

State Center City Council  
Special Meeting Minutes  
March 29, 2017

State Center City Council met in special session on Wednesday, March 29, 2017 in Council Chambers. Mayor Pro-tem Lively called the meeting to order at 7:00 p.m. and asked everyone to rise for the Pledge of Allegiance.

Roll Call: Councilors: M. Bunn, H. Darrow, S. Lively, M. Riemenschneider and L. Wilkinson present. Absent: Mayor Quick. Others Present: J. Robinson – Utility Superintendent, D. Johnson & N. Fredrickson of IS Group, Jamie Burdorf, Clerk Bearden, Judy Moore, Ruth Diser, Jason Mitchell, Keith McDonald, Josh Weigelt, David & Paula Eaton, RuthAnn & Mike Bartine, Rick & Kristi Wilkening, Jan Pfantz, Terry Collier, Linda Wells, John & Genevieve Wagner.

- Mayor Pro-tem Lively opened the hearing on Proposed Resolution of Necessity for the 3<sup>rd</sup> St NW Reconstruction Project. There were 2 written comments received: a request from D & M Rensch, Arnold Klaas, Linda Wells and Terry Collier requesting the council consider only 1 entrance from the street to their driveways rather than the present two and if a shorter concrete approach wouldn't be sufficient for that drive entrance, the 2<sup>nd</sup> from David and Paula Eaton objected to the project on whole unless weight restrictions/tonnage limit could be established and enforced to protect the new street. The above written comments were addressed along with the following summarized oral comments/conversation and council response:
  - Suggestion of weight restrictions for the new street – the road is being designed with sufficient base and 8" depth of concrete because of the truck traffic. The road is also a farm/market route for farmers.
  - When did the City approve this project: IS Group was hired to engineer the project in May 2016, truck route changes approved in January 2017 along with instructing IS Group to prepare a preliminary assessment schedule, proposed plans, specs, estimate of cost approved February 2017.
  - What was the purpose of the water survey in 2015 – this survey was to determine if State Center was eligible for CDBG grant for a water treatment project unrelated to this project.
  - Would the larger main increase the water pressure on the older service lines – the engineers stated there would be a negligible increase in pressure and should not stress the older service lines.
  - Why are property owners responsible for maintenance of the area from the property line to the curb when this is City property – this is established by Iowa Code 364.12. In regards to utility service lines that pass through the terrace, in Iowa, it is generally accepted that the property owner is responsible for the cost of installation and maintenance of utility services from the City main to their dwelling or other building.
  - Objection was presented to the designed turn radius increase on the SW corner of the 3<sup>rd</sup> St NW and 3<sup>rd</sup> Ave NW intersection. The design is to allow trucks to turn from west to south without encroaching oncoming traffic lanes and to withstand wear of trucks turning. Another concern presented was trucks and cars “rolling through” the intersection without coming to a complete stop. Observation of the intersection will be needed to determine if a problem develops.
  - Service line replacement from curb stop to building – Council comment regarding City policy of requiring homeowners to replace their service lines if discovered to galvanized or lead lines led to lively discussion with property owners in attendance. After much discussion, it was noted that as replacing service lines is not a part of the construction project, this policy will be addressed at the April 19<sup>th</sup> meeting. The clerk will research applicable state code for replacement laws.
- Mayor Pro-tem Lively called a recess at 8:44 p.m. The meeting was called back into session at 8:55 p.m; all council in attendance.
- Riemenschneider moved to adopt Res. 17-109 Resolution of Necessity documenting the need to assess property owners for a portion of certain costs of the project. Bunn 2<sup>nd</sup>; Res. 17-109 is adopted 5-0 roll call vote.
- Riemenschneider moved to adopt Res. 17-110 ratifying the preparation of detailed plans, specs, notice of hearing, notice to bidders and form of contract. Darrow 2<sup>nd</sup>; Res. 17-110 is adopted 5-0 roll call vote.
- Riemenschneider moved to adopt Res. 17-111 awarding contract for the 3<sup>rd</sup> St NW Reconstruction project to Construct of Marshalltown, low bidder, for base contract amount of \$1,225,003.25 and alternate 1 amount of \$156,215.75 for a contract total of \$1,381,219. Darrow 2<sup>nd</sup>; Res. 17-111 is adopted 5-0 roll call vote.
- Bunn moved to adopt Res. 17-112 approving contract and performance and/or payment bonds for the 3<sup>rd</sup> St NW Reconstruction project when documents are ready for execution. Wilkinson 2<sup>nd</sup>; Res. 17-112 is adopted 5-0 roll call vote.

