

**City of Ida Grove
City Council Meeting
July 16, 2018 6:00 p.m.
City Council Chambers**

Mayor, Devlun Whiteing, called the meeting to order at 6:01 p.m. with the following Council Members present: Paul Cates, Gregor Ernst, Scott Tomlinson, Doug Clough and Ryan Goodman. City Attorney Peter Goldsmith was also present.

Motion by Cates to approve the agenda with Larry Albrecht added as subsection C under item 4, second by Tomlinson. On a unanimous vote, motion carried.

Gerrod Sholty, City Crew Foreman, spoke about the alley behind the 600 block of Main Street. Sholty spoke to homeowner Richard Jordan in the past regarding 2 problem areas behind Richard's house. Richard says there is a sink hole that he has to continually fill. There are no other complaints from adjacent property owners at this time and upon inspection there doesn't seem to be any significant issues to address. Cody Forch from JEO reports he and Marc Dennison have also looked at this previously. At this time the recommendation is to keep an eye on the area. Sholty also discussed placing alleys in Schmidt's addition. A resident requested these alleys, but Sholty advised placing alleys in this area isn't feasible due to utility easements and platting issues. Goodman had been contacted privately by a resident who would like alleys in this area. Sholty noted the area is private property and was never designed for an alley so it's not going to work without buying land and relocating utilities which isn't a feasible option at this point.

Library Board Member, Larry Albrecht, was present to discuss information regarding the library. He compliments the city for prompt removal of a tree that came down and would like information on whether or not the city will be replacing the tree. A heat pump sprung a leak. Larry is concerned this will shatter the budget like the air conditioner issue the year before. This doesn't need fixed immediately but will need to be soon. Summer reading programs were fantastic with great attendance except for a few. The new adult summer reading program has poor attendance and will not continue. The library has received two grants - one from the county and one from the state. One for redoing the furniture in the library in the amount of \$7,000. They have also received donations from people in the amount of \$1,400-\$1,500 to match those funds. The other grant is for digitalization of newspapers. It's come to their attention two of Ida County's original newspapers were never digitalized going back approximately 125 years. They think they have enough grant funds to pursue this project. Two large donations were also received from patrons - one for \$100.00, another for \$500.00. A new janitor was hired today. Finding someone was difficult because their budget doesn't allow for them to offer more money and many wouldn't accept the pay offered. Larry reports they have a C.D. that is up at their current bank and council has requested it be transferred to First State Bank. Larry is concerned the Library still have access to these funds. Years ago, money was lost and he wants to make sure this doesn't happen again. Because of this, the Library Board would like to have one of their members on the signature card at the bank. They will allow the C.D. to be transferred so a purchasing card can be secured for the City as long as they still have rights. Larry then discussed different APR's and

figures noting that he would like the interest from the C.D. to be put into a separate account for the Library. Tomlinson asked Larry for clarification on the repair amounts he mentioned depleting the budget. Larry doesn't have specifics but wanted this information known as an upcoming issue. Library has an upcoming fundraiser later this week where they will be grilling at Food Pride. The council and Library Board will meet next month to discuss things in more detail.

A visitor, Cody Lomholt, addressed the council next regarding the personal issues that have caused a delay in the progress of the house/garage he is building. He may or may not be able to finish the project and as the city ordinance states, he can't have only a garage on the lot and because he has started house construction by first building the garage that is all that would remain on the lot. Lomholt pointed out that having an empty lot in this area would be worse than having a lot with just a garage and felt council should reconsider the zoning for this area. Members of the council voiced their feelings to Lomholt in regards to cleaning up that area of town and that they would uphold their decision that if he no longer intends to build the house, he will be forced to take the garage down and subject to municipal infractions.

Recent dog biting attacks were addressed next. Mayor Whiteing stated there were a couple of choices – either file a municipal infraction or if the council finds the dogs are considered vicious by definition then have them removed from town. The dogs in question have been repeat offenders. Council members voiced their individual thoughts and concerns on the liability this issue poses in town. Tracy Johnson, addressed the council regarding the dogs. Tracy lives and operates a daycare in the neighborhood the animals reside. Her dog has been attacked on her own property. She reports dogs are repeatedly out at large and at times for more than an hour each time. Motion by Clough to remove the dogs from town in the interest of public safety, second by Tomlinson. Before the council voted, City Attorney Goldsmith interjected to point out that council may need to modify a portion of the motion based on the city ordinance. Clerk Tomlinson informed the council that City Hall has received numerous complaints about the dogs in question. Reports have come from the residents in the neighborhood as well as near the owner's business downtown. Goldsmith suggested to send the owners of the dog a letter saying the dogs are vicious and give them a specified amount of time to remove dogs from town. Goldsmith inquired about the initial letter he had directed be sent. Goldsmith advised that an injunction can be filed with the court if the owner does not remove the dogs as specified. Mayor Whiteing stated the issue hasn't been addressed yet because the deputies are unable to make contact with the owners of the dog. It's noted the dogs have incidents reported in 2016, 2017 and 2018. Goldsmith pointed out that a public hearing is waived in the event the dogs meet certain criteria which council finds they do. Goldsmith cited a line from the City Code 'has exhibited vicious propensities in present or past conduct' referring to the dogs. This ordinance gives the city grounds to have the dogs removed from town without a formal vote needed. Goldsmith volunteered to send a letter to the owners stating they have a set number of days to remove their dogs from town. Letters should be sent via certified mail and regular mail subject to a \$750.00 municipal infraction per dog per day if they aren't removed by the specified date. Goldsmith will send letter to the owner of the dogs.

Motion by Goodman to approve the consent agenda, second by Cates. On a unanimous vote, motion carried.

Cody Forch of JEO addressed council regarding setting the public hearing for the Capital Improvement Plan. Motion by Tomlinson to approve Resolution Number 2018-17 Setting the Capital Improvement Plan Public Hearing Date for August 6th, second by Goodman. On a unanimous vote, motion carried.

Forch explained details for the IDNR preliminary engineering report costs for water and sewer improvements and loan options for these improvements. A rate adjustment could help offset the repairs needed for the facilities. Forch advises that a formal adoption of the CIP should happen first then move on from there.

Forch went on to explain the two year process of the flood insurance map and JEO's participation. Forch advised that this is something that would be beneficial to the City and an important step but there are concerns from council that this is another expense on top of the many others they have already paid for this process. They are questioning why there are continuous additions of expenses and when is it going to end. Goodman notes concern for 6,500.00 task order needs to come from somewhere on the budget. Mayor Whiteing said he would like to be involved and would like to address this at the next meeting after Forch speaks to City Clerk Sweeden about where funds will come from.

Motion by Clough to appoint Kevin Nulle to the Planning and Zoning Commission, second by Ernst. On a unanimous vote, motion carried.

Regarding camper ordinances, Ernst directed city staff to write a subsection to ordinance 556 regarding camper/trailer parking.

Casey's is taking over Pronto and the need for a new charge account for fuel is needed. Motion by Tomlinson to allow the city to apply for a Casey's charge card, second by Clough. On a unanimous vote, motion carried.

Council inquired where City Clerk Sweeden has found in the budget the funds for the Laserfische Document Retention Software that was discussed at the previous council meeting. Clerk Tomlinson read Clerk Sweeden's report discussing the system. Council discussed the benefits and the amount of money saved despite the expense. There are reservations about the amount of money this purchase will require but the cost of labor that is saved will hopefully offset the cost. Ernst would like to see how much time the system will save staff by comparing hours and overtime. The council expects that the amount of overtime will drop off therefore saving money and paying for itself. Ernst requested a monthly report of staff hours for this purpose. Mayor Whiteing agreed this would be good to see. The council would like to purchase but are unaware of where the funds are coming from and discussed different budget areas the money could be pulled from – Goodman cited various areas where there were extra funds available. Depreciation was used as an example. Councilman Tomlinson voiced his concern that it's the beginning of the new fiscal year and funds are reportedly not available. Mayor Whiteing explained the new City Clerk is still learning at this time and getting the financials in order. Motion by Goodman to approve the purchase of Laserfische Document Retention Software, second by Ernst. On a unanimous vote, motion carried.

The Iowa Travel Guide ad was discussed next. The council requested to see last year's ad and one was produced for a visual. Council discussed advertising details and

agreed to purchase another ad for next year, exactly the same as the prior year. Motion by Cates to purchase Iowa Travel Guide Ad with the same specifications as the previous year, second by Clough. On a unanimous vote, motion carried.

Council discussed items A-D under item 15 of the agenda. Questions have come about as to whether or not to follow calendar year or anniversary date when it comes to accruing sick and vacation time for employees. Ernst recommends that the first of the year is when all time is awarded to employees and should there be a change at some point in the year due to anniversary date, the allotted time would be prorated. Ernst gave a recap of the changes to the policy and the meeting he had with city staff to explain these changes. Because there was a delay in the approval of the new employee handbook, Ernst recommended making the policy changes retroactive back to January 1, 2018. Ernst explained the new policy gives employees 9 sick days per year or .75 days per month. Approval is requested of employee Gerrod Sholty to sell back 8 sick days immediately and also at the end of the year. Motion by Goodman to approve items A-D of agenda item 15, second by Ernst. Ayes: Goodman, Cates, Clough, Ernst. Nays: 0. Abstains: Tomlinson. Motion passes 4-0.

Discussion ensued regarding handicap accessible buildings. Clough reported that he has received positive feedback at the King Theater in regards to the accessibility of features and the planning involved. This has made Clough consider how many more things around town could be made handicap accessible to make things easier for those who require modifications. Direction was given to office staff to look into state or federal funding for sidewalk improvements to make them handicap accessible.

SIMPCO membership in the amount of \$2,177.80 was discussed. Council questions continuing the membership as concerns have been posed that the membership was not utilized like it should have been previously. Council feels having a city staff member serve as liaison with monthly updates for the office would be beneficial. Motion by Ernst to approve the SIMPCO membership in the amount of \$2,177.80 with Kandice Tomlinson, Community Development Clerk, serving as the liaison between SIMPCO and the City of Ida Grove. Second by Clough. Ayes: Goodman, Cates, Clough, Ernst. Nays: 0. Abstains: Tomlinson. Motion passes 4-0.

Approval of the Mayor and City Clerk to send municipal infractions at their discretion is requested. Council feels nuisances are clear cut as they are written and for staff to send infractions as outlined. If something is unclear, Clerk should ask for clarification. A system needs to be put in place on a shared drive so that others can have access to nuisances. City Clerk, Mayor and City Attorney should be involved in the process. Motion by Clough to approve, with communication, Mayor and City Clerk to send municipal infractions at their discretion, second by Ernst. On a unanimous vote, motion carried.

Clarification of Ordinance 551 on swimming pools is requested. The specific issue is whether or not a pool with a 4 ft. wall constitutes having it's own barrier. Council read through ordinance and decided that yes, the way it is written defines it as not needing a barrier if the walls of the pool itself are at least 4 ft. tall as long as all access points to the pool have been removed.

City Hall renovation was discussed next. A draft RFP has been provided for council members. There is concern by some council members that approving the draft RFP will lock them into having to renovate and should there be issues for some reason

to where that becomes unfeasible would they be required to still go through with the renovation. The RFP would be options of design proposals as explained by Goodman and they would not become legally binding for required renovation. RFP's are provided at no charge and the council would have the right to reject all bids. Motion by Ernst to approve the draft RFP for City Hall subject to the Mayor making changes as the Mayor sees fit, second by Goodman. On a unanimous vote, motion carries.

A satellite dish located on Warren Street has previously been cited as a nuisance for the property owner. The dish is located in the city right of way and the owner states it can't be placed anywhere else as directed by the service provider. The council has previously asked for formal verification in the form of a letter from the provider on behalf of the property owner but has still not received one and the time limit has now expired. Before the expiration, a phone call was received by a technician stating they do not send the type of letter requested and that he could verbally over the phone verify that this was the only place the dish could receive service. Council feels this ordinance is in place for a reason. They will allow the dish to remain where it is for the time being but if there is a complaint of it violating the nuisance laws in the future, then it will need to be removed immediately. Clerk Tomlinson is instructed to contact owner and also send a letter.

In other business there are no updates on trees and plantings policy for the city. There are no updates on the Jan Hewitt development proposal. Clerk Tomlinson gave an update on Clerk Young looking into paperless options for council members. Swimming pool permit applications were discussed. Council requested office staff to add information on temporary and permanent pools in the current permit and amend the permit to have a fee to help offset processing costs. In City Council member news and notes, Mayor Whiteing brought up the new weight signs posted on the Moorehead Avenue bridge and the complaints that have started regarding alternate routes and harvest. Goodman inquired about a basketball hoop for the city park located in Zobel's addition. Cates has a hoop for the park and council members will get together to install in the future. Tomlinson asked for clarification on the library's budget in regards to the past overages they have incurred and the possible overages they might incur in the near future based on the information presented by Larry Albrecht. The council will discuss this with the Library when they meet with them in August.

Motion by Goodman to adjourn, second by Cates. On a unanimous vote, motion carried.

Meeting adjourned at 8:36 p.m.

Kandice Tomlinson, Community Dev. Clerk

Devlun Whiteing, Mayor