

**UNAPPROVED MINUTES**  
**Earlham City Council Meeting**  
**October 14, 2019**

The Earlham City Council met in regular session, on Monday, October 14, 2019, at Earlham City Hall. Mayor Jeff Lillie called the meeting to order at 7:00 p.m., and the following answered roll; Fredericksen, Griswold, Payne, Petersen. Absent: Swalla. Staff present: Clerk Hibbs, Police Chief Heimdal, Public Works Superintendent Coffman. Also present: engineer Scott Lee from Shive Hattery

1. Approval of Agenda

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

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

2. Public Hearing

Proposed plans, specifications, form of contract, and estimated cost of the water tower project.

**Motion by Payne, second by Griswold, to open public hearing.**

**Roll: Ayes – unanimous. Motion passes. Meeting opened at 7:01 p.m.**

No one from public present to address issue. Scott Lee from Shive Hattery stated the low bid was \$1.37M for 200,000 gallon tower from McGuire Iron. The original engineers estimate was \$1.42M. Discussion on if there is a need for 250,000 gallons, at an extra \$85,000. Consensus of council was the 200,000 tower would be adequate for current use as well as future growth over the next 50 years, and, to go with the bid from McGuire Iron.

**Motion by Frederickson, second by Petersen, to close public hearing.**

**Roll: Ayes – unanimous. Motion passes. Public Hearing closed at 7:12 p.m.**

3. Public Forum – none.

4. Consent Agenda:

*(Hibbs stated item a. should be amended to read “ September 16, 2019 Council meeting minutes”)*

a. September 9, and September 14, 2019 Council meeting minutes

b. Treasurer’s Report for 10-14-19

c. Claims and Receipts Report for 10-14-19

d. Approval of renewal of Class C Liquor License (Commercial) with Catering Privileges, Outdoor Service, and Sunday Sales for West Side Bar & Grille, Inc.

e. Approval of renewal of Class C Liquor License (Commercial) with Catering Privileges, Class B Wine, Outdoor Services, and Sunday Sales for Saison Cafe/The Hare and Hound.

**Motion by Fredericksen, second by Griswold, to approve consent agenda, as amended.**

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

5. Boards, Commission, Committee Reports

a. Public Safety Committee – Sycamore railroad crossing.

Meeting was held on September 8, 2019. Committee Chairperson Payne gave history of this issue, stating we could either install crossing arms at the crossing, at a cost of \$40,000 to the city, or close the crossing. If the Sycamore Street crossing is closed, the switch will be moved to the west of Chestnut Street. If this is done, the amount of time both crossings would be blocked would be cut by 75%. A public hearing will be held (see item 8f below). Letters will be sent to residents in the neighbor informing them of public hearing to address their concerns.

b. Municipal Enterprises Committee

No quorum.

6. Department Reports

a. Public Works - Gary Coffman, Public Works Supervisor

Regular seasonal projects. Coffman described a service line leak resulting from digging for fiberoptic line. Pool is winterized. He is still looking for someone to do patch work on sidewalks and streets. Having trouble finding someone to do it. Asphalt company is coming. The leak locator is in town today. Attorney is sending a letter to McNairs regarding the pond leaking into the ditch.

- b. Police Department – Chief Jason Heimdal  
Chief reported he met with Christy Christenson who is the Madison County coordinator for CICS. CICS helps police departments who are called out on incidents with mentally challenged individual, and tries to provide options for these people rather than just being incarcerated. Also purchased tires for the Explorer, and had fire extinguishers in the squad cars tested.

7. OLD BUSINESS

- a Council shall review the bids for the construction of the proposed work and award the contract to the lowest responsive responsible bidder. Council will set time and date for entering into a contract for the work.

**Motion by Griswold, seconded by Payne, to award the bid for the water tower project at 7:38 p.m. on 10-1-19 to McGuire Iron, and to sign the contract upon receipt.**

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

8. NEW BUSINESS

- a. Consider approval of Resolution No. 19-41 Approving Iowa Offset Program Appeal Process for the City of Earlham.

**Motion by Petersen, second by Payne, to approve Resolution No. 19-41 Approving Iowa Offset Program Appeal Process for the City of Earlham.**

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

- b. Consider approval of Resolution No. 19-42 Approving The Application for Tax Abatement for 225 NW 8<sup>th</sup> Street, Earlham, Iowa

**Motion by Fredericksen, second by Griswold, to approve Resolution No. 19-42 Approving The Application for Tax Abatement for 225 NW 8<sup>th</sup> Street, Earlham, Iowa**

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

- c. Consider approval of Resolution No. 19-43 Approving The Application for Tax Abatement for 240 NW 8<sup>th</sup> Street, Earlham, Iowa

**Motion by Griswold, second by Payne, to approve Resolution No. 19-43 Approving The Application for Tax Abatement for 240 NW 8<sup>th</sup> Street, Earlham, Iowa**

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

- d. Consider motion to approve a variance to the Noise Ordinance for Brick-Price Block Harvest Dinner event on October 20, 2019.

**Motion by Fredericksen, second by Petersen, to approve a variance to the Noise Ordinance for Brick-Price Block Harvest Dinner event on October 20, 2019.**

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

- e. Consider motion to approve hanging lights from city light pole for Bricker-Price Block Harvest Dinner event on October 20, 2019.

**Motion by Payne, second by Fredericksen, to approve hanging lights from city light pole for Bricker-Price Block Harvest Dinner event on October 20, 2019.**

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

- f. Set Public Hearing on possible closing of the railroad crossing at Sycamore Avenue

**Motion by Griswold, second by Fredericksen, to set November 11, 2019, at 7:00 pm. as time and date for public hearing on closing of railroad crossing at Sycamore Avenue.**

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

9. Mayor's Report

Has been attending committee meetings and events for Madison County as usual.

10. Clerk's Report

Resident at 820 Spruce Street wants to put up a privacy fence in a couple of feet inside of the rear property line. However, Earlham Code says this is a "Double Frontage Lot" requiring a front yard on both streets. Hence the fence ordinance for the rear of the house should be the same as a front yard.

Jason from V&K doesn't believe that pertains to yard backing up to highway or major road. Homeowner will lose 30 feet of his back yard if he has to go by front yard setbacks. He feels council should make decision on this. Discussion followed. Put on agenda for next month. Clerk Hibbs stated she will contact Attorney Braland for his opinion, as well as check other city codes.

Hibbs said they are getting calls at city hall regarding Earlham's sesquicentennial. Mayor said he believed it is going to be in conjunction with Freedom Fest. Mindy Williamson is in charge.

11. Council comments/discussion - none

12. Adjourn

**Motion by Griswold, second by Payne, to adjourn.**

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

Being was no further business, meet was adjourned at 7:56 p.m.

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Jeff Lillie, Mayor

Attest:

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Mary Sue Hibbs, Clerk/Treasurer