

Meeting of the Dyersville City Council, Monday, December 19, 2016 #32-16

Time: 7:00 p.m.

Place: Council Chambers

Roll Call: Present: Mayor Dan Willenborg, Council Members: Mark Wagner, Mike Oberbroeckling, Mike English, Teresa Bockenstedt & Mark Breitbach

Pledge of Allegiance

Council Member English moved to approve the Monday, December 19, 2016 agenda seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Bockenstedt, English, Breitbach, Wagner, Oberbroeckling

Nays: None Motion carried.

Council Member Bockenstedt moved to pull Contract Payment No.2 to Cornerstone Concrete, LLC in the amount of \$96,539.28 for the 7th St SW and 9th Ave SW trail project and have voted on its own motion seconded by Council Member English. Roll call vote:

Ayes: Bockenstedt, English, Breitbach, Wagner, Oberbroeckling

Nays: None Motion carried.

Council Member English moved to approve the Agenda Consent Calendar seconded by Council Member Oberbroeckling to Approve Bills; Approve Minutes: Council Meeting – December 5, 2016; Receive & File Minutes: James Kennedy Public Library Board of Trustees – November 8, 2016; Planning & Zoning Commission – December 12, 2016; Blasting Permit: Bennett Explosives, January 11, 2017 to January 31, 2017; Building Permit #16-1850: Richard Eudaly (Scotty’s Appliance) 529 5th St NW (sign); RESOLUTION NO. 92-16: A RESOLUTION APPROVING FINAL PLAT OF CITY VIEW ACRES 2N ADDITION, DUBUQUE COUNTY, IOWA COMPROMISED OF LOT 2, LOT 1-1, LOT 2-1 OF CITY VIEW ACRES AND LOT 1 OF HOLSCHER PLACE, ALL IN SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE (T89N, RANGE TWO WEST (R2W) OF THE FIFTH PRINCIPAL MERIDIAN, DUBUQUE COUNTY, IOWA (PARCEL ID #0730100008 – 13632 8TH ST NW & PARCEL ID# 0730100019 – 820 8TH ST NW); Authorize Mayor to Sign: Contract Payment No. 8 to Staab Construction Corp. in the amount of \$363,751.20 for the Wastewater Treatment Facility Phase 3 Expansion project; Council Approval & Acceptance of 7th St SW & 9th Ave SW Trail Project; Authorize City Administrator to Sign: Adopt-A-Highway Application (Knights of Columbus Council 1734); Receive & File: Iowa Supreme Court decision regarding rezoning of Field of Dreams property; Mediacom notification of rate increase on or about January 3, 2017; Treasurer’s Report – November, 2016; Revenue & Expenditures Report – November, 2016; Staff Reports – Police, Public Works, Parks & Recreation, Library, City Administrator; Miscellaneous Correspondence: Request from City Clerk to move regularly scheduled council meeting on Monday, January 2, 2017 to Tuesday, January 3, 2017 due to New Year’s holiday; Bi-County Disposal Christmas tree pick-up schedule; Delaware County Emergency Management Commission minutes – October 25, 2016; Greater Dubuque Development Corporation “Opportunity Meets Community” – December. The following bills were approved for payment:

Ace Homeworks	Supplies	\$	213.08
Alliant Energy	Telephone	\$	434.26
Amazon	Books/Subscriptions	\$	935.26
American Trust & Savings Bank	Credit Card	\$	171.56
Auditor, State of Iowa	Audit Filing	\$	425.00
Baker & Taylor Books	Books	\$	1,200.33
Bard Materials	Asphalt	\$	78.38
Bi-County Disposal Inc.	Garbage	\$	18,971.55
Big Wheels Repair LLC	Service/Parts	\$	599.42
Black Hills Energy	Natural Gas	\$	938.86
Bonert, Patty	Deposit Refund	\$	100.00
Carpenter Uniform Company	Uniforms	\$	81.99
Carquest Auto Parts	Supplies	\$	51.28
Casey's General Store Inc	Gas/Diesel	\$	677.79
Cengage Learning	Books	\$	704.54
Center Point Publishing	Books	\$	46.74
Century Link	Telephone	\$	105.74

