

City of Camanche

February 16, 2016

The City Council of the City of Camanche, Iowa met in regular session February 16, 2016 at 6:00 P.M. at Camanche City Hall. Present on roll call: Mayor Willis, presiding, and the following named council members: Metzger, Saxon, Lind, Varner and Wruck. Also present were City Administrator Roth, City Attorney Frey, City Engineer Solchenberger, department heads Houzenga, Schutte, Hilgendorf and City Clerk/Treasurer Jindrich.

A moment of silence prayer was observed. Mayor Willis led the Pledge of Allegiance.

Moved by Saxon, second by Lind to approve the agenda. On roll call – all ayes.

Moved by Lind, second by Varner to approve the consent agenda which covered the following items: approve minutes from council meeting held February 2, 2016; approve Abstract No. 650 which includes the following:

ADVANCE AUTO PARTS	FILTERS	3.15
ROBERT ALM	DEDUCTIBLES/COPAYMENTS	5.00
BLAIN'S FARM & FLEET	OUTLET AND COVER	7.78
CAMANCHE SCHOOLS	CITY SHARE-CROSSING GUARDS	1,605.47
CARQUEST AUTO PARTS	BATTERY	483.23
CARRIAGE PAPER PROD CORP	PAPER	95.40
CL AREA CHAMBER OF COMM	SPONSORSHIP-DES MOINES TRIP	250.00
CLINTON HERALD	LEGAL PUBLICATIONS	509.23
CITY OF CLINTON	CAM SHARE-ST LIGHT-HWY 30/ANAM	1,163.34
CLINTON NATIONAL BANK	FED/FICA TAX	8,631.69
COLLECTION SERVICES CTR	GARNISHMENT	323.08
EASTERN IA LIGHT & POWER	SECURITY LIGHTS	103.67
FOLEY TREE CARE	REMOVE TREE WEST 3RD ST	800.00
GALE	BOOK	24.79
HARTZ LOCK COMPANY	FRONT DOOR REPAIR,DUP KEYS	149.50
HOME DEPOT CREDIT SERVICE	HEAT GUN, SAFETY GLASSES	82.32
IOWA ONE CALL	ONE CALL LOCATES	15.30
INGRAM BOOK COMPANY	BOOKS	813.05
J & C ENTERPRISES	FEB COLLECTION	154.00
SHERYL L JINDRICH	DEDUCTIBLES/COPAYMENTS	90.95
KWIK TRIP/KWIK STAR STORE	FUEL	956.69
WILLIAM LODGE	DEDUCTIBLES/COPAYMENTS	102.50
MASTERCARD	BATTERIES,HEATER,FAUCETS	1,186.82
TOM MCMANUS BACKHOE	WINTER GRAVE DIG JANE SHAW	400.00
MEREMA BROTHERS INC	RAM PIN - BOBCAT	67.73
MICROMARKETING LLC	UNCD BOOK	35.00
MIDAMERICAN ENERGY CO	STREET LIGHTING	3,559.64
MIDWEST BUSINESS		
PRODUCTS	COPIES-C HALL, POLICE	104.56
JEFFREY MOORE	SAFETY GLASSES	122.96
MUNICIPAL FIRE & POLICE	MUNICIPAL PENSN	8,654.99
DALE NISSEN	DEDUCTIBLE/COINSURANCE	270.50
O'REILLY AUTOMOTIVE INC	REPAIR KIT	21.98
PAULS DISCOUNT	BATTERIES CLEANER TRASH CANS	82.23
POLICE DEPT PETTY CASH	POSTAGE,PHONE CHARGER,KEYS	88.81
PRAXAIR DISTRIBUTION INC	ACETYLENE	86.44
PREMIER LINEN/UNIFORM	TOWELS MATS MOPS	160.54
RIVER CITY DISPOSAL LLC	SOLID WASTE/RECYCLING	22,659.00

SHIVE-HATTERY ENGINEERS	ENIGNEER SERVICES	3,574.28
AUDITOR OF STATE	FILING FEE FOR FYE15 AUDIT	425.00
BETH THILMANY-BLUMER	SHIPPING TAPE,COCOA	99.60
TREASURER STATE OF IOWA	JANUARY SALES TAX	2,200.33
UPSTART	BUBBLES POSTERS BOOKMARKS	132.31
VERIZON WIRELESS	CELL PHONES	299.57
VERTEX CHEMICAL COMPANY	HYPOCHLORITE	140.60
WINKELPARKER & FOSTER	AUDIT FYE 63015	4,750.00
1ST GATEWAY CREDIT UNION	1ST GATEWAY CU	934.00
CENTURYLINK	TELEPHONE EXPENSE	166.75
OPENEDGE	CREDIT CARD USAGE FEES	224.00
NORTHEAST IOWA REGIONAL	DUES	20.00
ADRIAN'S COLLISION CENTER	BODY WORK-2002 CHEVY PICKUP	3,209.37
JAMES SOWLE	WELLNESS	250.00
MUELLER CO	EZREADER SOFTWARE MAINTENANCE	742.50
BASE	CAFETERIA MONTHLY MARCH	31.25
UNIQUE MANAGEMENT SERV	PLACEMENT	17.90
THOMPSON TRUCK & TRAILER	HEATER ASSEMBLY	69.01
PLATINUM SMART INC.	SUPPORT SERV, NETWORK, BACKUP	1,443.30
KNOW BUDDY RESOURCES	BOOKS	200.55
PLATINUM LEASING	LEASE SERVER,PHONE SYS,DESKTOP	1,289.00
CALIFF & HARPER	LEGAL FEES-PROHITIED PRACTICE	3,064.60
CASEY'S GENERAL STORES	FUEL	245.33
FREY, HAUFE & CURRENT PLC	LEGAL FEES FOR JANUARY 2016	6,204.00
TREVOR WILLIS	MILEAGE-JANUARY MEETINGS	69.34
DITCH WITCH	LOCATOR	4,245.00
WILLCO INC	FLOAT REPAIR KIT	357.89
LIVING LANDS AND WATER	TREE DONATION	100.00
SPRINGFIELD ARMORY	REPAIR GUN	445.00
DEPOSIT REFUNDS	REFUND DATE 02/03/2016	210.32
PAYROLL CHECKS	PAYROLL CHECKS ON 02/12/2016	29,365.24
ACCOUNTS PAYABLE	CLAIMS TOTAL	118,397.38
	GENERAL FUND	63,604.81
	LIBRARY FUND	4,078.77
	PARKS FUND	1,328.62
	CEMETERY FUND	400.00
	ROAD USE FUND	10,235.07
	WASH BLVD ENHANCEMENT FUND	1,337.90
	COMM CTR/STORAGE BLDG FUND	1,726.08
	WATER UTILITY FUND	8,050.29
	SEWER UTILITY FUND	4,976.84
	LANDFILL/GARBAGE FUND	22,659.00

Approve the City Clerk/Treasurer's Report for January 2016 which included the following receipts: General - \$100,522.72; Library - \$11,528.42, Parks - \$7,124.34, Cemetery - \$6,928.89, Road Use - \$40,001.94, Employee Benefit - \$709.27, Police & Fire Pension - \$1,507.20, Debt Service - \$2,881.41, City Hall Project - \$1,000.00, Water Utility Fund - \$30,573.95, Sewer Utility Fund - \$50,151.69, Garbage - \$33,298.76 for a total of \$286,228.59; accept Jess Snyder's resignation from Park and Rec Board effective immediately; approve Evan Weller's application to Historical Board for term ending 7/1/2016; receive, accept and place on file minutes from Rose Hill Cemetery Board meeting held February 8, 2016; approve Pay Estimate #2-Final for Dunn Road Rehabilitation as submitted by Determann Asphalt Paving in the amount of \$7,331.91. On roll call – all ayes.

Community Center/Fire Storage Building – Solchenberger handed out the plans and specs on the building. The advertisement for bids will be put in the paper later this week or next week. Bids will be opened March 10 and the public hearing on the plans and specs and consideration of the bids will be held March 15. The grant is for \$206,000 and our cost estimate will be \$260,000-\$270,000.

Moved by Lind, second by Varner to approve the plans and specs for bidding purposes for the community center/fire storage building. On roll call – all ayes.

Moved by Lind, second by Wruck to approve a resolution pledging the cash match toward the activities identified in the Derelict Building Grant Program application. (Garner Hall) On roll call – all ayes.

Willis stated that Brad, with the landfill, is aware that we are trying to keep as much of Garner Hall out of the landfill as we can. Roth commented that some people may be interested in some of the old framing of the building. The block has been spoken for to be used for fill.

Health Care Insurance – Wellmark is not renewing our current contract. The council can talk in closed session or in open session as to what policy they wish to choose. This will be put on the next agenda.

Schutte and Houzenga read their department reports for January 2016.

City Attorney – Frey stated his office has had a lot of written communication to the council. Lum Park – they have a copy of the deed. They will be checking into that and the abstracts.

City Engineer – Solchenberger said the DOT will be conducting the audit on the trail project.

Mayor – Reported that he, Varner and Saxon attended the Clinton County Legislative Day in Des Moines. There is no money at the state level. He thinks they listened. They are aware of their concerns. He spoke on the 411 pension and commercial property tax rollback. He heard that the backfill is going to continue – it will be hard to take away. Saxon reported on the Human Services issues. Willis said that through Living Land and Water the city could purchase trees. He contacted Judy Dell and she would like 10 trees to replace the ash trees. The city submitted their request for 10 oak trees and made a \$100 donation.

