

CITY HALL  
EVANSDALE, IOWA, NOVEMBER 15, 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: Seible, Dewater, Loftus, Walker, and Nichols. Quorum present.

Loftus/Seible to approve the November 15, 2016 agenda. Roll call vote: Ayes-Five. Motion carried.

Walker/Dewater to approve the following items on the November 15, 2016 consent agenda. a) Approval of November 1, 2016 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 (Oct), Clerk/Treasurer Report (Sept/Oct), Code Enforcement Report (Oct), Evansdale Municipal Housing (n/a), Library (n/a), Parks & Rec Dept. (Oct), Planning & Zoning (n/a), Police Dept. (Oct), and Water Works (Oct). c) Liquor License: Casey's General Store #2864, 1038 River Forest Rd. – Renewal Effective 12/28/2016 (includes a change in ownership revision). Roll call vote: Ayes-Five. Motion carried.

Seible/Dewater to approve New Liquor License Millenium Hall – New license effective upon council approval. Councilman Dewater questioned if we have received any complaints. Mayor Faas responded that no recent complaints have been received. Councilman Walker stated that the Police Dept was called out a couple weeks ago. Councilman Seible responded that Police Chief Jensen spoke with the group and the issue was resolved. Councilman Loftus stated that before you attempt to go after the business you should check at the zoning and legal cause. Roll call vote: Ayes-Five. Motion carried

Dewater/Seible to approve Resolution 6018 authorizing payment of bills and transfers. Councilman Nichols questioned the purchase of a power caulk gun. Mayor Faas responded he wasn't sure which project it was purchased for, but they probably need it to caulk things. Roll call vote: Ayes-Five. Motion carried.

Walker/Loftus to approve Resolution 6019 approving change order #3 in the amount of \$350 to Tojo Construction for the CDBG project six (6) located at 1737 Enid Street. Councilman Dewater stated there was an issue with the restroom and decided to take care of it. Roll call vote: Ayes-Five. Motion carried.

Nichols/Walker to approve Resolution 6020 authorizing City Clerk to certify TIF Debt with County Auditor. Roll call vote: Ayes-Five. Motion carried.

Walker/Loftus to approve Resolution 6021 fixing compensation for City employees. Councilman Nichols questioned the terminology of the Department of Labor, salary and compensation level, if the increase included benefits. Mayor Faas responded that the policy refers strictly to salary levels. The Mayor continued that he has spoken to several city officials and attorneys from other cities and they all understand the new compensation is in direct reference to the salary only. Councilman Loftus stated he feels we're being forced into this decision. Councilman Seible questioned if the employees would be eligible for raises next year, due to the high increase, and wanted to know the other council members thoughts. Loftus stated, come July these two department heads should not be included in the raises with the rest of the city employees. Councilman Walker pointed out they are receiving a salary raise, but are also giving up comp time, which in turn is giving money back. Walker then stated he would not be in favor of these two employees getting raises in July, but since this increase is mandated by the government we have to comply. Mayor Faas stated we can address the salaries during budget, which we will be addressed in a couple of weeks. Councilman Dewater stated that this is a conversation to be handled during the budget discussion. Seible requested a comparison of like sized cities of the clerk's salaries. Mayor responded we have the information from a year and a half ago and within the like size cities in Iowa we are the 2<sup>nd</sup> to lowest paid. Loraine Atkins, 635 River Forest Rd., questioned if we need to pass this now or if it can wait until the beginning of the year. Councilman Loftus clarified that this needed to be resolved tonight. Bill Nichols, 221 Oakwood Dr., stated

he was disappointed with the response time of an ambulance call. Councilman Walker questioned the time of the call, Mr. Nichols answered 7:00 p.m. and 6:00 a.m. Roll call vote: Ayes-Four, Nays-One (Nichols). Motion carried.

Dewater/Loftus to approve Resolution 6022 approving the FY2016 Annual Financial Report and authorizing publication. Roll call vote: Ayes-Five. Motion carried.

Walker/Dewater to approve Resolution 6023 approving tax abatement for property located at 242 Collins Ave. Roll call vote: Ayes-Five. Motion carried.

Loftus/Dewater to adopt Ordinance 646 amending Chapter 99, SEWER RATES AND CHARGES, of the Evansdale Code of Ordinances by increasing user fees an additional \$5 per month, third reading. Roll call vote: Ayes-Three. Nays-Two (Nichols and Seible). Motion carried.

Loftus/Dewater to approve motion to adopt Ordinance 646 amending Chapter 99, SEWER RATES AND CHARGES, of the Evansdale Code of Ordinances by increasing user fees an additional \$5 per month, third reading. Roll call vote: Ayes-Three. Nays-Two (Nichols and Seible). Motion carried.

Walker/Dewater to approve request to place a street light at 508 Morrell (East side of the corner of the nature trail and Morrell Avenue). Councilman Dewater questioned the cost. Mayor Faas responded that once MidAmerican has set the cost a resolution would be brought to council for approval. Roll call vote: Ayes-Five. Motion carried.

Discussion/possible action: Ordinance amendments to include junk/abandoned vehicles, nuisance abatement, and noise disturbance. Mayor Faas discussed the possibilities of ordinance changes for nuisance abatement and provided some examples from other cities. Mayor went on to discuss the noise ordinance and the vibrations, which has been the issue with Millenium Hall; asked for feedback. Councilman Nichols questioned what ordinances have been tested by going to court. Councilman Loftus stated he was issued a violation for noise and took it to court and won because of the zoning. Mayor explained there are different types of zones and there are different expectations for each type of zone and that our ordinances need to be tough enough to issue a municipal infraction. John Peverill, 543 East End Ave., questioned if we still have a hobby car permit. The Mayor responded that we do. John continued that the time of the permit needs to be limited so no junk cars are sitting around.

Public discussion-non agenda items.

Chief Jensen talked about the blood drive going on Thursday and they would appreciate the communities support. Loraine Atkins, 635 River Forest Rd., questioned the salary increase and if repealed at the beginning of the year if we will do anything. She also questioned why the public is not notified of the sewer rate increase. Sandra Francis, 312 River Forest Rd., questioned if when the driveways are completed, are they going to get their garbage picked up and mail delivered. Ryan, Shoff Engineering, stated once the street is open everything will run as usual. Al Chidester, 176 River Forest Road, stated he doesn't have many complaints and is happy his driveway will be addressed in the next day or so.

Mayor/Council Reports: Mayor Faas took a moment to thank the Water Works for helping with the pumps at the Community Response Center and for working with us on the recent large bill; reducing it from \$3883 to \$331. He also discussed the following updates: Debris removal requested by the Army Corps went fairly well, however, they brought to our attention that the large amount of flood related debris on the river side of the levy will have to be removed, and address the issue of someone building wing damns. He also stated that this is a very expensive issue, and there is consideration of putting in trail cameras or offering a reward to anyone who sees anything to catch the person/people doing this. Sandra Francis, 312 River Forest Rd., stated they can hear the person moving rocks in the middle of the night. Mayor Faas responded, please let us know if you hear movement and we will alert the officials. Mayor Faas also stated that the Meyers Lake North Shore rehab is almost done and looks great. The weir and gate on the south side has been ordered and should be in sometime in the next month and the televising should happen within the next couple weeks.

Ryan, Shoff Engineering, gave an update on the River Forest Road Project stating the main line pavement had been installed and are working on Forest Circle and old River Forest this week and hoping by the end

of the week have all of the side roads and driveways completed. Mayor Faas asked when they anticipate hand pouring the rest. Ryan responded later this week. Councilman Seible questioned the amount of working days left. Ryan replied 10 working days before penalties start.

Councilman Nichols stated we have some issues with EMT response time on the off hours. Mayor Faas responded we need to address the lack of EMT coverage on the off hours and the city may need to consider hiring a part-time permanent EMT employee to cover some of the off hours. Councilman Walker asked if we are having difficulty with finding drivers or EMT's. Mayor responded that we are having problems finding EMT's to fill the schedules, but the time of day needs to be taken into consideration. He also explained the pager process and that our response time has been evaluated and is equal to, if not better, than Waterloo's response time.

Councilman Seible questioned if we are bound by the Roberts Rules of Orders and if an item failed who can bring it back. Mayor Faas responded we are not bound to them, it is a little unclear on the topic and the book was designed for parliamentary procedure. Councilman Seible questioned state code 372.13, setting compensation for council officials and when it goes into effect, he would like to challenge the wording of the code. Mayor Faas stated he could look into it and he will have City Attorney get information on the code. Sharon Loftus, 309 Morrell Ave., stated as a Black Hawk County employee they followed the same type of system, and explains anyone reading the codes reads what they want to read; everyone has their own interpretation. Mrs. Loftus questioned Councilman Seible on accepting an answer when one is provided.

There being no further discussion, Loftus/Walker to adjourn the meeting at 7:20 p.m. Motion carried.

**ATTEST:**

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**Doug Faas, Mayor**

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**DeAnne Kobliska, City Clerk**