

REGULAR MEETING
July 12, 2017

ACKLEY CITY COUNCIL met in regular session, July 12, 2017, in the Ackley Civic Center with Mayor Erik Graham presiding. The location of the meeting was moved from the City Hall Council Chambers due to a breakdown of the air conditioner. The meeting was called to order at 7:05 p.m. Council members present: Joe Wessels, Dale Brass, Robert Harms, Sue Ibeling and Al Jones. Absent: None. Quorum present.

Harms moved, Jones seconded, to approve the July 12, 2017 Agenda as listed. Ayes-All. Motion carried.

Wessels moved, Brass seconded, to approve the Consent Agenda by one motion: a) June 14, 2017 Regular Mtg Minutes as written b) Bills approval authorizing payment of bills and transfers as listed with the exception of the \$36,500 payment to the Ackley Development Commission pending discussion later in the meeting c) Place Reports on file: June 2017 Clerk Bank Reconciliation/Treasurer Report; June 2017 Clerk Budget Reports; June 2017 Deputy Clerk Utility Billing Reconciliation; June 2017 Ambulance End of Month Report; 2nd Quarter 2017 Prairie Bridges Financial Reports. Ayes-All. Motion carried.

Ibeling moved, Harms seconded, to open the public hearing at 7:07 p.m. on the first reading of proposed Ordinance No. 495 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 165 to Further Define Building and Structure. Ayes-All. Motion carried. No oral or written comments or objections were received. Harms moved, Jones seconded, to close the public hearing at 7:08 p.m. Ayes-All. Motion carried.

Harms moved, Wessels seconded, to approve the first reading of proposed Ordinance No. 495 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 165 to Further Define Building and Structure. Roll call vote: Ayes-All. Motion carried.

Jones moved, Wessels seconded, to waive the second and third readings of said proposed Ordinance No. 495. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Ibeling seconded, to adopt proposed Ordinance No. 495 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Chapter 165 to Further Define Building and Structure. Roll call vote: Ayes-All. Motion carried.

Brass moved, Wessels seconded, to open the public hearing at 7:10 p.m. on the first reading of proposed ordinance No. 496 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 165.25 to Allow the Use of Accessory Containers. Ayes-All. Motion carried. No oral or written comments or objections were received. Ibeling moved, Jones seconded, to close the public hearing at 7:10 p.m. Ayes-All. Motion carried.

Harms inquired about the status, if this ordinance was passed, of someone who already has a container in a residential area. Lee Galentine, Zoning Administrator, stated that they would not be compliant as there is no grandfather clause in the ordinance. Harms moved, Ibeling seconded, to approve the first reading of proposed ordinance No. 496 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 165.25 to Allow the Use of Accessory Containers. Roll call vote: Ayes-All. Motion carried.

Wessels moved, Brass seconded, to waive the second and third readings of said proposed Ordinance No. 496. Roll call vote: Ayes-All. Motion carried.

Ibeling moved, Jones seconded, to adopt proposed Ordinance No. 496 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 165.25 to Allow the Use of Accessory Containers. Roll call vote: Ayes-All. Motion carried.

Discussion was held regarding fireworks and the new state law. Krista Dieken and Lloyd and Ann Schriever expressed their concerns regarding fireworks in the City and offered suggestions for new rules. Ibeling stated that the Council needed to talk with the City Attorney and the City's law enforcement before they take any action. Several council members were not ready to take action and spend the money for a new ordinance as they felt that given some time the newness would wear off and fireworks would no longer be an issue. Mayor Graham stated that at this time residents should call any complaints regarding fireworks into the City's Police Department.

Brass moved, Harms seconded, to set a Public Hearing for the first reading of Proposed Ordinance No. 497 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 75.02(1) and Adopting New Chapter 78 Permitting the Use of Off-Road Utility Vehicles for July 24, 2017 at 7:00 p.m. Ayes-Wessels, Brass, Harms, Jones. Nays-Ibeling. Motion carried.

Brass moved, Jones seconded, to set a Public Hearing for the first reading of Proposed Ordinance No. 498 Amending the Code of Ordinances of the City of Ackley, Iowa by Adding New Subsection 92.04(4) Returned Checks and Automatic Clearing House (ACH) Rejects for August 9, 2017 at 7:00 p.m. Ayes-Wessels, Brass, Harms, Jones. Nays-Ibeling. Motion carried. This ordinance explains the NSF service fee.

Wessels moved, Brass seconded, to set a Public Hearing for the first reading of Proposed Ordinance No. 499 Amending the Code of Ordinances of the City of Ackley, Iowa by Amending Section 100.05, Pertaining to the Storm Water Drainage System Payment of Rates for August 9, 2017 at 7:00 p.m. Ayes-All. Motion carried. This ordinance will make the billing of storm sewer fees the same as all other utility services. If passed, on rental properties the City will no longer bill the property owner this fee and the tenant all other fees. All utility services will be billed on the same account, either all to the property owner or all to the tenant, at the owner's discretion.

Ibeling moved, Jones seconded, to adopt Resolution No. 17-26 Approving the Corrected Annual Financial Report for the Fiscal Year Ending June 30, 2016. Roll call vote: Ayes-All. Motion carried.

Harms moved, Ibeling seconded, to adopt Resolution No. 17-27 Defining the Pool Betterment Committee. Roll call vote: Ayes-All. Motion carried.

Ibeling moved, Brass seconded, to approve the following appointed Pool Betterment Committee members: Amber Gronewold, Pat Hurt, Guy Metzgar, Mandy Meyer, Jesse Oelmann, Kim Scallon, and City Rep Erik Graham. Ayes-All. Motion carried.

Brass moved, Wessels seconded, to adopt Resolution No. 17-28 Setting Public Hearing to Consider the Vacation and Transfer of all of the 16 Foot Wide Alley in Block 2, Burns and Foster's Addition, as the Same is Platted and Recorded in the Office of the County Recorder of Hardin County, Iowa. Roll call vote: Ayes-Jones, Wessels, Brass, Harms. Nays-Ibeling. Motion carried. This set the public hearing for July 24, 2017 at 7:-00 p.m. This hearing is in reference to the alley located next to the closed Gus & Docs Restaurant. Galentine stated that there were no City utilities located in the alley.

Wessels moved, Jones seconded, to adopt Resolution No. 17-29 Establishing the Time Allowed to Comply after Notice is Given to Property Owners to Mow their Grass and the Cost Assessed to Property Owners for Grass Mowing by the City if they Fail to Comply Under Chapter 52 of the Ackley Code of Ordinances. Roll call vote: Ayes-All. Motion carried. This established the time allowed to comply to be 72 hours and the cost assessed to be seventy-five dollars (\$75.00) per hour if the City mows.

Harms moved, Wessels seconded, to adopt Resolution No. 17-30 Authorizing FY17 Year End Transfers. Roll call vote: Ayes-All. Motion carried.

Jones moved, Harms seconded, to adopt Resolution No. 17-31 Authorizing FY17 Budgeted Transfers. Roll call vote: Ayes-All. Motion carried.

Brass moved, Harms seconded, to approve the liquor license for Friends of Prairie Bridges for Park Fest August 11-13 pending dram certification. Ayes-All. Motion carried.

Wessels moved, Ibeling seconded, to approve the Ackley Heritage Center Lease Agreement. Ayes-All. Motion carried.

Gallentine, Ryken Engineering, informed the Council that work is progressing on the water tower and manholes have been replaced on the sanitary sewer project.

Gallentine explained to the Council that the City has been awarded a \$50,000 grant by the State of Iowa for the elevator demolition. The City's remaining cost would be \$135,250. City Clerk Kelly DeBerg shared with the Council several ways the project could be funded with current City funds. With acceptance of the grant the City would have to take down the elevator keeping as much out of the landfill as possible. Gallentine estimated that the cost to take down the

elevator without the restrictions of the grant would be around \$100,000. He also stated that Council needed to make a decision on the grant by the end of the month. Wessels stated that the city has too many other things to spend money on. The city had applied for a \$75,000 grant, but with only receiving \$50,000, Mayor Graham expressed that the Council should reevaluate and look into other ways to take down the elevator that would be more cost effective. Discussion will continue and a decision on the grant will take place at the July 24th special meeting.

DeBerg explained to the Council the option of a Planning and Design Loan for the Sewer Improvement Project. This 0% loan could be used to pay engineering fees and would get wrapped into the construction loan. The other option is to pay the estimated several hundred thousand dollars of future engineering fees out of the budget. Harms moved, Jones seconded to have DeBerg pursue a Planning and Design Loan for the Sewer Improvement Project engineering fees. Ayes-All. Motion carried.

Doug Lindaman, Ackley Development Commission, informed the Council that a new Development Director has been hired and will be starting next week. Wessels moved, Brass seconded, to approve the payment of \$36,500 to the Ackley Development Commission. Ayes-All. Motion carried. Lindaman also updated the Council on several other items such as that the tourism brochure has been sent to the printers, Enslin's fitness center is scheduled to open July 15, the strategic planning report will be completed next week, and Ackley will be involved in a cultural assessment.

The FY16 audit is complete and the Council received copies of the final reports. The report is available for anyone to view.

Mayor Graham and the Council gave old business updates. Mayor Graham stated that he has not received any feedback from contractors regarding improvement at City Hall. Wessels stated that Carstens would be coming to City Hall tomorrow morning to review the heating, cooling and plumbing requests.

DeBerg gave updates on other old business. City Attorney Mike Smith sent the title opinion a second time to Habitat for Humanity on the lot they are donating to the City. Once they receive that their attorney will draw up the deed. DeBerg has asked Smith to write the new ordinance regarding damage to landscaping in the right-of-way.

Wessels informed the Council that he would be presenting a bill to Prairie Bridges for the insurance on their equipment that the City paid. Ibeling commented that she visited with a citizen at another town regarding their new splash pad and was told that their community really enjoys it. Mayor Graham stated that the Pool Betterment Committee netted \$1,700 at their first fundraiser held last month at the pool. Their next fundraiser is a golf tournament with hole prizes and a silent auction.

Public Comments: None

With no further discussion, Harms moved, Brass seconded, to adjourn at 8:31 p.m. Ayes-All. Motion carried.

KEN'S REPAIR	MOWER PARTS & SERVICE	423.29
MCDOWELL & SONS INC.	GARBAGE SERVICES	9,105.60
SALES TAX/LOST	SALES TAX PAYMENT	3,247.00
RYKEN ENGINEERING AND LAN	ENGINEERING SERVICES	35,992.50
AIRGAS NORTH CENTRAL	CYLINDER RENTAL & OXYGEN	648.98
ACKLEY SUPER FOODS	TOWELS/SOAP/TOLIET PARTS	33.72
GALLS INC.	BATONS/HOLDERS/SHOES/PANTS	307.41
BLACK HILLS/IOWA GAS UTIL	UTILITIES-GAS	488.58
MIDAMERICAN ENERGY CO	ELECTRIC BILL	6,330.83
ACKLEY PUBLISHING CO INC	UTILITY BILLS/SHUT OFF NOTICES	662.58
IOWA LEAGUE OF CITIES	MEMBER DUES FY 17/18	1,055.00
IPERS	IPERS	4,038.40
HARDIN COUNTY SHERIFF	CONTRACT FY 17/18	1,500.00
P.C.C.	AMBULANCE BILLING FEES	1,103.00
ACKLEY DEVELOPMENT COMMIS	ECONOMIC DEVELOPMENT CONTRACT	36,500.00
H.H. CONSTRUCTION	CLEAN OUT BEAVER DAM	187.50
OTTER CREEK FARMS INC.	AIRPORT LEASE	750.00
POSTMASTER	UTILITY BILL POSTAGE	250.00
EICHMEIER MOTOR	SERVICE FREIGHTLINER	257.58
IOWA PARK & RECREATION AS	WILLMS CPO SCHOOL	25.00
CENTURYLINK	FAX SERVICE	118.77
ABBAS, SUE	LED TEALIGHTS	16.00
CENTER POINT LARGE PRINT	LARGE PRINT BOOKS	1,092.96
PEOPLESERVICE INC.	WATER/WASTEWATER SERVICE	15,625.00
HARMS, LARRY	APR-JUN RENT PD CAR GARAGE	375.00
KUM & GO	KUM & GO FUEL/CAR WASH	20.75
SHIELD PEST CONTROL	MONTHLY SERVICES	50.00
COVENANT MEDICAL CENTER	PARAMEDIC ASSIST	128.00
INNOVATIVE AG SERVICES CO	GAS	1,249.94
MUNICIPAL EMERGENCY SERVI	AIR PACK	612.00
BOOK LOOK	CHRISTIAN FICTION BOOOKS	185.88
WAL-MART COMMUNITY	DVD'S	129.70
NORTHEAST IOWA RESPONSE G	FY 17/18 MEMBERSHIP FEE NIRG	794.50
KARR LLC DBA MONKEYTOWN	COPY PAPER/CONSTRUCTION PAPER	37.76
LEON UNIFORM COMPANY	POLOS/VESTS/PANTS	665.00
BAKER & TAYLOR BOOKS	BOOKS	53.23
ACKLEY PUBLIC LIBRARY	POSTAGE	46.83
TEI LANDMARK AUDIO	AUDIO BOOKS	68.00
MEDIACOM	INTERNET-POLICE/CITY HALL/STREETS	135.90

ELDORA AMBULANCE SERVICE	PARAMEDIC INTERCEPT	500.00
JUNIOR LIBRARY GUILD	ANNUAL BOOK PLAN	242.20
TIMES-CITIZEN CO.	PUB HEAR/RES/ORD/MINUTES/SUB	704.09
HEARTLAND ASPHALT INC.	2016 STREET PROJECT	37,444.38
DES MOINES REGISTER	DES MOINES REGISTER THRU DEC17	285.18
AMAZON	BOOKS	314.52
HARDIN COUNTY OFFICE SUPP	STAPLES/PENS/FILE TABS/CLIPS	74.35
IBELING INSURANCE SERVICE	EMC RENEWAL 7/1/17-7/1/18	69,435.00
GREEN BELT BANK AND TRUST	COPIER LOAN #15387	80.48
STAREK, RETHA	BOOKS/CANDY/POSTER BOARD	55.29
WESTRUM LEAK DETECTION IN	5 YR LEAK DETECTION AGREEMENT	1,100.00
HEART OF IOWA	847-2222 COMMUNICATIONS	77.54
ADVANTAGE COMPANIES	AWJ DIGITIZATION	500.00
TRIPLE T SPECIALITY MEATS	BARS/POT SALAD FOR POOL PARTY	290.00
COLONIAL LIFE	COLONIAL LIFE	44.40
FEDERAL W/H	FED/FICA TAX	11,555.98
AFLAC	AFLAC	191.04
RELIASTAR LIFE INS CO	LIFE INSURANCE	180.23
PUBLIC EMPLOYEE HEALTH PL	HEALTH INSURANCE	2,509.88
STATE WITHHOLDING	STATE TAXES	1,276.00
USDA RF	MONTHLY PAYMENT	1,151.00
WEBER PAPER COMPANY	SF TOWELS/STERIPHENE DISINF	73.05
VERIZON	CELLS/PHONES/INTERENT/VEHICLES	2,065.98
BLUESPACE CREATIVE INC	DEVELOP LOGO	4,218.75
ARCH CHEMICALS INC	MURIATIC ACID/PULSAR TABLET	1,560.00
NAPA AUTO PARTS	GEAR OIL FOR MOWERS	11.38
TASER INTERNATIONAL	ULTIMATE EVIDENCE.COM-ANN PYMT	660.00
MID-AMERICAN PUBLISHING	HAMPTON CHRONICLE SUBSCRIPTION	53.00
COLLECTION SERVICES CENTR	CHILD SUPPORT	107.50
ACCESS SYSTEMS LEASING	COPIER LEASE/MAIN/EXCESS USAGE	291.92
DALE HOWARD	REPLACE BLOWER & RESISTOR	511.64
IOWA DIVISION OF LABOR SE	BOILER INSPECTION	40.00
CITY OF GRUNDY CENTER	PARAMEDIC INTERCEPT	200.00
CAMPBELL SUPPLY COMPANY	RECHARGABLE BATTERIES	163.50
CGA	2017 SOUTH BUTLER ST PROJECT	12,257.32
COUNTRYSIDE TURF & TIMBER	REPAIR RANGER	1,182.48
MEYER, MANDY	BUNS/CONDIMENTS FOR POOL PARTY	39.84
ATLANTIC COCA-COLA	VENDING MACHINE BEVERAGES	266.10
HERITAGE MOTORS	SERVICE 2017 FORD EXPLORER	36.82
SICARD, ASHLEY	MILEAGE CPO CLASS	171.74
TIFCO INDUSTRIES	PENETRATING OIL	11.49
OTC BRANDS, INC.	SUMMER READING	51.88
JESTER PUPPETS	PUPPET SHOW	300.00

GRONEWOLD, JEFF	REPLACE 16 FT SIDEWALK	346.88
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	43,009.68
	CLAIMS TOTAL	319,954.70
	EXPENSES BY FUND	
	GENERAL FUND	111,243.35
	LIBRARY RESERVE FUND	1,455.25
	TOURISM FUND	4,218.75
	ROAD USE TAX FUND	18,575.87
	EMPLOYEE BENEFIT FUND	28,651.94
	TIF FUND	36,500.00
	CAP PROJ/GO BOND 2016A FUND	38,876.80
	CAPITAL PROJECTS - LOST FUND	13,224.82
	WATER FUND	22,472.69
	SEWER FUND	43,374.48
	STORM WATER FUND	1,360.75
	TOTAL	319,954.70
	REVENUE - JUNE 2016	
	GENERAL FUND	77,506.17
	LIBRARY RESERVE FUND	749.90
	FIRE TRUCK/EQUIP RESERVE FUND	6,913.63
	AMBULANCE RESERVE FUND	0.28
	SWIMMING POOL RESERVE FUND	1.32
	ROAD USE TAX FUND	16,468.81
	EMPLOYEE BENEFIT FUND	2,295.33
	EMERGENCY FUND	170.67
	LOST FUND	26,334.54
	TIF FUND	34.77
	DEBT SERVICE FUND	3,176.96
	WATER FUND	33,332.75
	WATER DEPOSITS FUND	1,060.00
	SEWER FUND	29,703.65
	SEWER SINKING FUND	1,948.37
	STORM WATER FUND	8,372.82
	TOTAL	208,069.97

Erik Graham, Mayor

ATTEST: _____
Kelly DeBerg, City Clerk