

OAKLAND CITY COUNCIL
JUNE 14, 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 7:03 P.M. Council Members present were Rollins, Miller, Hackett, Newberg and Wede. Also present were Public Works Director Mike Baragary, and City Clerk Marissa Lockwood, Marsha O'Brien, Loree Hamilton, Mark Crumley, Angela Miller, Ryan Brandt of Snyder and Associates, Jordan Pierce, Dr. and Carm Pigneri, David Perkins, Betsy Moniz, Rick Mohr, John McClain Jr. and John McClain, Sr. Motion by Wede, second by Miller to approve the agenda with amendments to the order of items #17 and #9. 5 Ayes, motion carried.

Open Forum was held. Anna D'Angelo asked about lighting at the swimming pool, as she noticed there are no lights on at night. Lockwood has submitted a light repair request to MidAmerican Energy.

Motion by Hackett to approve the consent agenda including: May Clerk Report, Claims, Senior Center Report, Library Report, Sheriff's Report, minutes from May 10th regular session, May 17th and June 2nd special sessions, Cigarette Permits for Ruback's, Standard Auto, and Casey's, Resolution 2010-06-01 "Place Lien on Property at 306 Bluff Street", and Resolution 2010-06-03, Resolution 2010-06-04, and Resolution 2010-06-05 for Operating Transfers to Debt Service Fund for Debt Payments, with the removal of item (g) to be added to the Fire Department consent agenda. Second Rollins. Roll Call. 5 Ayes, motion carried. Motion by Wede, second by Rollins to approve the Fire Department consent agenda including Fire Department Claims, minutes from May 2nd, and item (g) removed from the consent agenda. Roll Call. 3 Ayes, Miller and Hackett abstained due to conflict of interest. Motion carried.

Bane v. City of Oakland case was discussed. Mark Crumley expressed that he and Mrs. Clark will not sign off on the survey as they feel they are not correct. Council reviewed the survey and O'Brien will contact the attorney to have corrections made. No action taken on Resolution 2010-06-02.

Pool discussion was held. Pay Request #7 was reviewed. The water feature is still not draining correctly. The sub-contractor will be replacing a five foot section of four inch line with eight inch line to fix the problem. Rollins noticed a low spot in the decking that is collecting dirt that she would like to see fixed. There have been some complaints that the steps are slick, that issue will be addressed once the pool is drained for the season. Motion by Rollins, second by Wede to approve Pay Request #7 for Fauss Construction in the amount of \$57,452.70, withholding the original 5% retainage rather than 1% that Fauss requested, with the completion to be July 1st. 5 Ayes, motion carried. Motion by Wede to approve Certificate of Substantial Completion with the access hatch over new surge tank, the 8" drain line from the piping vault to the surge tank and the low spot of concrete mentioned by Rollins all still to be completed. Miller seconded. 5 Ayes, motion carried.

Pool Manager Angela Miller gave an update on pool operations. Manager Miller asked about setting adult lap/aerobic swim times. Motion by Rollins, second by Hackett to allow the swimming pool to be open on Monday and Wednesday evenings from 7 to 8:30, for adults 18 and over only, for lap swimming/aerobics, etc. 5 Ayes, motion carried. Manager Miller also requested another sign with more rules for the pool be ordered. Council instructed her to contact Central Promotions to get a sign matching the new signs with the additional rules. Newberg asked for Lockwood and Miller to submit pool budget report to the Council each month.

Rick Mohr was present to discuss possible uses for the Oakland Christian Church building. The property is currently zoned residential and Mohr asked if the property could be used as office space. Mayor O'Brien stated that the property could not be used as an office building as currently zoned but could have offices included if it is primarily a residence. Mohr asked if the property could be rezoned to allow it to be used as office space. The Council told Mohr it would have to go before planning and zoning and go through the correct procedure.

Motion by Miller, second by Hackett to open public hearing for disposal of real estate owned by the City of Oakland. 5 Ayes, motion carried. No public comment was made. Motion by Miller to close public hearing. Seconded by Wede. 5 Ayes, motion carried. Bids were opened and reviewed. Motion to approve Resolution 2010-06-07, to be drafted by City Attorney, to accept the bid for the property at 605 Oakland Avenue received from Jordan Pierce in the amount of \$50 was made by Wede, seconded by Hackett. Roll Call. 5 Ayes, motion carried. Motion by Hackett to approve Resolution 2010-06-08, to be drafted by City Attorney, to accept the bid for the property at 203 Grove Street received from Jordan Pierce in the amount of \$5000. Seconded by Miller. Roll Call. 5 Ayes, motion carried. Motion by Miller to approve Resolution 2010-06-09, to be drafted by City Attorney, to accept the bid for the property at 209 Grove Street received from Jordan Pierce in the amount of \$1500. Seconded by Wede. Roll Call. 5 Ayes, motion carried. Motion by Hackett, seconded by Rollins to approve Resolution 2010-06-10, to be drafted by City Attorney, to accept the bid for the property at 646 Walnut Street received from Jordan Pierce in the amount of \$300. Roll Call. 5 Ayes, motion carried.

Motion by Newberg, second by Wede to open public hearing for proposal of disposal of house at 206 Oakland Avenue. 5 Ayes, motion carried. No public comment was made. Motion by Hackett, second by Miller to close public hearing. Bid for the house was opened and reviewed. Motion by Hackett to approve Resolution 2010-06-11, to be drafted by City Attorney, to accept the bid for the house at 206 Oakland Avenue received from Jordan Pierce in the amount of \$1250. Second by Miller. Roll Call. 5 Ayes, motion carried.

Dr. Pigneri was present on behalf of the pool committee to request that the City Council direct Clerk Lockwood to submit an application to the Iowa West Foundation for the swimming pool bathhouse renovations for the July cycle. Motion by Wede, second by Miller to direct Clerk Lockwood to submit a grant application to Iowa West Foundation for the bathhouse renovations project for the July cycle. 5 Ayes, motion carried.

Mayor O'Brien updated the City Council on the Fourth of July Celebration plans.

Motion by Newberg to allow the Oakland Volunteer Fire Association to transfer their liquor license to Chautauqua Park for the Water Trail Grand Opening June 19th, with a rain date of June 26th. Some form of fence will be required around the beer garden. Second by Wede. 3 Ayes, Hackett and Miller abstained due to conflict of interest, motion carried.

Motion by Hackett, second by Wede to approve the renewal of life insurance benefits with Principal Life. 5 Ayes, motion carried.

Schueman Park updates were discussed. Wede moved to have the City employees use the backhoe to remove the fence around the tennis courts. Second by Hackett. 5 Ayes, motion carried. Motion by Wede to hire a company that purchases walnut to come in and remove some trees and to have the Saw Team do practice tree and brush trimming in Schueman Park. Newberg seconded. 5 Ayes, motion carried. The Council members asked Baragary and Hackett to be in charge of flagging the trees for removal. Some other ideas mentioned for the park were removal of the old restroom, repairs or removal of the old shelter, Frisbee golf, basketball goals, lighting, new picnic tables, and a dog park. Council Members asked Lockwood to keep the Schueman Park discussion on the agenda each month.

Personnel Committee discussed hiring seasonal part-time help to fill the open position. Motion by Miller, second by Wede to approve Resolution 2010-06-06 to hire Jason Frain and Bryce Baragary at \$9 per hour for the seasonal part-time position, for a total of approximately 40 hours per week. Roll Call. 5 Ayes, motion carried.

Discussion was held on the old Pamida building. Hackett stated that he has heard people voicing their opinions on fixing Main Street instead of purchasing the Pamida building. He said that he feels that would be personally benefiting those property owners whereas the Pamida building would benefit the entire community. Motion by Wede, second by Hackett to begin negotiations on the Pamida building and the property to the south. 5 Ayes, motion carried.

David Perkins expressed concerns on behalf of the Congregational Church, about the property at 304 Oakland Avenue. He is afraid of damage occurring to the Church building due to the condition of the property. McClain's also expressed their concern of the building being torn down because of the shared wall and stairwell access to their building next door. The City will contact the City Attorney to see what can be done. Miller said he can try contacting the property owner.

Jake Hansen with Metro Area Planning Association met with the Council to review and update the prioritized project list for the City's Strategic Plan. Hansen will get with Baragary and Lockwood on the utilities and budget to update those areas in the Plan. Hansen will send over a draft for approval once completed.

Baragary gave the Crew Report. Siemens Water Technologies will be starting the software upgrade at the water plant tomorrow. Wede thanked Baragary for his help with the pool during his time off. Crew will also be working on filling potholes.

Lockwood gave the Clerk's Report. Lockwood reported on the IMFOA Conference in April and that she is working on getting caught up and organized after returning from leave.

Fire Department transfer of liquor license for the Fourth of July Celebration was discussed. Due to a conflict with an event at the community building the Department will not have the beer garden on Saturday, July 3rd during the softball tournament as originally planned but will go ahead with it for Sunday, July 4th during the other events. Motion by Wede to approve the transfer of the Oakland Volunteer Fire Association's liquor license for July 4th to Chautauqua Park, with some form of fence required. Second by Newberg. 3 Ayes, Hackett and Miller abstained due to conflict of interest. Motion carried.

O'Brien gave the Mayor's Report. The Turner/Houser case has been settled and is in the process of finalizing. The property at 601 Oak Street is having some issues with drainage in the basement. Discussion was held concerning what could be done to help the property owner out. Mayor O'Brien stated things at the pool are going well, and the town looks great and there is a lot to mow but should get caught up with the new help hired.

Miller asked about getting more garbage cans in Chautauqua Park around the concession area. Baragary will contact vendors to see about getting a small dumpster to put by the concession stand.

Jim Johnson thanked the City employees for taking the City Council chairs to the community building for the election. He said it is so nice to have the soft chairs to sit in for that many hours.

Motion by Wede, second by Miller to adjourn. 5 Ayes, motion carried.

Adjournment 9:03P.M.

Aflac	benefits	83.90
American Administrators	benefits	1026.00
Anastasi, Jarod	saw team	420.00
Andersen, Brian	saw team	200.00
Arkfeld, Rob	saw team	280.00
Atlantic Bottling Company	pool concessions	405.20
Atlantic Septic & Drain	contract services	200.00
Berkadia Commercial Mortgage, LLC	loan payment	65250.00
Bissen, Travis	saw team	280.00
Botna Valley Reporter	advertising	187.00
California Contractors Supplies	supplies	127.00
Central Promotions	signs for pool	292.50
City of Oakland	pool starting cash	50.00
Clevenger, Russ	saw team	1200.00
Cohron Ready Mix, LLC	concrete	227.25
Collison, Tim	saw team	420.00
CONOCO	fuel	354.00
Counsel Office & Document	copier lease	251.65
Cox, Korey	saw team	800.00
D. L. Hendrix Masonry	contract services	4850.00
Darling, Brock	saw team	903.50
Defiance Fire Department	saw team	1761.30
Dolch, Tyler	saw team	619.00
Easton, Dan	saw team	1320.00
EFTPS	payroll liabilities	7849.40
Emergency Medical Products	EMS supplies	495.00
Farm Service Cooperative	fuel	448.38
Fauss Construction, Inc.	Pay Request #7	57452.70
Feigenbutz, Gary	saw team	800.00
Fenner, Jon	saw team	367.50
Frontier Communication	telephone	679.39
Fullerton Lumber Co.	supplies/repairs/contract service	3164.24
Galls	equipment	284.44
Gaskill, Lynn	saw team	812.00
Gettler, Mike	saw team	868.00
Great Western Bank	data processing	66.44
Hach Company	analysis supplies	555.39
Hackett, Corey	saw team	1686.00
Harnisch, John	saw team	580.00
Harr, Ryan	saw team	200.00
Hawkins, Inc.	chemicals	3391.66
Henningsen Const., Inc.	cold patch	243.08
Herman, Trevor	saw team	680.00
IA Dept of Revenue	sales tax	3548.00
Iowa DNR	sewer construction permit	100.00
Iowa One Call	contract services	20.70
Iowa Small Engine	saw team	269.27
Iowa Waste Systems, Inc.	contract services	2786.14
IPERS	benefits	1967.87
IRWA	training	30.00
Irwin Fire Department	saw team	439.50
Jefferson, Trevor	saw team	1213.50
Journal-Herald	advertising/publishing	442.92
JP Boring	contract services	2691.90
Keane, A. J.	saw team	280.00
Keast Ford Lincoln Mercury, Inc.	repairs	240.00
Kiefer & Associates	pool equipment/supplies	299.00
Knudsen, Brad	saw team	480.00
L & M Carpet Cleaning	contract services	100.00
LaHacienda	saw team	204.55
Linweld	chemicals	94.31
Lowther, Nic	saw team	680.00
Lucas, Cassandra	water deposit refund	51.47
M K Mills Tree Service, Inc.	contract services	7043.86
Main Street Grocery & Cafe	saw team	53.31
Menards's	equipment/repairs	304.14
Mether, Lynn	saw team	280.00
Meyers, Jeremy	saw team	800.00
Mid American Energy Company	utilities	7969.09
Mid American Research Chemical	chemicals	670.25
Miller, Joellyn	community building deposit refund	200.00
Mississippi Lime Company	lime for water plant	3335.85
Mohn, Matt	saw team	420.00
Moore, Kenny	saw team	1264.40
Morenz, John	saw team	200.00
Morrell Heating	repairs	9354.75
MVTL Laboratories, Inc.	analysis	302.40
NAPA	supplies/repairs	44.95
Nishnabotna Valley Rural Electric Coop.	utilities	911.63
Oakland Industrial Foundation	water trail celebration	500.00
Oakland Volunteer Fire Association	saw team	169.59
Oakland Volunteer Fire Association	donations reimbursement	1100.00
Payroll	wages 5/1-5/14	7204.15

Payroll	wages 5/15-5/28	6907.56
Payroll	wages 5/29-6/11	9566.67
Pierce Pump, Inc.	supplies	88.90
Pizza Ranch	saw team	305.72
Postmaster	postage	154.84
Principal Life	benefits	50.36
Quiznos	saw team	277.16
Ralston, Marilyn	community building deposit refund	200.00
Rau, Steve	saw team	331.50
Reed, Doug	saw team	1400.00
Rock, Dana	community building deposit refund	200.00
Roller, Henry	water deposit refund	28.38
Rollins, Mitch	saw team	520.00
Ruan Logistics Corporation	freight	1677.59
Rubeck, Russ	saw team	200.00
Salvo, Deren, Schenck & Lauterbach, P.C.	legal fees	160.00
SAM's Club Discover	pool cover/supplies/uniforms	2190.23
Schneckloth, Tom	saw team	280.00
Shelby County EMA	saw team	184.50
Shelby Fire Department	saw team	81.00
Siemens Water Tech. Corp Membrane Product	contract services	4800.00
Smith, John	saw team	520.00
Snyder & Associates, Inc.	engineering fees	10855.00
Somers, Jake	fence for lagoon	5000.00
Standard Auto Service Corp.	fuel/repairs	400.91
Staples	office supplies	272.12
Steve King Office Supply Account	flags	40.50
Struyk Turf, Ltd.	contract services	1480.00
The Lifeguard Store, Inc.	pool uniforms	981.75
Tomark Sports	equipment	56.98
Tooley, Justen	saw team	896.00
Tools Plus Industries	supplies/equipment	240.33
Treasurer - State of Iowa	payroll liabilities	813.00
Turfwerks	mower repairs	1661.42
Turner Service	contract services	888.00
Van Wall Motor Sports	repairs	407.75
Verizon Wireless	telephone	202.08
VISA	training	174.72
Wellmark BlueCross Blue Shield	benefits	3738.04
Wichman, Jeff	water deposit refund	57.71
Wickizer, Jason	saw team	1470.00
Wilwerding, Al	saw team	331.50
Total		280291.64

General Fund	Income	82841.41	Expense	52764.05
Water Fund	Income	54291.74	Expense	23342.74
Sewer Fund	Income	5094.76	Expense	7260.86
Sanitation Fund	Income	9996.56	Expense	13464.92
Road Use Fund	Income	17014.06	Expense	8290.81
TIF Fund	Income	807.63	Expense	400.00
Debt Service	Income	0	Expense	67466.25
Capital Project-Aquatic Center	Income	1000.00	Expense	117803.25
Hazard Mitigation Fund	Income	141566.70	Expense	0
May Totals	Income	312612.86	Expense	312888.96

Mayor

City Clerk