

CITY HALL
EVANSDALE, IOWA, AUGUST 19, 2014
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, Nichols, and Loftus. Absent: Dewater and Walker. Quorum present.

Nichols/Seible to approve the August 19, 2014 agenda, as amended. Ayes-Three. Motion carried.

Seible/Loftus to approve the following items on the August 19, 2014 consent agenda: a) Approval of August 5, 2014 regular meeting minutes b) Resolution 5705 authorizing payment of bills and transfers c) Accept and place on file the minutes and reports from the following Boards, Departments and Commissions (n/a = Not Available): Ambulance (July), Building Inspection (July), Clerk/Treasurer (June, July), Fire Dept (July), Parks & Rec (July), Police Dept (July), Library (June, July), Water Works (May-July), Cable TV Commission (n/a), Evansdale Municipal Housing (June), Hardship & Grievance (n/a), Planning & Zoning (July), Storm Water (May) d) Liquor license renewals: Pronto Market-Expires 9/14/2014 and Kroegers Liquor Co., LLC-Expires 9/20/2014. Councilman Seible, referring to Resolution 5705 authorizing bills, questioned why the City was paying Advanced Auto for air conditioner repair to the 2012 Tahoe since it was such a new vehicle. Police Chief Smock responded that the air seal went out on the compressor and it's not under warranty since the vehicle has more than 50,000 miles. Seible inquired what the payment to Jesup Gym for rubber mat flooring was. Smock responded that the rubber mat flooring was for the exercise area to the CRC basement for police and fire department members. Since the 2008 flood, rust has seeped up through the basement floor exercise room, which was staining clothes and shoes of those using the room. Consequently, the staining discouraged the use of the room, but the new rubber mat flooring would prevent staining onto clothes and shoes. He added that the Fire Department Association paid for half of the total cost of the mats. Roll call vote: Ayes-Three. Motion carried.

Nichols/Loftus to accept proposal from Shuck Britson for the bridge inspections in the amount of \$3,096. The Mayor explained that the bridges need an inspection every other year. Roll call vote: Ayes-Three. Motion carried.

Bridge inspections

Nichols/Loftus to approve Resolution 5706 approving Federal-aid agreement and authorizing the Mayor to sign said agreement for the River Forest Road Levee Trail Project funded through the Transportation Alternatives Program (TAP). Roll call vote: Ayes-Three. Motion carried.

Res. 5706
River Forest Rd
Levee Trail

Loftus/Seible to approve Resolution 5707 request final payment to Stickfort Construction for the 2013 Street Reconstruction Project in the amount of \$12,731.76. Councilman Loftus asked for a recap on which roads the project included. The Mayor responded that it was the intersections of Gilbert Road/Lakeshore, Lafayette/Roosevelt, and Arbutus/Fran. The Mayor reported that there were some punch list items that were not complete but now are. Roll call vote: Ayes-Three. Motion carried.

Res. 5707
2013 Street
Reconstruction
Project

Loftus/Nichols to approve Resolution 5708 setting date of public hearing on the designation of the expanded Northwest Urban Renewal Area and on the Urban Renewal Plan Amendment. The Mayor explained that he needs to add the entire length of Dubuque Road to the Northwest TIF area to pay for the bridge repairs. He added that Dubuque Road isn't within the corporate boundaries of the City and as a result, the City will need to annex the road. The City has owned the road since the 1990's but never annexed it. Roll call vote: Ayes-Three. Motion carried.

Res. 5708
Setting PH
NW URA

Mike Dean explained to the Council would like to build five eight-plex apartment buildings with garages on 4.5 acres east of Heather Ave and has been talking with the Mayor. He presented the construction plans for viewing and explained that access to the development would be from Norma Ave, which would need to be extended from Heather Ave to Dean's western property line. The Mayor stated that he and Dean have discussed the City paying for the roadway and Dean putting in private utilities. Dean stated it was his intention to eventually extend Norma so that it continues through to Knudesen Ave. The Mayor stated Dean would be required to install a water main all the way through to the next property. Dean responded that he was aware of the requirement but was an unexpected cost of the project. The Mayor presented Council with a cost estimate of the street, which would total about \$40,000. He added that a conservative estimated assessed value of \$525,000 for each eight-plex would equate to about \$8,250 for the City, if TIF was used. As a result, the value from one eight-plex could pay off the street debt in four or five years. The Mayor stated that a business development agreement would need to be worked out first. Councilman Nichols asked if a tax abatement would also be given. The Mayor responded, probably not. Councilman Seible asked for a timeline on Dean's plan to build. Dean responded that he intended on building this last spring and will soon be ready to go as he is just secured his financing and is just waiting for an appraisal. Nichols stated that building a road at the expense of the taxpayers isn't necessarily fair when there are taxpayers that have been living in town for 50-60 years that don't have paved roads. Funds aren't there to pave every road in town, yet the City would be paving the road for Dean based on speculation of the apartment buildings being built after the City adds the street. Loftus agreed but responded that the Dean's proposal would generate additional property tax revenue. Dean responded that the City is spending money to bring in development that would earn the City more revenue. Nichols stated that he has been advocating a five-year street plan for this reason. Councilman Seible stated that he would like to have a commitment in writing to ensure the proposed plans get finished since City would be paying for the street. The Mayor stated that a completion bond may be necessary and asked if Council would like to pursue further talks with Dean. Nichols stated he is interested in further talks but that he would like to see recourse for the City.

Michael Dean
Eight-plex
apartments

Nichols/Loftus to approve request from Fire Department to send member, Bill Demry, to Hawkeye Community College EMT program in the amount of \$1,627. Councilman Loftus asked how many years the member would be obligated to the department. Fire Chief Kent Smock responded that was recently increased to two years from one year. Councilman Nichols asked how member turnover is on the department. Smock responded that there have been EMT's that have left in a few months' time and collected upon; however, the majority are still around much longer than two years and some since he came on thirty eight years ago. Smock added that the EMT program is intensive and a time commitment so one willing to enroll is serious about the department. Nichols asked if members have used the education the City paid for to go somewhere else for more money. Smock responded that the EMT was pretty basic where one wouldn't be able to get a job with it alone. Roll call vote: Ayes-Three. Motion carried.

Fire Dept
EMT Training

Nichols/Seible to table request from Waste Water Department for tree trimming services for \$2,000 until received more information. Councilman Seible asked if the Street Department could assist with tree trimming instead of hiring someone. The Mayor stated that he understood it to be too high to get it with the mower and that it had not been done since 2008, however he had not had a chance to go look at it. Councilmen Seible and Nichols would like to first see if the work could be done by City employees before hiring out. Roll call vote: Ayes-Three. Motion carried.

Sewer Dept
Tree trimming

Discussion: Councilman Nichols asked if the City had a policy in place for maintaining City sidewalks. The Mayor responded that it would fall under the City Inspector but there isn't enough time for one person, so as a result would encourage folks to call them in as they see issues. He added that the Code states the homeowner is responsible but he would check to see if there are grants available.

Discussion

Councilman Seible stated that there are properties in town that have had vehicles parked on the grass for weeks. He asked the Mayor and Council if the City was going to enforce the ordinance or let some situations

slide. The Mayor responded that it's the City's intent to be reasonable and work with its residents. Seible stated that it doesn't make sense to have an ordinance and not enforce it. The Mayor pointed out that Seible had a camper parked in the grass for two days. Seible responded that when Code Enforcement approached him about it, he explained that he was having a party. Seible stated that he just wants to know if the City is going to enforce or not, though either way is fine with him. He added that he gets calls on violations and wants to be able to give out a response. Councilman Nichols stated that ordinances are costly so what is the point of having them if they will not be enforced. The Mayor responded that since Council wants all violators to be ticketed regardless of the situation, he would let Rick know to do so. He pointed out to Seible that he would have been cited twice last week for having his camper in the grass. Police Chief Smock stated that though the ordinance is black and white, these situations are gray. Law Enforcement and Code Enforcement should use discretion and be reasonable in working with people, which are the people whom we work for. He added that the ordinance is in place so that the City has recourse for when it's abused and would not recommend writing citations the minute someone parks on the grass. The Mayor stated that he does not have a problem giving leniency for situations as long as the grass is mowed. Seible stated that he was okay with officer discretion and asked the rest of the Council if that was the direction they wanted to go. Loftus stated it wasn't an agenda item.

Councilman Nichols pointed out that the ordinance is unclear as to where one can and can't park on the street. For example, on Evans south of W. Gilbert Drive, there are no-parking signs but is unenforceable because the signage is wrong. Smock stated that the Public Works Director has ordered the correct signs but have not come in yet. Smock stated that the old Code of Ordinances identified each no parking zone; however it's no longer identified in the Code of Ordinances, though they are in an old resolution. Smock explained the incorrect signage on Evans where Nichols was referring to dates back to Police Chief Burke, where signs may have been put up because of visibility issues without having an ordinance in place. Nichols stated that no-parking cannot be enforced without an ordinance and a public hearing so that the public has a right to offer input. Smock responded that after the last codification, the Code now allows no-parking to be amended by Resolution and is enforceable if the signage is correct. The Mayor stated he would research the topic.

Loraine Atkins stated Planning and Zoning Commission's intent on the ordinance regarding parking in the grass was to restrict no-parking to the front yard only, whereas Council added the rear and side yards to the no-parking areas without going back to the Commission. She added that it was the Commission's intent to apply the ordinance to those that parked continually in the front yard and caused the grass to recede the entire front yard. Atkins suggested that the windows be boarded up at the Jewitt School because there are no windows and poses a danger. Councilman Seible stated that the building was going to be torn down in the next week.

There being no further discussion, Loftus/Seible to adjourn the meeting at 6:52 p.m. Motion carried.

Adjourn

ATTEST:

Doug Faas, Mayor

Becky Walters, City Clerk