

COUNCIL PROCEEDINGS

Regular City Council Meeting: Monday, September 19, 2022 (5:00 p.m.)

Mayor/Council Present: Mayor K. Billings--1; J. Heckard, J. Clark*, A. Goebel, R.Gage, G. Heckard, D. Seylar; B. Carlin--7

Council Absent: None--0

Staff Present: E. Burton, G. VanLangen, P. Clayton, C. Danner, L. Hevern**--5

Media Present: E. Funston (KILR); A. Gellert (KICD)--2; via Zoom: (KUOO)--1

Others Present: Lesli Iverson***, Bob Leifeld***, Mike Karels***, Jason Bendixen***, Deb Herzborg***, Lexie Ruter***, Kim Steffes***--7

Minutes

Moved by Goebel, seconded by J. Heckard to approve the minutes of the Sept. 6, 2022, council session. VOTE: ayes--6 absent: Clark--1

Reports

Moved by Carlin, seconded by G. Heckard to approve the Financial Statement for the month of Aug., 2022. VOTE: ayes--6 absent: Clark--1

**Lyle Hevern arrives.

Resolution No. 2372 2021-23 Budget Amendment

Mayor Billings opened the public hearing on amending the FY 2022-23 Budget. City Clerk Burton reviewed the changes to the budget. No written or oral objections were heard, and the public hearing was closed.

Carlin introduced Resolution No. 2372 entitled "A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2023" and moved its adoption, which was seconded by Seylar. VOTE: ayes: Carlin, J. Heckard, Goebel, Gage, G. Heckard, Seylar--6 absent: Clark--1

Commercial Building Standards

Greg Van Langen, Code Enforcement Officer presented a request for an exemption from Commercial Building Standards by AllStar Lanes for property located at 104 So. 17th St. for approval. They are adding an addition to the south side of the building to accommodate a larger kitchen and dining area. They are planning to use smart siding to cover the exterior and paint it to match the existing building.

Moved by Gage, seconded by Goebel to approve the request for an exemption from Commercial Building Standards by AllStar Lanes located at 104 So. 17th St. VOTE: ayes--6 absent: Clark--1

Economic Development Services Agreement

Administrator Clayton presented a proposed Economic Development Agreement with the Estherville Area Chamber of Commerce for approval. Administrator Clayton explained that Lyle Hevern, Economic Development Director will be retiring Feb. 17, 2023. In discussion of the future of economic development services for Estherville and Emmet County it is proposed that the City contract with the Estherville Area Chamber of Commerce and provide \$35,000 annually. The Chamber would also seek a contract with the County for economic development services.

Moved by Seylar, seconded by G. Heckard to approve the Economic Development Services Agreement with the Estherville Area Chamber of Commerce in the amount of \$35,000 annually.
VOTE: ayes--6 absent: Clark--1

***Leifeld, Karels, Bendixen, Herzborg, Ruter, Steffes, Iverson leave.

Ordinance No. 798
Special Speed Limits Established

Administrator Clayton presented information regarding a revision regarding the speed limit on 5th Ave. No. for eastbound traffic exiting the City. The proposed revision would lower the speed limit to 35 MPH from a point 690 ft. East of the east corporate limits.

Seylar introduced Ordinance No. 798 entitled “AN ORDINANCE AMENDING AND REVISING TITLE II, DIVISION I, CHAPTER 2, ARTICLE 4, SECTION 212.409 OF THE CODE OF ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA, REGARDING SPECIAL SPEED LIMITS ESTABLISHED” be considered for the first time. VOTES: Seylar, Carlin, J. Heckard, Goebel, Gage, G. Heckard--6 absent: Clark--1

Moved by Seylar, seconded by G. Heckard that the rule requiring the previously entitled ordinance be considered on three different council meetings be waived. VOTE: Seylar, Carlin, J. Heckard, Goebel, Gage, G. Heckard--6 absent: Clark--1

Moved by Seylar, seconded by G. Heckard that the proposed Ordinance No. 798 entitled “AN ORDINANCE AMENDING AND REVISING TITLE II, DIVISION I, CHAPTER 2, ARTICLE 4, SECTION 212.409 OF THE CODE OF ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA, REGARDING SPECIAL SPEED LIMITS ESTABLISHED” be finally passed and adopted as amended. VOTE: ayes: Seylar, Carlin, J. Heckard, Goebel, Gage, G. Heckard--6 absent: Clark--1

Ordinance No. 799
Treated & Raw Water Rates

Clayton presented information on a proposed amendment to an ordinance regarding increasing the treated & raw water rates.

*Clark arrives.

Moved by Seylar, seconded by G. Heckard that the proposed Ordinance No. 799 entitled “AN ORDINANCE AMENDING AND REVISING TITLE VI, CHAPTER 1, ARTICLE 3, OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING TREATED & RAW WATER RATES ” be considered for the first time. VOTE: ayes: Seylar, Carlin, J. Heckard, Goebel, Gage, G. Heckard--6 abstain: Clark--1 (arrived during discussion)

Ordinance No. 800
Sewer Rental Rates

Clayton presented information on a proposed amendment to an ordinance regarding increasing the sewer rental rates.

Moved by Seylar, seconded by Goebel that the proposed Ordinance No. 800 entitled “AN ORDINANCE AMENDING AND REVISING TITLE III, CHAPTER 3, ARTICLE 5, OF THE CODE OF ORDINANCES OF THE CITY OF ESTHERVILLE, IOWA, PERTAINING TO SEWER RENTAL RATES ” be considered for the first time. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Resolution No. 2373
FY 2022-23 Budget Transfers

City Clerk Burton presented a proposed resolution authorizing the City Clerk to make the appropriate fund transfers for the 2022-23 City Budget.

Seylar introduced Resolution No. 2373 entitled “A RESOLUTION AUTHORIZING THE CITY CLERK TO MAKE THE APPROPRIATE INTERFUND TRANSFERS OF SUMS AND RECORD THE SAME IN THE APPROPRIATE MANNER FOR FY 2023 FOR THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by Carlin. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard--7

Resolution No. 2374
Urban Renewal Plan Amendment

Administrator Clayton presented information on a proposed Urban Renewal Plan Amendment which establishes a tax abatement schedule for certain blighted residential subdistricts in the Urban Revitalization Area, clarifies the availability for tax exemption for residential properties of three or more dwelling units, and clarifies the availability for tax exemption for certain properties situated in the Urban Revitalization Area.

Carlin introduced Resolution No. 2374 entitled “RESOLUTION PROVIDING FOR NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE REVITALIZATION PLAN FOR THE ESTHERVILLE URBAN RENEWAL AREA” and moved its adoption, which was seconded by J. Heckard. (This resolution sets Oct. 3, 2022 at 5:00 p.m. in the Council Chambers as the time and place for the public hearing.) VOTE: ayes: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Resolution No. 2375
Nuisance Assessments

An assessment schedule for the collection of an unpaid invoice totaling \$2,946.87 was presented. If adopted the list would be certified to the Emmet County Treasurer for collection with property tax.

Carlin introduced Resolution No. 2375 entitled “RESOLUTION ADOPTING ASSESSMENT SCHEDULE FOR THE COLLECTION OF UNPAID INVOICES FOR THE ABATEMENT OF NUISANCES AND OTHER SERVICES IN THE CITY OF ESTHERVILLE, IOWA” and moved its adoption, which was seconded by J. Heckard. VOTE: ayes: Carlin, J. Heckard, Clark, Goebel, Gage, G. Heckard, Seylar--7

Low Head Dam

Administrator Clayton presented information on a grant application for engineering work on the modification of the Low Head Dam Grant with the Iowa DNR for approval. Mimi Wagner of Stantec is the consultant the City has been working with, she has helped with the grant application and we need to secure the required 50% match for the grant. The total cost of the project for Phase I is \$72,000, of which the match will be \$36,000. We have sufficient funding available in the City’s portion of Local Option Sales Tax to cover this cost.

Moved by G. Heckard, seconded by J. Heckard to approve the Low Head Dam Grant Modification with a 50% match of \$36,000 from Local Option Sales Tax.

Public Forum

- a. UTV ordinance at the State level.

Updates

- a. Street resurfacing starts Wed., Sept. 21.
- b. Trick or Treating will be Mon., Oct. 31 from 5:30 p.m. to 7:30 p.m.

Adjournment

Moved by Carlin, seconded by G. Heckard to adjourn the meeting at 6:08 p.m. VOTE: ayes--7

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk