

SPRINGVILLE CITY COUNCIL PROCEEDINGS

May 16, 2011

Mayor Heeren called the regular meeting of the Springville City Council to order at 6:00 p.m. in Springville City Hall. Present on roll call: Ralston, Grimley, Miller, Shebetka and Ballantyne. Also present: Brandon French, Bob Tobin, Susan Cooper, Eleanor and Dave Kelley, Mike and Dixie Brady, Nyle Palmer, Patrick Hoyt, George and Dakota Richards, Erv Mussman, John Tuthill, Marc Whitman, Karen Anderson, Bill Croell, J. Frederick, Jim Koppenhaver, Megan Hall, Judy Rose, Mike and Kathy Schmidt, Dean Spina, John and Shirley Folken, Pat and K. O'Brien, Scott and Barb Mysak, Katie and Luke Folken, Larry Wittenburg, Mitch Frederick, Darlene Randall, Erin Foster, Kim Wittenburg, George Rystrom, Kent Backen and Deputy Lemense.

Public Hearing: Mayor Heeren opened the Public Hearing on the **Proposed Budget Amendment** at 6:07 p.m. The Clerk gave a brief overview of the amendment figures. There being no one present who wished to speak and no written comment received Mayor Heeren moved on to the second Public Hearing on **An Application for Annexation**. B&C Materials, LLC has submitted a request for annexation of land (the former "Ruble property") from Linn County into the City of Springville. Erv Mussman of Shive-Hattery and Bill Croell gave a presentation on the proposed annexation site and nature of the business. Owners of the property desire to utilize this property as a quarry site and for concrete and asphalt production and would request an M-2, Heavy Industrial zoning classification as being compatible with the intended use of the property. The owners are not requesting water or sewer utility service from the City. Discussion included, but was not limited to the following: traffic flow, suitability of O'Brien Lane to handle increased and heavy traffic loads, safety concerns in reference to trucks slowing down to turn off Hwy. 151, question of damage to the sewer plant due to blasting, Indian burial sites, areas dedicated as forest preserves, property values, added tax base to Springville and LOST revenue. Dean Spina representing Wendling Quarries spoke cautioning the Council to make an informed decision based on all the facts. Spina noted the business was a "3 prong industrial undertaking", meaning quarry, cement and asphalt operations. Spina questioned if the City's M-2 ordinance adequately addressed the ramification of the operations. He questioned air quality in reference to the operation of an asphalt plant. Also, O'Brien Lane is inadequate to service the truck traffic and historical ramifications. There being no further comment Mayor Heeren closed the Public Hearings at 7:44 p.m.

Consent Agenda: Motion was made by Shebetka, second by Grimley to approve the consent agenda with the removal of approval of Casey's cigarette permit as requested by Shebetka. All ayes motion carried. Bixler will check with Atty. Taylor on the City's rights/responsibilities in granting a permit due to the fact Casey's was cited for a second tobacco violation in a 2 year time period.

Citizens with Concerns Not on the Agenda: Jim Koppenhaver asked when the streets would be cleaned and the grass, weeds and broken asphalt cleaned up along city curbs. Brandon noted MSI has been contacted for spring street cleaning. Dave Kelley felt it was important to get junk vehicles off the streets and properties.

Sheriff's Report: Deputy Lemense gave the patrol report for hours of service from May 02, 2011 through May 16, 2011. There were 31 calls service. April hours of service: 128.00.

Brandon provided a written maintenance report for the council inclusive of: mowing, discharging at the lagoon, picked up and hauled clean metal to recycler, researched options for fixing storm sewer on Mill Avenue, cleaned culverts and ditches along 4th Street N, cut pipe for balusters at yard waste site. Public Works will be cutting trees for the sewer project, mowing and trimming city properties, finish discharging, paint curb lines, complete the sidewalk list and complete a sign inventory.

Mayor: none.

Other Reports: Springville Library Board minutes and May calendar, Springville Fire and Rescue Intoxicant and Drug Policy, April 27th P&Z meeting minutes, report from the Clerk on new “retro-reflectivity” requirements for street signs, property tax legislation and a sample of a “Welcome to Springville” brochure being worked on.

Old Business

Nuisance Abatement – 173 Broadway: the property has tested positive for asbestos materials. Any asbestos found on a property owned by a governmental entity must be remediated according to governmental regulations. Bixler will contact ECICOG for advice on how to proceed with demolition plans for the residence.

Cedar Valley Humane Society 28E Agreement: Council reviewed and approved the revised 28E agreement for animal shelter services with CVHS. Motion was made by Shebetka, second by Miller directing the Mayor sign the 28E agreement for animal shelter services with Cedar Valley Humane Society. All ayes, motion carried.

New Business

Tax Abatement Program: Kent Backen of Elite Developers, LLC was present for further discussion on the request that the City of Springville designate Spring Meadows III as an urban revitalization area, as defined in the urban renewal law, for the purpose of offering property tax abatement to encourage new construction of residential properties. Council discussion followed with City Engineer Bob Tobin and Kent Backen on the aspects of property tax abatement and the ramifications to Springville. Motion by Shebetka, second by Grimley to move forward with designating Spring Meadows as an urban revitalization area for the purpose of offering property tax abatement to encourage new construction of residential properties in that area. All ayes, motion carried. ECICOG and Bob Josten of Dorsey and Whitney will be contacted for professional assistance in drawing up an agreement.

Fire Truck Purchase: Discussion was held on the proposed joint purchase of a tanker truck between the City and Brown Township. The purchase would be a 60/40 split with Brown Township owning 60% of the vehicle and be responsible for 60% of maintenance for the vehicle, with the City’s contribution and maintenance responsibilities being 40%. Comment was that with the LOST vote results as they were - that LOST revenues would be greatly reduced for Springville when the current tax expires in June of 2014. So at this point the option of using LOST to help retire debt taken on by the upcoming sewer project would need to be reconsidered, along with financing of a tanker truck for the fire department. The finance committee noted they were very impressed with the presentation of the finance expert they had met with and thought it would be helpful for him to address the council. Bixler will contact him to see if he is available for the July 11th council meeting.

SOAP Presentation: tabled due to lack of time.

Reduce P&Z Commission to a 5 Member Board: Due to the fact it is extremely difficult to maintain a 7 member P&Z Commission, Chad Sands of ECICOG recommended amending City Code to reduce the commission to a 5 member board. Motion by Shebetka, second by Grimley directing the Clerk prepare an ordinance amendment to reduce the P&Z Commission from a 7 member board to a 5 member board. All ayes, motion carried.

Hire Seasonal Park Employee: tabled.

Set Public Hearing for Annexation Request: Council directed the Clerk to contact City Engineer Robert Tobin to prepare a report for further discussion on questions raised during the public hearing and the ramifications of a quarry operation within the city limits.

Library Board Appointment: Motion was made by Ballantyne, second by Grimley appointing Susan Minger to fill the vacant seat on the Library Board. All ayes, motion carried.

Citizen Complaints on Cemetery Maintenance: Kathy Schmidt, along with other audience members were present to complain about shepard hooks and other grave decorations being removed from loved one's graves by cemetery committee members during cleanup. Interpretation of the decoration regulations contained in the cemetery ordinance was debated. Councilperson Ballantyne noted that the results of this thorough discussion should be compromise and resolution, and felt the ordinance should be reviewed and revised so that everyone is in agreement with and aware of the regulations for grave decorations at the cemetery. Motion was made by Ralston, second by Ballantyne that the public may place shepard hooks and grave decorations on graves at the cemetery and they will stay in place per the guidelines of the current ordinance until an ordinance amendment is passed by the council. All ayes, motion carried.

Councilman Miller left at 8:35 p.m.

Motion was made by Shebetka, second by Grimley approving **Resolution #10-2011; A Resolution Adopting a Budget Amendment for the Fiscal Year Ending June 30, 2011.** Roll call vote, Miller absent. All ayes, motion carried.

Motion was made by Shebetka, second by Ralston approving the first reading of **Ordinance #1-2011; An Ordinance Amending Ordinance #6-2010 by Amending Provisions Pertaining to Fees for Water Rates and Charges.** Roll call vote, Miller absent. All ayes, motion carried.

Motion was made by Grimley, second by Ballantyne approving the first reading of **Ordinance #2-2011; An Ordinance Amending Ordinance #6-2010 by Amending Provisions Pertaining to Fees for Sewer Rates and Charges.** Roll call vote, Miller absent. All ayes, motion carried.

Correspondence: Bixler noted the Abstract of Votes has been received from Linn County confirming the passage of the public measure to impose a LOST in the City of Springville, at the rate of 1% to be effective from July 1, 2014 until June 30, 2034. Also, correspondence from EMC Insurance Company and Black Hills Energy.

Next regular council meeting **June 6, 2011 at 6:00 p.m.**

Motion by Grimley, second by Ballantyne to adjourn at 9:07 p.m. All ayes, motion carried.

ATTEST: _____
City Clerk

Mayor

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

