

NOVEMBER 21, 2016

The Keota City Council met on November 21, 2016, at city hall. The meeting was called to order at 6:30 P.M. by Mayor Anthony Cansler.

Council members answering roll call were Davis, Greiner, Hill and Conrad. Westendorf arrived after roll call was taken. City employees present were Slaubaugh, Conrad and Osweiler. Robert Michael, city attorney; Marilyn Sieren, 76 Township Trustee; Bob Romoser, 76 Township Trustee; Scott Sieren, 76 Township Trustee; Mark Tinnes, 76 Township Trustee; Kathy Ewald; Cort Winegard; Colleen Winegard; John Butters, *The Washington Evening Journal*; and Amie Van Patten, *The Keota Eagle*; were also in attendance.

Motion was made by Davis to approve the agenda, Hill seconded the motion. Motion passed with a unanimous vote.

Motion was made by Hill, seconded by Greiner to approve the minutes from the previous meeting. Motion carried unanimously.

Mark Tinnes, 76 Township Trustee, asked about who would be responsible for the fire protection expense once these three properties were in city limits. The council said the city would be responsible for that expense but would be getting the property taxes from those properties in return. Questions were asked about how long this process will take. The city is anticipating this will be completed at the start of next year, pending there are no other issues. A waiver of consultation was signed by the 76 Trustees. The city is still waiting on the Washington County Board of Supervisors response.

Motion was made by Davis to pay the legal costs to FKG&C, Greiner seconded the motion. A roll call vote was taken: "Ayes"-Hill, Davis & Greiner; "Nays"-None; and "Abstain"-Westendorf and Conrad. Westendorf and Conrad abstained due to a conflict of interest. Motion passed with a majority vote. Osweiler will send the check to Robert Michael, city attorney, so he may send it with the city response.

Robert Michael, city attorney, explained that by paying for these legal fees this does not guarantee that no legal action may be taken against the city. He said this would benefit the city if there are more legal expenses in the future, but this does not rule out any penalties that could be assessed to members per Iowa Code 21.6. The council and mayor asked questions about what the correct steps are for closed session and for more details on what could be done if this issue is taken to court. Michael answered all these questions and advised them to follow the code as it states and if they are unsure to table the item until an answer is received from a legal advisor. If this is taken to court, than there is no guarantee on the result pending on what the case is based on and outcome sought after.

Slaubaugh presented the following public works report. He spoke with Colleen and Cort Winegard about the demolition of 206 South Ellis. Winegard ask that the demolition be pushed back until the 1st of next year. Slaubaugh has given the contractors until December 5th to submit bids. He ordered street paint from the state to redo the lines next spring. There was a stop sign broken off at the corner of North Baker and Keokuk Avenue over the weekend. The owner of the nuisance tree on North Ellis is trying to work with Alliant for some help with taking it down; they will keep the city updated on the process. The owner of the tree on West Keokuk has not corresponded with the city; he will try to contract them to see if they do have a plan of action before the city takes it down and assesses them the cost. Motion was made by Greiner to approve the public works report, Westendorf seconded the motion. Motion passed with a unanimous vote.

Cort and Colleen Winegard asked if they could take out the sidewalk in front of 206 South Ellis when the house is being taken down. The mayor said that the city likes to keep a sidewalk on at least one side of the street and the other side of South Ellis does not have a sidewalk. If they would like to have it discussed more than they could

ask for it be an action item on the next agenda. Kathy Ewald asked for the council to consider putting a paver at the Veterans Memorial in memory of Officer Douglas Paul Bell that was killed on duty in 1976. She has spoken with D.Hobscheidt about the expense and it will be around \$100. The council liked this idea and will have Osweiler contact him to get this finalized and ready for them to approve.

There was no need to hold a closed session for employee performance.

Officer Conrad submitted the following report for the police department. He issued no citations. He had ten complaints/service calls: theft, three vandalism, other criminal violation, fire, three animal and traffic violation. He has been working on three open investigations and trying to use his vacation time. Councilmen Conrad asked about the theft service call. Officer Conrad said a county deputy reviewed tape of traffic in that area and forwarded the information on it him; he is still working on it. Motion was made by Westendorf, seconded by Hill to approve the police department's report. Motion carried unanimously.

Resolution 2016-24 was tabled until the council meeting due to the bid due date not being until December 5th.

The council reviewed the summary of changes from the 2009 IPM Code to the 2015 IPM Code. They ask for an ordinance be drafted to make the change. The ordinance will be reviewed by the council at the next council meeting.

Motion was made by Davis to have Slaubaugh and Frederick employee evaluations on December 19th at 6:30 p.m. in city hall, Hill seconded the motion. Motion passed with a unanimous vote.

Osweiler presented the winter newsletter. Motion was made by Conrad to approve the newsletter, Davis seconded the motion. Motion passed with a unanimous vote.

Motion was made by Conrad to approve the payment of bills listed below, Westendorf seconded the motion. Motion passed with a unanimous vote.

Osweiler asked for November 23rd off. The council agreed to this request, but ask that she post it.

Conrad spoke with the owner of 403 South Hamilton about his garage. The owner has braced it and plans on fixing it in the spring. This was written down and signed by the owner and himself. He reviewed the rental inspections corrections at 111 North Davis and signed off on them. He reviewed the building permit at 507 East Centennial and determined a permit was not needed due to it being a portable shed.

Motion was made by Hill seconded by Westendorf to adjourn. Motion carried unanimously. Meeting adjourned at 7:39 P.M. The next regular scheduled council meeting will be on December 5, 2016, in city hall at 6:30 p.m. There will be employee evaluations for Conrad and Osweiler at the start of the meeting with anticipated closed session, the rest of the meeting is anticipated to start at 7 p.m.

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK NIKI OSWEILER