

CITY HALL
EVANSDALE, IOWA, OCTOBER 2, 2018
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 October 2, 2018 agenda. Ayes-Five. Motion carried.

Seible/Bender to approve the following items on the October 2, 2018 consent agenda. a. Approval of September 18, 2018 regular meeting minutes. Roll call vote: Ayes-Five.

Dewater/Loftus to approve Resolution 6249 authorizing payment of bills and transfers. Roll call vote: Ayes-Five.

Dewater/Loftus to approve Resolution 6250 approving Deerwood Campground as a special animal management zone for goose hunting. Lease was amended to read "water fowl" instead of goose hunting, we added Doug Weber as a hunter, and changed the end date of season to January 12, 2019. Roll call vote: Ayes-Five.

Dewater/Seible to approve Resolution 6251 approving the sale of city property in the amount of \$80,000 to One Site Development, LLC. Mayor Faas stated that a Dollar Tree was to be built, however, the development agreement stated that subject build attain a taxable evaluation of at least \$1,000,000 and upon researching the evaluation of like Dollar Tree builds the total taxable evaluation has been \$700,000 and was hesitant to sign the agreement knowing the developer would be in default to the city. Councilor Seible questioned the process if developer defaulted in his agreement. Faas responded that the city would take legal action against the developer. Councilor Dewater stated that if developer defaulted we would need to pursue legal action. Faas responded that he would feel more comfortable signing the agreement for \$700,000 which would reduce estimated annual tax revenue from \$29,038 to \$21,500 annually rather than have developer go into default and have legal fees tied up in the property. Seible questioned the incentives to build for Dollar Tree when he didn't believe Dollar General received any incentives to build. Faas stated that the city did rebate the developer for the infrastructure placed when Dollar General was built and stated several incentives that both Waterloo and Cedar Falls, our neighboring cities, have recently offered developers. Dewater questioned if developer defaulted would the corporation in effect default as well. City Attorney Folkerts responded that the agreement cannot be reassigned without written consent and that the city would have to pursue legal action if developer defaulted. Seible stated his concern about the lack of communication between the city and council regarding this agreement. Dewater responded he wasn't in agreement with the lack of communication. Councilor Walker stated that all of us are just one phone call or visit away to get updates on any city business. Roll call vote: Ayes-Five.

Seible/Walker to approve Resolution 6252 approving Development Agreement with One Site Development, LLC as amended by changing taxable evaluation from \$1,000,000 to \$700,000. Roll call vote: Ayes-Five.

Seible/Bender to approve Resolution 6253 approving FY2018 Urban Renewal Report. Councilor Seible asked for a summary of the report. Clerk Kobliska responded that it is an accounting of TIF balances to the State of Iowa. Roll call vote: Ayes-Five.

Walker/Seible to approve Resolution 6254 fixing compensation for Officer Dietz. Roll call vote: Ayes-Five.

Dewater/Walker to approve Resolution 6255 approving payment #3 (Pre-Final) to Peterson Contractors, Inc., Reinbeck, Iowa for the Angels Island Bridge Project in the amount of \$20,662.97. Roll call vote: Ayes-Five.

Dewater/Seible to approve Resolution 6256 approving final retainage payment #8 to Vieth Construction Corp, Cedar Falls, Iowa for the 2017 Patching and Maintenance Project in the amount of \$28,548.80. Roll call vote: Ayes-Five.

Seible/Bender to approve request to enter into an engineering agreement with McClure Engineering, Co. in the amount of \$29,800 for the wastewater treatment plant facility plan and nutrient reduction evaluation 2018. Ayes-Five. Motion carried.

Walker/Bender to approve request from Public Works Dept. to purchase 40 loads of premium black dirt (fill projects) from Frickson Brothers Excavating in the amount of \$6,000 (\$150 per load). Councilor Seible questioned what the dirt would be used for. Councilor Dewater questioned if cost included delivery. Public Works Director Schares responded that we need premium dirt as used in various projects around the city and the usual cost is \$500 for a load. Ayes-Five. Motion carried.

Seible/Bender to approve request to replace damaged sidewalk panels at City Hall with B and B Builders and Supply in an amount not to exceed \$3,825. Councilor Dewater stated that he wasn't clear on the quote as the bids addressed several areas. Mayor Faas responded that the quote that was highlighted was for sidewalk project. Councilor Seible questioned if the pricing was bid to include each project listed. Schares responded each project was bid individually. Ayes-Five. Motion carried.

Dewater/Bender to approve Cedar Bend Humane Society Trap-Neuter-Return program agreement. Mayor Faas stated that if program was approved it would be resident, not employee, driven. Councilor Walker stated that he wasn't in favor of this project and he didn't support the killing of cats. Councilor Dewater stated that he was involved in a similar program and that it saved cats lives in the long run. Councilor Bender stated that there are several feral kittens in her neighborhood and that she wanted to see it addressed. Jeff O'Brien, 939 McCoy Rd., explained the issue of residents feeding not only cats but it was attracting other wildlife as well and that the feral cat population has grown in his area. Faas explained that this agreement would give residents an alternative program for the feral cat's care. Councilor Seible questioned if the Humane Society would report program statistics to the city. Faas responded yes. Dewater stated that it would be the beginning of an education process for the residents. Jeff O'Brien questioned if they would determine if cats were healthy enough to return to the city. Faas responded yes. Public Works Director Schares stated that they had caught 30 cats within the last two months 4 had to be euthanized but we were able to relocate 26. Ayes-Four. Nays-One (Walker). Motion carried.

Dewater/Walker to approve moving forward to repair stormwater system at Lake Shore Place. Mayor Faas stated that there was a massive sink hole surrounding a stormwater drain at the header of the canal on the east side of Lake Shore Place that the city did not have easement to but needed to repair. He also stated that he had been in touch with the homeowners and that they would allow the city access to repair the sink hole and repair the storm drain issue causing the sink hole. Ayes-Five. Motion carried.

Walker/Loftus to approve request to reschedule the November 6th Council meeting to November 7, 2018 due to General Election. Ayes-Five. Motion carried.

Public discussion: non-agenda items. There were none.

Mayor/Council Reports: Mayor Faas stated that the city crew dug down to the base of city hall to review flanges, they appeared to be intact. We also reviewed the concrete pads installed at ground level around city hall and determined that as the pads expand/contract with the weather changes it was causing cracks in the building. We are getting quotes to remove the concrete pads and replace with rock. He also discussed a possible change in the dispatch agreement/EMA charges with Black Hawk County by an emergency services levy instead of a general fund expense. He also stated that we were having issues with the Arbutus lift station pumps and asked Chris Schares to explain. Public Works Director Schares explained that they were down to one pump and had to bypass the system today as the system is in distress with all the recent rain. Waste Water Foreman Chris Even and I are working with McClure Engineering tomorrow to come up with an immediate resolution to repair the lift station. Faas also discussed the email received by all council members regarding the curb cut request at the Pronto convenience store. He explained to council that River Forest Road was reconstructed to both SUDAS (Statewide Urban Design and Specifications) and Iowa DOT specifications and gave documentation to all council members proving as much. He also stated that City Attorney Folkerts had documentation that put the city on firm legal ground and questioned the council if they wanted a hearing with the owners on the matter. Councilor Dewater questioned if this was the reason for loss of business. Faas responded that it could be for several reasons but the driveway the city build was 15 feet wider than was required. Dewater stated that he was in favor of a hearing. Councilor Seible agreed. Seible questioned final payment for the River Forest Rd project. Faas responded that we just received a \$38,000 check and will receive another check for \$74,000 within the next month. Seible also questioned the additional invoice for Frickson's services on the Angels Island Bridge project. Faas stated that the invoice was included in this payment to PCI. Councilor Walker questioned Councilor Seible regarding proposed language to the parking on resident lawns in our current ordinance. Seible responded that it wasn't complete but would get a copy to Walker as soon as it was.

There being no further discussion, Seible/Loftus to adjourn the meeting at 7:18 p.m. Motion carried.



Doug Faas, Mayor

ATTEST:


DeAnne Kobliska, City Clerk