

Minutes City of Mechanicsville
REGULAR COUNCIL MEETING
September 9, 2019

The Mechanicsville City Council met in regular session on Monday, September 9, 2019 at City Hall. Mayor David Furry called the meeting to order at 7:00 p.m. Council members present for roll call were Dee Taylor, Pam Cavey, Rob Davis, and Amy Bishop. Andrew Oberbreckling was absent. Others present included Nick Lange, Jacob Koch, Lonni Koch, Donna Paup, Paul Seitz, Warren Wethington & Kevin Knoche from Cedar County Sheriff's office, David Himes, and Scott Schroeder.

CONSENT AGENDA: Rob Davis motioned, Dee Taylor seconded to approve the consent agenda including the agenda, minutes from 8/12/19, finance reports, claims, set date for fall clean up 10/15/19; set date for cemetery clean up 10/14/19; set date for trunk or treat 10/27/19 at 2p.m.; set date for trick or treat 10/31/19 from 5-8 p.m., Resolution 2019-13 to approve Annual Urban Renewal Report 2018-2019. Roll call vote: Ayes: Taylor, Cavey, Davis and Bishop. Oberbreckling absent. Nays: None. Motion carried.

The claims approved were as follows:

CHASE	POSTAGE/SHIPPING	\$299.43
ACE HARDWARE	GROUNDS MAINTENANCE & REPAIR	\$70.34
AGVANTAGE FS INC	VEHICLE OPERATIONS	\$1,056.52
AIRGAS NORTH CENTRAL	OTHER CONTRACTUAL SERVICE	\$31.55
ALLIANT ENERGY	ELECTRIC/GAS EXPENSE	\$6,601.74
AMAZON.COM	LIBRARY MATERIALS	\$663.67
BANKERS BANK	LIBRARY CAPITAL	\$288.40
BOUND TREE MEDICAL	OPERATING SUPPLIES	\$252.14
CAMMIE CRANDALL	REFUND DEPOSIT	\$50.00
CAR QUEST AUTO PARTS	VEHICLE REPAIR	\$58.15
CASEYS GENERAL STORE	VEHICLE OPERATIONS	\$865.40
CEDAR COUNTY SOLID WASTE	PAYMENTS TO OTHER AGENCIES	\$1,485.00
CEDAR COUNTY TREASURER	TAX EXPENSE	\$311.00
CITY OF TIPTON AMBULANCE	OTHER CAPITAL EQUIP	\$110.26
CLARK, RYLEE	REFUND DEPOSIT	\$50.00
COPPESS, LINDA	TELECOMMUNICATIONS	\$30.00
CORE & MAIN	UTILITY SYSTEMS & STRUCTURES	\$2,516.43
DANKO EMERGENCY EQUIPMENT	MINOR EQUIPMENT	\$241.04
DANS TIRES & MORE	VEHICLE REPAIR	\$407.85
JJJ ENTERPRISES, INC	OTHER CONTRACTUAL SERVICE	\$970.00
KATHY J WILSON	OTHER PROF SERV EXP	\$150.00
KNUTH LAW OFFICE	LEGAL EXPENSE	\$945.35
LISBON-MT VERNON AMBULANCE	OTHER PROF SERV EXP	\$400.00
LL PELLING CO	STREET MAINT EXP	\$38,357.95
MARIAH MYERS	REFUND DEPOSIT	\$50.00
MECHANICSVILLE TELEPHONE CO	TELECOMMUNICATIONS	\$424.70
NICK LANGE	TELECOMMUNICATIONS	\$30.00
ODD JOBBER	GROUNDS MAINTENANCE & REPAIR	\$3,050.00
ODD JOBS INC	OTHER PROF SERV EXP	\$1,200.00
OVESON REFUSE & RECYCLING LLC	OTHER PROF SERV EXP	\$3,150.00

