

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: August 22, 2016

Time of Meeting: 7:00 PM

Place of Meeting: City Hall

PUBLIC NOTICE IS HEREBY GIVEN that the above-mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

AGENDA:

- 7:00 1. Call to order, Pledge of Allegiance, roll call, adopt agenda
- 7:00 2. Report from Madison County Development Group
- 7:10 3. Report from Winterset Municipal Utilities
- 7:20 4. Skate Park Project
 - Memorandum of Understanding
 - set date for bid opening and public hearing
- 7:30 5. Proposed ordinance - stop signs west side of Square
- 7:40 6. Sewer Plant Project
 - Pay Estimate No. 13 - \$92,000.00
- 7:50 7. N 8th Avenue Paving Project
 - approve contracts and bonds
- 8:00 8. Requests for sewer charge adjustment
- 8:10 9. Liquor license renewal
 - Shopko Store
 - Pheasant Run Pub & Grill
 - Casey's General Store (1021 N. 1st Street)
- 8:20 10. Administrator report
- 8:30 11. Claims
- 8:35 12. Minutes Aug. 1st meeting
- 8:40 13. Public comment
- 8:45 14. Adjournment

This notice is given pursuant to Chapter 28A, Code of Iowa and the local rules of said governmental body.

DATE POSTED: August 18, 2016

BY: _____

Title: City Administrator

City Council of the City of Winterset, Iowa met in regular session on August 22, 2016 in accordance with the above Notice and Call of Public meeting. The meeting was called to order by Mayor James C. Olson with the following members of the Council in attendance:

PRESENT: Mike Fletcher, Howard Harrell, Philip Macumber, Edmund Seaward, Scott Stover

ABSENT: None

The Mayor called for any additions or deletions to the agenda. A motion was made by Council Member Macumber and seconded by Council Member Stover to approve the agenda as set forth in the Notice and Call of Public meeting. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor stated that the Council would first hear a report from the Madison County Development Group. Tom Leners, the Executive Director of the Madison County Development Group addressed the Mayor and Council. He presented a written report summarizing activities he has been involved in in the past month. He also went on to discuss in greater detail several of the items in his report.

The Mayor then called upon Scott Wesselmann, General Manager of the Winterset Municipal Utilities to present his report. Mr. Wesselmann reported on activities of the Electric Department and the Water Department. He stated that an engineer has been hired to undertake comprehensive study of the electric system. He reported that water stopped running over the spillway at Cedar Lake reservoir August 8th, but started running again following a rain storm a couple weeks later. He stated that water main break on Highway 92 caused some problems with water service. He stated that cap broke off the end of the main, and after they found the problem, they were able to isolate the problem. He also discussed plans to stock fish at Cedar Lake reservoir.

The Mayor called for a report on the Skate Park Project. The City Administrator stated that a Memorandum of Understanding has been prepared setting forth the term and conditions for constructing, operating and maintaining the Winterset Area Skate Park. He stated that the Friends of the Winterset Area Skate Park have raised money for construction of the skate park over the past several years, and have received some grants for this project as well. He stated that skate park will be built on City property and will be part of the City Park system. Following a period of discussion, Council Member Harrell introduced the following resolution and moved for its adoption. Council Member Stover seconded the motion. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016-94

RESOLUTION APPROVING
MEMORANDUM OF UNDERSTANDING
FOR THE WINTERSET SKATE PARK PROJECT

WHEREAS the Friends of the Winterset Area Skate Park have raised funds and have secured grants for the construction of the Winterset Area Skate Park Project; and

WHEREAS the Winterset Skate Area Park will be constructed on City owned property and will be part of the City's park system managed by the Winterset Park & Recreation Department; and

WHEREAS a Memorandum of Understanding providing for terms under which the Winterset Skate Park will be constructed, financed, owned and operated has been prepared.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa that the Memorandum of Understanding covering the terms under which the Winterset Area Skate Park will be constructed, financed, owned and operated is hereby accepted.

Passed and approved this 22nd day of August, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor then called for a report on setting a date for bid opening and public hearing. The Administrator stated that plans and specifications for the project have been delivered to City Hall and it is now time to proceed with setting a date for a public hearing on the project and the date for opening bids. He suggested that the bid opening be held on September 6th at 2:00 o'clock P.M. in the afternoon, and that the public hearing be held at the Council meeting scheduled for 7:00 o'clock P.M. on September 6th. Following brief discussion, a motion was made by Council Member Stover and seconded by Council Member Macumber to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016-95

RESOLUTION APPROVING PLANS AND SPECIFICATIONS,
NOTICE OF HEARING, NOTICE TO BIDDERS AND FORM OF CONTRACT;
AND SETTING DATE FOR HEARING THEREON
AND THE RECEIPT OF BIDS FOR THE
WINTERSET AREA SKATE PARK PROJECT

WHEREAS, plans and specifications, notice of hearing, notice to bidders, form of contract and estimate of cost have been prepared and filed by Spohn Ranch Inc., the Project Engineers, for the Winterset Area Skate Park Project and have been examined by the Council; and

WHEREAS, it is necessary to fix a time and place of public hearing on the proposed plans, specifications and form of contract and estimate of cost, and a time and place to open bids for the Winterset Skate Park Project;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Winterset, Iowa, as follows:

Section 1. The plans and specifications, notice of hearing, notice to bidders, form of contract and estimate of cost referred to in the preamble hereof are hereby approved.

Section 2. The amount of the bid security to accompany each bid is hereby fixed at 10%.

Section 3. The City Council hereby delegates to the City Administrator the duty of receiving, opening and tabulating bids for the construction of the Project, on the 6th day of September 2016, at 2:00 o'clock PM, at the Office of the City Administrator, City Hall, 124 W Court Avenue, Winterset, Iowa.

Section 4. The 6th day of September, 2016, at 7:00 o'clock p.m., at the Council Chambers, City Hall, Winterset, Iowa, is hereby fixed as the time and place of hearing on the proposed plans, specifications, form of contract and estimate of cost for the Project, and also as the time and place of considering bids received by the City Administrator in connection therewith.

Section 5. The City Administrator shall publish notice of hearing in the Winterset Madisonian, a legal newspaper of general circulation in the City, which publication shall be not less than 4 days nor more than 20 days before the date set for hearing.

Section 6. The City Administrator shall post the notice to bidders on the Construction Update Network website maintained by the Master Builders of Iowa and shall post the notice of bidders on the City's website, which postings shall be not less than 13 days but not more than 45 days before the dates set for receiving bids.

Passed and approved this 22nd day of August, 2016.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is a proposed ordinance providing for stop signs on the west side of the Square. He stated that the proposed ordinance would provide for stop signs at the intersection of Court Avenue and 1st Avenue at the southwest corner of the Square, and also at Jefferson Street or 1st Avenue, at the northwest corner of the square. Discussion was held regarding the location of where stop signs need to be erected. Following a period of discussion, Council Member Seaward made a motion for first reading of the proposed ordinance. Council Members Harrell seconded the motion. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried and the proposed ordinance was

given first reading at this time.

The Mayor called for a report on the pay estimate for the Sewer Plant Project. The City Administrator stated that the project engineer has submitted Pay Estimate No. 13 providing for payment of \$92,000 to the contractor, C.L. Carroll Company. The Administrator stated that this amount represents most of the retainage that has been held for this project. Following brief discussion, a motion was made by Council Member Macumber and seconded by Council Member Seaward to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016-96

RESOLUTION APPROVING PAY ESTIMATE
WASTEWATER TREATMENT FACILITIES IMPROVEMENT PROJECT

WHEREAS the City has previously entered into a contract with C.L. Carroll Co., Inc. for construction of the Winterset Wastewater Treatment Facilities Improvement Project; and

WHEREAS the contractor has submitted Pay Estimate No. 13 requesting payment in the amount of \$92,000.00; and

WHEREAS the Project Engineer from Veenstra & Kimm, Inc. has reviewed said pay estimate and has recommended approval of Pay Estimate No. 13.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa that Pay Estimate No. 13 providing for payment in the amount of \$92,000.00 to C.L. Carroll Co., Inc. for work completed on the Winterset Wastewater Treatment Facilities Improvement Project be hereby approved and that the City Administrator is hereby directed to issue payment to C.L. Carroll Co., Inc. in the amount of \$92,000.00

Passed and approved this 22nd day of August, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor then called for a report on the North 8th Avenue Paving Project. The City Administrator reported that Vanderpool Construction has signed the contract and has provided the required performance and payment bond. He stated that these documents appear to be in order and recommended that the Council approve the contract and bonds provided by the contractor. A motion was then made by Council Member Harrell and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016-97

RESOLUTION APPROVING CONTRACT AND
PERFORMANCE AND PAYMENT BONDS FOR THE
NORTH 8TH AVENUE PAVING PROJECT

WHEREAS, the City Council of the City of Winterset, Iowa, has heretofore awarded a contract for the North 8th Avenue Paving Project (the "Project") to Vanderpool Construction, Inc., and fixed the amount of the performance and payment bonds to be furnished by the contractor, and instructed and authorized the Mayor and City Administrator to execute the said contract on behalf of the City, subject to the approval of the City Council; and

WHEREAS, the said contract has been duly signed by the contractor and by the Mayor and City Administrator, and upon examination by this City Council the same appears to be in proper form; and

WHEREAS, the contractor has filed satisfactory performance and payment bonds in the required amount;

NOW, THEREFORE, be it resolved by the City Council of the City of Winterset, Iowa, as follows:

Section 1. The aforementioned contract and performance and payment bonds are hereby approved and declared to be binding upon the parties thereto.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved August 22, 2016.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor called for a report on the request for sewer charge adjustments. The Administrator stated that he has received two requests for sewer charge adjustments. He stated that one request was from Jodie Dickey who lives at 312 W Filmore. He stated that in this case the water heater that was located in the basement had developed a leak. He stated that as a result, 11,000 cubic feet of water was used resulting in a sewer charge of \$671.85. He stated that following our standard policy, the sewer charge would be reduced down to \$167.85 or a reduction of \$495. He stated that the other case involves a request from Lora Sims who lives at 315 E Filmore Street. He stated that this situation involves malfunctioning toilet that was located in the basement. He stated that 7,100 cubic feet of water was used resulting in a sewer charge of \$437.85. He stated that in accordance with our standard policy, the charge will be reduced down to \$157.35 or a reduction of \$280.50. He stated that both of these customers have provided evidence that a plumber had correct the problem. A motion was then made by Council Member Macumber and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016-98

RESOLUTION APPROVING SEWER CHARGE ADJUSTMENTS

BE IT RESOLVED that a credit of \$280.50 be applied to the sewer charges for the utility account Lora Sims at 315 E. Filmore Street.

BE IT FURTHER RESOLVED that a credit of \$495.00 be applied to the sewer charges for the utility account Jodie Dickey at 312 W. Filmore Street.

Passed and approved this 22nd day of August, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is to consider liquor license renewals for Shopko, Pheasant Run Pub & Grill and Casey's Store (N 1st Street). The Administrator stated that Alan Havel d/b/a Pheasant Run had contacted him about revising the outdoor service area for an event scheduled for Saturday, August 27th. He stated that he would like to use part of the adjacent public street for customers who will be arriving in downtown Winterset for a motorcycle event. The Mayor recognized Jim Eller from Rodell's Bar B Q who stated that he was also asked to participate in this motorcycle event. He stated that the bike riders are scheduled to be in Winterset for about an hour time period during the noon hour on August 27th. Following a period of discussion, Council Member Harrell made a motion seconded by Council Stover to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared the following resolution was duly adopted.

RESOLUTION NO. 2016 - 99

RESOLUTION APPROVING APPLICATIONS FOR
ALCOHOLIC BEVERAGE LICENSE

WHEREAS, there is now on file an application for renewal of a Class C Liquor License, outdoor service area and Sunday sales permit filed by Pheasant Run Pub & Grille, Inc.; and

WHEREAS, there is now on file an application for renewal of a Class B Native Wine Permit, Class C Beer Permit, Class E Liquor License and Sunday sales permit filed by Casey's Marketing Company, dba Casey's General Store located at 1021 N 1st Street; and

WHEREAS, there is now on file an application for renewal of a Class C Beer Permit, Class B Native Wine Permit and Sunday sales permit filed by Shopko Stores Operating Co. LLC, dba Shopko Hometown; and