- On recommendation of Public Works committee Riemenschneider moved to approve a water & sewer charge refund to Lisa Alberts totaling \$1,915.75, \$1000.00 by check and \$915.75 by credit to her account, representing overbilling as a result of a leaking water meter. Special circumstances lead to this credit for services. Bunn 2<sup>nd</sup>; motion passes 5-0.
  - Wilkinson moved to approve claims in the amount of \$135.00 to Rhonda Guy for water utility consultation and \$84.00 to Central Print & Copy for golf cart permit stickers. Riemenschneider 2<sup>nd</sup>; motion passes 5-0.
  - Darrow moved to table Resolution approving Fox Engineering invoice in amount of \$15,800.00 to April 19 meeting to allow city attorney consultation. Riemenschneider 2<sup>nd</sup>; motion passes 5-0.
  - Mayor Pro-tem Lively called a recess at 9:45 p.m. The meeting was called back into session at 9:48 p.m; all council in attendance.
  - Bunn moved that the 3 reading rule is waived and the 2<sup>nd</sup> reading of Ordinance 337 establishing a historic preservation commission for the City of State Center be waived. Darrow 2<sup>nd</sup>; motion passes 5-0 roll call vote. Bunn moved that Ordinance 337 be considered and given 3<sup>rd</sup> and final vote for passage. Wilkinson 2<sup>nd</sup>; motion passes with 5-0 roll call vote. Riemenschneider moved to adopt Ordinance 337. Bunn 2<sup>nd</sup>; Ordinance 337 is adopted and becomes effective upon publication 5-0 roll call vote.
  - Darrow moved that Ordinance 338 amending Chapter 138 Establishing Grade Elevations on Certain Described Street in the City of State Center, Iowa, for the 3<sup>rd</sup> St NW Reconstruction Project be considered and given 1<sup>st</sup> reading and vote for passage. Wilkinson 2<sup>nd</sup>; motion passes 5-0 roll call vote. Bunn moved to prevent delay of the start of the above referenced project, to suspend the 3 reading rule and waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 338. Riemenschneider 2<sup>nd</sup>; motion passes 5-0 roll call vote. Riemenschneider moved to adopt Ordinance 338. Bunn 2<sup>nd</sup>; Ordinance 338 is adopted and becomes effective upon publication 5-0 roll call vote.
  - Upon recommendation by J. Robinson, Riemenschneider moved to approve hiring of Richard Wathan for the seasonal part-time mowing position with a wage of \$12.00/hr. Darrow 2<sup>nd</sup>; motion passes 5-0.
  - Riemenschneider moved to approve 2017 Kauffman grants for improvements to public properties as follows: \$6000.00 for Rose Garden improvements, \$25,000.00 toward a splash pad construction in the park, \$4500.00 toward the SCDA/Lions Club tree planting project and \$13,941.00 for the Gutekunst Library addition project. Wilkinson 2<sup>nd</sup>, motion passes 5-0.
  - Riemenschneider moved to adopt Res. 17-113 authorizing and internal advance from the Electric Utility Fund to the Water Utility Fund to cover costs of the water plant improvements and well re-casing to be repaid from Water Utility revenue principal only years 1-2 and with 2% annual interest years 3-15. Darrow 2<sup>nd</sup>; Res. 17-113 is adopted 5-0 roll call.
  - The Public Works committee was introduced to the possibility of the following necessary rate increases at a recent meeting: Water Utility - \$1.71 per 1000 gal over the base 1000 gal (no raise on the base rate), Sewer Utility - \$2.67 raise on the base rate (first 1000 gal) and \$1.14 per 1000 gal over the base. The clerk shared estimated recap of resulting water/sewer bill amounts for various usages. The water flow increase would provide revenue for current project loan payments and help build for future distribution improvements. The sewer base and flow increases would provide to build reserves necessary for future DNR mandated lagoon and collection system improvements.
  - Upon recommendation from the personnel committee, Wilkinson moved to approve a \$1.50/hr raise for Kristi Yates for her progress in utility billing knowledge and billing software comprehension. Bunn 2<sup>nd</sup>; motion passes 5-0.
  - Riemenschneider moved to approve Bailey's Pizza liquor license renewal. Wilkinson 2<sup>nd</sup>; motion passes 5-0.
- There being no further business, Councilor Wilkinson moved to adjourn at 10:12 p.m. Councilor Riemenschneider 2<sup>nd</sup>; meeting adjourned 5-0.

Harlan Quick, Mayor

Attest:

Lori Bearden, Clerk