

The Palo City Council met in regular session at Palo City Hall August 20, 2012. Mayor Tom Sanders called the meeting to order at 6:30 p.m. Council Members present: Trent Miller, Scott Packingham, Doug Hanover, Brian Beaty, and Josh Frank. Absent: None. Others present: None.

The Mayor stated Paula Gunter would make a presentation on behalf of the Kennedy High School Class of 1987 between agenda items 4 and 5.

Hanover moved approval of the **agenda** with the above stipulation, Miller second. Motion carried. (5-0)

Hanover confirmed Brogan's Pub & Grub Liquor License was a consent agenda item. This was to save time on an application renewal. Other licenses have been presented as an agenda item. Hanover moved approval of the **consent agenda** bill approval, treasurer's reports, DAR, and regular council meeting minutes from July 16, 2012 and special council meeting minutes from July 16, 2012, Miller second. Motion carried. (5-0)

The **Linn County Sheriff** was not available.

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

Paula Gunter presented a flag that was flown on the USS New Hampshire (SSN-778) Submarine to the City of Palo on behalf of the Kennedy High School Class of 1987. The class had held their class reunion at the Palo Community Center and wanted to present the City with a larger flag. The Council expressed their appreciation.

Audience Comments-Agenda Items: None.

Department Reports: The Council requested the maintenance staff leave a wider natural area near the creek so the employees do not have to mow so close to the creek bank and expressed their appreciation for mowing the wetland area. The maintenance staff moved the bleachers for the Lion's Club in an effort to decrease the chance of damage to the bleachers since the City had the equipment.

Hanover motion to open the **public hearing on the status of funded activities** for water improvements being developed in Palo, Iowa as assisted by the Community Development Block Grant (CDBG) Program (Contract #08-DRI-236) at 6:43 p.m., Beaty second. Roll call. Motion carried. (5-0)

The Clerk did not receive written comments. Gary Hughes, East Central Iowa Council of Governments (ECICOG) made the following presentation:

"The purpose of this hearing is to consider the status of funded activities for water improvements being developed in Palo, Iowa, as assisted by the Community Development Block Grant (CDBG) Program (Contract #08-DRI-236). As required by this hearing, it is noted that:

- a. For a general description of accomplishments to-date, construction began with a starting date of January 6, 2012 and continues on four of five work stages developing water improvements for distribution (with two main installation phases awarded to one contractor), tower, and supply (well #2).
- b. For a summary of expenditures to-date, through July 2012, a total of \$2,685,389 from invoicing has been processed for grant reimbursement; \$2,678,309 for design and construction, and \$7,080 for grant administration. With \$6,645,781 awarded as a grant, 100% of both development and administrative costs are authorized to be reimbursed from the CDBG Program pending depletion from costs incurred. Thereafter, local funds will be required to pay any costs that exceed specific allocations for development and/or administration.
- c. For a general description of remaining work, pending tasks include the following:
Residential and commercial service connection stubs for water main phase 1, estimated to be complete September 30, 2012;
The entirety of the water main and all residential and commercial service connection stubs for water main phase 2, estimated to be complete December 14, 2012;
Final erection, painting, and electrical work for water tower, estimated to be complete November 30, 2012; and

Final electrical and plumbing for water supply (well #2), estimated to be complete November 15, 2012. In addition, the final improvement phase for water treatment is estimated to have a construction contract awarded February 2013, and also estimated to be complete May 2014.

- d. For a general description of changes made to the project budget, performance targets, activity schedules, project scope, location, objectives or beneficiaries, it is noted that the water main along Meadow Creek Lane for phase 1 was moved from the south side of the road to the north side to reduce costs for installation. A number of routes from both phases of water main were installed using the directional drill method as opposed to open cut to reduce the amount of restoration that would be required. Due to unforeseen easement issues the route for the raw water main from the new park well to the existing raw water main was moved from 7th Street to 3rd Street. The project deadline was extended due to this issue and to coordinate with the water main contractor.”

Public in attendance (audience seated): 4

Hanover motion to close the public hearing at 6:47 p.m., Miller second. Roll call. Motion carried. (5-0)

Miller motion to approve **pay application #2 from Caldwell Tanks, Inc. for the 200,000 gallon elevated storage tank**, Frank second. Motion carried. (5-0)

Miller motion to approve **pay request 4 from Ricklefs Excavating, LTD for water main distribution system phase 2**, Hanover second. Motion carried. (5-0)

Linn County Sheriff's Report: 87 hours required. 117 hours provided. Discussion topics included missing person reports, attempt to locate calls, and suspicious vehicles. The Sheriff encouraged residents and Council to provide information to his department due to a number of burglaries in local counties. Council members were encouraged to contact Major Hansel to provide information on a suspicious vehicle they encountered.

Council discussed **change order #6 phase 2 water main distribution system**. The change order includes rerouting the water main due to an easement issue and rerouting the main line to retain more trees which requires removal of more seal coat than originally intended. Pavement will be removed; no driveways will be removed. The area will be open cut rather than bored due, in part, to the Alliant conduit. The route and backfill materials were discussed. Miller motion to approve change order #6 phase 2 water main distribution system, Hanover second. Motion carried. (5-0)

Amy Underberg, Park and Recreation representative, stated the **Palo Cooperative Telephone Association will make a donation**, not to exceed \$2000.00, to the City of Palo for start-up supplies for the 2012 Youth Soccer League.

Council discussed the merits and costs associated with the U. S. Geological Survey (USGS) joint funding agreement for continued support, operation, and maintenance of the streamgaging station on the Cedar River near Palo. The accessibility, ease of understanding of the website, usefulness of the information and maintenance provided by the USGS Iowa Water Science Center were evaluated. Miller motion to approve **Resolution 082012A the USGS joint funding agreement for water resources investigations including the joint cooperation, continued support, operation and maintenance of the streamgaging station on the Cedar River near Palo**, Packingham second. Roll call. Motion carried. (5-0)

Miller motion to set the **public hearing for the termination and vacation of an easement** (abandonment of old sewer line) at Palo City Council Chambers on September 17, 2012 at 6:30 p.m., Packingham second. Motion carried. (5-0)

Council reviewed the rates in **Ordinance 582-2012 Amending the Code of Ordinances of the City of Palo, Iowa, 2012, by Modifying Portions of Chapter 90 Regarding Fees**. Beaty motion to approve the second reading of **Ordinance 582-2012 Amending the Code of Ordinances of the City of Palo, Iowa, 2012, by Modifying Portions of Chapter 90 Regarding Fees**, Hanover second. Roll call. Motion carried. (5-0)

Miller motion to open the public hearing at 7:21 p.m. pertaining to **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**, Hanover second. Roll call. Motion carried. (5-0)

The Clerk did not receive written comments. Audience comments: Question on specific vehicles addressed in the ordinance for example golf carts, all terrain vehicles (ATV'S), and snowmobiles. The ordinance only addresses golf carts.

Miller motion to close the public hearing at 7:23 p.m. pertaining to **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**, Hanover second. Roll call. Motion carried. (5-0)

Further Council discussion on the ability to repeal the ordinance if problems arise.

Beaty motion to approve the first 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**, Hanover second. Roll call. Motion carried. (5-0)

Council discussed the **acceptance of the rain garden project** including the project engineer's recommendation, planting volunteers, and this and other retention projects' success rate.

Hanover motion to accept the rain garden project, Beaty second. Motion carried. (5-0)

Beaty motion to approve the third and final reading of **Ordinance 581-2012 An Ordinance Amending the Code of Ordinances of the City of Palo, Iowa, 2012, By Repealing Chapter 21 Pertaining to City Administrator and Modifying Other Sections Referencing City Administrator**, Miller second. Roll call. Motion carried. (5-0)

Miller motion to approve **Resolution 082012B the money transfer from the money market local option sales tax (LOST) to the general fund**, Hanover second. Roll call. Motion carried. (5-0)

Hanover motion to approve **Resolution 082012C the monthly money transfer of committed funds from the sewer checking account to the sewer sinking fund checking account** in the amount of \$15,000 each month and every month thereafter effective July 1, 2012, Frank second. Roll call. Motion carried. (5-0)

Audience Comments Non-Agenda Items: Bill Zeller thanked the City for placing the Donald F. Zeller Memorial sign in the Donald F. Zeller Memorial Park. He is working on a Local 1024 United Auto Workers' decal for the sign. Residents have had some complaints about holes in their yard from the Palo Cooperative Telephone Association's fiber optics projects. Another concern involved having someone walk the fiber optic lines to make sure materials are not left behind during or after installation. The fall seeding window opens August 21, 2012 for areas requiring final grading and seeding. Questions about the outside lights remaining on at the Community Center, splash pad sensor parts, parking on the ball fields, need for a tennis court and a basketball court, and the advantages and disadvantages of different styles of water towers.

Old Business: Council discussion on leaf pick up, compost storage areas, costs associated with having maintenance staff pick-up yard waste versus taking the yard waste to a storage facility. The former buyout area was briefly discussed then the southeast corner of the lagoon was suggested as a yard waste storage site that is isolated from residents' homes, yet easily accessible. Mr. Sanders will ask the Park and Recreation Chairperson to investigate this in more detail.

Council discussed limiting mowing in the buyout area and near the creek bank. It was suggested to let some of the areas return to nature. Native grasses and wildflowers were planted in the bank stabilization project area.

Council discussed the importance of maintaining the park areas aesthetically for residents bordering the parks and to encourage visitors to the parks while limiting mowing in areas not visible or not used. Many mower repairs are caused by stumps. Council discussed stump removal and grinding in-house or contracted.

Contracting the work may be more feasible. The Mayor will discuss mowing instructions, stump removal, and the availability of 6 foot fence for the yard waste storage area with the maintenance staff. The Palo Farmer's

Market will be canceled for the remainder of the season due to limited vendor participation, late start in initiating the market, lack of advertising, poor growing season, and market master availability for the current time and day. The City will start the process earlier next year, take advantage of advertising opportunities, and possibly move to the former buyout area. The Farmer's Market is canceled effective August 22, 2012, for this year. The Mayor and Council would like the Park and Recreation Committee to work on this event for next year.

New Business: Foundations were poured for the remaining 2 grant homes on Meadow Creek Lane. The treatment facility plans are 30% complete. The Environmental Protection Agency (EPA) sent a draft of the EPA study to the Department of Natural Resources (DNR) on July 7, 2012. The IADNR is waiting on the final draft. Howard R Green (HRG) representative, Matt Wildman, is trying to facilitate the process. HRG needs to know if the sizing criterion for the building is acceptable before they can complete the facility design. The Mayor offered to make contact with state representatives to facilitate the process if necessary. Council discussed different options for the cement slab in the park including a pavilion and a burnout pit.

Frank motion to **adjourn** at 8:35 p.m., Hanover second. Motion carried. (5-0)

Michelle Nejdil

City Clerk