

City of McCallsburg

The City Council of McCallsburg met on Monday July 12th, 2010 at 7 pm, in the McCallsburg City Hall for the regular monthly meeting. Mayor Loney called the meeting to order. Councilpersons Scott Anderson, Bill Lytle, David Muth, Robin Pruisner and Jeff Wells were present. There was also one resident, Gary Pillman from the Colo-Nesco School District, Jason Dietsenbauch from RDG Engineering, Richard Thompson, Debra Thompson with their lawyer Mr. Parker and City Attorney Robert Huffer were present.

Councilperson Wells made a motion to approve the agenda, the minutes from the June 7th, 2010 Regular Meeting, and the financial reports. Lytle seconded the motion. All ayes, motion passed.

Revenue for June 2010

General Income - \$2,939.98
Water Utility Income - \$4,617.02
Sewer Utility Income - \$3,151.81
Solid Waste Revenue - \$2,611.15
Sales Tax and Late Fees - \$489.22
TIF Revenue - \$52.81
Insurance Income - \$1,305.00
Loan for EMT Truck - \$41,122.00
Road Use Fund - \$3,453.84
Total Income: \$59,742.83

Claims Paid for May 2010

A&M mowing-mowing-\$1,550.00
Alliant Energy-Utilities-\$821.14
Campbell Oil Co. – gasoline- \$97.03
Central IA Water-Water-\$1,728.00
City of Ames –garbage-\$1,669.50
Con-Struct – TIF demolition- \$28,900.00
Dorsey & Whitney –lagoon - \$1,972.25
Huffer Law Office –legal fees- \$1,101.00
IA League of Cities – professional development- \$168.00
IA League of Cities –dues- \$230.00
IA Telecom–phone & internet-\$101.76
Jacobson Enterprises – water/sewer-\$527.88
Karen Beal – meter reading & cleaning- \$115.00
Karl Chevrolet –EMT Truck - \$35,750.68
LGI – water testing - \$22.00
Midwest Insurance –insurance - \$10,003.68
MVTL – water testing- \$76.00
Nevada Journal – publishing- \$99.87
Payroll-salary & taxes-\$2,012.96
Portable Pro – kybo- \$75.00
Post Office – postage - \$100.00
Robin Thomas –park beautification-\$32.03
Scott Sales Co. – rent - \$250.00
Scott Sales Co. –tractor work-\$134.25
Sonia Dodd –mileage-\$65.45
State Bank & Trust-debt payments-\$1,527.17
State Bank & Trust –service fees-\$8.00
Story County Mayor’s Association –dues- \$30.00
Story County Recorder – deed fees - \$9.00
Story Farm & Home – supplies- \$4.44
The Bookkeepers-accounting-\$100.00
The Trash Man-garbage-\$2,220.45
Treasurer State of Iowa –sales tax - \$180.00
Zearing Library – services- \$1,100.00

Total Expenses: \$90,782.54

Mayor Loney informed the council that last month he, the Clerk and Councilwoman Pruisner attended a Small City Workshop in Belmond on economic development and that it was very informative.

The Clerk informed the council that she would be out of the office all day Thursday the 15th and Monday the 19th she would leave at noon to attend Clerk’s Academy in Ames.

At 7:15pm Mayor Loney opened the Nuisance Hearing on Parcels #80, 30,163 and gave City Attorney Robert Huffer the floor. Huffer stated that Mr. Parker on behalf of his clients requested a hearing about the nuisances served to Debbra Thompson and Richard Thompson. Huffer also stated that the nuisances primarily dealt with salvage storage and materials. Mr. Parker asked for clarification on the location of the parcel numbers. After some research it was discovered Parcels 30 & 163 were incorrectly listed and Parcel #65 should have been listed in its place for the hearing. Parker stated that it was upon the City to prove that a nuisance was occurring at these locations. Huffer stated that there were vehicles outside of the salvage yard fence, unlicensed vehicles outside the salvage yard, semi – trailers stored on the corner lot. The vehicles outside the salvage yard are in violation of a court order and the semi – trailers are against the zoning for a C-2 lot. Parker stated that there were also cars being stored on Parcel #80. Huffer stated that Mrs. Holland had also been sent a nuisance abatement notice for those items. The items were in the process of being removed pending an auction. Parker stated that the original agreement was to wait from the city on an offer of a triple net lease on the striped shed. Huffer stated discussion on a triple net lease was done but no decision was made. Muth stated that the discussion for a lease could be possible if rehabilitation of the striped shed could be done and at a reasonable cost. After receiving bids on the work needed to be done it was decided the costs were too high. After reviewing the code on C-2 zoning Huffer re-stated that C-2 zoning does not allow storage of semi trailers. Ms. Thompson stated that all the semi trailers were licensed as storage trailers and not road worthy. Pruisner asked the Thompsons what was being stored in the trailers. Ms. Thompson stated the items were personal effects. Huffer asked if the items could be stored in the salvage yard. Ms. Thompson stated there was no room in the salvage yard. Parker stated the items were personal and not salvage. Pruisner asked what defined salvage. Ms. Thompson stated salvage is sellable materials and that the contents of the trailers were not to be sold. Ms. Thompson also stated that the building they submitted a permit for would hold all the items in the semis and the collectible vehicles. Anderson asked if the building would be big enough to store all those vehicles. Mr. Thompson stated that the new building would be larger than the old one. After some discussion on the building permit Huffer stated he would send Mr. Parker a letter concerning the building permit. The discussion returned to the nuisances with Huffer stating that the vehicles outside the salvage yard were not all licensed. Parker asked which ones were not licensed. Pruisner stated she saw many vehicles unlicensed during the city's inspection. Ms. Thompson provided a list of all the licensed vehicles they had. Mr. Thompson stated that all vehicles were licensed except for those that were pulled from the striped shed. Pruisner stated that all vehicles outside of the salvage yard were required by a court order to be licensed. Pruisner suggested the council set a deadline for all the vehicles to be licensed. Huffer agreed. Anderson stated he did not agree and wanted to wait until after a special meeting to give a deadline. A special meeting was set for July 19, 2010 at 7:00 pm. Anderson asked Mr. Huffer if a personal shed on the south side of Mr. Thompson's house could hold personal property such as collector cars. Huffer stated that would be allowed according to the code. Mr. Thompson stated that was not what he wanted to do. Parker re-confirmed the date and time for the meeting on July 19th and asked that if the council does decline the building permit that a written statement is sent to Mr. Thompson and that an alternate decision be made in that statement. Mayor Loney closed the Hearing at 8:05 p.m.

At 8:05 p.m. Mayor Loney opened the Public Hearing on the Sale of Lots 1, 2, 3 & 4 of Block 10, Original Town of McCallsburg. Huffer stated the City had received an offer on the four lots from Mr. Anderson in the amount of \$1,000.00. Just before the meeting the City received a bid from Thompson Auto Parts in the amount of \$2,250.75 for the four lots. Huffer suggested that the council hear from both bidders as to the intent for the properties. Anderson stated that after reviewing the C-2 zoning the costs for building would raise quite a bit and so he would not be able to raise his initial bid. However; he planned to have an insularly building with an office and washroom. The storage area would be temperature controlled. Anderson excused himself so Thompson could speak. Mr. Thompson stated he might build a building but was not certain if that would happen. Thompson stated that what he had learned tonight about C-2 zoning will change his plans for the property. Pruisner asked Thompson if he intended to follow the requirements of the C-2 zoning. Ms. Thompson said they were unsure of their intentions. Huffer asked what the bid was and what the intended use for the property was. Ms. Thompson stated they had no intended uses. Parker asked his clients if they wanted to withdraw their bid

or leave it as is without any intended use. Ms. Thompson stated they would leave the bid as is without listing any intentions for the property. Muth made a motion to table all bids. Pruisner seconded the motion. On roll call voting aye: Lytle, Muth, Pruisner and Wells with Anderson abstaining. Motion passed.

Mr. Dietsenbauch spoke to the council about the proposed construction plans for the elementary school in McCallsburg. Mr. Dietsenbauch stated that he was asking on behalf of his company and the school for a variance on the building permit fee. Anderson stated that he had heard other communities waived the permit fees in lieu of a small donation toward the permit processing fee. Anderson made a motion that RDG Engineering makes a \$5.00 donation to the City in lieu of a building permit fee. Lytle seconded the motion. All ayes; motion passed.

Huffer asked the council if they had done inspection of the salvage yard for the salvage license. Lytle stated they had and the only things in violation were the cars outside the fence. Pruisner made a motion to table the license until the August council meeting. Anderson seconded the motion. All ayes; motion passed.

Mayor Loney stated he has received complaints about the proposed prairie. Pruisner asked the mayor how many residents disagreed with the proposal. Ms. Thompson asked for clarification on the project. Pruisner stated that the council was in discussion with No Lawn Left Behind to place prairie along the Prairie Rail Trail. The city has already applied for a grant and that she had raised concerns about the project once she learned the old prairie had been mowed down. Mayor Loney stated that Story County Conservation had more restrictions concerning the prairie. Brandon Hendrick asked the council how high the prairie would get. Pruisner stated some flowers would be 5' high and there would be some high grasses. Pruisner stated that this time of year the grasses and flowers would be approximately waist high and later in the year would reach full height. Pruisner also stated that the city has a chance to get the prairie paid for by a grant, but that would not allow them to destroy the prairie later. Muth asked how much was spent on mowing. The Clerk stated that in the 2009 – 2010 fiscal year the city spent \$8,000.00 in mowing with approximately \$6,000.00 going towards the prairie. Hendrick asked what the prairie would do for the mosquito population and would the prairie take care of the drainage issues along the road. Pruisner stated that mosquitoes breed in standing water no matter where it was located and that the drainage issues had not been discussed. Lytle stated that many of the complaints he has received had to do with concerns the prairie would look unkempt. Lytle also stated that he has heard a few residents interested in doing a community mowing along the trail. Pruisner stated her concern with a community mowing was how long residents would stay interested in the project before it would be left to the city to mow again. Muth asked when the city would hear about the grant. Pruisner stated the council should hear in about a month and that if the project continued the grass would need to be killed in August. Pruisner stated that a large portion of the grant is to remove the ash trees and that if any part of the grant money would be cut it would be for the tree removal, although the city could remove the trees on their own. Wells asked about the type of trees that would replace the ash. Pruisner stated that the suggestion was Oak trees because they are heat tolerant incase the city decided to do a burn of the prairie every year instead of a mowing. Pruisner also stated that the prairie would look similar to the prairie at Ada Hayden Park or in Story City across from the golf course. The council decided to continue on with the project.

Pruisner stated she had spoken to the Gray's about changing the subdivision covenant to combine lots allowing fewer but larger lots to be sold and that they Gray's stated they would agree to that. Anderson asked about the electrical hookups already incorporated into the existing lots. Huffer suggested the city be open to selling multiple lots to a buyer on a case by case basis.

The city received a bid from Kevin Jacobson for Parcels 30 & 40 in the amount of \$500. Lytle stated he had spoken with two separate co-ops and none were willing to place stations in town without a seed store. Anderson stated he thought maybe during the council's re-codification process they re-zone those lots to residential. Henrick stated he did not believe the lots were big enough to place a home on with the required set backs. Mayor Loney stated that he believed Jacobson intended to place an entrance to his building on the lot. The clerk was instructed to invite Jacobson to the August council meeting for more discussion. No action was taken.

The council took a short recess to view the new EMT truck. Upon returning to the council meeting Henrick stated that he and another individual would leave on July 19th to pick up the

truck in South Dakota and the truck should be here on the 20th. The clerk informed the council that Mayor Loney had already borrowed the money for the EMT truck on a five year loan to be paid in April and October and that Mayor Loney would be speaking with the bank tomorrow to receive a 10 year loan for the tanker truck with payments approximately \$3,000.00 due in April and October with no pre-payment penalty.

Mayor Loney stated that the city has received a siren from the City of Ames and wanted to know where the council would like it placed. Anderson asked if Alliant Energy would set the pole. Mayor Loney stated that if the city bought the pole Alliant Energy would set the pole and hook up the siren. Mayor Loney also stated personally he would like to see the pole set behind the new city hall building. Anderson suggested Mayor Loney ask Alliant Energy where the best power source would be.

The city received an offer for Parcel 162. The offer was not signed and so was an invalid bid. Anderson suggested a letter be sent informing the bidder that the bid needed to be re-submitted.

Lytle made a motion to renew the real estate contract with Debby Johnson for six months ending in January. Pruisner seconded the motion. All ayes; motion passed.

The city received three bids on the heating/cooling construction project for the new city hall. Randall-Story Heating bid \$6,965.00 for a 95% efficient natural gas Gibson furnace – 80,000 BTUH, 16 SEER 2 stage 2 ton Gibson a/c condenser and would remove existing boiler. Neighbors bid \$7,194.00 on an American Standard Freedom 90 furnace, American Standard 13 air conditioner, remove old boiler and provide a 5 year parts & 1 year labor warranty. C & K bid \$6,900.00 on a Carrier Performance 95% furnace 60,000 BTUH, Carrier 16 SEER cooling system with removal of old boiler and a one year warranty on all material and workmanship. Lytle made a motion to accept the bid from Randall-Story Heating and ask work to begin as soon as possible. Wells seconded the motion. On roll call voting aye: Anderson, Lytle, Muth, Pruisner and Wells; motion passed.

The city received a bid on other construction work needed at the new city hall. No action was taken.

The city received two bids on repairing two manholes. Manatts bid \$700.00 for each manhole. Jensen Excavating bid \$500.00 for each manhole. Pruisner made a motion to accept the bid from Jensen Excavating providing they place each manhole in a 4' x 4' diamond with poured concrete. Wells seconded the motion. All ayes; motion passed.

Pruisner made a motion to approve Resolution 10-11 raising the water rates by 3%. Lytle seconded the motion. On roll call voting aye: Anderson, Lytle, Muth, Pruisner and Wells; motion passed.

A Special Council Meeting will be held July 19th, 2010; 7:00 pm.

The next Regular Council Meeting is August 3rd, 2010; 7:00 pm.

Lytle made a motion to adjourn. Pruisner seconded the motion. All ayes; motion passed.

Minutes are not official until approved by council.

Attest: Sonia Dodd, City Clerk