

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: September 6, 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. Reports from City Boards & Departments
- 7:20 3. Airport acquisition plats
- 7:30 4. Winterset Area Skate Park Project
 - public hearing on plans, specifications, form of contract
 - resolution approving plans, specifications, form of contract
 - report on bids
 - award of contract
- 7:40 5. Proposed ordinance – stop signs west side of Square
- 7:50 6. Committee on code enforcement position
- 8:00 7. Jurgensen Bridge Project
 - set date of hearing and bid opening
- 8:10 8. City Hall HVAC Project
 - set date of hearing and bid opening
- 8:20 9. Proposal to sell City owned real estate
 - set date of hearing on proposal
- 8:30 10. Sewer Plant project
 - Pay Estimate No. 14 (Final) \$11,187.71
- 8:40 11. DOT Street Finance Report
- 8:45 12. Liquor license renewal –Rodell’s Smokehouse
- 8:50 13. Administrator report
- 9:00 14 Claims
- 9:05 15. Minutes Aug. 22nd meeting
- 9:10 16. Public comment
- 9:15 17. Adjournment

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

DATE POSTED: September 1, 2016

BY:

Title: City Administrator

City Council of the City of Winterset, Iowa met in regular session on September 6, 2016 in accordance with the above Notice and Call of Public meeting. The meeting was called to order by Mayor Pro Tem Howard Harrell with the following members of the Council in attendance:

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

ABSENT: None

The Mayor Pro Tem recognized a number of students from Mr. Shaw’s High School government class who were in attendance. Those included: Jocelyn Hoven, Ellie Thomas, Trevor Kems, Gabby Harvey, Max Wangler and Josie Fairholm.

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

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor Pro Tem declared that the motion carried.

The Mayor Pro Tem stated that the Council would now hear reports from the various City Boards and Departments. The Mayor Pro Tem first recognized John Pletchette and asked for a report from Park & Recreation Commission. Mr. Pletchette related to the Council Members the various projects that are ongoing. He stated that the Skate Park Project was bid earlier today. He stated that the Jorgensen relocation project has been given approval by the Iowa Department of Transportation. He stated that work is being done at the City Park to extend sidewalks and to improve the parking area near the North Shelter. He stated that a concept plan has been prepared for a dog park. He stated that plans are underway for constructing a shelter at the Soccer Park. He stated that construction is underway for a new concession building at Giffin Fields. Mr. Pletchette stated that he would like to acknowledge the assistance from the Winterset Little League and from the Winterset Soccer in helping to get these two projects underway. Mr. Pletchette stated that planning is underway for an outdoor skating rink near the tennis courts. Mr. Pletchette also stated that work continues on expansion at the campground.

Mr. Pletchette stated that the Aquatic Center had its best year since 2012. He stated that the pool will be painted this fall and the Covered Bridge slide structure will also be painted.

The Mayor Pro Tem recognized Chism Orr and asked for a report from the Fire Department. Mr. Orr reported that the Fire Department has responded to 10 calls this past month. He related to the Council the difficulties they experienced in assisting with a incident at the Middle River canoe trail recently. He stated that the Fire Department had to borrow a four wheel all-terrain vehicle. He stated the Fire Department would like to purchase such a vehicle for use in similar situations. He stated that they have obtained price quotes for the cost of such equipment.

The Mayor James C Olson then entered the meeting and took over presiding over the meeting.

The Mayor called for a report from the Police Department. Police Chief Ken Burk presented a written report to the Mayor and Council Members and discussed several of the items in his report.

The City Administrator noted that Librarian Nancy Trask was unable to attend the meeting, but had provided a written report.

The Mayor then recognized Greg Harrison and asked for a report from the Airport Authority. Mr. Harrison stated that they have reached an agreement with three property owners regarding the acquisition of property near the existing runway. He stated that this does not include the 468 acres that would need to be acquired for the new runway project. He stated that environmental and historic assessments will be done on this 468 acres property during the next 12-18 months. He also related that the Airport Authority has received grants from the Federal Aviation Authority and also the Iowa Department of Transportation.

