**CITY OF JANESVILLE**

**City Council Proceedings**

#### September 11, 2017

The Janesville City Council met in regular session on Monday, September 11, 2017 in the Council Chambers of City Hall at approximately 6:00 p.m. with Mayor Carroll in the Chair and Council Members, Reid, Stapleton, Robinson, Bettis, and Hanson present. Also present were City Attorney, Gary Boveia, City Clerk, Chris Murley, Police Chief, Randy Samec, Public Works Director, Becky Wrage, AECOM Engineer, Mark Durbahn and Christina Crew.

Motion by Council Member Bettis and seconded by Council Member Stapleton approving to adopt the agenda as presented. Motion carried.

Citizen Comments/Complaints: None.

The following bills were presented:

38383 Christine A. Murley Payroll 1,414.21

38384 Tina Ristau Payroll 31.90

38385 Randy Samec Payroll 1,294.19

38386 Beth Ann Miller Payroll 124.96

38387 Christa Kurtz Payroll 722.34

38388 Rebecca Wrage Payroll 1,278.17

38389 Eric VerSteegt Payroll 247.13

38390 Dustin Mooty Payroll 1,072.47

38391 Lisa Gansen Payroll 668.52

38392 Jason Hoerman Payroll 1,002.25

38393 VOID .00

38394 IPERS IPERS 3,513.83

38395 Treasurer – State of Iowa State Taxes 874.00

38396 Baker & Taylor Books 255.30

38397 City Laundering Company Clean Rugs – Rental 87.10

38398 Janesville Postmaster PO Box Rent 92.00

38399 Lisa Gansen Mileage to Fredericksburg – Meeting 20.76

38400 One Solution New Computers 2,850.00

38401 Popular Mechanics/Hearst Magazine Subscription 12.84

38402 Real Simple Magazine Subscription 23.94

38403 State Library of Iowa Database Subscription 80.80

38404 Taste of Iowa Magazine Subscription 10.00

38405 Wal-Mart DVDs 308.65

38406 Windstream/Iowa Telecom Telephone 75.26

38407 Harris Firearms Can Coozies 45.00

38408 Herb Meyer Memorial Herb Meyer Memorial 50.00

38409 Janesville Lumber Caution Tape 24.48

38410 Kwik Trip, Inc. Fuel 146.49

38411 Midwest Breathing Air Quarterly Air Test 535.16

38412 Pro Hydro-Testing Testing 912.00

38413 Rande Renner Memorial Rande Renner Memorial 25.00

38414 Sew Nancy Caps 394.00

38415 Verizon Wireless PD & FD Wireless Service Fee 58.56

38416 Wellmark Employee Health & Dental Insurance 3,177.04

38417 Sun Life Financial Employee Life & Disability Insurance 356.28

38418 U.S. Cellular PW Cell Phone Service 65.99

38419 Christine Murley Payroll 1,414.21

38420 Randy Samec Payroll 1,298.92

38421 Beth Ann Miller Payroll 114.34

38422 Christa Kurtz Payroll 711.35

38423 Kathryn Behnke Payroll 31.90

38424 Rebecca Wrage Payroll 1,197.00

38425 Karen Henriksen Payroll 66.47

38426 Jason Hildebrand Payroll 69.55

38427 Eric VerSteegt Payroll 169.70

38428 Dustin Mooty Payroll 1,058.89

38429 Lisa Gansen Payroll 681.34

38430 Jason Hoerman Payroll 1,005.54

38431 AECOM Engineering Fees 681.34

38432 Axon Enterprise Inc. Taser, Battery & Holsters 1,162.20

38433 Black Hawk Waste Disposal Landfill Fees 695.77

38434 Blazek Corporation BRWIP Construction Costs 100,875.86

38435 Boveia Law Firm Attorney Fees 2,665.40

38436 Card Center Annual Backup System Fee 86.70

38437 Data Technologies, Inc. ACH Software Implementation 601.25

38438 Elsamiller Electric Co. Labor - Pump at 7th Street 31.00

38439 Eric VerSteegt Mileage 55.80

38440 Hawkins, Inc. Chemicals 551.41

38441 IAMU Municipal Utility Law 101 – Reg. Fees 230.00

38442 Iowa Regional Utility Association Bulk Water Usage 7,286.76

38443 Janesville Lumber 9-V Batteries 42.24

38444 Keystone Laboratories Samples 686.50

38445 Khaliqvuci-Batteries Plus Batteries – Exit Signs 74.47

38446 VOID .00

38447 Kwik Trip, Inc. Fuel 640.05

38448 L-Tron Corporation Barcode Scanner/Shipping 22.50

38449 Marco, Inc. Copies per Lease 214.14

38450 Menards Telephones for Shop 54.98

38451 Mid American Energy Company 911 Repeater 21.21

38452 Rite Price Office Supply, Inc. Misc. Operating Supplies 52.71

38453 Scheels Ammo/Mags 356.88

38454 Special Janesville Library Monthly City Contribution 3,751.17

38455 Stokes Welding Trimmer String 16.95

38456 Utility Equipment V.B. Riser 6” 36.90

38457 Wal-Mart Supplies 34.14

38458 Waverly Newspapers Publication Fees 516.34

38459 Windstream/Iowa Telecom Telephone 406.06

38460 Janesville Post Office Utility Billing Postage 136.29

38461 Ahlers & Cooney Post-Iss Compl Bond Training-Reg Fees 75.00

38462 AFLAC Insurance Optional Employee Insurance 115.68

38463 Black Hawk Waste Disposal Garbage & Recycling Collection Fees 5,052.89

38464 Mid American Energy Company Monthly Utility Bill 2,066.94

3196369 EFTPS Payroll Taxes 2,850.01

3196370 EFTPS Payroll Taxes 2,798.99

(Disbursements: General-25,494.94, Road Use-3,480.57, Special Events-38.46, Summer Recreation Program-.00, Volunteer Fire Dept.-2,132.13, Special Library-6,983.53, Park Expansion & Improvements-.00, Water & Sewer Improvements-973.48, Barrick Road Water Improvement Project-110,054.01, Water-11,380.57, Sewer-5,227.11, and Refuse-7,981.86 = 173,746.66)

RESOLUTION #1595 – A RESOLUTION ALLOWING CLAIMS FOR THE MONTH OF SEPTEMBER, 2017. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JANESVILLE, IOWA, that the foregoing claims be allowed as presented and warrants for the same be issued to the City Treasurer. BE IT FURTHER RESOLVED that the City Clerk is hereby authorized, empowered, and directed to draw and issue warrants on the respective funds and accounts. Resolved by Council Member Stapleton and seconded by Council Member Robinson to approve the bills as presented. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Resolution approved and adopted this 11th day of September 2017.

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MAYOR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion by Council Member Reid and seconded by Council Member Bettis to approve the following Consent Agenda items: August 14, 2017 City Council Proceedings, August 31, 2017 Budget & Treasurer Reports, and Janesville Tap’s Class C Liquor License Renewal pending the filing of a satisfactory inspection report. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

A vacancy still exists on the Janesville Board of Adjustments and Black Hawk County E911 Board. If interested, please contact the City Clerk’s Office at (319) 987-2905.

Public Works Director Wrage and Police Chief Samec presented their monthly reports to the Council.

Motion by Council Member Robinson and seconded by Council Member Reid to approve the $140 registration fee plus appropriate costs for wages, meals, lodging, and mileage (if city vehicle not available) for Becky Wrage, Public Works Director, to attend the Iowa Rural Water Association’s Fall 2017 Conference on 10/10/17 and 10/11/17 at the Grand River Center in Dubuque. Motion carried.

The Janesville 2017 Homecoming Parade is scheduled to begin at 1:30 p.m. on Friday, October 6, 2017.

Motion by Council Member Reid and seconded by Council Member Stapleton approving the Janesville 2017 Homecoming requests as follows: Road Closures for Parade Setup and Return (Approximately 12:30 p.m. – 1:30 p.m.) - Barrick Road from Pine Street to Sycamore Street, Road Closures for Parade (Approximately 1:30 p.m. – 2:30 p.m.) - West on Barrick Road from the School, South on Main Street, East on 3rd Street, and North on Elm Street to the School), and Assistance from Police, Fire, and Public Works Departments (police escort, barricades, fire trucks, and etc.). Motion carried.

Resolved by Council Member Stapleton and seconded by Council Member Robinson to approve RESOLUTION 1596 – A RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE POLICY. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Resolution approved and adopted this 11th day of September 2017.

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MAYOR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion by Council Member Reid and seconded by Council Member Robinson to approve payment of Blazek Corporation’s Pay Estimate #2 totaling $100,875.86. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

The City plans to complete the work themselves with regard to the Waste Water Treatment Plant facilities plan.

Mr. Durbahn reported that Harman Mallhi is working closely with Maggie Burger of Speer Financial and city employees to complete the USDA Loan Application.

Motion by Council Member Hanson and seconded by Council Member Reid to approve ORDINANCE #327 – AN ORDINANCE AMENDING ORDINANCE NO. 216, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED CITY OF JANESVILLE URBAN RENEWAL AREA, IN THE CITY OF JANESVILLE, COUNTIES OF BREMER AND BLACK HAWK, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF JANESVILLE, COUNTIES OF BREMER AND BLACK HAWK, JANESVILLE COMMUNTY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED CITY OF JANESVILLE URBAN RENEWAL AREA (AMENDMENT NO. 1 TO THE CITY OF JANESVILLE URBAN RENEWAL PLAN) on its second reading. Roll Call Vote: Ayes – Hanson, Bettis, Robinson, Stapleton, and Reid. Nays – None. Motion carried.

Motion by Council Member Stapleton and seconded by Council Member Bettis to approve ORDINANCE #328 – AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE HARDWOOD ESTATES URBAN RENEWAL AREA, IN THE CITY OF JANESVILLE, COUNTY OF BREMER, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF JANESVILLE, COUNTY OF BREMER, JANESVILLE COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE HARDWOOD ESTATES URBAN RENEWAL AREA (THE HARDWOOD ESTATES URBAN RENEWAL PLAN) on its second reading. Roll Call Vote: Ayes – Hanson, Bettis, Robinson, Stapleton, and Reid. Nays – None. Motion carried.

Motion by Council Member Reid and seconded by Council Member Robinson to approve ORDINANCE #323 – AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEY BETWEEN LOTS NOS. 1, 2, 3, 4, 5, 6, 7, AND 8 IN BLOCK NO. 1 WITHIN THE CITY OF JANESVILLE, AND FURTHER ADJOINING SYCAMORE STREET AS A PART OF THE ORIGINAL PLAT OF THE CITY LOCATED IN BLACK HAWK COUNTY, IOWA on its third and/or final reading. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

At 6:45 p.m., Mayor Carroll opened the Public Hearing with regard to the City Council’s intended sale of the vacated alley between Lot Numbers 1 – 8 in Block One within the City of Janesville to James Hundley and Steve Albers upon their offer to buy the said real estate for the costs incurred by the City for all necessary publication, abstract costs, deed and closing documents, including attorney fees, incident to the transfer of the real estate to the respective interests of James Hundley and Steven Albers. Mayor Carroll asked for public comments regarding said proposal. The City Clerk stated that no written comments for or against the proposal had been filed. After giving opportunity for all desiring to be heard, Mayor Carroll closed the Public Hearing at 6:46 p.m. and asked the City Attorney to proceed as necessary.

Motion by Council Member Robinson and seconded by Council Member Hanson to approve ORDINANCE #324 – AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF JANESVILLE, IOWA, BY AMENDING THE WATER RATES FOR SERVICE AS PROVIDED BY SECTION 92.02 OF CHAPTER 92 on its third and/or final reading. Roll Call Vote: Ayes – Hanson, Bettis, Robinson, Stapleton, and Reid. Nays – None. Motion carried.

Motion by Council Member Robinson and seconded by Council Member Stapleton to approve ORDINANCE #325 – AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF JANESVILLE, IOWA, WITH REGARD TO SEWER SERVICE CHARGES BY AMENDING THE SEWER RATES PROVIDED BY SECTIONS 99.02(1) AND 99.03(1) OF CHAPTER 99 on its third and/or final reading. Roll Call Vote: Ayes – Hanson, Bettis, Robinson, Stapleton, and Reid. Nays – None. Motion carried.

Motion by Council Member Hanson and seconded by Council Member Stapleton to approve, as amended, ORDINANCE #326 – AN ORDINANCE AMENDING CHAPTER 47 REGARDING PARK REGULATIONS BY ADDING SECTION 47.07 CITY SHELTER USAGE AND FEES on its second reading. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

Motion by Council Member Robinson and seconded by Council Member Reid to approve Travis Crew’s request for the waiving of monthly water and sewer service fees at 118 3rd Street upon his removal of the mobile home and the complete disconnection/capping of the water and sewer service lines from the respective city mains. Motion carried.

Motion by Council Member Reid and seconded by Council Member Stapleton to approve, as presented, Todd & Deb Thompson’s Application for Driveway Construction Permit at 117 Maple Street. Motion carried.

Resolved by Council Member Reid and seconded by Council Member Bettis to approve RESOLUTION #1596 – A RESOLUTION APPROVING THE 2016/17 FISCAL YEAR STREET FINANCE REPORT AS PRESENTED BY THE CITY CLERK. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Resolution approved and adopted this 11th day of September 2017.

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MAYOR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Public Works Director, Becky Wrage and Police Chief, Randy Samec departed meeting.

Motion by Council Member Robinson and seconded by Council Member Stapleton to approve entering into Closed Session per Iowa Code 21.5(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation with regard to State Bank vs Sands and the City of Janesville. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

The Council entered into Closed Session at approximately 7:15 p.m.

Motion by Council Member Reid and seconded by Council Member Stapleton to approve entering into Open Session. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

The Council entered into Open Session at approximately 7:36 p.m.

There was no action necessary regarding State Bank vs Sands and City of Janesville litigation.

The City Attorney, City Clerk, and Mayor presented their monthly oral reports to the Council.

Motion by Council Member Stapleton and seconded by Council Member Hanson to approve payment of the $115 per person registration fee plus appropriate costs for wages, meals, and mileage (if city vehicle not available) for the City Clerk and Deputy City Clerk to attend Ahlers & Cooney, PC and IAMU’s Municipal Utility Law 101 Workshop on 10/23/17 at the IAMU Training Center & Office Complex in Ankeny. Motion carried.

Motion by Council Member Stapleton and seconded by Council Member Robinson to approve payment of the $95 registration fee plus appropriate costs for wages and mileage (if city vehicle not available) for the Deputy City Clerk to attend Data Technologies, Inc.’s Iowa User Group Meeting on 10/24/17 at the Waverly Civic Center in Waverly. Motion carried.

Motion by Council Member Hanson and seconded by Council Member Stapleton to approve the $75 registration fee plus appropriate costs for wages, meals, and mileage (if city vehicle not available) for the City Clerk to attend Ahlers & Cooney’s Post-Issuance Compliance Training for Bonds on 10/27/17 in Cedar Rapids. Motion carried.

Council Member Stapleton reported to the Council that she plans to go shopping with the City Clerk to determine possible purchases of replacement telephones, and a timeclock for City Hall and tablets for the Mayor and Council Members.

Motion by Council Member Reid and seconded by Council Member Stapleton approving to adjourn. Motion carried. Meeting closed at 8:13 p.m.

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MAYOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_