

Madrid City Council  
Regular Meeting  
November 16, 2009

The Council meeting was called to order at 5:31 p.m. with Mayor Jeff Gibbons presiding.

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

Motion by Councilperson Shaver, seconded by Councilperson Lincoln, to approve the agenda.  
Ayes: All Present Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Burich, to approve the City Council meeting minutes of November 3, 2009, Library Board meeting minutes of October 13, 2009, and the Planning and Zoning meeting minutes of May 14, 2009 and June 11, 2009.  
Ayes: All Present Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Burich, to approve the October Financial Reports and the November 16, 2009 claims totaling \$148,040.92. City Administrator / Clerk Todd Kilzer advised the Council that payment of the debt service makes up a good percentage of the total claims.  
Ayes: All Present Motion Carried

Councilperson Val Chapman arrived at 5:36 p.m.

Kilzer announced that Perry Gjersvik and Eric Gjersvik of Bartlett & West Engineering were present to discuss the CDBG Disaster Recovery Grant Award's criteria for the \$2,068,000.00 that has been awarded to the City. Perry Gjersvik submitted a summary of the CDBG Disaster Recovery Grant Award with illustrations. Gjersvik advised the Council that the funds are available immediately and the total funds are to be spent in an 18 month period. The project applied for was to construct a 6 acre storm retention basin and 2,600 linear feet of storm sewers, replace 2 street culverts and rehab 7,500 linear feet of sanitary sewer lines. The 2 street culverts bridges that are going to be replaced are on Union and State Streets. The second part of this project is the sanitary sewer rehabilitation in the southwestern portion of the community that will include approximately 7,500 feet of sewer lining and rehabilitation of 24 brick manholes. The estimated construction cost of the project is \$1,945,000.00. Gjersvik added that the non-construction costs will be approximately \$488,000.00 for land, legal, administration fee and engineering design. The City will need to match funding in the amount of \$365,000.00. The project schedules consist of approving an engineering contract, a bid letting in March 2010, and begin construction in May 2010 with an anticipated completion date of December 2010. Gjersvik has scheduled sanitary sewer televising and smoke testing the lines the week of November 23, 2009 in hopes having this completed before a winter freeze. Kilzer stressed the benefit of the rehabbing of the 7500 feet of sanitary sewer lines with the storm sewer lines in this one project. Councilperson Lincoln questioned the acquisition of land for the 6 acre retention pond. Gjersvik responded that based on the aerial graphics, we should be able to determine the amount of ground needed and then start visiting with the land owners. It is hoped that ground needed for the project does not have to be acquired by condemnation or eminent domain. Kilzer advised the Council that the city will be advertising for a firm to provide the grant administrative services for this project. Kilzer continued that it must be an external source; the city cannot be the administrator of their own CDBG projects anymore.

Fire Chief Jim Murry reported to the Council that the Fire Department has received a \$10,000.00 donation from Alma Pedretti Estate. The stipulations of the donation are; \$5,000.00 for the Rescue Auxiliary and \$5,000.00 through the City of Madrid for the Fire Department.

Murry advised the Council that the Fire Department has approved Jared Simmons as a probationary member of the department and requested the Council's appointment of Simmons. Motion by Councilperson Heeren, seconded by Councilperson Shaver to appoint Jared Simmons as a probationary member of the Fire Department.  
Ayes: All Present Motion Carried

Murry advised the Council that the old International pumper fire truck has failed its annual inspection. It was found that the pump has bad seals and the pump is rusted out. The estimated cost to repair the pump was

\$20,000.00. Murry advised the Council that the rescue truck will be paid off in July 2013 and suggested that the Council consider purchasing a different pumper truck. Murry recommended purchasing a demo unit that could be custom built for Madrid. Murry added that the truck could be ordered in a year, built and demoed during the following year and then purchased as a demo with 7,000 -10,000 miles on it. Kilzer agreed that a demo unit would be a savings to the City but the City would need to place their order 1 - 2 years prior to delivery. The unit would not require any payments until the City took delivery. Murry added that because the International pumper truck failed the test, the ISO rating could change and that has the potential of changing your property insurance coverage premiums. Murry clarified that the International is still operative although it does not meet the specifications that are set for it by the National Fire Protection Agency.

Library Director Angie Strong submitted the 2008-2009 annual report to the Council. Strong pointed out that the 2008 internet usage was approximately 4800 and nearly 7000 for 2009. Another impressive figure was that the door count averages 29,432 patrons per year. Councilperson Heeren questioned if the library had enough computers. Strong explained that computer accessibility was adequate during the school year but not in the summer. The library plans to apply for grants, state aide and donations to assist with the expense of additional computers. Strong advised the Council that the Central Iowa Library Association contacted her to determine if she had any interest in participating in a mobile laptop lab. The cost would be \$840.00 for the lab and the yearly maintenance fee would be \$100.00 per year. The benefit of this program would be that the library could have more on line classes. Strong advised the Council that the Library Board has approved the proposal and the library will become a member on January 1, 2010. The lab will be available at the library 3 times a year for a week and will be setting up the classes. Strong advised the Council that Saturday, November 14, 2009 was National Game day and the library went on line to compete with other libraries. The Madrid participants were very excited when they were announced as the winners. Strong also advised the Council that the library will be putting up a "Giving Tree". Individuals may pick a leaf to purchase a book as a donation that will be put into circulation. The individual's name will appear on a label in the book that they purchased as a donation.

Strong requested the Council's approval for a salary increase for Shelly Shaffer. Kilzer advised the Council that salary increases become effective on the anniversary date of the library's employees; they are not effective on July 1 of the new fiscal year as with the other City employees. Kilzer also clarified that this increase was calculated for the 2009-2010 fiscal year. Councilperson Shaver commented that due to budget restraints of the current year and next year, that he could not accept any pay increases for any City employees. Councilperson Chapman questioned if there were other library employees that have not received a raise this fiscal year. Strong responded that she and Outcalt's raise would be due in February and White's raise would be due in June of 2010. Councilperson Heeren commented that these increases were agreed to for this fiscal year and that it would not be fair to deny them their raise. Motion by Councilperson Heeren, seconded by Councilperson Lincoln, to approve a 2.5% hourly wage increase for Library Aide Shelly Shaffer. Shaffer's salary will increase from \$9.51 to \$9.75 per hour effective November 16, 2009.

Ayes: Burich, Chapman, Heeren, Lincoln

Nays: Shaver

Motion Carried

Motion by Councilperson Heeren, seconded by Councilperson Lincoln, to approve Amy J. Kleinwort's letter of resignation from the Parks and Recreation Board. The Council expressed their gratitude to Ms Kleinwort for her volunteered service on the Board.

Ayes: All Present

Motion Carried

Keith Kudej, Chairman of the Construction Committee of the Friends of the Trail group, approached the Council regarding a second access point to the High Trestle Trail in Madrid. Kudej suggested using 4<sup>th</sup> Street as an access instead of having a 3<sup>rd</sup> Street access that would be across the street from the U.S. Post Office. Kudej indicated that a 3<sup>rd</sup> Street access would be much too steep where an access off 4<sup>th</sup> Street would be a more suitable grade. Kudej provided the Council with a 4<sup>th</sup> Street access cost estimate for culverts, road stone, tree removal, excavation totaling \$1,430.00. The Construction Committee has approved the concept and now is requesting the Council's approval to move forward with the plans. Kudej also mentioned an additional site that was being considered. Motion by Councilperson Lincoln, seconded by Councilperson Chapman to approve the 4<sup>th</sup> Street Trail Access concept and to authorize the Construction Committee to move forward with the plans.

Ayes: All Present

Motion Carried

Police Chief Rick Tasler reported to the Council that the pop can trailer at the Market of Madrid was broken into by two juveniles. The juveniles will be charged with criminal mischief and theft. Tasler mentioned that

there weren't any more open burning complaints received by the department. Kilzer added that open burning will end Friday, November 20, 2009 at sunset. Tasler has authorized Officer Olmstead to order a new hand held radar and the in car video which will be reimbursed by the Special Traffic Enforcement Project (STEP) grant.

Motion by Councilperson Lincoln, seconded by Councilperson Heeren, to approve the payment in the amount of \$7,200.00 to Biosolids Management Group for the annual removal of the digester and holding tank waste from the sanitary sewer plant. Kilzer advised the Council that Biosolids Management applied 180,000 gallons of waste to fields as contracted at \$0.04 per gallon.

Ayes: All Present

Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Burich, to approve the payment in the amount of \$3,575.25 to Hydro Klean for the cleaning and the televising of sanitary and storm sewer lines and the disposal of collected material. Kilzer reported a storm sewer tile had been having problems and backed-up into some businesses. There were also some sanitary sewer lines off of 4<sup>th</sup> Street that historically backed-up in winter months that were cleaned and televised as a preventative measure.

Ayes: All Present

Motion Carried

Kilzer advised the Council that the 410G John Deere backhoe was being repaired due to a hydraulic leak under the cab. There have been hydraulic leaks in the past in the same general area and have been repaired, some have been repaired under warranty. Because this has been an ongoing problem, Kilzer has been dealing directly with Murphy Tractor in hopes of having the repair covered under warranty. Murphy contends that the hydraulic leak is not the same as before and that the unit is out of warranty so they are not responsible for the repair. Kilzer will report Murphy Tractors decision to the Council at the December 8, 2009 Council meeting.

Kilzer advised the Council that the City has acquired 6 more new Christmas lights. The Public Works employees will be hanging up the decorations before the Thanksgiving Holiday as weather permits. Kilzer also reported that Public Works employees have installed 30' of storm sewer PBC concrete pipe at the trailhead. Public works will continue to clean out debris in that area throughout the winter as weather permits. Councilperson Heeren questioned what the plans were for the Third Street bridge abutment walls. Kilzer commented that it was suggested to him that the abutment walls could be placed in the bottom although Kilzer's thought was to put them against the banks to help stabilize the banks. Kilzer suggested that new abutment walls could be installed as part of the new CDBG drainage ditch project and then have a pedestrian bridge installed at a later date.

Kilzer advised the Council that he received an email November 13, 2009 from Kevin Holzhauser of the International Union of Operating Engineers, asking Kilzer if the negotiation team were inclined to do any adjustment in their position in the terms of the agreement. Kilzer replied to Holzhauser that he believed from the discussions he had with the committee members that it was not likely that any adjustments would be made in their position. Holzhauser then sent Kilzer an email that he had spoke to the union members and they are not willing to do any adjustment in their requests. Kilzer added that there has been a request made for impasse services and now the City will have to go into mediation. Kilzer explained that a mediator will come in to assist with the negotiations. Kilzer continued that the expense for a mediator will be split between the City and the Union. Kilzer will advise the Council when the mediation will take place.

Kilzer informed the Council that he and Deputy City Clerk Donna Havlik will be attending a budget workshop sponsored by the Iowa League of Cities in Des Moines on December 1, 2009. Kilzer also mentioned to the Council that he has 5 days vacations days left and plans to take November 23, 24, 25, and the 30<sup>th</sup>, 2009.

Kilzer suggested to the Council to stipulate which Council meeting of the month that they would like to have City Attorney John Jordan attend. Kilzer advised the Council that he is trying to keep Jordan informed of any legal matters that the City may have although the Council needs to be aware that calling and emailing Jordan also accumulates attorney fees. Councilperson Chapman requested that Kilzer monitor what it costs to have Jordan present at the meetings verses the emailing and telephoning the information. Kilzer agreed to prepare a cost benefit analysis. Motion by Councilperson Chapman, seconded by Councilperson Heeren, to stipulate that the City Attorney John Jordan be present at the first Council meeting of each month.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Shaver, to schedule the next Regular Council Meeting for December 8, 2009 to accommodate for the Christmas Extravaganza on December 7<sup>th</sup>.

Ayes: All Present

Motion Carried

Councilperson Lincoln questioned if Bingo had to pay a community room rent fee. Kilzer advised the Council that Bingo has never been charged a fee to use the community room.

The Council congratulated the Madrid Tiger Football team for another successful year.

Mayor Gibbons congratulated Councilperson Chapman, Lincoln and Burich on their election wins.

Motion by Councilperson Shaver to adjourn the meeting at 6:45 p.m.; seconded by Councilperson Heeren.

Ayes: All Present

Motion Carried

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Mayor Jeff Gibbons

**ATTEST:**

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Todd D. Kilzer  
City Administrator / Clerk