The Mayor stated that the next item on the agenda is to consider the Airport acquisition plats. Assistant City Administrator Bob Hendricks stated that three plats of survey were recently submitted to the City for consideration. He stated that these properties are located outside of the City limits but within the two mile planning jurisdiction. He stated that Planning & Zoning Commission reviewed these plats of survey and recommends approval of each of them. Following brief discussion, a motion was made by Council Member Stover and seconded by Council Member Seaward to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-100

RESOLUTION APPROVING PLAT OF SURVEY

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa, plat of survey of property owned by Eric Raber & Diane Bales; and

WHEREAS the parcel of land comprising said plat of survey is described as follows:

LEGAL DESCRIPTION: PARCEL D

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 76 NORTH, RANGE 28 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 24; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24 N89°28'24"W, 142.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE N89°28'24"W, 762.40 FEET TO THE SOUTHEAST CORNER OF PARCEL B, AS RECORDED IN MADISON COUNTY RECORDS AT BOOK 2011, PAGE 877; THENCE ALONG THE EAST LINE OF SAID PARCEL B N00°29'20"E, 306.58 FEET TO THE NORTHEAST CORNER OF SAID PARCEL B; THENCE ALONG THE NORTH LINE OF SAID PARCEL B N89°26'49"W, 426.34 FEET TO THE NORTHWEST CORNER OF SAID PARCEL B; THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER N00°37'17"E, 1018.80 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24 S88°57'13"E, 608.02 FEET; THENCE S00°37'17"W, 563.70 FEET; THENCE S36°57'54"E, 953.26 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 20.51 ACRES, WHICH INCLUDES 1.46 ACRES OF EXISTING ROAD EASEMENT AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. DESCRIBED AREA IS BEING ACQUIRED AS PART OF THE 2016 WINTERSET AIRPORT IMPROVEMENTS PROJECT.

WHEREAS the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed said plat of survey and finds that the plat of survey conforms to the provisions of the land use plan and is in compliance with the Ordinances of the City of Winterset, Madison County, Iowa, and recommends that the plat of survey should be approved by the City Council of the City of Winterset, Iowa.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. The plat of survey on property owned by Eric Raber & Diane Bales as described above is hereby approved.
2. The requirement of the Subdivision Ordinance of the City of Winterset, Iowa that certain improvements be constructed within said plat of survey is hereby waived.
3. The Zoning Administrator of the City of Winterset, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder which should be filed and recorded in connection therewith.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

A motion was then made by Council Member Macumber and seconded by Council Member Fletcher to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-101

RESOLUTION APPROVING PLAT OF SURVEY

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa, plat of survey of property owned by Robert M. Casper and John E. Casper; and

WHEREAS the parcel of land comprising said plat of survey is described as follows:

LEGAL DESCRIPTION: PARCELS C & M

THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 24 AND ALSO BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, ALL IN TOWNSHIP 76 NORTH, RANGE 28 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER N89°28'24"W, 255.70 FEET; THENCE S00°37'41"W, 40.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 195TH STREET; THENCE S36°58'24"E, 3209.60 FEET; THENCE N89°24'24"W, 378.50 FEET; THENCE N36°58'24"W, 1837.00 FEET; THENCE N89°36'24"W, 146.31 FEET; THENCE S36°57'54"E, 2112.51 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE ALONG SAID EAST LINE N00°11'31"E, 158.77 FEET; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24 S89°12'14"E, 549.10 FEET; THENCE N36°57'54"W, 3101.66 FEET; THENCE N00°10'55"E, 187.84 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 14.86 ACRES, WHICH INCLUDES 0.23 ACRES OF EXISTING ROAD EASEMENT. DESCRIBED AREA IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND IS BEING ACQUIRED AS PART OF THE 2016 WINTERSET AIRPORT IMPROVEMENTS PROJECT.

WHEREAS the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed said plat of survey and finds that the plat of survey conforms to the provisions of the land use plan and is in compliance with the Ordinances of the City of Winterset, Madison County, Iowa, and recommends that the plat of survey should be approved by the City Council of the City of Winterset, Iowa.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. The plat of survey on property owned by Robert M. Casper and John E. Casper as described above is hereby approved.
2. The requirement of the Subdivision Ordinance of the City of Winterset, Iowa that certain improvements be constructed within said plat of survey is hereby waived.
3. The Zoning Administrator of the City of Winterset, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder which should be filed and recorded in connection therewith.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The motion was then made by Council Member Stover and seconded by Council Member Seaward to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-102

RESOLUTION APPROVING PLAT OF SURVEY

WHEREAS there was filed in the office of the Zoning Administrator of the City of Winterset, Iowa, plat of survey of property owned by Adams Angus, LLC; and

WHEREAS the parcel of land comprising said plat of survey is described as follows:

LEGAL DESCRIPTION: PARCEL E

THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 76 NORTH, RANGE 28 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24 N89°28'24"W, 666.20 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE N89°28'24"W, 462.35 FEET; THENCE S00°10'07"W, 40.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 195TH STREET; THENCE 626.29 FEET ALONG A 425.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, CHORD BEARING S47°15'27"E, 571.14 FEET; THENCE S05°02'29"E, 239.58 FEET; TO THE WEST RIGHT-OF-WAY LINE OF NORTH 8TH AVENUE; THENCE S89°28'24"E, 20.00 FEET TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE ALONG SAID EAST LINE N00°10'07"E, 662.23 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 1.82 ACRES, WHICH INCLUDES 0.71 ACRES OF EXISTING ROAD EASEMENT AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. DESCRIBED LAND IS BEING ACQUIRED AS PART OF THE 2016 WINTERSET AIRPORT IMPROVEMENTS PROJECT.

WHEREAS the Planning & Zoning Commission of the City of Winterset, Iowa, has reviewed said plat of survey and finds that the plat of survey conforms to the provisions of the land use plan and is in compliance with the Ordinances of the City of Winterset, Madison County, Iowa, and recommends that the plat of survey should be approved by the City Council of the City of Winterset, Iowa.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa:

1. The plat of survey on property owned by Adams Angus, LLC as described above is hereby approved.
2. The requirement of the Subdivision Ordinance of the City of Winterset, Iowa that certain improvements be constructed within said plat of survey is hereby waived.
3. The Zoning Administrator of the City of Winterset, Iowa, is hereby directed to certify this resolution which shall be affixed to said plat to the County Recorder which should be filed and recorded in connection therewith.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that this is the time and place for a public hearing on the plans, specification and form of contract for the Winterset Area Skate Park Project. The Mayor called for any comments about the proposed project to be voiced at this time. Hearing no such comments, the Mayor then declared that the public hearing was now closed.

Following brief discussion, a motion was made by Council Member Harrell and seconded by Council Member Fletcher to adopt the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-103

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATE OF COST FOR THE
WINTERSET AREA SKATE PARK PROJECT

WHEREAS, the City Council of the City of Winterset, Iowa, set September, 2016 as the date for a public hearing on the plans, specifications, form of contract and estimate of cost (the "Contract Documents") for the proposed Winterset Area Skate Park Project; and

WHEREAS, a hearing has been held on the Contract Documents;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Winterset, Iowa, that the Contract Documents referred to in the preamble hereof are hereby approved.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor called for a report on the bids. The City Administrator reported that bids for the project were received and opened earlier today. He stated that the following bid was received:

<u>Name of Bidder</u>	<u>Bid Amount</u>
Spohn Ranch, Inc. Los Angeles, CA	\$195,000.00

Following a brief period of discussion, Council Member Stover introduced the following resolution and moved for its adoption. Council Member Macumber seconded the motion. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-104

RESOLUTION AWARDING CONTRACT FOR THE

WINTERSET AREA SKATE PARK PROJECT

WHEREAS, pursuant to notice duly published in the manner and form prescribed by resolution of the City Council of the City of Winterset, Iowa, and as required by law, bids and proposals were received by this Council for the Winterset Area Skate Park Project (the "Project"); and

WHEREAS, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project;

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

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, heretofore approved by the City Council, and is the lowest responsible bid received, such bid being as follows:

<u>Name and Address of Contractor</u>	<u>Amount of Bid</u>
Spohn Ranch, Inc. 6824 S. Centinela Avenue Los Angeles, CA 90230	\$195,000.00

Section 2. The contract for the Project is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder's written proposal.

Section 3. The Mayor and City Administrator are hereby authorized and ordered to enter into a written contract with said contractor for the Project, said contract not to be binding until approved by resolution of this City Council.

Section 4. The amount of the contractor's performance and/or payment bonds is hereby fixed and determined to be 100% of the amount of the contract.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is the proposed ordinance providing for special stop signs at the intersection on the west side of the square. He stated that this would make four-way stop at the intersection of 1st Avenue and Court Avenue and at the intersection of 1st Avenue and Jefferson Street. Following a period of discussion, Council Member Fletcher moved to suspend the required three readings of the proposed ordinance and that the ordinance now be placed on its passage. Council Member Harrell seconded the motion to suspend the readings. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the motion carried.

A motion was then made by Council Member Fletcher and seconded by Council Member Seaward to adopt Ordinance No. 604. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that Ordinance No. 604 was duly adopted.

The Mayor stated that the next item on the agenda is to discuss forming a committee to look into creating a code enforcement position. It was suggested that the committee should include the Mayor, two Council Members, the City Administrator, Assistant City Administrator and the City Attorney. Following discussion, it was suggested that the Police Chief should be included on the committee as well. Following further discussion, it was determined that Council Members Mike Fletcher and Scott Stover would be the Council Members on this committee.

The Mayor called for a report on the Jurgensen Bridge Relocation Project. The Administrator stated that Project Engineer, Matt Castor from Snyder & Associates reports that approval has been obtained from the Iowa Department of Transportation to proceed with bidding the project. He stated that they are suggesting that bids be opened on September 29th at 3:00 o'clock P.M. and that a public hearing on the project be held at the October 3rd City Council meeting. Following a period of discussion, a motion was made by Council Member Macumber and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-105

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
JURGENSEN BRIDGE RELOCATION PROJECT

WHEREAS, plans and specifications, notice of hearing, notice to bidders, form of contract and estimate of cost have been prepared and filed by Snyder & Associates, Inc. the Project Engineers, for the Jurgensen Bridge Relocation Project; 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 Jurgensen Bridge Relocation 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 5%.

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 29th day of September, 2016, at 3:00 o'clock PM, at the Office of the City Administrator, City Hall, Winterset, Iowa.

Section 4. The 3rd day of October, 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 6th day of September, 2016.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor called for a report on the City Hall HVAC Project. The Administrator reported that the consultant has completed plans and specifications for the City Hall HVAC improvement project. He stated that they are also suggesting a bid opening on September 29th at 2:00 o'clock P.M. and a public hearing on the project at the October 3rd City Council meeting. A motion was made by Council Member Fletcher and seconded by Council Member Seaward to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-106

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 CITY HALL HVAC IMPROVEMENTS PROJECT

WHEREAS, plans and specifications, notice of hearing, notice to bidders, form of contract and estimate of cost have been prepared and filed by Resource Consulting Engineers LLC, the Project Engineers, for the City Hall HVAC Improvements Project; 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 City Hall HVAC Improvements 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 5%.

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 29th day of September, 2016, at 2:00 o'clock PM, at the Office of the City Administrator, City Hall, Winterset, Iowa.

Section 4. The 3rd day of October, 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 6th day of September, 2016.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor called for a report on the proposal to sale City real estate. The City Administrator stated that the City recently purchased a lot located at 302 E Filmore St. with the intention of donating this lot to the Winterset Community School District for their construction trades class. He stated that the School District has now identified the individual who will purchase the completed house, and it is now time to transfer ownership of the property to the School District. The Administrator suggested that a public hearing on the proposal to convey the real estate to the School District be held at the September 19th City Council meeting. Following brief discussion, a motion as made by Council Member Seaward and seconded by Council Member Macumber to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION 2016-107

RESOLUTION OF CITY OF WINTERSET, IOWA PROPOSING TO CONVEY REAL ESTATE AND SETTING DATE FOR PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City proposes to dispose of its interest in certain real estate legally described as:

The West 66 feet of the North 132 feet of Lot Six (6) of Depot Addition to the Town of Winterset, Madison County, Iowa.

WHEREAS, the City proposes to convey title of the real estate by Quit Claim Deed to the Winterset Community School District.

WHEREAS, Iowa Code Section 364.7 requires public hearing be held on the proposal to convey the City's interest in real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa that the proposal is hereby made to convey to the described real estate upon the terms and conditions above provided.

BE IT FURTHER RESOLVED that a public hearing before the City Council on this proposal shall be held on September 19, 2016 at 7:00 o'clock p.m., at the City Hall in Winterset, Iowa, located at 124 W. Court Avenue, Winterset, Iowa.

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor called for a report on the pay estimate for the Sewer Plant Project. The Administrator reported that the Project Engineer has submitted Pay Estimate No. 14-Final for work completed by the contractor. He stated that this pay estimate is in the amount of \$11,187.71. He stated that this pay estimate releases all retainage held by the City. He stated that the total contract payments to the contractor will be \$1,911,751.93. Following brief discussion, a motion was made by Council Member Fletcher and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-108

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. 14-Final requesting payment in the amount of \$11,187.71; and

WHEREAS the City has accepted the work completed by C.L. Carroll Co., Inc. on the Winterset Wastewater Treatment Facilities Improvement Project; and

WHEREAS the Project Engineer from Veenstra & Kimm, Inc. has reviewed said pay estimate and has recommended approval of Pay Estimate No. 14-Final.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Winterset, Iowa that Pay Estimate No. 14-Final providing for payment in the amount of \$11,187.71 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 \$11,187.71

Passed and approved this 6th day of September, 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor called for a report on the DOT Street Finance Report. The City Administrator stated that the Iowa Department of Transportation requires all cities to submit a Street Finance Report covering the expenditures and revenues related to street activities for the previous fiscal year. He stated that this report is to be approved by a resolution of the City Council and must be submitted by September 30th of each year. The Administrator stated that copies of the report have been previously distributed to the Council Members for their review. A motion was made by Council Member Seaward and seconded by Council Member Harrell to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016-109

RESOLUTION APPROVING DOT STREET FINANCE REPORT

BE IT RESOLVED by the City Council of the City of Winterset, Iowa that the Street Finance Report covering Fiscal Year 2015-16 be hereby approved.

BE IT FURTHER RESOLVED that the Administrator is hereby authorized and directed to submit this report on behalf of the City.

Passed and approved this 6th day of September 2016.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the City has received a liquor license renewal application for Rodell's Smokehouse. The Mayor called upon the Police Chief to report on any problems at this establishment. The Police Chief reported no problems at this business. A motion was made by Council Member Harrell and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the following resolution was duly adopted.

RESOLUTION NO. 2016 - 110

RESOLUTION APPROVING
LIQUOR LICENSE APPLICATION

WHEREAS, WHEREAS, there is now on file an application for a Class B Beer Permit and a Class C Native Wine permit, outdoor service and Sunday sales filed by Rodell's Smokehouse LLC, doing business as Rodell's Smokehouse; and

WHEREAS, after due investigation and consideration of said matter, it is considered that the application should be approved and recommendation be made that the liquor license be granted.

NOW, THEREFORE, BE IT RESOLVED that the application from Rodell's Smokehouse LLC for a Class B Beer Permit and a Class C Native Wine permit, outdoor service and Sunday sales filed by Rodell's Smokehouse LLC, doing business as Rodell's Smokehouse is hereby approved and it is recommended the permit be granted.

Passed and approved this 4th day of September 6, 2016.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor called upon the City Administrator to present his report at this time. The Administrator reported that there was a meeting last week to talk about replacing the decorative lights that outline the buildings around the Square. He stated that Daryl Johnson with All American Turf Beauty had proposed to replace the existing lights with new LED lights that can change color. He stated that these lights are expected to last at least 10 years, and there is no yearly maintenance required with these new lights. The Administrator stated that the Winterset Municipal Utilities has been paying \$2,500 a year for maintenance on the existing lights. He stated that the cost to replace the lights is about \$25,000, and is being offered to Winterset at a discount as one of the first communities in Iowa to use this

new lighting system. The Administrator stated that a funding proposal was discussed with the City and the Winterset Municipal Utilities each contributing \$10,000, and a \$5,000 grant coming from the Madison County Community Foundation. The Administrator suggested that the City grant come from the LOST Fund. He stated that recent revenue information from the Iowa Dept. of Revenue shows that the actual revenues will be about \$57,000 more than originally estimated in the FY 2016-17 Budget. He stated that this matter will be on the agenda for the next Council meeting.

The Administrator stated that a suggestion was made that the City Council and Mayor take a tour of the Waste Water Treatment Plant. He suggested that the tour be held at the next Council meeting on Sept. 19th, with the tour starting at 6:00 PM before the normal 7:00 PM meeting time.

The Administrator stated that the Madison County Historic Preservation Commission has met with staff from SICOG about submitting a CDBG grant application for improving building facades in the downtown area. He stated that the amount of local match is more than originally proposal. He stated at one time, it was suggested that the City and the building owner each pay 10% of the costs, but now SICOG is suggesting that the City and the building owner each pay 25% of the costs. He stated that it is too early to tell how much the City would be expected to provide in total matching funds.

The Administrator stated that the architects for the Winterset Community Church has provided a revised parking plan, which includes installing angled parking along the south side of Court Avenue, between 2nd Street and 3rd Street. He stated that they also suggested that the City pay for the engineering fees to design this new parking area. He stated that the Church is also proposing that portions of the alley be closed to traffic. The Administrator stated that the Church is also proposing that the City sell real estate that is located across the street from the Fire Station.

The Mayor called for a report on the claims. Council Member Macumber 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: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor Pro Tem declared that the motion carried.

GENERAL

POLICE:

Breedings Hardware, tools	268.68
Chief, flashlights	298.45
Linda Barker, cleaning service	50.00
Madison Co Sheriff's Office, dispatch service	2,508.33
Mainstay System Inc., computers	6,560.00
Outback Embroidery, uniform shirts	195.96
Payroll Account, salaries	17,833.08
Quality Car Care, car maint	35.70
Ultramax, ammuniton	274.00
Verizon, cellular service	280.09
Winterset Municipal Utilities, utilities	17.81

FIRE:

Emergency Services Mrkting Inc., responder service	305.00
MidAmerican Energy, gas service	12.76
Verizon, cellular service	63.65
Winterset Municipal Utilities, utilities	231.72

ADMINISTRATION:

International Inst Municipal Clerks, membership dues	155.00
Madison Co Clerk of Court, nuisance Darnall/McFarlane	170.00
Payroll Account, salaries	1,115.00
Payroll Account, salaries	4,292.97

BUILDING INSPECTOR:

Payroll Account, salaries	1,247.58
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TRANSFERS:

Internal Service Fund, reimb internal	2,330.57
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AIRPORT:

Winterset Airport Authority, approp	3,289.92
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ECONOMIC DEVELOPMENT:

Madison Co Alliance Group, approp 3,666.67
Madison Co Chamber of Commerce, hotel tax payment 10,545.57

GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, salaries 634.60
Payroll Account, benefits 435.48

INTERNAL SERVICE FUND

ADMINISTRATION:

F & M State Bank, ACH fees 224.50
Brandy Decker, cleaning service 200.00
Access Systems, maint contract 773.45
Breeding Hardware, cleaning supplies 74.31
D & D Pest Control, pest control 35.00
Neofunds by Neopost, postage 600.00
Mailfinance, meter lease 1,430.52
Winterset Municipal Utilities, utilities 716.42
MMit Business Solutions Group, copier maint 1.82
Authorize.Net, ACH fees 15.00

ROAD USE TAX

ROADWAY MAINTENANCE:

Anchored Walls, manhole repairs 500.00
Breeding Hardware, hdw supplies 98.66
Electronic Engineering, pager maint 23.90
Grimes Asphalt & Paving Corp, cold mix 1,420.58
Payroll Account, salaries 5,957.59
Winterset Municipal Utilities, utilities 5,480.67

STREET CLEANING:

Payroll Account, salaries 1,385.20
Trans-Iowa Equip, equip repairs 1,496.09

SEWER UTILITY FUND

SANITARY SEWER:

American Waterworks Assn Ia, reg 220.00
Breeding Hardware, hdw supplies 118.92
CR Services, safety boots 106.50
Hawkins Inc., chemicals 1,260.70
Internal Service Fund, reimb internal 1,553.71
Iowa One Call, locates 27.03
J & L Sanitation, garbage service 145.00
Payroll Account, benefits 5,063.91
Payroll Account, salaries 7,700.97
Sewer Improvement Project Fund, transfer 20,000.00
Sewer Revenue Bond Sinking, transfer 29,023.63
Verizon, cellular service 130.33
Winterset Farm & Home, hdw supplies 225.35
Winterset Municipal Utilities, utilities 7,311.50

SEWER IMPROVEMENT FUND

SANITARY SEWER:

CL Carroll Inc., pay est #13 92,000.00
Veenstra & Kimm, engineer fees 5,309.20

CORKREAN WATTS TIF FUND

ECONOMIC DEVELOPMENT:

Madison Co Treasurer, TIF revenue 65,831.05

LMI GRANT FUND

ECONOMIC DEVELOPMENT:

Donna Pearson, spec assmt grant 269.52
Richard & LaVonne Myers, spec assmt grant 334.84
Robert & Phyllis Williams, spec assmt grant 995.90
Terry & Tina Housman, spec assmt grant 287.00

PAVING PROJECT FUND

ROADWAY MAINTENANCE:

Snyder & Assoc, engineer fees 2,000.00

TRUST & AGENCY

POLICE:

Payroll Account, benefits 10,424.52

ADMINISTRATION:

Payroll Account, benefits 2,811.08

ROADWAY MAINTENANCE:

Payroll Account, benefits 6,371.40

The Mayor stated that the minutes of the August 22, 2016 City Council meeting were previously distributed 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: Macumber, Seaward, Stover, Fletcher, Harrell

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor noted that Dave Braga had signed up for public comment. Mr. Braga stated that he would defer comments until the next meeting.

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

AYES: Macumber, Seaward, Stover, Fletcher, Harrell

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