

MINUTES OF THE REGULAR MEETING OF THE DAVENPORT CITY COUNCIL
April 24, 2019

ROLL CALL

Mayor Brad Sweet called the meeting to order at 7:00 p.m. Council Members present were: Pat Katz, Cory Hollis, Nathan Hansen, Chris Ruiz, Pete Schweiger, and Theresa Telford.

Absent: Lance Strite

Motion to Excuse: Theresa Telford made a motion to excuse Lance Strite from the meeting. The motion was seconded by Patrick Katz. The motion carried.

Also present were Fred Bell, Donovan Chase, Brian Hicks, Gabe Gants, Steve Goemmel, Tyler Groom, Don Klink, Terry Lee, David Leath, Scott Liebing, Rod Massie, Twyla Massie, and Marcia Smith.

APPROVAL OF MINUTES

Nathan Hansen made a motion to approve the minutes from the April 10, 2019 meeting. The motion was seconded by Pete Schweiger. The motion carried.

POLICE REPORT

Deputy Gabe Gants reported 83 calls for service in March. He told the City Council that the Sherriff's Office has a new computer system that will better tract the location of the deputies and reduce the dispatch time for each call. He mentioned that the definition for calls of service might change with the new system. The Mayor thanked the Deputy for his report and his service to the community.

CONFIRMATION OF AGENDA

No changes.

COMMENT / SIGN IN

Terry Lee signed in to address the City Council. Terry told the City Council that he is a builder and a developer who builds small homes for people who don't have good paying jobs. He said he will ask the Planning Commission to recommend that the city put a "public utility district" in the zoning code so builders can be more creative with land use and building size. Terry thanked the City council for their consideration and said that he looks forward to working with them after he meets with the Planning Commission.

Rod Massie who lives at 1405 Ross Street, signed in to address the City Council. Rod asked the City Council to allow him to put a fence in the city right of way on 14th Street next to his house. He said the land is open and never will be used and he wants to have more privacy. City Administrator Steve Goemmel told Mr. Massie that the area where he wants to put his fence is in the city right of way for 14th street. He advised Mr. Massie that he has planted fruit trees in the city right of way, and he would have discovered where the right of way was when he built his fence if he'd had applied for a permit for the fence. Rod asked the City Council to let him use the right of way area until they needed the land. City Clerk Dave Leath told Mr. Massie that he could apply for a vacation of the land he wants to use. Dave detailed the process for a vacation and the costs associated with a vacation. The Mayor told Mr. Massie that he could plant grass in the area but he could not build a fence on the right of way unless the land was formally vacated.

Bryan Hicks signed in to address the City Council. Bryan works for Century West Engineering and is the engineer for the pathway project at the Davenport Sports Complex. Bryan gave the City Council an update on the project. He said that he's gotten most of the preliminary work done on the project and he estimated that there was enough funding to complete the job. He showed the City Council detailed plans of the

pathway system and he told them that he was hoping to go out to bid in a month. Bryan told the City Council that the project would take a month to complete and the pathway would be 10 feet wide.

Lincoln County Assessor Scott Liebing signed in to address the City Council. Scott told the City Council that he was concerned about the city staff sending citizen up to his office to ask for lot line adjustments when they are building on their property. He wondered if the City had changed building inspectors because he was getting requests for lot line adjustments that hadn't happened before. Scott briefed the City Council on the definition of a boundary line adjustment and a parcel consolidation. He said, "an assessor cannot change the lot lines on a plat map." Scott suggested that the City Council Planning Committee meet to come up with a legislative method in the code to amend a boundary line adjustment for land use. City Administrator Steve Goemmel explained to Scott the nature of misunderstanding with the building officials on what they were calling a lot line adjustment. He said "The Building Department Inc. wants projects built across lot lines to have the same parcel number." Steve told the City Council that source of the misunderstanding was with the use of terminology by city staff and the building officials. Steve said that he thinks the issue is taken care of. Scott told the City Council that he still thinks the Planning Committee should meet to develop a policy on this issue.

COMMITTEE REPORTS

Special Committee on Cats

Nathan Hansen told the City Council that the Committee discussed implementing a cat ordinance that would require cat owners to be responsible for the pets. He said that the Committee doesn't have a recommendation at this time but they would like schedule another meeting on May 8, 2019 at 6:00 p.m. The members of the committee agreed to meet at this time.

Finance Committee

Cory Hollis reported that the Committee met to discuss the 2018 Annual Report and the First Quarter Financial Results for 2019. Cory said the Annual Report is complete and ready for submission to the State Auditor's Office.

Cory said the 2019 budget looks good. Expenditures were only at 13% of the budgeted amount.

MAYOR'S REPORT

Mayor Sweet told the City Council that the forms to file for re-election were on their dais. Brad reminded them that the filing period is May 13- 17th and the forms go to the Lincoln County Auditor's Office.

The Mayor told the City Council that he'd like to review the ordinance that governs ATV use in the City. It seems there are more and more issues regarding people using golf carts on the city streets.

Mayor Sweet thanked the Davenport Lion's club for another successful clean-up project and Easter egg hunt in the park. He added that the Lion's Club Pancake feed was also successful.

OLD BUSINESS

None.

NEW BUSINESS

1. Cascade Computing's Proposal to Install Antennas on City Water Towers for Wireless Internet Services.

Mayor Sweet recognized Don Chase and Marcus Mumm from Cascade Computing. Don told the City Council that the proposal before them would allow his company to put antennas on two of the City's water tanks. Marcus Mumm commented that the agreement was for 15 years and he asked for consideration if another vendor wanted space. He did not ask for a proprietary agreement. City Administrator Steve Goemmel asked if the agreement could be reviewed in five years due to the changes in technology. Marcus told the City Council that they need at least a 15-year agreement because it will take five years to recoup their investment. Steve asked for a clause that would allow to service additional city buildings if needed.

Marcus said he didn't mind doing that. Steve Goemmel mentioned that he sent the agreement for a legal review, but the City attorney has been unresponsive.

Theresa Telford made a motion to accept the proposal from Cascade Computer with modification and approval from the city attorney to put internet transmitters on two of the city water towers. The motion was seconded by Cory Hollis. The motion carried.

2. First Reading of Ordinance 1139 Making a Necessary Addition to Chapter 12.20 of the DMC Dealing with Streets, Safety, and Snow Removal. City Administrator Steve Goemmel asked the City Council to consider this ordinance to deal with a parking issue on 10th and Morgan Street. The City Council discussed the merits of restricting parking in this area but decided to do a second reading of this ordinance to do more research on this issue.

APPROVAL TO PAY BILLS

Pete Schweiger made a motion to pay Claims/Vouchers #15497 - #15513 in the amount of \$45,795.35. The motion was seconded by Nathan Hansen. The motion carried.

ADJOURNMENT

Patrick Katz made a motion to adjourn the meeting. The motion was seconded by Theresa Telford. The motion carried. The meeting was adjourned at 8:50 p.m.

David M. Leath
City Clerk/Treasurer

Mayor Brad Sweet