

The City Council of the City of Anamosa met in Regular Session this January 7, 2017 in the Council Chambers at City Hall at 6:00 p.m. with Bill Feldmann, Rod Smith, Cody Shaffer and Betty Weimer present. Absent: Rick Sanborn (vacant) and Chuck Smith. (vacant). Mayor Dale Barnes presided. Also present were Alan Johnson, City Administrator; Tammy Coons, City Clerk; Rebecca Vernon, Library Director; Gregg Carpenter, Streets Superintendent; Jim Henson, Water Superintendent; Tyler Laing, Interim Parks & Recreation Director; Dan Smith, Wastewater Superintendent; Adrian Knuth, City Attorney; and Bob Simonson, Police Chief. Guests Present Addressing the Council: Dick Dearborn, 600 N. Williams St.; Mike Dearborn, 405 N. Division St. and Nancy Shaffer, 803 N. Division Ct. 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 Rod Smith to approve the minutes from the December 12, 2016 Regular Council meeting. All Ayes. Motion Carried.

COMMUNITY BETTERMENT:

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

Motion by Feldmann, second by Rod Smith to approve the **third reading of Ordinance No. 913** to add Chapter 148 – Minimum Dwelling Standards to the Ordinances of the City of Anamosa, Iowa. Dick Dearborn, 600 N. Williams Street addressed the Council asking if there had been anyone who had come before the Council and show support of this. Weimer and Feldmann both stated that yes they had been contacted by people stating they were in favor of it and one member of the audience stated that she had stood before the Council expressing her approval of the ordinance. Dick then expressed concern over why the city was needing to perform this function as this should be enforced by the County especially with the City trying to make cuts and save money. He stated it is like having two entities doing the same work and the taxpayers are paying for it twice. Dick used the example of the City turning down a request from the State to plow the roads in the State Park. Feldmann stated that is his experience working at the County that the County only goes after nuisance properties in the County. They rely on the communities to take care of their areas. Alan clarified that these ordinances are only “minimum” standards. Discussion followed on the number of residences that are currently in violation of this ordinance and also the nuisance ordinance. Rod Smith stated that he had received a lot more comments from the public in favor of these “minimum” standards compared to comments against the ordinances. Mike Dearborn, 405 N. Division St. addressed the Council asking Rod Smith if he felt it was the County’s job to enforce these types of things and if these ordinances originated for health and safety reasons. Rod stated that these proposed ordinances would run parallel with the ordinances and they would work together. Mike asked the Council again if this is a County responsibility and several council members and Mayor stated that the City takes care of the City and the County takes care of the County. More discussion and examples followed on what the City takes care of and what other taxing entities take care of. Mike stated that he still remains in objection to ordinances 148 and 149. Roll Vote. 2 - Vacant, Chuck Smith and Sanborn. 1-Nay, Shaffer. All Remaining Ayes. Motion Carried.

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

Motion by Feldmann, second by Weimer to approve the **third reading of Ordinance No. 914** to add Chapter 149 – Minimum Living Standards to Ordinances of the City of Anamosa, Iowa. Shaffer questioned the licensed plumber requirement and garbage removal as assigned by the City. Alan explained that the City insurance carrier is encouraging the City to have all licensed trades register with the City and the assigned garbage haulers are permitted by the City. Nancy Shaffer, 803 N. Division Ct. addressed the Council asking for clarification on 149.05 and the licensed plumber requirement. Alan explained the State code requirements. Nancy also asked if the City would require proof of contract from the resident with their garbage hauler. Alan stated that this could be included in the permitting

process and that is also covered in the current curbside garbage pick-up ordinance. Questions and discussion

followed on who could identify these issues and how it relates to residents who have their water disconnected due to non-payment of a bill. Nancy expressed her concerns of displacing families and losing their homes. Alan and several council members agreed that this ordinance will be used with discretion, but these ordinances provide for a minimum. Discussion followed on when the Board of Health had been contacted by the City on these types of issues. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. 1-Nay, Shaffer. All Remaining Ayes. Motion Carried.

Possible Appointments to fill Council Vacancies

Feldmann recommended not filling the vacancies at this time with only two meetings before the special election. Weimer stated she was excited to see that twelve people had applied for the possible appointment.

Motion by Feldmann, second by Shaffer to not proceed with the appointments. All Ayes. Motion Carried.

Resolution Calling for Special Election to Fill Vacancies

Motion by Feldmann, second by Weimer to approve **Resolution 2017-01** Calling for Special Election to fill vacancies on the Council created by resignation of Rick Sanborn and death of Chuck Smith. Adrian Knuth, City Attorney clarified that the resolution calls for merging the polling locations into one location. Tammy Coons, City Clerk stated that per the Janine Sulzner, Jones County Auditor that this would allow for some cost savings for the City. Clarification on the process and timeline followed. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

Re-Appointments to the Zoning Board of Adjustment

Motion by Feldmann, second by Rod Smith to approve the re-appointments of Mary Achenbach and Judy Rose to the Zoning Board of Adjustment. All Ayes. Motion Carried.

PUBLIC SAFETY:

Beer and Liquor Licenses

Motion by Feldmann, second by Weimer to approve the following liquor license renewals: Daly Creek Winer & Bistro – Class C Beer Permit, Class C Native Wine Permit with outdoor service area and Sunday Sales Privileges; ElTapatio – Class C Liquor License with Sunday Sales Privileges; Giggle Juice Liquor Station, LLC – Class B Wine Permit, Class C Beer Permit, Class E Liquor License with Sunday Sales Privileges; and Tapken’s Convenience Plus – Class C Beer Permit with Sunday Sales Privileges. All Ayes. Motion Carried.

Renewal of Waste Collections Licenses

Motion by Feldmann, second by Rod Smith to approve the renewal of waste collection licenses for the following haulers: Waste Management of Cedar Rapids, Wapsi Waste Service, Frazier’s Sanitation, Edwards Sanitation, VIP Sanitation and BFI Waste Services, LLC (dba Republic Services). All Ayes Motion Carried.

PUBLIC WORKS:

Action on Bids Received for the Purchase of Pickup for the Water Department

Alan reviewed the specifications on the pickup for the Water Department and the low bid received from a local dealer, Wayne Hall in the amount of \$28,740 for a 2017 Dodge Ram ¾ ton. Discussion followed on the need to replace the 1992 Chevy ½ Ton that was purchased approximately 2 years ago.

Motion by Feldmann, second by Weimer to accept the low bid from Wayne Hall in the amount of \$28,740 for the 2017 Dodge Ram ¾ Ton pickup. Discussion followed. All Ayes. Motion Carried.

FINANCE:

Approving the Bills Paid in December 2016

Motion by Feldmann, second by Weimer to approve the bills paid in December, 2016. Discussion followed. All Ayes. Motion Carried.

Approval of the Audit Report for Fiscal Year Ending June 30, 2016 as Prepared by Clifton LarsonAllen

Motion by Feldmann, second by Rod Smith to approve the Audit Report for Fiscal Year Ending June 30, 2016 as prepared by Clifton LarsonAllen. Some discussion followed. All Ayes. Motion Carried.

Proposed Fire Department Budget for Fiscal Year 2017-18

Motion by Feldmann, second by Rod Smith to approve the proposed Fire Department Budget for Fiscal Year 2017-18. Alan explained the timing requirement on the Council approval of this budget as it relates to the County's need to levy taxes for the townships and that the Fire Service Board prepares this budget as per the 28E Agreement. All Ayes. Motion Carried.

Resolution Appointing Interim Parks & Recreation Director

Motion by Feldmann, second by Weimer to approve **Resolution 2017-02** Appointing Interim Parks & Recreation Director and Setting Interim Salary. Discussion followed. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

Resolution Appointing Interim Program Assistant/Office Manager for Parks & Recreation Department and Setting Interim Salary

Motion by Feldmann, second by Weimer to approve **Resolution 2017-03** Appointing Interim Program Assistant/Office Manager for Parks & Recreation Department and Setting Interim Salary. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

Resolution Appointing Assistant Streets Superintendent and Setting Salary for Fiscal Year Ending June 30, 2017

Motion by Feldmann, second by Weimer to approve **Resolution** Appointing Assistant Streets Superintendent and Setting Salary for Fiscal Year Ending June 30, 2017. Discussion followed on the history of this position, how long it had been vacant and the job description. Feldmann withdrew his motion and Weimer withdrew her second.

Motion by Rod Smith, second by Weimer to table this resolution until the next regular Council meeting to allow for review of the job description. All Ayes. Motion Carried.

Resolution Hiring and Setting Salary of Part Time Employee for the Lawrence Community Center for Fiscal Year Ending June 30, 2017

Motion by Feldmann, second by Rod Smith to approve **Resolution 2017-04** Hiring and Setting Salary of Part Time Employee for the Lawrence Community Center for Fiscal Year Ending June 30, 2017. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

CITY ADMINISTRATOR'S REPORT:

Alan explained that the council packet is now available on the City website at anamosa-iowa.org and he also stated that the audit report for Fiscal Year ending June 30, 2016 was not included in the scanned packet due to the size of the report, but is always available at City Hall for anyone who wishes to review it. Alan also stated that the Council meeting videos are being uploaded to Youtube, but the process is

very time consuming due to the upload speed of our internet service. Tammy explained the current upload speed and the approximate cost to upgrade to the highest available speed.

MAYOR AND COUNCIL:

Weimer – Jones County Economic Development, reported that the strategic planning session is set for this Friday and it is being put on by Pat Callahan. Betty also reviewed and made comments and suggestions on the Department Head reports.

Feldmann – EMA/911, reported that they are going out for RFP's on a new trailer for EMA as the previous one has been sold. They are expecting the replacement cost to be around \$40,000 (+/-). He also stated that they are working on the budget for both EMA and 911 and they had approved spending \$40,000 to move equipment off the old tower to the south tower. He said some other equipment will be upgraded. Bill also explained that these funds come from the surcharge fee we all pay on our phone bills and cell phone bills.

Public with Business with the Council on Items not on the Agenda - None

CLOSED SESSION

Motion by Feldmann, second by Rod Smith to move into Closed Session per Iowa State Code Section 21.5(C) – litigation at 7:03 p.m. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

Council returned to Open Session at 8:32 p.m.

Motion by Feldmann, second by Shaffer to authorize counsel to proceed with litigation as discussed in closed session. Roll Vote. 2 - Vacant Chuck Smith and Sanborn. All Remaining Ayes. Motion Carried.

Adjournment

Motion by Rod Smith, second by Weimer to adjourn at 8:34 p.m. All Ayes. Motion Carried.

Dale Barnes, Mayor

ATTEST:

Tammy Coons, City Clerk