

November 05, 2001

The City Council of Buffalo, IA, met on November 05, 2001, at 7:00 p.m. at City Hall with Mayor Hoover presiding. Councilmembers present were Greer, Kimes, Roe, Sheeder and Teel.

The Pledge of Allegiance was given and reflection. Motion made by Roe and Sheeder to approve the minutes of October 01. All ayes. Carried.

Motion made by Sheeder and Greer to approve payment of the bills. All ayes. Carried. There was no one for a Community Center report, but the Clerk said they have nothing new to report, per their message.

Motion was made to open the meeting to a public hearing for any comments for or against the vacation of a right-of-way along Jefferson Street/Coon Hunters Road for the new school. Linda Mullanack asked why we were giving it to them, and if we could use it some time in the future for the City or sell it? It is a small strip and of irregular size and would not be of use. The street would not be widened by using this strip. Motion made by Roe and Sheeder to close the hearing at 7:09 p.m. and return to open session. Motions to open and close the hearing were both carried with all ayes.

Motion was made by Teel and Roe to approve Resolution #28-01, "A RESOLUTION APPROVING THE FINAL SUBDIVISION PLAT FOR "CITY CENTER FIRST ADDITION". All voted yes on a roll call vote. Carried.

Greer had it on the agenda to discuss Randy Lamars utility bill for October and his charges for \$35.00. Greer said he has a complaint and should be allowed to discuss it. Mayor said there are complaint forms to fill out and sign that he instituted in the 90's, and they are available at City Hall. This has worked well with complaints in the past, as its not all hearsay, its in writing and signed and then checked out. City Attorney Bill McCullough was asked if we can charge the \$35.00 disconnect fee if we don't actually turn it off when we go to the door? When the disconnect order paper leaves City Hall, then it is to be collected. If the Council wishes to change this, they have to change the Ordinance we have adopted. Teel says he was told this has never been done before this month, and why now? He was told by the Clerk it has been done before and many more people are not paying their utility bills and it will get worse this winter. The electric fund has to support itself and we have an electric bill to pay to Mid-American each month that we have to collect for. We could sell the system to Mid-American and let them deal with the non-payers, since in a small town you have pressures. Mayor said if we want to make changes, we need to go thru the proper channels and go to the committees first and then change ordinances. Greer then asked if Lamar could speak, since he was on the agenda. Teel said he would wait for public input portion at the end of the meeting. Bernauer said he is on the agenda to speak now. Teel made a motion to wait for public input. Mayor said to move on.

Motion was made by Roe and Teel to approve the third and final reading of Ordinance #373. On a roll call vote, all voted yes. Carried.

Motion was made by Greer and Roe to approve the third and final reading of Ordinance #374. On a roll call vote, all voted yes. Carried.

Motion was made by Teel and Roe to approve Resolution #29-01, "A RESOLUTION APPROVING THE 2000-2001 CITY FINANCE REPORT". On a roll call vote, all voted yes. Carried.

Motion made by Roe and Sheeder to approve the renewal of Caseys beer permits. All ayes. Carried.

Bernauer informed the Council that there is now only eight (8) burial sites left to sell in the cemetery. The Cemetery Committee will schedule a meeting.

Dwain Bollman gave the Public Works report. He said there are 27,000 feet of primary line that needs trimmed, and they have only had time to do 2,000 feet so far; the transformers are ordered for the new school at around \$9000; the cost for K.J.W.W. to do the school study was \$3,000; Mid American is doing the transformer work for the school contracted by us for around \$19,000; the work on Franklin Street will be starting soon. Motion made by Roe and Greer to have K.J.W.W. redo the electric substation. All ayes. Carried. Motion made by Roe and Teel to approve Scott County's Winter Maintenance Agreement for 2001-2002 for \$1027.40. All ayes. Carried.

Bernauer had given the Council a list of where the sewer project payments have been written from, and some of the C.D.'s that will be maturing and cashed for payments, but still doesn't know where to take the funds from for the balance of the project of around \$107,000. Motion made by Sheeder and Roe approving the payments and funds used so far. All ayes. Carried. Council will have to decide where to use the balance of funding from, as its never been discussed.

The Park Board report was given by Donna Roe. She said the contractor is trimming the trees and removing and disposing of some dead trees at the two city parks. She said the mini-park on Chestnut Street needs new equipment next year, and they are working on a better sign for City Park on Dodge Street. She said three Councilmen had approved the tree contractor.

Cage Adams gave the police report. He was congratulated on his work concerning the meth incident last week. Motion made by Sheeder and Greer to approve Albert Austin to work as a part time police officer as needed. All ayes. Carried.

The insurance for employees was tabled until another committee meeting is held. Motion made by Roe and Teel to approve the clerks attendance in 2002 at the IMFOA conferences. All ayes. Carried. Committee reports were asked for. They have been covered during the meeting.

Mayor Hoover gave his report. He said we had a good group of kids for Halloween Trick or Treat night and everything went well. Motion made by Sheeder and Greer to approve a proclamation he was asked to sign. All ayes. Carried. He told of a retirement dinner for Gary Vallem of Bi-State Regional Planning and showed a plaque that was presented to the City.

The following dates for meetings were set up: Finance/Ordinance, 11/7/01, 6:00 p.m.: Cemetery Committee, 11/14/01, 3:00 p.m. to discuss land needed for expansion. Both meetings will be at City Hall.

Public input was asked for. Randy Lamars utility bill was discussed concerning his charge of \$35.00 for collection at disconnect time. He didn't feel he should have to pay the \$35.00 when his electric was not shut off when the city workers came to his door on disconnect day. Some of the Council asked if we have this in the Code book and were told it is in the City code book, has been for a number of years. Teel asked why it just started being enforced this month without notifying the Council first. Bernauer said this has been collected before this month, maybe not with Lamar, but with others. This month there were nine (9) customers who did not even make a phone call to City Hall about their overdue bills until they were being shutoff. Everyone has their utility bills in their mailboxes on the first of the month, they get a first late notice on the 21st of the month, a second late notice five days later that states the date and time of disconnection. Not one of the nine customers phoned or dropped us a note in the 31 day period. Someone suggested a longer period of time to pay, but if you give 20 additional days, they will want 30 additional days. The City has a large monthly electric bill to pay and this comes from our customers payments. Sharon Lambert said she was disconnected twice after paying her bill. She was told if she wants this in public, she paid a partial payment, but after her meter was tampered with, and two days later was turned off and cut at the pole. It was sealed twice at the meter and broken twice. Her water was also turned off at the street. Mayor had a complaint from Diana and Dale Stowe concerning the utility bills at their rental properties and how the billing is handled. She feels the ordinances

should be changed concerning rental property and utility bills. Bernauer told Mayor that complaint forms are usually handled differently than this one is being handled. McCullough said the Council can vote to waive the \$35.00 fees, but it's now on the books until changed. Mayor asked Council for permission to run the meeting past the 9:00 p.m. cutoff time for an additional 15 minutes. Approved. Doug Buchanan asked Council about construction on Franklin Street and why is there work being done there with taxpayers money for benefiting a new house built in a drainage area and with one complaint? Bollman said he had approval to do work there and is not for the benefit of that one house. He said there may be more problems for that house with the work that will be done. After checking, some of Council said he did not have approval for this yet. Some of Council thought he did have approval. It will be checked further tomorrow, and if not, a special meeting will be held, as the contractor is to do the excavation work Friday. Donna Roe told Council that she spoke with someone from Mid American Energy and they donate trees to cities for planting at no charge. We could get some for the city parks. At about this time, the fire siren went off and Teel and Kimes left for a fire/medical call.

Motion was made by Roe and Greer to adjourn the meeting at 9:16 p.m. Voting aye were Roe, Greer and Sheeder. Kimes and Teel had left. Motion carried.

Signed: Teel Teel (Mayor Pro Tem)

Attest: Carol A. Bernauer

Carol A. Bernauer, City Clerk, Buffalo, IA

AT&T, 15.01; Gierke-Robinson, 116.55; Iowa Utilities Board, 183.00; First USA Bank, 889.27; Menards, 172.72; Book Publishing, 380.41; K&K Hardware, 221.99; Republic Co. 309.70; Mettler Toledo, 119.00; CarQuest, 344.10; Hygienic Lab, 74.00; I.G.R.A., 50.00; Chemsearch, 172.21; Internet Revealed, 25.00; Waste Management, 3863.20; Great Western Supply, 46.73; Bi-State Regional, 218.50; Meyer Oil, 75.64; The Outhouse, 120.00; Zuber Lumber, 1176.59; EFTPS, 1766.36; Wal-Mart, 261.88; K-Mart, 66.39; National Flood Ins., 4050.00; MidAmerican, 1018.11; City of Buffalo, 151.34(supplies); Wal-Mart, 549.92; MidAmerican, 22,686.95; Lowes, 240.03; Quad-City Times, 473.04; Computer Management, 1217.45; Teamsters Local #238, 258.00; EFTPS, 3897.75; Henry Neuman Trust Account, 59,330.44; City of Buffalo, 176.35(supplies and meter deposit); IPERS, 3320.94; Treasurer State of Ia, 1326.00; Treasurer, State of Ia, 3864.46; Iowa Workforce Development, 104.70; Oak Hill Gun Club, 50.00; Federal Licensing, 85.00; Racom, 140.20; Arch Wireless, 9.33; Treasurer, State of Ia, 150.90; Philip Bayne, 290.00; Equifax, 305.00; Big Thirst Beverage 13.00; City of Buffalo, 23.76(supplies); Terminix, 35.00; IFTPS, 1969.88; John Deere, 5529.73; Victor Obertance, 13.59; AT&T, 77.79; U.S. Cellular, 352.28; Culligan, 15.50; Pitney Bowes, 395.75; Terminix, 35.00; J.A. Reno, 660.58; Republic Co., 13.28; Fletcher-Reinhardt, 128.50; Zep Manufacturing, 91.42; Quad-City Times, 60.37; City of Buffalo, 102.29; Veenstra&Kimm, 759.74; Environmental Resource, 196.80; EFTPS, 2017.30; Airport Holiday, 147.66; City of Buffalo, 241.50; Ia League of Cities, 378.00; Tom Zuber, 682.50; QWest, 755.18; Fletcher-Reinhardt, 32.00; Menards, 67.96; Isco, 288.54; Gierke-Robinson, 166.00; Hach, 97.83; Terminix, 35.00; Farm&Fleet, 31.37; Olderog Tire Service, 14.50; William McCullough, 487.50; Racom, 35.50; U.S. Cellular, 17.54; Matt Parrott and Sons, 376.70; I&M Rail Link, 195.00; General Const., 97,904.95; AT&T, 67.42; Regalia, 355.55; Xerox Corp., 17.00; Buesings, 267.15; Petro Supply, 12.20; WearGuard, 429.99; Office Machine Consultants, 91.32; Menards, 116.18; Matt Parrott, 190.25; Teamsters Local #234, 258.00; 15,955.76; Schnoebelen, 1940.94; K&K Hardware, 37.34; Hempel, 28.50; IAMU, 21.00; Climatronics, 66.00; Utility Equipment, 62.30; T&R Electric, 2160.00; Interstate Batteries 7.95; Zimmer&Francescon, 220.00; Computer Management Services, 444.05; Lowe's, 165.69; MidAmerican, 37.53; AT&T, 15.40; Interstate Batteries, 119.95; Fletcher-Reinhardt Co., 255.00; Riverstone Group, 1,922.40;