

UNAPPROVED MINUTES
Special Session Earlham City Council Meeting
September 27, 2021

The Earlham City Council met in special session on Monday, September 27, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m., and the following answered roll: Baskin, Fredericksen, Payne, Petersen, Swalla. Also present Clerk Hibbs, Police Chief Heimdal, Public Works Supervisor Coffman.

1. Approval of Agenda
Motion by Baskin, second by Swalla, to approve agenda.
Roll: Ayes – unanimous. Motion passes.

2. Public Hearing on the Authorization of a Loan Agreement and the Issuance of Notes to Evidence the Obligation of the City thereunder.
Mayor declared public hearing open at 7:01 p.m. No one was present to speak to this issue. Clerk Hibbs reported there were no written or oral comments received at City Hall.
Motion by Payne, second by Fredericksen, to close public hearing.
Roll: Ayes – unanimous. Motion passes and public hearing closed at 7:02 p.m.

3. Consider approval of Resolution No. 21-43 Instituting Proceedings to take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,400,000 Sewer Revenue Capital Loan Notes.
Motion by Fredericksen, second by Payne, to approve Resolution No. 21-43 Instituting Proceedings to take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,400,000 Sewer Revenue Capital Loan Notes.
Roll: Ayes – unanimous. Motion passes.

4. Consider approval of Resolution No. 21-44 Rejecting Both Bids Received and Opened on September 16, 2021, for the 2021 Sewer Lagoon Project, per Recommendation from City Engineer.
Coffman explained we received 2 bids, both within \$700 dollars of each other. Both were \$1M, or 40%, higher than the engineers estimate. We can possibly rebid in January with two bids, one for 2023, and one for 2024. The DNR has granted us a 1-year extension. Travis Squires from PiperSandler is crunching the numbers regarding the State Revolving Fund. SRF require environmental steps which need to be done before the bid, which could be September/October of 2022. Tami Wilcox with Shive Hattery suggests we table this issue until the October 11th meeting. Swalla added if we wait to bid, we will be bidding at the wrong time of the year. Coffman said bids could even come back higher.
Motion by Payne, second by Petersen to table Resolution No 21-44 until the October 11, 2021 meeting.
Roll: Ayes – unanimous. Motion passes.

5. Public Hearing – Verizon land-lease agreement
Mayor declared the public hearing open at 7:09 p.m. No one was present to speak to this issue. Clerk Hibbs reported there were no written or oral comments received at City Hall. Hibbs added the agreement has been gone over by City Attorney Braland and insurance agent Lauren Volz, and they have approved the language.
Motion by Swalla, second by Baskin, to close public hearing.
Roll: Ayes – unanimous. Motion passes and public hearing closed at 7:10 p.m.

6. Consider approval of Resolution No 21-45 Approving a Land Lease Agreement Between the City of Earlham, Iowa, and RSA 7 Limited Partnership D/B/A/ Verizon Wireless for Placement of Telecommunications Equipment at the Earlham Sewer Lagoon, and Directs Mayor to Sign Said Agreement.
Motion by Petersen, second by Swalla, to approve Resolution No 21-45 Approving a Land Lease Agreement Between the City of Earlham, Iowa, and RSA 7 Limited Partnership D/B/A/ Verizon Wireless for Placement of Telecommunications Equipment at the Earlham Sewer Lagoon, and Directs Mayor to Sign Said Agreement.
Roll: Ayes – unanimous. Motion passes.

7. Hearing on vicious dog determination. Brown and tan yorkie owned by Dlorah Lee. Chief Heimdal stated there was a biting incident last Wednesday, but there was also another incident in May. Paulette Horner, 225 NW 2nd, stated she was walking when she saw its owners trying to catch it. Then the dog came after her and bit the back of her leg. Alan Horner said it had tried to bite him, but he had long jeans on. Mrs. Horner said he had seen the dog take after her granddaughter on an earlier occasion. She stated there are small children in the neighborhood and she is worried about them. Owner Lee said the dog did bite Mrs. Horner. Mayor explained the ordinance regarding vicious animals to the owner. Swalla stated he believes the dog need to be removed from town. Mayor read Chapter 57.01(1) Dangerous Animal of the Earlham Code of Ordinance.
Motion by Swalla, second by Baskin, to declare the brown and tan Yorkie owned by Dlorah Lee a vicious dog, due to multiple incidents.
Roll: Ayes – unanimous. Motion passes.

Mayor stated the owner has 72 hours to either have the dog put down or remove the dog from city limits. Ms. Lee said she will not put down the dog, but will relocate it outside of city.

Order was given by Mayor to remove the dog from the city.

8. Set date for Street Committee meeting to discuss sidewalks.
Tuesday, October 5, 2021, 7:00p.m., as the date and time for the Street Committee meeting.
9. Council comments/discussion - none
10. Adjourn
Motion by Baskin, second by Payne, to adjourn meeting.
Roll: Ayes – unanimous. Motion passes.

Being there was no further business, meeting was adjourned at 7:37 p.m.

Jeff Lillie, Mayr

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer