

COUNCIL ROOM

October 7, 2019

The Waukon City Council met in regular session on October 7, 2019 at 7:00 o'clock P.M. in the council room of City Hall, 101 Allamakee Street, with Mayor Pat Stone presiding. Council members present: John Ellingson, Ben Rausch (arriving late), Gayle Decker, and John Lydon. Council members absent: Arvid Hatlan. Others present: City Manager Gary Boden; Interim Police Chief Paul Wagner; Park, Recreation and Wellness Director Jeremy Strub; Street Superintendent Keith Burrett; City Attorney Jim Garrett; WEDC- Ardie Kuhse; Fehr Graham- Lyle TeKippe; The Standard- Joe Moses; Waukon High School, Industrial Technology- Instructor Caleb Ferring and students Nathan Liddiard and Liam Aldrich; Sue Blagsvedt (16<sup>th</sup> Avenue NW); and citizens.

The Mayor called the meeting to order. Item 10b. Cathy Taylor- Good Samaritan Society- Waukon, Executive Director- regarding parking on west side of First Street SE was removed from the agenda; she was not in attendance. Distribution of participant package was added to item 10k.

Moved by: Lydon

Seconded by: Decker

To approve the consent agenda.

Agenda

Resolution- Agreeing to transfer \$21,500 from the General Fund (property taxes) to the Library Fund for library expenses. The Clerk assigned number 3498 to the resolution.

Resolution- Agreeing to transfer \$18,809.06 from the Sewer Revenue Fund to the Sewer Revenue Bond Sinking Fund for the principal/interest payment on the Sewer Revenue Bond, Series 2019. The Clerk assigned number 3499 to the resolution.

Resolution- Agreeing to transfer \$9,786.57 from the Wellness Center Operating Fund to the General Fund for the Wellness Center employee share-reimbursement for the September, 2019 payroll salaries. The Clerk assigned number 3500 to the resolution.

Resolution- Agreeing to transfer \$42,210 from the Franchise Fund to the Storm Sewer Improvement Fund for storm sewer improvement repairs. The Clerk assigned number 3501 to the resolution.

Resolution- Agreeing to transfer \$800 from the TIF Fund to the Debt Service Fund for the annual premium of the Letter of Credit per loan premium agreement between the City of Waukon and Allamakee/Clayton Electric Cooperative, Inc. for the fire station. The Clerk assigned number 3502 to the resolution.

Actions by the Board of Adjustment

To accept the Board of Adjustment's decision to grant a variance to Kevin & Teri Welsh for a variance of 11 ft of the rear yard setback (north side) for an addition located at 209 6<sup>th</sup> Street SE.

To accept the Board of Adjustment's decision to grant a variance to Malaquias Marroquin for a variance of 15 ft of the front yard setback (north side) for a deck located at 102 5<sup>th</sup> Avenue SW.

Minutes of September 16, 2019 regular session.

Minutes of September 17, 2019 special session.

Minutes of September 30, 2019 special session.

Approval of update of ownership Casey's Marketing Company d/b/a Casey's General Store #1997, 516 Rossville Road.

Approval of Carryout Wine Privilege BC0024882 Casey's Marketing Company d/b/a Casey's General Store #1997, 516 Rossville Road.

Payment of Claims

2Brothers Powersports	2019 Honda generator	960.00
Allamakee Clayton Electric Coop	letter of credit-Fire Station	800.00
Allamakee Clayton Electric Coop	broadband internet survey	2,526.24
Allamakee County Economic Development	2 <sup>nd</sup> Quarter Contribution	3,098.50
Allamakee Recorder	services	22.00
Alliant Energy	services	801.69
Benjegerdes Machine, Inc.	manhole cover	413.87
Black Hills Energy	services	595.86
Bodensteiner Body Werks	services	425.00
Bodensteiner Implement Company	parts	193.47
Brown Supply Co.	supplies	70.80
Bruening Rock Products Inc.	materials	482.32
Builders First Source	supplies	22.40
Robert Campbell	consultation fees	285.00
Carquest Auto Parts	supplies	541.43
City Laundering Co.	services	1,028.14
Clark Equipment Co.	snow blade	1,797.40
Clark Tire Pros	services	1,282.36
Culligan Water Conditioning	services	35.00
EMC Insurance Companies	workers comp	399.05
Group Services, Inc.	adm. fees	306.45
Group Services, Inc.	self-fund request	19.97
Hausladen's Auto Supply	parts	92.49
Iowa Association of Municipal Utilities	NISA Oct-Dec	1,137.48
Iowa Department of Natural Resources	annual water use fee	95.00
Iowa Department of Transportation	asphalt emulsion	1,802.50
Iowa Law Enforcement Academy	schooling	832.00
Iowa League of Cities	registration	100.00

Iowa One Call	services	99.00
Jim's Full Service	fuel	1,263.30
Ken Kerr Electric	services	589.40
Kwik Trip Inc.	fuel	1,476.12
LnM Truck & Trailer Repair, LLC	services	309.66
Lydon Electric Motors	services	42.33
Mulgrew Oil & Propane	fuel	83.49
News Publishing Co., Inc.	services	749.38
Northeast Iowa Telephone Company	services	64.95
Palmer Repair Inc.	services	445.45
Quillin's Food Ranch	supplies/UPS charges	291.18
Reel-Core, Inc.	franchise fee rebate	8,542.94
Ricoh USA, Inc.	copies	19.68
R.W. Pladsen, Inc.	services	50.59
Skyline Construction, Inc.	storm sewer repairs	56,710.00
Skyline Landscaping	sign landscaping	4,533.79
Lana Snitker	mileage reimbursement	109.50
Storey Kenworthy/Matt Parrott	supplies	977.59
TestAmerica Laboratories, Inc.	samples/testing	1,048.00
Tri-State Business Machines	supplies	69.95
Truck Equipment, Inc.	parts	244.15
Union Security Insurance Company	insurance	216.00
Upper Iowa Insurance Services Corp	insurance add-on	218.00
USABlueBook	supplies	211.57
Village Farm & Home	parts/supplies	578.45
Paul Wagner	mileage reimbursement	150.80
Waukon Area Fire Protection District	28E Agreement	21,250.00
Waukon Economic Development Corporation	sign reimbursement	54.84
Waukon Economic Development Corporation	2 <sup>nd</sup> Quarter Contribution	9,990.30
Jon & Jani Promnitz	renter deposit refund	150.00
Daneela Mckee	renter deposit refund	150.00
Trevor Harwood	renter deposit refund	150.00
Wellmark Blue Cross Blue Shield	insurance	15,444.16
Gary Boden	moving expense	6,389.04
Skyline Construction, Inc.	pay est. #1-Tennis Court Project	100,095.69
Wapasha Construction Co.	pay est. #4-Wastewater Treatment Plant	500,602.88
Hanover Hill Properties LLC	digging bond refund	750.00
Waukon Postmaster	postage	159.60
Town & Country Sanitation	services	18,120.25
Waukon Postmaster	stamps	550.00
Jim Cooper	reimbursement	155.96
Tyler Thesing	reimbursement	36.79
Yaroslav Vivtcharenko	renter deposit refund	150.00
Jim Fossum	renter deposit refund	150.00
Regular Payroll	Sept 8, 2019 – Sept 21, 2019	38,676.24
EFTPS	federal withholding	4,034.19
EFTPS	soc.sec./medicare withholding	8,325.22
Treasurer – State of Iowa	sales tax	2,642.00
Treasurer – State of Iowa	water excise tax	2,488.00
Olive Garden-Dubuque	meal-ILC conference	25.28
Hampton Inn-Dubuque	lodging-ILC conference	272.14
EFTPS	federal withholding	3,755.71
EFTPS	soc.sec./medicare withholding	8,138.50
IPERS	withholding	4,438.85
IPERS	withholding	11,227.45
Treasurer – State of Iowa	state withholding	4,225.00
Amazon	supplies	86.68

**Fund Totals**

General:	112,740.92	Library:	7,742.04	Tennis Court Proj:	100,095.69
RUT:	23,057.65	Wellness Ctr:	1,039.00	Debt Service:	800.00
Water:	21,282.92	Spec.Rev.Empl:	16,660.03	Sewer Plant Imp:	500,602.88
Sewer:	12,672.39	Franchise Fund:	8,542.94	Storm Sewer Imp:	56,710.00

Yes: Lydon, Ellingson, Decker  
The Mayor declared the motion carried.

Absent: Hatlan, Rausch

No: 0

Mayor Pat Stone read the Poppy Proclamation setting October 18, 2019 as the annual distribution day for Buddy Poppies.

Under Public Comments: There were no public comments.

**Under Departmental Reports:**

Interim Police Chief, Paul Wagner, briefed that Bike Safety for the 4<sup>th</sup> Grade was on September 23<sup>rd</sup>; the final STEP reimbursement claim was filed. Appointments for Chief of Police and Assistant will be done at the next Council meeting.

Street Superintendent, Keith Burrett, briefed that Prairie Road Builders will postpone the remainder of the seal coating until the Spring, honoring this year's bid. Leaf pickup will begin October 21<sup>st</sup>.

Water & Sewer Superintendent, Jim Cooper, was not in attendance.

Park, Recreation & Wellness Director, Jeremy Strub, briefed that the HVAC system is being maintained/assessed at the Wellness Center. The fence and bases for lights on the tennis courts are up. If the weather cooperates, the surface will be painted later this month.

Rausch arrived during the City Manager's report.

City Manager, Gary Boden, briefed on the Waste Water Treatment Plant progress. A meeting will be held Tuesday, October 8<sup>th</sup> to discuss the progress in more detail. He requested a special session be held to discuss rezoning of property owned by Aveka located at 8<sup>th</sup> and Allamakee. A special session will be held Wednesday, October 23<sup>rd</sup> at 6:00 A.M.

Moved by: Ellingson

Seconded by: Rausch

To waive additional readings of the ordinance amending the code of ordinances of the City of Waukon, Iowa, 1998, by establishing angle parking on a portion of First Street SE.

Yes: Rausch, Decker, Lydon, Ellingson

Absent: Hatlan

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Decker

To approve the third and final reading of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by establishing angle parking on a portion(east side) of First Street SE.

Yes: Decker, Lydon, Ellingson, Rausch

Absent: Hatlan

No: 0

The Mayor declared the ordinance adopted and the Clerk assigned number 794 to the ordinance.

Moved by: Rausch

Seconded by: Lydon

To approve the first reading of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding language delegating to the City Manager authority to approve expenditures without the prior approval of the City Council.

Yes: Lydon, Ellingson, Rausch, Decker

Absent: Hatlan

No: 0

The Mayor declared the motion carried.

Moved by: Rausch

Seconded by: Decker

To waive additional readings of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding language delegating to the City Manager authority to approve expenditures without the prior approval of the City Council.

Yes: Ellingson, Rausch, Decker, Lydon,

Absent: Hatlan

No: 0

The Mayor declared the motion carried.

Moved by: Rausch

Seconded by: Ellingson

To approve the third and final reading of the ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding language delegating to the City Manager authority to approve expenditures without the prior approval of the City Council.

Yes: Rausch, Decker, Lydon, Ellingson

Absent: Hatlan

No: 0

The Mayor declared the ordinance adopted and the Clerk assigned number 795 to the ordinance.

Discussion was held regarding changing the wording of the resolution to eliminate "immediate payment of expenses".

Moved by: Ellingson

Seconded by: Rausch

To agree to the resolution delegating authority to the City Manager to authorize non-budgeted expenditures not in excess of the sum of \$7,500 with change noted above and to delegate to the head of any City department authority to approve non-budgeted, but necessary, expenditures in an amount not to exceed \$1,000 per item with change noted above.

Yes: Decker, Lydon, Ellingson, Rausch

Absent: Hatlan

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3504 to the resolution.

Moved by: Lydon

Seconded by: Rausch

To agree to the resolution authorizing construction of angle parking on portion of First Street SE (east side) by the Evangelical Lutheran Good Samaritan Society.

Yes: Rausch, Decker, Lydon, Ellingson

Absent: Hatlan

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3503 to the resolution.

Trash can proposals and estimates for the downtown area were presented by Ferring and two students from the Industrial Technology class at Waukon High School.

Moved by: Ellingson

Seconded by: Rausch

To approve the construction of 10 trash can units for \$3,669.16 which includes the 14" sheet metal liner.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Jim Garrett, City Attorney, reviewed an adjustment to the calculation of the rebate for the Innovative Ag Services development agreement. He recommended catching up with the rebate downfall in the amount of \$16,190.62 when we pay the first installment of the current year's rebate. The Reel Core rebate appropriation was under-estimated by \$824 and will be adjusted in a future certification.

Moved by: Ellingson

Seconded by: Rausch

To direct the City Manager to draw up a budget amendment to cover the indebtedness to the under-collected Innovative Ag property tax money of approximately \$16,000.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Rausch

Seconded by: Lydon

To put 1993 Ford Ranger, Park & Recreation Department out for sealed bids.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Rausch

To transfer use/ownership of a Police Department vehicle to the Sewer Department.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Rausch

To table agenda item 10f.-curb replacement at St. Patrick Church to the next meeting.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

The evaluation for 16<sup>th</sup> Avenue NW was discussed. Interim Police Chief, Paul Wagner presented the Council with a narrative of factual statements from witnesses.

No Action Taken.

It was noted that a letter was received from Maury and Stacey Regan regarding subdivision development. City Attorney, Jim Garrett briefed the Council on the process to develop property. He noted that the City Code spells out the steps. Boden expressed if the City wants to maintain a quality development, we need to elaborate our expectations and what responsibilities we have regarding DNR standards if we will be overseeing a development.

Moved by: Ellingson

Seconded by: Lydon

To communicate with the DNR regarding our environmental concerns and start the enforcement of our ordinance and notification of Mr. Regan of removal of the culvert off our right of way.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

There was some discussion regarding weight limit for 16<sup>th</sup> Avenue NW.

Fehr Graham, TeKippe, recommended that the weight limit for 16<sup>th</sup> Avenue NW be set at 10 ton total. Jim Garrett shared that there are exceptions. Sue Blagsvedt, a resident on 16<sup>th</sup> Avenue voiced her concerns of not being responsible for damage but being assessed for the cost to repair. The Mayor requested it be placed on the next meeting agenda to consider other options rather than assessments on 16<sup>th</sup> Avenue NW.

No Action Taken.

Moved by: Rausch

Seconded by: Ellingson

To approve the plans and specifications for the Plaza project.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Rausch

To award the contract to Skyline Construction, Decorah, Iowa, in the amount of \$95,785.20 (for the construction of the Plaza Improvements project).

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Rausch

To agree to Piper Jaffray to go ahead and use the engagement letter for purposes of bonding.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Rausch

To agree to Piper Jaffray to go ahead with distribution of the participant package for the upcoming letting of bonds for the City.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Boden announced the public hearing will be held October 21<sup>st</sup>.

Moved by: Ellingson

Seconded by: Rausch

To table item number 10l. Police Department- award contract to purchase portable radios to the next Council meeting on October 21<sup>st</sup>.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Burrett received two bids for Police Department- building drainage improvements. They included Rolling Hills in the amount of \$21,400 and Kelly Concrete in the amount of \$17,755. Work includes some of the following items: retaining wall, driveway and 190 feet drainage down to storm sewer tied in.

Moved by: Ellingson

Seconded by: Lydon

To approve the bid to Kelly Concrete Police department drainage improvements for a total of \$17,755.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Boden reported on upgrades to the computer system network. Staff members have met with two firms to determine hardware and software purchases and getting an IT services package that would fulfill our needs. A recommendation will be made at the next council meeting with the hope, if approved, to start the project right away. No Action Taken.

Prior to closed session, Decker asked it be noted that he would like to refrain from voting on the two Plaza Project votes. He commented that he would have voted no.

Moved by: Rausch

Seconded by: Lydon

To enter into closed session under Iowa Code Section 21.5(1)(j) to discuss the purchase or sale 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 or reduce the price the governmental body would receive for that property.

Yes: Rausch, Decker, Lydon, Ellingson

Absent: Hatlan

No: 0

The Mayor declared the motion carried.

Moved by: Rausch

Seconded by: Lydon

To enter into open session.

Yes: Rausch, Decker, Lydon, Ellingson

Absent: Hatlan

No: 0

The Mayor declared the motion carried.

Rausch requested discussion of 16<sup>th</sup> Avenue NW. The Clerk voiced concern of discussion being held.

Moved by: Lydon

Seconded by: Rausch

To adjourn.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Lana D. Snitker  
City Clerk