

Mayor Charles "Skip" Lee called a meeting of the Sterling City Council to order at 6:30 pm on Monday, October 1, 2018. Roll call. Present: Aldermen Retha Elston, Joe Martin, John Stauter, Christine Wilen, and Jim Wise. Absent: None.

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 Waste Water Treatment Plant Scott Howard, Fire Chief Gary Cook, Police Chief Tim Morgan, and City Clerk Marie Rombouts.

The Pledge of Allegiance was recited.

Mayor Lee moved the introduction of Mackenzie Hopping to the top of the agenda. Alderman Elston made a motion to approve Mayor Lee's recommendation of Mackenzie Hopping to fill the seat of Ward Three Alderman; seconded by Alderman Wilen. Voting: Ayes – Aldermen Elston, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried. Clerk Rombouts administered the Oath of Office. Mackenzie Hopping joined the Council.

Alex Rios, 1214 Fourth Avenue, asked how comments from the Council meeting are handled. Manager Shumard stated that an ordinance is on the agenda to address dead trees on private property. Following the regular meeting, an ordinance regarding neglected shrubbery will be discussed. Rios asked if the owner of the property with the overgrown shrubs was contacted. Superintendent Schmidt did not know if the owner had been contacted. Attorney Zollinger stated the City does not have an ordinance regarding overgrown shrubbery so there was nothing to contact the owner about.

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

- A) Council Minutes from September 17, 2018
- B) Bills and Payroll totaling \$489,117.15
- C) Plan Commission Minutes from July 19, 2018
- D) Resolution #R2018-10-17 to Close Streets for the Holiday Parade on Saturday, November 17, 2018**
- E) Bucket Brigade for PADS Homeless Shelter on October 13, 2018
- F) Award Bid to Sterling Chevrolet for Crew Cab Pick-up Truck for the Waste Water Treatment Plant in the amount of \$31,592.88
- G) Partial Pay Request #3 for Twin City Construction in the amount of \$67,335.19 for the 2018 Street Project

The motion was seconded by Alderman Martin. Alderman Stauter asked when East 16th Street will be finished. Manager Shumard explained the paving is done by a subcontractor and should be finished Tuesday. Alderman Elston was pleased to see that another sump pump grant was issued. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Elston made a motion to approve the Proclamation declaring Fire Prevention Week as October 7 – 13, 2018; seconded by Alderman Stauter. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried. Mayor Lee read the proclamation into the record and presented the proclamation to Fire Chief Gary Cook. Chief Cook stated it is a nationwide recognition of fire safety week but reminded everyone that it should be considered every day.

Alderman Elston made a motion to approve the Proclamation Designating October 2018 as Domestic Violence Awareness Month; seconded by Alderman Wise. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried. Laura Kunde, Domestic Violence Legal Advocate and Jennifer Cantwell, Child and Family Specialist with the YWCA were present to distribute ribbons and candles to recognize domestic violence in our community. Mayor Lee read the proclamation into the record and presented it to Kunde and Cantwell.

Alderman Martin made a motion to approve Change Order #1 in the amount of \$63,705.40 for the Second Avenue and Miller Road Drainage Improvements; seconded by Alderman Stauter. Manager Shumard reported this project will be finished in the spring. The mapping and coordination of utilities slowed this project down. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Wilen made a motion to approve **Ordinance #2018-10-34 Amending Chapter 78, Article VI, by the Addition of New Sections Governing Regulation of Private Tree Care and Creation of a Private Tree Removal Loan Program**; seconded by Alderman Elston. Alderman Stauter asked if this would require the tree to be taken down to the ground or to the point where it does not sustain a life or safety hazard. Attorney Zollinger stated that decision would be handled by the Tree Board. This ordinance only deals with trees, not shrubbery. Shrubby is addressed in the ordinance proposed for the Study Session. Voting: Ayes – Aldermen Elston, Hopping, Martin, Stauter, Wilen, and Wise. Nays – None. Motion carried.

Alderman Martin noted that Public Works crews helped clean up Milledgeville after the storm that rolled through last week. It was very much appreciated by their community.

Martin also noted that he has served for 24 years on the Council and is happy to see women taking part in the leadership of the City. Martin welcomed Mackenzie Hopping aboard.

Alderman Elston reported a successful Fall Wine Walk hosted by Sterling Main Street. Elston asked Janna Groharing about the Hops on the Rock. Groharing reported VIP tickets are almost sold out. General tickets are \$25 and \$30 at the gate, with Designated Driver tickets for \$10.

Alderman Stauter expressed pleasure with the new garbage contract. He has noticed neighbors doing extra cleaning with one bulk waste item collected weekly.

Mayor Lee announced the Stock our Local Food Pantry Day on Wednesday, October 3.

With no further business, the meeting adjourned to a Study Session at 7:22 pm.

Manager Shumard explained the ordinance pertaining to nuisance greenery is very subjective. Mayor Lee stated that the cost of liens can exceed the money recovered. Alderman Hopping asked what the cost is to mow neglected lawns. Superintendent Schmidt stated that it can run between \$1200 and \$2000 per month. Mayor Lee feels this ordinance could cost money and manpower with no reimbursements. Schmidt stated landscaping care is different to each person. This ordinance would cause an increase in calls and be very hard to define when greenery is neglected. Tall grass is measurable. Neglected greenery creates more aesthetic problems. Manager Shumard stated that if the City can determine what qualifies as neglected greenery, the Administrative Hearing Officer would have to agree to issue a citation. Alderman Wise reiterated Alex Rios's concern about property values. Attorney Zollinger stated property values are not considered in life and safety matters. Neglected greenery becomes an aesthetic problem. Schmidt sees too many gray areas and nothing defined. Zollinger stated that a finer definition is necessary and enforcability. Zollinger reminded the Council that not all problems can be fixed. Wise asked Attorney Zollinger to work on a better definition and continue. It was a consensus to have Zollinger work Superintendent Schmidt to better define neglected greenery.

Manager Shumard distributed results of a survey of Council compensation for area communities. Alderman Elston noticed Sterling is paid less than other communities. Most communities pay monthly and do not address absences. Attorney Zollinger cautioned that an "excused" absence is hard to define and how many "excused" absences are acceptable. Manager Shumard suggested the Council raise questions among their peers regarding absences. Attorney Zollinger agreed the Council may want

to police themselves and work together. Alderman Martin agreed that self-policing is the best route. Zollinger did remind the Council that if they want compensation addressed it would have to be done at the next meeting. Any changes to compensation must be addressed 160 days prior to an election.

The meeting adjourned at 8:38 pm.

Marie Rombouts
City Clerk