

March 16, 2015  
Regular Session

The Bellevue City Council met in Regular Session on Monday March 16, 2015 at 6:30 p.m. in the Council Chambers with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present. The roll was called as follows:

**PRESENT:** Council members Darla Lawson, Allen Ernst and Gary Feuerbach. Also present were City Administrator LorasHerrig, Officer Ryan Kloft, Ron Balmer, John and Angie Long, Dave Namanny and Gerald Walsh

**ABSENT:** Council members Jayson Heiar and Tim Roth

### **APPROVAL OF AGENDA**

Mayor Roling reviewed the Agenda and declared it approved.

### **PUBLIC HEARING-2015 PUBLIC WORKS BUILDING ADDITION**

Mayor Roling announced the time had arrived for the Public Hearing on the 2015 Public Works Building Addition. IIW Engineer Ron Balmer was present to answer any questions. As there was no one present wishing to be heard Feuerbach moved with a second by Ernst to close the Public Hearing. Motion carried unanimously.

Feuerbach moved with a second by Ernst to approve the Plans, Specifications and Contract Documents for 2015 Public Works Building Addition. Motion carried unanimously.

IIW Engineer Ron Balmer presented his recommendations on the building addition and of the seven bids received it was determined the low base bid of \$122,135.26 was from Konrardy Construction.

The Council decided they needed to meet in a work session to discuss the Sanitation operation. Lawson moved with a second by Ernst to table the bid decision and schedule a work session on March 23, 2015 at 6:30 p.m. in the Council Chambers. Motion carried unanimously.

### **CONSENT AGENDA**

Feuerbach moved with a second by Ernst to approve the Consent Agenda. Motion carried unanimously.

- A. Approve Minutes of 03/02/2015 Regular Session and 3/9/15 Work Session
- B. Approve February Financial Reports
- C. Approve Bills and Claims as Authorized
- D. Approve New Vendor Report
- E. Approve Library Bills and Claims
- F. Approve Renewal of Class WBN Native Wine Permit with Sunday Sales Privilege for Serendipity Spa and Gifts Effective May 1, 2015

### **REUNION ON THE RIVER**

John and Angie Long requested the Council's approval to have the second Reunion on the River celebration at Cole Park on Saturday September 5, 2015. The proceeds from the event will go to the Community Club. Lawson moved with a second by Feuerbach to approve the use of Cole Park on September 5, 2015 for Reunion on the River. Motion carried unanimously.

### **BELLEVUE WAR**

The anniversary celebration of the Bellevue War will be August 15, 2015. The Mayor and Council are invited to some of the formal activities that are being planned.

### **FRIEND RAISER WALK**

Karen Osar of the Bellevue Community Center is planning an event on May 21<sup>st</sup> at approximately 10:00 a.m. at Felderman Park. The Mayor and Council are invited to participate if available.

### **ORDINANCE NO. 403 AMENDING TELECOMMUNICATION RATES**

Ernst moved with a second by Feuerbach to approve the second reading of Ordinance No. 403. Roll call vote carried unanimously.

### **PROGRAMMING LINE UP**

The Council decided they needed additional viewership and cost analysis before making any decisions on programming.

### **BELLEVUE AMBULANCE VOLUNTEER ASSOCIATION**

Information was sent concerning the Corporation that was established for the Bellevue Ambulance Volunteers. A work session with the Mayor, Council, Ambulance Officers, City Administrator and City Attorney will be on March 30, 2015 at 6:30 p.m. in the Council Chambers.

### **ORDINANCE NO. 405 AN ORDINANCE, ARTICLE V APPLICATION OF REGULATIONS, SECTION 5 ACCESSORY BUILDINGS TO INCREASE AUTHORIZED HEIGHT OF ACCESSORY BUILDINGS.**

Lawson moved with a second by Ernst to introduce and approve the first reading of Ordinance No. 405. Roll call vote carried unanimously.

Feuerbach then moved to waive the second and third readings of Ordinance No. 405 and pass it into law upon publication. Roll call vote carried unanimously.

### **ORDINANCE NO. 405**

### **AN ORDINANCE AMENDING ZONING ORDINANCE, ARTICLE V APPLICATION OF REGULATIONS, SECTION 5 ACCESSORY BUILDINGS TO INCREASE AUTHORIZED HEIGHT OF ACCESSORY BUILDINGS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA, AS FOLLOWS:**

**Section 1. ZONING ORDINANCE ARTICLE V APPLICATION OF REGULATIONS, SECTION 5 ACCESSORY BUILDINGS, City of Bellevue Code of Ordinances (2014) is hereby amended as follows:**

Section 5. Accessory Buildings. No accessory building shall be erected in any yard other than a rear yard except as hereinafter provided. Accessory buildings shall be at least five (5) feet from lot lines of adjoining lots, located in either an R-1 or R-2 District. An accessory building erected on a corner lot shall conform to the setback regulations on the side street. There shall be a minimum distance of five (5) feet between an accessory building and any other separate building or structure on the same lot. There shall be a minimum distance of five (5) feet between an accessory building and any alley line, except that where any entrance to an accessory building faces the alley there shall be a minimum distance of fifteen (15) feet between the accessory building and any alley line. An accessory building erected as a part of the principal building or structure on the same lot and accessory building connected by a breezeway or similar structure to the principal building or structure on the same lot shall, in an R-1 or R-2 District, be considered as part of the principal building or structure for all yard requirements; provided however, that the minimum rear yard setback requirement for such a principal building or structure shall be fifteen (15) feet. A carport or garage for a residential building may be erected in a side yard provided that a full-required side yard is provided between the garage or carport and the side lot line. Accessory buildings which are not part of the principal building or structure shall not occupy more than thirty (30) percent of the rear yard; however, this regulation shall be interpreted to prohibit the construction of a five hundred seventy-six (24 x 24) square foot garage on a minimum rear yard.

An accessory building shall not exceed eighteen (18) feet in total height. However, any real property owner may make written application for special exception to exceed this maximum height requirement. The application for special exception shall include the legal description of the real property, the address of the real property, a drawing to scale of the real property that includes all existing buildings and structures with dimensions shown and the proposed accessory building with dimensions shown, a profile drawing of the proposed accessory building with dimensions shown, and the location of all overhead wires. A photograph of the principal building or structure on the real property shall be attached to the application for special exception. An application for special execution, which complies with the foregoing requirements, shall be considered by the Board of Adjustment pursuant to Article IX of the Zoning Ordinance. In ruling upon an application for special exception to exceed the maximum height requirement for an accessory building, the Board of Adjustment shall, in addition to considering the factors set forth in Article IX, Section 4(C), give consideration to the following factors:

- A. The character and architecture of the principal building or structure located on the lot;
- B. The dimensions of the proposed accessory building;
- C. The design of the proposed accessory building, including materials to be incorporated in the exterior and interior design of the proposed accessory building;
- D. The size and dimensions of the lot;

- E. Whether the proposed accessory building is complimentary to the principal building or structure on the lot;
- F. The character of the surrounding neighborhood;
- G. The objections, if any, received from owners of surrounding real property.

If, following notice and a public hearing, the Board of Adjustment determines that the proposed accessory building is compatible with the principal building or structure, the lot size, and the surrounding neighborhood and that the proposed accessory building will not impair or impede an adequate supply of light and air to adjacent real property, nor otherwise interfere with the lawful use and enjoyment of adjacent real property by the owners thereof, the Board of Adjustment may grant the special exception. A ruling by the Board of Adjustment granting such a special exception shall specifically state the maximum allowable height for the proposed accessory building.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3. Severability.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**Section 4. Effective Date.** This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this 16day of March, 2015.

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Christopher J. Roling, Mayor

Attest:

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LorasHerrig, City Administrator

**ORDINANCE NO. 406 AN ORDINANCE ESTABLISHING REQUIREMENTS FOR SEASONAL BUILDINGS IN THE CITY OF BELLEVUE, IOWA.**

Ernst moved with a second by Feuerbach to introduce and approve the first reading of Ordinance No. 406. Roll call vote carried unanimously.

Ernst then moved with a second by Feuerbach to waive the second and third readings of Ordinance No. 406 and pass it into law after publication. Roll Call vote carried unanimously.

**ORDINANCE NO. 406**

**AN ORDINANCE ESTABLISHING REQUIREMENTS FOR SEASONAL BUILDINGS IN THE CITY OF BELLEVUE, IOWA**

Be it Enacted by the Council of the City of Bellevue, Iowa:

**SECTION 1. Purpose.** The purpose of this Ordinance is to establish requirements for the construction and erection of seasonal buildings in the City of Bellevue, Iowa.

**SECTION 2. Amendment.** TITLE VI PHYSICAL ENVIRONMENT, City of Bellevue Code of Ordinances (2014) is hereby amended to add CHAPTER 26 SEASONAL BUILDINGS as follows:

**TITLE VI PHYSICAL ENVIRONMENT  
CHAPTER 26 SEASONAL BUILDINGS**

6-26-1 Definition

6-26-2 Seasonal Building Requirements

6-26-3 Building Permit Requirements

6-26-1 DEFINITION. Seasonal Building. A building or structure shall be considered a seasonal building if the dimensions of the building or structure do not exceed 576 square feet and the building or structure is temporary in nature such that the building or structure shall be removed from the real property within 180 days after the building or structure is erected.

6-26-2 SEASONAL BUILDING REQUIREMENTS. Seasonal buildings may be erected in either a rear yard or side yard in any zoning district set forth in Article IV, Section 1 of the Zoning Ordinance of the City of Bellevue, Iowa. The seasonal building shall be erected not less than five (5) feet from a side yard lot line. There shall be a minimum distance of not less than five (5) feet between a seasonal building and any alley line. The foregoing notwithstanding, where the entrance to a seasonal building faces the alley there shall be a minimum distance of not less than fifteen (15) feet between the seasonal building and the alley line. A seasonal building erected on a corner lot shall conform to all corner lot set back regulations. There shall be a minimum distance of not less than five (5) feet between a seasonal building and any other separate building or structure on the same lot. Seasonal building(s) shall not occupy more than thirty (30) percent of a rear yard or side yard. A seasonal building shall not be more than eighteen (18) feet in height.

6-26-3 BUILDING PERMIT REQUIREMENTS. A building permit shall be obtained from the Office of the City Clerk prior to commencement of construction or erection of a seasonal building. The building permit fee of \$50.00 shall be paid to the City Clerk prior to issuance of the building permit. The building permit shall be posted in the front window of the primary building or structure on the lot. The building permit shall only be required prior to the initial construction or erection of the seasonal building on a specified lot. A building permit will not be required in any subsequent year in which the same seasonal building is constructed or erected on the same specified lot.

**SECTION 3. Repealer.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4. Severability.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. *Effective Date.* This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this 16 day of March, 2015.

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Christopher J. Roling, Mayor

Attest:

City Seal

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LorasHerrig, City Administrator

### **RAILROAD CONCERNS**

Mayor Roling has concerns about the increased railroad transportation of hazardous materials through the City of Bellevue. The Mayor plans to work with Emergency Management Coordinator Lyn Medinger to prepare an evacuation plan.

### **LIBRARY BILLS AND CLAIMS**

The following Bills and Claims were paid as authorized:

American Library Associate	Operating Supplies	101.90
Baker & Taylor	Library Books	367.38
Cavendish Square	Library Books	234.90
Follett	Computer Expense	1000.00
Iowa Communications Network	Telephone Expense	8.18
Jason Kollum	Gift Fund Exp.	300.00
Lampe True Value	Office Supplies	15.96
Marian Meyer	Reimbursement ForSupplies	47.00
Midwest Business Products	Computer/Copier Expense	105.99
Petty Cash	Postage/Misc.	109.99
Snakes Alive/Tom Kessenich	Gift Fund Exp.	300.00
Windstream	Telephone Exp.	61.69

### **BILLS AND CLAIMS**

The following Bills and Claims were paid as approved:

IRS	Fed W.H./S.S./Medicare	10150.83
IPERS	Retirement	13302.24
Treas. State of Iowa	Feb. 1-15, 2015 Sales Tax	2056.00
Treas. State of Iowa	Withholding	3370.61
Register of Copyrights	Cable Royalty Fees	2216.00

IRS	S.S. /Fed. W.H./Medicare	10000.82
Treas. State of Iowa	Feb. 16-28, 2015 Sales Tax	2365.00
Nat. Cable TV Coop	Programming Charges	19914.28
American Funds	Payroll Withholding	1570.00
Black Hills Energy	City Gas Utilities	2213.89
Medical Assoc. Health Ins.	City Health Ins.	19732.88
U.S. Cellular	Police Cell Phone	97.56
Assurant Employee Benefits	City Life Ins.	158.40
J.J. Scheckel	Sanitation Equip. Maint.	224.75
Medreturn, LLC.	Drug Collection Unit	995.00
Irene Waller	Ambulance Overpayment	129.77
A.P. Graphics	Cole Park Sign Expense	20.00
Alco Pro	Police Minor Equip.	564.00
ATS Petro	City Gas Purchase	2402.89
Bellevue Area Chamber of Com.	Annual Dinner	150.00
Bellevue Emergency Service	Pool CPR Class	20.00
Bellevue Lumber	Street Eq. Rep/Maint.	1304.65
Bellevue Municipal Utilities	City Utilities	3979.54
Bellevue Pharmacy	Amb. Operating Exp.	15.14
Bellevue State Bank	Monthly Cable Loan Pmts.	9545.50
Big Ten Network	Programming Charges	1124.70
Card Center	Police/FD/Amb/P&A Expense	2122.77
Casey's General Stores	City Gas Purchases	864.33
Central United Life	Cancer Ins.	235.50
Chris's Carpentry Service	F.D. Minor Equipment	300.00
City of Bellevue	Trsf. Funds from St. Cap to LOT St.	75000.00
City of Bellevue	Office Transfer/Cable PILT	12352.56
City of Bellevue	S.W to DS/Park St. Project Payment	4647.00
City of Bellevue	LOT Funds to DS for Pmt.	4344.91
Clarey's Safety Equipment	F.D. Eq. Repair/Maintenance	125.08
Clint's Computer Repair Service	F.D. Operating Expense	869.99
Comcast Sportsnet	Programming Charges	2536.38
Creative Product Sourcing	Dare Expense	391.35
Dennis Gerardy	City Hall/C.C. Maintenance	135.00
Display Sales	F.D Minor Equipment	183.00
Eagle Engraving Inc.	Rural F.D. Misc. Ex	21.20
Emergency Medical Products	Amb. Operating Exp.	536.00
Emergency Services Marketing	F.D. Radio Expense	7.53
Fastenal	F.D Equipment Maintenance	308.45
Fidelity Bank	Monthly Cable Loan Payments	9545.50
Fire Engineering	F.D. Training Expense	21.00
Fire Service Training Bureau	F.D. Training	100.00
Gall's	Ambulance Operating Expense	129.99
I Wireless	Public Works Cell Phone	2.71
IA Assoc. of Mun. Util.	Broadband Conference	135.00
IA Assn. Of Mun. Util	E.I Collaboration Part 2/Research Assess	2570.82

IA Community Assur. Pool	Liability Ins.	21626.59
IA Community Assur. Pool	Property Ins.	21437.02
IA Community Assur. Pool	Vehicle Ins.	22597.43
IAFC Membership	F.D. Training Expense	259.00
IIW P.C.	Engineering Expense	13587.25
Innovative Systems	Software Maint./Monthly Billing Exp.	2975.01
IA Fire Chief's Assn.	Dues	25.00
Iowa Network Services	Video Transport/CALEA Services	4983.63
JJ Sheckel Corp.	Lot Equipment Maintenance	1724.11
Jackson County Mun. League	2015 Dues	25.00
John Deere Financial	Clothing Allowance	65.98
KCRG	Programming Charges	1078.50
Kent Clasen	F.D. Reimbursement	133.43
Kone Inc.	Elevator Maintenance	227.13
KWWL	Programming Charges	719.00
LaMotte Telephone Co.	Internet/Video Transport	15788.00
Lampe True Value	City Misc. Expense	398.55
Maq. Valley Elec. Coop	Security Light	11.64
Martin Equipment	Rdwy. Equipment Maintenance	179.00
Media General Inc.	KWQC Programming Charge	1617.75
Medical Assoc. Health Plans	Ambulance Call Refund	197.26
Meier Construction Inc.	Basement Foundation Exp.	3875.00
Midwest Business Products	Copier Expense	51.08
NAPA Auto Parts	F.D. Equipment Repair	33.78
Nexstar Broadcasting Group	KLJB Programming Charges	895.00
NICC Business & Comm. Solutions	Ambulance Training Exp.	105.00
Northeast IA. Comm. College	Ambulance Training Exp.	200.00
Panther Uniforms	F.D. Bunker Gear Exp.	180.00
Patzner's Pro Shop	Clothing Allowance	183.06
Paul Jess	Safety Glasses	75.00
PCC. Inc.	February Ambulance Billing	1115.82
Plumb Supply Co.	Bunker Gear Expense	131.46
Racom Corporation	Ambulance Operating Exp.	57.00
Reliable Office Supplies	Office Supplies	82.38
River Valley Energy	Streets, Sanitation, Amb. Gas Purchase	1033.52
Roeder Brothers	Equipment Repair/Maintenance	1021.88
Ruth Sieverding	Monthly Bldg. Maintenance	810.00
Schoenthaler, Bartelt, Kahler & Reicks	Legal Expense	892.50
Service Supply	Roadway Equip. Repair	129.82
Shield Technology Corp.	Police Legal Expense	420.00
Showtime	Flix/Showtime Programming Charge	219.59
Sinclair Broadcast Group	KGAN/KFXA Programming	1898.16
Stacy Heiar	F.D. Maintenance	100.00
Storey Kenworthy/Matt Parrott	Reminder Notices	186.41
Superior Welding	Operating Expense	69.98
TH Media	Budget Public Hearing Publication	134.39

The Car Wash	City Gas Purchases	473.74
The Herald Leader	Publications	311.63
The Locksmith Express	Com. Center Bldg. Maintenance	208.00
Till's Garage	Equipment Repair/Maintenance	305.57
Tower Distribution Co.	WGN Programming Charge	137.86
Tribune Media Services	Cable EPG Guide	561.97
Tri-State Truck Equipment	Snow Removal Equipment Maintenance	94.20
US Cellular	Police/Fire/Ambulance Phone Exp.	133.16
Unity Pt. Health/Broadnet Connect	Internet Transport Service	4000.00
Waste Authority of Jackson Co.	Tipping Fees	3590.98
Waste Authority of Jackson Co.	Landfill Assessment	8736.61
Weber Paper Co.	Bldg. Maint/Office Supplies	683.25
Windstream	City Phone Bills	449.82

## RECEIPTS AND DISBURSEMENTS

The following amounts were received or expended in the month of February:

FUNDS	RECEIPTS	DISBURSED
<b>GENERAL:</b>		
Basic General Fund	37371.78	108889.16
P.I.L.O.T.	2500.00	
LIBRARY GIFT	167.00	600.00
L.O.T. PROP. TAX RED	7819.31	
RESERVE ACCOUNTS	400.00	
MUSEUM		302.27
FRANCHISE PROP. TAX	4436.75	
FRANCHISE STREETS	4436.75	
R.R. CROSSING FUND		
<b>SPECIAL REVENUE</b>		
STREETS CAP PROJ.		7458.00
LOT ST. IMPR. FUND	7819.32	18660.27
EMPLOYEE BENEFITS	2109.69	
T.I.F. FUND	2397.57	
DEBT SERVICE	9766.27	
ROAD USE TAX	19214.51	19807.78
<b>PROPRIETARY FUNDS</b>		
AMBULANCE	14005.73	137088.16
TELECOMMUNICATION	96811.77	122322.29
SANITATION	31421.46	27439.55
WATER	23125.36	21703.23
ELECTRIC	220810.85	255500.42
ELEC. CAP. IMP	15000.00	
CUSTOMER DEPOSITS	3173.51	713.00
SEWER	36644.62	29341.47

STORM WATER FUND	6006.09	9841.35
<b>TOTALS</b>	<b>545438.34</b>	<b>759666.95</b>

**ADJOURNMENT**

As there was no further business to come before the Council, Lawson moved with a second by Feuerbach to adjourn at 7:10 p.m. Motion carried unanimously

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City Clerk

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Mayor