



CITY OF ANAMOSA
CITY COUNCIL AGENDA – REGULAR SESSION

MONDAY, JULY 8, 2019 – 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
107 SOUTH FORD STREET, ANAMOSA, IA 52205

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ANAMOSA IOWA, WILL MEET AT THE CITY HALL COUNCIL CHAMBERS, ANAMOSA, IOWA, REGULAR SESSION AT 6:00 P.M. ON MONDAY THE 8TH DAY OF JULY, 2019 TO CONSIDER THE MATTERS ENUMERATED IN THE AGENDA BELOW:

If you wish to address the City Council, please wait for the Mayor to open the floor for public comment on that agenda item and then approach the podium. Before speaking, please state your name and address. Each speaker is limited to five (5) minutes per agenda item and is expected to refrain from the use of profane, obscene, or slanderous language.

1.0) ROLL CALL

2.0) PLEDGE OF ALLEGIANCE

3.0) MOTION TO APPROVE THE MINUTES FROM THE FOLLOWING MEETINGS:

3.1) June 24, 2019 – Regular Council Meeting

4.0) PUBLIC HEARINGS: NONE

5.0) PROCLAMATIONS: NONE

6.0) OLD BUSINESS

6.1) DISCUSSION AND POSSIBLE ACTION ON THE **SECOND READING OF ORDINANCE** VACATING AND CONVEYING THAT PORTION OF CEDAR STREET LYING SOUTH OF CHERRY STREET AND NORTH OF VINE STREET IN THE CITY OF ANAMOSA, IOWA. **ROLL VOTE.**

POSSIBLE WAIVER OF THIRD READING. ROLL VOTE.

6.2) DISCUSSION AND POSSIBLE ACTION ON THE **SECOND READING OF ORDINANCE** AMENDING CHAPTER 22 OF THE CITY CODE (LIBRARY BOARD OF TRUSTEES) TO REDUCE TERM OF OFFICE OF TRUSTEES, IMPOSE TERM LIMITS ON TRUSTEES, AND STAGGER THE APPOINTMENT OF THE TRUSTEES. **ROLL VOTE.**

POSSIBLE WAIVER OF THIRD READING. ROLL VOTE.

6.3) DISCUSSION AND POSSIBLE ACTION ON FY 2020 COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL 238.

6.4) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION** SETTING SALARIES FOR FISCAL YEAR 2019-20 FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF ANAMOSA POLICE DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS RESOLUTION. **ROLL VOTE.**

7.0) NEW BUSINESS

7.1) DISCUSSION AND POSSIBLE ACTION ON REIMBURSEMENT PAYMENT TO ANAMOSA DEVELOPMENT CORPORATION (ADCO).

- 7.2) DISCUSSION AND POSSIBLE ACTION ON THE AGREED UPON PROCEDURES OF THE SPECIAL AUDIT.
- 7.3) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION** APPROVING THE HIRING AND SETTING SALARY OF FULL TIME PATROL OFFICERS FOR THE ANAMOSA POLICE DEPARTMENT. **ROLL VOTE.**
- 7.4) DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF SEWER CAMERA TRAILER
- 7.5) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION** APPROVING AND ACCEPTING THE WORK DONE BY CALACCI CONSTRUCTION ON THE WATER TREATMENT PLANT IMPROVEMENTS PROJECT. **ROLL VOTE.**
- 7.6) DISCUSSION AND POSSIBLE ACTION ON THE NUISANCE ABATEMENT PROCESS AND PROGRESS
- 8.0) **CITY ADMINISTRATORS REPORT:**
- 9.0) **MAYOR AND COUNCIL REPORTS:**
 - 9.1) COUNCIL REPORTS ON BOARDS AND COMMISSIONS.
- 10.0) **PUBLIC WITH BUSINESS WITH THE COUNCIL ON ITEMS NOT ON THE AGENDA**
- 11.0) **CLOSED SESSION**
 - 11.1) MOTION TO ENTER INTO CLOSED SESSION PER IOWA STATE CODE SECTION 21.5(i) – TO EVALUATE THE PROFESSIONAL COMPETENCY OF AN INDIVIDUAL(S) WHO’S APPOINTMENT, HIRING, PERFORMANCE OR DISCHARGE IS BEING CONSIDERED WHEN NECESSARY TO PREVENT NEEDLESS AND IRREPARABLE INJURY TO THAT PERSONS REPUTATION AND THAT THE INDIVIDUALS HAVE REQUESTED A CLOSED SESSION.
 - 11.2) RETURN TO OPEN SESSION
 - 11.3) MOTION TO ENTER INTO CLOSED SESSION PER IOWA STATE CODE SECTION 21.5(j) - TO DISCUSS THE PURCHASE OR SALE OF PARTICULAR REAL ESTATE ONLY WHERE PREMATURE DISCLOSURE COULD BE REASONABLY EXPECTED TO INCREASE THE PRICE THE GOVERNMENTAL BODY WOULD HAVE TO PAY FOR THAT PROPERTY OR REDUCE THE PRICE THE GOVERNMENTAL BODY WOULD RECEIVE FOR THAT PROPERTY. THE MINUTES AND THE AUDIO RECORDING OF A SESSION CLOSED UNDER THIS PARAGRAPH SHALL BE AVAILABLE FOR PUBLIC EXAMINATION WHEN THE TRANSACTION DISCUSSED IS COMPLETED.
 - 11.4) RETURN TO OPEN SESSION
- 12.0) **ADJOURNMENT**

THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE FRONT DOOR IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.



Jacob Sheridan, City Administrator

The City Council of the City of Anamosa met in Regular Session this June 24, 2019 in the Council Chambers at City Hall at 6:00 p.m. with Rich Crump, John Machart, Kay Smith, Rod Smith, Cody Shaffer and Betty Weimer present. Absent: None. Mayor Dale Barnes presided. Also present were Jacob Sheridan, City Administrator; Penny K. Lode, Deputy City Clerk; Rebecca Vernon, Library Director and Jeremiah Hoyt, Police Chief. Guests Present Addressing the Council: Bryce Ricklefs, Boomerang; Tom Durgin; Bill Goodman, 804 E. 1st Street, Leanna Boone, Chamber of Commerce; Tim Shada, Fire Chief; Jim Henson, Water Superintendent. 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 R. Smith, second by Crump to approve the minutes of the June 10, 2019 Regular Council meeting. All Ayes. Motion carried.

Public Hearings: Vacate and Convey Portion of Cedar Street

Mayor Barnes opened the public hearing on proposal to vacate and convey that portion of Cedar Street south of Cherry Street and north of Vine Street. No discussion. Motion to close the public hearing by Shaffer, second by Weimer. All ayes. Motion carried.

COMMUNITY BETTERMENT:

Ordinance Vacating and Conveying Portion of Cedar Street

Motion by Crump to approve the first reading of ordinance vacating and conveying that portion of Cedar Street lying south of Cherry Street and north of Vine Street, second by Shaffer. R. Smith asked for confirmation that there are no utilities in the right-of-way area, Sheridan stated there were none. Roll vote: All ayes. Motion carried.

Ordinance Amendment – Library Board of Trustees

Motion by Weimer to approve the first reading of ordinance amending Chapter 22 of the City Code to reduce term of office of trustees, impose term limits on trustees, and stagger the appointment of trustees, second by Machart. Roll vote: All ayes. Motion carried.

Resolution 2019-27 Approving Preliminary Plat of Chamber Drive Business Park

Motion by Weimer to approve Resolution 2019-27 approving Preliminary Plat of Chamber Drive Business Park, second by Crump. R. Smith wants to make sure sidewalks are installed as well as street lighting. Discussion followed. Roll vote: All ayes. Motion carried.

Library Board Appointments

Motion by Crump to reappoint Sandy Antons to the Anamosa Library Board, second by Machart. All ayes. Motion carried.

Motion by Crump to appoint Richard Stout to the Anamosa Library Board, second by K. Smith. All ayes. Motion carried.

PUBLIC SAFETY:

Anamosa Volunteer Fire Department Appointments

Motion by Crump to appoint Robert Young and Jeremiah Snow to the Anamosa Volunteer Fire Department, second by Weimer. R. Smith is in favor of the appointments, but asked for clarification on City's policy regarding employees attending fire calls during business hours. Jim Henson addressed the Council stating it is on a case by case basis. Discussion followed. All ayes. Motion carried.

PUBLIC WORKS:

Verbal Warning – Wastewater Superintendent

Motion by Crump to have the record of verbal warning for Wastewater Superintendent, Dan Smith stricken from his personnel file immediately, second by Shaffer. Weimer stated employee issues are the responsibility of the City Administrator and is against the removal of the warning. R. Smith asked if there has been any new information brought to light to change the fact that directions were not carried out by the employee; Sheridan stated he is not aware of any new information.

Tom Durgin addressed the Council. Mayor Barnes stated that the item was not open to public comment. Durgin went on to state he felt the news interview that initiated the warning was a positive one.

Bill Goodman, 804 E. 1st St. addressed the Council. Mayor Barnes informed Goodman that the Council will not be answering the public regarding the matter. Goodman went on to state that this issue should not be in a public forum. Weimer stated the item was placed on the agenda per the request of the employee. Weimer went on to state that the employee was given direct orders that were not followed and disagrees with overruling the City Administrator in personnel matters.

Ayes: Crump, Shaffer, Machart, K. Smith. Nays: Weimer, R. Smith. Motion carried.

FINANCE:

FY 2020 Collective Bargaining Agreement

Item was tabled.

Resolution Setting Salaries for FY 2019-20

Motion by Shaffer to approve **Resolution 2019-28** setting salaries for FY 2019-20 with the omission of the Police Department, second by Machart. Roll vote. All Ayes. Motion Carried.

Resolution Approving the Hiring and Setting Salary of Part-time Employee for Lawrence Community Center

Motion by Weimer to approve **Resolution 2019-29** approving the hiring and setting salary of part-time employee for the Lawrence Community Center, second by K. Smith. Roll vote. All ayes. Motion carried.

Resolution Approving Change in Title and Wage for Seasonal Aqua Court Employee

Motion by R. Smith to approve **Resolution 2019-30** approving the change in title and wage for an Aqua Court employee, second by Shaffer. Roll vote. All Ayes. Motion Carried.

Payment of Bills

Motion by Crump to approve the payment of bills including two invoices from Shaffer Plumbing & Heating that were missed, second by Shaffer. Discussion followed. All ayes. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Sheridan reported on the following:

- 1 - There are five candidates for the three police officer openings.
- 2 - Eleven applications have come in for the City Clerk position. Application deadline is June 30th.
- 3 - Water Project update – the punch list is complete.

Shaffer asked for an update on 310 W. Main Street. Sheridan stated it is now a contempt of court case. Weimer asked if the Council could get an update from Adrian on the status of this at the next meeting. Crump suggested the City should pursue a more aggressive City Attorney.

Shaffer asked for an update on 707 E 2nd Street. Hoyt stated he is still monitoring the situation.

Crump asked why they had not received any department reports this month. Sheridan stated he will get reports collected and distributed to the Council.

Crump asked why the audit was not on the agenda. Sheridan stated it will be on a future agenda.

MAYOR AND COUNCIL:

K. Smith praised the Library for their presentation on Normandy. Shaffer suggests the City Council plan field trips to visit all the City facilities in order to better understand the operations that are discussed at the Council meetings.

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

Tom Durgin addressed Sheridan concerning a late payment made last month for the City's insurance coverage. Durgin also asked if Sheridan had investigated further into the by-passed water that had been discussed previously. Sheridan stated that there has been no further investigation.

LeeAnna Boone, Chamber of Commerce stated the nodes/flower beds are done and thanks the City departments, Street Department, Warden, Prison guards and inmates for all their work and cooperation.

Tim Shada, Anamosa Fire Department addressed the Council stating they were to be on the agenda to discuss the building project. Discussion followed.

Adjournment

Motion by Shaffer to adjourn, second by Crump. All Ayes. Motion Carried. Meeting adjourned at 7:05 p.m.

Dale Barnes, Mayor

ATTEST:

Penny K. Lode, Deputy City Clerk

ORDINANCE NO. _____

ORDINANCE VACATING AND CONVEYING THAT PORTION OF CEDAR STREET LYING SOUTH OF CHERRY STREET AND NORTH OF VINE STREET IN THE CITY OF ANAMOSA, IOWA

WHEREAS this Council previously proposed to vacate and convey to Patrick F. Hesper that portion of Cedar Street lying South of Cherry Street and North of Vine Street in the City of Anamosa, Iowa; and,

WHEREAS that proposal came on for public hearing this date; and,

WHEREAS advance notice of the public hearing held this date was published as required by law;

WHEREAS no objections were voiced to the proposal at the public hearing; and,

WHEREAS this Council still believes it would be in the City's best interests to sell and convey that portion of Cedar Street lying South of Cherry Street and North of Vine Street to Patrick F. Hesper for the sum of \$.25 per square foot plus reimbursal for all out-of-pocket costs incurred by the City in connection with the transaction;

BE IT ORDAINED, THEREFORE, that that portion of Cedar Street lying South of Cherry Street and North of Vine Street in the City of Anamosa, Iowa is hereby vacated. Pursuant to Section 354.23 of the Iowa Code, this ordinance shall convey that vacated portion of Cedar Street to Patrick F. Hesper whose address for purposes of tax statements is 201 Vine Street, Anamosa, Iowa 52205, in return for payment of the sum of \$4,950.00, plus reimbursal for all out-of-pocket costs incurred by the City in connection with the transaction. Payment of those sums by Mr. Hesper shall be evidenced by the recording of a copy of this ordinance with the Jones County Recorder.

ENACTED THIS _____ day of _____, 2019.

Dale Barnes, Mayor

ATTEST: _____
Penny K. Lode, Deputy City Clerk

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 22 OF THE CITY CODE (LIBRARY BOARD OF TRUSTEES) TO REDUCE TERM OF OFFICE OF TRUSTEES, IMPOSE TERM LIMITS ON TRUSTEES, AND STAGGER THE APPOINTMENT OF THE TRUSTEES

WHEREAS the citizenry conducted a plebiscite in 2011 approved reducing the term of members of the Anamosa Library Board of Trustees from six years to three years with a two consecutive term limit and the staggering of the appointment of the Trustees with three positions being appointed every three years; and,

WHEREAS there was never formal amendment of the City Code to reflect the changes approved by the citizenry at that plebiscite;

BE IT ORDAINED, THEREFORE, that Section 22.04(1) of the City Code is amended to read as follows:

1. Term of Office. All appointments to the Board shall be for three (3) years, except to fill a vacancy. Each Board member shall be subject to a two consecutive term limit after which the Trustee must be off the Board for at least one full term before being again eligible to serve as Trustee on the Board. The terms of the Board member shall be staggered with three positions being appointed every three (3) years.

PASSED, ADOPTED AND APPROVED THIS ___ day of _____, 2019.

Dale Barnes, Mayor

ATTEST: _____

RESOLUTION NO. 2019-_____

RESOLUTION SETTING SALARIES FOR FISCAL YEAR 2019-20 FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF ANAMOSA POLICE DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE FOR THIS RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANAMOSA:

SECTION 1. The following persons and positions named shall be paid the salaries or wages indicated less legally required or authorized deductions from the amounts set out below on a bi-weekly basis and also make such contributions to Social Security, Medicare, I.P.E.R.S or other purposes as required by law or authorization of the City Council, all subject to audit and review by the City Council. All employees listed below will be considered regular full-time employees working a 40 hour week unless otherwise indicated.

POSITION	EMPLOYEE NAME	ANNUAL SALARY OR HOURLY RATE FOR FY 2018	ANNUAL SALARY OR HOURLY RATE AS OF 7/1/19 Payroll Period	CLASSIFICATION ANNUAL SALARY OR HOURLY
POLICE CHIEF	JEREMIAH HOYT	\$72,000.00	\$74,160.00	ANNUAL SALARY
SERGEANT	NICK BROKAW	\$26.71	\$27.51	HOURLY RATE
POLICE OFFICER	TYLER HUNT	\$23.48	\$26.00	HOURLY RATE
POLICE OFFICER	KEITH BELL	\$23.48	\$26.00	HOURLY RATE
POLICE OFFICER	BRANDON FRENCH	\$19.87	\$22.00	HOURLY RATE
PART TIME POLICE OFFICER	DEREK DENNISTON	\$21.72	\$22.00	HOURLY RATE
PART TIME POLICE OFFICER	JASON FELDMANN	\$19.87	\$22.00	HOURLY RATE
PART TIME POLICE OFFICER	JOSH LAMEY	\$19.87	\$22.00	HOURLY RATE

SECTION 2. The normal work week for the City of Anamosa shall begin on Saturday at 12.01 a.m. and end on the following Friday at midnight.

SECTION 3. Job descriptions, rules and benefits will be provided to each employee and updated as required by City Council action. Additional rules and benefits are further outlined in the employee bargaining contracts.

SECTION 4. GROUP HEALTH INSURANCE: The City will pay 90% of health and medical insurance premiums for those employees eligible and participating. The employee will pay 10% of premiums for health and medical insurance. The City will pay 100% of the premiums for life insurance in the amount of \$50,000 for its employees that are eligible. The City will pay 100% of the premium for long term disability for its employees that are eligible.

SECTION 5. BENEFITS: The City of Anamosa will provide such benefits to its regular full-time and approved regular part-time employees as stated in the City's Personnel Manual and from time to time approved by the City Council.

SECTION 6. MILAGE REIMBURSEMENT: If an employee is asked to travel on behalf of the City they shall use a City vehicle when it is possible to do so. If an employee has to use their own vehicle they shall be reimbursed at the rate of 58 cents per mile. Currently the rate is 54.5 cents per mile. If

it is less costly to travel by air then that option will be implemented. If it is less costly to travel by air and the employee elects to travel by vehicle and they use their vehicle, the employee shall not receive reimbursement greater than the lesser cost between air and vehicle.

SECTION 7. EFFECTIVE DATE: These salaries shall be effective for the first pay period paid after July 1, 2018 and the policies shall be in effect as of July 1, 2018.

SECTION 8. This resolution declares null and void any sections of previously approved salary resolutions in conflict with sections of this resolution.

PASSED, ADOPTED AND APPROVED this 8th day of July, 2019.

APPROVAL BY MAYOR

I hereby approve the foregoing Resolution No. 2019-__ by affixing below my official signature as Mayor of the City of Anamosa, Iowa this 8th day of July, 2019.

Dale Barnes, Mayor

ATTEST:

Penny Lode, Deputy City Clerk

GRANT AGREEMENT

To facilitate renovation of the existing Family Foods building at 402 E. Main Street by Fareway Stores, Inc., the City of Anamosa, Iowa (hereafter City) and Anamosa Development Corporation (hereafter ADCO) enter into the following grant agreement:

1. ADCO shall grant Fareway Stores, Inc. the sum of \$60,000.00 for asbestos removal and any other purpose relating to renovation of the existing Family Foods store at 402 E. Main Street as soon as practical following its acquisition by Fareway Stores, Inc.

2. The City shall reimburse ADCO for one-half of its \$60,000.00 grant to Fareway Stores, Inc. by paying to ADCO \$15,000.00 during the City's 2017-2018 fiscal year and \$15,000.00 during the City's 2018-2019 fiscal year. No interest shall accrue or be paid on the reimbursement sums to be paid ADCO by the City and the City shall have the option to reimburse ADCO in full in fiscal year 2017-2018, without penalty, if the City's budget for that fiscal year permits.

Executed in duplicate this 25th day of January, 2016.

CITY OF ANAMOSA, IOWA

BY: Dale Barnes
Dale Barnes, Mayor

BY: Alan D. Johnson
Alan D. Johnson, City Administrator

ANAMOSA DEVELOPMENT
CORPORATION

BY: Douglas L. Ricklefs
Douglas L. Ricklefs, President

BY: Matt A. Behrends Sa / Treas.
Matt A. Behrends, Secretary/Treasurer

ATTEST:

Tammy Coons
Tammy Coons, City Clerk

RESOLUTION NO. 2019-__

RESOLUTION APPROVING THE HIRING AND SETTING SALARY OF FULL TIME PATROL OFFICERS FOR THE ANAMOSA POLICE DEPARTMENT FOR FISCAL YEAR ENDING JUNE 30, 2020

WHEREAS, there is currently three vacant patrol officer positions in the Anamosa Police Department; and

WHEREAS, the Chief of Police is recommending the candidates for employment; and

WHEREAS, such recommendation is now forwarded onto the City Council for their review and consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ANAMOSA, IOWA, that the following hires be approved:

Position	Employee Name	Hourly Rate
Full Time Patrol Officer	Ethan Hanson	\$21.00
Full Time Patrol Officer	Aaron McMurrin	\$21.00
Full Time Patrol Officer	Kristian Anderson	\$21.00

PASSED AND APPROVED this 8th day of July, 2019

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 2019-__** fixing below my official signature as Mayor of the City of Anamosa, Iowa, this 8th day of July, 2019.

Dale Barnes, Mayor

ATTEST:

Penny K. Lode, Deputy City Clerk

RESOLUTION 2019-__

***RESOLUTION APPROVING AND ACCEPTING THE WORK DONE BY CALACCI
CONSTRUCTION ON THE WATER TREATMENT PLANT IMPROVEMENTS
PROJECT***

WHEREAS, the City of Anamosa City Council approved a contract with Calacci Construction for the Water Treatment Plant Improvements Project; and

WHEREAS, said work has been completed and the work inspected by engineers, HR Green, Inc., who are recommending acceptance of the work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ANAMOSA, IOWA, that the City of Anamosa City Council does hereby accept the work completed by Calacci Construction on the Water Treatment Plant Improvements Project for the purpose of Iowa Code Chapter 573.10.

PASSED AND APPROVED this 8th day of July, 2019.

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 2019-__** by affixing below my official signature as Mayor of the City of Anamosa, Iowa, this 8th day of July, 2019.

Dale Barnes, Mayor

ATTEST:

Penny Lode, Deputy City Clerk