

UNAPPROVED MINUTES
Earlham City Council Meeting
May 13, 2019

The Earlham City Council met in regular session on Monday, May 13, 2019, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m. and the following answered roll: Fredericksen, Payne, Petersen. Absent: Griswold, Swalla. Staff present: Clerk Hibbs, Police Chief Heimdal, Public Works Superintendent Coffman. Also present: Members of Boy Scout Troup No.115; Dusky Terry, Chicks With Checks.

1. Approval of Agenda

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

Roll: Ayes – unanimous. Motion passes.

2. Public Hearing

a. FY2018-2019 City Budget Amendment #2

Mayor Lillie declared the public hearing open at 7:02 p.m. Hibbs stated there were no written or oral comments received at City Hall. No other comments were made.

Motion by Petersen, second by Fredericksen, to close the public hearing.

Roll: Ayes – unanimous. Motion passes. Public Hearing closed at 7:03 p.m.

3. Public Forum – Hunter Dobbin of Boy Scout Troup No 115, stated he will be working on his Eagle Scout and is looking for a project. Fredericksen suggest new equipment shed at the Rec Park. Coffman said there might be possible work at the cemetery.

4. Consent Agenda:

a. Minutes of April 8, 2019 Council meetings

b. May 13, 2019 Treasurer's report

c. May 13, 2019 Claim & Receipts report

d. Consider approval of Carryout Native Wine liquor permit for Bricker-Price Restoration Corporation.

e. Consider approval of 5 day liquor permit during RABGRAI for West Side Bar & Grille.

f. Consider approval for Outdoor Service liquor permit during Freedom Fest for West Side Bar & Grille.

Hibbs explained the bill from the Earlham Echo was added to the claims list after the packet had been sent.

Motion by Petersen, second by Payne, to approve amended 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: trees are being cut and trimmed. Sewer lining is complete. Mike Anthony is no longer with Shive Hattery. New contact is Scott Lee. Coffman talked to two street companies about repairing East First Street. Neither can get to it until after Memorial Day. He stated the pool is having a number of problems, and council is going to have to give thought to long term solution, in particular to the pool itself and the deck. Possibly a new pool liner. Hail repair work is done except for a couple of days on pool house and Rec Park shelter. Boyle has jury duty starting May 15th. Has met with Music in the Park group. City will paint the shelter and restrooms before the concerts start.

b. Police - Police Chief Jason Heimdal & Madison County Sheriff Jason Barnes

Tire fixed on Explorer and serviced the Charger. ECSD Seniors spent "Skip Day" all night in school parking lot with no incidents. Held a mock accident at the school.

Madison County Sheriff Jason Barnes spoke to the council regarding RAGBRAI. His department will provide support to the Earlham PD. Also spoke about the new 700 mgh radios in Madison County.

7. OLD BUSINESS

a. Sale of Old Fire Station

Hibbs stated she sent a letter to Mr. Bargeon denying his request for an extension, and that if we did not hear from him by April 30th, we would assume he no longer wished to purchase the building.

Council directed Clerk start over and go out for bids again.

b. Water tower design

Shive Hattery provided another drawing of water tower. Hibbs mentioned Earlham did not qualify for the CDBG grant so we won't be getting any financial help from there. Now that we know that, Mayor suggested a Municipal Enterprise meeting with new engineer to establish timeline. Gary will contact Shane at Shive Hattery.

8. NEW BUSINESS

a. Levitt AMP Summer Concert Series – Dusky Terry

Dusky and Connie Terry reported on progress for the Summer Concert Series. They had a meeting just prior to the council meeting with Heimdal and Coffman. They thanked the City for its grant match. To date, Chicks With Checks have raised \$55,000 cash and \$13,000 in-kind donations. Concerts run from June 2nd through Aug 11th, with no concert on July 7th. Kate Williams from CWC stated Sycamore will be blocked off for band load/unload and handicapped parking. Sound checks will begin at 6:00 p.m., concert at 7:00 p.m. and done by 9:00 p.m. First aid station will be set up. ECSD is the rain location. Committee will contact residents living adjacent to the park informing them about concerts.

Motion by Fredericksen, second by Payne, to grant a permit to the Levitt AMP Earlham

Summer Music Series for use of sound amplification system from 5:00 to 9:00 p.m. on the ten concert dates; and approve a transient merchant's license exemption for vendors at the park.

Roll: Ayes – unanimous. Motion passes.

b. Consider approval of Ordinance No. 406, Temporarily Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, regarding RAGBRAI – Miscellaneous Permits.

Hibbs explained Iowa Codification stated this does not need to be codified and placed in our code book. Mayor Lillie said the Section 2(B) should be amended to include the fees for local (Earlham residents) vendors (\$200), and local non-profit (\$100)

Motion by Fredericksen, second by Payne, to approve the First Reading of Ordinance No. 406, Temporarily Amending Code of Ordinances of the City of Earlham, Iowa, 2017, regarding RAGBRAI – Miscellaneous Permits, as amended

Roll: Ayes – unanimous. Motion passes.

Motion by Fredericksen, second by Payne, to waive the Second and Third Readings of Ordinance No. 406, Temporarily Amending Code of Ordinances of the City of Earlham, Iowa, 2017, regarding RAGBRAI – Miscellaneous Permits, as amended

Roll: Ayes – unanimous. Motion passes. Ordinance No. 406 approved.

c. Consider approval of Ordinance No. 407, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017 Adding Chapter 152 Entitled “Building Code”, Which Will Adopt the 2015 International Series of Codes.

Motion by Petersen, second by Payne, to approve the First Reading of Ordinance No. 407, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017 Adding Chapter 152 Entitled “Building Code”, Which Will Adopt the 2015 International Series of Codes.

Roll: Ayes – unanimous. Motion passes.

Motion by Petersen, second by Payne, to waive the Second and Third Readings of Ordinance No. 407, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017 Adding Chapter 152 Entitled “Building Code”, Which Will Adopt the 2015 International Series of Codes.

Roll: Ayes – unanimous. Motion passes. Ordinance No. 407 approved.

d. Consider approval of Ordinance No. 408, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, By Amending Chapter 165.18 Zoning Regulations – Fees.

Motion by Petersen, second by Payne, to approve the First Reading of Ordinance No. 408, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, By Amending Chapter 165.18 Zoning Regulations – Fees.

Roll: Ayes – Unanimous. Motion passes.

Motion by Petersen, second by Payne, to waive the Second and Third Readings of Ordinance No. 408, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, By Amending Chapter 165.18 Zoning Regulations – Fees.

Roll: Ayes – Unanimous. Motion passes. Ordinance No. 408 approved.

- e. Consider approval of Resolution No. 19-21, Approving FY19 Budget Amendment #2.
Motion by Payne, second by Petersen, to approve Resolution No. 19-21, Approving FY Budget Amendment #2.
Roll: Ayes – Unanimous. Motion passes.
- f. Consider approval of Resolution No. 19-24, Approving Building Permit Fees in City of Earlham IA.
Motion by Payne, second by Petersen, to approve Resolution No. 19-24, Approving Building Permit Fees in the City of Earlham IA.
Roll: Ayes – unanimous. Motion passes.
- g. Consider approval of Resolution No. 19-25, Authorizing the Transfer of \$49,738.50 from Lost Fund to Debt Service Fund In Order to Make the First Principal and Interest Payment on the 2018 Go Capital Loan Note; And Declaring Official Intent to Reimburse the Lost Fund from Debt Service Once The Amount Has Been Levied.
Motion by Payne, second by Petersen, to approve Resolution No. 19-25, Authorizing the Transfer of \$49,738.50 from Lost Fund to Debt Service Fund In Order to Make the First Principal and Interest Payment on the 2018 Go Capital Loan Note; And Declaring Official Intent to Reimburse the Lost Fund from Debt Service Once The Amount Has Been Levied.
Roll: Ayes – unanimous. Motion passes.
- h. Consider approval of Resolution No. 19-26, Setting Wages for 2019 Seasonal Part-Time Employees of the City of Earlham, Iowa.
Hibbs noted in consultation with Pool Supervisor Amy Willem, the lifeguards were given raises this year, with the base beginning at \$9.00/hr., up from \$8.25/hr. Hibbs said it is getting hard to retain good guards, and after looking at guard wages around the area, it was decided to raise the wages.
Motion by Fredericksen, second by Payne, to approve Resolution No. 19-26, Setting Wages for 2019 Seasonal Part-Time Employees of the City of Earlham, Iowa.
Roll: Ayes – unanimous. Motion passes.
- i. Consider approval of Resolution No. 19-27, Approving the Application for Tax Abatement for 820 NW Spruce Avenue, Earlham, Iowa.
Fredericksen noted typo in address. Hibbs will correct to 820 NW Spruce.
Motion by Petersen, second by Payne, to approve Resolution No. 19-27, Approving the Application for Tax Abatement for 820 NW Spruce Avenue, Earlham, Iowa, as amended.
Roll: Ayes – unanimous. Motion passes.
- j. Consider approval of Resolution No. 19-28, Authorizing Transfers of Funds for FY19.
Motion by Payne, second by Frederickson, to approve Resolution No. 19-28, Authorizing Transfer of Funds for FY19.
Roll: Ayes – unanimous. Motion passes.
- k. Consider approval of Resolution No. 19-29, Authorizing: 1) Use Of \$67,327.59 Sewer Reserve Funds; 2) An Internal Loan From General Fund To Sewer Fund In The Amount Of \$25,000; And, 3) Declaring An Official Intent To Reimburse The General Fund From Certificate Of Deposit No. 1117454 When It Matures October 4, 2019.
Hibbs explained this was to help pay for the sewer lining bill from Municipal Pipe Tool in the amount of \$102,774.
Motion by Petersen, second by Fredericksen, to approve Resolution No. 19-29, Authorizing: 1) Use Of \$67,327.59 Sewer Reserve Funds; 2) An Internal Loan From General Fund To Sewer Fund In The Amount Of \$25,000; And, 3) Declaring An Official Intent To Reimburse The General Fund From Certificate Of Deposit No. 1117454 When It Matures October 4, 2019.
Roll: Ayes – unanimous. Motion passes.

1. Consider approval of motion consenting to assignment of trustee agent agreements; escrow agent agreements; and/or paying agent and registrar and transfer agent agreements to UMB Bank from Bankers Trust.

Hibbs stated Bankers Trust has been the paying agent and registrar for the 2012B Refunding GO Bond.

Motion by Fredericksen, second by Payne, to approve motion to consent to assignment of trustee agent agreements; escrow agent agreements; and/or paying agent and registrar and transfer agent agreements to UMB Bank from Bankers Trust.

Roll: Ayes – unanimous. Motion passes.

- m. Discussion and possible action on truck traffic on NE Birch Avenue.

Coffman said the situation has gotten better. Mayor spoke with the Secondary Roads Departments in both Madison and Dallas Counties and 3-inch rock has been put down. Dallas followed up with road stone. However, the problem will be back with more rain. Chief said if tickets are written, the driver has to go to court, where the magistrate usually charges court costs and can set fine up to \$750. However, they usually just have to pay court cost. Mayor asked what we need to do, possibly an ordinance. Current code state if over 5000 pounds must be on truck route, but says nothing about a fine if caught off of the truck route. Need to ask Attorney Braland about weight limit. Mayor asked if ordinance should reference the number of axels instead of weight. Talk to Braland and put ordinance together. Then public safety committee meeting and have ordinance ready for next council meeting.

9. Mayor's Report

RAGBRAI committee has had several meeting. Truck traffic – the CoOp intends to be closed that day. The bar, grocery store, and others will talk with their regular delivery people. Coffman asked if all businesses knew about RAGBRAI. Mayor said they stills need to talk to Montross. Trying to get as many local vendors (clubs, organizations) as possible. Chief suggested contacting the quarry and have them tell trucks to use Exit 106 that day. Coffman also mentioned the trains blocking the intersections for long periods of time. Gary will call Rance Lund with Iowa Interstate Railroad to see if we can get the problem fixed. Dave Boyd completed siding and roof on 142 S Chestnut.

10. Clerk's Report

Computer maintenance/security – Have received all of the bids. Hibbs and Willem will get together with Don Mudge who has offered to go over the specs and bids.

11. Council comments/discussion - None

12. Adjourn

Motion by Fredericksen, second by Payne, to adjourn.

Roll: Ayes – unanimous. Motion passes.

Being there was no further business, meeting adjourned at 8:20 p.m.

Jeff Lillie, Mayor

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer