

November 21, 2016

The Belle Plaine City Council met on November 21, 2016 at 6:00 p.m. in the council chambers with Mayor Dave Fish presiding. Present: Steve Beck, Judy Schlesselman, Mark Tegeler and Leah Upah. Mary Pech was present by phone. Also present: City Administrator Jeff Horne, City Attorney Jennifer Zahradnik and City Clerk Jacki McDermott. The Pledge of Allegiance was recited.

Motion by Beck to approve the consent agenda consisting of the Council Minutes of November 7, 2016, and bills received, seconded by Pech. On roll call vote, all voted Aye, motion carried.

Residents Comments: None.

Beck made a motion, seconded by Tegeler to approve Ardent Lighting for the lighting project at the baseball field at Franklin Park for a cost of \$124,676. On roll call vote, all voted Aye, motion carried.

Mrs. Kristine Morrow Pope gave a report on the Herring Hotel Property. Her main goal is to secure the roof and she is forming a foundation to secure grants through Vision Iowa to restore the property. She said her goal is impacting the community positively. The mayor said that the sidewalk and parking area are blocked off now. John Grieder asked Mrs. Pope about insurance and she said there is none. Grieder remarked that the last time parts of the building fell it had cost him money to replace things that were damaged. Tegeler said the demolition of the west portion of the building is important because of safety concerns. Grieder said the roof needs to be secure and pointed out the cost of roofing the building. Jennifer Zahradnik said the city has no liability because it is private property. The building could be declared a nuisance and then have a building inspector look at it. Mrs. Pope would then have seven days to abate the nuisance. Upah said to put the matter on the next agenda.

Jeff Horne gave the report from Belle Plaine Community Development. Holiday Homecoming will be held downtown this weekend. The Investment Drive will begin on December 8th with an event at the Country Club. The Main Street Iowa Market Analysis is finished and there will be a meeting to make further use of this data. Approximately 420 children attended the Halloween activities downtown.

Chief Kris Hudson gave the police report. There will be a STEP enforcement for seatbelts from November 20th to November 27th. The Police Department is now taking applications for another police officer.

Beck made a motion, seconded by Schlesselman to approve Resolution 16-11-07, changing employee classification. Three city employees, Stew Timm, Jacki McDermott, and Kristi Sorensen will be reclassified from exempt to non-exempt. As of December 1,

2016, there will be a change in the Fair Labors Standards Act and the workers will move from salary pay to hourly pay. On roll call vote, all voted Aye, motion carried.

Tegeler made a motion, seconded by Pech to approve a policy on Overtime/Compensatory Time Off for city employees not covered in collective bargaining agreements. On roll call vote, all voted Aye, motion carried.

The alley next to the Paul Smith residence at 1807 9th Avenue was discussed and Beck remarked that vacating the alley is not possible. The council wants the City Administrator to call Paul Smith with options and a possible project to alleviate a waterway problem.

A nuisance complaint at 611 4th Avenue was discussed. In the last meeting, an issue was brought up about barrels used to store corn for a heating stove. Tegeler said that he was against the barrels. Pech said she has no issue with the barrels. Schlesselman said she has no problem with the cleanup of the nuisance but wants no more barrels. Richard Franklin stated that one of the barrels is full of stagnant water. Pech will be sent to have a conversation with the owner.

Schlesselman made a motion, seconded by Pech to approve the second reading of Ordinance 16-1: an ordinance to amend section 8-96-20 Fence and Hedge Regulations of Title VII: Special Ordinances Chapter 96 Zoning Ordinances, with the addition of the words composite, vinyl fence, chain link, wooden slats or boards. The ordinance will change the distance from the property line where a fence can be erected. On roll call vote, all voted Aye, motion carried.

Beck made a motion, seconded by Tegeler to approve Resolution 16-11-04: a resolution approving Officer Les Wood for using a Taser. All voted Aye; motion carried.

Beck made a motion, seconded by Tegeler to approve Resolution 16-11-06, a resolution approving the Belle Plaine Annual Report for fiscal year 2015-2016. On roll call vote, all voted Aye, motion carried.

Tegeler made a motion, seconded by Schlesselman renewing a Class C Liquor License (LC) (Commercial & Sunday Sales for the Belle Plaine Bowl at 1308 13th Street in Belle Plaine. On roll call vote, all voted Aye, motion carried.

City Administrator Jeff Horne told the council that the project in the alley behind city hall is finished. There is still one sump pump going into the alley creating a slick spot. On the list of projects still to do is to trim the weeds in the empty lot next to the Cornbelt Building. Alliant will trim around the high lines. Municipal Pipe will be coming to televise sewer lines throughout town. The parts to finish the wellfield project will coming this week. HACH could landscape at the site. Also regarding the state sidewalk project, he has been talking to the engineer and they say the cones will be coming out on Highway 21 this week and they are waiting on parts to finish. Al Dvorak from the Street

Department said that 12th Street will be completely opened this week for the Holiday Homecoming activities because the paving is complete.

The Committee of the Whole discussed the animal ordinance regarding pit bulls. The City Attorney said the city has the right to be less strict than the county ordinance. Mayor Dave Fish recommended that the vicious animal ordinance be toughened to discourage irresponsible pet owners. The City Attorney recommended variances such as the county law has if the city leaves the ban in place. The Police Chief has said in the past that the current city ordinance is difficult to enforce since "pitbull" is not a breed. Bill Grieder remarked that he was on the council when the current ordinance was passed and said that they followed the county ordinance. Schlesselman brought up statistics on animal bites that pitbulls are responsible for many of the attacks on children and adults. The City administrator will look at the ordinances in other cities and encouraged the council to research until January when this topic will be brought up at council again.

Mayor Dave Fish reported that he has been asked by a citizen to change Main Street back to a two way street but the council remarked that this is no longer possible. There will be a Benton County Emergency Management meeting where a representative from the city is needed to vote, so Pech was delegated to attend. The Mayor and the City Attorney reported on the Benton County Landfill. The price per capita for garbage service per quarter will drop from \$33 to \$28; however, tipping fees will increase from \$25 to \$50 per ton, so the price will be based on usage. Also the new building is complete and they are finding more room in the old cell. Belle Plaine is the largest recycler in Benton County.

There were no resident comments.

There was no new business or old business.

Motion by Beck to adjourn the meeting, seconded by Tegeler. On roll call, all voted aye. Meeting adjourned at 7:59 p.m.

Dave Fish, Mayor

Attest: _____
Jacki McDermott, City Clerk