

CITY HALL
EVANSDALE, IOWA, JUNE 20, 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: Walker, Loftus, Dewater, Seible, and Nichols. Quorum present.

Nichols/Seible to approve the June 20, 2017 agenda. Ayes-Five. Motion carried.

Loftus/Seible to approve the following items on the June 20, 2017 consent agenda: a. Approval of June 6, 2017 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 (May), Building Inspection Report (May), Clerk/Treasurer Report (May), Code Enforcement Report (May), Evansdale Municipal Housing (May), Library (May), Parks & Rec Dept. (May), Planning & Zoning (April), Police Dept. (May), Storm Water Commission (n/a), and Water Works (May). c. New Liquor License – Evansdale Chamber of Commerce – two-day event only, Class A Liquor License. d. Request from Water Hawks for fireworks display for July 7 & 8, 2017 on property located at 100 Water Hawk Lane. e. Cigarette Permits Renewal (July 1, 2017 – June 30, 2018): I. Casey's General Store, Lafayette Road II. Casey's General Store, River Forest Road III. Dollar General Store IV. Evansdale Amvets Post 31 V. Fareway Stores, Inc. VI. Kwik Star VII. Pilot Travel Centers VIII. Pronto Market IX. Station Mart Liquor & Tobacco, Lafayette Road X. Station Mart Liquor & Tobacco II, River Forest Road. Roll call vote: Ayes-Five.

Seible/Walker to approve Resolution 6087 authorizing payment of bills and transfers. Seible questioned repairs to police vehicles, tree removal gear purchase, cost of pulling sewer pumps, and sand bags. Roll call vote: Ayes-Five.

Dewater/Walker to approve Resolution 6088 approving tax abatement for property located at 744 2nd Avenue. Roll call vote: Ayes-Five.

Dewater/Loftus to approve Resolution 6089 approving 6th payment to Peterson Contractors, Inc., Reinbeck, Iowa for the River Forest Road Reconstruction Project in the amount of \$118,970.33. Seible questioned if final payment, Mayor responded no. Loraine Atkins, 625 River Forest Rd., questioned the repair of her mailbox, and the grass seeding. Roll call vote: Ayes-Five.

Nichols/Loftus to approve Resolution 6090 approving 6th payment to Vieth Construction Corp. of Cedar Falls, IA, for the River Forest Road Levee Trail Project in the amount of \$7,973.89. Jerry Shoff, CGA, stated that both projects are subject to IDOT audit. Roll call vote: Ayes-Five.

Loftus/Seible to approve Resolution 6091 approving the proposed plans, specifications, form of contract, cost estimate, and accepting low bid for the project in the amount of \$74,388.58 to All Seasons Underground, and authorizing Mayor to sign said documents for the Elk Run Creek Flood Control Project. Nichols questioned if this will stop water from going onto W. Gilbert Drive. Shoff responded yes and that it will bring it up to just below the 100-year flood elevation. Shoff also discussed the project details, completion time, and contractor's verification of insurance and performance bond. Roll call vote: Ayes-Five.

Discussion: River Forest Road Project. Mayor Faas stated dissatisfaction with the contractor's performance taking the access road back to original condition. Shoff responded that they will be repairing and reseeding the access road area. Nichols stated that some mailboxes should be moved, as their placement is causing an illusion when resident(s) enter/exit driveway. Shoff responded that it would be considered. Loftus stated that the alley behind the Pronto is full of pot holes and needs to be addressed. Glenda Jones, Pronto Convenience Store, questioned if the northwest side of their entrance would be lengthened as they have received a lot of complaints and have lost business because of the reduced entryway and may have to seek legal counsel. Shoff responded that it is unfortunate but when the DOT is paying for 80% of the project we must abide by their rules.

Discussion/Action: 2017 Street Patching and Maintenance Project. Mayor Faas explained his recommendation as possibility three (3). Seible questioned who authorized the repair to Doris Drive and if the city has contacted Flying J to help with the repair costs. Mayor responded Schares and myself and that the city has maintained Doris Drive for several years and it would result in costly legal fees to pursue Flying J paying for the repairs.

Walker/Dewater to approve Resolution 6092 approving proposed plans and authorize CGA to prepare preliminary plans and specifications for the 2017 Street Patching and Maintenance Project. Roll call vote: Ayes-Three. Nays-Two (Seible, Nichols).

Loftus/Walker to open Public Hearing-Proposed Amendment to the Northwest Urban Renewal Area at 6:47 p.m. Proof of publication on file. No comments received. Walker/Loftus to close Public Hearing-Proposed Amendment to the Northwest Urban Renewal Area at 6:47 p.m. Ayes-Five. Motion carried.

Dewater/Walker to approve Resolution 6093 to approve Urban Renewal Plan Amendment for the Northwest Urban Renewal Area. Roll call vote: Ayes-Five.

Walker/Loftus to open Public Hearing-Proposed Amendment to the Home Acres Urban Renewal Area at 6:48 p.m. Proof of publication on file. No comments received. Loftus/Dewater to close Public Hearing-Proposed Amendment to the Home Acres Urban Renewal Area at 6:48 p.m. Ayes-Five. Motion carried.

Seible/Walker to approve Resolution 6094 to approve Urban Renewal Plan Amendment for the Home Acres Urban Renewal Area. Roll call vote: Ayes-Five.

Walker/Dewater to open Public Hearing-Proposed Amendment to the East Heights Urban Renewal Area at 6:49 p.m. Proof of publication on file. No comments received. Loftus/Dewater to close Public Hearing-Proposed Amendment to the East Heights Urban Renewal Area at 6:50. Ayes-Five. Motion carried.

Walker/Dewater to approve Resolution 6095 to approve Urban Renewal Plan Amendment for the East Heights Urban Renewal Area. Roll call vote: Ayes-Five.

Walker/Loftus to open Public Hearing-General Obligation Corporate Purpose Loan Agreement at 6:50 p.m. Proof of publication on file. No comments received. Walker/Loftus to close Public Hearing-General Obligation Corporate Purpose Loan Agreement at 6:50 p.m. Ayes-Five. Motion carried.

Walker/Dewater to approve Resolution 6096 approving taking additional action on proposal to enter into a General Obligation Corporate Purpose Loan Agreement in an amount not to exceed \$2,000,000 and Water Improvement Loan Agreement in an amount not to exceed \$100,000. Roll call vote: Ayes-Four. Nays-One (Nichols).

Seible/Loftus to approve Resolution 6097 approving a loan agreement between the General Fund and Capital Projects in the amount of \$80,000 and authorizing City Clerk to transfer said funds. Seible questioned the transfer. Clerk Kobliska stated that the city is waiting on DOT funds, but in the meantime, we need a positive balance in fund. Once DOT funds are received funds are transferred back. Roll call vote: Ayes-Five.

Dewater/Seible to approve Ordinance 653 the establishment of an Off-Road Utility Vehicle Ordinance, second reading. Roll call vote: Ayes-Four. Nays-One (Nichols). Walker/Dewater to suspend the rules and waive the third reading of Ordinance 653. Roll call vote: Ayes-Four. Nays-One (Nichols) Walker/Seible to adopt Ordinance 653. Roll call vote: Ayes-Five.

Public discussion: non-agenda items. Loraine Atkins, 625 River Forest Rd., questioned why the May Planning & Zoning minutes were not included on agenda. Sandy Clements, P & Z chair, responded that the May minutes will be approved at the June 27th meeting. Loraine also stated that the city should follow OSHA rules while utilizing equipment. Mark Brown, Elk Run Heights, thanked the council for passing the UTV ordinance. Loraine questioned why the city has not published notice regarding the times that residents could use fireworks, as fireworks are being shot off all hours of the day and night. Mayor responded that Police Chief Jensen has posted signs with the fireworks retailer in town. Chief Jensen explained the difficulty in enforcing the fireworks, as once you hear them being shot off and go to the area you thought they were shot off, they are done. He also stated that the City of Waterloo only allows fireworks to be displayed for five days from the 30th of June and they have had over 100 complaints already. We will try to get the information out there as much as humanly possible. Dewater stated we would give it a trial run, but that usage of fireworks was ridiculous before we passed resolution, now it is out of control.

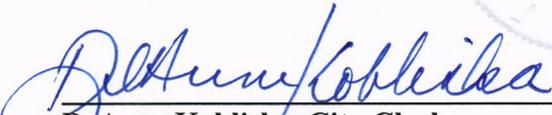
Mayor/Council Reports. Mayor stated that he still needed names for the comprehensive plan committee and if no names were received by Friday he will choose committee members himself. Mayor also discussed a sidewalk repair program that was brought to council by councilman Nichols at the last meeting. Brian with code enforcement has been reviewing sidewalks and so far, has addressed twenty-one (21) sidewalks that are a potential liability issue; Mayor explained to council that we would send notices out and wanted to know a timeline for repair, because if sidewalk is not brought into compliance the city would have to repair and access repairs to property owner(s) property taxes. Council agreed to sixty (60) days. Loraine Atkins, 625 River Forest Rd., stated that there is a sidewalk near Wellington Apartments that should be reviewed. Seible questioned how code enforcement was coming on nuisance abatements in the city. The Mayor responded that it would be beneficial to stop in or call Brian personally.

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

ATTEST:



Doug Faas, Mayor



DeAnne Kobliska, City Clerk

