

The City Council of the City of Anamosa met in a Regular Session this September 28, 2009 in the Meeting Room at the Anamosa Library at 6:00 p.m. with Bill Feldmann, 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; and Dave Stoklasa, Snyder & Associates. Guests Present: Mike Joliff, Phil Bonifazi, Bryce Ricklefs and Dennis Walters. Mayor Jon Hatcher called the regular meeting to order at 6:00 p.m. with a quorum present.

Public with Business not on Agenda

Mike Joliff, 704 S. Garnavillo Street addressed the Council asking for explanation of the increase in the water/sewer bills and the increase in the landfill fee. Pat Callahan explained that the increase in water/sewer bills is to cover the outstanding debt for those departments. Pat also reviewed the use and purpose of the landfill fee increase. Mike also requested that the City please remove or trim a tree located in the City ROW adjacent to his property as it has a limb in danger of falling and possibly doing damage to his home or his neighbor's home. Mike stated that the tree is split and is also "weeping". Discussion followed. Larry Driscoll stated that he would look at the tree tomorrow and follow up with the property owner. Phil Bonifazi addressed the Council stating that the access road by the tennis courts had some water "ponding" issues and it should be addressed. He also stated that Cemetery Road needed some work, especially on the shoulders of that road.

Council Minutes

Motion by Hansen, second by Feldmann to approve the minutes from the September 14, 2009 Regular Council meeting and the September 21, 2009 Special Meeting. All Ayes. Motion Carried.

Presentations

Bryce Ricklefs – Downtown Commercial Development

Bryce Ricklefs addressed the Council reviewing his proposed downtown commercial development plans for the old Petro Stop property on Main Street and a request to the City Council to receive a TIF Grant in the amount of \$68,000 to move forward with the acquisition of the property. Discussion followed.

COMMUNITY BETTERMENT

Downtown Commercial Development

Motion by Feldmann, second by Harmon to direct the City Administrator and City Bonding Attorney to prepare a proposed development agreement with Bryce Ricklefs for the proposed downtown commercial development. All Ayes. Motion Carried.

Resolution Setting Date for Public Hearing Regarding Proposed Alley Sale to Tom Swain

Pat reviewed the City's options for the proposed alley sale to Tom and Heather Swain. Discussion followed.

Motion by Feldmann, second by Hansen to approve **Resolution 2009-72** setting a date for public hearing regarding the sale of a portion of a vacated alley to Tom and Heather Swain for October 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Resolution Rescinding Resolution 2009-43 Regarding Waiver of Platting Requirements for Property on North Williams Street

Pat reviewed proposed resolution stating that Randy Caspers is withdrawing his request for waiver.

Motion by Feldmann, second by Young to approve **Resolution 2009-73** rescinding Resolution 2009-43 regarding waiver to platting requirements for property on N. Williams Street. Roll Vote. All Ayes. Motion Carried.

Amendment to Anamosa Commercial Park Development Agreement

Pat reviewed the proposed amendment to the Anamosa Commercial Park Development Agreement, extending the requirement for the third spec building out two more years. Dennis Walters stated that he felt John Parham would be in agreement with the extension.

Motion by Young, second by Reynolds to authorize the City Administrator to contact the City Bonding Attorney to prepare the proposed amendment to the Anamosa Commercial Park development agreement for Council consideration. All Ayes. Motion Carried.

Intended Use Agreement Between the City and Anamosa Chamber of Commerce for Electronic Sign at the LCC

Pat stated that the City Attorney has reviewed the proposed agreement and is recommending several changes. This agreement, with the changes as recommended by the City Attorney will be taken to the Parks & Recreation Board for review and recommendation to the Council.

Ordinance Amending Chapter 150 of the City Code Regarding Trees in the City ROW

Pat read the proposed ordinance amending Chapter 150 of the City Code regarding trees in the City ROW. Discussion followed.

Motion by Feldmann, second by Young to approve the **first reading of Ordinance** amending Tree Regulations (Chapter 150 of the City Code) to require adjoining property owners to be responsible for cleanup of downed green trees, prohibiting planting of trees within the parking and requiring a 6-foot setback for trees planted on private property. Roll Vote. All Ayes. Motion Carried.

Ordinance Amending Landscaping Requirements Under Chapter 167 of the City Code

Pat reviewed the proposed ordinance.

Motion by Feldmann, second by Harmon to approve the **first reading of Ordinance** amending landscaping requirements under Chapter 167 of the City Code in light of the enactment of ordinance prohibiting the planting of trees within the parking. Roll Vote. All Ayes. Motion Carried.

PUBLIC SAFETY**Beer and Liquor Licenses**

Motion by Young, second by Feldmann to approve the outdoor service application as submitted by Tucker's Tavern for Saturday, October 3, 2009. All Ayes. Motion Carried.

Motion by Young, second by Feldmann to approve the renewal of Class C Liquor License with Sunday Sales Privileges as submitted by Suzy Q's. All Ayes. Motion Carried.

Street Closure Permit as Submitted by Tucker's Tavern

Brady Reynolds expressed Tucker's concern over the cost of participating in the event. Michelle Phillips from the Anamosa Chamber explained that the Chamber worked with Tucker's owner regarding the participation and cost of being a Chamber member and also Tucker's request not to have large vehicles or stands parked in front of their business during the Pumpkinfest.

Motion by Young, second by Harmon to approve the street closure permit as submitted by Tucker's Tavern for S. Booth Street from Main Street to the first alley for Saturday, October 3, 2009 from 6:00 p.m. to 9:00 p.m. Larry stated that Tucker's would be responsible for setting the City barricades in the parking area on Booth Street after their event is finished to open up Booth Street. All Ayes. Motion Carried.

Snow Emergency Signs at the Entrances to the City

Discussion was held on the posting of snow emergency signs at all entrances to the City.

Motion by Feldmann, second by Reynolds to post additional signs at the three entrances to the City that currently do not have any snow emergency sign as recommended by Larry Driscoll, with the wording to be determined by City staff. All Ayes. Motion Carried.

PUBLIC WORKS**Report Regarding Damage to City Property During the August 27th Flash Flood**

Pat stated that the NRCS is still working on possible funding for the replacement of the Gabion baskets in Fountain Park. He also stated that Wes Gibbs, with Jones County Secondary Roads has suggested that the City plant a fast-growing mix on the LCC hillside. Pat stated that Alliant has confirmed that the substation in that area will be removed next year. Discussion followed.

Larry reviewed the two proposals received from Arensdorf Excavating and Ricklefs Excavating for clean up of Stallion Creek at the Division Street Bridge and clean up of the 2nd Street area. Larry stated that Arensdorf had the low bid of \$18,280. Discussion followed. Larry asked Kevin Arensdorf if he could

complete the repairs to Gabion baskets by October 15th and the rest of the proposal by October 30th. Kevin stated yes, he could. Larry also asked if Kevin could provide a one-year warranty on the Gabion baskets that he would be installing precluding any damage that resulted from a future flood event. Kevin stated that he could do that. Larry stated that hopefully the Division Street Bridge could be open by approximately November 15th, if the work was completed as scheduled. This would allow the City time to repair the section of the road.

Motion by Hansen, second by Feldmann to accept the proposal submitted by Arensdorf Excavating for \$18,280 with conditions and time limits as stipulated by Larry Driscoll and agreed to by Kevin Arensdorf for cleanup of the 2nd Street Box Culvert/Main Street Box Culvert and the Gabion baskets. 1-Nay, Reynolds. All Remaining Ayes. Motion Carried.

Engineering Contract with Snyder & Associates for Rosemary Lane Lift Station

Dave Stoklasa reviewed the proposed Scope of Services as defined in the Engineering Contract for the Rosemary Street Lift Station. Dave stated that this would cover engineering services from the design phase through the bidding phase up to the award of the contract. He also stated that the engineering for the construction phase is defined, but the fee will be determined and agreed upon by both parties at a later date. Discussion followed. Dave stated that the design includes connections for standby power and a pump connection on the force main.

Motion by Feldmann, second by Young to approve the engineering contract for the Rosemary Lane Lift Station Project with Snyder & Associates. All Ayes. Motion Carried.

Resolution Approving the Annual IDOT Street Financial Report for FY 2008-09

Motion by Hansen, second by Reynolds to approve **Resolution 2009-74** approving the official Iowa Department of Transportation Financial Report for City Streets and Parking for Fiscal Year ending June 30, 2009. Roll Vote. All Ayes. Motion Carried.

FINANCE

Agreement with ECICOG for LMI Sidewalk Repair Program

Pat reviewed the possible uses of LMI funds set aside from recent TIF grants that the City has given. He stated one possibility could be used for sidewalk repairs for homeowners that meet the LMI guidelines. ECICOG has given a service proposal for the administration of this type of program for the Council to consider. Discussion followed.

Motion by Feldmann, second by Hansen to authorize the City Administrator to investigate the use of a trust fund. All Ayes. Motion Carried.

Ordinance Amending Section 16.04 of the Anamosa Code of Ordinances Regarding Compensation for the Mayor Pro Tem

Motion by Young, second by Harmon to approve the **first reading of Ordinance** amending Section 16.04 of the Anamosa Code of Ordinances regarding compensation for the Mayor Pro Tem. Discussion followed. Roll Vote. 1-Nay, Swisher. All Remaining Ayes. Motion Carried.

Motion by Young, second by Feldmann to approve the **waiver of the second and third readings of Ordinance No. 860** amending Section 16.04 of the Anamosa Code of Ordinances regarding compensation for the Mayor Pro Tem. Roll Vote. 1-Nay, Swisher. All Remaining Ayes. Motion Carried.

Resolution Regarding the Call and Payment of the 1999 Water Revenue Notes

Pat reviewed the reasons for the possible call and payment of the 1999 Water Revenue Notes. Pat suggested holding the public hearing on October 26, 2009.

Motion by Feldmann, second by Young to approve **Resolution 2009-75** setting the public hearing date on the possible call and payment of the 1999 Water Revenue Notes for October 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Resolution Setting the Date for Public Hearing Regarding the Refinancing of the 1998 and 2008 General Obligation Notes

Pat reviewed the reasons for the possible refinancing of the 1998 and 2008 General Obligation Notes to receive a lower interest rate and reduce the interest payments. Pat reviewed the results of the recent meeting with local bankers regarding the possible refinancing of the GO Notes.

Motion by Feldmann, second by Hansen to approve **Resolution 2009-76** setting the public hearing date for refinancing of the 1998 and 2008 General Obligations Notes for October 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Resolution Setting the Date for Public Hearing Regarding the Refinancing of the 2002 A and 2002 B General Obligation Notes

Motion by Feldmann, second by Hansen to approve **Resolution 2009-77** setting the public hearing date regarding the refinancing of the 2002 A and 2002 B General Obligation Notes for October 26, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

Bond Rating from S & P

Pat reviewed the bond rating process and the purpose and benefits of getting a bond rating from S & P. Discussion followed.

Motion by Feldmann, second by Reynolds to authorize the City Administrator and City Bonding Attorney to determine if the bond rating process would be in the City's best interest and move forward with the process if needed. All Ayes. Motion Carried.

Payment of Bills for the Month September 2009

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

CITY ADMINISTRATOR'S REPORT:

Pat reviewed the minutes from the September 22, 2009 Tree Board meeting. He stated that the Tree Board is applying for Trees Forever Grants for additional tree plantings and also a Wal-Mart Grant. Pat suggested that the City match for these grants be drawn from the LOT funds. Pat stated that the Tree Board had reviewed the proposed ordinance changes for prohibiting the planting of trees in the City ROW and the Board was in agreement with the proposed changes.

Pat stated that one of the evergreen trees had been removed from the City ROW at the alley adjacent to the Lutheran Church and that the line of sight in that area was improved with that tree removal. Discussion followed. It was suggested that the City offer one of the evergreen trees to the Anamosa Chamber of Commerce, if they wished to remove the tree at their expense.

MAYOR AND COUNCIL REPORTS:

Mayor Hatcher stated that the recent Iowa League of Cities meeting went very well and they had some good programs.

Adjournment

Motion by Young, second by Harmon to adjourn at 8:05 p.m. All Ayes. Motion Carried.

Jon Hatcher, Mayor

ATTEST:

Tammy Coons, City Clerk