Children's Plus Inc	Books	\$ 1,470.95
City Clerk	Petty Cash	\$ 46.45
City Directories	Book	\$ 160.00
City Laundering Co.	Uniforms/Mats	\$ 391.45
Colibri Systems North Amer	Supplies	\$ 741.80
Communications Engineering	Phone System	\$ 23,326.29
Complete Office of Wisconsin	Supplies	\$ 61.98
Computer Doctors Inc	Service	\$ 132.50
Cosselman, Wade	Reimbursement	\$ 50.00
Counter Tops Inc.	Fixtures	\$ 2,985.00
Crescent Electric Supply	Supplies	\$ 261.10
Demco Educational Corp	Supplies	\$ 89.95
Dorsey & Whitney	Legal Services	\$ 1,921.50
Dubuque Janitorial	Janitorial	\$ 800.00
Dyersville Commercial	Legals/Ads	\$ 712.68
Dyersville Industries, Inc	Rebates	\$ 7,390.40
East Central Intergovernmental	Dues	\$ 3,575.63
Eick, Miriam	Supplies	\$ 38.48
Fareway Stores Inc.	Supplies	\$ 40.90
Field & Stream	Subscription	\$ 16.00
Findaway World LLC	Books	\$ 133.23
Fuerste, Carew, Coyle, Juergens	Legal Fees	\$ 77.50
Gehl, Michelle	Reimbursement	\$ 50.00
Hawkins Water Treatment	Supplies	\$ 1,134.02
Henderson Truck Equipment	Parts/Labor	\$ 950.00
Heritage Printing Co	Supplies	\$ 27.94
Hogan Hanson	Financial Statement	\$ 18,000.00
IIW Associates P C	Engineer Fees	\$ 23,544.75
Ingram Library Services	Books	\$ 115.18
Iowa Law Enforcement Academy	Training	\$ 15.00
Iowa One Call	Iowa One Call	\$ 102.60
Iowa Prison Industries	Street Signs	\$ 882.34
J & R Supply	Supplies	\$ 144.45
John Deere Financial	Supplies	\$ 1,047.50
Kern, Brenda	Deposit Refund	\$ 100.00
Kluesner Construction Inc	Asphalt Patch	\$ 9,570.00
Knipper, Gene	Deposit Refund	\$ 100.00
Krapfl Inc, F L	Supplies/Labor	\$ 21,773.59
Maahs, Michael	Reimbursement	\$ 60.00
Maiers, Tricia	Reimbursement	\$ 31.16
Maquoketa Valley Electric	Electricity	\$ 6,633.38
Medical Associates Clinic	Flu Shots	\$ 58.00
Mensen, Keith	Reimbursement	\$ 6.80
Meyer Mechanical Contracting	Supplies/Labor	\$ 123.56
Midwest Breathing Air LLC	Supplies	\$ 124.00
Mr. Lock & Key	Repair	\$ 939.50
Municipal Emergency Service	Supplies	\$ 9.61
Napa Auto Parts	Supplies	\$ 83.41
Navistar BMO Harris Bank	Lease	\$ 7,873.23
Northeast Iowa Community College	Books	\$ 107.00
O The Oprah Magazine	Subscription	\$ 20.00
Ode Design	Book	\$ 44.00
Oriental Trading Company Inc.	Supplies	\$ 52.42
Overdrive	Books	\$ 466.12
Payless Foods	Supplies	\$ 20.63
Pitney Bowes	Postage	\$ 136.95

Quik N Handi II	Gas/Diesel	\$	673.88
Quill Corporation	Supplies	\$	184.10
Radio Shack	Supplies	\$	16.99
Rausch, Kevin	Reimbursement	\$	60.00
Recker, Terry	Reimbursement	\$	60.00
Recorded Books LLC	Books	\$	75.36
Roberts, Stevens, Prenderg	Legal Fees	\$	500.00
Rudzianski's Business Equipment	Contract	\$	92.22
Schrandt, Dawn	Reimbursement	\$	25.92
Schwendinger, Tim	Reimbursement	\$	50.00
Shopko Stores Operating Co	Supplies	\$	1,319.74
Showcases	Supplies	\$	200.88
Singsank, Tim	Janitorial	\$	450.00
Singsank, Tim & Joyce	Janitorial	\$	299.25
Spahn & Rose Lumber Co	Supplies	\$	77.71
Squiers, Tobi	Supplies	\$	31.99
Sundstop II LLC	Gas/Diesel	\$	688.51
Tauke Motors	Parts/Labor	\$	1,121.75
Three Rivers FS Company	Gas/Diesel	\$	1,248.41
Tri-State Automatic Sprinkler	Inspection	\$	210.00
USA Blue Book	Supplies	\$	521.22
Vonderhaar, Shirley	Reimbursement	\$	188.28
Water & Resource Recover Center	Testing	\$	180.00
Weber Paper Company	Supplies	\$	63.56
Weber, Duane	Decorations	\$	45.00
Weight Watchers Magazine	Subscription	\$	24.95
Wilhelm, Donna	Deposit Refund	\$	100.00
Windstream	Telephone	\$	652.18
Zuercher, Austin	Reimbursement	\$	50.00

001 General Fund	\$	67,471.29
002 Library Trust Fund	\$	2,146.45
112 Trust and Agency Fund	\$	400.00
135 Dyersville TIF District Fund	\$	7,390.40
301 Capital Projects Fund	\$	26,751.79
600 Water Fund	\$	20,542.09
602 Water Capital Account	\$	3,100.50
610 Sewer Fund	\$	6,645.59
612 Sewer Capital Account	\$	19,640.75
670 Solid Waste Fund	\$	19,629.75
===Bills List Total===	\$	173,718.61

November Treasurer's Report Summary

001 General Fund	\$	1,149,209.12
002 Library Trust	\$	51,943.44
110 Road Use Tax	\$	209,952.02
112 Trust & Agency Fund	\$	28,766.00
121 Local Option Tax Reserve	\$	1,649,762.39
128 CDBG	-\$	5,096.00
135 Dyersville TIF District	\$	1,911,512.22
200 Debt Service	\$	502,308.70
301 Capital Projects Fund	-\$	310,963.53
600 Water Fund	\$	594,849.97
601 Water Sinking Fund	-\$	376,714.13
602 Water Capital	-\$	614,213.75
610 Sewer Fund	-\$	224,013.98

611 Sewer Sinking Fund	-\$ 556,913.43
612 Sewer Capital	-\$ 550,643.04
670 Solid Waste Fund	-\$ 8,812.47
===Total===	\$ 3,450,933.53

Roll call vote:

Ayes: Wagner, Oberbroeckling, Breitbach, English, Bockenstedt
 Nays: None Motion carried.

Council Member English moved to approve Contract Payment No.2 to Cornerstone Concrete, LLC in the amount of \$96,539.28 for the 7th St SW and 9th Ave SW trail project seconded by Council Member Breitbach. Roll call vote:

Ayes: Breitbach, Oberbroeckling, English
 Nays: Wagner, Boeckenstedt Motion carried.

Council Member English moved to receive and file Presentation of FY16 Annual Audit Report by Steve Duggan, Hogan-Hansen seconded by Council Member Wagner. Roll call vote:

Ayes: Bockenstedt, Breitbach, English, Wagner, Oberbroeckling
 Nays: None Motion carried.

Council Member Bockenstedt moved to open Public Hearing on designation of the expanded Consolidated Dyersville Economic Development District and on urban renewal plan amendment (Parcel ID's 0731436021, 0731478019 – 711 13th Ave SE, 0731436015 & 540000203200 – 830 12th Ave SW) seconded by Council Member Oberbroeckling.

Ayes: All
 Nays: None Motion carried.

Jacque Rahe, DEDC Executive Director, explained about the two projects they are working on with TOMY / Theisen's and Alliance Mutual Insurance Association. DEDC is in negotiations with TOMY to buy both the building and the four-acre lot located directly west of Theisen's. The deal DEDC is looking at is like what they did with the land where Farm Tek is now. Rahe also talked about the Alliance Mutual Insurance Association building which has boosted property taxes to an estimated \$13,000 a year. The development agreement would be same as others approved at 50% for 5 years.

Mike Murphy, 911 6th St SW, feels that urban renewal and TIF is an excellent service for the City and it offers a very good marketing tool to pull a new business into town or an existing business to expand in town. He thinks the City may be going too far in some instances. Tomy/Theisen is perfect for this but the Alliance Mutual Insurance building he questions. The building fits into the neighborhood but they came and begged us to be there. The building sits on two lots which could have been two homes. When is the City going to start to say no? No one did anything wrong and at some point, this needs to be looked at.

Barry Klostermann, DEDC Board Member, indicated that TOMY did have an environmental study done in 1999 on Phase I.

Council Member English moved to close Public Hearing seconded by Council Member Bockenstedt. Roll call vote:

Ayes: Oberbroeckling, Wagner, Bockenstedt, Breitbach, English
 Nays: None Motion carried

Council Member Breitbach moved to approve RESOLUTION NO. 93-16 A RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE CONSOLIDATED DYERSVILLE ECONOMIC DEVELOPMENT DISTRICT seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Breitbach, English, Oberbroeckling, Wagner
 Nays: Bockenstedt Motion carried.

Council Member English moved to waive the first reading of ORDINANCE NO. 804 seconded by Council Member Breitbach. Roll call vote:

Ayes: Wagner, Oberbroeckling, Breitbart, English, Bockenstedt
Nays: None Motion carried.

Council Member English moved to approve first reading of ORDINANCE NO. 804 AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2016 ADDITION TO THE CONSOLIDATED DYERSVILLE ECONOMIC DEVELOPMENT DISTRICT, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Breitbart, English, Wagner, Oberbroeckling
Nays: Bockenstedt Motion carried.

Council Member Breitbart moved to waive the second reading of ORDINANCE NO. 804 seconded by Council Member English. Roll call vote:

Ayes: English, Wagner, Oberbroeckling, Breitbart
Nays: Bockenstedt Motion carried.

Council Member English moved to waive the third reading of ORDINANCE NO. 804 seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Oberbroeckling, Wagner, Breitbart, English
Nays: Bockenstedt Motion carried

Council Member Wagner moved to approve RESOLUTION NO. 94-16 A RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH DYERSVILLE INDUSTRIES D/B/A DYERSVILLE ECONOMIC DEVELOPMENT COMPANY, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS. SET DATE FOR JANUARY 3, 2017 AT 7:00 P.M. seconded by Council Member Breitbart. Roll call vote:

Ayes: Breitbart, English, Oberbroeckling, Bockenstedt, Wagner
Nays: None Motion carried.

Council Member Wagner moved to approve RESOLUTION NO. 95-16 A RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH ALLIANCE MUTUAL INSURANCE ASSOCIATION, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS. SET DATE FOR JANUARY 3, 2017 AT 7:00 P.M. seconded by Council Member Breitbart. Roll call vote:

Ayes: Wagner, Oberbroeckling, Breitbart, Bockenstedt
Nays: English Motion carried.

Council Member English moved to authorize IIW Engineers to work with staff to come up with a scope of services for the X-49 and 1st Avenue West intersection/southbound right turn bypass lane evaluation and bring back to city council in January seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: English, Breitbart, Bockenstedt
Nays: Bockenstedt, Wagner Motion carried.

Council Member English moved to adjourn at 9:11 p.m. seconded by Council Member Breitbart.

Ayes: All
Nays: None Motion carried.

Daniel J. Willenborg, Mayor

ATTEST:

Tricia L. Maiers, City Clerk/Treasurer