

The City Council of Gilbertville, Iowa met in Regular Session on Tuesday, September 3, 2013 at 7:00 p.m. at City Hall with Mayor Fischels calling the meeting to order. Council members present: Thome, Kavalier, Savage, Meinert and Becker. Quorum present.

Carolyn Schmit gave the invocation and Mayor Fischels led the Pledge of Allegiance.

Pledge of Allegiance

Motion by Thome, seconded by Becker to approve the September 3, 2013 regular session agenda. Ayes - Five. Motion carried.

Approve Agenda

Motion by Kavalier, seconded by Savage to approve the following items listed on the consent agenda: 1) Minutes of the August 19, 2013 regular meeting; 2) Resolution 2013-877 authorizing payment of bills and transfers; 3) Utility Billing Reconciliation for the month of July 2013. Ayes – Five. Motion carried.

Consent Agenda

Public Comment: Bob Demuth asked what the City was going to do for police protection. He stated there was a vandalism call on Wednesday night. He called Black Hawk County at 6:15, 7:15, 8:15, and 9:15 with no response except an answering machine that said they would send someone out. At 10:15 someone finally called and asked if they should still send someone out. Mr. Demuth told them it was too late, too dark, he was going to bed, and Brad was going to work (third shift). Black Hawk County finally came out the next day at one o'clock. Councilman Savage stated that he had checked into this issue. Ten minutes after the original call was placed there was a suicidal subject in Elk Run Heights with hand guns. There was a forty-five minute stand-off. Once they got inside the house they found meth, so that required additional time to process. Sheriff Thompson apologized for Dispatch not calling Mr. Demuth back to tell him what was going on. Sheriff Thompson is working on the issue with Judy Flores. Mr. Demuth also questioned why Black Hawk County vehicles sped through Gilbertville far exceeding the "reasonable speed" of 10 to 15 miles over the limit. The Fire Department is not allowed to respond to calls with excessive speed. Councilman Savage suggested that a log be kept of specific times to identify occurrences. One instance was Friday afternoon when there was a double accident with fatality on the Interstate. Mayor Fischels stated that someone should have called (Mr. Demuth) sooner. Councilman Savage restated that Sheriff Thompson is addressing that with Dispatch.

Public Comment

Kurt Corkery, 21<sup>st</sup> Ave, requested that a "Children Playing" sign be placed on the street in addition to the speed limit sign. Two families have small children that are sometimes in the street. Driving west of an evening it is nearly impossible to see. Solar powered flashing lights reminding drivers to watch for "Children Playing" would greatly improve safety. Parkview Dr. would also benefit from such signs. Councilman Becker stated the City should look into the signs. PWD Delagardelle will look into placement. Since the signs are not regulatory there should be no ordinance or resolution issues.

Mayor Fischels opened the public hearing for Water/Sewer Disconnection at 7:20 p.m. There was one account two months past due. No public comments were received. Motion by Thome, seconded by Becker to close the public hearing at 7:21 p.m. Ayes – Five. Motion carried. Motion by Becker, seconded by Thome to authorize PWD Delagardelle to disconnect the service and prior to reconnect, the residents will be required to pay the arrears and a \$50 reconnect fee. Ayes – Five. Motion carried.

WTR/SR PH & authorization to disconnect

Mayor Fischels introduced Resolution 2013-878 to approve a services agreement with Simmering-Cory, Inc., Clear Lake, Iowa, in an amount not to exceed \$6,000.00, for assistance in compliance with paperwork required by SRF and IJOBS Programs in conjunction with the Gilbertville Waste Water Treatment Facility Improvement Project. PWD Delagardelle stated that the company will oversee preparation of documentation, audit of contractor's labor (Davis-Bacon Act), and will take care of all the project paperwork from start to finish. Motion by Becker, seconded by Thome to approve Resolution 2013-878. Roll call vote: Ayes – Thome, Kavalier, Savage, Meinert, and Becker. Nays – None. Motion carried.

Simmering-Cory Service agreement

Mayor Fischels introduced Resolution 2013-879 amending Resolution 2012-805 wage adjustment PWD part-time office assistant. This brings the office assistant under the same raise procedures with other employees. Councilman Thome stated that where he works raises depend on performance and are based on evaluations. Otherwise, you might as well just hand out raises every year. Councilman Kavalier agreed, stating if not doing right shouldn't get raise. Councilman Savage stated that about six months ago the Council decided that each time the raises came up Council would sit down and discuss it. Mayor Fischels stated that evaluations really have not been completed. The next mayor can determine procedure. Motion by Kavalier, seconded by Savage to approve Resolution 2013-879. Roll Call Vote: Ayes – Kavalier, Savage, Meinert, and Becker. Nay – Thome. Motion carried.

Res 2013-879 Wage adjustment

Motion by Meinert, seconded by Thome to approve City Clerk to attend the League Conference September 25-27 in Dubuque, Iowa with the stipulation that if the City Clerk is unable to attend, the Deputy City Clerk shall go. Ayes – Five. Motion carried.

League Conf. - Clerk

Police Issues: Councilman Savage stated there were thirty-two calls for service since July 2<sup>nd</sup>. Sheriff's deputies spent approximately twenty-eight hours in Gilbertville working larcenies, burglaries, suspicious calls, and one OWI in a traffic stop. The Department will send a detailed list of activities. Councilman Thome asked Mr. Demuth if he believed police presence for ten hours per week was more visible than anticipated. Mr. Demuth replied that his daughter saw more coverage. Mr. Corkery agreed. Councilman Thome stated that he has seen them many times at various hours. Councilman Savage informed Council that a letter would be drafted to Don Bosco clarifying how coverage for events should be handled. Bosco requested the Sheriff's department to cover the football game last Friday. Sheriff Thompson provided the coverage on his own time for free since that had not been addressed in the agreement. In the future Bosco will have to contact City Hall to arrange coverage and pay for the service. If the City had its own department Bosco would still be charged for the service. Mayor Fischels asked when the 5K Run/Walk was to take place. It will be on the upcoming weekend. The Mayor felt the City should have been notified. Don Bosco will need to arrange coverage for that event. Parking for the football game went well. A letter explaining the "No Parking" policy was delivered to Principal Blackwell and Wellness/Athletic Director Tom Hogan. Councilman Becker had advised residents not to park on 10<sup>th</sup> Ave or 9<sup>th</sup> St. Councilman Thome suggested that the mannequin in the police car be removed. There have been several derogatory comments on Facebook. Council consensus to remove the mannequin.

Police Issues

Motion by Becker, seconded by Thome to go into closed session pursuant to Iowa Code section 21.5 (j) to discuss the purchase of real estate at 7:36 p.m. Roll Call Vote. Ayes – Five. Motion carried. Closed session was held. Motion by Savage, seconded by Becker to return to open session at 7:50 p.m. Roll call vote. Ayes – Five. Motion carried.

Closed Session.

Reports: PWD Delagardelle reported they would be trimming trees on 3<sup>rd</sup> St. and Parkview. Plans are done for renovating Well house #2. The backstops are now on the contractors list to complete. Consensus has not been reached regarding the agreement with Fox Engineering for the Wastewater Treatment Project. Fox Engineering wants to carry liability insurance for only the amount of the project itself. ICAP does not approve. Attorney John McCoy is mediating the discussion. Both PWD Delagardelle and Jeff Thome were called for random drug testing this quarter. The City is part of a larger pool of CDL drivers.

Dept. Reports

Motion by Thome, seconded by Meinert to adjourn at 7:55 p.m. Ayes – Five. Motion carried.

Adjourn

Harry Fischels, Mayor

ATTEST: \_\_\_\_\_

Jane Walters, Deputy City Clerk