

Ruthven City Council Meeting
March 1, 2016 - 6:30 PM

The Ruthven City Council, of the City of Ruthven, Iowa, met on the 1st Day of March, 2016, 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 and Dustin Johnson. Absent; Sara Ferguson and Jay Schoning

City employees/representatives present; Attorney David Stein (via phone), Lenny Larsen I+S, Toad Loder and Margaret Tatman Public; Matt Graves, Kevin Bates, Jonathan Harris, Junior Bates, Gary Knoer, Pat Geelan, Carla Larson, Rhonda Eaton, Robert Grund, Tammy & Darrell Kruckman, Jon Josephson and Deanna Baker.

Motion Forey, second Johnson to approve the Minutes from February 16, 2016 meeting, Claims Report and Clerk's Financial Reports. Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Mayor Kirk declared the public hearing open at 6:45 pm on the 2016-2017 City Budget. No objectors were present or filed written objections to the City Clerk, so the public hearing was declared closed at 6:47pm.

Motion Anderson, second Johnson to approve Resolution No. 20-2016 – A Resolution Adopting the Fiscal Year 2016-2017 Annual Budget for Year Ending June 30, 2017 and Setting Levies Roll Call Vote; Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Mayor Kirk declared the public hearing open at 7:00 pm on the City of Ruthven, Iowa's Intent to Make Changes to and Amend City Ordinance Chapter 51, Junk and Junk Vehicles. Before opening discussion to council and public, Mayor Kirk notified public that these changes are only for vehicles and not all other nuisances. Mayor Kirk then read through the proposed wording changes, additions and deletions. He then asked for comments from council and when there were none he opened the floor to the public. Butch Grund was the first to speak and asked about the new section on Outdoor Storage of Motor Vehicles and its section 3 - a provision of subsection (2) notwithstanding the keeping, parking or storage, out of doors, of any wrecked or demolished motor vehicle, or motor vehicle striped for parts, at the same commercially zoned site for more than sixty days is prohibited. He stated that he is a body shop owner and would like to get into wrecked cars and selling them for parts. Attorney Stein did state that per the zoning ordinance there might be a possibility for a special use permit for his business if the zoning board authorized it. Butch also asked about tractors inside city limits. Mayor mentioned wording can be tweaked, this is only the first time we are talking about it and we appreciate all the input given. Butch then mentioned he would rather see the Mayor go around and ask residents to clean up their yards than have someone who doesn't know much do it. He said there is too much wording. Attorney Stein mentioned that there is mainly a problem when vehicles sit for more than 30 days and weeds grow and vermin come around. Other discussion with a few of the public was the unlicensed vehicle wording and again Mayor Kirk mentioned that this wording is only suggestive and can be changed. With no further comments, Mayor Kirk declared the public hearing closed at 7:36 pm.

Discussion was held on the proposed revenue purpose statement that has the wording regarding franchise fees, if voted to impose, on electric and gas services through Mid-American Energy Co. If franchise fees are imposed then this statement will need to be adopted.

Forey introduced Ordinance No. 1-2016 – An Ordinance Granting to Mid-American Energy Company, its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Ruthven Iowa, a Natural Gas System and to Furnish and Sell Natural Gas to the City and its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years. Motion to approve second reading of Ordinance No. 1-2016 by Forey, Second Johnson, Roll Call Vote Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Discussion regarding Franchise Fees for electric and gas services from Mid-American was held and decision made to not impose any fees at this time. Decision to have wording on Local Option Sales Tax revenue purpose statement changed to include "any and all lawful purposes" and added to November election ballot for public vote, was made. If the measure to change the "wording only" on

the L.O.S.T. statement passes, the city would then be able to use L.O.S.T. funds to help relieve the general fund deficit. If for some reason the wording change does not pass, then the city council will revisit imposing franchise fees to help the general fund balance.

Anderson introduced Ordinance No. 2-2016 – An Ordinance Granting to Mid-American Energy Company, its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Ruthven Iowa, a Electric System and to Furnish and Sell Electric Energy to the City and its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years. Motion to approve second reading of Ordinance No. 2-2016 by Anderson, Second Johnson, Roll Call Vote Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Motion Johnson, second Anderson to approve Calvary Cemetery Joint Maintenance Agreement and Crownhill Cemetery Maintenance Contract with Contractor John Tatman in the amount of \$9,950.00 for the season of April 1 through October 31, 2016 Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Lenny Larsen of I+S discussed the progress on the new lagoon liner. A new probable project cost sheet was done per the request of the USDA for main sewer lagoon cell and quote for clay liner instead of a poly liner. He stated this is being sent to the USDA and he will know in a few weeks about funding through the USDA. Motion Johnson, second Anderson to move forward with new proposal on clay liner and working further with the USDA Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Clerk Tatman shared the Ruthven Park and Pool Board recommendations with council and decision was made to table items to next council meeting so open, close and swim lesson dates could be set up after finding out from the school last day of school this year and first day of school next year. The recommendation regarding reimbursement for classes was also tabled. Recommendation to purchase an Expression Swing set and Zero-G Chair for the park was gone over and decision is to have the park and pool board do a mini grant application to PACGDC for the next grant cycle which ends this December.

Palo Alto County Sheriff Deputy Jackson came into city hall and requested city council put up No Parking signs on the east side of the school as there is not enough room for vehicles or buses to drive through and cross the rail road tracks. Mayor Kirk will talk to Superintendent of School Andy Woiwood and see if he has any idea how to rectify the parking situations.

Jon Josephson LIRBA President was present and explained that the new metal city banners require a heavier bracket to hang them from the poles. LIBRA did send in an application for a PACGDC mini grant for the brackets but it was returned for errors. Jon will get a second bid for new brackets and come back at next council meeting on March 15, 2016 to see if the city council would have PACGDC grant monies they would be willing to donate to LIRBA towards this project.

Matt Graves of Ruthven Fire Department was present to inform council that the fire department is in the process of getting ready to apply for a liquor license for fundraising events and wanted to get the pre-approval from city council before the paperwork is sent in. Motion Johnson, second Anderson to approve the application of a liquor license for the Ruthven Fire Department. Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Motion Anderson, second Forey to approve Resolution No.18-2016 – A Resolution Adopting Ruthven Social Center Policy, Rules and Regulation for the City of Ruthven, Iowa Roll Call Vote; Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

Resolution No. 19-2016 – A Resolution Declaring Surplus and Authorizing Transfer was tabled to next council meeting for further information from Bond Attorney.

Motion Forey, second Johnson to adjourn meeting at 8:15pm. Ayes; Anderson, Forey and Johnson Nays; None Absent; Ferguson and Schoning

David J. Kirk, Mayor

Attest:

Margaret Tatman, City Clerk