

The second meeting of May for the Denver City Council, Bremer County, Iowa was held on Monday May 21, 2018 at the Denver City Hall Council Chambers. Council members present were Gavin Carman, Sean Hartman, Jeremie Peterson, Mark Richmann, Joel Wikner. There were sixteen people in attendance.

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

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

Motion Peterson, second Carman to approve the minutes of May 7, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

There was no Public Forum.

Ed Blumenshine presented the South State Street Reconstruction Project Recommendation. The following statement was read by Ed Blumenshine to the City Council.

South State Street Project Recommendation
Denver City Council
21 May 2018

History of Project:

- The South State Project proposal was initially presented to citizens on 13 Feb 2017 at an informational meeting.
- Between Feb17 and Oct17, very little was done to engage citizens for input into acceptable alternatives for this project.
- In October 2017 Council proceeded with drawn up easements, etc.
- On 20 Nov 2017 – Council tried to gain approval for the project but 72.26% of citizens involved were opposed to the project.
- On 04 Dec 2017, Council requested that this Citizen Advisory Committee be formed to provide recommendations for the State St. Project due to the significant disagreement with various parts of the plan.
- On 02 Apr 2018, the Citizen Advisory Committee attempted to update the Council but there was little interest in hearing the Committee input.
- That brings us to tonight and The Citizen Advisory Committee is here to present their final recommendations regarding the South State Street Project.

Introduction:

- On 14 Dec 2017, City Council approved the formation of a five-member Citizen Advisory Committee for the South State Street Reconstruction project. The committee would also include Mayor Diercks and two City Council members.
- Purpose of the committee was to address business and resident concerns and to provide a recommendation to City Council regarding the South State Street project.

- Citizen Committee members included: Sarah Bartling, Ed Blumenshine, Cassandra Hales, Kathie Novy, Terri Seegers and Brent Wooldrik. Mayor Diercks and Councilmen Mark Richman and Joel Wikner represented City Council.
- This Committee has spent a considerable amount of time on this project and we would respectfully request that we be allowed to present this report in its entirety without interruptions, after which we will answer any questions.
- The Committee also respectfully requests that this presentation be included in its entirety in the minutes of this meeting.

Concerns:

Drainage Issue:

- A long-term solution is desired that will address all the issues associated with the current and future storm water drainage requirements of the south east corner of Denver. Below we have outlined our concerns and possible solutions.
 - First, the proposed design has major issues that we feel needs to be addressed.
 - The current design has the storm sewer pipe running on top of the sanitary sewer pipe with only 6 inches of clearance. In our meeting with Mark Durbahn he commented that this was below normal standards and there was a concern raised about the impact this could have on the integrity of the sanitary sewer pipe.
 - Also, since the exact depth of the sanitary sewer is unknown it was also mentioned that there is the possibility that the current design won't even have the 6 inches of clearance.
 - Second, running the storm sewer pipe across Seegers property is not acceptable as it would make that land unusable for future development.
 - Alternative solutions are:
 - Run the new storm sewer north of Seegers property along the existing storm water runoff located on Martin Health property.
 - Run the new storm sewer alongside the existing sanitary sewer on the south side of Seegers property.
 - Third, there is concern that the drainage channel on the Lanus property is not designed to adequately handle storm water runoff in the future. There is significant undercutting erosion to the southeast bank and the culvert under Transit Street is smaller than the box culvert.
- The two alternatives to run the new storm sewer on either Martin Health or Seeger's property in our opinion have 3 issues.
 - First, both are higher than the lowest point of the proposed design.

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- Second, neither of them addresses potential issues of storm water drainage from future development on the south east side of State Street nor do they take into consideration the impact that climate change is having on weather events. Although we don't have an increased number of events, the severity of the events we have has increased. This will require that larger pipes and detention ponds be used.
- Third, it is also unknown what the impact of discharging storm water to the west between soccer fields will have on that area.

Safety Concerns:

- The committee is concerned that stripping the road as purposed will cause safety concerns as well as lead to confusion in the future when the road would be restriped to north, south center turn lanes.

Recommendations

Storm Sewer

- After meeting with Mark Durbahn and reviewing the current design, it is the committee's recommendation that the City move forward with a new engineering design to run the storm sewer south to the box culvert on the Lanus property.
 - The determining factors in making this recommendation are as follows.
 - The current design relied upon obtaining an easement from Seegers which is not acceptable to them. Alternatives to the current design to run the storm sewer under their property would require redesign due to new elevations.
 - The close proximity of the new storm sewer to the existing sanitary sewer is below normal standards and should be redesigned to provide the normal required clearance. To achieve the necessary clearance would also require redesign due to the same elevation issues.
- Since the lack of an easement from Seegers and the conflict with the sanitary sewer will require redesign of the new storm sewer, it is our recommendation that the new design include running the storm sewer south to the box culvert at the Lanus property. We also recommend that the City purchase the Lanus property and redesign the drainage channel to straighten out the path and enlarge the pipe that runs under Transit Street.
- We are aware that there are certain issues with this project that make the designing the storm sewer difficult and that overcoming them will raise the cost of the project. In spite of the increased cost we feel that it is in the best long-term interest of Denver to address these issues now.

Street Width and Striping:

- We agree that the 36' wide road width will be adequate to accommodate the projected traffic needs for the foreseeable future and that right turn lanes are not needed.
- We recommend removing the bike lanes and utilizing the entire 36' for traffic and striping the road with Right/Left/Center turn lanes from the beginning.
- We recommend that in the future that the sidewalks be widened to accommodate bicycles instead of using traffic lanes.

Safety:

- Striped crosswalks should be included at Brothers and Prestien Dr. intersections.

Speed Limit:

- Recommend dropping speed limit to 25 mph for all of State Street.

Long – range Plan:

- Address standardized design.
- Evaluate impact of various projects on each other to ensure a cohesive plan for all of State Street running through Denver.
- Identify phases of projects and how they fit together.

Conclusion:

- Our goal as a committee was to identify areas of concern and to recommend viable solutions. Throughout the process there were several issues that after review and discussions with the engineers we were able to consider resolved. The one issue that kept coming up was what to do with the drainage channel on the Lanus property. It is common knowledge that there are problems with the current design and that the problems will only get worse over time. When factoring in future development of the southeast corner of Denver and changing weather events that are becoming more severe, the current design has the potential to create major problems. In the event the detention pond overflows, the size and design of the current drainage channel is not adequate to handle the increased volume of storm water. There is no question that this issue will have to be addressed at some time in the future and there will never be a better time to address this problem than now. We realize that this is a major decision and considerable expense, but there comes a time when it is necessary to step up and tackle the difficult problems rather than putting them off to be dealt with after problems get worse and costs have gone up. This is why we urge the Council to accept our recommendations as outlined in this presentation.

Mayor Diercks and the City Council Members thanked Mr. Blumenshine and the entire Committee for taking the time and effort with preparing the Final Recommendation for the City Council.

Motion Richmann, second Carman to Close the Regular Meeting and Open the Public Hearing to consider increasing Electric Rates effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

During the Public Hearing there was discussion about the proposed 3.2% electric rate increase to begin with the July 2018 utility bills. The Residential Monthly Base Rate is \$12.75 and will be \$15.00 an increase \$2.25/month, the Residential usage charge per kWh is \$0.1128/kWh will decrease to \$0.1120/kWh for the Summer Months (June, July, August, September) Residential Winter Rates (Other 8 Months) presently \$0.1028 will decrease to \$0.1020 for the first 800 kilowatts over 800 kilowatts the existing rate is \$0.858/kWh will increase to \$0.0945/kWh. The General Service Rate (Commercial and Industrial Customers) the present Monthly Base Rate is \$19.50 will increase to \$23.00/Month.

Motion Peterson, second Wikner to Close the Public Hearing on the Electric Rate Increase and Re-Open the Regular Meeting. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None. The Public Hearing was closed at 7:21 p.m.

Motion Peterson, second Hartman to approve the First Reading of Ordinance No. 3-2018 Amending Chapter 14.04.200 of the Municipal Code the City of Denver, Iowa and Increasing Electric Rates effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Wikner to Close the Regular Meeting and Open the Public Hearing to consider increasing Water Rates effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

During the Public Hearing there was discussion for why rates were increasing and the main reason was to cover the costs to enclose, sand blast, prime and paint the water tower at an estimated cost of \$250,000-\$300,000. The water tower will be 50 years old in 2019 and has never been sand blasted down to bare steel since it was built. The sandblasting will remove all the paint layers over the years. The new rates for the Monthly Basic Service charge will increase from \$8.50/month to \$10.00/Month and per 1,000 Gallon of usage will increase from \$1.65/1,000 Gallons to \$2.75/Month.

Motion Richmann, second Peterson to Close the Public Hearing and Re-Open the Regular Meeting to consider increasing Water Rates effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None. The Public Hearing was closed at 7:24 p.m.

Motion Richmann, second Carman to approve First Reading of Ordinance No. 4-2018 Amending Chapter 13.04.370 of the Municipal Code the City of Denver, Iowa and Increasing Water Rates effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Peterson, second Richmann to Close the Regular Meeting and Open the Public Hearing to consider increasing Refuse Collection Service Fees effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

During the Public Hearing there was discussion on why Garbage Rates were increasing. The Black Hawk County Landfill increased their Tipping Fee by \$4.00/ton for disposal of solid waste and Black Hawk Disposal Co. collection rate will increase on July 1, 2018. The monthly rate will increase by \$0.50/month to \$14.50/residential household per month.

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Motion Peterson, second Wikner to Close the Public Hearing and Re-Open the Regular Meeting to consider increasing Refuse Collection Service Fees effective July 1, 2018. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None. The Public Hearing was closed at 7:27 p.m.

Motion Richmann, second Hartman to approve Resolution No. 22-2018 Refuse Collection Service Fee increase to \$14.50/month/residential customer. ROLL CALL VOTE: AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Peterson, second Hartman to Open the Public Hearing and Close the Regular Meeting to consider the FY 2018 City Budget Amendment. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

During the Public Hearing Larry Farley explained the FY 2018 City Budget Amendment was for Public Safety \$10,000 for Ambulance Equipment, Community and Economic Development \$56,000 for Willow Winds Assisted Living T.I.F Loan interest and Facade Grants, Debt Service \$402,736 to pay the Annual Payment on the Sewer Plant out of Debt Service instead of Business Type Enterprises Program.

Motion Peterson, second Wikner to Close the Public Hearing on the FY 2018 City Budget Amendment and Certification and Re-Open the Regular Meeting. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Peterson, second Richmann to approve Resolution No. 23-2018 FY 2018 City Budget Amendment and Certification. ROLL CALL VOTE: AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Hartman to Open the Public Hearing and Close the Regular Meeting to consider the Denver Subdivision Ordinance Update. ROLL CALL VOTE: AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

During the Public Hearing Brian Schoon and Ryan McKinley from I.N.R.C.O.G. were present to explain changes to the Denver Subdivision Ordinance. The new Ordinance clarifies the process and procedures for new subdivisions, it includes a checklist in the back part of the Ordinance and what governing bodies do the review and approvals of new subdivisions.

Motion Richmann, second Wikner to Close the Public Hearing on the Denver Subdivision Ordinance Update and Re-Open the Regular Meeting. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Peterson to approve the First Reading of Ordinance No. 5-2018 Denver Subdivision Ordinance Update. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Peterson, second Wikner to approve the Second Reading of Ordinance No. 2-2018 Fireworks. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Hartman to approve Resolution No. 23-2018 LGOC, LLC Plat of Survey SE-NE 26-91-13. ROLL CALL VOTE: AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Wikner, second Hartman to approve Asphalt Repair Work on City Streets to Kluesner Construction in the amount of \$3,911.70. ROLL CALL VOTE: AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Wikner to accept the Resignation of Dale Goeke as City Attorney. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

Motion Richmann, second Peterson to approve Resolution No. 25-2018 to Rescind Motion to remove City Attorney and Appoint a new City Attorney. ROLL CALL VOTE: AYES: Hartman, Peterson, Richmann, Wikner. NAYS: Carman.

Motion Peterson, second Wikner to approve Resolution No. 26-2018 to Appoint Pat Dillon as City Attorney. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None.

The Council discussed the WELLMARK Blue Cross/Blue Shield 3-Point Play Community Award for the City of Denver in the amount of \$15,620. Some of the ideas discussed included a Fitness Cluster (Similar to an Obstacle Course), Outdoor Basketball Court, Gym Equipment along the Walking Trail. The Council preferred the Outdoor Basketball Court but will discuss again at its June 4, 2018 City Council Meeting.

The Council discussed salaried employees pay with some salary employees receiving Overtime Pay and Double Time Pay for Holidays and other employees who receive the salary amount and no Overtime Pay and no Double Time Pay. The Council wanted an opinion from the City Attorney before making a decision. The Council also would like to update the Personnel Policy Handbook. Councilman Hartman would like to have Salary Employees and Hourly Employees defined in the Employee Personnel Policy Handbook. Councilman Carman suggested we could also use the Iowa League of Cities to see what other small towns are doing with their Police Departments.

Motion Wikner, second Carman to adjourn. AYES: Carman, Hartman, Peterson, Richmann, Wikner. NAYS: None. The City Council Meeting adjourned at 8:09 p.m.

Revenues for the Month of April 2018

General Fund	\$221,609.56
Library Savings Fund	\$ 0.81
Road Use Fund	\$ 8,656.75
Local Option Sales Tax	\$ 11,889.34
Tax Increment Financing Fund	\$ 81,902.29
Debt Service Fund	\$ 25,754.60
Permanent Fund	\$ 0.00
Water Utility Fund	\$ 14,202.94
Sanitary Sewer Fund	\$ 39,944.10
Electric Utility Fund	\$105,981.55
Electric Utility Deposit Fund	\$ 1,000.00
Storm Water Utility Fund	<u>\$ 2,557.79</u>
Total	\$513,499.73

ATTEST:

Rod Diercks, Mayor

Larry Farley, City Clerk/Admin.