PAIDAR, DAN	MEETINGS & CONFERENCES	\$74.70
PETERSEN MANUFACTURING CO INC	MINOR EQUIPMENT	\$1,600.00
QUILL	OFFICE SUPPLIES	\$77.24
RADAR ROAD TEC	OPERATIONAL EQUIP REPAIR	\$70.00
ROTO-ROOTER	GROUNDS MAINTENANCE & REPAIR	\$118.00
SANDRY FIRE SUPPLY LLC	ALLOWANCES - UNIFORMS	\$7,804.50
SCHEER, STEVE	OTHER PROF SERV EXP	\$1,800.00
STATE HYGIENIC LABORATORY	OTHER PROF SERV EXP	\$517.00
TIPTON CONSERVATIVE & ADVERTIS	PRINTING & PUBLISHING EXP	\$481.99
US CELLULAR	TELECOMMUNICATIONS	\$95.99
VEENSTRA & KIMM	ENGINEERING EXPENSE	\$8,970.00
WALLYS WELDING	VEHICLE REPAIR	\$252.75
WELLMARK BC BS	GROUP INSURANCE	\$172.18
WENDLING QUARRIES INC	STREET MAINT EXP	\$89.54
PAYROLL	WAGES	\$13,724.06

Total Receipts and Disbursements for month of August by fund

Fund	Receipts	Disbursements
General	4,742.28	54,237.84
Road Use Tax	16,560.02	5,116.75
Employee Benefit		8,076.89
Local Option Sales Tax	8,449.84	
Library Trust	14.01	
Ambulance Trust	491.58	704.21
Debt Service	14.80	
Water Utility	9,664.31	1,038.67
Sewer Utility	11,378.00	1,954.90
Solid Waste	9,985.74	6,757.00
Storm Water Utility	1,003.86	
Water Deposit	100.00	14.88

Receive visitors/public comment: Mr. Seitz addressed the council with questions about nuisance abatement, sidewalk, and dirt.

Open Public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement: This being the time and place specified for holding a public hearing to enter into a Sewer Revenue Loan and Disbursement Agreement, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, motion by Pam Cavey, seconded by Rob Davis to close the public hearing. Ayes all. Andrew Oberbreckling absent. The Mayor declared the public hearing closed.

Open Public Hearing on budget Amendment: This being the time and place specified for holding a public hearing on the proposed budget amendment, the City Clerk announced that no written objections had been placed on file, Whereupon, the Mayor called for any written or oral objections, and there being non, a motion by Pam Cavey, seconded by Rob Davis to close the public hearing. Ayes all. Andrew Oberbreckling absent. The Mayor declared the public hearing closed.

REPORTS:

Ambulance Report: Ambulance had 17 calls for the month. Reference made to the article in the Tipton Conservative with the difficulty that Tipton is having at times for availability of crew; county EMS coordinators met and some talk about regionalization and a presentation being worked on to take to the supervisors and making EMS an essential service; Joe Hunt resigned from both Fire and Ambulance, Linn county E911 board will be providing 2 radios multi-banned valued at \$6000 to help with communication issues with Lisbon Fire and Lisbon Mt. Vernon Ambulance, UP Railroad grant notification letter has awarded \$10,000 towards the purchase of a UTV and trailer estimated to cost \$25,000. Plans are being made to apply for the Cedar County Community Foundation fall grant cycle.

Fire Report: Jacob Koch reported 6 calls for the month one was a gas leak which took about 45 minutes for Alliant to arrive on scene and get the gas shut down.

Public Works Report: Nick Lange provided written report including yard hydrant at the park is leaking and needs to be replaced, LL Pelling has been to town and completed all road work, leveling valve required fixing on the garbage truck, grapple also needed fixed on the tractor, street sweeper has been fixed as it had 2 air leaks, a bad EGR valve and a fuel pressure switch, reported dumping of limbs and compost at the shed is becoming a problem as its getting dumped after hours and is not being kept separated and trash is also being dumped. Discussed adding cameras to monitor.

