

CITY OF ODEBOLT - REGULAR MEETING

February 7, 2011 - CITY HALL, 7:30 P.M.

Mayor Rex called the meeting to order with the following Council in attendance: Flink, Hoefling, Bengford and Scott. Absent: Hemphill. Also present: Engineers Neal Kuehl and Eric Deters, Lyle Rossiter, Kerry & Deb Reinhart, Mayor Steve Druivenga, Curtis Bloes, Sandy Kessler Host, Carol Raasch, Linda Godbersen and City Supt. Bill Tysor.

Moved by Flink and seconded by Bengford to approve the agenda. Four ayes. Moved by Bengford and seconded by Flink to approve the minutes of the January meetings. Four ayes. Moved by Scott and seconded by Hoefling to approve the bills as presented. Four ayes.

DISBURSEMENTS BY FUND

Public Safety	\$ 2,385.47
Comm. & Ec	1,018.48
Health & Social	190.00
Public Works	16,860.08
General Gov.	8,823.47
Culture & Recreation	13,559.33
Garbage	2,502.63
Recycling	1,343.00
Sales tax	759.00
Sewer	8,882.85
Water	<u>6,123.08</u>
Total	\$ 62,447.39

RECEIPTS (January)

Utilities	\$23,752.86
Taxes	7,176.58
Road Fund	8,684.74
Interest	6.66
Pool	<u>210.00</u>
	\$39,830.84

LIBRARY INCOME (December)

County	\$3,326.50
Misc.	<u>1,693.14</u>
	\$5,019.64

EXPENDITURES (December)

Payroll	\$2,160.51
Utilities	\$591.02
Operating exp.	<u>\$1,250.75</u>
	\$4,002.28

The Mayor announced this was the time and place set for hearing and inspection of bids for the proposed Wastewater Treatment Plant Improvements Project. Upon investigation, it was found that no persons had appeared and filed objections to the proposed plans, specifications, form of contract and estimate of cost of such Wastewater Treatment Plant Improvements Project as follows: The City plans to construct a controlled discharge lagoon west of town with pump station and a 6000 foot force main to pump the water from the maintenance shed area to the site. All forms and specifications have been on file and issued to bidders.

The City Council heard no objectors nor read evidence for or against the proposed Wastewater Treatment Plant Improvements Project; whereupon, the Mayor declared the hearing closed.

Council Member Flink introduced the following resolution and moved its adoption, seconded by Council Member Hoefling; and after due consideration thereof by the City Council, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted: Ayes: Flink, Hoefling, Bengford and Scott. Nays: None. Absent: Hemphill.

Whereupon, the Mayor declared the said motion duly carried and the resolution adopted as follows: **RESOLUTION NO. 11.06** - Finally approving and confirming plans, specifications, form of contract and estimate of cost for the Wastewater Treatment Plant Improvements Project. WHEREAS, the City Council of the City of Odebolt, Iowa, has heretofore given preliminary approval to the plans, specifications, form of contract and estimate of cost (the "Contract Documents") for the proposed Wastewater Treatment Plant Improvements Project (the "Project"), as described in the resolution providing for a notice of hearing on the Contract Documents for the Project and the taking of bids therefor; and WHEREAS, a hearing has been held on the Contract Documents; NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Odebolt, Iowa, as follows: Section 1. The Contract Documents referred to in the preamble hereof are hereby finally approved, and the prior action of the City Council giving preliminary approval is hereby finally confirmed, and the Project, as provided for in the Contract Documents, is necessary and desirable. Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Passed and approved February 7, 2011.

The Mayor announced that bids for the construction of the Wastewater Treatment Plant Improvements Project had been received, opened and read aloud at 3:00 o'clock p.m., at the City Hall, on February 3, 2011, and that this was the time and place set for the consideration of such bids. Thereupon, the report of the results of the bidding was presented, and the Project Engineers made their recommendations thereon to the Council. The range of the bids received for the construction of the Wastewater Treatment Plant Improvements Project are as follows: (13 bids were received) the highest bid was from Merryman Excavating, Woodstock, IL \$3,953,574.50 and the lowest bid was \$1,751,268.50 from LeRoy and Sons, Arcadia, IA. (A complete list is available at City Hall upon request.)

Following discussion and the Engineer's comments/findings it was moved by Council Member Flink and seconded by Council Member Hoefling to adopt **RESOLUTION NO. 11.07** - Awarding contract for the Wastewater Treatment Plant Improvements Project. WHEREAS, pursuant to notice duly published in the manner and form prescribed by resolution of the City Council of the City of Odebolt, Iowa, and as required by law, bids and proposals were received by this Council for the Wastewater Treatment Plant Improvements Project (the "Project"); and WHEREAS, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project; NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Odebolt, Iowa, as follows:

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, heretofore approved by the City Council, and is the lowest responsible bid received, such bid being as follows: LeRoy and

Sons, Arcadia, IA. - \$1,751,268.50. Section 2. The contract for the Project is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder's written proposal. Section 3. The Mayor and City Clerk are hereby authorized and ordered to enter into a written contract with said contractor for the Project, said contract not to be binding until approved by resolution of this City Council. Section 4. The amount of the contractor's performance and/or payment bonds is hereby fixed and determined to be 100% of the amount of the contract. Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Passed and approved February 7, 2011.

The intended financing for the project is as follows: The City has qualified for a Community Development Block Grant in the amount on \$500,000.00 and have 1.9 million dollars available from the State Revolving Fund. The SRF will be paid back through General Obligation and sewer revenue income. The ratio is yet to be determined.

Following presentation and discussion, it was moved by Flink and seconded by Hoefling to amend the current contract agreement with Kuehl and Payer to pay for the expense of printing and mailing of the plans and specifications. The cost is not to exceed \$6,500.00. Four ayes. The Mayor declared Resolution #11.08 adopted.

The Mayor welcomed all the guests and proceeded to Citizens to be Heard.

Sandy Kessler Host was present to discuss the restoration and re-location of Richland #1 Schoolhouse, which she states is an excellent representative country school. Sandy gave an extensive presentation of her work in locating original artifacts from the school. She is in the process of writing a book entitled "Iowa's Lost Treasure – The Rural School System 1858-1953." Host stated that "We need to build a legacy of rural history. With more of our young people moving to the cities, we need to educate them about the accomplishments and the sacrifices of the past and develop pride in their rural heritage." Linda Godbersen, representing the Odebolt Betterment Committee stated that they strongly support the project. Fundraising is already in progress and grants will be applied for. Following the presentation and questions it was moved by Hoefling and seconded by Scott to approve locating the schoolhouse across the alley from the new Downtown Greenspace. Four ayes. The Mayor thanked Sandy and the group for their work and wished them well in their endeavor.

The Library Board presented a synopsis of their endeavors of the past and for the future. They are not asking for an increase in revenue from the City this year.

At 8:55 p.m. the Mayor opened the hearing on a Loan Agreement. This being the time and place specified for taking action on the proposal to enter into a loan agreement in a principal amount not to exceed \$660,000.00 the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor closed the public hearing. After due consideration and discussion, Council Member Bengford introduced the following resolution and moved its adoption, seconded by Council Member Flink. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted: Ayes: Flink, Hoefling, Bengford and Scott. Nays: None.

Absent: Hemphill. Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out:

**RESOLUTION NO. 11.09**

Resolution taking additional action to enter into a Loan Agreement

WHEREAS, the City of Odebolt (the "City"), in the County of Sac, State of Iowa, has heretofore proposed to enter into a General Obligation Sewer Improvement Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$660,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of constructing improvements to the Municipal Sanitary Sewer System including the acquisition of land therefor, and has published notice of the proposed action and has held a hearing thereon on February 7, 2011; NOW, THEREFORE, It Is Resolved by the City Council of the City of Odebolt, Iowa, as follows: Section 1. The City Council hereby determines to enter into the Loan Agreement in the future and orders that general obligation bonds or notes be issued in evidence thereof at such time as it is determined to be necessary. The City Council further declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa. Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed. Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law. Passed and approved February 7, 2011.

Moved by Flink and seconded by Hoefling to set March 7, 2011, 8:00 p.m. as the date and time for the Hearing on the FY12 Proposed Budget. Res. #11.10. Four ayes. The budget workshop session will be on Monday, February 14<sup>th</sup> at 6:00 p.m.

Moved by Flink and seconded by Bengford to accept the Library Report. Four ayes.

County Law Enforcement report was available for review. The County will be asking for a 2% increase in the next budget.

A committee from the City was established to work with the school on a sidewalk grant. This will consist of Mayor Rex, Councilmen Bengford and Scott with Hoefling as an alternate and Supt. Bill Tysor.

The City appreciates the memorial to the Odebolt Pool in memory of Kenny Launderville from Larry and Joan Hoaglund.

At 9:16 p.m. it was moved by Bengford and seconded by Hoefling to adjourn. Four ayes.

R. J. Rex, Mayor

Joan Godbersen, City Clerk