

UNAPPROVED MINTUES
Earlham City Council Meeting
December 14, 2020

The Earlham City Council met in a regular session on Monday, December 14, 2020. This meeting was conducted via Zoom; originating in City Hall, as required by law. Mayor Lillie called the meeting to order at 7:02 p.m. and the following answered roll: Baskin, Fredericksen, Payne, Petersen. Swalla arrived at 7:24 p.m. Staff present: Clerk Hibbs, Public Works Supervisor Coffman, Police Chief Heimdal. Also present: Larry & Kaye Hummel, Attorney Justin Palmer with the Bradford Law Firm, City Attorney Sam Braland.

1. Approval of Agenda

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

Roll: Ayes – unanimous. Motion passes.

2. Public Forum – None

3. Consent Agenda:

- a. Council meeting minutes for November 9 and November 23, 2020
- b. Treasurer's Report as of November 30, 2020
- c. Claims and Receipts Report for December 14, 2020
- d. Consider approval of renewal of Liquor License #LE0002323 Class B Wine, Class C Beer, and Sunday Sales to Casey's General Store #2644
- e. Consider approval of Change of Ownership for Cassey's General Store #2644 per Iowa Alcoholic Beverage Division

Motion by Baskin, second by Fredericksen, to approve consent agenda.

Roll: Ayes – unanimous. Motion passes.

4. Boards, Commission, Committee Reports

a. Human Resources

Mayor spoke for Chairperson Swalla. The employee health insurance premium will be increasing by 13% beginning February 1, 2021. The committee consensus was to keep the current policy with the 13% increase. At the HR meeting, Hibbs explained United Health Care has a multi-choice option where the City can offer a based policy, and if an employee wants more coverage, and is willing to pay the difference in premium, they can go with a different policy. Committee agreed to look at this option on the next renewal for February, 2022.

5. Department Reports

a. Public Works - Gary Coffman, Public Works Supervisor

Covid worked its way through the department, with everyone testing positive. They are done picking up leaves in the streets. Have been doing tree trimming; parks are closed; vehicle maintenance; snow removal. There were quite a few cars on the street during snow removal. Will be meeting with the engineer this week regarding the lagoon. The water tower is working but there is no electric there yet (using an extension cord). All the testing has passed. While testing, there was a water main break. Fence will be going up this week. Coffman explained there has been extra engineering charges due to delays. We have not yet been collecting a per diem charge for going past the contracted complete date. There were no supervisors on site to make sure things were done timely. Gary will talk to engineer about Maguire possibly covering the extra engineering charges in lieu of per diem payment. Mayor stated the electric is currently coming from the school's pole. He wondered if their bills were going up because of this. Coffman will talk with superintendent and possibly look into trading electric cost for paint the school agreed to pay.

b. Police Department – Chief Jason Heimdal

Both officers tested positive for Covid and were quarantined at different times. Chief has been working on a number of school permits. The new Ford Explorer has arrived and is currently in Baxter being out-fitted with equipment.

6. OLD BUSINESS

- a. Consider approval of Third Reading of Ordinance No. 423 Amending the Earlham Code of Ordinances By Removing Chapter 75 All-Terrain Vehicles And Snowmobiles, And Replacing It With Chapter 75 Golf Carts, ATVs, UTVs, And Snowmobiles

Motion by Baskin, second by Fredericksen, to approve the Third Reading of Ordinance No. 423 Amending the Earlham Code of Ordinances By Removing Chapter 75 All-Terrain Vehicles And Snowmobiles, And Replacing It With Chapter 75 Golf Carts, ATVs, UTVs, And Snowmobiles, and pass same.

Roll: Ayes – unanimous. Motion passes. Ordinance No. 423 approved

Mayor asked if we were ready to go on this. Hibbs stated we have the stickers and permit forms are ready. We will start selling permits after ordinance is published, and because of timing, the new permits will be valid to March 1, 2022.

Swalla arrived at 7:24 p.m.

7. NEW BUSINESS

- a. Discussion and possible approval of proposal from BTWI for placement of internet dish on new water tower.

Local internet company out of Perry. Will pay \$400 a month rent, or \$100 a month per location free internet for four locations. Contract states they will be only internet provider on tower due to frequencies. 3-year contract, then 9% increase for next 3 years.

Motion by Swalla, second by Baskin, to approval proposal from BTWI for placement of internet dish on new water tower.

Roll: Ayes – unanimous. Motion passes.

- b. Set date and time for Public Hearings for Max Levy Resolution and Approval of FY22 Budget for February 8, 2021.

Motion by Petersen, second by Baskin, to set Monday February 8, 2021 as the date and time for Public Hearings for Max Levy Resolution and FY22 Budget

Roll: Ayes – unanimous. Motion passes.

- c. Discussion on Stop Sign Petition from Larry Hummel

Presented a petition with 77 signatures with letter of concern regarding speed on Plum when school children are crossing the street. They are requesting some type of speed control device, both north - south, and east – west, at 4th & Plum. This was one of intersections discussed at the last meeting and would be subject to traffic study. Discussion on traffic. Swalla said Council knows he is for stop signs. Mayor asked Coffman about traffic study. Coffman stated he hasn't initiated this yet because of the expense of study. He said one of his employees could sit there and do the same thing. Coffman also added that before they get to 4th & Plum, kids also cross Cherry, Sycamore, Maple, Chestnut and there are no stop signs there. Discussion on future needs/wants for more stop signs along 4th Street and others. Fredericksen said we need to be pro-active on the 4th & Plum intersection as well as 4th & Walnut. Consensus of council is to approve stop signs at 4th & Plum, and 4th & Walnut. Petersen asked if this will slow down fire response. Mayor said he felt it shouldn't. Fire/Rescue have the right of way. Hibbs stated, per the Code, this requires a resolution. She will prepare resolution for the January meeting.

- d. Consider motion to go into closed session per Iowa Code Chapter 21.5c, to discuss strategy with counsel in matters that are presently in litigation.

Motion by Baskin, second by Swalla, to go into closed session.

Roll: Ayes – unanimous. Motion passes. Closed session began at 7:38 p.m.

Motion by Fredericksen, second by Swalla, to adjourn the closed session.

Roll: Ayes – unanimous. Motion passes. Closed session adjourned at 8:35 p.m.

Meeting declared open at 8:35 p.m.

8. Mayor's Report

Mayor stated he is going to be out of town December 17th to December 21st. Will be available if need by phone.

9. Clerk's Report

Hibbs said we received the 2020 Legislative Changes from Simmering-Cory that effects city code books. She checked with Attorney Braland to see if we needed to make these changes to our code and he said yes. She had sent the okay to Simmering-Corry to prepare these changes. She also reported she will be taking a granting writing class tomorrow.

10. Council comments/discussion - None

11. Adjourn

Motion by Swalla, second by Payne, to adjourn.

Roll: Ayes – unanimous. Motion passes.

Being there was no further business, meeting adjourned at 8:39 p.m.

Jeff Lillie, Mayor

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer