

July 01, 2002

The City Council of Buffalo, IA, met in regular session on Monday, July, 01 2002, at 7:00 p.m. at City Hall with Mayor ProTem David Kimes presiding. Councilmembers present were David Kimes, Kent Roe, Dana Smith, Cathy Stowe and Larry Thein. All present. The Pledge of Allegiance was given.

Motion was made by Roe, seconded by Stowe to approve the previous minutes of June 03, 2002. All ayes. Motion Carried.

Motion was made by Roe, seconded by Thein to approve payment of the bills for the month of July. All ayes. Motion Carried. Stowe questioned a bill for City of Buffalo/Buffalo Days in the amount of \$850.00. Roe, this is given to them every year to get started or whatever they need it for.

No one was present to give the Community Center report. Stowe, they have been real busy with bingo.

Tom Zuber, Building Inspector, told the Council about the Board of Adjustment meeting that was held for a variance request by Doug Buchanan to build a 36' X 34' garage on the rear of his property at 902 Franklin Street. Board of Adjustment did approve it and there were no neighbors there to object. There was one concern about the drainage and Doug will run the drain pipes anyway they would want them. Motion was made by Roe, seconded by Stowe to approve their decision. Voting yes, Smith, Thein, Stowe, Kimes and Roe. Motion Carried.

Tom Zuber, Building Inspector, told the Council about the Planning and Zoning Board meeting that was held for request from Robert Kauth to subdivide property he owns on 95th Ave., Buffalo Township, into a six lot subdivision. There was no objections against it, it already has been zoned single family since 1994 and he met all the requirements from the county. The Zoning Board did approve the request. Motion was made by Roe, seconded by Thein that we approve the Zoning Boards approval of Robert Kauth request for subdivision. Voting yes, Roe, Stowe, Kimes, Smith and Thein. Motion Carried.

The Public Works report was given by Dwain Bollman, Director. Railroad has changed some ties and raised the railroad tracks. According to our city code they should get our permission first to do this because of the elevation, and they didn't. Their survey crew will be in, and get the elevation, find out what the difference is and let the attorney go thru the legal procedure to correct the problem. Will be changing a fire hydrant on Front Street, Main to Clark, doing tomorrow. Roe had concerns about the ambulance barn cleaning up behind the barn. Dwain had talked to the ambulance service about this issue and a letter should of went out and if it hasn't there will be one. Stowe, spill out on the highway when the fire dept. and police dept. went, who is going to pay for the over-time. Is the person responsible, are we going to bill them. Police Chief Adams explained the spill situation. Stowe feels something happens like this they need to be billed for it. This has been done in the past.

There was discussion of a new acceptance of agreement with landowner Bill Sheeder. Dwain, last time it was brought up the Council wanted to go ahead with the condemnation processing of land for the sidewalk. Bill has given another proposal to Leo Foley of Veenstra & Kimm. Leo looked it over and figured out cost on everything and would recommend that we go with this new proposal. Could start on sidewalk right away. Council had concerns it should be talking about the issue since already decided on the condemnation from the last council meeting. Attorney Bill McCullough, told council they can talk about the issue and advised them on the procedure of reconsidering the agreement.

The new proposal is to make three street cuts in the curbing that is already there and divide the cut to the property line for half way access and water line provided to the property line. That will round off to the same cost of the first agreement according to Leo Foley. Motion was made by Thein, seconded by Stowe to reconsider the motion that was made earlier. After more discussion with the attorney about how the motion should be made, Motion was made by Thein, seconded by Smith that we rescind the original agreement and accept the new agreement. More discussion followed about water line and what the price figure was not to exceed and who would be doing the work. Motion was then made by Thein, seconded by Stowe to amend the motion that we original made for \$14,000.00 and do not exceed. Voting yes, Kimes, Thein, Smith, Roe and Stowe. Motion Carried.

Motion was made by Thein, seconded by Smith to approve Resolution #23-2002, "A RESOLUTION FOR EXEMPTION OF TAX FOR BUFFALO OUTTING CLUB." Voting yes, Thein, Smith and Kimes. Voting no, Roe and Stowe. Motion Carried. The tax exemption would apply only to the lake area, the amount is \$248.00 a year. Council had concerns about the maintenance of the berm. According to city code they should be maintaining it. David Gold representing the Outting Club wants to be good neighbors with the city, he explained what would happen if they cut down all the trees and will do what they can to keep it maintenance.

Approval of street work for the summer of 2002. Dwain, discussed why there wasn't a street committee meeting yet. Used some of the money for street turnaround and sidewalk for the school. Street Committee will meet to discuss the issue of street work and funds. A check was written out of last years budget to our regular street people. Issue was tabled and would like to have a special meeting set up so the street people can get started early. Discussed some on the turnaround off Hacker Street and showed print what it would look like. Attentive special meeting, Wed., July 10, 2002, at 6:00 at city hall.

Discussion and decision concerning the Hacker Street turnaround was discussed Dwain, after calling people for some prices for Hacker Street turnaround Leo Foley, checked with Knutson that is on site already building the school. Thru the school could have work order change done to their job to add this in. It would save the city a lot of money on the sidewalk extention, but cost a little bit more on the turnaround. It adds up to about the some amount of money. If put thru school change order then don't have to put it out for bids. Leo Foley to check with Bill Good on this subject. Council wanted this issue tabled, want to see first how the sidewalk deal goes thru.

Motion was made by Roe, seconded by Stowe to approve all meetings starting at 6:00 p.m. and go no longer than 8:00 p.m. (Ord. #378). Smith, still feels 6:00 p.m. would be to early in the summer and people getting off work that would like to come couldn't. Voting yes, Thein, Kimes, Stowe and Roe. Voting no, Smith. Motion Carried. Motion was made by Roe, seconded by Stowe to suspend the rules and wavier the 2nd and 3rd readings and adopt Ordinance #378. After more discussion with the attorney on the motion and why to leave the 3rd reading til next meeting, Motion was made by Roe, seconded by Thein to withdraw my first motion on Ordinance #378 and then make a motion to have the 2nd reading of Ordinance #378 waived and the 3rd reading to the next meeting. Voting yes, Kimes, Thein, Stowe and Roe. Voting no, Smith. Motion Carried.

Motion was made by Stowe, seconded by Roe to approve cigarette permits for Beach Pub, Casey's and EZ-Way. All ayes. Motion Carried.

Park Board report was given by Larry Thein, Councilmember. Ben was planning on coming had baseball scheduled. Wasn't to much to report, just the items that are on the agenda. At the meeting it was brought to the attention of the board that the electrical at the shelters are not up to code and are dangerous. Larry described what the electrical looks like and how extension cords are being used. Dwain, it is the city's responsibility to bring it up to code thru the park board. This item will be taken back to the board. Also, the water fountain by the tennis courts isn't working. What would it take to get it working. Dwain, the drain for that is just a dug space filled with large rocks. Kids have put sand in the drain and it is packed so hard you can't even get it out. Plus the draining bed below the cement is filled with sand. To correct the problem you will have to dig it all out again. Don't know if could get parts or even a new fountain. This item will go back to the board.

Police report was given by Gage Adams, Chief. Scheduling for the week of the 4th has been done. Will be working part-time officers. Chad Pregrackes secretary called, having the Annual River Clean Up on July 27, then changed date to July 13th without contracting anyone. Seen the date change on a flyer for the raft race for that day. Had all my police scheduling done, now have to change it. Council had concerns about why the park board and council wasn't notified to vote on it. Thein, the original date, park board kinda said wasn't really to much they could do, so it ended up that day nothing was scheduled. Don't know if they have anything going on for the 13th. Park Board member Barb Britcher came in, said the date for July 13th was open. Attorney Bill McCullough told council this has to be voted on by council to give permission to use the beach area. After more discussion council wanted this issue put on the agenda for the special meeting. Gage will try to contract these people for facts about the event to bring to the meeting. Thein, need to make it clear to Chad that next time he does this he needs to talk to city hall to find out the procedure, he might of over looked this but, he had done this before so, he should of known the procedure.

Motion was made by Roe, seconded by Smith to put the old squad up for sealed bids with the minimum being at least what they offered for trade in. Voting yes, Thein, Smith, Stowe, Kimes and Roe. Motion Carried. 1995 Crown Vic, 109 Thousand miles, real good condition. Car Dealer ship trade in value is \$1,200.00. The new squad that the city is ordering is a 2003 at the same price as a 2002.

Discussion and decision on police radios. Roe, have one portable radio and it has been going home with part-time officers that are not on duty. Motion was made by Roe, seconded by Smith that the radio stays here in the city. This led to discussion. Voting no, Thein, Stowe, Smith and Kimes. Voting yes, Roe. Motion Didn't Carry.

Roe, reading thru the ordinance some things like to talk with the attorney with and have a ordinance meeting. This item is tabled for the Aug. meeting. (Dog Ordinance #377)

There was no committee reports. There was no Mayors report. Dates for specials meetings are: Park Board, Wed., July 24, at 6:00 p.m., city hall, old and new business. Street Committee meeting, Wed., July 03, 3:30 p.m., city hall, yearly street repairs. Sewer Committee, Wed. July 24, 5:00 p.m. city hall, inflow problems. Cemetery Committee will meeting in the future to discuss future cemetery. Ordinance meeting sometime this month. Attentive special meeting will be held on Wed., July 10, 2002 at 6:00 p.m., city hall. For street work 2002, final reading of ord. #378 and decision on the Annual River Cleanup on the beach. (July 13th)

Public input was asked for. Roe, ask Dwain to make sure clean up letters get sent out. Thein, ask when department heads go on vacation do they have to get with council. Roe, yes, they put a letter in our boxes. Dwain this is my fault. I have the letter all typed out and I forgot to make copies of it. Thein, I was just curious. Adams, I never have. Deputy Clerk, when clerk is gone she always puts a note in each box. Dwain, if you want to see the letter it is laying on my desk with the date on it. There isn't anything in the ordinance, only when I leave I have it in writing who is the person in charge. Barb Britcher had concerns about who does the mowing along the railroad tracks. Dana Smith concerns about thistles between here and Y40, how far does the mowing go and who does it. Casey representing the Outting Club, thanked council for considation on the taxes and will take a look at the brush. Roe, not taken care of you will be getting a letter. David Gold, glad to go down there any day with anyone and show me what the problems are. Thein, question for previous councilmembers, Dave and Kent, if you remembered a resolution giving the police dept. a 50¢ raise for computer training. They have completed their training and have not received it. They couldn't remember. The resolution will be pulled and put in council boxes. Stowe, this 50¢ I remember talkin about this at a meeting. This just doesn't pertain to the police dept. it goes for the clerks and right on down the line. The clerks have not received the 50¢ either. Police Chief Adams, was discussed at a budget meeting and it was budgeted for. This issue will be looked into.

Motion was made by Thein, seconded by Stowe to adjourn the meeting at 8:17 p.m. All ayes. Motion Carried.

Signed: David Kimes
 David Kimes, Mayor Protem
 City of Buffalo, Iowa

Attest: Deborah L. Guenther
 Deborah L. Guenther, Deputy Clerk,
 Buffalo, Iowa

City of Buffalo, 1728.00(sewer rental); Kenneth Brown, 81.43; City of Buffalo, 89.78(misc.); Meyer Oil, 493.15; W.W. Grainger, 53.52; City of Buffalo, 105.00(Meter deposit); Scott County Recorder, 26.00; Officemax, 341.86; First USA Bank, 203.12; American Industrail Door, 145.08; Dadco, 54.74; Alter & Sons, 593.28; MidAmerican, 1500.27; Patty Payton, 183.75; Treasurer,State of Ia, 2050.50; Humane Society, 32.50; City of Davenport, 33.53; Teamsters Local #238, 258.00; EFTPS, 2023.49; US Cellular, 17.54; Altec, 181.00; Olderog Tire, 27.94; Xerox, 17.00; Utility Equipment, 969.00; Environmental Resources, 317.75; Broghammer,Jonas, 425.00; Prairie Waste, 3423.00; Lowes, 204.42; MidAmerican, 474.04; CarQuest, 12.08; Dick-n-Sons, 28.10; Internet Revealed, 25.00; EFTPS, 1908.70; City of Buffalo, 181.07 (meter deposit); Menards, 117.64; Racom, 148.10; McLoughlin&Eardley, 720.00; Uniform Den, 44.95; Grass Groomers, 26.00; IAMU, 317.55; Tri-State Fire Control, 145.75; Beltx Engraving, 255.50; Tom Zuber, 877.50; Grass Groomers, 5382.85; Ceclia Walton, 280.00; Michelle Stickrod, 4.05; Buffalo Newspaper, 200.00; Wal-Mart, 75.15; City of Buffalo, 225.00(meter dep.); Buffalo Valunteer Ambulance Ser., 7000.00; Hempel Pipe, 446.85; Zimmer&Francescon, 130.00; MEC Construction, 2005.64; Iowa League of Cities, 541.00; Purchase Power, 1019.00; Fletcher-Reinhardt, 199.17; W.W. Grainger, 132.62; PerMar, 74.95; Menards, 185.42; MidAmerican, 5551.80; Buffalo Parents Club, 500.00; EFTPS, 1758.33; Ray Dells, 152.25; Stacy Leedom, 56.22; Staples, 280.03; Wal-Mart, 72.50; Larry Thein, 140.00; Ted Teel, 40.00; Ted Teel, 400.00; David Kimes, 50.00; Kent Roe, 100.00; Dana Smith, 120.00; Cathy Stowe, 100.00; Galls, 146.66; City of Buffalo/Buffalo Days, 850.00; J.A. Reno, 203.53; Broghammer,Jonas, 425.00; Terminix, 35.00; Quad-City Times, 25.26; Midwest Automated Time System, 43.50; MidAmerican, 16316.72; City of Buffalo 587.71(meter dep.); City of Buffalo, 229.61(supplies); U.S. Cellular, 286.36; City of Buffalo, 95.27(supplies); AT&T, 141.19; SunCom, 24.80; QWest, 863.88; M.S.I., 43,812.83; EFTPS, 2464.37; IPERS, 3186.08; Menards, 43.26; Gierke-Robinson, 535.35; Adel, 46.65; Cliff Simmons, 7055.00; Fletcher-Reinhardt, 15.00; Matt Parrott, 51.60; T&R Elec., 19,050.00; Delta Dental, 671.21; Dale's Body Shop, 749.25; Racom, 141.50; Arch Wireless, 18.94; Prairie Waste, 50.00; John Deere Health, 7225.13; Ultramax, 666.00; Quad-City Times, 117.46; Linwood Mining, 62.71; Sirennet, 468.50; Country Spring Bottled Water, 51.25; Panther Uniform, 389.55; City of Davenport, 24.37; Great Western Supply, 128. Culligan, 16.00; Office Machines, 70.50; Iowa Prison Industries, 21.40; Heritage Coputers, 230.00; Alexis Fire Equip., 331.55; W.W. Grainger, 18.91; Terry Behning, 117.14; Builders Sand&Cement, 452.93; Davenport Elec., 459.25; Heartland Flagpoles, 607.00; K-Mart, 59.30; Ia City/County Management Assoc., 80.00; Staples, 463.66; Treasurer,State of Ia, 3,578.95; Ia Workforce, 588.31