

Meeting of the Dyersville City Council, Monday, October 17, 2016 #28-16

Time: 7:00 p.m.

Place: Council Chambers

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

Absent: Council Member Teresa Bockenstedt

Pledge of Allegiance

Council Member English moved to approve the Monday, October 17, 2016 agenda seconded by Council Member Wagner. Roll call vote:

Ayes: English, Breitbach, Wagner, Oberbroeckling

Nays: None

Absent: Bockenstedt

Motion carried.

Dan McClean with McClean Law Office, 401 1st Ave E, expressed that the attack on his client (Leonard & Diana Ollendick) could possibly involve litigation. The purpose tonight is to consider mitigating the matter by turning the water and electricity back on, waive the fee for hauling cars away and returning property. The warrant giving notice was all wrong.

Council Member English moved to approve the Agenda Consent Calendar seconded by Council Member Wagner to Approve Bills & Receipts; Approve Minutes: Council Meeting – October 3, 2016; Receive & File Minutes: James Kennedy Public Library Board of Trustees – September 13, 2016; Planning & Zoning Commission – October 10, 2016; Policy & Administration Committee – October 12, 2016; Blasting Permit: Bennett Explosives, November 1, 2016 to November 30, 2016; Class C Liquor License with outdoor service & Sunday sales: The Palace; Class B Beer Permit (includes wine coolers) w/Sunday sales: Pizza Hut #4693; Authorize Mayor to Sign: Contract Payment No. 2 to Anstoetter Construction in the amount of \$212,804.45 for the North Utilities 2016 project; Contract Payment No. 8 to Portzen Construction, Inc. in the amount of \$8,469.25 for the Water Treatment Plant 2015 project; Change Order No. 5 from Portzen Construction in the amount of (\$11,559.09) for the Water Treatment Plant 2015 project; Contract Payment No. 6 to Staab Construction Corp. in the amount of \$355,318.05 for the Wastewater Treatment Facility Phase 3 Expansion project; Change Order No. 5 from Staab Construction Corp in the amount of \$7,313.00 for the Wastewater Treatment Facility Phase 3 Expansion project; Receive and File: Treasurer's Reports (June-revised, July, August & September); Revenue & Expenditures Reports (July, August & September); Staff Reports – Police, Public Works, Parks & Recreation, Library, City Administrator; Miscellaneous Correspondence: Candidate needed to fill open term on Planning & Zoning Commission (expires 6/30/17); Correspondence from IDOT regarding Federal Grade Crossing Safety Improvement Funds; Correspondence from IDOT regarding July 2016 State Recreational Trails Program Funding Applications; Delaware County Emergency Management Commission Meeting - October 18, 2016; October – National Cyber Security Awareness month.

Ace Homeworks	Supplies	\$ 151.80
Alliant Energy	Electricity	\$ 15,295.39
Amazon	Books/Dvd's/Subscriptions	\$ 1,436.15
American Trust & Savings Bank	Credit Card	\$ 917.95
Baker & Taylor Books	Books	\$ 1,328.36
Bard Materials	Rock/Sand/Lime	\$ 1,562.44
Becker, Joan	Program Fee	\$ 209.08
Bi-County Ambulance	Contract	\$ 13,632.00
Bi-County Disposal Inc.	Garbage	\$ 9,430.15
Big River Magazine	Subscription	\$ 83.00
Big Wheels Repair LLC	Repair/Labor	\$ 359.85
Black Hills Energy	Natural Gas	\$ 501.09
Carquest Auto Parts	Supplies	\$ 21.02
Cartegraph Systems	Services	\$ 6,629.31
Cascade Pioneer-Advertiser	Subscription	\$ 42.00
Casey's General Store Inc	Gas/Diesel	\$ 1,017.03
Cengage Learning	Books	\$ 272.89
Center Point Publishing	Books	\$ 55.04

Century Link	Telephone	\$ 102.18
Chad Osterhouse Woodworking	Rework Main Counter	\$ 850.00
Chemsearch	Supplies	\$ 190.50
Comer, Michael J.	Reimbursement	\$ 21.34
Communications Engineering	Maintenance	\$ 1,746.08
Computer Doctors Inc	Service	\$ 2,751.92
Counter Tops Inc.	Maintenance	\$ 2,985.00
Crescent Electric Supply	Supplies	\$ 22.40
Days In & Suites Waterloo	Training	\$ 1,747.20
Demco Educational Corp	Supplies	\$ 103.30
Deutmeyer, Tim	Reimbursement	\$ 132.36
Dreamcatcher Production	Videographer	\$ 500.00
Dubuque Fire Equipment Inc	Supplies	\$ 208.60
Dubuque Janitorial	Janitorial	\$ 800.00
Duke's Root Control	Root Control	\$ 6,609.63
Dyersville Commercial	Legals/Ads	\$ 548.11
Dyersville Red Jackets	Reimbursement	\$ 1,950.00
East Central Intergovernmental	Service	\$ 3,820.50
Eide Bailly LLP	Financial Statement	\$ 10,000.00
Emc Insurance Companies	Deductible	\$ 250.00
Emergency Communications N	Subscription	\$ 5,010.00
Gazette Communications	Subscription	\$ 312.00
Greater Dubuque Devel Corp	Dues	\$ 3,600.00
Harter Portable Restrooms	Service	\$ 904.00
Hawkeye Alarm & Signal Com	Service	\$ 2,432.00
Hawkins Water Treatment	Supplies	\$ 566.25
Heritage Printing Co	Supplies	\$ 90.94
Hermsen Construction	Labor/Materials	\$ 1,122.00
Huettl, Katie	Deposit Refund	\$ 100.00
IIW Associates P C	Engineer Fees	\$ 53,346.68
Ingram Library Services	Books	\$ 180.73
International Institute Municipal	Membership	\$ 160.00
Iowa Gardener	Subscription	\$ 49.95
Iowa League of Cities	Training	\$ 40.00
Iowa One Call	Iowa One Call	\$ 70.20
J & R Supply	Supplies	\$ 2,850.00
John Deere Financial	Supplies	\$ 84.10
Keystone Laboratories	Testing	\$ 48.00
Krapfl Inc, F L	Supplies/Labor	\$ 1,047.00
Kreeb Auto Inc	Repair/Labor	\$ 18.50
Maquoketa Valley Electric	Electricity	\$ 6,316.83
Medical Associates Clinic	Testing	\$ 138.00
Mensen, Keith	Reimbursement	\$ 126.80
Mensen, Wilma	Deposit Refund	\$ 100.00
Metering & Technology Solutions	Supplies	\$ 856.45
Meyer Mechanical Contracting	Supplies	\$ 772.41
Mr. Lock & Key	Service	\$ 25.00
Municipal Emergency Service	Equipment	\$ 1,945.50
Napa Auto Parts	Supplies	\$ 32.63
Newegg Business Inc	Maintenance	\$ 615.52
Northeast Iowa Community College	Training	\$ 150.00
Payless Foods	Supplies	\$ 8.47
Quik N Handi II	Gas/Diesel	\$ 830.97
Quill Corporation	Supplies	\$ 179.94
Recorded Books LLC	Books	\$ 35.99
Reinert, Tony	Reimbursement	\$ 313.26

Roberts, Stevens, Prenderg	Legal Fees	\$ 325.00
Rudzianski's Business Equipment	Contract	\$ 73.54
Scherbring, Tony	Reimbursement	\$ 60.00
Schroeder, Brent C.	Reimbursement	\$ 22.25
Schwendinger, Tim	Reimbursement	\$ 328.56
Scotty's Appliance	Service Call	\$ 65.00
Secretary of State	Notary Fee	\$ 30.00
Sherwin-Williams	Supplies	\$ 1,212.45
Shopko Stores Operating Co	Supplies	\$ 4.99
Showcases	Supplies	\$ 364.72
Silverstone Group	Consulting	\$ 1,950.00
Simon's Lawn Care	Contract	\$ 5,136.83
Singsank, Tim	Janitorial	\$ 450.00
Singsank, Tim & Joyce	Janitorial	\$ 156.75
Sundstop II LLC	Gas/Diesel	\$ 486.40
Taste of Home Books	Book	\$ 65.96
Tauke Motors	Repair/Labor	\$ 77.65
Tauke, Matt	Reimbursement	\$ 60.00
Tek Supply	Tax Rebate	\$ 15,692.12
Three Rivers FS Company	Gas/Diesel	\$ 1,222.02
Treasurer, State of Iowa	Sales Tax	\$ 6,840.00
USA Blue Book	Supplies	\$ 139.84
Verizon Wireless	Telephone	\$ 826.30
Vessco, Inc	Supplies	\$ 64.75
Vonderhaar, Shirley	Reimbursement	\$ 24.70
Water & Resource Recover Center	Testing	\$ 88.00
Weber Paper Company	Supplies	\$ 223.53
Windstream	Telephone	\$ 652.18

001 General Fund	\$ 80,591.83
002 Library Trust Fund	\$ 514.24
110 Road Use Fund	\$ 5,147.63
112 Trust and Agency Fund	\$ 200.00
128 CDBG	\$ 600.50
135 Dyersville TIF District Fund	\$ 15,692.12
301 Capital Projects Fund	\$ 55,697.26
600 Water Fund	\$ 20,021.98
610 Sewer Fund	\$ 18,310.29
612 Sewer Capital Account	\$ 3,220.00
670 Solid Waste Fund	\$ 19,563.28
===Bills List Total===	\$ 219,407.33

The following receipts were approved from September:

001 General Fund	\$ 225,567.06
002 Library Trust	\$ 275.85
110 Road Use Tax	\$ 52,333.90
112 Trust & Agency	\$ 2,650.00
121 L.O. Sales Tax Reserve	\$ 34,683.43
135 Dyersville TIF District	\$ 98,939.70
200 Debt Service	\$ 23,006.65
301 Capital Projects Fund	\$ 1,497.05
600 Water Fund	\$ 81,053.39
610 Sewer Fund	\$ 103,576.87
612 Sewer Capital Fund	\$ 593,527.03
670 Solid Waste Fund	\$ 27,752.54
===Receipts Total===	\$ 1,244,863.47

June (revised) Treasurer's Report Summary

001 General Fund	\$ 950,793.83
002 Library Trust	\$ 43,892.96
110 Road Use Tax	\$ 151,517.85
112 Trust & Agency Fund	\$ 23,766.00
121 Local Option Tax Reserve	\$ 1,466,059.34
128 CDBG	-\$ 88,660.86
135 Dyersville TIF District	\$ 1,586,122.49
200 Debt Service	\$ 408,071.96
301 Capital Projects Fund	\$ 32,327.42
600 Water Fund	\$ 421,114.71
601 Water Sinking Fund	-\$ 322,164.16
602 Water Capital	-\$ 648,121.09
610 Sewer Fund	-\$ 525,188.27
611 Sewer Sinking Fund	-\$ 482,269.16
612 Sewer Capital	-\$ 1,306,119.90
670 Solid Waste Fund	-\$ 28,550.56
===Total===	\$ 1,682,592.56

July Treasurer's Report Summary

001 General Fund	\$ 771,958.42
002 Library Trust	\$ 45,293.39
110 Road Use Tax	\$ 160,397.86
112 Trust & Agency Fund	\$ 25,016.00
121 Local Option Tax Reserve	\$ 1,500,873.80
128 CDBG	-\$ 88,660.86
135 Dyersville TIF District	\$ 1,589,233.64
200 Debt Service	\$ 413,567.52
301 Capital Projects Fund	\$ 24,622.17
600 Water Fund	\$ 447,145.82
601 Water Sinking Fund	-\$ 322,164.16
602 Water Capital	-\$ 1,039,193.81
610 Sewer Fund	-\$ 459,515.54
611 Sewer Sinking Fund	-\$ 482,269.16
612 Sewer Capital	-\$ 621,447.73
670 Solid Waste Fund	-\$ 23,429.14
===Total===	\$ 1,941,428.22

August Treasurer's Report Summary

001 General Fund	\$ 552,219.98
002 Library Trust	\$ 46,058.16
110 Road Use Tax	\$ 149,907.62
112 Trust & Agency Fund	\$ 25,941.00
121 Local Option Tax Reserve	\$ 1,535,688.28
128 CDBG	-\$ 89,005.76
135 Dyersville TIF District	\$ 1,586,589.98
200 Debt Service	\$ 413,766.87
301 Capital Projects Fund	\$ 1,688.92
600 Water Fund	\$ 482,923.31
601 Water Sinking Fund	-\$ 322,164.16
602 Water Capital	\$ 35,620.20
610 Sewer Fund	-\$ 414,071.07
611 Sewer Sinking Fund	-\$ 482,269.16
612 Sewer Capital	-\$ 1,046,073.01
670 Solid Waste Fund	-\$ 17,941.92

===Total=== \$ 2,458,879.24

September Treasurer's Report Summary

001 General Fund	\$ 660,248.59
002 Library Trust	\$ 45,943.57
110 Road Use Tax	\$ 173,141.35
112 Trust & Agency Fund	\$ 27,891.00
121 Local Option Tax Reserve	\$ 1,570,371.71
128 CDBG	-\$ 90,428.31
135 Dyersville TIF District	\$ 1,627,533.74
200 Debt Service	\$ 436,773.52
301 Capital Projects Fund	-\$ 236,341.47
600 Water Fund	\$ 522,322.10
601 Water Sinking Fund	-\$ 322,164.16
602 Water Capital	-\$ 260,723.65
610 Sewer Fund	-\$ 354,522.95
611 Sewer Sinking Fund	-\$ 482,269.16
612 Sewer Capital	-\$ 811,651.67
670 Solid Waste Fund	-\$ 12,673.04
===Total===	\$ 2,493,451.17

Roll call vote:

Ayes: Breitbach, English, Wagner, Oberbroeckling

Nays: None

Absent: Bockenstedt

Motion carried.

Council Member English moved to approve RESOLUTION NO. 80-16 A RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH DEUTMEYER AUTO ADVANTAGE, INC. AUTHORIZING ANNUAL APPROPRIATE TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENTS seconded by Council Member Wagner. Roll call vote:

Ayes: Oberbroeckling, Wagner, English, Breitbach

Nays: None

Absent: Bockenstedt

Motion carried.

Council Member Wagner moved to approve RESOLUTION NO. 81-16 A RESOLUTION TO APPROVE AND AUTHORIZE CITY ADMINISTRATOR TO PURCHASE 2016 SHORETEL TELEPHONE SYSTEM FROM COMMUNICATIONS ENGINEERING COMPANY in the amount of \$20,053 seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Wagner, Oberbroeckling, Breitbach, English

Nays: None

Absent: Bockenstedt

Motion carried.

Council Member English moved to approve RESOLUTION NO. 82-16 A RESOLUTION AMENDING THE EMPLOYEE POLICY HANDBOOK seconded by Council Member Oberbroeckling. Roll call vote:

Ayes: Breitbach, English, Oberbroeckling

Nays: Wagner

Absent: Bockenstedt

Motion carried.

Council Member Wagner moved to approve RESOLUTION NO. 83-16 A RESOLUTION TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO REZONE CERTAIN PROPERTY FROM C-2 COMMERCIAL TO I-2 INDUSTRIAL (PARCEL ID NUMBERS 0731135007 AND 0731201001 – PROPERTY LOCATED AT THE END OF AND NORTH SIDE OF 2ND AVE NE) SET DATE FOR NOVEMBER 7, 2016 AT 7:00 P.M. seconded by Council Member Breitbach. Roll call vote:

Ayes: English, Breitbach, Oberbroeckling, Wagner

Nays: None

Absent: Bockenstedt

Motion carried.

Administrative Hearing in regards to Chapter 145 of the City of Dyersville Code of Ordinances. Property located at 703 2nd Ave SW (Parcel ID 0731106001). Attorney Dan McClean spoke on behalf of the property owner and the City of Dyersville was under the advisement of City Attorney, C.J. May, III.

Council Member English moved to adjourn at 8:43 p.m. seconded by Council Member Breitbach.

Ayes: All

Nays: None

Absent: Bockenstedt

Motion carried.

Daniel J. Willenborg, Mayor

ATTEST:

Tricia L. Maiers, City Clerk/Treasurer