City Administrator – there has been a settlement in the prohibited practice complaint. Letters have been sent to the neighbors concerning closing the 5th Avenue RR crossing. Garage fire – we are continuing to work with them.

Varner – he attended the solid waste agency meeting. They are discussing slip streaming in regards to recycling. This would make the recycling center more of a transfer station. At the present time, they sort things and then re-sell the recyclables. If they stop doing this, they will be losing revenue. The people losing those jobs are people who aren't employable elsewhere.

Metzger would like to see the council members' email addresses and phone numbers posted on the city's website, posted at city hall and in the next newsletter. She is also wondering why the police department doesn't have an open house like the fire department does. Houzenga said they did have one in conjunction with the fire department and nobody came.

Charlie Blount was wondering with the construction of the new community center/storage building are there going to be problems with construction as there has been in the past. He thinks there should be a work session for each project to get input from tax payers. There should be language in the contracts to protect the taxpayers.

Bill Graves addressed Roth in regards to the sewer problem on 9th Avenue. Roth informed him that he had called Jim Marshall and Jim stated he was going to contact the property owners. He will call him again.

Michael Yackshaw wanted to know what the status of hanging the murals is. He stated the employees' wages were frozen and money was spent on these murals and they are just sitting back there. Bob Edens will have it up by the end of the week.

Gary Tucker was wondering if people are going to come in to take the rafters of Garner Hall, won't that slow the process of demolition. Maybe we could have Veronica do a mural of Garner Hall.

Moved by Lind, second by Saxon to adjourn the regular meeting at 6:42 P.M. On roll call – all ayes.

A brief recess was taken.

Mayor Willis opened a work session on retiree health insurance at 6:52 P.M.

City Attorney John Frey started the discussion. A few meetings ago, Art Eggers reported on the second PERB ruling. PERB determined that the side letter in the bargaining unit's contract is still an illegal subject of bargaining. Under state law, the city has an obligation to remain to offer retirees health insurance with premiums paid at the retiree's expense. The City, under the State law, has the option to pay those premiums for the retirees. It is their discretion. The contracts that are in place for the department heads are through July 1, 2017. In those contracts, the city has agreed to pay the health insurance premiums if they retire during that contract time. In his view, the bargaining unit has no contractual right to receive payment for their health care insurance premiums. There is no authorizing resolution from the council exercising their discretionary right to provide payment of the health care premiums. Since the old bargaining unit contract expired July 1, 2015, there is no provision to provide payment of health care insurance premiums. The question he would like to address to the council is: Do you wish to use your discretion and go ahead and pass a resolution authorizing payment of health care insurance premiums for the balance of this contract and then address it again during the next negotiations or; decide not to exercise that discretion and status quo as determined by PERB in that the bargaining unit employees will not have payment of their insurance benefits after they retire.

Frey answered questions concerning the vesting of past retirees.

Roth stated he instigated everything. He had talked to the negotiating committee that down the road the city might not be able to afford to pay the retirees health care insurance premiums. It was not the intent to take it away from the present employees – only future employees. Art Eggers, the labor attorney, decided it was not a part of collective bargaining. Willis also commented that he didn't think it was the intent of the city to take it away from the current employees. Roth thought the legislative act was going to solve all the issues which are why the side letter was written, but PERB did not agree.

Wruck threw out numbers concerning the increases over the years of health care premiums and what it is costing the city right now for the retirees.

Houzena told the council that they have heard the legal side of what they can and cannot do and the number side. This benefit has been in place continuously since 1983. There is also the human component who sits out here in the audience. He stated that he is sure if the employees and he knew that this benefit was going to be yanked away from them, they would have made different plans for their retirement. If they decide to take this benefit away, there could be litigation taken by the employees. What's the right thing to do??

Charlie Blount stated that the private sector retirees don't get their retiree insurance premiums paid for.

Roth reiterated that the objective was not to provide it to the new hires. This long serving, dedicated group of employees was promised this since 1983. The only reason he could think not to give it to them is because the city found a way not to give it to them. It doesn't seem right to him. Willis stated if the city was struggling financially, he would probably go along with taking the retiree health insurance away. But the city is in very good shape and we do not have a financial hardship that would predicate this move.

Richard Schmitz wanted to know what the feelings of the council members were.

Metzger said it was her choice not to answer. She thought it should have been discussed in closed session. She is not comfortable discussing this in front of the group. Roth said there are no grounds for a closed session. He said that is the duty you have when you sit in those chairs.

Dave Pillers, attorney for the bargaining unit, stated there were some concessions made by the bargaining unit employees in light of the retiree health insurance issue.

Saxon stated he couldn't give him an opinion right now. He got some new information tonight and that made him think of different options.

Lind commented he doesn't have anything to say.

Varner stated he was advised by legal counsel not to comment.

Mayor Willis adjourned the work session at 7:20 P.M.