

**City of Ida Grove  
City Council Meeting  
October 1, 2018 6:00 p.m.  
City Council Chambers**

Mayor, Devlun Whiteing, called the meeting to order at 6:00 p.m. with the following Council Members present: Ryan Goodman, Paul Cates, Doug Clough and Scott Tomlinson. Gregor Ernst was absent. City Attorney, Peter Goldsmith, was also in attendance.

Motion by Tomlinson to approve the agenda, second by Goodman. On a unanimous vote, motion carried.

Motion by Goodman to approve Jeff Gilbert to place a culvert in the ditch along the East side of his 5<sup>th</sup> Street property at the homeowner's expense with City Foreman, Gerrod Sholty's approval, second by Clough. On a unanimous vote, motion carried.

Jan Hewitt was not present to discuss putting up a Morton building.

Stan Chisholm addressed the Council asking for permission to put a garage on his lot across the street from his home. He stated there are currently 2 buildings on the lot that he would like to tear down and replace with the garage. There is no home on the lot. Goldsmith cited a portion of one of the City's ordinances pertaining to this situation: accessory buildings must support the principal use of the property which is located on the same lot. Council asked if adjacent lots are accepted; Goldsmith stated it must be the same lot. Council directed City staff to speak with Planning & Zoning to see how to proceed.

Rec Center Director, Chelsea Gross, stated there were 82 responses on the Outdoor Pool Survey. Gross is going through the current handbook to make corrections and updates before the next season. Gross asked if the Committee on Leisure Time could get together to review her proposed changes and go over the pool survey in depth. She will send out options for meeting times. Gross reported swimming lesson numbers continue to increase, boat races were held during Heritage Days weekend and there were 11 attendees. The Pool hosted a Christmas in July fundraiser to raise money for changing tables in the bath house; they have since been ordered and received. There were about 50 people who attended National Night Out and they plan to continue this event in the future. The doggie dip brought in about 20 dogs this year; staff felt it worked very well to hold this event during the week. Whitney Francis-Simonson reported the Red Cross – Examiner Service came this year and went through scenarios, toured the facility, reviewed the current handbook and did mini training sessions. They plan to do this again next year and are looking into options for discounts to have them return. Francis-Simonson discussed the extended hours the City tried this year. Overall, she suggests shortening the extended hours from 1-6 to 1-4 due to lack of numbers and staff. The pool opened at 3:00 p.m. on Heritage days and it was reported that worked very well. There were 80 season passes sold this year; they are looking to possibly increase the prices next season. Gross is looking to hold a couple safety days for drills next year to show different kinds of rescues. Some things that need attention: baby pool in general – including adding shade to the area, AED at the pool, regular chairs, lighting improvements for the bath house and resurfacing the

slides. Eight kids received their money back from the new program the Pool started this year as an incentive to work weekends and holidays.

Motion by Clough to approve the consent agenda, second by Tomlinson. On a unanimous vote, motion carried.

Mayor Whiteing read aloud draft Ordinance 560 – Regulating Recreational Vehicle Parking – First Reading. Motion by Tomlinson to approve the 1<sup>st</sup> reading, second by Clough. On a unanimous vote, motion carried.

Mayor Whiteing read aloud Ordinance 561 – Amending the Code of Ordinances of the City of Ida Grove, Iowa, by Amending the Maintenance Requirements of Properties Within the City Limits of the City of Ida Grove, Iowa – Final Reading. Goldsmith noted that due to a change within the Ordinance (Title 3, Chapter 6 changed to Title 3, Chapter 1) this would be considered the first reading. Motion by Tomlinson to approve the 1<sup>st</sup> reading, second by Cates. On a unanimous vote, motion carried. Motion by Clough to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading, second by Tomlinson. On a unanimous vote, motion carried.

### **ORDINANCE NUMBER 561**

## **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF IDA GROVE, IOWA, BY AMENDING THE MAINTENANCE REQUIREMENTS OF PROPERTIES WITHIN THE CITY LIMITS OF THE CITY OF IDA GROVE, IOWA.**

**BE IT ENACTED** by the City Council of the City of Ida Grove, Iowa.

### **SECTION 1**

Title 3, Chapter One, is amended to add the following:

#### **Chapter 1: Nuisances**

**3-1.0103 MAINTENANCE OF PARKING, TERRACE OR DRAINAGE DITCHES.** It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines upon the public street, except that the abutting property owner shall not be required to remove diseased trees on the publicly owned property or right-of-way. Maintenance includes timely mowing of grass and weeds, trimming trees and shrubs and picking up litter, and cleaning and clearing drainage ditches of growth, grass clippings, leaves, other yard waste or debris which would interfere with or impede the flow of water in the drainage ditches. (Code of Iowa, Sec. 364.12 [2c])

**3-1-0104 LANDSCAPING.** No person shall landscape city right-of-way without submitting a written application, describing the proposed project in detail, and obtaining the written consent of the city council to proceed.

The use of total vegetation killer is strictly prohibited as an alternative to mowing areas to be maintained except a designated parking area. Any areas already sprayed and lacking vegetation need to be reseeded to stop soil erosion.

### **SECTION 2**

**REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

### **SECTION 3**

**SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

### **SECTION 4**

This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion by Goodman to approve Resolution 2018-27 Amending the Code of Ordinances for the City of Ida Grove, Iowa by Amending Title 3, Chapter 1 of the City Code Regarding Maintenance Requirements of Properties Within the City of Ida Grove, Iowa, second by Cates. On a unanimous vote, motion carried.

Mayor Whiteing read aloud draft Ordinance 563 – To Allow Upstairs Apartments in Areas Zoned GC – First Reading. Motion by Goodman to approve the 1<sup>st</sup> reading, second by Tomlinson. On a unanimous vote, motion carried.

Council requested business owners who were involved in the Downtown Revitalization Project to submit their opinions of the completed project to City Hall by October 1<sup>st</sup>. Council reviewed all the letters that were received. Due to several failed attempts by business owners and City Hall staff to reach out to the Project Coordinators to receive answers, the Council is considering entering into litigation as a joint effort with the business owners. It was noted that Jason from Cornerstone stood at a prior Council Meeting and promised the Council he would follow up with unsatisfied business owners if the City made the final project payment. Business owners are still experiencing many issues. Council directed Goldsmith to draft a letter with a listing of the ongoing issues and send it certified mail to the following: RDG, Cornerstone, Red Oak Glass, Simmering-Cory and the State. Goldsmith will have the letter sent out by October 5, 2018 giving them 14 days to respond.

Christie VanHouten gave an update on the Badger Creek Park project. She feels citizens have been misled and would like them to know the City is not funding the project. The City of Ida Grove is assisting in the grant writing process. She stated the committee has no intentions of “leveling” the park and will not remove mature trees. The committee has been made aware there are several memorial trees in the park and would like them to be marked as such so they know which ones they are. The committee is continuing to research equipment options and are planning to hold a public meeting with design options for citizen voting. Clough suggested the committee write a letter to the editor to clear up any miscommunication.

Motion by Clough to approve JEO’s preliminary engineering report agreement for the water department improvements: lump sum agreement \$21,300.00 and hourly funding assistance \$3,500.00, second by Tomlinson. On a unanimous vote, motion carried.

Motion by Goodman to approve JEO's preliminary engineering report agreement for the sewer department improvements: facility plan \$22,000.00, utility rate study \$9,750.00 and hourly funding assistance \$3,500.00, second by Tomlinson. On a unanimous vote, motion carried.

City Hall received bids from UBI and FSB for three certificate of deposits. UBI bid 2.35% for all three and FSB bid 2.25% for all three. Motion by Tomlinson to award the CD bids to UBI, second by Goodman. On a unanimous vote, motion carried.

At a special council meeting held on September 25, 2018, Council voted to approve a total reconstruction of the Moorehead Avenue Bridge with a cost estimate of \$1.98 million. The City received a funding offer from the Iowa DOT for up to \$1 million. Motion by Clough to approve Resolution 2018-26 Authorization to Execute the Iowa Department of Transportation Agreement for City Bridge Federal Aid Swap Funding, second by Tomlinson. On a unanimous vote, motion carried.

Motion by Goodman to approve payment of staff, appointed and elected officials to attend the Planning & Zoning workshop on October 10<sup>th</sup> for a cost of \$20/person, second by Clough. On a unanimous vote, motion carried.

Motion by Tomlinson to approve hiring Data Tech to assist in proposed transfers from Northland Securities, second by Clough. On a unanimous vote, motion carried.

Council discussed options for fining citizens for dogs at large. After discussion, Council decided to continue issuing infractions as they always have. City Hall will handle the dogs at large fees.

Motion by Clough to approve the sidewalk removal contract drafted for Dan Remer, second by Goodman. On a unanimous vote, motion carried.

In other business, Mayor Whiteing asked that the trees and plantings policy and development proposal by Jan Hewitt be removed from the agenda due to nothing new to report for a long period of time. Sweeden will talk to City Crew members for an update on the Firemen bell placement as well as an update on the drainage issue at 255<sup>th</sup> St/John Montgomery Drive. Whiteing updated Council on the James Darnell case; Kandice Tomlinson will work on the municipal infractions in regards to this. Council discussed ongoing dog nuisances for Tory Greder. Council directed Whiteing and Sweeden to come up with a reasonable amount to fine Greder. Sweeden will draft the infraction and send to Goldsmith.

Motion by Clough to adjourn, second by Tomlinson. On a unanimous vote, motion carried.

Meeting adjourned at 7:41 p.m.

---

Heather Sweeden, City Clerk

---

Devlun Whiteing, Mayor