Administration Report: Coppess reported 1 building permit issued, park board reported tire swing should be removed, but not the structure and the tall slide south side has metal piece bent on it, they will evaluate whether building needs to be sealed, 2 applications received so far for police position, library annual report completed, and the annual Urban Renewal report completed, webinar attended for the annual financial report as a new format has been established by the state, cemetery mowing person is asking about a written contract. Vacation request was approved with a motion by Amy Bishop, seconded by Pam Cavey. Ayes all. Motion carried.

Old business discussion and possible action on:

Ordinance adding no parking on south side of E. Cedar Street: Amy Bishop motioned, Rob Davis seconded, to approve the first reading of the ordinance adding item 14 to Chapter 69.08 No parking on E Cedar Street on south side from Elm Street to the east end. Ayes all. Motion carried. Oberbreckling absent.

Ordinance on grass clippings sample provided: Pam Cavey motioned to prepare ordinance for grass clippings utilizing the hang tags and violation after 1st warning. Dee Taylor seconded. Ayes all. Motion carried. Oberbreckling absent.

Open bids on police car & fire truck, if any. No bids were received. No action.

Community Catalyst building remediation criteria/plans: Reviewed the 3 letters of interest and Amy Bishop motioned, Pam Cavey seconded to use the Malaby information to proceed with a letter of interest for the grant application. Amy Bishop will assist with completing. Ayes all. Motion carried.

New business discussion and possible action on:

Health Insurance Renewal (Scott Schroder): Presentation reflected a 12.2% risk level adjustment with the current plan but is still the most economical option available. Dee Taylor motioned, Rob Davis seconded to renew the current plan. Ayes all. Motion carried. Andrew Oberbreckling absent.

Resignation letter from Tim Horihan effective 9/3/19 position posted, applications requested to be submitted, with discussion on interim police protection, reserve officers, part-time officers, 28E agreements and others considerations: Kevin and Warren shared information on the county reserve officers and how that program worked at a rate of \$25/hour with ½ going to the reserve fund for equipment and uniforms and ½ going to the officer, everything is furnished. Pam Cavey motioned, Dee Taylor seconded to approve utilizing 16 hours a week with the reserves in combination with our part time officers until a full time person can be hired. City would be billed for the actual number of hours worked. Ayes all. Motion carried. Andrew Oberbreckling absent.

Resolution 2019-14 taking additional action with respect to a Sewer Revenue Loan and Disbursement Agreement and authorizing, approving and securing the payment of a \$320,000 Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement): After due consideration and discussion, council member Amy Bishop introduced resolution 2019-14 and moved for its adoption, seconded by Council member Dee Taylor. The Mayor put the questions upon the adoption of said resolution, and the roll being called, the following council Members voted: Ayes: Rob Davis, Pam Cavey, Amy Bishop, Dee Taylor. Nays: None. Absent: Andrew Oberbreckling. Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out. Resolution 2019-14 adopted.

Resolution 2019-15 to approve Budget Amendment as published: Pam Cavey motioned, Dee Taylor seconded to approve the resolution for the budget amendment as published and authorized the Mayor to sign. Ayes: Rob Davis, Pam Cavey, Amy Bishop, Dee Taylor. Nays: None. Absent: Andrew Oberbreckling. Resolution 2019-15 adopted.

Legislative code updates: Ordinance on Conflicts of Interest in Public Contracts: Motion by Pam Cavey, second by Dee Taylor to approve the first reading as **SECTION 1. SUBSECTIONS MODIFIED.** Subsections 10, 11 and 12 of Section 5.07 of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, are repealed and the following adopted in lieu thereof:

10. Cumulative Purchases. Contracts not otherwise permitted by this section, for the purchase of goods or services that benefit a City officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of \$6,000.00 in a fiscal year.

11. Franchise Agreements. Franchise agreements between the City and a utility and contracts entered into by the City for the provision of essential City utility services.

12. Third Party Contracts. A contract that is a bond, note or other obligation of the City and the contract is not acquired directly from the City but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser, or obligee of the contract.

. Ayes all. Motion carried. Andrew Oberbreckling absent.

Ordinance Relating to City Budgets: Motion by Pam Cavey, second by Dee Taylor to approve the first reading as **SECTION 1. SECTION MODIFIED.** Section 7.05 of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, is repealed and the following adopted in lieu thereof:

7.05 OPERATING BUDGET PREPARATION. The annual operating budget of the City shall be prepared in accordance with the following:

1. Proposal Prepared. The finance officer is responsible for preparation of the annual budget detail, for review by the Mayor and Council and adoption by the Council in accordance with directives of the Mayor and Council.

2. Boards and Commissions. All boards, commissions, and other administrative agencies of the City that are authorized to prepare and administer budgets must submit their budget proposals to the finance officer for inclusion in the proposed City budget at such time and in such form as required by the Council.

3. Submission to Council. The finance officer shall submit the completed budget proposal to the Council each year at such time as directed by the Council.

4. Resolution Establishing Maximum Property Tax Dollars. The Council shall adopt a resolution establishing the total maximum property tax dollars that may be certified for levy that includes taxes for City government purposes under *Code of Iowa* Section 384.1, for the City's trust and agency fund under *Code of Iowa* Section 384.6, Subsection 1, for the City's emergency fund under *Code of Iowa* Section 384.8, and for the levies authorized under *Code of Iowa* Section 384.12, Subsections 8, 10, 11, 12, 13, 17, and 21, but excluding additions approved at election under *Code of Iowa* Section 384.12, Subsection 19.

A. The Council shall set a time and place for a public hearing on the resolution before the date for adoption of the resolution and shall publish notice of the hearing not less than 10 nor more than 20 days prior to the

hearing in a newspaper published at least once weekly and having general circulation in the City.

B. If the City has an internet site, the notice shall also be posted and clearly identified on the City's internet site for public viewing beginning on the date of the newspaper publication or public posting, as applicable. Additionally, if the City maintains a social media account on one or more social media applications, the public hearing notice or an electronic link to the public hearing notice shall be posted on each such account on the same day as the publication of the notice. All of the following shall be included in the notice:

(1) The sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection and the current fiscal year's combined property tax levy rate for such amount that is applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(2) The effective tax rate calculated using the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(3) The sum of the proposed maximum property tax dollars that may be certified for levy for the budget year under the levies specified in this subsection and the proposed combined property tax levy rate for such amount applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(4) If the proposed maximum property tax dollars specified under Subparagraph (3) exceed the current fiscal year's actual property tax dollars certified for levy specified in Subparagraph (1), a statement of the major reasons for the increase.

Proof of publication shall be filed with and preserved by the County Auditor. The Department of Management shall prescribe the form for the public hearing notice for cities and the form for the resolution to be adopted by the Council under Paragraph C of this subsection.

C. At the public hearing, the Council shall receive oral or written objections from any resident or property owner of the City. After all objections have been received and considered, the Council may decrease, but not increase, the proposed maximum property tax dollar amount for inclusion in the resolution and shall adopt the resolution and file the resolution with the County Auditor as required under *Code of Iowa* Section 384.16, Subsection 3.

D. If the sum of the maximum property tax dollars for the budget year specified in the resolution under the levies specified in this subsection exceeds 102 percent of the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, the Council shall be required to adopt the resolution by a two-thirds majority of the membership of the Council.

E. If the City has an internet site, in addition to filing the resolution with the Auditor under *Code of Iowa* Section 384.16, Subsection 3, the adopted resolution shall be posted and clearly identified on the City's internet site for public viewing within 10 days of approval by the Council. The posted resolution for a budget year shall continue to be accessible for public viewing on the internet site along with resolutions posted for all subsequent budget years.

5. Council Review. The Council shall review the proposed budget and may make any adjustments it deems appropriate in the budget before accepting such proposal for publication, hearing, and final adoption.

6. Notice of Hearing. Following, and not until adoption of the resolution required under Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before March 31 and shall publish notice of the hearing not less than 10 nor more than 20 days before the hearing. A summary of the proposed budget and a description of the procedure for protesting the City budget under Section 384.19 of the *Code of Iowa*, in the form prescribed by the Director of the Department of Management, shall be included in the notice. Proof of publication of the notice under this subsection and a copy of the resolution adopted under Subsection 4 of this section must be filed with the County Auditor.

7. Copies of Budget on File. Not less than 20 days before the date that the budget must be certified to the County Auditor and not less than 10 days before the public hearing, the Clerk shall make available a sufficient number of copies of the detailed budget to meet the requests of taxpayers and organizations, and have them available for distribution at the offices of the Mayor and Clerk and at the City library.

8. Adoption and Certification. After the hearing, the Council shall adopt, by resolution, a budget for at least the next fiscal year and the Clerk shall certify the necessary tax levy for the next fiscal year to the County Auditor and the County Board of Supervisors. The tax levy certified may be less than, but not more than, the amount estimated in the proposed budget submitted at the final hearing or the applicable amount specified in the resolution adopted under Subsection 4 of this section. Two copies each of the detailed budget as adopted and of the tax certificate must be transmitted to the County Auditor.

Ayes all. Motion carried. Andrew Oberbreckling absent.

Ordinance 2nd reading on Lawn Maintenance: No action.

Ordinance 2nd reading on Junk and Junk Vehicle Ordinance (definition change)

Pam Cavey motioned, Rob Davis seconded to approve the second reading of the ordinance. Ayes all. Motion carried. Andrew Oberbreckling absent.

Sewer Cleaning & CCTV Inspection proposal: No action taken on the information being provided at this time to be used as an idea for what the cost might be per foot of sewer pipe to camera, clean and inspect for any defective areas.

Stump grinding proposal: Bid was provided for an estimated cost of removing stumps from the park. Further discussion on possible policy change requiring that trees not be planted in the right of way due to the electrical wires and cost associated with removal when a disease comes through an area. Further research will be done on possibly changing the policy on stump removal cost from being the responsibility of the property owner. No action at this time.

Water meter replacement: Three options were reviewed for replacing the technology being used to read the water meters to proceed with the Itron Mobile Reader Package for \$7100, and the Itron 100 W Radio to upgrade working Hersey Meters at a cost of \$98 each, or \$242 each if the whole meter needs replaced, and a Windows Pro 10 tablet. Pam Cavey motioned, Dee Taylor seconded to approve. Ayes all. Motion carried. Andrew Oberbreckling absent.

LED Lights: Council request a count of the lights and estimated cost for the library for the next meeting.

Request to go into closed session to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. At the request of employee Nick Lange Pam Cavey motioned, Rob Davis seconded, to go into closed session. Ayes all. Oberbreckling absent. The council went into closed session and at the end of the discussion, Rob Davis motioned, Pam Cavey seconded to go back into open session. Ayes all. Andrew Oberbreckling absent. Public was allowed to return to the meeting room.

Amy Bishop motioned, Rob Davis seconded to contact the city attorney for recommendation and steps to follow. Ayes all. Motion carried. Oberbreckling absent.

Correspondence: Pam Cavey inquired about the city paying for the cleanup in her mom's yard stating that her insurance is not paying as she has \$1000 deductible and some discussion about the property damage and tree limbs being on private property. Council requested written documentation from insurance company.

Set next meeting date: 10/14/19 7:00 p.m.

ADJOURN: There being no further business to come before the Council at this time, council member Dee Taylor motioned, Rob Davis seconded to adjourn the meeting at 9:56 p.m. Ayes all. Meeting adjourned.

ATTEST:

Linda K. Coppess, MMC

David L. Furry, Mayor