

**CITY OF WALCOTT  
WALCOTT CITY HALL  
MONDAY, APRIL 18, 2016**

The semi-monthly meeting of the City Council of Walcott, Iowa, was held on Monday, the 18<sup>th</sup> day of April, 2016, at Walcott City Hall. Mayor John Kostichek called the meeting to order at 6:00 p.m. Council members present were: Tim Koehler, Virgil Wayne Latimer, Lisa Mengler, Jackie Puck, and Jacob Puck. Absent: None. City employees present: Jeff Blake, Steve Bowman, Lisa Rickertsen, Linda Rivers, and Tom Schirman.

**Approval of Agenda.** Jackie Puck moved and Mengler seconded to approve the agenda. Motion carried.

**Public Hearing on Plans, Specifications, Form of Contract, and Cost Estimate for the South Downey Street Improvements Project.** Mayor Kostichek opened the Public Hearing on the South Downey Street Improvements Project. Rickertsen reported on the cost estimate and stated the bid opening will be at 2:00 p.m. on April 28, 2016. No written or oral comments were received. Mengler moved and Koehler seconded to close the hearing. Motion carried.

**Resolution 2016-17, Approving Plans, Specifications, Form of Contract and Cost Estimate for the S. Downey Street Improvements Project.** Koehler moved and Jacob Puck seconded to approve Resolution 2016-17. Roll call ayes: Koehler, Jacob Puck, Latimer, Mengler, and Jackie Puck. Nays: None. Motion carried.

**Public Hearing on Amending Chapter 160 Building Codes.** Mayor Kostichek opened the Public Hearing on Amending Chapter 160 Building Codes. Rivers reported the City had their five year audit with the Insurance Services Office (ISO) and the rating numbers will be lowered for both residential and commercial properties unless the City updates the building code editions. Insurance underwriters look at the City's ratings to determine insurance rates for property owners. Rivers stated residents will still be able to perform routine maintenance and permitted work on their own home and the list of items that require a permit will not change. In addition to updating the code editions, the 2015 International Property Maintenance Code (IPMC) is proposed for all properties, where currently it only applies to rental properties. The IPMC has been adopted for all properties by other local jurisdictions as well. There were several residents in attendance that had questions, concerns, and comments:

- Veronica Bales spoke in opposition to the changes stating: changes are removing homeowners' rights, homeowners have a right to work on their own home, all properties will have to comply with the Rental Property Code, and that code violation penalties are increasing. She asked that the Council consider leaving the language that homeowners can work on their own property.
- Jill Hernandez questioned about being able to work on her own residence, routine inspections of owner-occupied homes, and fines for any violations.

Rivers replied that the code updates will not require any form of mandatory inspection program of owner-occupied residential properties and no city code fees are being changed. The Rental Housing Code, Chapter 162, requires a two year inspection schedule for rental property only and Rivers stated that no changes are being made to this chapter. Because of changes to the state law, the state code allows homeowners to legally perform work on their primary residence, both maintenance and work which requires permits and this section was removed in the local ordinance since it is already state law and would be redundant. Properties are not required to upgrade to current code standards unless there is major work performed, which would require all new work to meet current codes at the time of construction.

- John Friede expressed concerns he would not be allowed to work on his own vehicle in his garage under the IPMC and questioned if some sections could be exempted. Rivers stated that property owners would be able to perform any work on their own vehicle, with the exception of painting cars which requires a specialized ventilation system.

- Jeanne Brus questioned about the city inspecting properties for real estate sales. Both Rivers and Attorney Schirman responded that the City does not perform real estate transaction inspections.
- Chris Burney questioned the notification process if a property needed to be inspected. Rivers responded that the procedure requires an inspector to ask for access to do an inspection if they believe there is a code violation that presents a life safety issue and the homeowner has a right to refuse entry. If entry is refused, the inspector must seek council approval to move forward in obtaining a search warrant.
- Tony Gamelin questioned why there will be a separate pool code book. Rivers stated the International Code Council (ICC) combined parts of other ICC code books that relate to swimming pools into a separate code book.
- Bob Potter stated most residents were in attendance regarding the printed material handed out by a resident. Rickertsen responded that the material was not prepared or distributed by the City and it was reiterated that residents are still allowed to work on their own property, routine inspections on owner-occupied housing are not being proposed, and fees are not changing.
- Joe Quick stated that past inspectors didn't really care what was done and gave an example that building set-backs were not enforced. Codes are written for a reason and the current inspector cares about making sure things are done correctly.

Several other residents had similar questions and expressed concerns with the proposed changes, including the enforcement of the IPMC for all properties. Rivers stated that she intends to enforce the IPMC requirements for owner-occupied properties for catastrophic events that would render a structure unsafe. Citizens questioned if language could be inserted to allow residents to work on their own homes and enforcement of the IPMC for catastrophic events.

Veronica Bales questioned the council members about how they were planning to vote on the changes. Schirman responded that council members are not allowed to vote during the public hearing and after the public hearing is closed, the council would take action during the regular meeting. Jackie Puck moved and Mengler seconded to close the public hearing at 8:04 p.m. and resume the regular meeting. Motion carried.

**Ordinance 483-16, Amending Chapter 160, Building Codes.** Koehler moved and Latimer seconded to have the Building Official and City Attorney further review the proposed ordinance to resolve some of the concerns as addressed. Motion carried.

**Consent Agenda.** Koehler moved and Jacob Puck seconded to approve the consent agenda, which includes the invoices, minutes from April 4, 2016, minutes from April 7, 2016, March 2016 Financial Reports, and Class C Liquor license renewal (including Sunday license and outdoor area) for Lampliter. Motion carried.

**South Main Street Weight Limits.** Koehler moved and Jacob Puck seconded to table the discussion on South Main Street weight limits until further discussion with Bowman. Motion carried.

**Hanging Flower Baskets for North Main Street.** Mengler questioned if the two quotes (Wallace's Garden Center and Allen's Grove Greenhouse) received for hanging flower baskets were comparable. Both quotes were for 14" containers but they did not include the same number of plants and one included moss, fertilizer and delivery. Concerns were expressed regarding the watering/maintenance of the plants as they need to be watered daily and that the ground may not be stable enough to drive on this spring as it is currently being seeded. Mengler moved and Koehler seconded to obtain comparable bids on the planters. Motion carried. Jackie Puck and Josie Dietz will work together on obtaining comparable quotes.

**Park Board Recommendations.** Rickertsen reported on the following items recommended for approval by the Park Board during their meeting on April 6, 2016.

- **Tree Donation at Prairie View Park.** Rickertsen stated this memorial tree donation is per the landscaping plan, previously approved by the City Council. Jacob Puck moved and Jackie Puck seconded to approve the tree donation at Prairie View Park from Chad & Kris Burt. Motion carried.
- **Fishing at Prairie View Park.** Mengler moved and Jacob Puck seconded to approve the Park Board's recommendation to allow fishing, but not ice fishing, at Prairie View Park. Motion carried. Rickertsen stated the park regulations ordinance must be revised to allow fishing.

**Resolution 2016-18, Approving Preliminary Plat for Needham's First Addition.** Rickertsen reported the Planning & Zoning Commission recommended approval of Needham's First Addition Preliminary Plat during their meeting on March 28<sup>th</sup>. The plat divides one parcel into two lots and includes a 20' drainage easement along the north and east property lines. Jackie Puck moved and Jacob Puck seconded to approve Resolution 2016-18. Roll call ayes: Jackie Puck, Jacob Puck, Latimer, Koehler, and Mengler. Motion carried.

**Resolution 2016-19, Approving Flood Response Emergency Action Plan (EAP).** Rickertsen stated the purpose of the plan is to specify methods for early recognition of floods, dissemination of warnings and to ensure property owners are protected during a flood event. Six commercial structures, north of Mud Creek, have been found by the Main Street Project engineer to have the potential to be impacted in a flood event. Mengler moved and Koehler seconded to approve Resolution 2016-19. Roll call ayes: Mengler, Koehler, Jackie Puck, Latimer, and Jacob Puck. Motion carried.

**Allowing Golf Carts on City Streets.** Following receipt of a petition to allow UTV's and Golf Carts on city streets, received during the March 7<sup>th</sup> City Council meeting, Attorney Schirman and Chief Blake worked on a proposed ordinance to allow golf carts on city streets. The golf cart ordinance includes the following: operators must possess a valid Iowa license and be 18 years of age; cannot be operated on Blue Grass Road (Y40) and Walcott Road (F58); cannot carry a passenger under age 14, cannot carry more passengers than the golf cart is designed to accommodate; shall not be operated on any street at a speed in excess of twenty-five miles per hour; are not allowed on sidewalks, trails, or parks; must have a slow-moving vehicle sign, safety flag, adequate brakes, headlights and tail lights, and a rear view mirror; may be operated only between one-half hour after sunrise and one-half hour before sunset, between March 1 and November 30 of each year; must apply for a permit annually from Police Chief; and must have liability insurance (min of \$300,000). Mengler and Jackie Puck questioned the age of a passenger and Koehler stated he has concerns with safety issues. Following discussion, Mengler moved and Jackie Puck seconded to proceed with pursuing adding the golf cart ordinance to the City Code, but removing the provision that they can't carry a passenger under the age of fourteen. Motion carried. Rickertsen stated an ordinance, adopting the proposed chapter, will be prepared for the next meeting for the first of three readings.

**Allowing UTV's on City Streets.** Chief Blake reported the proposed UTV chapter includes most of the same regulations as the golf cart chapter. UTV's require seating for at least 2 occupants, non-straddled seats, a roll bar or similar device, and there is no age restriction for passengers. Chief Blake stated the hours should be listed the same as the golf cart ordinance. Mengler moved and Jacob Puck seconded to approve pursuing adding the UTV ordinance to the City Code, correcting the hours of use to mirror the proposed golf cart ordinance. Motion carried. An ordinance for the proposed UTV ordinance will also be prepared for the next meeting for the first of three readings.

**Building Department Report.** Rivers reported the contractor is finishing up the landscaping on the Main Street Enhancement Project. It was noted that if the bridge walkway is completed this summer the engineer would need to be hired for the construction observation. Rivers also reported on the Iowa 80 Museum expansion and new canopy/gas pumps at Iowa 80 Truckstop.

**Police Department Report.** Jackie Puck questioned an ordinance to allow ATV's on city streets. Chapter 75 of the City Code is in regards to ATV's and snowmobiles, but the City has not designated any streets to allow ATV's. Jackie Puck stated she would like to see it amended to allow them on city streets.

**Public Works Department Report.** Bowman requested the equipment purchase approval at the main lift station be tabled until the next meeting as he was still gathering additional information.

**City Clerk Report.** Rickertsen stated that establishing criteria for future economic development incentives (TIF Rebates) was tabled from the last meeting so the council had further time to consider and review the information presented. Koehler moved and Jackie Puck seconded to table the discussion until a future meeting. Motion carried.

**Attorney Report.** Schirman reported on the request from Iowa 80 Truckstop to obtain additional area of the Plainview Road right-of-way. There are utilities in the ROW but a survey would be needed to establish the property lines and location of all utilities. Council consensus was that Iowa 80 Truckstop would need to obtain a survey first.

**Mayor's Report.** Mayor Kostichek thanked the citizens for their patience and attending the meeting.

**Council Comments.** Jackie Puck reported the Hearts and Hands Foundation has been working hard on designs for city welcome signs and a new organization board. Mengler questioned the Scott County Library's request for funding. Rickertsen stated she spoke with a library board member and asked that they submit a written request. Koehler stated he would like to thank Rivers. Her job is a difficult one and he respects her.

**Audience Comments.** Daryl Schwartz questioned the hours of the compost area and the difficulties in getting there while it is open. Bowman stated he is looking at other options and reported he had two people that dumped tires there just that day. Nathan Wedeking questioned if there is a plan to improve the condition of S. Main Street. Bowman stated he will be repairing some of the pothole areas. Joe Needham stated the street is not that bad and heavy equipment traffic on the street was discussed. Mengler stated the City would hope to concrete all streets someday but there is not funding at this time. Kory Kraft questioned the status of finishing the James Street watermain replacement. Bowman stated he is working on obtaining bids.

Mengler seconded to adjourn at 9:05 p.m. Motion carried. All votes on motions were unanimous, unless noted.

  
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Mayor John Kostichek

  
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Lisa Rickertsen, City Clerk

18-Apr-16

ALLIANT UTILITIES	SERVICES	7,609.41
ARAMARK	MAT CLEANING/TOWELS SERVICE	256.39
B & D AUTOMOTIVE INC.	SERVICES - OIL CHANGE	81.60
BADGER METER CO	QRTLY BACKHAUL FEES FOR WATER METERS	108.00
BETTENDORF N&S LOCK INC	SERVICE CALL - SAFE UNLOCK	214.20
BLAKE, JEFFERY	MEDICAL REIMB	765.08
BT GROCERY	FIRE DEPT FOOD	44.05
CARGILL INC.	DEICER	2,245.73
CASEY'S GENERAL STORE	FUEL	799.95
CENTURY LINK INC	SERVICES	922.64
DES MOINES STAMP MFG. CO	STAMPERS	109.00
DOWNING ARCHITECTS	DESIGN SERVICES	13,903.85
EASTERN IOWA COMM. COLL.	TRAINING - KACI KRAFT	50.00
ELLSWORTH EXCAVATING INC.	SERVICES - OIL CHANGE	540.00
ENVIRONMENTAL MGT. SERV.	JETTING & CLEANOUT SERVICES	1,551.48
GRAINGER INC.	CLR V/T GLOBES	141.30
HACH COMPANY	CHEMICALS	268.33
HAWKINS INC	CHEMICALS	371.89
HILL, ADAM	MEDICAL REIMB	77.65
HUSTON, JACKIE	MEDICAL & SUPPLIES REIMB	476.30
HYGIENIC LABORATORY	TESTINGS	509.50
HYVEE	FIRE DEPT FOOD	135.40
INTERNATIONAL CODE COUNCIL	2015 CODE BOOKS	280.00
IOWA 80 GROUP	FUEL	34.12
IOWA ONE CALL	NOTIFICATIONS	28.20
JOHN DEERE FINANCIAL	PARTS	645.14
KREBS, NEAL	MEDICAL REIMB	281.40
MIDAMERICAN ENERGY CO.	SERVICES	795.49
OTTO, KATHY	SERVICES	140.00
REPUBLIC SERVICES	SERVICES	5,691.64
RIVER VALLEY CO-OP	RENT & DIESEL	386.51
SCOTT CO. SHERIFF DEPT.	BOOKING FEE	25.00
SCOTT COUNTY LIBRARY SYSTEM	SEMIANNUAL LIBRARY PYMT	30,203.00
STATEWIDE TIRE DISTRIBUTOR	TIRES	563.48
TIPTON ELECTRIC MOTORS INC	PSI GAUGE	34.49
TOWN & COUNTRY TIRES INC.	TIRE REPAIRS	181.49
TREASURER ,STATE OF IOWA	MONTHLY SALES TAX PYMT	2,297.00
VERIZON WIRELESS	SERVICES	80.02
VICTORY ENTERPRISES INC.	WEBSITE HOSTING	150.00
WASTE COMMISSION OF SCOTT	EWASTE	23.60
WELLMARK	MONTHLY PREMIUMS	11,114.52
WENDLING QUARRIES, INC.	1" RD STONE	565.02
<b>TOTAL</b>		<b>84,701.87</b>

**PAYROLL** 04/08/2016 26,188.25

**GRAND TOTAL EXPENDITURES** 110,890.12

**FUND TOTALS**

GENERAL	63,114.54
MUNICIPAL BLDG FUND	13,903.85
ROAD USE TAX	2,810.75
WATER UTILITY	10,350.73
SEWER UTILITY	14,995.01
SOLID WASTE	5,715.24
<b>TOTAL</b>	<b>110,890.12</b>

**MARCH FUND REVENUE**

GENERAL	42,075.37
POLICE VEHICLE RESERVE	11.40
FIRE VEHICLE RESERVE	422.66
FIRE EQUIPMENT/SIREN	5.69
FIRE DONATIONS	15.66
CITY EQUIP/VEHICLE	96.29
PARK ENHANCEMENT	23.55
SPLASH PAD RESERVE	54.51
FORFEITURE	15.51
MUNICIPAL BLDG FUND	186.79
ROAD USE TAX	17,273.24
EMPLOYEE BENEFITS	4,584.23
LOCAL OPTION SALES TAX	17,375.39
NORTH TIF	1,173.66
MAIN ST PROJECT	19.75
WATER	19,029.16
WATER TOWER RESERVE	75.94
WATER MAIN REPAIR FUND	17.85
UTILTIY DEPOSITS	420.00
SEWER	26,086.60
SEWER LIFT STATION RESERVE	23.94
SOLID WASTE	5,807.87
<b>TOTAL</b>	<b>134,795.06</b>