

Minutes City of Mechanicsville
REGULAR COUNCIL MEETING
October 9, 2017

The Mechanicsville City Council met in regular session on Monday, October 9, 2017 at City Hall. Mayor Dave Furry called the meeting to order at 7:00 p.m. Council members present for roll call were Andrew Oberbreckling, Dee Taylor, Dee Cook, Rob Davis, and Pam Cavey. Others present included Lonni Koch, Tim Horihan, Nick Lange, Donna Paup, Boyd Stine, Randy Krutzfield and Ben Carhoff with Hart Frederick.

CONSENT AGENDA: Dee Cook motioned, Dee Taylor seconded to approve the consent agenda including the agenda, minutes from 9/11/17, finance reports, and claims. Roll call vote: Ayes: Taylor, Oberbreckling, Cavey, Cook, and Davis. Nays: None. Motion carried.

The claims approved were as follows:

CHASE CARD SERVICES	POSTAGE/SHIPPING	\$36.08
STATE OF IOWA	PAYROLL	\$1,264.64
COLLECTION SERVICES CENTER	PAYROLL	\$343.22
IRS	PAYROLL	\$2,393.20
ACE HARDWARE	OPERATING SUPPLIES	\$11.98
AGVANTAGE FS INC	BLDG MAINT & REPAIR	\$72.38
ALLIANT ENERGY	ELECTRIC/GAS EXPENSE	\$6,692.90
AMAZON.COM	LIBRARY MATERIALS	\$489.49
BANKERS BANK	OPERATING SUPPLIES	\$98.90
CASEYS GENERAL STORE	VEHICLE OPERATIONS	\$750.62
CEDAR COUNTY SOLID WASTE	PAYMENTS TO OTHER AGENCIES	\$1,116.00
CHASE CARD SERVICES	TRAINING	\$1,260.34
CJ COOPER & ASSOCIATES INC	OTHER CONTRACTUAL SERVICE	\$35.00
COPPESS, LINDA	TELECOMMUNICATIONS	\$30.00
DANS TIRES & MORE	VEHICLE REPAIR	\$31.88
EC INC	OTHER PROF SERV EXP	\$1,875.50
ENTERTAINMENT WEEKLY	SUBSCRIPTION & ED MATERIAL	\$15.00
FURRY, DAVE	MEETINGS & CONFERENCES	\$69.30
IOWA ASSOCIATION OF MUNICIPAL	TRAINING	\$175.00
IOWA CODIFICATION, INC	OTHER PROF SERV EXP	\$910.00
IOWA DEPARTMENT OF NATURAL RES	OTHER PROF SERV EXP	\$134.00
IOWA ONE CALL	OTHER PROF SERV EXP	\$18.90
IOWA PRISON INDUSTRIES	POSTS/SIGNS	\$462.60
JEREMY ERIE	STORM DRAINAGE	\$780.00
JJJ ENTERPRISES, INC	UTILITY SYSTEMS & STRUCTURES	\$15,398.12
JOHNSON COUNTY REFUSE INC	OTHER PROF SERV EXP	\$3,097.50
KEYSTONE LABORATORIES, INC	OTHER PROF SERV EXP	\$639.00
KOCHS SERVICE & SUPPLY LLC	BLDG MAINT & REPAIR	\$280.32
LUKE OBERBRECKLING & SONS	STORM DRAINAGE	\$4,115.00
MECHANICSVILLE TELEPHONE CO	TECHNOLOGY SERVICES EXP	\$362.28
NAPA AUTO PARTS	VEHICLE OPERATIONS	\$31.43
NICK LANGE	TELECOMMUNICATIONS	\$30.00
ODD JOBBER	GROUNDS MAINTENANCE & REPAIR	\$1,350.00
ODD JOBS INC	OTHER PROF SERV EXP	\$150.00
QUILL	OFFICE SUPPLIES	\$293.82

