

March 21, 2016
Regular Session

The Bellevue City Council met in Regular Session on Monday, March 21, 2016 at 6:30 P.M. in the Council Chambers with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

PRESENT: Councilmembers Darla Lawson, Allen Ernst, Gary Feuerbach, Jayson Heiarand Tim Roth. Also present were City Administrator Loras Herrig, City Clerk Abbey Skrivseth, Police Officer Ryan Kloft, Dave Namanny, Karen Langseth, Lori Roling, Maury Anderson, Don Cummings, Dale Ernst, Leonard Ernst, Gary Kilburg, Jim Kilburg, Chuck Melton, Rob Roben, and Keith Weuste

ABSENT: None

APPROVAL OF AGENDA

Mayor Roling reviewed the Agenda and declared it approved with the addition of:

Approve Renewal Class C Liquor License with Sunday Sales and Outdoor Service Privileges for the Bronco Inn Effective May 1, 2016

CONSENT AGENDA

Lawson moved with a second by Roth to approve the Consent Agenda. Motion carried unanimously.

- A. Approve Minutes of March 7, 2016 Regular Session
- B. Approve Bills and Claims as Authorized
- C. Approve New Vendors
- D. Cable TV Viewership Report

LOAN AGREEMENT PUBLIC HEARING

Mayor Roling declared the Public Hearing open for the Solid Waste Disposal Revenue Loan Agreement. No one was present to speak so it was moved by Feuerbach with a second by Lawson to close the Public Hearing. Motion carried unanimously.

RESOLUTION NO. 06-16 AUTHORIZING THE SOLID WASTE DISPOSAL REVENUE LOAN AGREEMENT

Feuerbach moved with a second by Ernst to approve Resolution No. 06-16. Roll call vote carried unanimously.

LOCK 12 MUSIC FESTIVAL

Karen Langseth and Lori Roling came before the board to seek permission to hold a Lock 12 Music Festival on July 22 and 23 at the Municipal Parking Lot and a Farm to Table event on July 24 on Market Street. Details are still being planned but various bands, possibly a local organic farmers market and a dinner are in the works. The Council was supportive of this event but requested the event be run through the Bellevue Chamber of Commerce.

FREEDOM ROCK

Maury Anderson and Rob Roben came before the board to provide an update on the Freedom Rock to be located on Riverview Park. City Administrator Loras Herrig reminded the Council that regardless of this Freedom Rock project, the excavating work to re-slope the area and relocate the sidewalk was required due to the eroding bank. Herrig then discussed the City's engineer's project budget. Anderson and Roben said the Legion will be selling 800 bricks at \$175 in honor of any veteran. Ernst moved with a second by Heiar to proceed with the project and for the City to provide all costs upfront until the Legion receives their funding via donations and brick sales. Motion carried unanimously.

ORDINANCE NO. 411

AMENDING TELECOMMUNICATION RATES & FEES

Feuerbach moved with a second by Heiar to approve the second reading of Ordinance No. 411. Roll call vote carried unanimously. Roth then moved with a second by Ernst to waive the third reading and pass into law upon publication Ordinance No. 411. Roll call vote carried unanimously.

ORDINANCE NO. 411

AN ORDINANCE AMENDING RATES AND FEES FOR TELECOMMUNICATION SERVICES FOR CUSTOMERS OF BELLEVUE MUNICIPAL CABLE/IVUE

BE IT ENACTED BY THE COUNCIL OF THE CITY OF BELLEVUE, IOWA:

SECTION 1. *Purpose.* The purpose of this ordinance is to amend the current rates and fees for telecommunication service to be paid by the customers of Bellevue Municipal Cable/Ivue.

SECTION 2. *Amendment.* Section 6-21-8 of the Bellevue Municipal Code is hereby amended by deleting this section in its entirety and substituting the following section in its place:

6-21-8 RATES AND FEES. The following rates and fees are hereby established for telecommunications services:

DIGITAL TELEVISION

| | |
|----------------------------|-------------------|
| Lifeline Basic Rate: | \$42.99 per month |
| Basic Rate: | \$69.99 per month |
| Enhanced Basic Rate: | \$15.49 per month |
| Premium Channels: | |
| HBO | \$18.99 per month |
| Showtime | \$15.99 per month |
| Cinemax | \$11.99 per month |
| Set-Top Box: | |
| First Box | Free |
| Additional Boxes | \$6.99 per month |
| DVR Box | \$13.99 per month |
| Whole Home DVR Rate | \$3.99 per month |
| Remote Control Replacement | \$10.00 |

INTERNET

| | |
|---|---|
| Broadband Standard Residential 10 Mb | \$44.99 per month |
| Broadband Plus Residential 15Mb | \$54.99 per month |
| Broadband Ultra Residential 20 Mb | \$64.99 per month |
| Broadband Infinity Residential 25 Mb | \$74.99 per month |
| Broadband Extreme Residential 50 Mb | \$94.99 per month |
| Broadband Elite Residential 75 Mb | \$114.99 per month |
| | |
| Broadband Standard Commercial 10 Mb | \$74.99 per month |
| Broadband Plus Commercial 15 Mb | \$84.99 per month |
| Broadband Ultra Commercial 20 Mb | \$94.99 per month |
| Broadband Infinity Commercial 25 Mb | \$104.99 per month |
| Broadband Extreme Commercial 50 Mb | \$124.99 per month |
| Broadband Elite Commercial 75 Mb | \$144.99 per month |
| | |
| Wireless Standard Rural Residential 10 Mb | \$54.99 per month |
| Wireless Plus Rural Residential 15 Mb | \$64.99 per month |
| Wireless Ultra Rural Residential 20 Mb | \$74.99 per month |
| Wireless Infinity Rural Residential 25 Mb | \$84.99 per month |
| | |
| Wireless Standard Rural Commercial 10 Mb | \$84.99 per month |
| Wireless Plus Rural Commercial 15 Mb | \$94.99 per month |
| Wireless Ultra Rural Commercial 20 Mb | \$104.99 per month |
| Wireless Infinity Rural Commercial 25 Mb | \$114.99 per month |
| | |
| School Rate | \$40.00 per mb (50% paid by USAC Program) |
| | |
| Static IP Address | \$6.49 per month per address |
| 0 – 6 Addresses | \$19.95 per month |
| 7 – 12 Addresses | \$39.95 per month |

OTHER CHARGES

| | |
|---|---------------------------|
| Dedicated Fiber Connection | \$125.00 per month |
| Bellevue Municipal Utility | \$13,577.00 per month |
| | |
| Internet and Digital Cable Package | \$5.00 per month discount |
| | |
| Seasonal Disconnect Fee | \$15.00 |
| | |
| Nursing Home Rate – Established by separate agreement | \$561.16 monthly |

After Hours Cable Repair – No charge if outage is system related or caused by equipment or materials owned by City of Bellevue.

If outage is a result of customer action, \$25.00 will be charged for after hour calls or we will work on during normal business hours for No Charge.

New Equipment Installation – At time of initial installation, no charge for connecting televisions, video cassette recorders, digital video recorders, gaming consoles, etc.

Cut Cable repairs - \$50.00 per hour per man plus materials

Buried drop to property – Total customer expense

SECTION 3. *Repealer.* All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. *Severability.* If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of March 2016.

City Administrator

Mayor

CERTIFICATION

I, Loras Herrig, City Administrator, do hereby certify that the above is a true and correct copy of Ordinance No. 411 which was passed by the Bellevue City Council on this _____ day of _____, 2016 and published in the Bellevue Herald Leader on the _____ day of 2016

ORDINANCE NO. 412

AMENDING REFUSE COLLECTION RATES

Lawson moved with a second by Roth to approve the second reading of Ordinance No. 412. Roll call vote carried unanimously. Lawson then moved with a second by Heiar to waive the third reading and pass into law upon publication Ordinance No. 412. Roll call vote carried unanimously.

ORDINANCE NO. 412

AN ORDINANCE AMENDING TITLE VI PHYSICAL ENVIRONMENT CHAPTER 5 UTILITIES – REFUSE COLLECTION TO AMEND RATES FOR REFUSE COLLECTION

Be It Enacted By the Council of the City of Bellevue, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to amend rates for refuse collection.

SECTION 2. Amendment. Sections 6-15-16 and 6-5-19 of the Bellevue Municipal Code are hereby amended by deleting those sections in their entirety and substituting the following sections in their place:

6-5-16 Schedule of Fees. The City shall collect the following mandatory fees for collecting garbage and rubbish:

1. Residential Rate: Each resident with alley or curb pick-up shall pay the sum of \$26.00 per month. This charge is collectable from a resident whether or not that resident utilizes the garbage or pick-up service the City provides. This base rate shall entitle a resident to pick-up of up to two (2) thirty-two (32) gallon containers per pickup, or up to two (2) bags containing up to one-eighth (1/8) cubic yard of garbage. A resident shall be charged \$3.00 for each additional container or bag.
 - a. In the event that alley or curb pick-up for any residence is not feasible, the City Administrator is hereby empowered to enter into an agreement with such resident for any other location of pick-up that may be agreed upon.
 - b. Where a resident is hospitalized or in the care of a nursing home, or in other extraordinary situations, the City Administrator shall have discretion as to whether the base charge for residential pick-up shall be assessed.
 - c. Where other utilities have been shut off, there will be no charge assessed for garbage pick-up.
 - d. The seasonal rate for refuse collection will be 75% of the normal residential rate established by the City of Bellevue.
 - e. Rental housing units will not be charged the residential garbage rate if they are vacant and if the utility billing is in the name of the landlord.
 - f. Any resident whose annual income is below the current poverty level is eligible, upon written application and approval of the City Administrator, to have their base garbage collection rate reduced to one-half of the base residential rate. Income must be substantiated by providing a copy of the resident's most recent federal income tax return. A resident's continuing eligibility may be determined by the City Administrator, who may request a resident to provide updated federal income tax returns.
2. Commercial Rate: Each commercial establishment shall pay a base commercial rate of \$26.00 per month, plus \$7.80 per cubic yard of waste collected in excess of one (1) cubic yard. The Sanitation Department shall conduct an annual volume study and report the result to the City Administrator, who shall determine a commercial establishment's base rate. The City Administrator may increase the base commercial rate for an establishment if its volume substantially increases before an annual review. Any commercial customer may appeal the City Administrator's decision to the City Council which may, by majority vote, uphold or deny the City Administrator's decision.

3. Dumpsters: Dumpsters shall be rented to residents or commercial establishments at a rate of \$55.00 per month plus \$27.00 per standard load or \$43.00 per load of demolition waste.

6-5-19 Large Items and Bulky Rubbish.

1. Large items and bulky rubbish which are too large or heavy to be collected in the normal collection route shall be collected by the City on an as requested basis. Any citizen in need of extra collection services shall call Bellevue City Hall to make arrangements. When possible additional items will be picked up as part of the normal collection schedule. If not possible, arrangements will be made for an additional collection stop. If an additional stop is necessary a \$55.00 charge will be assessed to the customer.
2. Customers requesting the collection of large items or bulky rubbish shall notify the City Clerk's office of their request for service during normal business hours. Notification may be done in person, by mail, or by telephone, and shall include the following:
 - a. The name of the customer requesting the large collection service.
 - b. The address for which the collection service is requested
 - c. A detailed list of the items to be collected
3. Schedule of Fees. Each customer requesting large garbage collection service shall pay a minimum charge of \$55.00 for up to four (4) cubic yards, plus an additional \$7.80 per cubic yard for any amount over four (4) cubic yards. In addition to this collection service charge, each customer shall pay a disposal fee for each item as follows:
 - a. Tires:
 - i. Passenger Car up to 15" diameter \$5.50
 - ii. Passenger Car Tire on Rim \$6.50
 - iii. Truck Tire 16" diameter to 24" diameter \$11.00
 - iv. Truck Tire on Rim \$16.00
 - v. Tractor Tire Larger Than 24" diameter \$55.00
 - b. Appliances: Including, but not limited to, washers, dryers, dishwaters, stoves, refrigerators, freezers, compactors, televisions, stereos.
 - i. Non-Refrigerant \$27.00
 - ii. Refrigerant \$55.00
 - c. Automotive Batteries: \$11.00 each
 - d. Electronic Waste:
 - i. Computer toners, small printers \$11.00 each
 - ii. Computer monitor, TV with screen size 20" or less \$22.00 each
 - iii. Large TV's, copiers, printers \$55.00 each
 - iv. Other E Waste \$5.00 per item + addition .26¢ per lb.
4. Manner of Payment: The normal manner of payment shall be the addition of applicable charges to the customer's monthly utility bill. The charges shall be treated as any other

monthly service charge and, as such, shall be governed by the same rules, policies and procedures.

5. Ineligible Items: Certain items shall not be eligible for large garbage collection services. These include, but are not limited to:
- a. Any and all forms of lawn waste/landscape waste
 - b. Motor oil and/or toxic and hazardous chemicals

SECTION 3. *Repealer.* All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. *Severability.* If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. *Effective Date.* This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed and approved this _____ day of March 2016.

City Administrator

Mayor

CERTIFICATION

I, Loras Herrig, City Administrator, do hereby certify that the above is a true and correct copy of Ordinance No. 412 which was passed by the Bellevue City Council on this _____ day of _____, 2016 and published in the Bellevue Herald Leader on the _____ day of 2016

PEMBERTON HEARING

Herrig provided an update on the Court order instructing Pemberton's to have their property completely cleaned up by May 31, 2016.

ICAP INSURANCE RENEWAL

The City completed their insurance renewal and the total expense came back at \$119,000, which was \$12,000 under budget.

COOPERATIVE GRANT AGREEMENT ON BOAT RAMP

Lawson moved with a second by Roth to approve the Cooperative Grant Agreement on the Boat Ramp.

MAPPING SOFTWARE REVIEW

Herrig stated the City received a mapping software proposal for all City Utilities from Innovative Software. The City and the Bellevue Municipal Utilities would equally split the cost. At the Municipal Utilities March 9th board meeting, the Utilities approved the purchase on the condition of the City agreeing to pay for their half. The Council thoroughly discussed the cost and need of the software and requested a meeting with Department Supervisors prior to making a decision.

PERSONNEL MANUAL DISCUSSION

Herrig and City Clerk Abbey Skrivseth discussed three minor updates to the personnel manual. The first two items will adjust the manual's wording for vacation accrual and special leave. No additional benefits are being provided, these two items will simply align the manual with what has been put into practice over the years. The third item will update the 1991 Resolution on the prescription safety glasses benefit from \$75 to \$150.

RESIDENTIAL TIF

The Council had a long discussion over Residential TIF. Herrig provided information on past TIF's and how this program has been successful to the City. Dutrac and other local developers have been approaching the City to see if the City would consider this TIF program again. The Council requested a list of all the available lots remaining in the City and indicated they are open to hearing from a Contractor that will finish the remaining five lots in Hefel's subdivision. The Council agreed to discuss the future of TIF's at the next Council meeting.

APRIL MEETING DATES

The Council agreed to hold one meeting in April and the next Regular Session will be April 18, 2016.

BILLS AND CLAIMS

The following Bills and Claims were paid as approved:

| | | |
|--------------------------------|-------------------------|----------|
| Assurant Employee Benefits | City Life Insurance | 167.20 |
| BBC America | Programming Charges | 294.80 |
| Black Hills Energy | City Gas Bills | 1621.99 |
| Comcast Sportsnet | Programming Charges | 2905.13 |
| Dubuque Networking Services | Cable Support Agreement | 5200.00 |
| Medical Associates Health Ins. | City Health Insurance | 24777.46 |
| Treasurer, State of Iowa | Feb. 16-29 Sales Tax | 3176.00 |
| IRS | Federal/SS/Medicare | 19318.33 |
| IPERS | Retirement | 13258.04 |
| Treasurer, State of Iowa | State Withholding | 3364.70 |
| Treasurer, State of Iowa | March 1-15 Sales Tax | 1840.00 |
| American Funds | Payroll Withholding | 1640.00 |
| National Cable TV Co-op | Programming Charges | 29577.82 |
| Register of Copyrights | Cable Royalty Fees | 2415.00 |
| ATS Petro | City Gas Purchase | 680.99 |
| Batteries Plus Bulb | FD Radio Expense | 286.89 |
| Bellevue Lumber | City Supplies | 2272.47 |

| | | |
|---------------------------------------|---------------------------------------|----------|
| Bellevue Municipal Utilities | City Utility Bills | 5119.44 |
| Bellevue Sand & Gravel Co. | Roadway Road Stone & Hauling Exp. | 148.68 |
| Bellevue State Bank | Monthly Cable Payment | 9545.50 |
| Bender's Foods | Police Misc. Expense | 18.87 |
| Card Center | City Reimbursement | 1640.80 |
| Casey's General Store | City Gas Purchases & P&A Training | 518.16 |
| Central United Life Insurance | Cancer Insurance | 360.76 |
| Chuck Kueter | Clothing Reimbursement | 44.80 |
| Cintas Corporation | Roadway Misc. Expense | 65.64 |
| City of Bellevue | Office Transfer/Cable PILT | 14717.09 |
| City of Bellevue | LOT Funds to DS | 4230.17 |
| City of Bellevue | Stm Water to DS/Park St. Pj. Pmt. | 4534.92 |
| Clint's Computer Repair Service | FD System Security Expense | 270.00 |
| Colby Medinger | Amb. Training & Vehicle Maint. Reimb. | 276.51 |
| Comcast Sportsnet | Programming Charges | 2901.22 |
| Dennis Gerardy | Window Cleaning Expense | 135.00 |
| Drive Line of Dubuque | Rdwy Sweeper Maint. | 719.85 |
| Dubuque County Sheriff | Hefel Development TIF | 400.44 |
| Dubuque Fire Equipment, Inc. | Police Fire Extinguisher Exp. | 29.40 |
| Dubuque Networking Services | City On-Going Support | 20000.00 |
| East Central Intergovernmental Assoc. | Grant Writing Expense | 1189.50 |
| Elliott Equipment Co. | Sanitation Equipment Expense | 792.00 |
| Fidelity Bank & Trust | Monthly Cable Payments | 9545.50 |
| Gerardy Outdoor Power | Sanitation Equipment Expense | 189.00 |
| Gray Television Group | KCRG Programming | 1351.00 |
| Gregory Schulte | FD Electric Supplies Reimbursement | 59.94 |
| IWireless | Public Works Cell Phone | 4.69 |
| IA Association of Municipal Util. | Cable IAMU 2016 Member Dues | 830.00 |
| IA Comm. Assurance Pool | City Liability/Property/Vehicle Ins. | 69020.75 |
| IIW, P.C. | City Engineering Expense | 14152.50 |
| Innovative Systems | Feb. & Mar. Mthly Sup./Stmt Mailings | 10558.21 |
| Invisible Fence Brand | Parks Basketball Hoop Exp. | 1575.00 |
| Iowa Network Services | CALEA/Video Transport | 5321.13 |
| J.J. Scheckel | Roadway Equip. Maint. Expense | 46.80 |
| John Deere Financial | City Clothing Reimb& Sup/Equip. | 552.84 |
| Kevin Petesch | Class C Liquor License Refund | 154.38 |
| Kone Inc. | City Hall Elevator Maint. | 234.96 |
| KWWL | Programming Charges | 887.80 |
| LaMotte Telephone Co. | Internet/Video Transport | 16454.00 |
| Lampe True Value | City Supplies | 1328.79 |
| Lawson Products | Roadway Misc. Expense | 124.10 |
| Lyn Medinger | Ambulance Training Reimbursement | 25.00 |
| Lynn Schwager | Mileage Reimbursement | 71.28 |
| Maquoketa Valley Electric Coop. | Security Lighting | 12.11 |
| Martin Equipment | Rdwy Bldg. Rep & Maint/Sweeper Maint. | 992.35 |
| Media General Inc. | Programming Charges | 1930.00 |

| | | |
|--|--|---------|
| Midwest Business Products | P&A Copier Expense | 60.89 |
| Mueller's Auto Repair | Squad Car Repair Expense | 2239.68 |
| Music Choice Programming | Programming Charges | 223.42 |
| Nexstar Broadcasting Inc. | KLGB Programming | 966.25 |
| NICC Business & Comm Solutions | Amb. Training Expense | 150.00 |
| Northeast Iowa Regional League | Re-Issue Membership Dues | 20.00 |
| Office Depot | P&A Office Supplies | 47.27 |
| Petty Cash | Police, P&A and FD Reimb. | 44.15 |
| Power & Telephone Supplies | Cable Equipment | 4583.69 |
| Productivity Plus Account | Parks Tire Repair Exp. | 17.95 |
| Rauen Precision Machining Inc. | CC Railing Expense | 3210.00 |
| RFD TV | Programming Charges | 50.39 |
| Rich's Electric Services | Roadway Sweeper Maint. | 245.00 |
| River Valley Energy | City Gas Purchase | 464.05 |
| Roeder Brothers | Rdwy & Sanitation Equip & Misc. Exp. | 18.14 |
| Ruth Sieverding | Monthly Maintenance Expense | 810.00 |
| Sandry Fire Supply, LLC | FD Minor Equip. & Tools | 828.00 |
| Schiefer Upholstery | Squad Car Seat Repair | 355.00 |
| Schoenthaler, Bartelt, Kahler & Reicks | P&A Legal Expense | 218.50 |
| Security Products | Amb. Bldg. R&M | 198.00 |
| Simon Fire Equipment & Repair | FD Equip. R&M | 23.00 |
| Simplex Grinnell | City Hall Fire Alarm Exp. | 750.03 |
| Sinclair Broadcast Group | KGAN/KFXA Programming | 2207.92 |
| Smart Source Consulting | Broadband Consulting Cable | 680.00 |
| Stacy Heiar | FD Building Maint. | 100.00 |
| StoreyKenworthy/Matt Parrott | P&A Office Supplies | 134.07 |
| Superior Welding Supply Co. | Amb. Operating Supplies | 185.47 |
| Teri Michels | Training Exp Reimbursement | 25.25 |
| The Car Wash | City Gas Purchases | 94.62 |
| The Herald Leader | City Publication Expense | 339.21 |
| Tower Distribution Co. | WGN Programming | 160.14 |
| Trans-Iowa Equipment, Inc. | Rdwy Sweeper Exp. | 841.92 |
| Tribune Media Services, LLC | EPG Programming Guide | 586.19 |
| Truck Country of Iowa | Sanit. Eq. R & M/Rdwy Veh. Supp. | 1562.66 |
| Unity Point Health | Cable Broadnet Connect Internet Trans. | 4000.00 |
| Universal Electric Supply | Tracer Wire Expense | 566.94 |
| Verizon | City Cell Phone Expense | 345.98 |
| W.S. Darley & Co. | Rural Fire Repair/Maint. | 102.43 |
| Waste Authority of Jackson Co. | Sanitation Tipping Fees | 4453.07 |
| Waste Authority of Jackson Co. | Landfill Assessment Apr-Jun 2016 | 8873.55 |
| Weber Paper Company | CC Paper Towel Expense | 52.49 |
| Welter Storage Equip. Co. | Map Storage Drawer & Rdwy Sweeper Exp. | 751.00 |
| Windstream | City Phone Bill | 450.49 |
| Zarnoth Brush Works, Inc. | Roadway Sweeper Expense | 387.50 |

ADJOURNMENT

As there was no further business to come before the Council, Ernst moved with a second by Lawson to adjourn at 8:30 P.M. Motion carried unanimously.

City Clerk

Mayor