

City of Durant
City Council Meeting Minutes
June 10, 2013

Mayor Smith called meeting to order at 6:00p.m. and led the Pledge of Allegiance. Roll call of members present: Beland, Utter, Spengler, and Gilroy. Member Pennock was absent due to a prior commitment. City staff present: Public Works Dir. Al Olderog, City Oper. Off./Clerk Deana Cavin, Comm Ctr Dir. Linda Vorwald, Building Insp. Terry Goerd, and Police Chief Doug Cook. Del Frick and Dale Trede were present representing the Museum Building committee and Tri County Heritage and Genealogy Museum, respectively.

Consent agenda: Approval of Agenda, Approval of City Bills, Approval of minutes for 05/28/2013 meeting: Clerk requested to add Parks update under public works, and to add Shawn Jepson Painting & Sandblasting for the amount of \$5,075 for completion of community center exterior paint; the bill was \$300 less than original bid. Member Gilroy moved, seconded by Member Beland, to approve the consent agenda items with changes.

Ayes: Beland, Gilroy, Spengler, Utter Nays: None Motion carried.
There was no public input.

Discuss/Consider Amendment to park ordinance-2nd reading: City clerk reported there was additional language added under section 5-3-5 Firearms and Fireworks as recommended by Chief Cook. Member Spengler moved, seconded by Member Gilroy, to approve the second reading of the amended Park Ordinance 2013-03.

Ayes: Utter, Spengler, Beland, Gilroy Nays: None Motion carried.

Discuss/Consider Res. No. 2013-21 transfer from General Fund to Fire Fund for \$75,000 repayment:

Member Gilroy moved, seconded by Member Utter to approve the transfer of funds from General to Fire fund in the amount of \$75,000. Clerk explained this was the final payment of five to reimburse the Fire Fund. Ayes: Gilroy, Beland, Spengler, Utter Nays: None Motion carried.

Discuss/Consider Res. No. 2013-22 transfer from General Fund to Fire Fund for \$26,387 service contract payment: Member Gilroy moved, seconded by Member Beland, to approve the transfer of funds for the annual contract payment for services in the amount of \$26,387.

Ayes: Beland, Utter, Spengler, Gilroy Nays: None Motion carried.

Discuss/Consider Res. No. 2013-23 Transfer from Fire Memorial Fund to Fire Fund for cost of truck amount of \$27,123.48:

Clerk explained an local resident bequeathed the fire department this money with no specific requirements and Chief Jepson has recommended the money be used to help offset the recent pumper truck purchase. Member Utter moved, seconded by Member Spengler, to approve Res. 2013-23 transferring the amount of \$27,123.48 from the Fire Memorial fund to the Fire Fund.

Ayes: Gilroy, Spengler, Utter, Beland Nays: None Motion carried.

Dept Reports:

City Attorney: Library Information: Attorney Denning has been on vacation. There was no update available. The payment to Scott County Library Board shall be an agenda item at the June 24th meeting.

City Engineer: CDBG Housing Program: Clerk provided information to council from Chris Janson, MSA Professional Services. The Housing grant is funded through Iowa Economic Development Authority (IEDA), and when successful in small cities, assists homeowners with the rehabilitation of their homes. Financial assistance will be a five year forgivable loan for 100% of the rehabilitation costs up to \$24,999 per housing unit as long as the home remains the principal residence for the entirety of the five year term. There are income thresholds based on the number of people in the household. If funded, the City would provide a commitment of estimate \$5 per capita (\$9,160) for administrative costs. General consensus was to publish the information in the newspaper and monthly News & Views to seek out any interest and qualified applicants.

Police Dept- Discuss/Consider Resolution No. 2013-24 to amend the Employee Manual for required residency from minutes to miles for the Durant PD: Chief Cook explained as a recommendation from the Public Safety committee to expand the pool of candidates for police officer positions, the residency requirement for the police department should be changed from ten minutes to a twenty-five mile radius

from the police station. This does not apply to department heads. Member Spengler moved, seconded by Member Gilroy, to approve the residency change as recommended from ten minutes to twenty five mile radius. Ayes: Beland, Utter, Spengler, Gilroy Nays: None Motion carried.

Update on Speed limit change for 14th Ave (Vail Ave): Clerk explained she had contacted Muscatine County, and Scott County engineers concerning the stretch of road from 5th Street south to the bridge on 14th Ave/Vail Ave. The city corporate line is the middle of the road; to the west are Cedar and Muscatine counties, and to the east is Scott County. There are also three zoning districts along that area and the Iowa Code has requirements of speed limits for different districts. The Muscatine County engineer stated there is very little distance to slow traffic down at a gradual rate, but is willing to work with the City. Scott county engineer stated a letter of request for speed reduction would be needed from the City, and both counties would have to take it to their Board of Supervisors to discuss. Chief Cook's recommendation for a speed limit would be 25 or 30 m.p.h. Clerk will prepare the letters of request.

Vicious Animals/Dogs: Mayor Smith reported she witnessed an incident with a dog over the weekend where an officer was called to a house where a dog had jumped its' fence, and was loose. The police officer attempted to approach the dog; the dog growled and acted in an aggressive manner; property owner was not home but was reached by phone; Clerk reported property owners had recently been informed of ordinance violation because three dogs were at the property and they can only have 2; Mayor questioned the safety of officers and if equipment could be purchased to handle dogs in these situations; other cities have had to put dogs down in similar circumstances. Chief Cook stated his concerns with the City handling and kenneling dogs; after discussion, Clerk was instructed to check into contract agreements with local animal shelters.

Police Misc.: Chief Cook reported he and his staff are working on ideas for plans for the new police department; application deadline for the full time position was extended to June 24th due to an error in publication ; The Wilton Durant Advocate has offered to publish the ad a second time for free; The Iowa Pipe Line Association had a drawing for seven \$500 gifts/donations, and the Durant Police Dept. received one the awards.

Public Works- Mr. Olderog reported a pump was fixed at Waste Water plant; grading on alleys; rock for alleys is budgeted for after July 1; It was reported in the three hundred block of Sixth Street there was an object blocking the 8" sanitary sewer line. After using cutters, an item of similar material to a mop head or blanket was retrieved from the sewer system. Mr. Olderog reported this item had to have been thrown or dropped into someone's residential sewer line; it did not come from the storm sewers, this was a sanitary sewer line. His department will continue to monitor that area and sewer line. Mayor Smith thanked the Public Works employees for their efforts and stated this blockage created a mess and long hours for the department. Park update: Clerk and Mr. Olderog met with the contractors at Jayce/Dutton Park to clarify the bids for reroofing the two smaller shelters; it was consensus to leave the shingles in place and install the steel roof over top. Concerns installing soffit and ceiling underside the shelters was discussed; the ceilings would be lower and new lighting would require the electrical to be brought up to code at both shelters. Clerk reported the recommendation from the Park Board Chairman Rod Telsrow was for the City to spend \$1,500 toward the roofs and request a grant for the remaining costs. After discussion, Member Spengler moved, seconded by Member Gilroy, to approve the bid from ARB Roofing Inc in the amount of \$5,870.04 to reroof the shelters only and to be completed by Firemen's Fest (Aug. 9th & 10th.) The ceiling and lighting project can be done at a later time.

Ayes: Gilroy, Beland, Utter, Spengler Nays: None Motion carried.

Community Center- Ms. Vorwald reported the exterior painting and doors was completed; there was an incident at a wedding reception because the fire alarm set off by the DJ's smoke machine causing fire and police to be dispatched. This is the second time this DJ service has caused the alarm. Member Spengler suggested a \$300 fine if this continues for false alarms. Ms. Vorwald stated she will discuss it with the wedding parties and the DJ; another suggestion was this DJ Service would not be allowed at the center.

City Clerk;- Discuss/Consider Approval of May 2013 Financial Statements: Clerk reported preliminary balances show the General Fund should sustain itself in the black by June 30th. Member Gilroy moved, seconded by Member Utter, to approve the May Financial Statements as presented.

Ayes: Utter, Spengler, Gilroy, Beland Nays: None Motion carried.

Discuss/Consider Approval for RFPs to Proposed CPA Firms for Required Examination: Clerk presented a sample Request for Proposal (RFP) with a list of proposed C.P.A. firms and the State of Iowa to request the required annual examination. Beginning July 1, 2013, all cities with a population of 2,000 or less are required to have an annual examination of the finances (an exam is not as detailed as an audit), or pay the fee to the State of Iowa Auditor Office, and placed in a pool for that office to perform the exam. Clerk recommended the City take the initiative for the annual exam or to consider an annual audit. Member Gilroy moved, seconded by Member Spengler, to approve the RFP letters as presented to the suggested firms listed.

Ayes: Beland, Gilroy, Utter, Spengler Nays: None Motion carried.

Discuss/Consider Approval of Clerk's attendance to IAMU Academy July 24-26, in Ames: Member Gilroy moved, seconded by Member Spengler, to approve the clerk's attendance to the Municipal Professionals Academy at a cost of \$175.00 plus meals and lodging.

Ayes: utter, Spengler, Gilroy, Beland Nays: None Motion carried.

Update from Healthcare Reform Webinar provided by the League: Clerk participated in a webinar provided by the Iowa League of Cities and True North concerning the Healthcare Reform Laws. The session concerned employers with under fifty employees. Clerk reported for employers under 50, there is no requirement to provide health insurance; however, everyone is required to have health insurance. If an individual does not have coverage, they will have to pay a tax penalty. Therefore, employers will be expected to at least assist employees with receiving coverage somehow. The reform law also states if employees worked an average of 30 hours per week, they will be considered full time employees. The clerk questioned how the union will interpret this because the city does have employees who are not considered full time by department of labor definitions but could be under the health reform. These employees do not participate in the City's plan because they already have healthcare coverage through other employment or spouses. A letter from the union healthcare provider indicated they will stipulate full time employees as thirty hours or more; Mayor stated this will need to be a contingency in the union negotiations.

Closed Session Iowa Code 21.5 (j): To discuss purchase of proposed property for Museum (using donated funding specified for this purpose.) Delmar Frick updated the council that his committee had previously met with an architect for the addition to city hall and were provided a cost estimate of \$550,000 to \$686,000. His committee decided to research other available spaces in the City. They toured the building at 620 5th Street. Terry Goerdt provided a written report on the structure and interior of the building to council and answered questions concerning A.D.A compliance. Dale Trede stated his committee also toured the building and thought it had potential for a start. Clerk explained \$100,000 was donated by the Leland R. Smith Foundation for a museum and that money was placed in a Certificate of Deposit with a current balance of \$100,801.60 . Member Spengler moved, (7:05 p.m.) seconded by Member Gilroy, to move into closed session under Iowa Code section 21.5 (j): *To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.*

Ayes: Utter, Spengler, Gilroy, Beland Nays: None Motion carried

Council reconvened into open session at 7:40 p.m. Member Gilroy moved for the City of Durant to designate Mayor Smith as representative of the City of Durant to make an initial offer of \$45,000 for the property at 620 5th Street, and/or to negotiate a purchase price; with the option to assign the City's interest to another party at a later date. Member Beland seconded the motion.

Ayes: Beland, Utter, Spengler, Gilroy Nays: None Motion carried.

Mayor/Council Report: Meeting Thursday June 13th @10AM at Mud Creek (2nd Ave Swanson Add.) Mayor reported a meeting would take place Thursday June 13, at 10AM with Cedar

County Board of Supervisors, Glenn Swanson, Iowa Dept. of Natural Resources, and FEMA representative. Any council members wishing to attend can do so. Meeting will begin at the north end of 2nd Avenue in the Swanson Housing Addition. Meeting was adjourned at 7:45p.m.

Dawn Smith, Mayor

ATTEST: _____
Deana Cavin, City Operations Officer/Clerk

CITY OF DURANT		CLAIMS LIST 6-10-2013
VENDOR NAME		
ALLBEE BARCLAY & DENNING	LEGAL FEES 4-16 TO 5-15	3346.00
AMERICAN LEGION POST #430	FLAGS-AMERICAN (2) IOWA (2)	140.00
BANKER'S TRUST	LOAN PYMTS (3)	506392.50
CINTAS CORPORATION #342	SHOP TOWELS	56.06
CITY OF DURANT	WATER	1305.58
COOK, DOUG	POL-CARWASH & CELL PHONE USE 12 MTHS	102.00
CULLIGAN-QUAD CITIES	DISTILLED WATER	64.95
DULTMEIER SALES INC	PARKS-RPR KIT & NOZZLE	24.36
DURANT CHAMBER OF COMMERCE	FIREWORKS DONATION	500.00
DURANT MUNICIPAL ELECTRIC	ELECTRIC	4515.06
ECIA	FY14 MEMBERSHIP	1025.92
EFTPS	FED/FICA TAX	4325.91
ELECTRONIC ENGINEERING	POL-LIGHT BAR RPR	37.50
EMC NATIONAL LIFE	FIRE-LIFE INSURANCE POLICY	2018.25
GRAINGER INC	PARKS & SHOP PAPER SUPPLIES	244.40
IA ASSN MUNICIPAL UTILITIES	EIASSO DUES JUN-AUG 4 COUPONS	126.44
IOWA FINANCE AUTHORITY	LOAN PYMTS (3)	150730.85
JEFF'S MARKET	CC BAR LIQUOR, BAR & SAFETY CLASS SUPPLIES	391.47
LINDA TRIBBLE	CC DEPOSIT REFUND	125.00
MCMASTER CARR SUPPLY CO	PARKS-RR SUPPLIES, SW SUPPLIES	373.49
MIDAMERICAN ENERGY	NATURAL GAS	219.07
MSA PROFESSIONAL SERVICES INC	ENGINEERING 11/2012-5/2013	6836.27
OVESON REFUSE & RECYCLE	JUN GB SERVICE & STICKERS	10657.50
PAPER'S LUMBER & SUPPLY INC	PARKS SUPPLIES	18.99
POSTMASTER	WA BILLING POSTAGE	222.27
PRICE OIL CO INC	FUEL	529.46
RELIABLE NETWORK SOLUTIONS	SPAM/BACKUP/NETWORK SERVICE	64.69
RHONDA BARTENHAGEN	CC DEPOSIT REFUND	125.00
SANDRY FIRE SUPPLY LLC	FIRE-HEADS UP DISPLAYS (2)	416.00

STATE HYGIENIC LABORATORY	WA TESTING	40.00
SUPERB SERVICE & SUPPLY	HANDSOAP & ACID SOAP	287.65
TALL GRASS BUSINESS RESOURCES	CH-OFFICE SUPPLIES	114.30
TREAT AMERICA FOOD SERVICES	BRAD-MEALS SUPERVISION SCHOOL	47.24
TURKLE, WAYNE	STREET TREE STUMP REMOVAL	35.00
VANGUARD DISTRIBUTING	CC BAR BEER	218.00
WESTFAIR DRUG	CEMETERY FLOWERS-FELDHAHN	29.97
PAYROLL TOTALS		13737.34
TOTAL		709444.49

FUND TOTALS		
GENERAL		33,131.97
ROAD USE TAX		2,244.19
FIRE DEPARTMENT		2,658.98
MEMORIAL-FELDHAHN FLOWERS		29.97
DEBT SERVICE		581,972.50
WATER		11,815.27
SEWER		10,368.11
SEWER REV BOND SINKING		67,223.50
TOTAL		709,444.49