

The City Council of the City of Anamosa met in Regular Session this January 11, 2016 in the Council Chambers at City Hall at 6:00 p.m. with Rick Sanborn, Bill Feldmann, Chuck Smith, Rod Smith, Cody Shaffer and Betty Weimer present. Absent: None. Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Tammy Coons, City Clerk; Gregg Carpenter, Streets Superintendent; and Bob Simonson, Police Chief. Guests Present Addressing the Council: Dusty Embree, JCED; Garrett Pklapp, Vice President and General Counsel for Fareway Stores; Rosann Caspers; Mike Dearborn, 405 N. Division St; Randy Day, 304 S. Oak Street; Dick Dearborn, 600 N. Williams St. 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 Shaffer to approve the minutes from the December 28, 2015 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS: NONE

Presentations

Fareway Stores – Introduction and Presentation on Building Renovation

Dusty Embree, Jones County Economic Development Director (JCED) stated that Fareway has made their official announcement of acquiring a former grocery store in Anamosa. She said that she has received a lot phone of calls from local people and community members expressing excitement. She feels that this will be a tipping point for more growth, success and future development of Anamosa. She stated it is her great pleasure to introduce Garrett Pklapp, Vice President and General Counsel for Fareway Stores. He has been with Fareway since 2008 and has been great to work with. She felt she could speak for Anamosa and that the community is looking forward to opening day.

Rosann Caspers presented a welcome card to Garrett Pklapp that was signed by a large number of citizens of Anamosa.

Garrett Pklapp thanked the staff, Council and Mayor for having him at the meeting. He then presented a power point presentation illustrating Fareway's renovation of the Fareway store in Polk City. He reviewed Fareway's renovation process, consistency and desired end result. Garrett stated that from the point of closing on this purchase they are estimating approximately 4 or 5 months of work to make this a Fareway Store. He stated that Fareway is a family owned business, with 112 stores across five states. The store will be closed on Sundays and certain major holidays. Garrett stated that they have a very low turn-over of staff. Garrett stated that they have a commitment to hiring 14 to 17 year olds. They estimate the hiring of approximately 50 to 60 part time employees and 8 to 12 full time employees for this location. He stated that an established management team would be brought in for the Anamosa location. This team will most likely live and work in the Anamosa community. He explained when a citizen present asked about Fareway's policy on supporting the community that Fareway has several areas of support, ie: "Toys for Tots", children's special needs organizations and veteran's organizations. Garrett stated that Fareway is very excited to be in Anamosa and that they operate well in communities this size. He appreciates the City staff and Dusty Embree's efforts.

COMMUNITY BETTERMENT:

Local Access Channel and Filming of Council Meetings

Alan Johnson stated that this topic has come up numerous times over the past few years since the Local Access Channel was discontinued. He stated that he has distributed a copy of a letter received from Jim Johnson, Anamosa Journal to consider his proposal to provide this service. Council members Betty Weimer, Rick Sanborn, Cody Shaffer and Bill Feldmann discussed possible options for providing this service and the possible venues to do so, with all of them expressing support of this. Discussion was held on the City's current website, the flexibility and the possibility of changing website providers.

Betty also mentioned the possibility of having high school students doing the filming and receiving credit for that. Bill mentioned the remaining funds from the previous local access channel.

Motion by Feldmann, second by Rod Smith to table discussion on the filming of the Council meetings until we have more time to gather information and discuss this with the Journal Eureka. All Ayes. Carried.

Re-Appointments and New Appointment to the Parks and Recreation Board

Motion by Feldmann, second by Shaffer to approve the re-appointments of Darla Algoe and Anna Mary Riniker and the new appointment of McKenzie Kruchten to the Anamosa Parks and Recreation Board. All Ayes. Motion Carried.

Nuisance Procedure

Alan Johnson reviewed the proposed forms and procedure for nuisances. He stated that he had compared this process to other communities and reviewed the City ordinance to verify that the procedure complies with the code. Alan stated that in visiting with other cities, he found that the nuisance violations cannot be placed on regular agendas. It becomes public record only if the violator requests a public hearing before the Council. Feldmann said in talking to the Code Enforcement Officer in Asbury it might be a good idea to add the time frame between multiple or repeated infractions to the form to avoid reoccurrence of the nuisance. Rod Smith stated that he felt that the nuisance will resurface if the root cause is not identified and corrected at initial implementation. He asked if the initiator of nuisance identification should be included. Alan stated that the initiator need not identify themselves, but if they did their name would only be kept in the file and only the Court could make this public information. This would be to protect the interest of the City. Weimer asked who would be responsible for the nuisance "clean-up", the renter or the property owner. Alan stated that the property owner is ultimately responsible but believes both the renter and property could be notified. Shaffer asked if the violator would have to sign for the receipt of the notice. Bob Simonson stated that when they officially serve to citizens, that only the officer signs that he or she served the violator. Discussion followed on the time frame required for abatement of the nuisance and that each situation may vary due to the severity of the nuisance and that discretion should be used. Discussion was also held on the meaning of satisfactory progress and Alan stated that he would have to rely on the code enforcement officer's expertise. Feldmann stated he would like to make this a living document and amend the document as needed. Weimer stated that the community is passionate regarding addressing nuisances and the City needs to prioritize this issue.

Motion by Feldmann, second by Rod Smith to authorize the City Administrator to implement the paperwork process as presented to make it a living document, to take the necessary steps to consult with the City Attorney to fill out the rest of the documentation that needs to be provided based on law, so that we can move forward on keeping track of the complaints we do have and become proactive on correcting those complaints. Shaffer asked for clarification on the definition of a "junk vehicle nuisance". He asked if a vehicle is license and insured can it sit there without moving. Discussion followed. The ordinance Chapter 51 was reviewed and read to ascertain that in fact the vehicle has to be operable in order to not be declared a "junk vehicle" and has to be legally operable on public highways of the State. Discussion was held businesses that have vehicles or semi-trailers parked and not being moved. All Ayes. Motion Carried.

PUBLIC SAFETY:

Renewal of Waste Collection Licenses

Motion by Feldmann, second by Sanborn to approve the renewal of waste haulers licenses for VIP Sanitation, Edwards Sanitation and Frazier's Sanitation. Alan explained that those waste haulers not on the list for approval have been notified that the City will not put up with this in the future. That if they don't renew by the required deadline date, their license will be revoked and that window will not open again for twelve months. Alan also stated that by the State Code it is up to the community to enforce the

local licensing of the hauler and whatever provisions the community makes with that. It was explained that the all waste haulers licenses are approved on the calendar year Jan. through Dec. The deadline dates will be strictly enforced with next year's licensing, but the missing waste haulers this year have been given until next Council meeting to complete their applications. Alan answered Chief Bob Simonson's inquiry that it could indeed result in a \$750.00 fine, municipal infraction. All Ayes. Motion Carried.

PUBLIC WORKS: NONE

FINANCE:

Proposed Budget for FY 2016-17 for the Anamosa Fire Department

Alan explained the 28E Agreement for the Fire Service Board, the make-up of the Board and the duties of the Board. Al stated that per the 28E agreement the Council has to approve the proposed budget as prepared by the Fire Service Board and submit that to the Jones County Auditor so that the ISU formula may be applied which allows the affected townships time to levy for their proportionate share of the budget.

Motion by Feldmann, second by Shaffer to approve the proposed FY 2016-17 Anamosa Fire Department Budget. All Ayes. Motion Carried.

Resolution Approving the Hiring and Setting of Salary of Part Time Lawrence Community Center Employee for Fiscal Year Ending June 30, 2016

Motion by Feldmann, second by Shaffer to approve **Resolution 2016-01** approving the hiring and setting salary of part time Lawrence Community Center employee for Fiscal Year ending June 30, 2016. Roll Vote. All Ayes. Motion Carried.

Codification Services Agreement with Iowa Codification, Inc.

Motion by Feldmann, second by Shaffer to approve the codification services agreement with Iowa Codification, Inc. Discussion followed on the purpose, timeframe and cost of the proposed agreement. All Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Alan Johnson stated that almost one year ago the City submitted an application for Surface Transportation Funding (STP). Due to Anamosa's population the funding cycle is every 3-5 years. The last project the City used their STP funds was to complete the Old Dubuque Rd., Scott/3rd St., N. Ford St. and Cherry St. roads. STP funds can only be used on roads on the Federal classification grid – exit and entrance roads in the city. The new STP funds will be used for the total reconstruction of S. Elm Street from W. Main to the Cemetery. The total available STP funds for the City is \$791,896. Any additional project costs will need to be funded by the City. Alan clarified that STP funds cannot be used on linear storm water, sanitary sewer or water infrastructure. The City can use a combination of RUT funds, Water and Wastewater Funds to cover the city's share of the project. He also stated that the project will start in construction year 2017, but will most likely cross fiscal years. Alan stated that the City did receive confirmation of award of the STP Funds.

MAYOR AND COUNCIL:

Bill Feldmann – EMA/E911, reported that they have completed the budget work for the coming year on both of these. E911 continues to work on updating and they are putting in a back-up dispatch center in the Broadway Place Annex across the parking lot from the old hospital. They expect that center to be completed by March or April. They have the equipment, the tower is up and they are working on acquiring the generator and doing the wiring now. They are working on making the emergency

responder communication in Jones County one of the leading counties in our region, excepting Linn County. Bill reported that Jackson County just had to add two new huge towers. He also stated that Cedar County is so far behind that they are going to surrounding counties trying to acquire services, so Jones County is exploring providing radio service to the Lost Nation area.

Betty Weimer reported that "Create Your Anamosa" with 2016 being Grant Woods 125th birthday they are celebrating by having an event every month. On Jan. 24th at 2:00 p.m. at Star Lighters there will be a Grant Wood impersonator, which is free and open to the public. On February 13th they will be having Grant Woods birthday party with more planning to come. There are also Gothic windows available for purchase for \$240 each that the businesses can decorate to promote their business.

Appointments to Boards and Commissions

Cody Shaffer suggested that the all voting members appointed to the Fire Service Board be elected officials. He felt that it would be more transparent if they were all elected officials. Discussion followed. The terms of the appointments per the 28E Agreement were reviewed and read for the Council.

Motion by Feldmann, second by Weimer to approve the appointments as designated by the Mayor and presented. More discussion was held on Cody's suggestion for the appointments to the Fire Service Board. All Ayes. Motion Carried.

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

Mike Dearborn- 405 N. Division St addressed the Council asking the Council Members to take the budget seriously and to look at each department and also line by line. He also stated that they need to, ask questions and not just of Alan or Tammy. He also stated that Public Access is very important, but he still thinks it needs to be kept off the books only for the fact that it is on TV. He said you would be surprised how few people actually subscribe to Mediacom. He then asked the Mayor in regards to the nuisance discussion if he is understanding this correctly that the ordinance we have in place is not going to be followed through on for a few weeks while you all decide on a new ordinance. Mayor stated that we already have the ordinance in place and stated that this has already been discussed and we are not re-writing the ordinance.

Randy Day, 304 S. Oak Street addressed the Council stating yes, it is about time the nuisance ordinance is addressed. He stated he would like to talk about another ordinance, animal control. He stated that the City needs to protect the citizens making the following points: Citizens should be able to sit in their backyard without the smell of a neighbor's dog or the neighbor's dog manure going into their neighbor's yard or watching dogs walk in their own dog manure. The animal control ordinance has not been enforced and only given excuses. Citizens and animals are suffering. The City has enough in reserves, so money should not be an issue. Alan Johnson stated that a veterinarian inspection has been ordered.

Dick Dearborn, 600 N. Williams Street suggested that before the Elm Street project funding is decided to check with the Department Heads to prioritize this project and other issues. Dick stated he disagreed with keeping the nuisance records private and questioned why the City can't release or name the violator as it is an "alleged" offense. He states that transparency is needed.

Adjournment

Motion by Feldmann, second by Rod Smith to adjourn at 7:56 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk