

CITY HALL
EVANSDALE, IOWA, MAY 21, 2019
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, Bender, Walker, Loftus, and Dewater. Quorum present.

Walker/Dewater to approve May 21, 2019 agenda as amended by removing item No. 20 approving MOU with Royal Investments. Ayes-Five. Motion carried.

Seible/Loftus to approve the following items on the May 21, 2019 consent agenda. a. Approval of May 7, 2019 regular meeting minutes. b. Accept and place on file the minutes and reports from the following Departments, Boards, and Commissions (n/a = not available): Ambulance & Fire Report (March/April), Building Inspection Report (April), Clerk/Treasurer Report (March/April), Code Enforcement Report (April), Evansdale Municipal Housing (April), Library (April), Parks & Rec Dept. (April), Planning & Zoning (March), Police Dept. (April), Storm Water Commission (n/a), and Water Works (April). c. Liquor License: (i) Hoochies, Inc. – LC0032024 – Ownership Change. (ii) Hoochies, Inc.-LC0032024-Renewal-Effective 06/25/2019. Roll call vote: Ayes-Five.

Bender/Loftus to approve Resolution 6317 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Walker/Seible to open the Public Hearing on proposed rezoning of land located South of 4302 Lafayette Road from “U-1” Unclassified and “R-1” Residential Districts to “P-D” Planned Development District at 6:02 p.m. Ayes-Five. Motion carried. Proof of publication on file, no public comments were received. Mayor Faas explained the purpose for rezoning the property and what the developer’s intentions were. Ron Nichols, 1120 Evans Rd., questioned the zoning change a couple years back. Faas responded that the developer did rezone a portion of the property but did not continue with his plans. Loftus/Bender to close the public hearing at 6:03 p.m. Ayes-Five. Motion carried.

Seible/Dewater to approve the first reading of Ordinance 663 approving the rezoning of land located South of 4302 Lafayette Road from “U-1” Unclassified and “R-1” Residential Districts to “P-D” Planned Development District. Roll call vote: Ayes-Five.

Walker/Dewater to suspend requirements for two (2) subsequent readings. Roll call vote: Ayes-Five. Motion carried.

Loftus/Seible to approve motion to adopt Ordinance 663 approving the rezoning of land located South of 4302 Lafayette Road from “U-1” Unclassified and “R-1” Residential Districts to “P-D” Planned Development District. Roll call vote: Ayes-Five. Motion carried.

Loftus/Dewater to approve the first reading of Ordinance 664 amending provisions pertaining to fireworks. Mayor Faas explained that fireworks would only be allowed on July 4-5 and December 31st. The hours they will be allowed will be July 4th noon to 11:00 p.m., July 5-6 Noon – 10:00 p.m. December 31st Noon to 12:30 a.m. Roll call vote: Ayes-Five.

Dewater/Seible to suspend requirements for two (2) subsequent readings. Roll call vote: Ayes-Five. Motion carried.

Loftus/Walker to approve motion to adopt Ordinance 664 amending provisions pertaining to fireworks. Roll call vote: Ayes-Five.

Dewater/Bender to approve Resolution 6318 approving the final plat for Mark's First Addition. Roll call vote: Ayes-Five.

Seible/Loftus to approve request from Public Works Director to purchase a new conveyor system for sand/salt application on unit #53 in the amount of \$3,650 from Don's Truck Sales. Councilor Seible questioned why the conveyor was needed. Chris Schares, Public Works, stated that the current conveyor was worn and could no longer be utilized. Ayes-Five. Motion carried.

Walker/Bender to approve request from Public Works Director to increase the scope of work on Ellendale Drive to include an additional 240 linear feet at the original quote price with ASPRO at \$60.29 per linear feet for a total amount of \$14,469.60. Councilor Seible questioned why it was not included in the original quote. Mayor Faas stated that once public works began grading the street, they realized how worn the asphalt was on both the Elmer Ave. and Evans Rd. sides and that the current asphalt wouldn't last another year. Ayes-Five. Motion carried.

Dewater/Bender to approve request from Public Works Director to complete the flooring in building #3 with a concrete slab with B & B Builders in the amount of \$31,327.75. Mayor Faas went over the estimates and explained that public works would complete a lot of the prep work. Councilor Seible wasn't in favor of the project and could find more efficient ways to spend the city's funds. Chris Schares, Public Works Director stated that the buildings were built in the 90's and that all the buildings were concreted, heated, and lit in stages, except for building No. 3. Loraine Atkins, 715 Central Ave., wasn't in favor of the project. Councilor Walker questioned what funds would be utilized. Faas responded road use funds and that it didn't affect the levy rate. Mark Atkins, 909 3rd Ave., wasn't in favor of the project as streets in his subdivision needed to be addressed. Seible stated that the city needed a capital improvement plan in place. Ayes-Three. Nays-Two (Seible, Bender). Motion carried.

Bender/Seible to approve Resolution 6319 approving the adoption of the Small Cell Wireless Facilities Policy. Mayor Faas explained the FCC ruling that the small cell wireless facility, similar to a TV dish but smaller, ruled that they can be placed in city rights-of-way but has given the right to the city to restrict the design and charge for the use of the rights-of-way. Councilor Dewater questioned if we had the right to reject the design and would the city have to set parameters of the design. Faas responded yes. Councilor City Attorney Folkerts stated that there is a fee for the installation upwards of \$500 and an annual fee for the usage of the rights-of-way and the city has to have the policy in place to control the aesthetics of the design and that they are foreseeing that cable TV will be gone in the next ten (10) years and residents will be streaming TV from the small cell facilities. She also stated that the policy was a compilation of the City of Cedar Falls and Waukee's policies. Roll call vote: Ayes-Five.

Seible/Bender to approve request from Wastewater Foreman to extend the completion date of the Contract for Arbutus Lift Station Rehabilitation Project from June 1, 2019 to June 22, 2019. Ayes-Five. Motion carried.

Seible/Bender to open Public Hearing-FY19 Budget Amendment at 6:23 p.m. Ayes-Five. Motion carried. Proof of publication on file, no public comments were received. Loftus/Seible to close public hearing at 6:24 p.m. Ayes-Five. Motion carried.

Seible/Dewater to approve Resolution 6320 approving FY19 Budget Amendment, No. 2. Roll call vote: Ayes-Five.

Discussion/Possible action: Park Board Ordinance Amendment. Mayor Faas stated that the ordinance included in your packet shows proposed language the park board suggested and after that was the language the attorney suggested. Councilor Seible questioned city attorney for layman terms. Attorney Folkerts responded that the library board of trustees and the water works board of trustees has the authority to employ, oversee, set compensation, and dismiss their employees and the parks department

has seasonal employees as well but the ordinance doesn't specify that they have authority over those employees. Attorney Folkerts suggested ordinance changes would comply with the collective bargaining agreement as well as the new seasonal employee that is being hired to oversee all parks except for Deerwood Campground and the parks department would continue to oversee the campground employees. Tom Nichols, 616 Grand Blvd., stated that he wasn't made aware that the ordinance was on the agenda tonight otherwise park board members would be present. He claimed that back in the 60's and 70's the park board hired and oversaw their seasonal employees that mowed the parks and it changed when they decided to hire contractors to do the mowing. The contracted mowing agreement was not working so we decided to hire a seasonal employee to do the mowing and park maintenance. Tom questioned why it mattered if the employee was a union employee or not when it came to their supervision. Nichols claimed there was a breakdown in communication between the Mayor and the city employees, so by amending the ordinance it gives the board authority over park employees. Councilor Seible questioned why the board didn't go back to contract mowing. Councilor Walker stated the board could hire the city as its mowing contractor. Nichols stated that he would have to present it to the board. Councilor Dewater stated that he wasn't prepared to make any ordinance changes for the parks department and thought that the ordinance needed to be tightened up. Mark Atkins, 909 3rd Ave., stated that Bunger park appears to be abandoned and its one of the best parks the city owns.

Public discussion: non-agenda items. Jurly Nichols, 1120 Evans Rd., stated that she wasn't in favor of the Dollar Tree building and the way the building faced wasn't up to code. Rodney Frickson, 911 Central Ave., questioned the height of the overlay on Ellendale and that the street was a lot higher than the driveways and the road needed to be reduced. Loraine Atkins, 715 Central Ave., #203, questioned why handicap access was not installed when the new sidewalks were installed. Mayor Faas responded that there were several handicap access locations to include one at the end of building if she were to use this entrance.

Mayor/Council Reports. Mayor Faas stated that McClure Engineering would present their design options at the June 18th meeting and he wanted council to review the options set out before them that would include upgrading current plant, relocating plant, or combining our wastewater plant with Elk Run Heights/Raymond. Councilor Seible wanted clarification on the increase for the wastewater plant upgrades at the \$2.50 per month per year when we just increased two years ago. He also questioned if the \$2.50 per month would increase again in the next fiscal year and for five years thereafter. Faas responded that it would increase \$2.50 per month every year thereafter for five years and the last increase, two years ago, was to cover increased costs of operations. Seible also questioned if Black Hawk County was declared a flood event with recent flooding. Faas responded that it was for homeowners only.

There being no further discussion, Dewater/Loftus to adjourn the meeting at 7:36 p.m. Ayes-Five. Motion carried.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk