

The City Council of the City of Anamosa met in Regular Session on April 8, 2013 in the Council Chambers at City Hall at 6:00 p.m. with Cody Shaffer, Chuck Smith, Andy Bowers, Richard Stivers and Mike Dearborn present. Absent: Bill Feldmann. Mayor Dale Barnes presided. Also present were; Alan Johnson, City Administrator; Tammy Coons, City Clerk; and Bob Simonson, Police Chief. Guests Present Addressing the Council: Cassie Wescott; Karen and Jamie Delancey; Mike Duetmeyer, Weber Stone; Eric Luchtenburg; Tammy Luchtenburg; Lynn Decious; Bob Waite; Don Bunting; Bethany Kula and Charlene George. Mayor Barnes called the regular meeting to order at 6:00 p.m. with a quorum present.

Public with Business with the Council on Items not on the Agenda

Cassie Westcott addressed the Council regarding the condition of the property at 101 ½ E. Main Street located above her business at 101 E. Main Street. She stated that the owner has abandoned the property, bricks are falling off the outside of the building, the downspout is falling down and the chimney is ready to fall in. She also stated that the roof is leaking which is causing damage to her part of the building. Cassie stated that there are no renters in the building. She explained that she has repaired the things that she can, at her own expense and also closed the opened windows from the outside of the building. She stated that she does not wish to purchase the upper story and asked what her options are on getting this building condemned or repaired. Discussion followed. Alan Johnson stated that he had spoken to the City Attorney who suggested that she go through the legal system to determine what options she has. More discussion followed. Alan suggested that Cassie meet with him this week to discuss this situation in further detail.

Council Minutes

Motion by Shaffer, second by Dearborn to approve the minutes from the March 25, 2013 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS:

Public Hearing on Proposed Conveyance of Portions of “Second Street” Lying East of the East Line of Roland Street to the Anamosa Community School District

Mayor Barnes opened the public hearing at 6:11 p.m.

Alan Johnson stated that there have been no written or verbal comments received at City Hall and no comments were offered by the public present.

Motion by Dearborn, second by Shaffer to close the public hearing at 6:12 p.m. All Ayes. Motion Carried.

Public Hearing on Proposed Sale of Former DOT Property at 704 East 1st Street

Mayor Barnes opened the public hearing at 6:12 p.m.

Alan Johnson explained that each person wishing to speak would be allowed three minutes and that any new information that has not previously been discussed would be allowed.

Karen and Jamie Delancey addressed the Council reviewing their proposed offer to purchase the property: Offer of \$40,000 to purchase the entire property with the contingency of the property being rezoned from residential to commercial. Discussion followed on the type of building the Delancey’s proposed to build and how the property would be “cleaned up”. More discussion followed.

Mike Deutmeyer, Weber Stone addressed the Council reviewing his proposed offer to purchase the property: Offer of \$50,000 to purchase the entire property with no contingencies. Mike also stated that his first choice for building would be residential, up to 15 single family homes (no rentals), if the DNR would work with him on changing the restrictive environmental covenants. His second choice would possibly be a museum. Discussion followed on how the property would be “cleaned up”.

Eric Luchtenburg addressed the Council distributing a written plan to first apply for grants and second remove all the young trees along the creek. He would then plant prairie grasses, which have roots up to 20 feet to remediate the soil contamination to keep this area as a “green space”. Eric stated that this type of area is what would attract people to our community. Discussion followed on how long it would take for the prairie grasses to remove the contamination. Eric also stated that his contact at the DNR said this would be allowed. More discussion followed.

Tammy Luchtenburg addressed the Council asking what the process would be for rezoning the land. Alan explained that the Planning & Zoning Commission would review the request and then make a

recommendation to the Council, who would then make the final decision on the rezoning request.

Lynn Decious, representing the Library Board addressed the Council stating that they feel strongly about the City retaining the 90' x 275' for Library expansion as the 2010 Council had stated. They do not wish the new Library to be "land locked", but they would consider the City keeping a smaller portion of property of 50' x 170' next to the building itself to not restrict the entrance area to the DOT property. Discussion followed on the actual location of the property line in relationship to the amended request. Lynn stated it measures 60' from the current library building.

Bob Waite addressed the Council expressing concern that the Hwy 151 TIF District (the Commercial Park) is lacking and this area needs the type of business that Delancey's are building, which would keep that district growing. He suggested that the Council accept the top offer from Mike Deutmeyer, Weber Stone and give 10% off the top (\$5,000) to the Library for their budget beginning July 1, 2013. The City is need of more revenue. He also suggested that if the Delancey's build their business at the Commercial Park that the City could offer them an "incentive" such as forgiving their water/sewer bills for one year. Bob stated he is concerned about taxation. Discussion followed.

Don Bunting addressed the Council expressing support of conservation efforts in the community and ways to attract people to our community. He was asked if he felt that this area would be a good place for the prairie grass/green space. He stated that no, it is probably not the best place.

Bethany Kula addressed the Council expressing concerns on the re-zoning of the property and that Iowa law does not allow cities to rezone property solely based on increasing tax revenues.

Karen Delancey stated that they would be willing to amend their offer to have the City retain 50' x 170' parcel on the east side of the Library building, but this would measure 50 feet from the building itself as the property line has not been specifically identified to her.

Mike Deutmeyer addressed the Council reviewing his family and business previous and continued support of the community. He stated he could not definitely commit to the Library's new proposal on the parcel to be retained by the City at this time. There are a number of things to consider before he could make that decision.

Charlene George addressed the Council reviewing the history of the previously proposed uses of the DOT property. Previous inquires of neighboring property owners indicated that they would want to keep the use as residential.

Motion by Dearborn, second by Shaffer to close the public hearing at 7:03 p.m. All Ayes. Motion Carried.

COMMUNITY BETTERMENT:

Resolution Approving Conveyance of Portion of "Second Street" Lying East of the East Line of Roland Street to the Anamosa Community School District

Alan Johnson reviewed the location and history of this property to be conveyed.

Cody Shaffer stated that there will be an easement necessary for the water line located in this area.

Motion by Dearborn, second by Stivers to approve **Resolution 2013-14** approving conveyance of portion of "Second Street" lying east of the east line of Roland Street to the Anamosa Community School District. Roll Vote. 1-Absent, Feldmann. All Remaining Ayes. Motion Carried.

Resolution Accepting Offer to Purchase the Former DOT Property at 704 East 1st Street

Motion by Stivers to accept the amended offer from Karen Delancey to purchase the former DOT property at 704 East 1st Street, with no TIF request, no tree removal and retain a 50' x 170' parcel located to the east of the Library building. Motion failed for lack of second.

Motion by Bowers, second by Shaffer to approve **Resolution 2013-15** accepting the offer from Mike Duetmeyer, Weber Stone to purchase the former DOT property at 704 East 1st Street for \$50,000. Discussion followed. Roll Vote. 1-Absent, Feldmann. All Remaining Ayes. Motion Carried

PUBLIC SAFETY: NONE

PUBLIC WORKS:

Resolution Approving the Hiring and Setting Salary of a Temporary Seasonal Employee for the Public Works Department

Motion by Shaffer, second by Dearborn to approve **Resolution 2013-16** approving the hiring and setting salary of a temporary seasonal employee for the Public Works Department. Roll Vote. 1-Absent, Feldmann. All Remaining Ayes. Motion Carried.

Resolution Approving the Hiring of Water Operator Trainee Employee and Setting Salary for Fiscal Year 2012-13

Motion by Dearborn, second by Stivers to approve **Resolution 2013-17** approving the hiring of Water Operator Trainee and setting salary for Fiscal Year 2012-13. Roll Vote. 1-Absent, Feldmann. All Remaining Ayes. Motion Carried.

FINANCE:

Resolution Adjusting and Setting Salary for the Utility Billing Clerk for the Fiscal Year ending June 30, 2013

Motion by Dearborn, second by Stivers to approve **Resolution 2013-18** adjusting and setting salary for the Utility Billing Clerk for Fiscal Year ending June 30, 2013. Roll Vote. 1-Absent, Feldmann. All Remaining Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Alan Johnson stated the DNR reported to the City that Dan Smith is eligible to take the Grade III Wastewater certification test and hopefully allowing Dan one year to take and pass that test. This certification will have no restrictions. Alan stated he would like to congratulate Dan on this opportunity. Alan also stated that Dan received a voluntary certification in Wastewater Collection Systems.

Alan reported that he held a department head meeting last week and included the three lead employees in the water, wastewater and streets departments. He reviewed the internal policies with them along with multiple other items, which he elaborated on for the Council.

MAYOR AND COUNCIL:

Cody Shaffer stated that all that Alan had discussed at the meeting was already addressed in the employee handbook and that the employees need to adhere to the procedures and policies as outlined in the handbook.

Adjournment

Motion by Bowers, second by Dearborn to adjourn at 7:25 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk