

OAKLAND CITY COUNCIL
NOVEMBER 8, 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 Newberg, Rollins, and Wede. Also present were Public Works Director Mike Baragary, and City Clerk Marissa Lockwood, Ryan Brandt of Snyder and Associates, Loree Hamilton, Cathey Grosvenor, Anna D'Angelo, Betsy Moniz, Gayle Strickland, Dick and Leslie Cleaveland, Terry Hummel, Hazel Harvey, Marsha O'Brien, Gayle Perkins, and Dick Kates. Motion by Wede, second by Rollins to approve the agenda with the removal of the personnel committee discussion. 3Ayes, motion carried.

Open Forum was held. Dick Kates expressed his concerns with the Masonic Lodge building on Main Street. He is concerned for the safety of passersby as well as neighbor buildings and the people in those buildings. The bricks continue to fall and the cracks are expanding. The museum has moved items away from the shared wall. Mayor O'Brien informed Kates that the City is also concerned and there will be further discussion later in the meeting, as this is an agenda item. Hazel Harvey asked the Council if the no parking signs could be reinstalled on the West side of South Gates Street. The street is narrow and it is hard to get through when cars are parked on either side of the street. The signs will be reinstalled. Harvey also suggested the City look into an ordinance concerning regulations for swimming pools and trampolines. Mayor O'Brien said the ordinances are in the process of being updated and the Council will consider this suggestion when the ordinances are being reviewed. Gayle Strickland thanked the City Council for the town hall meeting.

Motion by Rollins to approve the consent agenda including October Clerk Report, Claims, September Treasurer's Reports, October Senior Center Report, Library Report, Sheriff's Report, and Minutes from October 11th regular session. Second by Wede. Roll Call. 3 Ayes, motion carried.

Motion by Wede, second by Newberg to approve the Fire Department Consent Agenda including Claims and Minutes from September 30th. Roll Call. 3 Ayes. Motion carried.

Terry Hummel presented the City Council with a survey showing the proposed lot split of the approximately 4.95 acre property at 913 Oakland Avenue. Motion by Rollins, second by Wede to approve Resolution 2010-11-02 "Lot Split for Property at 913 Oakland Avenue". Roll Call. 3 Ayes, motion carried. Dick Cleaveland presented the proposed lot split for the property at 609 East Ridge Court. Motion by Wede to approve Resolution 2010-11-03 "Lot Split for Property at 609 East Ridge Court". Roll Call. 3 Ayes, motion carried.

Discussion was held on the property at 601 Oak and the water problems in the basement. A proposal was received from a geotechnical engineering firm to do a data evaluation and a field study. The City Council discussed the probability that a tile line on the West side of the house would fix the problem. If the property owner is satisfied and will sign an agreement to release the City from further liability then the City will agree to have the tile line installed for \$2000. Motion by Rollins to contract with Pierce Pump to install the tile line for \$2000 contingent upon the owner signing a release from liability. Second by Newberg. 3 Ayes, motion carried.

The property at 121 N. Main St. was discussed. A roof support has given way and a portion of the building has fallen on Dr. Thompson Avenue. There are cracks in the walls that continue to expand. Mayor O'Brien sent the owners a letter to abate the problem as soon as the first bricks fell. One option, if no attempt to abate is made is the City can have the building torn down, absorb the cost and then assess the costs to the property. Mayor O'Brien has been in contact with the trustees and they are open to ideas of the best solutions for the problem. Perkins asked if there is liability insurance on the property. O'Brien said the owners do have liability insurance on the building, but since the building has not been maintained the insurance company may fight covering if something happens. A rough bid for demolition was quoted at over \$100,000 and the contractor said the building would have to be taken down by hand. Mayor O'Brien will contact the trustees again and see if they would be willing to deed the property to the City. Baragary will contact the building inspector from SWIPCO to have him give an assessment of the property. The question was asked about City insurance coverage if the building is deeded to the City. If the City were to accept the property, contractors would be on site to start the demolition as soon as papers are signed.

An update on the 2010 Sanitary Sewer Project was given by Ryan Brandt of Snyder & Associates and Mike Baragary. The Hill Street portion is complete except for some grading and seeding. Also, one driveway may need some repairs under the warranty. The Scenic Circle/North Highway part is done also, except for grading and seeding. They have now started in Chautauqua Park. Motion by Newberg, second by Wede to approve change order #1 in the amount of \$6234.20 for additional pavement removal and HMA replacement. 3 Ayes, motion carried. Motion by Wede, second by Rollins to approve change order #2 for additional cost of casing bore in the amount of \$2500. 3 Ayes, motion carried.

Motion by Newberg to approve change order #19 for Fauss Construction as revised, to include only materials, in the amount of \$715.53. Second by Wede. 3 Ayes, motion carried. Motion by Wede, second by Rollins to approve the final pay request for Fauss Construction for the swimming pool renovations project in the amount of \$1715.53. 3 Ayes, motion carried. Motion to approve Resolution 2010-11-05 "Authorizing Bids for 2010 Bath house Improvements Project" was made by Wede, second by Newberg. Roll call. 3 Ayes, motion carried. The City needs to get commitments in writing from contractors wanting make an in kind donation of labor and/or materials for this project. The City will act as the general contractor. The Iowa West Foundation Grant that was awarded for the bath house project was discussed. Mayor O'Brien wanted to make sure everyone understood it is a 1:1 grant and only a percentage of in kind donations can count as the match. Lockwood will find out the percentage amount. O'Brien is going to be in contact with Kohler to inquire about donating fixtures. Motion by Newberg to approve the Iowa West Grant Award Letter of Agreement. Second by Wede. 3 Ayes, motion carried.

Baragary gave an update on the Water Plant Upgrade. There are three options being considered for the plant; reverse osmosis, electro dialysis reversal or lime-softening. Baragary said the top choice is reverse osmosis. The City is still waiting on an answer from Oakland Foods. Motion by Rollins to open the public hearing on the Authorization of a Loan and Disbursement Agreement. Second by Wede. 3 Ayes, motion carried. Entered public hearing at 8:08P.M. No public comment was made. Lockwood said no written comments had been received. Motion by Rollins to close public hearing, second by Wede. 3 Ayes, motion carried. Reentered regular session at 8:10P.M. Motion by Newberg to approve Resolution 2010-11-06 "Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$400,000 General Obligation Capital Loan Notes." Second by Wede. Roll call. 3 Ayes, motion carried. Wede moved to approve Resolution 2010-11-07 "Approving and Authorizing a Form of Interim Loan and Disbursement Agreement and Authorizing and providing for the Issuance and Securing the Payment of A \$400,000 General Obligation Capital Loan Note Anticipation Project Note." Second by Newberg. Roll call. 3 Ayes, motion carried.

The Bane v. City of Oakland was discussed. The surveys were corrected. Motion by Wede, second by Rollins to approve Resolution 2010-11-01 "Setting Public Hearing for Disposal of Property." 3 Ayes, motion carried.

Bids for the asbestos survey and removal at 206 Oakland Avenue were reviewed. Motion by Newberg, second by Wede to approve the bid from B2 Environmental in the amount of \$1325. 3 Ayes, motion carried. Bids for demolition of the house at 206 Oakland Avenue were reviewed. Motion by Newberg to approve the bid from JP Boring for \$14,500 pending additional funding from the State or FEMA. Second by Rollins. 3 Ayes, motion carried.

The City Council discussed putting the property at 159 N. Main St. out for bids. Motion by Newberg, second by Wede to approve Resolution 2010-11-04 "Disposal of Property and Setting Public Hearing". 3 Ayes, motion carried.

Motion by Wede to enter closed session pursuant to Chapter 21.5 Section j of the Code of Iowa. Second by Wede. 3 Ayes, motion carried. The City Council entered closed session at 8:21P.M. Returned to regular session at 8:37P.M. Motion to allow Mayor O'Brien to negotiate for the purchase of the property at 618 S. Highway was made by Wede, seconded by Rollins. 3 Ayes, motion carried.

Baragary gave the Crew Report. The water plant roof and brick work were discussed. The plant is in need of a new roof before winter because of the harsh winter last year. The brick work would consist of closing up a door that is not used that allows water into the building, bricking a dumb waiter and doing brick repairs on the outside of the building. Quotes from contractors were reviewed. Motion by Rollins, second by Wede to contract with RL Craft Co. for the roof for \$18,752, and with Larry Hackett Construction for the brick work in the amount of \$12,511. 3 Ayes, motion carried. Baragary discussed the Industrial Foundation wanting to purchase abandoned houses but they are currently low on funds. They have asked if the City would be able or willing to help them out. Currently with the projects going on the City does not have the funding to help the Industrial Foundation but the City would like to help. An option mentioned was possibly creating a TIF district by Shueman Park, where the new development is being discussed that could be used to help out the Industrial Foundation with purchasing abandoned or dilapidated buildings and houses. The Industrial Park sold their last lot; they are now looking for another industrial park location.

Lockwood gave the Clerk's Report. City Hall will be closed Thursday the 11th for Veteran's Day. The Annual Financial Report is completed.

Mayor O'Brien gave the Mayor's Report. Some of the plantings in the right-of-way along the highway have become hard to see around. The City may need to consider putting a letter together for next year about the height and other regulations of the planting areas. They look great but visibility may have to be addressed, not only there but at residences also. The lights at the Eagle Monument were discussed. The ground water is causing the lights on the OAKLAND front to burn out. The City is looking at options for low voltage lighting. The lights at the library were discussed. The lights need to be replaced, they are old and yellowed. MidAmerican Energy has a rebate program to help with the purchase of the fixtures. Baragary had a contractor replace a fixture that was bad and the Librarian was concerned that the lights were too bright

and too white for the Library. Mayor O'Brien will contract Ernie Ruehle about the lights and the savings to the City by changing out the light fixtures. Seating and shade at the swimming pool was discussed.

Baragary informed the Council that Copenhaver is back working half days and is not taking call yet. Copenhaver feels he is ready to come back full time but Baragary said he has to be released by his doctor first.

Motion by Wede to adjourn. Second by Rollins. 3 Ayes, motion carried.

Adjournment 9:29P.M.

A & M Green Power Group LLC	repairs/equipment	1237.45
Acorn Clothing Co.	uniforms	68.00
Aflac	benefits	125.85
Alegent Health Clinic	benefits	42.00
Bankers Trust	interest payment	1043.75
Clark's Electric	repairs	142.00
Cohron Ready Mix, LLC	concrete	125.24
CONOCO	fuel	386.07
Counsel Office & Document	copier lease	174.58
Danko Emergency Equipment	supplies/equipment	275.05
Display Sales	repairs	195.00
EFTPS	payroll liabilities	4653.80
EMS Billing Services Inc.	billing contract	955.46
Farm Service Cooperative	fuel	247.90
Fauss Construction, Inc.	final pay request	1715.53
Frontier Communication	telephone	643.69
Fullerton Lumber Co.	supplies/repairs	432.29
Great Western Bank	data processing/ach	86.52
Hackett, Dan	community building deposit refund	200.00
Hawkins, Inc.	chemicals	1516.52
Heiman Fire Equipment	supplies/equipment	147.70
Henderson, Karin	water deposit refund	25.50
IAMU	training	170.00
ICAP	insurance	78.00
IMWCA	workman's comp	998.00
Iowa Codification, Inc.	contract services	1500.00
Iowa Finance Authority	interest payment	2595.00
Iowa Waste Systems, Inc.	contract services	1653.95
Iowa Western Community College	training	15.00
IPERS	benefits	2808.91
IRWA	training	260.00
Journal-Herald	advertising/publications	277.62
King, Bob	community building deposit refund	200.00
Kris Bramman	reimbursement	5.48
Linweld	chemicals	46.90
M K Mills Tree Service, Inc.	contract services	7046.86
Mid American Energy Company	utilities	7832.99
Mississippi Lime Company	lime for water plant	6762.15
Mosquito Control of Iowa	contract services	6885.00
Municipal Management Corp.	contract services	500.00
MVTL Laboratories, Inc.	analysis	207.00
Myers Construction	contract services	600.00
NAPA	supplies	25.74
Neuvirth's Construction	pay request #1	87397.29
Nishnabotna Valley Rural Electric Coop.	utilities	1184.01
Payroll	wages	13249.66
Pitney Bowes, Postage	postage	300.00
P-Nut's Plumbing	repairs	536.30
Postmaster	postage	150.68
Pott. Co. Recorder	recording fees	24.00
Pott. County Treasurer	dumping fees transfer station	25.00
Principal Life	benefits	53.00
Rollins, Lisa	community building deposit refund	25.85
Ruan Logistics Corporation	freight	1653.39
RVS Software	supplies	437.02
Salvo, Deren, Schenck & Lauterbach, P.C.	legal fees	1228.06
SAM's Club Discover	supplies/shipping	270.29
Snyder & Associates Inc.	engineering fees	4700.50
Standard Auto Service Corp.	fuel	156.27
Struyk Turf, Ltd.	contract services	1975.00
Thomas, Dale	community building deposit refund	200.00
Treasurer - State of Iowa	payroll liabilities	1131.00
TRISTAR Benefit Administrators	benefits	534.29
Tunnell, Larry	water deposit refund	42.17
Verizon Wireless	telephone	262.83
VISA	supplies/training/shipping	364.38
W. S. Darley & Co.	EMS equipment	4099.10
Wellmark BlueCross Blue Shield	benefits	3738.04
Wilson's Garage	repairs	12.50
Total		178659.13
General Fund	Income 117420.89	Expense 20683.82
Water Fund	Income 50454.11	Expense 34477.45
Sewer Fund	Income 5228.77	Expense 5978.20
Sanitation Fund	Income 10281.59	Expense 9737.17
Road Use Fund	Income 17768.99	Expense 35620.67
Capital Project-Aquatic Center	Income 10.00	Expense 1343.50
September Totals	Income 206740.85	Expense 108340.81

Mayor

City Clerk