

Strawberry Point City Council  
Regular Meeting May 16, 2018

The Strawberry Point City Council met for a regular meeting on Wednesday, May 16, 2018 at 7:00 p.m. at the Council Chambers of City Hall. Mayor Bente presided and led the Pledge of Allegiance. Council members answering roll call were Rowcliffe, Chapman, Johnson, Evans and Hansel.

Rowcliffe made a motion to approve the agenda as presented. Hansel seconded the motion. A roll call vote was taken. Ayes: Rowcliffe, Chapman, Johnson, Evans and Hansel Nays: None. Motion passes.

**CONSENT AGENDA**

Minutes from May 2<sup>nd</sup>

Liquor License Renewal – OT's

Liquor License Dram Shop – Strawberry Point Chamber

Claims/Additional Claims

Johnson moved to approve the consent agenda. Evans seconded the motion. A roll call vote was taken. Ayes: Chapman, Johnson, Evans and Rowcliffe. Nays: None. Abstain: Hansel. Motion passes.

**UNFINISHED BUSINESS**

**INFORMATION**

Council had no questions regarding the Strawberry Point Fire Department Minutes from April 11<sup>th</sup> through April 25<sup>th</sup>.

**NEW BUSINESS**

Council reviewed the request to allow the Ambulance Department 50/50 raffle during Strawberry Days. Evans made a motion to approve the request to allow the Ambulance Department 50/50 raffle during Strawberry Days. Hansel seconded the motion. A roll call vote was taken. Ayes: Johnson, Evans, Hansel, Rowcliffe and Chapman. Nays: None. Motion passes.

Council reviewed requests from Berry Tender Child Care. These requests included 1) re-finishing gym floors 2) updating cement at the bottom of the steps to the playground area 3) getting approval for new outdoor storage shed location. During the discussion there was debate on whether the gym floor had tiles which might contain asbestos; concern was raised over disturbing that during the re-finishing process. Council member Rowcliffe will investigate to determine whether there are tiles on the gym floor. Hansel made a motion to approve the proposed updating to the cement at the bottom of the steps to the playground and also approving the location of the new outdoor storage shed. Chapman seconded. A roll call vote was taken. Ayes: Hansel, Rowcliffe, Chapman and Johnson. Nays: None. Abstain: Evans. Motion passes.

Council heard a statement read aloud on behalf of citizen, Morgan Whittaker. Whittaker contested the order delivered by the Strawberry Point Police Department which deemed the Whittaker family dog was vicious. That designation requires the animal be removed from the city within seven days. This decision came after the Whittaker dog attacked two children. After the incident Whittaker stated he took the dog to be evaluated by a professional who believed that with proper supervision and proper training the dog should be no threat to the other members of the community. Other members of the Whittaker Family also came forward to speak. Chief Ryan Evans was asked to speak as to the city code regarding dog attacks or bites and his decision to deem the dog vicious. Chief Evans stated the city code solely gives him discretion regarding dog bites. After reviewing the victim statements, pictures of the injuries and the facts gathered by Officer Taylor he made the decision to deem the dog vicious. He also deemed another dog vicious on the same day as the result of another unrelated dog attack. Chief Evans stated it was an unfortunate incident; he is in fact a dog lover himself. Despite that, he stands by his decision and would make the same decision again. Council noted that animals are unpredictable and bites or attacks happen despite best efforts. As a result, the Whittakers cannot guarantee the dog will not bite or attack in the future. Rowcliffe made the motion to uphold the Police Department's designation of the Whittaker dog as vicious and is therefore banned from the city limits. Hansel seconded the motion. A

roll call vote was taken. Ayes: Hansel, Rowcliffe, Chapman, Johnson and Evans. Nays: None. Motion passes. The Whittakers were given seven additional days to remove their dog from the city limits.

Rowcliffe made a motion to open the public hearing for the Strawberry Point Splash Pool Project. Chapman seconded. There were no questions or comments during the public hearing period. Evans made a motion to close the public hearing. Johnson seconded the motion.

Council reviewed Resolution 18-11 – a resolution awarding the contract for the Strawberry Point Splash Pool Project. Mike Tucker from Martin Gardner Architecture was present to discuss the bid that was received at the bid opening. There was only one bid that was received. The bid was above the estimated cost, however, after discussion with the contractor – there were some additional items bid which did not need to be. With additional adjustments of reducing the number of play features, a change order could be issued for approximately \$56,000.00 which would reduce the cost of the project. After further discussion, Evans made a motion to approve Resolution 18-11 – a resolution awarding the contract for the Strawberry Point Splash Pool Project to Dave's Complete Construction Inc. in the amount of \$379,453.00. Johnson seconded the motion. A roll call vote was taken. Ayes: Rowcliffe, Chapman, Johnson, Evans and Hansel. Nays: None. Motion passes.

Members of the Strawberry Point Firefighters Association Building Committee addressed Council in regards to plans they would like to put forward to build a new fire station in town on the site of the old Yoder Building. The Committee is coming forward to request permission from the City to start the process of working with City legal to determine the feasibility of a station being built by the Firefighters Association; they would also like to start fundraising for the project. Rowcliffe made a motion to allow the Strawberry Point Firefighters Association to move forward working with City legal to determine the feasibility of such a project and to allow fundraising. Chapman seconded the motion. A roll call vote was taken. Ayes: Chapman, Johnson, Evans and Rowcliffe. Nays: None. Abstain: Hansel. Motion passes. Evans asked the Firefighters Association for clarity in the process and regular updates as things move forward.

Council reviewed a job description drafted for a part-time electric utility manager position. This position would be new for the City and is being considered after some concerns were brought forward regarding contract workers working on the electric utility and whether insurance would cover a claim should there be an incident/damage, etc. Johnson moved to approve the job description for the part-time electric utility manager position and advertise for the position with a June 1<sup>st</sup> deadline. Chapman seconded the motion. A roll call vote was taken. Ayes: Johnson, Evans, Hansel, Rowcliffe and Chapman. Nays: None. Motion passes.

The hiring committee for the Deputy City Clerk position discussed the interviewed applicants with Council. Osweiler stated that 48 applications for the position were received, making the process very competitive. After interviewing four applicants (five were originally set to be interviewed but Osweiler was notified the day of an interview that applicant # 5 was withdrawing their name due to accepting another position). The hiring committee made their recommendation to hire applicant #2 for the position. Osweiler added that applicant #2 had almost 17 years of customer service and accounting related experience. Johnson made a motion to hire applicant # 2 with the starting wage of \$14.00 per hour, in accordance with the city's wage scale plan (Resolution 18-02). Hansel seconded the motion. A roll call vote was taken. Ayes: Evans, Hansel, Chapman and Johnson. Nays: None. Abstain: Rowcliffe. Motion passes.

## **OTHER BUSINESS**

Osweiler indicated that she was recently advised of a possible grant opportunity for community art projects. Mayor Bente had spoken with Osweiler regarding the opportunity and felt it might be beneficial for the city. Osweiler will learn more and report back to the Council.

Osweiler gave an update, as requested on how she is fairing with the two person workload. Despite feeling strong in the first few weeks, Osweiler is definitely feeling as though she is getting behind on work. She is growing increasingly concerned with falling behind at such a critical time (end of the fiscal year) and as such, requested Council allow her to close City Hall on Wednesdays, and close at noon

on Fridays until the Deputy City Clerk can begin. Council felt this was acceptable and to please give as much notice to citizen as possible.

Rowcliffe stated that the family of Harry Nolda had come forward about placing benches at various locations in town, in memoriam. Rowcliffe will work with Osweiler regarding the ordinances related to sidewalks to ensure placement of the benches is within the set guidelines.

With no further business, Rowcliffe moved to adjourn at 8:23 p.m. Evans seconded the motion. Motion passes.

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Alison Osweiler, City Clerk/Administrator

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Jeff Bente, Mayor