

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: June 5, 2017

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:

- 6:30 Tour of Library Renovation Project
- 7:00 1. Call to order, Pledge of Allegiance, roll call, adopt agenda
- 7:00 2. Reports from City Boards & Departments
- 7:20 4. Employee residency ordinance
- 7:30 5. Street tree ordinance
- 7:40 6. Proposed lease to Winterset Community Church
-set date for public hearing
- 7:50 7. Native wine permit - The Ruby House
- 7:55 8. Beer permit renewal - Pizza Hut
- 8:00 9. Administrator report
- 8:10 10. Claims
- 8:15 11. Minutes May 15th meeting
- 8:20 12. Public comment
- 8:25 13. Adjournment

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

DATE POSTED: May 31, 2017

BY:

Title: City Administrator

City Council of the City of Winterset, Iowa met in regular session on June 5, 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

ABSENT: Scott Stover

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

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor stated that this is the time and place for reports from the various City Boards & Departments. The Mayor first recognized Jean Bosch and asked for a report from the Library. Library Director Jean Bosch thanked the members of the Council for taking a tour of the renovations that were recently completed at the Library. She stated that they have received

many favorable comments from the public. She thanked the City and the Friends of the Library for their assistance with the project.

Jean Bosch then went on to report on a number of programs and activities at the Library. She stated that over 500 children and their families attended a recent program called "Touch a Truck" at the Library. She stated that they had various types of trucks lined up on the street outside the Library. She stated that this also led to more than 150 children signing up for the summer reading program on the day of this event.

The Mayor recognized Fire Chief, Jayson McDonald and asked for a report from the Fire Department. Chief McDonald reported on the number of calls the Fire Department responded to this past month.

The City Administrator introduced Ron Jacobsen who is the new Wastewater Superintendent. Mr. Jacobsen reported on activities he has been involved with since he began employment with the City on May 18th.

The Mayor recognized Police Chief Ken Burk and asked for a report from the Police Department. Chief Burk presented a written report to the Mayor and Council and discussed several items in his report. He stated that there are three vacant positions in the Police force at this time. He stated that he has hired Brett Douglas, a certified officer who will begin work in the middle of June. He stated that he is interviewing other applicants for the other two positions.

The Mayor stated that the next item on the agenda is the employee residency ordinance. A draft of the proposed employee residency ordinance had been previously provided to the Council Members for their review. Considerable discussion followed on various aspects of the draft. The City Attorney suggested that an analysis be made of critical employees and their required response time and that should be the basis for a revised ordinance. The Mayor then stated that the Council would table this item at this time to be brought up for future consideration.

The Mayor stated that the next item on the agenda is the proposed street tree ordinance. Following a period of discussion, a motion was made by Council Member Seaward for first reading of the proposed ordinance. Motion was seconded by Council Member Macumber. Roll call vote:

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried and directed that the proposed ordinance be given first reading at this time.

The Mayor stated that the next item on the agenda is a proposed lease with the Winterset Community Church. The City Administrator stated that the proposal involves the lease of the north 52' of Lot 4 in Block 26, and also the lease of the east/west alley located in Block 26 of the Original Town. The Administrator provided a site plan showing the location of these parcels and the proposed improvements planned by the Church in this area. He stated that the Church is also proposing to close the alley at the west end of the block in order to accommodate handicap persons in to their Church facility. The Administrator stated that the City is required to hold a public hearing when entering into a long term lease, and also when considering the closing of an alley to through traffic. Following discussion, a motion was made by Council Member Harrell and seconded by Council Member Fletcher to adopt the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

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

RESOLUTION 2017 - 61

RESOLUTION PROPOSING TO LEASE REAL ESTATE AND TO CLOSE AN ALLEY
AND SETTING DATE FOR PUBLIC HEARING ON THE PROPOSAL

WHEREAS, the City Council of the City of Winterset, Iowa proposes to lease certain City owned real estate legally described as:

North 52 feet of Lot 4, Block 26 of the Original Town, and the public alley located in said Block 26 of the Original Town, City of Winterset, Madison County, Iowa, (the "Real Estate");

WHEREAS, the City Council proposes to lease the Real Estate to the Winterset Community Church under the following terms and conditions:

The City will lease the Real Estate to the Winterset Community Church for a 10 year term, with a provision to extend the lease in incremental terms of 3 years.

WHEREAS, Iowa Code Section 364.7 requires a public hearing be held on the proposal to lease the City's interest in Real Estate, and;

WHEREAS, the City also proposes that the public alley located in the Real Estate be closed to through traffic during the term of this lease.

WHEREAS, Iowa Code Section 360.11 requires a public hearing be held on the proposal to close a road or part thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa that a public hearing be held on the 19th day of June, 2017 at 7:00 o'clock p.m., at the City Hall on the proposal to lease the Real Estate and the proposal to close the public alley to through traffic.

BE IT FURTHER RESOLVED that the City Administrator is hereby directed to cause notice of this public hearing to be published in a timely manner, and to provide notice to adjoining property owners of the time and place of the hearing by certified mail.

Passed and approved this 5th day of June, 2017.

James C. Olson, Mayor

ATTEST:

Mark Nitchals, City Administrator

The City has received an application for a new Native Wine permit from The Ruby House, a new bed and breakfast located at 316 S 1st St. Following brief discussion, a motion was made by Council Member Harrell and seconded by Council Member Fletcher to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

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

RESOLUTION NO. 2017 - 62

RESOLUTION APPROVING
LIQUOR LICENSE APPLICATION

WHEREAS, there is now on file in the office of the City Administrator a new Native Wine Permit application from The Ruby House.

WHEREAS, after due investigation and consideration of said matter, it is considered that the applications should be approved and recommendation be made that the above listed liquor licenses be granted.

NOW, THEREFORE, BE IT RESOLVED that it is recommended the liquor license be granted The Ruby House for a Native Wine Permit.

Passed and approved this 5th day of June 2017.

James C. Olson, Mayor

Attest:

Mark Nitchals, City Administrator

The Mayor stated that the City has received application for renewal of the beer permit for the Pizza Hut. The Mayor called upon the Police Chief to report on this business. The Chief reported that the Police Department has not had any compliance problems at this business. A motion was then made by Council Member Harrell and seconded by Council Member Macumber to approve the following resolution. Roll call vote:

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

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

RESOLUTION NO. 2017 - 63

RESOLUTION APPROVING APPLICATION FOR
ALCOHOLIC BEVERAGE LICENSE

WHEREAS, there is also on file in the office of the City Administrator an application for a Class B beer permit filed by Comes Investments Inc., d/b/a, Pizza Hut accompanied by a fee to the Iowa Department of Commerce, Alcoholic Beverages Division; and

WHEREAS, after due investigation and consideration of said matter, it is considered that the application should be granted and recommendations be made that the permit be granted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset that the application of Comes Investments Inc. d/b/a, Pizza Hut Inc. for a Class B beer permit is hereby approved and it is recommended that such license be granted

Passed and approved this 5th day of June 2017.

James C. Olson, Mayor

Howard Harrell, Mayor Protem

ATTEST:

Mark Nitchals, City Administrator

The Mayor called upon the City Administrator to present his report at this time. The Administrator stated that the contractor has completed its work on the Skate Park. He stated that there is some grading and landscaping work yet to be undertaken, but it appears that the skaters have discovered this new venue for their activity.

The Administrator reported that the Iowa Dept. of Transportation has finally determined the amount to reimburse the City for the Jurgensen Bridge relocation project. He stated that the DOT was questioning the costs incurred by Madison County in removing the bridge from its original location. The Administrator stated that he first filed a claim for reimbursement in January, and only now in June the grant money is being paid to the City. He stated that there is some additional work to be completed by the contractor, and that recently some dirt settling has occurred which will have to be repaired by the contractor. The Administrator stated that the grant was for \$500,000 and that the bridge relocation work will expend about \$350,000 of the grant. He stated that more work needs to be done before the bridge can be opened to public use, and the grant funds will be available to pay for half of these additional costs.

The Administrator stated that the City Attorney arranged for a meeting with the County Attorney to discuss the annexation of County property into the City limits. He stated that the annexation involves property used by the County Engineer and the Secondary Road Department. He stated that the City would like to annex in City-owned property, but doing so would have created an unincorporated island of County property surrounded by annexed property.

The Administrator reported that a meeting was recently held with Agriland to discuss the joint undertaking of a grading and storm sewer work in this same area. He stated that terms of an agreement with Agriland regarding the exchange of property also included a provision that the City prepare a drainage plan for the city property. He stated that Agriland has also prepared a drainage plan for their property and it appears the best solution for both is to have a drainage ditch graded along the property line. He stated that the City must follow the State Code prescribed procedure for bidding construction projects. He stated that we could start this process at the next City Council meeting.

The Administrator stated that he recently received information from the City's bond counsel regarding the process of extending the local options sales tax. He stated that the local options sales tax was initially set for a 20 year term, and will expire on June 30, 2024. He stated that bond counsel and bond financial advisors have advised that the City could not borrow beyond the remaining seven years of the LOST collections for any projects to be paid through LOST funds. He stated that the bond issued in 2004 to finance construction of the Aquatic Center will be paid off in June 2024. He stated that in order to proceed with financing additional projects, either a longer term on the LOST should be approved by the voters, or the voters should be asked to approve the local option sales tax with no expiration date.

The Administrator stated bond counsel has advised that the County Supervisors will have to be involved in calling for an election. He stated that local governments representing at least 50% of the population in a County have to approve a local option sales tax election. He stated that it would take both the City of Winterset and the rural population of the County to reach this 50% threshold. He stated that the election would only be for City voters, the County would not have to vote since the County does not have an expiration date on their local option sales tax.

The Administrator stated that in addition to the procedural steps that need to be taken, another important consideration is the wording on the ballot for a local option sales tax election. He stated that one question will be whether to impose another 20 year expiration date, or to leave the local option sales tax with no expiration date. He stated that the purposes the local option sales tax will be used is also important, and could have implications as to bond financing of projects. The Administrator suggested that a committee be formed to work on these issues and to make a recommendation to the City Council and to the County Board of Supervisors.

The Administrator stated that the normal Council meeting dates next month would be on July 3rd and July 17th. He suggested that since there are five Mondays in July this year, the meetings be a week later than normal on July 10th and July 24th. The consensus of the Council was to approve this suggestion.

The Administrator stated that the City Council will be asked to adopt a resolution supporting the rebuilding of the Cedar Covered Bridge. He stated that the Mayor asked that this resolution be included on the agenda for the next Council meeting.

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. The motion was seconded by Council Member Seaward. Roll call vote:

AYES: Harrell, Macumber, Seaward, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

GENERAL

POLICE:

Breedings Hdw, hdw supplies	4.99
Carpenter Uniform Co., badge wallet	30.99
Madison Co Sheriff's Office, dispatch service	2,508.33
Payroll Account, salaries	15,506.19

Payroll Account, salaries 20,085.22
Quality Car Care, car maint/car repairs 657.88
RACOM Corp, install camera 375.00
Verizon, cellular service 320.08
Winterset Municipal Utilities, utilities 23.61

FIRE:

Bobs Custom Trophies, name plates 37.65
Iowa Fire Chief's Assn, dues/patches/pins 205.00
Iowa State University, certification fees 100.00
Jayson McDonald, reimb school expenses 299.47
MidAmerican Energy, gas service 44.00
Thirst Park, mtg supplies 280.50
Verizon, cellular service 40.01
Wreeves & Assoc Inc., flood light 174.60

ADMINISTRATION:

Payroll Account, salaries 4,292.97
Payroll Account, salaries 4,292.97
Payroll Account, salaries 1,175.00

AIRPORT:

Winterset Airport Authority, approp 3,289.92

CEMETERY:

Winterset Cemetery Assn, semiannual approp 22,000.00

ECONOMIC DEVELOPMENT:

Madison Co Alliance Group, approp 3,666.67

ANIMAL CONTROL:

Street Tails Inc., spay program 220.00

BUILDING INSPECTOR:

Payroll Account, salaries 1,247.58
Payroll Account, salaries 1,247.58

GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, salaries 634.61
Payroll Account, benefits 105.19
Payroll Account, salaries 634.60
Payroll Account, benefits 607.75
Waste Mgmt of Iowa, garbage service 23,505.72

INTERNAL SERVICE FUND

ADMINISTRATION:

Access Systems, wifi modem/maint contract 1,371.53
Authorize.net, ACH fees 15.00
Brandy Decker, cleaning service 200.00
Brandy Decker, cleaning service 200.00
CINTAS Corp, first aid supplies 47.21
CIT, copier lease 368.30
D & D Pest Control, pest control 35.00
Employee Benefit Systems, HRA admin fees 294.00
F & M State Bank, ACH fees 234.50
Feirer Enterprises Inc., website maint 59.00
Julie Worrall, reimb shelving 28.39
Mailfinance, meter lease 1,416.51
MMIT Business Solutions Group, copier maint 46.64
Neofunds by Neopost, postage 599.45
Quill Corp, office supplies 105.48
Schindler Elevator Corp, backup battery 1,119.00
Winterset Municipal Utilities, utilities 1,029.16

ROAD USE TAX

ROADWAY MAINTENANCE:

Breedings Hardware, paint/lumber 141.09
CINTAS Corporation, first aid supplies 64.36
Electronic Engineering, pager maint 23.90
Grimes Asphalt & Paving Corp, cold mix 1,251.22
Logan Contractors Supply Inc., concrete saw blade 850.00
Madison Co Treasurer, post 28.60
Matt Porter, reimb safety boots 171.15
Payroll Account, salaries 6,998.50
Payroll Account, salaries 7,344.27
R & B Tire & Auto, tire repairs 56.00

Waste Mgmt of Iowa, garbage service 65.00
Winterset Farm & Home, gloves/grease/battery 112.74
Winterset Municipal Utilities, utilities 5,631.33

STREET CLEANING:

Payroll Account, salaries 490.56

SEWER UTILITY FUND

SANITARY SEWER:

1966 Continental Research Corp, hdw supplies/pay bar 521.87
Breeding Hardware, safety clothes/tools/hdw supplies 292.32
Iowa Dept of Natural Resources, certification renewal 180.00
Payroll Account, benefits 1,243.25
Payroll Account, benefits 4,585.33
Payroll Account, salaries 7,498.38
Payroll Account, salaries 8,958.92
Sewer Improvement Project Fund, transfer 20,000.00
Sewer Revenue Bond Sinking, transfer 16,440.33
Spee-Dee Delivery Service Inc., shipping 130.91
Verizon, cellular service 134.96
Winterset Farm & Home, pulley/hdw supplies 19.28
Winterset Municipal Utilities, utilities 6,988.88

SEWER IMPROVEMENT PROJECT FUND

SANITARY SEWER:

Veenstra & Kimm Inc., engineer fees 11,150.00

LIBRARY PROJECT FUND

LIBRARY:

Grand Homes & Renovations LLC, final payment 4,904.75
NORTHSTONE VILLAGE TIF

ECONOMIC DEVELOPMENT:

Fareway Stores Inc., TIF rebate 22,401.81
DS/2011 GO BOND FUND

DEBT SERVICE:

Bankers Trust Co., bond redempt/interest/reg fee 184,968.75
DS/2012 GO BOND FUND

DEBT SERVICE:

Bankers Trust Co., bond redemption/interest/reg fee 563,162.50
DS/2015 GO BOND FUND

DEBT SERVICE:

Bankers Trust Co., bond redempt/interest/reg fee 660,800.00
DS/2016 GO BOND FUND

DEBT SERVICE:

Bankers Trust Co., interest/reg fee 5,813.00
TRUST & AGENCY

POLICE:

Payroll Account, benefits 3,131.86
Payroll Account, benefits 8,096.44

ADMINISTRATION:

Payroll Account, benefits 918.62
Payroll Account, benefits 3,529.02

ROADWAY MAINTENANCE:

Payroll Account, benefits 1,217.68
Payroll Account, benefits 5,911.14

The Mayor stated that the minutes of the May 15, 2017 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: Harrell, Macumber, Seaward, Fletcher

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor noted that no one had signed up for public comment at this meeting.

Council Member Macumber stated that the City's application for designation as a Home Base Iowa Community was recently approved. He stated that Madison County's application

has already been approved. He stated efforts are underway to arrange for visit from Governor Reynolds to mark this occasion.

The Mayor called for any other comments to be made at this time. A motion was then made by Council Member Macumber and seconded by Council Member Fletcher to adjourn the meeting. Roll call vote:

AYES: Harrell, Macumber, Seaward, 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