

The second meeting of July for the Denver City Council, Bremer County, Iowa was held on Monday July 18, 2016 at the Denver City Hall Council Chambers. Council members present were Derek Gustafson, Jeremie Peterson, Mark Richmann, Mary Scharnhorst and Joel Wikner. There were nineteen people in attendance.

Mayor Diercks called the meeting to order at 6:00 p.m.

Motion Richmann, second Peterson to approve the agenda. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Wikner, second Scharnhorst to approve the minutes of July 5, 2016. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

There was no Public Forum.

Motion Wikner, second Peterson to approve Chris Pletz request to close Schneider Street for a Block Party on August 6, 2016 from his driveway to the end of the block. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Richmann to Close the Regular Meeting and Open the Public Hearing to consider the FY 2016 Sidewalk Improvement Project in the City of Denver, Iowa. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None. The Public Hearing opened at 6:02 p.m.

During the Public Hearing Mayor Diercks asked everyone to show respect for everyone's opinions and that he intended to enforce the Five Minute Rule to allow everyone an opportunity to speak about the Sidewalk Project. Engineer Gary Frank explained the FY 2016 Sidewalk Improvement Project and the estimated costs for each Preliminary Assessment Amount. Each of the 13 property owners and 15 parcels of property involved with the project. Each property owner was sent a certified letter with the Preliminary Assessment Schedule. There were 6 categories for Preliminary Assessment Amounts.

Removal of Driveway was estimated at \$10/Square Yard

Removal of Sidewalk was estimated at \$12/Square Yard

Curb & Gutter Replacement Split 50%/50% between Property owner and the City of Denver

6" P.C.C. Driveway \$55/Square Yard

4" P.C.C. Sidewalk \$50/Square Yard

6" P.C.C. Sidewalk \$60/Square Yard

Larry Farley told property owners to tell the Council if they are for or against the FY 2016 Sidewalk Improvement Project. The Total Cost of the Project is \$213,834.66 with \$93,403.23 to be assessed to property owners with \$120,431.43 of the project costs to be paid by the City of Denver. Larry Farley explained that if 75% or less of the property owners object to the project it would require 4 out of 5 Council Members to vote in favor of the project in order for the project to proceed and if more than 75% of the property owners object to the project it would need all 5 of the Council Members to vote in favor of the project the proceed. Larry Farley reviewed the project schedule with property owners. After the Public Hearing tonight is over and the project is approved the Council will meet at 6:00 p.m. on August 1, 2016 to adopt a Resolution approving Final Plans and Specifications, on August 3, 2016 the Public Hearing Notice would be published in the Denver Forum setting the date for a Public Hearing on the Plans and Specifications and Awarding Contract, August 19, 2016 Open Bids for the Project at City Hall, August 22, 2016 Hold a Special City Council Meeting at 6:00 p.m. and conduct the Public Hearing on the Plans and Specifications and Award Contract for the FY 2016 Sidewalk Improvement Project. Larry Farley also explained property owners will have a 10 Year Repayment Schedule for Property Owners

Special Assessments, with an Interest Rate of 6.50%, Substantial Completion of the Project by May 31, 2017, Final Completion of the Project by June 30, 2017. Property owners do not have to finance the costs through the City they can pay their Special Assessment within 30 days of receiving the Final Assessment Notice from the City of Denver or they can borrow from the financial institution of their choice. Larry Farley also read the City Attorney's Legal Opinion that State Law authorizes cities to levy Special Assessments against all property except property owned by the Federal Government.

Chad Scarborough represented Stephanie Hovey stated he was opposed to the Sidewalk Project and feels the City is individualizing the project and all citizens should have to support paying for the project. Jason Davis was opposed to the Sidewalk Project because of the cost of the improvements. Edwin Hollis was opposed to the Sidewalk Project, felt the sidewalks won't get used, opposed to the fact that St. John's Evangelical Lutheran Church is also getting hit with a Special Assessment, he is on a fixed income, and Mr. Hollis stated he is also on a very fixed income. Barbara Fencil was opposed to the Sidewalk Project and has had to work two jobs to make ends meet. Dan Thompson representing St. John's Evangelical Lutheran Church is not against sidewalks the church just doesn't have the \$15,000 to pay for the sidewalk so they are opposed to the Sidewalk Project. Joel Teetzen was opposed to the Sidewalk Project, felt there were many areas of Denver without sidewalks, asked what the next phase of the Sidewalk Plan was and if the city will be doing sidewalks year after year, requested a 4-Way Stop Sign at the intersection of Prestien Drive and Schneider Street and felt traffic was speeding on Prestien Drive going 35-40 mph. Chris Pletz suggested installing sidewalks in phases. Mike Brown representing the Denver Baptist Church asked if there was a Comprehensive Sidewalk Plan, and because there is not a Comprehensive Sidewalk Plan for Denver the Denver Baptist Church is opposed to the Sidewalk Project. Donald Platte is opposed to the Sidewalk Project because it is not cost effective, people walk in the streets, sidewalks create another liability for him to deal with. Larry Farley informed the Council that the Denver Community School District had contacted him and they were in favor of the Sidewalk Project. Shaun Bradley had contacted him and he was in favor of the Sidewalk Project. Larry Farley calculated the dollar amount of the Special Assessments for the property owners opposed to the Sidewalk Project and there were \$64,875.30 opposed to the Sidewalk Project and \$28,527.93 in favor of the Sidewalk Project; this was 69.46% opposed to the Sidewalk Project so it will need 4 of the 5 Council Members to vote yes in order for the Sidewalk Project to move forward.

Motion Richmann, second Gustafson to Close the Public Hearing for the FY 2016 Sidewalk Improvement Project in the City of Denver, Iowa. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None. The Public Hearing was closed at 8:02 p.m.

Motion Richmann, second Scharnhorst to approve Resolution No. 70-2016 Preliminary Resolution for the FY 2016 Sidewalk Improvement Project in the City of Denver, Iowa. ROLL CALL VOTE: AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Peterson to approve Resolution No. 71-2016 Ordering Final Plans and Specifications for the FY 2016 Sidewalk Improvement Project in the City of Denver, Iowa. ROLL CALL VOTE: AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Wikner, second Gustafson to approve Resolution No. 72-2016 Set Date for a Public Hearing to consider Re-Zoning Tsbs Properties LLC and Mark Milder on behalf of the Denver Soccer Club, from M-1 to U-1 for August 1, 2016 at 6:00 p.m. at the Denver City Hall Council Chambers. ROLL CALL VOTE: AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None

Motion Peterson, second Scharnhorst to approve Resolution No. 73-2016 to purchase Two Defibrillators from Physio Control in the amount of \$3,314.64. ROLL CALL VOTE: AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Richmann to approve Resolution No. 74-2016 to Re-Build Forrest Ave. Park Shelter by Midwest Buildings Inc. and re-roof with steel the Forrest Ave. Park Restroom Building in the amount of \$8,772. ROLL CALL VOTE: AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Gustafson to approve a Facade Grant in the amount of \$869.00 for Bart’s End Zone. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Peterson to approve a Facade Grant in the amount of \$5,240.00 to N & L Properties LLC. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Wikner to approve the Appointment of Chris Cappussi to the Denver Planning & Zoning Board for a 4 Year Term. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Richmann to approve a Class C Liquor License for BAK JJ d/b/a Bart’s End Zone. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Gustafson to approve a Class C Liquor License for W-KEY Inc. d/b/a Whiskey Junction. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

In Other Business Councilman Peterson shared some differences between a Denver City Council Meeting and a City Council Meeting he attended in Creston, Iowa.

Revenues for the Month of June 2016

General Fund	\$302,718.17
Library Savings Fund	\$ 998.27
Road Use Fund	\$157,683.25
Local Option Sales Tax	\$ 11,506.65
Tax Increment Financing Fund	\$250,497.39
Debt Service Fund	\$411,074.91
Permanent Fund	\$ 1,500.00
Water Utility Fund	\$ 14,249.63
Sanitary Sewer Fund	\$ 92,468.42
Electric Utility Fund	\$107,541.03
Electric Utility Deposit Fund	\$ 1,335.08
Storm Water Utility Fund	\$ 2,164.78
Total	\$1,353,737.58

Motion Richmann, second Wikner to adjourn. AYES: Gustafson, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None. The Council Meeting adjourned at 8:24 p.m.

ATTEST:

Rod Diercks, Mayor

Larry Farley, City Clerk/Admin.