

City of Carter Lake
City Hall – 950 Locust St.
Proceedings: Monday, September 15, 2014
Regular City Council Meeting – 7:00 PM

The Pledge of Allegiance

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

- I. Roll Call: Present – Mayor Gerald Waltrip
Council members Ed Aldmeyer, Dave Huey, Ron Cumberledge, Barb Hawkins and Barb Melonis.
Also present –City Clerk Doreen Mowery
Absent – City Attorney Joe Thornton
- II. Approval of the Agenda – Council member Aldmeyer requested that the Storm Water Update be removed from the agenda. Moved by council member Cumberledge seconded by council member Melonis to approve the agenda with the deletion. Ayes: Unanimous.
- III. Consent agenda –Council member Melonis requested that check number 58252 be pulled from the consent agenda and placed as item number 8 on the regular agenda, for discussion. Moved by council member Hawkins seconded by council member Aldmeyer to approve the consent agenda with the deletion. Ayes: Aldmeyer, Hawkins, Huey, Melonis. Nays: Cumberledge.
- IV. New Business
 - A. Communications from the Public
 1. There was discussion and concerns over the contract with DED and the funds that would be requested for matching funds from the City for the Fleet Park project on Abbott Drive. Council member Cumberledge is concerned that a specific dollar amount is not stated in the contract. The contract reads “City will provide an acceptable form of local match (likely tax abatement) on the increase of assessed valuation after any adjustment in valuation upon purchase of property, minimum of the 427 equivalent.” Wayne Hoovestal came before the council and indicated that their intent is to not to receive funds from the City of Carter Lake. Moved by council member Aldmeyer seconded by council member Hawkins to approved the DED contract as presented with the added wording regarding the city’s contribution. Ayes: Unanimous.
The Planning Board has approved issuing a Conditional Use Permit to Fleet Park LLC. Moved by council member Cumberledge seconded by council member Melonis to approve the Conditional Use Permit for Fleet Park LLC. Ayes: Unanimous.
 2. Moved by council member Aldmeyer seconded by council member Hawkins to approve lease amendments #1 and #2 for American Towers as presented. Ayes: Unanimous. Bill Dahlheimer presented the council with a picture of a sign that has been posted at the ball diamond regarding radio frequency fields and a web page showing cell towers in and around Carter Lake. He presented similar information to the council approximately 11 months ago. He stated that cancer rates double within seven miles of cell towers. There are 181 towers within a 4 mile radius of Carter Lake. He requested that the

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council table their motion to approve the rate increase for the lease. The Mayor will get Bill Dahlheimer the information he requested, before the next council meeting.

3. Moved by council member Huey seconded by council member Cumberledge to approve the liquor license renewal for Spearmint Rhino. Ayes: Unanimous.
4. Moved by council member Aldmeyer seconded by council member Huey to approve the liquor license renewal for C L Mini Mart. Ayes: Unanimous.
5. Moved by council member Aldmeyer seconded by council member Melonis to approve renewal of the commercial parking permit applications as submitted. Ayes: Aldmeyer, Hawkins Huey, Melonis. Abstain: Cumberledge.
6. R. J Brown came before the council to discuss a recent incident where his cats were taken to the Nebraska Humane Society and eventually put to sleep. He believes that it is illegal to take our animals across state lines. He believes our animals should be taken to an Iowa facility. The Mayor stated that in the past Council Bluffs would not take our animals but he will see if that has changed. The Mayor stated that in the next month he will get answers to all of R J Brown's questions regarding this matter.
7. Bill Dahlheimer came before the council to request that the council abolish the storm water ordinance because the formula was flawed. The fee structure has been abolished, but not the ordinance. Bill believes it is an illegal rain tax. In the future he would prefer a bond issue be used to handle storm water infrastructure needs.
Mr. Dahlheimer suggested that there be two awards given each year, one for citizen of the year and one for employee of the year. He recommended that Bob Freeman be named as Citizen of the Year for 2014 due to the many activities he has been involved with over the years. Bill suggested that if anyone at home had any suggestions for Citizen of the Year to submit them to the Mayor and Council for consideration.
8. Council member Melonis discussed check #58252 issued to Professional Tree Service for tree removal at 1912 Lagoon Dr. The Mayor explained that the tree was not at his address and it was about 30 years old and drops limbs and lifted the sidewalk. He stated that the tree was in the street and it is the city's responsibility and he thought it should have been taken down 10 years ago. The stump is still on the property. In the past the Mayor has worked with maintenance to share the cost of removing a tree at Mr. Dahlheimer's property. The Mayor stated that whoever gave the council the information didn't know what they were talking about.

B. Communications from the Public

1. Barry Palmer requested that the council consider making his job a full time position. He stated that with the amount of work he has it is not possible to get it all done in 29 hours a week. Council members Melonis and Cumberledge questioned how much of an impact the storm, the Boys and Girls Club project and PVS project have on his current work load. The Mayor explained that much of Barry's time is spent working on the Urban

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Revitalization Projects. Barry is concerned that there is work that is not being completed. Council member Cumberledge stated that they would keep his request in mind for the upcoming budget.

Barry requested that the council change the ordinance to adopt the 2012 State Building Codes. Council member Cumberledge requested that the Planning Board be given an opportunity to review the new code before the city adopts it.

2. There was no Fire Department update at this time
3. There was not a Planning Board update at this time.
4. Storm Water Committee update was removed from the agenda.
5. Mayor Waltrip updated everyone on the condition of the lake. He stated we have had considerable problems with the pumps. When we started taking the level down there were computer problems. The seaweed was also stopping the pumps from working properly. The lake was pulled down about seven inches in a week and then it rained. The Corp recently announced that they are going to leave the river where it is at, to protect the properties to the north. There currently is one location where ground water is getting into a manhole. There is not much traffic on the east leg of the lake. Spring is the best time to spray for seaweed. The Mayor suggested that the people contact the State regarding the seaweed problem.
6. Moved by council member Aldmeyer seconded by council member Hawkins to approve the tuition request up to the maximum amount allowed in the contract. Ayes: Unanimous.

V. Resolutions

- A. Moved by council member Hawkins seconded by council member Huey to approve and file the annual Road Use Tax report. Ayes: Unanimous.
- B. Moved by council member Cumberledge seconded by council member Aldmeyer to approve the tax abatement for 790 Key Circle. Ayes: Unanimous.
- C. Council member Aldmeyer requested that the pay increase for Phill Newton be laid over. At the last council meeting the council asked the Mayor to meet with Phill Newton and Ron Rothmeyer to negotiate a wage increase and to his knowledge that has not happened. He would like to set a date that the council could meet and come up with an offer. Council member Cumberledge asked if the Mayor had a recommendation. The Mayor stated that he will get two council members tomorrow to take care of this issue.
- D. Moved by council member Melonis seconded by council member Hawkins to approve the liens for unpaid utility bills. Ayes: Unanimous. The Mayor suggested that the city should consider going back to handling water ourselves. Council member Aldmeyer stated that he would look at it if there is a cost associated to the request. The Mayor stated it should not be done because of the money aspect of it, but because of the service. Council member Aldmeyer stated we are paying for the service aspect so we could ask for better service. The Mayor stated we would hire someone to handle the water thru the maintenance department.

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- E. Moved by council member Hawkins seconded by council member Cumberledge to approve writing off uncollectible bills. Ayes: Unanimous.
- F. Moved by council member Huey seconded by council member Hawkins to approve the transfer of library General Funds to the CIP account. Ayes: Aldmeyer, Hawkins, Huey, Melonis. Nays: Cumberledge.
- G. The Mayor stated he would like an opportunity to look at the records that are being requested to be destructed. Moved by council member Hawkins seconded by council member Aldmeyer to pass the resolution pending the Mayor's review. Ayes: Unanimous. The Mayor will review the documents before the Shred Fest on Sept. 27, 2014.

VI. Comments

The Mayor informed everyone that there are problems at the P Street pump house but Ron is working on getting them resolved. The PVS paving project is proceeding slower than expected due to the heavy rains. He thinks 9th St. and Ave. J may be open by the end of the week. When that is done they will start working on 5th St.

Council member Melonis thanked Maintenance and Parks for getting a start on the park project at 13th and Ave. Q. The work has started on that project and resting stones have been placed on 13th St.

Council member Cumberledge thanked maintenance department for keeping the streets and drains cleared during the recent rains.

Council member Huey thanked everyone for coming. He hopes everyone has a safe fall.

Council member Hawkins thanked maintenance and all of the departments. She thinks the employees do a wonderful job.

Council member Aldmeyer stated the garage sale was a good event and so was the golf tournament for the school fund raiser.

Jan Bell stated that yard citations were posted once in the Inside Carter Lake and they were never put in again and she wanted to know why. She also stated that the police calls used to be printed as well, but currently they are not. She feels it would be helpful if the citizens had access to this information. She wanted to know who she submits complaints to if she notices a safety or fire issue. She stated she missed about half of the meeting because everyone lowered their voices and she couldn't hear them and she felt it was kind of rude.

This regular city council meeting was adjourned at 8:20 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor