

**UNAPPROVED MINUTES**  
**Earlham City Council Meeting**  
**April 13, 2020**

The Earlham City Council met in regular session, on Monday, April 13, 2020. Because of COVID-19 precautions, the meeting was held electronically. Mayor Lillie called the meeting to order at 7:00 p.m. The following answered roll: Baskin, Fredericksen, Payne, Petersen, Swalla. Also present: Clerk Hibbs, Police Chief Heimdal, Public Works Superintendent Coffman. *(The public was invited to join electronically. One resident attended.)*

1. Approval of Agenda  
**Motion by Fredericksen, second by Petersen, to approve the agenda.**  
**Roll: Ayes – unanimous. Motion passes.**
2. Public Forum - None
3. Consent Agenda:
  - a. Council meeting minutes for March 9 & 23, 2020
  - b. Treasurer's Report as of March 31, 2020
  - c. Claims and Receipts Report for March 9, 2020**Motion by Swalla, second by Payne, to approve the consent agenda.**  
**Roll: Ayes – unanimous. Motion passes.**
4. Boards, Commission, Committee Reports
  - a. Planning & Zoning Commission  
Hibbs stated the Planning & Zoning Commission met on March 30<sup>th</sup> to discuss the issue of fences on double fronted streets. They recommended that on double frontage, or through lots, which back up to arterial roads, fences shall be built no closer than 15 feet from the property line along the arterial street, and all adjacent properties shall have their fences lined up to form a row.
  - b. Public Safety Committee  
Committee met on March 23<sup>rd</sup>. Chairperson Payne stated they met to discuss the Chapters 55, 56, and 57 of the Earlham Code. They recommended several changes which were sent to Attorney Braland for his review. Hibbs stated there are will a few questions which might require another meeting.
5. Department Reports
  - a. Public Works - Gary Coffman, Public Works Supervisor  
Coffman reported the pool has been drained and cleaned, and patching will begin soon. Not sure if pool will be filled for use or not this summer, but it will be ready to go. Has been working on filling pot holes. Has run out of patch and will get more. Stated he is lining up blocks for the crack sealing company to work on. Sander and snow blower removed from truck and mower. Has been some mowing. Cemetery cleaned up. Had water main break which required hiring the locator to find it. Leak running right into manhole which needs to be fixed. Water tower – after torn down, they came in to clean up and remove concrete. They removed the concrete foundation pillars by mistake, which has caused new pillars, new compaction. Contractor's fault because there was not a supervisor on site. Engineers on top of this issue. Project ahead of schedule due to school closure. Sump pump checks on hold due to Corvid 19. About 30 left to inspect and maybe 10 still need to be fixed. Still trying to find way to get water out of our system. Manholes seem to be more of a problem than originally thought. Will have Municipal Pipe & Tool (who does the lining) look at the manholes and get them sealed up in the next several months.
  - b. Police Department – Chief Jason Heimdal  
Chief reported he did a fingerprinting presentation at school. Justin assisted Madison County in a high-speed chase. Department is still dealing with the horse issue. The court case from two years ago was continued and will start again in August. New charges have been pressed. Baskin asked how many more times before city can do something. Hibbs stated we can try to put something in the updated animal ordinance regarding. Mayor said if the horses get put on the county side of his property that still doesn't solve the problem. Will possibly discuss more on this at Public Safety meeting. Council directed Chief to talk with Madison County to see if they could give us any direction on this, i.e., will they help us to get them removed. Heimdal said he we talked with Sheriff.

6. OLD BUSINESS

- a. Consider approval of Ordinance No. 421 Amending the Code of Ordinances of the City of Earlham, Iowa, by Amending Provisions Pertaining to Chapter 165.44(5) Fences, Walls, and Plantings  
Since this is part of the Zoning Code, Hibbs stated there needs to be a public hearing regarding this issue.  
**Motion by Fredericksen, second by Baskin, to set April 27, 2020, at 7:00 p.m. as the date and time for the public hearing on Ordinance No. 421.**  
**Roll: Ayes – unanimous. Motion passes.**
- b. Discussion on amendment of vicious dog ordinance.  
Discussed Under Public Safety Committee report.

7. NEW BUSINESS

- a. Consider approval of Resolution No. 20-16, a Resolution Declaring an Official Intent Under Treasury Regulation 1.150-2 to Issue Debt to Reimburse the City for Certain Original Expenditures Paid in Connection with Specific Projects.  
**Motion by Petersen, second by Baskin, to approve Resolution No. 20-16, a Resolution Declaring an Official Intent Under Treasury Regulation 1.150-2 to Issue Debt to Reimburse the City for Certain Original Expenditures Paid in Connection with Specific Projects.**  
**Roll: Ayes – unanimous. Motion passes.**
- b. Consider approval of Resolution No. 20-17, a Resolution Fixing Date For A Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$800,000 Water Revenue Refunding Capital Loan Notes of the City of Earlham, State of Iowa, and Providing for Publication of Notice Thereof.  
**Motion by Payne, second by Swalla, to approve Resolution No. 20-17, a Resolution Fixing Date For A Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$800,000 Water Revenue Refunding Capital Loan Notes of the City of Earlham, State of Iowa, and Providing for Publication of Notice Thereof.**  
**Roll: Ayes – unanimous. Motion passes.**
- c. Consider approval of Resolution No. 20-18, a Resolution Approving the Application for Tax Abatement for 240 NW 3<sup>rd</sup> Street, Earlham, Iowa  
**Motion by Baskin, second by Petersen, to approve Resolution No. 20-18, a Resolution Approving the Application for Tax Abatement for 240 NW 3<sup>rd</sup> Street, Earlham, Iowa**  
**Roll: Ayes – unanimous. Motion passes.**
- d. Consider approval of Resolution No. 20-19, a Resolution Approving the Application for Tax Abatement for 800 NW Spruce Avenue, Earlham, Iowa  
**Motion by Fredericksen, second by Payne, to approve Resolution No. 20-19, a Resolution Approving the Application for Tax Abatement for 800 NW Spruce Avenue, Earlham, Iowa**  
**Roll: Ayes – unanimous. Motion passes.**
- e. Consider approval of Engagement Letter with Piper Sandler for Water Tower Financing  
**Motion by Petersen, second by Payne, to approve Engagement Letter with Piper Sandler (previous Piper Jaffrey) for Water Tower Financing**  
**Roll: Ayes – unanimous. Motion passes.**
- f. Consider approval of Distribution of Term Sheet for Loan Placement  
**Motion by Swalla, second by Payne, to approve Distribution of Term Sheet for Loan Placement.**  
**Roll: Ayes – unanimous. Motion passes.**

8. Mayor's Report

Mayor stated, obviously, City Hall, Library, and Community Center are all closed. Held a staff meeting several weeks ago to discuss protocol. Amy and Mary Sue are both set up to be able to work from home; Gary and public works staff are trying to "social distance". If there is an actual lock-down, we will put more protocols into place especially with public works. Mentioned the Gift Cards and all the publicity it has given Earlham. Swalla asked about aid to small cities. Hibbs stated we are losing RUT funds and LOST funds. Mayor added next round of stimulus money might include funds to small towns. Also, Madison County Development Group meeting will be Wednesday and Tom Lenners said he will have some information on programs we can apply for.

9. Clerk's Report – procedure on utility bills (penalty, no shut off, arrangements)  
Hibbs mentioned the Mayor and Utility Billing Clerk discussed whether or not to shut off water service for non-payment during this time. Disconnect letters will be sent out as usual, and penalties will be assessed, but tags will not be hung and water will not be shut off at this time. Mayor stated after a discussion with Fire Chief Boyle regarding sanitation, the washing of hands, and health concerns, it was decided to keep water on at these residences.
10. Council comments/discussion - None
11. Adjourn  
**Motion by Fredericksen, second by Payne to adjourn.**  
**Roll: Ayes – unanimous. Motion passes.**

Being there was no further business, meeting was adjourned at 7:52 p.m.

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Jeff Lillie, Mayor

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