

City of Carter Lake
City Hall – 950 Locust St.
Proceedings: Monday, Jan. 20, 2014
Regular City Council Meeting – 7:00 PM

Mayor Gerald Waltrip called the meeting to order at 7:00 PM.

The Pledge of Allegiance

- I. Roll Call: Present – Mayor Gerald Waltrip
Council members Barb Hawkins, Dave Huey, Ron Cumberledge and Barb Melonis.
Absent – Council member Ed Aldmeyer.
Also present – City Attorney Joe Thornton and City Clerk Doreen Mowery.

Mayor Waltrip acknowledged and thanked Russ Kramer and Tim Parker for their many years of service to the City.

- II. Approval of the Agenda – Moved by council member Huey seconded by council member Melonis to approve the agenda. Ayes: Unanimous.

- III. Consent agenda – Moved by council member Cumberledge seconded by council member Hawkins to approve the consent agenda as submitted. Ayes: Unanimous.

IV. New Business

A. Appointments

1. Mayor Waltrip appointed council member Cumberledge as Mayor Pro-Tem for 2014. Moved by council member Hawkins seconded by council member Melonis to approve the appointment. Ayes: Hawkins, Huey, Melonis. Abstain: Cumberledge.
2. Council member Cumberledge questioned the hourly rate being paid to Joe Thornton. His current rate is \$150 per hour. His associates' rates are \$125 and \$135 per hour, paralegal time is half that rate. He bills for time spent. Mayor Waltrip suggested a retainer up to \$25,000 and then hourly beyond that. Council member Cumberledge made a motion. Council member Melonis suggested this item be tabled until the next meeting. Council member Cumberledge pulled his motion. Paul Christensen questioned the purpose of the retainer. Moved by council member Melonis seconded by council member Huey to retain the current City Attorney and hold over the appointment until the next meeting and in the interim contract negotiations will take place with anybody that will be in the position of City Attorney. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge.
3. Council member Cumberledge questioned the five year agreement that is currently in place for the City Clerk. The appointment is a two year appointment. Moved by council member Melonis seconded by council member Hawkins to retain Doreen Mowery as City Clerk for two years. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge.
4. The Mayor requested that appointments for the safety committee be postponed until he has time to review. The positions are two year rotating terms held by various departments. Moved by council member Huey seconded by council

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member Hawkins to approve appointing Barb Bennett and Jeff Johnson to the safety committee for two years. Ayes: Unanimous.

B. Communications from the Public

1. Salvage yard permits

a. Moved by council member Hawkins seconded by council member Melonis to approve renewal of the salvage yard permit for Lakeside Auto Recyclers. Ayes: Unanimous.

b. Moved by council member Hawkins seconded by council member Cumberledge to approve renewal of the salvage yard permit for City Motors conditional on the “exit” sign being installed. Ayes: Unanimous.

2. Liquor license renewals

a. Moved by council member Hawkins seconded by council member Cumberledge to approve the change in ownership for the Kwik Shop liquor license. Ayes: Unanimous.

b. Moved by council member Cumberledge seconded by council member Huey to approve renewal of the Kwik Shop liquor license. Ayes: Unanimous.

c. Moved by council member Cumberledge seconded by council member Melonis to approve renewal of the Improvement Club liquor license. Ayes: Unanimous.

3. Bill Dahlheimer started his presentation with a request for a moment of silence in honor of Martin Luther King Day. Mr. Dahlheimer stated that Carter Lake is a MS4 compliant community. He stated that wetlands provide flood protection and facilitate ground water control. He owns one acre of wetlands east of Hamilton Sports complex. He stated he has paid over \$500 in storm water fees since 2012. In the past, council member Huey suggested some type of rebate for citizens that implement best practices for storm water. Mr. Dahlheimer would like the council to consider the land that he owns, and remove the storm water fee from his wetland property. He requested that someone make a motion to remove his 8 lots from storm water taxation. Mayor Waltrip requested that Mr. Dahlheimer’s request be postponed until the next meeting. He would like all of the lots in the area to be added to the list for exemption. Moved by council member Cumberledge to exempt Bill Dahlheimer from the storm water fee. Motion died due to the lack of a second. Council member Melonis believes the system is fairly assessing all property owners and Bill is not being singled out and unjustly charged. Council member Huey wants to explore revising the fee process. Paul Christensen would like a copy of the assessment fee structure.

4. Kathy Glathar was present to request the use of City Hall for distribution of fresh fruits and vegetables through the Bountiful Basket Food Co-op. She believes the community would benefit from this project. They are in need of a site for distribution every other Saturday for approximately 4 hours. The project utilizes all volunteer labor. If it is nice outside, distribution would take place in the parking lot. The Mayor would prefer that this type of program

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take place in one of the church buildings. He wants City Hall to only house city business. Other suggestions for facilities for distribution were the Improvement Club, the Fire Department, Mobile Home Park meeting room, the Library, or the Senior Center. Currently there are three people in Carter Lake working on the project as volunteers. The council would like this item on next month's agenda for additional consideration.

