

The City Council of the City of Anamosa met in a Regular Session this May 26, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann, Danny Young, Brian Harmon, Dennis Hansen and Tom Swisher present. Absent: Brady Reynolds. 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: Dale Monroe and Matt McQuillen. 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 May 11, 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.

Pat Callahan explained that both the written comments and comments received by email were enclosed in the Council packets. Dale Monroe, Superintendent of Anamosa Community Schools addressed the Council stating that the engineer is in the process of completing the survey and the City Attorney is working on the easement language. Dale also stated that Mr. Alan Rush has requested that the easements be clearly defined and that this public hearing be continued to the June 8, 2009 Council meeting so that all the requested information can be reviewed. Matt McQuillen, attorney representing Mr. Rush addressed the Council confirming that Mr. Rush is requesting that the Public Hearing be continued to June 8, 2009 so that all the requested information can be presented.

Motion by Hansen, second by Feldmann to continue the public hearing at the June 8, 2009 Council meeting. All Ayes. Motion Carried.

Public Hearing on the Proposed Rezoning of City Property Along Walworth Avenue and Cemetery Road

Mayor Hatcher opened the public hearing regarding the proposed rezoning of City property south of Walworth Avenue and Cemetery Road from A-1 Agricultural to M-1 Light Industrial at 6:07 p.m.

Pat Callahan reviewed the proposed rezoning and stated that no written or verbal comments had been received. No comments were offered from the public present.

Motion by Harmon, second by Young to close the public hearing at 6:08 p.m. All Ayes. Motion Carried.

Public Hearing Regarding the Amendment to the City Budget for Fiscal Year 2008-09

Mayor Hatcher opened the public hearing on the amendment to the City Budget for Fiscal Year 2008-09 at 6:09 p.m.

Pat Callahan gave a brief overview of the proposed budget amendment and stated that no written or verbal comments had been received. No comments were offered from the public present.

Motion by Harmon, second by Young to close the public hearing at 6:10 p.m. All Ayes. Motion Carried.

COMMUNITY BETTERMENT

Ordinance Amending Chapter 165 and the Zoning District Map Rezoning City Property Along Walworth Avenue and Cemetery Road

Motion by Young, second by Feldmann to approve the **first reading of Ordinance 853** amending the Zoning District Map – Chapter 165 of the Anamosa City Code of Ordinances rezoning the City property along Walworth Avenue and Cemetery Road from A-1 Agricultural and 3-R-2 Multifamily Residential to M-1 Light Industrial. Roll Vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

Motion by Feldmann, second by Harmon to approve the **waiver of the second and third readings of Ordinance 853** amending the Zoning District Map – Chapter 165 of the Anamosa City Code of Ordinances rezoning the City property along Walworth Avenue and Cemetery Road from A-1 Agricultural and 3-R-2 Multifamily Residential to M-1 Light Industrial. Roll Vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

PUBLIC SAFETY

Beer and Liquor Licenses

Motion by Hansen, second by Feldmann to approve a new Special Class C Liquor License permit, Beer and Wine, Carryout Wine, Outdoor Service with Sunday Sales Privileges for Americ Inn Lodge & Suites of Anamosa. All Ayes. Motion Carried.

Alley Closure Permit

Motion by Young, second by Feldmann to approve the alley closure permit submitted by Knucklehead's Pub 'n Grub for June 6, 2009 and a rain date of June 21, 2009. All Ayes. Motion Carried.

Ordinance Amending Chapter 69 of the Anamosa City Code of Ordinances Regarding the Parking of Trailers on City Streets

Motion by Feldmann, second by Hansen to approve the **first reading of Ordinance** amending Chapter 69 of the Anamosa City Code of Ordinances regarding the parking of trailers on City streets. Roll Vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

Ordinance Amending Chapter 150 of the Anamosa City Code of Ordinances Requiring a Signed Written Idemnification before Property Owners may Remove Trees in City ROW

Discussion was held on the proposed ordinance. Larry Driscoll asked why the trimming of trees of City ROW was included and that the previous discussions only included the removal of trees in City ROW by property owners. More discussion followed.

