

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: October 3, 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. CDBG store front façade renovation project
- 7:30 4. Jurgensen Bridge Project
 - public hearing on plans, specifications & form of contract
 - resolution approving plans, specifications & form of contract
 - report on bids
 - resolution awarding contract
- 7:40 5. City Hall HVAC Project
 - public hearing on plans, specifications & form of contract
 - resolution approving plans, specifications & form of contract
 - report on bids
 - resolution awarding contract
- 7:50 6. Proposal to sell City owned real estate to Agriland FS
 - set date of hearing on proposal
- 8:00 7. Winterset Area Skate Park Project
 - resolution approving contract
- 8:10 8. Administrator report
- 8:20 9. Claims
- 8:25 10. Minutes Sept. 19th meeting
- 8:30 11. Public comment
- 8:35 12. Adjournment

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

DATE POSTED: September 29, 2016

BY:

Title: City Administrator

City Council of the City of Winterset, Iowa met in regular session on October 3, 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 recognized several High School students who were in attendance at the Council meeting this evening. Those students included: Abigail Blader, Erika Shahan, Maddy McNamara, Layken Gurwell, Mark Vrieze, Trey Maynes and Taylor Porter.

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: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor stated that the Council would first hear reports from the various Boards & Departments. The Mayor first recognized Nancy Trask and asked for a report from the Library. Nancy Trask presented a written report to the Mayor and Council Members and briefly discussed several of the items in her report. She stated that the Library Board has hired her replacement and she will begin work on October 17th. She stated that she would introduce Jean Bosch at the next Council meeting.

The Mayor then recognized John Pletchette and asked for a report from the Park & Recreation Commission. Mr. Pletchette reported on construction work that has recently been completed at the City Park. He also stated that painting at the pool is to be done this week. He also reported that the new concession building at Giffin Field is nearly completed and work on a shelter house at the soccer complex will start later this month. He stated that fundraising for the outdoor skating rink has nearly reached its goal and he will be ordering materials soon to get this facility ready. Mr. Pletchette also reported on fall recreation programs.

The Mayor recognized Chief Ken Burk and asked for a report from the Winterset Police Department. Chief Burk presented a written report to the Council Members and briefly discussed some of the items in his report. The Chief noted that Officer Roger Shortt was injured while making an arrest on September 7th. He stated that the injury required surgery and he will need about 6-months of recovery time.

The Mayor called for a report from the Fire Department. Assistant Fire Chief, Jeff Johnston reported to the Mayor and Council. He stated that the Fire Department responded to nine calls during the month of September. He stated that they have had 62 calls so far this year. He stated that the Fire Department in conjunction with the Red Cross and New Bridge Church, recently installed new smoke detectors in homes around town. He stated that they installed about 100 new smoke detectors as part of this project. He stated that they intend to work their way around the community over the next year or so with this project. He also stated that the Fire Department is replacing air bottles. He stated that they recently purchased five new air bottles at a cost of over \$800 each.

The Mayor stated that the next item on the agenda was to hear a report on the store front facade renovation project. Brenda Hollingsworth from the Madison County Historic Preservation Commission addressed the Mayor and Council and stated that the Historic Preservation Commission would like the City to consider applying for a Community Development Block Grant to provide funding for renovating store fronts in the Downtown area. She introduced Jeremy Rounds of SICOG and asked that he provide further information on this grant application. Jeremy Rounds addressed the Council and stated that Winterset would be eligible to apply for up to \$500,000 in Community Development Block Grant funds. He stated that this grant application requires a local match. He stated that typically they have suggested that the grant funds provide 50% of the cost, the store owner provide 25% of the cost, and the City provide 25% of the cost. He stated that they are currently surveying the buildings in the Downtown area to determine if the area meets the slum & blight criteria. He stated that there is a prescribed set of criteria for evaluating buildings to determine their condition. He also stated that an architect would have to be retained to provide conceptual drawings of needed renovation work and to provide a cost estimate for each store front. He stated that there would have to be at least 8 buildings included in the grant application.

Council then discussed the idea of submitting the CDBG grant application. Following discussion, the consensus of the Council was that the City should proceed with preparing a grant application for this project.

The Mayor then stated that this is the time and place for a public hearing on the plans, specifications and form of contract for the Jurgensen Bridge Relocation Project. The City Administrator stated that the project consists of moving the Jurgensen Bridge, which is currently located east of Patterson, to a site near the Cedar Lake Reservoir. He stated that the bridge will be installed over the spillway at the reservoir. He stated that bids were open for the project on September 29th and two bids were received, ranging in price from \$448,000 to \$461,000. He stated that the City obtained a matching grant from the Iowa Department of Transportation for up to \$500,000 for this bridge relocation project. He stated that Madison County will also be providing funds for this project as a requirement of a FEMA grant that the County had earlier obtained.

The Mayor then called for any comments or objections to the project to be voiced at this time. Following a general period of discussion on the project, the Mayor stated that the public hearing was now closed.

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

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION NO. 2016-117

RESOLUTION APPROVING PLANS, SPECIFICATIONS,
AND FORM OF CONTRACT FOR THE
JURGENSEN BRIDGE RELOCATION PROJECT

WHEREAS, the City Council of the City of Winterset, Iowa, set October 3, 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 Jurgensen Bridge Relocation 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 3rd day of October, 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 on September 29, 2016. He stated that two bids were received, as follows:

<u>Name of Bidder</u>	<u>Bid Amount</u>
Boulder Contracting, LLC Grundy Center, IA	\$448,000.00
P & P Contractors Winterset, IA	\$461,000.00

Following a period of discussion, a motion was made by Council Member Fletcher and seconded by Council Member Stover to approve the following resolution. Roll call vote:

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION NO. 2016-118

RESOLUTION AWARDING CONTRACT FOR THE
JURGENSEN BRIDGE RELOCATION 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 Jurgensen Bridge Relocation 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>
Boulder Contracting, LLC Grundy Center, IA	\$448,000.00

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 3rd day of October, 2016.

James C. Olson, Mayor

ATTEST

Mark Nitchals, City Administrator

The Mayor then stated this is the time and place for a public hearing on the City Hall HVAC Project. The Mayor called for any comments or objections for the plans, specification and contract to be voiced at this time. Following a general period of discussion, the Mayor then declared the public hearing was now closed.

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

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION NO. 2016-119

RESOLUTION APPROVING PLANS, SPECIFICATIONS,
AND FORM OF CONTRACT FOR THE
CITY HALL HVAC IMPROVEMENT PROJECT

WHEREAS, the City Council of the City of Winterset, Iowa, set October 3, 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 City Hall HVAC Improvement 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 3rd day of October, 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 on September 29, 2016. He stated that seven bids were received, as follows:

<u>Name of Bidder</u>	<u>Bid Amount</u>
SME Mechanical Des Moines, IA	\$191,140.00
Two Rivers Group, Inc. Altoona, IA	\$203,800.00
Wolin & Associates, Inc. West Des Moines, IA	\$225,110.00
Proctor Mechanical Corporation West Des Moines, IA	\$236,339.00
Stroh Corporation Des Moines, IA	\$249,790.00
Pleva Mechanical Inc. Woodward, IA	\$249,950.00
TBB&M, LLC Indianola, IA	\$262,000.00

Following a period of discussion, a motion was made by Council Member Harrell and seconded by Council Member Macumber to approve the following resolution. Roll call vote:

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION NO. 2016-120

RESOLUTION AWARDING CONTRACT FOR THE
CITY HALL HVAC IMPROVEMENT 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 City Hall HVAC Improvement 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>
SME Mechanical Des Moines, IA	\$191,140.00

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 3rd day of October, 2016.

James C. Olson, Mayor

ATTEST

Mark Nitchals, City Administrator

The Mayor called for a report on the proposal to sell City owned real estate to Agriland FS. The City Administrator reported that City Attorney James Larsen has negotiated the terms of an agreement with Agriland FS covering the exchange of real estate. He stated that this agreement also requires the parties to annex their properties into the City and to follow the requirements of the City subdivision ordinance. He stated that the agreement also provides for correcting a drainage issue in this area. The Administrator stated that any time the City proposes to convey its ownership interest in real estate, a public hearing must first be held. Following a period of discussion, Council Member Seaward made a motion, seconded by Council Member Stover to adopt the following resolution. Roll call vote:

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION 2016-121

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:

Amended Parcel "M", a part of Parcel "K", located in the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty One (31) Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 38,400 square feet, as shown in Amended Plat of Survey filed in Book 2015, Page 3258 on November 2, 2015, in the Office of the Recorder of Madison County, Iowa.

WHEREAS, the City proposes to enter into an Agreement with Agriland FS, Inc. for the exchange of real estate and other valuable consideration.

WHEREAS, Iowa Code Section 364.7 requires a 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 enter into an Agreement with Agriland FS, Inc. for the exchange of real estate and other valuable consideration.

BE IT FURTHER RESOLVED that the City Council hold a public hearing on the proposal on the 17th day of October, 2016, at 7:00 o'clock PM, at the Winterset City Hall located at 124 W. Court Avenue, Winterset, Iowa.

Passed and approved this 3rd day of October, 2016.

James C. Olson, Mayor

ATTEST

Mark Nitchals, City Administrator

The Mayor then called for a report on the Winterset Area Skate Park Project. The Administrator reported that the contractor, Spohn Ranch Inc., has signed the contract and has provided the required performance and payment bond and insurance certificates. He stated that these documents appear to be in order and he recommended that the Council approve these documents. Following a period of discussion, a motion was made by Council Member Stover and seconded by Council Member Macumber to approve the following resolution. Roll call vote:

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

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

RESOLUTION NO. 2016-122

RESOLUTION APPROVING CONTRACT AND
PERFORMANCE AND PAYMENT BONDS FOR THE
WINTERSET AREA SKATE PARK PROJECT

WHEREAS, the City Council of the City of Winterset, Iowa, has heretofore awarded a contract for the Winterset Area Skate Park Project (the "Project") to **Spohn Ranch, 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 this 3rd day of October, 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 work has begun on building a new house on the lot that the City recently sold to the School District. He stated that when excavation work was being done to dig for the new foundation, they found an old foundation that had been buried on the lot, and they also encountered poor soil conditions. The Administrator stated that the School Supt. contacted the Mayor to ask if the City could help with additional funding. The School Supt. reported that the owner was unable to obtain the additional \$10,000 that it is expected to correct these conditions. The Administrator stated that the City's involvement in this project is to utilize the LMI money that has accumulated over the years in an effort to provide housing for a qualifying LMI family.

The Administrator reported that work on replacing the sidewalk at the intersection by City Hall has been completed. He stated that work on the other side of this intersection will be done next week after the Bridge Festival. He stated that they did not want to have this area torn up during the Festival.

The Administrator reported that the City recently received the September hotel/motel tax payment from the Iowa Dept. of Revenue. He stated that this payment completes the first full year of hotel/motel tax collections after the new Cobblestone Hotel opened last year. He stated that for the first full year, this tax generated \$66, 895 in revenue. He stated that this is about double what had been collected in previous years.

The Administrator reported that the paving on 8th Avenue has been constructed and the street is now open to traffic. He stated that the contractor has some final grading work yet to be done and additional rock needs to be provided, but most of the work is completed.

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

NAYS: None

Whereupon the Mayor declared that the motion carried.

GENERAL

POLICE:

Andrew Lovan, reimb postage	13.89
Carpenter Uniform Co., collar pins/uniform supplies	147.88
Linda Barker, office cleaning	50.00
Madison Co Sheriff's Office, dispatch service	2,508.33
Payroll Account, salaries	18,608.00
Quality Car Care, car maint	35.70
Stivers Ford, patrol car	26,978.00
Winterset Municipal Utilities, utilities	17.23

FIRE:

Agriland FS Inc., gasoline	259.89
Brittains Std Parts, filters	95.14
MidAmerican Energy Co., gas service	12.83
Verizon, cellular service	40.01

ADMINISTRATION:

Madison Co Recorder, recording fees	44.00
Payroll Account, salaries	1,055.00
Payroll Account, salaries	4,292.97

ANIMAL CONTROL:

Payroll Account, salaries	115.28
Street Tails Inc., spay program	360.00

BUILDING INSPECTOR:

Payroll Account, salaries	1,247.58
Quality Car Care, truck repairs	218.72

TRANSFERS:

Internal Service Fund, reimb internal	2,804.65
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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
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GARBAGE FUND

SOLID WASTE/GARBAGE:

Payroll Account, salaries	634.60
Payroll Account, benefits	461.52
Waste Management of Iowa, garbage service	22,555.05

INTERNAL SERVICE FUND

ADMINISTRATION:

Access Systems, maint contract	773.45
Brandy Decker, cleaning service	200.00
CIT, copier lease	368.30
D & D Pest Control, pest control	35.00
Data Technologies Inc., reg	95.00
F & M State Bank, ACH fees	194.00
MMIT Business Solutions Group, copier maint	32.44
Winterset Municipal Utilities, utilities	697.22

ROAD USE TAX

ROADWAY MAINTENANCE:

Alexander Const, intake LID	125.00
Breedings Hardware, tools/marketing paint	75.89
Electronic Engineering, pager maint	23.90
Madison Co Treasurer, posts	114.40
Payroll Account, salaries	7,382.19
Thirst Park, office supplies	30.00
Winterset Municipal Utilities, utilities	5,579.12

SEWER UTILITY FUND

SANITARY SEWER:

Air-Con Mechanical Corp, equip repairs	601.29
Breedings Hardware, tools	28.74
Electric Pump, battery	35.87
Hawkins Inc., chemicals	1,260.70
Internal Service Fund, reimb internal	1,869.76
Municipal Supply Inc., line supplies	432.85
North Central Laboratories, testing supplies	88.34
Payroll Account, benefits	5,200.25
Payroll Account, salaries	7,746.01
Pit Pros Inc., sludge hauling	16,673.90
Precision Signworks Inc., signs	2,670.00
Schildberg Const Co. rock	1,372.10
Sewer Improvement Project Fund, transfer	20,000.00
Sewer Revenue Bond Sinking, transfer	16,423.63
Verizon, cellular service	132.60
Winterset Municipal Utilities, utilities	6,691.33

SEWER IMPROVEMENT PROJECT FUND

SANITARY SEWER:

Agrivision Group LLC, tractor	39,435.00
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Veenstra & Kimm Inc., engineer fees 357.48
PAVING PROJECT FUND
ROADWAY CONSTRUCTION:
Snyder & Assoc, engineer fees 3,723.94
Vanderpool Const Inc., pay est #1 87,331.79
CITY HALL PROJECT FUND

ADMINISTRATION:
Resource Consulting Engineering, engineer fees 8,000.00
SPORTS COMPLEX PROJECT

PARK & RECREATION:
Snyder & Assoc, engineer fees 4,200.00
LMI GRANT FUND

ECONOMIC DEVELOPMENT:
Daniel Faccin, spec assmt grant 1,000.00
James & Bonita Bunton, spec assmt grant 227.00
John & Karen Watts, spec assmt grant 674.00
Norman & Karen Van Essen, spec assmt grant 548.00
TRUST & AGENCY

POLICE:
Payroll Account, benefits 10,377.23

ADMINISTRATION:
Payroll Account, benefits 2,958.91

ROADWAY MAINTENANCE:
Payroll Account, benefits 6,214.81

The Mayor stated that the minutes of the September 19th City Council meeting were previously distributed to the Council Members for their review. A motion was made by Council Member Stover and seconded by Council Member Harrell to approve the minutes as submitted. Roll call vote:

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

NAYS: None

Whereupon the Mayor declared that the motion carried.

The Mayor noted that Dave Braga had signed up for public comments. Dave Braga asked Bob Hendricks how many certificates of occupancy had been issued in the Kading residential project. Mr. Hendricks stated that approximately 30 certificates have been issued. He stated that there will be a total of 64 in the area.

A question was asked regarding the committee to develop the job description for the new code enforcement officer position. It was decided that the committee would meet on October 20th.

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

AYES: Seaward, Stover, Fletcher, Harrell, Macumber

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