

Ruthven City Council Meeting November 3, 2015 - 6:30 PM

The Ruthven City Council, of the City of Ruthven, Iowa, met on the 3rd Day of November, 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, Dustin Johnson and Jay Schoning. Absent; None

City employees present; Clerk Margaret Tatman and City Attorney David Stein via conference call Public; Rick and Jo Voss, Will Freeman

Motion Forey, second Johnson to approve the Minutes from September 27, 2015 special meeting, Claims Report, Clerk's Financial Reports and Completion & Payout of PACGDC Demolition Grant for 1905 Highland J. Naber. Ayes; Anderson, Forey, Henningsen, Johnson and Schoning Nays; None Absent; None

Henningsen introduced Ordinance No. 1-2015 – An Ordinance Amending the Code of Ordinances of the City of Ruthven, Iowa, by Amending Provisions Pertaining to Water Rates. Motion to approve second reading of Ordinance No. 1-2015 by Henningsen, Second Anderson Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None Second reading of Ordinance No. 1-2015 passes.

Schoning introduced Ordinance No. 2-2015 – An Ordinance Amending the Code of Ordinances of the City of Ruthven, Iowa, by adding a New Section Slaughtering Restricted. Motion to approve second reading of Ordinance No. 2-2015 by Schoning, Second Johnson Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None Second reading of Ordinance No. 2-2015 passes.

Anderson introduced Ordinance No. 3-2015 – An Ordinance Amending the Code of Ordinances of the City of Ruthven, Iowa by Amending Provisions Pertaining to Disorderly Conduct. Motion to approve second reading of Ordinance No. 3-2015 by Anderson, Second Forey Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None Second reading of Ordinance No. 3-2015 passes.

Schoning introduced Ordinance No. 4-2015 – An Ordinance Amending the Code of Ordinances of the City of Ruthven, Iowa by Repealing Provisions Pertaining to Railroad Warning Signals. Motion to approve second reading of Ordinance No. 4-2015 by Schoning, Second Henningsen Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None Second reading of Ordinance No. 4-2015 passes.

Henningsen introduced Ordinance No. 5-2015 – An Ordinance Amending the Code of Ordinances of the City of Ruthven, Iowa by Amending Provisions Pertaining to Amusement Devices. Motion to approve second reading of Ordinance No. 5-2015 by Henningsen, Second Anderson Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None Second reading of Ordinance No. 5-2015 passes.

Motion Schoning, Second Johnson to approve Dismissal of Lawsuit Involving Judith Broadie without prejudice Ayes; Anderson, Forey, Henningsen, Johnson and Schoning Nays; None Absent; None

Motion Forey, Second Henningsen to approve the use of City Municipal Infraction Code for Nuisance Abatement Violations Ayes; Anderson, Forey, Henningsen, Johnson and Schoning Nays; None Absent; None

Discussion was held on the exact property lines for Mad Butcher building and Bully's building and which property owner is responsible for the wall that is falling down between the two buildings. Attorney Stein suggested we use our city engineer or surveyor to find exact lot lines and pins if possible. Before doing anything it needs to be decided if removing that wall will cause any structural damage to the existing wall it is attached to. If it can be removed the city will need to enter into a written agreement with the adjoining property owner for legal purposes. More investigation will be done. Item tabled to November 17, 2015 City Council meeting.

Discussion was held regarding property at 1306 Washington and a nuisance complaint the city received about the property. Mayor Kirk will call the property owner to see what their plan is for the property as it currently falls under the conditions for 657a10a property and the council would like to know if there is any intention to rehab the property. Item tabled to November 17, 2015 City Council meeting.

Nuisance complaint forms were discussed and decision was made to look into using the new form that Attorney Stein sent along with contacting Sheriff Schultes regarding other violations and complaint form or procedures for reporting them.

Nuisance Ordinance review was brought to the agenda per earlier request of resident Jo Voss and also by Nuisance Officer Bumgarner. Item tabled to November 17, 2015 City Council meeting so recommendations from Council, Officer Bumgarner and Attorney Stein can be reviewed.

Motion Henningsen, second Johnson to approve Resolution 35-2015-A Resolution Approving City Grant Agreement with Palo Alto County Gaming Development Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None

Motion Schoning, second Anderson to approve Resolution 36-2015-A Resolution Approving a Palo Alto Gaming Grant Application of the Ruthven Public Library for New Shelving for the Library Roll Call Vote Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None

Motion Forey, second Johnson to approve Final Grant Reports for PACGDC 2014 Grant Cycle Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None

Complaint on the railroad crossing by the school was discussed and Councilman Forey will talk to the Elevator Manager and see when the crossing will be fixed.

Mayor Kirk asked Attorney Stein if he would contact Palo Alto County Engineer and find out the progress on Old Highway 18 and West Streets road repair. Attorney Stein will contact the engineer and see if they have budgetary repairs for these streets yet and also if he has any paperwork to show exact percentage of ownership between the county and city on these two streets.

Mayor Kirk shared update information regarding the lagoon liner repair, sewer line replacement and lining and Care Center lift station repair.

Motion Johnson, second Henningsen to accept the resignation of Associate City Clerk Claudia Liessmann and grant Clerk Tatman permission to advertise the position in the newspaper. Ayes; Anderson, Schoning, Henningsen, Johnson & Forey Nays; None Absent; None

Motion Henningsen, second Johnson to adjourn meeting at 7:38 pm Ayes; Anderson, Forey, Henningsen, Johnson and Schoning Nays; None Absent; None

David J. Kirk, Mayor

Margaret Tatman, City Clerk