

The City Council of the City of Anamosa met in Regular Session this October 24, 2016 in the Council Chambers at City Hall at 6:00 p.m. with Chuck Smith, Rod Smith, Cody Shaffer and Betty Weimer present. Absent: Rick Sanborn and Bill Feldmann. Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Tammy Coons, City Clerk; Jim Henson, Water Superintendent; Bob Simonson, Police Chief and Adrian Knuth, City Attorney. Guests Present Addressing the Council: Jim Lauzon, Maquoketa Valley Electric Cooperative; Sue Miner, 104 S. Booth Street; Randy Day 304 S. Oak Street; Mike Dearborn, 405 N. Division Street; Nancy Shaffer, 803 N. Division Ct.; Aaron Paustian, 108 S. Aldermann; and Lou Bickford, 551 Noah Drive. 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 Shaffer, second by Rod Smith to approve the minutes from the October 10, 2016 Regular Council meeting. All Ayes. Motion Carried.

PUBLIC HEARINGS:

Public Hearing on Proposed Gift to Maquoketa Valley Electric Cooperative Portions of the Former Chicago, Milwaukee, St. Paul & Pacific Railroad Right-of-Way Lying Between Davis Street and Huber Street and Huber Street to Ford Street to Promote Economic Development

Mayor Barnes opened the public hearing at 6:01 p.m. Alan Johnson reviewed the status of proposed conveyance and identified the outstanding issues. No comments were offered by the public present at the meeting and no written or verbal comments had been received prior to the meeting.

Motion by Shaffer, second by Rod Smith to close the public hearing at 6:02 p.m. All Ayes. Motion Carried.

COMMUNITY BETTERMENT:

Resolution Approving the Gifting and Conveyance to Maquoketa Valley Electric Cooperative Portions of the Former Chicago, Milwaukee, St. Paul & Pacific Railroad Right-of-Way Lying Between Davis Street and Huber Street and Huber Street to Ford Street to Promote Economic Development

Motion by Shaffer, second by Weimer to approve **Resolution 2016-51** Approving the Gifting and Conveyance to Maquoketa Valley Electric Cooperative Portions of the Former Chicago, Milwaukee, St. Paul & Pacific Railroad Right-of-Way Lying Between Davis Street and Huber Street and Huber Street to Ford Street to Promote Economic Development.

Alan explained that Maquoketa Valley Electric Cooperative is not willing to go along with a permanent public easement in the area between Huber Street and Ford Street on the north edge. Adrian Knuth explained the permanent public easement and asked if the City wants to retain easements for the City water and sewer lines. Discussion followed. Adrian also asked for direction on retaining an easement for after-hours public parking for Starlighters as was previously discussed. Jim Lauzon stated that they would not be willing to provide an easement for the parking, but Maquoketa Valley has talked to Starlighters and they are willing to allow Starlighters to use their parking area after hours. More Discussion followed.

Roll Vote. 2- Absent, Feldmann and Sanborn. All Remaining Ayes. Motion Carried.

Ordinance to Add Chapter 148 – Minimum Dwelling Standards to the Ordinances of the City of Anamosa, Iowa

Motion by Weimer, second by Rod Smith to approve the **third reading of Ordinance** to add Chapter 148 – Minimum Dwelling Standards to the Ordinances of the City of Anamosa, Iowa. Sue Miner, 104 S. Booth Street addressed the Council stating she is concerned about where the money is coming from to fund a full time enforcement employee. She felt that there are more issues than nuisance properties that need to be addressed. Sue stated that she did not agree with how the City was handling some of these

issues and there is a better way to address the issues without sending notices out. Discussion followed on how this ordinance relates to and works with the current dangerous building ordinance. Randy Day, 304 S. Oak Street asked if time would be allowed for residents to replace and remodel homes to meet these requirements. Alan stated yes, time would be allowed. Mike Dearborn, 405 N. Division Street asked if this issue identified by Randy Day was actually written in the ordinance itself. He also questioned why the City needed to create an ordinance to address these issues when this should be handled by the Jones County Health Department. Mike also stated that the City should be looking at what other "like" cities do before jumping into this ordinance. Adrian Knuth explained how this ordinance has worked in the city of Olin. Nancy Shaffer, 803 N. Division Ct. addressed the Council suggesting that these issues be addressed by the County Health Department. She also suggested delaying this until the means and authority of the Jones County Health Department can be identified. Roll Vote. 2-Absent, Sanborn and Feldmann. 2-Nays, Shaffer and Chuck Smith. All Remaining Ayes. Motion Failed.

Ordinance to Add Chapter 149 – Minimum Living Standards to Ordinances of the City of Anamosa, Iowa

Motion by Weimer, second by Rod Smith to approve the **third reading of Ordinance** to add Chapter 149 – Minimum Living Standards to Ordinances of the City of Anamosa, Iowa. Mike Dearborn, 405 N. Division Street addressed the Council asking for clarification on Section 149.04 of the proposed ordinance. Adrian explained that this relates to well/private water supplies, not the City water system. Mike suggested that the ordinance be clarified to state this. He stated he wanted it noted for the record that he is opposed to this ordinance. Roll Vote. 2-Absent, Sanborn and Feldmann. 2-Nays, Shaffer and Chuck Smith. All Remaining Ayes. Motion Failed.

Request from Aaron and Deb Paustian to Leave Recently Installed Concrete Pad on City Right-of-Way

Aaron Paustian, 108 S. Aldermann addressed the Council explaining that he has been parking his camper in the City right-of-way and has now installed a concrete pad to continue to park his camper there. He stated he did not realize that parking was not allowed in the City right-of-way or that a concrete could not be added in that area. He asked the Council to consider allowing him to leave the concrete pad in place and allow him to park his camper there. He explained the distance from the curb and that in that area of town there are several residents that park vehicles in the right-of-way. Discussion followed.

Motion by Shaffer, second by Weimer to allow the concrete pad installed in the right-of-way by Aaron Paustian to remain in place. 1-Nay, Rod Smith. All Remaining Ayes. Motion Carried.

PUBLIC SAFETY:

Beer and Liquor Licenses

Motion by Shaffer, second by Rod Smith to approve the new Class B Wine Permit and Class C Beer Permit with Sunday Sales Privileges for Fareway Stores, Inc. and the renewal of Class C Liquor License with Outdoor Service for Tucker's Tavern. All Ayes. Motion Carried.

Cigarette Permit for Fareway Stores, Inc.

Motion by Shaffer, second by Weimer to approve the new cigarette permit for Fareway Stores, Inc. All Ayes. Motion Carried.

PUBLIC WORKS:

Ordinance Amending Chapter 92 Water Rates of the Anamosa City Code to Increase Water Rates to Finance the Expansion of the Water Treatment Plant

Motion by Shaffer, second by Rod Smith to approve the **second reading of Ordinance** Amending Chapter 92 Water Rates of the Anamosa City Code to Increase Water Rates to Finance the Expansion of

the Water Treatment Plant. Roll Vote. 2-Absent, Sanborn and Feldmann. All Remaining Ayes. Motion Carried.

FINANCE:

Pay Request No. 1 for the Wastewater Disinfection Project to F. L. Krapfl, Inc.

Motion by Shaffer, second by Weimer to approve Pay Request No. 1 for the Wastewater Disinfection Project to F.L. Krapfl, Inc. in the amount of \$236,315.73. All Ayes. Motion Carried.

Payment of Bills for the Month of October, 2016

Motion by Rod Smith, second by Shaffer to approve the payment of bills for the month of October, 2016. All Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Alan reported on the following items:

Nuisance Properties – two of the properties that were served dangerous building notices are in the process of demolition.

Fall City Wide Clean Up – Alan gave a summary report of the recent city wide clean up and that it went very smoothly with a lot of assistance from volunteers, prison labor and city staff.

Hazardous Household Material Disposal – Jones County is hosting an informational meeting on how to dispose of hazardous household materials next Tuesday at the Anamosa Public Library.

MAYOR AND COUNCIL:

Rod Smith, P&R Board - reported that the Board will be making a recommendation to the Council for Scott Kelly's replacement whose last day will be December 31, 2016.

Weimer, JCED – reported that the recent “Tour of Opportunity” was a big success. There were twelve available buildings and three of them were showcased.

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

Lou Bickford, 551 Noah Drive suggested that the ordinances previously discussed be “tweaked”, but that she feels the City does need these ordinances.

Closed Session

Motion by Shaffer, second by Weimer to go into closed session at 7:16 p.m. per Iowa State Code Section 21.5(C) – Litigation. Roll Vote. 2-Absent, Sanborn and Feldmann. All Remaining Ayes. Motion Carried.

Council returned to open session at 7:30 p.m.

Adjournment

Motion by Weimer, second by Rod Smith to adjourn at 7:31 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk