

Meeting of the Dyersville City Council, Monday, April 15, 2019 #10-19

Time: 6:00 p.m.

Place: Council Chambers

Roll Call: Present: Mayor: Jim Heavens, Council Members: Mark Breitbach, Mike Oberbroeckling, Mike English, Jim Gibbs & Tom Westhoff

Pledge of Allegiance

Council Member English moved to approve the Monday, April 15, 2019 agenda as presented seconded by Council Member.

Ayes: All

Nays: None

Motion carried.

Council Member English moved to approve the Agenda Consent Calendar as amended seconded by Council Member Westhoff to Approve Bills; Approve Minutes: Council Meeting – April 1, 2019; Receive & File Minutes: Planning & Zoning – April 8, 2019; Class B Beer Permit (includes wine coolers) w/outdoor service & Sunday sales: Dyersville Commercial Club Ball Park; Class B Native Wine Permit w/Sunday sales: National Farm Toy Museum; Class B Native Wine Permit, Class C Beer Permit (includes carryout), Class E Liquor License w/Sunday sales: Casey’s General Store #2585; Class B Beer Permit (includes wine coolers) w/outdoor service: Dyersville Area Chamber of Commerce (5 days effective 6.10.19); Class B Beer Permit (includes wine coolers) w/outdoor service: Dyersville Area Chamber of Commerce (5 days effective 7.8.19); Class B Beer Permit (includes wine coolers) w/outdoor service: Dyersville Area Chamber of Commerce (5 days effective 8.5.19); Blasting Permit: Bennett Explosives, May 1, 2019 to May 31, 2019; Building Permit #19-2030: Dyersville Industries, Inc., 1110 16th Ave Ct SE, 24 x 106 front addition; RESOLUTION NO. 26-19 SETTING THE SALARIES FOR THE DYERSVILLE AQUATIC CENTER SUMMER & SEASONAL PART TIME EMPLOYEES OF THE CITY OF DYERSVILLE FOR 2019; Authorize City Administrator to Sign: Right-of-Way Agreement between the City of Dyersville and Maquoketa Valley Electric Cooperative for the Installation of Fiber Optic Cables; Request to Close City Streets from Dyersville Area Chamber of Commerce including the area of 1st Ave E between 5th St SE & 3rd St SE and the area of 4th St between 2nd Ave NE & 2nd Ave SE from 4:30-11:00 P.M. for the June 14th Downtown Friday Night event and 1st Ave E block between 3rd & 4th St SE for the July 12th & August 9th Downtown Friday Night events- Also request to utilize the City Parking Lot next to James Kennedy Public Library for Downtown Friday Nights on June 14th, July 12th and August 9th; Accept Resignation: Mary Jo Goldsmith, Administrative Assistant (effective May 31, 2019); Receive & File: Speer Financial Engagement Letter; Coffee Creek-North Fork Maquoketa River – DNR 319 Planning Grant Pre-Application results; Staff Reports – Police, Public Works, Park & Recreation, Library, City Administrator; Miscellaneous Correspondence: HSB 165 Amendment information. The following bills were approved for payment:

Ace Homeworks	Supplies	\$ 213.38
Active Network	Contract	\$ 454.90
Addoco Inc	Mulch	\$ 300.00
Alliant Energy	Electricity	\$ 5,506.40
Amazon	Books	\$ 1,781.09
American Trust & Savings Bank	Credit Card	\$ 1,154.59
Auto Tech	Abatement	\$ 600.00
Baker & Taylor Books	Books	\$ 972.07
Bard Materials	Lime/Concrete	\$ 3,369.48
Baumgartner, Taylor	Reimbursement	\$ 150.00
Bi-County Disposal Inc.	Garbage / Recycling	\$ 21,141.38
Black Hills Energy	Natural Gas	\$ 1,673.59
BSN Sports/Collegiate Pacific	Supplies	\$ 2,340.07
Cannon, John	Umpire Fees	\$ 125.00
Cartegraph Systems	Contract	\$ 18,343.50
Cassidy, Brian	Umpire Fees	\$ 150.00
Cengage Learning	Books	\$ 302.06
Century Link	Phone	\$ 950.02
Comelec Services Inc	Fiber Optic Internet	\$ 1,144.00
Cosselman, Wade	Reimbursement	\$ 50.00

Coyle, Becky	Umpire Fees	\$ 175.00
Crescent Electric Supply	Supplies	\$ 547.15
Demco Educational Corp	Supplies	\$ 88.56
Douglas, Mike	Umpire Fees	\$ 175.00
Dyersville Commercial	Legal Notices/Ads	\$ 805.48
Dyersville Young Professionals	Registration	\$ 10.00
Eagle Point Energy 5	Solar Energy	\$ 3,180.54
East Iowa Mechanical & Construction	Supplies	\$ 1,266.00
Entertainment	Subscription	\$ 35.00
Fangmann, Mark	Umpire Fees	\$ 200.00
Fareway Stores Inc.	Supplies	\$ 92.17
Ferguson Waterworks #2516	Contract	\$ 1,550.00
Findaway World LLC	Books	\$ 186.92
First Avenue Bakery	Programs	\$ 30.00
Fuerste, Carew, Coyle & Juergens PC	Legal Fees	\$ 4,248.75
Galls / Quartermaster	Uniforms	\$ 325.96
Goerd, Matt	Umpire Fees	\$ 125.00
Gudenkauf, Beth	Refund	\$ 100.00
Harter Custom Pumping Inc.	Service	\$ 375.00
Hawkins Water Treatment	Supplies	\$ 2,647.99
Helle Farm Equipment	Vehicle Maintenance	\$ 88.30
Heritage Printing Co	Programs	\$ 108.00
Hoeger, Deb	Refund	\$ 200.00
I W I Motor Parts	Supplies	\$ 129.32
Iowa Assn of Municipal Utilities	Membership	\$ 1,694.97
Iowa Interactive LLC	Service Fees	\$ 19.10
Iowa State University Extension	Programs	\$ 40.00
J & J Lawn Care	Services	\$ 3,816.60
J & R Supply	Supplies	\$ 792.50
John Deere Financial	Supplies	\$ 172.51
Johnson Controls	Inspection	\$ 634.06
K & K Logo Designs Ltd.	Uniform	\$ 15.50
Kanopy, Inc.	Programs	\$ 32.00
Kluesner, Scott	Umpire Fees	\$ 100.00
Kramer, Jan	Refund	\$ 100.00
Kreeb Auto Inc	Vehicle Maintenance	\$ 288.14
Lacy, Zack	Reimbursement	\$ 177.31
Lansing, Michael	Reimbursement	\$ 60.00
Maahs, Michael	Reimbursement	\$ 42.00
Maquoketa Valley Electric Coop	Electricity	\$ 3,095.51
Meyer Mechanical Contracting	Supplies/Labor	\$ 1,963.46
Midwest Business Products	Contract	\$ 967.29
Monahan, Matt	Umpire Fees	\$ 325.00
Mr. Lock & Key	Supplies/Service	\$ 3,148.60
Municipal Emergency Services	Supplies	\$ 4,468.98
Ostwinkle, Deb	Refund	\$ 200.00
Quill Corporation	Supplies	\$ 4.02
Racom Corporation	Supplies	\$ 930.29
Radio Shack	Supplies	\$ 52.96
Rausch, Kevin	Reimbursement	\$ 42.00
Recorded Books LLC	Books	\$ 134.99
Schrandt, Dawn	DVDs	\$ 62.32
Schumann, Rick	Snow Removal	\$ 288.00
Simon, Mark	Umpire Fees	\$ 125.00
Singsank, Tim	Cleaning Services	\$ 300.00
Singsank, Tim & Joyce	Cleaning Services	\$ 217.50

