

The Clarion City Council met in regular session Monday, May 21, 2018 at 5:00 pm in council chambers with Mayor Duane Asbe presiding. Present were Council members Josh Diamond, Dave Maxheimer, Andy Young, and Jim Williams. Council member Dan Hennigar was absent. Also, in attendance were City Administrator Jordan Cook, DPW Jon DeVries and Police Chief Steve Terhark.

Mayor Asbe called the meeting to order and polled the council for any conflicts with the agenda, none were reported. Asbe inquired if there were any citizens present to address the council. Lindsay German asked the Council to look into a fuel barrel at a residence on 2nd St NW that he believes is in violation of a City ordinance and possibly a state law. German has been in contact with the State Fire Marshall's office and has spoken to the Fire Marshall about coming to inspect the barrel. The Fire Marshall would prefer the City handle the issue but will step in if necessary. German also expressed concern from residents in the same neighborhood regarding a business being allowed in a residentially zoned area. He asked the Council to please use its Ordinances and enforce them. Mayor Asbe asked that German's concerns be addressed before the next council meeting June 4th.

Motion by Maxheimer, seconded by Diamond to approve the consent agenda consisting of the minutes of May 7, 2018; financial claims—May 7, 2018 through May 20, 2018; no revenue report; financial transfers-\$50, 297.40 from Water Debt Service to Debt Service, CD# 77881-Water Revenue CD from Project Development to Water, \$.30 from Storm Sewer Project to Storm Sewer Utility (to clean up old account), \$12,916.69 from 2017 GO Bond Essential Purpose to Debt Service; building permits – Victor Andrews, shed; beer/liquor license – Yesway (complete); sign permits-none; garbage hauler's permit- T & S Sanitation; street closures-Clarion Chamber, multiple requests. Roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Consent agenda was approved.

Motion by Young, seconded by Maxheimer to open the Public Hearing on proposed Budget Amendment for FY 2017-2018 fiscal year. Cook gave a rundown on the changes to the FY 17-18 budget. No comments were submitted or heard from citizens on the matter. Motion by Maxheimer, seconded by Diamond to close the public hearing. Motion by Diamond, seconded by Young to approve Resolution 18-24 Resolution Amending the Current Budget for Fiscal Year Ending June 30, 2018, roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-24 was approved.

Motion by Williams, seconded by Young to open the Public Hearing on Proposal to Dispose of Real Estate Owned by the City of Clarion, Iowa. Cook explained that the City owns 3 infill lots located at 420 1st St SW, 414 1st St SW and 722 2nd St NE that he would like the City to sell to builders for homes. No comments, written or verbal were heard from citizens. Young asked that the City consider access to Hansen Park as the property at 722 2nd St NE has previously been used to access the Park. A possible easement was discussed as an option as well as access from the west. Motion by Young to close the public hearing, seconded by Maxheimer. Motion by young, seconded by Diamond to approve Resolution 18-21 A Resolution Directing the Disposal of Real Estate Owned by the City of Clarion, Iowa. Roll Call vote taken, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-21 passed.

Motion by Maxheimer, seconded Young to open the public hearing on Plans, Specifications, Estimate of Cost and Setting Bid Letting Dates for the 2018 South Main Street Maintenance Project. DPW DeVries gave the Council the estimated cost of \$96,785.00 to mill & resurface South Main from the railroad tracks to 8th Ave, however after he received the core samples he had decided to reduce the thickness of the overlay from 6" to 4" which he thought would allow the City to go further down South Main. Bid letting will be held Monday, June 11th at 2:00 pm. No comments were heard or received from the community. Motion by Maxheimer, seconded by Williams to close the public hearing. Motion by Maxheimer, seconded by Diamond to approve Resolution 18-20 Resolution Approving the Plans, Specifications, Estimate of Cost and Setting Bid Letting Dates for the 2018 South Main Street Maintenance Project. Roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-20 was approved.

Nick Buse from ISG was in attendance to present to the Council the bid tabs for the 3 projects the City had recently received bids on. He first went over the 3rd St SE water main project which the low bid was received from Hennigar Construction of Clarion in the amount of \$103,926.00 for the Alternate Bid for Direction Drill of a 6" PVC Water Main. Motion by Diamond to Approve Resolution 18-27 Awarding Contract for the 3rd Street SE Water Main Replacement Project to Hennigar Construction. The Motion was seconded by Young with a roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-27 was passed. Buse then went on to the parking lot bids. The low bid for the 1st St NE was from Heartland Asphalt, Mason City, in the amount of \$110,456.80 for the HMA paving with the Alternate Area included. The low bid for the Library Parking lot was also from Heartland Asphalt, Mason City at \$61, 973.05 for the base bid option 1 HMA paving and \$81,004.50 for base bid Option 1 HMA paving plus alternate area. The City had budgeted \$190,000 for both of these projects and has already spent close to \$30,000.00 on engineering fees, leaving approximately 160,000 with another \$15,000-20,000 still to be spent on engineering fees. Motion by Diamond seconded by Williams to deny Resolution 18-25 Awarding Contract for the Library Parking Lot Project due to lack of budgeted funds. Roll call vote Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-25 was denied. Motion by Maxheimer, seconded by Diamond to approve Resolution 18-26 Awarding Contract for the 1st Street NE Parking Lot Project to Heartland Asphalt in the amount of \$110,456.80 for the base bid option 1 HMA paving plus alternate area. Roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-26 was approved.

Motion by Maxheimer to approve Resolution 18-22 A Resolution Adopting the City of Clarion Personnel Policy Manual, seconded by Young. Roll call vote taken, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-22 passed.

Motion by Diamond, seconded by Young to approve Resolution 18-28 Resolution Authorizing the Signature of the Merchant Agreement with Vantiv, LLC DBA GovPayNet. This will allow water payments to be made online with a credit or debit card for a small fee accessed to the customer based on the amount of the transaction. Roll call vote, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-28 was approved.

Motion by Diamond to approve Resolution 18-23 A Resolution to Approve and Authorize Signing of a Development Agreement to Provide Financial Assistance to KO Distributing DBA Burttek Dry Ice. The motion was seconded by Williams with a roll call vote being taken, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-23 passed.

Motion by Diamond seconded by Williams to approve Resolution 18-29 Resolution to Approve and Authorize Signing of a Real Estate Purchase Contract. Cook explained that the City would like to purchase land near the White Fox development from Ruth Bohy. Cook has been working on a project with Carlson Development and this is the land they would like to use. A roll call vote was called, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Resolution 18-29 passed.

Motion by Williams seconded by Diamond to set Date of June 4th, 2018 at 5:00 pm for public hearing on the City's wishes to amend the City of Clarion Zoning regulations, specifically sections 165.08 (1) Central Commercial District and 165.09 (1), Highway Commercial District (C-2) to allow for "the manufacturing and distribution of beer and liquor" as a Principal Uses Permitted, as recommended by the Planning & Zoning Board, all ayes approved.

Motion by Maxheimer, seconded by Young to approve the first reading of Ordinance 586 An Ordinance Amending the Code of Ordinances of the City of Clarion, Iowa, 2009, by Amending Chapter 145, Section 1 Provisions Pertaining to the Enforcement Officer in the City of Clarion. This amendment will allow the Mayor or his designee to serve as the enforcement officer for the City. All ayes approved the first reading. Motion by young to waive the 2nd and 3rd readings of Ordinance 586 An Ordinance Amending the Code of Ordinances of the City of Clarion, Iowa, 2009, by Amending Chapter 145, Section 1 Provisions Pertaining to the Enforcement Officer in the City of Clarion, all ayes approved waiving the 2nd and 3rd readings. Motion

by Maxheimer, seconded by Young to Adopt Ordinance 586 An Ordinance Amending the Code of Ordinances of the City of Clarion, Iowa, 2009, by Amending Chapter 145, Section 1 Provisions Pertaining to the Enforcement Officer in the City of Clarion, roll call vote taken, Diamond, aye; Maxheimer, aye; Williams, aye; Young, aye. Ordinance 586 was adopted.

Motion by Young which was seconded by Williams to approve an RFP for Grant Writing and Administration Services to apply for a CDBG Grant. All ayes approved the motion.

Motion by Maxheimer, seconded by Diamond to adjourn.

Respectfully submitted,
Lisa Hanson
Deputy Clerk

Jordan Cook, City Administrator

Duane D. Asbe, Mayor