The Waukon City Council met in regular session on June 19, 2017 at 7:00 o'clock P.M. in the Council Room of City Hall, 101 Allamakee Street, with Mayor Duane DeWalle presiding. Council members present: John Lydon, Steve Wiedner and Ben Rausch. Council members absent: Dwight Jones, and Don Steffens. Others present: Street Superintendent Keith Burrett; Park, Rec & Wellness Director Jeremy Strub; Water/Sewer Superintendent Robert Campbell; Police Chief Phil Young; Lyle TeKippe – Fehr Graham Engineering; Lucas Elsbernd – Fehr Graham Engineering; Ardie Kuhse – WEDC; Joe Moses – The Standard; and citizens.

The Mayor opened the meeting with prayer.

The Mayor announced that the request for Dana Ruegnitz from Mulligans will be pulled out of the consent Agenda and discussed under Regular business and that agenda items Ordinance for City Manager and Hazard Mitigation planning would be deleted.

Moved by: Rausch Seconded by: Lydon

To approve the following consent agenda items:

Agenda

Minutes of June 5, 2017 regular session; June 7, 2017 special session and June 12, 2017 special session.

Class "C" Liquor License (LC) (Commercial) for Susan Grotegut, d/b/a Vets Club, 105 Allamakee St

Special Class "C" Liquor License (BW)(Beer/Wine) with Outdoor Service for Waukon Economic Development Corporation, d/b/a RAGBRAI Waukon intersection of West Main and Rossville Road

Ownership/Board update for Waukon Golf & Country Club, d/b/a Waukon Golf & Country Club, 308 1<sup>st</sup> St SE.

Cigarette Permits July 1, 2017 – June 30, 2018

Clerk/Treasurer Reports - May 2017.

Payment of Claims

| rayment of Claims                         |                         |           |
|---|-------------------------|-----------|
| AFLAC                                     | insurance               | 200.64    |
| Allamakee Clayton Electric Coop           | services                | 81.47     |
| Allamakee Clayton Electric Coop           | princ/fire station loan | 3,000.00  |
| Allamakee Clayton Electric Coop           | princ/fire station loan | 2,666.67  |
| Allamakee Community School District       | stop sign set-up        | 2,115.00  |
| Allamakee County Sheriff                  | ans. service            | 750.00    |
| AT & T                                    | services                | 225.77    |
| Axon Enterprise, Inc.                     | equipment               | 411.96    |
| Blue Cross Blue Shield                    | insurance               | 13,481.53 |
| Bodensteiner Implement Company            | parts                   | 6.24      |
| Brown Supply Co.                          | supplies                | 963.60    |
| Bruening Rock Products Inc.               | materials               | 139.26    |
| Carquest Auto Parts                       | parts – ambulance       | 44.04     |
| Casey's General Stores, Inc.              | fuel                    | 371.63    |
| •   |                         | 707.37    |
| Century Link                              | services                |           |
| Clark Tire Pros                           | parts/labor             | 665.60    |
| Cunningham Hardware & Rental              | supplies                | 271.78    |
| Cunningham Hardware & Rental              | supplies – ambulance    | 129.56    |
| Electric Pump, Inc.                       | service                 | 1,114.60  |
| Fehr Graham Engineering & Environmental   | services                | 11,387.75 |
| Fehr Graham Engineering & Environmental   | services                | 3,049.80  |
| Fehr Graham Engineering & Environmental   | services                | 2,608.75  |
| Fehr Graham Engineering & Environmental   | services                | 2,924.00  |
| Fehr Graham Engineering & Environmental   | services                | 968.50    |
| Fehr Graham Engineering & Environmental   | services                | 2,687.50  |
| Group Services                            | self-fund request       | 1,537.39  |
| Iowa Department of Transportation         | asphalt emulsion        | 2,926.50  |
| Iowa Law Enforcement Academy              | recertification         | 175.00    |
| Iowa One Call                             | services – May 2017     | 68.40     |
| JaDecc's Inc.                             | supplies                | 32.00     |
| James Garrett Law Office                  | legal fees              | 2,504.33  |
| Jim's Full Service                        | fuel – ambulance        | 206.90    |
|   | services                | 2,240.00  |
| Kelly Concrete                            |                         |           |
| Kerndt Trenching Service                  | service                 | 502.50    |
| Keystone Laboratories, Inc.               | samples                 | 64.00     |
| Klocke's Emergency Vehicles               | parts – ambulance       | 31.90     |
| Kwik Trip Inc.                            | fuel                    | 992.52    |
| Mulgrew Oil Co.                           | fuel                    | 454.82    |
| Mulgrew Oil Co.                           | fuel – ambulance        | 395.43    |
| News Publishing Co., Inc.                 | services – May 2017     | 752.16    |
| Quillin's Food Ranch                      | supplies/UPS charges    | 153.81    |
| Ricoh USA, Inc.                           | copies                  | 17.35     |
| Rolling Hills Concrete Construction, Inc. | concrete street repairs | 25,459.50 |
| Shopko                                    | supplies                | 37.67     |
| Storey Kenworthy/Matt Parrott             | supplies                | 221.55    |
| Swartz Law Firm, PLLC                     | legal fees              | 14.00     |
| T&W Grinding                              | per agreement           | 2,125.00  |
|   | 10                      | 2,122.00  |

| US Cellular   |                   |                          | services    |                     | 468.77    |
|---|-------------------|--------------------------|-------------|---------------------|-----------|
| Village Farm & Home pa                                  |                   | parts/supplies           |             | 506.59              |           |
| Waukon Economic Development Corp.                       |                   | sign reimbursement       |             | 42.21               |           |
| Waukon Tire Center Inc.                                 |                   | service – ambulances     |             | 188.95              |           |
| Wertjes Uniforms  |                   | supplies                 |             | 100.00              |           |
| West Side Waukon Lumber, Inc.                           |                   | supplies – gutter repair |             | 53.47               |           |
| Teamsters Local 238                                     |                   | union dues               |             |                     | 239.48    |
| City of Waukon petty cash                               |                   |                          | 84.10       |                     |           |
| Concrete Foundations, Inc. pay est. #3 – street repairs |                   | irs                      | 26,358.72   |                     |           |
| EFTPS   |                   | withholding              |             |                     | 4,502.15  |
| EFTPS   |                   | withholding              |             |                     | 8,693.82  |
| Farmers & Merchants Savings Bank                        |                   | princ/int.               |             | 4,550.00            |           |
| IPERS   |                   | withholding              |             | 3,938.08            |           |
| IPERS withholding                                       |                   |                          | 9,236.56    |                     |           |
| Regular Payroll May                                     |                   | May 21 – June 3, 2017    |             | 41,384.98           |           |
| Treasurer – State of Iowa s                             |                   | sales tax                |             | 6,333.00            |           |
| Treasurer – State of Iowa withholding                   |                   |                          | 3,508.00    |                     |           |
| Waukon State Bank                                       |                   | princ/int.               |             |                     | 4,550.00  |
| General:  | 42,756.68         | Library:                 | 6,518.20    | Street Improv:      | 72,385.73 |
| RUT:  | 17,863.73         | Wellness Ctr:            | 9,173.99    | TIF Debt:           | 5,666.67  |
| Water:  | 13,168.16         | Spec.Rev.Empl:           | : 11,100.51 | West Side Dev:      | 968.50    |
| Sewer:  | 10,726.52         | T&A Ins. Fund:           | 1,537.39    | Debt Gundersen:     | 9,100.00  |
|   |                   | 2016 Cap Imp:            | 2,608.75    | Sewer Op Maint:     | 3,049.80  |
| Yes: Lydon, Wiedner, Rausch                             |                   | No: 0                    | 0           | Absent: Jones, Stef | fens      |
| The Mercan declared                                     | the metion semied |                          |             |                     |           |

The Mayor declared the motion carried.

Under Public Comments, Jessie Delaney 403 7th Ave SE wanted to know if the section of street in front of his property could be hard surfaced.

Under Departmental Reports, Water/Sewer Superintendent Robert Campbell briefed that it was time to trade in the Tool Cat and it would take 3 to 4 months for a new one. Street Superintendent Keith Burrett briefed that it would cost \$70,000.00 for a new snow blower to mount on the end loader, and the estimate for repairing the Curb & Gutter in the downtown area would be \$3,900.00. Park, Rec & Wellness Director Jeremy Strub briefed that the Pool was up and running.

The Council discussed the request from Dana Ruegnitz for extended Outdoor Service Area from June 15, 2017 -Sept 15, 2017 for Mulligans Grill Pub at 610 Rossville Rd and that this would allow a second beer garden for RAGBRAI and with the number of people expected, safety and law enforcement would have a hard time covering another beer garden. City Clerk Allen Lyon briefed that Council that he had talked to the Alcohol Beverage Division and the Council and the only options available to the Council were to approve the request as filed or deny the request.

Moved by: Lydon Seconded by: Rausch

To deny the extended outdoor service area permit.

No: 0 Absent: 2 Yes: 3

The Mayor declared the motion carried.

Patrick Moore of the Allamakee County Fair Board explained their request to install a LED sign at the entrance to the Fair Grounds.

Moved by: Rausch Seconded by: Lydon

To approve the sign request.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

John Anderson - Plant Engineer for the Waukon Aveka facility briefed the Council on the installation of a sound curtain around the bag house, but were disappointed that there was only a 2 to 3 decibel reduction. They were still looking at options to reduce the noise level and ways to improve the bag house operation. They were looking into the FAA process to raise the stack due to the proximity to the airport.

No Action Taken.

Lyle TeKippe - Fehr Graham Engineering briefed the Council on the storm sewer between Rossville Rd and West Street where the joints are starting to separate and there could be as many as 44 joints that need to be checked. The proposal is to expose the pipes, and place 3 foot wide strips of fabric cloth over the separated joints to prevent dirt settling into the pipes and silting them up. This would be a labor intensive project.

Moved by: Lydon Seconded by: Rausch

To proceed with the process.

No: 0 Yes: 3 Absent: 2

The Mayor declared the motion carried.

Lyle TeKippe - Fehr Graham Engineering briefed the Council of the storm sewer issue on the Kurth Plumbing parking lot and the replacement costs could be \$550,000.00 as it is laid up rock with part going under a building across the street. The Council discussed if the project could be split into two segments and to focus on the portion that is starting to settle.

Seconded by: Rausch Moved by: Lydon

To get cost estimates to the two segments.

No: 0 Yes: 3 Absent: 2

The Mayor declared the motion carried.

The Council discussed the spring leak near the Green House parking lot and washing out fill from under the side walk

Moved by: Lydon Seconded by: Rausch

To proceed with locating the source of the broken drain pipe.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Moved by: Lydon Seconded by: Wiedner

To approve the Final Pay Estimate for the 2016 Trenched Storm Sewer to Ray's Excavating for \$7,008.64.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Jan Sweeney questioned why they were getting charged a storm water utility fee when their runoff doesn't go through the City storm sewer.

No Action Taken.

Moved by: Rausch Seconded by: Lydon

To accept the bid from River City Paving for the Alley south of City Hall for the amount of \$23,500.00.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Lucas Elsbernd – Fehr Graham Engineering briefed the Council the preliminary requirements for the new sewer plant to meet the new DNR discharge loading requirements and allow room for industrial growth. He explained which parts of the current plant could be used in the new design and why other parts of the facility won't be used due to conditions. The preliminary cost estimate is \$8,000,000 to \$9,000,000.00.

No Action Taken.

Moved by: Rausch Seconded by: Wiedner

To approve the bid from Skyline Construction to relocate a manhole in the Park Place for \$5,995.00.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Ardie Kuhse – WEDC briefed the Council on RAGBRAI and reminded the Council of the Community meeting on June 28<sup>th</sup> at the Iron Ridge Church at 6 p.m. Sheila Mellick had concerns about the streets on the route with longitudal cracks and pot holes, Street Superintendent Keith Burrett explained when the state was going to do their portion and the City was working on its portion.

