

Mayor Charles "Skip" Lee called a meeting of the Sterling City Council to order at 6:30 pm on Monday, September 17, 2018. Roll call. Present: Aldermen Retha Elston, Joe Martin, John Stauter, Christine Wilen, and Jim Wise. Absent: Alderman Bob Conklin.

Also present were City Attorney Tim Zollinger, City Manager Scott Shumard, Financial Director Cindy Von Holten, Superintendent of Building and Zoning Amanda Schmidt, Superintendent of Public Works Brad Schrader, Fire Chief Gary Cook, Police Chief Tim Morgan, and City Clerk Marie Rombouts.

The Pledge of Allegiance was recited.

Alex Rios, 1214 Fourth Avenue, stated that he filed a complaint with Code Enforcement about the unkempt yard with overgrown shrubs and a dead tree at 1303 Fourth Avenue. Rios was not happy with how the complaint was handled. Code Enforcement Officer Rob Horn explained that our code does not have the means to deal with overgrown shrubs. The ordinance dealing with dead trees has no teeth to get the tree removed. Rios is concerned about life and safety issues with the dead tree. It is a rental property. Rios read City codes dealing with noxious growth and dead tree. He wants to see more done with these codes to address overgrown shrubs and dead trees. The unkempt yard can reduce home values in the area.

Mayor Lee asked that the necessary steps be taken to get the tree removed. Alderman Stauter felt this would be a good trial on removing dead trees from private property as we tackle the diseased ash trees. Superintendent Schmidt reported they will take the necessary steps and ask that Council back these actions.

Carol Schram at 1302 Fourth Avenue stated that she maintains her property and the neighbor's bushes/trees are overgrown, specifically a mulberry tree leaving purple stains in her house as they are tracked in.

Alderman Elston asked what can be done about a splitting tree on private property that creates a life and safety hazard. Attorney Zollinger explained that the Tree Board would evaluate the tree and then notice would be given to the property owner to remove the tree. The owner would have 30 days to remove the tree. If not, the City could remove the tree and place a lien on the property for the cost of removal. Alderman Wise asked if the tree is on an easement, if the City could trim. Zollinger stated that an easement does not give the City the right to that property.

Alderman Elston made a motion to approve the following items on the Consent Agenda:

- A) Council Minutes from September 4, 2018
- B) Bills and Payroll totaling \$2,170,868.93
- C) Petition from Sterling Main Street for a temporary road closure of West Second Street between Avenues A and B from October 10 – 15, 2018

The motion was seconded by Alderman Martin. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Stauter made a motion to accept the resignation of Ward 3 Alderman Bob Conklin; seconded by Alderman Martin. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve **Ordinance #2018-09-33 Amending Chapter 78, Article VII, Section 78-224 Governing Snow and Ice on City Streets and Sidewalks**, seconded by Alderman Martin.

Manager Shumard had presented pictures when this was previously discussed. This ordinance would be helpful for staff and give a better appearance that streets are cleared. Aldermen Elston and Stauter thought this ordinance already existed. Mayor Lee has issues with this ordinance. Grass in the streets clogs the storm water basins. Nothing indicates there are safety issues with snow in the streets. Citizens know the City is doing their jobs. Police Department has more issues to deal with than writing tickets. Mike Adams from the Public Works Department explained that if citizens place snow back in the streets, it will freeze and cause drain inlets to freeze, creating flooding when melting begins. If the road is cleared from curb to curb, the inlet is also cleared. Alderman Martin stated that in residential areas where vehicles are parked on the street, the refreezing can cause vehicles to fishtail. Superintendent Schrader stated that when people hit these spots, crews are called out again and can add on to the overtime costs. Alex Rios asked what speed the trucks drive. Schrader stated the maximum speed is 15 mph.

Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin made a motion to award the contract for the Avenue G bridge project to Era-Valdivia Contractors, Inc. in the amount of \$465,281.94; seconded by Alderman Elston. Manager Shumard explained that although this will not be completed until next spring, it is in this year's budget. That's the reason so few streets were reconstructed.

The slope wall on the bridge has been leaking causing a cavern underneath. Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Manager Shumard reminded Council that at the last meeting he made them aware of Brick Boss's request for an additional \$22,000 for additional storm water work incurred at 2607 East Lincolnway. Alderman Stauter felt that with what the City is saving we could give additional money as long as a site plan is in place with a new deadline. Manager Shumard stated this is private property. Shumard will check with Boss about the timeline.

Alderman Martin thanked Alderman Conklin for his service to the City. Martin would like to see the code rewritten to stop pay after so many meetings are missed.

Alderman Elston thanked Code Enforcement and Public Works for cleaning up a lot in her ward.

Alderman Stauter appreciated the Manager's Report with photos of the ongoing projects.

Alderman Wise attended the Fiesta Day Soccer tournament and stated that it was very well done.

Mayor Lee stated Taste of Fiesta is this weekend. He warned of suspicious emails with invoices attached. Lee thanked Chief Cook for the ride on the Fire Truck through the parade. Lee asked for Council to get back to him on the proposed appointment to the Ward 3 Alderman seat.

With no further business to discuss, the meeting adjourned at 7:38 pm.

Marie Rombouts  
City Clerk