C. Communications from the Departments

1. Moved by council member Huey seconded by council member Cumberledge to approve the three new applications for the volunteer fire department. Ayes: Unanimous. Council member Melonis thanked all members on the department and all of the other departments that responded to the fire at General Manufacturing. There were 32 Omaha, 13 Carter Lake, 7 Crescent, 3 Council Bluffs, and 10 Lewis Township fire fighters that responded.
2. The Planning Board has started updating the comprehensive plan. They will be meeting every two weeks to work on this project.
3. There was not a storm water committee meeting update at this time.
4. Mayor Waltrip
 - a. Ron Rothmeyer submitted his resignation from the Library Board. Mayor Waltrip stated there will be many changes in the work that the maintenance department is going to be doing in the community. Mayor Waltrip stated that there were water main breaks caused by the fires. The Library Board appointment will be placed on next month's agenda.
 - b. Mayor Waltrip has reviewed the issue with the fences in front of the VFW and in front of Manual Tire. Neither facility wanted the fences. The VFW fence was damaged and the council billed them for the fence repairs and then placed a lien on the property when the bill was not paid. Moved by council member Cumberledge seconded by council member Melonis to remove the bill to the VFW. Ayes: Huey, Cumberledge, Melonis. Nays: Hawkins. The Mayor stated if there is interest on the bill he will pay it out of his pocket. Council member Melonis believes the council should review the ordinance regarding maintaining the fence along Locust. Todd Dutton states that the ordinance says the City is responsible for anything they build between the property line and the street.
5. Council member Cumberledge would like for comments from the public to be allowed throughout council meetings, not just at the end of the meeting. Mayor Waltrip stated that he will take care of that from the Chair and he will allow the people to speak during the meeting.
6. Moved by council member Hawkins seconded by council member Melonis to approve and place on file the audit for FYE 6-30-13. Ayes: Unanimous.

V. Resolutions

- A. Council member Cumberledge requested comparables for audit services. The current auditor is under contract for the audit for the current fiscal year. Moved by council member Huey seconded by council member Hawkins designating Schroer & Associates as auditor for the current fiscal year. Ayes: Unanimous.

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- B. Moved by council member Melonis seconded by council member Huey to adopt a resolution designating the Daily Nonpareil as the newspaper for publication requirements. Ayes: Unanimous.
- C. Council member Cumberledge's name was added to the banking resolution. Moved by council member Huey seconded by council member Hawkins authorizing signatures for banking purposes. Ayes: Unanimous.
- D. Moved by council member Hawkins seconded by council member Huey to approve a resolution naming depositories for investments. Ayes: Unanimous.
- E. Moved by council member Melonis seconded by council member Hawkins to adopt a resolution approving liens for delinquent utility bills. Ayes: Unanimous.
- F. Moved by council member Melonis and council member Huey to approve and authorize signatures on a contract with Lamp Rynearson for engineering fees on the Owen Industries expansion project. Ayes: Unanimous.
- G. Moved by council member Melonis seconded by council member Huey to approve the resolution designating the industry average for fire call fees. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge.
- H. Moved by council member Cumberledge seconded by council member Hawkins to approve a tax abatement at 720 Key Circle. Ayes: Unanimous.

VI. Comments

Mayor Waltrip stated he appreciates the opportunity to serve the community again.

He also congratulated Joe Thornton on the birth of his new grandson.

Council member Melonis thanked everyone for the vote of confidence and putting her back on the council for four more years. She thanked the fire department again for the service to the community.

Council member Cumberledge thanked everyone for the opportunity to serve the city again.

Council member Huey welcomed Barb, Ron and Jerry to the board. He also thanked the maintenance crew and police force for assisting during the fire at General Manufacturing. Council member Huey thanked Nate Bradburn, a volunteer who was able to use his skills to perform CPR at his job and there was a positive outcome.

Council member Hawkins congratulated the new members on the council and the Mayor.

Paul Christensen agrees that comments should be made by the public during the meeting. He is confused about the clerk having a 5 year contract and a 2 year appointment. The mayor will explain this to the public in the future.

The clerk reminded the council that IMWCA will be having a regional safety meeting at Carter Lake City Hall on Feb. 5th.

Council member Aldmeyer had requested that the council consider rescheduling the regular council meeting that is scheduled on President's Day. The council prefers the meeting be held on Feb. 17th and not a different day.

Jerry Bell wanted to know how many delinquent water bills there are and why they are written off each month. The Mayor stated he will review this and he will straighten a lot of them out. The clerk stated there are currently about 20 accounts

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that are delinquent. Liens are typically people who have gone bankrupt. Mr. Bell believes accounts should be shut off after 30 days if they haven't paid.
Mayor Waltrip acknowledged his son for coming from Phoenix to be at this meeting.

This meeting adjourned at 8:17 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor