

REGULAR MEETING OF THE CITY COUNCIL OF POSTVILLE, IOWA
October 22, 2007

1. A regular meeting of the City Council of Postville, Iowa, was held in the Council Chambers on October 22, 2007, beginning at 5:30 p.m. with Mayor Robert O. Penrod presiding.
2. On call of the roll, the following Council Members were present: Jeff Reinhardt, Marlys Sowers, Virginia Medberry and Leigh Rekow. Absent: Tracey Schager. * Schager arrived at 5:35 p.m.
3. Council Member Sowers moved that the **agenda** be approved as posted by the clerk. Seconded by Rekow. Carried.
4. Dave Voy and Sue Battani from the State of Iowa Auditor's Office explained the **financial audit for fiscal year 2006** and answered questions regarding the report. Council Member Medberry made a motion to approve the report. Seconded by Rekow. Carried.
5. Attorney Steve Pace updated the Council on an agreement and real estate lease with AgriProcessors and Lagoon Technologies regarding the **lagoons**. Council Member Reinhardt moved that an Amendment Agreement between the City and Agriprocessors, Inc., and Lagoon Technology, LLC be provisionally approved subject only to the final approval of a Real Estate Lease following publication of notice and public hearing as by law required. Upon approval of said lease the provisional approval of the Amendment Agreement shall become final approval and the Mayor and City Clerk will then be authorized and directed to execute the above referenced Amendment Agreement on behalf of the City. Seconded by Schager. Carried.
6. Council did not go into **closed session**.
7. Council Member Reinhardt made a motion to pass **Resolution #1014**, a resolution directing publication of notice of hearing on proposed lease of real property. Seconded by Rekow. Carried. Council Member Reinhardt made a motion to amend Resolution #1014 adding the publication of vacating the street according to the Amendment Agreement. Seconded by Medberry. Carried.
8. A public hearing was held at 7:30 p.m. on proposed plans and specifications, proposed form of contract and estimate of cost for the construction of the **Business Park Drive 2007 Rebid Project**. No one from the public made comment. The City received seven sealed bids:

	<u>Division I</u>	<u>Division II</u>
Eastern Iowa Excavating	\$186,821.08	\$21,361.00
Skyline Construction	\$201,074.42	\$23,256.50
Concrete Foundations	\$195,106.95	\$22,039.00
JB Holland	\$235,654.89	\$39,145.25
Tschiggfrie	\$237,031.79	\$30,088.15
McClain Excavating	\$195,241.00	\$22,273.25
Ray Excavating	\$206,642.65	\$25,843.50

Mark Jobgen- IIW Engineering will review the bids and bonds and make a recommendation back for Council approval at the November 12, 2007, Council meeting.

9. Vicki Bloxham, Upper Explorerland, informed the Council of a request from Ron Wahls for the city to apply for a **home assistance program**- CDBG grant application. The homeownership assistance program has several options 1) rehabilitation in support of homeownership; 2) acquisition assistance such as mortgage buy down; 3) general homebuyer assistance. Ron Wahls is requesting single family new construction home option. The City would need to have a cash match or infrastructure commitments to apply for the grant. The grant would require funding for no less than 6 homes, with the city share of \$500 to \$2,000 per home. There would need to be a public hearing prior to the application. The Council expressed concerns that single family homes would be converted into multi-family units. Council Member Medberry made a motion to table the request until the November 12, 2007, meeting. Seconded by Reinhardt. Carried.
10. Vicki Bloxham, Upper Explorerland advised the Council of a **request for waiver** of funds from Bonnie Erickson. In 2002, the City of Postville was awarded CDBG funds for Owner-occupied Rehabilitation Program. The CDBG Housing program requires the cost of rehabilitation to be secured by a mortgage, which is held by the City. The mortgage is in the form of a receding forgivable loan with a 5-year payoff period. Her original loan agreement was for \$24,993.97 dated 2/4/04 and will expire 5/7/09. Ms. Erickson has sold her home and is asking the City to forgive the remaining mortgage balance of \$9,997.59 as it would cause a financial hardship after the primary mortgage and closing costs are settled. Council Member Sowers made a motion to table the request until 11/12/07 meeting so more information regarding the hardship could be obtained. Seconded by Rekow. Carried.
11. Discussion was held regarding Mitchell Brown's **water bill**. DPW Dennis stated the average usage for the Brown family was 390 gallons of water a day. He stated the DNR estimates average usage of water is 100 gallons per person per day. There was a toilet and tub leaking that had been fixed and constant monitoring indicates their usage is average. Council Member Medberry made a motion to deny the request of reducing his bill. Seconded by Schager. Carried.
12. DPW Dennis requested the Council to use a \$5,000 donation from a private donor as seed money on a grant application for other park improvements. He stated the donor has requested the money be used toward a play structure at **Hall Roberts Park**. Council Member Schager had concerns with safety and the traffic in that area of town. The donor needed to be contacted and advised of the intention to use the money in a grant application; the council requested this in writing. Council Member Rekow stated to cash the check and issue a CD so interest can be earned until the grant process was complete.

13. Council Member Schager made a motion to approve the **Iowa DOT Agreement** for the Postville Pedestrian & Heritage Trail Phase 2. Seconded by Reinhardt. Carried.
14. No **Citizen Complaints** were received.
15. Council Member Sowers made a motion to approve the **minutes** of the meeting of October 8, 2007. Seconded by Schager. Carried.

Mayor Penrod made commit regarding an updated Mitigation Plan for the City. If a new plan is not approved by FEMA and there is a disaster, the City would not be eligible for funding. The Council agreed it was necessary. The final approval to go forward with the grant process thru the county will be on the November 12, 2007, agenda.

There being no further business on the agenda to come before the meeting, Council Member Schager moved that the meeting be adjourned. Motion seconded by Medberry. Carried unanimously. Adjournment at 8:42 p.m.