

MEETING MINUTES OF THE WEST LIBERTY CITY COUNCIL

WEST LIBERTY, IOWA

December 17th, 2024

Mayor Mark Smith called the Regular Council meeting to order at 7:30 p.m. Councilmembers in attendance: Mayor Pro Tem Cara McFerren, Councilmember Josh Shiltz, Councilmember Omar Martinez, and Councilmember Tim Parizek. Councilmember Dana Dominguez was absent from the meeting. City Staff in attendance: City Manager Lee Geertz, City Clerk Shari Hoffert, Wastewater Treatment Plant Supervisor Craig Juergens, Parks and Recreation Employee Mac Howes, Communications Specialist Brittany Woodson, Library Director Allie Paarsmith, and Police Chief Josh Houser. The Council Meeting can be viewed at www.cityofwestlibertyia.org.

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

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

There was a Mayoral Proclamation awarding the key to the City of West Liberty to Francisco Javier Martinez Sixtos. Francisco established Latinos Unidos in 2017 to help dedicate the promotion of Latin culture and civic engagement. Fiesta Latina, the event hosted by Latinos Unidos, has grown into a significant annual event that attracts hundreds of attendees to the West Liberty community. Mayor Mark Smith expressed his gratitude to Francisco and recognized him for his outstanding efforts in organizing and sustaining this vital and joyous annual celebration.

The 12-month Class C Retail Alcohol License for Palenque bar was approved. Shiltz/Martinez (3-1)

The 12-month Class E Retail Alcohol License for Thoma's Market, DBA Jeff's Market was approved. Martinez/Parizek (4-0)

The 12-month Class C Retail Alcohol License for El Patio Restaurant, LLC was approved. Shiltz/Martinez (4-0)

Reports: City Engineer Leo Foley was not present during the meeting. Mayor Pro Tem Cara McFerren communicated that there was mediation with the Rural Trustees about the 28e Agency agreement. McFerren communicated that the meeting was fruitful and both parties were able to compromise to reach an agreement. The Agency will begin with the Fire side and then EMS will have the opportunity to move over to the Agency once things are established. Mayor Mark Smith communicated that the next step would be to have the Rural Trustees approve the agreement once it is finalized and then it would come before the City Council.

Vendor Voucher Claims List #1 in the amount of \$650,721.30 was approved. McFerren/Martinez (4-0)

Vendor Voucher Claims List #2 in the amount of \$582.00 was approved. Martinez/Parizek (3-0-1 abstention, McFerren)

Library Pre-Paid Claims List in the amount of \$11,810.04 was approved. Martinez/Parizek (4-0)

During the Public Comment Section: WELEAD Director Ken Brooks acknowledged Chief Houser and City Staff for an amazing Shop with a Cop Event. Chief Houser communicated that he appreciated the help from WELEAD Director Ken Brooks to help make the event successful. Councilmember Omar Martinez communicated that he would be going to Mexico for the holidays and may be absent from the first meeting in January. Mayor Pro Tem McFerren communicated she was contacted by multiple community members asking about when the City would be getting a dog park. Councilmember Tim Parizek communicated he had been contacted by property owners about the Garbage Ordinance and would discuss more later in the agenda.

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 third and final reading was approved by roll call vote. Shiltz/McFerren Shiltz-Y, Martinez-Y, McFerren-Y, Parizek-Y (4-0)

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

There was Discussion and Appropriate Action by the City Council on direction for adding a section to the Code of Ordinances for Garbage for multi-dwelling units. City Manager Geertz communicated that she had put together a memo for Council to simplify the Ordinance. The change to the Ordinance was to reset back to the original intent for billing purposes. This changed the Ordinance to bill the property owners for the garbage instead of individual tenants, this did not change any rates. Garbage is a non-metered service, and the multi-dwelling units do not have individual cans, but containment is utilized through commercial usedumpsters. They use a dumpster for all of the tenants. Geertz communicated three property owners contacted the City in November about the change to the Ordinance. The property owners requested to have a change to the Ordinance to allow them to contract with 3rd party providers for their garbage services. Due to the shortage in the Solid Waste Fund, Geertz communicated that the due diligence of City Clerk, Utility Billing Clerk, and Public Works Director, the City was able to identify that the multi-dwelling properties were only being charged for 1 dumpster pick-up per week rather than the two pick-ups the properties were receiving. This is due to previous management allowing an exception to be made for the multi-dwelling properties, without taking into consideration the weight and number of pick-up services per week. Mayor Pro Tem Cara McFerren questioned if these properties had commercial dumpster rates. City Clerk Hoffert explained that the City of West Liberty does not have a

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residential dumpster rate, so the properties do have a commercial dumpster charge as noted in the Ordinance. Councilmember Tim Parizek questioned whether these properties would be able to go to a 3rd party. City Manager Geertz communicated that these are mixed use and multi-dwelling units that would not be able to go 3rd party. Geertz communicated that due to previous management and the exceptions that were made, the City has taken the steps to get the Ordinance and billing corrected. Councilmember Parizek communicated that these property owners are valuable customers. Councilmember Martinez communicated that he would recommend not changing the Ordinance as it could affect the rest of the Community Members due to the lost revenue in the Solid Waste Fund within the multi-dwelling properties. Mayor Pro Tem Cara McFerren made a motion to direct the City Clerk to work with the Codifier to add a section allowing multi-dwelling units to use 3rd party garbage services. There was no second and the motion died. Councilmember Omar Martinez made a motion to keep the Ordinance as approved on September 17th, 2024. The motion was seconded by Councilmember Josh Shiltz. The motion to keep the Ordinance as approved on September 17th, 2024, was approved. Martinez/Shiltz (3-1)

Resolution 20241217-206: A Resolution Setting Council Meeting Times was approved by roll call vote. Martinez/McFerren Martinez-Y, Shiltz-Y, Parizek-Y, McFerren-Y. City Clerk Shari Hoffert communicated that the passed Ordinance would be published in the paper on December 26th, 2024, which allows the Council to set the times and dates for the Council Meetings by Resolution. Beginning January 7th, 2025, Council Meetings will still be held on the 1st and 3rd Tuesdays of each month, but will begin at 6:30 p.m.

There was a motion to adjourn at 8:30 p.m. Martinez/McFerren (4-0)

Mayor, Mark Smith

ATTEST:

City Clerk, Shari Hoffert