

September 08, 2003

The City Council of Buffalo, IA met in regular session on September 08, 2003, at 6:00 p.m. with Mayor Ted Teel presiding. Councilmembers present were Kent Roe, Dana Smith, Cathy Stowe, Larry Thein and Betty Walters.

The Pledge of Allegiance was given. Motion was made by Stowe, seconded by Roe to approve payment of the bills. All ayes. Motion Carried. Motion was made by Roe, seconded by Stowe to approve the minutes of August 04 and 18. All ayes. Motion Carried.

Public input was asked for. Dorothy Adams a member of the Historical Society announced that The Grand Opening for the museum will be on Sunday afternoon, Oct. 12, 2003 between 1:00 p.m. and 4:00 p.m. Would like street numbers of 329 put on school building or on the sign located out front of the building. Also, will there be a dumpster and will the toilets be working. Dwain to take care of these items before the opening. Would like to know if they could have the old mayors desk that is located in city hall for the museum. This item will be on the Oct. agenda.

Motion was made by Walters, seconded by Roe to approve Resolution #18-2003, "A RESOLUTION APPROVING THE IOWA DEPT. OF TRANSPORTATION OFFICIAL FINANCIAL REPORT FOR FISCAL YEAR 2003." Voting yes, Stowe, Walters, Roe, Smith and Thein. Motion Carried.

Roe told that the mayor has missed Aug. meetings and not performing his duties. That all he is doing here is making sure that Betty (mayor protem) gets compensated for all the duties that she has been performing the last 2 months. I understand with the letter from the lawyer, the mayor still has the right to claim his money to, as far as his pay. But, I still like to see, she deserves everything for what she has done in the last 2 months. Motion was made by Roe, seconded by Stowe that she (mayor protem) gets the mayors pay for August. Voting yes, Stowe, Roe, Thein and Smith. Walters, abstained. Motion Carried. Stowe stated she called Mr. McCullough and asked him, does this mean that Betty gets paid her council person pay along with the mayors pay and he said yes. I don't think it is right that the tax payers should have to pay 2 mayors. Thein stated that Mayor Teel acted as mayor when the previous mayor was sick for several months and didn't receive compensation. Roe, he wasn't gone for several months and if wanted to pursue it he could. Thein, it would cost the tax payers more money. I do agree that Betty (mayor protem) should get her pay. Roe, the mayor has the right to except the money if he wants to, it is his conscious.

Walters would like to have Room 8 at the old Dodge Street school to be rented out for showers, small gatherings, etc., only room that has air conditioning. Working on getting tables and chairs for the room. Room 8 is located next to the office. Motion was made by Walters, seconded by Stowe to leave Room 8 for rental for showers and small gatherings. Roe, ask if this should go to the ordinance committee and be tabled. Stowe suggested that this be tabled, be checked into and if it has to go to the committee there will be a meeting this month. Item tabled. Historical Society would like to have this room to instead of Room 5. Room is to small for their meetings.

Stowe had concerns about ads being put into the Buffalo Shores Gazette. Are receipts being given out for ads when people pay for them. Her as a business has had no receipts only her cancelled check and doesn't know how much she owes for all her ads. Believes this should be handled with receipts. Motion was made by Stowe, seconded by Thein when paying for ads in the Bufalo Shore Gazette that a receipt is given to the person, business or whom ever running the ad. Thein asked if the Buffalo paper, what does this have to do with council, we decided that was Dana's deal by herself. I know the council gave her money to get started. Is this really the councils job. Mayor, from day one was asked for bank statements that we are getting regularly and a monthly statement. Stowe has been asked several times by residents has Dana been paying for her horse and goat ads and this will help out by saying yes she has. Dana explained her bookkeeping procedure. Voting yes, Roe, Stowe, Walters, Thein and Smith. Motion Carried.

Stowe asked Councilmember Smith to explain about a check that was written out of the Buffalo Days account for \$200.00 made out to Smith, a deposit on goats and pony rides. Smith told that everyone knows that people have pony rides and stuff, even down at Kauchs. First hour \$100.00 and \$50.00 every hour after that. I just had to have a deposit, \$200.00 \$100.00 for each and didn't charge the extra \$50.00. 6 hours for both of them on Saturday and on Sunday got rained out. I did charge for rides. Last year different events went on and I didn't come to the council. Would give anything for someone to take over this event. All I ever wanted to do was the parade. Basically she is running it herself. Council wasn't notified of the different events that were going to take place and the cost that was going out. Mayor Teel, basically what Dana did is pay herself like you would pay any of the vendors. Motion was made by Stowe, seconded by Roe that Buffalo Days Committee provide financial statement for rides and such for the future Buffalo Days. Voting yes, Thein, Smith, Walters, Stowe and Roe. Motion Carried. Thein suggested that 2 signatures be on the checking account. Mayor, simplest way is to run this account thru the clerks office first, something to think about.

