

December 11, 2014

The Conrad City Council met in regular session on 12/11/14 in Council Chambers. Officials present were Council Members Ryan Callaway, Diane Miller, and Brad Murty. Todd Schnathorst arrived at 7:09 PM. Absent: Peg Brown. Mayor Jeff Martin called the meeting to order at 7:00 pm and opened with the Pledge of Allegiance. The agenda was approved as presented. Mayor Martin noted that the tape recorder was not working and that this meeting would not be recorded.

Council Member Callaway moved, second by Miller, to remove the pay request from the consent agenda for SL Baumeier and to consider it separately. Ayes: 3. Council member Callaway moved, second by Miller, to approve the following consent items: Minutes from the 11/13/14 council meeting; November 2014 clerk's financial reports; Payment of claims totaling \$92,278.87; Liquor License renewal for Conrad Grove Recreation Club; renewal of the Township Fire / BCERT 28 E agreements contracts for services with Felix, Clay, Melrose, Palermo and Vienna Townships. Ayes: 3.

The following claims include expenses for the City, Park Board, Library, Museum, Fire Department and B-CERT.

Advantage Admin, benefits	515.00	Iowa One call, locates	18.90
Alliant, utilities	4,468.43	Iowa Rural Water, dues	250.00
Bank of America, fuel/conference	1,028.22	IPERS, benefit	2,728.29
Bankers Leasing, copier lease	115.00	Library Petty Cash	109.64
Bob's Farm Center, fuel	1,036.99	Matt Parrott, bill forms	372.23
CIWA, water	9,087.40	Menards, supply	38.62
Conrad Auto, misc.	22.66	Mid-America, publishing	185.18
Conrad Chamber Main St,	9,500.00	Mid Iowa Coop, fuel	102.20
Data Tech, lic/support	2,999.91	Moler Sanitation, services	175.50
Dave Juchems, mileage	17.36	Municipal Supply, supply	48.00
Denise Hoy, reimburse	212.80	O' Oprah Mag, periodical	29.97
Ferneau Service, repairs	105.47	Physio-Control, BCERT	482.00
First National Bank, library supply	744.95	Premier Office, technology	68.23
Gearhart Co, welding	498.00	Ryken, engineering	12,936.20
Glo-Brite, window cleaning	75.00	State of Iowa, Sales Tax	2,803.00
Grundy Co. Sheriff, contract	5,614.79	Susan Blythe, mileage	44.06
HDC Business, checks	102.03	Test America, lab	621.81
Heart of Iowa, phone/internet	311.55	The Book Farm, books	298.41
Kirby Schmidt, attorney	126.00	Verizon, cell phone	83.98
Ingram, books	1,081.23	Wolf Creek Childcare, LOSST	11,700.49
Injectsom, haul sludge	4,343.50	Payroll, 11/14/14 to 12/11/14	12,410.57
IRS, taxes	4,765.30	Totals Claims	\$92,278.87

November 2014 expenses per fund: General \$28,705; Road Use Tax \$5,237; Employee Benefit \$3,086; LOSST \$5,892; Debt Service \$26,529; Smith Development \$39,783; Water \$16,850; Sewer \$19,413; Sewer Sinking \$4,175. Total \$149,670.

November 2014 receipts per fund: General \$16,288; RUT \$9,499; Employee Benefits \$1,874; Local Option \$13,656; TIF \$2,967; Debt Service \$1,308; Water \$34,506; Sewer \$32,232; Sewer Sinking \$8,049; Storm Water Utility \$4,088. Total \$124,467.

Council address Mark Lamar, owner of SL Baumeier, regarding the letter he sent to council in response to their request from the last meeting for Mark to suggest a penalty amount for not completing his contract by December 1. Council expressed their disappointment in the letter as Mark did not suggest any amount and took no responsibility for being neglect in completing the work on time, as Mark had admitted to at the November meeting. After much discussion, Mark apologized for the letter being insulting to council. A timeline was presented by Lee Gallentine showing that if SL Baumeier had begun work upon entering into the contract the work could have easily been completed by the December 1 date. Gallentine also confirmed that the work to date was not done to specification, however, Mark was aware of the issues and is willing to correct them. Council reminded Mark that the contract stands and that Article 4 – 4.03 Liquidated Damages states that the contractor shall pay the owner \$800 per day that expires after the time specified in the contract.

Council member Callaway moved, second by Murty, to reduce SL Baumeier pay request of \$107,792.70 by removing items 101 and 102 until the lines could pass inspection and to approve a payment in the amount of \$40,631.70. Ayes: Miller, Callaway, Schnathorst, Murty.

Council continued discussion regarding the Ritchie alleyway and the fire apparatus installed on their building intrudes into the alleyway. Mayor reported that he had visited with Joe Ann and Arnold Ennenga regarding the option of closing the alleyway and council was presented with a packet of information from the Ennenga's stating historical facts and concerns. Council member Callaway also reported that he had discussed the situation with Leon Yantis at Ritchie Industries, and Mr. Yantis expressed his willingness to resolve the issue in a cost effective manner. Because of the encroachment on the city alleyway, Schnathorst moved to close the alley until the situation could be resolved; however it died due to lack of a second. Council then instructed City Clerk Hoy to get a legal opinion from the City Attorney regarding whether all liability in the alley could be transferred to Ritchie Industries. The item will be place it on January's agenda.

Council accepted, with regret, the resignation of Shane Tiernan as the City Zoning Administrator. Council expressed their gratitude for the 26 years that Shane has served in this position. The appointment of a new Zoning Administrator was tabled until a candidate could be found. Council member Murty moved, second by Miller, to approve the following appointments for FY2015. Ayes: 4.

Planning and Zoning: Sharon Bruster, Art Simpson, Rose Shine terms expiring 12/31/17

Board of Adjustments: Sherry Hughes, term expiring 12/31/19

Museum Board: Myrtle Butler, term expiring 12/31/17

The Park Board currently has two vacancies that the Board is seeking candidates for.

Council member Schnathorst moved, second by Callaway, to appoint Kirby Schmidt as the city attorney for 2015. Schmidt's retainer was set at \$1500 which includes 12 hours and an hourly rate of \$170 per hour over the 12. Ayes: 3; Nays: 1. Motioned passed.

Council member Callaway moved, second by Miller, to appoint THE RECORD as the city of Conrad's official publication newspaper. Ayes: 4

With no further business evident, meeting was adjourned at 8:10 PM.