

Ruthven City Council Meeting
September 1, 2015, - 6:30 PM

The Ruthven City Council, of the City of Ruthven, Iowa, met on the 1st Day of September, 2015, at 6:30 PM, in regular session, in Council Chambers at City Hall, pursuant to law and to the rules of said council.

Meeting was called to order by Mayor David J Kirk in the Chair, and the roll being called, the following members were present; Mitch Anderson, Dave Forey, Justin Henningsen and Dustin Johnson. Absent; Jay Schoning

City employees present; Engineer Lenny Larson, Dave Conlon, Toad Loder and Margaret Tatman Guest: Will Freeman, Tammy Kruckman, Robert Grund & Gary Knoer

Motion Forey, second Johnson to approve the Minutes from August 18, 2015 meeting, Claims Report and Clerk's Financial Reports. Ayes; Anderson, Forey, Henningsen and Johnson Nays; None Absent; Schoning

Motion Anderson, second Henningsen, to approve Resolution No. 24-2015 - A Resolution Setting Hourly Wages for Appointed Officers and Employees for the City of Ruthven, Iowa for Fiscal Year 2015-2016. By Roll Call Vote, Ayes; Anderson, Forey, Henningsen and Johnson Nays; None Absent; Schoning

Motion Johnson, second Anderson for Mayor Kirk to enter into negotiations with Attorney David Stein for Ruthven City Attorney. Ayes; Anderson, Forey, Henningsen and Johnson Nays; None Absent; Schoning

A revised City of Ruthven Payment Policy was reviewed and discussed. Clerk Tatman was instructed to publish notice to citizens that the new policy will be voted on at the next council meeting on September 15, 2015 so community members are able to find out more information prior to passage.

Motion Anderson, second Forey, to approve GovPayNet Credit Card Processing Agreement. Ayes; Anderson, Forey, Henningsen and Johnson Nays; None Absent; Schoning

PWD Conlon informed council of street repairs that were done as of today. Also mentioned was that the new sand/salt spreader was installed in the truck and is ready for the winter.

Mayor Kirk called on the citizens in attendance for concerns or comments. Tammy Kruckman stated to mayor and council; I'm not happy and I do think they should rethink the letters. Are you aware how much work Cotton, (Darrell) has done for the town for no money and you are driving on a good half of our road we own this alley. Hemphill was here the day we purchased the lot and said to the city you might have to move your air conditioner and poles. We own to the middle there's the thing. Weeds, I invite anybody to go out and look behind the building to find any problem with weeds. The pictures were to the north. We have to look at the building to the north of our office which is not very attractive if you are talking about nuisance which I would consider much higher a nuisance. Darrell will be moving his truck on his terms when he's ready. It's perfectly capable of being driven but he can't get in because his legs won't get there it's a clutch truck. The weeds that really hurt me. I think you might want to rethink how much he has done for the town. Mayor Kirk; well ok let me address that statement, so anyone who does something for the town you feel they are entitled to exemption from the ordinances? Tammy; he was right out here moving snow on the streets all night and working all day doing peoples driveways you call that doing something for the town. Mayor; so what other ordinances do you feel you are exempt from? Tammy; I not saying we're exempt from anything. Mayor; well no that's what you're saying, you're saying Cotton's done this so therefore we shouldn't get a letter for this. Tammy; would you like me to start telling you how much I have done? Mayor; well again I want to establish your argument; you're saying you have done stuff for the city so therefore you should not be subject to the ordinances. Tammy; no I think you should rethink the letter and I think you owe Darrell an apology. Mayor; Tammy you have not answered my question, if you do something for the city; you're saying you should be exempt from ordinances. What other ordinances are you exempt from and what activities can Gary (Mayor pointed to Citizen Gary Knoer) do for the city to make him exempt from ordinances? Tammy; did I say we were exempt from the ordinances? Mayor; you said we should rethink the letter because of all the things you have done. So you think your actions entitle you to not have to follow the ordinances? Tammy; I didn't know it was any problem, is the pick up any issue to anyone, is it causing anybody a problem. He moved it up by the shed so you guys could move snow and they are very good about moving the snow and they clean out our building that's why it's sitting up there. That's why he moved it there so it wouldn't be in the way. I don't think it's a problem, if you have a problem with it please explain to me what your problem is. Mayor; well the problem is that it's against the ordinances; the ordinance says that it has to be operable and registered. Tammy; its operable, it's registered. Mayor; it doesn't have license plates on it Tammy. Tammy; so what? Mayor; then there's no way for our code enforcement officer to verify that it is registered. It has to have the license plates on it. Tammy; do you want to see the insurance on it? I'm not going to argue. I'm just saying he will move it on his time. Mayor; well I

believe we gave him a 30 day courtesy letter, if it's not moved within the 30 days than you'll get a violation letter and from that point you will have 30 days. Tammy; then you'll probably have a fence through the alley. Mayor; (looking at Clerk Tatman) go ahead and draft the paperwork for her to be able to put up a fence. Tammy; I don't need permission. Mayor; you do need permission. Tammy; we own property, we could build it. Mayor; Tammy you may not put up a fence without having it approved by the city. Tammy; so maybe we will add addition to the building. Mayor; you can't add an addition without approval from the city. Requirements are for the fence it must be 6" from property line and any addition you want to add must be 7 1/2 feet from the property line. Tammy; how did it happen that they showed us that we owned property that you tore down, that we own 6-8" of that property. I'm just saying that's what they told us. Mayor; well just so I have it for the record I want to establish what you are saying. First you are saying you are entitled. Tammy; I didn't say I was entitled. Mayor; let me rephrase it, we've done so much stuff for the city we shouldn't be getting this letter. And now you are saying that if we don't, ash, you are threatening the city. Tammy; I'm not threatening the city. Mayor; well what would you define it as; you're saying if you do this to me, I'm going to do that to you. Therefore that is a what? Tammy; it's no threat. It's not a threat. Mayor; well we will put that and let other people decide if it's a threat. So do you have any other argument you want to bring forward? Tammy; um yah, do you wanna go look at the weeds? The pictures showed trees that aren't ours and weeds that aren't ours. Mayor; did the letter say weeds or just the truck? Clerk Tatman, yes, letter said weeds and grass. Mayor; ok, and you feel that's being unfair. Tammy; yes because there's nothing wrong, anyone can go out and look. Mayor; ok so were you out pulling weeds? Tammy; yah I was this morning. Mayor; ok, alright but everyone's subject to the same ordinances. In fact we had a discussion last council meeting about unlicensed vehicles in the city and what to do about them and the council agreed unanimously that it's our ordinance and we're going to enforce it equally. And so all you have to do is have it registered. If it's operable, have it registered and then put the license plates on it. Tammy; but he can't drive it, don't you get that. Mayor; I understand that, but if you put the license plates on it, it wouldn't be an issue. Am I missing something? Tammy; I think so, I think you missed it way ago. Mayor; if it's operable and registered, stick the license plates on it! Tammy; thank you. Mayor; any comments from council?

Mayor to Butch Grund; Butch? Butch; I would like you to read this aloud. (Butch handed Mayor his Thank you letter, Mayor read aloud.) Butch; alright I got rid of the skidoo, it's gone. Mayor; ok Butch; the car body is still there it's for sale, I'm not residential, I'm commercial, that's part of my business. The front end I could move it behind the fence but why? All I gotta say is I've cleaned up everything I am going to clean. It says the mayor and city council don't like the way it looks, have you driven by there to see how it looks? Mayor; well he put the mayor and city council in acting in accordance with our city ordinances. Butch; the car is 75 years old, its antique, it's not junk. The front end is not junk. Like I said I got rid of the skidoo, I guess what I got to say is if you want to take me to court, take me to court cause I've cleaned up all I'm gonna do now. Mayor; Ok, so you do know this is another courtesy letter, right? You weren't cited for any violations. Butch; yah no I wasn't cited for nothing. Mayor; right so this is a thank you. Butch; I got rid of the skidoo, I had \$500 bucks in that, I gave it to my brother in law it's gone. As far as I'm concerned it's a business like if you kicked out Petersen because his tractors aren't registered and licensed. I'm a business and that's part of my business is that. Mayor; ok, I'll talk to Darren because he and I had a conversation about it that you are a business. Butch; ok yah I think that's only proper because I am commercial, I'm not residential. Thank you for looking at that. That's what I'm saying I'm done cleaning up. I could move the car block back, but why? That's part of my business. Mayor; yah and we appreciate; the jest of that letter coming from Darren is that you've done a great job cleaning up. Butch; yah when I got the pictures I said, that's a piece of \$%&! and it needs cleaned up. I had no problem with that. Mayor; of 28 properties that got letters, I think 24 made improvements to their property. There's one person that owns several properties, no cleanup and that's not gonna happen. There's comments from people that we moved to Ruthven so we can have my yard that way. That's something that says a lot about our community that we had the reputation of people moving to Ruthven to do that. Butch; no I don't believe that. It's not like Dickens or something like that. I don't know I've done all I'm gonna do. That's all I can tell ya. Mayor; yah the council and I appreciate all you're efforts you've taken so far and as far as the car because you have it for sale and you are a business Butch; commercial. Mayor; in my opinion that doesn't fall into the category because you are actively trying to sell it. Butch; there is an auction in September and I've have two people look at so far. Mayor; and since you are actively trying to sell it, it doesn't fall into the ordinance. I appreciate you showing me the letter and cleaning up. Anything from council?

Mayor to Gary Knoer, Gary you have anything? Gary; Can we get law enforcement to sit at the corners by my corner and school corner? Kids in cars, on golf carts and mopeds just blow through the stop signs and yield signs up there. Mayor; Margaret go ahead and draft a letter to Sheriff Schultes regarding all the speeding and sign violations and I the mayor will sign it. Gary; also what is the chance we can get ATV's on the ordinance? Mayor; the issue was just on the last meeting agenda and no one showed to discuss it so no action was taken on it. Council will need to request it again and we will readdress it if needed.

Councilman Forey inquired whether it was true or not that there is a crew of people butchering pigs in the yard at 1708 Washington and throwing the hides in the garbage? Discussion between Mayor and council occurred and Mayor instructed Clerk to find out our actions and put on next meeting agenda.

Motion Henningsen, second Anderson to adjourn meeting at 7:30 p.m. Ayes; Anderson, Forey, Henningsen and Johnson Nays; None Absent; Schoning

David J. Kirk, Mayor

Margaret Tatman, City Clerk