

OFFICIAL PUBLICATION

City of Hartford
Minutes of Regular Meeting
September 18, 2018

The regular meeting of the Hartford City Council was held in the Council Chambers of Hartford City Hall, 150 W. Elm Street, Tuesday, September 18, 2018. Mayor James Buzzard called the meeting to order at 6:32 p.m. Members answering roll call included James Buzzard, Mark Goldsberry, Amanda Peterson, Sophia Eckert and Dana Smith. Members absent: Kim Crook Voluntary Pledge of Allegiance was recited by meeting attendants.

Jordan Stoermer of Snyder & Associates and James Nervig of Brick, Gentry P.C. were present.

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

Goldsberry questioned omission of closed session agenda topic and stated it could be placed up to 24 hours prior to meeting even if City agenda cut-off time is noon Friday prior to the Tuesday meeting. Discussion between Smith and Mayor Buzzard regarding closed session to discuss Mayor conduct. Buzzard stated he is not going to be chastised; Smith took issue of her issue of being threatened by the Mayor. Attorney Nervig stated council members should contribute to the meeting agenda and encouraged the City to create and adopt a policy to address the matter. Motion by Eckert and seconded by Peterson TO APPROVE MEETING AGENDA AS WRITTEN. Voice vote: Motion carried unanimously.

Motion by Peterson and seconded by Eckert TO APPROVE THE MINUTES OF THE AUGUST 21, 2018 REGULAR MEETING. Voice vote: Motion carried unanimously.

Motion by Goldsberry and seconded by Peterson TO RECEIVE AND FILE THE AUGUST 2018 CITY FINANCIAL REPORTS. Voice vote: Motion carried unanimously. The August 2018 fire/rescue report was not submitted for approval; no action taken.

Consent Agenda – The consent agenda included claims in the amount of \$19,242.63 and additional bills in the amount of \$12,995.28. Council member Smith reviewed presented bills prior to meeting. Motion by Smith and seconded by Goldsberry TO APPROVE CLAIMS OF \$19,294.63 FOR PAYMENT. Voice vote: Motion carried unanimously. Motion by Smith and seconded by Goldsberry TO APPROVE ADDITIONAL CLAIMS IN AMOUNT OF \$12,995.28. Voice vote: Motion carried unanimously. Motion by Peterson and seconded by Eckert TO APPROVE CLASS C BEER PERMIT RENEWAL APPLICATION FOR GIT-N-GO CONVENIENCE STORE #16. Voice vote: Motion carried unanimously.

Public Comment – Mayor Buzzard welcomed visitors and guests and asked for public comment. Harvey Blanchard was in attendance; no comment at this time. Connie Goldsberry inquired about electric capacity in the park for the weekend event. Doug Peebler will test circuit(s) and show officials location of breakers. Trash bags and containers will be made available for the event and trash can be deposited in city dump truck off of event premises. Barricades owned by the City will be made available for use at the event.

Reports – Mayor/No report. Public Works/ Doug Peebler stated he would like to postpone purchase of trash pump and generator as budgeted and instead purchase sander with vibrator for pick-up at a cost of \$1,800.00 to \$2,000.00. Goldsberry says sell old one. Peebler will need to acquire two additional loads of roadstone for street shoulders and lift station @ \$400.00 per load. Goldsberry stated called cell 1803 and no voicemail is set up. Instructed Director to obtain phone tracker application and set up contract with courier to deliver wastewater samples each week at a cost of \$40.00 weekly. Work logs are to be completed on weekly basis and vehicle log books are to be resumed. Fire-Rescue/Zack Prickett reported department will attend 1st river task force training session at Prairie Meadows, the department open house will be held on October 8th in front of the fire station. An event will be held on 10-22 with several other departments focusing on bus rollover incident training. Upgrades to lighting on ambulance (7 lights are

September 18, 2018

Page 2

out) with led lighting will cost approximately \$1,500.00 if Prickett does work himself. Discussion was held regarding an annual maintenance agreement for the storm siren. Prickett stated the generator purchased from Total Tool has been received; a revised invoice has been received and forwarded to Clerk for payment. Prickett will obtain bid from MidAmerican Energy for station lighting Mayor Buzzard inquired about payment to City from Heartland Challenge; Zack will check on payment date. A river call was performed last week and all radio contact was lost with authorities. Current radios are old and 2 dual band radios would be required. Prickett stated these are non-budgeted items and would try fundraising. Cost estimates for radios will be e-mailed to council members. Council Committees/ Dana Smith inquired about reimbursement for dog kennel by Doug Peebler. The Clerk stated \$200.00 has been paid in cash and deposited in September. Smith wants to file formal complaint for intimidation by Mayor and herself and inquired of the process. Attorney Jim Nervig stated he would require more information and criminal charges would be handled through the County Attorney office. Nervig stated Iowa Code encourages open sessions between Mayor, councilmembers and/or employees to resolve matters such as this. Goldsberry stated Smith does not want to meet with the Mayor. Nervig advised visiting with County Attorney. Smith stated she was threatened by Mayor Buzzard. Attorney Nervig stated the Mayor is not considered an employee under city employment handbook regulations. A judge would not remove a Mayor from office unless a criminal action has occurred. Mayor Buzzard would like all city personnel to work together to resolve issues. Smith stated the Mayor needs to be professional running council meetings. Mayor Buzzard stated he will work on improving administrative skills. Goldsberry stated the Clerk is to work 30 hours per week per signed employment agreement from 2001. Clerk Brad Herrold stated he was hired by the Mayor and Council in 2001 in a full-time capacity at 40 hours per week which has continued for 17 years. Other accusations were presented by Goldsberry regarding housekeeping, bookkeeping and city website maintenance. Goldsberry stated the City will discontinue paying healthcare premiums for employees and provide a monthly allowance to employees instead. Herrold addressed the accusations and instructed Goldsberry to put motion on floor to dismiss the City Clerk. Goldsberry stated the council has authority to change employment agreements and a new contract will be presented by January 1st. Clerk/Brad Herrold declined presentation of his monthly report.

Presentation – (Snyder & Associates) Jordan Stoermer reported the IDNR has not given final approval to the submitted lagoon upgrade plans. The City sent a letter to the IDNR on September 4th requesting formal action and approval of the facility plan as submitted by September 28, 2018. IDNR presently is requesting additional information from the Lemna Company prior to making final decision. A response is expected from the State soon regarding the request from the City. The highway 5 ROW exhibit has been submitted to the Iowa DOT and has been accepted. Stoermer stated a final decision should be made soon.

Council Business – Motion by Smith and seconded by Peterson TO APPOINT SOPHIA ECKERT AS MAYOR PRO-TEM FOR THE CITY OF HARTFORD. Voice vote: Motion carried unanimously. Discussion was held regarding drafts of swimming pool and golf cart ordinances from the August regular meeting. Council members opted to refer ordinance drafts to fine/fee committee for consideration. Herrold stated the City presently has not adopted either of these ordinances into the City Code. The 2018 City Street Financial report as prepared by the Clerk was reviewed by the Council. Goldsberry stated page 6 of the report is incorrect with respect to equipment inventory. Herrold explained the terminology on the page regarding traded equipment. Motion by Peterson and seconded by Eckert TO APPROVE RESOLUTION 091818-01, A RESOLUTION ACCEPTING AND APPROVING THE CITY STREET FINANCE REPORT FOR FISCAL YEAR 2018. Voice vote: Motion carried unanimously. The signs obtained for placement around the city parks restricting parking for park users only was displayed to the Council. An ordinance for “No Parking” will not be needed as the intended method will constitute illegal parking under the present city code. Violations for traffic and parking code violations may be written under “State Code” for fine purposes. Amendments to Chapter 160 Flood Plain Regulations as requested by the IDNR to meet current FEMA guidelines were discussed by the Council. The Clerk reported these amendments are recommended by the State for adoption to be eligible for federal funding supporting the flood plain ordinance. Motion by Goldsberry and seconded by Eckert TO APPROVE 1ST READING OF ORDINANCE NO. 118, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARTFORD, IOWA BY AMENDING CHAPTER 160 (FLOOD PLAIN REGULATIONS). Voice vote: Motion carried unanimously. Motion by Goldsberry and seconded by Smith TO WAIVE 2ND & 3RD READINGS OF ORDINANCE NO. 118 AND PASS EFFECTIVE SEPTEMBER 18, 2018. Voice vote: Motion carried unanimously. 3 drafts prepared by the Clerk amending Chapter 55 Animal Protection and Control were discussed by Council. Attorney Jim Nervig

September 18, 2018

Page 3

recommended the Council consider draft no. 2 adopting the Warren County Animal Control Ordinance and respective fee schedule for code violations. Approval of the ordinance would be presented to the County Sheriff's office to be added to the law enforcement service contract at a negotiated fee. Motion by Peterson and seconded by Goldsberry TO APPROVE 1ST READING OF ORDINANCE NO. 119(DRAFT 2), AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARTFORD, IOWA BY AMENDING CHAPTER 55 ANIMAL PROTECTION AND CONTROL. Voice vote: Motion carried unanimously. Motion by Peterson and seconded by Eckert TO WAIVE 2ND & 3RD READINGS OF ORDINANCE NO. 119(DRAFT 2) AND PASS EFFECTIVE SEPTEMBER 18, 2018. Voice vote: Motion carried unanimously. Mayor Buzzard reported that not all bids have been received for demolition of water plant building. 2 bids have been received whom quoted project last year. No action taken on topic. Connie Goldsberry reported the electronic sign quoted price has been reduced to \$1,900.00. Additional costs will include 2 remotes, angle iron and labor to install unit. Power is currently available on designated light pole. Motion by Smith and seconded by Peterson TO PURCHASE ELECTRONIC SIGN, REMOTE CONTROLS AND BRACKETS AND INSTALL ON UTILITY POLE. Voice vote: Motion carried unanimously. Attorney Jim Nervig provided a report on the status of abatement at 130 N. Reynolds. The attorney and building inspector met with property owner and electrician to review. An electrical permit application has been applied for by property owner. Electrical upgrades are scheduled to be completed on 9-21-18. There still remains much plumbing work to be completed but many improvements have been completed. Court date is established for 9-21-18. Attorney Nervig advises dismissal of lawsuit without prejudice at this time. No timeframe is in place for completion of the work but the City can pursue the matter again if work stops. Council member Peterson stated she has photos for the property at 660 S. Vine and will forward to the attorney for review and commencement of abatement. Discussion was held regarding installation of "Hometown Pride" signs at each end of the City designating the community as a participant in the program. Council members felt Betterment Committee should provide additional information regarding the signs. Motion by Eckert and seconded by Peterson TO ACQUIRE AND INSTALL "HOMETOWN PRIDE" SIGNS ON VINE STREET ENTRANCES. Voice vote: Motion carried unanimously. Motion by Peterson and seconded by Smith TO APPROVE PAS MINI STORAGE CONTRACT PAYABLE BI-ANNUALLY. Voice vote: Motion carried unanimously. Discussion was held with Mayor and Fire/Rescue Chief regarding purchases with credit card and amount of purchases per transaction subject to approval. Motion by Eckert and seconded by Peterson TO RE-ACTIVATE CREDIT CARD WITH GREAT WESTERN BANK EFFECTIVE SEPTEMBER 18, 2018. Voice vote: Motion carried unanimously. Clerk Brad Herrold stated his name will not be listed on the card; the City can designate another individual if required by the Bank. Discussion was held regarding traffic control (stop signs) at the intersection of W. Elm and Reynolds Streets. Attorney Nervig felt an ordinance is required to add traffic control signage but will verify. Motion by Smith and seconded by Peterson TO ACQUIRE AND PLACE 4-WAY STOP SIGNS AT THE INTERSECTIONS OF W. ELM AND REYNOLDS STREETS WITH ADDED POLICE COVERAGE UPON APPROVAL BY ORDINANCE. Voice vote: Motion carried unanimously. Fine/Fee and park event committee reports were provided. Motion by Eckert and seconded by Peterson TO HOLD BEGGARS' NIGHT IN THE CITY OF HARTFORD ON OCTOBER 30, 2018 FROM 6-8:00 P.M. Voice vote: Motion carried unanimously.

Agenda topics next regular meeting/Public-Council –, Nuisance properties, Fine/fee schedule committee amendments, Parking ordinance(s)

Motion by Goldsberry and seconded by Peterson to adjourn meeting at 9:53 P.M. Voice vote: Motion carried unanimously. Mayor Buzzard adjourned the meeting.

Brad Herrold, Clerk/Treasurer

Attest: James Buzzard, Mayor

