

Meeting of the Dyersville City Council, Monday, April 4, 2016 #14-16

Time: 7:00 p.m.

Place: Council Chambers

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

Pledge of Allegiance

Council Member Wagner moved to approve the Monday, April 4, 2016 agenda seconded by Council Member Breitbach.

Ayes: All

Nays: None

Motion carried.

Council Member English moved to approve the Agenda Consent Calendar as amended seconded by Council Member Wagner to Approve Bills & Receipts; Approve Minutes: Council Meeting ó March 21, 2016; Special Council Meeting ó March 28, 2016; Receive & File Minutes: Policy & Administration Committee ó March 28, 2016; Class B Beer Permit w/outdoor service & Sunday sales: Dyersville Commercial Club Ball Park; Notice to Bidders and Notice of Public Hearing on proposed plans and specifications, proposed form of contract and estimate of cost for the construction of the 7th Street SW and 9th Ave SW Trail Project in and for the City of Dyersville, Iowa. Set date for April 18, 2016 at 7:00 P.M.; **RESOLUTION NO. 28-16 A RESOLUTION TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A RESIDENTIAL DEVELOPMENT AGREEMENT WITH DONALD J. AND KAREN M. ERTL AND ALLAN L. ERTL AND SUSAN L. STEFFEN-ERTL. SET DATE FOR APRIL 18, 2016 AT 7:00 P.M.**; Miscellaneous Correspondence: Dubuque County Board of Supervisors Public Hearing, 9:00 A.M. Monday ó April 11, 2016, ZC#02-099-16 Jeffrey & Wanda Pape & Three Rivers FS Company A-1 Agricultural to M-2 Heavy Industrial (0.40 miles north of the City of Dyersville along 136 and is legally described as Lot 3 Esch Estates Section 20, (89N R2W) New Wine Township, Dubuque County, Iowa). The following bills were approved for payment:

Ace Homeworks	Supplies	\$ 32.63
Alliant Energy	Electricity	\$ 15,951.28
American Trust & Savings Bank	Credit Card	\$ 1,804.93
Auditor, State of Iowa	Financial Statement	\$ 425.00
Bi-County Disposal Inc.	Garbage	\$ 17,999.55
Carpenter Uniform Company	Uniforms	\$ 33.23
Century Link	Telephone	\$ 117.14
City Laundering Co.	Uniforms/Mats	\$ 496.37
Clemen, Mary Jane	Deposit Refund	\$ 100.00
Computer Doctors Inc.	Contract	\$ 280.00
Cosselman, Wade	Reimbursement	\$ 50.00
Crescent Electric Supply	Supplies	\$ 1,649.36
East Central Intergovernmental	Meeting	\$ 12.00
Fuerste, Carew, Coyle, Juergens	Legal Fees	\$ 15.50
Heritage Printing Co	Supplies	\$ 107.53
Hogan Hanson	Audit	\$ 21,500.00
IIW Associates P C	Engineer Fees	\$ 7,356.75
Iowa Patch	Material	\$ 472.50
Iowa Workforce Development	S.U.I. Insurance	\$ 269.88
J & R Supply	Supplies	\$ 1,713.30
Jam Systems & Midland Door	Repair	\$ 498.32
John Deere Financial	Supplies	\$ 57.18
Kelchen, Mitch	Reimbursement	\$ 50.00
Keystone Laboratories	Testing	\$ 48.00
Maahs, Michael	Reimbursement	\$ 60.00
Maiers, Tricia	Reimbursement	\$ 37.80
Municipal Emergency Services	Supplies	\$ 54.50
Nationwide Mutual Fire Ins	Insurance	\$ 3,841.00
Net-Smart Inc.	Website	\$ 90.00

New Vienna Metal Works Inc.	Supplies	\$ 102.79
Pitney Bowes	Postage	\$ 136.95
Quill Corporation	Supplies	\$ 269.57
Racom Corporation	Equipment	\$ 8,291.40
Radio Shack	Supplies	\$ 29.99
Radloff Sales / Ron Radloff	Supplies	\$ 69.95
Rausch, Kevin	Reimbursement	\$ 60.00
Recker, Terry	Reimbursement	\$ 60.00
Reicher, Phyllis	Deposit Refund	\$ 100.00
Reliance Standard	Insurance	\$ 586.33
River City Paving	Patch Mix	\$ 508.11
RK Dixon Co	Contract	\$ 91.54
Shopko Stores Operating Co.	Supplies	\$ 14.99
Singsank, Tim	Janitorial	\$ 330.00
Singsank, Tim & Joyce	Janitorial	\$ 235.12
T & W Grinding	Compost	\$ 4,770.00
Tigges, Kyle	Reimbursement	\$ 50.00
United Parcel Service	Shipping	\$ 27.01
Verizon Wireless	Telephone	\$ 826.18
Weber Paper Company	Supplies	\$ 95.74
Windstream	Telephone	\$ 1,304.93

001 General Fund	\$ 48,736.37
110 Road Use Fund	\$ 7,437.57
600 Water Fund	\$ 5,964.01
602 Water Capital Account	\$ 3,678.37
610 Sewer Fund	\$ 813.20
612 Sewer Capital Account	\$ 3,678.38
670 Solid Waste Fund	\$ 22,776.45
===Bills List Total===	\$ 93,084.35

The following receipts were approved from March:

001 General Fund	\$ 154,302.89
002 Library Trust	\$ 2,426.73
110 Road Use Tax	\$ 43,029.35
112 Trust & Agency	\$ 1,550.00
121 L.O. Sales Tax Reserve	\$ 29,984.13
135 TIF District Fund	\$ 32,439.58
200 Debt Service	\$ 13,290.55
600 Water Fund	\$ 52,308.05
610 Sewer Fund	\$ 73,891.82
670 Solid Waste Fund	\$ 22,767.99
===Receipts Total===	\$ 425,991.09

Ayes: All

Nays: None

Motion carried.

Council Member English moved to open Public Hearing on amendment of current budget of the city for the fiscal year ending June 30, 2016 seconded by Council Member Breitbach. Roll call vote:

Ayes: Bockenstedt, Breitbach, English, Wagner

Nays: None

Motion carried.

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

Ayes: Wagner, Bockenstedt, Breitbach, English

Nays: None

Motion carried.

Council Member Breitbart moved to approve RESOLUTION NO. 07-16 A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2016 seconded by Council Member Wagner. Roll call vote:

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

Council Member English moved to waive the third reading of ORDINANCE NO. 795 seconded by Council Member Bockenstedt. Roll call vote:

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

Council Member English moved to approve third reading of ORDINANCE NO. 795 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DYERSVILLE, IOWA, 2003 BY CHANGING ZONING CLASSIFICATION FROM R-2 RESIDENTIAL TO C-2 COMMERCIAL 830 12TH AVE SW- INTERSECTION OF 8TH ST SW & 12TH AVE SW seconded by Council Member Wagner. Roll call vote:

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

Council Member Wagner moved to approve Building Permit #16-1794 Farmers Mutual Insurance Association, 830 12th Ave SW (office) seconded by Council Member English. Roll call vote:

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

Council Member Bockenstedt moved to waive the third reading of ORDINANCE NO. 792 seconded by Council Member English. Roll call vote:

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

Council Member Bockenstedt moved to approve the third reading of ORDINANCE NO. 792 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DYERSVILLE, IOWA BY REPEALING ORDINANCE NO. 761, ESTABLISHING THE COST TO PROPERTY OWNERS MAKING CONNECTION TO THE SOUTHEAST INTERCEPTOR SEWER seconded by Council Member Wagner. Roll call vote:

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

Council Member English moved to approve RESOLUTION NO. 29-16 A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DYERSVILLE AND HAGEMAN HOMES, LLC seconded by Council Member Wagner. Roll call vote:

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

Pat Meinert, 529 8th Avenue SE, read over the development agreement and believes it protects the City. She feels there shouldn't be any incentives for new construction and that the City should consider a street repair fund for everyone. She is glad to live close to the fire station and wants everyone to be treated as a valuable taxpayer no matter the size of their home.

Council Member Breitbart moved to approve RESOLUTION NO. 26-16 A RESOLUTION APPROVING RESIDENTIAL DEVELOPMENT AGREEMENT WITH HAGEMAN HOMES, LLC seconded by Council Member English. Roll call vote:

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

Council Member English moved to waive the second reading of ORDINANCE NO. 793 seconded by Council Member Bockenstedt.

Ayes: All
Nays: None Motion carried

Council Member Wagner moved to approve second reading of ORDINANCE NO. 793 AN ORDINANCE AMENDING SECTION 90.06 OF THE CODE OF ORDINANCES OF DYERSVILLE, IOWA, BY REVISING CONNECTION CHARGE FOR WATER SERVICE seconded by Council Member Bockenstedt. Roll call vote:
Ayes: Breitbach, Wagner, Bockenstedt, English
Nays: None
Motion carried.

Council Member Wagner moved to approve third reading of ORDINANCE NO. 793 AN ORDINANCE AMENDING SECTION 90.06 OF THE CODE OF ORDINANCES OF DYERSVILLE, IOWA, BY REVISING CONNECTION CHARGE FOR WATER SERVICE seconded by Council Member Breitbach. Roll call vote:
Ayes: English, Bockenstedt, Wagner, Breitbach
Nays: None
Motion carried.

Council Member Wagner moved to waive the second reading of ORDINANCE NO. 794 seconded by Council Member Bockenstedt. Roll call vote:
Ayes: Bockenstedt, English, Breitbach, Wagner
Nays: None
Motion carried

Council Member Wagner moved to approve second reading of ORDINANCE NO. 794 AN ORDINANCE AMENDING SECTION 96.02 OF THE CODE OF ORDINANCES OF DYERSVILLE, IOWA, BY REVISING CONNECTION CHARGE FOR SEWER SERVICE seconded by Council Member Breitbach. Roll call vote:
Ayes: Breitbach, Wagner, Bockenstedt, English
Nays: None
Motion carried.

Council Member Wagner moved to approve third reading of ORDINANCE NO. 794 AN ORDINANCE AMENDING SECTION 96.02 OF THE CODE OF ORDINANCES OF DYERSVILLE, IOWA, BY REVISING CONNECTION CHARGE FOR SEWER SERVICE seconded by Council Member English. Roll call vote:
Ayes: English, Bockenstedt, Wagner, Breitbach
Nays: None
Motion carried.

Council Member Wagner moved to table RESOLUTION NO. 27-16 A RESOLUTION FOR APPOINTMENT OF CITY COUNCIL MEMBER ó WARD 3 until the next city council meeting on Monday, April 18 seconded by Council Member Bockenstedt. Roll call vote:
Ayes: Breitbach, Wagner, Bockenstedt
Nays: English
Motion carried.

Kory Manternach, 14521 Rte 136, would like to see the City voice opposition on the rezoning to the Dubuque County Board of Supervisors. He is concerned for the safety of his family and neighbors because of busy traffic. He asked Council Member Bockenstedt to abstain from voting on the matter since she has had communications on the issue during the Dubuque County Planning & Zoning Meeting.

Duane Gravel, 14510 Rte 136, spoke with Dubuque County Supervisor Wayne Demmer and he indicated that he is waiting to hear from the City Council. Once the property is zoned M-2 Heavy Industrial there is nothing to stop others from requesting the same and it is a once in a lifetime opportunity. The City can control this from happening.

Matt Mescher, 29217 Lansing Road, questioned the Mayor if he went to Des Moines in 2012 for the All Star Ballpark Heaven project.

Mary Stevens, 401 7th Avenue SE, has heard that certain individuals wanted the All Star Ballpark Heaven to go into the 20 West Industrial Park but don't you think this would be a much better fit for the Three Rivers FS.

Jacque Rahe, Dyersville Economic Development Executive Director, clarified some information that was published in the newspaper from the Dyersville Fire Chief stating that he didn't feel Three Rivers would be a good fit for the industrial park and that is not true. The Board of Directors of DEDC feels it is well suited for industry and they take pride in the Industrial Park.

Jeff Pape, 31406 Floyd Road, sold the land to Three Rivers FS in December and wanted to make it clear that he never spoke with the Dyersville Fire Chief as stated in the newspaper. It seems the media has blown everything out of proportion like usual. The facility would feature two anhydrous ammonia storage tanks, tanks for bulk feed and buildings for storage of equipment. The location will have usage about five weeks out of the year.

Duane Gravel, 14510 Rte 136, mentioned that he was there first with his livestock and if Three Rivers FS moves in they will be causing a problem that could harm his livestock.

Herb Manternach, 29127 Goose Hill Road, Cascade, feels Three Rivers FS has another option. There was lots of lying that took place at the Dubuque County Planning & Zoning Meeting in March.

Alan Manternach, 7912 Eagle View Drive, Cascade, thinks the Dubuque County Supervisors are looking for response from the City on this issue.

Mike Murphy, 911 6th Street SW, is wondering if the City sends the City Administrator to the Dubuque County Supervisors Meeting on April 11 is the City for or against the proposed rezoning.

Council Member English moved to have the City Administrator attend the Dubuque County Supervisors Meeting on Monday, April 11th regarding Three Rivers FS Company Application to Rezone Property from A-1 Agricultural to M-2 Heavy Industrial (0.40 miles north of the City of Dyersville along Highway 136 and legally described as Lot 3 Esch Estates, Section 20, (T89N R2W) New Wine Township, Dubuque County, Iowa) seconded by Council Member Breitbach. Roll call vote:

Ayes: Breitbach, English

Nays: Wagner, Bockenstedt

Motion DENIED.

Council Member Wagner moved to approve Flood Plain Development Application/Permit #16-02 Joseph & Stacey White, 212 11th St NE (warehouse for existing NAPA store-to be placed on fill) seconded by Council Member English. Roll call vote:

Ayes: Bockenstedt, English, Breitbach, Wagner

Nays: None

Motion carried.

Council Member Wagner moved to approve Building Permit #16-1796 Joseph & Stacey White, 212 11th St NE (new building) seconded by Council Member Breitbach. Roll call vote:

Ayes: Wagner, Breitbach, Bockenstedt, English

Nays: None

Motion carried.

Council Member Wagner moved to approve Flood Plain Development Application/Permit #16-03 Alyssa Coopman, 322 3rd Ave SW (chain link fence) seconded by Council Member Bockenstedt. Roll call vote:

Ayes: English, Bockenstedt, Wagner, Breitbach

Nays: None

Motion carried.

Council Member English moved to adjourn at 8:20 p.m. seconded by Council Member Wagner.

Ayes: All

Nays: None

Motion carried.

Daniel J. Willenborg, Mayor

ATTEST:

Tricia L. Maiers, City Clerk/Treasurer