

Motion by Feldmann, second by Young to approve Change Order No. 3 for the WWTP Operations Building with WRH, Inc. for \$28,913. All Ayes. Motion Carried.

Proposed Installation of Additional Plastic Media in the Trickling Filter

Dave Stoklasa reviewed the proposed installation of additional plastic media in the trickling filter for a cost of \$35,000. Discussion followed. Danny Young stated that he would be agreeable to this if the Public Works Department employees could do the installation to cut down on the costs. Larry stated that it could be installed by the Public Works Department.

Motion by Young, second by Feldmann to authorize the purchase of additional plastic media for the trickling filter to be installed by the Public Works Department for an amount not to exceed \$35,000. All Ayes. Motion Carried.

FINANCE

Resolution Setting Date for Public Hearing on Amendments to FY 2008-09 City Budget

Motion by Hansen, second by Swisher to approve the **Resolution 2009-29** setting the date for public hearing for amending the current City Budget for Fiscal Year 2008-09 for May 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Alliant Energy Hometown Rewards Program

Pat reviewed the letter received from Alliant Energy regarding a hometown rewards program. Discussion followed.

Resolution Extending Maturity Date for General Obligation Corporate Purpose Loan Agreement Anticipation Project Note for the Flood Recovery Projects

Motion by Feldmann, second by Hansen to approve **Resolution 2009-30** extending the maturity date of the City's general obligation corporate purpose loan agreement anticipation project note. Roll Vote. All Ayes. Motion Carried.

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

Motion by Hansen, second by Swisher to approve **Resolution 2009-31** approving the hiring of seasonal employees for the Anamosa Aqua Court and Park Maintenance for the upcoming season. Roll Vote. All Ayes. Motion Carried.

Sidewalk Inspection Program

Pat reviewed the City's insurance company's recommendations on a sidewalk inspection program. Pat then reviewed his memo to the Council on the proposed sidewalk inspection program. He reviewed the potential use of City LMI funds for sidewalks. He stated that EMC insurance will be providing examples of sidewalk standards.

CITY ADMINISTRATOR'S REPORT:

Former Iowa DOT Property

Pat asked the Council if they would like to see any additional work done to the former IDOT property before this land was possibly offered for sale. Discussion followed on possible ground cover. Danny Young suggested that Pat contact the County to see if would be able to hydro-seed the property. Larry stated that the City employees would probably have to level the ground first.

Pat asked if the Council had any corrections to the letter or any objections to him sending the letter to the IDNR regarding the Flood of 2008. No objections or corrections were voiced by the Council.

MAYOR AND COUNCIL REPORTS:

Jones County Solid Waste Commission

Mayor Hatcher reviewed the email received from Jennifer Ryan.

Jones County Economic Development Commission

Marty Kelzer stated that he will have a presentation ready for the next Council meeting.

Jones County Tourism and Jones County Emergency Management and E911 Board

Bill Feldmann stated that both of these groups have a meeting scheduled this week.

Adjournment

Motion by Young, second by Harmon to adjourn at 7:45 p.m. All Ayes. Motion Carried.

Jon Hatcher, Mayor

ATTEST:

Tammy Coons, City Clerk