

Regular Meeting
November 14, 1988

The regular meeting of the Conrad City Council was called to order by Mayor Bill Gearhart at 7:00 P.M. in the Council Chambers.

Council members present: Sanderson, Schiebel, Reece, King, Lutes
Others present: Dave Fox, Chuck Friend, Don Kliebenstein, Dave Colin, Bob Kruse and Dick Sweet

The minutes of the October 10, October 20 and October 25 meetings were approved after those of the 25th were corrected to read that the tree behind City Hall will be removed but that it will two weeks or more before Park Tree Service will be able to do the job.

The treasurer's report was accepted in a motion by Sanderson, second by Schiebel. Carried.

The finance committee presented the following bills:

E. E. Jebousek	Bldg permit	15.00
Internal Revenue Service	Add'l quarterly tax	1.53
Treasurer, State of Iowa	Sales tax	532.63
Reva Ladehoff	Cleaning	12.00
E. E. Jebousek	Moving permit	25.00
Time Insurance Co.	Premium 11/88	802.00
Iowa Electric Light and Power	Bills	2,138.98
First State Bank	Fed WW & SS	1,375.87
Treasurer, State of Iowa	IA WH 10/88	201.86
IPERS	IPERS	590.64
Kathy Grant	Add'l treas. salary	10.00
Steve Schiebel	Check sewer plant	24.00
Shane Tiernan	Bldg permit	15.00
Patzig Testing Laboratories	Test borings	2,619.25
Bill Hartwig Excavating	Progress payment #2	6,086.65
Bill Hartwig Excavating	Lower water line	455.00
Bill Hartwig Excavating	Truck rock, remove stumps	340.98
Radio Communications	Check & clean radio	55.00
Ahler's, Cooney, Dorweiler, Haynie	Urban renewal project	2,525.45
Kliebenstein, Heronimus, Schmidt	Legal services 8/88 & 9/99	667.25
Conrad Pharmacy	Office supplies	2.18
Simmering-Cory Inc.	Contract amount due	1,500.00
Clapsaddle-Garber Associates	Water system imp. 10/88	4,921.62
Clapsaddle-Garber Associates	Storm Sewer/Oct. '88	157.50
RGC Printing	W/S billing cards	93.75
M. R. Fishel Construction	1988 street repairs	5,839.00
Conrad Record	Publications	132.03
General Telephone	Bills 10/88	224.37
Contech	Snow fence	223.70
Dale Clapsaddle Insurance	Police liability	875.17
Charlie's Market	Water/lab	46.01
Gearhart Welding	Repairs/snow plow	6.50
Schiebel Electric	Hook up motor/sewer plant	22.00
Kibby, Inc.	Supplies	192.21
Casey's	Gas & supplies	116.13
Pronto	Gas	61.68
Conrad Sales Co., Inc.	Service call/tractor	15.00
City of Marshalltown	Lab tests	74.00
Concrete, Inc.	Concrete/Storm sewer	51.01
Cessford Construction	Roadstone/Storm sewer	224.71
Iowa Radar Calibration & Svc. Co.	Calibrate & certify speedgun	32.50
HACH	Lab supplies	12.84
Hygienic Laboratory	Fluoride tests	27.00
Heronimus Sand & Gravel	Sand/storm sewer	143.50
Stewart Building Center	Lmbr. and lath	33.28
Water Products Co.	Supplies	447.34
Marshall Concrete Products	Concrete/storm sewer	43.50
Conrad NAPA Auto Supply	Alternator, battery & misc.	178.10
Bob's Farm Center	Diesel fuel & hydraulic fluid	29.07
Grundy County Auditor	Landfill 11/88	838.34

Motion by King, second by Reece that the above bills be accepted and warrants drawn on the same. Carried.

Total revenue for October, 1988:

General - 54,308.17	Debt Service - 28,515.06
Sewer - 6,898.71	'78 St. Assmt. - 553.26
Water - 11,478.11	'82 St. Assmt. - 6,068.49
Road Use Tax - 3,703.69	'87 St. Assmt. - 9,158.49

Building permits were issued to:

Cliff Wilson	House	48,000.00
J. D. Gould	Storage shed	425.00
Roger Beeghly	Garage	6,000.00
Tender Sprouts	Move building	

Dave Colin reported the following:

- A new pump has been installed at Well #4 and a valve will be changed so the well should be in operation this week.
- Would like to have some one to help with snow removal this winter
- More light was needed outside the city shed in order to load sander and etc.

After some discussion it was agreed a flood light should replace the street light on the pole west of the city shed in front of the Keith Koehler residence.

RESOLUTION

Council member Schiebel introduced the resolution to change the street light on the pole west of the city shed to a flood light and moved it be adopted. Council member Sanderson seconded the motion to adopt.

Roll call vote: Ayes: Sanderson, Schiebel, Reece, Lutes, King
Nays: None

Mayor Gearhart declared this resolution duly passed and adopted this 14th day of November, 1988.

Bill Gearhart

Bill Gearhart, Mayor

Attest:

Carol Whipple
Carol Whipple, Clerk

Dave Colin was asked to check the price of a base antenna for possible use at the fire station with the old radio out of the police car.

Dave Fox presented the contracts for Division 1 and Division 2 of the Water Distribution and Storage Improvements.

RESOLUTION

Council member Reece introduced the resolution entitled "RESOLUTION APPROVING CONSTRUCTION CONTRACTS AND BONDS", and moved it be adopted. Council member Sanderson seconded the motion to adopt. The roll was called and the vote was:

Ayes: Sanderson, Schiebel Reece, King and Lutes
Nays: None

Mayor Gearhart declared this resolution duly passed and adopted this 14th day of November, 1988.

Bill Gearhart

Bill Gearhart, Mayor

Attest:

Carol Whipple
Carol Whipple, Clerk

There was a motion by Schiebel, second by Sanderson to approve the change orders of \$8,400 for deleting the cathodic protection system and \$5,680 deleting the street removal and replacement. Motion carried.

Fox presented a new color chart for possible colors for the new tower. The council agreed to the green and ivory colors selected earlier.

Fox told the council of the two bills from soil consultants for the test borings at the tower site. The first bill was for \$1598 and the second for \$2619.25. Fox requested the council pay the higher bill. This was approved in a motion by Lutes, second by King. Carried.

RESOLUTION

Council member Schiebel introduced the resolution approving the Engineer's Statement of Completion for the Walnut Street Storm Sewer

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

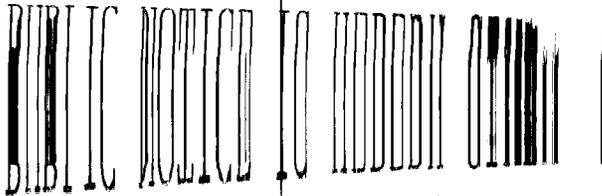
Governmental Body: The City Council of Conrad, Iowa.

Date of Meeting: November 14, 1988.

Time of Meeting: 7:00 o'clock P.M.

DJ... .C " " "

Place of Meeting: Council Chambers, City Hall, Conrad, Iowa.



PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

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PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

On the matter of the construction of improvements and extensions to the Municipal Water Utility of said City.

- Resolution approving construction contracts and bonds.

Such additional matters as are set forth on the additional _____ pages(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.

Paul Whipple
Clerk, Conrad, Iowa

November 14, 1988

The City Council of Conrad, Iowa, met in Regular session, in the Council Chambers, City Hall, Conrad, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor Gearhart, in the chair, and the following named Council Members:

Sanderson, Schiebel, Reece, King,

Lutes

Absent: None

* * * * *

Reece introduced the following Resolution entitled "RESOLUTION APPROVING CONSTRUCTION CONTRACTS AND BONDS", and moved its adoption. Sanderson seconded the motion to adopt. The roll was called and the vote was,

AYES: Sanderson, Schiebel, Reece, King,
Lutes

NAYS: None

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION APPROVING CONSTRUCTION
CONTRACTS AND BONDS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONRAD,
IOWA:

That the construction contracts and bonds executed and insurance coverage for the construction of certain public improvements described in general as improvements and extensions to the Municipal Water Utility of said City, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: Pitt-Des Moines, Inc. of Des Moines, Iowa
Date of contract: October 25, 1988
Bond surety: 10% of total amount of bid
Date of bond: October 25, 1988
Portion of project: DIVISION 1

Contractor: Bill Hartwig Excavating of Conrad, Iowa
Date of contract: October 25, 1988
Bond surety: Certified Check - \$3778.10
Date of bond: October 25, 1988
Portion of project: DIVISION 2

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PASSED AND APPROVED, this 14th day of November,
1988.

Billy Heath
Mayor

ATTEST:

Carol Whipple
Clerk

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AHLERS, COONEY, DORWEILER, HAYNE, SMITH & ALBEE
ATTORNEYS AT LAW DES MOINES, IOWA

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF GRUNDY

)

I, the undersigned City Clerk of Conrad, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 14th day of November, 1988.

Carol Whipple

City Clerk, Conrad, Iowa

SEAL

RESOLUTION

RESOLUTION ADOPTING CODE OF CONDUCT

WHEREAS, the City of Conrad, has received a Community Development Block Grant from the Iowa Department of Economic Development; and

WHEREAS, the Iowa Department of Economic Development requires the City of Conrad to have Codes of Conduct in order to utilize such funds;

THEREFORE, BE IT RESOLVED, by the City Council for the City of Conrad that:

Section 1: It hereby adopts and implements the Codes of Conduct for the Community Development Block Grant Program.

PASSED AND APPROVED 11/14/88



Mayor

Attest:



City Clerk

RESOLUTION # _____

CODE OF CONDUCT

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with federal Office of Management and Budget (OMB) Circular A-102, Attachment O, Paragraph 7 and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of the City of Conrad engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of the City of Conrad shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. the employee, officer, or agent;
- b. any member of his/her immediate family;
- c. his/her partner; or
- d. an organization which employs, or is about to employ any of the above

has a financial or other interest in the firm selected for award.

The City of Conrad's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

REMEDIES

To the extent permitted by federal, state, or local laws or regulations violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the City of Conrad officers, employees, or agents, or the contractor's, potential contractors, subcontractors, or their agents.

EFFECTIVE DATE

Passed this 14th day of November, 1988

Billey Soehat

Mayor

Attest:

Carol Whipple

City Clerk

RESOLUTION

RESOLUTION ADOPTING PROCUREMENT POLICY

WHEREAS, the City of Conrad has received a Community Development Block Grant from the Iowa Department of Economic Development; and

WHEREAS, the Iowa Department of Economic Development requires the City of Conrad to utilize Procurement Procedures in conjunction with Community Development Block Grant Programs.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Conrad that it agrees to adopt and implement the Procurement Procedures for the Community Development Block Grant Program.

PASSED AND APPROVED: 11/14/88


MAYOR

Attest:


City Clerk

RESOLUTION # _____
PROCUREMENT POLICY

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgement is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders.

APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the City of Conrad related to the implementation and administration of the Community Development Block Grant. All procurement will be done in accordance with OMB Circular A-102, Attachment O.

POLICY

I. Methods of Procurement

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) competitive sealed bids (formal advertising); (c) competitive negotiation; (d) noncompetitive negotiation.

A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$10,000. The City of Conrad shall comply with State or local small purchase dollar limits under \$10,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from at least three qualified sources.

B. In competitive sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is lowest in price.

1. Appropriate conditions in order for formal advertising to be feasible must be present, including, as a minimum, the following:
 - (a) a complete, adequate and realistic specification or purchase description;
 - (b) two or more responsible suppliers are willing and able to compete effectively for the City of Conrad business; and,
 - (c) the procurement lends itself to a firm-fixed price contract, and selection of the successful bidder can appropriately be made principally on the basis of price.
2. When formal advertising is used for a procurement under a grant, the following requirements shall apply:
 - (a) a sufficient time prior to the date set for opening of bids, bids shall be solicited from an adequate number of known suppliers. In addition, the invitation shall be publicly advertised.
 - (b) the invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation.
 - (c) all bids shall be opened publicly at the time and place stated in the invitation for bids.
 - (d) a firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the City of Conrad indicates that such discounts are generally taken.
 - (e) any or all bids may be rejected when there are sound documented business reasons in the best interest of the program.

C. In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal is publicized. Negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiation may be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for a procurement under a grant, the following requirements shall apply:

1. Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposal shall be publicized and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
2. The Request for Proposal shall identify all significant evaluation factors, including price or cost where required and their relative importance.
3. The City of Conrad shall provide mechanisms for technical evaluation of the proposals received, determinations of responsible offerors for the purpose of written or oral discussions, and selection for contract award.
4. Awards may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors will be notified promptly.
5. The City of Conrad may utilize competitive negotiation procedures for procurement of architectural/engineering professional services, whereby competitor's qualifications are evaluated and the most qualified competitors' qualifications are selected, subject to negotiation of fair and reasonable compensation.

D. Noncompetitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is infeasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

1. the item is available from only a single source;
2. after solicitation of a number of sources, competition is determined inadequate;
3. public exigency or emergency when the urgency for the requirement will not permit a delay incident to competitive solicitation; and,
4. sole source procurement for supplies, equipment, construction, and services valued at \$10,000 or more must have prior approval of the Iowa Department of Economic Development.

E. The City of Conrad will provide, to the greatest extent possible, that contracts be awarded to small businesses located within the project area or owned in substantial part by project area residents. (The project area is defined as the county in which the project is located.)

F. Any other method of procurement must have prior approval of the Iowa Department of Economic Development.

II. Contract Pricing

A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

B. The City of Conrad shall perform some form of cost/price analysis for every procurement action, including modifications or change orders.

III. Small, Minority, and Women's Business Enterprises and Labor Surplus Area Firms.

A. The City of Conrad may solicit qualified small, minority, and women's businesses whenever they are potential sources.

B. The City of Conrad will procure goods and services from labor surplus areas when economically feasible.

IV. Procurement Records

The City of Conrad shall maintain records sufficient to detail the significant listing of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the cost or price.

EFFECTIVE DATE

Passed this 14th day of November, 1988

Bill Seabert

Mayor

Attest:

Carol Whipple
City Clerk

Project and moved it be adopted. Council member Reece seconded the motion to adopt. The roll was called and the vote was:
Ayes; Sanderson, Schiebel, Reece, King, Lutes
Nays: None
Mayor Gearhart declared this resolution duly passed and adopted this 14th day of November, 1988.

Bill Gearhart
Bill Gearhart, Mayor

Attest: Carol Whipple
Carol Whipple, Clerk

Fox presented a bill for \$455 from Hartwig for lowering a water line on Walnut Street that was not included in the second progress payment and asked that it be paid. Motion to pay same by Lutes, second by King. Carried.

Dave Colin, Fire Chief, was given the council's approval to purchase a 1½" nozzle for the fire truck for \$330 in a motion by King. Second by Sanderson. Carried.

Colin reported that the tanker is still leaking. Gearhart will look at it again and patch it from inside.

Some discussion was held on a new tank and truck after bonds on the fire station are paid in two years.

Colin stated the firemen at their last meeting voted that Sanderson and Reece be appointed to be council representatives to the fire department. Gearhart stated he would report back to the fire department on this.

A Class C liquor license and Sunday Sales permit were approved for Conrad Grove Recreation Club in a motion by Lutes, second by Sanderson. Carried.

Dick Sweet reported to the council that his water and sewer lines were cut during the digging of the basement on the Cliff Wilson property on Washington St., as his lines cross this property. He stated he was without water for a day and another morning because of the uncovered water line freezing. The water line was replaced as it was previously but he found the sewer line had been replaced with several curves in it. Sweet said he was not consulted during any of this process. He stated he wanted the council to be aware of the situation. Attorney Don Kliebenstein told Sweet he has a prescriptive easement there as the lines have been there for at least ten years and legally should not have been moved without consulting with Sweet. He did say, however, that the solution lies with the property owners.

Discussion as to the funding of the water tower was held. It was agreed that a \$150,000 tax exempt note be taken out with the First State Bank of Conrad if this is acceptable to them, instead of selling bonds for the project.

Raising water rates, possibly 10%, in July 1989 was discussed. This will be considered again at the March meeting.

The council adopted the Equal Opportunity Policy Statement in regard to the Community Development Block Grant in a motion by Schiebel, second by Sanderson. Carried.

RESOLUTION

Council member Reece introduced the resolution adopting the Procurement Policy in regard to the Community Development Block Grant and moved it be adopted. Council member Sanderson seconded the motion to adopt. The roll was called and the vote was:
Ayes: Sanderson, Schiebel, Reece, King, Lutes
Nays: None
Mayor Gearhart declared this resolution duly passed and adopted this 14th day of November, 1988.

Bill Gearhart
Bill Gearhart, Mayor

Attest: Carol Whipple
Carol Whipple, Clerk

RESOLUTION

Council member King introduced the resolution adopting the Code of Conduct in regard to the Community Development Block Grant and moved it be adopted. Council member Reece seconded the motion to adopt. The roll was called and the vote was:

Ayes: Sanderson, Schiebel, Reece, King, Lutes

Nays: None

Mayor Gearhart declared this resolution duly passed and adopted this 14th day of November, 1988.

Bill Gearhart
Bill Gearhart, Mayor

Attest: Carol Whipple
Carol Whipple, Clerk

Schiebel Electric presented a bid of \$141.81 for installation of a battery operated horn and light at the south lift station to replace the present one which isn't working. After some discussion Schiebel was asked to look into one that would operate on 110 volts.

Rene' Lynch approached the council to act as the library's host agency in hiring a Green Thumb Worker, which is a federally funded program, to work 20 hours a week at the library. This would be a clerical position for a person over 55 years of age. Hopefully this will make it possible for the library to extend its hours.

Reece made the motion that the council act as the host agency to the Green Thumb Project. Second by Sanderson. Carried.

Motion to adjourn by Reece, second by Sanderson. Carried.

Bill Gearhart
Bill Gearhart, Mayor

Attest: Carol Whipple
Carol Whipple, Clerk