

The second meeting of November for the Denver City Council, Bremer County, Iowa was held on Monday November 20, 2017 at the Denver City Hall Council Chambers. Council Members present were Sean Hartman, Mark Richmann, Jeremie Peterson, Mary Scharnhorst and Joel Wikner. There were seventeen people in attendance.

Mayor Diercks called the meeting to order at 7:00 p.m.

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

Motion Wikner, second Hartman to approve the minutes of November 6, 2017 Regular Meeting. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

There was no Public Forum.

Mayor Diercks opened the discussion on the 2018 South State Street Reconstruction Project. Larry Farley informed the City Council that he had a telephone conversation with Brothers Market owner Jared DeVries and they are opposed to the South State Street Reconstruction Project and closing the street during construction and the loss of business to the grocery store and the project will be extremely difficult for their business to handle. Ed Blumenshine wanted to bring Councilman Richmann up-to-date with what happened at the Public Hearing held on November 6, 2017. Councilman Richmann had reviewed the minutes and felt he had a good understanding of what was discussed at the Public Hearing. Councilwoman Scharnhorst read her prepared comments of how and why she was in favor of the South State Street Project and what this Council has accomplished in the last few years. Gene Leonhart and Terri Seegers expressed concern about how the South State Street Project would be financed. The Engineer's Estimated Cost Estimate is \$1,654,617 with \$1.2 million dollars coming from property taxes and \$450,000 from an RTA Grant. They were also concerned about other Capital Projects the City was planning on doing in the future. Councilman Richmann felt the City had done a good job with the City Tax Rate and are responsible for maintaining city streets and drainage. Councilman Hartman felt most of the concerns he heard during the Public Hearing held on November 6, 2017 were due to the sidewalk and the associated costs of the sidewalk construction on the West Side of South State Street. Gary Everding was concerned about not completing a traffic study to evaluate traffic to and from the new school building. Ed Blumenshine felt the city should abandon the project. Carol Everding felt Turn Lanes should be included in the project for traffic heading to the school buildings. Gary Everding felt the City should reimburse his mother for removing the sidewalk in front of her home. Mayor Diercks felt the Council should vote on the Resolution and asked Larry Farley to review how many City Council votes were needed to pass the Resolution. Larry Farley informed the Council that a Supermajority of Council Members would need to vote in favor of the Resolution for it to pass; that is four out of the five Council Members. There were 72.26% of the property owners opposed to the special assessment dollar amount (\$89,930.50 out of a total amount of \$124,456.20).

Motion Peterson, second Scharnhorst to approve Resolution No. 60-2017 Preliminary Resolution for the 2018 South State Street Reconstruction Project from Highway 63 to Prestien Drive. ROLL CALL VOTE: AYES: Peterson, Richmann, Scharnhorst. NAYS: Hartman, Wikner. Motion failed due to not receiving a Supermajority Vote.

Motion Peterson, second Hartman to approve Resolution No. 64-2017 Adopting Preliminary Resolution for the 2018 South State Street Project from Highway 63 to Prestien Drive. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Scharnhorst to approve Resolution No. 65-2017 Adopting Preliminary Plat and Schedule, Estimate of Cost and Proposed Plans and Specifications for the 2018 South State Street Reconstruction Project from Highway 63 to Prestien Drive. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Hartman to approve Resolution No. 66-2017 Fixing Lot Values for the 2018 South State Street Project from Highway 63 to Prestien Drive. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Wikner to approve Resolution No. 67-2017 Resolution of Necessity for the 2018 South State Reconstruction Project from Highway 63 to Prestien Drive and Setting Date for a Public Hearing for December 18, 2017 at 7:00 p.m. at the City Hall Council Chambers. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Paul Yokas from Ridihalgh, Fuelling, Snitker, Weber & Co., P.C presented the Independent Accountant's Report on Applying Agreed-Upon Procedures for the Fiscal Year Ending 2017. Mr. Yokas reviewed the Detailed Recommendations with the Council.

Engineer Mark Durbahn was present and discussed the project closeout for the FY 2016 Sidewalk Project. There was a second Change Order for the Project that deducted \$13,451.90 from the bid amount. Mark Durbahn recommended the City Council accept the project and make final payment to Mike Dolan Concrete and Masonry Inc. in 30 days and after he received the Lien Waivers and Maintenance Bonds.

Motion Richmann, second Scharnhorst to approve Resolution No. 68-2017 Change Order #2 for the FY 2016 Sidewalk Project with a Deduct of \$13,451.90. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Scharnhorst to approve Resolution No. 69-2017 Final Pay Request #3 for the FY 2016 Sidewalk Project in the amount of \$8,610.84. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Wikner, second Hartman to approve Resolution No. 70-2017 Resolution Ordering Preparation of Final Plat and Schedule of Assessments for the FY 2016 Sidewalk Project. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Scharnhorst to approve Resolution No. 71-2017 Accepting the FY 2016 Sidewalk Project. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Hartman to approve Resolution No. 72-2017 Adopting and Levying Final Schedule of Assessments and Providing for the Payment Thereof for the FY 2016 Sidewalk Project. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Richmann to approve Resolution No. 73-2017 Final Pay Request #6 for the Schneider Street Improvement Project in the amount of \$7,726.71. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Scharnhorst to approve Resolution No. 74-2017 Accepting the Schneider Street Improvement Project. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Police Officer Matt Root presented the Speed Trailer Results for a two-week period. Officer Root reported the tolerated speed limit was 26-31 mph in a 25-mph speed zone. From the data collected 28% of the vehicles were over the violation speed limit of 32 mph in a 25-mph speed zone.

Motion Wikner, second Richmann to approve the Second Reading of Ordinance No. 4-2017 Amending Chapter 10.51 and Adding a New Section 10.51.09 to the Golf Cart and Utility Trail Vehicle Ordinance. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Hartman, second Scharnhorst to approve the Third and Final Reading of Ordinance No. 4-2017 Amending Chapter 10.51 and Adding a New Section 10.51.09 to the Golf Cart and Utility Trail Vehicle Ordinance. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Hartman to approve the City Contributions to Employee Health Savings Accounts in the amount of \$750 for a Single Plan and \$1,500 for a Family Plan. AYES: Hartman, Peterson, Richmann, Wikner. NAYS: None. ABSTAIN: Scharnhorst.

Motion Scharnhorst, second Wikner to approve Resolution No. 75-2017 Annual Urban Renewal Report for Fiscal Year 2017. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Hartman to approve Resolution No. 76-2017 Set Date for a Public Hearing for December 4, 2017 at 7:00 p.m. at the Denver City Hall Council Chambers to Consider Rezoning Two Lots Owned by David Fink at 300 Transit Street from M-1 Industrial to C-1 Commercial. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Richmann, second Wikner to approve Resolution No. 77-2017 Set Date for a Public Hearing for December 4, 2017 at 7:00 p.m. at the Denver City Hall Council Chambers to Consider Rezoning One Lot Owned by Denver Construction Inc. (Bill Buss) at 480 Transit Street from M-1 Industrial to C-1 Commercial. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Peterson, second Richmann to appoint Brett Shollenbarger to the Denver Park & Recreation Board. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Wikner, second Hartman to appoint Kristi Shollenbarger to the Denver Park & Recreation Board. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Scharnhorst, second Hartman to appoint Laura Chapin to the Denver Park & Recreation Board. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

Motion Wikner, second Peterson to appoint Dave Haugen to the Denver Planning & Zoning Board for a One-Year Term. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

The Council reviewed the FY 2019 City Budget Meeting Schedule.

Motion Richmann, second Hartman to change the February 19, 2018 City Council Meeting to Tuesday February 20, 2018 at 7:00 p.m. in Observance of the President's Day Holiday. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None.

In Other Business Councilman Richmann informed the Council that he has retired from the Denver Fire Department after 18 years. Mayor Diercks and City Council Members Thanked Councilman Richmann for his 18 years of volunteer service. Councilman Peterson requested the City Council review the Denver Board of Adjustment decision to deny Chris Newby Garage Variance at its next City Council Meeting. Mayor Diercks thanked Councilwoman Scharnhorst for serving on the City Council and congratulated Jim Scharnhorst for his service to the City of Denver and his retirement on December 27, 2017.

Motion Scharnhorst, second Peterson to adjourn. AYES: Hartman, Peterson, Richmann, Scharnhorst, Wikner. NAYS: None. The City Council Meeting adjourned at 8:43 p.m.

Revenues for the Month of October 2017

General Fund	\$183,040.29
Library Savings Fund	\$ 0.70
Road Use Fund	\$ 16,822.27
Local Option Sales Tax	\$ 13,664.94
Tax Increment Financing Fund	\$ 75,020.87
Debt Service Fund	\$ 22,937.71
Permanent Fund	\$ 2,250.00
Water Utility Fund	\$ 19,816.21
Sanitary Sewer Fund	\$ 48,798.44
Electric Utility Fund	\$144,409.98
Electric Utility Deposit Fund	\$ 1,500.00
Storm Water Utility Fund	<u>\$ 2,664.52</u>
Total	\$530,925.93

Rod Diercks, Mayor

ATTEST:

Larry Farley, City Clerk/Admin.