

April 17, 2017
Regular Session

The Bellevue City Council met on Monday, April 17, 2017 in a Regular Session at 6:30 P.M. in the Council Chambers with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

PRESENT: Councilmembers Allen Ernst, Gary Feuerbach, Jayson Heiar, Darla Lawson and Tim Roth. Also present were City Administrator Loras Herrig, City Clerk Abbey Skrivseth, Police Officer Ryan Kloft, City Engineer Marc Ruden, City Attorney Josh Reicks, Peter Arling, Ron Kinsella, Larry Ambrosy, Richard Frank, Shawn Jackson, Ron Mangler, Dave Namanny, Mary Nevans-Pederson, Rick & Kay Pogemiller, Kyle Rausch, Robert & Carrie Weaver and Lucy & Curt Zeimet.

ABSENT: None

APPROVAL OF AGENDA

Mayor Roling reviewed the Agenda and declared it approved.

CONSENT AGENDA

Feuerbach moved with a second by Lawson to approve the Consent Agenda. Motion carried unanimously.

- A. Approve April 3, 2017 Regular Session
- B. Approve March Financial Reports
- C. Approve New Vendors
- D. Approve Bills and Claims as Authorized
- E. Approve Cable TV Viewership Report
- F. Approve Renewal of WBN Native Wine Permit for the Bellevue Area Chamber of Commerce Effective June 5, 2017
- G. Approve New Six Month Class B Beer Permit with Sunday Sales and Outdoor Service Privileges for the Bellevue Community Club Effective May 1, 2017
- H. Approve Renewal of WBN Native Wine Permit for Serendipity Spa and Gifts Effective May 1, 2017
- I. Approve Renewal of Class C Liquor License with Sunday Sales for The Dambar Effective May 1, 2017

WATER ISSUES ON MULBERRY STREET

DuTrac Community Credit Union's legal counsel Peter Arling indicated DuTrac became the secured creditor after Riviera Belle Estates went into foreclosure. Arling then discussed the history of the subdivision including DuTrac getting judgement in October 2010 with the first lot being sold in April 2012.

Councilmember Tim Roth then discussed his observations as he walked the whole hillside a few times. Roth described the three detention basins, which appear to be working properly. He found five active springs located behind various Mulberry Street residences. City Administrator Loras Herrig then provided the precipitation totals for Bellevue over the last 20 years. Herrig said since

the subdivision was approved in 2008, precipitation has increased about 6.33 inches per year in comparison to the prior 10 years. Also, the last six months of 2016 was the second wettest July-December in the last 20 years.

Mayor Chris Roling then invited anyone with new information from the audience to speak. Kyle Rausch indicated he thinks since he purchased his property in April 2015 the springs have been more active and questioned if there was any way to track the water getting into the springs. City Engineer Marc Ruden said tracking would be difficult. Ruden also pointed out that the increased perception could also be attributing to the natural underground aquifers filling up with groundwater.

Shawn Jackson pointed out that the hillside behind Mulberry Street has always been wet and everyone knows that but it appears the springs might be more active now. Rich Frank wanted to know how many more houses will be built in the subdivision behind Mulberry Street. Herrig replied that it appears at least two more houses. Roth pointed out to Frank that water coming into his yard could be from the property to the East of Riviera Belle Estates where a logging road is located.

Rausch then questioned Herrig's previous comments about the Riviera Belle Estates covenants. Arling pointed out that DuTrac is not aware of any covenant violations. City Attorney Josh Reicks said the City is only in charge of enforcing Ordinances and is not in charge of enforcing covenants.

Kay Pogemiller wanted to clarify that when her residence was built, she did not intend to cause any problems and she does not think it is an accurate statement that they are not following the required covenants. Curt and Lucy Zeimet wanted to clarify that they received the necessary required permits to build their houses including various discussions with DuTrac to make sure they were following the required covenants.

As there was no one left to speak, Roling indicated at the prior meeting the Council decided to reconsider the \$14,200 engineering study with a full Council. No Councilmember made a motion to complete the study. Roth then moved with a second by Lawson to not proceed with the study. Motion carried unanimously.

FELDERMAN PARK CONNECTION BID

Ruden recapped the bids received for the Felderman Park Connection project and gave the recommendation to award the bid to Midwest Concrete. Ernst moved with a second by Feuerbach to award the Base Bid and Alternative a Bid of \$244,055.97 to Midwest Concrete. Motion carried unanimously.

ORDINANCE 420

AMENDING TITLE III, CHAPTER 3, SECTION 24 PLACEMENT OF STOP SIGNS AND SECTION 25 PLACEMENT OF YIELD SIGNS TO ADD STOP SIGNS AT VARIOUS INTERSECTION AND TO DELETE A YIELD SIGN

Ernst moved with a second by Roth to approve the third and final reading of Ordinance 420. Roll call vote carried unanimously.

ORDINANCE 420

AN ORDINANCE AMENDING TITLE III, CHAPTER 3, SECTION 24 PLACEMENT OF STOP SIGNS AND SECTION 25 PLACEMENT OF YIELD SIGNS TO ADD STOP SIGNS AT VARIOUS INTERSECTIONS AND TO DELETE A YIELD SIGN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA:

SECTION 1. *Amendment to 3-3-24(1)* of the 2014 Bellevue Municipal Code of Ordinances is hereby amended by adding the following intersection:

STOP SIGNS

Intersection

Traffic Bound

Riverview & Potters Dr.	East
Riverview & Dorchester	West
Riverview & Elm	East
Riverview & Spruce	East
Riverview & Rose	East
Riverview & Vine	East
Riverview & Church	East
Riverview & Chestnut	East
Riverview & Jefferson	East
Riverview & Court	East
Riverview & State	East
Riverview & Market	East
Riverview & Park	East
Riverview & Franklin	East
Riverview & Spring	East
Riverview & Belle	East
Riverview & Sylvan	East
Riverview & Oak	East
Riverview & High	East
Riverview & Motte North	East
Second & Elm	East
Second & Spruce	East & West
Rose Alley between Second & Third	East
Alley between Second & Third to Church	South
Spruce to Alley between Second & Third	West
Second & Rose	West
Second & Vine	East & West
Second & Church	West
Second & Chestnut	East, West & South
Second & Jefferson	East & West
Second & Court	East & West

Second & State	North & South
Second & Market	East & West
Second & Park	East & West
Second & Franklin	East & West
Second & Spring	East & West
Second & Belle	East & West
Second & Sylvan	East & West
Second & Oak	East & West
Jefferson Ave. & High	East & West
Jefferson Ave. & John	East & West
Jefferson Ave. & Elizabeth	East
Jefferson Ave. & Motte North	North, South, East & West
Jefferson Ave. & Ensign	East
Jefferson Ave. & Sunrise Ct.	East
Jefferson Ave. & Jackson Park Dr.	East
Jefferson Ave. & Railroad Crossing	East & West
Jefferson Ave. & Highway 52	East
Riverside & Highway 52	West & West (2 entrance)
Third & Rose	North
Third & Vine	North & South
Third & Church	North & South
Third & Chestnut	North & South
Third & Jefferson	North & South
Third & Court	North & South
Third & State	North & South
Third & Market	North & South
Third & Park	North & South
Third & Franklin	North & South
Third & Spring	North & South
Washington & High	North & South
Washington & John	North & South
Washington & Elizabeth	North & South
Washington & Motte North	North & South
Washington & Ensign	North
Fourth & Vine	North
Alley between Fourth & Fifth to Vine	North
Fourth & Church	East & West
Fourth & Chestnut	East & West
Fourth & Court	North & South
Fourth & State	North & South
Fourth & Market	North & South
Fourth & Park	North & South
Fourth & Franklin	North & South
Fourth & Spring	North
Fifth & Vine	North
Fifth & Church	North & South

