

OAKLAND CITY COUNCIL
OCTOBER 11, 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 7:01 P.M. Council Members present were Hackett, Newberg, Rollins, Miller and Wede. Also present were Public Works Director Mike Baragary, and City Clerk Marissa Lockwood, Ryan Brandt of Snyder and Associates, Loree Hamilton, Jim Johnson, Shannon Griffith of Walnut School Board, Kay Mocha, Melvyn Houser, John Rasmussen, Jane Bell, Cathy Grosvenor, Betsy Moniz, Jim Sutton, Harold Blanchard, Marsha, O'Brien, Anna D'Angelo, Rayme Fauss, Courtney Harter of SWIPCO, Mark Crumley, and Pat Coffman. Motion by Hackett, second by Wede to approve the agenda with the removal of the Aflac presentation and fire department minutes from the fire department consent agenda. 5 Ayes, motion carried.

Open Forum was held. Shannon Griffith, School Board President of Walnut School District addressed the City Council about the Pottawattamie County Urban Renewal Plan that is on the agenda for discussion. Griffith is concerned that the TIF district proposed by the County is not using the funds properly for economic development and will keep funds from going to the Walnut School District. Pat Coffman discussed her property at 601 Oak Street and the problems she is having with water in the basement. Coffman said she didn't have as big of a problem with water in her basement until the new street went in and now she has water constantly. Also, when the road was constructed she agreed to cap the line from her floor drain, as the basement seemed dry and it was running into the creek. Now if her sump pump quits the basement will fill with water. She asked the Council to work with her on finding a solution to the water problem. The Council agreed to look into the cost of having a geotechnical engineer come out or a basement repair company look at it and give an opinion on where the water is coming from, if the problem was caused by the street construction and what can be done.

Motion by Wede to approve the consent agenda including September Clerk Report, Claims, July and August Treasurer's Reports, September Senior Center Report, Library Report, Sheriff's Report, Minutes from September 13th regular session, Standard Auto Liquor License Renewal, and Resolution 2010-10-04 "Authorizing Write-off of Bad Debt". Second by Miller. Roll Call. 5 Ayes, motion carried.

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

Dr. Jim Sutton, Superintendent of Riverside School District discussed with the Council the possible land purchase south of town as a site for a new school. Dr. Sutton asked the Council to help the School think of possible uses for the old school buildings if the bond issue passes. They are hoping to have the issue on the February or April 2011 ballot. The Council is still in agreement for City water and sewer services and will help back the School when turning lanes and/or lights are discussed with the Iowa DOT.

Jane Bell with Progress Pottawattamie presented Propositions C and D that will be on the ballot on November 2nd. A yes vote will allow the Pottawattamie County casinos to remain open. The casinos provide many jobs, tax revenues and funding for community programs. A no vote on the ballot means Horseshoe Casino will close December 31, 2010 and Ameristar /Harrah's will close March 31, 2010. Motion by Wede, second by Hackett to approve Resolution 2010-10-05 "The City of Oakland supports a YES vote on November, 2nd to keep the casinos open in Pottawattamie County". Roll call. 5 Ayes, motion carried.

Kay Mocha, Melvyn Houser and John Rasmussen with Pottawattamie County discussed the Pottawattamie Wind Farm Urban Renewal Plan. Mr. Griffith again expressed his concerns with the Plan and the TIF district that would affect the Walnut School District. Mocha said the County has not met with the City of Walnut yet but will later this week. After much discussion it was concluded that the City of Oakland is only approving the Urban Renewal Plan Area not the proposed TIF district. If the City agrees it would allow the County to establish an urban renewal area within two miles of the corporate limits of the City of Oakland. The projects would include repairs to G42 within the two mile operating area of the City of Oakland. Motion by Wede, second by Newberg to approve the Pottawattamie Wind Farm Urban Renewal Area agreement. 5 Ayes, motion carried.

Baragary gave an update on the Sanitary Sewer Project. The contractor got started last week and should be done by next week. The property owner at 405 Hill Street did not want to have their line hooked up to the new main and did not want the contractor on their property. The current service line for this property runs to Brown Street. The contractor has avoided the property by cutting the street; there will be a change order at the next meeting to approve the costs. Council members discussed having something put into writing that the property owner did not want to be hooked up to the new main. Motion by Hackett, second by Miller to approve Resolution 2010-10-02 "Accepting Temporary Easement for the lot behind 216 Oakland Avenue" Roll call. 5 Ayes, motion carried.

Change Order #19 for the swimming pool was discussed. Rayme Fauss of Fauss Construction was present to answer questions. Fauss said the sub contractor did the work; it was completed and was necessary. The Council argued that the changes were made to make the work easier and save time for the sub contractor. The City Council asked Fauss to resubmit the change order at the November meeting only for the materials and not the labor.

Baragary discussed the progress on the water plant upgrade. Baragary is working with the engineer on the type of upgrade and prices. Representatives of the City will be meeting with Oakland Foods again soon. Motion by Miller to approve Resolution 2010-10-03 "Setting date for a Meeting on a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$400,000 General Obligation Capital Loan Notes for November 8th at 7:00 P.M.

Discussion was held on the Bane v. City of Oakland case. Mark Crumley was present to let the Council know he has not agreed to the survey yet, as it is still incorrect. Mayor O'Brien will contact the attorney working on the case and have him get in contact with the surveyor to get the corrections made. The City will try to get corrected and wrapped up as soon as possible.

No bids were received for asbestos surveying for the property at 206 Oakland Avenue. Motion by Miller, second by Hackett to rebid for asbestos surveying and send the notice to more contractors. 5 Ayes, motion carried. One bid was received for demolition of the property. Motion by Hackett, second by Miller to accept the bid from JP Boring in the amount of \$19,950 to demo the house per FEMA requirements and contingent upon FEMA approval of the bid. 5 Ayes, motion carried.

There has been some interest in the property at 159 N. Main Street. The Council discussed putting the property out for bids. Motion by Wede, second by Hackett to put the property at 159 N. Main out for bids. 5 Ayes, motion carried.

Personnel Discussion was held. Baragary denied closed session. Motion by Newberg to approve Resolution 2010-10-01 "Setting Employee Wages" giving Baragary a 2% wage increase. Second by Wede. Roll call. 5 Ayes, motion carried.

An update on the Annexation project was given. The City met with Oakland Foods last month and is still waiting on a decision from them. The City representatives will be meeting with Oakland Foods again later this month.

Courtney Harter of SWIPCO presented some funding options to the Council for the proposed Community Center/Fire Station project.

Mayor O'Brien reminded everyone of the Town Hall meeting October 24th at 2 P.M. at the Community Building.

Council Members asked Jim Johnson about the benches for the eagle monument. Johnson said they are waiting for final decisions from the donors and for the benches to be built.

Motion by Hackett to go into closed session pursuant to Chapter 21.5 Section i. Second by Miller. 5 Ayes, motion carried. Council entered closed session at 9:17 P.M. Returned to open session at 9:32P.M. Motion by Hackett to approve the purchase offer made by Mayor O'Brien with contingencies for the property at 614 Dr. Van Zee Road. Second by Wede. 5 Ayes, motion carried.

Baragary gave the Crew Report. Oakland Foods will be shut down over Thanksgiving so Baragary will be scheduling water plant maintenance and a bearing replacement during that time. Council asked Lockwood to put in newspaper, newsletter and post around town that the plant will not be softening water from November 25-28 and that residents may notice a slight change in their water. Baragary reported that the contractor should be done with the Hill Street portion of the sewer project and would be moving to the North Highway/Scenic Circle project as soon as the easements are signed.

Mayor O'Brien gave his report. The property at 121 N. Main was discussed. Part of the back of the building has fallen and is a hazard. The Council asked Mayor O'Brien to send a letter to the property owners addressing the issue and see what their plan of action is.

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

Adjournment 9:55P.M.

Aflac	benefits	83.90
Annie's Antiques	water deposit refund	26.86
Applegate Electric	contract services	1745.96
Armstrong Medical Industries Inc.	ems supplies	1974.87
Auditor of State	file audit report	175.00
Bramman, Kris	reimbursement	186.50
Century Asphalt	contract services	13325.00
Clark's Electric	contract services	93.95
CONOCO	fuel	414.20

Coop's Services	seeding/spraying	153.60
Counsel Office & Document	copier lease	168.42
Dollar General	supplies	19.35
EFTPS	payroll liabilities	4820.08
Emergency Medical Products	ems supplies	242.93
EMS Billing Services Inc.	billing contract	394.30
Farm Service Cooperative	fuel	437.62
Frontier Communication	telephone	645.04
Fullerton Lumber Co.	supplies/repairs	194.57
Great Western Bank	data processing	98.68
Hawkins, Inc.	chemicals	3053.60
Heartland Properties	deposit	500.00
Henningsen Const., Inc.	cold patch	188.80
Hotsy Equipment	repairs	491.14
Hygienic Laboratory	analysis	130.00
IA Dept of Revenue	sales tax	3459.00
IAMU	WCISA for Oct-Dec	557.21
IMFOA	training	75.00
IMWCA	work comp	1160.00
Iowa DNR	Annual Water Use Fee	135.00
Iowa League of Cities	training	30.00
Iowa Waste Systems, Inc.	contract services	2324.31
IPERS	benefits	2018.88
Jefferson Farm & Auto, LLC	repairs	700.00
Jensen, Tricia	water deposit refund	69.38
Journal-Herald	publishing	263.18
Linweld	chemicals	1873.08
M K Mills Tree Service, Inc.	contract services	7025.86
Mangold Environmental Testing, Inc.	analysis	22.00
Menards's	supplies/repairs	934.37
Mid American Energy Company	utilities	8853.44
Moore, Ken	reimbursement	46.14
Municipal Supply, Inc.	supplies	5154.70
Muxfeldt Associates	audit fee	2126.08
MVTL Laboratories, Inc.	analysis	68.40
NAPA	supplies	36.17
Oakland Veterinary Clinic	contract services	98.00
Oakland Volunteer Fire Association	donations reimbursement	976.01
Payroll	wages	13407.98
Phillips, Ron	water deposit refund	67.68
Pierce Pump, Inc.	repairs/supplies	198.99
Pitney Bowes, Contract	contract services	192.00
Postmaster	postage	153.62
Pottawattamie County Fire & Rescue Assoc.	software	287.00
Principal Life	benefits	53.00
Salvo, Deren, Schenck & Lauterbach, P.C.	legal fees	179.94
SAM's Club Discover	supplies	97.75
Schildberg Construction Co., Inc.	gravel	1103.12
Snyder & Associates Inc	engineering fees	3873.50
Standard Auto Service Corp.	tires	281.00
Staples	supplies	76.75
Treasurer - State of Iowa	payroll liabilities	790.00
TRISTAR Benefit Administrators	benefits	260.96
Verizon Wireless	telephone	157.40
VISA	training/shipping	205.40
Wellmark BlueCross Blue Shield	benefits	3738.04
Western Engineering Co., Inc.	road sand	2291.63
Total		94986.34

General Fund	Income	29291.13	Expense	18736.07
Water Fund	Income	51353.46	Expense	38467.73
Sewer Fund	Income	5213.52	Expense	2465.81
Sanitation Fund	Income	10240.81	Expense	10416.38
Road Use Fund	Income	21671.02	Expense	17639.20
Debt Service Fund	Income	0	Expense	11472.99
Capital Project-Aquatic Center	Income	0	Expense	656.50
September Totals	Income	117769.94	Expense	99854.68

Mayor

City Clerk