

CITY HALL
EVANSDALE, IOWA, DECEMBER 3, 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: Seible, Bender, Loftus, and Dewater. Absent: Walker. Quorum present.

Loftus/Bender to approve December 3, 2019 agenda. Ayes-Four. Motion carried.

Dewater/Seible to approve the following items on the December 3, 2019 consent agenda. a. Approval of November 19, 2019 regular meeting minutes. Roll call vote: Ayes-Four.

Dewater/Loftus to approve Resolution 6371 setting date of public hearing for December 17, 2019 to receive comments and questions concerning the proposed conveyance of real property. Mayor Faas explained that it would be a land swap for land on the west side of the levee and that the City would utilize the additional land for composting and yard waste. Councilor Seible questioned the location of the land to be conveyed to the City. Mayor Faas responded just to the right of the entrance gate to the current composting site. Roll call vote: Ayes-Four.

Bender/Dewater to approve Resolution 6372 authorizing the mayor to sign a lease addendum with the City of Elk Run Heights for the portion of land abutting Mayor's Park. Councilor Seible questioned if the land would be developed in the future. Mayor Faas responded that it was currently junk timber and that the land wouldn't be developed as it was in the floodway. Roll call vote: Ayes-Three. Nays: One (Seible).

Seible/Bender to approve request from Public Works Director to approve the removal and replacement of 3 storm sewer intakes; 2 at 121 Lawrence and 1 at 522 Jones in the amount of \$4,600 with Frickson Brothers Excavating. Councilor Seible questioned if the Public Works Dept. should be performing the task. Mayor Faas responded that the City does remove and install storm sewer collars but not the complete intake. Ayes: Four. Motion carried.

Seible/Dewater to accept resignation of Sharon Loftus from the Utility Board of Trustees. Ayes: Four. Motion carried.

Dewater/Loftus to approve appointment of Dottie Wear to the Utility Board of Trustees with term beginning December 12, 2019 through December 31, 2021. Councilor Bender questioned the process of appointing a citizen to a board or commission and if we could change the process to include notifying the public on the City's website and having them complete an application to be considered for appointment. Councilor Seible agreed with a new process being put in place before any additional appointments were filled. He also questioned who the other utility board member with term expiring at the end of the year was. Mayor Faas responded Cecil Azbill. Seible questioned if Azbill showed interest in continuing his term. Faas responded that he would follow up with Cecil. Ayes: Three. Nays: One (Seible). Motion carried.

Council to consider the abatement of the business located at 945 Mc Coy Road. Mayor Faas stated that a council member had requested this item be placed back on the agenda. Councilor Dewater stated that he had requested that the abatement of 945 Mc Coy Rd. be placed on the agenda as the City has made a good faith effort to keep them in business and they have not responded in the same way and doesn't believe we have any choice other than to ask them to abate their business. Councilor Bender also stated that on several occasions she had driven by and there were at least 20 vehicles in the lot. Councilor

Seible stated that there are other businesses within the City that are in a residential district that are not in compliance and didn't believe the City followed protocol with this abatement and questioned City Attorney Folkerts what the protocol was. Dewater stated his concern that when the council had amended ordinances to reduce junk cars and nuisance compliance in the City that Councilor Seible was for the changes but has not backed them since they were passed. Councilor Seible responded that nuisance abatements needed to be fair and uniform between everyone. Bender stated that there several cars at this location and could understand why the neighbors are frustrated. City Attorney Folkerts responded that they are not in compliance and the City has every right to pursue action. The steps were taken with an abatement by written notice with an option to have a hearing, which was held, and then a municipal infraction which he would have an option again for a hearing but it would be held in front of a judge. Dewater wanted to pursue the municipal infraction citation. John Peverill, 543 East End Ave., questioned why the property located on east Gilbertville Rd. hadn't been addressed as there are over forty vehicles on his lot and nothing has been done. Faas responded it would be next on the list. Loraine Atkins, 715 Central Ave., #203, stated that she wasn't in favor of putting the gentlemen out of business and other businesses needed to be addressed within the City. Dewater/Bender to approve issuing a municipal infraction to the business owner and property owner at 945 Mc Coy Rd. Ayes: Three. Nays One (Seible). Motion carried.

Public discussion: non-agenda items: John Peverill, 543 East End Ave., questioned if the City would pursue the Gilbertville Rd. nuisance property. Faas responded that he would discuss with Code Enforcement first thing in the morning.

Mayor/Council Reports: Mayor Faas stated he would like council during budget planning to consider purchasing an additional 6-inch trash pump for flooding purposes.

There being no further discussion, Dewater/Seible to adjourn the meeting at 6:37 p.m. Motion carried.

ATTEST:

Doug Faas, Mayor

DeAnne Kobliska, City Clerk