

WEST LIBERTY CITY COUNCIL MEETING MINUTES 06-07-2022

Mayor Katherine McCullough called the city council meeting to order at 7:30pm located at the West Liberty Public Library, West Liberty, IA. City Council Members in attendance: Diane Beranek, Omar Martinez, Cara McFerren, Dana Dominguez, and Jose Zacarias. Staff Members in attendance: City Clerk Geertz, Deputy City Clerk Hoffert, Police Chief Werling, City Attorney Nathan Mather, and Communication Director Lane.

Mayor McCullough called for a motion to amend the agenda as presented and table Item B on the Consent Agenda: City Clerk/Treasurer Report February 2022, Motion by McFerren and Seconded by Zacarias passed 5-0.

Mayor McCullough called for a motion to approve the City Council Amended Agenda: Motion McFerren Seconded by Zacarias passed 5-0.

City Council approved the consent agenda to include Regular Council Meeting Minutes for May 17, 2022 and City Sewer Report for May 2022: Zacarias/McFerren 5-0.

City Council approved the vendor voucher claims List #1 in the amount of \$740,781.56: Beranek/McFerren Yay 4 Nay 1- Dominguez (4-1)

City Council approved the vendor voucher claims List# 2 in the amount of \$8,400.00 for James Keele Reimbursement for City of West Liberty Economic Grant Matching Fund: McFerren/Zacarias 5-0.

Mayor McCullough opened the public comments and/or correspondence by addressing attendees with the following rule: This is the time set aside for comments from the public on topics of City Business other than those listed on the agenda. No action may be taken. Please state your name and address for the record and keep your comments to no more than 2 minutes.

Public Comments: Comments regarding ARPA funding for the Escucha Mi Voz for the community members of West Liberty: Maria Diaz, Attendee Palma, and members of Voice for West Liberty. Council Members Martinez and Zacarias communicated their support for the funding individual with the ARPA funds. Additional comments from the members representing Escucha Mi Voz "we are tax paying members of the community"

Members of the Public regarding support for Council to sign the letter of commitment on the council agenda, to include support of the West Liberty Fire/EMS Volunteers: Jeff Owen, Retired Fire/EMS Volunteer and Community Member Larry Miller, Fire/EMS Volunteers Paul Reed, and Kurt Heckman. Members asking the City to approve the letter and enter negotiations to resolve the issue. (The full comments are available on the City's website: Video City Council Meeting: 6-7-2022.

City Council Public Comments or Correspondence:

City Manager and/or City Clerk Public Comments or Correspondence: Zacarias provided he held a meeting with Assistant Fire Chief Christensen and Eric Christensen to continue discussions about the Fire Department. Zacarias has communicated based on specific request of the Fire Department he is unable to see where we can permit taxpayer property to be given over directly to separate. Zacarias communicated the City has been working on negotiations, but is confused by who is the representatives we are to be working with. Mayor McCullough broke the conversation by communicating the agenda item of the letter has no relationship to the MOU previously presented. The correction is the commitment to move forward and states this is a necessary step to move forward. There will be other items more to discuss further in the agenda. Tom Christensen was allowed to speak and asked to work together for the common good of the community and the outer community. Mayor stated she has additional information to discuss later in the meeting.

Council McFerren received two correspondences, one from City member and Rural member. Ron Do Voo parking light was not coming on. City Clerk Geertz communicated a letter was received from the Auditor of State with regards to a public petition, this was placed in the Mayor and Council packet.

OLD BUSINESS

Ordinance 20220517-01 An Amendment to Title 6 Health and Sanitation Chapter 1 Garbage and Refuse, Section 6-1-11: Rates: Second Reading: Beranek/Zacarias Yay: Beranek, Martinez, McFerren, Dominguez, and Zacarias: Nay:0 2nd reading approved 5-0.

Ordinance 20220517-02 An Amendment to City Code of Ordinance of the City of West Liberty by Amending Provisions Pertaining to Residential Lot Requirements: Title 10, Chapter 6 Residential Requirements, Section1- 10-6-B-1, Section 2-10-6B-5, Section 3- 10-6B-6, Section 4-10-6C-1 establishing Zero Lot line dwellings. Beranek motion to approve the second reading and waive the third/final reading/ Second by McFerren: Yay: Zacarias, Dominguez, McFerren, Martinez, and Beranek: Nay: 0: Final reading approved: 5-0.

Ordinance 20220517-03 An Amendment to Title 10, Chapter 10, Section 10-1-1 Definitions: "Home Occupation" Beranek motion to approve the second reading and waive the third/final reading/Second by McFerren: Yay: Zacarias, Dominguez, McFerren, Martinez, and Beranek: Nay 0: Final reading approved 5-0.

Finance and Ordinance Committee Chair, McFerren with Council Member Dominguez input provide additional follow up to minutes and notes provided to the Mayor and Council from the Committee's meeting on May 27th at City Hall.

City Council by consensus asked City Staff, Finance Committee and City Attorney to continue to work towards presenting a resolution for the 06-21-2022 meeting allowing ARPA funds the distribution for individuals exempt from pandemic federal assistance funds. Furthermore, the resolution should include the recommendation by the Finance Committee of \$700.00 payments for individuals who meet the exempt criteria. Council Member Zacarias stated for the record, his recommendation is for the full ask of \$1,400 each instead of \$700.00

City Council approved by roll call vote Resolution 20220607-28 a Letter of Commitment between the City of West Liberty, West Liberty Rural Fire and EMS District, and West Liberty Fire and EMS Association, INC: Dominguez/Martinez: Yay: Zacarias, Dominguez, Martinez: Nay Beranek 4-1.

Discussion: There was much discussion held during this portion of the meeting. The entire discussion can be heard on the video provided on the City of West Liberty's website. The Mayor communicated she was made aware prior to the meeting that the City Manager did not have a comprehensive and cohesive back up plan to having volunteer member mass exodus from the Fire Department the City would not be prepared to handle Fire department members walk tonight. The City didn't have procedure in place to appoint a individual to manage volunteers under the mutual aid agreement. Mayor asked Council for this reason to please say yes to the letter of commitment as she stated there is no viable option. Council Member Dominguez and Council Member Martinez, communicated to move forward with a fresh start with the support of the letter. Attendees spoke out: Larry Miller called on Zacarias to participate in a committee, Mark Madsen communicated Richard Brand and he could name an individual to participate. Richard Brand communicated he cannot speak on behalf of the other Trustees, but this could possibly see the litigation being dropped. Mayor communicated a special committee will be appointed with City representatives to meet with other representatives per the letter's intent to resolve.

NEW BUSINESS

City Council approved the West Liberty Economic Development Grant Application Request from Jim Keele on behalf of 101 E Third Street in the amount of \$3,600: Zacarias/Dominguez 5-0.

City Council approved Resolution 20220607-25 for EMT Full Time wages for Kathleen Esmoil:
Beranek/Zacarias: Yay: Beranek, Martinez, McFerren, and Zacarias: Nay: Dominguez 4-1

Discussion: Council Member Dominguez received feedback to the position itself, she understands if Kathy has been working, she needs to be paid. She will not be approving because she needs to do more investigating, but it has nothing to do with her wages.

City Council approved by roll call vote Resolution 20220607-26 Deleting Property from the West Liberty Urban Renewal Area: Beranek/McFerren: Yay: Zacarias, Dominguez, McFerren, Martinez, and Beranek:
Nay: 0 5-0.

Discussion: Council Member Zacarias called on City Clerk Geertz for further explanation. Geertz communicated the deletion of property from the existing Urban Renewal District will allow the City to set a new timeline for the TIF (Tax Increment Finance) for future development agreements.

City Council approved by roll call vote: Ordinance 20220607-04 Designation of the Expanded West Liberty Urban Renewal Area and on Urban Renewal Plan Amendment: Beranek, motion to approve the ordinance first reading and waive all additional readings/Second by Zacarias: Yay: Zacarias, Dominguez, McFerren, Martinez, and Beranek 5-0.

City Council approved by roll call vote: Resolution 20220607-27 A Resolution Setting Date for Public Hearing on Designation of the Expanded West Liberty Urban Renewal Area and on Urban Renewal Plan Amendment on July 5th at 7:30pm: Beranek/McFerren: Yay: Beranek, Martinez, McFerren, Dominguez, and Zacarias: Nay: 0 5-0.

City Council approved to Set the Date for a City Council Work Session on June 21, 2022, at 6:30pm to possibly discuss the resolution for the ARPA Funds: McFerren/Dominguez 5-0

City Council approved to Set the Date for A Public Hearing Fiscal Year 2021-2022 Budget Amendment June 21, 2022, at 7:30pm: Beranek/Martinez 5-0.

REPORTS – Employee/City Engineer/City Attorney/City Boards/Committees/Commissions

City Engineer, Leo Foley: Well #2 report was received from Northway. We didn't see any issues, the reports have been submitted to the DNR for their opinion. Looking at the end of June for a answer from DNR. Maxson and Rainbow lighting, BHMG provided the electrical plan on electrical lighting. Now we come back to Council for review of what type of lighting fixtures. City Staff and V&K have been working on a grant with West Liberty Foods for a Bio Digester. Department of Energy was accepted, now we must process the final application to process. Currently there is no expense other than employee time.

City Staff Minutes: No other additional comments

Committee Meetings: Dominguez communicated they will get the Ambulance Board minutes for the clerk to record.

City Council adjourned the meeting 9:13pm: Beranek/Dominguez 5-0.

Katherine McCullough, Mayor

Attest:

Lee Geertz, City Clerk