

City of Melbourne
Regular City Council Meeting
July 11, 2022
7:00 at Library basement

Melbourne City Council met in regular session on July 11, 2022. Council members present were Gaege Bracy, Gary Fricke, Carrie White and Beth Smith. Also present were Mayor Cynthia Mansager, Clerk Mary Pothast, Beth Opperman, Tracey Beals, Marcia Fricke, Jane Jech, and David Gibbs. Mayor Mansager called the meeting to order at 7:02 and led the Pledge of Allegiance. Motion to approve the consent agenda made by White, 2nd by Smith. Vote was all ayes.

In public comments, Harvester resident Jane Jech addressed the Council on the possibility of getting a retail business such as Dollar General to build in the Melbourne area. With Hwy 330 traffic and the city and the close proximity of the Harvester residents, she felt that it would be a welcome addition. She suggested that a committee to research the issue be formed, including a council member. Since it was not an agenda item, no action could be taken, however the Council felt it was a good idea.

In building permits, Michelle DeRossett of 102 College Drive proposed to put a shed west of the house where the shed was prior to the derecho. It will be a 10 x 14 building. PW has marked the west boundary to the property with a flag and spoken with the homeowner. Fricke made the motion that as long as the building is put in at least 7' from the west property line that it be approved. 2nd by Bracy. Vote was all ayes to approve. Clerk had put Nathan Karr's permit on the agenda for renewal, as it expires July 16. No extension had been filed for prior to the meeting/agenda deadline. No action was taken. If a permit request is filed before the 16th, it will be put on the August agenda.

Tracy Beals of the Melbourne Pub discussed his plans for the Mousehole Day weekend in terms of blocking off an area of Main Street. He had tentative maps drawn for Council approval. Beals is also requesting an outdoor permit for the extended area, which will go through the ABD. Motion made by White with 2nd by Bracy to approve the permit pending dram insurance approval and ABD approval. Vote was all ayes. Clerk will be checking the ABD website for further action on the license. The City will provide snow fence for blocking off the street and Fire Chief Gibbs agreed to fill barrels with water, as they have in the past to help block the street. The City will procure a large dumpster for garbage disposal.

A large concrete slab was poured at a residence recently. The City has a perpetual utility easement for that property. The easement states that the City shall be responsible for putting the property back to its former condition if maintenance disturbs the area, including seeding, tree planting and fences. The easement also provides that no permanent improvement shall be placed upon the easement. If a permanent improvement is placed on the easement, the City shall not be responsible for any damages resulting from repair, reconstruction or operation of the utility. Although the easement was signed in 1981, it is attached to the real estate by title. Mayor Mansager and the Council would like a letter sent to the homeowners to remind them of the easement. Fricke also stated that there is quite a bit of difference between the driveway and the road, and was concerned about the snowplow hitting the angled piece and damaging the truck. Mayor will ask PW to assess the situation.

Since the recent passage of HF 2130 into law requiring that all UTVs be registered by the state and that the cities are no longer allowed to charge a fee for registration, action must be taken to amend the

current City ordinance. Clerk was directed to remove all wording in reference to UTVs and send out a tentative copy prior to the August meeting. Proposal is that the city will no longer register the UTVs or place restrictions on them for operation within the city limits. Mayor set a public hearing for the first reading of the revised Ordinance regarding UTV/golf carts for August 8, 2022. Clerk is directed to publish such notice.

The City was contacted by the DNR regarding joining the National Flood Insurance Program (NFIP), since a small corner of Lollar Park lies within the 100 year floodplain. The City is required to participate in the program or forfeit any assistance from FEMA in any future disasters. The clerk will fill out the application to initiate the process, and prepare a resolution and ordinance for next month's meeting. Mayor Mansager set a public hearing for August 8, 2022 for the first reading of the ordinance regarding the floodplain. Copies will be available at City Hall prior to the next meeting for the public to provide input.

The City has received the bill from Inroads Paving for \$64,200. This included all the paving, and 5 manholes adjusted. PW and the Council were very pleased with their work. Motion made by White with 2nd by Smith to pay the bill. Vote was all ayes. Clerk asked that a public hearing for a budget amendment be held in August to move forward the funds from the past budget. Mayor set hearing for August 8, 2022. Fricke asked if there was enough money in the budget for sealcoating. Manatt's were asked for a quote for a smaller area of sealcoating to better fit in the \$50,000 range. They have not yet responded with a different quote. PW and Mayor Mansager had discussed another option in lieu of sealcoating that Inroads had suggested. It involved milling the top layer off the street and placing a 1 ½" layer over the top of the street. Sealcoating was referred to as a band aid, and while this method is also, it would last between 7 and 10 years making it a longer lasting option. Inroads has offered to have a representative at a council meeting in the winter to discuss this process. Council is very interested.

Mayor Mansager brought to the attention of the council that she would like them to consider changing the vacation/sick time division. Sick time is given as 6 days per year at the prorated amount of hours. I.e. if you work 4 hour days, it is 6 four hour days. Sick days are a "use it or lose it" situation. Mayor Mansager feels that this is counterproductive, and promotes the employees to take it whether sick or not, as it is one of the few benefits offered. She proposes that it all become PTO and that employees are allowed to accrue a certain number of hours. White suggested that it be a limited amount. Clerk stated that comp hours are capped at 80 hours. Clerk and Mayor will work on the wording of the handbook and will draft a resolution for August to approve any changes made.

In old business, Mayor Mansager had taken some photos at 301 Main Street that morning regarding drainage. Hostas were to be removed and some ditching done by the city to help alleviate some of the problem. She will check into whether or not the hostas were removed and ditching had been done. Mike Needham's suggestion was the same as for the Dare property—storm sewers be installed to assist in drainage. Fricke said it has been a problem area for a long time and they were never able to successfully fix the problem.

Council members seem happy with the parking problem solution at the pool. There is one bottlenecked area that the Mayor will personally address.

Update on the wall at 102 Main Street—Mansager has not yet received the survey from Clapsaddle Garber. It appears by the markers that the city owns the wall. PW has been contacted by Ciro Dilauro that he will need the wall jacks that are currently bracing the wall. Mansager had spoken with Steve

Fields regarding him acquiring the property. After much discussion, White suggested a set timeline of 10 days for a purchase offer depending on the removal time of the jacks. Ciro Delaurio will be contacted.

Regarding the residence at 207 College, MidWest One Bank had contacted the City to propose that they take assignment of the property. Looking into this possibility, it simply means that the city would take the place of the bank and assume the responsibility of foreclosure and dealing with any possible liens on the property. A great deal of work will need to be done before any progress could be made physically with the property and any liens and mortgages would become the City's issue. Council and Mayor could not see any advantage in assuming the assignment and responsibility. Fricke had taken a look at the interior of the house and said that since the wet carpet had not been removed, that the subfloor appears to be bowing and water is still dripping into the basement from the ceiling but felt it was currently structurally sound.

Mayor Mansager requested an emergency item be added to the agenda regarding the winter fill of LP for the rec center. The contract for the fill must be submitted by 8/1/22 to secure the discounted price and had arrived after the last posting time of the agenda. Motion to approve the contract with New Century FS made by Fricke, 2nd by Bracy. Vote was all ayes.

In department questions, Fricke mentioned that weed eating needs to be addressed at the toddler playground. Clerk will mention it to PW. Mowing of the fenced area at 102 Main was also in question. Mansager had asked PW about it and they felt it was not safe to have a mower in that close to the wall where bricks are continuing to fall. There was question of a motorhome and some vehicles on Butler Street. Clerk will contact Chief Ball. Fricke also asked about the washout on the shoulder of Butler as well. Clerk will speak with PW to see what they feel is the best option. Another letter regarding removal of the derecho debris in the backyard of a residence needs to be sent. Clerk mentioned the tree debris in the backyard of 207 College. Council was willing to do some cleanup there since no one else is wanting responsibility for the property. A date will be set and volunteers organized for that work soon.

Moton to adjourn made by White, with 2nd by Fricke. Meeting adjourned at 8:52.

EXPENSES: GENERAL \$64,493.28, ROAD USE \$30,387.84, EMP BENEFITS \$10,372.65, LOST 1ST RESP \$553.27, WATER \$12,922.46, SEWER \$60,272.87. TOTAL EXPENSES \$179,002.37.

REVENUES: GENERAL \$49,006.14, ROAD USE \$13,801.11, EMP BENEFITS \$420.84, EMERGENCY \$72.00, LOST REC CENTER \$8.23, WATER \$19,455.81, SEWER \$18,750.35. TOTAL REVENUES \$101,514.48.

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