

CITY HALL  
EVANSDALE, IOWA, NOVEMBER 19, 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, Walker, and Loftus. Quorum present.

Walker/Loftus to approve November 19, 2019 agenda. Ayes-Five. Motion carried.

Walker/Loftus to approve the following items on the November 19, 2019 consent agenda, except for item c. Tobacco Permit: New permit – The Smoking Dragon, 3521 Lafayette. a. Approval of November 6, 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 (Oct), Building Inspection Report (Oct), Clerk/Treasurer Report (Oct), Code Enforcement Report (Oct), Evansdale Municipal Housing (Sept/Oct), Library (Oct), Parks & Rec Dept. (Oct), Planning & Zoning (n/a), Police Dept. (Oct), Storm Water Commission (n/a), and Water Works (Oct). Roll call vote: Ayes-Five.

Walker/Dewater to deny the approval of the new Tobacco Permit for The Smoking Dragon, 3521 Lafayette. Councilor Dewater stated that after he received the email from Police Chief Dean that it was apparent that the business wasn't in compliance with the City's Code of Ordinance. Councilor Walker stated that it was a head shop and that the city didn't need another business operating in this fashion. Mayor Faas stated that it was a tobacco permit for vapor only products but appeared by the photos they were selling drug paraphernalia. Roll call vote: Ayes-Four. Nays-One (Bender).

Public Hearing: Lafayette Road Rehabilitation Project. Walker/Dewater to open the public hearing at 6:07 p.m. Barrett Hubbard with Shive-Hattery gave an overview of the rehabilitation of Lafayette Road project to include the rehabilitation from 70' East of Evans Road to Bridge Over Elk Run Creek. The overlay would include 12-foot lanes, the tie in of the driveways, and the reconstruction of the shoulders at 8 feet wide instead of 10 feet. Mayor Faas added that the footprint of the roadway from ditch-to-ditch would not change. Mr. Hubbard also stated that as a safety issue the roadway would have a sturdy shoulder for a motorist to pull off as well as students that utilize the shoulders as a walkway to get to school. The project would also include removal of the intersection islands located at Roosevelt and Grand Blvd and flashing beacon lights be installed for pedestrian traffic at the intersection of Roosevelt. Faas stated that council questioned what the cost would be to engineer the road back to 10 feet lanes and they replied that it would be over \$100,000 to re-engineer. Councilor Bender stated that the road was not wide enough for a truck with plow and a regular vehicle to pass without extreme caution. Marcus Januario with Shive-Hattery stated that 10-foot roads were no longer safe, and engineers no longer design them. Mr. Hubbard discussed the time frame of the project to include place plans for bid on December 4<sup>th</sup>, bid opening on December 20<sup>th</sup>, acceptance of the low bid 1<sup>st</sup> meeting in January 2020 and start date scheduled for April 6<sup>th</sup> but no later than June 1<sup>st</sup> with a completion date of October 2<sup>nd</sup>. Troy Beatty, 1763 Timberline Drive, Mayor elect, stated that he had procured the same bid for that road project by a company that handles most of the asphalt overlays in this area for \$745,000 for a crack and seat and 4-inch overlay. The message to everyone here and the folks on their way out is to stop the spending. This process as quoted was completed in the City of Waterloo on the 2<sup>nd</sup> heaviest traveled road in the city, you were voted out and the message was to stop spending. Councilor Seible motioned to table the project until the 1<sup>st</sup> of the year for the new administration to decide

the direction of the project. Faas responded that it won't be completed next year if the bidding process is stopped and the City has spent over \$193,000 for engineering fees and that we weren't comparing apples to apples with the above-mentioned project quote. Mr. Beatty responded that Faas stated inaccurate information and stated if the crack and seat didn't work why would the City of Waterloo utilize the process. Councilor Dewater stated that it wouldn't cost the City any additional funds to have the project bid. Mr. Beatty responded that the citizens do not want to fund the project as proposed. Mr. Hubbard stated that the interlayer component proposed for this project has been proven to give the roadway longevity. Seible stated that it was quoted by the Mayor that the project would be \$660,000 less if the roadway width stayed the same. Mayor Faas responded that he stated merely his opinion and had asked the engineer as council requested after the last meeting and the road width only reduced the project by \$100,000. Seible stated that the project should be put off until the first of the year. Bender stated that she had spoken to multiple residents that were in favor of the project and questioned how the project would be funded. The Mayor responded that it would be partially funded by road use, LOST, and TIF. Councilor Walker questioned if we were to approve the final plans and the project bidding tonight if we would have construction plan options. Mr. Hubbard responded yes. Tom Nichols, 616 Grand Blvd., questioned why we couldn't wait a month and that he disagreed with the mayor in that the TIF funding portion does affect our schools, county and other taxing bodies as they have to charge more tax for what they lose with TIF allocations. Loraine Atkins, 715 Central Ave., #203, stated she was opposed to this project and felt that the engineers are high pressured salesmen the higher the project the more money they make but questioned why the project plans couldn't be put on hold for the new administration. Mayor Faas questioned if we had a 2<sup>nd</sup> to the motion on the table. Seible responded that we are still in the public hearing. Williams Nichols, 221 Oakwood Dr., stated that the project could wait. Dewater/Walker to close the public hearing at 6:42 p.m. Ayes-Five. Motion carried.

Seible motioned to table. Denied for lack of a second. Walker/Bender to approve Resolution 6366 approving final plans and specifications, form of contract and final cost estimate; setting date of bid letting; and authorize engineer to advertise for bids for the Lafayette Road Rehabilitation Project. Councilor Bender questioned if the council wanted to re-evaluate the plans after the bids were received could they do so. Mayor Faas responded yes. Councilor Dewater questioned if the City could substantially change the plans after the lowest bidder had been accepted. Mr. Hubbard responded yes. Faas stated that it would have to be re-engineered. Shive-Hattery confirmed that the plans would have to be re-engineered. Tom Nichols, 616 Grand Blvd., wanted the new administration to review the plans before it went out for bid. Councilor Bender responded that it wouldn't cost the citizens anymore whether we go out for bid now or later. Councilor Walker stated that we already signed a contract and the contract total would be paid regardless if we go out for bid or we don't. Roll call vote: Ayes-four. Nays-One (Seible).

Dewater/Seible to approve Resolution 6367 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Walker/Bender to approve Resolution 6368 approving the canvass of the 2019 Municipal Election. Roll call vote: Ayes-Five.

Dewater/Seible to approve Resolution 6369 authorizing City Clerk to certify TIF Debt with County Auditor. Councilor Seible questioned the certification. Clerk Kobliska responded that the certification is to pay the debt for fiscal year 2021. Roll call vote: Ayes-Five.

Walker/Bender to approve Ordinance 669 approving modification to Chapter 52 Weeds, first reading. Roll call vote: Ayes-Five.

Seible/Bender to approve motion to suspend rules for Ordinance 669 approving modification to Chapter 52 Weeds. Roll call vote: Ayes-Five.

Walker/Seible to approve motion to adopt Ordinance 669 approving modification to Chapter 52 Weeds. Roll call vote: Ayes-Five.

Walker/Bender to approve Ordinance 670 approving modification to Chapter 136 Sidewalk Regulations, first reading. Councilor Seible questioned what would happen if the street plows blow snow on a sidewalk after the sidewalk has been cleared. Mayor Faas responded that it is a natural part of the winters in Iowa and it would happen as we must keep the roadways cleared. Ron Nichols stated that it was a burden on the residents that have sidewalks and that the sidewalks should either be torn out or everyone should be required to have sidewalks to maintain. Mayor Faas questioned how that project would be funded. Nichols responded that the homeowner's taxes would be assessed. Roll call vote: Ayes-Five.

Seible/Bender to approve motion to suspend rules for Ordinance 670 approving modification to Chapter 136 Sidewalk Regulations. Roll call vote: Ayes-Five.

Walker/Seible to approve motion to adopt Ordinance 670 approving modification to Chapter 136 Sidewalk Regulations. Roll call vote: Ayes-Five.

Walker/Seible Request from Police Chief Dean to purchase 4 new in-car and body camera systems in the amount of \$29,715; grants have been applied for and received in the amount of \$10,000 the balance to be paid from fund 177 Drug Forfeiture. Ayes-Five. Motion carried.

Public discussion-non-agenda items: Ken Nichols, 610 East End Ave., questioned what the status was for 945 Mc Coy Rd. Mayor Faas responded that the new administration would have to deal with it due to the lengthy timeline involved in the process. William Nichols, 221 Oakwood Dr., questioned after stating that council was doing a good, if there were any plans for improvements in Casebeer Heights. Councilor Dewater questioned what he would like accomplished. Nichols responded anything would be nice. Dewater responded that the park equipment had been painted.

Mayor/Council Reports: Mayor Faas stated that there would be a webinar on the steps to apply for a federal grant for up to 90% funding on a new ambulance.

There being no further discussion, Seible/Walker to adjourn the meeting at 7:09 p.m. Ayes-Five. Motion carried.

ATTEST:

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Doug Faas, Mayor

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DeAnne Kobliska, City Clerk