

City of Martensdale
Regular Council Meeting
September 11, 2017

Meeting called to order by Mayor Ralls.

Members present: Ryan Baker, Scott Henson, Nathan Wheeldon and Robert Wetzler (by phone).

Members absent: None

Attorney Robert Benton was present.

The consent agenda and August 7, 2017 minutes were presented, including the disbursement and revenue reports. S. Henson said the money for the defibrillator was taken out of the fire acct. instead of the rescue acct. The city clerk will adjust the fire and rescue accounts, and it was noted that the Warren Co. Auditor had changed the special election date from Sept. 12 to Sept. 26. R. Wetzler asked if the fire dept. had a report with their bills; they stated they have not had their meeting yet so no report was available. R. Baker made a motion to accept the consent agenda with the changes to the minutes and financial report; seconded by N. Wheeldon. On a voice vote Mayor Ralls declared the motion carried unanimously.

The city clerk presented DanLee's liquor license renewal permit for approval. S. Henson made a motion to approve the liquor license; seconded by R. Baker. On a voice vote Mayor Ralls declared the motion carried unanimously.

Iowa Codification had sent a few samples of new firework ordinances for the City to review. The City's current ordinance is no longer valid for fireworks. Mayor Ralls had some comments regarding the samples and asked we had to have a fire works ordinance. City Attorney, Robert Benton, said you do not need an ordinance but said it would not be a good idea to not have one due to sales being regulated and safety concerns. Mr. Benton stated they have done several firework ordinances for other small cities and he would be happy to send a copy of them for the city council to review. Mayor Ralls asked who would enforce the firework ordinance and the attorney stated it would be the Warren Co. Sheriff since we have a contract with them. R. Baker stated they feel we need an ordinance with restrictions hours. S. Henson thought the city attorney should bring options so the city council can decide.

The city received a letter asking for a contribution to Keep America Beautiful – Hometown Pride, the cost for the city would be \$250.00 per year. N. Wheeldon felt if it would help keep the City cleaned up, it would be worth it. Mayor Ralls thought we might get overlooked since our City is so small. N. Wheeldon made a motion to join Hometown Pride; seconded by S. Henson. On a voice vote Mayor Ralls declared the motion carried unanimously.

Robert Seymour had no maintenance report.

Fire Report – Chief Scott Henson stated there were 16 EMS calls and 7 fire calls.

Mayor Ralls stated that the sidewalk installation footage would be more like 650 feet instead of 400 feet. He will get a new quote. He stated the teachers were excited to hear about the sidewalk.

The city received a letter from Warren Water asking for the city council to give Neil Rezak, Prole, IA, permission to hook into their water line, since its in the 2-mile radius they need the City's approval. N. Wheeldon made a motion to approve giving Neil Rezak water from Warren Water; seconded by S. Henson. On a voice vote Mayor Ralls declared the motion carried unanimously.

The city clerk told the Mayor and city council that Curt Kaupmann had left McClure Engineering shortly after the Sept. meeting and had talked to Andrew from MPO about the USDA project. Andrew stated that he received a message from McClure Engineering and they wanted him to complete items that he said he couldn't until McClure gets more of their work done. R. Wetzler stated that the City of Humeston also had problems with McClure. Mayor Ralls asked if we could look at the contract and see if we can break out of it with them. Attorney Benton stated he would be retiring at the end of the year but that the firm would represent the City.

S. Henson asked if any insurance would cover anything. The attorney said they need to review the contracts to see if they did what they promised; if it was completed in a timely manner; and if it was done in a reasonably amount of time. If McClure misrepresented the City we may be able to get out of the contract. N. Wheeldon made a motion to have the law firm of Stuveysant, Benton, and Judisch review the contract with McClure Engineering; seconded by R. Wetzler. On a voice vote Mayor Ralls declared the motion carried unanimously.

Resolution 09.01.2019 – Amending the City's FY 2018 Fee Schedule for the Fire Dept. was presented. R. Wetzler made a motion to accept the resolution; seconded by R. Baker. On a voice vote: Wetzler, Aye; Baker, Aye; Henson, Aye; Wheeldon, Aye. Mayor Ralls declared the motion carried unanimously.

Resolution 09.02.2019 – Federal Disaster Mitigation Act of 2000. S. Henson made a motion to accept Resolution 09.02.2019; seconded by N. Wheeldon. On a voice vote: Wetzler, Aye; Baker, Aye; Henson, Aye; Wheeldon, Aye. Mayor Ralls declared the motion carried unanimously.

Ordinance 09.01.2019 – Amending the Code of Ordinances of the City of Martensdale, Iowa by Amending Provisions Pertaining to Water Service Rates was presented. R. Baker made a motion to accept Ordinance 09.01.2019; second by N. Wheeldon. On a voice vote: Wetzler, Aye; Baker, Aye; Henson, Aye; Wheeldon, Aye. Mayor Ralls declared the motion carried unanimously.

There was discussion on waiving the 2nd and 3rd readings of Ordinance 09.01.2019 – Amending the Code of Ordinances of the City of Martensdale, Iowa by Amending Provisions Pertaining to Water Service Rates. R. Wetzler stated going to the 2nd reading would give residents a chance to complain if they wanted. S. Henson made a motion to waive the 2nd and 3rd readings of ordinance 09.01.2017; seconded by R. Baker. On a voice vote: Wetzler, Aye; Baker, Aye; Henson, Aye; Wheeldon, Aye. Mayor Ralls declared the motion carried unanimously.

The auditor report was on the agenda. Mayor Ralls asked the city clerk to contact the State Auditor and see if they could come to the next meeting to discuss the Fire Association funds. Mr. Bennett suggested contacting the auditor and having 2 people from the council and 2 people from the fire dept. met with the auditor before the next meeting. The city clerk will contact the auditor and get dates when they can meet.

The city clerk said that if any resident wants to turn in their city election nomination papers they can call her and she will come down and met with them to get their papers ready and have them sign a candidate affidavit. The city election paperwork is due Sept. 21st. The clerk will post a notice at the post office and City Hall.

Rich Wheeldon, Prole, IA was present and said it may be a good idea to give the recorded tapes of the council meetings to the attorney. L. Henson, Martensdale asked if ICE, which would recover funds for the City, covered the City. The city clerk said she did not believe we were covered by ICE but would check.

S. Henson asked R. Wetzler if he had received any information on the swimming pool ordinances, he stated he had and would forward them to Nathan when he has completed working on them.

S. Henson made a motion to adjourn; seconded by R. Baker. On a voice vote Mayor Ralls declared the motion carried unanimously.

Mayor John Ralls

Donna Bahun, City Clerk