

## COUNCIL PROCEEDINGS

August 2, 2021

On Monday, August 2, 2021 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 and called the meeting to order at 7 p.m. with Council Members Doreen Cook, Dean Speicher, Randolph Leach, Sheriton Dettmer, and Kyle Wendland present.

Employee's present – Cindy Lantow

Guests present – Amanda Moenk from the F'Burg Review, Sheriff Marty Hemann, Jerry Linder, Joe Severson, Chris Sauer, Brad Steege, and Katie LaBree from Butler Co. REC.

The Pledge of Allegiance was said by all in attendance.

A motion by Leach second by Speicher to approve the consent agenda as presented - Minutes of the July 7, 2021 Council Meeting; Financial Reports – June 2021 & July 2021; Summary List of Bills; Overtime / Comp Time Hours for July 2021 and Hours worked for the Part-time Employees from July 12 – July 31, 2021. All members present voting aye, motion carried.

Comments by Mayor – noted that there are a lot of items on the agenda as things are getting done.

Citizen Forum - No one spoke at this time.

Law Report – Sheriff Marty Hemann presented the July 2021 law report with 86.5 hours spent in Fredericksburg in the month of July. Sheriff Hemann went over the July law report with the Council and opened it up for questions from the Council. Cook asked if any follow-up was done on a fire work complaint that had been received and also noted that there was a vehicle sitting on Main Street for several days and would the Sheriff look into that. Sheriff Hemann stated that he would be working on that. No action taken during the law report discussion.

Old Business –

Engineering on Lions Road - the engineering is being worked on and the plan is to have the formal hearing & bidding process at the September 2021 Council Meeting.

Ambulance 28E – The Mayor noted that he has been working with a small committee on an RFP and as soon as they have a meeting, he will update the Council as to what is happening.

City Attorney Updates – None at this time.

Library Report – The report was in the Council's packet for their review. The Council had no comments at this time.

Building Permits – the following building permit applications were presented for possible approval -

Maggie Konecne – Fence – Discussion was held and a motion was made by Leach second by Dettmer to approve as presented. All members present voting aye, motion carried.

Faye Elliott – new house on Mattke Avenue – Discussion was held on how the house should be placed on the lot and a motion was made by Cook second by Wendland to table until dimensions of the lot size is determined. All members present voting aye, motion carried.

New Business –

**New Business Presentation** - Chris Sauer & Joe Severson were present to discuss with the Council their proposed plan for the Kerry property on a potential new business. They are both hog producers and they are looking for a better fit for their business for marketing their hogs and feel the Kerry facility would be a good fit. They would be representing a small group of farmers that produce around 80,000 – 100,000 hogs per year and have been looking for a better model and looking for a small group of family farmers to participate in the venture. The model they are looking at doing is being done in Europe. The plant would be a harvesting plant, with a lot of robotics involved but would still need workers with a skill set such as maintenance, warehouse, shop workers, barn workers, office etc. There will be a wide range of good paying jobs. Trucks would be scheduled as to times that they are to come in to unload, the plan is to start up the sewer plant that goes with the plant, very community minded, and they explained some of the process. After much discussion, the mayor asked if there were any more questions at this time and if the Council thought of questions to get them to him or Cindy and an email would be drafted with the questions for Joe & Chris to get us answers. There will be more discussions on the plan in the future and at this meeting no action was taken.

**Housing Incentives for Duplex at 314 E. Mill Street** – The Council approved the housing incentive loan of \$200,000 at 1% interest for the duplex that will be built at 314 E. Mill Street with a motion by Dettmer second by Leach. All members present voting aye, motion carried.

**Housing Assessment Study** – Discussion was held on the city doing a Housing Assessment Study which would show what the City's housing needs are and the cost of the study is \$8,000.00. This study is a necessary document for applying for housing grants. The FCDC had discussed this at their meeting and had voted that they would split the cost of this study with the city with the FCDC paying ½ if the City would pay the other half. After discussion, a motion was made by Cook second by Dettmer to proceed with the study and that the city would pay ½ of the cost. All members present voting aye, motion carried.

**Easement – Engelbrecht / K. Stone** – Discussion was held on the current easement that is in place for the portion of the trail going south of Hwy 18 back to the cabin located on the property currently owned by Kevin Stone. It was discussed that the trail is not designed for traffic and if someone would live there permanently, they would need to put in another access. Cook stated in the discussion that an easement could be given for the owners to cross the trail and if there was damage to the trail, it would be the property owner's expense. The mayor appointed Randy Leach to work with the property owner and the

City Attorney to work up a draft easement to be presented to the Council at the September 2021 Council Meeting. No action was taken at this time.

**Park & Rec Ordinance – Ordinance No. 242-07-2021 - An Ordinance Amending & Repealing Sections / Chapters of the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending / Repealing Provisions of Chapter 22 – Pool & Park Board.** Chapter 22 of the Code of Ordinances of the City of Fredericksburg, Iowa will be modified to read Chapter 22 – Park & Rec Board. The Ordinance spells out the board requirements; board organization; compensation; budget certified; records & reports. The Ordinance was presented for the 2<sup>nd</sup> and possible 3<sup>rd</sup> readings. Motion by Dettmer second by Cook that the rules governing the adoption of Ordinance be suspended in order that this Ordinance No. 242-07-2021 be placed upon its passage. Ayes: Speicher, Leach, Dettmer, Cook, Wendland. Nays: None. Motion carried. Motion by Dettmer second by Cook that Ordinance No. 242-07-2021 be declared as having its second and third readings and that the same be prepared for adoption. Ayes: Speicher, Leach, Dettmer, Cook, Wendland. Nays: None. Motion carried. Moved by Dettmer second by Cook that Ordinance No. 242-07-2021 - An Ordinance Amending & Repealing Sections / Chapters of the Code of Ordinances of the City of Fredericksburg, Iowa, By Amending / Repealing Provisions of Chapter 22 – Pool & Park Board. Chapter 22 of the Code of Ordinances of the City of Fredericksburg, Iowa will be modified to read Chapter 22 – Park & Rec Board be adopted. Ayes: Speicher, Leach, Dettmer, Cook, Wendland. Nays: None. Motion carried. Whereupon the Mayor declared Ordinance No. 242-07-2021 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. (A copy of this ordinance can be found at the end of these minutes).

**Permission to advertise for Park & Rec Board Members** – A motion was made by Cook second by Leach to advertise for the 5 people needed for Park & Rec Board members according to the new ordinance. All members present voting aye, motion carried. Applications will be available to be picked up at the City Hall and returned by Friday, August 27, 2021 by 5 p.m. The mayor will review the applications and make his suggestion of the appointments to the Council for approval at the September Council meeting.

**28E Agreement with Northeast Iowa Community Action** – This agreement has been reviewed by the City's attorney and was found to be acceptable for the city to sign. Upon the City Attorney's suggestion, a motion was made by Cook second by Dettmer to approve and to sign as needed. All members present voting aye, motion carried.

**Annual Exam Agreement by Keith Oltrogee** – The agreement was presented to the Council and a motion was made by Speicher second by Leach to accept and to sign as needed. All members present voting aye, motion carried.

**Advertising at the Sunset (Sumner) Theatre** – In the past the city has advertised the Community Center at the Sunset Theatre with one slide at \$50.00 per month. It was discussed and a motion was made by Dettmer second by Wendland to do the one slide at the \$50.00 per month for a year to advertise our Community Center and Town. All members present voting aye, motion carried.

**Consideration of City Code – Mandatory Connections Water** – A draft ordinance was prepared for the Council to review. The section to be amended is the Mandatory Connections with the addition – It is unlawful for any person to construct any private water supply within the city limits, unless such supply is approved by the Council. Council approval may be granted whenever access to the public water system is not located within 200 feet of the property line of a person’s property or for any other reason consistent with public policy. The Council will review this ordinance and it will be considered at the September meeting. No action taken at this time.

**Trail Closure – fall to winter** – Since no parties were here to request this, no action was taken. It will be on the September agenda.

**Trail – Vehicles on the Trail** – Leach stated he had talked to Wurzer’s and had a suggestion on how to keep vehicles off the south part of the trail, again since no parties were here to discuss and make a request, no action was taken. It will be on the September agenda.

**Mike’s Property – Tree Removal / Lot Improvement** – Leach stated that the lot that the City acquired from Mike’s / Knutson’s has some old walnut trees that look as if they need to come down and that we could possibly sell the logs to the Hanawalt Saw Mill. Leach also stated that the slope is pretty steep and if we could bring it up a little, it would help with mowing. Cook stated that she went and looked at the trees and they give good shade and isn’t there a way they could be saved such as banding the trees to hold them together? The mayor stated that the Tree Committee should be consulted and Cook stated that also the Park Board should be included. No action taken at this time and more discussion will be held at the September meeting.

**Approval to pay for Tractor with Quick Hitch & Attachments when delivered** – A motion was made to make payment upon delivery by Speicher second by Dettmer. All members present voting aye, motion carried.

**Request to Purchase Commercial Grade Weed Trimmer / Brush Cutter** – Curt had made this request to the Council and a motion was made by Speicher second by Dettmer for Curt to make this purchase as it will be very useful around the city. All members present voting aye, motion carried.

**Fall Clean-up Day** – discussion was held and the Council decided that the city would hold one city-wide clean-up per year and will be in the Spring. Cook asked that we give the people more time to prepare for it. No official action taken at this time.

**Discussion of Employee Handbook, Benefits, Policy & Procedures** – Cook and the mayor updated the Council that the Wage & Benefit Committee have been working on the Employee Handbook and were looking at increasing the life insurance for a few more dollars; look at going to PTO with accrued vacation time starting at the beginning of the year; looking at how the days off are allowed; also looking at evaluating sick time vs a long-term disability plan. Cook has been working on job descriptions for

each position. It was stated that it is necessary to make sure the benefits are right to get the right person and to keep them for a long time. Employees are an asset and need to treat them as such. No action was taken but the council agreed that they should continue to work on the handbook so that there is a good working document.

**Water Problems on Grove & Water Street** – No action was taken at this time but the Council reviewed some pictures of high-water issues in that area of Grove & Water Streets. Jimmy noted that he had talked to the County Engineer on getting the ditches cleaned out on the blacktop and it hasn't happened. Cook stated that she had talked to Supervisor Byrne and impressed upon him that the ditch along the blacktop needed to be cleaned out. Cook had met with Ray Armbrecht on this and Ray explained how the water flows in a heavy rain. This will be on the September agenda for further discussion.

**Action Board** – The mayor went over the action board with the Council. No official action was taken during this discussion.

**Under Council Comments** – Speicher noted that the newer cement in front of the City Hall is chipping off and that we should check in with the contractor to find out why this is happening. Cindy was instructed to give the contractor a call to get some answers.

There being no further business requiring Council action the meeting was adjourned with a motion by Wendland second by Leach at 8:45 p.m. All members present voting aye, motion carried.

The next regular meeting of the Fredericksburg City Council is Wednesday, September 8, 2021 at 7 p.m.

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Jimmy Mitchell, Mayor

ATTEST:

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Cindy Lantow, City Administrator

**CLAIMS REPORT**

VENDOR	REFERENCE	AMOUNT
20/20 FX	LABOR / SUPPLIES	600.80
ALL STOP	GAS	235.45
AMAZON.COM	LIBRARY SUPPLIES	769.22
BLACK HILLS ENERGY	GAS SERVICE	1,399.52
CEDAR VALLEY BLDG SUPPLY	REBAR	37.50
CENGAGE LEARNING	LIBRARY SUPPLIES / BOOKS	464.61
CENTER POINT LARGE PRINT	LIBRARY BOOKS	68.91
CHICKASAW CO AUDITOR	GARAGE RENT FOR AMBULANCE	285.31
CINDY LANTOW	CELL PHONE REIMBURSE	40.00
CITY OF FREDERICKSBURG	ELECTRIC SERVICE	8,840.60
CULVER HAHN	SUPPLIES	373.28
DARREN STEINLAGE	LABOR / MATERIALS	940.00
DEARBORN NATIONAL LIFE	LIFE INSURANCE	50.25
EFTPS	FED/FICA TAX	1,767.26
EFTPS	FED/FICA TAX	933.02
EFTPS	FED/FICA TAX	1,932.07
EFTPS	FED/FICA TAX	4,632.35
F'BURG FOOD CENTER	SUPPLIES	7.39
F'BURG PLUMBING & HEATING	LABOR / MATERIALS	161.68
FARMERS WIN COOP	GAS/DIESEL/SUPPLIES	2,198.65
FIRE RESCUE SPECIALITY	FIRE SUPPLIES	1,097.60
FLOYD MITCHELL LANDFILL	LANDFILL CHARGES	1,438.28
GOOD HOUSEKEEPING	SUBSCRIPTION	9.99
HAWKINS INC	CHEMICALS	588.52
HSA - CINDY LANTOW	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	3,805.58
IOWA LEAGUE OF CITIES	MEMBERSHIP DUES	484.12
IOWA ONE CALL	ONE CALLS	9.90
IPERS	IPERS - REGULAR	3,251.67
IPERS	IPERS - REGULAR	3,251.67
JACKIE KUSH	VIDEOS - REIMBURSE	43.00
JENDRO SANITATION SERVICES	RECYCLING CHARGES	3,880.90
L & R MANUFACTURING	LABOR/MATERIALS	98.90
LS SUPPLY	OVERHEAD DOORS	17,800.00
MID AMERICAN RESEARCH CHEMICAL	CHEMICALS	393.09
MATTKE & ROGERS	LABOR	100.00
MEDIA COM	PHONE SERVICE	431.46
NORTH CENTRAL LABS	LAB SUPPLIES	1,075.63
NORTH CENTRAL LABS	LAB SUPPLIES	1,075.63

OUR IOWA	SUBSCRIPTION	19.98
P & K MIDWEST	NEW MOWER	9,480.00
PEOPLES INSURANCE	INSURANCE	7,358.00
RAPID PRINTERS/OFFICE WLD	OFFICE SUPPLIES	720.81
RICOH-WELLS FARGO	COPIER MAINTENANCE	209.67
SANDRY FIRE	FIRE SUPPLIES	319.00
SPEICHER EXCAVATING	LABOR	2,560.00
STANTON ELECTRIC	LABOR / MATERIALS	3,424.21
STATE HYGIENIC LAB	WATER TESTING	27.00
TEAM LAB	CHEMICALS	8,800.00
TESTAMERICA LABORATORIES INC	TESTING	1,705.20
TREASURER STATE OF IOWA	STATE TAXES	761.00
TREVOR HARRIS	MOWING - KERRY	867.50
TREWIN PUMPING SERVICE	PORTABLE TOILET RENTAL	100.00
UNGGOY BROADBAND	PHONE SERVICE	19.95
UNITED HEALTH CARE	HEALTH PRE-TAX	2,877.71
UNITED HEALTH CARE	HEALTH INSURANCE	2,516.73
US POST OFFICE	STAMPS	180.00
USA BLUE BOOK	SERVICE MATERIALS	410.84
VANGUARD PUBLISHING	PUBLICATIONS	416.75
VISA	SUPPLIES	945.53
WESTY'S HARDWARE HANK	SUPPLIES	535.47
ZIEGLER, INC	MOWER PARTS	252.13
Accounts Payable Total		100,321.64
Invoices: Paid		97,804.91
Invoices: Scheduled		2,516.73
Payroll Checks		20,097.76
***** REPORT TOTAL *****		\$ 120,419.40
GENERAL		70,640.87
WATER		4,924.88
SEWER		25,153.53
SEWER SINKING		3,805.58
ELECTRIC		6,815.14
LANDFILL/GARBAGE		9,079.40
TOTAL FUNDS		\$ 120,419.40

ORDINANCE NO. 242-07-2021

**AN ORDINANCE AMENDING AND REPEALING SECTIONS / CHAPTERS OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, IOWA, BY AMENDING / REPEALING PROVISIONS OF CHAPTER 22.**

BE IT ENACTED by the City Council of the City of Fredericksburg, Iowa:

SECTION 1: SECTIONS REPEALED. The Code of Ordinances of the City of Fredericksburg, Iowa, is hereby amended by repealing Sections 22.01, 22.02, 22.03, 22.04, 22.05, 22.06, 22.07, 22.08, 22.09, 22.10, 22.11, 22.12 and 22.13 of Chapter 22.

SECTION 2: SECTIONS MODIFIED. The following sections of Chapter 22 of the Code of Ordinances of the City of Fredericksburg, Iowa will be modified as follows:

Chapter 22 – Park and Rec Board

22.01 PARK AND REC BOARD. It is recommended the Board consist of seven (7) members which shall include:

- a. The full time Superintendent of the City's Park Dept
- b. The part time Manager of the Park and Rec Dept
- c. A person to chair the volunteers and to help recruit additional personnel to assist
- d. A person to chair fundraising and to recruit additional personnel to assist
- e. A person to chair communications and recruit additional personnel to assist
- f. A person to chair the concessions stands and be in charge of ordering the food, supplies and to recruit additional personnel
- g. A person to handle(treasurer) all funds and to ensure receipts from all purchases and money received is documented and turned in to the City Clerk's office deposit and payment of claims
- h. The Board may have representation from others who live outside of the City of Fredericksburg, but the majority are to reside within the city limits.

22.02 BOARD ORGANIZATION. The City of Fredericksburg Park and Rec is to operate under the following guidelines.

- The period of its duration is perpetual from the date of the acceptance by the Fredericksburg City Council until the Board is dissolved by the Fredericksburg City Council.
- The mission of the Board is to ensure the Park and Rec facilities and programs are operating at the highest standards for the betterment of the community, its citizens and visitors.
- The goals of the Board are to assist in the fundraising, recruitment of volunteers, recommend programs, suggest needed equipment, talk to organizations to encourage community betterment program donations, apply for grants, accept donations of cash, property both real and personal on the Cities behalf, and to help the Park and Rec managers in any way possible.
- The Board at its annual meeting shall elect from its members, a Chairman, Secretary and Treasurer.



- The Board shall be diversified in its membership and should be appointed to the Board through an application process. The terms of the Board shall be staggered. Recommendation should be 2, 3, 4-year terms.

- The Board executives should meet with the Mayor and the City Council twice a year to give an update on how the departments are progressing.

22.03 COMPENSATION. The only paid positions on the board are the full-time Superintendent and the part-time Park and Rec Manager.

22.04 BUDGET CERTIFIED. The Board is to turn into to the City Council before the end of December, or no later than January 15th, their budget to operate for the next fiscal year with explanations of any new programs. The City Council will determine how much the Board will receive.

22.05 RECORDS AND REPORTS. No part of the net earnings of the organization shall be used to the benefit of, or be distributable to its members, or other private persons without going through the City Clerk’s office, i.e., all reimbursements are to be paid by check and not by petty cash with proper documentations. All purchases must have a PO written to document purchases and signed by the person who authorized the purchase.

All purchases for concessions are to be submitted to the City Council by the first (1st) Monday of the month in order to be paid in a timely manner.

Major equipment purchases are to be authorized by the City Council prior to being purchased.

22.06 JURISDICTION AND AUTHORITY. The Board shall be responsible for recommending programs and equipment needs for all the parks in the City’s jurisdiction, including the trail system and for the application of all grants and follow up documentation if required in the completion of the grant requirements.

SECTION 3. 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 4. 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 2nd day of August, 2021, and approved this 2nd day of August, 2021.

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Jimmy Mitchell, Mayor

ATTEST:

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Cindy Lantow, City Administrator

I certify that the foregoing was published as Ordinance No. 242-07-2021 on the 12th day of August, 2021.

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Cindy Lantow, City Administrator