

COUNCIL ROOM-----July 1, 2019

The Waukon City Council met in regular session on July 1, 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: Gayle Decker, Ben Rausch, John Lydon, and Arvid Hatlan. Council members absent: John Ellingson. Others present: City Manager Dean Hilgerson; Police Chief Phil Young; Assistant Police Chief Paul Wagner; Park, Recreation & Wellness Director Jeremy Strub; Street Superintendent Keith Burrett; Water & Sewer Superintendent Jim Cooper; City Attorney Jim Garrett; WEDC- Ardie Kuhse; Fehr Graham- Lyle TeKippe; Mohn Surveying- Roger Mohn; The Standard- Joe Moses; Walk-On Waukon group- Brooke Troendle; Joe Cunningham; Dan Denk; Brian Sweeney; Veterans Memorial Hospital- Mike Myers (Chief Executive Officer), Dennis Lyons (Hospital Board of Trustees), Scott Knode (Certified Financial Officer); Dr. David Schwartz; and citizens.

The Mayor called the meeting to order. The Mayor requested that Licenses be added to the consent agenda. He requested that regular agenda item number 18 (Waukon Industrial Park Sidewalk Project) be moved to 8a, Item number 19 (Renewal of hospital loan) be moved to the end of the agenda, and item 8b, Presentation of monies to Walk-On Waukon group, be added to the agenda.

Moved by: Lydon

Seconded by: Decker

To approve the consent agenda.

Agenda

Minutes of June 17, 2019 regular session.

Licenses- Approval of Class C Liquor License (LC) (Commercial) with Class B Native Wine Permit, Outdoor Service and Sunday Sales for Waukon Banquet Center, LLC, d/b/a Waukon Banquet Center, LLC, 612 Rossville Road.

Payment of Claims

Alliant Energy	services	15,096.84
Black Hills Energy	services	756.77
Brown Supply Co.	supplies	108.00
Robert Campbell	consultation fees	355.00
City Laundering Co.	services	779.28
Clark Tire Pros	parts/labor	492.32
Culligan Water Conditioning	services	45.20
First Supply LLC	supplies	1,266.81
Galls, LLC	supplies	59.89
Group Services, Inc.	adm. fees	295.10
Group Services, Inc.	self-fund request	2,458.19
Helping Services for Youth & Families	pledge request	100.00
K&W Coatings LLC	interior painting-storage tank	42,500.00
Kelly Concrete	services	10,310.00
Ken Kerr Electric	services	204.88
Lance Hangartner Tree Service	tree removal	450.00
Ness Pumping	services	1,050.00
News Publishing Co., Inc.	services	1,216.53
Northeast Iowa Community Action Corp	pledge request	3,897.00
Northeast Iowa Task Force	membership dues	550.00
Northeast Iowa Telephone Company	services	59.95
Northeast Iowa Regional Housing Trust Fund	pledge request	4,000.00
Reel-Core, Inc.	franchise fee rebate	4,584.81
Lana Snitker	reimbursement	71.22
Sportsmen's Unlimited	supplies	56.94
Tax-Exempt Leasing Corporation	princ/int.-St. Sweeper	41,453.72
TestAmerica Laboratories, Inc.	samples	2,621.70
Truck Equipment, Inc.	parts	1,125.16
Union Security Insurance Company	insurance	216.00
United States Treasury	PCORI fees	61.25
Vogel Traffic Services	pavement marking	2,745.00
Voltmer Inc.	parts	188.05
Waukon Area Fire Protection District	28E Agreement	21,250.00
Waukon Tire Center Inc.	parts	7.50
West Side Waukon Lumber, Inc.	supplies	24.94
Woodward Community Media	ad	73.90
Allamakee County Engineer	Green Valley Bridge-reimbursement	76,890.55
CED/Culver-Hahn Electric Supply	replacement light pole	1,996.00
EFTPS	federal withholding	3,903.10
EFTPS	soc. sec./medicare withholding	9,764.04
Ken Kerr Electric	parts/labor-light pole	357.00
Midwest Concrete, Inc.	storm sewer repairs-Main St	31,000.00
Midwest Concrete, Inc.	water main repair/patch	4,392.50
Midwest Concrete, Inc.	sod-Allamakee St	10,426.50
Regular Payroll	June 2, 2019 – June 15, 2019	48,282.53
Town & Country Sanitation	services	18,054.50
Waukon Postmaster	stamps	935.00
Waukon Postmaster	postage	159.60

**Fund Totals**

General:	90,245.79	Library:	3,597.36	Franchise Fund:	4,584.81
RUT:	15,942.69	Wellness Ctr:	5,398.62	Street Improv:	97,627.05
Water:	60,588.91	Spec.Rev.Empl:	3,388.06	Debt Service:	41,453.72
Sewer:	10,550.02	T&A Ins. Fund:	2,316.24	Storm Sewer Imp:	31,000.00
Yes: Lydon, Hatlan, Rausch, Decker			Absent: Ellingson		No: 0

The Mayor declared the motion carried.

The Mayor announced that this was the time and place for the public hearing on proposed change in zoning district classification for certain property in Waukon, Iowa- 105 9<sup>th</sup> Street NW, Brian Sweeney. The City Clerk announced that no oral or written comments were received. The Mayor declared the hearing closed.

The Mayor announced that this was the time and place for the public hearing on proposed disposition of interest in real property- West Side Development Subdivision- Lot 3 in Lot 2- Wuebker. The City Clerk announced that no oral or written comments were received. The Mayor declared the hearing closed.

Under Public Comments: WEDC- Ardie Kuhse shared a reminder regarding the Broadband survey being mailed today. Posters will be used to remind citizens to respond to the survey. She also shared the success of an outdoor movie held at WW Dairy last weekend.

**Under Departmental Reports:**

Police Chief, Phil Young, briefed that his department is short-handed. Discussion was held regarding suggestions to cover the shortage for a six week period.

Street Superintendent, Keith Burrett, briefed that the patcher is back up and running. Also, there was some minor flooding Friday morning on Allamakee Street.

Water & Sewer Superintendent, Jim Cooper, briefed that the North water tower is back in operation. Friday morning rain caused some problems. The work on the water valve on West Main is completed.

Park, Recreation & Wellness Director, Jeremy Strub, briefed that summer recreation programs will be coming to a close in a couple weeks. A new pool heater should be operating by the middle of next week. Music in the Park has had good crowds. The tennis courts project received the maximum grant of \$30,000 from the United States Tennis Association. The building of the tennis courts can start after approval of the contract.

City Manager, Dean Hilgerson, briefed that there’s been good progress at the Wastewater Treatment Plant and things are moving forward. There will be a progress meeting next week. The Department of Transportation Street Project crew is meeting expectations. Some street lights are in and functioning. Considering the weather, things are going very well.

Moved by: Lydon

Seconded by: Rausch

To approve the first reading of the ordinance changing zoning district classification from “R-4” transition district to “R-3” single and two family residence district for certain real estate in the City of Waukon, Iowa- 105 9<sup>th</sup> Street NW, Brian Sweeney.

Yes: Rausch, Decker, Lydon, Hatlan

Absent: Ellingson

No: 0

The Mayor declared the motion carried.

Moved by: Hatlan

Seconded by: Lydon

To agree to the resolution approving and directing the conveyance of interest in real property by the City of Waukon, Iowa- West Side Development Subdivision- Lot 3 in Lot 2- Wuebker.

Yes: Hatlan, Rausch, Decker, Lydon

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3456 to the resolution.

Moved by: Lydon

Seconded by: Rausch

To agree to the resolution to transfer \$ \$68,000.04 from the TIF Fund to the Debt Service Fund to pay the (2) monthly principal grant payments of \$3,000.00 and \$2,666.67 to the Allamakee/Clayton Electric Cooperative (ACEC) for the Waukon Fire Station loans.

Yes: Hatlan, Rausch, Decker, Lydon

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3457 to the resolution.

Moved by: Decker

Seconded by: Lydon

To agree to the resolution to transfer \$21,500 from the General Fund (property taxes) to the Library Fund for Library expenses.

Yes: Rausch, Decker, Lydon, Hatlan

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3458 to the resolution.

Moved by: Hatlan

Seconded by: Rausch

To agree to the resolution 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.

Yes: Decker, Lydon, Hatlan, Rausch

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3459 to the resolution.

There was discussion regarding the development of 5<sup>th</sup> Street SW Park Place Street. Decker discussed that he didn't feel there was a shortage of lots available. He wondered if the street could handle large trucks or semis, being it isn't going to be hard surfaced right away.

Moved by: Hatlan

Seconded by: Rausch

To agree to the resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders and form of contract- 5th Street SW Park Place Street development.

Yes: Lydon, Hatlan, Rausch

Absent: Ellingson

No: Decker

The Mayor declared the resolution approved and the Clerk assigned number 3460 to the resolution.

Moved by: Hatlan

Seconded by: Lydon

To agree to the resolution approving detailed plans and specifications, notice of hearing, notice to bidders and form of contract- 5th Street SW Park Place Street development.

Yes: Hatlan, Rausch, Decker, Lydon

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3461 to the resolution.

Moved by: Rausch

Seconded by: Lydon

To agree to the resolution approving contract and performance and payment bonds for the Tennis Courts project.

Yes: Hatlan, Rausch, Decker, Lydon

Absent: Ellingson

No: 0

The Mayor declared the resolution approved and the Clerk assigned number 3462 to the resolution.

The Mayor announced it was appropriate at this time to take action on the Waukon Industrial Park Sidewalk Project. The Mayor announced that it was the last day the Council could override the veto(s).

Moved by: Hatlan

Seconded by: Lydon

To override the Mayor's veto of Resolution No. 3439.

Yes: Hatlan, Rausch, Decker, Lydon

Absent: Ellingson

No: 0

The Mayor declared the motion carried.

Moved by: Hatlan

Seconded by: Decker

To override the Mayor's veto of Resolution No. 3440.

Yes: Rausch, Decker, Lydon, Hatlan

Absent: Ellingson

No: 0

The Mayor declared the motion carried.

Hatlan shared the following email received by the Mayor from Jesse Delaney of Skyline Construction, Inc.: Skyline Construction, Inc. will not have any increased costs in aggregate base, seeding, and sidewalk paving from moving the sidewalk from the back of the curb to next to the light poles from the fire station to the east to the park trail connection. Quantities will be paid as planned quantities for this section of work. Tree removal will be included in costs to prep site and will be included. Trees to be hauled to City Recycling Yard. Additional Fill in this section over and above what is required under the sidewalk will be put in by Skyline Construction.

Moved by: Hatlan

Seconded by: Rausch

To move forward with a change order from Skyline Construction that will be zero increase dollars to get the sidewalk next to the light poles away from the curb on the north side.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Hatlan

Seconded by: Rausch

To present funds to the Walk-On Waukon group in the amount of \$12,500 for a sidewalk project.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Moved by: Decker

Seconded by: Rausch

To approve the application for property tax exemption for urban revitalization program for David & Cynthia Wuebker at 102 12<sup>th</sup> Street NW.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Dean Hilgersen, City Manager, addressed the Aveka Nutra Processing request for a height restriction variance. He realized he did not take into account the provision for Exceptions and Modifications, as stated in City of Waukon Zoning Regulations Chapter 165.06 (1-A). He apologized to the Board of Adjustments, subjecting them to an unnecessary decision and informed Aveka Nutra Processing that he would consider a new building permit application for construction as presented.

No Action Taken.

Moved by: Lydon

Seconded by: Hatlan

To accept the Board of Adjustment's decision to grant a variance to Nina Van Gorp for a variance of 8 ft of the front yard setback (east side) and 2 ft of the side yard setback (north side) for a carport located at 306 1<sup>st</sup> St NW which is zoned "R-3", Chap 165.18-4E & 165.18-4F of the City of Waukon Zoning Code.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

The Mayor appointed two individuals to the Park-Wellness Board to three year terms expiring July 20, 2022. The individuals renewing their terms are Ann Blocker and Dennis DeBuhr.

Moved by: Lydon

Seconded by: Hatlan

To accept the Mayor's appointments.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Brian Sweeney addressed the Council regarding the storm water at 560 Rossville Road. There was discussion regarding granting an easement to the City. Jim Garrett suggested that Brian obtain recommendation from an engineer. A report from the engineer will be on the next agenda.  
No Action Taken.

Dean Hilgerson, presented two proposals received for reconstruction/landscaping of the East Hwy 76 Welcome to Waukon sign. He shared a recommendation from Waukon Chamber of Commerce. The Chamber recommended the proposal from Byrnes Landscaping. The City Manager recommended taking the non-retaining wall bid from Skyline Landscaping in the amount of \$4,533.79. He felt it would be a good enhancement to the sign.

Moved by: Lydon

Seconded by: Hatlan

To accept the proposal from Skyline Landscaping in the amount of \$4,533.79.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

Decker noted that the bids were not comparable. The bid from Skyline Landscaping (\$4,533.79) did not include the last three items that the bid from Byrnes Landscaping (\$8,050) included. He felt Byrnes Landscaping was the lowest bid for identical work.

Dan Denk addressed the Council regarding a surveying bill received from Benzing Surveying related to Lot 1 of Lot 7 of Green Valley Subdivision- Phase 1. He felt the City should be responsible for the portion of the bill related to the property donated by Maury Regan for the City cul-de-sac. Jim Garrett noted that whenever there is a new subdivision involving a new public street, he didn't recollect the City ever being responsible for the surveying fees. Joe Cunningham added that the plat is the developer's responsibility.

No Action Taken.

There was some discussion on the water main repair on West Main Street. Jim Cooper, Water & Sewer Superintendent, shared that there is a new water valve so there is another place to pinch off the water. If there's leaks downtown there will be a smaller area that's shut off than occurred with this leak repair.

Moved by: Hatlan

Seconded by: Lydon

To approve payment of the invoice from Midwest Concrete, Inc. in the amount of \$6,828 for repair/replacement of leaking water main.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

There was some discussion regarding the addendum to ACE Telephone lease.

Moved by: Rausch

Seconded by: Lydon

To counter with a new proposal/negotiate for the second antenna.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

There was discussion regarding the next step to take to rectify the situation with the Library roof.

Moved by: Rausch

Seconded by: Hatlan

To give the City Attorney the direction to send a letter to Cresco Building Center stating the problems the forensic architect found and what their proposal is to rectify the situation.

Yes: 4

Absent: 1

No: 0

The Mayor declared the motion carried.

The City Manager updated on the Department of Transportation street project in his report. There was no further discussion.

No Action Taken.

Lana Snitker, City Clerk, noted that four applications have been received to date for the City Manager position. She was directed to contact those applicants for a personal or phone interview to be held Wednesday, July 10<sup>th</sup> during a special session at 6:00 PM. Thirty minutes would be allowed for each interview.

No Action Taken.

There was no discussion regarding new homes requiring sidewalk.

No Action Taken.

There was no discussion regarding street assessments. The item was tabled.

No Action Taken.

There was lengthy discussion of renewal of the hospital loan in the amount of \$750,000. Mike Myers, on behalf of Veterans Memorial Hospital, requested a one year extension on the loan. He shared an update on what's been done in the time frame since the loan was taken out. Dennis Lyons, Hospital Board of Trustees, shared his views on a plan set out to pay off the loan. Scott Knode, CFO of Veterans Memorial Hospital, shared financial information with the Council as well.

Moved by: Rausch

Seconded by: Hatlan

To approve renewal of the hospital loan, extended to one year.

Yes: 3

Absent: 1

No: 1 (Decker)

The Mayor declared the motion carried.

Moved by: Hatlan  
To adjourn.  
Yes: 4  
The Mayor declared the motion carried.

Seconded by: Rausch

Absent: 1

No: 0

Lana D. Snitker  
City Clerk