

The Palo City Council met in open session Monday December 14<sup>th</sup>, 2009 at the Temporary City Hall located at the FS Building. Mayor John Harris called the meeting to order at 6:30 PM with the following council present: Alan Mengler, Paula Gunter, Jeff Beauregard, Tom Sanders and Jeannie Blumer. Others present: City Attorney; Scott Peterson, Infrastructure Commander; Tom Watson, City Administrator/Clerk; Stacy Dix and City Maintenance Employee, Tony Hite. Mayor John Harris asked everyone to stand and say the pledge of allegiance.

Motion by Mengler to approve the agenda, seconded by Beauregard, motion carried (5-0).

Motion by Gunter to approve the consent agenda including bills and November 23<sup>rd</sup>, 2009

Council meeting minutes, Sanders questioned the Palo Rebuild Fund report budget amount being posted in the minutes. Tom Watson stated that was only approximate numbers and he would get an actual account balance report to Sanders, seconded by Menlger motion carried (5-0). Claims Report:

A-1 Rental, Inc	Roller Vinton Street Project	\$ 189.05
Affiliated Computer Service	Fire Dept. Computer updates	\$ 105.00
AFLAC	Aflac Pre-tax	\$ 136.56
Agvantage, FS, Inc.	November rent	\$ 2064.20
Alliant Energy	Gas & Electric	\$ 3002.00
Anderson-Bogert	Engineering various projects	\$ 12285.06
Andrea Steciw	Library Card	\$ 25.00
Bockenstedt Excavating Inc.	Sewer project- final project	\$ 28423.22
Brown Supply Co.	Light-case tractor	\$ 96.90
Burt Trucking	Haul Rock Fire Stat. & Freese Ct.	\$ 210.00
Crawford Quarry Co.	Road Stone for Maint. Bldg. addition	\$ 985.65
Culligan	Water prepay 3 months	\$ 61.50
Custom Hose & Supplies	Hose	\$ 8.97
D.W. Zinser Company, Inc.	Demolitions	\$137890.00
Data Technologies	Forms	\$ 57.32
Emily Pakingham	Toner-Fema Paperwork	\$ 44.70
Erek Sittig	Flood Recovery legal services	\$ 1330.00
Esco Electric Co.	Decommission lagoon & Misc.	\$ 5581.00
Gazette Communications Inc.	Legal Publication	\$ 436.00
Gregg Dee Gongwer	Tree Removal	\$ 1200.00
Iowa Department of Revenue	State Taxes	\$ 759.00
Iowa League of Cities	3 Council/Mayor MLA training	\$ 430.00
Iowa One Call	Locates	\$ 19.80
Iowa Rural Water Association	Membership Dues	\$ 175.00
IPERS	Ipers	\$ 1830.81
Keystone Laboratories	Testing	\$ 10.50
Kirkwood Community College	J. Starn Etc. Fire School	\$ 85.00
L.L Pelling Co.	Street Repair	\$ 40121.79
Linn County Planning & Develop.	Rental Properties	\$ 31.87
Linn County Planning & Develop.	New Dwellings Inspections	\$ 10248.00
Linn County Planning & Develop.	Flood Inspections	\$ 743.57
Linn County REC	Street Lights	\$ 167.67
Megan Murphy	Anti-Virus Program	\$ 34.99

Menards	Park Supplies	\$ 356.67
Michelle Nejd	Postage	\$ 157.42
Nidey,Wenzel,Erdahl & Fisher	Legal Services	\$ 965.50
Office Express	Map file, copy paper, supplies	\$ 476.48
Palo Coop.	Telephone Service	\$ 474.40
Palo Savings Bank	FED/FICA Taxes	\$ 3883.78
Pirc Tobin Construction Inc.	Sewer Lagoon Decommission	\$186970.00
Practice of Family Medicine, PC	J. Beauregard F.D Physical	\$ 175.00
Rexco Equipment Inc.	Rent planer for Iowa Ave. Rubideau	\$ 250.00
Ricklefs Excavating LTD	Install electrical conduit	\$177386.25
Rudd Sanitation Inc.	Solid Waste Acct#2945	\$ 3195.00
Schimberg Co.	Gas line for Generator at Fire Station	\$ 5556.11
Scott C. Peterson	Legal Services	\$ 4702.50
Sears Commercial One	Craftsman Tools	\$ 199.99
Solum Lang Architects, LLC	New Community Center	\$ 45280.75
Stacy Dix	Budget Workshop mileage reimb.	\$ 40.70
Summer's Enterprise Inc.	Sewer project- final payment	\$ 44220.09
Titan Access Account	Parts for case tractor	\$ 81.30
Tony Hite	Postage Reimbursement	\$ 4.95
Truenorth Companies, LC	Life insurance	\$ 64.00
US Postal	Postage	\$ 156.56
Watson Services	Drainage projects, jetting,lift station	\$ 25592.55
Wellmark BC/BS	Health Insurance	\$ 1176.94
West Side Agency Inc.	Bond Policy	\$ 180.00
Wright Express	Fire Dept. fuel	\$ 84.18
	Total Accounts Payable	\$750422.28

## Payroll:

General	\$10821.73
Road Use	\$ 1862.48
Property Acq.	\$ 204.84
Sewer	\$ 2027.11

Linn County Sheriff's report from November 9<sup>th</sup> through December 14<sup>th</sup>, 2009. There were 108.33 hours required and 148.6 actual hours worked with 62 calls for service.

Palo Chamber of Commerce Report by Faye Dykema; Carolyn Sanders has been elected to President of the Palo Business Group. Chamber is working on establishing non-profit status as the Palo Foundation to be able to apply for grants in assisting with the vision for trails and revitalization, first priority will still be with the comprehensive plan and on sewer, water etc...The Palo Holiday Express had over 3400 tickets that were sold with a large turnout of volunteers.

SWMC (Storm Water Management Committee) report by Chad VanDorsten stated looking into design standards for Blairs Ferry Road, working on Watershed Management Plan with the Benton and Linn County Soil Conservations would like to research breakdown for city and breakdown into neighborhoods to define how we manage our water and improvements that can be made. The USDA and U of I Flood Center will be conducting a hydrological study in the spring.

Park & Rec. Report by Tom Watson; stated the pad that was poured by Delaney Concrete for the Cedar River Park did not have rebar installed like the bid had stated instead they used wire mesh. The City had prepaid for the pad. Direction to have Watson or City Administrator contact Delaney regarding this matter.

Audience Comments:

Brent Yount questioned the engineer's involvement with the concrete pad that was poured in the Cedar River Park, also questioned the lift station project expenditures and bids.

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Resolution #121409A to approve the Site Plan Agreement between Darrell & Angie Cannon and the City of Palo regarding 4638 Shellsburg Road, motion by Sanders, seconded by Mengler, roll call, motion carried (5-0).

Resolution #121409B to approve the Snow Removal Contract for Shelby Lane between Joseph & Deanna Kwapil and the City of Palo, motion by Mengler, seconded by Gunter, roll call, motion carried (5-0).

Mayor Harris stated he is appointing Jeff Beauregard as Mayor Pro-Tem, and would like to thank Paula Gunter for the wonderful job she has done during her term.

Resolution# 121409C to approve the corporate resolution signature card, motion by Gunter, seconded by Mengler, roll call, motion carried (5-0).

Resolution #121409D to approve the appointment and compensation for Attorney, Sanders questioned the pay and if the Asst. City Attorney works under the City Attorney? Scott Peterson stated the fee for the City Attorney has not increased this year nor for the past 3 years. The Asst. City Attorney works independently under our City Attorney as requested. After further discussion motion by Gunter to approve resolution, seconded by Beauregard, roll call, Sanders nay, motion carried (4-1).

Discussion on selling the City Police car. City staff received quotes through Junge Automotive group where the City had purchased the vehicle; they stated these are bringing around \$6-7,000.00 and had one offer for \$6000.00 with no equipment. Mayor Harris stated another community was interested and would offer \$8400.00; however needed to be brought before their council. Mayor Harris also stated the Palo Fire Department is interested in purchasing through the Fire District to use for first responders. After further discussion Beauregard made a motion to table until the Fire Department has an answer to give them the first chance, as this would benefit our community to help with response time for medical emergencies, seconded by Gunter, v.v., Sanders nay, Blumer nay, motion carried (3-2).

Motion by Mengler to award the 16' boat to Watson the sole bidder for \$216.00, seconded by Gunter, v.v., motion carried (5-0).

Resolution #121409E to approve the transfer of \$200,000.00 from Money Market to the General Fund, Sanders questioned how many times the city transfers fund and the amount. Smetzer stated the City deposits funds into the Money Market account to earn interest and when needed will transfer for expenditures. This year has been an exception with large projects through FEMA and grant funds being managed and has required more transfers to be made. Motion by Beauregard, seconded by Mengler, roll call, motion carried (5-0).

Resolution 121409F to appoint Robert Dix to the Park & Rec. Board, Sanders questioned how many members and if they receive compensation, Harris stated 5 members and no compensation, motion by Mengler, seconded by Gunter, roll call, motion carried (5-0).

Department Reports:

Hite stated they are taking care of the snow. There was a sewer break and had someone in repairing right away. Mayor Harris would like to thank staff and everyone involved with getting

the word out the flow decreased by 75% within one hour of alert. Blumer suggested the City divide up phone numbers into quadrants to eliminate the amount of redundant phone calls you receive. Trent Miller was recognized by Mayor Harris and stated the City could look into utilizing the code red phone system through Linn County. Watson stated he would still like to see individual involvement even if we went with an automated system. Watson also submitted a time table for the emergency period during the sewer break; Summer's Enterprise responded immediately and was able to repair quickly. Sanders questioned financial damage? Watson stated the city would not incur any financial cost for the repair it is still under warranty.

#### **Old Business**

Beauregard questioned if the manholes have been replaced as mentioned in the previous council minutes, also would like to know if the gravel has been placed on Linn Drive? Hite stated the manholes have not all been installed, however they used the gravel along the side of the road and have placed around the manholes on Linn Drive. Watson stated the City has milled the street down on Iowa Avenue to get water to flow over the manhole.

Beauregard questioned cleaning culverts and ditches? Hanover stated they have cleaned the ditch by the Fire department on the south side of Vinton Street.

Mayor Harris thanked Jeannie Blumer and Al Mengler for serving on the Council especially during the flood.

#### **New Business**

Sanders questioned the use of the trailer next to Temporary City Hall and if we purchased it? Dix stated the purpose was to use for overflow of meetings as well as an office for Tony on one half; however due to the increase in electrical bills we will not be using the partitioned half for meetings until spring. Hite stated he will start moving the desk and office supplies from the shop to the trailer next week.

Discussion regarding City Personnel and the hiring process. Mayor Harris discussed the committee procedures for the hiring process. After further discussion, Motion by Mengler, Seconded by Beauregard to go into Closed Session @ 7:58 pm as per Iowa Code Chapter 21.5 sub (C).

Mayor Harris stated the hiring committee recommends Emily Packingham for the Full-time Maintenance position.

Blumer made a motion to postpone hiring until the next meeting in January, seconded by Sanders, v.v., Beauregard nay, Gunter nay, Mengler nay, motion failed (2-3).

Resolution # 121409G to approve the hiring of Emily Packingham for Full-time Maintenance Assistant, motion by Gunter, seconded by Mengler, roll call, Blumer nay, Sanders nay, motion passed (3-2).

Motion by Mengler to adjourn at 9:10 pm, seconded by Gunter, motion carried (5-0).

Respectfully submitted by,

Trisca Smetzer, City Clerk