

CITY HALL
EVANSDALE, IOWA, SEPTEMBER 6, 2016
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: Loftus, Walker, Nichols, and Seible. Absent: Dewater. Quorum present.

Walker/Nichols to approve the September 6, 2016 agenda. Ayes-Four. Motion carried.

Loftus/Walker to approve the following items on the September 6, 2016 consent agenda. a) Approval of August 16, 2016 regular meeting minutes. b) Liquor license renewals: Pilot Travel Center #637-Expires 10/19/17. Roll call vote: Ayes-Four. Motion carried.

Seible/Nichols to approve Resolution 5992 authorizing payment of bills and transfers. Councilman Seible questioned invoice for the broom sweeper, jet truck tools, and Mr. Stocks, Waste Water Grade III Operator. He stated that when a project is approved by council all project costs should be considered. Mayor Faas responded that he understood Seible's complaint, and that the city would try harder to consider all the costs, but we need to pay the bills. Roll call vote: Ayes-Two. Nays: Two. (Nichols and Seible). Motion failed.

Walker/Loftus to approve Resolution 5992 authorizing payment of bills and transfers. Roll call vote: Ayes-Two. Nays: Two. (Nichols and Seible). Motion failed.

Walker/Seible to approve request from City Clerk to setup Office 365 account in the amount of \$2,425 one-time set-up fee shared between City Hall – 606.25, Public Works – 606.25, Sewer – 606.25, and Water Works – 606.25; There will be a monthly charge of 109.40 divided amongst the departments at \$27.35. Cory Vieth, Computer Troubleshooters explained the Office 365 email program and its benefits. Councilman Nichols questioned the need for the system. City Clerk Kobliska stated that we were having problems with the email and that Mediacom hadn't been supportive in resolving the issues. Roll call vote: Ayes-Three. Nays-One (Nichols). Motion carried.

Mayor Faas addressed the council again in regards to paying the bills, stating that we would need to call a special meeting for council to get this resolved and asked their availability.

Comprehensive Plan Presentation by Brian Schoon, I.N.R.C.O.G. Brian Schoon discussed the need for updating the 1989 existing comprehensive plan as it will insure that the city is in compliance with several new laws, rules and regulations. Loraine Atkins, 625 River Forest Road, stated that Planning and Zoning should be involved. Mayor Faas responded that P & Z would be an integral part of the planning process. Councilman Walker stated that the plan would include 5, 10, and 20 year future planning for economic development. Councilman Nichols stated that he agreed to update the plan, but not the cost of it. Councilman Seible stated that we need to get an updated plan in place and would like council to be involved. Mayor Faas stated that INRCOG is the facilitator and that council, P & Z, and the community would all be involved in the updated plan. Walker also stated that he witnessed the involvement with the Waverly, Iowa plan and that he was impressed by INRCOG's process and the input from the community. Mayor Faas stated that we would place an agreement on the next agenda.

Loftus/Seible to open the Public hearing- Lafayette Road Culvert Project at 6:32 p.m. Proof of publication on file, no public comments were received. Jerry Shoff, Shoff Engineering explained the necessity of the project to assist in alleviating upstream flooding in the event of a major rain fall. Councilman Nichols stated that he wasn't aware of any flooding issues in that area. Shoff responded that he wasn't aware of how many homes had water, but it was several. Mark Atkins, 909 3rd Ave., wasn't in favor of the project. Loftus/Walker to close public hearing at 6:39 p.m. Ayes-Four. Motion carried.

Walker/Loftus to approve Resolution 5993 approving the proposed plans, specifications, form of contract, cost estimate, and accepting low bid for the project in the amount of \$43,978 to Vieth Construction Corp.,

of Cedar Falls, Iowa, and authorizing Mayor to sign said documents for the Lafayette Road Culvert Project. Councilman Seible questioned if the bike trail project had been completed since it was the same contractor for both projects. Jerry Shoff responded that most of Vieth's work is done. Roll call vote: Ayes-Three. Nays: One (Nichols). Motion carried.

Seible/Loftus to open the Public hearing-Meyers Lake Bank Stabilization Project at 6:41 p.m. Proof of publication on file, no public comments were received. Mayor Faas stated that this is a fully funded REAP Grant approved project. Shoff explained the project details. Mayor Faas stated that the trail surrounding project area will also be addressed. Walker/Seible to close public hearing at 6:44 p.m. Ayes-Four. Motion carried.

Seible/Walker to approve Resolution 5994 approving the proposed plans, specifications, form of contract, cost estimate, and accepting low bid for the project in the amount of \$31,332 to Vieth Construction Corp., of Cedar Falls, Iowa, and authorizing Mayor to sign said documents for the Meyers Lake Bank Stabilization Project. Roll call vote: Ayes-Four. Motion carried.

Seible/Nichols to table Resolution 5995 approving preliminary plans, specifications, form of contract and preliminary cost Estimate for the Ellendale Reconstruction Project; and setting date of bid letting for September 22, 2016 at 2:00 p.m. and of public hearing September 27, 2016 at 8:30 a.m.; and authorizing engineer to advertise for bids for said project. Shoff explained the project details to include the street reconstruction, sanitary sewer, some storm sewer with a total city cost of \$86,980. He also explained the developer's responsibility in the project. Councilman Nichols stated that he wasn't in favor of the city paying for any of the sewer cost that it should be up to the developer or homeowner to hook-up to the system. Mayor Faas stated that the new infrastructure was not accessed to the homeowner's taxes, but was installed with block grant funding. Councilman Seible questioned why we haven't looked at making the road asphalt or cement, instead of spending funds now than going back a couple years later and readdress the existing dirt road. It would be better to do it right the first time. Rod Frickson, 911 Central Ave., stated that it is one of the few roads left in our city that isn't paved. Councilman Nichols stated that he wasn't in favor of the project and that other roads in the city needed to be addressed. Mark Atkins, 909 3rd Ave., stated that he agreed with Councilman Nichols. Roll call vote: Ayes-Four. Motion carried.

Nichols/Seible to approve Resolution 5996 approving tax abatement for property located at 1026 East End Ave. Roll call vote: Ayes-Four. Motion carried.

Loftus/Walker to approve Resolution 5997 approving 2nd payment to Peterson Contractors, Inc., Reinbeck, IA, for the River Forest Road Reconstruction project in the amount of \$174,809.21. Roll call vote: Ayes-Four. Motion carried.

Walker/Seible to approve Resolution 5998 approving 4th payment to Vieth Construction Corp. of Cedar Falls, IA, for the River Forest Road Levee Trail Project in the amount of \$61,927.32. Councilman Nichols questioned the amount of retainage, Shoff responded 3%. Nichols also questioned if the Grand Blvd. sidewalk would ever be addressed. Councilman Walker questioned if the street sign on Deerwood Road will be replaced. Shoff responded yes. Roll call vote: Ayes-Four. Motion carried.

Loftus/Seible to approve Resolution 5999 approving FY2015 Street Finance Report. City Clerk Kobliska explained the report and the FY16 balance. Councilman Seible questioned if the totals sheet was amount received for road use taxes. Kobliska responded yes. Roll call vote: Ayes-Four. Motion carried.

Nichols/Seible to approve request from Joyce Reedy to cut curb at 902 Evans Road. Mark Atkins, 909 3rd Ave., stated that an approach was installed on 6th street and a sidewalk was not put in. He recalled that the city requires that if installing an approach a sidewalk had to be installed as well, even if there were no sidewalks on that side of the street. Councilman Nichols stated that he believed that there couldn't be two approaches for one parcel on the same side of the street. Mayor Faas responded that he had read through the city code and it wasn't stated. Ayes-Four. Motion carried.

Walker/Loftus to approve request from request from Public Works Director to remove and replace curbing and a portion of the cul-de-sac located between 375 and 388 Wema Ave. in an amount of \$31,500.

Councilman Seible questioned the lack of information received on the lowest bid. Mayor Faas responded that he discussed the same with the Public Works Director and it is clear to the contractor the work that needs to be performed. Seible also questioned if the cement needed to be replaced as well. Mayor Faas responded that standing water has been compromising the concrete. Seible also questioned if this bid included all of the costs including setting the grade stakes. Public Works Director, Schares stated that Shoff Engineering would set the grade stakes for \$300. Roll call vote: Ayes-Three. Nays-One (Nichols). Motion carried.

Seible/Loftus to approve request from Public Works Director to remove a dead tree located in the city easement at 117 Mary Drive in the amount of \$1,300. Roll call vote: Ayes-Four. Motion carried.

Public discussion-non agenda items: Mayor Faas stated the general rules of the council meeting and public discussion. Loraine Atkins, 625 River Forest Rd., questioned the increase in water, garbage and city taxes. She also stated that she had received a construction note in her mail box that was placed in the box and not mailed and that it is a federal crime. Mark Atkins 909 3rd Ave., stated the issue with improper drainage on his street, the increased expense of the utilities at Angels Park, and that the city should buy local first before they go out of the area. Al Chidester, 176 River Forest Rd., stated that he was disappointed that work has stopped on the River Forest Road Project and that the city should withhold funds. John Peverill, 543 East End Ave., questioned if there were additional costs to the River Forest Road Project. Mayor Faas responded no additional change orders since the beginning of the project. Mark Atkins, concerned with the affect this has had on the business owners on Lafayette Road, north of the River Forest Road Project.

Mayor/Council Reports: Mayor Faas stated that he had a meeting tomorrow with all of the surrounding communities in regards to waste water treatment plant services. Councilman Seible questioned if we received the audit from the State Auditor's Office, and he also questioned if we had hired a Deputy City Clerk and if so doesn't council have to approve that. Mayor Faas responded that the deputy position is not appointed by council and that before the deputy was paid a resolution would be presented to council for approval. He also stated that there is an interfund loan from 1985 that is holding up the audit, but we are working with bond council to get it resolved. Ryan Fisher, Shoff Engineering, updated the council on the River Forest Road Project stating that we are at approximately 50% of the project. Councilman Seible questioned if we would proceed with the project. Ryan stated that we would like to continue the project, but will not tear up concrete knowing that it will be too late to pour the concrete.

Seible/Loftus to reconsider Resolution 5992 authorizing payment of bills and transfers. Councilman Nichols stated that one of the invoices was to his business, so he is abstaining. Roll call vote: Ayes-Three. Nays-One (Nichols). Motion carried.

Seible/Walker to approve Resolution 5992 authorizing payment of bills and transfers. Roll call vote: Ayes-Three. Nays-One (Nichols). Motion carried.

Councilman Nichols questioned door hanger placement and some residents have been told by the building inspector that they did not need a building permit. Mayor Faas responded that he would need specific examples. Al Chidester, 176 River Forest Rd., was frustrated to see that two people could vote no and their vote ruled. Mayor Faas responded that State Code calls for the majority vote of the council; a two, two vote is considered as a failure to pass a motion.

There being no further discussion, Loftus/Seible to adjourn the meeting at 7:50 p.m. Motion carried.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk