

## **REGULAR MEETING**

### **March 14, 2018**

**ACKLEY CITY COUNCIL** met in regular session, March 14, 2018, in the Ackley Civic Center with Mayor Erik Graham presiding. The meeting was called to order at 7:00 p.m. Council members present: Pat Hurt, Al Jones, Joe Wessels, Judy Crawford, and Pat Daggs. Absent: None. Quorum present.

Hurt moved, Jones seconded, to approve the March 14, 2018 Agenda as listed. Ayes-All. Motion carried.

Daggs moved, Wessels seconded, to approve the Consent Agenda by one motion: a) February 14, 2018 Regular Mtg; March 5, 2018 Special Mtg; March 5, 2018 Special Mtg Minutes as written. b) Bills approval authorizing payment of bills and transfers as listed. c) Place Reports on file: February 2018 Clerk Bank Reconciliation/Treasurer Report, February 2018 Clerk Budget Reports, February 2018 Deputy Clerk Utility Billing Reconciliation, February 2018 Fire Monthly Report, February 2018 Ambulance Monthly Report. Ayes-All. Motion carried.

Jones moved, Crawford seconded, to open the public hearing at 7:02 p.m. on the first reading of proposed Ordinance No. 504 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 99.02, Pertaining to Rate, and Section 99.07, Pertaining to Use of Funds. Ayes-All. Motion carried. No oral or written comments or objections were received prior to the meeting. Don Moore, CGA, gave a brief history of the City's sanitary sewer system and the requirements that the EPA and IDNR have imposed. He also explained his plan for Phase 1 of the Sanitary Sewer Project to reduce flows at a cost of around \$2 million. Michael Hart, Northland Securities, then spoke how, as the City's financial advisor, he was tasked with a plan to finance the project. Several sources of funding were considered and he determined that an SRF loan through the State would be the best option. It is a 20 year loan at 2% interest. The new proposed sewer rates assume the total cost of the project comes in at \$6 million. These new rates will need to be in place for the entire 20 years of the loan and may need to be adjusted depending on the costs and customer usage. What is proposed is the bare minimum of what will be allowed by the lender. The City needs to have enough money in the Sewer Fund to pay loan payments, operate the system, and have a small cushion. Hart went on to explain that the Sewer Fund has had a negative balance since 2014. Putting these rates in effect now will give it some time to catch up. Daggs then presented some examples of how utility bills would change from the current rates to the new rates at various usage levels. Smaller users will see a \$25-30 increase per month. Daggs also explained how the issue of illegal draining of sump pumps would have to be addressed as that is a contributor to higher flows. Several citizens asked questions of the Council with the Council providing answers. Daggs moved, Wessels seconded, to close the public hearing at 7:48 p.m. Ayes-All. Motion carried.

Crawford moved, Hurt seconded, to approve the first reading of proposed Ordinance No. 504 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 99.02, Pertaining to Rate, and Section 99.07, Pertaining to Use of Funds. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Crawford seconded, to set a public hearing for the second reading of said proposed Ordinance No. 504 for April 11, 2018 at 7:00 p.m. Ayes-All. Motion carried.

Hurt moved, Jones seconded, to open the public hearing at 7:53 p.m. on the first reading of proposed Ordinance No. 503 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 136.03, Pertaining to Removal of Snow, Ice, and Accumulations. Ayes-All. Motion carried. No oral or written comments or objections were received. Daggs moved, Hurt seconded, to close the public hearing at 7:53 p.m. Ayes-All. Motion carried.

Crawford moved, Wessels seconded, to approve the first reading of proposed Ordinance No. 503 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 136.03, Pertaining to Removal of Snow, Ice, and Accumulations. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Daggs seconded, to waive the second and third readings of said proposed Ordinance No. 503. Roll call vote: Ayes-All. Motion carried.

Hurt moved, Jones seconded, to adopt proposed Ordinance No. 503 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 136.03, Pertaining to Removal of Snow, Ice, and Accumulations. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Crawford seconded, to adopt Resolution No. 18-04 Changing the Name of "Franklin Street" North of Sherman Avenue to "North Franklin Street". Roll call vote: Ayes-All. Motion carried.

Wessels moved, Hurt seconded, to adopt Resolutions No. 18-07 thru 18-18 Authorizing the Write Off of Bad Debt for Property Addresses 714 4<sup>th</sup> Avenue, 910 2<sup>nd</sup> Avenue, 707 7<sup>th</sup> Avenue, 503 9<sup>th</sup> Avenue, 706 Blue Earth Street, 404 Worth Street, 1214 3<sup>rd</sup> Avenue, 616 Cerro Gordo Street, 224 17<sup>th</sup> Street, 502 Sherman Avenue, 709 Franklin Street, and 702 State Street. Roll call vote: Ayes-All. Motion carried.

Hurt moved, Crawford seconded, to set a public hearing for the first reading of proposed Ordinance No. 505 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 63.04, Pertaining to Special Speed Restrictions for April 11, 2018 at 7:00 p.m. Ayes-All. Motion carried. This amendment is needed due to the change in the name of Franklin Street north of Sherman Avenue.

Hurt moved, Jones seconded, to set a public hearing for the first reading of proposed Ordinance No. 506 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 107 County Landfill Charges for April 11, 2018 at 7:00 p.m. Ayes-All. Motion carried. This

amendment includes changing the wording from “landfill” to “recycling” and establishes a fee to be assessed to businesses in addition to residential units.

Mayor Graham stated that there were not a lot of changes with regards to the CGA Report since last month, but that a letter has been sent to the property owner at 603 Douglas regarding the curb stop repair.

Wessels moved, Crawford seconded, to accept the 2017 Sanitary Sewer Lining Project and authorize final payment of \$4,363.17. Ayes-All. Motion carried.

Dustin Ingram, Economic Development Director, informed the Council that 626 Main Street has been acquired by the ADC, the previous owner has made a payment and signed a promissory note for future payments, and a grant application for \$100,000 for restoration has been submitted. Ingram updated the Council on the CDBG for housing projects. The City will need to invest \$10,000-\$15,000 to receive \$250,000 for repairs. Ackley has made it through the hardest step. Ingram will continue working on the project. Ingram also stated that the new City website is done and a new host has been found. In addition, the county Creative Placemaking is working on a branding project to promote tourism and natural amenities.

Clerk Kelly DeBerg updated the Council on the funds from the 2016A GO Bond. She stated that the two street projects included in the bond were going to go over the allocated amount by approximately \$59,000. That amount would need to be covered by other funds. DeBerg recommended using money from the Capital Street Projects-LOST fund. The remaining bond money has been allocated as follows: \$96,855 to the Franklin Bridge Project, \$35,000 for the ADA compliant sidewalk at City Hall, and \$10,000 to the pool splash pad. This will leave approximately \$84,000 that could be used for updates to City Hall.

Council discussed the loan for the new pickup that was included in the FY19 budget. Mayor Graham stated that he would like to see the City pay the loan off as quick as it could and requested Council consider a three year loan. Council agreed that the sources they would use to make the loan payments would first be any commercial and industrial property tax replacement revenue for debt that the City might receive, then split the remaining payment balance equally between revenue from Road Use Taxes and Local Option Sales Taxes that are to be used for debt. Council directed DeBerg to contact bond counsel to begin the loan proceedings.

Police Chief Brian Shimon informed the council that the city attorney would be sending out a nuisance letter to the property owner of the church at 420 State Street.

Updates were given on old business. Mayor Graham stated that he is working on some heating/cooling options for City Hall. With the amount of money available from the bond there may be some better options that weren't being considered before, and there would still be money for the lighting. He has also obtained a bid for the ceiling/wall in the Police Department. Mayor Graham committed to having everything ready at the April meeting for Council to vote

on. Wessels reported that the fire department has picked out two dates in April to burn the elevator, but that he still needs to obtain the signatures from the neighboring property owners prior to the burn. Wessels informed the Council that the fire truck has been sold for \$3,500. However, they will need to take the lights and sirens off before it can be transferred to the new owner. Mayor Graham informed the Council that the City was still waiting to hear back from the Ackley World Journal on what their plans are with their property on Main Street before the City moves forward with the demolition at 728 and 734 Main Street. Graham also said that he has not received the signed contract back yet for the repair work at 626 Main Street, but the contractor stated he could start March 26. Hurt reported that Daggs and he have had discussions on stop signs and parking issues. Daggs stated that they felt there wasn't any need to remove any stop signs nor add any. They discussed the parking in front of the day care, but again did not feel any change was warranted. Crawford explained the time line of the expenses that were listed on the January Fire Report, stating that the air tanks will be due to be replaced in 2020. They are \$500 each so would cost \$10,000. She also explained that two sets of bunker gear have been recently replaced and that they need to continue to replace a few each year. Wessels stated that he had just received some information today on the closure of some soil cleanup sites and he would review it with Daggs. Mayor Graham asked if we had received any final bids on garbage trucks. Wessels shared that two salesman have offered to bring units to the City for Council to view. Mayor Graham requested that this be done in April. DeBerg informed the Council that Mike Smith, City Attorney, is working with the Franklin County Auditor's Office to see if we can make an abbreviated filing with regards to the Industrial Park Subdivision. DeBerg also stated that she has received some information from Smith in regards to the process of selling city owned lots, and will begin preparing the paperwork required to sell the Habitat for Humanity lot and the lot at 702 State Street. Deputy Clerk Malena Dennis informed the Council that the City has only received one resume for the Public Works Director position. Wessels and Daggs directed Dennis to go ahead and post the ad on two different job posting websites for two weeks. DeBerg stated that the ad is currently running in the Ackley World Journal, the Times Citizen, the Waterloo Courier, and is on the Iowa League of Cities website.

Wessels informed the Council that he was at the water works for four hours dealing with a pump that they couldn't get to run. He stated he would be getting some options tomorrow on how to proceed.

Public Comments: Ingram gave a recommendation regarding membership requirements for the Historical Preservation Commission. Currently the ordinance requires ten members. Ingram feels that six would be a more appropriate number. He also stated that there are some current members, as well as some other individuals that are interested in being involved with the commission, that live outside of city limits, but according to the ordinance cannot be members. DeBerg made the suggestion of allowing people outside of city limits to be non-voting members. Ingram felt that was a good idea and thought a maximum of three additional members would be good. Ingram also informed the Council that Paul Williams had previously

entered into an agreement with a land option to purchase additional land in the industrial park, and that he was interested in moving forward with purchasing additional land. Wessels stated that he would have to wait until the soil was closed out, but that the City can close the soil out early.

With no further discussion, Daggs moved, Jones seconded, to adjourn at 8:51 p.m. Ayes-All. Motion carried.

ACCESS SYSTEMS LEASING	COPIER LEASE/MAINT PAYMENT	166.25
ACKLEY PUBLIC LIBRARY	POSTAGE	56.99
ACKLEY SUPER FOODS	US FLAG/GARBAGE BAGS/PLUNGER	84.77
AFLAC	AFLAC	191.04
AIRGAS NORTH CENTRAL	OXYGEN/CYLINDER RENTAL	424.16
AMAZON	BOOKS	402.14
BISHOP CONSULTNG ENGINEER	728/734 MAIN ST WALL COLLAPSE	420.00
BLACK HILLS/IOWA GAS UTIL	UTILITIES-GAS	2,505.88
BOOK LOOK	CH FIC BOOKS	334.78
BUSINESS RADIO SALES & SE	LEATHER CASE/MAG MIC HANGER	83.95
CARDMEMBER SERVICE	CREDIT CARD PURCHASES	1,094.73
CGA	ENGINEERING SERVICES	8,000.40
CITY OF GRUNDY CENTER	PARAMEDIC INTERCEPT	100.00
COLLECTION SERVICES CENTR	CHILD SUPPORT	107.50
DATA TECHNOLOGIES INC.	USER GROUP MEETING-CLERK & DEP	170.00
DEPOSIT REFUNDS	REFUND DATE 02/23/2018	0.29
DEPOSIT REFUNDS	REFUND DATE 03/07/2018	0.25
DIAMOND LAKE BOOK CO.	KIDS BOOKS	239.88
FEDERAL W/H	FED/FICA TAX	6,113.02
GREEN BELT BANK AND TRUST	COPIER LOAN #15387	80.48
H.H. CONSTRUCTION	HAUL SNOW	285.00
HARDIN COUNTY OFFICE SUPP	BINDER CLIPS/RECEIPT BOOKS/FILES	128.99
HARDIN COUNTY SOLID WASTE	4TH QTR FY 17/18	12,315.00
HARDIN COUNTY TREASURER	LIEN CERTIFICATION FEE	5.00
HEART OF IOWA	847-2222 COMMUNICATIONS	77.54
HEARTLAND ASPHALT INC.	2016 STREET PROJECT	2,612.50
HECHT & JEMINEZ	COPIER TONER	299.85
HERITAGE MOTORS	2015 FORD PD CAR HEADLAMP BULB	63.27
IA DEPT OF PUBLIC HEALTH	POOL REGISTRATION RENEWAL	35.00
IAMU	2018 AFFILIATE MEMBERSHIP	353.00
IBELING INSURANCE SERVICE	LAW ENFORCEMENT LIABILITY	50.00
INNOVATIVE AG SERVICES CO	GAS/DIESEL	1,783.26
IPERS	IPERS	3,811.34
JETCO, INC.	WTP PANELVIEW PANEL	4,647.75
JOHN DEERE FINANCIAL	DANIELS WORK BOOTS	102.98

MCDOWELL & SONS INC.	GARBAGE SERVICES	10,162.50
MEDIACOM	PHONE/FAX/INTERNET	218.04
MIDAMERICAN ENERGY CO	ELECTRIC BILL	4,281.15
NAPA AUTO PARTS	DIESEL FUEL ADDITIVE/HOSE	93.91
P.C.C.	AMBULANCE BILLING FEES	865.65
PEOPLESERVICE INC.	WATER/WASTEWATER SERVICE	15,625.00
POSTMASTER	UTILITY BILL POSTAGE	245.00
PUBLIC EMPLOYEE HEALTH PL	HEALTH INSURANCE	2,886.36
RELIASTAR LIFE INS CO	LIFE INSURANCE	179.06
SALES TAX/LOST	SALES TAX PAYMENT	2,567.00
SCHOLTE, THERESA	TEACH BLS CPR & FIRST AID	218.00
SCHUMACHER ELEVATOR CO	ANNUAL SAFETY TEST	490.00
SHIELD PEST CONTROL	MONTHLY SERVICES	50.00
STATE WITHHOLDING	STATE TAXES	1,146.00
THE COURIER	PUBLIC WORKS DIRECTOR AD/SUBSC	402.48
TIMES-CITIZEN CO.	MINUTES/PUBLIC HEARINGS/PW AD	538.43
US CELLULAR	ACCT #935924495	68.83
USDA RF	MONTHLY PAYMENT	1,151.00
VERIZON	CELLS/PHONE/INTERNET/CARS/FAX	586.94
WILLIAMS EXCAVATION LLC	SS CLEANING/WATER MAIN/SNOW	10,249.40
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	21,827.66
	CLAIMS TOTAL	120,999.40
	EXPENSES BY FUND	
	GENERAL FUND	58,409.91
	LIBRARY RESERVE FUND	51.36
	ROAD USE TAX FUND	14,594.97
	CAP PROJ-GO BOND 2016A FUND	2,854.50
	CAP PROJ-DEMO OF BLDGS FUND	420.00
	WATER FUND	20,701.31
	SEWER FUND	10,038.30
	CAP SEWER TREATMENT PLANT FUND	6,743.00
	STORM WATER FUND	7,186.05
	TOTAL	120,999.40
	REVENUE - FEBRUARY 2018	
	GENERAL FUND	48,653.57
	LIBRARY RESERVES FUND	236.97
	FIRE TRUCK/EQUIP RESERVES FUND	0.89
	AMBULANCE RESERVES FUND	0.22
	ROAD USE TAX FUND	22,338.94
	EMPLOYEE BENEFIT FUND	1,267.19
	EMERGENCY FUND	97.80

DEBT SERVICE FUND	1,781.87
WATER FUND	32,668.60
WATER DEPOSITS FUND	900.00
SEWER FUND	31,042.41
SEWER SINKING FUND	1,876.67
STORM WATER FUND	11,464.52
TOTAL	152,329.65

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Erik Graham, Mayor

ATTEST: \_\_\_\_\_  
Kelly DeBerg, City Clerk