

Madrid City Council
Regular Meeting
May 3, 2010

The Council meeting was called to order at 5:30 p.m. with Mayor Jeff Gibbons presiding.

Present at Roll Call: Steve Burich, Lane Shaver, Val Chapman, Mike Heeren, Don Lincoln

Other City Officials present: City Administrator/Clerk Todd Kilzer, Deputy City Clerk Donna Havlik, Police Officer Nick Millsap and Fire Chief Jim Murry

Motion by Councilperson Shaver, seconded by Councilperson Heeren, to approve the agenda.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Shaver, to approve the City Council meeting minutes of April 19, 2010.

Ayes: All Present

Motion Carried

Motion by Councilperson Heeren, seconded by Councilperson Chapman, to approve the May 3, 2010 claims totaling \$7,828.29.

Ayes: All Present

Motion Carried

Fire Chief Murry asked the Council for consideration to allow him to purchase two sets of bunker gear at approximately \$1,500.00 per set. Murry explained that the department maintains 26 sets of bunker gear and two or three sets should be replaced annually. Murry added that the old gear may be used by probationary members although the member cannot actively be engaged in structural fire fighting while wearing worn out bunker gear.

Motion by Councilperson Lincoln, seconded by Councilperson Burich, to approve the purchase of two sets of bunker gear.

Ayes: All Present

Motion Carried

Murry reported that members of the Fire Department met with a Salesman from Toyne's Fire Trucks of Breda, Iowa to review a quote for a new fire truck. The quote was determined to be approximately \$280,000-\$300,000. The members eliminated a few of the options on the truck to hold down the cost but one of the remaining difficult cost issues is the length of the truck. The new fire truck will need to be 30' or shorter to fit into the Fire Department's station which would require the truck being a custom order. Murry will keep the Council updated.

Dan Chapman, Parks and Recreation Board Commissioner, requested that Kilzer deliver the parks' report. Kilzer advised the Council that the Custodian's home has been painted, cleaned and the locks have been changed for the new custodian, Sean Wiest. Wiest and Chapman have cleaned the park's cabin for the season and repaired a broken drain pipe under the sink. Kilzer also advised the Council that the Parks John Deere 1435 has a main bearing out and also a bearing housing on the mower deck is out. The repair parts are estimated to be \$400.00. Wiest has agreed to repair the mower at \$10.00 per hour labor rate as per the park's agreement and by the park's budgeted special labor fund. Councilperson Chapman reported that Wiest has also repaired the retaining wall at the entrance of Edgewood Park. Councilperson Heeren questioned if the door to the cabin has been repaired. Kilzer responded that the Lions Club and the Mason's have agreed to repair the cabin door at no cost to the City.

Motion by Councilperson Shaver, seconded by Councilperson Chapman, to approve the amended Complete Entertainment Service Agreement for Inflatable Rides during the Labor Day Celebration. Attorney Jordan had stated at the April 19, 2009 Council meeting that language needed to be added that would indemnify the City for any liability that may be caused by the contractor. Kilzer advised the Council that City Attorney John Jordan had made the necessary revisions in the agreement and the company had provided the City with a copy of their

million dollar insurance coverage that was requested by the City. Attorney Jordan indicated that the amended agreement was ready for Council's review/approval.

Ayes: All Present

Motion Carried

Officer Millsap reporting for Chief Tasler that there is some property damage being investigated. Discussion followed regarding the Des Moines River Bridge closing on May 9, 2010 at 9:00 p.m. to replace and enlarge the top deck. It is believed that the project will take approximately 4 months.

Kilzer reported that Mike Fischer, Water Plant Operator, recently attended a continuing education class on groundwater/surface water quality testing. The Council reviewed the 2009 Water Quality Report that is mandated by the EPA and the DNR which reflected that Madrid has very low contaminant levels without any violations. The report is a compilation of testing throughout the entire calendar year. Kilzer added that the report indicates that the City of Madrid continues to provide safe, high quality softened water to its residents.

Kilzer also reported to the Council that recently it was found that Well #9 was pulling sand through the screen which indicated that the stainless steel screen mechanism is probably deteriorated. Kilzer informed the Council that the major expense to repair this Well is in the process to get to the screen itself. Kilzer continued that all the piping and all the pumps must be gone through to get to the bottom where the screen is located. Kilzer reminded the Council that it cost \$25,000.00 to repair Well #8 in July of 2009.

Kilzer mentioned that a Public Works employee will be off work for a month due to surgery. Kilzer continued that the storm sewer intake work has been completed as a precursor to asphalt patching. There are 3 large areas that need asphalt that will be cored out and filled with rock before Blacktop Service places the asphalt. Councilperson Heeren questioned if 4th Street (sewer plant road) was one of the streets to receive blacktop and if so; would it be wise to repair 4th Street before truck traffic increases during repair work on the sewer plant road. Kilzer pointed out that there is a clause that should there be any damage to the streets due to construction equipment; the company would be responsible for the repair.

Councilperson Heeren reported that at the intersection of Main Street and First Street (by the bus barn and Wilcox Printing), there are three handicap ramps but there isn't any by the elementary school which is across the street. Kilzer agreed to check the intersection sidewalk ramps and to contact Superintendent Brian Horn regarding this issue. Councilperson Lincoln reported that a manhole has dropped 6"-8" on Third Street, just east of State Street. Kilzer will check the manhole for any needed repair.

The Council discussed a resolution listed on the agenda to authorize Kilzer to create an ordinance to restrict parking at the Edgewood Park entrance. Kilzer will work with Chief Tasler to incorporate other restricted parking areas in the community. Kilzer suggested that the ordinance may designate certain streets for semi parking and one sided street parking.

Kilzer also reported that he has been receiving comments from citizens regarding animal waste and the possibility of an ordinance to address that issue. Discussion followed with the general consensus being that an ordinance should be drafted for the Council's consideration.

Motion by Councilperson Heeren, seconded by Councilperson Chapman, to authorize the City Administrator/Clerk Kilzer to proceed forth with an animal waste ordinance.

Ayes: All Present

Motion Carried

Kilzer received notice from Attorney Jordan that Tony Starry is seeking a retrial and that Starry will be representing himself. Attorney Jordan has filed a motion for dismissal of Starry's request. Attorney Jordan will keep the Council and Kilzer updated. Under the court's last ruling, Melton/Starry would have until July 30, 2010 to demolish the building located at 140 W 2nd Street.

Motion by Councilperson Heeren, seconded by Councilperson Chapman, to approve payment in the amount of \$6,045.00 to the Boone County Landfill for the second half of the fiscal year 2009-2010 assessment. The fee is \$5.00 per capita.

Ayes: All Present

Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Heeren, to approve the Arrest-A-Pest Mosquito Spraying Contract. Arrest-A-Pest will spray once weekly starting the end of May 2010 through September 15, 2010 unless there are unfavorable weather conditions. The annual fee will be \$4,000.00 to apply the mosquito program within the City limits. Kilzer added that Arrest-A-Pest Mosquito Spraying would consider providing service to the recreation trail, if requested, at an additional mutually agreeable fee.

Ayes: All Present

Motion Carried

Motion by Councilperson Burich, seconded by Councilperson Chapman, to approve Resolution #20-09-10, "Resolution Authorizing The Utility Billing Clerk To Assess A Mosquito Spraying Charge Upon The Water/Sewer/Garbage billing". Water I and Water II customers will be assessed \$1.75 per water account, per month for the months of July, August and September.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Heeren, to approve Resolution #21-09-10, "Resolution Authorizing The City Administrator/Clerk To Begin The Ordinance Amendment Process To Restrict Parking At The Entrance To Edgewood Park". Additional parking issues noted by the Council may also be addressed in the new amended ordinance.

Ayes: All Present

Motion Carried

Motion by Councilperson Heeren, seconded by Councilperson Lincoln, to approve the first reading of Ordinance #447, "An Ordinance Amending The Code Of The City Of Madrid, Iowa, 1999, By Amending Chapter 106 "Collection Of Solid Waste", Subsection 8 "Collection Fees" And Subsequent Amendments Thereto" and to set a public hearing for May 17, 2010 at 5:30 p.m. in the Council Chambers. The Council reviewed the three year contract that had been approved August 4, 2008 which stipulated the 2% rate increase. The rate will be \$11.81 per household beginning September 1, 2010 through August 31, 2011.

Ayes: All Present

Motion Carried

Motion by Councilperson Heeren, seconded by Councilperson Burich, to approve the application for renewal of the Class C Permit with Sunday Sales and Outdoor Service License submitted by Baldy's Chill & Grill. Conversation followed regarding the "outdoor" service at this location although it was decided that outdoor service would not have any impact in the granting of the Class C permit.

Ayes: All Present

Motion Carried

Motion by Councilperson Burich, seconded by Councilperson Chapman, to approve the request to release the fiscal year 2009-2010 donation to Boone County Search & Rescue in the amount of \$750.00. This donation is funded through the Local Option Sales Tax revenues for community and county betterment and is a planned budget expenditure.

Ayes: All Present

Motion Carried

The Council received information in their Council packets from Mediacom regarding multiple channel additions and a thank you letter from Boone County Community Services/Recovery Center.

Councilperson Heeren asked the status of the damaged flag pole at Edgewood Park. Kilzer explained that the pole has been repaired and that it required more time, materials and labor than expected which resulted in a sizeable invoice. Kilzer is seeking participation in paying for the repair. Councilperson Heeren also asked the status of the Jensen Park clock. Kilzer advised the Council that he has received the motors for the clock but is waiting for the receipt of a gear box before beginning the repair.

Councilperson Shaver spoke with the Parks and Recreation Board regarding the issue with "disk golf". Dan Chapman, Parks and Recreation Chairperson, advised the Council that signage has been placed stating that holes 8/9/10 are closed. Kilzer indicated that if individuals ignore the rules, they may be asked by the park custodian to leave the park. Dan Chapman has volunteered his spraying skills so that the gazebo at Jensen Park can be restrained. Councilperson Lincoln asked where the garbage barrels were obtained that are used during the Labor Day Celebration. Kilzer mentioned that Van Diest in Fort Dodge, Iowa may be able to supply additional garbage barrels. Chapman also suggested a company from Des Moines although the barrels would need to be washed before using them. Chapman will get more details and coordinate the transporting of the barrels with Kilzer.

Dennis Wilcox, 609 W 2nd Street, advised the Council of the Veterans Memorial Park dedication on May 15, 2010 at 10:30 a.m.

Motion by Councilperson Shaver to adjourn the meeting at 6:18 p.m.; seconded by Councilperson Chapman.
Ayes: All Present
Motion Carried

Mayor Jeff Gibbons

ATTEST:

Todd D. Kilzer
City Administrator/Clerk