

CARTER LAKE CITY COUNCIL MEETING
MONDAY, AUGUST 16, 2021

Mayor Ron Cumberledge called the meeting to order at 7:00 p.m. Roll of the council, present: Jackie Wahl, Pat Paterson, Keebie Kessler, Denise Teeple and Jason Gundersen; and city clerk Jackie Carl and city attorney Mike O'Bradovich were present.

The agenda was reviewed, upon motion duly made by Gundersen, and seconded by Wahl, the agenda was approved unanimously. Upon motion of Paterson seconded by Gundersen, the consent agenda was approved that included minutes, department reports and overtime reports for June; receipts and financial reports for June were tabled for year-end close out; unanimously approved.

New business: Carter Lake Improvement Club – request street closure for the annual event, Paterson moved to approve, seconded by Gundersen; unanimously approved. Michael Bockman spoke on behalf of a group of citizen who are upset and voiced many concerns about a housing development that is being discussed at the golf course property. Bockman presented a list of questions for the city to have answered regarding the contract; Bill Dahlheimer spoke regarding Iowa Code Chapter 22 – open records concerns regarding updates concerning website and Channel 22 updates; Gundersen moved to approve liquor license for Spearmint Rhino, seconded by Paterson; unanimously approved.

Communications from Dave Huey on behalf of the fire department to request permission to apply for temporary liquor license for the band and beer garden event planned for Saturday, October 2 at the ball fields. Teeple moved to approve request seconded by Gundersen; unanimously approved.

Mayor Cumberledge is still seeking a candidate to fill a seat on the Board of Adjustments.

Gundersen moved to approve the contract with Connections Area Agency for services at the Senior Center, the Mayor will clarify amending the hours once the center is moved into the new building. Kessler moved to second adoption of the new agreement; unanimously approved.

Paterson moved to approve granting easement to the Ponca Tribe of Nebraska for the installation of for storm sewer project to take water away from Avenue H. The utility will be turned over to the City upon completion of the project, seconded by Kessler; unanimously approved.

Paterson moved to approve hiring John Meads to take over Water Distribution operator for the city to maintain compliance with the Iowa DNR, seconded by Gundersen; unanimously approved. The contract for services is under review by the city attorney and will be on the September agenda.

Wahl presented the proposed Request For Proposals for compensation consultant, the council has reviewed the RFP at our workshop last week. Paterson moved to send out RFP, seconded by Kessler; unanimously approved. The RFR's have deadline for submission to be approved at the September meeting. Wahl encouraged everyone to submit ideas for the logo contest.

Gundersen would like there to be more review of the conditional use permits by the council; city attorney explained that the process is set up to allow developers to appeal to council if denied by the planning board. The council can request to see the terms prior to planning board approval, but need to make amendment to ordinance if this is the desire to change the procedure.

Teeples concerns regarding the Landscapes Unlimited proposal that was distributed to the council members. Teeples asked Mayor if this was all that was provided by Landscapes? The proposal references a site plan that she did not receive in her packet. Mayor stated he provided what he received.

VI. ORDINANCES AND RESOLUTIONS:

Chris McGrew, owner of McGrew Trucking, was present to express his regret in his misunderstanding of how he is allowed to use his property that is under review for the third reading to approve amendment to matrix and definition for the C-1 zoning district. Mr. McGrew has made the required corrections; He will continue to operate as required by the Conditional Use permit. The Planning Board will be unable to issue the final conditional use permit until after the council approved the third reading of this ordinance. Teeples encouraged the council to wait 90 days to see if the owner stays in compliance. Paterson moved to approve the third reading, seconded by Gundersen; Roll Call: NO-Kessler, Teeples, Wahl YES-Paterson, Gundersen. Paterson introduced the UTV ordinance and asked for support to approve first reading; Kessler mentioned that the Police Chief is not in favor of allowing UTV's to operate on Carter Lake streets. Gundersen moved to second the motion; Roll Call: YES: Gundersen and Wahl NO: Teeples, Paterson Kessler. The first reading was not approved due to the lack of majority votes. Teeples moved to set third reading for the October 18 council meeting, seconded by Gundersen; NO-Paterson Yes: Gundersen, Teeples, Wahl, Kessler.

Gundersen moved to approve first reading to approve update to fire code ordinance, seconded by Teeples; unanimously approved. Gundersen moved to approve first reading to approve updates to fire ordinance, seconded by Teeples; unanimously approved. Gundersen moved to approve first reading to approve updates to hazmat ordinance, seconded by Kessler; unanimously approved. Gundersen moved to approve consideration of construction bids and resolution to award of construction contract for the Carter Lake Community Center to Rogge Construction of Lincoln, NE, seconded by Kessler; unanimously approved. Gundersen moved to approve resolution approving construction contract and bond for the construction of the Carter Lake Community Center Project, seconded by Kessler; unanimously approved. Gundersen moved to approve resolution to submit pay request #001 to USDA for reimbursement of sewer project; seconded by Kessler; unanimously approved. Gundersen moved to approve resolution to approve 2020-21 budget transfers as follows: \$238,762 from Local Option Sales Tax to Debt Service as proposed in the budget to cover the City Hall debt payment. \$45,524.66 from Emergency Fund Balance to General Fund as proposed in the budget for property tax relief. \$25,000 from General Fund to Garbage Fund for city cleanup. \$840,000 from Casino Fund to Community Center fund for construction project. \$12,884.00 from General Fund to Library CIP, the balance of unexpended budget. \$10,000 from Urban Renewal #1T to Urban Renewal #5. TIF funds for payment on developer agreements. \$10,000 from Urban Renewal #1NT to Urban Renewal #5. TIF funds for payment on developer agreements. Teeples seconded the motion; unanimously approved.

Gundersen moved to approve updated employee safety manual, seconded by Kessler; unanimously approved.

Adjourn at 9:05 p.m.

Jackie Carl, City Clerk

Ronald Cumberledge, Mayor