COUNCIL PROCEEDINGS

August 3, 2020

On Monday, August 3, 2020 at the Municipal Hall at 7:00 P.M. the regular meeting of the Council, City of Fredericksburg Chickasaw County was held.

Mayor Jimmy Mitchell in the chair called the meeting to order at 7 p.m. with Council Members Doreen Cook, Dean Speicher, Sheriton Dettmer, Randy Leach and Kyle Wendland.

Employees present were Cindy Lantow, Trevor Harris.

Guests present were Amanda Moenk from the Fredericksburg Review, Sheriff Marty Hemann, Jerry Linder, Mitch Haugen, Jeremy & Sarah Westendorf, Brad Steege and Judy Liddle.

The Pledge of Allegiance was said by all in attendance.

A motion was made by Leach second by Speicher to approve the consent agenda with the addition of two building permits (one for Bob Schulz and one for the FCDC) with the Approval of the agenda; Minutes of the July 6 and July 23, 2020 Council Meetings; Financial Reports for June 2020; Summary List of Bills; Overtime/Comp. time for July 2020. All members present voting aye, motion carried.

Under the Mayor’s comments, Jimmy noted that we have a lot on the agenda.

Citizen Forum – no one spoke.

Sheriff Martin Hemann presented the July 2020 Law Report. The month of July had 87 hours being spent in Fredericksburg. Sheriff Hemann went over the highlights of the report.

Old Business –

*Substation Updates* – at this time we do not have a location for the new substation. Jimmy has given REC /Cornbelt some locations that may work but Cornbelt will be working on this. It was noted that Cornbelt may not re-visit our substation until late August or September with a chance that if will not be built this year. If possible, maybe the structure could be. We may have to annex some land into the City limits.

*School Grounds -* We have the ground marked off where Fehr Graham will be doing a survey and the survey will be added to the purchase agreement. We have a working document between the City and School to get it put together to be good for everyone. Hoping to finalize by the end of August. Discussion was held on some probable costs to maintain. A motion was made by Dettmer second by Wendland to proceed with the agreement as long as it is kept pretty much the same as now. Ayes: Speicher, Dettmer, Cook, Wendland, Leach. Nays: None. Motion carried.

City Attorney Updates – None at this time.

Building Permits –

*Jerome & Norma Leach* – Storage Shed - Cook stated that the peak height would be 11’ 8”. Cook had reached out to them as that was not listed on the permit application. After discussion a motion was made by Speicher second by Cook to approve. All members present voting aye, motion carried.

*Roger Pleggenkuhle* – garage extension & deck – After discussion, a motion was made by Leach second by Speicher to approve. All members present voting aye, motion carried.

*Fred & Patty Cauntay* – garage – the Cauntay’s also asked for a variance so that the peak of the garage could be higher than the 14’, they requested to go to 18’ to accommodate parking a camper in. After discussion a motion was made by Leach second by Dettmer to approve the application and to grant the variance. Ayes: Wendland, Speicher, Dettmer, Leach. Nays: Cook. Motion carried.

*Bob Schulz* – “grain bin” patio area – this would be putting a cover over the existing cement pad. Discussion was held and a motion was made by Leach second by Wendland to approve. Ayes: Wendland, Speicher, Dettmer, Leach. Nays: Cook. Motion carried.

*FCDC – Building* – An application was present for approval for a 56x72 building to be built in the Industrial Park. The building has been started and President of the FCDC, Jerry Linder, explained why it was started without submitting permit first as we could save some dollars because the cement crew was in the area and that we knew we would need to pay the $100 fine for starting without the permit being approved. After discussion a motion was made by Speicher second by Dettmer to approve. All members present voting aye, motion carried. It was noted that the check has been written for the $100 fine.

Library Report – at this time, there was not a report from the Librarian.

It was the time and place for the public hearing on the land that has been listed for sale in the back-City Parking lot. A motion was made by Speicher second by Leach to go into public hearing. All voting aye, motion carried. There were no written or oral comments on this project. A motion was made by Leach second by Speicher to go out of public hearing. All voting aye, motion carried. At this time Mayor Mitchell opened the one bid that had been turned in and that was from Mitch Haugen (adjoining property owner), the bid was for $1.00. The bid was accepted and noted that Mitch Haugen would also reimburse the City for the surveying fees with a motion by Cook second by Dettmer. Ayes: Speicher, Dettmer, Cook, Wendland, Leach. Nays: None. Motion carried.

There was no discussion on the old railroad bridge abutment other than it was stated that a citizen has lined up volunteer help to get the trees under control in hopes to get a picnic area set up.

Change Order #2 on the High Street project was presented to the Council for approval in the amount of $2,619.00. After discussion, a motion was made by Wendland second by Dettmer to approve. All members present voting aye, motion carried.

Payment Request #2 was presented for Council approval in the amount of $72,724.40 and was approved with a motion by Cook second by Leach. All members present voting aye, motion carried.

Discussion was held on a water line extension in the Industrial Park for the new building at 210 Falcon Drive. Brad Steege from the FCDC was present and explained to the Council where the line would work to go and suggested running a 1-inch service line and asked if the City would take it to the lot line as an incentive. It was moved by Leach second by Dettmer that a service line would be extended and the City would take to the lot line and if the cost exceeded $5,000 the FCDC would pay the overage. All members present voting aye, motion carried.

Extension of Street – A party has been talking with the City about extending Roanoke to the South. No one was present to discuss and/or to present a plan so no action was taken at this time.

Trevor Harris, Park & Rec, presented a proposal to the Council that he and Erica be in charge of mowing the school ground and taking care of the fields (when we get possession). He feels it would be a reflection on the park & rec department and feels they can keep it all looking good and if someone complained, they could go right to Trevor and he could explain. His proposal was that he and Erica would purchase a mower to use and then use one of the Cities so they both could mow. The Council discussed this with Trevor and then a motion was made by Dettmer second by Wendland in the form of a resolution that Trevor Harris and Erica Harris would each be paid $15.00 per hour to mow the school ground and to maintain it. Ayes: Leach, Speicher, Wendland, Dettmer. Nays: Cook. Whereupon the Mayor declared Resolution No. 1308-08-2020 passed and approved as of this date. (Note: This goes into effect once the school ground is in the City’s possession).

A motion was made by Cook second by Leach to approve the closing of Falcon Drive for the Firemen’s Block Party on August 22, 2020. All members present voting aye, motion carried.

Leach explained to the Council that in late October it would be time to renew the tractor lease with Red Power and that we would be getting another new tractor and loader and that we would keep the bucket we presently have. The cost stays at the $500 per year for the lease. Motion by Dettmer second by Leach to continue with this lease. All members present voting aye, motion carried.

Ordinance No. 236-07-2020 - An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending Provisions Pertaining to Waste Collection Fees in the City of Fredericksburg, Iowa was presented for action. Motion by Dettmer second by Cook that the rules governing the adoption of the Ordinance be suspended in order that this Ordinance No. 236-07-2020 be placed upon its passage. Ayes: Leach, Wendland, Speicher, Cook, Dettmer. Nays: None. Motion carried. Motion by Speicher second by Leach that Ordinance No. 236-07-2020 be declared as having its second and third readings and that the same be prepared for adoption. Ayes: Cook, Wendland, Dettmer, Leach, Speicher. Motion carried. Moved by Speicher second by Leach that Ordinance No. 236-07-2020, An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending Provisions Pertaining to Waste Collection Fees in the City of Fredericksburg, Iowa be adopted. Ayes: Cook, Wendland, Dettmer, Leach, Speicher. Whereupon the Mayor declared Ordinance No. 236-07-2020 duly adopted under the suspension of the rules and to be in full force and effect from and after its publication in a newspaper of general circulation in the City of Fredericksburg, Iowa.

It was noted that for Ordinance No. 237-07-2020 for Camping Fees, that the fee was stated wrong, the Council declared that reading voided.

Ordinance No. 237-07-2020 - An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending Provisions Pertaining to Park Regulations / Fees in the City of Fredericksburg, Iowa was presented for action. Motion by Dettmer second by Cook that the rules governing the adoption of the Ordinance be suspended in order that this Ordinance No. 237-07-2020 be placed upon its passage. Ayes: Leach, Wendland, Speicher, Cook, Dettmer. Nays: None. Motion carried. Motion by Leach second by Dettmer that Ordinance No. 237-07-2020 be declared as having its first, second and third readings and that the same be prepared for adoption. Ayes: Cook, Wendland, Dettmer, Leach, Speicher. Motion carried. Moved by Leach second by Dettmer that Ordinance No. 237-07-2020, An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending Provisions Pertaining to Park Regulations / Fees in the City of Fredericksburg, Iowa be adopted. Ayes: Cook, Wendland, Dettmer, Leach, Speicher. Whereupon the Mayor declared Ordinance No. 237-07-2020 duly adopted

under the suspension of the rules and to be in full force and effect from and after its publication in a newspaper of general circulation in the City of Fredericksburg, Iowa.

No action was taken on the City Clean-up day.

Cindy presented a possible plan from the Lions for plants / landscaping in front of the Community Center. The Council liked it all but the idea of having any arborvitae. A motion was made by Speicher second by Leach to approve the plan without the arborvitae if the Lions decide to proceed. All members present voting aye, motion carried.

The following items were discussed under the Action Board –

UTV permits were discussed and no action was taken at this time. We will get a copy of the County’s to see what they require. More discussion will be held at the September meeting.

Trail Signage – Dettmer had some designs / wording for the Council to review. One suggestion was that the signs would say Plum Creek Bike Trail. It was discussed where the signs would be located and a motion was made by Wendland second by Cook to get 8 of the 24”x36” signs with the colorful background at $105.00 each. All members present voting aye, motion carried.

 Some discussion was held but no action taken on Strom Water Fees, Trail resurfacing / removing trees, salt shed, moving meters outside, taking down trees, part-time help. The railings for the bridge were discussed and Jimmy said he would talk to Curt about getting them ordered soon.

A motion was made by Dettmer second by Leach to go into closed session to discuss the Ambulance Law Suit. Reason for closed session is that we are in litigation. Ayes: Speicher, Dettmer, Leach, Wendland, Cook. Nays; None. Motion carried.

A motion was made by Speicher second by Dettmer to go out of closed session. Ayes: Leach, Wendland, Cook, Speicher, Dettmer. Nays: None. Motion carried.

A motion was made by Dettmer second by leach to go back to regular session. Ayes: Speicher, Dettmer, Leach, Wendland, Cook. Nays; None. Motion carried.

There being no further business requiring Council action the meeting was adjourned with a motion by Cook second by Wendland at 9:15 p.m.  All members present voting aye, motion carried.

The next regular meeting of the Fredericksburg City Council is Wednesday, September 9, 2020 at 7 p.m.

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 Jimmy Mitchell, Mayor

ATTEST:

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Cindy Lantow, City Administrator

ORDINANCE NO. 236-07-2020

An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By AMENDING PROVIONS PERTAINING TO WASTE COLLECTION FEES IN the City of Fredericksburg, Iowa.

Be It Enacted by the City Council of the City of Fredericksburg, Iowa:

Section 1. SECTION MODIFIED. Sections 106.07 of the Code of Ordinance of the City of Fredericksburg, Iowa is repealed and the following adopted in lieu thereof:

106.07 1-F    CHARGES FPR RENTING DUMPSTERS.

$40.00 to dump 1½-yard dumpster (regular garbage)

$50 to dump 1½-yard dumpster (shingles and construction waste)

$150.00 to dump 6-yard dumpster (regular garbage)

$175.00 to dump 6-yard dumpster (shingles and construction waste)

Section 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 3rd day August, 2020, and approved this 3rd day of August 2020.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ Jimmy Mitchell, Mayor

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_

 Cindy Lantow, City Administrator

I certify that the foregoing was published as Ordinance No. 236-07-2020 on the 13th day of August 2020.

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 Cindy Lantow, City Administrator

ORDINANCE NO. 237-07-2020

An Ordinance Amending the Code of Ordinances of the City of Fredericksburg, Iowa, By AMENDING PROVISIONS PERTAINING TO Park regulations / fees IN the City of Fredericksburg, Iowa.

Be It Enacted by the City Council of the City of Fredericksburg, Iowa:

Section 1. SECTION MODIFIED. Sections 47.06 of the Code of Ordinance of the City of Fredericksburg, Iowa is repealed and the following adopted in lieu thereof:

47.06    CAMPING. No person shall camp in any portion of a park except in portions prescribed or designated by the Council, and the City may refuse camping privileges or rescind any and all camping privileges for cause. A fee of $20.00 per day or $100.00 per week shall be charged for camping at the Brad Niewoehner Park (Campground area)

Section 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 3rd day of August 2020, and approved this 3rd day of August 2020.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ Jimmy Mitchell, Mayor

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_

 Cindy Lantow, City Administrator

I certify that the foregoing was published as Ordinance No. 237-07-2020 on the 13th day of August 2020.

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 Cindy Lantow, City Administrator

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| CLAIMS REPORT |  |  |
| VENDOR | REFERENCE  | AMOUNT |
| 20/20 FX  | LABOR / SUPPLIES  |  165.80  |
| ELECTRICAL ENGINEERING & EQUIP | LABOR / MATERIALS  |  1,375.49  |
| AG LAND IMPLEMENT  | BLADES  |  217.65  |
| ALL STOP  | GAS  |  178.71  |
| AMAZON.COM  | LIBRARY SUPPLIES  |  1,119.44  |
| BOB SCHULZ  | HSA  |  1,500.00  |
| BUTLER COUNTY REC  | ELECTRIC SERVICE  |  141,449.64  |
| CENGAGE LEARNING  | LIBRARY SUPPLIES / BOOKS  |  447.44  |
| CENTER POINT LARGE PRINT  | LIBRARY BOOKS  |  111.45  |
| CINDY LANTOW  | CELL PHONE REIMBURSE  |  40.00  |
| CINDY LANTOW-1  | HSA  |  1,500.00  |
| CURT GRUENBERG  | REIMBURSEMENTS  |  1,500.00  |
| DARREN STEINLAGE  | LABOR / MATERIALS  |  16,517.50  |
| DEARBORN NATIONAL LIFE  | LIFE INSURANCE  |  60.30  |
| DECORAH MOBILE GLASS  | LEXAN SHIELDS  |  410.00  |
| EFTPS  | FED/FICA TAX  |  1,986.88  |
| EFTPS  | FED/FICA TAX  |  1,986.88  |
| ELECTRONIC ENGINEERING  | PAGERS / BATTERIES  |  250.00  |
| EMC INSURANCE COMPANIES  | WORK COMP  |  7,425.00  |
| F'BURG FOOD CENTER  | SUPPLIES  |  6.94  |
| F'BURG FOOD CENTER  | SUPPLIES  |  20.03  |
| F'BURG PLUMBING & HEATING  | LABOR / MATERIALS  |  108.50  |
| FARMERS WIN COOP  | GAS/DIESEL/SUPPLIES  |  819.24  |
| FLETCHER REINHARDT CO  | SUPPLIES  |  446.19  |
| FLOYD MITCHELL LANDFILL  | LANDFILL CHARGES  |  1,261.32  |
| HAWKINS INC  | CHEMICALS  |  868.05  |
| HOTSY EQUIPMENT CO  | SUPPLIES  |  202.40  |
| HSA - CINDY LANTOW  | HSA PRE-TAX  |  50.00  |
| HSA - KIM HOFFMAN  | HSA PRE-TAX  |  50.00  |
| HSA - RAY ARMBRECHT  | HSA PRE-TAX  |  50.00  |
| HSA- ROBERT SCHULZ  | HSA PRE-TAX  |  100.00  |
| IAMU  | SEWER LOAN-PRIN / INT  |  1,902.79  |
| INRCOG  | DUES  |  474.81  |
| IOWA DNR  | NPDES PERMIT FEE  |  210.00  |
| JENDRO SANITATION SERVICES  | RECYCLING CHARGES  |  1,383.60  |
| JOHN DEERE FINANCIAL  | SUPPLIES  |  41.98  |
| KIM HOFFMAN  | HSA CONTRIBUTION  |  1,500.00  |
| L & R MANUFACTURING  | LABOR/MATERIALS  |  743.92  |
| LEROY'S REPAIR  | LABOR  |  128.40  |
| MEDIA COM  | PHONE SERVICE  |  77.64  |
| NOLTE EXCAVATING  | LABOR  |  1,590.00  |
| NORTH CENTRAL LABS  | LAB SUPPLIES  |  650.06  |
| NORTH CENTRAL LABS  | LAB SUPPLIES  |  650.06  |
| PRAIRIE ROAD BUILDERS  | ROAD WORK  |  88,181.00  |
| RAPID PRINTERS/OFFICE WLD  | OFFICE SUPPLIES  |  331.50  |
| RAY ARMBRECHT  | HSA  |  1,500.00  |
| RICK'S SERVICE CENTER  | LABOR  |  660.06  |
| RICOH-WELLS FARGO  | COPIER MAINTENANCE  |  12.08  |
| RICOH-WELLS FARGO  | COPIER MAINTENANCE  |  83.00  |
| RICOH USA, INC  | COMPUTER SUPPLIES  |  25.12  |
| SPEICHER EXCAVATING  | LABOR  |  72,724.40  |
| STANTON ELECTRIC  | LABOR / MATERIALS  |  3,479.88  |
| STERNAT BRO'S TREE SERVICE LLC | LABOR  |  1,350.00  |
| TEAM LAB  | CHEMICALS  |  4,484.00  |
| TESTAMERICA LABORATORIES INC  | TESTING  |  2,361.45  |
| UNGGOY BROADBAND  | PHONE SERVICE  |  19.92  |
| US POST OFFICE  | STAMPS  |  175.00  |
| VANGUARD PUBLISHING  | PUBLICATIONS  |  315.87  |
| WESTY'S HARDWARE HANK  | SUPPLIES  |  380.53  |
| WOMEN OF FBURG  | RENT REFUND  |  200.00  |
| Accounts Payable Total  |   |  365,224.98  |
| Payroll Checks  |   |  16,733.61  |
| \*\*\*\*\* REPORT TOTAL \*\*\*\*\*  |   |  381,958.59  |
| GENERAL  |   |  27,740.83  |
| ROAD USE TAX  |   |  88,181.00  |
| WATER  |   |  5,511.96  |
| WATER CAPITAL PROJECT  |   |  36,362.20  |
| SEWER  |   |  27,914.99  |
| SEWER CAP PROJECT  |   |  36,362.20  |
| ELECTRIC  |   |  151,372.58  |
| LANDFILL/GARBAGE  |   |  8,512.83  |
| TOTAL FUNDS  |   |  381,958.59  |
|  |  |  |