No Action Taken.

The Council discussed the pyro techniques for the band Hairball and City Clerk Allen Lyon explained what was on file from the last fireworks show as an example.

Moved by: Lydon Seconded by: Rausch

To approve the use of pyro techniques by Hairball provided they present proof of insurance, copy of the operator's permit and a list of the type of pyro techniques they're going to use.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Lydon

To agree to a resolution approving to closing an extension of Highway 9 and Highway 76 from 8<sup>th</sup> Avenue NW to 1<sup>st</sup> Avenue SW (Highway 9) to 2<sup>nd</sup> Street SW crossing Highway 76 at the intersection of 2<sup>nd</sup> Street NW & West Main Street for the period beginning at 7:00 P.M. and ending at 8:30 P.M. on August 18, 2017 for the Waukon Corn Days Parade

Yes: Rausch, Lydon, Wiedner No: 0 Absent: Jones, Steffens The Mayor declared the resolution approved and the Clerk assigned number 3201 to the resolution.

Moved by: Rausch Seconded by: Lydon

To agree to a resolution approving to closing an extension of Highway 76 from the intersection of Rossville Road and West Main Street (Highway 76) to the intersection of 1<sup>st</sup> Street NW and West Main Street (Highway 76) for the period beginning at 2:30 P.M. and ending at 12:00 A.M. on August 19, 2017 for the Waukon Corn Days Street Fair.

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Steffens, Jones The Mayor declared the resolution approved and the Clerk assigned number 3202 to the resolution.

Moved by: Rausch Seconded by: Lydon

To appoint John Ellingson to the Airport Board term to expire on June 22, 2022.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Lydon

To approve the second reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa,

1998, by increasing water utility service rates and imposing an infrastructure fee.

Yes: Wiedner, Lydon, Rausch No: 0 Absent: Jones, Steffens

The Mayor declared the motion carried

Moved by: Rausch Seconded by: Wiedner

To approve the second reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding a chapter permitting the operation of all-terrain vehicles and off-road utility vehicles on city streets and other public areas and regulating their use.

Yes: Weidner, Lydon, Rausch No: 0 Absent: Steffens, Jones

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Wiedner

To waive additional readings of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding a chapter permitting the operation of all-terrain vehicles and off-road utility vehicles on city streets and other public areas and regulating their use.

Yes: Lydon, Rausch, Weidner No: 0 Absent: Jones, Steffens

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Wiedner

To adopt the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding a chapter permitting the operation of all-terrain vehicles and off-road utility vehicles on city streets and other public areas and regulating their use.

Yes: Rausch, Weidner, Lydon No: 0 Absent: Steffens, Steffens

The Mayor declared the ordinance adopted and the City assigned number 758 to the ordinance.

Moved by: Rausch Seconded by: Wiedner

To approve the first reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding a chapter permitting the operation of Golf Carts on city streets and other public areas and regulating their use.

Yes: Rausch, Lydon, Weidner No: 0 Absent: Steffens, Jones

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Wiedner

To approve the first reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998,

to establish two hour parking limit on a portion of West Main Street.

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Jones, Steffens

The Mayor declared the motion carried

Moved by: Wiedner Seconded by: Rausch

To waive additional readings of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, to establish two hour parking limit on a portion of West Main Street.

Yes: Wiedner, Rausch, Lydon No: 0 Absent: Steffens, Jones

The Mayor declared the motion carried

Moved by: Wiedner Seconded by: Rausch

To adopt the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, to establish two hour parking limit on a portion of West Main Street.

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Jones, Steffens

The Mayor declared the ordinance adopted and the City assigned number 759 to the ordinance.

Moved by: Rausch Seconded by: Wiedner

To approve the first reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding provisions prohibiting the use of consumer fireworks and modifying provisions relating to display fireworks.

Yes: Rausch, Lydon, Weidner No: 0 Absent: Steffens, Jones

The Mayor declared the motion carried

Moved by: Rausch Seconded by: Wiedner

To waive additional readings of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding provisions prohibiting the use of consumer fireworks and modifying provisions relating to display fireworks

Yes: Rausch, Weidner, Wiedner No: 0 Absent: Jones, Steffens

The Mayor declared the motion carried

Moved by: Rausch Seconded by: Wiedner

To adopt the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding provisions prohibiting the use of consumer fireworks and modifying provisions relating to display fireworks.

Yes: Wiedner, Lydon, Rausch No: 0 Absent: Jones, Steffens

The Mayor declared the ordinance adopted and the City assigned number 760 to the ordinance.

Moved by: Lydon Seconded by: Rausch

To approve the employment agreement for the City Manager position.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Moved by: Rausch Seconded by: Lydon

To accept the settlement offer for the Indian Springs Pond for \$15,725.77 with Jim Hanson Construction. Yes: Lydon, Wiedner, Rausch No: 0 Absent: Steffens, Jones

The Mayor declared the motion carried.

Moved by: Wiedner Seconded by: Lydon

To approve the resolution approving the Police employee wage increases for the period of July 1, 2017 to June 30, 2018 in accordance with the agreement between the City of Waukon Police Department and the Chauffeurs,

Teamsters and Helpers Local Union No. 238.

Yes: Wiedner, Lydon, Rausch No: 0 Absent: Jones, Steffens

The Mayor declared the resolution approved and the Clerk assigned number 3203 to the resolution.

Moved by: Wiedner Seconded by: Lydon

To approve the resolution approving the Public Works employee wage increases for the period of July 1, 2017 to June 30, 2018 in accordance with the agreement between the City of Waukon Public Works and the Chauffeurs,

Teamsters and Helpers Local Union No. 238

Yes: Rausch, Lydon, Wiedner No: 0 Absent: Steffens, Jones The Mayor declared the resolution approved and the Clerk assigned number 3204 to the resolution.

Moved by: Lydon Seconded by: Wiedner

To approve a resolution approving salary and wage/benefits for Department Heads and certain non-union employees effective July 1, 2016 – June 30, 2017 (longevity and water/sewer certification compensation not included).

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Jones, Steffens The Mayor declared the resolution approved and the Clerk assigned number 3205 to the resolution.

Moved by: Lydon Seconded by: Rausch

To agree to a resolution to transfer \$15,725.77 from Hotel/Motel (Park Improvements) Fund to the 2013 Flood Fund with the understanding that when FEMA proceeds are received, this amount will be paid back by transfers to the Hotel/Motel (Parks Improvements) Funds.

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Steffens, Jones The Mayor declared the resolution approved and the Clerk assigned number 3206 to the resolution.

Moved by: Rausch Seconded by: Wiedner

To agree to a resolution to transfer \$50,000.00 from the Sewer Fund to the Sewer Plant Improvement Fund. Yes: Wiedner, Lydon, Rausch

No: 0

Absent: Jones, Steffens
The Mayor declared the resolution approved and the Clerk assigned number 3207 to the resolution.

Moved by: Rausch Seconded by: Wiedner

To agree to a resolution to transfer \$20,000.00 from the RUT Fund to the Capital Equipment Fund; to transfer \$25,000.00 from the Water Fund to the Capital Equipment Fund; to transfer \$15,000.00 from the Sewer Fund to the Capital Equipment Fund.

Yes: Rausch, Lydon, Wiedner No: 0 Absent: Steffens, Jones The Mayor declared the resolution approved and the Clerk assigned number 3208 to the resolution.

Moved by: Rausch Seconded by: Wiedner

To agree to a resolution to transfer \$8,000.00 from the Water Operations Maintenance Replacement Fund to the

Water Fund.

Yes: Lydon, Wiedner, Rausch No: 0 Absent: Jones, Steffens The Mayor declared the resolution approved and the Clerk assigned number 3209 to the resolution.

Moved by: Rausch Seconded by: Lydon

To Adjourn.

Yes: 3 No: 0 Absent: 2

The Mayor declared the motion carried.

Allen D. Lyon City Clerk