

## **REGULAR MEETING**

### **April 11, 2018**

**ACKLEY CITY COUNCIL** met in regular session, April 11, 2018, in the Ackley Civic Center with Mayor Erik Graham presiding. The meeting was called to order at 7:00 p.m. Council members present: Al Jones, Joe Wessels, Judy Crawford, Pat Daggs, and Pat Hurt. Absent: None. Quorum present.

Hurt moved, Jones seconded, to approve the April 11, 2018 Agenda as listed. Ayes-All. Motion carried.

Daggs moved, Hurt seconded, to approve the Consent Agenda by one motion: a) March 14, 2018 Regular Mtg Minutes as written. b) Bills approval authorizing payment of bills and transfers as listed. c) Place Reports on file: March 2018 Clerk Bank Reconciliation/Treasurer Report, March 2018 Clerk Budget Reports, March 2018 Deputy Clerk Utility Billing Reconciliation, March 2018 Fire Monthly Report, March 2018 Ambulance Monthly Report, 1<sup>st</sup> Quarter 2018 Prairie Bridges Financial Reports. Ayes-All. Motion carried.

Wessels moved, Crawford seconded, to open the public hearing at 7:05 p.m. on the second reading of proposed Ordinance No. 504 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 99.02, Pertaining to Rate, and Section 99.07, Pertaining to Use of Funds. Ayes-All. Motion carried. No oral or written comments or objections were received prior to the meeting. Don Moore, CGA, gave a brief history of the City's sanitary sewer system and the requirements that the EPA and IDNR have imposed. Daggs provided some information on how the Council came up with the proposed new rates. Daggs also explained how the issue of illegal draining of sump pumps would have to be addressed as that is a contributor to higher flows. A few citizens asked questions of the Council with the Council providing responses. The biggest concern from the citizens was the wording in Section 99.07 with the use of funds. Jones moved, Hurt seconded, to close the public hearing at 7:26 p.m. Ayes-All. Motion carried.

Clerk DeBerg explained that 100% of the sewer revenue funds could not go to the project and repairs/maintenance as there are sewer operating expenses that are paid with sewer revenue as well. DeBerg also informed the citizens that sewer revenue stays in the sewer fund and does not transfer to the general fund. Wessels moved, Crawford seconded, to table the second reading of proposed Ordinance No. 504 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 99.02, Pertaining to Rate, and Section 99.07, Pertaining to Use of Funds. Council will determine if there is a way to word the proposed ordinance to help alleviate the concern regarding the use of funds. Ayes-All. Motion carried.

Daggs moved, Jones seconded, to open the public hearing at 7:47 p.m. on the first reading of proposed Ordinance No. 505 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 63.04, Pertaining to Special Speed Restrictions. Ayes-All. Motion carried.

No oral or written comments or objections were received. Daggs moved, Hurt seconded, to close the public hearing at 7:47 p.m. Ayes-All. Motion carried.

Daggs moved, Wessels seconded, to approve the first reading of proposed Ordinance No. 505 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 63.04, Pertaining to Special Speed Restrictions. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Hurt seconded, to waive the second and third readings of said proposed Ordinance No. 505. Roll call vote: Ayes-All. Motion carried.

Hurt moved, Daggs seconded, to adopt proposed Ordinance No. 505 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 63.04, Pertaining to Special Speed Restrictions. Roll call vote: Ayes-All. Motion carried.

Jones moved, Hurt seconded, to open the public hearing at 7:50 p.m. on the first reading of proposed Ordinance No. 506 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 107 County Landfill Charges. Ayes-All. Motion carried. No oral or written comments or objections were received. Hurt moved, Daggs seconded, to close the public hearing at 7:51 p.m. Ayes-All. Motion carried.

DeBerg explained that the changes to Chapter 107 included changing the wording from landfill to recycling; beginning to assess commercial, industrial, and governmental properties; removing the limit on revenue; and not charging properties deemed as unsafe. Crawford moved, Wessels seconded, to approve the first reading of proposed Ordinance No. 506 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 107 County Landfill Charges. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Jones seconded, to waive the second and third readings of said proposed Ordinance No. 506. Roll call vote: Ayes-All. Motion carried.

Daggs moved, Hurt seconded, to adopt proposed Ordinance No. 506 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 107 County Landfill Charges. Roll call vote: Ayes-All. Motion carried.

Daggs moved, Hurt seconded, to open the public hearing at 7:53 p.m. on the review of a \$240,994 Iowa Economic Development Authority CDBG Housing Sustainability application for improving 6 owner occupied housing units in a target neighborhood in Ackley. Ayes-All. Motion carried. No oral or written comments or objections were received. Marty Wymore, Region 6 Planning Commission, briefed the Council on the application process and the project itself. Daggs moved, Hurt seconded, to close the public hearing at 7:57 p.m. Ayes-All. Motion carried.

Crawford moved, Wessels seconded, to adopt Resolution No. 18-24 Approving the Ackley Housing Rehabilitation Application to the Iowa Economic Development Authority Owner Occupied Housing Improvement Fund. Roll call vote: Ayes-All. Motion carried.

Daggs moved, Crawford seconded, to accept the bid of \$24,000 from Region 6 Planning Commission for technical services to assist with the Ackley Housing Rehabilitation. This was the only bid received. The \$24,000 would be paid for with federal funds. Ayes-All. Motion carried.

Chris Wolfe, MidAmerican Energy, provided information to the Council on significant projects that MidAmerican will be completing in Ackley. They will be providing a new system distribution voltage which will entail new wires, poles, and transformers; and will provide more system protection and reliability. They will also be building a new substation for this new system. They plan to start the project in May, be done by the end of December, and convert the City in the first quarter of 2019. This will all be at no cost to the City.

Rick Gustin, Reliable 1, presented several options for improving the heating and cooling in City Hall. Council will review the information presented along with other information Wessels has previously gathered before a decision is made.

Daggs moved, Hurt seconded, to set a public hearing for the first reading of proposed Ordinance No. 507 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 65.02, Pertaining to Stop Intersections for May 9, 2018 at 7:00 p.m. Ayes-All. Motion carried.

DeBerg went over the recommendations from the FY17 Examination that was performed by the State Auditor's Office, and shared with the Council any action that has already been taken or is planned to be taken in response to those recommendations.

Crawford moved, Hurt seconded, to adopt Resolution No. 18-19 Establishing Petty Cash Funds. Roll call vote: Ayes-All. Motion carried.

Hurt moved, Jones seconded, to adopt Resolution No. 18-20 Designating Depositories. Roll call vote: Ayes-All. Motion carried.

A brief discussion was held regarding having an examination or an audit for FY18, and who to perform the services. Mayor Graham stated that he liked having the State provide the services. DeBerg agreed and explained that the City was required to have an examination each year, and only an audit if the City chooses to. Hurt suggested that the City have the annual exam with an audit every 3-5 years. Jones moved, Hurt seconded, to have the State Auditor's Office perform an examination for FY18. Ayes-All. Motion carried.

Hurt moved, Jones seconded, to adopt Resolution No. 18-22 Setting Public Hearing to Consider the Sale of 702 State Street by Public Auction. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Crawford seconded, to adopt Resolution No. 18-23 Setting Public Hearing to Consider the Sale of Parcel ID 891902227005 by Public Auction. Roll call vote: Ayes-All. Motion carried.

Crawford moved, Wessels seconded, to adopt Resolution No. 18-25 Temporarily Closing Certain Streets for the 2018 Sauerkraut Days. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Daggs seconded, to approve the beer license for El Tacontento LLC. Ayes-All. Motion carried.

Daggs moved, Hurt seconded, to accept Geode Environmental Contract Agreement for site monitoring and reporting at 410 Main Street at a cost not to exceed \$7,639.60 and for Landfarm Closure sampling and reporting estimated at \$950.00. Ayes-All. Motion carried.

Police Chief Shimon informed the Council that a petition has been filed to the State regarding the church at 420 State Street. Once they are served they have 20 days to respond.

Fire Chief Eichmeier stated that the old pumper truck has been sold for \$3,500. The City has received the payment and the new owner has taken delivery. Eichmeier would like to purchase two new sets of bunker gear with these funds. Eichmeier updated the Council with the plans for the elevator burn on April 14<sup>th</sup>. Wessels moved, Crawford seconded, to approve the elevator burn at a cost of \$7,500 to Fire Training Consultants. Ayes-All. Motion carried.

Lee Gallentine, City Engineer, presented to the Council a design plan for the City Hall sidewalk. Council directed Gallentine to move forward. Paul Williams questioned the quality of the storm sewer in front of City Hall. Council requested that the storm sewer be surveyed. Gallentine updated the Council on several other active items. A topographic survey has been done on the pocket wetland to determine the amount of silt that needs cleaned out. Gallentine hopes to present the findings at the May meeting. The contractor for the 2016 Street Project has one item left on the punch list. The construction permit from IDNR for the Sanitary Sewer Continuing Improvement Plan has been received so Phase 1 of the project is reading to go out for a bid letting. Council directed Gallentine to move forward and to have bids at the June meeting. A review of the storm sewer videos has begun and it appears that there will be plenty of issues to be addressed. There are a couple of building permits that have expired and the projects are not complete. One property owner will reapply for a new permit, and the other property owner Gallentine is still trying to contact.

Dustin Ingram, Economic Development Director, informed the Council that Creative Placemaking is looking at code enforcement as one of their projects. Following the ADC's acquisition of 626 Main Street, the City utility bill has been brought current. The ADC did not receive the \$100,000 grant for restoration of this property, but did receive a \$5,000 planning grant.

Updates were given on old business. Mayor Graham informed the Council that the City was at a standstill with the demolition at 728 and 734 Main Street. Mike Smith, City Attorney, will be addressing the current situation with the neighboring property owners. Graham stated that the contractor hired for the repair work at 626 Main Street has been working on interior jobs due to the weather.

Steve McDowell, McDowell & Sons, addressed the Council with his concerns with the City taking over the garbage service, stating that he didn't think it would be profitable. Crawford

expressed concerns over the quality of service the City could provide. Wessels presented bids on three different garbage trucks. After much discussion, Wessels moved, Hurt seconded, to table a decision for a month. Ayes-All. Motion carried.

DeBerg informed the Council that she hasn't heard any more from Smith on the Industrial Park Subdivision Final Plat, and that she has not been able to get in contact with bond counsel to discuss the financing process for the purchase of a pickup truck. Mayor Graham stated that applications for the Public Works Director position would be reviewed in the next few weeks.

Crawford mentioned that she is gathering information on health insurance, and referred to a handout of a sample sump pump ordinance for Council to review.

Public Comments: None

With no further discussion, Daggs moved, Hurt seconded, to adjourn at 11:18 p.m. Ayes-All. Motion carried.

ACCESS SYSTEMS LEASING	COPIER LEASE/MAINT PYMT/EXCESS	305.06
ACKLEY PUBLIC LIBRARY	POSTAGE	48.03
ACKLEY PUBLISHING CO INC	ENVELOPES/VOL STMT/TEMP GOLF	326.85
ACKLEY SUPER FOODS	CHEST RUB/NOZZLE/TOWELS/FNDRSR	243.51
AFLAC	AFLAC	286.56
AIRGAS NORTH CENTRAL	OXYGEN/CYLINDER RENTAL	453.07
AMAZON	BOOKS	165.37
AMERICAN FINANCIAL NETWORK	AMB LEASE PYMT	1,500.00
ANOSTOETTER CONSTRUCTION	2014 IND PARK WATER & SAN SEW	14,278.32
ARENDS, DEANNA	FOOD FOR BRUNCH FUNDRAISER	93.36
BISHOP CONSULTNG ENGINEER	728/734 MAIN ST WALL COLLAPSE	480.00
BLACK HILLS/IOWA GAS UTIL	UTILITIES-GAS	2,200.43
BOOK LOOK	BOOKS (GNB JEANS \$)	102.90
BUSINESS RADIO SALES & SE	2017 FORD PD CAR SERVICE RADIO	37.50
CENTER POINT LARGE PRINT	CHRISTIAN FICTION SERIES	532.08
CENTRAL IOWA DISTRIBUTING	PAPER TOWELS/TOLIET PAPER	191.70
CGA	ENGINEERING SERVICES	10,884.90
CONSUMER REPORTS	MAGAZINE SUBSCRIPTION	29.00
D.W. ZINSER COMPANY, INC.	DEMO 728/734 MAIN-PYMT 1	14,250.00
DEBERG, KELLY	MILEAGE HARDIN/FRANKLIN AUDITR	40.33
DEMCO	SUMMER READING SUPPLIES	114.44
EICHMEIER MOTOR	SEAL/BEARINGS/FILTERS/BATTERY/ETC	837.43
EMERGENCY MEDICAL PRODUCT	GLOVES/OB KITS/BURN SHEET	175.36
FEDERAL W/H	FED/FICA TAX	5,471.02
FRANKLIN COUNTY AUDITOR	FRANKLIN COUNTY DISPATCH LEVY	628.00
FRANKLIN COUNTY RECORDER	RECORD N 12TH & N FRANKLIN ST	14.00
GREEN BELT BANK AND TRUST	COPIER LOAN	80.48

H.H. CONSTRUCTION	HAUL SNOW	450.00
HARMS, LARRY	JAN-MAR RENT PD CAR GARAGE	375.00
HEART OF IOWA	847-2222 COMMUNICATIONS	77.54
HEARTLAND ASPHALT INC.	SOUTH BUTLER STREET PROJECT	10,408.68
HERITAGE MOTORS	2017 FORD PD CAR SERVICE	37.57
IBELING INSURANCE SERVICE	ELEVATOR DEMO-TRAINING CONSULT	125.00
INNOVATIVE AG SERVICES CO	GAS/DIESEL	1,702.12
IOWA FIRE CHIEFS ASSN.	ANNUAL DUES/50TH ANNIV PIN	28.00
IOWA OUTDOORS	MAGAZINE SUBSCRIPTION 1 YEAR	15.00
IPERS	IPERS	5,313.52
J & M DISPLAYS INC.	FIREWORKS	4,500.00
KARR LLC DBA MONKEYTOWN	INK CARTRIDGES	80.38
KEN'S REPAIR	REPAIR MOWER/EXHAUST FAN/BAR	471.56
KLOCKE KEVIN	RED LENS/CLEAR SCENE LENS	49.07
KORNER WINDOW	FRONT DOOR BLIND IN CITY HALL	257.00
KUM & GO	KUM & GO FUEL	51.15
LINCOLN AQUATICS	PUMP TUBE	53.12
MCDOWELL & SONS INC.	GARBAGE SERVICES	10,027.00
MEDIACOM	PHONE/FAX/INTERNET	109.02
MEYER, MANDY	EGG MY YARD FUNDRAISR SUPPLIES	200.72
MIDAMERICAN ENERGY CO	ELECTRIC	4,019.37
MIDWEST FIRE EQUIP & REP	BEARING/OIL SEAL/PACKING/RINGS	240.90
NAPA AUTO PARTS	SWITCH/TAPE/FUSES/HOSEEND/LAMP	60.02
OTTER CREEK FARMS INC.	AIRPORT LEASE	750.00
P.C.C.	AMBULANCE BILLING FEES	606.24
PEOPLESERVICE INC.	WATER/WASTEWATER SERVICE	15,625.00
POSTMASTER	UTILITY BILL POSTAGE	240.00
PUBLIC EMPLOYEE HEALTH PL	HEALTH INSURANCE	2,886.36
RELIASTAR LIFE INS CO	LIFE INSURANCE	134.31
SALES TAX/LOST	SALES TAX PAYMENT	2,716.00
SHIELD PEST CONTROL	MONTHLY SERVICES	50.00
STATE WITHHOLDING	STATE TAXES	1,602.00
TASER INTERNATIONAL	ULTIMATE EVIDENCE.COM-ANN PYMT	3,300.00
TEI LANDMARK AUDIO	AUDIO BOOKS	44.68
TEK AMBULANCE	PARAMEDIC INTERCEPT-AMR 021318	250.00
THE COURIER	PUBLIC WORKS DIRECTOR AD	534.35
TIMES-CITIZEN CO.	MINUTES/ORD/PUBLIC HEARINGS/AD	783.80
USDA RF	COUGARS DEN MONTHLY PAYMENT	1,151.00
VERIZON	CELLS/PHONE/INTERNET/CARS/FAX	596.53
WAL-MART COMMUNITY	DVD'S	69.14
WILLIAMS EXCAVATION LLC	HAUL SNOW	315.00
DEPOSIT REFUNDS	REFUND DATE 03/28/2018	0.28
DEPOSIT REFUNDS	REFUND DATE 04/03/2018	56.16

PAYROLL CHECKS	TOTAL PAYROLL CHECKS	20,151.65
	CLAIMS TOTAL	144,283.94
EXPENSES BY FUND		
	GENERAL FUND	55,977.94
	LIBRARY RESERVE FUND	793.42
	ROAD USE TAX FUND	14,504.75
	TIF FUND	14,278.32
	CAP PROJ-GO BOND 2016A FUND	528.20
	CAPITAL ST PROJECTS-LOST FUND	10,408.68
	CAP PROJ-DEMO OF BLDGS FUND	14,730.00
	SPLASH PAD FUND	588.50
	WATER FUND	11,975.78
	WATER DEPOSITS FUND	56.16
	SEWER FUND	10,539.99
	CAP SEWER IMPROVEMENTS FUND	6,801.70
	STORM WATER FUND	3,100.50
	TOTAL	144,283.94
REVENUE - MARCH 2018		
	GENERAL FUND	49,228.55
	LIBRARY RESERVES FUND	62.32
	FIRE TRUCK/EQUIP RESERVES FUND	3,500.95
	AMBULANCE RESERVES FUND	0.22
	ROAD USE TAX FUND	14,151.25
	EMPLOYEE BENEFIT FUND	1,732.58
	EMERGENCY FUND	133.79
	LOST FUND	22,985.28
	TIF FUND	14,311.66
	DEBT SERVICE FUND	4,656.27
	WATER FUND	36,069.75
	WATER DEPOSITS FUND	600.00
	SEWER FUND	33,130.95
	SEWER SINKING FUND	1,876.67
	CAP SEWER IMPROVEMENTS FUND	143,229.25
	STORM WATER FUND	11,174.34
	TOTAL	336,843.83

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Erik Graham, Mayor

ATTEST: \_\_\_\_\_

Kelly DeBerg, City Clerk