

CITY HALL
EVANSDALE, IOWA, MAY 16, 2017
CITY COUNCIL
DOUG FAAS, MAYOR, PRESIDING

The City Council of the City of Evansdale, Iowa met in regular session, according to law, the rules of said Council and prior notice given each member thereof, in the Council Chambers of City Hall of Evansdale, Iowa at 6:00 P.M. on the above date. Council members present in order of roll call: Seible, Nichols Walker, and Loftus. Absent: Dewater. Quorum present.

Loftus/Walker to approve the May 16, 2017 agenda. Ayes-Four.

Mayors Presentation of the Bunger Middle School Students of the Month - April 2017 - Kayla Curtis, Deshon Johnson, Aidan Kelley, Kadence Hyde, Emma Poyner, Nathan Southard, and Noah Huffman.

Walker/Loftus to approve the following items on the May 16, 2017 consent agenda: a. Approval of May 2, 2016 regular meeting minutes as amended by correcting the statement in paragraph five under discussion, 2nd to the last sentence to read, Councilman Nichols questioned access of three approaches on the east side of the 600 block of River Forest Road. b. Accept and place on file the minutes and reports from the following Departments, Boards, and Commissions (n/a = not available): Ambulance & Fire Report (April), Building Inspection Report (April), Clerk/Treasurer Report (April), Code Enforcement Report (April), Evansdale Municipal Housing (April), Library (Apr), Parks & Rec Dept. (April), Planning & Zoning (Feb, Mar), Police Dept. (Apr), Storm Water Commission (n/a), and Water Works (April). c. Liquor License: i. Waterhawks Ski Club, expires 06/02/17 ii. Hoochies, Inc., Expires 06/25/17. Roll call vote: Ayes-Four.

Loftus/Seible to approve Resolution 6069 authorizing payment of bills and transfers. Councilman Seible questioned expenditures for Firehouse. Mayor Faas responded that it was approved several months ago, along with hiring part-time EMT. Roll call vote: Ayes-Four.

Walker/Loftus to approve Resolution 6070 approving release of retainage to Peterson Contractors, Inc., Reinbeck, IA, for the Norma Avenue Extension Project in the amount of \$6,312.26. Roll call vote: Ayes-Four.

Nichols/Loftus to approve Resolution 6071 approving release of retainage to Peterson Contractors, Inc., Reinbeck, IA, for the Dubuque Road Bridge Repair Project in the amount of \$18,677.91. Councilman Seible questioned the timing of the submittal of invoices. Roll call vote: Ayes-Four.

Walker/Seible to approve Resolution 6072 approving preliminary plans, specifications, form of contract and preliminary cost estimate for the Colleen Avenue Cul-de-sac Project; and setting date of bid letting for June 1, 2017 at 2:00 p.m. and of public hearing June 6, 2017 at 6:00 pm; and authorizing engineer to advertise for bids for said project. Councilman Nichols questioned the need for the project when several other roads are in disrepair. Jerry Shoff, CGA, explained that since the sub soil under the road was clay, it would continue to deteriorate. John Peverill, 543 East End Ave., questioned who originally engineered street. Mayor Faas responded that he wasn't certain.

Roll call vote: Ayes-Three. Nays-One (Nichols).

Seible/Walker to approve Resolution 6073 approving preliminary plans, specifications, form of contract and preliminary cost estimate for the 2017 Street Rehabilitation Project; and setting date of bid letting for June 1, 2017 at 2:00 p.m. and of public hearing June 6, 2017 at 6:00 pm; and authorizing engineer to advertise for bids for said project. Councilman Seible stated that he wasn't in favor of the north Roosevelt project. Jerry, CGA, explained the repairs that needed to be made and that the cost of those repairs would be similar in price, he also stated that once bids were received that the project could be amended. Loraine Atkins, 625 River Forest Rd., questioned repairs needed on 3rd Ave. Mayor Faas responded that the project is in the works as well. Roll call vote: Ayes-Three. Nays-One (Nichols).

Nichols/Loftus to approve Resolution 6074 approving preliminary plans, specifications, form of contract and preliminary cost estimate for the Elk Run Creek Flood Control Project; and setting date of bid letting for June 1, 2017 at 2:00 p.m. and of public hearing June 6, 2017 at 6:00 pm; and authorizing engineer to advertise for bids for said project. Councilman Walker questioned when the repairs would be made to the trail at Meyers Lake to prevent flooding to the homes in that area. Jerry, CGA stated that the project includes a duct valve for the Meyers Lake culvert. Walker responded that the sidewalk needed to be raised. Mayor Faas stated that the trail is a different issue and the city needed to look further into it. Loraine Atkins, 625 River Forest Rd., questioned why homes were built in the flood plain. Mayor Faas responded that FEMA is updating the flood map. Roll call vote: Ayes-Four.

Walker/Seible to approve request to amend a professional services agreement with Clapsaddle-Garber Associates in the amount of \$9,900 to include construction services for Ellendale sanitary sewer, Ellendale/Evans storm sewer, and Norma Ave. cunette, and authorize Mayor to sign said agreement. Councilman Seible questioned the cost of the project. Jerry, CGA, stated that the Ellendale Project had changed five times and was engineered four times at the councils request and that the intersection of Ellendale and Evans is a small portion of the costs. Councilman Nichols stated that there is a similar issue at the corner of Trail and Evans. Jerry stated that he would review that area as well. Ayes-Four. Motion carried.

Seible/Loftus to approve request to enter into a professional services agreement with Clapsaddle-Garber Associates in the amount of \$29,800 for plan preparation and bidding assistance for the 2017 Street Maintenance & Patching Project, and authorize Mayor to sign said agreement. Ayes-Four. Motion carried.

Walker/Loftus to approve Resolution 6075 setting date of public hearing for FY2017 budget amendment. Roll call vote: Ayes-Four.

Loftus/Walker to approve Resolution 6076 setting the date for a public hearing on proposal to enter into a General Obligation Corporate Purpose Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,100,000. Roll call vote: Ayes-Four.

Walker/Loftus to approve Resolution 6077 setting date for public hearing on urban renewal plan amendment for the Home Acres Urban Renewal Area. Roll call vote: Ayes-Four.

Loftus/Seible to approve Resolution 6078 setting date for public hearing on urban renewal plan amendment for the East Heights Urban Renewal area. Councilman Nichols questioned why we are amending urban renewal plan. Mayor Faas responded that we are utilizing the TIF areas for the road construction and purchase of dilapidated buildings and once you utilize a TIF district, per legislative change in 2012, you must amend the TIF district. Roll call vote: Ayes-Four.

Loftus/Nichols to approve Resolution 6079 setting date for public hearing on urban renewal plan amendment for the Northwest Urban Renewal Area. Roll call vote: Ayes-Four.

Walker/Seible to approve request from Community Days Committee to close Lafayette Road from the east side of Sippel Ave. to the west side of Evans Rd. on July 29th from 8:00 a.m. to 5:00 p.m. Ayes-Four. Motion carried.

Walker/Seible to approve request from Lofty's to close Lafayette Rd from Sippel Avenue to River Forest Road from 8:00 a.m. to 11:00 a.m. for motorcycle Ride & Drive on July 15, 2017. Ayes-Four. Motion carried.

Walker/Seible to approve as amended by adding with the exception of city owned property and parks Resolution 6080 authorizing the use of fireworks within the City of Evansdale. Mayor Faas explained the recent senate change and that the council would have to decide if they want to allow the personal use of fireworks in the city. The Mayor stated the dates as senate file 489 states: A person shall not use or explode consumer fireworks on days other than June 1st through July 8th and December 10th through January 3rd of each year, all dates inclusive. A person shall not use or explode consumer fireworks at times other than between the hours of 9:00 a.m. and 10:00 p.m., except that on the following dates consumer fireworks shall not be used at times other than between the hours specified: Between the hours of 9:00 a.m. and 11:00 p.m. on July 4th and the Saturdays and Sunday immediately preceding and following July 4th. Between the hours of 9:00 a.m. on December 31st and 12:30 a.m. on the immediately following day. Between the hours of 9:00 a.m. and 11:00 p.m. on the Saturdays and Sunday Immediately preceding and following December 31st. Councilman Seible questioned the use of fireworks on city property during events. Mayor Faas responded that events for the city are a separate condition. Councilman Walker questioned the Fire Chiefs opinion. Ryan Phillips, Fire Chief stated that he didn't have any concerns. Councilman Nichols stated that past events with fireworks had led to damage to buildings and cars. Chief Jensen stated that he wasn't concerned about passing the resolution as it would be easier to enforce with the set guidelines. Nichole Huse, 470 River Forest Rd., questioned the City Attorney if passing the resolution would increase the cities liability. Laura Folkerts, City Attorney stated that the liability would be in place by the homeowner. Darrell Loveless, 930 McCoy Rd., stated that it should be made lenient enough for the police force to enforce. Mayor Faas responded that we should keep the residents in mind, if they can purchase them, we should allow them to utilize them. Laura Folkerts, City Attorney stated that she would recommend amending ordinance to include the provision to use fireworks on personal property. Seible stated that we should allow personal use on personal property. Councilman Walker questioned if we could amend code if it is determined to not be beneficial in the city. Mayor Faas responded yes. Roll call vote: Ayes-Four.

Discussion-UTV Ordinance. The Mayor stated the outline of the ordinance and asked for the

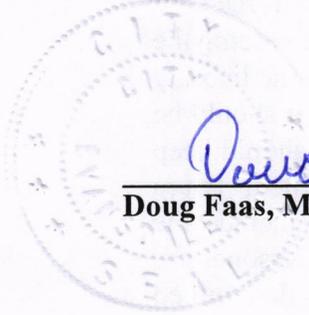
opinion of the council. Councilman Nichols stated that of the ten people he talked to only two were for in favor. Councilman Walker stated that people are currently violating golf cart ordinance by driving on nature trail; he stated that he wasn't in favor of the ordinance. Cindy Kern, 1100 Toriver Rd., stated encouragement to the council to pass the ordinance allowing UTV's in the city. Councilman Seible expressed concern with speeding after hearing from Mr. Brown from Elk Run Heights state "how fast they go". Marcus Norman, 402 Mc Coy Rd. Elk Run Heights, stated that if ordinance was passed they would have to obey the same rules as anyone driving a car, violators would be fined; he also stated that it would be economically beneficial to the city to allow the UTV's. Nichols is not in favor of the ordinance. Seible stated that he hasn't heard of enough residents in favor of the ordinance. Loftus was in favor of the ordinance. Walker stated that it would only be fair to bring it back to the table as an ordinance. Mayor Faas stated that it would be on the next agenda.

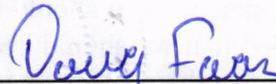
Public discussion: non-agenda items. John Peverill, 543 East End Ave., stated that the ash trees at Bunger Park that had been tagged to cut down are doing quite well. Loraine Atkins, 625 River Forest Rd., questioned the library board selling books and some of the funds being donated to Evansdale Economic Development; she also is concerned about the number of pole buildings in the city that have been built higher than our zoning ordinance allows. Dave Hillman, 605 River Forest Rd., stated his concern with the angle of his driveway that was installed during the reconstruction. Mayor responded that we were in the area last week with Iowa Saw and we would have addressed your driveway, but we hadn't heard anything from you. Cindy Kern, 1100 Toriver Rd., questioned if the city could get involved with abating the house at 1101 Toriver Rd., that is falling apart and abandoned. Mayor Faas responded that he would discuss the situation with code enforcement. Councilman Seible questioned the following: revenue the city received and where it went for the equipment that was scraped, EMT pay, and code enforcement. Mayor responded that it was deposited in general fund. DeAnne Kobliska, City Clerk, stated that it was deposited into street funds in the amount of almost \$1,000.

Mayor/Council reports. Mayor Faas stated that the curbs cuts requested were completed; he also again asked for names from council members for the comprehensive plan committee; weather permitting the asbestos should be removed and building demolished at 3573 Lafayette Rd. within the next week.

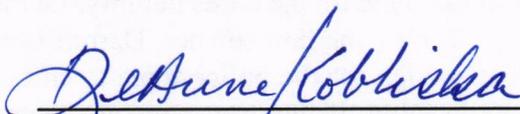
There being no further discussion, Loftus/Seible to adjourn the meeting at 7:46 p.m. Motion carried.

ATTEST:





Doug Faas, Mayor



DeAnne Kobliska, City Clerk