

City of Martensdale
Regular Council Meeting
July 3, 2017

Meeting called to order by Mayor Ralls.

Members present: Ryan Baker, Robert Wetzler and Nathan Wheeldon.

Members absent: Scott Henson.

Attorney Robert Benton was present.

The consent agenda and June 12, 2017 minutes were presented, including the disbursement and revenue reports. The city clerk asked to transfer funds back to the general fund that were taken out for the fire dept. bond payments in the amount of 14,385.00 and 13,037.50. R. Wetzler made a motion to approve the consent agenda, and include the city clerk request to transfer the bond payments back into the general account for bond payments; seconded by R. Baker. On a voice vote Mayor Ralls declared the motion carried unanimously.

A petition was presented to the city clerk for a special election to replace Adam Vandekamp's city council seat. R. Baker made a motion to accept the petition; seconded by N. Wheeldon. On a voice vote Mayor Ralls declared the motion carried unanimously.

Robert Seymour said the drainage tubes were installed on Burlington. Burl Beam water shut off is in the ditch and he said he does not want his tree taken out for the installation of the sidewalk. Mr. Beam told Bob Seymour if the City wanted to plant a bigger tree in a different spot, he would consider it. The city attorney said if it is in the best interest for the City, they could remove the tree and that the sidewalk would be for the public so it is an easement. Mayor Ralls will talk to Mr. Beam about the tree. The City will move Burl Beam's water shut off. McClure Engineering had said they would survey that area. Mayor Ralls will contact Caleb at McClure. R. Baker asked if his grandmother's drive way would be repaired. It is now smaller because the rock has never been replaced. Robert Seymour said he could move some rock back into her drive way.

Fire Report: A report for the bills paid by the fire dept. for May and June 2017 was presented. R. Wetzler made a motion to approve the bills; seconded by N. Wheeldon. On a voice vote Mayor Ralls declared the motion carried unanimously.

There was discussion about the final audit report. Mayor Ralls stated some of the audit findings we will not be able to fix due to the size of our staff. The city clerk stated that the auditor office did not feel the funds given to the Fire Association were not appropriate without some kind of proof that those funds belong to the Association. Rich Wheeldon, treasurer of the fire department stated he believed they had some kind of paper work showing the donations to the fire dept. Mayor Ralls stated he would like to see the paper work for the donations. It was discussed that a \$30,000.00 CD was held by the fire dept. and that public funds were being spent by someone who has not been elected or appointed by the city council. R. Wetzler asked the city attorney if it was usual in small fire departments for someone else to sign checks as long as the city clerk has all the account information. The attorney stated as long as everything has good documentation that is what the auditor really wants; they are looking for the process of funds and how it's reported. The attorney said if the auditor makes a recommendation then he advises us to follow that recommendation. N. Wheeldon stated that this report is for 2015 and a lot of the auditor recommendations have already been taken care of and should come off the report next year.

R. Wetzler stated he felt the city clerk should handle all funds but that the city code 35.02 states the department consists of the fire chief and such other officers and personnel as may be authorized by the Council. It was discussed whether the treasurer the fire dept. suggests in their internal election results should be appointed or authorized by the city council. Mayor Ralls stated it is clearly stated in the code book that the city council approval all department positions.

N. Wheeldon said he would rather have that person authorized so it does not get political. R. Wetzler stated he was not comfortable with that item. R. Wheeldon stated that the fire dept. would not like the council approval of the positions because they would feel that they do not have a say. Mayor Ralls said that the fire dept. should bring names of elected people by the fire dept.

to the city council. Mayor Ralls said the fire dept. elected officers in December, the city council could approve their suggestions for treasurer since its city funds the city has to have a say in who is paying the fire dept. bills R. Wheeldon will also get all receipts.

R. Wetzler would like to go through A-J of the audit report to see what has already been taken care of and what we still need to work on at the next meeting.

Swimming Pool Enclosures were discussed. Dakota Dudney asked what defines a permanent pool and the Mayor told him anything over 24 inches needs a 6 ft. fence around it according to our ordinance so children can't get over it. Mr. Dudney would like to discuss the height; he stated he has a 4 ft. fence and didn't want to have to pay an additional \$1,500.00 to \$2,000.00 to have a 6 ft. fence put up. R. Wetzler said he likes the Des Moines pool ordinance, which is 4 ft. He will call our insurance company to make sure we can do that before the council makes any final decision. The city attorney stated whether it is a 4 ft. or 6 ft. fence it all boils down to safety concerns and both those sizes are common in other cities. Mr. Dudney stated that if a kid wants to get over a fence there going to get over no matter how tall it is.

The city clerk was contacted by Iowa Codification to see if the city council wanted to wait until the Iowa Legislative laws were enacted and have them placed in the ordinance book. The council thought that was a good idea. R. Wetzler said to have the fire works code 45.25 updated and refer now to the state law.

Open Forum: Jeri Dudney, 395 School St., Martensdale, IA was presented and wanted to thank whoever contacted Windstream. Her problems have been fixed and Windstream said they would return to complete the job. Mayor Ralls had them remove the wire spools and the city clerk had contacted Windstream to contact Jeri Dudney directly. She asked about the dust on the streets and said it was like driving down a gravel road. There was discussion whether the fire dept. could spray down the streets.

Dustin Loyd, 655 Rock Island, Martensdale, IA was presented and said there are sidewalks on Iowa Ave. that need repair. Mayor Ralls said those are the property owner's responsibility. The city clerk asked Mr. Loyd to get the addresses of those needing repair.

N. Wheeldon made a motion to adjourn; seconded by R. Wetzler. On a voice vote Mayor Ralls declared the motion carried unanimously.

Mayor John Ralls

Donna Bahun, City Clerk