

Regular City Council Meeting
City Council Chambers

May 6, 2014
7:00 p.m.

Present: Mayor –	Joyce Hudson	Absent: Council member Tim Strauser
Council members	Jeff Kennedy	
	Duane Oliver	
	Jeff Whiting	
City Administrator	Bruce Clymer	
City Attorney	Mike Bacon	
City Clerk / Treasurer	Connie L. Dalrymple	

Press: *Gothenburg Times* - Beth Barrett

Also present: Kristy Connolley, Travis Mason, Shane Gruber, Dan Yancy

Mayor Hudson opened the meeting at 7:00 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

Whiting moved, Kennedy seconded, approving the consent agenda that included:

- City Council minutes – April 15
- Planning & Zoning Commission minutes – April 8 & 15
- Tree Board minutes – April 15
- Treasurer’s Report - March
- Police Report – April
- Cemetery Board minutes – February 3

Roll call vote: Yea – Oliver, Kennedy, Whiting. Nay – none. Absent and not voting – Strauser.

Oliver moved, Kennedy seconded, allowing payment of claims against the City, \$83,688.89 except #1868 and #1920; Public Works Division \$108,442.47; and the April 24 payroll of \$36,551.48. Roll Call vote: Yea – Whiting, Kennedy, Oliver. Nay - none. Absent and not voting – Strauser.

Oliver moved, Whiting seconded, allowing payment of claims #1868 to Quality Fire Extinguishers and #1920 to Kennedy Landscaper Services. Roll call vote: Yea – Whiting, Oliver. Nay – none. Absent and not voting – Strauser.

Community Comments

- Discussion was had on smaller toddler play equipment, including a slide, which would require less space in Ehmen Park. There are no funds in the current budget and Mrs. Connelly was encouraged to pursue the monetary donations she had mentioned when she first talked to the Council. The noon Rotary Club has purchased some benches for the park and it would be nice to locate them where both play areas are visible. Rubber mulch is more expensive but does not splinter like wood chips. Sand gets in children’s eyes and clothing and also compacts and becomes hard.

The amendment from last meeting on Ordinance 888 will require rapid key entry systems on multi-residential buildings of four or more units that have a common entry. Kennedy moved, Whiting seconded, to pass and approve Ordinance 888, as amended, on third and final reading. Roll call vote: Yea – Oliver, Whiting, Kennedy. Nay – none. Absent and not voting – Strauser.

The cost of the alum treatment on Lake Helen was not in the grant although it was funded. The grant has been amended to include \$130,000 for the treatment and to extend the term of the contract from December 31, 2014 to December 31, 2015.

Kennedy moved, Oliver seconded, to approve the amendment to the Lake Helen Water Quality Project (56-1187) Section 319 Intergovernmental Agreement. Roll call vote: Yea – Whiting, Oliver, Kennedy. Nay – none. Absent and not voting – Strauser.

Oliver moved, Kennedy seconded, approval of a one day license to sell beer, wine, and distilled spirits at the Firemen's Ball on June 7, 2014 and to block the street at the Fire Hall for the duration of the event, 1:00 p.m. to 1:00 a.m. Roll call vote: Yea – Whiting, Oliver, Kennedy. Nay - none. Absent and not voting - Strauser.

According to Dan Yancy the City's employee health insurance renewal rates have remained stable with only a 2.6% increase in spite of a \$200,000 claim this policy year.

Councilman Oliver asked about the benefit of an HSA for employee care instead of an insurance policy. Mr. Yancy answered that he had looked at an HSA about two years ago and also prior to that time and found an HSA didn't provide savings to the City or to the employees; however, he will have Tim Carsen prepare a proposal for comparison and information purposes.

Administrator Clymer reminded Council that part of the reason for stable rates is that we have had a self-funded policy for many years as opposed to a fully funded plan and that has been good for the City and employees. In the past, we contributed 75% to the side fund and it got low due to several large claims. We increased funding to 95% and have done well. Although Council member Strauser questioned increasing to 100% Administrator Clymer is comfortable with the 95%. Mayor Hudson felt we can stay at 95% if we continue to review the balance annually.

Oliver moved, Whiting seconded, to accept the employee health insurance proposal from the current carrier with a 2.6% increase and to keep the side fund at 95%. The renewal will be effective June 1, 2014. Roll call vote: Yea – Kennedy, Whiting, Oliver. Nay – none. Absent and not voting – Strauser.

Attorney Bacon entered the meeting at 7:21 p.m.

The engineer's opinion of probable cost on the proposed sanitary sewer improvements was \$1,697,670 for Bid A which is a new sewer line from the waste treatment plant north to 11th Street and west to Ave G.

The engineer's opinion of probable cost on the proposed sanitary sewer improvements was \$325,500 for Bid B which includes:

- lining and replacement from 2nd Street north to 4th Street, then west (Area I)
- 3 smaller areas of replacement line south of 4th Street, west of Cottonwood Dr. (Area II)
- line existing sewer from 5th Street to 11th Street on Cottonwood Dr. (Area III)

Travis Mason of Miller & Assoc. presented the bids and noted that they are below the engineer's opinion of probable cost. Bids could be submitted for completion on December 31, 2014 or June 15, 2015. The majority of the work will be completed this year but the extended deadline allows for possible weather issues. Bids received were:

Van Kirk Bros Contracting	Bid A-2	\$1,366,935.10	6-1-15
completion			
Midland Contracting, Inc.	Bid B-1	\$275,234.00	12-15-14
completion			
Midland Contracting, Inc.	Bid A-2	\$1,419,143.90	6-1-15
completion			
Midland Contracting, Inc.	Bid B-2	\$268,471.00	6-1-15
completion			

It is anticipated the cost of this construction and repair will be approximately \$1.00 per residence per month. At the prior public hearings, it was noted that 60 cents per month would cover the debt but \$1.00 should be budgeted to cover the rising costs of operation and maintenance. Administrator Clymer stated the project will certainly expand the City's debt, but will also alleviate issues we now have and accommodate expansion in the north part of town as well as adding another sewer line crossing Hiway 30 and the railroad to the waste plant.

During discussion, Council member Kennedy noted it will remedy the aging infrastructure problem and provide some new services. It also needs to be done to accommodate housing and business expansion. Mr. Mason reminded Council the project will lower the sewer line for the best fall to the waste plant.

Kennedy moved, Whiting seconded, to accept the \$1,366,935.10 bid from Van Kirk Bros. for Project A-2 to be substantially complete June 1, 2015. Roll call vote: Yea – Oliver, Whiting, Kennedy. Nay – none. Absent and not voting – Strauser.

Kennedy moved, Oliver seconded, to accept the \$275,234.00 bid from Midland Contracting Inc. for Project B-1 to be substantially complete by December 15, 2014. Roll call vote: Yea – Whiting, Oliver, Kennedy. Nay – none. Absent and not voting – Strauser.

A change in state statute requires municipalities to have a hearing officer, other than the City Council, that citizens may contact to appeal nuisance violations on the height of grass and weeds. If the citizen appeals the decision of the hearing officer, that appeal would go to the Board of Health for hearing and action. The ordinance does not change the maximum allowable height of grass and weeds. If the citizen fails to mow and clear the lot, the City will do the work and assess the cost to the property owner, who has two months to pay the costs before a lien is filed or taken to court for collection.

The ordinance names the City Administrator as the hearing officer, and Council member Oliver introduced Ordinance 889 entitled:

An Ordinance amending Title IX, Chapter 9.3, amending Sections 93.19; 93.37; and 93.99 related to nuisances providing for penalties; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date

and moved that the statutory rule requiring reading on three different days be suspended. The motion was seconded by Council member Kennedy and on roll call vote, the following Councilmembers voted “Yea”: Whiting, Kennedy, Oliver. “Nay” - none. Absent and not voting – Strauser.

Mayor Hudson declared the motion adopted by a three-fourths vote of the Council and the statutory rule suspended for consideration of said Ordinance.

Ordinance 889 was then read by title and Council member Whiting moved for final passage. Council member Kennedy seconded the motion. Mayor Hudson asked the question *Shall Ordinance 889 be passed and adopted*. On roll call vote, the following voted “Yea”: Kennedy, Whiting, Oliver. “Nay” – none. Absent and not voting – Strauser.

Mayor Hudson declared Ordinance 889 adopted and signed it in the presence of the Council and the clerk attested the signature.

Kennedy moved, Whiting seconded, to adjourn the meeting at 7:53 p.m. Roll call vote: Yea – Oliver, Whiting, Kennedy. Nay - none. Absent and not voting – Strauser. The next regular meeting will be May 20, 2014.

Joyce Hudson, Mayor

Connie L. Dalrymple, City Clerk