ROBINS CITY COUNCIL  
MINUTES OF THE FEBRUARY 2ND, 2015 MEETING

Mayor Hinz called the meeting to order at 7:00 p.m. in the Robins City Hall on Monday, February 2nd, 2015.

After the Pledge of Allegiance to the Flag, roll call was taken with Councilors Roger Overbeck, Don Norton, Mike Peebler, and Marilyn Cook present along with Attorney Don Hoskins, Engineer Kelli Scott, Planning and Zoning Administrator Dean Helander, Public Works Superintendent Vince Bading, City Clerk Lori Pickart along with around 10 guests. Absent was Councilor Brad Sevcik. Norton moved to approve the agenda, Cook seconded, and all voted aye.

COMMITTEE REPORTS

- Mayor Chuck Hinz noted the city along with all the residents have been busy with the recent snowfall. He noted the Council will be setting a public hearing to finalize the FY 15-16 Municipal Budget along with the 5-year Capital Improvement Plan.
- Public Works Coordinator Roger Overbeck noted the contractors have been working on the water extension under the Cedar Valley Nature Trail.
- Parks Coordinator Don Norton had no report.
- Public Safety Coordinator Mike Peebler noted the Police Department provided coverage 28 out of 31 days in January with 342 hours of service. Officer Mike Haeder advised the council the dispatch fees anticipated for FY 15-16 have been tabled until FY 16-17. Fire Chief Brian Boots noted the month of January has been pretty calm with 2 medical calls, 1 mutual aid, and 1 smoke alarm. He noted the department performed their annual Hazmat refresher course along with medical training for patients with autism.
- Finance Coordinator Marilyn Cook reported the Council has set the tax asking at $7.921 for next year, adding with the increased roll back, property owners will be paying a minimal increase next year to the City.
- Engineer Kelli Scott noted the updated costs for the Indian Creek Sewer Rebuild is included in her Engineers Report.

CITIZEN COMMENTS – AGENDA ITEMS

- Louie Stobla, 495 Mary Jo Avenue noted he would like to speak during the public hearing relating to the Wood 1st and 2nd Water Main Extension.

CITIZEN COMMENTS – NON-AGENDA ITEMS

- There were none

CONSENT AGENDA

Norton moved to approve the Consent Agenda, Peebler seconded. With discussion, Overbeck asked if the agreement with Snyder and Associates relating to the South Troy Road Park Trail was in addition to the one already signed. Scott noted the receipt of the MPO funds has caused this to be a Federal Project, requiring more reporting to the DNR. She added the DNR is requiring an archeology report, which this Professional Service Agreement covers. Items approved with the consent agenda were the Minutes of the January 19th and January 26th meetings; the Financial Report; the List of Bills submitted; Resolution No. 0215-2, setting March 2nd as the public hearing date relating to the FY 15-16 Municipal Budget; Resolution No. 0215-3, approving pay request #2 in the amount of $89,358.10 and change order #1 in the amount of $9,396.55 to Rathje Construction for work done on the NW Quadrant Lift Station and Sanitary Sewer Improvements; Resolution No. 0215-5, approving a Standard Professional Agreement with Snyder and Associates relating to the South Troy Park Trail; motion to re-appoint John Lane and Molly Iverson to the Robins Board of Adjustment and Adam Hester to the Planning and Zoning Commission, all for 5 year terms. On the vote, all voted aye.
NEW BUSINESS

a. **WFM Ministries – Annexation.** Mayor Hinz opened the public hearing to hear comments and concerns relating to the annexation request of WFM Ministries and Morris Testamentary Trust at 7:15 p.m. Ric Lumbard noted they have a prayer ministry which helps traumatized people and train people to help traumatized persons. He noted they do some work relating to human trafficking. He noted they have worked with the county for several years. When they spoke with them relating to building a training center, the county recommended they talk with the city of Robins as they feel this will be a commercial setting, adding the county doesn’t have a commercial zoning. Mr. Lumbard noted they may someday want to put a coffee shop on their premises. He added trainees would stay at their new location while being trained (very short term). He added they do not need water and sewer as they have wells and septic systems. The public hearing closed at 7:28 p.m.

b. **Resolution No. 0215-1.** Cook moved to approve said Resolution No. 0215-1, accepting the annexation request of WFM Missions Base and the Morris Testamentary Trust, Overbeck seconded. On the vote, all voted aye.

c. **Zoning Ordinance Changes.** Mayor Hinz opened a public hearing to hear comments and concerns relating to proposed changes to the Robins Zoning Ordinance (Chapter 165). Planning and Zoning Administrator Helander noted Section 1 is a change recommended by Attorney Hoskins, removing the requirement of a three-fourths favorable vote of the Council should the P&Z not recommend a change. Attorney Hoskins noted this is not a requirement of the State Code and added it is somewhat illogical and feels this is not good as the council makes laws by a majority vote. Helander noted Section 2 ties a tree house to the same regulations as an accessory building. He went on to comment there have been several tree houses built in Robins, adding a tree house is needed to be defined, which Section 3 provides. He added Section 4 refers to the 800 square footage requirements, noting the verbiage changes the language to a “total” of 800 square feet shall be permitted without the approval by the Commission. Helander noted the city does not desire to require a building permit for a tree house.

d. **Ordinance No. 1501.** Norton moved to approve the first reading of Ordinance No. 1501 approving the said changes, Cook seconded, all voted aye.

e. **Urban Renewal Plan Update.** Mayor Hinz opened the public hearing at 7:41 p.m. Pickart noted this public hearing is to update the Urban Renewal Plan, not the Urban Renewal Area. She noted the plan amendment identifies three projects to be added, 1) Emery Place Project; 2) Lebowski’s Bar and Grill; and 3) Otter Creek Investments. The public hearing closed at 7:44 p.m.

f. **Resolution No. 0215-8.** Cook moved to approve said resolution approving the Urban Renewal Plan Amendment for the Robins Urban Renewal Area, Peebler seconded. There was no discussion and all voted aye.

g. **Emery Place Development Agreement.** Helander noted the TIF Rebate Agreement is for a two year term, the first year rebating $64,709, the second year rebating $59,082 totaling $123,791. He noted Emery Place is well under construction with an anticipated opening date of April 2015. The council reviewed the proposed agreement. Pickart noted the verbiage relating to the sidewalk to Freeseway Drive is to get the possible future project into the Plan. Helander noted he would talk with Bonding Attorney John Danos to see if the two individual year amounts should be indicated in the agreement. The public hearing closed at 7:58 p.m.

h. **Resolution No. 0215-9.** The council discussed the proposed resolution. After discussion, Cook moved to approve Resolution No. 0215-9, Overbeck seconded and all voted aye.

i. **Academy Properties Agreement.** Mayor Hinz opened the public hearing to hear comments and concerns relating to the TIF backed Development Agreement with Academy Properties, LLC at 8:02 p.m. Helander noted this agreement was calculated with the rollback. He added the last discussions with the developer were to break ground in the spring. He noted the initial estimated valuation was $750K, noting now the developer feels it will be closer to $900K. The public hearing closed at 8:15 p.m.

j. **Resolution No. 0215-10.** Cook moved to table resolution No. 0215-10, approving the Development Agreement with Academy Properties until answers to additional questions could be obtained from the bonding attorney, Overbeck seconded and all voted aye.
k. **FY 15-16 Salaries.** Norton asked Mayor Hinz if he has done any evaluation of the employees. Mayor Hinz noted he has not yet, but is working on it. Mayor Hinz noted it seems the average is 3%, but has seen 2 1/2% - 3% recommended around. He asked the Council for their thoughts, adding the cost of living has gone up 1.8% and inflation was 2.5%. He noted 3% would keep up with inflation. Mayor Hinz asked the council to think about it and have this as an agenda item on the mid-month February meeting so the numbers are in place when the budget is approved. Peebler noted since 3% is in the budget and looking at all things, 3% is alright with him. Norton noted he is leaning towards 2.5%.

**OLD BUSINESS**

a. **Wood Watermain Project.** Mayor Hinz opened the public hearing to hear comments and concerns relating to the plans, specifications, form of contract and estimate of cost for the Wood 1st and 2nd Water Main Improvements at 8:29 p.m. Louie Stolba, 495 Mary Jo Avenue asked if the city was going to repair his irrigation system. The Council asked if it is in the city’s right-of-way. Mayor Hinz advised him the city would not be paying the cost to replace the system, as it should not be in the right-of-way. Mr. Stolba asked if he could replace it himself which the city said they would discuss after the project was done. Marlene Mentzer, 380 Mary Jo Avenue asked who will put the meter in and who owns it. Pickart noted the City of Cedar Rapids will install the meter and will maintain ownership of the meter. She added the property owner will need to pay a deposit on the meter. The public hearing closed at 8:37 p.m.

b. **Resolution No. 0215-7.** Overbeck moved to approve Resolution No. 0215-7, finally approving and confirming plans, specifications, form of contract and estimate of cost for the Wood 1st and 2nd Water Main Improvements, Norton seconded. On the vote, all voted aye.

c. **Bid Consideration.** Scott noted 7 bids were received for the water main project. She noted the early start date is March 1st, adding it is a 90 calendar day project. She added the late start date is June 1st, noting there are incentives to get the project done. If they get the job done by May 15th, the contractor will receive a $2,500 incentive and an additional $2,500 to get it done in 90 days. She added there are $500/day dis-incentives if not done on time. She added the city is doing the seeding and restoration; the contractor will bring in the black dirt and perform a final grade. Mayor Hinz noted we will need to provide the specs to finish it off, and decide who will seed, sod, or how we want it done.

d. **Resolution No. 0215-4.** Scott noted all but one of the easements has been received. Norton moved to approve Resolution No. 0215-4, awarding the contract to Pirc Tobin in the amount of $263,510.50, Cook seconded. On the vote, all voted aye.

Attorney Don Hoskins advised the Council of the findings relating to the petition received from the Laird neighbors. He noted the signatures received were 7% of the neighbors within 200’, which is short of the 20% to create a remonstrance. He added the normal majority vote would carry.

Overbeck moved to adjourn at 8:50 p.m., Cook seconded and all voted aye.

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Chuck Hinz, Mayor

**ATTEST:**

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Lori D. Pickart, City Clerk/Treasurer