

Mitchellville City Council Proceedings
Regular Meeting – June 22, 2015

The Mitchellville City Council met in regular session at 7:00 pm in the council chambers of City Hall, 204 Center Ave. N., pursuant to notice.

Mayor Woods called the meeting to order, roll call, members present: McGhee, Crook, Thomas, and Engler.
Absent: Zook

A motion by McGhee to approved the tentative agenda, second by Thomas. Motion carried.

A motion by Engler to approve the consent agenda approving payments of \$365,881.72 includes 2 regular and 1 quarterly payrolls, GO loan payment, partial payment #4 and the 6-1-2015 council minutes. Library minutes, stats, bills and director's report. Appointment of Dean McGhee as P&Z liaison, Jon Woods and Dean McGhee as board representatives to Metro Waste and Jon Woods and Joe Crook as representatives to the Mac Board second by McGhee. Motion carried.

Public Audience: Byron Johnson, 306 4th St. NE gave updates on the Rock the Block projects. Three homes in Mitchellville were given upgrades. There was a good volunteer turnout this year. They are looking for committee members for next year.

Joe Wieslander, 305 Mill St. SW, thanked Mike Twohey and the fire department for getting the AED set up in the Community Center.

A motion by McGhee to Open the Public Hearing on the Progress of the 2014 CDBG Sanitary Rehabilitation Project, second by Thomas, motion carried.

The Public Hearing opened at 7:09 pm with Mayor Woods informing the audience on the progress of the 2014 CDBG Sanitary Rehabilitation Project with the following statement:

MITCHELLVILLE PUBLIC HEARING
SANITARY SEWER REHABILITATION PROJECT

- This public hearing is being held to update residents on the City's Sanitary Sewer Rehabilitation Project. This project is funded in part by a Community Development Block Grant.
- The need for and goals of the project have not changed since the grant application was submitted to the State of Iowa in the fall of 2013. Visu-Sewer is the contractor for the Sanitary Sewer Rehabilitation Project. Work on the project is approximately 80% complete.
- The grant is scheduled to close-out June 30, 2017. To date, \$285,678.00 in CDBG funds have been requested and \$176,695.91 in matching funds have been expended. The City is using an SRF loan from the DNR as the source of matching funds.

He asked for oral and or written comments from the audience. No comments from the audience.

A motion by Engler to close the Public Hearing, second by Thomas, motion carried.

The Public Hearing closed at 7:11 pm.

Council member Zook arrived at 7:12 pm.

A motion by Crook to adopt a Procurement Policy, second by Thomas, motion carried unanimous, policy enacted.

A motion by Thomas to adopt a Fair Housing Policy, second by Thomas, motion carried unanimous, policy enacted.

A motion by McGhee to amend the Equal Opportunity Policy Statement to remove the term "sexual orientation" from the statement, second by Thomas. Ayes: McGhee. Nays: Engler, Zook, Crook and Thomas.

A motion by Crook to adopt the Equal Opportunity Police Statement as written, second by Zook. Ayes: Engler, Zook, Crook and Thomas. Nays: McGhee, motion carried, policy enacted.

A motion by Cook to adopt a Code of Conduct Policy, second by Engler, motion carried unanimous, policy enacted.

A motion by McGhee to approve partial payment #4 to Visu-Sewer and change order #1 from Visu-Sewer for the 2014 CDBG Sanitary Sewer Rehabilitation project, second by Crook, motion carried unanimous.

Kris Maggard, ia Magazine informed the council about the magazine and stated the City's investment to be in it would be \$467.25. The other eastern Polk communities and EPRD agreed on a per capita bases payment instead of an equal 4 way split on the cost to advertise in the magazine. A motion by McGhee to proceed with the advertising, second by Thomas, motion carried unanimous.

Ken Thomas, 109 2nd St. NE, reported he spoke with Bill Mallory, city attorney, on the Center Ave trees and sidewalk issues. He stated the attorney informed him that City should not take on the liability of the trees and may want to consider a one-time repair of the sidewalks on Center Ave. The sidewalks are a bigger problem than the trees but the trees are causing the damage to the sidewalks.

Mayor Woods received a memorandum from Brick Gentry P.C. regarding the request from the City Tree Board to update the City Ordinance Chapter 151 Trees. The memo listed the risks and liability concerns with changing the ordinance to have the City take on the responsibilities of the Center Ave Trees. The City did not plant the trees in 1983.

A motion by Thomas to discuss whether the council should consider changings ordinance Chapter 151 Trees, second by Engler. Ayes: Thomas, Zook, McGhee and Engler. Nays: Crook.

The council discussed some of the risk and liabilities for the City. Council member Crook brought up the possibility of shaving off some of the sidewalks but did not have a cost for the process. Mayor Woods brought council member McGhee in at this point asking if he had another option. McGhee stated he and a contractor walked the sidewalk and he was trying to negotiate a price for the sidewalks repairs paid by the property owners. If these repairs were done at one time it would be cheaper. The contractor did not get back to him on the cost before the meeting. McGhee offered to coordinate between the contractor and the property owners. The recommendation from the council was for McGhee to proceed with contractor. There will not be a tree ordinance change.

Mayor Woods informed the council that he had been looking into the DART program for Mitchellville. The cost for the service is approximately \$28,000 yearly with a total ridership of 622 for the last two years. He suggested the City hold a Public Hearing on whether or not to continue the service. A motion by Crook to hold a public hearing at the July 20th council meeting, second by Thomas, motion carried unanimous.

Administrator Norton stated she received a request from a resident asking the council to consider updating Ordinance 145 on above ground swimming pools requirements of 18 vs 30 inches. A motion by Thomas instructing Norton to update the ordinance for the July 6, 2015 meeting, second by Engler, motion carried unanimous.

A motion by McGhee to allow city employee's request for an extension on her vacation time, second by Thomas, motion carried unanimous.

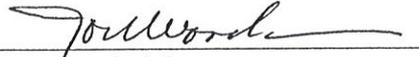
Updates were given by Department Heads, Council Members and the Mayor.

Public Audience: Byron Johnson, 306 4th St. NE, complimented how nice the flower pots looked coming into town from the south.

Marty Stephenson, 213 Carter St. SW, felt if the City was going enforce sidewalk repairs it need to be done all over town not just on Center Ave and making the holes around the tree would not help with root problems. Grinding the sidewalks was just putting a band aid on them.

Don Berkey, 113 2nd St. NW, stated he objected to not being able to ask questions during ia Magazine presentation, he wanted to know if the per capita included the prison count. On the cement issue he didn't think that all the property owners could pay on a specific day. He wondered why a member of the Tree Board wasn't asked to join McGhee and the contractor on their sidewalk review.

A motion by McGhee to adjourn the meeting, second by Thomas, all in favor, meeting adjourned at 8:27 pm.



Jon Woods, Mayor

Attest:



Ruth Norton City Admin/Clerk