

CITY OF CARLISLE REGULAR CITY COUNCIL MEETING MINUTES

Monday, April 13th, 2020; 6:30 P.M

Carlisle City Hall Council Chamber, 195 N. 1st St.

Council met via open Zoom conference call due to the Governor's State of Public Health Disaster limiting groups of 10 or more from meeting until March 31st, 2020.

Elected Officials present were Mayor Drew Merrifield, Ruth Randleman, Eric Goodhue, Doug Hammerand, Dan McCulloch and Rob Van Ryswyk constituting a quorum. Also present via conference call were Police Chief Matt Koch, Parks and Recreation Superintendent Ronda Frost, Public Works Superintendent Lavern Thompson and City Attorney Robert Stuyvesant. City Clerk Martha Becker and City Admin. Deven Markley originated the meeting at City Hall. Mayor Merrifield called the meeting to order at 6:30 P.M.

PRESENTATIONS

None

CONSENT AGENDA & POSSIBLE ACTION

Motion by Randleman, seconded by McCulloch to APPROVE THE FOLLOWING CONSENT ITEMS with the exception of Approval of Warren County 28E for Fire/EMS Services which will be added to Old and New Business.

- Approve City Council Minutes for Regular Council Minutes March 23, 2020
- Receive and File Elected Official Reports
- Receive and File City Administrator's Report
- Receive and File Police Dept. Monthly Report
- Receive and File Parks & Rec Reports
- Approval of Liquor License Renewal for Carlisle Tavern VFW, 34 School Street, Carlisle, IA Class C Liquor License (LC) (Commercial), Sunday Sales and Outdoor Services Privileges
- Approval of Agricultural Water Rate for Vegetable Farm at Danamere Farms

Motion carried unanimously on a roll call vote.

APPROVAL OF BILLS PAYABLE, CHANGE ORDERS AND PAY REQUESTS

Motion by Goodhue, second by Hammerand to approve bills in the amount of \$54,175.03.

Motion carried unanimously on a roll call vote.

Motion by Goodhue, seconded by Van Ryswyk to approve Preauthorized Disbursements from February 8-March 8, 2020 in the amount of \$255,705.55. Motion carried unanimously on a roll call vote.

CITIZEN PARTICIPATION

None

OLD AND NEW BUSINESS & POSSIBLE ACTION

Markley explained to Council that the owner of 1125 Juniper Drive would like Council to consider a tax abatement for finishing work that was done to a basement at the property. The property was built in 2016 and the tax abatement application through Hubbell properties was approved in May of 2017. The basement was finished in October of 2017 and the current property owner closed on the home in December 2017. Markley continued to explain that there was no record of a tax abatement application submitted for the basement. Markley noted that moving forward with the application would go against the Urban Revitalization Plan as the application is past the deadline date for submission. Sheri Cattell, owner of 1125 Juniper Drive was present via open Zoom conference call and also reviewed the time line of the process and explained that she contacted City Hall and was told that the home already had the abatement so no further action was necessary. There was continued discussion between Council and Cattell. Motion by Goodhue, seconded by Randleman to approve a tax abatement application for the basement finish at 1125 Juniper Drive. Motion carried unanimously on a roll call vote.

Matt Thomas, Thomas Land Survey, 6230 90th Avenue, Indianola, IA, was present via open Zoom conference call. He explained to Council that the owner of 4807 160th Avenue would like to parcel off 3 lots to provide 3 buildable lots. It was noted that the property is within the 2-mile jurisdiction review and that Planning and Zoning unanimously recommended approval of the plat of survey. Motion by Randleman, seconded by Van Ryswyk to approve 4807 160th Avenue Plat of Survey. Motion carried unanimously on a roll call vote.

Markley explained to Council that the Oak Park Plats of Survey are located on the southeast corner of N 1st Street and Columbia Street. A house sat on the lot and was used for fire training last year and is no longer there. Mike Kinter, owner of the lots was present at the meeting via open Zoom conference call to answer any questions Council might have. The plat of survey would parcel the larger lot into 5 parcels:

Lot 13: an original lot to the addition – resizes to make buildable.

- Parcel A: corner lot on N. 1st & Columbia – buildable
- Parcel B: lot on Columbia - buildable
- Parcel C: small lot on N. 1st – would likely be sold with Lot A
- Parcel D: small lot on N. 1st – would likely be sold with Lot 13

The goal of the split is to create 3 buildable lots. The Planning and Zoning Committee recommended approval of all 4 Plats of Survey.

Motion by McCulloch, Seconded by Randleman to approve Plat of Survey for Parcel A of Lots 11 and 12 in Oak Park Addition. Motion carried unanimously on a roll call vote.

Motion by Randleman, Seconded by McCulloch to approve Plat of Survey for Parcel B of Lots 11 and 12 in Oak Park Addition. Motion carried unanimously on a roll call vote.

Motion by Randleman, Seconded by McCulloch to approve Plat of Survey for Parcel C of Vacated Right-of-way in Oak Park Addition. Motion carried unanimously on a roll call vote.

Motion by Randleman, seconded by Goodhue to approve Plat of Survey for Parcel D of Vacated Right-of-way in Oak Park Addition. Motion carried unanimously on a roll call vote.

Markley explained that the Plat of Survey for 3605 SE 76th Street, Runnells, Polk County, Iowa falls within the 2-mile review jurisdiction. The owners are planning to sell the lot to a neighbor but there are no plans to build on the property. The Planning and Zoning Committee unanimously recommended approval of the plat of survey. Motion by Hammerand, seconded by Van Ryswyk to approve Plat of Survey for 3605 SE 76th Street, Runnells, Polk County, Iowa. Motion carried unanimously on a roll call vote.

Mayor Merrifield opened the public hearing for Rezoning Outlot 'Z' of Scotch Ridge Business Park Plat 1 from C-2 Commercial District to M-1 Light Industrial District at 6:58 pm. There were no written or oral comments made to city hall

Markley explained to Council that the request to change the zoning from C-2 Commercial to M-1 Industrial is for property located north of Norgaard Circle for the purpose of a proposed site for Quality Traffic Control. Markley also explained that a conceptual site plan was included in the packet. Markley noted that there was a recommendation from the Planning and Zoning Committee with a 5 aye/2 nay vote. Questions regarding site layout, potential traffic, and general use of the outdoor storage were brought up in the Planning and Zoning meeting.

Catherine Thorson, Brown-Winick Law, 666 E Grand Ave. #2000, Des Moines, IA, attorney for Park Holdings, Scott Hill, 232 Leach Ave, Des Moines, IA representative for Norgaard Trust Property in Carlisle, IA, David Bentz, Bishop Engineering, 3501 104th St. Urbandale, IA, and Mike Anthony, The Opus Group, 1860 NW 118th Street, Suite 250, Clive, IA, were present at the meeting via open Zoom conference call. Thorson stated that Todd Isley, Park Holdings did not receive notice of the Planning and Zoning meeting and that is why he was not present at that meeting. Secondly, Thorson explained that Isley is not opposed to re-zoning but he is concerned about rezoning and has concerns about the future use of the property if rezoned to M1-Industrial. Thorson continued discussion regarding the use of land for surrounding properties and that commercial is the direction for that area. Thorson also noted that she spoke with Scott Hall, attorney for Scott Hill, Norgard Trust Property and he gave her permission to state that the Hills were opposed to the rezoning. There was discussion between Council and staff on the property owner not receiving notice. Staff stated they did send out notice and published notice in the paper. Scott Hill, Norgard Trust Property stated they did not receive notice.

Stuyvesant explained that since this is the property owners first opportunity to give input on the subject, that Council should allow comments tonight, not take action on the ordinance tonight and not close the public hearing until the next Council meeting to allow property owners time to prepare for the next meeting. Scott Hill expressed concerns that his legal Council has not had time to prepare for the meeting and was not able to attend tonight's meeting. David Bentz, Bishop Engineering, went over the plans and layout of the proposed property for Quality Traffic Control. He noted that the building is 38,000 square feet and has office and retail space with a wash bay at the north end. He also noted it was his understanding that the storage was for vehicles and for jersey barriers. Council member Hammerand pointed out that a parcel near the proposed site was zoned M1 and asked if that was an option for Quality Traffic Controls site. Bentz explained that the main reason for not using that parcel was that the road and utilities did not extend to that parcel and that it was zoned MM1-Modified Light Industrial.

Thorson asked for more information regarding the retail space and Mike Anthony, The Opus Group noted that there wasn't a lot of detail regarding the retail but would be available for potential third-party users. Anthony reviewed other aspects of the conceptual site plan and noted there will be modifications pending the approval of the zoning. Thorson also asked about future development of infrastructure to the road to the north and Bentz explained that there would be public plan of profile for possible extension of the road and utilities. Thorson questioned if it would include a gas line and Bentz noted that would be a question for Mid-American Energy. Anthony clarified that Quality Traffic Control would need natural gas.

Councilmember Randleman noted that she spoke with IDOT and it sounded doubtful that the project will qualify for a RISE Grant. Randleman also noted that she had a conference with the Carlisle Chamber Director, the traffic advisor with McClure engineering and WCEDC director. Randleman is the liaison for WCEDC and wanted Council to know what she met and spoke with her. Randleman explained that all three parties felt that the project would be a proper fit for the area described. Motion by Randleman, seconded by Goodhue to continue to the public hearing until the next scheduled Council meeting. Motion carried unanimously on a roll call vote.

Motion by Goodhue, Seconded by Van Ryswyk to table Discussion and Possible Action on Ordinance Rezoning Outlot 'Z' of Scotch Ridge Business Park Plat 1 from C-2 Commercial District to M-1 Light Industrial District until April 23rd, 2020. Motion carried unanimously on a roll call vote.

Motion by Goodhue, Seconded by Van Ryswyk to table Discussion and Possible Action on Recommendation for Amending Land Use Plan for Outlot 'Z' of Scotch Ridge Business Park Plat 1 from C-2 Commercial District to M-1 Light Industrial District. Motion carried unanimously on a roll call vote.

Markley reviewed the annual prairie burn at Danamere Farms with Council. The purpose of the burn is to promote new growth and control invasive cool-season species. Nolan Benzing, Landscape Designer and Conservation Communities Specialist for Hubbell Benzing was present via open Zoom conference. Markley noted two restrictions that were recommend by Chief Glover that they cannot burn on a windy day or burn if there is a burn ban in place. Motion by Hammerand, seconded by Randleman to approve the prairie burn at Danamere Farms with restrictions. Motion carried unanimously on a roll call vote.

Markely explained that Joiner Construction, Parcel #00019-005-000 has removed a large amount of trees on a property they own near the corner of Avon Drive and SE 60th Street. The property is within city limits so open burning is not allowed except by Council approval. Markley also noted that although they would be able to utilize the yard waste facility there is a significant amount of debris there which would add to the large amount currently at the yard waste facility. Chief Glover stated he had no issue but they cannot burn on a windy day or burn if there is a burn ban in place. Motion by Goodhue, seconded by Van Ryswyk to approve burning of brush and that the wind must be out of the west or north to avoid smoke going into Avon. Motion carried unanimously on a roll call vote.

Markley explained that staff previously approved an adjustment to Precision Interiors utility account due to an incorrect reading in accordance with internal policies. Precision Interior is requesting that the adjustment be paid out in a lump sum rather than be applied to the utility account. Motion by Goodhue, seconded by McCulloch to approve utility reimbursement request. Motion carried unanimously on a roll call vote.

Motion by Goodhue, seconded by McCulloch to Pay Off the City Hall Copier Lease. Motion carried unanimously on a roll call vote.

Motion by Randleman, seconded by Van Ryswyk to approve CivicPlus Mass Notification System for the Police Department. Motion carried unanimously on a roll call vote.

Markley explained to Council that funds for the computers would come out of budgeted LOSST funds. Motion by Van Ryswyk, seconded by Randleman to approve purchase of computers for Police Department. Motion carried unanimously on a roll call vote.

Mayor Merrifield opened the public hearing for ORDINANCE AMENDING THE CODE OF ORDINANCES IN THE CITY OF CARLISLE, IOWA BY AMENDING PROVISIONS PERTAINING TO PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS at 7:47 pm. There were no written or oral comments made to city hall. There was no public comment. Motion by Goodhue, seconded by Hammerand to close the public hearing at 7:49 pm. Motion carried unanimously on a roll call vote.

Motion by Goodhue, seconded by Randleman to approve ORDINANCE AMENDING THE CODE OF ORDINANCES IN THE CITY OF CARLISLE, IOWA BY AMENDING PROVISIONS PERTAINING TO PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS and waive the second and third readings. Motion carried unanimously on a roll call vote.

Markley requested that Council allow an extension to the Mayor's Emergency Proclamation and COVID-19 Response. The current proclamation ends on the 20th of April. Markley explained the extended proclamation would mirror the current proclamation with small changes to expiration wording. There was discussion regarding wording in the proclamation on which governing body takes action to extend the proclamation. Markley noted that he spoke with Norwalk City Administrator, Luke Nelson and their proclamation mirrors Carlisle's. They are giving the Mayor the leniency to extend the proclamation. Motion by Randleman, seconded by Van Ryswyk to approve extending Mayor's Emergency Proclamation and COVID-19 Response not to exceed 30 days. Motion carried unanimously on a roll call vote.

Markley reviewed the 28E agreement with Council and explained that the resolution included townships and towns in Warren County. Motion by Goodhue, seconded by Randleman to Approval Resolution 2020041302, A Resolution for Warren County 28E Agreement for Fire/EMS Services. Motion carried unanimously on a roll call vote.

CITY ADMINISTRATOR REPORT

Markley notified Council that the bridge by north park was struck by a vehicle and substantial damage was done to the bridge. He also noted that the bridge is not covered under city insurance. The estimated cost of the repair is roughly \$37,000. The goal is to proceed with pursuing payment through the driver’s insurance company.

Markley asked for permission to close city hall for one hour on Thursday to staff can attend a meeting for the city hall building project.

MAYOR AND COUNCIL REPORTS

Randleman noted an addendum to her submitted report and added that the MPO reports traffic is down 40%.

CITY ATTORNEY REPORT

Stuyvesant explained that because of the supreme courts new rules, the court date for Scotch Ridge LLC will be moved to November 19th 2020.

UPCOMING MEETINGS AND EVENTS

INFORMATION

Street Sweeping – Week of April 13

Economic Development Bus Tour – Rescheduled to Sept. 30, 2020

Motion by Goodhue, seconded by McCulloch to Adjourn at 8:30 p.m. Motion carried unanimously on a roll call vote.

Drew Merrifield, Mayor

Martha Becker, City Clerk

NOTE: Minutes are unofficial until approved by Council-final approval may include corrections as necessary