WHEREAS, after due investigation and consideration of said matters, it is considered that the aforementioned applications should be granted and recommendation be made that such licenses should be granted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset that the following listed liquor license applications are hereby approved and it is recommended that alcoholic beverage licenses be granted for the following businesses:

- Pheasant Run Pub & Grille, Inc.
- Casey's Marketing Company, dba Casey's General Store (1021 N 1st Street)
- Shopko Stores Operating Co. LLC, dba Shopko Hometown

Passed and approved this day 22nd day of August 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor then called upon the Administrator to present his report at this time. The Administrator reported that the Iowa Dept. of Revenue has provided the Local Option Sales Tax projections for the next year. He stated that the monthly revenue projections are for 95% of the expected annual revenue. He stated that another payment is received later with the final 5%, more or less. He stated that the LOST revenues are about 5.7% more than the projection for the current year, which is expected to be about 9% more than last year. The Administrator presented a report to the Mayor and Council showing the past history of LOST revenues, and the projections for the current year and next year.

The Administrator reported that the City recently received a certificate indicating that the City of Winterset has achieved gender equity in all appointed City boards and commissions. He stated that the Carrie Chapman Catt Center at Iowa State University and an organization called Vision 2020 recognized the City of Winterset as one of 31 cities and 6 counties in Iowa that have achieved gender equity.

The Administrator stated that the Central Iowa Regional Housing Authority has asked that the City appoint a representative and an alternate representative to their Board of Commissioners. He stated that the letter indicates that the representatives can be anyone approved by the City Council and may include elected officials or an employee of the City.

The Administrator stated that this is the time of year to file annual reports to various state agencies. He stated that he completed the outstanding debt report and filed it with the Iowa Treasurer's Office. He stated that he has finished the annual financial report that is required by the State Auditor's Office, and has nearly finished the annual street finance report that is to be filed with the Iowa Dept. of Transportation. He stated that the audit firm recently completed their field work on the audit.

The Administrator stated that James Michaels has sent a letter listing his concerns about traffic issues instead of asking to be included on the agenda. The Administrator provided a copy of Mr. Michaels letter with the Mayor and Council Members.

The Mayor called for a report on the claims. Council Member Harrell stated that he reviewed the claims and moved to approve the following list of claims. Council Member Stover seconded the motion. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

GENERAL

POLICE:

Payroll Account, salaries	17,079.33
Ames Police Dept, reg	250.00
Brittains Std Parts, hdw supplies	6.23
Carpenter Uniform Co., collar pins	8.99
Carquest of Winterset, car maint	35.14
Chief, uniforms	176.45
Christian Dekker, training supplies	5.35
Madison Co Treasurer, gasoline	1,140.55
Mainstay Systems Inc., printer	214.00
MGIA - IA Chapter, erg	150.00
Quality Car Care, car maint	35.70
Quill Corp, office supplies	136.21
CenturyLink, phone service	427.49
Card Services, gun equip/training supplies/training exp	396.65

FIRE:

Agriland FS Inc., gasoline	94.04
Danko Emergency Equip Co., bullard shield	52.07
Emergency Services Mrkting Inc., responder service	305.00
MidAmerican Energy, gas service	13.04
CenturyLink, phone service	109.09
Verizon, cellular service	23.64
Winterset Municipal Utilities, utilities	221.28

ADMINISTRATION:

Payroll Account, salaries	4,367.97
Faller Kincheloe & Co PLC, audit fee	4,625.00
James Olson, expenses	30.64
Winterset Madisonian, pub	650.63

ANIMAL CONTROL:

Payroll Account, salaries	57.64
Street Tails Inc., spay program	560.00
Winterset Veterinary Center, impound fees	334.73

BUILDING INSPECTOR:

Payroll Account, salaries	1,247.59
Winterset Oil Co., gasoline	62.00

GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, salaries	634.60
Payroll Account, benefits	103.02

INTERNAL SERVICE FUND

ADMINISTRATION:

Access Systems, maint contract	455.04
Automatic Door Group Inc., door repairs	188.60
Brandy Decker, cleaning service	200.00
CenturyLink, phone service	452.25
CIT, copier lease	368.30
Employee Benefit Systems, HRA admin fees	284.90
Fareway Stores Inc., mtg supplies	18.97
Feirer Enterprises Inc., website maint	59.00
Madison Co Historic Preservation, plaque	77.00
Switech Plumbing LLC, faucet repairs	411.46
Total Administrative Services, flex admin fee	258.58
WorldPay, CR/DB fees	213.81

ROAD USE TAX

ROADWAY MAINTENANCE:

Agriland FS Inc., gasoline	606.43
Brittains Std Parts, hdw supplies	161.58
Browns Heavy Equipment Inc., loader repairs	34,747.98
Card Services, sprayer pump	250.00
CenturyLink, phone service	194.02
CINTAS Corp, first aid supplies	75.82
Diamond Vogel Paints, paint	357.00
Doc's Soft Water, office supplies	5.50
Electronic Engineering, pager maint	23.90
Winterset Farm & Home, gloves/street repairs/hdw supplies	98.60
Farmers Electric Coop Inc., utilities	203.24
Grimes Asphalt & Paving Corp, cold mix	1,330.06
Iowa One Call, locates	27.03
MidAmerican Energy, gas service	26.69
National Sign Co Inc., signs	168.54
Payroll Account, salaries	7,345.75
Quality Striping Inc., City striping	5,750.00
Waste Mgmt of Iowa, garbage service	65.00
Winterset Collision Center, glass repairs	171.00
Winterset Oil Co., gasoline	827.92

SEWER UTILITY FUND

SANITARY SEWER:

Payroll Account, salaries	7,498.38
Payroll Account, benefits	1,220.44
Breedings Hardware, hdw supplies/tools	66.57
Brittains Std Parts, service jack/equip maint	391.49
CR Services, cut off wheels	173.70
IA Dept of Natural Resources, annual fee	1,275.00
J & L Sanitation, dumpster purchase/garbage service	695.00
Jetco Inc., left station repairs	3,313.70
Keystone Laboratories Inc., lab testing	1,881.02
CenturyLink, phone service	225.59
Shopko Stores, safety boots	54.99
Simon Welding, steel	9.88
Spee-Dee Delivery Service Inc., shipping	94.32
Stalker Chevrolet Inc., truck	29,600.00
Card Services, winch	559.91
Winterset Oil Co., gasoline	309.35

LMI GRANT FUND

ECONOMIC DEVELOPMENT:

Donald & Marilyn Little, spec assess grant	791.15
Glenn & Betty Stephenson, spec assess grant	814.00

SIDEWALK PROJECT FUND

SIDEWALKS:

Carroll Distribution Inc., ADA panels	1,127.42
Midwest Curb Grinding, curb grinding	300.00

TRUST & AGENCY

POLICE:

Payroll Account, benefits	2,946.99
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ADMINISTRATION:

Payroll Account, benefits	915.76
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ROADWAY MAINTENANCE:

Payroll Account, benefits	1,192.48
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Receipts for previous month:

General Fund -	\$76,022.22
Special Revenue Fund -	\$94,707.08
TIF Special Revenues Funds	\$5,314.61
Debt Service Funds -	\$4,434.42
Capital Project Funds -	\$0.00
Enterprise Funds -	\$128,336.60

The Mayor stated that the minutes of the August 1, 2016 City Council meeting were previously provided to the Council Members for their review. A motion was made by Council Member Seaward and seconded by Council Member Macumber to approve the minutes as submitted. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor noted that Dave Braga had signed up for public comment. Mr. Braga asked that the City continue to publish notice to bidders in the Madisonian. He stated that he realizes that State law has changed the bid notification process, but he asked that the City continue to publish notice in the newspaper. The Administrator stated that he would also use the Madisonian for publishing these notices.

Discussion was held on creating the position of code enforcement officer. It was suggested that this item be included on the agenda for the next Council meeting.

Discussion was also held regarding a letter received from Tim Hunt who lives at 321 W Buchanan St. Mr. Hunt stated that he is concerned about ground erosion around the foundation around his house. Bob Hendricks reported that the City inspected the condition of the storm sewer pipe in the adjacent street. He stated that the storm sewer is reinforced concrete pipe and is in good condition. He stated that there are intakes located at the intersection of 4th Avenue and Buchanan Street and also a half a block to the east along Buchanan Street.

A motion was made by Council Member Harrell to adjourn the meeting. The motion to adjourn was seconded by Council Member Stover. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried and the meeting was now adjourned.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator