

COUNCIL MEETING

JULY 25, 2023

(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. Council Members present: Kyle Bauer, Tom Bordenaro, LaVern Dirkx, Carolyn Siemann and JJ Schreck. Absent: Misty Boes. Mayor Mark Beardmore 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 Bordenaro, seconded by Schreck, to approve the following items on the consent agenda: a) minutes of the July 10, 2023 Council meeting, as written; b) bills and claims in the amount of \$847,997.29; c) Licenses and Permits: Renewal of Class “C” Retail Alcohol License with Outdoor Service – *J Muggenberg LLC (dba Hour Glass LLC)*, and Renewal of Class “C” Retail Alcohol License with Outdoor Service – *Las Tarascas Mexican Market*; and d) the bid from Grossman & Sons Excavating Inc. for the Carroll Slow Pitch Wall Repair project at their bid price of \$12,280.00. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

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During the oral requests and communications from the audience, Barry Bruner and Brett Sommerfeld addressed Council. No Council action taken.

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It was moved by Siemann, seconded by Bauer, to approve Resolution No. 23-62, Home Construction Agreement (Contract Number: HF2401) Between Region XII COG, Inc. and the City of Carroll for the City to provide up to \$300,000 to Region XII COG, Inc. for the construction of 10 new homes within the city limits. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

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It was moved by Bordenaro, seconded by Siemann, to approve Resolution No. 23-63, Agreement Amendment No. 1 with JEO Consulting Group, Inc. for Professional Services for the Stormwater Improvements Project at a cost of \$191,500.00. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

Council discussed the proposed debt issuance plan for the Stormwater Improvements Project and other projects for FY 2024. No Council action taken.

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It was moved by Dirx, seconded by Schreck, to approve Resolution No. 23-64, FY 2022/2023 Year End Transfers. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

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It was moved by Schreck, seconded by Bordenaro, to approve Resolution No. 23-65, Memorandum of Understanding Between the Iowa Department of Revenue and the City of Carroll Regarding State Setoff Program. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

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Council conducted an appeal hearing, as requested by dog owners Cynthia and Jarod Menke, for a vicious animal order declared by the Carroll Police Department in accordance with City Code Chapters 55 and 56. Council Member JJ Schreck recused herself from the appeal hearing due to a conflict of interest. All witnesses were sworn in by City Clerk Laura Schaefer.

The appeal was convened by Mayor Mark Beardmore. Police Chief Brad Burke, Sergeant Justin Ferrin, Brooke Mentzer, Karen Mentzer and Amanda Riesberg gave testimony in favor of the Order.

Cynthia Menke, Jarod Menke, Gail Niehaus and Joan Badding gave testimony against the Order.

It was moved by Siemann, seconded by Bordenaro, to affirm the Carroll Police Department's order that designated the dog owned by Cynthia and Jarod Menke a vicious dog. On roll call vote: Ayes: Bordenaro, Dirx, and Siemann. Nays: Bauer. Abstain: Schreck. Absent: Boes. Motion carried 3-1.

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It was moved by Bordenaro, seconded by Bauer, to adjourn at 6:50 p.m. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: Boes. Motion carried 5-0.

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Mark E. Beardmore, Mayor

ATTEST:

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Laura A. Schaefer, City Clerk