

MEETING MINUTES OF THE WEST LIBERTY CITY COUNCIL

WEST LIBERTY IOWA

AUGUST 15TH, 2023

Mayor Ethan Anderson called the Regular Council Meeting to order at 7:30 p.m. by Roll Call. Councilmembers in attendance: Mayor Pro Tem Cara McFerren, Councilmember Ashley Smith, Councilmember Omar Martinez, and Councilmember Dana Dominguez. Councilmember Josh Shiltz was absent from the meeting. City Staff in attendance: City Manager Lee Geertz, City Clerk Shari Hoffert, Deputy City Clerk Emily Reinhardt, and Communications Specialist Brittany Woodson.

City Council approved the Agenda. McFerren/Dominguez (4-0)

City Council approved the Consent Agenda. Smith/McFerren (4-0)

Reports: Mayor Pro Tem McFerren asked Library Director Allie Paarsmith to clarify information in her report about Building and Tech. Paarsmith communicated that she has been receiving quotes for fencing and she was able to get the information back and will be taking it to the Library Board for discussion. Councilmember Martinez asked Library Director Paarsmith about her water heater to make sure that everything had been fixed. Paarsmith communicated there was a leak in the boiler and that it has been fixed. Mayor Pro Tem McFerren asked Parks and Rec Superintendent Nick Heath about the tournaments that will be going on at Dutton to be sure that the roadwork would not hinder people getting to the fields. Heath communicated that he has been in close contact with the project manager and that the road should be completed by the time the tournament comes up. McFerren also asked about the cameras that have been installed by Heath in the IT Department. Heath communicated that there have been about 30 cameras installed at this time. Mayor Ethan Anderson commented that the Wapsi Nature Trail extension was a great addition to the City of West Liberty. City Manager Geertz communicated that herself and Superintendent Craig Juergens met with West Liberty Foods to go over the permitting information and communicated that West Liberty Foods and the City Administration are going to work to get quarterly meetings set back up for both entities moving forward.

Vendor Voucher Claim's List #1 in the amount of \$231,833.56 was approved. Smith/Dominguez (4-0)

Public Comments: Josh Jackson, a community member in West Liberty, communicated that he is working with his new device to be able to locate Utilities in the City of West Liberty. His device will create a 3D model and will be able to collect meters. City Engineer Leo Foley asked if it could also identify coordinates. Mr. Jackson communicated that it can do X, Y, and Z coordinates. Right now, the focus is on Utility Mapping, and this is the JV model, but in the future, there will be more to come with the device. Councilmember Smith recommended one of the projects to look into would be spray painting the lines for fields for the Schools. Mr. Jackson's goal is to get kids interested in Science and he has been taking his device out so the community can see it in action. Ken Brooks, WeLead Director, communicated that the West Liberty Index has eliminated the editor position here in West Liberty and wanted to make sure that the City was aware. Mayor Pro Tem McFerren communicated that she has had communication that there is illegal dumping going on South of 3rd Street in the alley. City Manager Geertz communicated that it may be possible to investigate this with one of the City Cameras. McFerren communicated that the Heritage Foundation wants to work with the City for rezoning for the Depot area so that they may pour a foundation in the Fall to bring in a building. Geertz communicated that she was in the process of working on this project with City Clerk Hoffert to get things moving. This area has been zoned M-2 due to the Railroad, but the area no longer fits this zoning, and the City would be looking to rezone everything West of Elm St. in West Liberty to a C-2 District. Mayor Pro Tem McFerren also communicated that she has been approached to see if the City of West Liberty would be willing to consider amending the Code to allow Fireworks to follow the State Code for Fireworks on New Year's Eve and the Fourth of July. This will be further discussed at a future meeting. City Manager Geertz communicated that she had communication with Lisa Browning about an event that happened Downtown on August 12th, 2023. Mrs. Browning was upset that she did not receive communication that this event was going to be taking place with the Road Closure. Geertz communicated that she would work on making sure that she was notified in the future, but did not reach out on this one as it did not seem to have any impact on the 3rd St. businesses as it was a closure on Spencer St. Geertz also communicated that she has been in contact with Paul Reed in regard to a complaint that has been filed and she will continue to work with Mr. Reed on his concerns. City Clerk Hoffert communicated that the West Liberty Community Schools has reached out about the new building attached to the Elementary School on Miller St. The Schools are wanting a new address for the new building, but they are not going to have any utilities to the new building. In order to create a new account and address there must be a billable service on the account. Hoffert will be communicating with Public Works Superintendent Adam Reinhardt to see if a dumpster can be added to the end of the building to create a billable service to have two Suites within the building on Miller St.

There was Discussion and Appropriate Action for continued work and consultant on behalf of the 28E Agency Agreement. Mayor Anderson communicated that the Task Force has been working for a long time with many meetings. The end goal is to create a 28E Agency, but the entities are now at the point where professional outside help is needed to make sure that the Agency will be sustainable and viable for many years to come. Eric Christensen had found the consultant and originally there was going to be a smaller scope of work, but after communication with the Consultant it was decided that there was going to be more information needed. This approval does not tie the hands of the Council, but it shows that they are committed to moving forward with the 28E Agency and the final decision would be made from the information provided by the Consultant. Councilmember

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Smith was concerned that there were no other members from the Task Force at the meeting to discuss whether they were in favor of this. Mayor Anderson communicated that he has been in contact with everyone and there are those that are in favor and those that are not, but this vote is to say that the City is in favor of moving forward with the Consultant. Mayor Anderson has been in communication with Chief Sickels and Assistant Chief Christensen and they are in favor of moving forward as long as the end goal is still the 28E Agency. City Manager Geertz communicated that this is an investment, not only for now but for the future as well. Geertz communicated with legal counsel, and they communicated that this is a positive direction. Geertz communicated that Counsel also recommended that the Mayor set a deadline for an answer from the other entities to get things moving forward as we are still in litigation and the trial date is approaching. Councilmember Dominguez communicated that her initial hesitation was the cost, but then reading the information from the Consultant and with the Fire Department being sound with the work they have put in along with the Task Force, that she is in hopes that it will not end up being as much work as the Consultant is anticipating. Dominguez communicated that she knows there is concern with the Election coming up and the changing of power, but that this would get us set on a path in the right direction and she does not see any other options. Mayor Pro Tem McFerren concurred with the Mayor and Councilmember Dominguez. McFerren communicated that it was important to make sure everything is covered for each of the entities. Councilmember Martinez communicated that it feels as though moving in this direction would be starting back at zero after everyone put hard work in to get to where we are. Task Force Members McFerren and Dominguez communicated that all the work the Task Force has done should make this move more smoothly and cut down on the time the Consultant must spend on the review of everything presented. There was a motion to approve the City's continued commitment with the Mayor's Fire/EMS Task Force by setting a contract with an agreed upon consultant. The Consultant work will not exceed \$60,000.00 based on the specific scope of work to be performed to identify viability to enter into a 28E Agency Agreement. The City will not exceed 50% of the cost. Smith/McFerren (4-0)

There was Discussion and Appropriate Action for the Employee Assistance Program with Genesis. City Manager Geertz communicated that she is looking for approval to work with Genesis. The City had used Genesis for years, but there was a gap with previous management and Geertz has worked to get everything put back into place. This is for all City Employees, Volunteers, and Council to use. There was a motion to approve implementing the Employee Assistance Program with Genesis. Smith/Dominguez (4-0)

Resolution 20230815-71: A Resolution Setting the Wage for an Ambulance Staff Member was approved by Roll Call Vote. Smith/McFerren; Martinez-Y, Smith-Y, Dominguez-Y, McFerren-Y (4-0)

Resolution 20230815-72: A Resolution to Approve Change Order No 1 for the Well #2- Phase 2: Pumphouse Improvement Project in the City of West Liberty, IA was approved by Roll Call Vote. Smith/McFerren; Martinez-Y, Smith-Y, Dominguez-Y, McFerren-Y (4-0) City Engineer Leo Foley communicated that this was for extending the driveway for the equipment accessibility for the Well to be able to get in without needing to move other items. This also includes the removal of the blocks that were covering the windows in the Powerhouse as intended in the beginning of the project.

Resolution 20230815-73: A Resolution to Approve Pay Estimate No 1 for the Well #2-Phase 2 Pumphouse Improvement Project in the City of West Liberty, IA was approved by Roll Call Vote. McFerren/Smith; Martinez-Y, Smith-Y, Dominguez-Y, McFerren-Y (4-0) City Engineer Foley communicated that S.G. is doing well and the project is moving along nicely. McFerren questioned the 5% retainage fee as she had thought it was 10%. Foley communicated 5% is normal for the retainage fee, but the contingency is typically 10%. The retainage fee can be less than 5%, but this one is set at the 5%.

Resolution 20230815-74: A Resolution to Approve Pay Estimate No 5 for the Rainbow/Maxson Street Project in the City of West Liberty, IA was approved by Roll Call Vote. Smith/Martinez; Martinez-Y, Smith-Y, Dominguez-Y, McFerren-Y (4-0) City Engineer Foley communicated that there has been a lot of concrete work completed since the last pay estimate and that there would be another one coming with the new work that is being completed. The road is on track and things are going well.

Resolution 20230815-75: A Resolution for a Pre-Annexation Agreement between the City of West Liberty and Wiele Chevrolet was approved by Roll Call Vote. Smith/McFerren; Martinez-Y, Smith-Y, Dominguez-Y, McFerren-Y (4-0) City Manager Geertz communicated that Wiele Chevrolet and the parcel next to it are currently not within City Limits and that Wiele would like to have this area annexed in so that they can build Commercial Condos next to the existing building. The existing building is just west of the City Limits, but already has City Utility.

Resolution 20230815-76: A Resolution to Approve the Plans and Specifications for Bidding for the Knotty Circle and Division Street Roadway Improvements was approved by Roll Call Vote. Smith/McFerren; McFerren-Y, Dominguez-Y, Smith-Y, Martinez-Y (4-0) City Engineer Foley communicated that this would include the sidewalk as he will be communicating with the property owners to move forward with removal of the trees. The notice for the public hearing on September 5th will go out on August 16th, 2023. Councilmember Smith asked if we notify homeowners at their home and Foley communicated that he does try

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AUGUST 15TH, 2023

to make contact with those where there is a direct impact on their property, but could look into notifying others as well. It is posted on many websites and in the paper as well.

Resolution 20230815-77: A Resolution to enter into and Engineering Agreement with V&K for the Buysse Addition Construction Inspection was approved by Roll Call Vote. Smith/Dominguez; Martinez-Y, Smith-Y, Domingue-Y, McFerren-Y (4-0) City Engineer Foley communicated that this is normal in any subdivision because the City will own the utility and the roads once this is completed. This is to ensure that everything is up to City standard when it is being put in and to be sure that nothing is missed.

There was a motion to adjourn at 9:05 p.m. Smith/Dominguez (4-0)

Mayor, Ethan Anderson

Attest:

City Clerk, Shari Hoffert