Fifth & Chestnut	North & South
Fifth & Jefferson	North & South
Fifth & Court	North & South
Fifth & State	North & South
Fifth & Market	North & South
Fifth & Park	North & South
Fifth & Franklin	North & South
Fifth & Spring	North
Sixth & Vine	North
Sixth & Jefferson	North & South
Sixth & Court	North & South
Sixth & State	North & South
Sixth & Market	East & West
Sixth & Park	North & South
Sixth & Franklin	East
Sixth & Spring	North, South, East & West
Seventh & Court	East
Seventh & State	North & South
Seventh & Market	West
Seventh/Park/Mill Creek Rd.	North, South, East & West
Seventh & Spring	North, South, East & West
Seventh & Pine Dr.	West
Seventh & Dunn	East
Seventh & Brinker Ct.	West
Seventh & Duetel Ct.	South
Riviera Dr. & River Ridge	South
Eighth & Frontier Ct.	East & North
Eighth & State	North
Ninth & State	South
Ninth & Park	North
Tenth & State	South
Tenth & Park	North
Eleventh & State	South
Eleventh & Park	South
Twelfth & State	South
Twelfth & Park	North, South, East & West
Twelfth & Edward Ave.	North, South & East
Twelfth & Mill Creek Rd.	North
Mill Creek & Sieverding Ridge	East
Fourteenth & Edward Ave.	South
Fourteenth & Mill Creek Rd.	North
Beta Court & State	North
Lindsay Ln. & State	North

YIELD SIGNS

Intersection

Elizabeth & Mulberry
Mulberry & Motte North
Fourth & Rose
Fifth & Rose
Sixth & Chestnut
Church & Sixth
Neu & Sixth
Seventh & Duetel
Seventh & River Ridge Drive
Kieffer Dr. & Duetel
Broadway Ct. & Duetel
Broadway Ct. & Maple
Maple & Seventh
Kieffer Dr. & Dunn

Traffic Bound

West
West
South
South
West
East
East
East
East
North
South
North & South
East
South

Amendment to 3-3-25(1) of the 2014 Bellevue Municipal Code of Ordinances is hereby amended by deleting the following intersections:

Yield Signs

Intersection

Fourth and Vine

Traffic Bound

South

SECTION 2. *Repealer.* All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. *Severability.* 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. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved by the City Council this ____ day of _____, 2017.

City Administrator

Mayor

CERTIFICATION

I, Loras Herrig, City Administrator do hereby certify that the above is a true and correct copy of Ordinance 422 which was passed by the Bellevue City Council on this ____ day of _____, 2017 and published in the Bellevue Herald Leader on the ____ day of _____, 2017.

ORDINANCE NO. 421

AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC CODE, SECTION 3-3-19(9) PARKING REGULATIONS-TRUCK PARKING PROHIBITED, OF THE CITY OF BELLEVUE CODE OF ORDINANCES (2014) TO RESTRICTED PARKING OF VARIOUS TYPES OF MOTOR VEHICLES

Feuerbach moved with a second by Ernst to approve the second reading of Ordinance 420. Roll call vote carried:

AYES: Feuerbach, Lawson, Ernst and Roth

NAYS: Heiar

4/1 vote, motion passed.

UPCOMING MEETING DATES

The Council agreed to meet next on May 1 and 15, 2017. The Council will also have a joint meeting with the Utility Board on April 26, 2017 at 6:00 P.M.

MARK BEAUCHAMP

Herrig wanted to make the Council aware that Mark Beachamp has offered the City his drone video and picture services.

RESOLUTION NO. 08-17 APPOINTING COMMISSIONERS TO THE EASTERN IOWA REGIONAL HOUSING AUTHORITY FROM THE CITY OF BELLEVUE, IOWA

Lawson moved with a second by Roth to approve Resolution No. 08-17. Roll call vote carried unanimously.

RIVIERA BELLE ESTATES – SIDEWALK LETTER

Herrig indicated that letters will be sent out to individuals living on River Ridge Road to install the necessary sidewalks this construction season as required in the sidewalk plan for the subdivision.

IOWA DOT DETOUR MEETING

A meeting was held with the Iowa Department of Transportation to discuss the upcoming road closure for Highway 62 when the State Street railroad crossing is worked on. The detour route will be from Park Street to Sixth Street. Herrig clarified that no parking would be allowed on this detour section. The detour is anticipated to be after July 4, 2017 for roughly a week but is subject to the Canadian Pacific's schedule.

RECEIPTS AND DISBURSEMENTS

The following amounts were received or expended in the month of March:

	RECEIPTS	DISBURSED
GENERAL:		

Basic General Fund	85400.65	202490.08
SUB FUNDS:		
Library Gift Fund	1352.00	765.08
P.I.L.O.T	2500.00	
L.O.T. Prop. Tax Red	6874.96	
Museum		1674.05
Franchise Prop. Tax	2833.18	
Franchise Streets	2833.18	
SPECIAL REVENUE		
Fire Department Cap Fund	1080.00	
Park Improvement Project		395.00
Streets Cap Fund		1152.00
L.O.T. Street Dept	6874.96	4984.23
Employee Benefits	8660.30	
T.I.F. Fund	7596.94	3506.62
Debt Service	10814.53	
Road Use Tax	21594.07	23525.77
PROPRIETARY FUNDS:		
Ambulance	8046.08	16237.59
Telecommunication	120301.54	141386.89
Sanitation	34518.30	48386.51
Water	31782.59	50288.53
Electric	198561.10	263412.16
Electric Cap. Fund	10000.00	
Customer Deposit	1757.00	
Sewer	36413.18	29771.52
Storm Water Fund	6111.52	4874.83
TOTALS	605906.08	792850.86

BILLS AND CLAIMS

The following Bills and Claims were paid as approved:

Treasurer State of Iowa Conservation Tax	1 st Qrt Consumer Use Tax	1474.00
Superior Technology Group LLC	Amb Software Maint & Supp	900.00
IRS	Federal/SS/Medicare	11639.38
Treasurer State of Iowa	State Withholding	5697.16
IPERS	Retirement	21126.03
Iowa Workforce Development	1 st Qrt. Unemployment	324.92
Black Hills Energy	City Gas Bills	1139.19
IWireless	Public Works Phone Bill	4.95
Medical Associates Health Plans & Choices	City Health Insurance	25781.36
Productivity Plus	Parks Repair & Maintenance	466.30
Sun Life Financial	City Life Insurance	167.20
Treasurer State of Iowa	March 16-31, 2017 Sales Tax	2935.00

Bellevue Area Chamber	Chamber Annual Dinner	50.00
Bellevue Area Chamber	Chamber Annual Dinner	375.00
Card Center	Cable Postage Reimbursement	112.15
Treasurer State of Iowa	April 1-15, 2017 Sales Tax	2193.00
A&P Graphics & Signs LLC	Amb. R&M/FD Poster	374.00
American Funds Service Co.	Payroll Withholdings	1660.00
ATS Petro LLC	Liquor Permit Refund	56.25
Batteries Plus Bulbs	Fire Dept. Radio	117.69
Battery Tech Central	Fire Dept. Radio	185.00
Bellevue Development Inc	TIF Payment	88406.43
Bellevue Lumber	City Supplies	945.30
Bellevue Municipal Utility	Monthly Utility Bills	4279.82
Bellevue Pharmacy	Ambulance Operating Supp.	260.20
Bellevue Sand & Gravel	Roadway Road Stone	87.88
Bellevue State Bank	Monthly Cable Payment	10095.15
Ben Gieseemann	Fire Department Training	24.25
Benders Foods	Training Supplies	41.01
Big Ten Networks	Programming Charges	1543.70
Bormanns Neighborhood Pitstop	City Gas Purchase	465.65
Card Center	Operating Supplies	1706.38
Casey's General Store Inc	Gas Purchase	869.05
CCP Industries	Roadway Misc	59.76
Cedar Falls Utilities	Mar. Transmission & Rental	6075.67
Central Pool Supply Inc.	Pool Operating Supplies	2969.02
Central United Life Insurance Co	Cancer Insurance	345.23
Chief Supply	Police Clothing & Equip	141.00
Cindy Blake	Training Reimbursement	164.92
Colby Kieffer	FD Building R&M	30.99
Country Side Feed & Seed	Park & Roadway Supplies	209.50
Curtis Wayne Dean	Broadband Consulting	1086.18
Dennis Gerardy	City Repair & Maintenance	145.00
Drive Line	Parks Equipment R&M	68.50
Dubuque Co Sheriff	Hefel Development TIF	17372.78
Dubuque Fire Equipment	Fire Department R&M	300.00
Dubuque Networking Services	Office Support & Equip. Exp.	9684.14
Edwards Cast Stone	Picnic Table	850.00
Emergency Medical Products Inc	Amb. Operating Supplies	1248.60
Fidelity Bank & Trust	Cable Payment	10095.15
Gray Television Group, Inc	Cable TV Basic Program	6898.50
Gregory Schulte	Ambulance Bldg. R&M	16.02
Gretchen P. Thompson, LISW	Medical Expense	325.00
Heming Pest Control	City Hall & FD Pest Control	100.00
Iowa Associate of Municipal Utility	P&A Training	99.00
IAFC Membership	F.D. Membership Dues	259.00
IIW Engineers & Survey PC	Engineering Fees	48125.75
Innovative Systems	Mthly Support & Maint.	8025.69

IRS	Federal/SS/Medicare	10125.40
ISPN Internet Services	Internet/Video Support	1970.00
J L Honberger Co. Inc.	Pool Repair & Maintenance	194.67
J&R Supply Inc.	Rdwy Storm Sewer Exp.	2513.00
Jackson Co. Municipal League	P&A Memberships	25.00
Jackson Co. Recorder	Hefel TIF Covenant	11.00
Kanndo Professional Services	CC Building R&M	210.00
Kieffer Plumbing & Heating Inc.	Parks Repair & Maintenance	17.64
Kone Inc	Elevator Safety Test	360.00
L.L. Pelling Co.	Roadway Equip. R&M	501.50
Lampe True Value	City Supplies	829.59
Lincoln Aquatics	Pool Equip. R&M	119.12
Maquoketa Valley Electric Coop	Security Light	12.13
McDonald Supply/Div. of HAJOCA	Drinking Fountain	516.08
Medical Associates Health Plans & Choices	Ambulance Misc.	510.56
Michael Roling	FD Building R&M	49.19
Midwest Business Products Inc.	FD & P&A Operating Exp.	110.20
Most Dependable Fountains	Park Fountain	5422.50
National Cable TV Coop	Programming Charges	32060.18
Nexstar Broadcasting Inc.	KLJB Programming	1902.50
NICC Business & Comm. Solutions	Ambulance Training	15.00
Office Depot	City Supplies	98.71
Paul's Repairs	Parks Equip. R&M	50.00
PCC, Inc.	Amb. Monthly Billing Exp.	728.03
Peggy Roling	CC Building R&M	100.00
Petty Cash	Operating Supplies	42.02
Power & Telephone Supply	Cable Supplies	2965.41
Rapids Reproductions Inc.	Felderman Park Connection	360.63
Reliable Data & Electrical	Fire Department R&M	1025.24
Rick's Body Shop Inc.	Vehicle Repair	1193.48
River Valley Energy	City Gas Purchases	871.14
Rob Holm	Deposit Refund	125.76
Roeder Bros. Inc.	City Supplies & R&M	743.12
Ryan Berthel	Deposit Refund	50.54
Schoenthaler,Bartelt, Kahler, & Reicks	Legal Fees	912.00
Sheehan Auto Electric Corp.	Rdwy Equipment R&M	154.08
Showtime Networks Inc.	Programming Charges	201.94
Sinclair Television Group Inc.	Programming Charges	2353.12
Sons of American Legion	Flags	151.00
Stacy Heiar	FD Building Maintenance	100.00
Steel Mart	FD R&M	347.08
Stetson Building Products	Parks Equip. R&M	199.26
Steve Engelman	Pool Training	21.66
Storey Kenworthy/Matt Parrott	P&A Office Supplies	199.29
The Car Wash Inc.	City Gas Purchases	760.95
The Herald Leader	P&A Publications	589.98

Tills Garage Inc.	Police Vehicle R&M	115.58
Tina Hoffmann	Painting Expense	495.00
Tower Distribution Co.	Programming Charges	432.90
Tribune Media Service	Cable EPG Guide	659.16
US Post Office	Postage	980.00
Unity Point Health/Broadband Connection	Internet/Video Transport	11600.00
Varsity Scoreboards	Cole Park BB Scoreboard	8621.04
Verizon Wireless	City Phone Expense	335.60
Waste Authority of Jackson Co.	Tipping Fees	4929.45
Weber Paper Company	City Supplies	942.92
Welter Storage Equipment	Roadway Misc.	100.00
Windstream	City Phone Expense	895.40
Zephyr Aluminum Products Inc.	FD Bldg. R&M	193.83
Zoll Medical Corporation	Ambulance Operating Supplies	474.43

ADJOURNMENT

As there was no further business to come before the Council, Ernst moved with a second by Lawson to adjourn at 7:55 P.M. Motion carried unanimously

City Clerk

Mayor