PLANNING BOARD MEETING City Hall - 950 Locust St., Carter Lake, Iowa October 9, 2017 7:00 P.M.

Regular Planning Board Meeting

Roll Call

Approval of the Agenda

- 1. Consent Agenda
 - a. No Planning Board Minutes to approve (July meeting became workshop)
 - b. Review City Council Minutes for June, July, August
 - c. Review Issued Building Permit Listing June-September 2017
- 2. New Business
 - a. Creighton University Fence Permit Application
 - b. Concerns about sidewalks on 9th Street
- 3. Old Business
 - a. Sign Ordinance
 - b. Comprehensive Plan
- 4. Comments

Adjourn

10/06/17

jms

City of Carter Lake Inspector

| From: Sent: To: Cc: Subject: Attachments: | Brace, Steve C [STEVENBRACE@creighton.edu] Wednesday, October 04, 2017 4:04 PM Jackie Stender; City of Carter Lake Inspector; 'aitotermhm@aol.com' 'edward.palandri@gmail.com'; Chipps, Daniel E; Burgers, Mark A; 'Rod Pearson' Fence Permit Application Carter Lake Fence Permit Application.pdf; Rowing Property Map.pdf; Fencing Plan.pdf; Creighton Univ - Fence Cut Sheet.pdf; S & W Fence Quote.pdf |
|--|--|
| Importance: | High |

Ms. Stender, Mr. Sheard, and Mr. Podraza:

Thank you for speaking with me today about our application for a Commercial Building Permit to install a black vinyl clad chain link fence around the former Buddy's Marina. As you know, Creighton University has purchased this property in order to provide a launching facility for our Women's Rowing Team. I like to refer to it as "Creighton Point on Carter Lake". We hope that what has been done has been met with approval by you at City Hall and by those who have interest in the property and what will occur at the facility. We have been in contact with Mr. Curtis, the immediate neighbor to the north and east of this facility, Mr. and Mrs. Ed Palandri, Mr. Curtis' neighbor to the east, and Mr. John Batt, President of the neighborhood association to the west, informing them of our plans.

It is our intent to be an outstanding neighbor and a positive member of the Carter Lake Community. As such, we plan to make gradual improvements to this facility over time, beginning with the clean-up, grading, seeding, and fencing of this facility. I deeply apologize for not seeking a permit for the grading of this facility, and take full responsibility for not doing so prior to the work commencing. Since this is the first facility that we have purchased away from campus, I was unaware of that need, but will communicate with you at City Hall on all future improvements prior to their commencement for your approval. We are hopeful that what he have done, and what we intend to do in the future will beautify the area and have a positive effect on all interested parties, and that the City of Carter Lake will be pleased with our presence there. If at any time any of you have questions or concerns related to the facility or our use of it, please contact me at 402-660-5816.

At your earliest convenience, please let me know whether we have been placed on the Planning Board's Agenda for their meeting Monday night at 7 pm at Carter Lake City Hall. If there is any additional information needed to complete our application, please let me know that as well. You may contact me at my office at 402-280-2484, or at my cell phone number above. Thank you for your time and consideration on this matter, and I look forward to seeing you at the meeting on Monday.

Sincerely,

Steve Brace

Romans 6:23

Steven C. Brace, MS, ATC Associate Athletics Director, Internal Operations Creighton University 2500 California Plaza Omaha, NE 68178 (402) 280-2484 <u>scbrace(a creighton.edu</u> <u>www.gocreighton.com</u>



Commercial • Residential • Ornamental Iron •Vinyl • Wood 15803 Pacific St. • Omaha, NE 68118 (402) 333-5722 • Fax (402) 333-5782 ESTIMATE AND PROPOSAL FOR FENCING INSTALLATION Final Revision

September 26, 2017

Creighton University 723 North 18th Street Omaha, NE 68178

Attn: Drew Potrzeba / Steve Brace

Phone: 402-510-2017 Email: drewpotrzeba@creighton.edu

Job: Carter Lake Marina Rowing Team Boat Storage - Bk Chain Link & Neighbors Slats

Remove 96' of existing 72" tall wood fence on the North side by the neighbor's garage. Furnish and install 716' of 72" tall black vinyl coated chain link fence with top rail, bottom tension wire, one (1) 6' single swing gate by neighbors garage, one (1) 20' double swing gate on the East side and one (1) 24' cantilever entrance gate at the South. Install 96' of black vinyl PDS privacy slats on the neighbor's fence only. One (1) concrete saw cut next to the garage and one (1) next to the large shed by the entrance are included.

Material & Labor \$22,912.00 Tax Not Included

Exclusions *Permit by owner if needed. *Sales tax is not included. *No concrete or asphalt saw cuts, core holes, sleeves or block outs not mentioned above. *Removal of chain link fence is not included. *2% bonds rate is not included. *Insurance \$100.00 wavier of subrogation is not included.

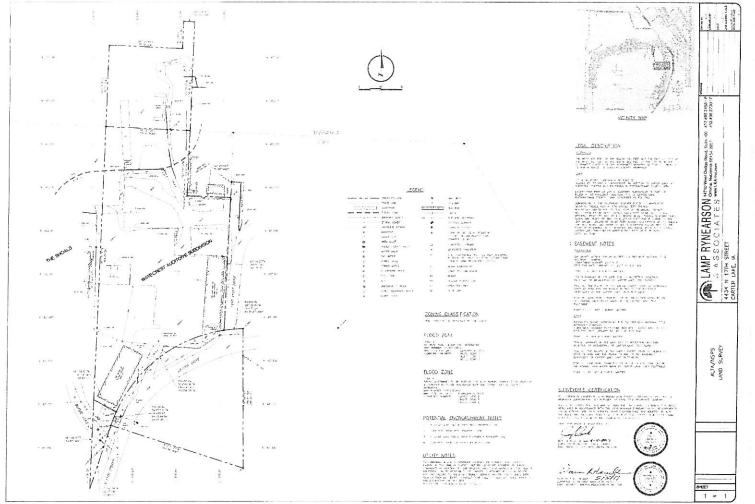
*This price quote is valid for thirty (30) days. *Balance due upon completion of project.

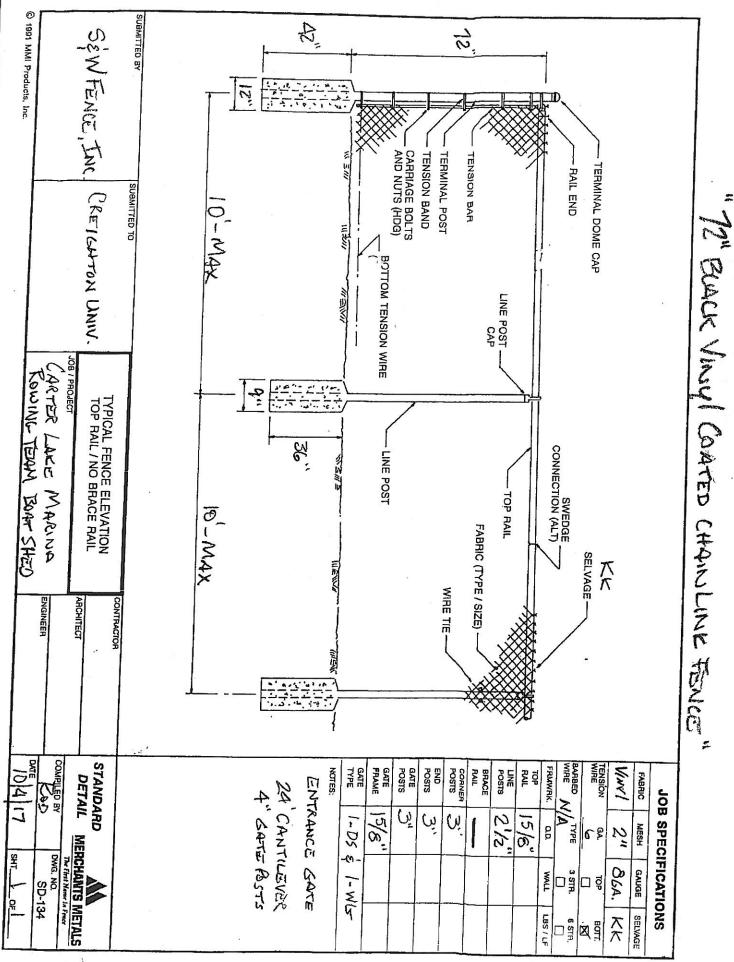
Monthly Progress Payments Net 10 Days of Invoice Date.

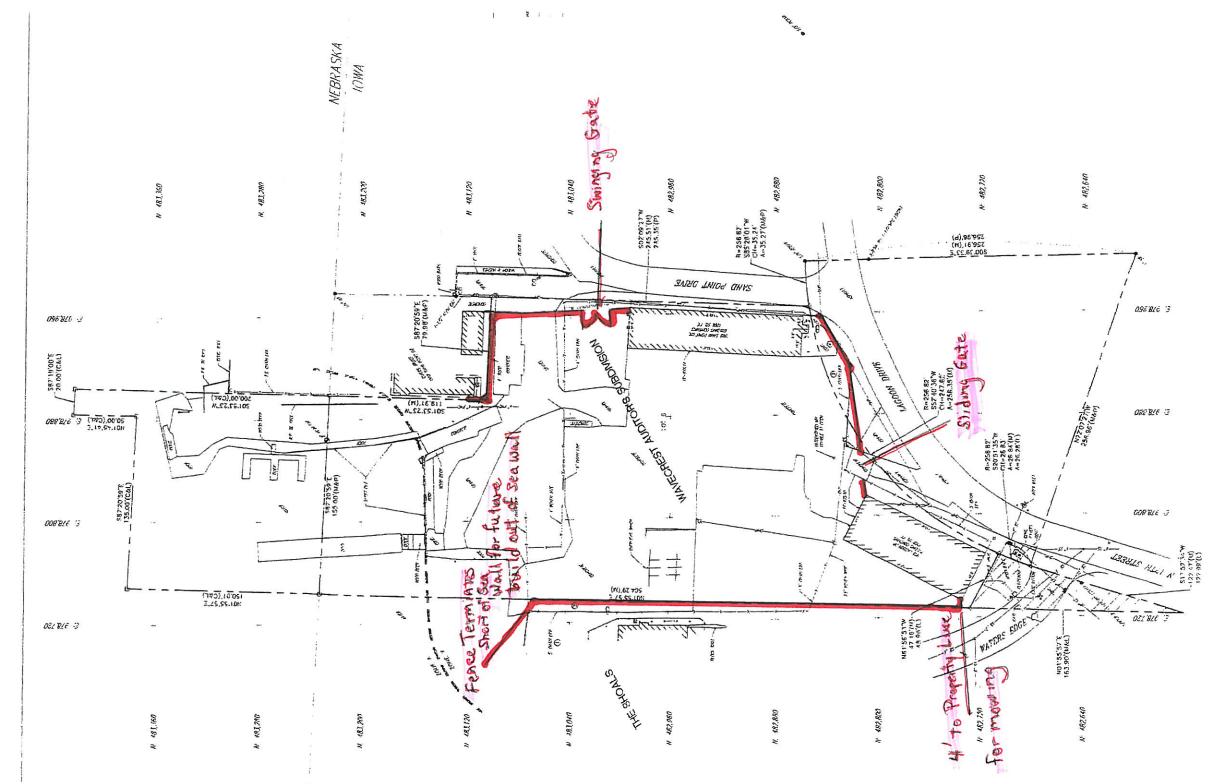
TERMS: Entire balance of payment due on completion of job unless prior arrangement is made in writing above. Balances unpaid after 15 days from date of statement will incur a service charge of $1\frac{1}{2}$ % per month (18% per annum). All material is guaranteed to be as specified in the original bid unless otherwise modified by the customer and S & W Fence, Inc. All modification shall be in writing and shall be affixed to the original bid. All work to be completed in a workmanlike manner according to standard practices. Customer hereby assumes full responsibility for damage to any unmarked underground utility, telephone, T.V. cable or sprinkler systems. This agreement and any subsequent modification shall be contingent upon strikes, accidents, or delays beyond the control of S & W Fence, Inc. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workman's compensation insurance. Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

| Authorized Signature | Rod Pearson | | Date | 9/26/17 |
|-----------------------|----------------------------------|-----------|------|---------|
| Customer Signature | Proven) C Parece | \langle | Date | -7-17 |
| To outherize work hle | use sign and fax to S & W Fence. | | | |







City of Carter Lake Regular City Council Meeting Monday, June 19, 2017

The Pledge of Allegiance Mayor Waltrip called the meeting to order at 7:00 p.m.

Roll Call: Present: Council members: Barb Melonis, Pat Paterson, Jason Gunderson, Ron Cumberledge, Absent: Frank Corcoran Also present City Clerk, Jackie Stender and City Attorney Michael O'Bradovich

Approval of the Agenda – Moved by Melonis, seconded by Paterson; Ayes: Unanimous.

Approval of the Consent Agenda items as follows: May 15 minutes, May financial reports, claims, overtime reports and department reports from fire/ems, senior center, library and police department moved by Melonis, seconded Paterson; Ayes: Unanimous.

New Business:

Open bids for Towing Contract. Cumberledge moved to award bid to Arrow Towing with effective date of August 1, 2017, seconded by Paterson; Ayes: Unanimous. Melonis moved to approve liquor license for JumpStart, seconded by Paterson; Ayes: Unanimous. Melonis motioned to approve tobacco permits for Casey's General Store, Kwik Shop, Dollar General, and Spearmint Rhino Gentleman's Club, seconded by Gundersen; Ayes: Unanimous. Paterson moved to approve Solid Waste Collector Permits from Fitch Inc., A-1 Containers; A-Quik Dump; Abe's Trash Service Inc., Papillion Sanitation, Affordable Container, seconded by Melonis; Ayes: Unanimous. Motion to approve lease with Connections Area Agency on Aging is tables, board would like to know if the food has improved before approving.

Communication from the Police Department: Sergeant Driscoll was present to introduce K-9 Officer Delta and his handler Officer Owens. Officer answered questions from the audience and council; Carter Lake Fire Department representatives presented a \$1,000 donation to assist with the food and care for Delta; Sergeant Driscoll updated the council concerning the U.S.A. Triathlon that will be holding events in Carter Lake August 12-13; requesting permission to close the parks from 5 A.M.-2 P.M. both days; Carter Lake EMS, Fire and Police officers will be on hand for patrol and response for rescue or medical assistance as needed. Council agreed to the request. June 26-29 Officers from the area will be taking SIMS training in and around the elementary school. The training is provided at no cost to all officers.

Communications from the Public:

The following residents made request to close streets for 4th of July celebrations: Ron Bothwell Jr. close Ave K from 13th east to the dead end; Melonis moved, Paterson seconded; James Banks close 11th from Cachelin to P St.; Melonis moved; Gundersen seconded; Risa Putnam close Janbrook from 13th-14th St.; Paterson moved, Melonis seconded. All request were unanimously approved. Sandy Coburn Wood Ave from 7th-9th Melonis moved; Paterson seconded.

Earl Bowser wanted to know why it was necessary to have a special council meeting one week before the regular meeting. There is no way for the public to receive notification when a special meeting is scheduled at the last minute. Request that an email be sent to residents because they don't have time to stop at the library to see if there is a meeting going on. Also would like an update for parking on Redick; Jerry said idea fell apart because there is not enough time to get project completed.

Bill Dahlheimer, questioned if city attorney was at the special meeting? Mike stated he was not invited. Handed out overhead color photos of the shoreline erosion. Pointed out that he provided these photos months ago and nothing has been done to correct the erosion. Offered suggestions utilizing broken concrete; Bill submitted resignation from storm water committee because in 2 years had not been invited to a meeting. Melonis stated it would be appropriate for the Mayor to follow up and find out if the committee is meeting;

Communication from Mayor Waltrip: Lone Mountain Trucking request to complete parking lot expansion. Requesting variance to have 16 setback instead of 20 foot; request 20 foot aisle instead of 27 foot as required; request no landscaping; and no lighting plan was provided. Planning Board did not move on the request due to lack of quorum the last week. Attorney said there is probably no issue with the aisle or lighting but the setback issue probably needs to be addressed by Board of Adjustment; Believe the board can agree to the size of the aisle and landscaping they don't need BOA; Lighting plan needs to be provided to Planning; Cumberledge clarified, the council can approve aisle length and landscaping; but the setback goes to the Board of Adjustment; Engineer said they created the parking lot 16 feet off the lot line to match concrete that what already in place and no one said anything and stalls were 18x9. Attorney said the council could make motion to approve plans as present. Cumberledge motioned to approve plans as presented to match the existing parking lot, Melonis seconded. Ayes: Unanimous. Light plans will need to be taken to the Planning Board.

Mayor stated that at the special meeting nothing was accomplished; and would like council to recognize the Mayor as the direct supervisor of the employees per state code; Mayor request the council to hire Lem Sheard as the residential building inspector; Melonis motioned to hire Lem Sheard on a one year term with a review in 6 months. If Lem or his company area doing any contract work, that another individual be the reviewer and inspector of the job, seconded by Cumberledge. Earl Bowser asked if a copy of the engineering degree before he is hired so the board can be aware. Ayes: Melonis, Gundersen and Cumberledge Neys: Paterson

Communications from Councilman Paterson:

Water Analyst position is now open with Tim Parker's resignation, Mayor, Where are we in hiring a water inspector? When does paperwork have to be to the state? DNR documents are due by 1st of July. Paterson motioned to hire Rex Schambaug for 6 months on contract and we authorize the City Attorney and City Clerk to work with Rex to possibly hire him as city employee at the end; The City Attorney and City Clerk to enter into contract with Rex for \$500 per month if that is still an acceptable price. Paterson

Some employees are not taking lunch breaks, there are studied that it is safer and more productive if lunch breaks are being taken by city employees. City Attorney: Breaks are not mandatory per the union contracts, it does however give the department head the right to schedule breaks for the employees and are your department heads accommodating without penalizing or punishing employees who request to take breaks? Clearly department heads are given the authority to set those schedules. If they want to take lunch, you have to make certain they are allowed to take lunch and they do so without negative consequences. What if employees are taking lunch but not punching out for it? That is the concern; or eating while driving from one place to another. Cumberledge: most employees worry about days off, lunch breaks and their vacations, I find it weird that they don't care about lunch break, we don't want other departments to start saying well I am not taking my lunch break so I am leaving an hour or ½ hour early. Mayor stated he would write a letter to department head and pass out to each department head. Cumberledge it should be a level playing field, you should not be able to take your lunch break while driving to next job when the next guy has to clock out to take lunch break. Melonis would like the Mayor to strongly encourage all department heads that all employees are encouraged to take lunch breaks.

How is the remodeling of the park bathrooms and security camera installation going? Maintenance Department was given the responsibility during the budget talks. The department has not had time to get to the project. Mayor will talk with Ron for update for the next council meeting.

At the last council meeting Pat was granted permission by the council to work with Chris to develop a plan for ropes and bouys at Wavecrest. Pat and Chris met and made decision after that meeting. Pat talked to Chris today Chris stated that the Mayor told him do not order them. Mayor disagrees "he stated we are not putting in bouys until I talk to the insurance company". Safety should be main concern, if we are insurable according to ICAP, then it would be silly to not rope off an area. It is an accident waiting to happen,. Gundersen motions to buy bouys, seconded by Paterson. Ayes: Unanimous. Melonis, Mr. Mayor we have to do something to discourage the combination of boaters and swimmers in swim area.

Concerning the Library construction project; How did that project get approved and moved to the front of the line. It would appear at a minimum the council should have been informed before spending city funds doing whatever was done. How did it get approved? Mayor, The Library board wanted the canopy removed, it was rusting and hornets nest were being built. The library board approved the expenditure and in the process the sidewalk from parking lot to the library was buckling. The City has funds in road use for these improvements and the maintenance department completed the work. Code clearly states that the City Council approves all improvements of buildings.

Communications from City Attorney regarding fireworks regulations. Council has right to limit the time frame of discharge of fireworks. Clerk provided copies of Sioux City, Attorney will come back to next meeting with a more information.

Clerk updated council on the Iowa DNR Application for Dock and Swimming Area; received request from Army Corp asking for more information by July 1st clerk will complete and send off. Clerk provided the rule book from the Iowa League of Cities that was adopted by council years ago. Clerk provided list of documents to be shredded over the next few months, Paterson motioned to approve shredding under the Iowa League of Cities rules, seconded by Melonis. Ayes: Unanimous.

Melonis motioned to approve Resolution to approve 2017-18 wage increases to be effective July 1, 2017, seconded by Paterson. Ayes: Unanimous.

Gundersen motioned to approve resolution to approve Urban Revitalization Tax Exemption for 3006 Nakoma Lane and 3008 Nakoma Lane, seconded by Paterson.

Adjourn at 9:40 p.m.

Jackie Stender City Clerk Gerald Waltrip Mayor City of Carter Lake Regular City Council Meeting Monday, July 17, 2017

The Pledge of Allegiance Mayor Waltrip called the meeting to order at 7:00 p.m.

Roll Call: Present: Council members: Barb Melonis, Jason Gunderson, Ron Cumberledge, Frank Corcoran; and via speaker phone, Pat Paterson. Also present City Clerk, Jackie Stender and City Attorney Michael O'Bradovich.

Approval of the Agenda – Moved by Cumberledge, seconded by Melonis; Ayes: Unanimous.

Melonis moved to approve the Consent Agenda items as follows: June Council minutes, July Planning Board Minutes; Yearend Financial reports tabled for the next meeting; June claims, overtime reports and department reports from fire/ems, senior center, library and police department moved by Melonis, seconded Gunderson; Ayes: Unanimous.

New Business:

Cumberledge moved to approve Cadet Makayla Wingate and Savanna Kuiper for Fire Department membership, seconded by Gunderson. Ayes: Unanimous.

Melonis moved to table approving Liquor Licenses for Shoreline Golf Course - Expires 8/29/17 and VFW Post 9661 - Expires 8/28/17 so follow up inspections can be completed, seconded by Corcoran. Roll Call: Yes-Melonis, Gunderson, Corcoran, Paterson No-Cumberledge.

Cumberledge moved to approve Cigarette Permit for Shoreline Golf Course - Expired 6/30/2017, seconded by Gunderson. Ayes: Unanimous.

Cumberledge moved to approve Lakeside Community average # of occupied lots for utility billing, seconded by Melonis; Ayes: Unanimous.

Melonis moved to approve Lease agreement with Connections Area Agency on Aging, seconded by Cumberledge; Ayes: Unanimous.

Communications from the Public:

Fitz Dalheimer voiced concerns regarding various matters to the council.

Joel Peters voiced concerns about getting control of the bad behavior at the City's parks; wants to see better enforcement and increased patrols;

Becky Kuhl representing the Improvement Club request Council permission to close 9^{th} Street to Q Street for Annual Street Dance on August 19^{th} from 2 p.m. – 2 a.m.; Request to borrow snow fence for the perimeter. Gunderson moved to approve, seconded by Corcoran; Ayes: Unanimous.

Communication from Mayor Waltrip: Richard Rohan was hired under the union contract effective July 1st to handle water testing and he is a certified Water Distribution Operator. Richard is willing to work with training employees to become certified. Mayor would like to appoint Jo Chullino to the Library Board and reappoint Viki Hawkins. Cumberledge moved to

approve appointments, Corcoran seconded by Ayes: Unanimous. After the last council meeting, the Mayor was uncomfortable with the way the wage resolution was prepared and wrote a letter to veto the resolution establishing wages for 2017-18 budget. Paterson motioned to override the Mayor's veto on the salary package that was agreed to during the budget process that the Mayor has known about for five months, Corcoran seconded the motion to move it into discussion. Mayor upset that all raises listed on one page, feels that each department should be handled separately. Clerk pointed out that this is the exact same resolution that was used last year. Mayor wants each department listed on separate resolutions in the future and he did not agree with some of the raises that were given to certain employees. Corcoran explained that the City Clerk salary was negotiated in the offer letter and established based on the thought that at the end of one year of employment she would have a salary that would have her making \$1.00 more than the current Deputy City Clerk. Roll Call: Paterson, Gunderson, Melonis, Cumberledge and Corcoran.

Communications from Ray Pauly representing the Planning Board City Attorney regarding fireworks regulations. Working on reviewing the comprehensive plan to get up to date. T-Mobile requested permission to increase height of tower, Planning Board gave a conditional approval, but cannot approve height, it would need to be forwarded to the Board of Adjustment or approved by City Council because it is in the residential area. City Attorney reviewed the lease options that have been proposed by lease holder American Tower. Tonight's concern is the council willing to allow for the tower extension, not required to send to the board of adjustments, and is this going to be subject to the new agreement for the lease terms. Cumberledge wants to find out what private property owners are receiving for rent payments; Gunderson motioned to approve height and pending finalizing negotiations on the lease increase, seconded by Corcoran. Ayes: Unanimous. Council will review offer letters at the next meeting. Special council meeting could be called if necessary.

Cumberledge motioned to set public hearing for August 21, 2017 to amend 2017-18 Budget, seconded Melonis; Ayes: Unanimous.

Adjourn at 9:45 p.m.

Jackie Stender City Clerk Gerald Waltrip Mayor City of Carter Lake Regular City Council Meeting Monday, August 17, 2017

The Pledge of Allegiance Mayor Waltrip called the meeting to order at 7:00 p.m.

Roll Call: Present: Council members: Barb Melonis, Jason Gunderson, Pat Paterson, Ron Cumberledge and Frank Corcoran; Also present City Clerk, Jackie Stender and City Attorney Michael O'Bradovich.

Approval of the Agenda – Moved by Cumberledge, seconded by Gundersen; Ayes: Unanimous.

Paterson moved to approve the Consent Agenda items as follows: July Council minutes, June Financial reports; July claims, overtime reports and department reports from Fire/EMS, Senior Center, Library and Police Department, seconded Corcoran; Ayes: Unanimous.

New Business:

Mayor opened public hearing for 2017-18 Budget Amendment, no written or verbal comments have been received, Gundersen moved close the public hearing, by Paterson. Ayes: Unanimous. Cumberledge moved to approve liquor license for Shoreline Golf Course, seconded by Paterson. Ayes: Unanimous. Paterson questioned who is responsible for the sea wall that runs adjacent to the golf course land. What does the lease say for maintenance and inspection?

Corcoran moved to approve liquor license for VFW Post 9661, seconded by Paterson. Ayes: Unanimous. Paterson moved to approve liquor license for Spearmint Rhino Gentleman's Club, seconded by Gundersen. Ayes: Unanimous. Paterson moved to approve Fire Department membership for Daniel Martinez, seconded by Cumberledge. Ayes: Unanimous.

No communications from the Public.

Communication from Mayor Waltrip: When Mayor offered the Building inspector position to Lem Sheard he offered to pay \$19-20 per hour and Lem accepted \$20. Mayor is very happy with Lem's performance. Recently the Mayor found out that the union contract is \$19.01 starting with an increase to \$19.49 after 90 days. Mayor would like to make the wage \$20. City Attorney explained the City has to abide by the Union Contract.

Mayor would like to discuss implementing an Ordinance for Vagrants to help reduce problems at the Library. City Attorney said there are already some other ordinances on the books to deal with the issue. It was mentioned that the Library has a panic button in place for emergencies. Councilman Paterson pointed out that during budget discussions he wanted to see 2 staff members in the building at all times for safety of the employees but that the library board voted to reduce staff. Jerry will have the Chief and City Attorney work on the matter.

Mayor would like to implement park fees in the future. Feels \$10-20 per day for non-residents and \$10-20 per year for residents would be reasonable. Stated there is a Home Owners Association that is interested in taking care of park and leasing it to the City. The question was posed, how is the camera installation project coming? The council agreed they would like to see the camera project completed before considering a leasing option.

The lift station at 9th and Steele was completed by Backlund Plumbing, the dewatering did not work out as planned and took much longer than predicted. Mayor stated this project was an emergency and required him to make the decision to get it done. Paterson recited the list of expenses for the 9th and Steele lift station project, he asked the Mayor why he didn't request additional bids and share with the council? Mayor insisted it was an emergency and that the project had to done. Mayor explained the

entire project and that he did not believe the City should pay for dewatering cost because it was done incorrectly.

Councilman Pat Paterson read letter he received from the Mayor directing him to not have contact with Department supervisors. Paterson reminded the council that they had voted to allow him to work with Chris concerning the ropes and buoys at Wavecrest Park. The Mayor directed Chris to not purchase the buoys against the Council's motion. Paterson made an open records request for 90 Carter Lake Club because the mayor insisted the homeowners had been given tickets 4 times. That was not the case, they had been served nuisance abatement notices, and the owners did enough cleanups to satisfy the police department, to avoid citations. Paterson brought up the 2017-18 Budget Proposal - Wage Resolution and reiterated that in fact the document that was presented in June and July were identical; the Mayor continues to argue that the City Clerk added additional language to the resolution. Paterson requested that the reprimand letter that was issued to the Clerk be removed from her file. The letter was reprimanding her for not rewriting the resolution as directed by the Mayor. Clerk Stender attempted to explain that she had only changed the date and the resolution was the same one that was approved last year for the wages. Reprimand Letter. Paterson motioned to remove the reprimand letter, seconded by Corcoran; Ayes: Unanimous. Paterson asked how the Mayor was handling the issues in the Maintenance department between the supervisor and assistant. Mayor stated he was still working in the issue. Paterson asked the Mayor why Tighten Tools wasn't holding up their end of the agreement to be operational. Mayor said that an open house is planned for the near future. Paterson asked the Mayor why the new natural gas service was installed on the main thoroughfare and not somewhere else. Mayor stated that Northern Natural Gas has rules that have to be followed; Paterson wanted to know who authorized the placement? Mayor did not know.

City Attorney Michael O'Bradovich updated the Council concerning the discussions with American Tower for T-Mobile to install new antennas. Council member Cumberledge would like council approval to negotiate with American Tower for better terms on the new lease. Council agreed and will review at the next meeting.

Gunderson stated the school has requested changing the times for the splashpad to prevent children from getting wet before school. Council agreed that 10 am- 8 pm would be acceptable.

Cumberledge would like to know what can be done with 1501 Cachelin Drive. Can we demolish and deal with the consequences later? City Attorney O'Bradovich gave update, Cumberledge wants a piece of paper at the next meeting that we have permission to take it down.

Gundersen moved to approve resolution to approve 2017-18 Budget Amendment, seconded by Corcoran. Ayes: Unanimous. Paterson moved to approve Resolution to set pay for Richard Rohan at \$443 per month per union contract. Ayes: Unanimous. Cumberledge moved to approve Resolution to set pay for Stanley Olsen, seconded by Corcoran; Ayes: Unanimous.

Adjourn at 8:45 p.m. Jackie Stender City Clerk

Gerald Waltrip Mayor