

Minutes City of Mechanicsville  
REGULAR COUNCIL MEETING  
October 8, 2018

The Mechanicsville City Council met in regular session on Monday, October 8, 2018 at City Hall. Mayor David Furry called the meeting to order at 7:00 p.m. Council members present for roll call were Dee Taylor, Pam Cavey, Andrew Oberbreckling and Rob Davis. Eric Nehring was absent. Others present included Tim Horihan, Lonni Koch, Donna Paup, Jim and Dorilys Meyer, Bryan and Stacy Rubner, Lou Licht, and Jodi Clemens.

**CONSENT AGENDA:** Pam Cavey motioned, Rob Davis seconded to approve the consent agenda including the agenda, minutes from 9/18/18, finance reports, and claims. Roll call vote: Ayes: Taylor, Cavey, Oberbreckling, and Davis. Nays: None. Nehring absent. Motion carried.

The claims approved were as follows:

COLLECTION SERVICES CENTER	PAYROLL	\$250.00
IRS	PAYROLL	\$2,182.11
LAW ENFORCEMENT SYSTEMS INC	OPERATING SUPPLIES	\$157.00
ACE HARDWARE	OPERATING SUPPLIES	\$15.99
ALLIANT ENERGY	ELECTRIC/GAS EXPENSE	\$6,305.23
AMAZON.COM	LIBRARY MATERIALS	\$608.03
BANKERS BANK	OPERATING SUPPLIES	\$3.80
BUSINESS RADIO SALES & SERVICE	OPERATIONAL EQUIP REPAIR	\$161.75
CAR QUEST AUTO PARTS	OPERATING SUPPLIES	\$17.46
CASEYS GENERAL STORE	VEHICLE OPERATIONS	\$1,006.26
CEDAR COUNTY SOLID WASTE	PAYMENTS TO OTHER AGENCIES	\$1,152.00
CHASE CARD SERVICES	OTHER CONTRACTUAL SERVICE	\$723.43
CONSUMER REPORTS	SUBSCRIPTION & ED MATERIAL	\$30.00
COPPESS, LINDA	TELECOMMUNICATIONS	\$55.00
DEMCO	OFFICE SUPPLIES	\$85.35
ENTWISLE, ANGIE	JANITORIAL EXPENSE	\$330.00
FULL AUTO REPAIR	VEHICLE REPAIR	\$840.79
FURRY, DAVE	MEETINGS & CONFERENCES	\$136.80
IEMSA	TRAINING	\$50.00
IOWA ASSOCIATION OF MUNICIPAL	TRAINING	\$175.00
IOWA DEPARTMENT OF NATURAL RES	OTHER PROF SERV EXP	\$134.00
JOHNSON COUNTY REFUSE INC	OTHER PROF SERV EXP	\$3,097.50
KEYSTONE LABORATORIES, INC	OTHER PROF SERV EXP	\$25.00
KOCHS SERVICE & SUPPLY LLC	BUILDINGS	\$10,125.96
KUNDE OUTDOOR EQUIPMENT	ALLOWANCES - UNIFORMS	\$16.95
LINDA MCCANN	OTHER PROF SERV EXP	\$25.00
LUKE OBERBRECKLING & SONS	OTHER CONTRACTUAL SERVICE	\$4,700.00
MARKET STREET	OFFICE EQUIPMENT REPAIR	\$110.00
MECHANICSVILLE TELEPHONE CO	TELECOMMUNICATIONS	\$417.92
NICK LANGE	TELECOMMUNICATIONS	\$30.00
QUILL	OFFICE SUPPLIES	\$119.58
RADAR ROAD TEC	OTHER PROF SERV EXP	\$70.00
RADIO COMMUNICATIONS	OPERATIONAL EQUIP REPAIR	\$7,727.88
TIPTON CONSERVATIVE & ADVERTIS	PRINTING & PUBLISHING EXP	\$659.89

TIPTON ELECTRIC MOTORS INC	VEHICLE REPAIR	\$814.09
TUMBLEWEED PRESS INC	SUBSCRIPTION & ED MATERIAL	\$325.00
US CELLULAR	TELECOMMUNICATIONS	\$94.91
USA BLUEBOOK	CHEMICALS	\$85.16
UTILITY EQUIPMENT COMPANY	UTILITY SYSTEMS & STRUCTURES	\$277.00
WALMART	OPERATING SUPPLIES	\$33.70
WELLMARK BC BS	GROUP INSURANCE	\$4,342.01
WENDLING QUARRIES INC	STREETS	\$78.66
WIENEKE, DIRK	TRAINING	\$27.00
PAYROLL	WAGES	\$14,194.14

**Total Receipts and Disbursements for month of September by fund**

Fund	Receipts	Disbursements
General	21,713.42	44,075.20
Road Use Tax	16,626.32	16,627.77
Employee Benefit	4,429.62	3,215.65
Local Option Sales Tax	7,880.34	
Library Trust	13.27	
Ballpark Fund	190.00	77.95
Ambulance Trust	9,675.57	3,477.43
Debt Service	2,938.23	
Water Utility	7,469.59	2,164.83
Sewer Utility	10,397.40	8,610.95
Solid Waste	9,540.23	5,380.80
Storm Water Utility	1,020.41	19.98
Water Deposit	-50.00	50.00

**Receive visitors/public comment:** Jodi Clemens from West Branch introduced herself as a candidate for state house in district 73.

Jim Meyer addressed the council regarding a letter he received from Mayor Furry informing him that the street sign and parking meter that he has installed in the public right of way is in violation of the city code and requested that they be removed. Rob motioned, Pam seconded to put on the agenda for action at the next meeting. Ayes all.

Lou Licht, Ecolotree, provided a handout and requested permission to host an open house at the lagoon on November 3 at 11:00 a.m. to demonstrate the effectiveness of using the tree roots for cleaning the sewer water. All interested parties will first meet at the Memorial Building and then travel to the lagoon.

Bryan Rubner addressed the council regarding UTV/golf carts.

**PUBLIC HEARING ON BUDGET AMENDMENT:** Rob Davis motioned Dee Taylor seconded to open the public hearing. Ayes all. Upon finding proper notice was published and clerk indicating that no oral or written comments for or against the proposed budget amendment were received, then Mayor asked for any additional

comments. Upon hearing none, Andrew Oberbreckling motioned, Rob Davis seconded to close the hearing at 7:40 p.m. Motion carried. The hearing was closed.

## **REPORTS:**

**Ambulance Report:** Koch reported 9 ambulance calls for the month and requested approved for Lonni, Brittany, Chino and Yaneth to attend IEMSA training conference with 3 being reimbursed for mileage. Pam Cavey motioned, Dee Taylor seconded. Ayes all. Motion carried.

**Fire Report:** Koch reported 7 calls for the month one mutual aid to Lisbon-Mt. Vernon and the others EMS assist and a standby for gas odor at Stanwood. A request for 6 new tires for 168 was discussed in more detail from last meeting. Pam Cavey motioned to approve replacing the tires at a cost of \$1600 or less. The motion dies for lack of second. Dee Taylor motioned, Andrew Oberbreckling seconded to research and bring back next month information regarding whether the tires can be rotated or if just the front tires can be replaced if those are the ones that are bad. Ayes all. Motion carried.

Mechanicsville has all P25 capable radios updated per Cedar Co EMA plan to have completed by October 1. Some discussion on the preparation of the appraisal that was done for selling of 168.

**Police report:** Tim Horihan gave his summary of activity from 9/18/18 to 10/8/18 which included 30 business checks; 2 agency assists; 2 medical assist; 11 citizen assist; 2 motorist assist; 3 General Public Safety; 2 theft/fraud; 1 burglary; 1 alarm; 1 warrant; 2 assault; 1 harassment; 1 suspicious activity; 3 animal cases; 1 juvenile case; 1 welfare check; 1 nuisance; 6 parking violations; 28 traffic stops; 35 warnings; and 3 citations.

**Discussion of Curfew Ordinance:** Definition of "Minor"- The city code currently states under 17 is considered a minor and the definition under state code indicates under 18. Mechanicsville code indicates that 11:00 p.m. is curfew for anyone under 17. Research on the internet indicates curfew time in Iowa is Midnight for 16 & 17 year olds, 11 pm for 14 & 15 year old and 10 p.m. for those 13 and under with exceptions for things like work, school activities and being accompanied by a responsible adult. Rob Davis motioned to change the ordinance to anyone under 18. Motion died for a lack of a second. Dee Taylor motioned, Pam Cavey seconded to table until next month to allow time for more research. Ayes all. Motion carried.

**Public Works Report:** Request for Lang to attend IAMU workshop November 13-15 \$175 was approved with a motion by Dee Taylor, second by Pam Cavey. Ayes all. Motion carried. Mayor Furry reported that the 1 pickup was in for some brake repairs.

**Administration Report:** Coppess reported on attending the Community Catalyst Building remediation program application workshop last week, which the grant proposal is looking for 1 building that could use \$100,000 in remediation, has retail downstairs and apartment facilities upstairs and is currently vacant. The grant does request either cash or in-kind assistances and allows two years to be completed. The city will be

sending out letters requesting interest from current property owners in the downtown area. The criteria listed is not necessarily required, but will score the highest on the application increasing the likelihood of being awarded. Clerk also requested to attend the IMFOA Fall conference in Des Moines October 17-19.

**Old business discussion and possible action on:**

**Ordinance limit “pole barn construction type” to R-3:** The ordinance added a special exception to the uses and structures in the R3 district that read “Pole Barn construction” is permitted for single family homes only within R-3 zoned areas. No motion, no action taken on the proposed ordinance.

**Ordinance 295 on fences requiring a permit to be issued:** Motion by Dee Taylor , seconded by Rob Davis to approve the first reading of the ordinance. Ayes all. The following ordinance was read and approved. **SECTION 1. SECTION MODIFIED.** Section 165.10 SUPPLEMENTARY DISTRICT REGULATIONS (2), (9) of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, are repealed and the following adopted in lieu thereof:

9. Hedges and Fences.
  - A. Permits and Fees. An approved building permit with paid fees is required for all fences or walls prior to construction.
  - B. Height. Fences or hedges shall not exceed four (4) feet in height in any required front yard and shall not exceed six (6) feet in height in any required side or rear yard, subject to the further restriction of subsection 1.
  - C. Location. The owner of a fence shall provide and maintain a two-foot setback from adjoining public or private property for the purpose of fence maintenance access. An exception may be granted if two neighbors agree to jointly put a fence on the property line. Each owner will maintain their side of the fence. Both property owners are required to sign the fence permit application.
  - D. Property Line. The property owner is required to locate the official survey pins or have the lot survey made by a licensed surveyor with the corner pins located, if there is any conflict or discrepancy on the property line location.

Dee Taylor motioned, Rob Davis seconded to waive the second and third readings. Ayes all. Motion carried.

Dee Taylor motioned, Rob Davis seconded to adopt the ordinance. Roll call vote: Ayes: Rob Davis, Pam Cavey, Dee Taylor, and Andrew Oberbreckling. Nays: None. Absent Eric Nehring. Ordinance adopted as 295.

**Ordinance establishing procedure for Residential Handicapped parking space & application form:** Motion by Andrew Oberbreckling, second by Pam Cavey to approve the first reading of the ordinance. Ayes: Cavey, Davis, Oberbreckling. Nays: Taylor.

Absent: Nehring. The second reading will be at the next meeting. **SECTION 1. SECTION MODIFIED.** Section 69.07 **PERSONS WITH DISABILITIES PARKING** of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, is repealed and the following adopted in lieu thereof:

**69.07** The following regulations shall apply to the establishment and use of persons with disabilities parking spaces:

1. Establishment.

A. Nonresidential. Persons with disabilities parking spaces shall be established and designated in accordance with Chapter 321L of the Code of Iowa and Iowa Administrative Code, 661-18. No unauthorized person shall establish any on-street persons with disabilities parking space without first obtaining Council approval.

B. Residential. Residents desiring a persons with disabilities parking space in front of their residence on public right-of-way shall complete a Residential Persons with Disabilities Parking Space Request listing the name, address and telephone number of the person with the disability and the handicap license plate number or the hang tag permit number. Only requests from residents without off-street parking will be considered. The Director of Public Works will investigate the request by going to the residence to observe the parking saturation and door-to-curb accessibility. If an on-street parking problem does not exist, the request shall be denied. If approved, the cost of the sign, post and installation shall be borne by the applicant. Residential persons with disabilities parking spaces shall be twenty-five feet (25') in length. Annually, letters will be sent to those residents having signs asking for verification that the need still exists.

2. Improper Use. The following uses of a persons with disabilities parking space, located on either public or private property, constitute improper use of a persons with disabilities parking permit, which is a violation of this Code of Ordinances:

A. Use by an operator of a vehicle not displaying a persons with disabilities parking permit;

B. Use by an operator of a vehicle displaying a persons with disabilities parking permit but not being used by a person issued a permit or being transported in accordance with Section 321L.2[1b] of the Code of Iowa;

C. Use by a vehicle in violation of the rules adopted under Section 321L.8 of the Code of Iowa.

3. Wheelchair Parking Cones. No person shall use or interfere with a wheelchair parking cone in violation of the following:

A. A person issued a persons with disabilities parking permit must comply with the requirements of Section 321L.2A(1) of the Code of Iowa when utilizing a wheelchair parking cone.

B. A person shall not interfere with a wheelchair parking cone which is properly placed under the provisions of Section 321L.2A(1) of the Code of Iowa.

**New business discussion and possible action on:**

**Resolution 2018-17 to adopt Budget Amendment:** Pam Cavey motioned, Andrew Oberbreckling seconded to adopt the Budget Amendment as published for the FY19 Roll Call Ayes: Davis, Cavey, Taylor, Oberbreckling. Nays: None. Absent: Nehring. Resolution adopted.

**Resolution 2018-18 to approve signing the brownfields coalition memo of agreement:** Dee Taylor motioned, Rob Davis seconded to approve the resolution authorizing the mayor to sign the agreement to be part of the brownfield coalition. Roll call: Ayes: Davis, Cavey, Taylor, and Oberbreckling. Nays: None. Absent: Nehring. Resolution adopted.

**Ordinance on Golf Carts & UTVs:** Council had a sample resolution that they reviewed and directed clerk to prepare new ordinance to allow golf carts/UTV/XUV/ATV to operate on city streets by persons 18 years of age and a valid driver's license similar to the golf cart privileges.

**Mural Location-address needed:** Council discussed and determined the city owned lot east of Casey's would be the most likely spot for the mural to have the best visibility.

**Sidewalk on E 1<sup>st</sup> Street (park):** Council was asked to determine placement of sidewalk now that the bank has been shaved and shaped so that it can be mowed. There is still some slope on the bank and to keep the sidewalk level it should be brought down closer to the curb, otherwise a retaining wall might be needed. But not so close as to have the snowplow throw snow on it when plowing the streets. Some discussion as to whether it was required to be on the property line at the top of the bank, and it was determined that council has the authority to determine the placement. Council will do a site visit and discuss at the next meeting.

**Failing water meters:** Discussion about additional water meters continuing to fail and the initial warranty period being 20 years. Most are at the 10 year mark and the city is expected to pay 50% of the cost to replace under the warranty. City employees will research alternate options and cost if we were to switch to a different meter.

**Fall Leaf pick up set dates (Fridays):** Council suggested October 26 or October 30 and then perhaps November 9.

**Resolution 2018-19 setting wage for Library assistant Shannon Walshire:** Pam Cavey motioned, Andrew Oberbreckling seconded to set starting wage at \$9.50 for 4

hours a week. Roll call: Ayes: Cavey, Davis, Taylor, and Oberbreckling. Nays: None. Absent: Nehring. Resolution adopted.

**Set next meeting date:** 11/12/18.

**ADJOURN:** There being no further business to come before the Council at this time, council member Dee Taylor motioned, Pam Cavey seconded to adjourn the meeting at 9:10 p.m. Ayes all. Meeting adjourned.

ATTEST:

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Linda K. Coppess, MMC

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David L. Furry, Mayor