

DUNKERTON CITY COUNCIL met in regular session, **September 10, 2018**, in the City Hall Council Chambers with Mayor Edward Jessen presiding. The meeting was called to order at 7:00 p.m. Council members present: Mark Lichty, Bill Richard, DJ Manahl, Tina Dalton and Tom DeLong. Quorum present. Lichty led the Pledge of Allegiance.

Unless otherwise noted, all actions were passed by affirmative and unanimous vote of the council members present.

Consent agenda: Manahl moved, DeLong seconded to approve the Consent Agenda by one motion: a) September 10, 2018 Agenda b) Aug 13 , 2018 Council Minutes Regular Mtg as written c) Aug 2018 Monthly Reports: Clerk Financial Reports, Bank Reconciliation, UB Reconciliation, Ambulance, Fire, Building Permits, Library Stats, Payment of Monthly Claims and new ambulance member DJ Manahl.

#### Department Head Reports:

- Library Dir Wheeler stated there are a number of programs scheduled for this fall including a young adult book club, lego club, movie days and story time.
- Fire Chief Manahl mentioned the department had 4 calls and thanked everyone for coming to the pancake breakfast.
- Police Chief Krieger stated she has been assisting Black Hawk County on calls and is working with the library to set up a self-defense class.
- Ambulance Chief Stout mentioned they have been awarded the Black Hawk County Gaming Association grant for the new ambulance.
- Clerk Steffen mentioned interviews have started for the Deputy Clerk position and candidates will be asked to take tests through Iowa Workforce Development to determine their skill level.
- Public Works staff member Kuenstling stated the summer mowing help has started back to school, water mains will need to be flushed soon and a wing plow may be needed for snow removal this winter.

#### Public Comments:

- Mr. Jim Parizek stated the speed bumps on Joseph Rd seem to be working very well. Mr. Parizek thanked the Council for their installation.
- Mr. Ron Reichen stated the Community Hall has received bids for the repair of the water shut off valve. Mr. Reichen asked if the City would consider paying for a portion of this repair when it is complete.
- Mr. Jim Parizek asked the Council if bids have been received for the curb and gutter work in front of his home.
- Ms. Monica Smith asked the Council if homeowners on West Williams Street will have to pay a portion towards the curb and gutter work in front of their homes. Ms. Smith stated she had to pay a portion of the curb and gutter work that was done in front of her home on East Williams Street.

Moved by Manahl, seconded by Dalton to open the public hearing for Ordinance #197 adopting the Code of Ordinances of the City of Dunkerton, Iowa.

Mayor Jessen asked Clerk Steffen if the City had received any written comments either for or against Ordinance #197. Clerk Steffen stated the City had not received any comments either for or against the Ordinance. Mayor Jessen asked those in attendance if they had any additional comments for or against the Ordinance. Hearing none, Mayor Jessen asked for a motion to close the public hearing. Moved by Manahl, seconded by Dalton to close the public hearing.

Moved by Delong, seconded by Lichty to approve the first reading of Ordinance #197 adopting the Code of Ordinances of the City of Dunkerton, Iowa.

Moved by Lichty, seconded by Richard to waive the second and third readings of Ordinance #197 adopting the Code of Ordinances of the City of Dunkerton, Iowa. Ayes: Delong, Lichty, Richard and Dalton. Nays: Manahl. Motion carried.

Moved by Lichty, seconded by Delong to pass Ordinance #197 adopting the Code of Ordinances of the City of Dunkerton, Iowa. Ayes: Dalton, Lichty, Richard, and Delong. Nays: Manahl. Motion carried.

Moved by Manahl, seconded by Delong to approve Resolution 2018-18 submission of the Street Finance Report to the Department of Transportation. Clerk Steffen stated revenue received for the year was \$108,707, total expenses for the year were \$75,173, and the ending fund balance was \$111,314.

Moved by Delong, seconded by Dalton to approve a temporary Deputy Clerk position until a permanent hire can be made. Amanda Stocks to be hired at \$16.00/hr plus mileage at \$54.5 cents per mile.

