

March 18, 2013  
Regular Session

The Bellevue City Council met in regular session on March 18, 2013 in the Council Chambers at 6:30 p.m. 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, Dan Blitgen, Allen Ernst, Gary Feuerbach and Tim Roth. Also present were Zoning Officer Chuck Roling, Michael Hart, Steve Nemmers, Steve Ruff, Sara Millhouse and Eric Tott

ABSENT: City Administrator Loras Herrig

**APPROVAL OF AGENDA**

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

Non-Conforming Building Construction

**PUBLIC HEARING ON LOAN AGREEMENT**

Mayor Roling announced the time had arrived for the Public Hearing on the Loan Agreement in a principal amount not to exceed \$2,700,000.00.

As there was no one present wishing to be heard, Feuerbach moved with a second by Ernst to close the Public Hearing. Motion carried unanimously.

Mayor Roling then announced the Public Hearing on the Proposed Amendment to the Urban Renewal Plan for the Bellevue Urban Renewal Area. As there was no one present wishing to be heard Blitgen moved with a second by Lawson to close the Public Hearing. Motion carried unanimously.

Michael Hart of Northland Securities reviewed the Bond Summary he had prepared.

**RESOLUTION NO. 07-13 APPROVING THE 2013 URBAN RENEWAL PLAN AMENDMENT FOR THE BELLEVUE URBAN RENEWAL AREA**

Roth moved with a second by Blitgen to approve Resolution No. 07-13. Roll call vote carried unanimously.

**RESOLUTION NO. 07-13**

A RESOLUTION TO APPROVE 2013 URBAN RENEWAL PLAN AMENDMENT FOR THE BELLEVUE URBAN RENEWAL AREA

WHEREAS, the City Council of the City of Bellevue, Iowa (the "City") has created the Bellevue Urban Renewal Area (the "Urban Renewal Area") and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa requires that, before a City approves any new urban renewal project, a City must amend the existing urban renewal plan to include that new project, and

WHEREAS, an amendment to the urban renewal plan for the Urban Renewal Area has been prepared which includes a new urban renewal project related to certain street improvements in the Urban Renewal Area, located on Jefferson Avenue from its intersection with Motte Street, north to its intersection with U.S. highway 52, in an amount not to exceed \$930,000; and

WHEREAS, notice of a public hearing by the City Council on the proposed urban renewal plan amendment for the Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing; and

WHEREAS, copies of the urban renewal plan amendment, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan amendment were sent to Jackson County and the Bellevue Community School District; the consultation meeting was held, and responses to any comments or recommendations received following the consultation meeting were made;

NOW, THEREFORE, It is Resolved by the City Council of the City of Bellevue, Iowa as follows:

SECTION 1. The 2013 Amendment to the Urban Renewal Plan for the Bellevue Urban Renewal Area, attached hereto and made a part hereof, is hereby in all respects approved.

SECTION 2. It is hereby determined by this City Council as follows:

- A. The 2013 Amendment to the Urban Renewal Plan for the Bellevue Urban Renewal Area conforms to the general plan of the City;
- B. Proposed infrastructure improvement projects described in the 2013 Amendment to the Urban Renewal Plan for the Bellevue Urban Renewal Area are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standard and local community objectives.

SECTION 3. All residents or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

---

City Administrator

---

Mayor

**RESOLUTION NO. 08-13 APPROVING LOAN AGREEMENT AND BOND PURCHASE AGREEMENT**

Feuerbach moved with a second by Ernst to approve Resolution No. 08-13. Roll call vote carried unanimously.

**RESOLUTION NO. 08-13**

**APPROVING LOAN AGREEMENT AND BOND PURCHASE AGREEMENT**

WHEREAS, the City of Bellevue (the "City"), in Jackson County, State of Iowa, has previously issued its General Obligation Corporate Purpose Notes, dated September 1, 2006 (the "2006 Notes"); its General Obligation Corporate Purpose Notes, dated May 29, 2009 (the "May, 2009 Notes"); its General Obligation Street Improvement and Refunding Note, dated September 15, 2011 (the "2011 Note") and its General Obligation Storm Sewer Improvements Noted, dated June 1, 2012 (the "2012 Note"); and

WHEREAS, the City has proposed to enter into a General Obligation Loan Agreement (the "Loan Agreement") and issue General Obligation Corporate Purpose and Refunding Bonds, Series 2013 (the "Bonds") in a principal amount not to exceed \$2,700,000 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 street and storm sewer improvements and of refunding the outstanding balances of the 2006 Notes; the May, 2009 Notes; the November, 2009 Notes, the 2011 Note and the 2012 Note, and has published notice and held a hearing on entering into the Loan Agreement; and

WHEREAS, it has been proposed that the City enter into the Loan Agreement with Northland Securities, Minneapolis, MN (the "Underwriter") and issue \$2,635,000 General Obligation Corporate Purpose and Refunding Bonds, Series 2013A (the "Bonds") in evidence of its obligations under the Loan Agreement; and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared setting forth the terms of the Bonds and the understanding between the City and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Bellevue, Iowa as follows:

Section 1. The City shall enter into the Loan Agreement with the Underwriter in substantially the form as has been placed on file with the Council, providing for a loan to the City in the principal amount of \$2,635,000, for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The bond Purchase Agreement is hereby approved in substantially the form as presented to this Council. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 3. All resolution and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

#### **CONSENT AGENDA**

Feuerbach moved with a second by Blitgen to approve the Consent Agenda. Motion carried unanimously.

- A. Approve minutes of 3-4-2013 Regular Session and 3-14-2013 Special Session
- B. Approve Bills and Claims as Authorized
- C. Approval of New Vendors
- D. Approve transfer of Flower Lane Florist Native Wine Permit to 102 N. Riverview  
Effective April 1, 2013

#### **DEVELOPMENT PROPOSAL**

Steve Nemmers was present to discuss a proposed 4 lot subdivision in Dutell Hollow. He asked for a possible relaxation of City standards for public streets and the possibility of reinstating Tax Increment Financing on residential development. After discussion, the Council felt the first step would be for Nemmers to get with Administrator Herrig to get a proposal for the Planning and Zoning Commission to consider.

#### **NON-CONFORMING CONSTRUCTION**

Mayor Roling asked Zoning Officer Chuck Roling to explain what may be a violation of the Ordinance on Restrictions on Metal-Clad Buildings at the construction site at 206 S. 5<sup>th</sup> Street. The siding appears to have been installed incorrectly. Notice should be given to Mr. Scholtes to halt any further construction and Administrator Herrig is to research the situation.

#### **ORDINANCE NO. 390 ESTABLISHING A REQUIREMENT TO HAVE ALL BUILDINGS NUMBERED IN THE CITY OF BELLEVUE**

Lawson moved with a second by Ernst to approve the second reading of Ordinance No. 390. Roll call vote carried.

AYES: Lawson, Feuerbach, Ernst and Roth

NAYS: Blitgen

**ORDINANCE NO. 391 AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 2 NUISANCES, SECTION 3-2-1 DEFINITIONS, OF THE BELLEVUE CODE OF ORDINANCES (2009) TO PROHIBIT OUTDOOR WOOD BURNING FURNACES WITHIN THE CITY LIMITS**

Roth moved with a second by Blitgen to approve the second reading of Ordinance No. 391. Roll call vote carried unanimously.

**RESOLUTION NO. 06-13 ESTABLISHING EMPLOYEE COMPENSATION FOR FYE 2014**

Feuerbach moved with a second by Ernst to approve Resolution No. 06-13. Roll call vote carried unanimously.

**RESOLUTION NO. 06-13**

**A RESOLUTION ESTABLISHING EMPLOYEE COMPENSATION FOR FYE 2014**

WHEREAS, the City has adopted a plan to provide for adequate compensation of all employees, and

WHEREAS, it is the desire of the City that salaries be adjusted each fiscal year to ensure that compensation is fair,

NOW, THEREFORE, BE IT RESOLVED that the following levels of compensation are hereby established for FYE 2014

Lynn Schwager	\$57,658 per year
Dennis Schroeder	20.79 per hour
Brent Roling	19.40 per hour
Ryan Kloft	19.40 per hour
Kody Sieverding	18.44 per hour, 19.40 on 4-30-14
Loras Herrig	\$66,040.00 per year
Janet Callaghan	23.88 per hour
Cindy Blake	23.88 per hour
Marie Zeimet	14.88 per hour
Chuck Kueter	24.58 per hour
Kevin Medinger	18.58 per hour
Rick Heiar	18.58 per hour
Warren Crouch	23.35 per hour
Brian Roling	16.42 per hour
Paul Jess	17.09 per hour

Roger Heiar	10.07 per hour
Chuck Roling	10.16 per hour
Marian Meyer	17.59 per hour
Sheila Bragg	12.70 per hour
Patricia Jackson	12.70 per hour
Lifeguard (seasonal)	6.50 per our
Headguard (WSI)	8.00 per hour
Headguard (No WSI)	7.00 per hour
Lifeguard (WSI)	7.50 per hour
CPO	10.70 per hour
Pool Manager	9.75 per hour
Museum Guides	7.25 per hour
Part-Time Police Officers	15.00 per hour
Snow Plow Drivers (1 <sup>st</sup> year)	12.00 per hour
Snow Plow Drivers (2 <sup>nd</sup> year)	12.50 per hour

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

**SIDEWALK ISSUES**

The Council tabled the issue until availability of the City Administrator.

**SALE OF 1998 ONE TON TRUCK**

Street Superintendent Chuck Kueter was given authorization to advertise for bids to be taken on the 1998 one ton truck reserving the right to refuse all bids if not enough money is offered.

**BILLS AND CLAIMS**

The following Bills and Claims were paid as approved:

IRS	Fed./W.H./S.S./Medicare	8879.66
IRS	S.S./Fed. W.H./Medicare	8964.84
Treas. State of Iowa	Sales Tax 2/16-28/2013	2282.00
Treas. State of Iowa	Sales Tax 3/1-15/2013	1645.00
National Cable TV Coop	Programing Charges	15046.22
American Funds	Payroll W.H.	1860.00
Robert Ries Memorial	Memorial Donation	100.00
IPERS	Retirement	11714.07
Treas. St. of Iowa	State Withholding	3003.00
Black Hills Energy	City Gas Util. Bills	2125.59
Medical Assoc. Health Plans	City Health Ins.	15081.41
U.S. Cellular	Police Cell Phone	94.42

Advanced Media Tech. Inc.	Cable Expenses	2053.74
All Season's Trucking Inc.	Rdwy. Salt & Sand Exp.	1961.85
Assurant Emp. Benefits	City Life Ins.	126.00
Ats Petro LLC	Gas Purchases	1685.20
Bancard Services	F.D./Amb. Expenses	1483.10
BBC America	Programming Charges	232.22
Bellevue Municipal Utilities	City Utility Bills	3759.60
Bellevue Pharmacy	Operating Expenses	326.81
Bellevue Sand & Gravel	Rdwy. Salt & Sand	673.65
Bellevue State Bank	Cable TV Payment	9545.50
Big Ten Network	Programming Charges	893.77
Casey's General Store	Gas & Training Expense	745.39
Central United Life Ins.	Cancer Ins.	269.66
Chemsearch	LOT Expense	193.21
Christopher Reed	F.D. Training Exp.	50.00
City of Bellevue	Office Trsf./Cable PILT	11380.98
City of Bellevue	Stm. Water to DS/Park St. Proj.	4871.25
City of Bellevue	LOT Funds to DS For Pmt.	4574.42
City of Maquoketa	Communication Charges	18875.17
Clara Ernst	Mailbox Damage	53.28
Clinton Co. Area Solid Waste	Tipping Fees	3091.88
Comcast Sportsnet	Programming Charges	2083.15
Comelec Services Inc.	F.D. Radio Expense	220.00
Dennis Schroeder	Clothing Reimbursement	25.15
Discovery Communications	Programming Charges	423.44
Ia. Workforce/Div. of Labor	Elevator Permit	125.00
Dubuque Fire Eqpt. Inc.	Pub. Wks Eq. Repair	53.25
Dbq. Hose & Hydraulic	F.D. Eqpt. Rep./Maint.	19.94
Dbq. Networking Serv.	Computer Expense	126.50
Electronic Engineering	Police Minor Equip.	135.00
Emerg. Medical Products	Amb. Operating Exp.	571.00
Fidelity Bank	Cable Monthly Payment	9545.50
Fire Serv. Training Bureau	F.D. Training Exp.	465.00
Gothard & Assoc.	Cable/Amb. Expense	292.55
Greg Schulte	F.D. Rural Fire Misc.	35.30
Halsen Products Co.	Sanitation Equip.	86.09
Hawkeye Fire & Safety Co.	F.D. Minor Equip.	48.91
HUB Television Network	Programming Charge	105.86
I Wireless	PW Cell Phone	3.18
IAMU	Telecom Dues	1054.00
Ia. Dept. of Public Health	Pool Registration	35.00
IIW Engineers	Engineering Exp.	15801.26
Iowa Network Services	Video Transport/Programming	5527.80
JJ Scheckel	Rdwy./Sanitation Eqpt. Repair	103.86

Jeff Michels	Developer TIF	1063.98
John Deere Financial	Rolling Clothing Allowance	37.99
KCRG	Programming Charges	423.00
Kent Clasen	F.D. Training/Operating Exp.	236.06
KLJB/KGCW TV	Programming Charges	534.00
KWQC	Programming Charge	705.00
LaMotte Telephone Co.	Internet/Video Transport	15422.00
Lampe True Value	City Misc. Expense	703.06
Maq. Valley Elec. Coop	Security Light	12.26
Medical Assoc. Clinic	Sanitation Misc. Expense	19.50
Mike Sturm	Amb. Training Reimb.	20.00
Midwest Business Prod.	Copier Expense	119.44
Mueller Auto	Sanitation Eqpt. Repair	229.00
Mutual Wheel Co.	Rdwy. Eqpt. Rep/Maint.	50.47
Napa Auto Parts	F.D. Minor Eqpt.	740.70
NICC Business & Comm. Solutions	Amb. Training	12.00
North Central Amb.	Amb. Power Load Installation	1307.26
North End Auto Wrecking	F.D. Eqpt. Maint.	16.05
Paramount EMS	Paramedic Assist	450.00
Physician's Claims Co.	Amb. Billing Exp.	1266.22
Racom Corporation	Amb. Radio Expense	264.70
River City Paving	LOT Sealing/Reconst.	80.80
River Valley Energy	Gas Purchase	1019.89
Roeder Bros. Inc.	Equip. Rep/Maint	218.72
Ruth Sieverding	Monthly Maint. Exp.	750.00
Ryan Kloft	Clothing Reimbursement	106.99
Sabula Police Dept.	Police Minor Equip.	500.00
Schoenthaler, Roberg, Bartelt, Kahler	Legal & Professional Exp.	474.00
Sinclair Television	KGAN/KFXA Programming	939.84
Southern Wisc. & N. Ill. Fire & Res.	F.D. Dues	25.00
St. Luke's Center for Occ. Health	Drug Testing	37.00
Superior Welding Co.	Amb. Operating Exp.	103.49
Telegraph Herald	Budget Publication	127.12
The Car Wash	Gas Purchases	1294.95
The Herald Leader	Publications	345.20
The Sign Maker	Elevator Sign	10.85
Till's	San./Rdwy/Amb. Eqpt. Repair	415.50
Tower Distribution Co.	Programming Charges	131.22
Tribune Media Services	EPG Guide	504.20
Tricia Steines	Amb. Training Exp.	45.00
U.S. Post Office	Stamps	759.00
Uniform Den Inc.	K. Sieverding Clothing Allow.	121.50
U.S. Cellular	F.D./Amb./Cable Cell Phone	225.83
Universal Electric	City Hall Lights	866.31

Weber Paper Co.	Copy Paper/Paper Towels	193.41
WHBF	Programming Charges	599.25
Windstream	Phone Bills	365.01
Zarnoth Brush Works	Rdwy. Sweeper Maint.	34.95

**ADJOURNMENT**

As there was no further business to come before the Council it was moved by Blitgen and seconded by Lawson to adjourn at 7:30 p.m. Motion carried unanimously.

---

City Clerk

---

Mayor