RADAR ROAD TEC	OTHER PROF SERV EXP	\$70.00
SCOTT MOFFIT	VEHICLE REPAIR	\$100.00
SUMMIT COMPANIES	BLDG MAINT & REPAIR	\$1,095.00
TIPTON AMBULANCE SERVICE	OTHER PROF SERV EXP	\$175.00
TIPTON CONSERVATIVE & ADVERTIS	PRINTING & PUBLISHING EXP	\$316.61
US CELLULAR	TELECOMMUNICATIONS	\$137.19
WALMART	OPERATING SUPPLIES	\$16.50
WELLMARK BC BS	GROUP INSURANCE	\$4,167.18
WENDLING QUARRIES INC	STREETS	\$320.53
ENTERTAINMENT WEEKLY	SUBSCRIPTION & ED MATERIAL	\$15.00
WALMART	OPERATING SUPPLIES	\$55.15
PAYROLL	WAGES	\$13,460.89

Total Receipts and Disbursements for month of September by fund

Fund	Receipts	Disbursements
General	23,430.77	40,704.76
Road Use Tax	14,983.03	2,576.39
Employee Benefit	4,374.77	2,700.72
Local Option Sales Tax	7,388.70	
Library Trust	9.14	
Ambulance Trust	29,383.88	1,166.82
Debt Service	3,839.89	
Perpetual Care		
Water Utility	8,217.40	8,479.27
Sewer Utility	8,190.47	3,677.59
Storm Water Utility	1,000.77	3,385.00
Solid Waste	9,618.91	4,960.82
Water Deposit	189.87	0.00

Receive visitors/public comment: Donna Paup addressed the council pertaining to correspondence she requested be included in the council packets referencing a building permit that was issued and approved by the Board of Adjustments for the property across the street from her.

REPORTS:

Ambulance Report: Koch reported 19 calls for the month, reported an air leak on A-3 which has been fixed and requested training for Brittany to attend IEMSA November 9-11.

Fire Report: Koch reported 16 calls, 161 ignition switch has been fixed, and 164 has been taken in for a re-generating issue, the new helmets are in, Greg Morris with Feld Equipment will be coming to inspect the gear and determine if any is non-compliant. Requested Zach Lovell be approved as a new FF member, informed council about an electrical fire that happened in the storage closet, insurance adjuster has been here and Service Master came and cleaned, repainted, and took the supply items to be cleaned and returned. Some of the pancake breakfast supplies such as the cream and sugar packets and some cups donated by Casey's were discarded. Fire Prevention week is

this week. A request to purchase 1 pair of boots (\$200), 1 TV for the apparatus room to be used for training, weather spotting, and the I AM responding app (\$600-\$700) and the IEMSA training and Zach Lovell as a member were approved with a motion by Dee Cook, seconded by Rob Davis. Ayes all. Motion carried. Some discussion about SCBA masks and whether to purchase new or refurbished ones and unsure of how much gear or what pieces will be needed.

Police report: Tim Horihan gave his summary of activity from 9/11/17 to 10/9/17 which included 33 business checks; 4 agency assists; 11 citizen assist; 2 motorist assist; 2 general public safety; 2 theft/fraud; 1 vandalism; 1 assault; 3 suspicious activity; 5 animal cases; 1 MVA; 1 welfare check; 3 civil cases; 5 Nuisance/Noise; 1 community event; 1 training; 15 parking violations; 36 traffic stops; 46 warnings; and 3 citations.

Public Works Report: Lange reported putting the fence up for the fall leaves, cemetery clean up completed, library gutters were caulked with discussion on getting a quote to replace with seamless gutter. Albaugh requested five vacation days and Lange requested to attend training at IAMU which were approved with a motion by Rob Davis and second by Dee Taylor. Ayes all. Motion carried.

Administration Report: Coppess requested to attend IMFOA Training October 18-20 in Des Moines. The request was approved with a motion by Dee Cook and second by Dee Taylor. Ayes all. Motion carried.

Old business discussion and possible action on:

Wyoming Waste Water Treatment facility reports: Lange shared the testing results from Wyoming after they installed a SAGR system. He will also make a visit to Walker.

New business discussion and possible action on:

Review of correspondence on Zoning Ordinance, adding garage to the list of “primary” buildings? Identify specific order in which buildings are built? No change? Council reviewed the correspondence from citizen, the City Code, and correspondence from the city attorney which stated in summary that a permit for an accessory structure should not be issued before a permit has been issued for the principal structure. The fact the accessory structure is built before the principal structure isn’t an issue as long as the principal structure is built in accord with the permit issued. No changes at this time.

Set Dates for fall leaf pick up: Dee Cook motioned, Dee Taylor seconded to set October 27, November 7, and November 21 for the days for the pick up to occur. Ayes all. Motion carried.

Approve Final pay estimate to release retainage to contractor and Engineers statement of final complete and owners acceptance of the work: Dee Cook motioned and Dee Taylor seconded to approve the Resolution 2017-15 for final acceptance of the 2016 water main replacement project and paying the retainage. Roll

Call: Ayes: Rob Davis, Pam Cavey, Andrew Oberbreckling, Dee Taylor, and Dee Cook. Nays: None. Resolution adopted.

Federal Grade Crossing Safety Improvement Funds: Clerk was asked to inquire about funds being used to install a turning lane on Highway 30 at the intersection of S. Madison Street.

Notice of Violation: Monthly Operating Reports were not submitted by the 10th of the month during PWD's medical absence.

Replace aerator \$2571: Rather than repair one of the old aerators at a cost of \$4500 it was decided to replace it. Pam Cavey motioned, Rob Davis seconded to approve the purchase of the new aerator at a cost of \$2571. Ayes all. Motion carried.

Ordinance 289 amending possibility of imprisonment for violation of code of ordinances

WHEREAS the Iowa Legislature in its most recent legislative session enacted into law a requirement the State Public Defender's Office seek reimbursement from local political subdivisions for attorney fees and expenses paid a court appointed attorney for representing an indigent person charged with a violation of a local ordinance for which there was a possibility of imprisonment; and,

WHEREAS this Council believes it is no longer prudent to afford the Court the opportunity to order imprisonment for a violation of our code of ordinances;

BE IT ORDAINED, THEREFORE, that the last sentence of section 1.14 of the City Code is deleted in its entirety.

Ordinance 290 amending provisions pertaining to cigarette and tobacco permits

SECTION 1. SUBSECTION MODIFIED. Subsection 3 of Section 121.01 of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, is repealed and the following adopted in lieu thereof:

3. "Place of business" means any place where cigarettes, tobacco products, alternative nicotine products, or vapor products are sold, stored, or kept for the purpose of sale or consumption by a retailer.

SECTION 2. SECTION MODIFIED. Section 121.05 of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, is repealed and the following adopted in lieu thereof:

121.05 ISSUANCE AND EXPIRATION. Upon proper application and payment of the required fee, a permit shall be issued. Each permit issued shall describe clearly the place of business for which it is issued and shall be non-assignable. All permits expire on June 30 of each year. The Clerk shall submit a duplicate of any application for a permit to the Alcoholic Beverages Division of the Department of Commerce within 30 days of issuance.

Ordinance 291 amending provisions pertaining to interference with official acts

INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer, jailer, emergency medical care provider under Chapter 147A

of the *Code of Iowa*, or firefighter, whether paid or volunteer, or a person performing bailiff duties pursuant to Section 602.1303[4] of the *Code of Iowa*, in the performance of any act that is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider, or firefighter, or person performing bailiff duties, or shall knowingly resist or obstruct the service or execution by any authorized person of any civil or criminal process or order of any court. The terms “resist” and “obstruct” as used in this section do not include verbal harassment unless the verbal harassment is accompanied by a present ability and apparent intention to execute a verbal threat physically.

Ordinance 292 amending provisions pertaining to water service discontinued

SECTION 1. SECTION MODIFIED. Section 92.05 of the Code of Ordinances of the City of Mechanicsville, Iowa, 2014, is repealed and the following adopted in lieu thereof:

92.05 SERVICE DISCONTINUED. Water service to delinquent customers shall be discontinued or disconnected in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued or disconnected if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail to the customer in whose name the delinquent charges were incurred and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance or disconnection. The City may post a 24 hour second and final notice prior to discontinuance or disconnection on the property door of the delinquent account. This service shall incur a posting fee of \$20.
2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the customer is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.
3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the Clerk shall conduct an informal hearing and shall make a determination as to whether the discontinuance or disconnection is justified. The customer has the right to appeal the Clerk’s decision to the Council, and if the Council finds that discontinuance or disconnection is justified, then such discontinuance or disconnection shall be made, unless payment has been received.
4. Fees. A fee of forty dollars (\$40.00) shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

Ordinance 293 amending provisions pertaining to all-terrain vehicles

OPERATION OF ALL-TERRAIN VEHICLES, which is hereby adopted to read as follows:

6. Direct Crossing. An all-terrain vehicle or off-road utility vehicle may make a direct crossing of a highway provided all of the following occur:

(Code of Iowa, Sec. 321I.10[5])

 - A. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

- B. The all-terrain vehicle or off-road utility vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
- C. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- D. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.
- E. The crossing is made from a street, roadway, or highway designated as an all-terrain vehicle trail by a state agency, county, or city to a street, roadway, or highway designated as an all-terrain vehicle trail by a state agency, county, or city.

The above ordinances were all read with a motion by Dee Cook, second by Andrew Oberbreckling to approve the first reading of each of the ordinances 289-293. Ayes all. Motion carried.

Dee Cook motioned, Dee Taylor seconded to waive the second and third readings. Ayes all. Motion carried.

Dee Cook motioned, Andrew Oberbreckling seconded to adopt the ordinances. Roll Call vote: Ayes: Rob Davis, Pam Cavey, Andrew Oberbreckling, Dee Taylor, and Dee Cook. Nays: None. Ordinances adopted.

Engineering firms responses to the Request for Qualifications:

Proposals for Engineering Services were provided by Crawford Engineering & Surveying, Inc., Burrington Group, Fehr Graham, Shive-Hattery, Veenstra & Kimm, IIW, Snyder & Associates, Hart-Frederick Consultants, and Garden & Associates. Responses to the requests for qualifications were distributed to each council member and the mayor. A special meeting will be held to go through each response in more depth and time spent to evaluating each firm. Randy Krutzfield also added that the project has been initiated with the DNR; the facility plan is due in March with one solution being to add a unit on after the lagoon including disinfection and polishing units similar to SAGR system.

Telephone company solar panels/fencing: Council was asked to review a request for a 6 foot security fence to be installed around the perimeter of the property which will contain a solar panel structure for the telephone company. The 6 foot security fence was approved with a motion by Dee Cook and second by Dee Taylor. Ayes: Cook, Taylor, Cavey, Oberbreckling. Nays: Davis. Motion carried.

Pharmacy & Ambulance Agreement 2017-14: A new pharmacy agreement with Jones Regional which will provide the necessary medications needed for the ambulance and the oversight to meet with the state regulations at a cost of \$400 per year for ambulance services that carry narcotics. Pam Cavey motioned, Andrew Oberbreckling seconded to approve Koch signing the agreement as ambulance coordinator. Ayes: Cavey, Taylor, Davis, and Oberbreckling. Nays: None. Abstain: Cook. Motion carried.

Health Insurance Renewal: Scott Schroeder provided a review of the health insurance coverage that is currently available for employees and recommended keeping the grandfathered plan for another year. Action to be taken at the next meeting.

Correspondence: None.

Committee reports/announcements: Flu shots available on Tuesday, at 3:30 pm at Memorial Building and the Community Visioning meeting will be Wednesday, at 6:30 pm.

Set next meeting date: Special meeting to review engineering proposals will be 10-23-2017 at 7:00 p.m. Next regular meeting: 11/13/17

Mayors Comments: None.

ADJOURN: There being no further business to come before the Council at this time, council member Dee Taylor motioned, Dee Cook seconded, to adjourn the meeting at 9:40 p.m. Ayes all. Meeting adjourned.

ATTEST:

Linda K. Coppess, MMC

David L. Furry, Mayor