

Strawberry Point City Council
Regular Meeting August 1, 2007

The Strawberry Point City Council met for a regular meeting on Wednesday, August 1, 2007 at 7:00 p.m. Mayor Schmidt presided and led the Pledge of Allegiance. Council members answering roll call were Dale Fox, Dean Courtnage, Bill Green, David Gould and Norm Rizer.

The property owner of 310 Commercial was not present so the Mayor asked the council if we could move forward until he arrives. The council agreed.

Norm Rizer moved to accept the consent agenda with changes to the July 18th minutes and the additional claims to Adam Fette, Jeff Robinson and Tim Smith for their annual clothing allowance of \$300.00 each. Courtnage seconded the motion. All voted in favor and motion was passed.

OLD BUSINESS

Steve Ballmer, from the DOT was present. The staging was discussed. Some of the changes were due to waiting for a decision to be made regarding the curb and gutter from Lincoln to Spring Street. This was also due to drainage problems at Lincoln. The reason as to why no progress was made in Stage 4, Rainbow to Lincoln Street during that waiting time was addressed. A representative from Tschiggfrie was present and he commented that some of this delay was due to weather. Also questions needed to be answered before proceeding. Council member Fox commented that he has heard nothing but good comments regarding the construction company.

The grade of the highway compared to the base of the curb is a little off from Lincoln north, which is due to the fact that the curb is not meeting specifications. In the planning stage, replacing the curb and gutter had been discussed. The City was under the impression that the State was not going to pay for the curb and gutter. The City could not afford to replace it. In the middle of the project the State presents taking out the curb and gutter. City Council wanted to be fair to everyone; they wanted the State to pick up the costs for the curb and gutter and driveways in all the stages, even in the stages to the South. They did not approve this.

Up to Elm Street will be paved next week. The construction is actually right on schedule. Once Elm Street is paved, they will continue to rip up north to Mission. The intersection at Mission and Commercial will not be ripped up until Elm Street is open. Lincoln Street will be open Saturday, August 4th.

Mayor Schmidt brought it up to the DOT representative about providing some assistance on fixing some of our roads that have been worn due to the detours. Steve Ballmer will look into this and get in touch with the City Clerk. There are some millings available at the quarry that the City can use to fix Rainbow. Mayor Schmidt then asked if any citizens had any comments. The City Superintendent commented that the engineer should have discussed things better with the council before sending a letter to the DOT.

The property owner of 310 Commercial still was not present. The council does not have anything to decide at this time. Things will proceed as planned. On August 17th, the deadline for things to be done will expire. City Attorney Schloss was present. The clerk commented that the property owner had mentioned to her that he might have someone available to take down the house. He may need an extension due to the road construction.

A resolution to approve mileage, Resolution No 07-15 was presented. Dale Fox moved to approve Resolution No 07-15. Bill Green seconded the motion. Roll Call: Ayes: Gould, Rizer, Fox, Courtnage and Green. Nays: None. Resolution No. 07-15 was passed.

The bus barn property was discussed. The underground tanks were discussed. Two of them were removed and the third one was filled. This property has been released from the DNR as not posing a risk to the environment. Mohn Surveying surveyed the property last week. Once the survey is received, the council will review all the information and make a decision.

The council received request to write off a utility account due to the account holder filing bankruptcy. Dale Fox moved to write off this utility account. Gould seconded the motion. The amount to be written off is \$315.60. Ayes: Gould, Rizer, Green and Fox. Nays: Courtnage. Motion was passed.

The capital improvement plan was discussed again. With this the electric generation project was discussed. The balloon payment was mentioned. Money was to be put away each year to make that payment, which was only done one year. Another storm siren should be added to the Fire Department's plans to be located somewhere on Park Avenue so they can hear the siren.

Council was presented an invoice from Tekippe Engineering for \$891.50 for service pertaining to the curb and gutter on the Highway 3/13 Street Project. Green moved to pay Invoice No 102 in the amount of \$891. 50. Fox seconded the motion. Mayor Schmidt voiced his opinion that this invoice should be going to the DOT. They are the ones that wanted the curb and gutter removed in the middle of the project. Bill Green and Dale Fox withdrew their motions. Courtnage moved to send Invoice No. 102 in the amount of \$891.50 to the DOT. Gould seconded the motion. The City Clerk will provide more explanation. All voted in favor and motion was passed.

An administrative consent order from the Iowa Department of Natural Resources was presented to the council for payment of the \$3,000. There was some discussion regarding that the DNR said that no penalty was going to be assessed to the City if they continued forward with the sewer project. Citizen Bob McCahen was present to discuss this. He remembers the DNR was holding up the City. He said that he remembers that if the City showed good faith on working on the sewer rehab the penalty would be forgiven. The City Clerk will call Neal Kuehl and ask if he has anything that was signed by the State stating that if we show good faith and move forward with the project the penalty will be forgiven. We will look into this since we have 60 days to pay this fine. Bob McCahen will call Neal Kuehl and ask him if he has any documentation showing the forgiveness of the penalty.

INFORMATION

The council receives information from different boards. They received library financial information. They also received minutes from the Planning and Zoning Board from the June 21st and July 25th meetings. They also received fiscal year-end financial information. The City Clerk will look into the funds to answer questions that were asked. They also received minutes from the Ambulance Department. The council commented that they would like more timely minutes and regular meeting minutes from all the boards.

NEW BUSINESS

Property owners from 209 Locust were present to discuss their sidewalks and what can be done if they cannot afford to replace them. They were wondering if there were any grants available to pay for these. We will check into grants for funding sidewalks. The City Superintendent will take another look at this sidewalk.

A property owner is tapping into another properties water line, which is against City Code. The property owner was present. He met with City employees regarding putting this meter

in. At that time, he was not notified of any problem. His water usage is connected to a separate outside meter, a seasonal meter. Each meter is to be connected to a separate service line. This property owner is requesting special permission from the City Superintendent to leave this as is. This property owner pays for this water once a year, as per the seasonal meters are billed. This property owner is also getting electricity from another property. Council will review the Code closer and discuss it again at the next meeting. We will also get the City Attorney to give his legal interpretation of the Code.

The council reviewed a listing of the property owned by the City. This included area at the North Lagoon, the City Farm, Civic Center Ground, Bus Barn Property, Industrial Park and the City Dump. The City receives no tax revenue from the property. The Council and Mayor should look at all of this property to see how much there really is. Council members Courtnage and Rizer will research this further.

The Deputy City Clerk received a satisfactory 6-month review from the City Clerk/Administrator. Rizer moved to increase the Deputy City Clerk to \$13.30 an hour. Fox seconded the motion. All voted in favor and motion was carried.

The council received Ordinance No. 07-07 An Amendment to the Zoning Code of Strawberry Point, Iowa, Adding the Requirements for a Demolition Certificate for Removing Structures with Certain Exceptions. The fire department is exempt from this. Dale Fox moved to approve the first reading of Ordinance No 07-07. Green seconded the motion. A roll call vote was taken. Ayes: Gould, Green, Fox, Courtnage and Rizer. Nays: None. The first reading of Ordinance No. 07-07 passes.

The council received Ordinance No. 07-08 An Amendment to the Zoning Code of Strawberry Point, Iowa, Adding Time Limitations for a Demolition Certificate. Bill Green moved to approve the first reading of Ordinance No. 07-08. Courtnage seconded the motion. A roll call vote was taken. Ayes: Gould, Rizer, Fox, Courtnage and Green. Nays: None. The first reading of Ordinance No. 07-08 passes.

The council received Ordinance No. 07-09 An Amendment to the Zoning Code of Strawberry Point, Iowa, adding the requirements for application for a demolition certificate. Gould moved to approve the first reading of Ordinance 07-09. Courtnage seconded the motion. A roll call vote was taken. Ayes: Gould, Courtnage, Rizer, Green and Fox. Nays: none. First reading of Ordinance No. 07-09 passes.

The council received Ordinance No. 07-10 Re-adoption of Official Zoning Map of Strawberry Point. Courtnage moved to approve first reading of Ordinance No. 07-10. Gould seconded the motion. A roll call vote was taken. Ayes: Fox, Gould, Green, Rizer and Courtnage. Nays: None. First reading of Ordinance No. 07-10 is approved.

The possibility of amending the allocation of the local option sales tax money was discussed. To be placed on the ballot, the council must pass a resolution doing so and then it goes to the auditor's office. Currently, 66 2/3% stays with the City and 33 1/3% goes to the Economical Development office. The mayor is recommending that we change the wording on how the money is being spent. This would include designating it for our capital plan. Jeff Juergens, representative from the Economic Development office was present. Strawberry Point needs to focus on tourism and not big business. There are things that Economic Development can do for our City. The council does not want it to change, so it will stay as is.

The council received a request from the Chamber to be reimbursed for the port-a-potties used the day of the WMT Tractorcade. After some discussion, Green moved that we do not

reimburse the Chamber for this bill. Gould seconded the motion. Ayes: Courtnage, Gould, Green and Fox approved. Nays: Rizer. Motion passes.

In other business grass being blown into the streets was discussed. The paging system for the sirens is being worked on. The City will be scheduling an Open House at the new lagoon soon now that the road is open to the South. The lights in the downtown area are being looked into why they are burning out. The plaques for the streetlights uptown were also discussed. We are working on a possible bracket to hold the plaques. Councilman Gould wanted to go on record to thank the men and women of the 133rd Infantry and say that they are all heroes.

Mark Waterman was present to ask permission to use the Industrial Park ground to have a fall mud run on Saturday September 15th. He provided proof of insurance. This will placed on the next agenda. City Superintendent asked how we are going to address Lincoln when it opens as far as truck traffic. The police need to patrol Lincoln better.

Courtnage moved and Green seconded to adjourn at 10:10p.m. All voted in favor and motion was passed.

Deanna Dement, City Clerk

Douglas Schmidt, Mayor