

The City Council of the City of Anamosa met in a Regular Session this October 26, 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 (arrived 6:05 p.m.) present. Absent: None. Mayor Jon Hatcher presided. Also present were Patrick Callahan, City Administrator, Tammy Coons, City Clerk; Larry Driscoll, Public Works Director. Guests Present - Addressing the Council: Doug Elliott, ECICOG; Becky Dirkschaugsted; Tom Swain; Alvin Johnson and Sam Montgomery. Mayor Jon Hatcher called the regular meeting to order at 6:00 p.m. with a quorum present.

**Public with Business with Council not on Agenda**

Becky Dirkschaugsted addressed the Council requesting permission to hold a "Parade of Lights". Discussion followed. Pat stated that this item will be placed on the next Council agenda for action.

Sam Montgomery addressed the Council requesting that the Council contact the contractor doing work on Chamber Drive clean up the area removing the dirt and mud from the street. Discussion followed. Pat stated that he will add this to the list of issues he will be discussing with the Police Chief.

**Council Minutes**

Motion by Hansen, second by Feldmann to approve the minutes from the October 12, 2009 Regular Council meeting, with corrections as noted. All Ayes. Motion Carried.

**PUBLIC HEARINGS:**

**Public Hearing Regarding Proposed Sale of North 100 Feet of Vacated Alley Located Between East First Street and East Second Street to Tom and Heather Swain**

Mayor Hatcher opened the public hearing regarding the proposed sale of north 100 feet of vacated alley located between East First Street and East Second Street to Tom and Heather Swain at 6:09 p.m.

Tom Swain addressed the Council explaining that a portion of his home is currently located on City property. He suggested requesting a variance, rather than purchasing the property.

Alvin Johnson addressed the Council expressing his opposition to the proposed sale of City alley to the Swains as it would create a hardship for him to access his property and it would be detrimental to him. He suggested that the City only sell the portion of the alley that the Swain's house and deck are located on and keep the alley open to the public. Discussion followed. Bill Feldmann clarified that a portion of the house was already built on the City alley when the Swains purchased the home.

Motion by Feldmann, second by Harmon to close the public hearing at 6:21 p.m. All Ayes. Motion Carried.

**Public Hearing Regarding the Refunding and Refinancing of the Following General Obligation Notes and Loans – 1998 Street General Obligation Notes, 2002 General Obligation Refinancing Notes, 2002 Streetscape General Obligation Notes and the 2008 General Obligation Loan**

Mayor Hatcher opened the public hearing Regarding the Refunding and Refinancing of the Following General Obligation Notes and Loans – 1998 Street General Obligation Notes, 2002 General Obligation Refinancing Notes, 2002 Streetscape General Obligation Notes and the 2008 General Obligation Loan at 6:21 p.m.

Pat reviewed the proposed refinancing of the General Obligation Notes and Loans and stated that no written or verbal comments had been received.

Motion by Young, second by Hansen to close the public hearing at 6:23 p.m. All Ayes. Motion Carried.

**Presentations**

**Doug Elliott – ECICOG**

Doug Elliott of ECICOG addressed the Council reviewing the annual ECICOG report update and asked if the Council had any questions or concerns regarding their services. Pat Callahan reviewed the services provided to the City by ECICOG over the last few years.

**COMMUNITY BETTERMENT****Ordinance Amending Zoning Regulations (Chapter 165 of the City Code)**

Motion by Feldmann, second by Hansen to approve the **second reading of Ordinance** amending Zoning Regulations (Chapter 165 of the City Code) changing front yard definition and diagram, permitting signs in C-1 District to extend within the City's right-of-way and increasing the size of home occupation signs. Roll Vote. All Ayes. Motion Carried.

Motion by Feldmann, second by Harmon to approve the **waiver of the third reading of Ordinance No. 863** amending Zoning Regulations (Chapter 165 of the City Code) changing front yard definition and diagram, permitting signs in C-1 District to extend within the City's right-of-way and increasing the size of home occupation signs. Roll Vote. All Ayes. Motion Carried.

