

UNAPPROVED MINUTES
Earlham City Council Meeting
September 11, 2023

The Earlham City Council met in regular session on Monday, September 11, 2023, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m. and the following answered roll: Baskin, Mudge, Nelsen, Swalla. Absent: Fredericksen. Also present: Clerk Hibbs, Police Chief Stringham, Public Works Supervisor Coffman.

1. APPROVAL OF AGENDA

Motion by Baskin, second by Mudge, to approve agenda.

Roll: Ayes – unanimous. Motion passes.

2. PUBLIC FORUM – none

3. CONSENT AGENDA:

- a. Council meeting minutes for 8-14-23, and 8-14-23 Public Safety Committee minutes
- b. Treasurer’s Report for 9-11-23
- c. Claims and Receipts Report for 9-11-23
- d. Consider approval of Resolution No 23-28, Authorizing a Cell Phone Stipend Be Paid to Employees Using Personal Cell Phones In Lieu of City Issued Cel Phones, Effective July 1, 2023.
- e. Consider approval of request from Nicole Renfrow, 155 NW Walnut Avenue, in the amount of \$58.50, due to outside hose accidentally being left on for 2 days.
- f. Consider approval of Delta Dental renewal for 12-1-23 to 11-31-24.

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

Roll: Ayes - unanimous. Motion passes.

4. DEPARTMENT REPORTS

a. Public Works - Gary Coffman, Public Works Supervisor

Regular mowing, trimming, spraying. Lines painted. Lagoon project on schedule, will start the blowers on cell 3 tomorrow. Water tower lights waiting on electrician. Pool is closed, but not winterized yet. Lead and copper water test, that we have to do every three years, came back fine. Street and sidewalk repairs done. Walnut Ave (Earlham Road) going out of town need some repair. Coffman will talk to county as half of that road is theirs. Flushed hydrants on some dead-end lines. Will flush all lines this fall. Ordered trees. Dog stations arrive, not installed yet. Has been getting some bids for new street lights for downtown. Street Committee will meet this Wednesday at 5:00 p.m. to discuss. Swalla asked when Lagoon will be up and running. Coffman stated it should be by Thanksgiving.

b. Police Department – Chief Matt Stringham

All officers did firearms qualifications. Chief and Officer Rasmussen met with the teachers. New computers and programs (now same as Madison County) installed in patrol cars and all officers trained. Chief and Rasmussen attended training by Madison County Emergency Management on bomb threat/shooting procedures. Things are going well at school with new SRO. Rasmussen is at SRO training all this week. Presented some information on dog breed laws. Still having some issues/complaints with some breed of dogs. We cannot discriminate against dog types. This needs further discussion by council. Homecoming is this week at the high school. Chief has discussed route with school and public works. Earlham is playing the same school there was problems with last year, so all three officers will be at the football game. Two officers will be working the Homecoming Dance.

c. Fire Department – Chief Shawn Boyle. No report

5. BOARD, COMMISSION, COMMITTEE REPORTS - None

6. UNFINISHED BUSINESS

- a. 28E Agreement with ECSD for water tower property – no update
- b. Update on 28E Agreement with ECSD for shared use of City Librarian. – no update

- c. Continue discussion and consider approval of motion on request for storage shed for park equipment at tennis court funded by Chicks with Checks - Alyssa Johnson
Johnson explained they are proposing a plastic “deck box” to hold basket balls, pickle ball equipment, etc. Chicks With Checks will purchase the equipment, and will replace any stolen or destroyed equipment. They will label with “City of Earlham” so hopefully equipment will stay at the courts. There will be no expense to the City.
Motion by Swalla, Second by Nelsen, to authorize the placement of an equipment box at the basketball court/tennis court, paid for by Chick With Checks.
Roll: Ayes – unanimous. Motion passes.

7. NEW BUSINESS

- a. Consider approval of First Reading of Ordinance No. 445 Amending Chapter 116 Cemetery by Adding Section 116.17 Burial of Persons on Private Property
Motion by Swalla, second by Mudge, to approve Ordinance No. 445 Amending Chapter 116 Cemetery by Adding Section 116.17 Burial of Persons on Private Property
Roll: Ayes – unanimous. Motion passes.
- b. Consider approval of motion to waive Second and Third Readings of Ordinance No. 445
Motion by Baskin, second by Nelsen, to waive Second and Third Readings of Ordinance No. 445.
Roll: Ayes - unanimous. Motion passes.
- c. Consider approval of First Reading of Ordinance No. 446 Amending the Code of Ordinances of The City of Earlham, Iowa, by Amending Provisions Pertaining To Fiscal Management.
Motion by Baskin, second by Swalla, to approve Ordinance No. 446 Amending the Code of Ordinances of The City of Earlham, Iowa, by Amending Provisions Pertaining to Fiscal Management.
Roll: Ayes – unanimous. Motion passes.
- d. Consider approval of motion to waive Second and Third Readings of Ordinance No. 446.
Motion by Mudge, second by Nelsen, to waive the Second And Third Readings of Ordinance No. 446
Roll: Ayes - unanimous. Motion passes.
- e. Consider approval of First Reading of Ordinance No 447, Amending The Code of Ordinances of The City of Earlham, Iowa, by Amending Provisions Pertaining to Liquor Licenses and Cigarette and Tobacco Permits.
Motion by Baskin, second by Swalla, to approve Ordinance No 447, Amending The Code of Ordinances of The City of Earlham, Iowa, by Amending Provisions Pertaining to Liquor Licenses and Cigarette and Tobacco Permits.
Roll: Ayes – unanimous. Motion passes.
- f. Consider approval of motion to waive Second and Third Readings of Ordinance No 447.
Motion by Nelsen, second by Mudge, to waive the Second and Third Readings of Ordinance No 447.
Roll: Ayes - unanimous. Motion passes.
- g. Consider motion to approval of Pay Application #10 from Blue Ribbon Builders for the Lagoon Update Project in the amount of \$128,449.15.
Motion by Baskin, second by Mudge, to approve Pay Application #10 from Blue Ribbon Builders for the Lagoon Update Project in the amount of \$128,449.15
Roll: Ayes – unanimous. Motion passes.
- h. Consider approval of motion for Engagement Letter for Amendment No 2 to the Earlham Urban Revitalization Plan from Ahlers and Cooney, and direct Mayor to sign same.
Motion by Mudge, second by Swalla, to approve the Engagement Letter for Amendment No 2 to the Earlham Urban Revitalization Plan from Ahlers and Cooney, and direct Mayor to sign same.
Roll: Ayes - unanimous. Motion passes.

- i. Discussion and possible action on Bricker Price Block events – Farm to Table Diner & Christmas on Chestnut.

Johnson mentioned, for the record, the Christmas on Chestnut event is not a Bricker Price Block event but rather a Community Event. The Farm to Table Dinner will be held Sunday, October 8th. Request road closure on Chestnut from 1st Street to City Hall beginning at 8 a.m. Requests a variance to Noise Ordinance. Liquor license is pending dram shop. A meeting will be needed to approve liquor license. Hibbs said we can do that by Zoom.

Motion by Swalla, second by Mudge, to approve a variance to the Noise Ordinance for the Farm to Table Dinner, Sunday October 8th.

Roll: Ayes – unanimous. Motion passes.

Christmas on Chestnut first time was last year. Held on Small Business Saturday, November 25th. Tree will be put up the week before the event. Again, request street closure from 1st Street to City Hall on Chestnut. Food trucks this year among other events. City donation, which was approved with city budget, will help pay for tree and carriage rides. She asked if bills could be run through City, since this is a city even. Hibbs said she will talk with her later. Since this is a pretty small budget event, Mayor said he thought this was alright. If it continues to grow, we might have to rethink the issue.

- j. Discussion and possible action on amending noise ordinance or amending Community Building rental agreement regarding noise/music.

Heather McLaughlin, Earlham Community Board Chairperson was present. Hibbs stated Council did not want to changed ordinance regarding a time music should end. McLaughlin wants to follow the city ordinance on noise/music. However, the current ordinance does not address a time the music must end. It speaks to a limit as to how far aware the noise/music can be heard. Following discussion, Mayor suggested the rental agreement be changed to state that, with the rental agreement, a noise variance is granted until 12:00 p.m. At that time, event must shut down and all music must stop. In addition, no drinking of alcohol and/or playing of radio is allowed in the parking lot or outdoor area. Violation of the noise ordinance will result in forfeiture of the deposit, and/or citation with fine. McLaughlin said she will take this back to the CB Board for their consideration and come back to council at their November meeting.

- k. Discussion and possible action on payment of recreation park stipend to Amsden.

Hibbs explained Amsden uses her vehicle to transport supplies, which causes wear and tear on her vehicle. She did not have workers who were 16 or older to run errand, check on stock, etc. She made at least two trips a day to rec park. She also does not count her hours she spends going to games in the evening or weekends when workers call for help or when she has to go work when workers don't show up.

Motion by Swalla, second by Mudge, to pay Amsden the \$1,000 Rec Park Stipend for the 2023 Summer ball season.

Roll: Ayes – unanimous. Motion passes.

8. MAYOR'S REPORT

Just informed Council there will be privately funded pyrotechnics at the homecoming game this Friday. No fireworks, so permit is not required.

9. CLERK'S REPORT

10. COUNCIL COMMENTS/DISCUSSION

11. ADJOURN

Motion by Mudge, second by Swalla, to adjourn.

Roll: Ayes – unanimous. Motion passes.

Being there was no further business, meeting adjourned at 8:08 p.m.

Jeff Lillie, Mayor

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer