

## City of McCallsburg

The City Council of McCallsburg met on Monday May 4, 2009 at 7 pm, in the McCallsburg City Hall for the regular monthly meeting. Mayor Loney called the meeting to order. Councilpersons Scott Anderson, David Muth, Ken Tiarks and Jeff Wells were present. Councilman Bill Lytle was absent. There were also three residents, a representative from the Story County Sheriff's Department, Kevin Jacobson and City Attorney Robert Huffer in attendance.

Councilman Anderson made a motion to approve the agenda, the minutes from the April 6<sup>th</sup> meeting and the financial reports. Tiarks seconded the motion. All ayes with Lytle absent.

### Revenue for April 2009

General Income - \$5,652.66  
Water Utility Income - \$3,691.25  
Sewer Utility Income - \$2,488.58  
Solid Waste Revenue - \$1,886.73  
Sales Tax and Late Fees - \$237.15  
Road Use Fund - \$1,414.95  
TIF Revenue - \$46,445.26  
**Total Income: \$61,816.58**

### Claims Paid for April 2009

Accounting - \$50.00  
Culture & Rec. - \$2,387.03  
Debt Payments - \$8,845.65  
Electric - \$840.88  
Garbage - \$1,825.45  
IA One Call - \$20.00  
IPERS - \$99.92  
Legal Fees - \$750.00  
Office Supplies & Postage - \$203.28  
Payroll - \$1,563.42  
Phone & Internet - \$289.68  
Professional Development - \$301.00  
Publishing - \$522.73  
Rent - \$250.00  
Repairs & Maintenance - \$2,651.13  
Taxes - \$1,054.56  
Water & Sewer - \$1,574.05  
**Total Expenses: \$23,228.78**

Mayor Loney informed the council that Planning & Zoning had rejected a building permit because the proposed garage work would be 22' and P&Z stated the building could be no higher than 15'.

A representative from the Sheriff's Department informed the council of updates to the department. Councilman Wells stated that a resident had questioned him on response procedures for the Sheriff's dept. and whether breeching a stop sign was necessary in such a small community. The Sheriff's representative asked Wells if he knew what type of call the deputy had been responding to. Wells stated that it had been a domestic call. The Sheriff's representative stated that domestic calls are taken very seriously because they can easily become violent and that is likely why the deputy responded so urgently.

Vern Nelson asked the council about any progress made to remove the gravel that had been pushed into yards during last year's snow removal. Mayor Loney said he had hired a brush truck to sweep up the loose gravel with little success. The mayor said he believed it would take removal by a steel rake to finally get all the gravel removed and that he would look into hiring someone to do that.

The Mayor requested the council carefully review each of the two bids received by the engineering companies to build a lagoon.

The clerk informed the council that she was planning on taking her vacation time between June 26<sup>th</sup> thru July 3<sup>rd</sup>. The clerk also informed the council that due to computer problems and the need to re-enter all of the utility information the water bills would not be able to be sent out on the 5<sup>th</sup> as usual. The clerk stated that she hoped to have the water bills out on the 7<sup>th</sup>. Mayor Loney said that would be fine and that in this instance the shut-off date would be pushed back until June 1<sup>st</sup>.

Kevin Jacobson gave the council a brief summary of the two engineering bids the city had received for building of the lagoon. Jacobson stated he has met with and talked to Bartlett & West many times but has not done any work with them. Jacobson stated that he has worked with Nilles Associates for Story City in the past and believes them to be very fair. Jacobson echoed the mayor's statement that the council carefully review each

bid. Jacobson also stated that the council speak to references from each company and possibly meet with the engineers themselves before making a final decision. Councilman Muth requested the clerk contact the references and bring her findings to the June meeting. Jacobson also informed the council of the new minimum standards for controlled waste water pursuant to Chapter 63 of the IA Code. Jacobson stated that the biggest changes would be an increase in the number of times the water would need to be tested. Muth asked Jacobson if the federal government had made any provisions for how cities were to pay for these additional costs. Jacobson said no they hadn't but that it would be possible to use stimulus money to pay for part of it provided the city had a good grant writer to apply for the funds. The Mayor asked the council if they had given any more thought to purchasing the used pumps from the City of Zearing. The council members said that they had been waiting to hear back from Dave Morgan as to whether the pumps would work with their current system. Jacobson stated that he had spoken to Morgan and that it was agreed that the pumps would work well for the city and would be a wise investment. Wells asked the mayor what Morgan had suggested the city offer Zearing for the pumps. The clerk told the council that Morgan had stated that a bid of \$2,500 if the amount could be paid in a lump sum or a bid of \$3,000 if installments were needed, would be a fair price. Muth stated that the city had talked earlier about receiving grant a from FEMA to cover the costs. The clerk told the council the grant had been applied for but the money had not been received but was expected to arrive soon. Tiarks made a motion to offer the City of Zearing \$2,500 for their used pumps and control panel. Muth seconded the motion. On roll call voting aye: Anderson, Muth, Tiarks and Wells. Councilman Lytle was absent.

The council revisited the issue of changing the election ordinance from IA Code 376; which requires a run-off election if a candidate does not receive a sufficient percentage of votes, to IA Code 45; which allows the candidate with the greatest number of votes to be declared elected without the need for a run-off. The council instructed City Attorney Robert Huffer to write up an ordinance changing the election ordinance to from IA Code 376 to IA Code 45. Huffer stated the ordinance will be ready for review at the June meeting.

The Mayor asked the council if they had made any decision about John Deere's offer in the purchasing of a new tractor. Anderson stated he would like more time to carefully review the bid. Anderson asked the clerk to make copies of the bid for him to review. The issue was tabled until June.

The council spoke to Mrs. Gray about her proposal to purchase the adjacent lot to her property in the Owen D. Fincham subdivision for \$500. The council asked Gray if she would be willing to purchase half of the lot for the same money. The council stated they believed splitting the lot would make it easier for a future owner to place their house facing the street on the next lot over. Mrs. Gray stated she would need to speak to her husband about the city's offer. The council agreed to set up a hearing for June 1<sup>st</sup> to review the sale of the lot. Huffer suggested that should the council sell half the lot that the council give the purchasers a quick claim deed and avoid the need for an abstract.

Huffer informed the council that they have received a bid to purchase lots 1, 2, 3 and 4 on block 2 of the original plat for \$5,000. Anderson made a motion to set the hearing date for sale of lots 1, 2, 3 and 4 of block two and commencing at the southwest corner of lot 5 in block 2 thence west 280.5 feet, thence south 280.5 feet to the place of beginning and lots 5, 6, 7, and 8 on block 3 of the original plat of McCallsburg. Wells seconded the motion. On roll call voting aye: Anderson, Muth, Tiarks and Wells. Councilman Lytle was absent. The clerk asked Huffer if citizens were still able to turn in bids. Huffer stated that bids would still be accepted until the opening of the hearing on June 1<sup>st</sup>.

The clerk informed the council that the USDA Rural Development Single Family Housing Team has requested that the city distribute information regarding their Rural Development Housing Programs and Assistance that they offer to towns under 20,000 residents. The clerk showed the council members the flyer the city had received and asked the council if they would like the fliers to be included with this months water bills. The council agreed that would be a good idea and councilman Tiarks stated he would also post the flyer on the city's website.

The city has received a notice from Alliant Energy stating that the city's Irrevocable Standby Letter of Credit expired on 9/2/08 and that the city needed to send a payment to Interstate Power & Light Co. in the amount of \$51,443.31 by 6/15/09. Muth stated that it would be possible to use TIF funds to pay that amount. The Mayor stated that the city only had 7 more years to sell the lots in the Owen D. Fincham subdivision and still receive rebates back from Alliant Energy. Anderson asked the clerk to contact Alliant to find out the values

and rebate amounts to the city. Mayor Loney said he would make the call and set up a meeting with a representative he has been in contact with.

Mayor Loney informed the council that he attempted to speak with Mr. Tett about his delinquent utility bill and if he had any plans to have the water turned back on. Tett would not speak to the Mayor. Huffer stated that he has tried on numerous occasions without success to have Tett served with papers in order to have the city resolve this issue in small claims court. Huffer asked the council if they knew of a picture of Tett so that Huffer would know what he looked like should he encounter him outside his home. Mayor Loney said that he would find a picture and present it to Huffer.

The next regular council meeting will be June 1<sup>st</sup>, 2009 at 7 pm in the City Hall.

Muth made a motion to adjourn the meeting. Tiarks seconded the motion. All ayes with Lytle absent.