

COUNCIL PROCEEDINGS

Regular City Council Meeting: Monday, March 20, 2023 (5:00 p.m.)

Mayor/Council Present: Mayor K. Billings presiding--1; J. Heckard, J. Clark*, R. Gage, G. Heckard, D. Seylar, B. Carlin--6

Council Absent: Goebel--1

Staff Present: E. Burton, P. Clayton, G. Van Langen, B. Shatto, J. Kautz--5; via Zoom: J. Finn--1

Media Present: A. Petersen(EN)--1; via Zoom: E. Funston (KILR)--1

Others Present: None--0

Minutes

Moved by Carlin, seconded by G. Heckard to approve the minutes of the Mar. 6, 2023, council session. VOTE: ayes--5 absent: Goebel, Clark--2

Reports

Moved by Carlin, seconded by J. Heckard to approve the Financial Statement for the month of Jan., 2023. VOTE: ayes--5 absent: Goebel, Clark--2

Ordinance No. 803
Zoning Reclassification

Mayor Billings opened the public hearing on a request to classify the zoning of PT S ½ NE Lying S CO Aud Plat 14-99-34 (1620 7th Ave. So.) from Commercial to Agricultural. No written or oral objections were heard, and the public hearing was closed.

Moved by Carlin, seconded by Gage that the proposed Ordinance No. 803 entitled “AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING UE RESTRICTIONS ON PT S ½ NE LYING S 7TH AVE S CO AUD PLAT 14-99-34 (1620 7TH AVENUE SOUTH), ESTHERVILLE, EMMET COUNTY, IOWA” be considered for the first time. VOTE: ayes: Carlin, J. Heckard, Gage, G. Heckard, Seylar--5 absent: Clark, Goebel--2

*J. Clark arrives.

Ordinance No. 802
Fences, Hedges, Walls & Retaining Walls

Mayor Billings opened the public hearing on the proposed ordinance. No written or oral objections were heard, and the public hearing was closed.

Moved by Seylar, seconded by G. Heckard that the proposed Ordinance No. 802 entitled “AN ORDINANCE AMENDING AND REVISING VOLUME 2, ARTICLE 14, SECTION 14.6, SUBSECTION 1 OF THE CITY CODE OF ESTHERVILLE, IOWA, CONCERNING FENCES, HEDGES, WALLS & RETAINING WALLS” read for the third time and be finally passed and adopted. VOTE: ayes: Seylar, Carlin, J. Heckard, Clark, Gage, G. Heckard--6 absent: Goebel--1

Ordinance No. 803
Zoning Reclassification

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

Moved by Carlin, seconded by Gage that the proposed Ordinance No. 803 entitled "AN ORDINANCE AMENDING TITLE VI, CHAPTER 5, ARTICLE 4, SECTION 2 OF THE CITY CODE OF ESTHERVILLE, IOWA, RECLASSIFYING UE RESTRICTIONS ON PT S ½ NE LYING S 7TH AVE S CO AUD PLAT 14-99-34 (1620 7TH AVENUE SOUTH), ESTHERVILLE, EMMET COUNTY, IOWA" be finally passed and adopted. VOTE: ayes: Carlin, J. Heckard, Clark, Gage, G. Heckard, Seylar--6 absent: Goebel--1

Annual Reports

Jeff Kautz, Wastewater Treatment Plant Supt. presented the Annual Report for the Wastewater Plant and Brent Shatto, Chief of Police presented the Annual Report for the Police Dept..

Resolution No. 2400
2023 East Water Tower Repainting

Administrator Clayton presented information on the proposed East Water Tower Repainting Project.

Carlin introduced Resolution No. 2400 entitled "RESOLUTION TO PROVIDE FOR NOTICE OF HEARING ON PROPOSED PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST FOR THE 2023 EAST TOWER REPAINTING PROJECT FOR THE CITY OF ESTHERVILLE, IOWA, AND FOR THE TAKING OF BIDS FOR SAID IMPROVEMENT" and moved its adoption, which was seconded by Clark. (This resolution sets Apr. 17, 2023 at 5:00 p.m. in the council chambers as the time and place for the public hearing.) VOTE: ayes: Carlin, J. Heckard, Clark, Gage, G. Heckard, Seylar--6 absent: Goebel--1

Resolution No. 2401
Easement

Administrator Clayton presented information on the proposed encroachment easement with Cory Juergens for City property located west of and adjacent to 603 So. 1st St.

Carlin introduced Resolution No. 2401 entitled "A RESOLUTION PROPOSING THE GRANT OF AN ENCROACHMENT EASEMENT OVER THE CITY REAL PROPERTY" and moved its adoption, which was seconded by Gage. (This resolution sets Apr. 3, 2023 at 5:00 p.m. in the council chambers as the time and place for the public hearing.) VOTE: ayes: Carlin, J. Heckard, Clark, Gage, G. Heckard, Seylar--6 absent: Goebel--1

Engineering Agreement

Administrator Clayton presented information regarding a proposed Engineering Agreement for professional services with Stantec Consulting Services for engineering work for the dam mitigation project in an amount not to exceed \$72,000 for approval.

Moved by Seylar, seconded by Gage to approve the Engineering Agreement with Stantec Consulting Services for engineering work for the dam mitigation project in an amount not to exceed \$72,000. Vote: ayes--6 absent: Goebel--1

Appointment

Mayor Billings presented an appointment renewal for the following committee:

- a. Planning & Zoning Commission - Nancy Clark term to April 2028.

Moved by Seylar, seconded by Gage to approve the appointment for the Planning & Zoning Commission. VOTE: ayes--6 absent: Goebel--1

Public Forum

- a. A question was brought up on whether we need to prepare a letter or statement regarding the pipeline.

Updates

- a. DOT bid last month for Hwy. 4 No. was awarded to Heartland Asphalt. Bid letting for Hwy. 4 So. PCC Project is Mar. 21, 2023.
- b. Open House on Mar. 21, 2023 at Avera HFH from 4:30-6:30 p.m.

Adjournment

Moved by Carlin, seconded by G. Heckard to adjourn the meeting at 5:58 p.m. VOTE: ayes--6 absent: Goebel--1

Kenny Billings, Mayor

ATTEST:

Elizabeth Burton, City Clerk