**Resolution Conveying the North 100 Feet of a Vacated Alley Between East First Street and East Second Street to Tom and Heather Swain**

Pat recommended tabling any action until the next Council meeting to allow City Attorney, Adrian Knuth to review the issues. Discussion followed.

Motion by Harmon, second by Reynolds to table action on this proposed conveyance until the City Attorney had time to review the issues. All Ayes. Motion Carried.

**Resolution Setting Date for Public Hearing Regarding a Proposed Development 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**

Motion by Feldmann, second by Young to approve **Resolution 2009-79** to fix a Date for City Council Action on a Loan Agreement in a principal Amount not Exceed \$75,000 for November 9, 2009 at 6:00 p.m. Roll Vote. All Ayes. Motion Carried.

**Request for Waiver to Subdivision Platting Requirements**

Pat stated that this request for waiver to the subdivision platting requirements will be presented to the Planning & Zoning Commission and the Commission should have a recommendation for Council at their next regular meeting.

**Recommendations from the IDOT on Improvements to the Hwy 151 and Old Dubuque Road Intersection**

Pat reviewed the possible solutions or options received from the IDOT for the Hwy 151 and Old Dubuque Road Intersection. Discussion followed. It was the consensus of the Council to recommend Option #3 to the IDOT if all affected entities were in agreement. Pat will discuss Council recommendation with all affected entities.

**Resolution Setting Date for Public Hearing Concerning a Proposal from Community Care, Inc.**

Pat reviewed the request from Community Care, Inc. and the effect on the City.

Motion by Feldmann, second by Hansen to approve **Resolution 2009-80** authorizing the execution of Memorandum of Agreement with Community Care, Inc. and fixing a date for a hearing on the proposed issuance of Building Revenue Bonds (Community Care Project), Series 2009 in one or more series. Roll Vote. All Ayes. Motion Carried.

**PUBLIC SAFETY****Designation of Handicapped Parking Space at 305 North Garnavillo Street**

Discussion was held on the request to install a handicapped parking designation at 305 N. Garnavillo Street.

Motion by Feldmann, second by Yong to authorize the City Administrator to the property owner at 305 N. Garnavillo Street to choose one of the following options – 1) A handicapped designated space on the opposite side of the street, as there is no parking on the east side of North Garnavillo Street, 2) or use his own back entrance as his main entrance. All Ayes. Motion Carried.

**PUBLIC WORKS****Special Council Meeting to Discuss Flood Control Study**

Pat asked the Council if November 16th would be acceptable for a special Council meeting to discuss the results of the flood control study. No objections were voiced.

**Sealing of Sidewalk Cracks on Main Street from the Streetscapes Project**

Pat reviewed Larry's identification of cracks in the Main Street sidewalks from the Streetscapes Project and Larry's suggestion that for consistency that the City purchase the caulk to create consistency on Main Street. Discussion followed.

Motion by Feldmann, second by Young to authorize the City Public Works Department to fix/repair the cracks on Main Street Sidewalk in the Streetscapes Project area using 65% LOT funds to fund the expenses. All Ayes. Motion Carried.

**Report on I-JOBS Grants for Urban Storm Water Programs**

Pat reviewed the I-JOBS grants available for urban storm water projects. Pat stated that the NRCS is willing to provide funding for the repair of the Gabion Baskets and the mudslide behind the LCC. Pat will be meeting with Dave Stoklasa to prepare a cost proposal estimate for the NRCS. The NRCS would fund 75% of the repairs and the City would fund the remaining 25%.

**FINANCE****Resolution Refunding and Refinancing of the 1998 Street General Obligation Notes and the 2008 General Obligation Loan**

Motion by Young, second by Feldmann to approve **Resolution 2009-81** refunding and refinancing of the 198 Street Obligation Notes and the 2008 General Obligation Loan. Roll Vote. All Ayes. Motion Carried.

**Proposal to Refund and Refinance the 1998 G.O. Notes and 2008 G.O. Loan**

Pat reviewed the proposal to refund and refinance the 1998 G.O. Notes and the 2008 G.O. Loan. He also state that he recommends that the City not procure a bond rating at this time.

Motion by Feldmann, second by Hansen to approve the proposal received from the three local banks to refund and refinance the 1998 and 2008 G.O. Loans. All Ayes. Motion Carried.

**Resolution Approving the Trees Forever Grant Application for Black Hills Energy Branching Out Program**

Motion by Feldmann, second by Harmon to approve **Resolution 2009-82** approving the Trees Forever Grant Application for Black Hills Energy Branching Out Program. Roll Vote. All Ayes. Motion Carried.

**Resolution Approving the Trees Forever Grant Application for Alliant Energy Branching Out Program**

Motion by Feldmann, second by Young to approve **Resolution 2009-83** approving the Trees Forever Grant Application for Alliant Energy Branching Out Program. Roll Vote. All Ayes. Motion Carried.

**Resolution Approving the I-JOBS Grant Agreement for the Wastewater Treatment Plant Improvements Project**

Pat reviewed the possible I-JOBS Grant award for the WWTP Improvements Project. Discussion followed.

Motion by Feldmann, second by Harmon to approve **Resolution 2009-84** approving the Iowa Jobs Program Grant Award Agreement. Roll Vote. All Ayes. Motion Carried.

**Report on City's Application for State Recreational Trail Grant Program for Hwy 64 Trail**

Pat reviewed the results of the State Recreational Trails Grant Application and that the City of Anamosa's Hwy 64 Trail request had not been awarded.

**Request by Dorothy Downing to have the City pay for the Damages at Storage Units Caused by August 2009 Flash Flood**

Pat reviewed request received from Dorothy Downing.

Motion by Harmon, second by Feldmann to deny the request from Dorothy Downing for the City of Anamosa to pay for the damages incurred at her Storage Units by the August, 2009 Flash Flood. All Ayes. Motion Carried.

**Payment of Bills for Month of October, 2009**

Motion by Hansen, second by Reynolds to approve the payment of bills for October, 2009 as presented. Discussion followed. All Ayes. Motion Carried.

**CITY ADMINISTRATOR'S REPORT:**

**U of I Graduate School Students Providing Assistance to the Downtown Committee and Trail Committee**

Pat reviewed the U of I Graduate Students possibly working with the Tails Committee. Pat also asked the Council what they wished to do regarding the appointment of a Downtown Development Committee. Discussion followed.

**Report on Zoning Board of Adjustment Decision to Deny Special Exception Use Permit for the Anamosa High School Project**

Pat reviewed the results of the ZBA's denial of the special exception use permit for the Anamosa High School Project.

**2010 City Council Goal Setting Session**

Pat stated that the same cities that participated in the exchange of Goal Setting Sessions were willing to participate again this year.

**MAYOR AND COUNCIL REPORTS:**

**Appointment to Zoning Board of Adjustment**

Motion by Feldmann, second by Harmon to table any action on the appointment to the Zoning Board of Adjustment until the Anamosa High School Project has been resolved. 1-Nay, Hansen. All Remaining Ayes. Motion Carried.

**Report on Boards and Commissions**

No reports were given as upcoming meetings are scheduled.

**Joint Meeting with the City of Monticello**

Pat stated that the Monticello City Council is in agreement to hold the joint Council meeting on November 30th, possibly at the new Kirkwood Center in Monticello.

**Adjournment**

Motion by Young, second by Harmon to adjourn at 8:10 p.m. All Ayes. Motion Carried.

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Jon Hatcher, Mayor

ATTEST:

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Tammy Coons, City Clerk