Motion by Young, second by Feldmann to approve the **first reading of Ordinance 854** amending Section 150.04 of the City Code to Require a signed written indemnification agreement before property owners may remove City owned trees. Roll vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

Motion by Young, second by Feldmann to approve the **waiver of the second and third readings of Ordinance 854** amending Section 150.04 of the City Code to Require a signed written indemnification agreement before property owners may remove City owned trees. Roll vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

PUBLIC WORKS

Change Order No. 2 for the Public Works Building with Septagon Construction for a Deduction of \$6,300

Discussion was held on proposed Change Order No. 2 for the Public Works Building with Septagon Construction for a deduction of \$6,300.

Motion by Young, second by Feldmann to approve Change Order No. 2 for the Public Works Building with Septagon Construction for a deduction of \$6,300. All Ayes. Motion Carried.

Wastewater Treatment Plant Operations Building Project

Dave Stoklasa stated that the project is coming along well and is essentially on schedule. He stated that the contractor should be paving the apron outside the west end of the building, the electrical should be done in the next day or so and there is only some touch up work left on the painting. Dave stated the contractor's portion of the filter media replacement is complete. The project is in the "wrap up" phase now. The City Public Works employees have installed an additional two loads of plastic media in the trickling filter. Larry Driscoll stated that the money saved by the Public Works employees completing the media installation will be used to install grating over the plastic media.

Dave reviewed a recent meeting that he had with Wayne Gisselman of the DNR in Des Moines. He was informed the DNR's regional office will initiate the Administrative Consent Order to the City. This is in process now. Mr. Gisselman also indicated that there may be limited financial penalties to the City. Mr. Gisselman also voiced his appreciation of the recent letter he received from the City Administrator and

Mayor regarding the status of the WWTP Flood Recovery Project. He also informed Dave that he was not aware of any requirement by the DNR to contact FEMA and he suggested keeping the line of communications open. Mr. Gisselman stated that he would meet the City or its representatives at any time in the future. Dave stated he had asked Mr. Gisselman that any sanctions against the operator be discontinued and look at the improvements that have been made by the City in comparison to possible fines. Dave stated he was encouraged by Mr. Gisselman's willingness to listen and his open-mindedness on the issues.

Larry Driscoll stated that Tim Trick of FEMA stated that the City's FEMA funding for the flood repairs at the WWTP were okay.

2009 Street Maintenance Program

Pat asked the Council if there were any questions on the 2009 Street Maintenance Program. No questions were asked.

FINANCE

Concession Stand Contract for Strawberry Hill Concession Stand

Pat reviewed the request from Val Daily to reduce the deposit amount from \$200 to \$50.

Motion by Feldmann, second by Young to approve the contract for the Strawberry Hill Concession Stand with Curt and Val Daily reducing the required deposit amount to \$50 with the stipulation that no glass containers would be sold. All Ayes. Motion Carried.

Hiring of Seasonal Employees for the Anamosa Aqua Court

Motion by Feldmann, second by Harmon to approve **Resolution 2009-32** approving the hiring of seasonal employees for the Anamosa Aqua Court for the upcoming season. Roll Vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

Replacement of Water Heater at the Anamosa Aqua Court

Pat updated the Council on the recent replacement of water heater at the Anamosa Aqua Court.

Pay Request No. 5 to WRH, Inc. for the WWTP Operations Building for \$369,551

Motion by Harmon, second by Hansen to approve Pay Request No. 5 to WRH, Inc. for the WWTP Operations Building for \$369,551. All Ayes. Motion Carried.

Pay Request No. 6 to Ricklefs Excavating for the WWTP Engineered Fill Project for \$17,252

Motion by Young, second by Feldmann to approve Pay Request No. 6 to Ricklefs Excavating for the WWTP Engineered Fill Project for \$17,252. All Ayes. Motion Carried.

Pay Request No. 3 to Septagon Construction for the Public Works Building Project for \$12,391.52

Motion by Feldmann, second by Young to approve Pay Request No. 3 to Septagon Construction for the Public Works Building Project for \$12,391.52. All Ayes. Motion Carried.

Survey of Davis Street ROW

Pat reviewed the price quote received from MMS Consultants for a survey of the Davis Street ROW. Discussion followed.

Motion by Feldmann, second by Hansen to approve hiring MMS Consultants to complete a survey of the Davis Street ROW as quoted. All Ayes. Motion Carried.

Renewal of City Employee Health Insurance

Pat reviewed the renewal rates of the City employee health insurance for Fiscal Year 2009-10. Discussion followed. Pat will meet with Greg Dunn of Benefit Solutions to prepare a second option for City employee health insurance and bring it back to the Council for approval.

Rental of City Property on Tower Road

Motion by Swisher, second by Feldmann to approve the lease of City property on Tower Road to Darel Secrist. Discussion followed. All Ayes. Motion Carried.

Resolution Approving the City Budget Amendments for Fiscal Year 2008-09

Motion by Feldmann, second by Harmon to approve **Resolution 2009-33** approving the City Budget amendments for Fiscal Year 2008-09. Roll Vote. 1-Absent, Reynolds. All Remaining Ayes. Motion Carried.

Payment of Bills for May 2009

Motion by Hansen, second by Feldmann to approve the payment of bills for the month of May, 2009 with corrections – Anamosa Bowling Center check should be paid to Anamosa Building Supply and Alliance Medical check should be paid to Alliant Energy. Discussion followed. All Ayes. Motion Carried.

CITY ADMINISTRATOR’S REPORT:**Former Iowa DOT Property**

Pat stated that the Library Board has expressed interest in purchasing a portion of the IDOT property. Discussion followed. Pat stated that he has spoken to Mike McLain of Jones County on possibly hydro-seeding the property. Pat expressed concerns on the condition of the soil and whether the seeding would take. More discussion followed. Pat will be meeting with a representative of the County at the site to determine whether top soil will be needed.

Meeting with Black Hills Energy

Pat reported on a recent meeting with Black Hills Energy. Pat stated that he has asked Black Hills to provide information on how much revenue a 2% franchise fee would generate.

Iowa Finance Authority SRF Workshop on Funding

Pat reviewed the results of a meeting on potential funding of 1.9 million dollars, a combination of an SRF Loan and a grant for the WWTP.

ASP Containers – Used for Possible Flood Control

Pat reported the ASP has large containers available for purchase at \$25 each and these containers may be used for possible flood control. Discussion followed. Pat stated that Larry had voiced concerns on where these containers could be stored.

FEMA Funding for Repairs to Dillon Pedestrian Bridge

Pat stated that he has received confirmation from FEMA on funding for repairs to the Dillon Pedestrian Bridge.

Ron Etschidt’s Request for Waiver on Subdivision Platting Requirements

Pat stated that Ron Etscheidt requested that the waiver be placed on the next Council agenda. He has hired MMS Consultants to prepare the plat of survey.

Drainage Issue Between Jones Street and South Elm Street

Pat reviewed the recent correspondence with a property owner on South Elm Street regarding a drainage issue. Pat reviewed the City Attorney’s opinion that this is not the responsibility of the City.

Other Reports

Pat stated that Congressman Bruce Braley will be in Anamosa tomorrow at 3:30 p.m. at the High School Baseball Field for a fund raising event.

Pat stated that FEMA’s engineer will be sending updated flood plain maps to the City. Pat will get copies to the Council when he receives the updated maps.

MAYOR AND COUNCIL REPORTS:**Jones County Tourism and Jones County Emergency Management and E911 Board**

Bill Feldmann stated that the E911 Board had met and they are working on getting the tower up in Wyoming and that JETS will be using the Amber Tower.

Adjournment

Motion by Young, second by Harmon to adjourn at 7:29 p.m. All Ayes. Motion Carried.

Jon Hatcher, Mayor

ATTEST:

Tammy Coons, City Clerk