SPRINGVILLE CITY COUNCIL PROCEEDINGS
June 07, 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, and Grimley. Neff was absent. Also present: Doug Beard, Steve Shaffer, Tom Miller, Mike and Dixie Brady, Bev Franks, Mike Frederick, Daniel Willems, Lena Gilbert, Rick and Janet Evans, Jack Miell, Mike Schultz and Deputy Brady.

Mayor Heeren opened the public hearing on the ***Brady Re-zoning Request.*** Brady's have submitted a re-zoning application for their property formerly addressed as 108 1st Avenue. Said lots being legally described as SE ¼ Each of Lots 1 & 2 and All of Lots 3 & 4, Block 13, Springville, Iowa, and currently zoned as R-3, Multi-family Residential. Said lots were legally joined to the Brady property addressed as 104 1st Avenue creating parcel number 09283-23006-00000. The 104 1st Avenue property is zoned C-1, Central Business District. Brady's are requesting the above mentioned lots be correctly re-zoned as C-1, Central Business District. The Planning and Zoning Commission recommends the zoning be changed to C-1, Highway Commercial. There being no one present who wished to speak and no written comment received Mayor Heeren closed the public hearing at 7:02 p.m.

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

Citizen's With Concerns Not on the Agenda: Steve Shaffer reported that the siren on the west side of town was malfunctioning on Sunday. It would try to sound but then die back down and seem to have a constant hum. Todd will be notified of the problem.

Mike Brady reported his concerns to the council in reference to a Planning & Zoning Commission member showing bias in the execution of their duties.

Sheriff's Report: Deputy Brady gave the patrol report for hours of service from May 24, 2010 through June 07, 2010. There were 41 calls for service. May hours of service: 122.60.

Maintenance: Todd submitted a written report for the maintenance activities since the last council meeting consisting of: completing DNR reports as required, removing limbs that fell in the city parking lot, reports Mark Lam should look at the tree, cleaned the yard waste site, reported the Cox Lake pump is broken and spoke with Northway Well about the pump at well #3.

Mayor: Rick reported on his attendance at a meeting at Linn County Public Health Department for a seminar on Tobacco Prevention and Control.

Other Reports: Building permit report and Library Board May meeting minutes, April finance report and June activity calendar.

Old Business

Nuisance Abatement – 173 Broadway Street: Atty. Jeff Taylor informed the Clerk he will attempt to have the owner of 173 Broadway served with a "Notice of Dangerous Building" the weekend of May 29th and in fact received e-mail conformation from Taylor that notice was served over the weekend.

406 High Avenue: Property as 406 High Avenue is not being taken care of. Nuisance abatement notice has been sent to the property owner with no results on property cleanup. Bixler researched the property tax status

of the property and found the taxes are being paid by a tax sale investor. Council directed Bixler to contact the company on the status of the property.

5th Street Storm Sewer: Council discussion was held on the condition of the storm sewers along 5th Street and problems during large rains and also the effect the school project would have on the system. It was felt any storm sewer maintenance project should be coordinated with the school project; however the magnitude of the project is cost prohibitive.

School Sewer Main: Discussion was held on the question of ownership of the 8" sewer main on school property. The recorders office has no record of an easement for the sewer main. Bixler will contact the Superintendent's office about what needs to be done.

New Business

Well #3: Motion by Ballantyne, second by Shebetka to proceed with the removal and repair of pumping equipment for well #3 by Northway Well and Pump Co. All ayes, motion carried.

Request for Trophy Sponsorship: Motion by Grimley, second Gerdemann approving Mike Fredericks request for trophy sponsorship in the amount of $35 for Izzy's Car Show to be held on August 21st. All ayes, motion carried.

Workman Lease: Upon review of the Workman lease it was found the lease agreement was an agreement between Workman's and STPA. The item was tabled until the June 21st meeting when the correct lease will be reviewed.

Request to Reduce Building Permit Fee: Discussion took place on the contractor request to reduce the building permit fee for the school addition. Part of the fees are passed on to the City of Marion to cover inspection services and that amount remains unknown at this time. Mayor Heeren felt that the P&Z Commission put in 3+ years developing this system and the process should be followed. Motion by Shebetka, second by Gerdemann to deny the request to reduce the building permit fee. All ayes, motion carried.

STPA: Mike Schultz and Rick and Janet Evans were present to talk with the council about STPA and the tractor pull site. Several issues were discussed and agreed upon. STPA would also like to make some improvements to the site which would require moving the yard waste site. Todd and Roger will meet with members of STPA to view the site and determine if the yard waste site can be moved.

Part-time Seasonal Employee Assistance to Public Works Dept.: Motion by Gerdemann, second by Grimley allowing the park seasonal worker to assist the Public Works Dept. in mowing of other city properties up to 20 hours per week. Should more hours be needed the council will be informed. All ayes, motion carried.

Hiring for Public Works Supervisor Position: A revised job description for the public works supervisor was reviewed by the council. Several small changes were suggested. Motion was made by Shebetka, second by Gerdemann to publish an ad for the position in the Cedar Rapids Gazette inclusive of the Corridor Carriers website, the Town Crier and the Linn Area News. All ayes, motion carried.

4th Avenue and 6th Street Curb Replacement Bids: Motion was made by Shebetka, second by Ballantyne to accept the bid from Salazar Construction, Inc. of $825 for replacement of the curb at 4th Avenue and 6th Street. All ayes, motion carried.

Audit: Motion was made by Shebetka, second by Ballantyne to accept the bid submitted by the Auditor of State for an audit of FY 2010 at a cost to range from $7,400 to $8,000. All ayes, motion carried.

Motion was made by Shebetka, second by Ballantyne to approve the final 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, Neff absent. All ayes, motion carried.

Motion was made by Gerdemann, second by Grimley to approve the final 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, Neff absent. All ayes, motion carried.

Motion was made by Ballantyne, second by Gerdemann to approve the second 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.** Roll call vote, Neff absent. Shebetka nay, remaining ayes. Motion carried.

Motion was made by Ballantyne, second by Gerdemann to waive the 3rd and final 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.** Roll call vote, Neff absent. Shebetka nay, remaining ayes. Motion carried.

Motion was made by Ballantyne, second by Gerdemann adopting **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** and directing the Clerk to post said ordinance in 3 places as designated and become official upon posting. Roll call vote, Neff absent. Shebetka nay, remaining ayes. Motion carried.

Motion was made by Shebetka, second by Grimley to approve the second 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, Neff absent. All ayes, motion carried.

Motion was made by Grimley, second by Gerdemann to approve the first reading of **Ordinance #12-2010: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, 2001 FOR THE CITY OF SPRINGVILLE, IOWA IN ACCORDANCE WITH SECTION 165.05; CHANGES IN THE OFFICIAL MAP.** Roll call vote, Neff absent. All ayes, motion carried.

Lena Gilbert was present for discussion concerning her name being on the sidewalk repair list. Lena noted her side walk had been covered up for a number of years and she uncovered it to see if it was a viable sidewalk. The sidewalk does not continue on, but ends at her property line and actually is not street accessible due to the fact a storm sewer intake was built into the curb when the sidewalk was covered up. Discussion continued on the fact that at one time the sidewalk went all the way to the cemetery and other property owners either took the sidewalk out or covered it up. Note was made of the fact that it is a goal of the cemetery committee that the sidewalk be put back in place and at that point property owners would be involved in the project. Motion was made by Shebetka, second by Gerdemann to approve **Resolution #13-2010: A RESOLUTION ORDERING REQUIRED SIDEWALK REPAIR OR INSTALLATION** with the deletion of Lena Gilbert. Roll call vote, Neff absent. All ayes. Motion carried.

Correspondence: none.

The next meeting of the Springville City Council is set for **June 21, 2010** at 7:00 p.m.

Motion by Gerdemann, second by Ballantyne to adjourn at 9:50 p.m. All ayes, motion carried.

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Mayor

ATTEST: _____
City Clerk

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