

March 6, 2023
Regular Session

The Bellevue City Council met on Monday, March 6, 2023 in Regular Session at 6:30 P.M. in the Council Chambers with Mayor Roger Michels presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

PRESENT: Councilmembers Nic Kueter, Lyn Medinger, Tim Roth and Jayden Scheckel (zoom). Also present were City Administrator/Clerk Abbey Skrivseth, Assistant Police Chief Ryan Kloft, Kelley Brown (zoom), Ethan Carstensen, Jo Fifield Allison Hager, Dan Hager, Tracy Hager, Denny Michels, Dave Namanny (zoom), Susan Rickert (zoom), Ben Steinbeck, Jim Wachtel and Rich Weinschenk.

ABSENT: Councilmember Tom Roth.

APPROVAL OF AGENDA:

Mayor Roger Michels reviewed the Agenda and declared it approved.

CONSENT AGENDA

Roth moved with a second by Kueter to approve the Consent Agenda. Motion carried unanimously.

- A. Approve Minutes of February 6, 2023 Regular Session
- B. Approve February Financial Reports
- C. Approve Previously Paid Bills and Claims as Authorized
- D. Approve Library Bills and Claims as Authorized
- E. Approve Renewal of Special Class B Retail Native Wine License (WBM) for the Book Worm Effective May 1, 2023
- F. Approve New Special Class C Retail Alcohol License (BW) for Marquette High School Effective April 13, 2023

VISITOR

ALLISON HAGER – 2023 AMERICAN HONEY PRINCESS

Bellevue native and Iowa State University senior Allison Hager received the distinct honor as the 2023 American Honey Princess. Hager is advocating on a national level the importance of honey bees and pollinators. Hager has been beekeeping since she was 13 years old. The Council congratulated Hager and thanked her for representing Bellevue.

RESOLUTION NO. 06-23 PROCLAMATION OF THE AMERICAN BEEKEEPING FEDERATION SELECTING ALLISON HAGER OF BELLEVUE AS THE 2023 AMERICAN HONEY PRINCESS

Kueter moved with a second by Medinger to approve Resolution No. 06-23. Roll call vote carried unanimously.

UPDATE ON ANNEXATIONS

Regarding the two cemetery annexations that are needed for the City to provide connectivity to the 53-acre Stamp Property and in order for the City to apply for an up-to 75% USDA grant.

Skrivseth provided an update that the St. John Lutheran Church approved and signed the voluntary annexation sheet for their two cemetery plats. Skrivseth, Roth and Scheckel attended the Church's annual congregation meeting and were able to answer many questions in person. Skrivseth expressed her thanks to the Church for their approval and for completing the voluntary annexation paperwork.

Skrivseth then informed the Council that the First Presbyterian Church received her letter on behalf of the City in response to the contingencies that the Church wanted in place for the voluntary annexation. The Church decided they were not going to voluntarily annex due to the concerns of the unknown future and the annexation would be of no benefit to their church. The Council requested Skrivseth reach back out to the Church in another effort to try to have further discussion with the Council on the importance of the annexation and to setup a meeting between the Council and the Church.

[Medinger was on call for Bellevue EMS and left the meeting due an ambulance call; Denny Michels entered the meeting via zoom].

AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS

Police Chief Schroeder, Assistant Police Chief Kloft and Skrivseth requested the Council table the second reading on speed cameras until more information is received and known on the proposed ATE bills that are in legislation. If the proposed bills are passed, then the state law would go against what the City is trying to do with implementing the speed cameras. Hopefully more information is known at the next Council meeting.

Jim Wachtel, who lives along Hwy 52 and in the County, came before the Council to speak in opposition to the speed cameras and speak on behalf of the many people in the community that he said are against the cameras. Wachtel stated he feels people already go at or below the speed limit past his residence and does not see the speed issue nor the need of speed cameras. When asked, Wachtel said he has not followed the Council's previous discussions as to why the speed cameras are being proposed.

Skrivseth reexplained that the speed cameras were the result of concerns that were brought up with the safety of the walking/bike trail on the north end of town, the proximity to the state highway and speed of vehicles along with children using the trail for the Off Shore pool. The City organized a couple meetings with the IA DOT that included representatives from the City (Council, Mayor, Police, and City Administrator), City Engineer, County Sheriff Department, County Engineers Office, Iowa State Patrol, ECIA and JCEA to request that speed be reduced from 55 mph to 45 mph to the bridge by 395th Ave. Discussion was had on the increase of businesses in the area, increase in traffic that Off Shore has created and will be bringing, and the blind spot that the bridge creates on the incline from the railroad tracks.

The IA DOT conducted a speed traffic study in June of 2022, which showed motorist going at an average speed above the 55 mph. The IA DOT indicated lowering the speed could not be considered until the average speed was brought back down to the 55 mph. The IA DOT and City Engineer then discussed options for the City paying for a turning lane for north bound traffic or constructing a roundabout. The IA DOT said that there have not been enough reported crashes or fatalities in the area to warrant the speed reduction. The City still felt that lowering the speed limit was the best and most cost-effective solution to the issue being discussed. Therefore, after looking into how speed cameras worked for other cities, the Council felt that speed cameras could help reduce motorists speed.

Clarification was had that the City never had any intention of ticketing for one mph over the speed limit. As the Council had multiple previous discussions over this, Sensys made the recommendation to include the one mph fine as they recommend it to all cities. One example was if someone were to question a ticket and go to court, then having staggered fines allows a judge to consider an alternative or lower fine versus possibly just waiving a fine altogether.

Clarification was also had over the flashing speed limit signs in downtown, these were donated by a local resident. A large article in the Herald-Leader newspaper about the generous donation was previously published.

CONSIDERATION AND APPROVAL OF THE SECOND READING OF ORDINANCE NO. 476 AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC CODE BY ESTABLISHING DEFINITIONS AND A SCHEDULE OF FINES FOR VIOLATIONS DETECTED BY AN AUTOMATED TRAFFIC ENFORCEMENT SYSTEM

Kueter moved with a second by Scheckel to table Ordinance No. 476 until more information is received from the legislation discussion. Motion carried unanimously.

APPROVE FIRST AMENDMENT TO AMENDED AND RESTATED RESTRICTIVE COVENANTS FOR JACKSON PARK 3RD ADDITION AS CITY OWNS LOTS E & F

Skrivseth clarified that the City never gets involved nor regulates subdivision covenants as the City regulates city code. However, the City was the developer for the Jackson Park Subdivision and the City owns a large green space lot along with the street lot.

Lot owner, Rich Weinschenk, is looking to start building the first home in the subdivision and begin digging the foundation for his house in March. It was discovered that one covenant restricted Weinschenk's current building plan. The Council agreed that they all wanted to see homes built in the subdivision and the covenants were never intended to make lots unbuildable. The amendment would allow a utility shed with restrictions. All subdivisions, regardless of covenants, must still meet City code for all building permits.

Skrivseth informed the Council that the seven other property/lot owners have already signed the amendment.

Roth moved with a second by Kueter to approve the first amendment of the restated restrictive covenants for Jackson Park 3rd Addition. Motion carried unanimously.

INTRODUCTION, CONSIDERATION AND APPROVAL OF THE FIRST READING OF ORDINANCE NO. 477 AMENDING TITLE III COMMUNITY PROTECTION CHAPTER 3 TRAFFIC CODE SECTION 3-3-19 PARKING REGULATIONS 4. NO PARKING OR RESTRICTED PARKING ZONES AND 13. PERSONS WITH DISABILITIES PARKING; 3-3-24 PLACEMENT OF STOP SIGNS; AND 3-3-26 PLACEMENT OF PEDESTRIAN CROSSING SIGNS

Kueter moved with a second by Roth to move the discussion of Ordinance No. 477 until the end of the meeting in case Medinger would be back from the ambulance call. Motion carried unanimously.

RESOLUTION NO. 07-23 SETTING DATE FOR A PUBLIC HEARING FOR THE CITY OF BELLEVUE RELATING TO THE TOTAL MAXIMUM PROPERTY TAX DOLLARS FOR FY 2024

Governor Reynolds did sign SF 181, which corrected the state's valuation error for tax asking bodies. Bellevue's valuation dropped another \$3.5 million resulting in roughly \$38,000 needing to be decreased from the tax asking funds in order for the City's tax rate to remain the same. Skrivseth removed budget amounts from the contingency fund and then the remaining shortfall will be used from the general fund reserves. The Council previously discussed this as an option due to the budget process and previous work sessions being completed.

Discussion was then had on the state legislators trying to take away cities, counties, and schools local control and putting the tax burden and pressure back on local governments. The commercial and multi-residential rollbacks are really putting more of a tax burden on the residential property owners.

Kueter moved with a second by Scheckel to approve Resolution No. 07-23. Roll call vote carried unanimously.

RESOLUTION NO. 07-23

A Resolution Setting Date for a Public Hearing for the City of Bellevue Relating to the Total Maximum Property Tax Dollars for FY 2024

WHEREAS, the City of Bellevue, in Jackson County, State of Iowa have considered the Proposed FY 2024 city maximum property tax dollars for the affected levy,

NOW THEREFORE BE IT RESOLVED that a public hearing thereon will be held in the Council Chambers and via Zoom on the 22nd of March 2023, at 6:30 p.m., at which time and place the Council will consider the maximum property tax dollars for the affected tax levies for FY 2024.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to cause to be published notice of such hearing in the manner specified in state law.

Passed and approved this 6th day March 2023.

Roger L. Michels, Mayor

ATTEST:

Abbey J. Skrivseth, City Administrator/Clerk

APPROVE SPECIAL EVENT APPLICATION-RIVER RIDGE BREWING RIVER RIDGE CHALLENGE ON SATURDAY, MAY 13, 2023

Roth moved with a second by to Scheckel to approve the application. Motion carried unanimously.

ACCEPT RESIGNATION OF ABBEY SKRIVSETH AS CITY ADMINISTRATOR/CLERK/ TREASURER EFFECTIVE 06/30/2023

Brief discussion was had over Skrivseth's resignation.

Kueter moved with a second by Roth to approve the resignation of Skrivseth effective June 30, 2023. Motion carried unanimously.

Mayor Michels thanked Skrivseth for all her work and efforts with the City.

ADVERTISING CITY ADMINISTRATOR/CLERK/TREASURER POSITION AND HIRING COMMITTEE

Skrivseth recommended advertising as soon as possible for her replacement in order to allow her as much time as possible to train and update her replacement. The Council agreed to hire for one position for the combined City Administrator, City Clerk and Treasurer role. Mayor Michels pointed out the City saved a lot of money when Skrivseth combined the City Administrator role with her original City Clerk/Treasurer.

Skrivseth recommended a hiring committee made up of the Mayor, one or two Councilmembers, Utility Board Member, Assistant City Clerk Emily Medinger, a department head and herself. Mayor Michels indicated he would like Tom Roth to represent the City Council given his personal experience as a City Administrator; Michels agreed with Skrivseth's committee recommendation. Tim Roth said he thought the recommendation for the committee sounded okay but that both utility and public works superintendents should be included but he felt that a five-person hiring committee was enough people. Kueter felt strongly that Medinger and department heads should not be on the interview for their boss/supervisor, he felt it would just not be right to interview their future boss. Skrivseth disagreed and felt Medinger should definitely be on the interview. The Clerk's Office is a small office, personality in a new hire is very important and Medinger's opinion on the new hire should be considered since she will work closely with the new hire.

The Council agreed to advertise locally in the Herald-Leader, Facebook and local access and also through the Iowa League of Cities. The Council did not feel that it was necessary to advertise in

the Dubuque Telegraph Herald and suggested the Des Moines Register be used first, if needed. The candidate would begin as soon as possible.

Discussion was had on the pay scale, Skrivseth indicated that the 90% through 100% of her salary was used. Roth indicated he felt that the 90% should be used as this is the standard practice for new hires. Skrivseth felt that a qualified candidate might not take the position on the lower end and, unfortunately, today's hiring process is more of an employee market. Roth said if the candidate does not accept at 90%, then the next candidate in line would get the job offer; Kueter was in agreement. Skrivseth said that salary can be negotiated and discussed further when the time comes.

Scheckel asked if the hiring committee makes the final decision or if the Council does. Roth clarified that usually any committee and all past hiring committees review applicants, decide who will be interviewed, interview the candidates and then makes a recommendation to the council on whom they feel is the best candidate; the Council makes the final decision. It was discussed that the Council could see all of the resumes to be aware of the candidates.

Kueter moved with a second by Scheckel to approve the advertisement for the City Administrator, Clerk and Treasurer position. Roll call vote carried unanimously.

INTRODUCTION, CONSIDERATION AND APPROVAL OF THE FIRST READING OF ORDINANCE NO. 477 AMENDING TITLE III COMMUNITY PROTECTION CHAPTER 3 TRAFFIC CODE SECTION 3-3-19 PARKING REGULATIONS 4. NO PARKING OR RESTRICTED PARKING ZONES AND 13. PERSONS WITH DISABILITIES PARKING; 3-3-24 PLACEMENT OF STOP SIGNS; AND 3-3-26 PLACEMENT OF PEDESTRIAN CROSSING SIGNS

Roth moved with a second by Kueter to table the first reading of Ordinance No. 477 until a full council is present. Motion carried unanimously.

UPCOMING MEETING DATES

The Council will meet next in regular sessions at 6:30 pm on March 22 and April 3 and 19.

RECEIPTS AND DISBURSEMENTS

The following amounts were received or expended in the month of February

FUNDS	RECEIPTS	DISBURSED
GENERAL:		
Basic General Fund	61,004.20	127,215.93
Franchise-Prop Tx	7,277.68	
Franchise Streets	7,277.67	
Lib Gift Fund	20.50	
L.O.T. Prop Tax Red	31,288.27	64,064.97
SPECIAL REVENUE:		
L.O.T. Street Dept	14,557.05	
Amer Res Plan Act		573.24

Employee Benefit	1,069.16	
Road Use Tax	27,018.69	20,356.78
TIF Fund	51.30	
Debt Service	4,907.96	
CAPITAL PROJECTS:		
PROPRIETARY		
FUNDS:		
Ambulance	23,540.71	4,863.59
Telecommunication	129,509.54	106,533.72
Sanitation	39,202.70	26,806.48
Water	36,300.62	21,593.54
Electric	240,923.80	204,576.81
Electric Cap Fund	1,861.11	
Customer Deposit	243.00	490.00
Storm Water Fund	6,036.62	326.41
Sewer	37,755.46	31,064.66
Sewer Cap. Improvement	5,802.65	
TOTALS	675,648.69	608,466.13

PREVIOUSLY PAID BILLS AND CLAIMS

The majority of the following Bills and Claims were paid as approved due to the weather that resulted in the cancellation of February 22, 2023 regular session:

Business	Memo	Amount
Bellevue State Bank	Rural Agency Fire Truck Loan Prepmt	33937.50
IPERS	Retirement	16173.77
IRS	SS/Fed WH/Medicare	10861.47
Treas State of IA	State W/H	3240.29
Access Systems	Intact License Renewal 2023	1440.40
Black Hills Energy	City Gas Purch	4337.91
Card Service Center	City Purch	926.39
Heming Pest Control	Comm Center Mo Pest Control	52.00
Medical Assoc Health	City Health Ins	33151.94
Racom Corporation	Amb Radio Exp	599.20
Sun Life Financial	City Life Ins	184.08
Treas State of IA	Jan Sales Tax	4586.80
IRS	SS/Fed WH/Medicare	11013.81
Verizon Wireless	City Phone Exp	475.50
A&P Graphics & Sign	Bike Rental Signs/Golf Cart Permits	381.00

Access Systems	Copier Exp	49.48
All Season's Trucking	Roadway Salt	660.43
American Funds	Payroll W/H	900.00
Bellevue Area Chamber	2023 Chamber Member Dues	500.00
Bellevue Lumber	City Purch	430.86
Bellevue Municipal Utilities	City Util Exp	5456.81
Bellevue Sand & Gravel	Roadway Salt	113.46
Bellevue State Bank	Mo Cable Pmt	13000.00
Benders Foods	City Supplies	10.80
Big Ten Network	Jan Prog Charges	1371.26
Bob's Marina	FD Equip Maint	17.49
Bormann's Neighborhood Pitstop	City Fuel Exp	897.41
C&D Car Wash	City Fuel Exp	547.06
Card Service Center	FD Purch	2951.58
Card Service Center	FD Purch	1568.45
Carousel Corner/Flower Lane Florist	Richard Symonds Memorial	55.00
Carrico Aquatic Resources	Pool Chemicals	5964.75
Casey's General Store	City Fuel Exp	769.71
Cedar Falls Util	Jan Transport & Rental Fee	1192.78
Chris' Carpentry Services	FD Basement Repair	450.00
Chris Smith	FD Bldg Maint Reimb	17.27
Cintas	City Supp	62.48
City of Bellevue	LOT Funds to DS	4729.25
City of Bellevue	Office Trsf	10644.50
Clark Equipment Co	PW Skid Loader	59004.72
Consortia Consulting	FCC Broadband Data Collection	300.00
Dennis Gerardy	City Hall Window Cleaning	60.00
Dennis Schroeder	Training Reimb	9.62
Dinges Fire	FD Boots	2144.16
Dittmer Recycling	Jan Recycling Tipping Fees	943.50
Dubuque Net Serv	Ongoing Support	9554.49
Dubuque Net Serv	Mo Office 365 Maint	1055.94
Emergency Medical Products	City Oper Supp	318.70
Feld Fire	FD Equip Maint	24.00
Fidelity Bank & Trust	Mo Cable Pmt	13000.00
Galls Inc	Police Clothing Allow	611.60
Innovative Systems	Mo Maint/Stmt	8074.35
IPERS	Retirement	16356.82
IRS	SS/Fed WH/Medicare	11041.91
ISPN Internet Service	Internet & Video Support	2332.50
J.J. Scheckel	Salt Truck Maint	353.28

Kieffer Plumbing & Heating	City Bldg Maint	91.03
Klocke's Emergency Vehicles	Amb Vehicle Maint	66.95
Kone Inc	Elevator Annual Hydraulic Test	560.00
Kueter True Value	City Supplies	360.67
Lynch Dallas	City Legal Exp	980.00
Marquee Sports Network	Jan Prog Charges	2631.44
Medical Assoc Clinic	FD B. Margeson Physical	305.00
Mike Finnin Motors	Amb Vehicle Maint	368.90
National Content & Technology Coop	Jan Prog Chrg	37870.29
NBC Sports Chicago	Jan Prog Charges	2256.76
Nexstar Broadcasting	Jan Prog Charges	3758.22
Office Depot	City Oper Supp	66.56
Origin Design	Water & WW Extension Prj	1258.75
PCC Inc	Dec Amb Billing	1131.80
Petty Cash	City Reimb	55.06
River Valley Energy	City Fuel Exp	2663.52
Roeder Bros	City Supp	465.88
Scripps Media	Jan Prog Charges	90.40
Showtime Network	Jan Prog Charges	112.08
Storey Kenworthy/Matt Parrott	City Receipt Books/Vouchers	632.24
Superior Welding	Amb Oper Supp	45.23
The Herald Leader	City Publication	192.51
Tills Garage	City Equip Maint	234.83
Treas State of IA	State W/H	3295.19
Tri State Porta Potty	Muni Lot Rental	140.00
Trio Community Meals	Jan Congregate Meals	296.00
Truck Country	Sanit Equip Maint	2257.70
Washington National Ins Co	Cancer & Accident Ins	695.40
Waste Auth of Jack Co	Jan Tipping Fees	5347.05
Weldon Tire Inc	Sanit Equip Maint	1288.06
WIN, LLC	Internet & Video Support	11000.00
Windstream	City Phone Exp	730.19
Zarnoth Brush Works	Street Sweeper Maint	388.55

ADJOURNMENT

As there were no other matters on the agenda for discussion, Mayor Roger Michels adjourned the meeting at 7:47 P.M.

City Administrator/Clerk

Mayor