

## **REGULAR MEETING December 13, 2017**

**ACKLEY CITY COUNCIL** met in regular session, December 13, 2017, in the City Hall Council Chambers with Mayor Erik Graham presiding. The meeting was called to order at 7:00 p.m. Council members present: Robert Harms, Sue Ibeling, Al Jones, and Joe Wessels. Absent: Dale Brass. Quorum present.

Ibeling moved, Jones seconded, to approve the December 13, 2017 Agenda as listed. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Harms moved, Wessels seconded, to approve the Consent Agenda by one motion: a) November 8, 2017 Regular Mtg; November 14, 2017 Special Mtg; November 17, 2017 Special Mtg; November 29, 2017 Special Mtg; December 5, 2017 Special Mtg Minutes as written b) Bills approval authorizing payment of bills and transfers as listed. c) Place Reports on file: November 2017 Clerk Bank Reconciliation/Treasurer Report; November 2017 Clerk Budget Reports; November 2017 Deputy Clerk Utility Billing Reconciliation; November 2017 Ambulance Monthly Report. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Ibeling moved, Jones seconded, to open the public hearing at 7:04 p.m. on the proposal to enter into a Sewer Revenue Loan and Disbursement Agreement. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried. No oral or written comments or objections were received. Wessels moved, Jones seconded, to close the public hearing at 7:05 p.m. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Ibeling moved, Harms seconded, to adopt Resolution No. 17-68 taking additional action with respect to a Sewer Revenue Loan and Disbursement Agreement and authorizing, approving and securing the payment of a \$155,000 Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement). Roll call vote: Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

A hearing requested by Dan Rasmussen regarding a Dangerous Building Notice for property known as 626 Main Street, Ackley, Iowa was opened by Mayor Graham at 7:06 p.m. No written or oral comments or objections were received at City Hall. Rasmussen explained that he had begun a project to repair the building in the fall of 2016 with a budget. Some repairs were not able to be completed in the fall and by the spring of 2017 the contractor stated Rasmussen needed to hire a structural engineer. Rasmussen hired an engineer as well as received a bid for the cost to repair. The new cost now exceeded Rasmussen's budget by \$35,000. The Ackley Development Commission, who Rasmussen has a loan with, has offered Rasmussen a settlement which includes them taking title to the property. Mike Smith, City Attorney, informed the Council that they need to determine a timeline for the new prospective owners to make the repairs. Jeff Frazier, ADC Vice President, stated that they did not have the money

now to make the repairs so the City would have to do the repairs, bill the ADC, and when the ADC sold the property they would pay the City back as they could. Smith clarified that the City will make the building safe, and the owners will need to make it sellable and maintain it. Ibeling moved, Jones seconded, to close the public hearing at 7:22 p.m. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried. Smith clarified to everyone that the City has no control over whether or not Rasmussen transfers the property to the ADC or anyone else. Smith advised the Council that they needed to determine if the building is dangerous and if so, determine the parameters to abate, taking into account that the prospective new owners do not want an opportunity to abate. Wessels moved, Jones seconded, to adopt a resolution finding that the building at 626 Main Street, Ackley, Iowa is a dangerous structure, and to move forward with the City obtaining bids for the cost of the abatement. Roll call vote: Ayes-Ibeling, Jones, Wessels. Abstain-Harms. Absent-Brass. Motion carried.

Discussion was held regarding Resolution No. 17-69 Approving the Purchase Order Policy. Mayor Graham explained that this resolution was putting in writing what had been discussed earlier. Wessels felt that more should be added to the policy. Wessels moved, Harms seconded, to table Resolution No. 17-69 until the January regular meeting. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Harms moved, Wessels seconded to set a public hearing for the first reading of proposed Ordinance No. 501 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 26 Tourism Board of Trustees to Eliminate Said Chapter and Board for January 10, 2018 at 7:00 p.m. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Harms moved, Ibeling seconded to set a public hearing for the first reading of proposed Ordinance No. 502 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 69.13, Pertaining to Snow Removal for January 10, 2018 at 7:-00 p.m. Ayes- Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Jones moved, Wessels seconded, to approve the Mayor appointment of board and commission members as follows: Walter Block, Library Board of Trustees, Term Expires 6/30/23; Jeff Brass, Airport Board of Trustees, Term Expires 12/31/22; Joe Hunt, Airport Board of Trustees, Term Expires 12/31/19 (filled open vacancy); Sueanne French, Cemetery Board of Trustees, Term Expires 12/31/22; Mike Abbas, Ambulance Service Board of Trustees, Term Expires 12/31/23; Jane Schlampp, Ambulance Service Board of Trustees, Term Expires 12/31/23; Trent Mennega, Board of Adjustments, Term Expires 12/31/22; Bo Schipper, Board of Adjustments, Term Expires 12/31/18 (filled Glenn Boheman's vacancy); Terrill DeBerg, Planning & Zoning Commission, Term Expires 12/31/22; Brent Harrenstein, Planning & Zoning Commission, Term Expires 12/31/22; Bo Schipper, Planning & Zoning Commission, Term Expires 12/31/21 (filled open vacancy); Jesse Willems, Planning & Zoning Commission, Term Expires 12/31/21 (filled open vacancy); Jon Muller, Tree Board, Term Expires 12/31/20; Judy Crawford, Tree Board, Term Expires 12/31/19 (filled open vacancy); Terri Elmore, Tree Board, Term Expires 12/31/18 (filled open vacancy); Pat Scallon, Historical Preservation Commission, Term Expires 7/9/20;

Carol VanHove, Historical Preservation Commission, Term Expires 7/9/20; David Booger, Historical Preservation Commission, Term Expires 7/9/20. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Retha Starek, Library Co-Director, gave an annual report on the library as required by the Ackley Code of Ordinances. Her report included statistics on several items including current inventory and circulation in FY17. She also discussed services that are available and items the board feels need attention. One of the items planned for in the future is to remodel a bathroom to make it wheelchair accessible.

Lee Gallentine, CGA, gave an update on several items. He stated that the library sidewalk work is complete except for the punch list. Judy Crawford is working on a landscaping plan. Wessels mentioned that he is concerned about the down spouts and asked if he should contact a gutter contractor to divert them somewhere else. Gallentine felt that was a good idea. Gallentine informed the Council that a curb stop repair that had been ordered at 603 Douglas, that he was initially involved with, has been completed without him being consulted. The local PeopleService representative chose the location for the new curb stop outside of City right of way, which is in conflict with the City Ordinance. Mayor Graham directed the Council Water/Sanitation Committee to further discuss. Ibeling moved, Wessels seconded, to table a decision regarding the curb stop at 603 Douglas until the January regular meeting. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried. Gallentine reported that a storm sewer intake at Blackhawk and 2<sup>nd</sup> has been installed. Gallentine asked if there were any questions on the information that he presented previously at a special council meeting on the sanitary sewer continuing improvement plan. Patrick Hurt asked if everything in the plan scheduled from 2014 until present has been completed. Gallentine responded stating that a lot of the work in town has been done. Hurt questioned if the sump pump study needed to be redone. Gallentine feels that it doesn't need to be redone, that the City just needs to address the issues it knows about from the first study. Gallentine reported that all building permits are current.

Council held a discussion regarding the sewer rates for the sanitary sewer improvement project. Mayor Graham felt that the high users should be personally contacted, perhaps by the Council Water/Sanitation Committee, to discuss with them how the rate increase will impact them. A town hall meeting was discussed again, however there were concerns with notifying residents of the meeting as well as attendance at the meeting. It was then decided that a city wide direct mailing informing residents of the coming rate increase, along with information on the sewer improvement project and the reasons for the increase, would reach more people and be more beneficial. Mayor Graham then asked for input on how to structure the increase. Several council members as well as others in attendance felt that the 50/50 scenario was the fairest way. This means that fifty percent of the revenue needed would come from a base rate increase and fifty percent of the revenue needed would come from a usage rate increase. This would somewhat protect the commercial users, but not make a single individual who uses far less have as much of an increase. At the same time though it would require everyone to have

to contribute some to the improvements in the system. Harms moved, Wessels seconded, to move forward with a sewer rate increase with fifty percent of the revenue needed coming from a base rate increase and fifty percent coming from a usage increase to be done all in one rate increase. Ayes- Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Dustin Ingram, Economic Development Director, was not present. Doug Lindaman, ADC President, was present and willing to answer any questions on the Director's report. No questions were asked.

Mayor Graham informed the Council that the ADC is responsible for the City's website and they have run into some issues with the webmaster which has caused City Hall to have some issues with their email. Clerk DeBerg presented a Hosted Messaging Services agreement with Harland Technology Services. Harland is City Hall's current provider of other information technology services. With this agreement Harland would provide all the necessary services to get the City Hall emails working and ongoing services to keep the emails secure and operating. There would be two initial fees for installation and creating the email amounts totaling \$215.60, and then a monthly fee of \$15.12 for maintaining the two City Hall email accounts. Harms moved, Ibeling seconded, to accept the proposal from Harland for Hosted Messaging Services. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

Smith informed the Council that at this time it is not appropriate to hold the hearings requested by Times-Citizen Communications, Inc. regarding a Dangerous Building Notice for property known as 736 Main Street, and by Paul O'Kane regarding a Dangerous Building Notice for property known as 726 Main Street because at this time those buildings are not considered dangerous.

Wessels moved, Ibeling seconded, to adopt a resolution that amends Resolution No. 17-67 Dangerous Building Resolution and Order. Resolution No. 17-67 accepted the lowest bid received to demolish the buildings at 728 and 734 Main Street from DWZ Co. with some contingencies. This new resolution acknowledges that those contingencies have been resolved and states a corrected backfill allowance of \$34,400. Roll call vote: Ayes-Wessels, Harms, Ibeling, Jones. Absent-Brass. Motion carried.

Updates were given on old business. Mayor Graham asked the Council Committee to sort through the bids received for various items inside City Hall. DeBerg was directed to get copies of the bids to Wessels. No update was given on the City Hall sidewalk. Wessels informed the Council that he has not been able to talk with anyone else regarding the lot that was donated to the City by Habitat for Humanity. Gallentine stated that there is no access to this lot and the DOT would not let anyone put in a driveway unless maybe if an easement was obtained from the neighbor. Wessels will continue to try to contact the neighboring property owner. Wessels informed the Council that DeBerg had notified the lowest bidder for the asbestos removal at the elevator that the City had accepted their bid and instructed them to contact Wessels to schedule it. Wessels stated that they have not contacted him yet. Mayor Graham asked

Wessels if the fire department has voted to take part in the burn of the elevator. Wessels responded that they had and that several neighboring departments have agreed to help as well. DeBerg informed the Council that she was in the process of placing an ad for the old fire truck on the Iowa League of Cities website. Wessels stated that Geneva was not interested in using the truck. DeBerg stated that Smith is still working on the resolution for the Industrial Park Final Plat.

Public Comments: Retha Starek asked if the library sidewalk had been paid for. DeBerg responded that a payment has been made, but it has not been paid in full yet. Gallentine added that the final payment won't be made until the punch list is complete. Joan Frazier invited everyone to attend a retirement celebration for Ken Reed. He has served on the ambulance crew for thirty-three years. Frazier also mentioned that she would be meeting with township trustees the following night to ask for funding.

With no further discussion, Harms moved, Ibeling seconded, to adjourn at 9:09 p.m. Ayes-Harms, Ibeling, Jones, Wessels. Absent-Brass. Motion carried.

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|---------------------------|--------------------------------|-----------|
| KEN'S REPAIR              | RIDING LAWN MOWER BLADES       | 68.85     |
| MCDOWELL & SONS INC.      | GARBAGE SERVICES               | 10,094.75 |
| SALES TAX/LOST            | SALES TAX PAYMENT              | 2,622.00  |
| AIRGAS NORTH CENTRAL      | CYLINDER RENTAL/OXYGEN         | 414.11    |
| ACKLEY SUPER FOODS        | DOOR OPENERS/BATTERIES/BULBS   | 262.06    |
| BLACK HILLS/IOWA GAS UTIL | UTILITIES-GAS                  | 810.63    |
| MIDAMERICAN ENERGY CO     | ELECTRIC BILL                  | 3,982.48  |
| ACKLEY PUBLISHING CO INC  | LETTERHEAD/WATER HANGERS       | 147.52    |
| IPERS                     | IPERS                          | 4,022.82  |
| P.C.C.                    | AMBULANCE BILLING FEES         | 1,248.65  |
| POSTMASTER                | UTILITY BILL POSTAGE           | 235.00    |
| HANSEN FAMILY HOSPITAL    | SODIUM CHLORIDE                | 5.31      |
| MORT'S PLUMBING & HEATING | AIR FILTER FOR FURNACE         | 29.00     |
| PEOPLESERVICE INC.        | WATER/WASTEWATER SERVICE       | 15,625.00 |
| HARMS, LARRY              | OCT-DEC RENT PD CAR GARAGE     | 375.00    |
| KUM & GO                  | FUEL/CAR WASH                  | 109.01    |
| SHIELD PEST CONTROL       | MONTHLY SERVICES               | 50.00     |
| INNOVATIVE AG SERVICES CO | DIESEL/GAS                     | 1,790.19  |
| BOOK LOOK                 | CH FIC BOOKS                   | 234.85    |
| DEMCO                     | BOOKTRUCK/DVD CASES            | 460.29    |
| ACKLEY PUBLIC LIBRARY     | POSTAGE                        | 28.02     |
| BANKERS TRUST COMPANY     | 2016A GO/2014A GO/2004 SEW REV | 14,091.25 |
| BANACOM SIGNS             | GRAPHICS PATROL CAR DOOR       | 160.00    |
| GARDNER MEDIA LLC         | BOOKS                          | 148.36    |
| HARDIN COUNTY SOLID WASTE | 3RD QTR FY 17/18               | 12,315.00 |
| TIMES-CITIZEN CO.         | ORDINANCE/MINUTES/AFR          | 559.53    |

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| GALE GROUP                | BOOK                              | 12.00      |
| CRAIG & SMITH             | LEGAL FEES                        | 730.73     |
| WILLIAMS EXCAVATION LLC   | SS INTAKE/CURB VALVES/WATER SER   | 10,162.60  |
| CARDMEMBER SERVICE        | CREDIT CARD PURCHASES             | 2,131.20   |
| KING CONSTRUCTION & OVERH | 2017 SIDEWALK REPLACEMENT-LIB     | 30,661.51  |
| AMAZON                    | BOOKS/DVDS/INK CARTRIDGES         | 655.67     |
| TEK AMBULANCE             | PARAMEDIC INTERCEPT-AMR 110417    | 250.00     |
| HARDIN COUNTY OFFICE SUPP | WRITE ON POST-IT TABS             | 9.45       |
| GREEN BELT BANK AND TRUST | COPIER LOAN #15387                | 80.48      |
| STAREK, RETHA             | STAPLES-COPY PAPER/MILEAGE        | 60.23      |
| HEART OF IOWA             | 847-2222 COMMUNICATIONS           | 77.54      |
| FEDERAL W/H               | FED/FICA TAX                      | 10,520.41  |
| AFLAC                     | AFLAC PRETAX                      | 93.84      |
| RELIASTAR LIFE INS CO     | LIFE INSURANCE                    | 179.06     |
| PUBLIC EMPLOYEE HEALTH PL | HEALTH INSURANCE                  | 2,886.36   |
| STATE WITHHOLDING         | STATE TAXES                       | 1,196.00   |
| USDA RF                   | COUGARS DEN LOAN                  | 1,151.00   |
| BRUENING ROCK PRODUCTS    | SAND W/O SALT FOR NEW LIB CEM     | 75.16      |
| VERIZON                   | CELL/PHONE/INTERNET/FAX/VEHICLE   | 919.16     |
| JOHN DEERE FINANCIAL      | WILLMS-WORK BOOTS                 | 132.79     |
| NAPA AUTO PARTS           | OIL FILTERS/CABLE TIES/FLOOR DRY  | 221.02     |
| COLLECTION SERVICES CENTR | CHILD SUPPORT                     | 215.00     |
| DEBERG, KELLY             | MILEAGE BUDGET WORKSHOP           | 63.67      |
| DEPUTY STEPHEN BARDOLE    | ANNUAL HANDGUN QUALIFICATIONS     | 200.00     |
| ACCESS SYSTEMS LEASING    | COPIER LEASE & MAINT PAYMENT      | 328.75     |
| GREEN BELT BANK & TRUST   | 2017 POLICE VEHICLE LOAN INTEREST | 197.67     |
| CGA                       | ENGINEERING SERVICES              | 6,614.00   |
| CLASSROOM LIBRARY CO.     | BOOKS                             | 115.50     |
| BISHOP CONSULTNG ENGINEER | 728/734 MAIN ST WALL COLLAPSE     | 1,500.00   |
| IOWA PLAINS SIGNING, INC. | TRAFFIC CONTROL                   | 750.00     |
| CI CONCRETE INC.          | SIDEWALK 612 MITCHELL-CONCRETE    | 492.00     |
| DREW & SONS               | SIDEWALK 612 MITCHELL AVE         | 816.75     |
| FOOD & CONSUMER SAFETY BU | CONCESSION STAND FOOD LICENSE     | 81.00      |
| DEPOSIT REFUNDS           | REFUND DATE 11/21/2017            | 19.76      |
| DEPOSIT REFUNDS           | REFUND DATE 11/22/2017            | 100.26     |
| PAYROLL CHECKS            | TOTAL PAYROLL CHECKS              | 33,017.35  |
|                           | CLAIMS TOTAL                      | 176,607.60 |
|                           | EXPENSES BY FUND                  |            |
|                           | GENERAL FUND                      | 71,456.72  |
|                           | LIBRARY RESERVE FUND              | 724.15     |
|                           | ROAD USE TAX FUND                 | 17,286.97  |
|                           | DEBT SERVICE FUND                 | 13,028.92  |

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|--------------------------------|------------|
| CAP PROJ-GO BOND 2016A FUND    | 31,627.51  |
| CAP PROJ-DEMO OF BLDGS FUND    | 4,675.99   |
| WATER FUND                     | 17,440.52  |
| WATER DEPOSITS FUND            | 100.26     |
| CAPITAL WATER PROJECTS FUND    | 892.00     |
| SEWER FUND                     | 10,548.06  |
| SEWER SINKING FUND             | 1,260.00   |
| CAP SEWER TREATMENT PLANT FUND | 4,756.00   |
| STORM WATER FUND               | 2,810.50   |
| TOTAL                          | 176,607.60 |

REVENUE - NOVEMBER 2017

|                               |            |
|-------------------------------|------------|
| GENERAL FUND                  | 74,507.50  |
| LIBRARY RESERVE FUND          | 25.00      |
| FIRE TRUCK/EQUIP RESERVE FUND | 1,491.05   |
| AMBULANCE RESERVE FUND        | 0.23       |
| ROAD USE TAX FUND             | 18,353.66  |
| EMPLOYEE BENEFIT FUND         | 15,568.88  |
| EMERGENCY FUND                | 857.47     |
| LOST FUND                     | 27,905.84  |
| TIF FUND                      | 3,845.64   |
| DEBT SERVICE FUND             | 16,217.38  |
| WATER FUND                    | 37,181.78  |
| WATER DEPOSITS FUND           | 900.00     |
| SEWER FUND                    | 33,993.27  |
| SEWER SINKING FUND            | 1,876.67   |
| STORM WATER FUND              | 10,951.20  |
| TOTAL                         | 243,675.57 |

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Erik Graham, Mayor

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