

The Palo City Council met in regular session at Palo City Hall October 15, 2012. Mayor Tom Sanders called the meeting to order at 6:30 p.m. Council Members present: Trent Miller, Doug Hanover, and Scott Packingham. Josh Frank arrived at 6:56 p.m. Absent: Brian Beaty. Others present: Erek Sittig.

Hanover moved approval of the **agenda**, Miller second. Motion carried. 3-0

Hanover moved approval of the **consent agenda**: bill approval, treasurer's reports, DAR, and regular Council meeting minutes from September 17, 2012 with the following revision on the detailed council minutes: change the sentence "The Case is tall enough to remove material from a dump truck; the Bobcat is not." to "The Case is tall enough to load material into a dump truck; the Bobcat is not.", Packingham second. Motion carried. 3-0

The **Linn County Sheriff** provided the service call log; 106.4 hours worked; 87 hours required. A couple of arrests have been made on one burglary ring; there is an ongoing investigation on another.

A **Lion's Club representative** was not available.

Audience Comments-Agenda Items: Agenda item 20 money transfer from general to splash pad and agenda item 12 ordinance 585-2012 an ordinance amending the code of ordinances of the City of Palo, Iowa, 2012, by repealing and replacing section 90.41 related to private wells (possible amendment).

Department Reports: The **Maintenance Dept.** Report was included in the Council packets. **Fire Dept. Report:** Brentt Stepanek, Palo Volunteer Fire Chief, requested the installation of at least a 10' garage door to replace the current 9' wide by 8' tall garage door. The fire dept. would like to put the boat and other miscellaneous equipment in the insulated and heated area of the garage once the water system equipment has been moved outside. In addition to increasing the size of the door, the fire dept would like to add a walk through door for ease of accessibility. He estimates the cost at \$3500-\$4000. If the City would decide to go with a 12' door, the cost would increase. If the fire dept. moves out of this building the maintenance staff would have the benefit of a larger door for some of their taller vehicles. The other doors are 12'; so 12' would be more uniform, but 10' will accommodate the boat height and the current width is sufficient. The maintenance staff has moved their desks into this area to reduce heating costs, but both the desks and the boat may fit. The Council will further discuss the issue after the water tower is operational and the water system equipment has been removed. **Committee/Organization Meeting Minutes:** The Council reviewed the Park and Recreation minutes and noted the high demand for rentals for club volleyball. If pursued, time would also be allocated for Palo residents. The memorial sign for Daren Adams was discussed. Clerk instructed to contact Park and Recreation to inform them the Council would like a sign in his honor. Mr. Adams was instrumental in bringing the concept of the boat ramp to Palo and the sign was a condition of the Rebuild Palo Fund donation. The Council noted a bench and a sign would be okay, as long as there is a sign. The Council did not make a recommendation for the wordage of the sign. The Council also approved the open gym times proposed by the Park and Recreation Committee; Sundays from 5 p.m. -7 p.m. for children and young adults and Wednesdays from 6:00 p.m. – 8:00 p.m. for adults.

Donna Walton, Dry Creek Watershed Coordinator Linn County Soil & Water Conservation District presented the signs for the rain garden, wetland area, and bank stabilization projects. She also compiled a notebook outlining these projects and other proposed projects. The notebook will be located in the Palo Library for residents. It includes the maintenance agreements for the rain garden and wetland areas. The signs have information about each of the projects for future generations including why the projects were completed and how the projects tie together. Donna has reviewed the locations with the maintenance staff and they will have the signs in place in October.

Angela Jordon, Area Manager Local Government and Community Affairs, ITC Midwest LLC, presented information on the ITC Midwest LLC and the City of Palo Electric Franchise Ordinance. ITC purchased transmission assets from Alliant in 2007. After Alliant has completed franchise agreements with cities, Angela follows to work on franchise agreements for ITC to facilitate work that needs to be done including new lines and maintenance and repair of existing assets.

Miller motion to open the public hearing at 6:55 p.m. on the ITC Midwest LLC and the City of Palo Electric Franchise Ordinance, Hanover second. Roll call. Motion carried. 3-0. Frank arrived after vote. Clerk did not receive

written comments. Audience: What does this mean to taxpayers? ITC Response: These are high voltage lines. Alliant still owns the lines that generate and distribute service. ITC has just the transmission lines. Clarification Mayor: The City does not have a franchise agreement with ITC. It is a separate entity from Alliant. The ITC representative provided a map to show the lines that may be eliminated by this specific project. The Council and ITC representative discussed the advantages, disadvantages, and purpose of the franchise agreement. The Council requested more information on the purpose of the franchise agreement including what services would be performed with an agreement that would not be performed without one. Services discussed included utility upgrades, new lines, maintenance, and repair of existing lines. The costs associated with and without the franchise agreement were also discussed. Rural Electric Cooperative (REC) lines are also in the project area. The City does not have a current franchise agreement with Alliant. A meeting has been set to review the previous agreements. Hanover motion to close the public hearing at 7:10 p.m. on the ITC Midwest LLC and the City of Palo Electric Franchise Ordinance, Miller second. Roll call. Motion carried 4-0. The Council reviewed the map provided with the proposed transmission line preferred routes. The Mayor noted the part of the route in the right of way on Blairs Ferry Road running west to east is the only area that affects the City of Palo. The Council expressed their agreement that the proposed route makes sense; but does not affect much of an area within the Palo City limits. The ITC representative explained that the route is for this specific project and there may be other projects. The Council would like more information as the long-term projects are brought forward. There is concern over signing an agreement without more information on proposed projects. Easements, rather than a franchise agreement were discussed. The City Attorney discussed the proposed agreement and suggested a more restrictive agreement addressing Council concerns may be an option. The ITC representative expressed an interest in suggestions about the language in the current franchise agreement. The Council reiterated concerns over the benefit of a franchise agreement. The City Attorney was instructed to work with ITC to revamp the existing franchise agreement and bring back to Council. Council would like to understand the benefit of a franchise agreement. Miller motion to have the City Attorney review and revamp the current franchise agreement or make changes that would benefit the City of Palo, Hanover second. Roll call. Motion carried. 4-0. The minutes should show no action was taken on the original ordinance for the franchise agreement. A motion was made to revise the ordinance for the franchise agreement.

Tony Hill, SimplexGrinnell sales representative, presented the proposal for City services including the cameras, alarms, access control, fire, sprinkler, fire pump, life safety systems, and code and testing requirements. The engineer specifications were for a good system. Each of the 3 fire alarm service proposals was discussed. The life safety system proposal includes the sprinklers, fire extinguishers, pump, backflow testing, and code requirements. Parts and labor are not recommended. The CCTV security and access system proposal was discussed. The cost was broken down by each segment. Service call costs were evaluated. The sales representative explained which systems were of a proprietary nature and how the different divisions of the company interacted.

Hawkeye Communications Service information; not available. Clerk instructed to forward to Council upon receipt.

Tri-City Electric Company service information. Information included in packet.

Council discussed the information presented including costs, service, and training.

The Mayor granted a recess at 8:00 p.m. Clerk instructed to increase the temperature in Council Chambers. The Mayor reconvened the meeting at 8:15 p.m.

Discussion **Ordinance 585-2012 An Ordinance Amending the Code of Ordinances of the City of Palo, Iowa, 2012, by Repealing and Replacing Section 90.41 Related to Private Wells (Possible Amendment)** including resident confusion, misinformation, the original and newly proposed ordinance, interpretation, and if the amendment makes the information more clear. Different scenarios were discussed including if a tap is put into a kitchen it would need to be labeled non-potable water. Wells are only for outside use. Enforcement will be through information, inspections, and municipal infractions. Rates have been set based on usage by all residents. The ultimate goal is to base both sewer and water rates on consumption. This may reduce the sewer rates. Waterlines are to be run into the houses and hooked to the City water supply. It is not compliant to stub the service line into the house and not use it. Sandpoints are for outside spigots only. Insurance rates have been reduced for 8 companies contacted. Fire dept.

rating should be updated. Make sure to inquire about fire dept. rating when calling to see if insurance rate is reduced. Others say insurance rate will not go down as long as Palo has a volunteer fire dept. Questions to ask include fire dept. rating and hose diameter. The experiences have not been universal. Each person will have to check and ask questions. Clerk instructed to add to next Council agenda as first reading.

Change Order 4 Ricklefs Phase 1: This is a reduction of \$81,846.21. Ricklefs will submit a final payment for 1 acre of seeding and retainage from Phase 1. Bonds are held for warranty repair. Issues discussed included drainage, grading, replacement of culverts, fire hydrants that are the wrong height, a stop box valve that was hit on First Street, some of the curb boxes may need to be screwed done the rest of the way, roads that were seal coated before the project and have not been seal coated after, verification on how roads are repaired, are the materials the same; white rock versus pea gravel, and the repair of tracks from heavy equipment. Engineer will tour phase 1 with contractor again. Miller motion to accept change order 4, Ricklefs phase 1, Hanover second. Motion carried. 4-0

Miller motion to approve **Ricklefs Pay Application 7 Water Main Distribution System Phase 1**, Frank second. Motion carried. 4-0

Miller motion to approve **Ricklefs Pay Application 6 Water Main Distribution System Phase 2**, Frank second. Motion carried. 4-0

Miller motion to approve **Caldwell Tanks, Inc. Pay Application 3 200,000 Gallon elevated Storage Tank**, Frank second. Motion carried. 4-0

301, 303, and 305 1st Street Cost Differential: Mayor sent Glenn Lange, maintenance superintendent, out late today to speak with owners and make them aware of their options. It doesn't make a difference from the engineering side. The property owners may move their option stakes just like all the other property owners. Each structure will have a separate curb box and a separate line. This will not be an agenda item on the next Council agenda. It will be completed.

Water Treatment Facility Plan Approval/Comments (30% Complete) Matt Wildman, Howard R Green, explained this is a conceptual set of plans. Council noted a lot of dead ends and hallways. This could be slated for a future chemical room or for other equipment. Re-design would save on construction costs for a wall. Reactors may need to be replaced and would like the plan to have a concept in mind to remove them without the need to remove a wall; possibly roof access. Per HRG, with proper maintenance, removal or replacement should not be an issue. Council cautioned to make sure filters will go out the double door. Options of brick and mortar or a Morton-type building were discussed. HRG explained the brick and mortar building is preferential as moisture could be a problem in the other structure. Also it must be sturdy to allow piping to go inside. The foundation must be able to support all the equipment inside the building. Some savings might be possible by removing architectural features. In previous discussion there was not much of a cost savings. Some costs may be reduced because DNR requirements changed based on the pilot program. An example included pressure filters cost less than gravity filters. HRG anticipates the bid climate may be good. They will go over the design plans and address the Council's concerns. The next time the Council will be formally given the plans will be in the bid documents. Council requests informal review as information becomes available whether in the form of Council meetings, workshops, or passed through the staff. HRG plans to bid the project in December. Miller motion to accept the plans with the previously noted concerns addressed, Frank second. Motion carried. 4-0

Hanover motion to approve the third and final reading of **Ordinance 583-2012 Amending the Code of Ordinances of the City of Palo Iowa by Adding a New Chapter Pertaining to the Operation of Golf Carts on City Streets with a City Issued Permit**, Frank second. Roll call. Motion carried. 4-0 Clerk instructed to provide to Council when codification is complete.

Miller motion to approve **Resolution 101512A Money Transfer from the General account to the Splash Pad account**, Frank second. Roll call. Motion carried. 4-0

Miller motion to approve **Resolution 101512B Money Transfer from the Local Option Sales Tax (LOST) account to the Storm Water Management account**, Hanover second. Roll call. Motion carried. 4-0

Miller motion to approve **Resolution 101512C Investment Policy**, Frank second. Roll call. Motion carried. 4-0 This was an audit requirement.

City Property (Sale and/or Disposal): The single wall pressure tank cannot be used for water. It would be appropriate for livestock or other uses. It is to be sold. Methods of sale were discussed including silent auction, sealed bids, and Craigslist. The Mayor will work with the maintenance staff on the disposal of the items and bring back to Council for approval of the sale price. The 3 office desks are to be sold, and if not sold, scrapped. The white vinyl fence pieces are to be sold or disposed of as necessary. This fencing is similar to the fence at Senior Housing. The pieces are small, interlocking, and the sides are approximately 6'. It encompassed approximately a 10' x 10' enclosure with 2 gates. The Christmas lights are attractive, but do not attach to the new fiberglass poles. They will be sold. The Case tractor will be kept. The Council would like more information on the cost to make it operational and on backhoe attachments. The Council will re-evaluate after more information is provided. The current estimate for parts is around \$950. The City storage container has been moved to the lagoon site. It is currently used for storage. The Council would like estimates of its value and, once the desks are removed, if there is a need for all 3 storage units. Council cautioned to make sure locks are secure; possibly use of a cross bar would be helpful.

Sewer Water Connections: Glenn Lange, maintenance superintendent, is checking each property for their proximity to the public sewer line for the 3 properties on a septic system. He is also checking the remaining property to see if it is connected to the sewer system. Council discussed mandatory hook up if the "public sewer is located within one hundred feet of the property line..." or requesting hook up upon septic failure or prior to septic failure. The maintenance staff will provide more information on when or if water service has been connected; garbage will not be charged to 2889 Palo Marsh Road.

Audience Comments-Non-Agenda Items: Garden Club rental, kitchen temperature, clean up the town, specifically the metal frames and posts for temporary signs and the railroad crossings at Vinton Street and 1st Street and Blairs Ferry Road, need to channel out a couple of places, including near Velvette's and put cold patch in to reduce weeds and standing water, need road closed signs if streets are closed due to water project, example given was Vinton Street, lights at Community Center, tornado shelter signs, and sewer usage questions.

Old Business: The City has not received a response to the letter sent at the direction of Council to the Palo Senior Housing Board regarding the senior housing driveway drainage project. Motion by Miller to award the fencing bid to D & N Fence Company for used fence to fence the area at the lagoon site for leaf drop off, Frank second. Motion carried. 4-0 Clerk instructed to inform Maintenance Superintendent; he will contact D & N for installation as soon as possible. Once installed, maintenance staff will contact office staff so Rudd Sanitation can be notified and a date set for leaf vacuuming before 11/16/12.

New Business: Mayor informed Council of change order request 4-361 to revise the generator cabinet door as required by the Palo Volunteer Fire Dept Fire Chief and AgVantage representatives.

Miller motion to **adjourn** at 10:42 p.m., Hanover second. Motion carried. 4-0

Michelle NejdI

City Clerk