

CITY HALL
EVANSDALE, IOWA, JULY 16, 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: Dewater, Seible, Bender, and Walker. Absent: Loftus. Quorum present.

Walker/Bender to approve July 16, 2019 agenda. Ayes-Four. Motion carried.

Seible/Dewater to approve the following items on the July 16, 2019 consent agenda. a. Approval of July 2, 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 (n/a), Building Inspection Report (June), Clerk/Treasurer Report (n/a), Code Enforcement Report (n/a), Evansdale Municipal Housing (June), Library (June), Parks & Rec Dept. (May/June), Planning & Zoning (n/a), Police Dept. (June), Storm Water Commission (n/a), and Water Works (June). c. Liquor License: (i) Casey's General Store #1084-BC0012698 renewal-Effective 09/04/2019. d. Request to pay Boys & Girls Club donation in the amount of \$2,500 as budgeted for FY20. Councilor Seible questioned why the treasurers report wasn't available. Clerk Kobliska stated that she had been training employees. Roll call vote: Ayes-Four.

Request for Public Hearing: Nuisance Abatement 945 Mc Coy Road. Mr. Jacob Smith and Mr. James Cameron appeared before the council stating their case as follows: Mr. Smith entered into an agreement with property owner on the premise that they would be able to operate a business at the location, that a business had been operated at the location in the past, and that they desired to come into compliance. Mayor Faas discussed the process that had taken place giving the gentlemen time to abate the nuisance, but they hadn't come into compliance nor contacted code enforcement to question how they could come into compliance. Smith responded that the notice was served to his partner and not himself. Faas stated that a used car repair shop wasn't allowed in the U-1 zoning district. Brian Wirtz, Code Enforcement stated that he and Chief Jensen had served notice to abate the nuisance. Chief Jensen stated that there were approximately 27 cars present when notice was served. Councilor Seible stated that there had been a business at the location for several years. Jensen responded that there had not been issues in the past with the property in question. Seible also questioned why the nuisance hadn't been dealt with last fall. Wirtz stated that he had contacted the resident last fall. Smith responded that he'd only been contacted once regarding the nuisance. Councilor Dewater questioned why Smith hadn't reduced the number of vehicles since notice had been given. Smith responded that he had no control over the vehicles that were being brought in. Councilor Walker questioned who had control over how many vehicles were being delivered and that someone needed to take control of the situation or they would be out of business. Mayor Faas stated that neighbors had also complained that there was a violation of the noise ordinance as work was being done until 1:00 in the morning and that the city's noise ordinance stated that operating hours couldn't be held from 9 p.m. to 8 a.m. Dewater questioned if 4 cars would be acceptable at the location at any given time. Walker stated that the property needed to be cleaned up immediately and that 4 cars would be acceptable 2 licensed 2 not licensed but that would be the limit. Varrel Wilcox, 306 S. Burr Oak Ave., questioned who owned the business and the nature of the business taking place. Daryl Loveless, 930 Mc Coy Rd., stated that the property in question was in a residential area and that the resident was not in compliance and that most people don't want that type of a business in their neighborhood. Councilor Bender stated that she didn't want to put them out of business, but it was disheartening to see the nuisance when she drove by the property. Seible/Dewater to approve the resident to continue the business located at 945 Mc Coy Rd. with the stipulation that only 4 cars would be allowed on the property for repair at any given time and that 2 vehicles needed to be licensed and 2 could be without a license and that the property would be cleaned up by August 1st, 2019. Tom Nichols, 616 Grand Blvd., questioned why this type of business is allowed

throughout the city and why we continue to allow it. Mayor Faas agreed. Roll call vote: Ayes-Four.

Dewater/Walker to approve Resolution 6333 authorizing payment of bills and transfers. Councilor Seible questioned the new decals purchased for the public works truck stating it was unnecessary spending. Roll call vote: Ayes-Four.

Walker/Dewater to approve Resolution 6334 authorizing the execution of a Memorandum of Agreement with Terraces at West Glen, LLC and fixing a date for a hearing on the proposed issuance of revenue bonds or notes. Councilor Seible questioned the issuance. Mayor Faas responded that it was a conduit loan that passes through the city using our tax-exempt status. Roll call vote: Ayes-Four.

Seible/Bender to approve Resolution 6335 amending list of signatories on the City of Evansdale's financial accounts and safe deposit box. Roll call vote: Ayes-Four.

Dewater/Seible to approve Resolution 6336 approving compensation for FY20 as budgeted. Mayor Faas stated that the compensation for the seasonal employees wasn't included on the annual compensation resolution. Councilor Seible questioned why they were considered union employees. Faas responded that it was stated specifically in the union contract. Roll call vote: Ayes-Four.

Waste Water Treatment Plant – Discussion/Possible Action. Mayor Faas went over the updated sewer rate examples for the three plans that are being pursued by the city for the mandated upgrades for the Waste Water Treatment Plant and sewer rates of several cities that have either went through an upgrade or would be in the future. He stated the anticipated rates were reduced by \$2.00 per month for the \$7.433 mil upgrade, by \$2.50 per month for the \$10.86 mil upgrade and by \$4.50 per month for the \$13.79 mil upgrade. Waste Water Foreman Chris Even stated the process the city had went through as follows: a new NPDES permit was issued to the city in September of 2017 that required limits for E. Coli to be added to our waste water plant that was in the amount of \$750,000; flood plain upgrades that would protect the UV equipment in the amount of \$688,424; install a generator to keep waste water plant running in the event electricity was lost in the amount of \$614,250; access road improvements as part of the flood plain regulations and SCADA remote system to operate the plant in the event of flooding in the amount of \$1.239 mil; East End Ave. force main improvements, headworks in the existing building, and blowers and component upgrades in the amount of \$3.281 mil; blower building roof replacement, garage addition, and office and lab upgrades in the amount of \$880,425. He also stated that in 5-10 years the city would be required to add biological treatment to reduce nitrogen and phosphorus in the amount of \$3.983 mil, but the cost would escalate in five years. Councilor Seible questioned if we were able to upgrade our current plant. Even responded that we were able to upgrade our existing plant. Councilor Dewater stated his concern with placing \$7.4 mil into our current plant when a catastrophic flood event could wipe out our plant at its current location. Councilor Walker questioned if a new plant was built would our expenses increase three-fold, and would our current staff be able to run a new plant. Alex Potter, McClure Engineering responded that there would be an increase of about 30% from current expenses and that the current staff had the experience and accreditation to run a new plant. Mayor Faas stated his concern about moving forward with this decision as timelines were looming ahead of the city and if we need another meeting please have questions ready for the engineer to enable the project to move forward. Mark Atkins, 909 3rd Ave., stated that he was in favor of a centralized waste water plant. Jeremy Makendonski, 215 Feldt, stated that he would like to be an advocate for the city in making the decisions for the waste water plant as his expertise was in waste water management. Justin Barrow, 721 Burr Oak Ave., questioned if there were grants available. Mayor Faas responded that a community development block grant is a possibility, but the city was required to survey random residents to ensure we qualify as a LMI (low to moderate income) city however, only 50% of the survey's sent out had been returned. After much deliberation the council agreed to an additional meeting to discuss waste water treatment plant upgrades.

Public discussion: non-agenda items. Tom Nichols, 616 Grand Blvd., stated that once the sewer rates went up, they wouldn't go down again just like when the water tower was built. Mike Weber, 719 Hunter Dr. questioned how much of the waste water plant was damaged in the flood of 2008. Chris Even replied that there had been 3 feet of flood water in the main building. Grace Hernandez, 928 Grand Blvd., stated that her neighbor is constructing a building for his personal business, removing her trees, and flooding her property. Mayor Faas responded that the building inspector is aware of the situation and that he would follow up with the homeowner. Loraine Atkins, 715 Central Ave., #203, stated that residential and business zones should not cross in the city and it continues to be allowed. Jan Nichols, 616 Grand Blvd., questioned if the waste water plant was relocated would it be visible. Mayor Faas responded that it would be located up against the dry side of the levee and it wouldn't be clearly visible as the landscape would remain around it.

Mayor/Council Reports. Mayor Faas stated that the Lafayette Road project public meeting wasn't well attended but no major concerns were stated; Evansdale Community Days would be held the 27th and 28th of July with fireworks and social event Friday night, parade and children's activities on Saturday morning, children's parade and tractor pull in the afternoon, a flea market and Ted's barbecue contest. He wished Gene Walker a happy birthday. He also stated the need to have another hearing regarding a dangerous dog that was originally brought to council back in the spring of 2017 and has attacked again.

There being no further discussion, Walker/Bender to adjourn the meeting at 8:13 p.m. Ayes-Four. Motion carried.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk