

City of West Liberty Council Meeting Minutes 05-17-2022

City of West Liberty Council Work Session was held prior to the regular City Council Meeting on May 17, 2022. Mayor McCullough called the work session to order with roll call attendance at 6:00pm: Council Members present: Beranek, McFerren and Dominguez. Absent: Martinez and Zacarias. Council Member Dominguez presented on behalf of the Public Safety Committee the review of the proposed MOU West Liberty Fire and EMS Association 28 E Agreement. Dominguez report provided additional information for Council to review with her report, Callahan Municipal Consultant Report, previously council approved 28E Fire Agreement with the West Liberty Rural Trustees, and sample 28E Agency agreement from the City of Baxter. Council Members Beranek and McFerren provided comments about the proposed agreement and Callahan report. The proposed MOU 28E Agreement will not work due to the complexity of demands. There are some items in the agreement not permitted by certain legality. The city already has a department therefore the city would have work to do first before an agreement could be entered. The city would need to update City Municipal Code for Fire Department. There would need to be separation steps to include property and equipment, and there will need two government entities to enter a 28E Agreement in order to create the West Liberty Fire Agency as requested. The consensus will be to ask the West Liberty Fire Department Volunteer Members to review the report provided by Callahan and proposed draft 28E Agency agreement. This would include forming a Fire Advisory Board as it has been suggested in 2020 during the work with the Rural Trustees on establishing a new agreement. Work session adjourned at 7:15pm for a break prior to the regular meeting at 7:30pm.

Mayor McCullough called to order the West Liberty City Council Meeting on 05-17-2022 at 7:34pm. Council Members in attendance at roll call: Diane Beranek, Cara McFerren, Dana Dominguez, and Jose Zacarias. City Staff in attendance: City Manager Haugland, Deputy City Clerk Hoffert, Attorney Nathan Mather, Communications Director Lane, and City Clerk Geertz.

City Council Amended the Agenda adding Resolution 20220517-22 A Resolution for the City of West Liberty to participate in the West Liberty Community "Sister City" program, Item#8: New Business, item A: Dominguez/McFerren: 4-0.

City Council approved the consent agenda with the following items: McFerren/Zacarias 4-0

- A. Regular Council Meeting Minutes for May 03, 2022
- B. Special City Council Meeting Minutes for May 12, 2022
- C. April Sewer Report 2022
- D. Liquor License for Casey's Store #2890 Class E (Beer, Liquor and Wine) with Sunday Sales Effective 07/01/2022
- E. Approval of Cigarette Permits for Local Business
 - i. Casey's General Store #2890
 - ii. Jeff's Market
 - iii. Giri BP
 - iv. New York Dollar Store
 - v. Dollar General Store

PUBLIC HEARING(S)

City Council opened the City of West Liberty Public Hearing on Amending and Increasing Garbage Rate Utility Rates by Roll Call Vote: McFerren/Dominguez: Zacarias, Dominguez, McFerren, and Beranek 4-0

Discussion: City Council reviewed the garbage rate study prepared by Northland Securities at the April 17 work session. Based on the proposed study the recommended rate increase will be overall 18% effective 7/1/2022 as the rates have not been increased since 2014. The impact of employee cost, equipment costs, refuse removal, recycle market and fuel have placed the Solid Waste Fund in a position of expenditures over revenues. Therefore, the City Council will look to approve a 18% increase for all rates pertaining to the service of garbage and recycle operations. In addition, the City will look to implement a 3% annual increase based on annual review of revenues and expenditures for the fund. The city has received no public comments or correspondence for the first reading.

City Council by roll call vote closed the public hearing: Beranek/McFerren: Beranek, McFerren, Dominguez and Zacarias 4-0.

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City Council approved the First Reading by roll call vote for Ordinance 20220517-01 An Amendment to Title 6 Health and Sanitation Chapter 1 Garbage and Refuse, Section 6-1-11: Rates: Beranek/McFerren: Zacarias, Dominguez, McFerren, and Beranek: 4-0.

City Council opened the public hearing on Amending the Code of Ordinances Provisions Pertaining to Residential Lot Requirements by roll call vote: McFerren/Dominguez: Zacarias, Dominguez, McFerren, and Beranek: 4-0.

Discussion: City Manager Haugland communicated the West Liberty Planning and Zoning Commission has reviewed the amendment proposed and recommends approval by City Council. The Zero lot line pertains to homes developed with a zero-lot line; the homes are individual homes separated by firewall to allow for two separate homes to be constructed on one lot. This is common development in surrounding communities for new housing construction. No other public comments or correspondence was received for the first reading.

City Council closed the public hearing by roll call vote: McFerren/Beranek: Zacarias, Dominguez, McFerren, and Beranek: 4-0.

City Council approved by roll call vote the first reading for 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, Section 1- 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/McFerren: Zacarias, Dominguez, McFerren, and Beranek 4-0.

City Council opened the public hearing by roll call vote on Amending Amendment to Title 10, Chapter 10, Section 10-1-1 Definitions "Home Occupation": Beranek/Dominguez: Beranek, McFerren, Dominguez, and Zacarias: 4-0.

Discussion: City Manager Haugland communicated the Planning and Zoning commission reviewed the zoning request by property owner to place a home business on the agriculture property in part of the city property. The homeowner's business would be further licensed and reviewed by the Iowa Department of Health and Iowa Department of Natural Resources for the meat processing business located at the home. Planning and Zoning Commission recommends approval of the amendment to the definition of "Home Occupation" providing the property owner follows all requirements to operate the meat processing business at his property.

No comments or correspondence was received for the first reading.

West Liberty City Council closed the public hearing by roll call vote: Beranek/McFerren: Zacarias, Dominguez, McFerren, and Beranek: 4-0.

City Council approved the first reading of Ordinance 20220517-03 An Amendment to Title 10, Chapter 10, Section 10-1-1 Definitions: "Home Occupation" by roll call vote: Beranek/McFerren: Beranek, McFerren, Dominguez, and Zacarias: 4-0.

West Liberty City Council approved vendor voucher claims list #1 in the amount of \$437,240.32: Beranek/Zacarias 4-0

Public Comments: Members of Excucha Mi Voz addressed the West Liberty City Council looking for answers to the request of ARPA funds being granted to individuals who have been unable to receive funding as undocumented workers. Council Member Dominguez communicated the Finance Committee has been working with the information and will continue to work on the request to find the possibility of funding the request.

Although the amount requested is substantial as the City of West Liberty will receive a smaller portion of ARAPA funding compared to larger Cities. Therefore, there are many opportunities the funding can provide financial support for all community members of West Liberty. There will be a Finance Committee Meeting on May 27th to discuss more options. Council Member Dominguez and McFerren will continue to communicate with the members as the work progresses.

City Council Public Comments or Correspondence: No comments

City Manager and/or City Clerk Public Comments or Correspondence

OLD BUSINESS:

City Council made the motion to present the West Liberty Fire Volunteer Members the Callahan Municipal Consultant Report, Draft E Agreement approved by Council in March 2021, and consideration to continue to negotiate on an agreement for resolution for all: McFerren/Dominguez: 4-0. Mayor McCullough asked to provide the information as soon as possible to the volunteer members and then make available to the public for their review as well.

Discussion: Council Member Dominguez provided the proposed MOU 28E Agreement has potential, but there is lots of work that would need to be completed by the city as discussed during the work session prior to the City Council meeting. We ask all of the volunteer to read the information and consider the comments as to why the proposed agreement will not work and consider more discussion to see what can be done to work together on a resolution. It has been communicated

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by some of the members of the Fire Department they did not have a full understanding of the MOU and was not clear as to what was signed by Dominguez. All the City can do is continue to work through the process for a resolution, but the deadline for the June 3rd is fast approaching and hopefully the individuals who have threatened to resign will continue to work with City Leaders for a resolution.

NEW BUSINESS:

West Liberty City Council Approved Resolution 202205-22 by roll call vote: A resolution to support and participate in the West Liberty Chapter "Sister City Program": Beranek/McFerren: Zacarias, Dominguez, McFerren, and Beranek: 4-0.

City Council approved to set the Date for A Public Hearing Fiscal Year 2021-2022 Budget Amendment June 7, 2022, at 7:30pm: Beranek/McFerren 4-0.

Set the Date for A Public Hearing to Amend the West Liberty Stormwater Utility Ordinance June 7, 2022, at 7:30pm: Beranek/Dominguez: 4-0.

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

City Engineer, Leo Foley of Veenstra and Kimm provided an update on the Well#2 project and Maxson/Rainbow Street Project to Council. Northway Well has completed the scrub and televising of Well#2 and we look to have a report by next Council Meeting. BHMG finished with cost review for the Electric work for the Maxson/Rainbow Street project, and we will have updated financial information at the next Council meeting. This should complete the entire cost study for the project.

City Staff Minutes: In addition, the presented staff minutes City Manager Haugland communicated he will be out of the office on vacation June 3 through June 10th. Haugland also communicated he will be finishing his volunteer session with the West Liberty School and JA program this week. He stated he enjoyed working with the students, the program and teacher. City Clerk Geertz communicated the City Administrative Staff's appreciation for customer's patience as City Hall has been closed due to illness. We are in hopes to have the office open to the public by the end of the week, but it is a priority to have healthy staff to serve our customers.

Committee Meetings: Public Safety Committee held a meeting on April 26, 2022, minutes are included in the City Council Packet.

City Council Adjourned the meeting at 8:30pm: Zacarias/Beranek: 4-0.

Katherine McCullough, Mayor

ATTEST:

Lee Geertz, City Clerk