

**SPRINGVILLE CITY COUNCIL PROCEEDINGS**  
**November 03, 2014**  
*amended minutes*

Mayor Shebetka called the regular meeting of the City Council to order at 6:00 pm in Springville City Hall. Present on roll call: Brady, Hoyt, Sindelar, and Ralston. Councilman Miller's seat remains vacant after his resignation of October 13, 2014.

**Consent Agenda:** Motion by Hoyt, second by Brady, to approve the consent agenda as posted. All ayes, motion carried.

**Public Forum:** Janet Evans had questions about how minutes are written. Kim Markley asked for clarification on statements she attributed being spoken by Councilman Hoyt. Donna Noggle thanked the council for their action on amending the ordinance for current utility outside the city limits.

**Reports**

**Sheriff:** Deputy Egli presented the service log for October 20, 2014 through November 3, 2014. There were 12 calls for service. October hours of service: 105.9.

**Public Works Maintenance Report:** Council reviewed Todd's written maintenance report. Todd indicated the IDNR will consider a water line to Wendling Quarries, to be a dead end line and would not be required to maintain minimum chlorine residuals. Black Hills Energy informed Todd there is no charge for a duel meter set but it is our cost to change all the piping inside the building. Other needs for the business floor will be addressed if an interested party comes forward to rent the building.

**Old Business**

**Stream Bank Stabilization:** John Gallagher of Linn Soil and Water Conservation District was present for discussion on drainage problems in the Circle. Over the years the impervious area of the district has increased significantly (Circle Drive infrastructure, Hwy. 151, Spring Meadows subdivision.....). Gallagher recommended a hydrological study be completed to assess options for improved storm water management practices.

**Sidewalk List:** Once again Todd reported no luck finding a contractor to pour the remaining squares of sidewalk that were marked but not completed by the homeowner. Todd suggested the Council consider looking into adopting a different sidewalk program as the current program has its drawbacks. Motion was made by Brady, second by Sindelar to hold over until spring those sidewalk squares that were marked for repair. All ayes, motion carried.

**Remote Read Meters:** Mayor Shebetka recommended the City proceed with Badger Orion Radio Read system quoted by Metering and Technology. There were 3 bids from different companies. Although the Badger Orion Radio Read quote at \$76,459 (does not include residential meter installation) was not the lowest bid, it was thought to be the superior brand of those submitted for consideration. Other bids received: Utility Equipment at \$69,349.00 and Ferguson Waterworks at \$88,100. Motion was made by Brady, second by Sindelar to accept the bid from Metering and Technology in the amount of \$76,459 for the Badger Orion Radio Read meter system. One seat vacant, remaining ayes, motion carried.

**171 4<sup>th</sup> Street N Property Issue:** just received the updated plat by e-mail today, will be on the next agenda.

**Tree Removal Bids for Cemetery:** the City Clerk has only received one bid for the tree work needing to be done at the cemetery. Two other contractors have been called and have not submitted bids. Council directed that the contractors be contacted again requesting they submit a bid by November 17<sup>th</sup>.

**159 5<sup>th</sup> Street Bank Stabilization:** Mayor Shebetka informed the council that the City Clerk and Engineer Tobin are working on the IDNR permit. STPA has received their Army Corp of Engineers permit. City Hall will require bid letting for the project. Discussion continued on aspects of the stream bank stabilization.

### **New Business**

**Deputy Clerk 90 Day Rate Increase:** Motion was made by Hoyt, second by Brady approving a 50¢ per hour wage increase as agreed upon after a satisfactory 90 day probation period. All ayes, motion carried.

**Council Appointment:** Mayor Shebetka asked that each candidate introduce themselves and tell the council why they chose to put their hat in the ring for the vacant council seat. It was noted that the term of service would be for one year, as former Councilman Millers' term was up for election on the November 5, 2015 municipal election. The City received 7 applications from: Stacy Mason, Deb Vaughn, Brad Merritt, Kaitlynn Baker, Dave Raue, LeRoy Boland and Rick Heeren. Each candidate introduced her or himself and listed his or her credentials to serve on the City Council. Applicant Rick Heeren reminded the Council of the "Veteran's Preference Law", Iowa Code Chapter 35C. Page 97 of the Iowa Municipal Leader's Handbook was referenced for explanation of the law. Brady read the applicable section for the council. Mike asked Heeren for his experience in municipal government. Council discussion regarding the applicant's credentials ensued.

Motion was made by Brady, second by Hoyt to approve **Resolution #18-2014; A Resolution Approving Appointment (Rick Heeren) to Fill the Vacant Council Seat With a Term To Expire December 31, 2015.** Roll call vote. Brady and Hoyt ayes. Ralston and Sindelar nays. One seat vacant. Motion defeated. Questions on preparing a petition calling for a special election were discussed. No other motions were made, council seat remains vacant.

Motion was made by Brady, second by Sindelar to approve the 2<sup>nd</sup> reading and to suspend the third and final reading of **Ordinance #4-2014: An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009 By Modifying an Existing Provision of Chapter 92 Water Rates.** Roll call vote: one seat vacant, remaining ayes, motion carried. Ordinance #4-2014 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 Hoyt, second by Ralston to approve the 1<sup>st</sup> reading of **Ordinance #5-2014: An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009 By Adding a New Section Limiting Parking on Broadway Street From the City Limits to 5<sup>th</sup> Avenue on Both Sides of the Street.** Roll call vote; one seat vacant, remaining ayes, motion carried.

**Ordinance #6-2014: An Ordinance Amending the Code of Ordinances of the City of Springville, Iowa, 2009 By Adding a New Section Limiting Parking on 1<sup>st</sup> Avenue From \_\_\_\_\_ to \_\_\_\_\_,** failed due to lack of a motion.

**Discussion Regarding Job Performance of City Clerk and Discussion and Possible Action Regarding City Clerk Job Title, Job Description, and Compensation.** Deb Vaughn objected to the closed session and read sections of Iowa Code Chapter 21.5(i) in support of her objection to the closed session. City Attorney Parmenter did not agree with Vaughn and discussion continued on each person's opinion of the meaning of Chapter 21.5(i). It is so noted for the record that Vaughn objected to the closed session. Motion was made by Brady and second by Hoyt to go into closed session at 9:12 p.m. Ayes: Hoyt, Sindelar and Brady. Ralston, nay.

Motion by Brady, second by Hoyt to enter back into open session at 9:25 p.m. All ayes, motion carried.

*At that time Bixler requested she retain her current title, job description and a 3% raise as given the other employees. Motion was made by Brady, second by Hoyt to approve said request. Roll call vote; all ayes, motion carried.*

**Correspondence:** none.

**Next meeting:** November 17, at 6:00 PM.

Motion by Ralston second by Sindelar to adjourn the meeting at 9:27 p.m. All ayes, motion carried. Meeting adjourned.

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

\_\_\_\_\_  
Mayor