The Public Works report was given by Dwain Bollman. Jamie, Gregg and himself attended several seminars for water, wastewater and boilers. Picked up a lot of information. One very important this is to tell the public is that any tampering with the Water Treatment and Wastewater Treatment Facilities is now a Federal Offence. Homeland Security is that the Feds will prosecute for even the smallest infractions be it kids mischievous actions or what have you and also want to inform the public that we also have to report anything that happens. Since 911 the Feds have also changed the fine structure for offenses. What was a \$1,000.00 fine is now \$10,000.00 and can go up to \$250,000.00 and 5 year imprisonment. Parking lot on Hacker Street is pretty much done. Fire hydrant changed out and relocated to fit in between the drives. Had a few problems at the Water Treatment plant, minor things, fixed them. Tom (Building Inspector) and myself attended a FEMA meeting in Davenport to discuss new flood maps. FEMA is requesting new city maps with correct city limit boundaries and any street corrections and our map is not very accurate. Leo Foley, City Engineer, explained the procedure of getting an up to date zoning map. The cost would be \$2,500.00. The new map would be sent to FEMA for the flood zones that they will mark out, he explained the procedure for this. A motion was going to be made but it has to be put on the next agenda. There was a good consensus from the council for Dwain to have this done and he will check thru the budget for the funds. Did work at the old school, installed 2 folding gates, replaced some locks, looked into screens for windows. Fixed street at the 600 block of Jefferson Street, contractor defaulted bond. IAMU is have a seminar/workshop on Translink. Would tell us of what we need to know in order to go out and get bids for our electrical supply. Would like Carol to go with him, meeting September 22, 8:00 a.m. to 4:00 p.m., in Ankeny, Iowa, \$50.00 per person.

Mayor Teel combined Items 15 and 16, due to being on the same subject. Ditches, culverts, and water runoff on Franklin Street. These two items will be going to the street committee. Mayor ask Dana Smith to speak at this time. She had concerns about why there isn't ditches and culverts on the eastside of Franklin Street. Told of how she has replaced parts on her truck. Rain from the culverts from Shane Meadors property comes down and goes to the other culvert and goes down that, this is fine. Everything from Coonts house and from the street, there are a couple places where there is no culverts or ditches, comes right across the road, comes across my pasturage, below where the culvert is and tears out my road. This is because of no culverts. You can see work being done in the area and still no culverts or ditches. Even a little pipe from a sump pump on the Coonts property goes right on the street. Mayor Teel, reminded her that there are creek beds within the area, property that she sold with new homes on now, this could increase the runoff. Mayor ask Kenny Anderson to speak, he had concerns about the water runoff. Most people have gravel driveway, if it is on a slope you have a maintenance problem, need to put rock back in where the rain washed it out. Jeff Coonts water does not run across her ditch or pasturage. Shane Meadors does not run across the road, it runs down into the ditch, I am going to be putting in a culvert, but it will not stop the water from going on to the street. Water runs down hill, right over top of the culvert, right out into the road and down the ditch and it is going to go over and that doesn't affect her driveway.

There is a ditch on the northside that is a natural drain ditch and others where the new homes are at. He also had concerns about who did the culvert work on Shane! Meadors property and why it was done that way. Would like the committee to look into this. Would like to know who is suppose to mow the westside of Franklin, Smith property, the ditch. Was told by council, property owners. He stated hasn't been mowed all year, except when I did it once. Mayor stated will talk about this item later in the meeting.

Mayor stated 17 on the agenda will be tabled and will need to go to the street committee. Parking along Franklin Street, one side only or not within 50 feet of driveways on westside

Smith said she has been ask several times what do the city employees do. They use to have log books. Roe stated I was the one that started that whole log system and I was also the one that took it away. Because it was obstructing duties and happening to stop and fill out log work when he is here every month to give us a report and if we have any questions we ask him then. Mayor, the council made that decision voting 5 to nothing to do away with it. He is the public works director, he is responsible for wants gets done and if anyone has any problems his office is open Monday thru Friday. Motion was made by Smith, seconded by Thein for the city employees to reinstate the city employees log book. Voting no, Roe, Stowe, Walters and Thein. Voting yes, Smith. Motion Didn't Carry.

Smith had concerns about why the weeds and trees have not been taken care of at the park. They are growing in the fence line and up into the tennis court. Would like this problem taken care of. Roe suggested that this should go to the park board. Also, had a question about hay and debris being left over from Buffalo Days at the park from the ponies and goats. Smith will take care of this. After more discussion from the council on the trees and weed problem, Dwain will be taking care of this. Mayor suggested to Smith for future reference for something like this, take it to Dwain, he can bring it up thru his report, don't need to be on agenda. Smith agreed this is fine with her.

Police report was read by Chief Gage Adams. He read off a letter from the Valley Heights Road Association thanking Richard Aleksiejczyk for taking the time, being so helpful and courteous for speaking to them about a Neighborhood Watch Program. Thein asked if they caught the ones yet for breaking into the concession stand at the park. Adams explained what went on with the investigation. Mayor has two things, have the guys carry the cell phone with them and have had many complaints about vehicles driving at very high speed coming down Franklin hill. It isn't just on the highway anymore, it is all over town. Adams will be looking into this problem to try and eliminate some of the speeding.

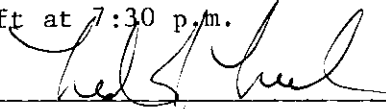
The Park Board report was given by Judy Hammons. Had concerns about why the person running the concession stand didn't get reimbursed for the merchandise only (\$400.00) when the board voted to give this amount to her due to vandalism. Was told by Ben that we as a board can spend up to \$500.00 without council approval. Told of Ben coming to city hall requesting a check and was told refused by council. Stowe, didn't have meeting on this, so how can it be refused, wasn't on the agenda. Walters, when was the park boards meeting to okey this, was told park board members were called, didn't have a meeting. Deputy clerk explained it doesn't make a difference what she lost she signed a waiver that the city isn't responsible and to break it, it has to go in front of the city council before we can issue the check. This is why the clerks office didn't give the check to Ben. We could of been in trouble by issuing this check without council approval, per city attorney. Item will have to be on the park board agenda and they will have to discuss it, over ride it if they want to. Then bring it to city council to vote on. Park Board needs to look into the insurance part for the concession stand, had concerns on this.

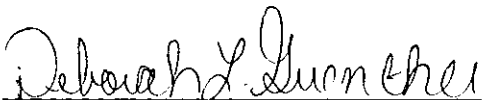
Mayors report was given by Ted Teel. Covered some of the report during the meeting. He had a list of about half a dozen people to give to Dana to volunteer for Buffalo Days that would like to help.

Set dates for special meetings. The Ordinance Committee will meet Tuesday, September 23, 2003, City Hall at 5:00 p.m., a list of items will be given to clerks office at a later date. The Street Committee will meet Tuesday, September 30, 2003, City Hall at 5:30 p.m. to discuss ditches, culverts and water runoff on Franklin Street and parking along Franklin Street one side only or not within 50 feet of driveways on westside.

Public input was asked for. Roe left at 7:30 p.m. during the input. Kenny Anderson had concerns about junk vehicles setting around in yards, is there an ordinance, how do you get rid of them. Mayor, it is a matter of writing nuisance orders. Gage and I will get together to do that. I would like to have a closed meeting concerning something as to this issue. If we do this, you have to do it to everyone. We have to decide at this meeting before Gage does this. Anderson, wanted to know what you do with animals running loose at Dana's place. Had a horse in my yard, goats out all the time and chickens. This will be discussed at the ordinance meeting. Dana told of all her vehicles being licensed. Mayor stated this will fall under that closed meeting I would like to have. Hammons had concerns about Room 8, was told that the Historical Society ask for it first. Annie said she ask thru Dana at the last historical meeting to put it on the Sept. agenda. Walter I called in before that and told Carol to put it on the agenda. This will have to go on the agenda, Oct. Hammons also had concerns about the mayor proteem being paid for both mayor and council salary. Was there another council person paid like this before and was the previous mayor paid when he was gone for 6 months. Walters, had a paper showing when the previous mayor attended meetings and when he was gone. She told of his showing up at least one meeting a month. He was never gone 6 months straight. Roe, told of one council person that did receive the mayors pay. Hammons doesn't feel that she should be paid both for mayor and council. Mayor stated if you want to check my phone records go ahead. Just because I missed some meetings doesn't mean I wasn't talking to people around the city. Hammons also ask about the sidewalk and steps being made down from the new parking lot, if it is the cities responsibility. Was told school is responsible. Also, were will AA Group be going since the school is no smoking. Jodie Teel told of how her son was playing baseball for another city and wanted to come back and play for Buffalo and Ted was the only one that volunteered to coach his baseball. Played on Mon., Tues. and Fri. can check any of the baseball schedules and that was why he wasn't at a couple of council meetings. Thein had concerns about the councilmember that made that motion was trying to prove a point and in turn I think he was trying to show he was saving the city money, but actuality he cost the city more money, if both of them take the money. The point that he was trying to make when he made the motion back fired. Stowe explained the ordinan tell us what to do and these were not made up by us, dated back to Code of Iowa 1975. She read the part pertaining to the compensation for the mayor proteem. Mayor stated he will not ask to go back two years and get paid for 6 months. Thein questioned Betty (mayor proteem) what else she did during those 2 months even though Ted was still doing telephone calls and his mayor duties around town. She explained about gettingg the school ready. Thein, had a committee that was ready to do that and you voted against that. Walters gave an update on the selling of the civic center. Told of Bill Cluba reveiwing the building and giving his opinion on the price and what to do the the building. Dwain would like to have a VFW meeting at the school on Dodge Street Wed., at 7:00 p.m.

Motion was made by Stowe, seconded by Walters to adjourn the meeting at 7:42 p.m.  
 All ayes. Motion Carried. Absent, Roe. Left at 7:30 p.m.

Signed:   
 Ted J. Teel, Mayor, Buffalo, IA

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

Treasurer, State, 1678.97; IPERS, 3237.37; Gage Adams, 65.00; Purchase Power, 2671.00; City of Buffalo, 27.06; Treasurer, State, 1470.00; EFTPS, 1715.35; Broghammer & Assoc., 425.00; Dwain Bollman, 200.00; Officemax, 144.03; Darren Awbrey, 203.00; EFTPS, 1806.65; Tom Lorentzen, 50.00; Terry Behning, 215.44; Q.C. Metallurgical Lab, 40.00; Quad-City Times, 28.23; Dick-n-Sons, 67.89; S.J. Smith, 136.97; Fletcher-Reinhardt, 488.00; Hach Co., 59.90; Iowa Chicago & Eastern Railroad, 150.00; Batteries Plus, 61.01; United Lab, 143.12; Interne Revealed, 25.00; AT&T, 19.75; Eastern Iowa Petro, 583.62; MidAmerican, 1319.34; Cardmember Ser., 1083.16; J.A. Reno, 190.50; Teamsters Local #238, 289.00; City of Buffalo, 57.29; Treasurer, State, 1357.00; IPERS, 3068.37; City of Buffalo, 180.00; American Test Center, 798.00; Hempel Pipe, 163.86; Fletcher-Reinhardt, 295.50; Quad-City Times, 112.01; Heritage Computers, 215.00; QWest, 972.93; Melter-Toledo, 142.00; Pitney Bowes, 9.50; John Deere Health, 9465.53; AT&T, 129.87; U.S. Cellular, 410.89; Jamie Brooks, 75.81; EFTPS, 2252.54; City of Buffalo, 28.41; Teresa Johnson, 254.09; Officemax, 243.15; Delta Dental, 735.46; City of Buffalo, 61.91; Farm & Fleet, 191.57; Gregg Shaw, 41.70; EFTPS, 1699.48; Racom, 671.30; Treasurer, State, 2590.04; Sams, 211.76; Office Machine Consultants, 185.82; Racom, 752.40; Panther Uniforms, 106.41; Olderog Tire, 273.73; K-Mart, 120.51; Central Public Saety, 159.90; Humane Society, 185.00; Uniform Den, 139.40; City of Davenport, 24.95; Uniform Den, 47.20; City of Davenport, 47.48; Eastern Iowa Petro, 566.80; Panther Uniforms, 18.50; Uniform Den, 216.60; Southern Police Equip., 71.03; Graninge 93.45; Morse Equipment, 283.00; Sa-So, 154.80; Q.C. Metallurgical Lab, 120.00; Vennstra & Kimm, 2000.00; AT&T, 20.92; Boylers Ornamental Iron, 675.00; Xerox, 17.00; Terminix, 75.00; EP Electric Pump, 199.52; Lori Byrne, 175.00;