Spahn & Rose Lumber Co	Supplies	\$ 33.98
Spring Green	Lawn Care	\$ 64.75
Sundstop II LLC	Gas/Diesel	\$ 775.53
Swank Movie Licensing USA	Program Fee	\$ 249.00
Tauke Motors	Vehicle Maintenance	\$ 489.67
Tech Mates	Supplies	\$ 14.95
Three Rivers FS Company	Gas/Diesel	\$ 2,015.44
Traces	Program	\$ 250.00
Treasurer, State of Iowa	W.E.T. Tax	\$ 5,495.00
Tyler Technologies	Training/Software	\$ 14,637.70
USA Blue Book	Supplies	\$ 193.76
Verizon Wireless	Phone	\$ 21.06
Vonderhaar, Shirley	Supplies	\$ 57.26
Wall Street Journal	Subscription	\$ 539.88
Wandsnider, John	Reimbursement	\$ 42.00
Watch Guard Video	Maintenance Agreement	\$ 5,290.00
Water & Resource Recover Center	Testing Fees	\$ 134.00
Weber Paper Company	Supplies	\$ 21.61
Wessels, Allan	Reimbursement	\$ 34.69
Wilgenbusch, Drew	Reimbursement	\$ 358.03
Windstream	Phone	\$ 123.70
Witness, The	Subscription	\$ 25.00
Zuercher, Austin	Reimbursement	\$ 50.00

001 General Fund	\$ 72,724.74
002 Library Trust Fund	\$ 914.27
110 Road Use Fund	\$ 3,845.65
112 Trust and Agency Fund	\$ 600.00
600 Water Fund	\$ 16,524.30
610 Sewer Fund	\$ 14,674.34
670 Solid Waste Fund	\$ 23,355.99
===Bills List Total===	\$ 132,639.29

Roll call vote:

Ayes: Gibbs, Westhoff, English, Oberbroeckling, Breitbach

Nays: None Motion carried.

Council Member Oberbroeckling moved to open Public Hearing to consider the proposed vacation of .68 acres of that part of 3rd Avenue NE, located within Lot 489A in the Original Town of Dyersville, in the City of Dyersville, Dubuque County, Iowa (part of Dubuque County Parcel #0730466004) seconded by Council Member Gibbs.

Ayes: All

Nays: None Motion carried.

With there being no written or oral comments received Council Member English moved to close the Public Hearing seconded by Council Member Oberbroeckling.

Ayes: All

Nays: None Motion carried.

Council Member English moved to waive the first reading of ORDINANCE NO. 825 seconded by Council Member Breitbach.

Ayes: All

Nays: None Motion carried

Council Member Oberbroeckling moved to approve the first reading of ORDINANCE NO. 825 PROVIDING FOR THE VACATION OF .68 ACRES OF THAT PART OF 3RD AVENUE NE, LOCATED WITHIN LOT 489A IN THE ORIGINAL TOWN OF DYERSVILLE, IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA seconded by Council Member Gibbs. Roll call vote:

Ayes: Westhoff, English, Breitbach, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Gibbs moved to waive and approve the second reading of ORDINANCE NO. 825 seconded by Council Member English. Roll call vote:

Ayes: Gibbs, Westhoff, Breitbach, Oberbroeckling, English
Nays: None Motion carried.

Council Member Breitbach moved to waive and approve the third reading of ORDINANCE NO. 825 seconded by Council Member Westhoff. Roll call vote:

Ayes: Breitbach, English, Westhoff, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member English moved to approve RESOLUTION NO. 27-19 TO FIX A DATE OF MEETING AT WHICH IT WILL CONSIDER DIRECTING OF THE SALE OF THE CITY'S INTEREST IN REAL PROPERTY LOCATED AND DESCRIBED AS .68 ACRES OF THAT PART OF 3RD AVENUE NE, LOCATED WITHIN LOT 489A IN THE ORIGINAL TOWN OF DYERSVILLE, IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA (PART OF DUBUQUE COUNTY PARCEL #0730466004) SET DATE FOR MAY 6, 2019 AT 6:00 P.M. seconded by Council Member Gibbs. Roll call vote:

Ayes: Westhoff, Breitbach, English, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Westhoff moved to open Public Hearing to consider the proposed vacation of .69 acres of that part of 2nd Avenue NE lying east of the west line of vacated Tempe Street and west of 2nd Street NE, and a 20-foot private roadway, located within Lot 1A of Mill Subdivision in the City of Dyersville, Dubuque County, Iowa seconded by Council Member English.

Ayes: All
Nays: None Motion carried.

With there being no written or oral comments received Council Member Breitbach moved to close the Public Hearing seconded by Council Member English.

Ayes: All
Nays: None Motion carried.

Council Member Breitbach moved to waive the first reading of ORDINANCE NO. 826 seconded by Council Member Gibbs.

Ayes: All
Nays: None Motion carried

Council Member Westhoff moved to approve the first reading of ORDINANCE NO. 826 PROVIDING FOR THE VACATION OF .69 ACRES OF THAT PART OF 2ND AVENUE NE LYING EAST OF THE WEST LINE OF VACATED TEMPE STREET AND WEST OF 2ND STREET NE, AND A 20-FOOT PRIVATE ROADWAY, LOCATED WITHIN LOT 1A OF MILL SUBDIVISION IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA seconded by Council Member Breitbach. Roll call vote:

Ayes: Westhoff, English, Breitbach, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Oberbroeckling moved to waive and approve the second reading of ORDINANCE NO. 826 seconded by Council Member Gibbs. Roll call vote:

Ayes: Gibbs, Westhoff, Breitbach, Oberbroeckling, English
Nays: None Motion carried.

Council Member English moved to waive and approve the third reading of ORDINANCE NO. 826 seconded by Council Member Westhoff. Roll call vote:

Ayes: Breitbach, English, Westhoff, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Oberbroeckling moved to approve RESOLUTION NO. 28-19 TO FIX A DATE OF MEETING AT WHICH IT WILL CONSIDER DIRECTING THE SALE OF THE CITY'S INTEREST IN REAL PROPERTY LOCATED AND DESCRIBED AS .69 ACRES OF THAT PART OF 2ND AVENUE NE LYING EAST OF THE WEST LINE OF VACATED TEMPE STREET AND WEST OF 2ND STREET NE, AND A 20-FOOT PRIVATE ROADWAY, LOCATED WITHIN LOT 1A OF MILL SUBDIVISION IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA. SET DATE FOR MAY 6, 2019 AT 6:00 P.M. seconded by Council Member English. Roll call vote:

Ayes: English, Breitbach, Oberbroeckling, Westhoff, Gibbs
Nays: None Motion carried.

Council Member English moved to open Public Hearing to consider the proposed vacation of .11 acres of that part of 12th Avenue SE, located within part of Lot D of Grandview Estates Addition 2 line south of 12th Avenue SE Right-of-Way in the City of Dyersville, Dubuque County, Iowa (part of Dubuque County Parcel #0732329040) seconded by Council Member Oberbroeckling.

Ayes: All
Nays: None Motion carried.

With there being no written or oral comments received Council Member Breitbach moved to close the Public Hearing seconded by Council Member Oberbroeckling.

Ayes: All
Nays: None Motion carried.

Council Member English moved to waive the first reading of ORDINANCE NO. 827 seconded by Council Member Gibbs.

Ayes: All
Nays: None Motion carried

Council Member Oberbroeckling moved to approve the first reading of ORDINANCE NO. 827 PROVIDING FOR THE VACATION OF .11 ACRES OF THAT PART OF 12TH AVENUE SE, LOCATED WITHIN PART OF LOT D OF GRANDVIEW ESTATES ADDITION 2 LINE SOUTH OF 12TH AVENUE SE RIGHT-OF-WAY IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA (PART OF DUBUQUE COUNTY PARCEL #0732329040) seconded by Council Member Breitbach. Roll call vote:

Ayes: Westhoff, English, Breitbach, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member English moved to waive and approve the second reading of ORDINANCE NO. 827 seconded by Council Member Breitbach. Roll call vote:

Ayes: Gibbs, Westhoff, Breitbach, Oberbroeckling, English
Nays: None Motion carried.

Council Member Gibbs moved to waive and approve the third reading of ORDINANCE NO. 827 seconded by Council Member English. Roll call vote:

Ayes: Breitbach, English, Westhoff, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Breitbach moved to approve RESOLUTION NO. 29-19 TO FIX A DATE OF MEETING DIRECTING THE SALE OF THE CITY'S INTEREST IN REAL PROPERTY LOCATED AND DESCRIBED AS .11 ACRES OF THAT PART OF 12TH AVENUE SE, LOCATED WITHIN PART OF LOT D OF GRANDVIEW ESTATES ADDITION 2 LINE SOUTH OF 12TH AVENUE SE RIGHT-OF-WAY IN THE CITY OF DYERSVILLE, DUBUQUE COUNTY, IOWA (PART OF DUBUQUE COUNTY PARCEL #0732329040) SET DATE FOR MAY 6, 2019 AT 6:00 P.M. seconded by Council Member Westhoff. Roll call vote:

Ayes: Gibbs, Westhoff, Oberbroeckling, Breitbach
Nays: None
Absent: English Motion carried.

Council Member Breitbart moved to approve RESOLUTION NO. 30-19 AWARDING AND APPROVING CONTRACT FOR THE DYERSVILLE PARK CONNECTION FROM WESTSIDE PARK TO ARBOR COURT DRIVE 2019 PROJECT to Taylor Construction in the amount of \$664,578.52 seconded by Council Member Gibbs. Roll call vote:

Ayes: English, Breitbart, Oberbroeckling, Westhoff, Gibbs
Nays: None Motion carried.

Council Member Westhoff moved to approve RESOLUTION NO. 31-19 APPROVING DYERSVILLE BASEBALL/SOFTBALL FACILITIES USE & RENTAL POLICY seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Westhoff, Breitbart, English, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Breitbart moved to approve RESOLUTION NO. 32-19 SETTING DATE FOR PUBLIC HEARING ON DESIGNATION OF THE EXPANDED CONSOLIDATED DYERSVILLE ECONOMIC DEVELOPMENT DISTRICT AND ON URBAN RENEWAL PLAN AMENDMENT. SET DATE FOR MAY 20, 2019 AT 6:00 P.M. seconded by Council Member English. Roll call vote:

Ayes: Breitbart, English, Westhoff, Oberbroeckling, Gibbs
Nays: None Motion carried.

Council Member Oberbroeckling moved to approve RESOLUTION NO. 33-19 TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO REZONE CERTAIN PROPERTIES FROM A-1 AGRICULTURAL, C-2 COMMERCIAL, AND I-1 INDUSTRIAL TO C-1 COMMERCIAL WITHIN TWIN STEEPLES LANDING SUBDIVISION IN THE CITY OF DYERSVILLE, IOWA. SET DATE FOR MAY 6, 20-19 AT 6:00 P.M. seconded by Council Member Gibbs. Roll call vote:

Ayes: Oberbroeckling, Gibbs, Westhoff, English, Breitbart
Nays: None Motion carried.

Council Member Oberbroeckling moved to approve RESOLUTION NO. 34-19 TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO REZONE CERTAIN PROPERTY FROM A-1 AGRICULTURAL TO R-2 RESIDENTIAL. SET DATE FOR MAY 6, 2019 AT 6:00 P.M. seconded by Council Member English. Roll call vote:

Ayes: Gibbs, Breitbart, English, Westhoff, Oberbroeckling
Nays: None Motion carried.

Council Member English moved to approve RESOLUTION NO. 25-19 ADOPTING THE DUBUQUE COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: English, Breitbart, Oberbroeckling, Westhoff, Gibbs
Nays: None Motion carried.

Council Member English moved to adjourn at 7:48 p.m. seconded by Council Member Gibbs.

Ayes: All
Nays: None Motion carried.

James A. Heavens, Mayor

ATTEST:

Tricia L. Maiers, City Clerk/Treasurer