

## **SPRINGVILLE CITY COUNCIL PROCEEDINGS**

### **November 5, 2012**

Mayor Heeren called the regular meeting of the Springville City Council to order at 6:00 pm at Springville City Hall. Present on roll call: Miller, Shebetka, Brady, Ralston and Grimley. Also present: Matt Saur, Doug Beard, Pat Hoyt, PJ Hoyt, Steve Shaffer, Dave Kelley, Mike Hudson, Jake Hiner, Todd Wyman and Deputy Munier.

Mayor Heeren opened the **Public Hearing to Inform Citizens of the City's Intent to Submit a CDBG Application to the Iowa Economic Development Authority for Funding of Phase II for Improvements to the Sanitary Sewer System**: the Public Hearing was opened at 6:20 pm. Matt Saur of MSA was present to talk over the process with the Council. The recommended improvements are identified through a Facility Plan that evaluates several alternative solutions for the City. Estimated total project cost of the project is \$400,000; to be funded through the use of CDBG funds and a SRF loan. The application will be submitted before November 14, 2012. The proposed improvements will complete the overall plan that was adopted in 2002. Mayor Heeren asked for oral or written comment, there being none he closed the Public Hearing at 6:36 pm.

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

**Citizens With Concerns Not on the Agenda:** Steve Shaffer once again thanked the PW Department for averting the water flow from his driveway so that heavy rains can no longer cause ruts in his driveway.

#### **Reports**

**Sheriff:** the patrol report was provided by Deputy Munier for hours of service from October 15, 2012 through November 5, 2012. There were 48 calls for service. October hours of service: 104.6.

**Maintenance:** written report consisting of; yard waste site cleanup, leaf pickup in the parks, mowing the lagoon, getting the JD garden tractor ready for snow pushing, put away summer equipment, mixed sand and salt, put sander on the dump truck and set the controller for spreading. Todd also checked on the valve for the lift station – the first valve did not pass casting inspection so a new one will be recast this week. Black Hills Gas has requested the City cut a tree down that is dying next to their substation on 6<sup>th</sup> Street. Black Hills has an easement on the property there and it is undeterminable whose property the tree is on. Due to liability issues Todd asked the Council if we should contract with D&D for removal of the tree or if the guys should just take the tree down. Council felt that if the guys thought they were capable of getting the tree down they should just go ahead and take it down. MSI supplied a quote of \$2,800 for 600' of seal crack on cement streets in town. Weather permitting MSI can get at the project yet this week. If the weather gets colder the project will be put off until next spring. Todd provided the council with a price quote of \$3,550 from Martin Equipment for a 10' snow pusher for the backhoe. Chains and binders would be purchased at Pro-Tech. Council noted the purchase was approved at the last council meeting and Todd should go ahead and purchase the snow pusher. The Ex-Mark mower was discussed again. Todd noted it is running fine since the last fix, but that it had only been used once or twice for leaf pickup. Consensus was to wait until spring before making a decision on trading it in for a different mower. Todd will complete the monthly water testing and new quarterly test for Well #3, get the generator inspection completed for this year and continue to get ready for the winter season.

Mayor Heeren attended the monthly NEIRL meeting. He said the topic was close to home - "dealing with nuisance buildings". He reported the attorney giving the seminar stated we have been following the law, it has

just taken us about twice as long as it should have. Rick also attended the monthly "Mayors' Meeting". Agenda topics included the proposed casino for Cedar Rapids and LOST.

The following reports were provided to the Council: October 2012 overtime report and the September finance report for the Library.

**Old Business: Nuisance Abatement – 173 Broadway:** Atty. Taylor reported the attorney for Wells Fargo in Des Moines will sign the release and mail it to the county clerk in Cedar Rapids. Taylor will inform the City when the document is filed.

**501 Broadway Street; Use of Camper as a Residential Dwelling:** Mike Hudson was present for discussion on the letter of request he wrote to the Council. Mike requests to keep the electrical hookup to the camper. His cat resides in the camper and he has belongings stored in the camper that should not freeze. It was noted that the LP tanks have been removed, the camper has been licensed and the slide has been put in. Council felt that it was time to retire this matter and have no problem with the electrical hookup as long as the camper is not being used as a residence.

**New Business:**

**Manor Court Pillars:** Jake Hiner provided council with a picture showing the condition of the entrance pillars to Manor Court. The residents are requesting new pillars for the entrance. Jake has spoken with Josh Schmidt and received an estimate of \$900 per column for replacement using Stone City stone rather than bricks. It was noted that the pillars in Butler Park also need to be replaced. The Park Board has budgeted funds to have this done. However, the pillars on the Broadway side of the park will be replaced as part of Phase 4 of the street project. Motion was made by Ralston, second by Brady to replace the columns in Manor Court with Stone City stone. All ayes, motion carried. Jake will contact Pastor John for his input on the Butler Park columns and then contact Josh Schmidt.

**Casey's Building:** Casey's Contribution Committee has approved Springville's request for donation of the closed store. Atty. Taylor has been contacted to handle the legal aspects of the donation. Councilman Grimley noted that acceptance of the donation has not been approved by the council. Council discussion was held on Jeff's research on aspects of the building: loss of tax revenue on the property, the underground fuel storage tanks and future plans for the building. Brady commented that he did feel that a decision had been made by council as of yet but felt it was prudent to have Taylor review the legalities of the City accepting the Casey's building as a donation so the council could make a decision to accept or forego the donation.

**Water Street Easement:** Discussion was held with Pat Hoyt on the need for an easement of approximately 568 square feet due to the 2<sup>nd</sup> Avenue/Water Street road encroachment on to the rear yard of his property (the 202 Broadway address). Over the years the roadway has continued to encroach on the property due to how the roadway has adapted to the traffic flow on that corner which is also bordered by the creek. All information will be turned over to Atty. Taylor and the city insurance agent for recommendations.

Motion by Grimley, second by Shebetka to set November 19<sup>th</sup> at 6:00 pm as the date and time of a Public Hearing to Inform Citizens of the City's Intent to Submit a CDBG grant application to the Iowa Economic Development Authority for funding of improvements to downtown Springville. All ayes, motion carried.

Discussion was held on the FY 2011-12 Street Finance Report, the FY 2011-12 year end treasurer's report and the profit/loss statement for the fiscal year. Motion by Shebetka, second by Grimley to approve

**Resolution #27-2012; A Resolution Accepting the IDOT Finance Report for FY 2011-12.** Roll call vote, all ayes. Motion carried.

Motion was made by Brady, second by Shebetka to approve the second reading of **Ordinance #5-2012; An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009, By Amending Provisions Pertaining to Installment Payment of Cost of Abatement** and to suspend the 3<sup>rd</sup> and final reading of said ordinance. Roll call vote, all ayes. Motion carried. Ordinance #5-2012 is duly adopted and shall be published and posted as prescribed by Springville Code, Chapter 18.05(2): Manner of Publication.

Motion was made by Shebetka, second by Miller to approve the second reading of **Ordinance #6-2012; An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009, By Amending Provisions Pertaining to Prohibited Sales and Acts** and to suspend the 3<sup>rd</sup> and final reading of said ordinance. Roll call vote, all ayes. Motion carried. Ordinance #6-2012 is duly adopted and shall be published and posted as prescribed by Springville Code, Chapter 18.05(2): Manner of Publication.

Motion was made by Brady, second by Ralston to approve the second reading of **Ordinance #7-2012; An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009, By Amending Provisions Pertaining to Service Discontinued and Lien Exemption** and to suspend the 3<sup>rd</sup> and final reading of said ordinance. Roll call vote, all ayes. Motion carried. Ordinance #7-2012 is duly adopted and shall be published and posted as prescribed by Springville Code, Chapter 18.05(2): Manner of Publication.

Motion was made by Miller, second by Shebetka to approve the second reading of **Ordinance #8-2012; An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009, By Amending Provisions Pertaining to All-Terrain Vehicles** and to suspend the 3<sup>rd</sup> and final reading of said ordinance. Roll call vote, all ayes. Motion carried. Ordinance #8-2012 is duly adopted and shall be published and posted as prescribed by Springville Code, Chapter 18.05(2): Manner of Publication.

Motion was made by Brady, second by Ralston to approve the second reading of **Ordinance #9-2012; An Ordinance Amending the Official Zoning Map, 2001 for the City of Springville, Iowa in Accordance with Section 165.05; Changes in the Official Zoning Map** and to suspend the 3<sup>rd</sup> and final reading of said ordinance. Roll call vote, all ayes. Motion carried. Ordinance #9-2012 is duly adopted and shall be published and posted as prescribed by Springville Code, Chapter 18.05(2): Manner of Publication.

**Correspondence:** Police report on a dog bite incident at Cox Lake.

**Next Meeting:** November 19, 2012 at 6:00 p.m.

Motion by Shebetka, second by Miller to adjourn at 7:53 pm. All ayes, motion carried.

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

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*Mayor*

