

The City Council of the City of Anamosa met in Regular Session this November 14, 2016 in the Council Chambers at City Hall at 6:00 p.m. with Rod Smith, Cody Shaffer, Bill Feldmann and Betty Weimer present. Absent: Rick Sanborn and Chuck Smith. Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Penny K. Lode, Deputy City Clerk; Jim Henson, Water Superintendent; Bob Simonson, Police Chief and Rebecca Vernon, Library Director. Guests Present Addressing the Council: Jim Lauzon, Maquoketa Valley Electric Cooperative; Mark Whitmore, Twisted Pair Post Inc.; Leanna Boone, 14984 230th Ave; Nancy Shaffer, 803 N. Division; John Ely, 301 N. Davis and Mike Dearborn, 405 N. Division. 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 with the noted correction from the October 24, 2016 Regular Council meeting. All Ayes. Motion Carried.

PRESENTATIONS:

Mark Whitmore, Twisted Pair Post, Inc. – Update on recent purchase and installation of video equipment installed in Council Chambers

Mark Whitmore addressed the Council and went over the equipment that was installed in order to video the council meetings and make them available to the public. He explained that the videos can be uploaded to YouTube, which is free and a link can be placed on the City's website to the videos. Mayor Barnes asked if there were any public comments, there were none.

COMMUNITY BETTERMENT:

Discussion and possible action on Anamosa Holiday Kickoff-Light Parade on Friday 11/25/16 and Reindeer Run on Saturday morning 11/26/16

Johnson asked Leanna Boone to update the council on the event. Leanna addressed the Council stating she is in charge of the parade this year and they will follow the same route as in the past; down Main Street from LCC to F&M Bank with line up starting at 5 p.m. Weimer asked if the Police will be involved in parade. Chief Simonson stated that they generally are. Leanna stated she had not heard from the Fire Department on their participation. Shaffer asked if they had applied for a Street Closure for the parade in the past. Johnson stated that it has not been required since it is temporary and not that long.

Nancy Shaffer addressed the Council regarding the Reindeer Run to be held on Saturday. They will be using the same route as last year and it starts at 9:00 a.m. Nancy stated that the police presence last year was at Main Street and Scott Street intersection because it was the most critical intersection. The police presence was great and greatly appreciated and whatever they can provide this year would also be appreciated. She went on to say that there will also be volunteers at the other intersections where they will be crossing. There was no street closure needed last year. Johnson stated that the volunteers need to wear the high visibility vests.

Motion by Feldmann, second by Weimer to approve both events. All ayes. Motion carried.

Discussion and possible action on professional service agreement with MMS Consultants, Inc. – S. Elm Street Project

Feldmann asked Johnson to give the Council an overview on the agreement. Johnson stated that this agreement is required since it is a federal program and the federal money will not pay for engineering, however it is still a requirement, so the City is paying for the engineering as part of our percentage match.

Motion by Feldmann, second by Rod Smith to approve the agreement. All ayes. Motion carried.

Discussion and possible action on Resolution approving the gifting and conveyance to Maquoketa Valley Rural 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** Approving conveyance of portions of former Chicago, Milwaukee, St. Paul & Pacific Railroad Right-of-Way to Maquoketa Valley Electric Cooperative.

John Ely addressed the Council stating that in the past alleys have been sold to adjoining property owners and asked what the City is getting out of this and if it is possible to lease it. Johnson stated that Maquoketa Valley will be increasing the jobs by 22 and they will be putting a couple hundred thousand more dollars on our tax base. Ely stated that there should be a way to meet their needs without gifting them the property, such as a lease.

Feldmann asked Jim Lauzon, Maquoketa Valley REC (MVREC) how many buildings they are putting up. Lauzon stated one ten thousand square foot building. Weimer asked Lauzon to address the Council from the podium. Feldmann stated that his understanding from the initial discussions was the City would look at gifting or selling the property from Huber to Ford in order for MVREC to meet setbacks for a building at that site, but the building is now being built on the Huber to Davis Street site. Feldmann is wondering why if the economic development is on that site why the City is gifting the property on the Huber to Ford Street site, when it really benefits no one if the City isn't provided an easement through there for traffic. Lauzon stated that is up to the City. Weimer asked if the building was originally going to be built on the Huber to Ford Street site. Lauzon stated yes, but it has taken the City so long, and the building is well under construction at the other site and they couldn't wait because they had to get rid of the green space. As far as the intent of the property they will be creating another park to replace the park that they had to remove.

Feldmann stated that he is not in favor of gifting the Huber to Ford Street property, as it serves no economic development and it reduces the amount of traffic able to go through that right-of-way and the loss of parking for surrounding businesses. He went on to state that he is in favor of the Huber to Davis Street site, he is not in favor of gifting the property from Huber to Ford Street. Johnson stated that the parking that was there previously was private parking, not public and the right-of-way did not have parking on it. Feldmann reiterated that parking is not the issue, it is that if it is not going to be used for economic development, why are we giving it away and taking access away from those property owners. Shaffer stated the lumber yard and bowling alley both have street frontage.

Weimer asked Lauzon if initially they needed it for setbacks. Lauzon stated that was the original intent as they were going to put the warehouse on Starlighters property and the City property. Weimer asked what the new plan is now. Lauzon stated the building is going up on their existing property and the property they obtained from the City on the Huber to Davis Street site. Weimer asked what the new intent is for the Huber to Ford Street site. Lauzon stated they are going to build a park to replace the park that they had to destroy on their property and they intend to use it in the future at some point. Feldmann stated it should be addressed in the future if it comes to that point.

Johnson stated that the reason this is back on the agenda is for two reasons; one the legalities end of it had to be completed and the City does not move fast, and their attorney also wanted to change the wording to include Maquoketa Valley Rural Electric Cooperative and have the deed included as they are transferring it by deed.

Shaffer commented that he would like to give Maquoketa Valley every option to expand in the future being they are a large employer in Anamosa. Feldmann commented that the Council needs to take into

consideration all citizens not just large employers. It doesn't make sense for the citizens or the city to give away something that isn't needed for economic development. Weimer agreed that if it is no longer needed for a building and there is no guarantee that it will stay open for people to drive through and it affects the businesses that are currently there, then she does not agree with gifting it. Lauzon stated that if the City decides not to transfer ownership, then he expects the city to reimburse them for the costs incurred for the abstract and surveys done. Shaffer commented that MVREC could have moved to another city and its putting money back on the tax rolls that the community gets to use, not just a couple of businesses around it. It was never intended to be an alley, it is railroad right-of-way.

Rod Smith stated that he understood that they were still building on that site and he must have misunderstood and thought they were building two buildings and would not completely close off the railroad right-of-way. Lauzon stated they do not intend on closing access, he took exception to using the word "permanent". They intend to use the property in the future should the need arise but the current plan is to use as a green space and pave an alley way. He has already discussed plans with the lumber yard. Johnson clarified that he gave them permission to begin construction on the current site. Weimer stated she hates to see the access closed and would like it contingent with an easement to the City. Lauzon stated they are not interested in giving an easement, they are not in the business of providing City roads.

Mayor Barnes asked if there were any other comments or discussion. Feldmann stated he believes the two properties need to be separated and acted on separately. Johnson clarified that if they want to separate the parcels, it will need to come back to Council as another resolution. In the meantime, they need to go ahead and issue an affidavit of possession on the land where the building is being constructed now. Shaffer asked if the property they purchased from Starlighters is of any value to them and would they have purchased it if the City did not transfer their property. Lauzon stated they probably would not have purchased that property and would have moved out of Anamosa.

Mike Dearborn addressed the Council commenting that if they do re-write the resolution they need to include wording that MVREC get their costs reimbursed. He stated that he was at the last meeting and he understood that the building was being moved to the other site.

Roll Vote. 2-Absent, Sanborn and Chuck Smith. 3-Nays, Feldmann, Weimer and Rod Smith. 1-Aye, Cody Shaffer. Motion Failed.

PUBLIC SAFETY:

Beer and Liquor Licenses

Motion by Feldmann, second by Rod Smith to approve the renewal of Class C Liquor License and outdoor service with Sunday Sales Privilege for Anamosa Bowling Center. All Ayes. Motion Carried.

Cigarette Permit for Deb's Sports Bar

Motion by Feldmann, second by Rod Smith to approve the new cigarette permit for Deb's Sports Bar. All Ayes. Motion Carried.

PUBLIC WORKS:

Discussion and Possible Action on Third 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

Motion by Feldmann, second by Rod Smith to approve the **Third Reading of Ordinance No. 912** 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 Chuck Smith. 3 – Ayes: Felmann, Rod Smith, Weimer. 1-Nay: Shaffer. Motion Carried.

FINANCE:

Discussion and possible action on Resolution hiring and setting salaries of part time employees for the Lawrence Community Center for fiscal year ending June 30, 2017.

Motion by Feldmann, second by Rod Smith to approve **Resolution 2016-52** hiring and setting salaries of part time employees for the Lawrence Community Center. Roll vote. 2 – Absent, Sanborn and Chuck Smith. All Remaining Ayes. Motion Carried.

Discussion and possible action on Pay Estimate #2 – Wastewater Disinfection Project to F.L. Krapfl, Inc. for \$64,359.27

Motion by Feldmann, second by Rod Smith to approve the Pay Estimate #2 to F.L. Krapfl, Inc. for \$64,359.27. Johnson commented that the project is completed and the first test results were less than 1, which is phenomenal. All Ayes. Motion Carried.

CITY ADMINISTRATOR’S REPORT:

Johnson updated the Council on the Community Care Property stating it has been awarded to the City. It will take a couple of weeks to get finalized through the court system and back to the City at which time the Council will need to discuss how they would like to proceed with the property.

The deadline for next week’s packet information will be Tuesday, November 22 at Noon, as the packets will go out on Wednesday, November 23rd.

MAYOR AND COUNCIL:

Feldmann reported that 911 is getting closer to the backup dispatch working. They sold the Emergency Management trailer for \$2500 and are looking at building one to suit our needs.

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

John Ely addressed the Council with a question on the traffic lights at Main and Ford Streets and why there are two on the south side. Johnson stated because the intersection is offset and it follows DOT regulations.

Adjournment

Motion by Feldmann, second by Weimer to adjourn at 6:44 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Penny K. Lode, Deputy City Clerk