

## MEETING MINUTES OF THE WEST LIBERTY CITY COUNCIL

WEST LIBERTY, IOWA

November 19<sup>th</sup>, 2024

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The City Council of West Liberty, IA, had a walkthrough of the Electric Powerhouse on Tuesday, November 19<sup>th</sup>, 2024, at 6:00 p.m. There were no actions taken during the walkthrough. Mayor Mark Smith was present during the walkthrough of the Powerhouse. City Councilmembers in attendance: Mayor Pro Tem Cara McFerren, Councilmember Josh Shiltz, and Councilmember Omar Martinez. Councilmember Dana Dominguez and Councilmember Tim Parizek were absent from the Electric Powerhouse walkthrough. City Staff in attendance: City Manager Lee Geertz, City Clerk Shari Hoffert, Electric Superintendent Cody Franklin, and Communications Specialist Brittany Woodson.

Mayor Mark Smith called the Regular Council meeting to order at 7:30 p.m. Councilmembers in attendance: Mayor Pro Tem Cara McFerren, Councilmember Omar Martinez, Councilmember Josh Shiltz, and Councilmember Tim Parizek. Councilmember Dana Dominguez viewed the meeting via zoom but was not a voting party during the meeting. City Staff in attendance: City Manager Lee Geertz, City Clerk Shari Hoffert, Wastewater Superintendent Craig Jurgens, Electric Superintendent Cody Franklin, Communications Specialist Brittany Woodson, Library Director Allie Paarsmith, and Police Chief Josh Houser. The Council Meeting can be viewed at [www.cityofwestlibertyia.org](http://www.cityofwestlibertyia.org).

The City Council approved the agenda. Shiltz/Parizek (4-0)

The City Council approved the consent agenda. Shiltz/Martinez (4-0)

There was a Public Hearing on the Proposed 80/20 Annexation in the City of West Liberty, IA, 52776. The Public Hearing was opened by roll call vote. Shiltz/McFerren Martinez-Y, McFerren-Y, Parizek-Y, Shiltz-Y (4-0)

During the public comments and/or correspondence City Manager Lee Geertz recognized Lisa Wertzbaugher from Brew Properties, LLC as one of the businesses requesting annexation. Geertz communicated that she believes they will receive good correspondence from the State on the proposed annexation. The State will need to review to make sure there is not an island created with the proposed annexation. Geertz communicated her appreciation for Mrs. Wertzbaugher's patience during this process as WELEAD Director Ken Brooks and City Manager Geertz worked through this process.

The Public Hearing on the Proposed 80/20 Annexation in the City of West Liberty, IA, 52776 was closed by roll call vote. McFerren/Parizek Parizek-Y, McFerren-Y, Martinez-Y, Shiltz-Y (4-0)

Resolution 20241119-194: A Resolution annexing certain real estate owned by All American Concrete, Inc., Don Schrader, and Brew Properties, LLC located adjacent to the west of the City of West Liberty, IA was approved by roll call vote. McFerren/Shiltz McFerren-Y, Parizek-Y, Martinez-Y, Shiltz-Y (4-0)

There was a Public Hearing on the Amendment to the Code of Ordinances in the City of West Liberty, IA for adding a New Section: Dumping in Privately Owned Dumpsters. The Public Hearing was opened by roll call vote. Shiltz/McFerren Martinez-Y, McFerren-Y, Parizek-Y, Shiltz-Y (4-0)

During the public comments and/or correspondence City Clerk Shari Hoffert communicated that this is in addition to the state ordinance that was passed. This will allow the City to enforce the illegal dumping in privately owned dumpsters within the City of West Liberty.

The Public Hearing on the Amendment to the Code of Ordinances in the City of West Liberty, IA for adding a New Section: Dumping in Privately Owned Dumpsters was closed by roll call vote. Shiltz/Martinez Parizek-Y, McFerren-Y, Martinez-Y, Shiltz-Y (4-0)

Ordinance 20241119-10: An Ordinance Amending the Code of Ordinances of the City of West Liberty, Iowa, by adding a new section Dumping in Privately Owned Dumpsters first reading was approved by roll call vote. Martinez/Shiltz Martinez-Y, Parizek-Y, McFerren-Y, Shiltz-Y (4-0)

There was a Public Hearing on the Amendment to the Code of Ordinances in the City of West Liberty, IA, for adding a new section Amending Provisions pertaining to Council Meetings. The Public Hearing was opened by roll call vote. Shiltz/McFerren Parizek-Y, McFerren-Y, Martinez-Y, Shiltz-Y (4-0)

During the public comments and/or correspondence City Clerk Shari Hoffert communicated that this Ordinance is to allow meetings to be set by Resolution moving forward so that the Ordinance does not have to be amended if changes arise in meeting times or locations.

The Public Hearing on the Amendment to the Code of Ordinances in the City of West Liberty, IA, for adding a new section Amending Provisions pertaining to Council Meetings was closed by roll call vote. McFerren/Shiltz McFerren-Y, Parizek-Y, Martinez-Y, Shiltz-Y (4-0)

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Ordinance 20241119-11: An Ordinance Amending the Code of Ordinances of the City of West Liberty, Iowa, by amending provisions pertaining to Council Meetings first reading was approved by roll call vote. McFerren/Shiltz Parizek-Y, McFerren-Y, Martinez-Y, Shiltz-Y (4-0)

Reports: City Engineer Leo Foley communicated that the heated concrete on Columbus Street has been completed but has not yet been tested in cold weather. The fire hydrant still needs to be placed for the Columbus Street Sidewalk Project and then All American Concrete, Inc. will complete the backfilling to finish the Project. Foley communicated that the Rainbow/Maxson Street Project has a few more items to complete and then that Project will be completed. City Engineer Foley communicated there will be a meeting with West Liberty Foods for the Wastewater Treatment Plant baseline improvements to go over rates and the portion West Liberty Foods would be responsible for. Mayor Pro Tem Cara McFerren questioned City Engineer Foley on solutions for the speeding on Short Street. Foley communicated that more patrolling by the Police Department would be the ideal solution, but a speed bump or radar could also work in that area. Speed bumps cause issues for the Streets Department. Police Chief Josh Houser communicated that he has had more patrols in the area and there are very few occasions of any speeding. Houser communicated that because it comes off a curve it appears that the vehicles are moving faster than they truly are. Mayor Pro Tem Cara McFerren questioned the 4<sup>th</sup> Street waterline project, the clear well inspection, and the 120 contract on the Water/Sewer Report. City Manager Geertz communicate that the 4<sup>th</sup> Street waterline project will work together with the Dollar General project for replacing their service line. The City has poor valves in that area, and they will need to be replaced. Geertz communicated that the clear well is for the retentions to be inspected to make sure they are in compliance and there are no leaks. This is completed every 5 years. Geertz communicated that 120 has identified the properties where water line material could not be determined, and letters will be sent to those property owners to follow up. This is the next step into the inventory of the waterlines in the City of West Liberty.

Vendor Voucher Claims List #1 in the amount of 650,959.87 was approved. Shiltz/Parizek (4-0)

During the Public Comment Section: Chamber Director Jacob Lane communicated about the holiday open house hours this weekend November 23<sup>rd</sup> and 24<sup>th</sup>. He welcomed everyone from the community to attend the event and join in on the tree lighting ceremony on Sunday, November 24<sup>th</sup> at 5:30 p.m. in front of City Hall. The Mayor, all Councilmembers present, and City Staff communicated that they were contacted by Deepak Giri about the recent update to the Solid Waste Ordinance. City Manager Geertz communicated that she was also contacted by Brad Akers about the update to the Solid Waste Ordinance. City Clerk Hoffert communicated that she was contacted by Travis Shield about the update to the Solid Waste Ordinance. City Manager Geertz communicated that there is a meeting set with Deepak Giri on Thursday, November 21<sup>st</sup> at 1:00 p.m. Councilmember Shiltz communicated that there were concerns brought up about the wall on the building owned by the Wertzbaugher's on 3<sup>rd</sup> Street. Lisa Wertzbaugher communicated that this is at the top of their priority list to get fixed and has communicated with 3 contractors to take a look look at the building. Wertzbaugher communicated that there are 4 layers of wall in that area and the outside wall is the one that is being affected.

Resolution 20241119-195: A Resolution Approving the Street Finance Report for Fiscal Year ending June 30<sup>th</sup>, 2024, and Authorizing the City Clerk to file with the Iowa Department of Transportation was approved by roll call vote. Shiltz/Martinez McFerren-Y, Martinez-Y, Parizek-Y, Shiltz-Y (4-0)

Resolution 20241119-196: A Resolution to Accept and Approve the Electric Transmission and Distribution Document for the City of West Liberty, IA, 52776 was approved by roll call vote. McFerren/Shiltz Martinez-Y, Parizek-Y, McFerren-Y, Shiltz-Y

Resolution 20241119-197: A Resolution Approving the Filing of the Annual Urban Renewal Report for Fiscal Year 2024 to the Iowa Department of Management was approved by roll call vote. Shiltz/Martinez McFerren-Y, Parizek-Y, Martinez-Y, Shiltz-Y (4-0)

Resolution 20241119-198: A Resolution Approving the Filing of the Tax Increment Financing (TIF) Certification with the Muscatine County Auditor's Office was approved by roll call vote. Shiltz/Martinez Martinez-Y, Parizek-Y, McFerren-Y, Shiltz-Y (4-0)

Resolution 20241119-199: A Resolution Obligating Funds from the Urban Renewal Tax Revenue Fund for Appropriation to the Payment of Annual Appropriation Tax Increment Financed Obligations which shall come due in the next Succeeding Fiscal Year was approved by roll call vote. Shiltz/Parizek Parizek-Y, McFerren-Y, Martinez-Y, Shiltz-Y (4-0)

Resolution 20241119-200: A Resolution to Allow Jose Toribio at 107 W Maxson Ave to use the City Right of Way to Place Stairs to Access the front of his home failed by roll call vote. McFerren/Shiltz Martinez-N, McFerren-N, Parizek-N, Shiltz-N (0-4) City Manager Geertz communicated that the Building Inspector Terry Goerdt was not in support of this due to the liability

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on the City of the property owner's request being in the right of way. Geertz communicated that she would work with Goerd to see if there was another option for the customer for the placement of his garbage can such as a concrete pad.

Resolution 20241119-201: A Resolution to Approve the Engineering Service Contract/Agreement for the West Side Sewer Extension Improvements was approved by roll call vote. Shiltz/Martinez McFerren-Y, Martinez-Y, Parizek-Y, Shiltz-Y (4-0) City Engineer Leo Foley communicated that this would be for the potential of annexation and future development in the City of West Liberty. This would also take care of Wiele Chevrolet, Inc. that was just annexed into the City that is still running a septic tank.

Resolution 20241119-202: A Resolution to Approve Pay Estimate No 2 for Northway Well and Pump Company for the Well #2 Rehabilitation Project was approved by roll call vote. Shiltz/Martinez Parizek-Y, Martinez-Y, McFerren-Y, Shiltz-Y (4-0)

Resolution 20241119-203: A Resolution Setting Wages for the West Liberty City Manger and City Clerk/Finance Officer Effective July 01, 2024, was approved by roll call vote. McFerren/Parizek Shiltz-Y, McFerren-Y, Parizek-Y, Martinez-Y (4-0)

Resolution 20241119-204: A Resolution Setting Wages for the Water and Seewer Department New Hire was approved by roll call vote. Parizek/Martinez McFerren-Y, Shiltz-Y, Parizek-Y, Martinez-Y (4-0)

There was a motion to adjourn at 8:31p.m. Martinez/McFerren (4-0)

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Mayor, Mark Smith

ATTEST:

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City Clerk, Shari Hoffert