**CITY OF JANESVILLE**

**City Council Proceedings**

#### December 11, 2017

The Janesville City Council met in regular session on Monday, December 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, Deputy City Clerk, Christa Kurtz, Police Officer, Dustin Mooty, Public Works Director, Becky Wrage, Bremer Co. Building & Zoning Administrator, Randy McKenzie, MSA Professional Services Engineer, Joe Elsinger, Council Member Elect, Al Worrell, Modern Builders/Janesville Lumber Representatives, Marty Leary, Robert Stensland, Rick Stensland, and Greg Kiene, AECOM Engineer, Mark Durbahn, Whitey’s Auto and Car Wash Owner, Richard White, and Roger Sorge.

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

The City Clerk administered the Oath of Office to the following: Mayor Elect, Sandi Carroll and Council Member Elects, Doug Bettis, Sue Stapleton, and Alvin Worrell.

Citizen Comments/Complaints: Roger Sorge stated various questions and concerns with regard to the increased rates for water and sewer, rural water, city well, road maintenance, spending and cutting costs.

The following bills were presented:

38679 Janesville Post Office Postage – Monthly Utility Bills 136.88

38680 Black Hawk Waste Disposal Oct. 2017 Garbage & Recycling Fees 5,041.38

38681 Baker & Taylor Books 576.68

38682 City Laundering Rugs 43.55

38683 Grit One-Year Subscription 16.95

38684 Lisa Gansen Mileage 31.20

38685 Mindy Hart Program Instructor 100.00

38686 National Geographic One-Year Subscription 39.00

38687 National Geographic 2 Bag/Book 46.74

38688 Wal-Mart DVDs and Supplies 261.75

38689 Windstream/Iowa Telecom Telephone 75.95

38690 Marco, Inc. Return Shipping Costs 509.88

38691 Christine A. Murley Payroll 1,414.21

38692 Randy Samec Payroll 1,321.75

38693 Beth Ann Miller Payroll 53.18

38694 Christa Kurtz Payroll 729.59

38695 Kathryn Behnke Payroll 31.90

38696 Rebecca Wrage Payroll 1,169.98

38697 Karen Henriksen Payroll 63.82

38698 Eric VerSteegt Payroll 197.54

38699 Dustin Mooty Payroll 1,264.53

38700 Lisa Gansen Payroll 712.50

38701 Jason Hoerman Payroll 1,005.54

38702 AFLAC Insurance Optional Employee Insurance 173.52

38703 Sun Life Financial Employee Life & Disability Insurance 356.28

38704 Wellmark Employee Health & Dental Insurance 3,367.82

38705 Alert-All Corp. Fire Prevention Supplies 280.00

38706 Chris Renner Office 365 Personal 6.99

38707 Emergency Services Market Subscription Renewal 305.00

38708 Fox Apparatus Repair 301 Deck Gun Rebuild 534.35

38709 ISU Treasurer F & E Services 81.00

38710 Janesville Lumber Coffee Pot 70.00

38711 Jeff Mather Christmas Coloring Books & Misc. 416.99

38712 Midwest Breathing Air Quarterly Air Test 534.35

38713 Midwest Safety Counselors 4 Gas Meter 615.01

38714 Print Transformations Dance Letters 874.22

38715 Sandry Fire Supply Extrication Glove/Hood 258.09

38716 Sew Nancy Polo 39.15

38717 Swissphone, LLC Pager Repair 92.75

38718 Fire Services Training 301 Truck Payment 3,750.00

38719 Kwik Trip, Inc. Fuel 46.39

38720 AECOM Engineering Fees – BRWIP 6,964.02

38721 AFLAC Insurance Optional Employee Insurance 115.68

38722 Bluhm Electric 40 HP GE Motor 400.00

38723 Boveia Law Firm Attorney/Legal Fees 2,199.87

38724 Elsamiller Electric Co. Ped Bridge Lighting& Electric Outlets 10,197.84

38725 Iowa Regional Utilities Association Bulk Water Purchased 5,841.72

38726 Janesville Consolidated Schools Yearbook & Ad 65.00

38727 Janesville Lumber T-8 Bulbs 101.72

38728 John Deere Financial Cable Ties, Batteries, & Fence 457.98

38729 VOID .00

38730 Kwik Trip, Inc. Fuel 827.53

38731 Marco, Inc. Copies 150.77

38732 Mid American Energy Monthly Gas & Electricity 2,324.34

38733 Rite Price Office Supply Packaging Tape 9.70

38734 Special Janesville Library City Contribution 3,751.17

38735 Stokes Welding Chainsaw Repair 43.99

38736 U.S. Cellular PW Cellular Service 73.78

38738 Verizon Wireless PD Wireless/FD I-Pad 58.54

38739 Visa I-Drive Renewal, Postage, Misc. 198.37

38740 Waverly Newspapers Publication Fees 263.92

38741 Windstream/Iowa Telecom Telephone 415.10

3196376 EFTPS Payroll Taxes 2,926.04

3196377 Iowa Finance Authority SRF Loan Interest 1,379.54

(Disbursements: General-16,220.14, Road Use-6,306.17, Special Events-.00, Summer Recreation Program-16.27, First Responders-.00, Volunteer Fire Dept.-7,531.24, Special Library-2,794.37, Park Expansion & Improvements-6,550.00, Water & Sewer Improvements-.00, Barrick Road Water Improvement Project-6,964.03, Water-7,914.97, Sewer-4,668.81, and Refuse-6,180.23 = 65,146.23)

RESOLUTION #1603 – A RESOLUTION ALLOWING ADDITIONAL CLAIMS FOR THE MONTH OF DECEMBER, 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 Reid and seconded by Council Member Stapleton to approve the bills as presented. Roll Call Vote: Ayes – Hanson, Bettis, Robinson, Stapleton, and Reid. Nays – None. Resolution approved and adopted this 11th day of November 2017.

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

Motion by Council Member Reid and seconded by Council Member Bettis to approve the following Consent Agenda items: November 13, 2017 Special Council Proceedings and November 30, 2017 Budget & Treasurer Reports. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

Public Works Director Wrage and Police Officer, Dustin Mooty presented their monthly reports to the Council.

Upon a lengthy discussion, and with the approval of Randy McKenzie, Bremer County Building & Zoning Administrator, a motion was made by Council Member Bettis and seconded by Council Member Robinson to approve, as was presented, Modern Builders/Janesville Lumber’s revised plans with regard to on-premises parking (meets the 42 parking stalls as required by the city’s current ordinance) and refer the further review of Ordinance #220 – Section 13.00 Off-Street and On-Premises Parking Requirements to the Janesville Planning & Zoning Commission for recommending possible modifications to the Council. Motion carried.

Motion by Council Member Reid and seconded by Council Member Stapleton to approve Modern Builders/Janesville Lumber’s plans, as presented, for angled off-street parking and curb and gutter improvements in city right-of-way. Motion carried.

Upon discussion, and with AECOM Engineer, Mark Durbahn’s approval, a motion was made by Council Member Reid and seconded by Council Member Robinson to approve, as presented, Modern Builder/Janesville Lumber’s plans and specifications for a French drain. Motion carried.

Motion by Council Member Robinson and seconded by Council Member Stapleton to approve the water, sewer, and sidewalk/driveway permit applications with a required sewer connection fee of $620, as determined by AECOM Engineer, Mark Durbahn. Motion carried.

AECOM Engineer, Mark Durbahn gave a brief update on the Barrick Road Water Improvement Project. The final acceptance of the project may be placed on the agenda for the January 8, 2018 meeting.

Mr. Durbahn reported that Harman Mallhi is working on an Intended Use Plan for the 7th Street Pump Station Project. There currently is no funding through USDA. The Council will most likely need to work closely with a bond counsel to obtain conventional financing.

Richard White, owner of Whitey’s Auto and Car Wash presented various questions and concerns to the Council with regard to notification of increased water and sewer rates and the consideration of a special reduced “Car Wash” rate, rural water obligation, condition of city well and water, annual road maintenance, residential housing developments, cash reserves and city financial condition, 7th Street Bridge, and future capital improvement projects and proposed plans.

MSA Professional Services, Inc. Engineer, Joe Elsinger, gave a brief update on the status of the Stormwater Utility Study and proposed Stormwater Ordinances. A committee comprised of Council Member Robinson, Council Member Elect Worrell, and Public Works Director Wrage will meet with Mr. Elsinger to further review and discuss said study and proposed ordinances. The City Clerk will assist Mr. Elsinger is arranging a time and date for this committee training session.

The Council considered VJ Engineering’s proposal for a 7th Street Bridge Load Rating Analysis. The Council desires additional detailed information regarding the analysis before proceeding.

Motion by Council Member Reid and seconded by Council Member Stapleton to approve ORDINANCE #329 – AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF JANESVILLE, IOWA on its third and/or final reading. Roll Call Vote: Ayes – Reid, Stapleton, Robinson, Bettis, and Hanson. Nays – None. Motion carried.

The Council reviewed laptop proposals from Access Systems ($14,400) and One Solution ($4,680).

Motion by Council Member Stapleton and seconded by Council Member Hanson to accept and approve One Solution’s proposal for the city’s purchase of eight Dell Inspiron Touchscreen 15.6” HD Laptop PC with Windows 10 and Office 2016 Professional included at a cost of $4,680. Motion carried.

Motion by Council Member Stapleton and seconded by Council Member Hanson to approve Elsamiller Electric Co.’s proposal for converting the lights in the Council Chambers and the City Clerk’s Office to LED fixtures at a cost not to exceed $945. Motion carried.

Mayor Carroll would like to meet with Council Members Stapleton and Bettis to review possible corrections, modifications, changes, and interpretation of the city’s personnel policy due to multiple issues that have arisen since its implementation on July 1, 2017.

Motion by Council Member Robinson and seconded by Council Member Stapleton approving to table review and consideration of changes to the Policy/Procedure Manual for Employees of the City of Janesville for additional information. Motion carried.

All guests, other than Public Works Director, Becky Wrage, Deputy City Clerk, Christa Kurtz, and AECOM Engineer, Mark Durbahn, departed the meeting.

Motion by Council Member Stapleton and seconded by Council Member Bettis 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 8:37 p.m.

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

The Council entered into Open Session at approximately 9:08 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 Robinson and seconded by Council Member Stapleton approving to adjourn. Motion carried. Meeting closed at 9:20 p.m.

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

NOVEMBER 2017 DISBURSEMENTS: General-34,316.29, Road Use-4,914.24, Employee Benefits-.00, Special Events – .00, Summer Recreation Program-37.07, First Responders-4,297.36, Volunteer Fire Dept-1,990.00, Library-4,305.01, Parks Expansion-.00, BRBPB-.00, Water & Sewer Improvements-.00, Street/Bridge Maintenance & Improvements-.00, Barrick Road B/P Bridge Project-.00, Barrick Road Water Improvement Project-101,825.91 Water-13,346.90, Sewer-10,542.90, Garbage-7,319.84, and Utility Deposits-.00 = 182,895.52.

NOVEMBER 2017 REVENUES: General-37,193.51, Road Use-10,741.92, Employee Benefits-4,534.50, TIF-.00, Special Events-.00, Summer Rec Program-.00, First Responders-299.07, Volunteer Fire Dept-11,395.38, Special Library-13,349.92, Parks Expansion & Improvement-2,933.79, Barrick Road Bridge-1,333.53, BRBPB Project-.00, Water/Sewer Improvements-7,467.79, Street/Bridge Maintenance-8,267.92, Barrick Road Water Main Improvement Project-98,365.69, Water-8,783.60, Sewer-12,310.15, Refuse-7,348.43, and Utility Deposits–.00 = 224,325.20.

Sandi Carroll

Mayor

Christine A. Murley

City Clerk