

The City Council of the City of Anamosa met in Regular Session this December 28, 2015 in the Council Chambers at City Hall at 6:00 p.m. with Cody Shaffer, Bill Feldmann, Rod Smith, Richard Stivers and Mike Dearborn present. Absent: Chuck Smith. Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Tammy Coons, City Clerk; Jim Henson, Water Superintendent; Dan Smith Wastewater Superintendent and Bob Simonson, Police Chief. Guests Present Addressing the Council: Dusty Embree, JCED; Bill Goodman, 804 E. 1st Street, John Ely, 301 N. Davis Street: and Randy Day, 304 S. Oak Street. Mayor Dale Barnes called the meeting to order at 6:00 p.m. Roll call was taken with a quorum present.

Council Minutes

Motion by Feldmann, second by Stivers to approve the minutes from the December 14, 2015 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS:

Public Hearing on Community Development Block Grant (CDBG) Application for the Proposed Water Funding for Safety and Treatment Plant Upgrade and Expansion

Mayor Barnes opened the public hearing at 6:01 p.m. Alan Johnson, City Administrator addressed the following topics with relevant findings read aloud: 1) How the need for proposed activities was identified, 2) How proposed activities will be funded and the source of the funds, 3) The date the application will be submitted, 4) The requested amount of Federal funds, 5) The benefit to be realized from federal funding, 6) The location where proposed activities will be conducted, 7 & 8) Plans to minimize the displacement of persons or businesses as a result of funded activities and plans to assist persons actually displaced and 9) The nature of the proposed activities. Alan also stated that no written or verbal comments had been received prior to the public hearing. No comments were offered by the public present. Motion by Feldman, second by Shaffer to close the public hearing at 6:04 p.m. All Ayes. Motion Carried.

Presentations

Alan explained that due to the current weather conditions, Fareway representatives have elected to make their presentation at the next regular Council meeting.

COMMUNITY BETTERMENT:

Resolution Setting Date for Public Hearing on Designation of the Expanded Anamosa Corridor Urban Renewal Area and on Urban Renewal Plan Amendment

Alan Johnson stated that it is proposed that public hearing be held on January 25, 2016 at 6:00 p.m. The subject matter will be to designate the expanded Anamosa Urban Renewal Corridor area and the plan amendment. The property where the current Family Foods building is located will be taken out of one Urban Renewal area and put in its own district. The action will take place with the completion of the three readings of the ordinance. After that then it can be included in the combination of all the districts as has been discussed in previous meetings. The reason for doing this would be to extend the life of the Urban Renewal district, which as it stands now, will expire in 2026, which would not leave enough time for the proposed 15 year agreement with Fareway. Alan is recommending setting the public hearing date for January 25, 2016 at 6:00 p.m.

Motion by Feldmann, second by Shaffer to approve **Resolution 2015-46** Setting date for Public Hearing on the designation of the expanded Anamosa Corridor Urban Renewal Area and on Urban Renewal Plan Amendment. Mike Dearborn questioned the length of the proposed agreement being a 20 year or 15 year agreement. Alan explained that Fareway is requesting the 15 year agreement and the associated funding. He also stated that the 20 year agreement was a sliding scale. Mike asked if Alan had the figures for both proposed agreements. Dusty Embree, JCED stated that they did have those figures. Alan also explained that those numbers are not set until the Jones County Assessor assigns an actual value to

the property with the improvements. He reviewed the estimated maximum number for each agreement and stated that the 20 year agreement was geared more toward the demolishing and rebuilding of the building, which Fareway is choosing not to do. Dusty also stated that she feels that the City has made a good agreement with Fareway. Roll Vote. 1 – Absent, Chuck Smith. All Remaining Ayes. Motion Carried.

Resolution Authorizing the Submission of a Community Development Block Grant (CDBG) Water Application on Behalf of the City of Anamosa, Iowa

Motion by Feldmann, second by Dearborn to approve **Resolution 2015-47** Authorizing the submission of a Community Development Block Grant (CDBG) water application on behalf of the City of Anamosa, Iowa. Richard Stivers asked if there was any guarantee that the grant would be 100% funded. Alan stated that there is no guarantee and that the Grant for CDBG is being submitted as well as a low interest SRF loan application for \$1,355,000. Alan stated that the SRF Loan is strictly for utilities and is a revenue bond. Mike Dearborn asked the Mayor if he was familiar with the grant application that he would be authorized to sign and what his thoughts were on it. Mayor Barnes stated that he feels it would be a good addition to the City so that the City can grow further. Roll Vote. 1-Absent, Chuck Smith. 1-Nay, Stivers. All Remaining Ayes. Motion Carried.

PUBLIC SAFETY:

Beer and Liquor Licenses

Motion by Feldmann, second by Stivers to approve the new Class B Beer and Class C Native Wine Permit, Outdoor Service Area with Sunday Sales Privileges- Daly Creek Winery & Bistro. (New owner). All Ayes. Motion Carried.

PUBLIC WORKS: NONE

FINANCE:

Payment of Bills for the Month December, 2015

Motion by Feldmann, second by Rod Smith to approve the payment of bills for the month December, 2015. Cody Shaffer asked if the audit costs would be increasing to the recent addition of the Library donation funds. Tammy Coons, City Clerk stated that if the audit costs increased it would not be due to the addition of those library donation funds. The City's books are audited as a whole. Mike Dearborn asked why the Library donation funds were not on the Investment report dated November 30, 2015. Tammy stated that those funds were not given to the City until last week, in December. The December 31, 2015 investment report will reflect these funds. Mike questioned what the State Auditor would say regarding the receipt of these funds. Tammy stated that she had spoken to the City's current auditor and had explained the situation to them and they were fine with how the funds were brought over and they have been aware of the Library/Friends of the Library having their own funds separately until this time. All Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Alan stated he had attended the Jones County Economic Development annual meeting at which Dusty Embree gave an in-depth report for the last year's activities and reported what is on the horizon. Alan also stated that at the time of the annual meeting he could not announce the Fareway purchase as Fareway had not given their press release.

Alan reported that he has been contacted several times in the last two weeks regarding progress on the nuisance method. He stated that it is progressing and that he has developed a new reporting page and he is also working on a timeline. He plans on having it ready for the next regular council meeting for approval.

Cody Shaffer asked Alan to update the Council on the status of the pretreatment agreements. Alan stated that there is one business left to meet with and hopefully he can get a meeting set up after the holidays. Alan also stated that the Iowa DNR had rejected the proposed pretreatment agreement between the City and Anamosa State Penitentiary primarily on the oil and grease. This will result in more testing on the part of the Penitentiary and sampling more often. They will have to do a better job at capturing more oil and grease and what is not captured will need to be broken down more before it gets to the City. Alan stated that the Iowa DNR gave the City direction on how to correct the agreement. Cody Shaffer and Mike Dearborn requested that the meeting with the final commercial customer be scheduled as soon as possible.

MAYOR AND COUNCIL:

Wrap-Up from Council Member Richard Stivers

Richard stated he would like to apologize to the citizens who have supported him for not being more of a conservative. He pointed out the City's total GO debt and that the City has enough assets to cover that debt, which is a great thing. He also would like to encourage all new members to visit each city department and get an idea of what goes on in that department. He wished everyone good luck.

Reporting of Council Minutes per Request from Council Member Mike Dearborn

Mike stated that the reason he is requesting this is because of a previous request from citizen Bill Goodman to change previous council minutes. Mike would like to see the minutes be more in-depth for the citizens to know who had discussion, who didn't and who sits in the meetings doing nothing every single Monday. Tammy Coons stated that the City, by law, is only required to include action items in the minutes. Mike asked how available the recordings are and asked if they could be emailed or put on the City's website. Tammy stated that they cannot, but they are available for anyone to listen to them here at City Hall. She also stated that the City is not required to keep the audio tapes of regular Council meetings, but there are approximately two years of tapes kept at a time. Cody Shaffer stated that the City needs to look into using our website and updating it better. He stated it's an untapped resource and this is the information age and as a city we are participating very little in it. He also suggested some way to air the Council meetings. Mike asked if the City could keep a second set of minutes that are more in-depth. Tammy stated that some cities keep an official set and an unofficial set with more detail. Mike asked the Mayor if Bill Goodman wanted to add anything to the discussion. Mayor Barnes, yes, briefly. Bill stated that he doesn't feel his issue with the October 26, 2015 minutes has been resolved. Mike suggested that Bill meet with a City official regarding this. Alan stated that the City cannot discuss any further issues with Mr. Goodman as he has contacted an attorney, who is in communication with the City attorney. Mike asked if those minutes can be updated by adding to them factually. Alan stated that he would have to consult with the City Attorney on that. No action was taken by the Council.

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

Bill Goodman, 804 E. 1st Street addressed the Council asking if the water project was contingent on the CDBG grant award. Alan states that will depend on the Council. Bill commended Richard Stivers and Mike Dearborn for their service on the Council and holding the "feet to the fire" on spending. He stated that his suggestions he made at the November 23, 2015 were ignored. He also stated that he would still like the October 26, 2015 council minutes amended to reflect the names of the company that videotaped the sewer line and the company that did the root control along with the date that video was completed. Bill questioned the 3 minute limitation on citizen presentations. Mayor Barnes explained the need to set limitations. Bill Goodman expressed his disagreement.

John Ely, 301 N. Davis Street addressed the Council regarding the City Code 50.02 which mentions smell being a nuisance and that the Police Department is supposed to enforce this. He then mentioned that some properties on Huber Street had been sent letters and some of those issues had been cleaned up. John also mentioned a website Anamosa.net that has links and pictures on it.

Randy Day, 304 S. Oak Street addressed the Council regarding the running of the meetings and stated he hoped that all citizens are treated consistently on the time allowed to speak. He also said in follow up to John Ely's complaint he stated that dogs should not have to wade through mud, urine and feces and that it should not wash down on neighbor's yard and that the neighbor should have to go into their house because of the smell. Randy stated it is wrong that the City does nothing about it. He stated that code states the veterinarian should check the safety of the animals and the condition the animals live in and whether it's a hazard. He stated that the City does not have the money to do this and the police don't want to transport the dogs due to contamination. He feels that the City can find the money to send the veterinarian out to check out the dogs and see if it is a safety hazard, not only for the dogs but for the neighbors.

Council member Rod Smith asked what is permissible in the Council Chambers for a city council member to address the public with a question. Alan stated that it should directed through the Chair, the Mayor. Mayor Barnes asked if Rod had a question for a citizen in the meeting. Rod then asked Bill Goodman what the significance was of updating the minutes as he had requested. Bill said if the point comes up 3-5 months from now the minutes do not reflect the names and date he requested be added. Rod then asked Bill if it will be significant to him 4-5 months from now. Bill stated that yes, it could be.

Adjournment

Motion by Feldmann, second by Dearborn to adjourn at 6:47 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk