

**SPRINGVILLE CITY COUNCIL PROCEEDINGS**  
**May 24, 2010**

Mayor Rick Heeren called the regular meeting of the Springville City Council to order at 7:00 p.m. in Springville City Hall. Present on roll call: Ballantyne, Gerdemann, Shebetka, Neff and Grimley. Also present: Chuck and Vicki Lange, Doug Beard, Steve Shaffer, Tom Miller, Mike Brady, Susan Oler, Karen Anderson and Deputy Grote.

Mayor Heeren opened the public hearing on the **GO Refunding Loan Agreement in a Principal Amount Not to Exceed \$1,200,000**. The purpose of the refunding loan agreement is to lower the interest rate and reduce the length of loan payments on the current general obligation (GO) notes. This results in a saving of approximately \$41,500. There being no one present who wished to speak and no written comment received Mayor Heeren closed the public hearing on the GO Refunding Loan Agreement and moved on to the second public hearing on the **Proposed Budget Amendment** at 7:02 p.m. The Clerk gave a brief overview of the amendment figures and answered questions from the Council. There being no one present who wished to speak and no written comment received Mayor Heeren closed the public hearing at 7:07 p.m.

**Consent Agenda:** Motion was made by Shebetka, second by Grimley to approve the consent agenda as posted. All ayes, motion carried.

**Citizen's With Concerns Not on the Agenda:** Tom Miller commented that the sidewalk in front of Shelly's has a big chunk out of the curb. Chuck noted that it did not meet the requirements they go by when designating for sidewalk replacement.

**Sheriff's Report:** Deputy Grote gave the patrol report for hours of service from May 10, 2010 through May 24, 2010. There were 45 calls for service. April hours of service: 101.20.

**Maintenance:** The maintenance department has replaced 8 stop signs in adherence to the new federal requirements for traffic sign retro reflectivity levels and will order 6 more that need to be replaced. The application for reissuance of an NPDES (National Pollutant Discharge Elimination System) permit has been received by the DNR and will proceed toward approval after a 45 day waiting period for public question or comment. The CCR report is finished and will be included in the June newsletter. Also, there are new lead and copper testing regulations. They are doing extra cleanup at the yard waste site due to the clean up day at Lower Butler Park.

**Mayor:** Rick reported on the cleanup day at Lower Butler Park. He was pleased to report that 17 people showed up and accomplished a great deal of cleanup along the creek. Another park cleanup is scheduled for June 12, 2010. Everyone is welcome to attend the next cleanup and help out.

**Other Reports:** The May overtime and employee leave report were supplied to the Council. Bixler reported on the Small City Workshop attended by Shebetka, Miller, Shaffer, Gerdemann and Heeren.

**Old Business**

**Nuisance Abatement – 173 Broadway Street:** Atty. Jeff Taylor informed the Clerk he has an address for the owner of 173 Broadway. The property owner will be served with a "Notice of Dangerous Building" directly through the City. Shebetka noted he is extremely upset on the lack of progress in getting rid of the dilapidated house on this property. He stated he will be contacting the Linn County Health Department to see if they can

be of any help. Discussion continued on utilizing the Municipal Infraction section of the City Code. Bixler will contact Atty. Taylor on how to proceed.

**Dental Program Update:** Mayor Heeren read a communication from Midwest & Mountain Dental Center informing SEDC that the dental associate that they hoped to retain for Springville had entered into a long-term contract with her current employer. This setback pretty much puts the program on hold for the time being.

### **New Business**

**Set Public Hearing.** Motion was made by Ballantyne, second by Shebetka to set June 7, 2010 as the date for a public hearing on the Brady re-zoning request. All ayes, motion carried.

**Request for Sponsorship:** Jamie Stivers contacted City Hall requesting sponsorship of his daughter in the National Miss American pageant. Action on the request died for lack of a motion.

**Copier Maintenance Agreement:** Motion by Neff, second by Gerdemann approving the copier maintenance agreement with Office Machine Consultants. All ayes, motion carried.

**Approve Amended Budget:** Motion by Neff, second by Grimley to approve the amended budget as provided by the City Clerk. All ayes, motion carried.

**Employee Relations:** Council/employee discussion was held on the statement Mayor Heeren read in reference to his expectations of the city employees. Resolution was sought on areas/items of contention.

Motion was made by Shebetka, second by Neff to approve the second reading of **Ordinance #8-2010: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA BY REPEALING SECTION #165.25, SUBSECTION 6, PERTAINING TO REPAIRS AND MAINTENANCE.** Roll call vote, all ayes. Motion carried.

Motion was made by Neff, second by Gerdemann to approve the second reading of **Ordinance #9-2010: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA BY ADDING A NEW SECTION #165.25, SUBSECTION 4, PERTAINING TO NON-CONFORMING USES.** Roll call vote, all ayes. Motion carried.

Motion was made by Neff, second by Gerdemann to approve the first reading of **Ordinance #10-2010: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 20; CITY ATTORNEY.** The following line shall be added to section 2 for the second and final reading of the ordinance: Use of any new attorney deemed necessary shall be approved by the City Council. Roll call vote. Shebetka nay, remaining ayes. Motion carried.

Motion was made by Neff, second by Gerdemann to approve the first reading of **Ordinance #11-2010: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA BY AMENDING PROVISIONS PERTAINING TO FEES FOR WATER SERVICE RECONNECTION.** Roll call vote, all ayes. Motion carried.

Motion was made by Neff, second by Gerdemann to approve **Resolution #11-2010: A RESOLUTION AUTHORIZING A GENERAL OBLIGATION REFUNDING LOAN AGREEMENT IN A PRINCIPAL AMOUNT**

**NOT TO EXCEED \$1,038,000 AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME.** Roll call vote, all ayes. Motion carried.

**Employee Review:** Review of employee Chuck Lange. Lange refused his right to go into closed session pursuant to Chapter 21.5(i): To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Heated debate took place between Lange, the Mayor and Council. Chuck submitted his resignation as he left the building.

**Correspondence:** none.

A special session of the Springville City Council is set for **May 27, 2010** at 5:00 p.m.

Motion by Neff, second by Gerdemann to adjourn at 9:25 p.m. All ayes, motion carried.

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**Mayor**

**ATTEST:** \_\_\_\_\_  
**City Clerk**

*\*\*minutes not official until approved by City Council*