

The first meeting of July for the Denver City Council, Bremer County, Iowa was held on Tuesday July 5, 2005 at the Denver City Hall Council Chambers. Council members present were Terry Dehmlow, Rod Diercks, Lyle Faust, Mike Isaacson and Sara Oltrogge.

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

Motion Isaacson, second Faust to approve the agenda with one change to move agenda item #10 to agenda item #6. AYES: Dehmlow, Diercks, Isaacson, Faust, Oltrogge. NAYS: None.

Motion Oltrogge, second Dehmlow to approve the minutes of June 20, 2005. AYES: Dehmlow, Diercks, Faust, Isaacson, Oltrogge. NAYS: None.

No one spoke during Public forum.

Attorney Ryan Rasmussen advised the City Council to hold off on adopting Resolution No. 47-2005 that would approve the contract and bond with Heartland Asphalt for the Lincoln Street Reconstruction Project since the Notice to Bidders was defective. The Council must restart the bid letting procedure. The Council Meeting on July 18, 2005 will begin the bid letting procedure again for the Lincoln Street Reconstruction Project.

Motion Isaacson to file a written reprimand placed in City Administrator Farley personnel folder for not timely publishing the Notice to Bidders. Motion died for lack of a second.

Electric Superintendent Larry Zars reported high winds blew trees over in Forrest Ave. and City Park. Boom Truck was 10 feet short of reaching branches on tree that split on Holmes Street, power outage at lift station, traffic signals removal is completed. Larry Zars passed his written test for a Line Mechanic. Upcoming plans are to have the boom truck inspected and begin replacing the open concentric underground wire in the southeast part of Denver. Larry Zars also suggested the need for a wood chipper.

Motion Isaacson, second Dehmlow to approve the July 5, 2005 bills presented for payment. AYES: Dehmlow, Diercks, Faust, Isaacson, Oltrogge. NAYS: None.

**Bills Presented for Payment July 5, 2005**

Wages-Variou Persons	Payroll 6-10-05 & 6-24-05	\$ 25,827.05	All Funds
F.I.C.A	Withholding Taxes	\$ 7,355.57	All Funds
ICMA Retirement Corp	Retirement Contribution	\$ 532.12	Electric
I.P.E.R.S.	Retirement Contribution	\$ 3,356.35	All Funds
Iowa Treasurer	Sales Withholding Tax	\$ 3,294.94	Wa/Sw/El
Iowa Treasurer	Withholding Tax	\$ 1,231.00	All Funds
Iowa Treasurer	Electric Use Tax	\$ 545.32	Electric
Iowa Workforce Development	Unemployment Insurance	\$ 96.29	All Funds
Aable Pest Control	Pest Control	\$ 82.50	Gen/Lib
ACCO	Sodium Hypochlorite	\$ 572.39	Water
ACES	Updated Software for Webpage	\$ 220.00	General
Andreasen, Bruce	Utility Deposit Refund	\$ 11.87	UDR
BP/Amoco	Gas/Police/RUT	\$ 443.12	Gen/Rut

Baker & Taylor	Library Books	\$ 529.25	Library
Benders	Food	\$ 126.66	Library
Black Hawk Waste Disposal	Residential Pickup	\$ 5,042.88	General
Brocka Gardens	Mulch	\$ 2,033.00	General
Burmeister Electric	Electric Materials	\$ 115.04	Electric
Capital Sanitary Supply	Carbon Brush Assembly	\$ 16.96	Gen/Lib
City of Denver	Transfer to Automation Acct	\$ 1,328.19	Library
City of Denver for Bruce Andreasen	Utility Deposit Refund	\$ 63.13	UDR
City Laundry	Mat Rental & Park Supplies	\$ 372.30	General
Cox, Lisa	Mileage/Supplies	\$ 63.86	Library
Crescent Electric	Electric Materials	\$ 45.43	Electric
Dell	PWB Computer	\$ 923.00	Wa/Sw/El
Denver Ambulance Service	Defibrillator	\$ 1,299.00	General
Denver Construction	Clean-Up Days	\$ 837.89	General
Denver Hardware	Misc. Supplies	\$ 218.38	General
Denver Merchants	Denver Dollars	\$ 700.00	Electric
Denver Underground & Grading	Truck Rental - Black Dirt	\$ 120.00	General
Denver Postmaster	Postage	\$ 301.49	Electric
Dick, Ronald	Utility Deposit Refund	\$ 75.00	UDR
Drain Doctor	Sewer Main Cleaning	\$ 780.00	Sewer
Earthtech	Engineering Services	\$ 9,416.19	Gen/RUT
Equifax	Membership Fee	\$ 120.00	Electric
Fails, Duane	Cemetery Mowing	\$ 375.00	Wa/Sw
Farley, Larry	Mileage	\$ 41.31	Electric
Farm Plan	Parts	\$ 5.50	General
Fastenal	Bolts	\$ 18.01	Sewer
Forum	Publications	\$ 772.60	General
Friedhof, Heather	Summer Reading Program	\$ 25.00	Library
Frontline Gear & Specialties	Library T-Shirts - Police Belt Keep	\$ 247.20	Lib/Gen.
Gaylord Bros. Inc	Supplies	\$ 72.59	Library
Gibson Specialty	Mayor Name Plates	\$ 93.70	General
Gierke-Robinson	Supplies	\$ 382.88	Sewer
Good Cents Solutions	Licensing Fee	\$ 500.00	Electric
Grainger	Power Washer Parts	\$ 67.10	RUT
Greenley, John	Utility Deposit Refund	\$ 75.00	UDR
Hach Co	Supplies	\$ 114.00	Water
Harvest Moon Gallery	Framing	\$ 388.25	General
Hotsy	Equipment Cleaning	\$ 73.61	RUT
Ingram Book Co	Library Books	\$ 405.86	Library
Iowa Dept of Natural Resources	Water Supply Annual Fee	\$ 203.49	Sewer
Iowa League of Cities	Annual Dues	\$ 659.00	General
Iowa One-Call	Underground Locates	\$ 48.60	Electric
J & J Towing	Kerosene & Police Car Service	\$ 278.43	Gen/RUT
Jacobs, John	Lease for June	\$ 1,200.00	Sewer

Joice Public Library	Video Cases	\$ 33.02	Library
JRS	Mayor Photos	\$ 209.47	General
JR's Appliance	Appliance Recycling Clean-Up Day	\$ 241.50	General
Keystone Laboratories Inc	Wastewater Analysis	\$ 673.00	Sewer
Kwik Trip	Gas/Diesel Fuel Police/RUT	\$ 572.34	Gen/RUT
L3 Communications	Lapel Microphones	\$ 107.00	General
Manatts	Concrete	\$ 1,053.05	Gen/Wa
Menards	Supplies	\$ 198.90	Water
MidAmerican Energy	Wholesale Energy	\$ 27,987.05	Electric
Monroe, Shawn	Utility Deposit Refund	\$ 75.00	UDR
Mumby, Mary	Supplies	\$ 393.43	Library
Neuendorf, Ben	Utility Deposit Refund	\$ 75.00	UDR
The New York Times	Subscription	\$ 269.10	Library
Paul Niemann Construction	Ball Diamond Limestone	\$ 44.91	General
Nuehring, Candy Lanning	Community Room Deposit Refund	\$ 30.00	General
Reinhardt, Brad	Utility Deposit Refund	\$ 75.00	UDR
Rite Price	Supplies	\$ 7.99	General
Rizer, Darrel	Utility Deposit Refund	\$ 75.00	UDR
Sagebrush	Upgrade	\$ 614.95	Library
Scharnhorst, Mary	Dental Reimbursement	\$ 96.80	General
Smith Studios	Mayor Photos	\$ 40.13	General
Staples	Supplies	\$ 26.56	Library
State Library of Iowa	Subscription	\$ 65.68	Library
Stoll, Nancy	Supplies	\$ 9.36	Library
TriState Turf	Supplies	\$ 73.05	General
Upstart	Supplies	\$ 39.20	Library
United States Post Office	Box Rentals	\$ 102.00	General
US Cellular	Police Cellular Phone	\$ 57.22	General
Utility Equipment	Supplies	\$ 57.04	Water
Walden Books	Library Books	\$ 385.80	Library
Wall Street Journal	Subscription	\$ 215.00	Library
Waverly Light & Power	Capacity	\$ 9,819.15	Electric
WELLMARK Blue Cross	Employee Health Insurance	\$ 3,425.57	All Funds
Wikner Trucking	Trucking / Skid Steer Usage	\$ 455.00	General
Wolter, Bob	Park Shelter Refund	\$ 10.00	General
Young Plumbing & Heating	Supplies	\$ 867.54	Gen/Lib
Zinger, Meredith	Utility Deposit Refund - Bill Overpay	\$ 85.45	UDR
Total		\$ 122,709.56	

**PG.909**

The Council discussed City Code Section 8.04.110 on Dangerous and Vicious Animals. Jim Buss felt the city needed some control over dogs that chase people walking on the street. Ryan Rasmussen the Ordinance could be improved with a clearer definition of guard dogs. Ryan Rasmussen referred to information he obtained from Iowa Veterinarian Association and they do not specify and breed of dog as being vicious or dangerous. Councilman Isaacson felt the

Ordinance should not include specific breeds of dogs. The Council instructed Ryan Rasmussen to strike Letters G, H, I, L, M from Denver City Code Section 8.04.110 and to fully review and interpret this section for improvements.

The City council discussed the Preliminary Plat of Schumacher 3<sup>rd</sup> Addition with Planning & Zoning members Jim Buss and Joel Wikner. Marv Schumacher's engineer Lyle TeKippe was also present and Engineer Mark Durban from Earthtech. Mayor Moeller thanked the Schumacher's for their interest in Denver. Jim Buss informed the Council that the Denver Planning & Zoning met on June 29, 2005 and recommended approval of the Preliminary Plat for Schumacher 3<sup>rd</sup> Addition with provisions that included Marv Schumacher paying the City of Denver for past improvements on Schneider Street, provide for an exception to Schumacher Parkway since it exceeds 1000' required distance. The Planning & Zoning Board felt PVC water main pipe would be just as good as ductile iron. The Council would like to know if the Sewer Plant is large enough to accommodate this addition. Lyle TeKippe stated all infrastructure improvements within the Schumacher 3<sup>rd</sup> Addition get turned over to the city once the entire infrastructure is installed and accepted by the City of Denver and the Final Plat is approved. Lyle TeKippe also informed the Council that his client Marv Schumacher has no commitment to plant trees in the boulevard section of the street. Councilwoman Oltrogge wanted to know what is considered Phase I? The rear lot lines of the lots that face Schumacher Parkway to the north, extending Schneider Street for approximately 1 1/3 lot and having the boulevard streets constructed on the front and sides to the rear lot line of Lots 20 & 27, these streets will need to have a turnaround area included until Phase II of Schumacher 3<sup>rd</sup> Addition is completed. Lot 37 is for a water retention area on the SE corner of the lot and a flume on the SW corner of the lot. Lyle TeKippe informed the Council that Marv Schumacher is prepared to extend Schneider Street to the south end of Schumacher 3<sup>rd</sup> Addition if development begins south of Marv Schumacher's property. Mayor Moeller had two questions. The first concerned intersection radii. Lyle TeKippe will change all intersection radii to be 25-foot minimum. The second question concerned the material to be used for the water main. Mark Durban informed the Council there are advantages and disadvantages of both PVC and Ductile Iron materials. Studies have shown hydrocarbons could infiltrate PVC Pipe, bedding requirements are the same for both types of pipe. Mark Durban informed the Council that Waterloo, Cedar Falls and Hudson only allow Ductile Iron Pipe to be installed for water mains. Mayor Moeller informed the Council that the Subdivision Ordinance requires Ductile Iron Pipe and it would take a change to allow for PVC Pipe. Lyle TeKippe informed the Council that curb & gutters would be standard 6" curb & gutter construction rather than the drive over type of curb & gutter section. Mark Durban confirmed the standard curb & gutter section was part of the plans submitted by TeKippe Engineering.

Motion Isaacson, second Dehmlow to approve the Preliminary Plat of Schumacher 3<sup>rd</sup> Addition with the recommendations from the Denver Planning & Zoning Board and further review by the City's Engineer. AYES: Dehmlow, Diercks, Faust, Isaacson, Oltrogge. NAYS: None.

Councilman Isaacson had to leave the meeting at 8:27 p.m.

Mayor Moeller informed the Council about a meeting held at Quarter Section Run Creek concerning additional tree clearing both sides of the creek bank and within 30 feet of top of creek bank. Representatives attending the meeting to discuss additional tree clearing included Mayor Moeller, Councilwoman Sara Oltrogge, City Administrator Larry Farley, Dave Fink, Don Buck, Iowa Department of Transportation Representatives Terri Abbott and Mark Callahan, Terry Van

De Walle from Earthtech and Andy from Moyna Construction. Mark Durban informed the Council that if tree clearing were done in a careful manner only an I.D.O.T. Construction Permit would be needed. Trees to be kept would need to be flagged and the work would be labor intensive using chain saws, four-wheelers and mini-excavators. Dave Fink presented pictures showing trees hanging over the creeks and laying in the creek. Dave Fink felt this should be cleared out in order to prevent blocking the stream. Mayor Moeller informed the Council that the level of maintenance performed by the Iowa Department of Transportation on its property and structures has been reduced in recent years. The I.D.O.T. does not intend on clearing the trees along the Fayette Street Bridge and they only will mow the excavated area under construction once per year. The I.D.O.T. will not pay for any of the tree clearing from the Fayette Street Bridge to the construction area. Councilwoman Oltrogge wanted to move forward with the additional tree clearing, Mayor Moeller felt it was important to keep the creek open. Councilman Diercks, Faust and Councilwoman Oltrogge would like to have the trees cleaned out of Quarter Section Run Creek. Mark Durban will work on preparing a cost estimate for the tree clearing work.

Motion Dehmlow, second Faust to allow the City's trencher to be used for installing underground electric to the sports complex with Larry Zars volunteering his labor. AYES: Dehmlow, Diercks, Faust, and Oltrogge. NAYS: None.

Police Chief Gary Everding presented the June Police Report.

The Council would like to set up a Special Meeting with Electrical Consultant Bruce Weier for next week or the middle part of August.

The Council authorized painting of the City's Storage Building on Fayette Street. City employee's will power wash and paint the facility before winter.

Motion Dehmlow, second Oltrogge to approve a Class C Beer Permit for Just Cuz Corporation. AYES: Dehmlow, Diercks, Faust, Oltrogge. NAYS: None.

In Other Business the Councilman Faust would like to have the Police Department enforce the Golf Cart Ordinance.

Motion Diercks, second Faust to adjourn. AYES: Dehmlow, Diercks, Faust, Oltrogge. NAYS: None. Meeting adjourned at 9:22 p.m.

---

Jim Moeller, Mayor

ATTEST:

---

Larry Farley, City Clerk/Admin.