

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, September 21, 2015  
Regular City Council Meeting – 7:00 PM

## The Pledge of Allegiance

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

- I. Roll Call: Present – Mayor Gerald Waltrip  
Council members - Ed Aldmeyer, Dave Huey, Barb Hawkins, Ron Cumberledge, and Barb Melonis  
Also present – Attorney Joe Thornton and City Clerk Doreen Mowery
- II. Approval of the Agenda – Storm Water Committee Update was removed from the agenda. Library Board appointment and Board of Adjustments appointment were added to the agenda. Moved by Council member Cumberledge seconded by council member Huey to approve the agenda with the changes. Ayes: Unanimous.
- III. Consent agenda –Moved by council member Hawkins seconded by council member Aldmeyer to approve the consent agenda as submitted. Ayes: Unanimous.
- IV. New Business
  - A. Communications from the Public
    1. Attorney Thornton explained that Williams Enterprises LLC has requested a special use permit for the property at 300 E. Locust Street. If the council desires to issue the conditional use permit it should be with the stipulation that Items #1 thru 6 on their application be imposed. The City does not currently have a Development Agreement or a TIF agreement with this business. Moved by council member Hawkins seconded by council member Cumberledge to approve the special use permit with the inclusion of items number 1 thru 6. Ayes: Unanimous.
    2. Moved by council member Cumberledge seconded by council member Hawkins to approve closing Mayper Drive on Oct. 2<sup>nd</sup> for a block party, at the request of Roger Heider. Ayes: Unanimous.
    3. Mickie Parker was present to request that Bailee’s Buddy Rescue be used as a resource for animal control to assist in adopting out animals that are picked up. They will provide food for the 72 hours that the animal is being held before it is surrendered to Bailee’s Buddy. They do not have a vet on staff and they are funded by donations. They would not be able to take all of animals impounded by animal control. The animals that they would take would go to a home in the country or to foster homes. The council would like the Attorney to work with Bailee’s Buddy and then report back on his findings.
    4. Kelli Brock reported that she had time this summer to observe all of the parks in Carter Lake. She thanked Chris and his staff for all of the work they do. She feels the park at 7<sup>th</sup> and Steele has the best equipment and is used the least. Kelli spoke regarding the history of funding for parks equipment. She

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feels the city needs a direction. Tax dollars have been used for Locust Street, City Hall and the Lake. She stated parks must be in the plan for the future. She would like to see the equipment from 7<sup>th</sup> and Steele moved to Rosenbaugh Park. Mayor Waltrip explained that it is hard to control the use of Mabrey and Wavecrest Parks and there has been quite a bit of vandalism in the parks. Kelli stated that she has been up in the night and unable to find police officers on patrol. She feels accountability for the vandalism at the parks falls to the police officers. The Mayor stated that the police should be driving through the parks on the hour. He has instructed the parks director to lock all of the restroom facilities in the parks. Funding has been strapped and cut from the parks. Kelli wanted to know if there was a direction for the parks. Council member Cumberledge hopes to build a splash park next year. A track was installed near the school out of this year's budget. The Mayor stated we need to get firm control of the existing parks first. He explained that the pumps on the north side of the lake have been vandalized and Carter Lake pays for half of the repairs. Kelli believes cameras would be a deterrent to vandalism. Council member Hawkins does not believe we have enough parks per capita however funding is an issue. The Mayor stated that he will show Kelli the direction of the parks department at the next meeting. Council member Aldmeyer stated that there have been new shelters, benches and roofs installed. Kelli reiterated that funding has to be a priority.

5. Moved by council member Aldmeyer seconded by council member Melonis to approve renewal of the liquor license for Carter Lake Mini Mart. Ayes: Unanimous.
- B. Communications from the Departments
1. Allen Kuiper reported that there will be a pancake breakfast at the fire station on Oct. 4<sup>th</sup> and on Saturday Oct. 3<sup>rd</sup> from 10 to 2 there will be an open house at the fire station. The fire department submitted a request to sell the old fill station to Midwest Breathing Air for \$765.44. Moved by council member Huey seconded by council member Cumberledge to approve disposal of the fill station by approving the sale to Midwest Breathing Air. Ayes: Unanimous.
  2. Ray Pauly updated the Council on the Planning Board actions. The Best Western was granted permission to replace the sign at Holiday Inn. The Planning Board denied the Super 8's request to replace a non-conforming sign. The current sign was supposed to be temporary and it is erected off premises. The Planning Board suggested that Super 8 go in front of the Board of Adjustments with their request. Fleetpark LLC requested more zoning changes to allow for more parking for the front building. The board approved on the condition that the front building is leased as proposed.
  3. There was not a storm water update at this time.
  4. Mayor Waltrip
    - a. The Mayor stated that the sanitary sewer system has not had any work done on it since 1993. The manholes were worked on. He said there are two sewer lines that are currently in bad shape, one in the Club and one on Walker. Both

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sewer lines should be relined. He has received bids to reline them and it would cost close to \$100,000. He stated there are around 5 miles of sewer line that need fixed that are at least eight foot deep. He believes that the relining could be a big job and could cost \$1.5 million. He would like council permission to research the cost to do the entire job and to issue bonds.

Council member Aldmeyer stated if it is going to be a bond issue an engineer should be involved. The clerk explained that there is a bid threshold requirement for all projects whether they are paid for with bonds or out of the budget. The Mayor would just like to contact the contractor to get an idea of what needs done and what the cost would be.

b. The Mayor stated that maintenance has worked on the shoulder and swale off of Abbott Drive near the hotel development. Maintenance also had to do a little bit of sewer work in the same area.

c. The Mayor reported that he is talking to two businesses to build in Carter Lake. One of the businesses would occupy the office building on Abbott Dr.

d. Mayor Waltrip received an article about the lake project. He wants the council to know he is going to call the people that wrote the article and correct them on what they wrote.

e. Mayor Waltrip reported that the revised newsletter is coming along good. He thanked council member Melonis, the Resource Center and the Library for their work on the newsletter.

f. There will be a candidate forum for the upcoming election on Thursday, September 24<sup>th</sup> at 7:00 PM at the school.

g. The Mayor would like to reappoint Hardy Brown to the Board of Adjustments. Moved by council member Hawkins seconded by council member Melonis to approve the appointment. Ayes: Unanimous. Council member Melonis wanted to know if there was a plan to fill the remaining vacancy on the Board of Adjustments. The Mayor stated he has nominated two people and the council has rejected both of his nominations so he is going to proceed carefully before appointing someone else.

h. The Mayor reappointed Delbert Settles to the Library Board. Moved by council member Aldmeyer seconded by council member Melonis to approve the appointment. Ayes: Unanimous.

5. Council member Cumberledge wanted to know if there was a policy and procedure regarding swearing in newly elected council members. State law dictates who can swear someone into office. Typically whoever is elected determines what type of ceremony they would like. Council member Cumberledge would like for there to be a procedure. Council member Cumberledge wanted to know if a letter was sent out to the employee involved in the special meeting earlier this month. It has not been signed by all of the council members, therefore it has not been given to the employee. The Attorney stated that he did not know if it had been made clear what the expectations were for that employee.

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6. Attorney Thornton
  - a. The work comp carrier had suggested that the council adopt a drug and alcohol testing policy. Phill forwarded a suggested policy to the Attorney for his review. Attorney Thornton reported that there are a lot of complications involved with adopting that type of policy and he wanted to know if the council had any interest in adopting such a policy before he spends a lot of time reviewing the proposed policy. Council was not interested in adopting the policy at this time.
  - b. Moved by council member Aldmeyer seconded by council member Melonis to set a public hearing to vacate Ave. H for Monday, Oct. 19, 2015 at 7:00 PM. Ayes: Unanimous.
7. City Clerk
  - a. The clerk updated the council on the capital facility fees that were charged after January 1. The fees that were collected have been refunded to the customers. Current ordinances and resolutions do not allow for the collection of the fee. The council is not interested in implementing a new fee at this time.
  - b. Moved by council member Aldmeyer seconded by council member Huey to set a public hearing regarding an application to change zoning by Fleetpark, LLC from current zoning of Business Park District to P-I/Planned Industrial District for Monday, Oct. 19, 2015 at 7:00 PM. Ayes: Unanimous.
- V. Ordinances
  - A. Moved by council member Hawkins seconded by council member Melonis to approve an amendment to Chapter 87 pertaining to Animal Control – Potentially Dangerous Breeds on the second consideration. Ayes: Aldmeyer, Hawkins, Huey, Melonis. Nays: Cumberledge.
- VI. Resolutions
  - A. Moved by council member Cumberledge seconded by council member Huey to adopt a resolution to approve a tax abatement for 900 Key Circle. Ayes: Unanimous.
  - B. Moved by council member Hawkins seconded by council member Huey to adopt a resolution authorizing a transfer of the Library General Fund balance. Ayes: Unanimous.
  - C. Moved by council member Aldmeyer seconded by council member Hawkins to approve the annual Road Use Tax report. Ayes: Unanimous.
- VII. Comments

The Mayor talked with the City Attorney to resolve tax abatements for three properties that he feels were left out of tax abatements. He has talked to the county assessor, the county auditor and the county treasurer regarding the abatements. They believe these three property owners should have received the

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tax abatements. He thinks the three slipped thru the cracks and they ought to get the abatement. This item will be on the next agenda for council consideration. Council member Melonis stated she does not need accolades for the newsletter. The departments that are working on it are doing a good job. She would like to encourage everyone to attend the candidate's night.

Ron Cumberledge thanked the volunteers.

Council member Huey thanked everyone for coming to the meeting. He thinks it is good that there are so many candidates running for office.

Council member Hawkins encouraged everyone to attend candidates' night.

City wide clean up is Saturday, Sept. 26. National Prescription Drug Take Back Event, the Community Shred Fest, and the Flu Shot Clinic will also be held on the 26th. A retirement party will be held for Sgt. Dan Driver on Sunday, Sept. 27 at 2:00 PM.

There were no public comments.

The meeting was adjourned at 8:24 PM.

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Doreen Mowery, City Clerk

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Gerald Waltrip, Mayor