

The City Council of the City of Anamosa met in Regular Session this February 8, 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; Jim Henson, Water Superintendent; Dan Smith Wastewater Superintendent; Rebecca Vernon, Librarian; Scott Kelly, Parks & Rec Director; and Bob Simonson, Police Chief. Guests Present Addressing the Council: John Ely, 301 N. Davis St; Dick Dearborn, 600 N. Williams St.; Bill Goodman, 804 E. 1<sup>st</sup> St.; Mike Dearborn, 405 N. Division St; Nancy Shaffer, 803 N. Division St.; 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 Sanborn to approve the minutes from the January 11, 2016 Regular Council meeting. All Ayes. Motion Carried.

### **PUBLIC HEARINGS:**

#### **Public Hearing Regarding Amendment to the Urban Renewal Plan for the Anamosa Corridor Urban Renewal Area**

Mayor Barnes opened the public hearing on the amendment to the Urban Renewal Plan for the Anamosa Corridor Urban Renewal Area at 6:01 p.m. Bill Feldmann stated he had only received positive comments. John Ely, 301 N. Davis St. expressed concern on the giving of tax incentives with losing the motorcycle place and he does not see a lot of new things coming in. Alan Johnson, City Administrator explained the current Urban Renewal District lines and the 2026 expiration date of the current Urban Renewal Area. He explained that this will pull that section out of that area which will have a 20 year sunset and allow for the proposed 15 year agreement with Fareway. He also stated that at a future date, after the legalities are completed and documented the intent of this Council is to combine all the TIF districts together. Alan then explained that 85% of the TIF increment created with Fareway's improvements above the current base will be rebated back to Fareway over 15 years with a not-to-exceed total of \$250,000. The School will still get their PPEL levy and County will also get all of their bond issue levies. He also stated that Fareway has agreed to a minimum assessment agreement.

Dick Dearborn, 600 N. Williams St. addressed the Council stating that he is in favor of the proposal, but he questioned if part of the 85% would go to the School and County. Alan said that the City would only get their 85% after the School and County levies are done.

Bill Goodman, 804 E. 1<sup>st</sup> St., addressed the Council stating that was a good explanation, but stated the public hearing notice in the legals was so small and if the Council, City Administrator and Mayor are not in communication with the citizens that the citizens are not aware of the public hearings. He asked if something could be published in the Journal Eureka prior to the actual public hearing, i.e. Newspaper article or an explanation from the City.

Motion by Feldmann, second by Rod Smith to close the public hearing at 6:15 p.m. All Ayes. Motion Carried.

### **COMMUNITY BETTERMENT:**

#### **Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the 2016 Addition to the Anamosa Corridor Urban Renewal Area**

Motion by Feldmann, second by Shaffer to approve **Resolution 2016-02** to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban

Renewal Plan Amendment for the 2016 Addition to the Anamosa Corridor Urban Renewal Area. Roll Vote. All Ayes. Motion Carried.

**Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2016 Addition to the Anamosa Corridor Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa**

Alan explained that this allows for the division of taxes. He also stated that as required by law, the City met with the County and school two weeks ago. Neither the County nor the school have filed an objection to the proposed ordinance.

Motion by Feldmann, second by Shaffer to approve the **1st reading of Ordinance 903** providing for the division of taxes levied on taxable property in the 2016 Addition to the Anamosa Corridor Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. Roll Vote. All Ayes. Motion Carried.

Alan stated that for the public's information this proposed ordinance was presented to the Planning & Zoning Commission as required and the Commission endorsed its passage. Rod Smith and Weimer both agreed that with the explanation given and time sensitivity that they were in agreement with the waiver of the second and third readings.

Motion by Feldmann, second by Sanborn to approve the **waiver of the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 903** providing for the division of taxes levied on taxable property in the 2016 Addition to the Anamosa Corridor Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa. Roll Vote. All Ayes. Motion Carried.

**Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Fareway, Including Annual Appropriation Tax Increment Payments**

Alan explained that this just sets the date for the resolution to come back to the next regular City Council meeting.

Motion by Feldmann, second by Shaffer to approve **Resolution 2016-03** setting a date of meeting at which it is proposed to approve a development agreement with Fareway, including annual appropriation tax increment payments. Roll Vote. All Ayes. Motion Carried.

**PUBLIC SAFETY:**

**Beer and Liquor Licenses**

Motion by Shaffer, second by Feldmann to approve a new Class C Liquor License with Sunday Sales Privileges for El Tapatio. All Ayes. Motion Carried.

**Renewal of Waste Collection Licenses**

Motion by Feldmann, second by Shaffer to approve the renewal of waste haulers licenses for Lindon – DBA Wapsi Waste, BFI Waste Services, LLC – DBA Republic Services and Waste Management of Cedar Rapids. All Ayes. Motion Carried.

**PUBLIC WORKS: NONE**

**FINANCE:**

**Payment of Bills for the Month of January, 2016**

Motion by Feldmann, second by Shaffer to approve the payment of bills for the month of January, 2016. All Ayes. Motion Carried.

**Grant Agreement Between the City of Anamosa and the Anamosa Development Corporation**

Alan explained that the Anamosa Development Corporation (ADCO) has graciously offered to do an upfront grant to Fareway Stores, Inc. Alan then read the proposed agreement aloud. Alan explained that

ADCO will be reimbursed one-half of the grant amount by the City over a two year period starting in FY 2017-18 ending in FY 2018-19 at \$15,000 each year. He stated that this will be repaid with the Tax Increment received off that district.

Motion by Feldmann, second by Weimer to approve the grant agreement between the City of Anamosa and the Anamosa Development Corporation. Shaffer asked where the funds will be repaid out of the City's budget. Alan stated it will be paid with Tax Increment Financing. All Ayes. Motion Carried.

**CITY ADMINISTRATOR'S REPORT:**

Alan Johnson stated that he had received several inquiries regarding the February 1<sup>st</sup> Budget Work Session. He stated that as the Iowa Caucus is scheduled that same day and the Library and LCC being caucus sites, he stated that if the Council had no objections, he would move that work session to Tuesday, February 2<sup>nd</sup>. No objections were voiced. Alan stated he will contact the outside agencies to move their funding requests to February 2<sup>nd</sup>.

Shaffer stated that per the City Administrator's contract, he is to have an annual review in January and it is not on this agenda for last meeting in January. Alan stated that they can do it at the next council meeting. Shaffer stated he had found a review form on-line that he can get out to the Council Members. Weimer asked if the City already had a form that they had used. Alan stated yes they have one, but only three of the six Council Members returned at the last review three years ago. Mayor Barnes stated that Alan can send out the form that the City has previously used to all the Council Members.

**MAYOR AND COUNCIL: NONE**

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

Nancy Shaffer, 803 N. Division St. addressed the Council and suggested that a way to educate the public on public hearings would be an article entitled "From the Desk of the City Administrator". Nancy also asked when the salaries are set for the Council and Mayor and how that is determined. Feldmann stated that the Council would need to bring it up. Alan stated that the Council and Mayor's wages have to be set prior to the 60 days before any regular City election and then the new wage would not take effect until after the 1<sup>st</sup> of January following the election.

Mike Dearborn- 405 N. Division St addressed the Council stating that per the City's Ordinance, not State Code, the City cannot make changes to council or mayor's wages in the November or December of an election year. Mike also asked where the ADCO Grant was being paid back from. He wanted to know which TIF district it would come out of. Alan stated that it would come out of the new TIF district being created for the Fareway project. Mike felt that there would not be enough TIF funds left in that singular TIF district to repay that. Alan stated that it is being proposed in the future that the TIF districts be combined. Mike suggested that the Council have a "plan b" to make these payments in case the TIF funds weren't there.

Dick Dearborn, 600 N. Williams St. addressed the Council asking what the status and plans were for the proposed upgrade to the 2<sup>nd</sup> Street lift station. Alan stated that Snyder & Associates have been hired to complete the design for the 2<sup>nd</sup> Street lift station. Alan also stated that due to the Iowa DNR requirements this probably will not take place in the upcoming fiscal year and it will not happen until approximately 1-1/2 years from the inception. Alan clarified that the Elm Street project would only require a construction permit from the Iowa DNR. The process will be much different. Dick wanted to remind the Council to keep this project in front of them as it is very important to the Community and its growth.

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Randy Day, 304 S. Oak Street addressed the Council asking Alan what the results were of the veterinarian inspection at the Mayor's residence. Alan stated he had not received the written report as yet. Randy asked if that would be released to the public. Alan initially stated no, it would not but if the City Attorney deemed it public information it would be. Randy again suggested that a committee be formed to review the nuisances to keep it separate from staff and elected officials. He also asked about the loop hole in the ordinance regarding junk cars as long as they are licensed. He also brought up down spout issues and discharging water on neighbor's properties. Randy also brought up the issue of dog manure running onto neighbor's yards. He then discussed a report of barking dogs and issues relating to that incident. Mayor Barnes further explained that in that incident it was found to be a different neighbor's dogs barking. Randy stated again that a committee should be formed. Weimer stated that yes, nuisance properties are horrendous, but they continue to hear about one property. She stated that all nuisance properties need to be addressed by the Police Department and follow through done by Alan Johnson. Betty stated that ball should not be dropped. She stated that it needs to be enforced for all citizens including city employees and elected officials, including the Mayor.

Bill Goodman, 804 E. 1<sup>st</sup> St. addressed the Council stating he applauded Weimer for her comments. He then asked again that nuisance properties be included on the agenda. He asked for an update on the administrative procedures regarding nuisances. Alan stated that the plan and forms are in place and the case files have been started.

John Ely, 301 N. Davis St. addressed the Council asking if citizen's pictures can still be placed in the nuisance files for a pictorial description of what is wrong. Alan stated that the City needs to take their own pictures. The City cannot accept citizen pictures as evidence.

Rod Smith stated that the nuisance properties procedure was in place and it may not be expedited as fast as the citizens want it to be, but it will be done. He stated that process is in place and it will be the focal point of this council as we venture forward. Rod also stated that he felt that the biggest thing to impact the City is the budget and no citizens have attended the budget meetings.

**Adjournment**

Motion by Feldmann, second by Rod Smith to adjourn at 7:05 p.m. All Ayes. Motion Carried.

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Dale Barnes, Mayor

ATTEST:

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Tammy Coons, City Clerk