Ambulance Chief Stout informed the Council that Black Hawk County Gaming Association has awarded a grant of \$90,000 towards the purchase of a new ambulance. In addition to this grant, the Ambulance department has \$81,500 in their reserve fund, \$20,000 in their EMS fund, and \$13,000 in donations. Currently, an ambulance from Everest would cost \$240,000 but would be reduced to \$225,000 with the trade-in of the old ambulance. Chief Stout requested support from the Council of \$20,500 towards the purchase of the new ambulance. Moved by Manahl, seconded by Dalton to approve payment of \$20,500 towards the purchase a new ambulance for the City of Dunkerton.

Moved by Manahl, seconded by Lichty to approve closing Marble Street from Main to Sycamore on Sunday, September 16, 2018 for the First Baptist Church Sunday School kick-off event.

Moved by Dalton, seconded by Lichty to approve a letter of support for the Police department to seek funding for an AED. Chief Krieger stated she has found a Zoll AED Pro First Responder Package for \$3,788.

Moved by Delong, seconded by Lichty to approve the Mayor to sign the Consolidated Public

Safety Communications 28E Agreement for a 3-year term.

Moved by DeLong, seconded by Lichty to approve Junior Park Board member participation on the Park Board. President Tim Dalton stated the Park Board will be reaching out to the school to see if any students are interested in participating. Mr. Dalton mentioned one student has already contacted the board indicating interest.

Moved by Manahl, seconded by Dalton to set Trick or Treat night for Wednesday, October 31, 2018 from 5:00 – 7:00 pm.

Moved by DeLong, seconded by Manahl to approve IIW proposal for wastewater pump station capacity analysis not to exceed \$6,000.

Moved by Dalton, seconded by Lichty to open the public hearing for the special permit request to raise the peak of a new garage from 15 ft to 20 ft at 205 E. Williams.

Mayor Jessen asked Clerk Steffen if the City had received any written comments either for or against the special permit. Clerk Steffen stated the City had not received any comments either for or against the special permit. Mayor Jessen asked those in attendance if they had any additional comments for or against the special permit. Hearing none, Mayor Jessen asked for a motion to close the public hearing. Moved by Dalton, seconded by DeLong to close the public hearing.

Mr. Parizek, homeowner at 205 E. Williams, told the Council that he would like to raise the peak of his garage so that he could install a 12 ft. garage door. The Council asked Mr. Parizek what the peak was on his home and he replied that it was 25 ft. Council member DeLong commented that the City ordinance states 15 ft is the maximum peak height of an accessory building; therefore, the Council should follow the ordinance. Council member Lichty replied that special permits allow the Council to review requests on a case by case basis. Mayor Jessen stated that Mr. Parizek owns the lots on either side of the proposed garage so visibility should not be an issue for neighbors. Moved by Lichty, seconded by Richard to approve the special permit for raising the peak from 15 ft to 20 ft on the new garage at 205 E. Williams. Ayes: Lichty, Richard, and Dalton. Nays: DeLong and Manahl. Motion carried.

Mr. Eli Shimp addressed the Council regarding a water leak outside his home at 410 Carroll Blvd. Mr. Shimp said he paid \$500 a few years ago to have this issue fixed but the water leak has returned. Mr. Shimp said the leak is not appearing on his water bill so he feels the leak is a City issue and not a homeowner issue. Moved by Dalton, seconded by DeLong to have the Public Works department initiate the process to determine if the water leak is a City responsibility or a homeowner issue.

Mayor Jessen stated the City code provides for the inspection of sump pumps in Chapter 100 of the Code of Ordinances. All buildings within the city limits shall be inspected and analyzed for compliance prior to or during any change of ownership. A letter will be sent to residents and realtors reminding them of the ordinance. The Council tabled sump pump drainage locations until the October meeting.

Mayor Jessen opened the discussion regarding the River Walking Trail ~ Phase 3. Ms. Pat McMahon stated she feels the retaining wall that will be built near her home will cause water to back up and that her privacy will be compromised with this addition to the walking trail. Mr. Tim Dalton, Park Board President, responded that the wall will help with soil retention and will taper off per ADA requirements. Mr. Ron McMahon commented that he felt the wall will push water towards their home especially after a heavy rain. Ms. Jennifer Littlefield mentioned her neighbor moved because of the walking trail. Ms. Littlefield stated she is concerned that the trail will not be maintained once it is completed.

Mr. Tim Dalton, current Park Board President, apologized that letters were not sent before this time but reiterated that the walking trail project has been part of the overall vision for the City of Dunkerton since 2015. Mr. Zach Pierce, past Park Board President, stated that the Park Board requested community input and participation in the Visioning Group which was being founded in 2015. Mr. Pierce stated the request for community involvement was sent out via the Dunkerton News, the Waterloo Courier, the City facebook page and the City website. Mr. Pierce stated 42 residents attended those meetings and decided upon with the current vision plan for the City.

Ms. Fran McGarvey expressed her concern that property value could not be guaranteed to increase and that she would no longer have any privacy with the walking trail behind her home. Mr. Dan Yungtum stated the trail appears to have deviated from the plan in the grant. Ms. Julie Yungtum stated she felt that bringing in fill for the trail will cause water to back up into basements and that she would like to see the trail go by the school first.

Ms. Arren Allen stated she has heard about plans for a retention pond and wondered how close the pond would be to her property at 420 Carroll Blvd. Ms. Allen stated that she is worried for families with small children. Mayor Jessen stated the retention pond is a larger project and will be on the south side of the fire station. Currently, the retention pond is estimated at \$3 million dollars and funding for that project is not available at this time. Ms. Allen also asked the Council if Don Hauptly's equipment and dirt piles that are behind her home could be removed. Ms. Allen stated they have been left there for many years.

Mr. Aaron Kafer stated he spoke to a realtor and the realtor mentioned a walking trail does not raise nor lower a homeowner's property value. Mr. Fred Nordman stated he used to live at 311 Joseph Rd and if the walking trail helps to move water down Joseph Rd faster, water will need to be removed from the end of Joseph Rd more quickly as well.

Mr. Brian Fulton, Park Board member, stated the first part of the walking trail went by his home and there were no complaints. There has not been an issue with noise or maintenance. Mr. Fulton stated the trail is used by the same people every day.

Mr. Justin Schilling, Vision Committee member, stated he has 7 children and uses the walk trail all the time. Mr. Schilling stated that in the grant, the trail will be required to have water gardens and possibly prairie grass. Mr. Nathan Garbes said he would not be in favor of prairie grass along the trail by his home.

Mr. Codie Leseman, from Iowa Northland Regional Council of Governments, addressed the

Council and residents. Mr. Leseman stated although he did not write the grant, he did speak with Tammie Krausman with the Iowa Department of Natural Resources regarding the grant. The City has 3 options for the grant: the grant can be kept as is, the grant can be rescinded, or the grant can be modified; however, the resource enhancement portion of the grant cannot be modified. Mr. Leseman stated the City has 3 years from award of the grant to complete the project and any amendment to the grant needs to be done in this time frame. Mr. Leseman stated only a fraction of all REAP grant applications statewide get funded and for Dunkerton to receive awards for 4 grants consecutively is unprecedented – not only for the six-county area that INRCOG works in but possibly statewide.

Mayoral and Council comments:

- Council Member Delong asked if the wood chips at Carroll Hauptly Memorial Park could be replaced with pea rock. Public Works staff member Kuentling stated the insurance company for the City would actually like the pea rock removed from all City parks and be replaced with wood chips.
- Council Member Manahl apologized for letters not being sent to homeowners in 2015. Mr. Justin Schilling and Mr. Zach Pierce reiterated letters were sent home in backpacks with all the children from school and notices were published in the Dunkerton News and the Waterloo Courier as well. Mr. Schilling also stated that the work of the Vision Committee and the design pages from those meetings have been posted in the Dunkerton Council Chamber for years.

With no further discussion, Dalton / Lichty to adjourn at 9:15 pm.

Edward A. Jessen, Mayor

ATTEST: Sheila K. Steffen, City Clerk