

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: January 9, 2017

Time of Meeting: 7:00 PM

Place of Meeting: Library (123 N 2<sup>nd</sup> St)

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. Storefront Façade Renovation Project
  - amendment to architect contract
  - set date of public hearing on proposed CDBG application
- 7:30 4. Winterset Area Skate Park Project
  - Pay Estimate No. 2 - \$72,437.50
- 7:40 5. Discuss City Attorney position
- 7:50 6. Request for sewer charge adjustment
- 8:00 7. Appointments to Madison Co. Emergency Management Commission
- 8:10 8. Resolution to participate in the planning and development programs of the Southern Iowa Council of Governments
- 8:20 9. Liquor license renewal - Mi Pueblito
- 8:25 10. Liquor license renewal - Dollar General
- 8:30 11. Administrator report
- 8:40 12. Claims
- 8:45 13. Minutes Dec. 19th meeting
- 8:50 14. Public comment
- 8:55 15. Adjournment

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

DATE POSTED: January 5, 2017

BY:

Title: City Administrator

City Council of the City of Winterset, Iowa met in regular session on January 9, 2017 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 recognized Bryce Alford, a High School student who was in attendance at the City Council meeting this evening.

The Mayor called for any additions or deletions to the agenda. A motion was made by Council Member Macumber and seconded by Council Member Harrell 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 reports from the various City Boards and Departments. The Mayor first recognized Library Director Jean Bosch and asked for a report from the Library. Jean Bosch presented a report to the Mayor and Council on the scope of the work of the renovation project. She stated that the project is scheduled to begin on February 6<sup>th</sup> with work to begin in the children's area and in the meeting room. She stated that the Library will be closed from February 27<sup>th</sup> to March 12<sup>th</sup>. She also reported that the Friends of the Library had reached an agreement to purchase a house located east of the Library building.

The Mayor recognized Pam Deichmann and asked for a report from the Winterset Tree Commission. Pam Deichmann stated that they are planning to plant 40-50 trees this year. She stated that there will be a sign up at City Hall for people who wish to have a tree planted in front of their residence. She stated they plan to plant the trees during Husky Help Day and also during another weekend, probably in May.

The Mayor called upon John Pletchette to present a report from the Park & Recreation Commission. Mr. Pletchette stated that the new ice rink is very popular with good participation. He stated that they started freezing the ice rink on December 11<sup>th</sup> and it opened on December 18<sup>th</sup>. Mr. Pletchette gave a brief report on participation in recreation programs. He also presented information on plans for upcoming capital improvement projects, including work at the soccer fields and plans for dog park and trail projects.

The Mayor recognized Brenda Hollingsworth and asked for a report from the Madison County Historic Preservation Commission. Brenda Hollingsworth stated that the district boundary for the storefront renovation project will match the designated historic district. She also suggested that a third party funding mechanism be created to show additional community support for the project. She stated that Madison County Historic Preservation Commission will apply to the Greater Madison County Community Foundation for a grant of perhaps \$25,000 to be matched by local donations of another \$25,000. Following brief discussion, the consensus of the Council was to agree with this suggestion.

The Mayor stated that the first item on the agenda is in regards to the Storefront Façade Renovation Project. The Mayor called upon the Administrator to report on the amendment to the architect contract. The Administrator stated that the City's agreement with RDG Planning & Design initially provided for a fee of \$12,000 for work on 15 buildings. He stated that an additional 7 seven buildings have been added to the scope of the project and RDG has asked for an additional \$600 per building, for a total additional fee of \$4,200. 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 2017 - 1

#### RESOLUTION APPROVING AMENDMENT TO ARCHITECT AGREEMENT FOR THE STOREFRONT FAÇADE RENOVATION PROJECT

**WHEREAS** the City has previously entered into an agreement with RDG Planning & Design for architectural consultant services for the CDBG Storefront Façade Renovation Project; and

**WHEREAS** additional buildings have been added to the scope of the project resulting in additional architectural services at a cost of an additional \$4,200.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Winterset Iowa that the agreement for architectural services for the CDBG Storefront Façade Renovation Project be here by amended to provide for an additional \$4,200 in fees.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that a public hearing on the proposed Community Development Block Grant application must be held. Following brief discussion, Council Member Seaward introduced the following resolution and moved for its adoption. Council Member Fletcher 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. 2017-2

RESOLUTION SETTING DATE FOR PUBLIC HEARING  
CDBG STOREFRONT FAÇADE RENOVATION PROJECT

**WHEREAS** the City proposes to submit an application for a Community Development Block Grant for a proposed Storefront Façade Renovation Project; and

**WHEREAS** a public hearing must be held prior to submission of the grant application.

**NOW THEREFORE BE RESOLVED** by the City Council of the City of Winterset Iowa that a public hearing on the proposed CDBG Storefront Façade Renovation Project be held on January 23, 2017 at 7:00 P.M.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is a pay estimate for the Winterset Area Skate Park Project. The Administrator stated that the contractor has submitted Pay Estimate No. 2 requesting payment in the amount of \$72,437.50. He stated that this represents approximately 70% of the total contract. He stated that this is for work the contractor completed on the project prior to their shutdown in December. Following brief discussion, Council Member Harrell introduced the following resolution and moved for its adoption. Council Member Fletcher 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. 2017-3

RESOLUTION APPROVING PAY ESTIMATE  
WINTERSET AREA SKATE PARK PROJECT

**WHEREAS** the City has previously entered into a contract with Spohn Ranch, Inc. for construction of the Winterset Area Skate Park Project; and

**WHEREAS** the contractor has submitted Pay Estimate No. 2 requesting payment in the amount of \$72,437.50; and

**WHEREAS** the Project Engineer has reviewed said pay estimate and has recommended approval of Pay Estimate No. 2.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Winterset, Iowa that Pay Estimate No. 2 providing for payment in the amount of \$72,437.50 to Spohn Ranch, Inc. for work completed on the Winterset Area Skate Park Project be hereby approved and that the City Administrator is hereby directed to issue payment to Spohn Ranch, Inc. in the amount of \$72,437.50.

Passed and approved this 9th day of January, 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that John Casper has informed him that James Larson has left employment with his law firm and will no longer serve as City Attorney. Discussion followed on how to obtain the services of a new City Attorney. It was decided to form a committee consisting of Council Members Fletcher and Harrell, Mayor Olson, the City Administrator and the Police Chief to look into possibilities for filling this position.

The Mayor called for a report on the request for sewer charge adjustment. The Administrator stated that he received a letter from Carl & Amber Barr who live at 309 W Hutchings Street indicating that their water softener malfunctioned resulting in a high water usage. The Administrator stated that if we follow previously established policy with normal rates charged for the first 2,000 cubic feet consumption and a reduced charge for additional consumption, the sewer charge would be reduced by \$27.50. Following brief discussion, a motion was made by Council Member Stover and seconded by Council Member Seaward to adopt 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. 2017 - 4

#### RESOLUTION APPROVING SEWER CHARGE ADJUSTMENT

**BE IT RESOLVED** by the City Council of the City of Winterset, Iowa that a credit of \$27.50 be applied to the sewer charges for the utility account of Carl & Amber Barr located at 309 W Hutchings St.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is to appoint a representative and an alternate to the Madison County Emergency Management Commission. The Mayor stated that State Law provides that the Mayor is to the primary representative and he suggested that Police Chief Ken Burk be appointed as the alternate. A motion was then made by Council Member Macumber and seconded by Council Member Fletcher 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. 2017-5

RESOLUTION TO APPOINT A REPRESENTATIVE AND  
ALTERNATE REPRESENTATIVE TO THE  
MADISON COUNTY EMERGENCY MANAGEMENT COMMISSION

**WHEREAS** the County Boards of Supervisors, City Councils, and School District Boards of Directors in each county shall cooperate with the Homeland Security and Emergency Management Division of the Department of Public Defense to establish a local emergency management commission to carry out the provisions Iowa Code Chapter 29C; and

**WHEREAS** the commission shall be composed of a member of the Board of Supervisors or its appointed representative, the Sheriff or the Sheriff's representative, and the Mayor or the Mayor's representative from each city within the county; and

**WHEREAS** the commission members shall be the operations liaison officers between their jurisdiction and the commission; and

**WHEREAS** the commission shall meet regularly to determine the mission of its agency and program and provide direction for the delivery of the emergency management services of planning, administration, coordination, training, and support for local governments and their departments; and

**WHEREAS** the commission shall coordinate emergency services in the event of a disaster.

**BE IT RESOLVED** that Mayor James C. Olson be appointed as the Emergency Management Commission Representative.

**BE IT FURTHER RESOLVED** that Police Chief Ken Burk be appointed as the Alternate Representative.

**BE IT FURTHER RESOLVED** that the representative or alternate representative attend the Commission meetings on behalf of the City of Winterset.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is a resolution requested by the Southern Iowa Council of Governments. He stated that the resolution provides that the City would participate in the planning and development programs of SICOG. A motion was made by Council Member Seaward 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. 2017-6

RESOLUTION TO PARTICIPATE IN THE PLANNING AND DEVELOPING

PROGRAMS OF THE SOUTHERN IOWA COUNCIL OF GOVERNMENTS

**WHEREAS** the Economic Development Administration was assigned to administer the provisions of the Public Works and Economic Development Act of 1965; and

**WHEREAS** the Southern Iowa Council of Governments has been designated by the Economic Development Administration as an Economic Development District; and

**WHEREAS** the State of Iowa and the U.S. Department of Housing and Urban Development has designated the Southern Iowa Council of Governments as the area wide planning organization; and

**WHEREAS** the City of Winterset is an active member of the Southern Iowa Council of Governments and participates in formulation of area wide plans and programs.

**BE IT THEREFORE RESOLVED** by the Winterset City Council of the City of Winterset desires to participate in the fiscal year 2018 planning and economic development programs of the Southern Iowa Council of Governments in Iowa Planning Area XIV, consisting of Adair, Adams, Clarke, Decatur, Madison, Ringgold, Taylor and Union Counties.

**BE IT FURTHER RESOLVED** by the Winterset City Council that the City of Winterset provides \$5,241.90 for the operation of the Southern Iowa Council of Governments planning & development programs.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the next item on the agenda is to consider the renewal of the liquor license for Mi Pueblito. It was reported that the Police Department had not had compliance problems at this business. A motion was then made by Council Member Harrell and seconded by Council Member Stover to adopt 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. 2017 - 7

RESOLUTION APPROVING APPLICATION FOR  
ALCOHOLIC BEVERAGE LICENSE

**WHEREAS**, there is now on file in the office of the City Administrator an application for a Class C Liquor License, Sunday Sales Permit filed by Juan Ayala d/b/a Mi Pueblito, accompanied by a \$1,482.00 fee payable to the Iowa Department of Commerce, Alcoholic Beverages Division, and

**WHEREAS**, after due investigation and consideration of said matters, it is considered that such application should be granted and recommendation be made that such license should be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Winterset that the application of Mi Pueblito, for a Class C Liquor License, Sunday Sales Permit is hereby approved and it is recommended that such license be granted.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The Mayor stated that the Dollar General had applied for renewal of their liquor license. It was reported that the Police Department had not had compliance problems at this business. A motion was by Council Member Harrell 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. 2017 - 8

RESOLUTION APPROVING APPLICATION FOR  
ALCOHOLIC BEVERAGE LICENSE

**WHEREAS**, there is now on file in the office of the City Administrator, an application for a Class C Beer permit (BC) and Sunday Sales filed by Dollar General Store with a fee payable to the Iowa Department of Commerce, Alcoholic Beverages Division and a local fee; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Winterset, Iowa that the application of Dollar General Stores filed a Class C Beer permit (BC) and Sunday Sales is hereby approved and it is recommended that such license be granted.

Passed and approved this 9<sup>th</sup> day of January 2017.

James C. Olson, Mayor

ATTEST

Mark Nitchals, City Administrator

The Mayor called upon the Administrator to present his report at this time. The Administrator stated that he has been working almost exclusively on the budget for next fiscal year. He stated that taxable valuation figures have been made available from the County Auditor. He stated that taxable valuations increased by 3.6%.

The Administrator stated that work on the City Hall HVAC project may be finished by the end of January. He stated that it might be possible to hold the Feb. 6th Council meeting in City Hall, but he suggested that plans should be made to hold the meeting another site. He stated that perhaps the meeting room of the Winterset Municipal Utilities could be used.

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:

Brittains Std Parts, adhesive 7.98  
Entenmann Rovin Co., badges/cap pieces 505.00  
Gavin Boyle, compliance check 15.00  
Kieslers Policy Supply Inc., supply 10.00

Linda Barker, cleaning service 50.00  
 Madison Co Sheriff's Office, dispatch office 2,508.33  
 Madison Co Tire, tire repair 17.00  
 Payroll Account, salaries 17,348.45  
 Secretary of State, notary wood/shortt 60.00  
 Vortex, red dot scopes 935.96  
 Winterset Municipal Utilities, utilities 61.43  
EMERGENCY MANAGEMENT:  
 Madison Co Emergency Mgmt, annual fee 28,233.60  
ADMINISTRATION:  
 Flander, Casper & Rosien, atty fees 6,050.25  
 Madison Co Chamber of Commerce, membership dues 163.00  
 Payroll Account, salaries 1,175.00  
 Payroll Account, salaries 4,292.98  
ANIMAL CONTROL:  
 Street Tails Inc., spay program 260.00  
 Winterset Veterinary Center, impound fee 176.03  
BUILDING INSPECTOR:  
 IA Assn of Building Officials, reg 120.00  
 Payroll Account, salaries 1,247.59  
 Quality Car Care, truck maint/truck repairs 691.98  
ECONOMIC DEVELOPMENT:  
 Madison Co Chamber of Commerce, hotel/motel tax 13,264.33  
 Madison Co Alliance Group, approp 3,666.67  
 Madison Co Chamber of Commerce, visitor gift bags 75.00  
TRANSFER:  
 Internal Service Fund, reimb internal 5,916.59  
AIRPORT:  
 Winterset Airport Authority, approp 3,289.92  
HEALTH & SOCIAL:  
 Madison CO Elderly Services, annual approp 3,750.00  
 Matura/Multi-Purpose Center, annual approp 2,250.00  
CEMETERY:  
 Winterset Cemetery Assn, semiannual approp 22,000.00  
 GARBAGE FUND  
SOLID WASTE/GARBAGE:  
 Payroll Account, salaries 634.60  
 Payroll Account, benefits 485.68  
 Waste Mgmt of Iowa, garbage service 23,244.85  
 INTERNAL SERVICE FUND  
ADMINISTRATION:  
 Access Systems, maint contract/battery backup 920.41  
 Brandy Decker, cleaning service 200.00  
 CenturyLink, phone service 451.08  
 CIT, copier lease 368.30  
 D & D Pest Control, pest control 35.00  
 F & M State Bank, ACH fees 192.50  
 Feirer Enterprises Inc., website maint 59.00  
 MMIT Business Solutions Group, copier maint 2.67  
 Neofunds by Neopost, postage/meter supplies 838.00  
 Quill Corp, office supplies 63.18  
 Winterset Municipal Utilities, utilities 1,254.76  
 ROAD USE TAX  
ROADWAY MAINTENANCE:  
 Alexander Construction, street patch 1,869.16  
 Breedings Hardware, marking paint 21.96  
 Brittain's Std Parts, truck maint/truck repairs 222.07  
 Browns Heavy Equipment Inc., equip repairs 989.52  
 CenturyLink, phone service 193.70  
 Electronic Engineering, pager maint 23.90  
 IA Assn of Municipal Utilities, hearing tests 33.60  
 Martin Marietta Agg, rock 5,292.75  
 National Sign Co Inc., signs 935.08  
 Payroll Account, salaries 7,382.19  
 Snyder & Associates, capital imp plan 1,300.00  
 Thirst Park, office supplies 12.00  
 Waste Mgmt of Iowa, garbage service 65.00  
 Winterset Farm & Home, gloves/hdw supplies 98.41

Winterset Municipal Utilities, utilities/street lights 6,569.84

SNOW REMOVAL:

Hallett Materials, ice control sand 338.44

Payroll Account, salaries 539.12

Winterset Farm & Home, hdw supplies .57

STREET CLEANING:

Trans-Iowa Equipment, sweeper repairs 837.67

SEWER UTILITY FUND

SANITARY SEWER:

CR Services, gloves/safety supplies 388.22

Internal Service Fund, reimb internal 3,944.40

Mark D Stuchel Inc., tools 28.85

Payroll Account, benefits 5,506.43

Payroll Account, salaries 7,633.43

Sewer Improvement Project Fund, transfer 20,000.00

Sewer Revenue Bond Sinking Fund, transfer 16,423.63

Spee-Dee Delivery Service Inc., shipping 148.42

SPORTS COMPLEX PROJECT FUND

PARK & RECREATION:

Flander, Casper & Rosien Trust Acct, land purchase 1,060.34

TRAILS PROJECT FUND

PARK & RECREATION:

Boulder Contracting Inc., pay est #2230,892.22

CITY HALL PROJECT FUND

ADMINISTRATION:

Breedings Hardware, heaters 31.03

SME Mechanical Inc., pay est #2 57,608.95

PAVING PROJECT FUND

ROADWAY MAINTENANCE:

Snyder & Associates, engineer fees 559.53

Vanderpool Construction Inc., final payment 8,123.28

Vanderpool Construction Inc., pay est #2 67,010.60

HOUSING PROJECT FUND

URBAN RENEWAL:

Winterset Community School, reimb costs 8,733.89

DOWNTOWN IMPROVEMENT PROJECT FUND

ROADWAY MAINTENANCE:

Snyder & Assoc, engineer fees 474.98

TRUST & AGENCY

POLICE:

Payroll Account, benefits 9,226.11

ADMINISTRATION:

Payroll Account, benefits 3,210.01

ROADWAY MAINTENANCE:

Payroll Account, benefits 6,199.52

The Mayor stated that the minutes of the December 19, 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 Fletcher to approve the minutes. Roll call vote:

AYES: Harrell, Macumber, Seaward, Stover, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor stated that Karlene Ketner has signed up for public comment. Karlene Ketner stated that it has been a couple years since the City revised the dog ordinance. She suggested that the ordinance needs to be revised to better define what is an adequate shelter for outside dogs, and also to provide that dogs should not be chained up for the entire day. She suggested that a committee be formed to review the ordinance and come up revisions.

The Mayor stated that Chris Fairholm has also asked to address the Council. Mr. Fairholm stated that the graffiti on Clarks Tower in the City Park is getting pretty bad. He stated that he can provide a product that would help with removal of the graffiti. The Mayor

stated that he would have Park & Recreation Director, John Pletchette visit with Mr. Fairholm about this product.

The Mayor asked for any additional comments. Council Member Fletcher stated that he is concerned that Fire Department appears to be allowing fire fighters to grow facial hair. He stated that the policy was to not allow any facial hair. He also stated that he is concerned about a video that is available on the internet showing the Winterset Fire Department involved in a rescue of a dog from Middle River. He stated that the video shows that safety procedures were not being followed. Following a period of discussion, the consensus of the Council was that the Fire Chief or Assistant Fire Chief should be asked to attend the next Council meeting.

A motion was then made by Council Member Harrell and was seconded by Council Member Stover to adjourn the meeting. 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