

CITY HALL
EVANSDALE, IOWA, JUNE 16, 2020
CITY COUNCIL
TROY BEATTY, 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: Dewater, Seible, Bender, Walker, and Beam. Quorum present.

Seible/ Walker to approve the June 16, 2020 agenda. Ayes-Five. Motion carried

Public Discussion: Loraine Atkins, 715 Central Ave., #203, questioned the noise activity during the protest. Mayor Beatty responded that Chief Dean and himself met and agreed to allow the protestors choose what time of day they would arrive, and the city did their best to keep it a peaceful event. Mark Atkins, 909 3rd Ave., questioned why the drainage system in the heights has not been maintained properly. Public Works Director Schares responded that the storm water drains were reviewed and cleaned and that there wasn't an issue at this time with the drains.

Walker/Dewater to approve the following items on the June 16, 2020 consent agenda. a. Approval of June 2, 2020 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 (April), Building Inspection Report (May), Clerk/Treasurer Report (May), Code Enforcement Report (May), Evansdale Municipal Housing (n/a), Library (May), Parks & Rec Dept. (March/April), Planning & Zoning (April), Police Dept. (May), Storm Water Commission (n/a), and Water Works (March/May). c. Liquor License Renewals: Evansdale Amvet Post #31 – LA000332 – effective 07/22/2020; d. Cigarette Permit Renewals (July 1, 2020-June 30, 2021). 1. Casey's General Store, Lafayette Road; 2. Casey's General Store, River Forest Road; 3. Fareway, Evans Road; 4. Pilot Travel Center-Flying J, Evansdale Drive; 5. Station Mart, Lafayette Road; 6. Kwik Star, W Gilbert; 7. Dollar General, Lafayette Road; 8. Station Mart #2, River Forest Road; 9. Ray's Supermarket #2, Lafayette Road. Roll call vote: Ayes-Five.

Seible/Beam to approve request to approve the City's three (3) year contribution to the Hartman Reserve Nature Center Storm Water Education Program in the amount of \$411.76 annually as budgeted. Ayes-Five. Motion carried.

Dewater/Walker to approve New Liquor License: Casey's General Store #1084 – Effective date 07/01/2020. Ayes-Five. Motion carried.

Seible/Beam to approve Resolution 6419 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Walker/Dewater to approve Resolution 6420 approving compensation for FY2021. Mayor Beatty discussed the increases in salary and the plan for the next budget. Roll call vote: Ayes-Five.

Dewater/Seible to approve Resolution 6421 authorizing the transfer of funds in the amount of \$4,644 as repayment of a loan agreement between the New Housing TIF and Home Acres TIF districts. Roll call vote: Ayes-Five.

Dewater/Walker to approve Resolution 6422 approving the amendment to the Operation of all-terrain vehicles on City Streets. Mayor Beatty stated that it currently was legal to drive ATV's in

the city as stated in Evansdale Code of Ordinance Chapter 75, however, the ordinance states that council may designate roadways allowed for ATV travel by resolution. John Peverill, 543 East End Ave., questioned if the motorist would have to be licensed, what streets are allowed, hours of operation, and how many passengers were allowed. Mayor Beatty responded that the city would mirror Chapter 82 – UTV code for equipment requirements and regulations. Councilor Seible stated that he would like to see the insurance requirement increased from the \$1,500 stated in the current code. Mayor Beatty responded that the code was stating the dollar amount limit to when the accident had to be reported to law enforcement. Councilor Walker stated that he wasn't in favor of the ATV 3 weeks ago, however, he had been watching the local traffic and noticed a lot of younger kids on mopeds riding to close to one another and decided that the residents that want the use of ATV's are responsible people that will control their actions. Councilor Beam stated that the ATV is not recommended for hard surface roads. Mark Atkins, 909 3rd Ave., stated that when Evansdale Code Chapter 82 was passed it was questioned if ATV's would be allowed and he was told no they would not. Beatty responded that ATV's were always included in Chapter 75 and that we are only approving designated streets at this time. Atkins stated that he wasn't in favor of allowing ATV's in our city. Beatty again stated that they were already allowed we are only designating the streets at this time. Tammy Causevic, 1170 Timberline Dr., stated that liability insurance for an ATV is the same as your auto insurance liability, if you were in an accident and hit a light pole your liability insurance covers the liability; they are easy to drive, good on gas and ATV owners are responsible people. Walker stated that we were here to designate streets, that's it. Councilor Dewater stated that we don't have an issue with ATV's in the City, and they appear to be a lot of fun. Roll call vote: Ayes-Four. Nays-One (Beam).

Walker/Seible to approve Authorizing Mayor to sign Memorandum of Understanding and grant application with INRCOG for grant writing services for REAP grant for the River Road Boat Dock Project. Ayes-Five. Motion carried.

Walker/Beam to approve the FY19 Audit. Mayor Beatty stated that the audit was approximately \$1,000 more than usual as there were citizens and council that were questioning city transactions that was above and beyond normal auditing standards. The city audit has been posted and there weren't any major findings for the city. Ayes-Five. Motion carried.

Walker/Dewater to approve reciprocation of UTV permits with the cities of Elk Run Heights and Raymond. Councilor Walker stated that he would like to see the rules and permit fees uniform throughout each city. Ayes-Four. Nays-One (Beam). Motion carried.

Walker/Beam to approve request to place Front Mount Loader Plow/Wing Combo list for sale for \$11,500 until sold. Ayes-Five. Motion carried.

Dewater/Seible to approve request from Wastewater Foreman to accept the lowest bid from Primrose Heating & Air Conditioning in the amount of \$1,353.10 for the gas line connection for the Arbutus/East End Lift Station Generator Project. Ayes-Five. Motion carried.

Walker/Beam to approve request from Wastewater Foreman to accept the lowest bid from Nelson Electric in the amount of \$16,105 for the electric installation for the Arbutus/East End Ave. Generator Project. Ayes-Five. Motion carried.

Walker/Beam to approve request from Public Works Director to approve a change order in the amount of \$450 for additional roadway and curb replacement for the storm water intake repair project at Boelling Ave. #5/#6. Chris Schares, Public Works director, stated that an additional 2 ½

feet of concrete was needed. Ayes-Five. Motion carried.

Walker/Bender motioned for the City not to mow the ditch on 6th Street. Councilor Seible stated he was in favor of mowing the ditch. Mayor Beatty wanted to caution the council on approving the mowing of resident's easements as where will the line be drawn with others throughout the city. Councilor Dewater responded that we didn't have any other issues similar in the city. Councilor Walker stated that he wasn't in favor of mowing the ditch. Mark Atkins, 909 3rd Ave., stated that when the homeowner purchased the property, he was promised the ditch would be maintained by the city and later received a letter from the City Attorney stating as much. Councilor Dewater questioned if the letter was available as it may make a difference for his vote. Ayes-Three. Nays-Two (Dewater and Seible). Motion carried.

Dewater/Seible to approve removal of tree located at 920 Mc Coy Road after homeowner has dropped the tree. Mayor Beatty discussed an email received today from MidAmerican Energy regarding trees on a property located on 5th street in the Heights wanting to know if we were going to take them down. The city easement on this property was only about three (3) feet, so if we start making concessions on the removal of trees not in the city easement, we may have bigger issues as Ash trees continue to die. Councilor Beam stated that a city employee told the homeowner that it was within the city easement. Mayor Beatty responded that the city employee stated that the city easement is usually ten to twelve feet. Councilor Walker stated that he was not in favor of removing the tree if the homeowner wasn't willing to work with us. Councilor Dewater asked the homeowner if he would get the tree dropped and the city would consider hauling it away, and he wasn't in agreement. Ayes-Two. Nays-Three (Bender, Walker, and Beam). Motion denied. Beam/Bender to decline the removal of tree located at 920 Mc Coy Road. Ayes-Three. Ayes-Two. Motion carried.

Mayor/Council Reports: Mayor Beatty stated that he had a meeting last week with the DNR and that it appeared they would extend the NPDES progress report to November 2020. He also stated that there was misconception regarding immediate regionalization as that is several years out and we clarified that we would become a customer of the City of Waterloo Wastewater dept. first. He also stated that he reached out to Mayor Hart and asked if an Information Systems employee from Waterloo could help us with our audio/video issues. We received a response already they will try to get issues worked through for the city. He also stated that the city health insurance was changed from the PPO to HMO, however, the Police union employees have not. Councilor Dewater questioned the renovations to the garage that had been purchased on 5th Street in the heights. Mayor Beatty responded that the owner was turning it into living space and that Brian Wirtz, Building Inspector had been working with him, but would check with our city attorney on any issues. Councilor Walker questioned if the Aten business was still in operation. The Mayor responded that the Iowa Secretary of State website showed it hadn't been in business since 2008.

There being no further discussion, Walker/Seible to adjourn the meeting at 7:16 p.m. Motion carried.

ATTEST:

Troy Beatty, Mayor

DeAnne Kobliska, City Clerk