

OAKLAND CITY COUNCIL
MAY 10, 2010
REGULAR SESSION

The Regular Session of the Oakland City Council met at Oakland City Hall and was called to order by Mayor Michael O'Brien at 7:00 P.M. Council Members present were Rollins, Miller, Hackett and Wede. Absent was Newberg. Also present were Public Works Director Mike Baragary, and Assistant City Clerk Lucia Kinnison, Ryan Brandt, Loree Hamilton, Carm Pigneri, Marsha O'Brien, Rick Mohr, Melissa Lund, Angela Miller Bud Taylor, Harold Blanchard, Bev Krueger, John Veragamani, Ken Moore, Mark Crumley, Anna D'Angelo and Betsy Moniz. Rollins asked to add an item for discussion to the agenda to discuss time donated to one employee to another. Motion by Hackett, second by Rollins to approve the agenda with the addition of a discussion about time donated to one employee to another. Roll Call 4 Ayes, motion carried.

Open Forum was held. Anna D'Angelo gave an update on the Pool Committee. Schildberg Construction is giving a \$5,000 donation to the pool. The pool committee has raised \$209,172, to date. Of that, \$23,000 has been designated as belonging to the bath house. They are going to fill out an application for a donation from Wal Mart. The pool committee meets this week. Mark Crumley asked when his property lines are going to be finalized, and what the policy is for farm animals in the City. The property lines are being worked on, Mayor O'Brien said he would have to check on farm animals in the City.

Motion by Rollins, second by Miller to approve the Consent Agenda including April Clerk Report, Claims, Senior Center Report, Library Report, Sheriff's Report, Minutes from April 12th regular session, and April 19th special session, and approval of Ruback's Liquor License renewal. Roll Call, 4 Ayes, motion carried.

Motion by Rollins, second by Wede to approve the Fire Department Consent Agenda including April Claims and May minutes. Roll Call. 2 Ayes, Hackett and Miller abstained due to conflict of interest. Motion carried.

Motion by Wede, second by Hackett to open Public Hearing for variance request by Casey's to extend their building, 13' to the north. 4 Ayes, motion carried. Public Hearing opened at 7:09 p.m. Rich Mohr said that he lives right next door and went and measured it and said it would not come past the existing fence. He said that they had been good to him and that he had no problem with it. There being no other input, Hackett made motion, Miller second, to close public hearing. 4 Ayes, motion carried. Public Hearing closed at 7:12p.m. Motion by Miller, second by Wede to approve variance request from Casey's to grant them approval to extend their building, 13' to the north. 4 Ayes, motion carried.

Motion by Hackett, second by Rollins to open public hearing on Budget Amendment for FY10. 4 Ayes, motion carried. Public Hearing opened at 7:15 p.m. Mayor O'Brien made stated that we were \$ 114,000 over budget and that was due to the pool. The Council had not put the pool in the budget. There being no public input, motion made by Rollins, second by Hackett to close Public Hearing. 4 Ayes, motion carried. Public Hearing ended at 7:17p.m. Motion by Miller, second by Wede to approve Resolution 2010*05-01 "Amend Budget for FY10". Roll Call. 4 Ayes, motion carried.

Discussion was held on pursuing a \$4 Parks & Rec Fee to help cover some of the cost of the pool, as well as the parks, and adding it to the current City Utility bill, and then giving residents free access. Mayor O'Brien suggested putting it on a Special Ballot this fall. Comment was made that it could be added to the November election ballot. The deadline to get it on the ballot is August 25th. Miller stated that he had not heard too many negative comments. Rollins said that she had heard some negative and was wondering how that would be handled for businesses and who would get the pool pass? Wede questioned whether the City needs the \$ and stated that older people do not like the idea. Anna D'Angelo said that she would be paying for her residents as well as her office and that she did not have a problem with that. Crumley and Taylor spoke up and said they did not have a problem with it. Krueger agreed with Wede that a lot of older people do not like it. Moniz stated that it is a tax and not a fee and that it needs to have more structure to it. It opens the flood gates to more taxes and hits the elderly the hardest. She wanted to know what would happen with the people that had contributed to the pool project. She felt it would just become a baby sitter. Lund spoke up and said that she doesn't like the Park and Rec fee. O'Brien stated that the key is that it is levied as a tax and to let the voters decide. Rollins requested that it be tabled and discussed more at next regular council meeting.

Miller made motion, Rollins second, to approve Pay Request #6 for Fauss Construction for \$106,277.40. 4 Ayes, motion carried. Wede made motion, Miller second to approve Change Order #6. 4 Ayes, motion carried. Rollins made motion, Hackett second to approve Change Order #7. 4 Ayes, motion carried. Wede made motion, Miller second to approve Change Order #8. 4 Ayes, motion carried. Wede motion, Rollins second to approve Change Order #9. 4 Ayes, motion carried. Wede made motion, Hackett second to approve Change Order #12. 4 Ayes, motion carried. Rollins made motion, Miller second to approve Change Order #13, 4 Ayes, motion carried. Discussion was held regarding setting admission and season pass prices for 2010 season. Rollins made motion, Miller second to set prices as follows: Season Ticket: Family (non-resident) \$120, (resident) \$100, Individual Adult (non-resident) \$80, (resident) \$60, Child/Senior (non-resident) \$60, Child/Senior (resident) \$55. Daily Prices: Adult (18yrs & older) \$3.50, Child/Senior \$3. Ten Day Individual Passes: Adult \$30, Child/Senior \$25. 4 Ayes, motion carried. Motion by Hackett, second by Wede to replace the signage at the pool. 4 Ayes, motion carried.

The Council discussed having the Circus at Chautauqua Park on August 25, 2010. The Pool Committee is sponsoring it and last year they made \$1600. The Circus does the advertising and they make more if tickets are purchased early. Motion made by Miller, second by Hackett, to approve letting the Circus be held at Chautauqua Park on August 25, 2010. 4Ayes, motion carried.

Presentation was given by John Carlson, from Carlson West Povondra Architects, of a design of consolidating the Fire Station, Senior Center, Community Building and City Hall into the Pamida Building. Renovation and addition costs, along with site paving and a retaining wall were estimated in the range of \$1,760,900 - \$2,004,200 range. Copies of these costs and pictures and plans of the proposal were left at City Hall for anyone that might be interested, to look at. Discussion was held. Council decided to set a time next Monday, May 17 at 7:00p.m. to further discuss if they want to pursue this matter further, with the intent to go in to closed session.

Bids, for Fence at Lime Sludge Lagoons, were opened and reviewed. Bids were bid with all wood and with steel/wood combination respectively: Fullerton Lumber Company- \$6,059.46/\$5,639.13, Fagen Fence - \$6,720.00/\$6225.00, and Jake Sommers: \$5,500.00/\$5,000.00. Motion by Wede, second by Hackett, to accept bid by Sommers for steel/wood combination at \$5,000.00. 4 Ayes, motion carried. It was noted that he would have to provide proof of insurance. Miller was going to talk to him and let him know.

Motion by Rollins, second by Miller to approve removal of structure at 512 N. Highway. 4 Ayes, motion carried. Property will remain in the Industrial Foundation name until after the removal of the structure.

Motion by Miller, second by Hackett, to approve Resolution 2010-05-02 "Setting Date for Public Hearing regarding the Proposal for Disposal of Real Estate Owned by the City of Oakland". Roll Call. 4 Ayes, motion carried. Notice will be made for putting out for bids the following properties: Parcel 1: 605 Oakland Avenue; Lots 1, 2, and 3 in Block 11, Original Plat of the City of Oakland, Pottawattamie County, Iowa; Parcel 2: 203 Grove Street; Lots 3 and 4, Block 10 in the Town of Oakland, Pottawattamie County, Iowa; Parcel 3: 209 Grove Street; Lot 5 in Block 10, Original Plat of the City of Oakland, Pottawattamie County, Iowa;

Parcel 4: 646 Walnut Street; North 69' of the South 99' of Lot 11, in the Auditor's Subdivision, City of Oakland, Pottawattamie County, Iowa. It is the desire of the City Council to dispose of said lots to the highest bidder determined by sealed bids received at City Hall on or before noon on June 14, 2010, which bids shall be accompanied by a down payment of 15% of the enclosed bid. The City reserves the right to reject any and all bids. The City Shall retain all easement rights, if any. The hearing to be held on June 14, 2010, at 7:00 P.M., in the Council Chambers at the City Hall in Oakland, Iowa.

Motion by Miller, second by Wede to approve Resolution 2010-05-03 "Setting Date for Public Hearing Regarding the Proposal for Disposal of House". Roll Call. 4 Ayes, motion carried. Notice will be made for putting out for bids, this house to be disposed of: Lots 9 and 10 in Block 1, Big Grove Addition to the Town of Oakland, Pottawattamie County, Iowa. It is the desire of the City Council to dispose of said house at said address, to the highest bidder determined by sealed bids received at City Hall on or before noon on June 14, 2010, which bids shall be accompanied by a down payment of 15% of the enclosed bid. The City reserves the right to reject any and all bids. The hearing to be held on June 14, 2010, at 7:00 P.M., in the Council Chambers at the City Hall in Oakland, Iowa.

Motion made by Miller, second by Hackett to allow property owner at 40973 Hwy 6 to hook up to City water and sewer. 4 Ayes, motion carried. It was noted that they will have to get permission from the IDOT, and have a licensed contractor do the work. The City will have to sign off on the work.

Motion by Miller, second by Rollins to approve Resolution 2010-05-04 "Setting Employee Wages" to give Rollins a 33% wage increase. Roll Call. 4 Ayes, motion carried.

Rollins said that since it has been a number of years since it had been put out for bids, she would like to put out for discussion and to make motion to put out for bids for general and liability insurance. Wede said that he thought we should probably wait until current issues are covered. O'Brien stated that until current litigation and action is settled, if we discontinue our association with ICAP, they will walk away from us. They have the golden hand cuff provision, in that every year we have a vested amount of funds, if we haven't given 60 days notice, we will lose that. Item was tabled.

Discussion was held on the Water Trail Grand Opening on June 19, 2010. Hackett talked about the activities taking place it will start at Avoca, and go to Hancock, Oakland, Carson and Macedonia. Oakland is going to have a Poker Run that goes to Carson and the Fire Department here is going to serve hamburgers and hot dogs that day.

Discussion was held on the possibilities for Schueman Park. Suggestions were tearing down the fence where the tennis court is and putting playground equipment on one side and a basketball court on the other side; tear down the shelter; clean up some of the trees, look at having someone come in and sell the walnut trees to help with the cost and possibly putting in gravel trails. The Fire Department Saw Team is willing to go in and clear out some of the brush. Other suggestions were putting in restrooms, Frisbee golf, and a dog park. Mark Crumley asked to get the barrier removed to the park, as it's the entrance to his field. The Council directed the barrier to be removed. They will get started working on it. It was decided to keep it on the Agenda every month, to monitor the progress.

Motion by Miller, second by Hackett to approve Sheriff's contract. 4 Ayes, motion carried.

Motion by Miller, second by Wede, to have City Hall carpet cleaned. 4 Ayes, motion carried.

Baragary gave crew report. Updating the Strategic Plan project was presented. It needs to be updated, as they look at that when grants are requested. It will be put on the June 14, 2010 Agenda. O'Brien asked that the City Clerk sends out reminders on June 1, 2010 to all Council people and the Mayor. Council approved his vacation from May 12, through May 17.

Kinnison informed Council that there had been a resident come in to City Hall, after the City Wide Clean Up, and wanted to thank the Council for having it. Also, we received a thank you from the U S Census Bureau for the use of the Community Building from April 24th through April 30th.

Discussion of donation of time from one employee to another was discussed. It was moved to Monday, May 17th, 2010 Agenda for action.

Mayor O'Brien gave update on the 4th of July Committee meeting. The meal, fireworks, parade, Past Grand Marshalls, the volley ball court, kid's tractor pull, having karaoke were all discussed at their meeting. The theme will be 'Summer Fun'. They will have another meeting on May 19, 2010.

Wede made motion, Miller second to adjourn. 4 Ayes, motion carried.

Adjournment 10:32 P.M.

Aflac	health benefits	125.85
LAMAR UNIFORMS	fire dept. uniforms	2,309.86
American Administrators1	health benefits	52
APPLIED INDUSTRIAL TECH, INC.	maintenance supplies	237.85
Bankers Trust	Tif Principal & Interest Debt Service	57,716.25
Barco Municipal Products, Inc.	safety equipment	291.61
BFSCo.	maintenance supplies	114.95
BHF Mfg Co	R & M Equipment	150
California Contractors Supplies	maintenance supplies/vehicle	95.6
Carrick, Dorothy	deposit refund	10
Clark's Electric	contract services	1,796.10
Cohron Ready Mix, LLC	cement for footings - park	649.52
CONOCO	vehicle fuel	407.02
Coop's Services	contract services	135
Counsel Office & Document	copier lease	175.82
Dollar General	maint suplies	20.4
Emergency Medical Products	medical supplies	487.6
Farm Service Cooperative	vehicle fuel	249.03
Fauss Construction, Inc.	Pay request #6	106,277.40
Fireguard Inc	small equip/tools	432.1
Frontier Communication	telephone	593.99
Fullerton Lumber Co.	repairs/supplies	76.08
Great Western Bank	Fire Principal/Interest Debt	11,203.08

Guyer Machine Shop, Inc.	repair/maintence equipment	280.25
Hawkins, Inc.	chemicals	1,393.95
IAMU	trainin/travel	90
Iowa Finance Authority	SRF Principal/Interest Debt	10,150.00
Iowa Waste Systems, Inc.	dumping fees	3,390.05
JefferSon Farm & Auto, LLC	repair/maintence equipment	70.95
Journal-Herald	adv/publications	479.7
JP Boring	dumpsters	2,979.40
KIEFER & ASSOCIATES	equipment	5,776.91
LEHR, STEVEN	piano tuning com. Bldg	70
Life-Assist, Inc.	ambulance supplies	208.82
Linweld	chemicals	746
Marissa Lockwood	travel reimbursement	92
M K Mills Tree Service, Inc.	contract services	7,091.86
Menards's	water heater	687.94
Mid American Energy Company	utilities	8,482.08
Mid American Research Chemical	chemicals	611.43
Mississippi Lime Company	chemicals	3,315.60
MVTL Laboratories, Inc.	analysis	205.2
NAPA	misc	105.48
Nishnabotna Valley Rural Electric Coop.	utilities	1,524.97
NMC Exchange LLC.	lease of equipment	2,500.00
POSTMASTER	postage	154.84
POTT. CO. SHERIFFS OFFICE	contract services	13,011.26
Principal Life	life insurance	50.36
Ruan Logistics Corporation	chemicals	1,628.33
RUBACK'S	distilled water	2.85
Salvo, Deren, Schenck & Lauterbach, P.C.	legal fees	240
M's Club Discover	supplies	151.98
SENSUS TECHNOLOGIES, INC.	contract services	1,320.00
SNYDER & ASSOCIATES, INC	engineering fees	10,998.00
Standard Auto Service Corp.	vehicle fuel	161.47
STAPLES	office supplies	71.67
Struyk Turf, Ltd.	contract services	2,220.00
TERWILLINGER, MELINDA	deposit refund	43.88
THE LIFE GUARD STORE, INC.	supplies	1,293.00
Verizon Wireless, Bellevue	telephone	114.27
VISA	membership dues	14
Wellmark BlueCross Blue Shield	health benefits	3,738.04
WILSON'S GARAGE	repair/maintence equipment	70.2

General Fund	Income	133463.85	Expense	18881.95
Water Fund	Income	50260.55	Expense	22487.13
Sewer Fund	Income	5129.71	Expense	1642.00
Sanitation Fund	Income	9929.24	Expense	10385.19
Road Use Fund	Income	16146.86	Expense	8780.36
TIF Fund	Income	0	Expense	0
Annexation OSI	Income	0	Expense	1886.42
Capital Project-Aquatic Center	Income	106277.40	Expense	47613.60
April Totals	Income	322362.22	Expense	93231.47

Mayor

Assistant City Clerk