

CITY HALL
EVANSDALE, IOWA, JULY 7, 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: Bender, Walker, Beam, Dewater, and Seible. Quorum present.

Seible/Beam to approve the July 7, 2020 agenda. Ayes-Five.

Mayor Beatty read proclamation declaring July 11, 2020 as 1-133d Infantry Regiment – Ironman Battalion Day.

Public Discussion: None

Seible/Walker to approve the following items on the consent agenda. a. Approval of June 16, 2020 meeting minutes and June 18, 2020 special meeting minutes. Roll call vote: Ayes-Five. Walker/Seible to amend the June 16, 2020 meeting minutes as Councilor Dewater stated that Jim Gerholdt of 920 McCoy Rd. was willing to have the tree cut down if the city removed tree and hauled it away. Roll call vote: Ayes-Five.

Seible/Beam to approve Resolution 6415 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Walker/Seible to approve Lofty's request to hold community event - Thunder Thursdays (bike night/show cars) every Thursday from July 16th – October 1st and utilize city roadway closure from Sippel to Brown from 6:00 p.m. – 10:00 p.m. Councilor Walker questioned if they were competing with Screaming Eagle for bike night. Mayor Beatty responded that the new owner wasn't going to continue the event. Ayes-Five. Motion carried.

Seible/Beam to approve Resolution 6424 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Walker/Beam to approve Resolution 6425 approving transfers for FY2020. Roll call vote: Ayes-Five.

Seible/Walker to approve Resolution 6426 authorizing publication of salaries and compensation of City officials and employees. Roll call vote: Ayes-Five.

Walker/Bender to approve Resolution 6427 setting date for public hearing on Urban Renewal Plan amendment for the East Heights Urban Renewal Area. Roll call vote: Ayes-Five.

Beam/Seible to approve Resolution 6428 setting date for public hearing concerning the proposed purchase of property. Roll call vote: Ayes-Five.

Beam/Dewater to approve Resolution 6429 approving compensation. Roll call vote: Ayes-Five.

Seible/Beam to approve a \$750 wage increase to both animal control officers after considering the increase in Animal Control wages: Mayor Beatty stated that since we are working with Elk Run Heights and are receiving that additional revenue that it should be shared with the animal control officer (ACO). Council Walker stated that he commended the mayor for sharing the increase in revenue with

the officer doing the work, however, there are two ACO's and it should be distributed evenly between the two. He also stated when Adams came on board as ACO, we reduced Schares wages from \$6,000 annually to \$1,000 and would like to see a split of \$1,000 to each officer annually. Councilor Seible questioned if Adams was going full-time as ACO. ACO Adams stated that it wasn't just herself that was working the ACO position, but Schares and I are equally sharing the day-to-day responsibilities of the position. She also stated that animal control has grown and is a respected department of the city and that they haven't spent any funds with the Cedar Bend Humane Society which has left more funds for the care of the animals. She requested that the increase be split by both AC officers. Seible questioned if she would eventually take the position full-time. Adams responded no. Councilor Seible moved to give both control officers \$750 each. Councilor Dewater stated that he was in total agreement. Chief Dean stated that since he had been on the force in Evansdale for over 20 years has not seen animal control run so smoothly. Mayor Beatty stated that he initially placed on agenda due to conversations he had previously regarding Adams salary and wage discussions hadn't included Schares as he received other benefits with his position. Ayes-Five. Motion carried.

Walker/Beam to approve Resolution 6430 approving compensation. Roll call vote: Ayes-Five.

Beam/Walker to approve the authorization of Mayor to sign Memorandum of Understanding between IBEW, Local Union 288 and the City for the amendment of union contract effective July 1, 2020 extending contract through June 30, 2024 clarifying labor grade positions, and increase of wages. Mayor Beatty discussed the amendments to include clarification in labor grade units and the tiered annual wage increases. Ayes-Five. Motion carried.

Beam/Seible to approve request to enter into an engineering agreement with McClure Engineering, Co. in the amount of \$25,000 for the wastewater treatment plant facility planning and expected meetings. Mayor Beatty explained that the city had went over their original agreement and it was difficult to estimate engineering costs going forward, but McClure would let us know when we were at 85% of agreement. Ayes-Five. Motion carried.

Dewater/Walker to approve the 1st reading of Ordinance 671 approving modification to Chapter 75 All-Terrain Vehicles, Utility Vehicles, Off-Road Motorcycles and Snowmobiles. Mayor Beatty stated that the resolution passed at the last meeting, designating streets, is still a part of this amended ordinance. Councilor Walker wanted to ensure that the 3-wheeled ATV would not be allowed as the Iowa Code still includes the 3-wheel in their definition. John Peverill, 543 East End Ave., questioned the equipment required, Beatty responded with the equipment list included in ordinance. Councilor Seible questioned the height of the flag as on a couple that he seen it didn't appear long enough. Councilor Beam questioned what was modified in the ordinance. Mayor Beatty responded that the UTV formally in Chapter 82 was now a part of this chapter. Walker also requested how Raymond was accessing the city. Mayor Beatty responded that they are allowed access from Lafayette to Plaza Drive. Walker also questioned the fee cost when reciprocating between the cities. Beatty responded \$20. Roll call vote: Ayes-Four. Nays-One (Beam).

Walker/Seible motion to suspend rules for second and third reading. Roll call vote: Ayes-Four. Nays-One (Beam).

Dewater/Walker motion to adopt said ordinance. Roll call vote: Ayes-Four. Nays-One (Beam).

Seible/Bender to approve the first reading of Ordinance 672 approving the repeal of Chapter 82 Off Road Utility Vehicles. Roll call vote: Ayes-Four. Nays-One (Beam).

Council to consider parking in grass ordinance: Mayor Beatty stated that there was concern throughout the residents regarding the parking of a utility trailer or camper to be parked behind their garage and without dumping a lot of rock in their yards, which would ruin their grass and it is really bogging down the code enforcement. He stated that Councilor Seible had worked on an amendment to this ordinance in the past and was willing to discuss it going forward. Councilor Seible responded that he would bring

it to the next meeting. Councilor Beam stated that it backfired as the yards have been ruined due to the abundance of rock that has been laid down. Councilor Walker stated that he had received phone calls from the residents, and they feel like the city has become the gestapo. John Peverill, 543 East End Ave., stated that when it was passed by Planning & Zoning it wasn't meant for the occasional use of the yard to wash their automobile or when they had visitors, it was meant for the habitual violators that were wearing out their front yards by parking in them. Walker stated that we had to be reasonable when reviewing the ordinance. Councilor Bender stated that she had viewed a post on Knudson and after driving by there they need to park on their grass otherwise traffic will not have access due to size of street. Councilor Dewater stated that it was time to fine tune it.

Council to consider the monthly Water Works service fee and use of city equipment: Mayor Beatty stated that through the budget discussions I found that Water Works was charging us \$900 monthly for billing charges to process sewer, garbage fees, and storm water. When the Mayor had questioned Fred Morris on the Water Board, he stated because we have been charging the fees for a long time and that wasn't the answer I was looking for. We are charged for water usage by the Water Works, they utilize our staff, which is in returned invoiced to them, and they use our equipment. If we are going to have a partnership it needs to be an equal partnership. Fred Morris, Water Works Board Trustee, discussed that the property belonged to Earl Brown and Water Works had an office and the city needed the land to build a new building and at that time it was stated that water works would have an office rent free. There are also monthly expenses to consider in the monthly amount that is charged by Water Works to include postage, printing, labor, printing materials, etc. So, these are hard costs that must be paid monthly, and the city would have the same costs if they were invoicing the residents themselves. The city receives a reduced rate on water for the community response center and Deerwood campground. The wastewater plant uses a lot of water and not being charged. Mayor Beatty stated that the city receives a lot of calls for Water Works and the invoicing has to be sent out anyway there is no extra labor with the city's information printed on the invoice. He also stated that initially he requested this information over three weeks ago and that he wanted to receive the information prior to the council meeting to be prepared when bringing this matter to the council. It appears that the water works isn't part of the team and they do their own thing. If we are to work together as a team this isn't how it is achieved. Mr. Morris responded that we only have a three-person board and without violating open meeting requirements it isn't possible to discuss these items unless a special meeting is held. John Peverill, 543 East End, questioned who set the budget for the Water Works and if city funds are utilized and what kind of contract was signed regarding this building. Mayor Beatty responded that Water Works do not utilize city funds and that he wasn't aware of a contract. Councilor Beam stated that residents want to use credit or debit cards to pay their utility bill and when brought up to a couple board members he received push-back. Mr. Morris responded that the water works board was working on it. Councilor Walker questioned if the water works owned the building and land prior to the city taking over. Mr. Morris responded that he wasn't certain. Beam stated that he would like true costs for the support that the city receives so it can be reviewed, and a support plan worked out. The Mayor stated that there was a lack of oversight, overtime has skyrocketed causing excessive cost to the end user, which is the resident. Councilor Seible questioned what the cost to the city when water works has a water main break and they would normally have to call someone out for that. Chris Schares, Public Works Director stated that the city does not provide support for their water main break. The Mayor also stated that we had a water issue on Mary Dr. that has went on for over 2 ½ years. Schares had asked water works to review the issue for a water main break, it was reviewed, with the initial test results negative. However, further lab testing may have shown the issue. We found out last week that it was a watermain break.

Walker/Seible to accept the resignation of Library Board member Jerry Brown, effective August 1, 2020. Councilor Seible questioned if a council member would be allowed to be on some of these boards for oversight. Councilor Walker stated that it would never work as it would be a conflict of interest as council oversees City funds. Ayes-Five. Motion carried.

Dewater/Seible to approve reciprocation with the Cities of Elk Run Heights and Raymond for Golf Cart permits. Ayes-Five. Motion carried.

Mayor/Council Reports: Mayor Beatty stated that we had been reviewing the Community Response Center (CRC) issues in the basement. One of the first steps was to place dye in the areas that were designed to carry water away from the building and those areas were working as designed. Another issue was that there was a rubber lining placed under the basement to help keep water away from the basement and when you walk on the floor panels it bubbles up like the basement is sitting in a bathtub of water. The engineer stated that it was an impressive amount of water flowing to the sump pumps, but that is not what we wanted to hear. We will chlorine test the water, possibly lower the lake level by one foot, to see if that makes a difference. Walker stated it has flooded when lake was drained and dry, it hasn't mattered the depth of the lake the building was built on wetlands. The Mayor also stated that Midwest Basement had given us an estimate that they had guaranteed to fix the issue. It was also discussed to add a wing to the CRC and abandon the basement. Councilor Dewater stated that we had discussed several options with the basement but all of them would be extremely expensive. The Mayor also stated that there was an opening on the Library board; logo contest; GPS testing ending, and the security system information will be on the agenda soon. Councilor Seible questioned if action was taken on the property discussed on Grand Blvd. and what the next step would be. Mayor Beatty stated that he would need to talk to Brian Wirtz when he returned from vacation. Councilor Bender questioned what could be done with the weeds alongside W. Gilbert. Beatty responded that he would look at them and get back to her. Councilor Beam questioned if the city would ever do curbside pick-up again. Beatty responded that it was very expensive and was told it really got out of hand. Seible stated that he appreciated the residents being referred to him as he has had had a lot of conversation with them.

There being no further discussion, Seible/Bender to adjourn the meeting at 7:34 p.m. Motion carried.

ATTEST:

Troy Beatty, Mayor

DeAnne Kobliska, City Clerk