

The Palo City Council met in regular session at Palo Council Chambers on April 21<sup>st</sup>, 2014. Mayor Tom Yock called the meeting to order at 6:30 p.m. Council Members present: Josh Frank, Brian Beaty, Tom Sanders, Delmar Jellison and Doug Hanover. Others present: Matt Shock; STS Civil Engineering, Matt Wildman; HR Green, Erik Sittig; City Attorney, James Seely; Palo Fire Chief.

Mayor Yock led those present in the Pledge of Allegiance.

Sanders moved **approval of agenda** adding the Kleiman pay request Resolution #04-21-14N to the agenda between item #11 & #12, Beaty second. Motion carried. (5-0)

Beaty moved **approval of consent agenda**: bill approval, treasurer's report, DAR and Council meeting minutes from March 17<sup>th</sup> and March 20<sup>th</sup>, 2014, Hanover second. Motion carried. (5-0)

**Linn County Sheriff's Report:** 87 hours required; 112 actual hours worked in March 2014 with 30 calls. Mayor requested to watch the parking lot in the park as the parking medians are continually being moved. Beaty suggested maintenance staff to drill holes and anchor to the asphalt.

**Lion's Club Report:** Delmar Jellison, Palo Fun Days spokesperson for the Lion's Club, gave Council an update on the Easter egg hunt with 100 kids in attendance. The Palo Fun Days are set for August 15<sup>th</sup> & 16<sup>th</sup>. Motion by Sanders to approve **Resolution 04-21-14N** to provide funds for law enforcement and fireworks for the Palo Fun Days sponsored by the Lions Club not to exceed \$5000, Beaty Second. Roll call. Jellison Abstained, Hanover Abstained. Motion carried. (3-0)

**Community Center Use Request:** Sanders motion to allow the Palo Lion's Club the use of the Community Center at no charge for the pancake breakfast on May 25<sup>th</sup>, 2014, Beaty second. Jellison, Hanover abstained Motion carried. (3-0)

**Audience Comments-Agenda Items:** Question regarding street repair on Main Street. Council stated the City is getting bids and is working with the Engineer on incorporating the drainage improvements into the street repair. Bill Zeller questioned the culvert by the minimart stating it is below the ditch. Also questioned the repair of the roads as his property has water drainage issues due to the overlay on the road and buildup. Mayor stated the city is working with the engineer on street repair and drainage problems throughout the city.

**Department Reports:** Beaty questioned the purchase of Dump truck would like to see it go through a DOT inspection for possible issues noting the tires are obsolete and the leaf springs are broken. After further discussion motion by Beaty to table Resolution #04-21-14B the purchase of Dump truck until it has been checked out by a mechanic. Jellison second. Roll call. Motion carried (5-0). Discussion on installing auto flush on the lavatories in the community center stated they continually flush at times and going through a lot of water. Council tabled the purchase and recommended that Glenn try to adjust the sensors first and if needs replaced will look into purchasing auto flush handles.

**Fire Department Reports:** James Seely, Fire Chief stated they will submit the information for the ISO rating once Maintenance is able to continue with hydrant testing. Every hydrant needs to be tested twice per year.

**Solid Waste Agency Yearly Report:** Joe Horaney with the Solid Waste Agency shared a presentation with the Mayor, Council and audience. The presentation consisted of information about the two facilities in Linn County Located on A Ave SE Cedar Rapids and County Home Road Marion for information on recycling programs. Information will be available at City Hall or on the Solid Waste website <https://www.solidwasteagency.org>

**Fire Station Bids** Denise Parker with Point Builders made a recommendation to move forward with the project as bids came in around 4.29% over budget. Council discussed the bids that were received and the budget for the project. After further discussion Sanders made motion to not award the bids that came in over budget, Jellison Second. Roll call. Frank nay, Beaty nay, Motion carried (3-2). Beaty thanked everyone for the time and effort with the project.

**Drainage Projects:** Shock discussed the upcoming drainage projects that will be incorporated with the street projects this summer Discussion was held on Main Street and 7<sup>th</sup> Street. Drainage will be incorporated with the

road resurfacing and bid out in two packages the first one will be completed in June. Discussion on intersection of 2<sup>nd</sup> and main and 3<sup>rd</sup> and main drainage. Shock is currently working on the Drainage and Street Improvement RFQ to be discussed at the May Council meeting.

**Road Resurfacing:** Sanders motion to table the road project for the May meeting, Jellison Second. Motion carried. (5-0)

**Kleiman pay request:** Beaty made motion to approve the Kleiman Pay request #10 Resolution #04-21-14N, Hanover Second. Roll call. Motion carried (5-0).

**Howard R. Green Contract amendment #5:** Sanders motion to approve Howard R. Green Contract amendment for GIS services Resolution #04-21-14E. Jellison Second. Roll call. Motion carried (5-0).

**Howard R. Green Contract Amendment #6:** Hanover motion to approve Howard R. Green contract amendment #6 Resolution #34-21-14F, Frank Second. Roll call. Motion carried (5-0).

**Separation request for 4638 Shellsburg Rd:** Darrell Cannon requested to have his property to be separated from the city. Currently he is not on any city utilities and they are not within the distance requirements to hook on. Sanders stated the city incurred cost annexing the property in 2010 and questioned if the city could be reimbursed for some of the cost. Cannon stated he would be willing to pay a fee. Hanover questioned the property to the north was going to develop and that would not be in the cities best interest to sever the land that connects to the property. Resolution #04-21-14G dies for a lack of motion.

**Computer updates:** Sanders motion to approve the purchase of computer towers, software and receipt management program. Beaty Second. Motion carried (5-0).

**Mosquito Control:** Motion by Beaty to approve Resolution #04-21-14H to approve the contract with Mosquito Control not to exceed \$4500. Frank Second. Roll call. Motion carried (5-0).

**Corporate Bank Resolution:** Motion by Beaty to approve Resolution #04-21-14I for the Corporate Bank Resolution. Frank Second. Roll call. Motion carried (5-0).

**Verizon Communications Tower:** Erik Sittig discussed Verizon's plan to erect a tower on the property east of the community center. Council stated the future land use map that was incorporated with the comprehensive plan shows that property to be used for R1- single family residential. Erik will discuss the Council's concern with the company.

**Parks & Recreation Board Appointment:** Beaty motioned to approved Resolution #04-21-14J Park & Recreation Board appointment. Jellison Seconded. Roll call. Motion carried (5-0).

**Deputy City Clerk Appointment:** Sanders motioned to approve Resolution #04-21-14K to hire Jenny Jellison as full-time Deputy City Clerk with applicable benefits as per the Employee Personnel Policy & Manual. Beaty Second. Roll call. Jellison abstained. Motion carried (4-0).

**Set Public Hearing for Budget Amendment:** Hanover motioned to approve Resolution #04-21-14L to set public hearing for May 19<sup>th</sup>, 2014 for Budget Amendment. Frank Second. Roll call. Motion carried (5-0).

**Audience Comments:** Bill Zeller questioned the curfew stating there have been a lot of kids out late. Council stated we can contact the Linn County Sheriff's office as the curfew is 10:00.

**Old Business:** Erik Sitting discussed the current list for properties that are not connected to the water utility. Stated letters have been sent to all owners that are not connected and a default judgment against those that didn't respond. Will continue to update the list for Council. As far as the properties that are in foreclosure a lien can be placed on the property.

Beaty questioned the splash pad spout that broke last year. Can we fix or get a new one. Maintenance will look into fixing or cost for new feature. Beaty questioned the medians on Blairs ferry road where the concrete is cracking would like to request Maintenance to look into filling the cracks with black tar to keep out the weeds and water seepage. Spots on the bridge that need fixed as well. Hanover stated he was approached with a petition to place stickers on the golf carts that are registered in town. Clerk to place on the May agenda. Stated that clean-up day will be sometime in May need to contact Rudd. Beaty requested Maintenance staff place

signs in the right location to easily identify where to dump yard waste also a Palo Residents Only sign. Jellison stated drainage on Vinton ditch by the Railroad tracks by highway get down to bridge the dirt is being washed out. Request Maintenance staff to push dirt back in there and maybe add riprap.

Motion by Jellison to go into Closed session at 10:40pm as to specific chapter 21.5(1) (C) of the Iowa Code. Sanders seconded. Roll call. Motion carried (5-0).

Motion by Hanover to go into open session at 11:08 PM. Sanders Second. Roll call. Motion carried (5-0).

Motion by Hanover to approve Resolution #04-21-14M Settlement agreement with Hart-Frederick Consultants PC in the amount of \$45,000 for services performed with the Waste Water Treatment project. Sanders Second. Roll Call. Motion carried (5-0).

Motion by Frank to **adjourn** at 11:10 p.m., Hanover second. Motion carried. (4-0)

Trisca Dix  
City Clerk