

**UNAPPROVED MINUTES**  
**Earlham City Council Meeting**  
**November 11, 2019**

The Earlham City Council met in regular session, on Monday, on November 11, 2019, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m. The following answered roll: Fredericksen, Griswold, Payne, Petersen, Swalla. Also present: Clerk Hibbs, Police Chief Heimdal, Public Works Supervisor Coffman, Fire Chief Boyle.

1. Approval of Agenda

**Motion by Payne, second by Fredericksen, to approve agenda**

**Roll: Ayes – unanimous. Motion passes.**

2. Public Hearing - Railroad crossing at Sycamore Avenue

**Motion by Griswold, second by Fredericksen, to open public hearing**

**Roll: Ayes – unanimous. Motion passes**

Mayor Lillie opened the public hearing at 7:01 p.m. Mayor thanked everyone for coming. He explained this is a big decision and he wants council to have as much input from people in the area as possible. He stated some years ago, the city requested crossing arms be installed at Sycamore. Mayor and Coffman recently met with representative of Iowa Interstate Railroad (IAIS), as this request has finally come on the radar of IAIS. As a result of that meeting, 3 options are being considered: 1) installing crossing arms at Sycamore; 2) permanently closing Sycamore crossing allowing, which according the IAIS, would leave Chestnut and Walnut open more of the time following a after the switch is moved to west of Chestnut; and 3) do nothing and keep all crossings as they are. These options were taken to the Council Public Safety Committee for discussion.

Greg Mitchell with IAIS stated the lights and gates application for the Sycamore crossing was applied for a number of years ago. The applications are ranked and Earlham's have finally come up. Another concern of the City expressed at that meeting was the amount of time the crossings are blocked by stopped trains during the switching process. Mitchell mentioned installing lights and gates will not stop the trains from parking where they park. Several residents spoke to the issue:

- Mike McLaughlin, 245 NW Poplar, expressed concerns about, and the effectiveness of, moving the switch as well as permanently closing Sycamore Avenue.
- Patricia Cairns, 315 SE Maple, spoke to the bad conditions of the Chestnut crossing as well as permanently closing Sycamore, and the idea of safety
- Jerry Cairns, 315 SE S Maple, asked if city really wanted to close Sycamore. Mayor responded no.
- Sandy Skaggs, asked where the road would be closed. Mayor confirmed it would just be at the tracks. She is concerned about all of the commercial traffic that uses that crossing. She also stated there has never been an accident at the Sycamore.

Bentley Tomlin of IAIS drew a design of the proposed moving of the switch, and explain the switching process. He explained maintenance of Chestnut crossing would be the normal timbers with asphalt in between. He mentioned the Iowa DOT has a program 60-20-20 to help cities repair crossings, same as the new Dexter crossing, using concrete instead of timbers. This takes about 5 to 7 years to get funding. There was a discussion on elevator tracks and possible future loading of grain and how that will affect blocking Chestnut. Mayor asked for a consensus of public present and they said to do nothing. Mitchell thank those present for coming and joining in on the discussion. Payne suggested Council should take the information we have and discuss it more. Mayor said no decision would be made tonight.

**Motion by Payne, second by Swalla, to close the Public Hearing.**

**Roll: Ayes – unanimous.**

Mayor declared the public hearing closed at 8:08 p.m.

3. Public Forum – none

4. Consent Agenda:
  - a. Council meeting minutes for October 14, 2019 and November 4, 2019
  - b. Treasurer's Report for 11-11-19
  - c. Claims and Receipts Report for 11-11-19
  - d. Approval of renewal of Class C Liquor License (Commercial) with Catering Privileges, Outdoor Service, and Sunday Sales for West Side Bar & Grille, Inc.

**Motion by Swalla, second by Petersen, to approve consent agenda.**

**Roll: Ayes – unanimous. Motion passes.**

5. Boards, Commission, Committee Reports - none

6. Department Reports

- a. Public Works - Gary Coffman, Public Works Supervisor

Coffman reported on the following activities: leaves have been picked up; bladed alleys; fixed several street lights; letter has been sent to McNair's on their pond; trapping beavers at Gendler to prevent pipes freezing; had risers made for the street overlay project; concrete guy will be here the end of this week; not sure on when blacktop work will be done. Salt has been ordered for the winter. Did repairs at Community Building. Fixed a water main break, during which time a hydrant was broke while attempting to open it. They'll fix this when it warms us. He notified Chief Boyle. He stated there were 22 cars parked on the street during snow removal, and noted we need to get them off the street, especially uptown. Coffman said he would check into the 60-20-20 funding with the DOT regarding the railroad crossings.

At this time, since it is not on the agenda, Mayor asked if Council wants another Public Safety Committee meeting to discuss Sycamore issue. Discussions on all options. Swalla stated he believes public doesn't grasp how closing will effect the other crossing. Payne said it could also cause other problem. Chief Heimdal stated he doesn't think there is a much traffic as they think there is. Coffman said he did talk to Andrew Arnburg from Earlham Building Center and he actually thought closing Sycamore crossing was a good idea and he could manage to get his trucks in and out. Several councilmembers stated they are leaning to the "do nothing" option. Mayor said he believes it comes down to the person throwing the switch. A lazy engineer will park where ever he want to and take his time getting to the switch. Payne added that is hard to enforce. Griswold said he made note of when the IAIS representative said this was not going to be an improvement. Hibbs said Council is meeting on Monday, November 25<sup>th</sup>, for Urban Renewal Plan public hearing, at 7:00 p.m. Council agreed to think about what they had heard this evening and to discuss/possible decide this at the November 25<sup>th</sup> meeting.

- b. Police Department – Chief Jason Heimdal

In-car video camera was recently fixed. There were no issues with recent Homecoming celebration. Met with a student who was doing project on OWI's and had asked how the department handles those. Assisted Madison County and Dallas County departments when their drug dogs went through the school. Went to training with Madison County attorney regarding handling school threats. Handed out candy for Trick or Treat. No issues with Halloween

7. OLD BUSINESS

- a. Consider approval of motion to recognize scrivener error in Resolution No. 19-44, (*verified by City Clerk*) "WHEREAS, by Resolution No. 95-15, adopted July 10, 1995," which should have read "Resolution No. 95-14"

**Motion by Fredericksen, second by Swalla, to approve scrivener error in Resolution No 19-44.**

**Roll: Ayes – unanimous. Motion passes.**

8. NEW BUSINESS

- a. Consider approval of Resolution No. 19-46 Approving Application for Tax Abatement Under the Earlham Urban Revitalization Plan for 915 NE 4<sup>th</sup> Street, Earlham, Iowa.

**Motion by Griswold, second by Payne, to approve Resolution No. 19-46 Approving Application for Tax Abatement Under the Earlham Urban Revitalization Plan for 915 NE 4<sup>th</sup> Street, Earlham, Iowa.**

**Roll: Ayes – unanimous. Motion passes.**

- b. Discussion on fence permit for 820 Spruce Avenue and possibly consider motion regarding same. Hibbs said email from Attorney Braland stated the subject property is not what the Code means by double frontage lots, and since this is interpretation of the Code, it does not need to be amended. Petersen asked, how do we know? Property owner was present and he presented information on the he researched. He is planning on placing fence 10 feet inside his property line. Mayor said council doesn't need to take action. Coffman expressed concern that Veenstra & Kim made a decision on a fence that should have been under Adams authority. Hibbs explained she did not contact Janson at Veenstra & Kim. The property owner said he called him..

9. Mayor's Report

He will be meeting with member of the STEM Club from ECSD. They are looking for a problem within the city and they would like to try to solve it. Mayor and Coffman will meet with them to discuss possible pool project.

10. Clerk's Report

Hibbs had the SICOG 2019 Questionnaire. Fredericksen offered to complete the form.

11. Council comments/discussion - none

12. Adjourn

Motion by Fredericksen, second by Petersen to adjourn.

Roll: Ayes – unanimous. Motion passes.

Being there was no further business, meeting was adjourned at 8:40 p.m.

---

Jeff Lillie, Mayor

Attest: \_\_\_\_\_  
Mary Sue Hibbs, Clerk/Treasurer