

COUNCIL PROCEEDINGS

August 10, 2009

The Oelwein City Council met in regular session August 10, 2009 at 7:00 P.M. Mayor Murphy presided.

- Roll Call PRESENT: Lein, Ericson, Kerns, Brandt, Ryan, Gosse
 ABSENT: None
 ALSO PRESENT: Kendall, Rigdon, VanVeldhuizen
- Agenda Adopted A motion was made by Gosse, seconded by Ryan to adopt the agenda as amended. All voted aye.

Motion Carried
- Citizens
Dave Miller Dave Miller, 829 1st Avenue SE requested permission to remove a walnut tree at his expense so Alliant Energy can place a pressure regulator station on the northwest corner of his parkway.

Ericson reminded Council the Tree Board should be utilized for tree issues. City Administrator Kendall pointed out the City is already facing the loss of thousands of Ash trees due to the emerald ash borer. A motion was made by Lein, seconded by Kerns to approve the removal of the walnut tree at Miller's expense. All voted aye.

Motion Carried
- Citizen
413 6th Ave SE Dana Meyers inquired as to the status of the Garceau property at 413 6th Avenue SE. VanVeldhuizen explained the timing of when it may be abated. This could take months if it goes to court.
- Consent Agenda A motion was made by Gosse, seconded by Brandt to approve the following Consent Agenda items:

A. Minutes of the July 27, 2009 regular meeting
B. Proposal received from Ridihalgh, Fuelling, Snitker, Weber & Co. on 2008-2009 Audit in the amount of \$5,400.00
C. Request from OCAD to use City trailer for Heritage Days on August 15th
D. Change Order No. 1 to Dolan Excavating in the amount of \$8,071.80 for North Frederick/Elmwood Drive Sanitary Sewer Project
E. Pay Request No. 2 to Dolan Excavating in the amount of \$136,242.78 for work completed on North Frederick/Elmwood Drive Sanitary Sewer Project

All voted aye.

Motion Carried
- Public Hearing
Proposed Sale
of Portion of
Lot 17, Block 1 Mayor Murphy opened the Public hearing on the Proposed Disposal by Sale of Portion of Lot 17, Block 1, Oelwein, Fayette County, Iowa

Barb Wegner, an adjacent property owner spoke regarding the stairway at this location. She purported the City should construct a doorway into her second story. The City Attorney advised her this was not the case. Applicable documents will be reviewed for the August 24th meeting.

She also inquired about painting her two buildings on South Frederick. In 2007 she was allowed to paint her windows a "Stratford Blue". In December of that year Council adopted new color charts which no longer included blue. After discussion A motion was made by Brandt, seconded by Ryan to approve the "Stratford Blue" color for her buildings. Lein wanted the downtown Design Review Board to discuss this.

5 voted aye, 1 (Lein) voted nay.

Motion Carried

Mrs. Wegner then asked about painting part of her buildings white.

Mayor Murphy suggested this decision wait until the August 24th meeting in order to give Council the chance to view her buildings.

Resolution #4584
Sale of Portion of
Lot 17, Block 1

A motion was made by Ryan, seconded by Ericson to adopt Resolution No. 4584 Regarding Disposal by Sale of Portion of Lot 17, Block 1, Oelwein, Fayette County, Iowa.

Ayes: Lein, Ericson, Kerns, Brandt, Ryan, Gosse

Nays: None

Motion Carried

Grace Methodist
Church

A motion was made by Lein, seconded by Brandt to approve funding up to \$5,000 for half the cost of the churches 2008 demolition of the house formerly located at 13-15 First Street NE. 5 voted aye, 1 (Kerns) voted nay.

Motion Carried

Trees, 503 1st
Avenue NE

Kathy Adams, 503 1st Avenue NE requested the Council reconsider cutting down the trees along 5th Street adjacent to her lot or repairing her sidewalk.

Kendall suggested the City repair the sidewalk sections which were installed during the 1999 project.

The location will be viewed prior to the 24th.

Ryan questioned if cutting the tree roots would damage the trees. Street Superintendent Stewart said it hasn't on any of the other trees that they've applied this process to.

City Hall/Police
Department
Remodel

Three bids were received for the City Hall/Police Department remodeling and expansion project. Two additional contractors replied with no bids. All bids were well over the original estimate. The lowest bid was double the original estimate. The City Administrator and Police Chief will look into options. An updated report will be made at the August 24, 2009 meeting.

Ordinance #1104

A motion was made by Brandt, seconded by Ryan to suspend the rules and adopt an ordinance on the first and final reading.

Ayes: Lein, Ericson, Kerns, Brandt, Ryan, Gosse

Nays: None

Motion Carried

Delete Loading Zone, 100 Block North Frederick	<p>A motion was made by Brandt, seconded by Ryan to adopt Ordinance No. 1104 Amending the Code re: Delete Loading Zone in the 100 Block of North Frederick Avenue.</p> <p>Ayes: Lein, Ericson, Kerns, Brandt, Ryan, Gosse</p> <p>Nays: None</p> <p style="text-align: center;">Motion Carried</p>
Personnel Policy Education/Training	<p>City Attorney recommended Council not adopt his proposed Education/ Training agreement at this time. He will prepare an updated version for the next meeting.</p>
7 th Street SE Water & Sewer Improvements	<p>A motion was made by Brandt, seconded by Ryan to approve a proposal from CFI of New Hampton to replace water valves, sanitary sewer manholes and related paving on 7th Street SE in the amount of \$37,234.50.</p> <p>All voted aye.</p> <p style="text-align: center;">Motion Carried</p>
600 Blk South Fred. Alley Traffic	<p>Alley traffic in the 600 block of South Frederick will need to be 2-way alley during reconstruction of 7th Street SE.</p> <p>A motion was made by Kerns, seconded by Ericson to temporarily suspend the one-way restriction in the alley between 6th and 7th Street during the 7th Street SE construction project.</p> <p style="text-align: center;">Motion Carried</p>
Drainage 1 st St. and 3 rd Ave. SE	<p>Street Superintendent Stewart reported on the drainage problem at 1st Street and 3rd Avenue SE intersection. He will solicit bids for the project and present to Council at August 24, 2009 meeting.</p>
Library Board Mtg.	<p>Kerns gave a brief report on the August 10th Library Board meeting. Alliant Energy presented recommendations for energy savings.</p>
Electronic Communications Policy	<p>The City Attorney reminded the Council it needs to adopt an Electronic Communications Policy. It should be in place prior to the first scheduled "paperless" council meeting. A work session was scheduled for August 24, 2009 at 6:00 P.M.</p>
Recycling Dumpsters	<p>Recycling dumpsters in the former Donaldson's 5th Avenue SW parking lot must be moved. Kendall suggested the 4th Avenue parking lot or the Public Works complex might be possible sites.</p>
Water Distribution Study	<p>Kendall handed out Water Distribution Study updates for the Council Water Study manuals.</p>
Trails	<p>Kerns stated the contractor working on the westside trail sprayed material on top of grass. The City prepared the trail for spraying.</p>
Fayette Co. Landfill	<p>Brandt updated the Council regarding the Fayette County Landfill. He attended a preconstruction meeting, they started landscaping and have met with Black Hawk County on the comprehensive Plan.</p>
Downtown Stores	<p>Ryan complimented the community on how nice the downtown store fronts looked except for the former bakery. Lein reported the bakery is in the process of being sold and its appearance should improve.</p>

Outdoor Music Mayor Murphy referenced a memo from the Police Chief seeking Council attention to loud outdoor music as several complaints are generated on this subject.

The Public Safety committee was requested to review the current ordinance.

A motion was made by Ryan, seconded by Ericson to immediately suspend all outdoor entertainment at establishments controlled by liquor licenses until the Public Safety Committee can meet and make a recommendation to the Council on the issue. This does not include the United Way street dance scheduled for August 21, 2009. 4 voted aye, 2 (Lein, Kerns) voted nay.

Motion Carried

Adjourn A motion was made by Ryan, seconded by Kerns to adjourn at 8:25 P.M. All voted aye.

Motion Carried

LARRY MURPHY, MAYOR

ATTEST:

STEVEN H. KENDALL, CITY ADMINISTRATOR

I, Steven H. Kendall, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held August 10, 2009 and copy of said proceedings was furnished the Register August 14, 2009.

STEVEN H. KENDALL, CITY ADMINISTRATOR

Prior to the regular meeting the City Council met in a Work Session to discuss Prairie Flowers/Grasses and lap top orientation.