

COUNCIL MEETING

JANUARY 13, 2020

(Please note these are draft minutes and may be amended by Council before final approval.)

The Carroll City Council met in regular session on this date at 5:15 p.m. in the Council Chambers, City Hall, 627 N Adams Street. Members present: Misty Boes, LaVern Dirkx, Jerry Fleshner, Clay Haley, Mike Kots and Carolyn Siemann. Absent: None. Mayor Eric Jensen presided and City Attorney Dave Bruner was in attendance.

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The Pledge of Allegiance was led by the City Council. No Council action taken.

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It was moved by Haley, seconded by Kots, to approve the following items on the consent agenda: a) minutes of the December 23, 2019 Council meeting, as written; b) bills and claims in the amount of \$894,714.82. c) Appointment by Council of Shelley Diehl to the Planning and Zoning Commission (5-year term to expire 12-31-24). On roll call, all present voted aye. Absent: None. Motion carried.

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During the oral requests and communications from the audience Chico Kanne, Laura Comito, Ron Meiners, Jeanine Meiners, Rosanne Nees and Tacey Stoelk all addressed Council about the restroom located in Westgate Mall. No Council action taken.

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Mayor Jensen read a proclamation declaring January as National Blood Donor Month in Carroll and urged the citizens of Carroll to support blood donations by donating to local blood drives not only in January but all year long. No Council action taken.

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It was moved by Haley, seconded by Fleshner, to accept the FY 2018-2019 Annual Financial Statement Audit. On roll call, all present voted aye. Absent: None. Motion carried.

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At 6:00 p.m. January 13, 2020, Mayor Jensen opened a public hearing for the rezoning request of property legally described as:

A parcel of land located in the southeast quarter of Section 19, Township 84 North, Range 34 West of the Fifth P.M., Carroll County, Iowa being more particularly described as follows:

Referring to the southeast corner of the southeast quarter of said Section 19; thence N00°27'59"W, on the east line of said southeast quarter, 935.42 feet; thence S89°50'09"W on the north line of East Business Park Subdivision 552.83 feet to the point of beginning; thence N00°15'33"W, 339.98 feet to the south line of Northridge Fourth Subdivision, Phase Three; thence S89°50'21"W, on said south line, 694.67 feet to the east right of way line of Bella Vista Drive; thence S00°15'33"E, on said east line, 340.02 feet to the north line of East Business Park; thence N89°50'09"E, on said north line, 694.67 feet to the point of beginning, containing 5.42 acres, more or less, from P.U.D – Planned Unit Development with the underlying zoning of R-5, High-Density Residential District to R-3, Low-Density Residential District. Mayor Jensen allowed time for citizens to speak or present evidence in favor of the application. No evidence was presented in favor. Mayor Jensen allowed time for citizens to speak or present evidence in opposition of the application. No evidence was presented in opposition of the application. City Manager Mike Pogge-Weaver presented the Planning and Zoning Commission's recommendation and further presented evidence that the proposed rezoning would be consistent with the City of Carroll's Comprehensive Plan. The public notice of the public hearing for the City Council and Planning and Zoning Commission was properly made in a timely fashion and proof of publications are on file in the City Clerk's office. Mayor Jensen then requested further evidence from others. No further evidence was presented. The Council was then given the opportunity to ask questions of any of the witnesses or evidence. Mayor Jensen then closed the public hearing at 6:02 p.m.

It was moved by Kots, seconded by Haley, that upon consideration of all the evidence contained in the record of the public hearing dated January 13, 2020, including the fact that there was no opposition to the application; that all proper procedures and notices were followed; and rezoning is consistent with the City's Comprehensive Plan, the application to rezone the area legally described as:

A parcel of land located in the southeast quarter of Section 19, Township 84 North, Range 34 West of the Fifth P.M., Carroll County, Iowa being more particularly described as follows:

Referring to the southeast corner of the southeast quarter of said Section 19; thence N00°27'59"W, on the east line of said southeast quarter, 935.42 feet; thence S89°50'09"W on the north line of East Business Park Subdivision 552.83 feet to the point of beginning; thence N00°15'33"W, 339.98 feet to the south line of Northridge Fourth Subdivision, Phase Three; thence S89°50'21"W, on said south line, 694.67 feet to the east right of way line of Bella Vista

Drive; thence S00°15'33"E, on said east line, 340.02 feet to the north line of East Business Park; thence N89°50'09"E, on said north line, 694.67 feet to the point of beginning, containing 5.42 acres, more or less, from P.U.D – Planned Unit Development with the underlying zoning of R-5, High-Density Residential District to R-3, Low-Density Residential District be approved; that the City Clerk prepare detailed minutes of the public hearing and retain and preserve any and all written evidence and exhibits presented; that an ordinance amending the zoning map be presented to the Council for passage and approve the first reading and waive the second and third readings of said ordinance. On roll call, all present voted aye. Absent: None. Motion carried.

It was moved by Kots, seconded by Haley, to adopt said Ordinance No. 20-01. On roll call, all present voted aye. Absent: None. Motion carried.

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An ordinance amending the Carroll City Code of Ordinances by amending provisions pertaining to Chapter 40, Public Peace was introduced by Council Member Haley.

It was moved by Haley, seconded by Siemann, to approve the first reading and waive the second and third readings of said ordinance. On roll call, all present voted aye. Absent: None. Motion carried.

It was moved by Kots, seconded by Haley, to adopt said Ordinance No. 20-02. On roll call, all present voted aye. Absent: None. Motion carried.

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At 6:12 p.m. Mayor Jensen opened a public hearing on the Plans, Specifications, Form of Contract and Estimate of Cost for the Carroll Youth Sports Complex Lighting Project – 2020. Mayor Jensen closed the public hearing at 6:22 p.m.

It was moved by Dirkx, seconded by Haley, to approve Resolution No. 20-01, Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Carroll Youth Sports Complex Lighting Project – 2020. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Dirkx, seconded by Haley, to approve Resolution No. 20-02, Accepting the Professional Services Agreement for the design and bid phase services with Shive-Hattery, Inc. for the Carroll Trails Plan – Segment III – 2020 Project for a total fee of \$36,500.00. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Fleshner to purchase three (3) True C900 recumbent bikes with interactive display from Foremost Fitness Group in the amount of \$10,350.00. Motion failed due to the lack of a second.

It was moved by Haley, seconded by Kots, to purchase three (3) True C400 recumbent bikes with interactive display from Foremost Fitness Group in the amount of \$9,450.00. On roll call, all present voted aye except Siemann and Dirkx voted nay. Absent: None. Motion carried.

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It was moved by Fleshner, seconded by Haley, to adjourn at 6:52 p.m. On roll call, all present voted aye. Absent: None. Motion carried.

Eric P. Jensen, Mayor

ATTEST:

Laura A. Schaefer, City Clerk