

City of Carter Lake
City Hall – 950 Locust St.
Proceedings: Monday, April 20, 2015
Regular City Council Meeting – 7:00 PM

The Pledge of Allegiance

Mayor Gerald Waltrip called the 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 – Attorney Joe Thornton and City Clerk Doreen Mowery
- II. Approval of the Agenda – The Storm Water Committee Update and Attorney Thornton – Easement Agreement were removed from the agenda. Moved by Council member Cumberledge seconded by council member Hawkins to approve the agenda with the deletions. Ayes: Unanimous.
- III. Consent agenda – Council member Cumberledge removed items G, H – 1 and I and placed them on the regular agenda for discussion and action. Moved by council member Melonis seconded by council member Huey to approve the consent agenda with the changes. Ayes: Unanimous.
- IV. New Business
 - A. Communications from the Public
 1. Moved by council member Cumberledge seconded by council member Melonis to approve renewal of the solid waste applications that have been submitted. Ayes: Unanimous.
 2. Rose Goodloff presented a copy of a DVD showing damage to her yard after a heavy rain last spring. She believes the runoff is from the new school. The school sent a representative and their insurance inspector to look at the property. Her insurance has also looked at the issue. Both of them believe the City is responsible for the runoff. Damage is being done to her shed. She would like to be put on the May agenda and she would like the council to look at the DVD so she can get a resolution to the problem. The Mayor stated that there is a problem and it was created by the school and the City allowed them to build the school with the elevation. Additionally, the ground has settled between her home and the school and there is some exposed rebar. The Mayor stated he will look at this problem. The Attorney stated that the problem is a school district issue. Mary Schomer lives on 13th Street and stated they have had runoff in their back yard since the demolished the old school. She was hoping that when the track is installed the land will be lowered to take care of the problem. The Mayor stated he will look at the problem.
 3. Lone Mountain Trucking has requested that Owen Parkway Circle be changed to Lone Mountain Road. The Mayor was going to suggest that it should be changed to Lone Mountain Lane and Motel Drive. Moved by council member Melonis seconded by council member Cumberledge to deny the request to change the name of the street. Ayes: Unanimous.

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, April 20, 2015

Regular City Council Meeting – 7:00 PM

4. The Improvement Club requested to close Ave. Q between 8th and 9th St. on May 9th for a benefit. They will have a band and dinner. Moved by council member Hawkins seconded by council member Cumberledge to approve the request to close the street after 3:00 PM. Ayes: Unanimous. The Annual Dog Days event is tentatively scheduled for Aug. 22nd.
- B. Communications from the Departments
1. There was not a Fire Department Update at this time.
 2. Board member Pauly reported that the Planning Board met with the hotel developers to discuss storm water issues. The Board suggested that the development agreement should include a traffic study to see if stop lights could or should be installed at that entrance on Abbott Drive. The Mayor stated he will get a hold of the State and with Ray to take care of getting a traffic light. The board recently elected Ray Pauly as Chairman and Karen Fisher as Co-Chair. Council member Cumberledge reaffirmed that the board required a storm water plan for the school.
 3. There was not Storm Water Committee update at this time.
 4. Mayor Waltrip
 - a. The Mayor stated he talked to Barry Palmer and Ron Rothmeyer about the driveway at 180 Marina Court. He said the city should remove the driveway and then hire someone to replace the concrete. He stated the property owner cannot get his boat into the driveway because of the way it was poured. Council member Hawkins stated it is the fault of whoever poured his driveway. The Mayor stated that the building inspector said there was not anything on the permit about the driveway. The Mayor stated no one would pour it like that unless someone told him to do it that way. Henry Hinkle was building inspector at the time. The Attorney has looked at the issue and he does not see anything that the City did wrong. If the contractor was concerned at the time they could have held up the cement truck and asked the city for relief. The owner could have come forth right after it happened to have the city make it right. He does not see a legal obligation of the city to do anything at this time because he cannot find anything that the city did wrong. Council member Huey is concerned that this claim is for something that happened five years ago. The Mayor stated that it was because no one would listen to home owner. The Mayor believes we have a moral obligation to repair the driveway. Council member Aldmeyer stated the builder is the one that built the sidewalk and driveway wrong. Moved by council member Aldmeyer seconded by council member Melonis to deny the claim from the homeowner. Ayes: Aldmeyer, Hawkins, Huey, Melonis. Nays: Cumberledge.
 - b. The Mayor reported that he had maintenance repair the inlet on the canal on Shoal Drive. There was an 18 inch concrete culvert installed through two lots. During the larger rains water shoots out of the pipe into the canal. Maintenance repaired it by increasing the size of the pipe and pulled the wall back into place. He commended the maintenance crew on the excellent job that they did on the project.

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, April 20, 2015

Regular City Council Meeting – 7:00 PM

- c. The Mayor reported that he raised \$10,000 for tables and chairs at the Senior Center. Every donor will receive a receipt and a letter for their donation to the meal site. He has had one company demonstrate chairs to the seniors. He will be completing the project at no cost to the City.
 - d. The Mayor reported that last year the State said that the weed spraying in the lake was started too late. Ron Rothmeyer has been working with the DNR to start spraying the weeds. There is a contract that the council is going to consider for this project. The Creighton row team is no longer using the lake because of the weeds. The Mayor has had the weed boat out mowing the sea weed. They have not been mowing very much because of the high winds.
5. Attorney Thornton – Easement Agreement was removed from the agenda.
 6. Shannon Dunlap has worked on the existing Animal Control Ordinances. She is suggesting several changes to the ordinances. The Mayor brought up an incident where two pit bulls climbed a fence and attacked another dog. One of the dogs was put to sleep and the other dog was returned to the owner with the stipulation that it is muzzled at all times when it is outside. Both dog owners were cited. The Mayor stated he put this on the agenda because he thinks the council should be aware of the situation. Brenda Parkhurst lives next door to the dog that was attacked. She witnessed the attack and tried to report it to the officer on duty and the officer did not take a report. Theresa Hawkins reported she is the person that called 911 because she witnessed the attack. She would like to know if a report was written and she would like to see the report. Bill Kuhn reported that the dog tried to attack him and his dog. He stated the Chief of Police hasn't done anything because it is the buddy system and they are all buddies. He is tired of the whole neighborhood. The Mayor stated he is going to get this under control. Liz Osborn reported that it was her dog that was attacked. She reported that both dogs did attack the first time, however one of the dogs was not as aggressive as the other. She does not feel the second incident should have ever happened. The Mayor assured her the city was going to tighten this up. Shannon Dunlap reported that the dogs are registered as lab mix not pit bulls. Council member Melonis requested the council review the documentation submitted by Shannon. The ordinance changes will be placed on the May agenda for first consideration.
 7. Ron Rothmeyer has been working with Iowa DNR on a Lake Management Contract. The Attorney has reviewed the contract and recommends council approval. Moved by council member Aldmeyer seconded by council member Hawkins to approve the Lake Management Contract as submitted. Ayes: Unanimous.
 8. Ron Cumberledge addressed the items he pulled from the consent agenda. Item G includes 3 hours overtime for training for the Fire Department Coordinator. Council member Melonis requested a credible reason as to why they have the overtime. Moved by council member Cumberledge seconded by council member Melonis to deny payment of overtime for training. Ayes: Huey, Cumberledge and Melonis. Nays: Aldmeyer, Hawkins. Council member Cumberledge explained that Item H included a 25 year longevity pay

increase for Ron Rothmeyer. Council member Cumberledge thought he made himself clear that he wants all of the monthly reports current and submitted on time. He especially would like a report from the Building Inspector. Council member Melonis complimented everyone who has submitted the reports. Moved by council member Melonis seconded by council member Huey to approve and place on file the items that were removed from the consent agenda. Ayes: Unanimous.

V. Ordinances

A. Moved by council member Huey seconded by council member Melonis to approve an ordinance designating certain streets as Truck Routes on the second consideration. Ayes: Unanimous.

VI. Resolutions

- A. Moved by council member Cumberledge seconded by council member Melonis to adopt a resolution approving a tax abatement at 4407 N. 7th St. Ayes: Unanimous.
- B. Moved by council member Melonis seconded by council member Cumberledge to adopt a resolution approving a tax abatement at 3005 Nakoma Lane. Ayes: Unanimous.
- C. Moved by council member Melonis seconded by council member Cumberledge to adopt a resolution approving a tax abatement at 3005 Nakoma Lane. Ayes: Unanimous.

VII. Comments

The Mayor read a document regarding the induction of Brian Poldberg into the Thomas Jefferson Hall of Fame in Council Bluffs, Iowa.
Council member Melonis congratulated Brian Poldberg and all of our citizens that accomplish good things in their lives. She does not think it is too much to expect that incidents are handled properly and reports are filed properly.
Council member Cumberledge thanked everyone for attending the meeting. He encouraged everyone to take advantage of the Library, Senior Center, Parks and Resource Center.
Council member Huey reminded everyone that the community wide garage sale is May 9th and the community wide clean up is May 16th. He also announced that Phill Newton has completed 20 years of service on the Fire Department.
Bob Wahl offered to donate \$150 to the Senior Center fund for tables and chairs.
R. J. Brown reminded the Mayor he hasn't heard much about Carter Lake using the Pottawattamie County Animal Shelter. He wants to make sure citizens get a fair shot when they are not guilty.
Mary Schomer wanted clarification on the 24 hour notice for posting council agendas.
John Wallace is opposed to the three incidents before a vicious dog is removed. He thinks it should be done quicker.
Sharon Paterson wanted to know if the Inside Carter Lake edition can be delivered prior to the beginning of the month. Council member Melonis

City of Carter Lake
City Hall – 950 Locust St.
Proceedings: Monday, April 20, 2015
Regular City Council Meeting – 7:00 PM

explained that the council is working to make the edition electronic so people will get all of the information in a more timely fashion.

The meeting was adjourned at 8:23 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor