

April 6, 2020

The Keota City Council met on April 6, 2020, at the Keota City Hall. The work session was called to order at 6:00 p.m. by Mayor Pro-Tem Keith Conrad.

Council Members answering roll call were: Curt Burroughs, Rod Hill arrived at 6:49 p.m. and Mayor Anthony Cansler arrived at 6:54 p.m. City employee present was Tomisha Hammes.

A list of potential park updates was reviewed with the possibility of the following: the road between the big ball field and the park and making it a grass area, a concrete walking trail around both the park and the large ball field, replacing older park equipment, add in handicap and mother's park equipment, mileage charts and water bottle filling station, new pavilion with building attachment, small ball field improvements, and permanent horseshoe pits/bocca ball/corn hole area.

The Council also discussed repealing the burning ban, condemnation of 306 W. Broadway Avenue, and allowing properties to have one rooster.

No decisions were made.

Motion was made by Councilman Burroughs to adjourn the work session at 6:59 p.m. Councilman Conrad seconded the motion. Motion passed with a majority vote.

The Keota City Council Meeting was called to order at 7:00 p.m. by Mayor Anthony Cansler.

Chapter 21.8 of the Iowa Code does permit an electronic meeting where members participate remotely when an in-person meeting is impossible or impractical, which is certainly true during this crisis. On March 19, 2020, Governor Reynolds issued a Proclamation of Disaster Emergency which included a suspension of Iowa laws that would prevent the use of electronic meetings or the limitation on the number of people present at an in-person meeting site. Therefore, only the Mayor, Council, and city staff will be present at the Keota City Hall for the meeting to stay under the group gathering requirements.

Council members answering roll call were: Curt Burroughs, Keith Conrad, Rod Hill, Matt Greiner via conference call, and Mike Bender via conference call at 7:32 p.m. City Employee present was Tomisha Hammes. Also in attendance was Nick Mahan via conference call.

Councilman Burroughs gave the Invocation.

Motion was made by Councilman Conrad to amend the agenda to include building/house moving permit for 407 N. Iowa Street as item (i) under new business. Councilman Burroughs seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Conrad to approve the amended agenda. Councilman Hill seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve the consent agenda including minutes from the March 16 and 26 meetings and payment of bills. Councilman Hill seconded the motion. Motion passed with a majority vote.

**CITY OF KEOTA
 APRIL 6, 2020 COUNCIL MEETING
 FOR PERIOD MARCH 17- APRIL 6, 2020**

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
CONRAD, DOUGLAS L.	\$1,803.00	Payroll
GREINER, ASHLEY	\$18.91	Payroll
GREINER, TONIA	\$872.49	Payroll
HAMMES, TOMISHA	\$1,037.03	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,458.56	Payroll
EFTPS	\$1,850.34	Employee Withholdings
IPERS	\$2,670.56	Employee Benefits
CENTERPOINT LARGE PRINT	\$139.56	Library - Richardson Memorial
INFOMAX	\$140.17	Library - Copier Lease
KEOTA EAGLE FOODS	\$6.39	Library - Light Bulb
TECHSOUP	\$88.00	Library - TechSoup
TONIA GREINER	\$54.63	Library - Mileage Summer Reading Program Meeting
WINDSTREAM	\$143.01	Library - Phone/Fax
UNITED STATES POSTAL SERVICE	\$129.50	Water/Sewer - Water Bill Postage
UNITED STATES POSTAL SERVICE	\$275.00	All Dept. Newsletter Postage
ION ENVIRONMENTAL SOLUTIONS	\$1,838.00	Water/Sewer - April Operations
WASHINGTON STATE BANK	\$200.00	Deposit Refund - Finalized 604 E. Washington Ave.
ABIGAIL HOLETON	\$200.00	Deposit Refund - Finalized 108 N. Ellis St.
TREMMELE BACK HOE SERVICE	\$745.00	Storm Sewer - Manhole Repair County Line Rd.
VERIZON	\$40.01	Police - Hot Spot
DEARBORN GROUP	\$117.00	Employee – Benefits
D & N FENCE CO. INC.	\$2,500.00	Ball Assn. Grant for Fence
WELLMARK BLUE CROSS & BLUE SHIELD	\$9,190.53	Employee Benefits
WHITE LAW OFFICE	\$2,265.90	Legal Expenses
ALLIANT ENERGY	\$6,341.49	All Dept. Gas/Electric
MALLEY HARDWARE	\$97.20	All Dept. Supplies
COX SANITATION	\$5,443.50	Garbage - Pick Up/Bags
FIRST NATIONAL BANK	\$538.34	Library - Books/Programs/DVDs
FIRST NATIONAL BANK	\$211.68	All Dept. - Supplies/Meetings
IDEAL READY MIX COMPANY, INC.	\$235.00	Storm Sewer - Manhole Repair County Line Rd.
US CELLULAR	\$194.76	All Dept. Cell Phones
FARMERS COOPERATIVE ASSN.	\$402.61	All Dept. Veh. O & M
MID-AMERICA PUBLISHING CORP.	\$582.25	All Dept. Printing and Publishing
TOTAL	\$43,038.19	

Department Reports:

- Officer Doug Conrad submitted a written report. Due to COVID-19, law enforcement is to schedule court dates approximately three months out. For the reporting period of March 13 through March 31 there were twenty-four (24) service calls/complaints and no citations issued. Service Calls/Complaints: one burglary, one weapons, five family and children, one disorderly conduct, one trespass, one other criminal violation, four mental, five assist and serve, one misc. investigations, one misc. complaints, one lost and found, two dog/cat/misc. animal.
- Library Board President Nick Mahan stated that the Governor has closed down the libraries. Toni Greiner will continue to go into the library to work, but the library will continue to be closed to the public until further notice.

The city clerk did the second reading of Ordinance No. 2020-274: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING

PROVISIONS PERTAINING TO THE TRAFFIC CODE – GOLF CARTS.

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

SECTION 1. Title III, Chapter 4, Section 102 of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

Title III, Chapter 4, Section 101 and 102 is hereby repealed and the following adopted in lieu thereof:

3-4-101 PURPOSE The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cart is operated on any street or alley, subject to those exceptions stated herein.

3-4-102 OPERATION OF GOLF CARTS PERMITTED Golf carts registered with the City of Keota may be operated upon the streets of the City, except as prohibited in Section 3-4-101 of this chapter. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle. All operators under eighteen (18) years of age shall operate golf carts to and from the golf course only.

3-4-103 PROHIBITED STREETS Golf carts shall not be operated upon Broadway Avenue from Keokuk-Washington Road to Davis Street as per the Business District sub definition in Section 3-4-2.5.2 unless said road is being crossed.

3-4-104 HOURS Golf carts may be operated on City streets only between sunrise and sunset as set by the National Weather Service for Keota, Iowa.

3-4-105 SPEED No golf carts shall be operated on any City street at a speed in excess of twenty-five (25) miles per hour.

3-4-106 REGISTRATION No person shall operate a golf cart on any public street or alley for any purpose unless said golf cart is registered by the City of Keota.

1. Golf cart owners may register a golf cart with the City Clerk using forms provided by the City.
2. The registration sticker shall be displayed visibly and prominently on the rear of the golf cart.
3. All registrations issued shall uniquely identify the name and address of the owner.
4. Registrations shall be effective from January 1 through December 31 of each year.

3-4-107 PENALTIES FOR VIOLATIONS

1. Any person guilty of violating the provisions herein shall be guilty of a simple misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) or a municipal infraction.
2. The permit may be suspended or revoked upon finding evidence that:
 - a. The permit holder has violated the conditions of the permit.
 - b. The permit holder or authorized user has abused the privilege of being a permit holder by engaging in reckless driving or by using the golf cart in violation of traffic laws.
 - c. First offense suspension would be thirty (30) days and a ten-dollar (\$10.00) reinstatement fee. Second offense and all following offenses the revocation of permit would extend until January 1 of the following year and a twenty-five (\$25.00) reinstatement fee.

Motion was made by Councilman Conrad to waive the third reading of Ordinance 274. Councilman Hill seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

Motion was made by Councilman Conrad to Approve Ordinance 274. Councilman Hill seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

The City Clerk did the second reading of Ordinance No. 2020-276: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – ALL-TERRAIN VEHICLES (ATVs) AND UTILITY TRAIL VEHICLES (UTVs).

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

SECTION 1. Title III, Chapter 4, Section 108-116 is hereby adopted:

3-4-108 PUPROSE The purpose of this chapter is to permit the operation of All-Terrain Vehicles (ATVs) and Utility Trail Vehicles (UTVs) on City streets. This chapter applies whenever an ATV or UTV is operated on any street or alley, subject to those exceptions stated herein.

3-4-109 DEFINITIONS

1. All-Terrain Vehicle (ATV) means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road recreational use. All-Terrain Vehicle includes as defined in section 321.1, but does not include farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicle.
2. Utility Trail Vehicle (UTV) means a motorized vehicle, with not less than four non-highway tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total – highway dry weight to not more than two thousand (2,000) pounds and that has a seat that is of bucket or bench design not intended to be straddled by the operator, a steering wheel or control levers for control, and is equipped with a bed or cargo box for hauling materials. Vehicles designed for the primary purpose of recreation, such as dune buggies and recreational side by sides, shall not fit this definition and are not allowed under this section. The Chief of Police shall have the final say on whether a vehicle meets this definition.

3-4-110 OPERATION OF ATVs AND UTVs PERMITTED ATVs and UTVs may be operated upon the streets of the City by persons possessing a valid operator's license and at least eighteen (18) years of age, as long as the ATV or UTV possesses a valid City of Keota permit, meets all necessary DNR licensing and registration, and all other requirements of this ordinance are met.

3-4-111 REQUIRED EQUIPMENT ATVs and UTVs operated upon City streets shall be equipped with at least the following:

1. Valid operator's license
2. Valid liability insurance covering the ATV or UTV in the same limits as required of automobiles by the financial responsibility provisions of Chapter 321A of the Code of Iowa.
3. A valid City of Keota permit

3-4-112 HOURS OF OPERATION ATVs and UTVs may be operated on City streets only between sunrise and sunset as set by the National Weather Service for Keota, IA. ATVs and UTVs owned and operated by any governmental entity or school district are exempt from these time restrictions when used in the performance of duties.

3-4-113 SPEED ATVs and UTVs shall be subject to posted speed limits.

3-4-114 OPERATION

1. Except as noted otherwise, therein, any person operating an ATV or UTV on City streets or alleys shall adhere to all traffic signs and signals, all other City of Keota and State of Iowa traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic or the direction of a fire department officer during a fire.
2. This ordinance forbids the operation of ATVs and UTVs on:
 - a. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor vehicles.
 - b. Sidewalks
 - c. City parks or any other land owned by the City, unless permission is granted by the City Council.

- d. Private property without the consent of the property owner.
3. All alley use by ATVs and UTVs must be conducted only when the ally is sufficiently dry as to maintain the integrity of the alley once traveled through. All alley use by ATVs and UTVs must not cause the alley to suffer damage.

3-4-115 PERMITS

1. All ATVs and UTVs must be registered with the City of Keota before operating on any public street or alley. Permit applications shall be made available via the City Clerk. Permit applications shall include the following:
 - a. All applications shall uniquely identify the name(s) and address(es) of the owner, or the owner's agent, the owner's address, or bonafide place of business, and phone number.
 - b. All applications shall include a description of the ATV or UTV and shall be for a specific ATV or UTV as evidence by its serial number.
 - c. All applications shall show evidence owner has liability insurance covering operation of an ATV or UTV on City streets with limits of liability at least as great as those required by the Code of Iowa, Chapter 321A.1(11) as amended.
 - d. All ATVs must be compliant with all current Iowa DNR registration decal and registration certificates.
 - e. List of authorized users.
2. Once permit application is approved, all ATVs and UTVs operated on the City streets shall display the City of Keota permit sticker prominently on the left rear of the vehicle.
3. Permits shall be effective from January 1st through December 31st of each year.
4. Businesses selling ATVs or UTVs are exempt from having to obtain permits, unless the vehicle is being used for general transportation and not as a test vehicle.
5. All ATVs and UTVs must comply with all applicable state regulations.

3-4-116 VIOLATION AND PENALTY

1. Any person guilty of violating the provisions herein shall be guilty of a simple misdemeanor and shall be subject to a fine of up to one hundred (\$100.00) dollars or a municipal infraction.
2. The permit may be suspended or revoked upon finding evidence that:
 - a. The permit holder has violated the conditions of the permit.
 - b. Permit holder or authorized user has abused the privilege of being a permit holder by engaging in reckless driving or by using the ATVs or UTVs in violation of traffic laws.

For a first offense the suspension would be thirty (30) days and a ten-dollar (\$10.00) reinstatement fee. For a second offense and all following offenses the revocation of permit would extend until January 1st of the following year and a twenty-five-dollar (\$25.00) reinstatement fee

Motion was made by Councilman Conrad to waive the third reading of Ordinance 276. Councilman Hill seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to Approve Ordinance 276. Councilman Conrad seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

Motion was made by Councilman Conrad to approve the building permit for 113 N. Hamilton Street for a fence. Councilman Hill seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve Resolution 2020-19: Keota Historical Museum Board Member Jeri Klein. Councilman Conrad seconded the motion. Roll call vote: Ayes –

Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

Motion was made by Councilman Hill to approve Resolution 2020-20: FY2021 Wages for Wilson Memorial Library Tonia Greiner - \$13.00 per hour and Ashley Greiner - \$8.00 per hour. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill; Nays – None; Abstain – None Absent – Bender. Motion passed with a majority vote.

Motion was made by Councilman Conrad to approve the Liquor License for the Keota VFW. Councilman Hill seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Conrad to approve the Liquor License for Lagos Acres Golf and Country Club. Councilman Hill seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve the Letter of Support for the Community Catalyst Grant extension for the Ramsey Building/SDF Properties LLC. Councilman Conrad seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve the LL Pelling estimate for sealcoat on the City of Keota city streets. Councilman Hill seconded the motion. Motion passed with a majority vote.

Mayor Anthony Cansler read the following:

CITY OF KEOTA, IOWA EMERGENCY PROCLAMATION WHEREAS, COVID-19 poses a serious threat to the public health and safety of the City of Keota, Iowa, as outlined by the Center for Disease Control (CDC); and WHEREAS, The Iowa Department of Public Health (IDPH) has now determined that community spread of COVID-19 has occurred in the State of Iowa and Keokuk County, specifically the City of Keota; and WHEREAS, Governor Kim Reynolds has recommended that all school districts within the State of Iowa close until April 30, 2020 to help mitigate the spread of COVID-19 within the State; and WHEREAS, Governor Kim Reynolds has issued a State of Public Health Disaster Emergency on 3/17/2020 and extended to be effective until 11:59 p.m. April 30, 2020 that closes restaurants and bars with carry out or drive through options only, closure of theaters, religious, recreational, leisure, sports gatherings, fitness centers, tattoo establishments, tanning facilities, medical spas, swimming pools, salons, massage therapy establishments, casinos, senior citizen centers, nonessential retail establishments, malls, tobacco or vaping stores, toy, gaming, music, instrument, movie stores, social and fraternal clubs including, but not limited to VFW posts, county clubs, golf courses, amusement such as bowling alleys or amusement parks, museums, libraries, zoos, race tracks, skating rinks or parks, parks including outdoor or indoor play areas, campgrounds, door to door sales, or any gatherings of ten (10) or more people; and NOW, THEREFORE, I, Anthony Cansler, the duly elected Mayor of the City of Keota, Iowa, do hereby proclaim the following: 1. That a state of emergency or public danger exists within the City of Keota because of the threat of the spread of the COVID-19 virus. 2. That pursuant to Governor Kim Reynolds proclamation, I hereby declare that the Wilson Memorial Library will be closed until further notice based on the dates given by Governor Kim Reynolds. 3. That pursuant to Governor Kim Reynolds proclamation, gatherings of ten (10) or more people are strongly discouraged until further notice. 4. That pursuant to Governor Kim Reynolds proclamation, the City of Keota Parks be closed to the public until further notice based on the dates given by Governor Kim Reynolds. 5. That this Proclamation of Emergency may be modified and/or suspended by future proclamation of the Office of Mayor of Keota as future events warrant. 6. That any violation of any proclamation of the Office of the Mayor of the City of Keota, Iowa, shall be enforceable by the Keota Police Department and any violation of the same shall be a violation and punishable as a simple misdemeanor. Dated this 6th

day of April, 2020. By: Anthony Cansler, City of Keota Mayor.

Motion was made by Councilman Conrad to approve the Mayoral Proclamation. Councilman Hill seconded. Motion passed with majority vote – Councilman Burroughs abstained.

Motion was made by Councilman Conrad to approve the building and house moving permit for 407 S. Iowa Street. Councilman Hill seconded the motion. Motion passed with a majority vote.

Clerk/Council/Mayor Comments: The clerk stated that City Hall, Wilson Memorial Library and the Keota Ball Association all received grants from the Keokuk County Community Endowment Foundation. The Clerk's Municipal Institute that takes place at the end of July has been moved from Ames, Iowa to an online format due to COVID-19. The Iowa Municipal Finance Officer Association Conference in Des Moines was cancelled due to COVID-19. The clerk has been keeping a daily log on what she is doing at the office and working from home. Councilman Burroughs stated that he would like the Council to approve an ordinance amendment at the next Council meeting adding in that the Mayor is able to make Emergency Proclamations. He went on to say that during the work session they discussed a possible 3-year Wilson Park update plan. The Council would like to invite Keota Unlimited and the Keota Ball Association to a meeting, once things get back to normal, to discuss breaking the plan into phases and utilizing these organization to move forward with the plans. Councilman Burroughs stated that he would like to have discussion on repealing the burn ban at the next Council meeting. The Council would look at different options and get input from the community before moving forward. Councilman Conrad stated that the Daycare Committee was to have a walk thru with Architect Dan Levi, but due to COVID-19 the Committee had to postpone the walk thru, but had a video conference with him. It was basically a meet and greet conference call with Levi to discuss what the Committee has done thus far and what Levi's recommendations were. Conrad went on to say that he talked with city attorney Temple on the condemnation of 306 W. Broadway Avenue. A list of nuisance items and property photos will be sent to the attorney. Councilman Greiner said to have Officer Conrad touch base with a few people that have golf carts, ATVs and UTVs if they are already driving around to let them know about the ordinance and the required registration. Councilman Hill stated that he has been walking around town looking at the state of the residential sidewalks and making notes on ones that could potentially be vacated. Councilman Burroughs stated that he would like to see the sidewalks removed and doesn't feel it should be the responsibility of the resident to have to pay to maintain the sidewalk connected to their property. The clerk was asked to look into any State Codes in regards to sidewalk requirements. Councilman Hill also commented that as he is walking around town, he is seeing quite a few dogs that have the pit bull traits. He will meet with the city clerk to give her a list of properties that could potentially have a pit bull or a pit bull mix on their property to send letters to.

Motion was made by Councilman Conrad to adjourn at 8:23 p.m. Councilman Hill seconded the motion. Motion passed with a unanimous vote. The City Council will next meet on Monday, April 20, 2020, starting at 7:00 p.m. *Due to the COVID-19 crisis, the City of Keota will be holding this city council meeting electronically via a conference call. If you would like to participate, just before the meeting start time, you must call in with the information that will be listed on the agenda and keotaiowa.org website. Only Mayor/Council/Staff will be allowed in city hall.*

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK TOMISHA HAMMES

*These are not official minutes. These minutes will be approve at the next council meeting. All documents mentioned in these minutes can be viewed during business hours at the Keota City Hall.