

OFFICIAL PUBLICATION
City of Hartford
Minutes of Regular Meeting
February 17, 2015

The regular meeting of the Hartford City Council was held in the Council Chambers of Hartford City Hall, 150 W. Elm Street, Tuesday February 17, 2015. Members answering roll call at 6:32 p.m. included Mark Goldsberry, Stefanie Johnson, Larry Bohlen, Amanda Peterson, Joe Hammond and Kim Dingeman. Members absent: None

Robert Benton of Stuyvesant & Benton and Nate Carhoff of Snyder & Associates were in attendance. Jim Nervig from Brick Gentry P.C. was in attendance.

Staff members present included Zack Prickett, Fire/Rescue Chief, Doug Peebler, Public Works Director and Brad Herrold, Clerk-Treasurer.

Motion by Dingeman and seconded by Johnson TO APPROVE MEETING AGENDA AS WRITTEN. Voice vote: Motion carried unanimously.

Motion by Peterson and seconded by Dingeman TO APPROVE THE MINUTES OF THE JANUARY 20, 2015 REGULAR MEETING AS WRITTEN. Voice vote: Motion carried unanimously. Motion by Peterson and seconded by Johnson TO APPROVE THE MINUTES OF THE FEBRUARY 03, 2015 SPECIAL MEETING AS WRITTEN. Voice vote: Motion carried unanimously.

Council members reviewed city financial and fire/rescue reports for months of January 2015. Motion by Peterson and seconded by Hammond TO RECEIVE AND FILE THE JANUARY 2015 CITY FINANCIAL REPORTS. Roll call vote: Motion carried unanimously. Motion by Johnson and seconded by Peterson TO RECEIVE AND FILE THE JANUARY 2015 FIRE/RESCUE REPORT. Voice vote: Motion carried unanimously.

Consent Agenda – The consent agenda included claims in the amount of \$6,549.01 and additional bills in the amount of \$3,537.97. Council member Hammond reviewed presented claims prior to the meeting. Johnson inquired as to charges from Great Western Bank revolving account. Motion by Hammond and seconded by Peterson TO APPROVE PAYMENT OF CLAIMS AND ADDITIONAL BILLS. Roll call vote: Motion carried unanimously.

Public Comment – Mayor Bohlen asked for public comment. Mayor Bohlen outlined procedures for management of council meetings in the future. Bohlen requested citizens provide their name and address and limit public comment to 2 minutes unless topic is scheduled on agenda for discussion. David Gibbs from Carlisle spoke to the council with respect to assisting Lou McCormick getting the “Papa Toad” open for business in the community. Gibbs stated he worked with McCormick in prior years and learned the entertainment business with his assistance. Discussion was held on the primary use of the building. Lou McCormick provided council members with detail of building upgrades made as requested by the state fire marshal. McCormick stated building official will not inspect electrical completed electrical improvements. Discussion was held on occupancy level. McCormick requested liquor license be approved for “Papa Toad”. Jim Nervig provided information to the council regarding liability issues for the City and on a personal level. Lou McCormick requested the property be “grandfathered in” with respect to zoning matters and occupancy levels. Mayor Bohlen will contact the building official to coordinate a meeting of all parties involved and attempt to get a building walk thru scheduled. Mike Rodman of 335 W. Elm Street expressed displeasure with Mayors’ statement of authority. Rodman discussed home rule which has been in effect since 1968. Rodman discussed duties of Mayor and council members and stressed the importance of all working together for the benefit of the community. Listen to each other and work together on various projects. Connie Goldsberry stated the Mayor should issue apologies to more than one person regarding the role of the fire apparatus committee. John Jensen of 225 W. Elm felt the entire city council was out of control last council meeting.

Reports –

A. Mayor – Mayor Bohlen stated the City of Carlisle may show some interest in helping the City with enforcement of local ordinances. Their Mayor is discussing with their local police department.

B. Public Works – Doug Peebler deferred discussion of lift station issues to Nate Carhoff of Snyder & Associates. Peebler has received a commitment from CNM Equipment to test a mower on the lagoon dikes prior to

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consideration of purchase of equipment. Mower quote from CNM is around \$10,000.00. Doug reported the dump truck sander and plow are being repaired. The defective mower at the lagoon should be sold or scrapped.

Approximate cost to repair is 3-5 thousand dollars.

C. Fire/Rescue – Zack Prickett reported the application for Medicare has been approved and final setup documents are being completed. Also is re-applying to the Veteran Administration for reimbursement. Prickett reported problems with the diesel fuel in city tank used in the ambulance. Reported the department would purchase diesel in Carlisle. Council directed public works staff to get filter installed on fuel barrel.

D. Council – Council member Johnson stated the refined urban chicken ordinance will be considered at the March regular council meeting. Discussion on website improvements and links. Request was made for work schedule(s) and logbooks by public works staff.

E. Clerk/Treasurer – No topics reported.

Presentation – Nate Carhoff/Snyder & Associates – Nate provided council members a detail of various options and projected costs to upgrade the city lift station. Discussion was held with respect to confined space issues and responsibility of City and employees. Council member Hammond advised Doug Peebler to refine menu options for improvement and re-submit next month. Doug Peebler felt the easement should be pinned and fenced to keep livestock away from the electrical components of the lift station.

Council Business – Robert Benton spoke to the council emphasizing the need for the City to have a clear understanding of employee liability laws. Benton stated the City needs to take these matters very serious with respect to knowing what you can and are not allowed to do. Benton has contacted an authority through the City's insurance carrier whom can conduct a workshop to explain these topics in detail. Mr. Benton will contact the agency to establish price and available dates for consideration. A list of possible dates was discussed. Motion by Dingeman and seconded by Goldsberry TO ADOPT RESOLUTION 021715-1, A "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$230,000.00 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF HARTFORD, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF". Roll call vote: Dingeman; aye, Hammond; aye, Johnson; nay, Goldsberry; aye, Peterson; aye. Motion carried 4-1. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARTFORD, STATE OF IOWA: Section 1. That this Council meet in the Council Chambers, City Hall, 150 W. Elm Street, Hartford, Iowa, at 6:30 P.M. on the 10th day of March, 2015, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$230,000.00 General Obligation Capital Loan Notes, for essential corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of equipping the fire department. A line item fiscal budget draft as prepared by the Clerk was reviewed and discussed. No changes were requested by council members for the submitted draft. Consideration of 1st reading of Ordinance No. 99 (adding Chapter 59/Urban Chickens) was tabled until the March regular meeting. Motion by Johnson and seconded by Hammond TO TABLE CONSIDERATION OF ORDINANCE NO. 99 UNTIL THE MARCH 10, 2015 REGULAR COUNCIL MEETING. Voice vote: Motion carried unanimously. Motion by Dingeman and seconded by Peterson TO APPROVE 1ST READING OF ORDINANCE NO. 100, AN ORDINANCE AMENDING CHAPTER 69.10 OF THE CODE OF ORDINANCES OF THE CITY OF HARTFORD DEFINING "SNOW EMERGENCY" AND PARKING BAN. Voice vote: Motion carried unanimously. Motion by Hammond and seconded by Goldsberry to WAIVE 2ND & 3RD READINGS OF ORDINANCE NO. 100 AND PASS EFFECTIVE FEBRUARY 17, 2015. Voice vote: Motion carried unanimously. Motion by Goldsberry and seconded by Peterson TO TABLE CONSIDERATION OF ORDINANCE NO. 101, AN ORDINANCE AMENDING CHAPTER 70.03 BY ADDING CHAPTER 70.03(1) AND AMENDING CHAPTER 70.06.3. PENDING EDITS BY THE CITY ATTORNEY. Voice vote: Motion carried unanimously. The Clerk was instructed to contact "Safe Building & Compliance" with respect to notifying property owners to obtain building permits and have work inspected within 30 days from date of notice. Motion by Hammond and seconded by Dingeman to HOLD THE MARCH 2015 REGULAR COUNCIL MEETING ON MARCH 10, 2015 AT 6:30 P.M. AT CITY HALL. Voice vote: Motion carried unanimously. Motion by Dingeman and seconded by Peterson TO SET PUBLIC HEARING DATE FOR THE FISCAL 2015-2016 OPERATING BUDGET TO BE HELD ON MARCH 10, 2015 AT 6:30 P.M. AT CITY HALL. Voice vote: Motion carried unanimously. City Clerk Brad Herrold requested a closed session per Iowa Code section 21.5(i). Motion by Johnson and seconded by Peterson TO

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ENTER INTO CLOSED SESSION PER IOWA CODE SECTION 21.5(i) at 9:15 P.M. Voice vote: Motion carried unanimously.

Motion by Hammond and seconded by Goldsberry TO CLOSE CLOSED SESSION AND RESUME REGULAR SESSION AT 9:40 P.M. Voice vote: Motion carried unanimously.

Motion by Goldsberry and seconded by Peterson TO WRITE 1ST WARNING TO CITY CLERK BRAD HERROLD AS STATED IN EMPLOYEE HANDBOOK. Roll call vote: Hammond; abstain, Goldsberry; aye, Peterson; aye, Dingeman; aye, Johnson; nay. Motion carried 3-1.

Mayor Larry Bohlen stated he would not write warning regarding the Clerk. Larry Bohlen resigned his position as Mayor of the City of Hartford at 9:47 P.M.

Mayor Pro-tem William Joe Hammond verbally agreed to assume role as Mayor of the City of Hartford.

Attorney Robert Benton will review standard of law regarding filling of vacant government seats.

Agenda topics next regular meeting – Public hearing for fiscal 2015-2016 operating budget, public hearing to enter into loan agreement, Ordinance No. 99 (Urban Chickens), Ordinance No. 101 (Amendment of Chapter 70.03 (Traffic Code Enforcement Procedures)

Motion by Hammond and seconded by Goldsberry to adjourn the meeting at 9:51 P.M. Voice vote: Motion carried unanimously. Mayor Pro-tem Hammond adjourned the meeting.

Brad Herrold, Clerk/Treasurer

Attest: William Hammond, Mayor Pro-tem