

CITY HALL  
EVANSDALE, IOWA, SEPTEMBER 2, 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: Nichols, Dewater, Loftus, Walker, and Seible. Quorum present.

Walker/Loftus to approve the September 2, 2014 agenda. Ayes-Five. Motion carried.

Dewater/Seible to approve the following items on the September 2, 2014 consent agenda: a) Approval of August 19, 2014 regular meeting minutes b) Resolution 5709 authorizing payment of bills and transfers  
Roll call vote: Ayes-Five. Motion carried.

Dewater/Seible to approve request from Kwik Star to build a gas station/convenience store in a C-1 zoning. The Mayor asked Wade DuMond from Kwik Star if he was okay with a turn right only lane into the proposed location on the corner of Gilbert and River Forest. Mr. DuMond responded, yes. Councilman Loftus asked Mr. DuMond if there is any chance of purchasing the two southern most lots on River Forest. Mr. DuMond responded that the property owners werent interested in selling. He added that if the property owners changed their minds, he would talk to them. Roll call vote: Ayes-Five. Motion carried.

Kwik Star  
zoning

Dewater/Seible to approve Resolution 5714 authorizing sub-final payment for \$5,020.75 to Vieth Construction for the Grand Boulevard Sidewalk Project. The Mayor stated that the payment would be for seeding and straw donuts. He added that the inspections and punch list items are complete. The only thing left that is unpaid is the five percent retainage. Councilman Loftus asked Councilman Nichols what he thought. Nichols stated that he was unhappy with the engineering especially the portion to the south of Bellefontaine. Loftus asked City Attorney Craig Ament if the City had recourse for the engineering. Ament responded that it might be a question of what requirements were imposed on the engineer by the Iowa DOT. Councilman Dewater stated that the City Engineer Jerry Shoff has offered his help to fix that portion of the sidewalk to the City's liking. There was discussion as to the extent Shoff would be willing to help. Dewater suggested asking Shoff for clarification and getting a cost estimate to fix the said portion of sidewalk. Roll call vote: Ayes-Five. Motion carried.

Res. 5714  
Grand Blvd  
Sidewalk  
Subfinal pmt

Walker/Loftus to approve request from City Engineer Jerry Shoff to reject bids for the repairs to the Dubuque Road Bridges and authorize new letting. Councilman Nichols asked if the engineer would keep the same design. The Mayor responded that he would look at the current bids and act accordingly. Councilman Loftus asked how much Elk Run was going to pay. The Mayor responded Elk Run would pay 18.5% of the repairs of the southernmost bridge and that the 28E agreement would be approved at their next Council meeting. Ayes-Five. Motion carried.

Dubuque Road  
Bridges

Loftus/Dewater to approve Yard Waste contract with the City of Raymond for fiscal year 2015. Councilman Nichols asked what the cost per capita is to maintain the facility. City Clerk Becky Walters recalled that the personnel cost to maintain the facility is approximately \$4,000 per year and each City would pay \$2,400. Ayes-Five. Motion carried.

Yard waste  
contract-  
Raymond

Loftus/Seible to approve Yard Waste contract with the City of Elk Run Heights for fiscal year 2015. Ayes-Five. Motion carried.

Yard waste  
contract-  
Elk Run Heights

Pathways

Dewater/Walker to authorize payment to Pathways Behavioral Services for \$2,400. The Mayor stated that the item is budgeted. Roll call vote: Ayes-Five. Motion carried.

Dewater/Loftus to allow Chad and Kenny Martin to continue to hunt geese under the same terms they were originally hired. The Mayor explained that this item had come to the table because he recently received two requests from hunters to hunt waterfowl in Deerwood Park and pointed out that there is a small group of hunters that have been goose hunting in the Park for about six years. The Mayor pointed out that current ordinance on hunting only allows bow hunting for deer and nowhere does it address hunting water fowl on public land with shotguns, however the ordinance allows hunting with shotguns after Council approval. The Mayor stated that if Council wished to allow hunting, he would recommend using a lottery or first come, first serve basis to be fair. Councilman Walker explained that when he was on the Park Board, they hired a small group, including Chad and Kenny Martin who were in the audience, to hunt in Deerwood Park as means of controlling the goose population. Walker stated that he would, however, be opposed to allow public hunting in the park. Councilman Dewater suggested continuing to have Chad and Kenny Martin goose hunt in Deerwood Park under the same provisions because they are trustworthy and its been proven to be a good system. Chad Martin stated that they have taken about 1,000 geese in the last six years. Kenny Martin added that in the past if the Police Department receives a report that someone is shooting at the park, Kent Smock calls them to verify that its them hunting. Councilman Nichols suggested that its not fair to not let others have an opportunity to hunt. City Attorney Craig Ament explained that the City has an agreement where Dean Hanson rents land on McCoy for his horses in exchange for Hanson to maintain the overgrowth of vegetation. He recommended having the same type of agreement in place for the the Martins to manage the goose population for the City because its beneficial to both parties. Roll call vote: Ayes-Five. Motion carried.

Water fowl  
hunting on  
public land

Dewater/Seible to approve Resolution 5710 adopting Iowa Statewide Urban Design and Specifications (SUDAS) as City standards for design and construction of civil works improvements. The Mayor explained that Jerry Shoff recommended adopting the standards. Roll call vote: Ayes-Five. Motion carried.

Res. 5710  
SUDAS  
standards

Walker/Seible to approve Resolution 5711 authorizing the installation of a street light on Central Avenue between River Forest Rd and Jones Rd. The Mayor explained that he received a request from a resident for the street light because the area was dark at night. He added that he recommends adding the light because he agrees that it's dark on that stretch. There is an existing pole where the light would be attached and would cost \$6.82 per month but installation was free. Roll call vote: Ayes-Five. Motion carried.

Res. 5711  
Street light

Dewater/Walker to approve Resolution 5712 setting date for public hearing on the Home Acres Urban Renewal plan amendment. The Mayor explained that recent state legislation requires cities to amend its urban renewal plan each time it uses TIF. In this case, it would be for two development agreements, the City's share of the River Forest Road, and possibly the City's share of the levee trail project if the matching grants were not awarded. Roll call vote: Ayes-Five. Motion carried.

Res. 5712  
Setting PH  
Home Acres  
amend

Dewater/Walker to approve Resolution 5713 approving participation in the 2015 National Household Travel Survey. The Mayor explained that this INRCOG survey ranks the streets in terms of traffic and the participation could prove to benefit the City for future work on Lafayette Rd or Grand Blvd. The Mayor stated the expense was included in the current budget. Roll call vote: Ayes-Five. Motion carried.

Res. 5713  
Travel survey

Discussion: The Mayor reported that he looked into some sidewalk grants but cautioned Council on receiving another federally funded grant because of the City's experience with the Grand Boulevard Sidewalk project. Councilman Walker asked the Police Chief if Evans to the south of Gilbert has the proper signage yet. Smock responded, yes. The Mayor reported that the siren in Casebeer Heights isn't

Discussion

working and will need to be replaced. He received a bid from RC Systems for \$13,380. The Mayor stated that though the City is not required to even have sirens, it would be a foolish way to save money. The Mayor suggested amending the City's Property Tax Rebate Agreement Plan to offer a 90 percent tax rebate instead of a full tax rebate because there would be considerable legal costs with the recent legislation requiring cities to amend their urban renewal plans each time they have a new development agreement. Councilman Seible asked the Mayor if he had any updates on the Norma Street development. The Mayor responded that Dean is leaning toward installing the entire street. Seible asked for an update on Natel's installation of equipment and how it would benefit the City. The Mayor reported that he would soon have the equipment installed. He added that Water Works would benefit the most; however, there would be considerable savings for the lift stations. The City would just need to pay for the equipment and Natel would provide the internet service at no charge. Councilman Dewater asked if a date was set to meet with the Army Corp on the erosion issue. The Mayor responded he would follow up with a date. Sieble asked if the Parks Department would get the cottonwood tree out of Meyers Lake that fell in the recent windstorm. Kenny Martin pointed out that there were several branches falling out of the trees at Gardner Park. The Mayor responded he would look into it.

Bill Rodgers, property owner of 1137 River Forest Road, stated that he received notice in the mail to mow his grass on June 5, 2014 and in response, mowed the same day, however the street department mowed his lawn eleven days later on June 16 and sent an invoice for \$234.00. He stated that he checked the ordinance, which requires the City to give five days notice before mowing and as a result, is being unfairly charged. The Mayor responded that the street department mowed because the back yard was still out of compliance. Rogers stated that he at the least should have been given an additional notice before the street department mowed. The Mayor responded that Rogers received sufficient notice because Code requires at least five days' notice and in this case, Rogers received eleven days before the street department showed up to find the back yard still out of compliance. Councilman Nichols pointed out that there are many overgrown trees and weeds growing in the fence and he has received complaints on the property. Rogers asked if there is an ordinance against trees in the fence. The Mayor responded yes. Rogers stated that he had not been sent such ordinance nor had anyone mentioned the trees. Councilman Walker stated this property has been out of compliance for some time and urged him to cut the trees. Rogers mentioned that there are several other properties in town that are out of compliance. Nichols proposed splitting the bill in half. The Mayor stated that action couldn't be taken since it wasn't an agenda item and though Rodgers asked him, he didn't put it on the agenda because the owner was given proper notice and was still out of compliance. Additionally, the Mayor stated that he felt that it was an administrative action not requiring Council approval. He added that if Council wished, it could be put on a future agenda. Councilman Dewater stated that he would be in favor of putting the item on a future agenda for discussion and possible action. Councilman Loftus stated he was opposed to putting on the agenda because the property owner was out of compliance. The Mayor asked the Council if they would like it as a future agenda item. Loftus, Walker, and Nichols responded no.

There being no further discussion, Seible/Loftus to adjourn the meeting at 7:21 p.m. Motion carried.

Adjourn

**ATTEST:**

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**Doug Faas, Mayor**

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**Becky Walters, City Clerk**