

City of Fontanelle  
July 10, 2017

The Fontanelle City Council met in regular session at 7:00 p.m. at the community center, with Mayor Miller calling the meeting to order. Council members present were: Davis, Baldogo, Zimmerline, Dukes, and Warrior. All motions are carried unanimously, unless otherwise noted. City employees present: Shawn Tipling, Justin Tanner, Pat Henry and Amanda Held. Also present: Jamie Campbell, Becky Tanner, Kristen Jensen, Peyton Larabee, Kurt & Kay Queck, Roger Young, Kathryn Miller, Juile & Daryl, Christensen Shellie Weed, Kathy & Chad Edwards, Brad Newton, Don & Joann Downing, Kevin Miller, Kyle Tanner, Kelly Sickles, Rosie Armstrong, Linda Marnin, Tyson & Amanda Sickles, Mike & Kathy Welsch, Dennis Parkis, Lynn Eddy, Helen Tipling, Mr. & Mrs. Millikan, Guy Vanatta, Laura & Joel Fritz, Lucas Queck, Josh & Juree Christensen, Becky Boes, Amber & Mike Randol, Gary Main, Jerry Davis, Justi Christensen, Kay Bax, Ryan Cooper, Patty Jacobson, Miranda Warrior, Carmon Homan, Betty Weinheimer, and Dianna Goetz.

Motion by Baldogo to approve the agenda as presented, 2<sup>nd</sup> by Dukes Approved.

Mayor stated since we have a big crowd tonight that everyone needs to stay calm and don't interrupt. At the last meeting had lots of people talking, one is ok but not everyone at once. If it does get loud, he will stop the meeting and address it.

Public Input

Kevin Miller stated, I would like to reserve the right speak if I want to, and stated he didn't have anything to say at this time.

Kay Bax said, there is a right way and a wrong way to do things and the right way always prevails; and with the number of people here you can tell something is amiss and something is wrong. Kay respectfully asked that we can ask questions and receive answers when a particular agenda item comes up for discussion; because if the council can't get any input from us on something that is important enough to have this many people come up to a meeting. I feel we be able to ask some questions during that agenda item so that those questions are answered and the council can make a decision based on someone's opinions. Kay asked if that was possible? Mayor Miller told her no. Kay Bax stated she will ask her questions now and that they need to be address before the council votes on that agenda item. Kay stated in the agenda there is a proposal for a police budget amendment; and would like to know who decided the need for a full time police officer, what criteria was used for a full time police officer, how was salary figured, how much it will cost the citizens with IPERS and insurance coverage, and when was all this discussed and at what meeting, how does having a full time police officer effect the coverage from Adair County Sheriff's Office and has anyone talked to them about that, how the hours of coverage are decided, and is that policy in writing. Kay stated these are the items she would like addressed.

Amber Randol stated her concerns were the police officers agenda, and that she had an incident when the police officer was sitting at the City Hall and she had to walk up to Casey's to meet the Adair County Sheriff, why couldn't the city police officer come to my need. Also if we have a bigger need for coverage, why during the day and why not at night when she hears squealing tires, and on Highway 92 where she lives is like the auto-bond and she has kids. If we need one that bad then Pat should be pulling people over and writing more tickets. Amber also stated she knows people are going by at 60 mph and it is a 35 mph zone past her place. Amber also asked, why the gun range, as there is one 12 miles away and being that close to a school were my young children go to school. As a Council you want Fontanelle to thrive and excel you are going to have to move more younger people in like herself that are raising families here instead of pushing us out the door.

Unfinished Business

Warrior stated he knew about the sycamore trees but was not informed on the poplar trees, and he is on the committee. Warrior said we also had to decide on the trees in Wayne Bohling's yard that they were in the City's right of way or not; and the popular trees were not checked. Baldogo stated that Chris Franklin in Fontanelle and Rod could not get a hold of you and so he called me. We meet with Chris Franklin, and we were the ones that talked to him, and he inspected the two sycamore and the two poplars. Baldogo stated she sent out an e-mail blast and invariably left off the poplar trees, and her apologies for it. Baldogo told Warrior that she sent him an apology e-mail and never received a response from him. Warrior and Zimmerline both said they never received the original e-mails and, Warrior did not get the apology e-mail. Warrior stated he is head of the tree committee and should have been contacted. Baldogo stepped in and stated Warrior is head of the Park & Recreation and per the League of Cities trees along the city streets is the street committees not park and rec. Warrior said still it needs to be brought up to more than one person's attention. Baldogo said three of us were actually, the Mayor, Dukes and I talked to Chris. Mayor Miller stepped in and said Warrior has a good point, we need to work at communication, and that's a key point. Warrior asked why the city workers need to clean them up, and Baldogo stated it's on city property. Zimmerline wanted to know why the poplar trees were not discussed at a council meeting. Baldogo stepped in and said they were checked, the side walk location, the chapter on diseased trees, and the inspection on removal of city trees and those are the pertinent ordinances that were looked at. Baldogo apologized again to Warrior, due to the ball being dropped on contacting him. Baldogo wanted to express that she would like a response when she sends out an e-mail so she knows that it was received. The council went on to debate amongst themselves more on Wayne Bohling's trees, the trees on West Maple Street, the trees in Dukes yard on the City's right of way, and that items of this nature need to be presented to the whole of the council. Motion by Davis to pay the tree removal 2<sup>nd</sup> by Baldogo. Voting Aye: Baldogo, Davis, and Dukes; Voting Nay: Warrior and Zimmerline. Approved

Ryan Cooper stated he talked to two of his neighbors and got their opinions and scratched the idea. He would rather have happy neighbors, and is withdrawing his request. Motion by Baldogo to deny the permit to discharge fire arms, 2<sup>nd</sup> by Davis. Approved

Mayor Miller stated that we do not have signs in alley ways and they are being blocked, and he thinks the city should think about putting a few of them up. Mayor said it's not that we don't want people parking in them just to be mean, those alleys need to stay clear for emergency services and he is pretty sure the fire chief is going to be testy if he scratches the bumper on his new truck to push a car out of the way to put out a fire. Mayor also stated we are still getting reports of people parking in alley ways so we need to think about it. Dukes said to start with the alleys around the square, and Zimmerline said at least the ones we are having problems with. Baldogo stepped in and quoted the Iowa Code "321.236 - Local authorities shall have no power to enact, enforce" .Extra "321.237 - a traffic ordinance or regulation enacted under section 321.236, subsection 4, 5, 6, 8, 12, or 13, shall not be effective until signs, giving notice of such local traffic regulations as specified in the department manual on uniform traffic -control devices, are posted upon or at the entrances to the highway". Baldogo would like signs specific to alleys, not just no parking any time, and if you order through the company she found 20 or more is the same price as the other one was quoted, at \$14.95 apiece. Baldogo stated that if the City did (the only thing required is one sign at each intersection between the alley and the street so that is 4 signs per block) all 8 blocks touch the square it would be 32 signs at \$14.95 that would be \$478.40. Dukes thinks few extra signs just in case they get knocked down, is a good idea. Davis made a suggestion that 40 should be ordered. Baldogo said since this issue has been brought up other people have expressed even alleys clear up on north end of town on Benton, have issues. Motion by Dukes to purchase no parking in alley signs, 2<sup>nd</sup> by Davis. Approved

Don Downing asked about loading and unloading zones, Mayor Miller told Downing to please not interrupt the meeting sir.

Zimmerline said this is why the public wants to speak, because the council is going to vote it and pass it, and the public is not going to have any wording at all on what is voted and passed. Zimmerline said he isn't going to be able to voice his opinion on the topic. Amber Randol stepped up and said we are members of the community and we pay your salaries, so we should have an opinion. Mayor Miller addressed the issue, in stating, that when he allows it, it opens up to a free for all. There is screaming and yelling, and he is not going to let it go to that anymore. By law the public do not have the right to speak at the Council Meetings, according to the state law; and that this is a business meeting so the council can conduct business. Mayor Miller said if you want information on this stuff please talk to your Council Members and himself, we have doors and home phones. Zimmerline state he had issues with this as well, when it's one on one it's easy for someone to change the word around as how something was worded. Then if done at the Council it's harder for word to get changed around. Zimmerline feels that's why the Council is there, is to address the concerns of the community and that they should come to a meeting. Why should they come to a Council Member outside a meeting? We are getting paid to represent them, so that is what we need to be doing.

Kay Bax said that there are many ways to run a meeting; some at the beginning and some at the end, which does no good. Many recommend that each agenda item has time for people to give their input before the Council discusses and make your decision. This way you know exactly how people are feeling. It can be done in a very pleasant way it does not need to turn in to a free for all, but does give people the opportunity to say what they want to say.

Zimmerline said, that it's hard for them to speak on something before the fact of it on the agenda. How can people talk about say the purposed cleaning duties, when we are talking about it they may already get their answers. Then there would be no need for them to speak, because we are talking about what the Council will be doing with it.

Mayor Miller stopped everything and stated we are getting off topic now, and we are going to stay on point.

Motion by Warrior to approve **Resolution No. 2017.7 Setting Salaries for FY 2017/2018**. 2<sup>nd</sup> by Dukes. Approved.

Mayor Miller asked Warrior if he talked to any of the city workers if there was room for the new equipment. Warrior stated, he had not. Davis had a concerns on marry-go-round that is up there, a lot of other city parks are taking them out due to liability issues, and is it something that they need to discuss? Warrior was up there this weekend and it will stop its self, and it is hard to push around. Motion by Warrior to postpone the purchase of park next meeting when David is back, 2<sup>nd</sup> by Zimmerline. Approved

Mayor Miller presented a building permit for new sidewalk at 407 Jefferson by Jessy Ramey. Mr. Ramey has copies of the City standards and has agreed to follow them. Mayor recommended the approval at this time. Motion by Baldogo to approve the building permit for the new sidewalk, 2<sup>nd</sup> by Zimmerline. Approved

Mayor Miller said they had attended a small city workshop and a lot of cities do have a designated amount that they spend on abatements; the amount varies. Mayor said the council doesn't have to and he just wanted to put it before the council to consider it. This way we would know the amount the city has to work with and an idea of the funds for the abatements. Davis asked if this is something that will be worked in to the budget, Mayor Miller, said no this is something that will just come out of the general fund. Dukes asked if the Mayor is just wanting to set an amount; Mayor Miller said, yes. Mayor Miller said the funds won't come from the magic budget money but from the Cities treasury. The Council bounced around ideas, questions and amounts on the abatement amounts. Motion by Baldogo to set a \$20,000.00 cap for nuisance abatements, 2<sup>nd</sup> by Dukes. Voting Aye: Baldogo, Davis, Warrior and Dukes; Voting Nay: Zimmerline. Approved

Mayor Miller presented his idea on amending the police budget, and stated if you flip to the 2<sup>nd</sup> page there is a breakdown of the current budget and what it would be. The 41K will be the actual increase. The reason the Mayor is asking for this amendment is, the meeting they went to in Anita, and the Mayor was approached by one of our adjoining cities to go together on either a police officer or abatement officer. The Mayor stated he is negotiations at this time to elevate a major portion of the increase. It is in negotiation stage right now, nothing is in writing, and he had nothing to add, but will know more in two days. The joining city will meet on Wednesday and they will have a figure on what they can spend. Mayor Miller is hoping to levitate 50%, as it stands he has reservations on sustaining this in the long run, and knows we can do it for at least 5 years and that is the minimum business plan you should look at. Looking at it in 10 years, the Mayor did not know if this proposal would be sustainable or not. Mayor believes that if he can cut the cost in half or more it will be sustainable in the long run. He also stated he will crunch hard numbers once he get more information on it. Mayor Miller also stated that if it does not look sustainable that he will recommend that they don't do it.

Zimmerline asked what this is going to do to benefit us. Mayor Miller said, this will have more coverage. Warrior stated that if this does happen that he would like to see the following, as what he has heard it makes no sense. They need to live in Fontanelle, they will need to work night shifts, work weekends. Mayor Miller stated that if it does move in to a full time position it will be broken shifts it's not going to be a slandered 7-3, and we will be sharing with a joining community. Zimmerline re-iterated his question on how this will benefit us if we are sharing. Mayor Miller said it would be hard pressed to find someone qualified with in the city limits. Zimmerline also asked what kind of salary we are looking at for one. The Mayor stated he figured in \$60,000.00 and that would put the support dollars at \$17,000.00, and if council does decide to move forward there will be startup costs. Zimmerline also went on and asked if this will affect our compensation insurance for our other employees.

Officer Henry stepped forward and asked the Mayor, if could say anything since this is his police budget they are talking about. Mayor Miller said he will allow it. Officer Henry stated he was disappointed in the lack of communication, as he has had no communication from the Mayor. He didn't find out anything until a citizen came and told him about the City hiring a full time police chief. Officer Henry asked the Mayor why he didn't say anything, or why he wouldn't offer it to him. Mayor Miller came back and said, he knew Officer Henry would be able to take the position. Officer Henry came back, and stated, he could have retired two years ago and could walk away from Creston PD. So why not talk to him, and say; hey would you be interested. More was talked about at length between Officer Henry and Mayor Miller on the subject of amending the police budget and the hiring of a full time police officer for Fontanelle.

Officer Henry stated some information for the Council to think on: City of Adair has population of 785 and salary of police chief \$47000, Afton population of 845 salary \$51000, Stuart population 1700 salary approximately \$47000, Greenfield population 1800 salary \$55000, and Creston 7800 salary \$73000. Henry said this whole thing has been very shady and wrong.

Zimmerline, stated he looked online and found the average for an Iowa State Patrolman is \$47810.00 as a starting salary. He also stated that the Council said in the past that they could not match Greenfield's wages for our city workers. And this brings back that we should pay them more. We have three guys that there are at least 14 guys doing the same thing. Zimmerline understands Greenfield is bigger, but he just can't see the justification of paying a cop more than David makes when the city worker's job is just as dangerous.

Much more was discussed between the Council and Officer Henry on the subject of a full time police officer.

Davis stated this was just a discussion point as the five Council members cannot get together to discuss anything except at the meetings. So they put the items on the agenda to kick around the ideas and talk to each other. Just because it is on the agenda we don't make a motion on it or act on it, and when we do we get attacked. Many of the public tried to make a statement and Mayor Miller stated to please stop.

Roger Young stood up and said to the Mayor, you don't want to listen to the people at all, you sir are a poor excuse for a Mayor.

Amber Randol stated that we are your citizens and our tax dollars are paying you, so if you want backing from the community let us speak.

Mayor Miller asked the citizens on how many of them think that Fontanelle needs a full time cop? No one raised their hands. Then asked if they wanted no police present. The Citizens stated, that is not what they are saying, and happy with what they have now.

Kay Bax said it's hard to justify having a police officer full time when the police report stats for June has very little on it with no serious problems. She stated that do we need a police officer, yes; do we need a full time one, absolutely not.

Many more people made their thoughts and opinions known on the full time police officer, nuisance abatements, and also much was talked on the several council members meeting outside council meeting as a quarm. Motion by Davis to not amended the police budget, 2<sup>nd</sup> by Warrior. Approved

Davis, stated that the raise for the cleaning duties were postponed from the last meeting. She pointed out to Lynn Eddy that it's nothing he has or has not done, just they wish to have a job description in place. Lynn Eddy expressed that he would sit down with any two council members and Amanda to discuss this. Lynn also stated he is disappoint in the council not coming to him and just talking to him first. Davis stated that the raise will be back dated to July 1<sup>st</sup> once the duty questions are taken care of.

The purposed Ordinance change on the City Square for parking was discussed; on how it would affect the snow removal in the winter, and the use for the inside of the square to park cars on trips for the bank and so forth. Motion by Davis to postpone tell next month meeting, 2<sup>nd</sup> by Zimmerline. Approved

Linda Marnin stated she just wanted to state she was opposed to the gun range, but Ryan Cooper had told her that he will be dropping the idea on Saturday.

Motion by Warrior to approve 16Oaks Liquor request to have native wines for public to take with them, 2<sup>nd</sup> by Zimmerline. Approved  
Officer Henry presented his police reports and stated the new speed sign is really helping to slow traffic down.

Council reviewed the department reports, Warrior and Shawn Tipling shared the problems that came up with the water tower and master meter. Shawn had to manually check all weekend to make sure the water tower was not getting to much water sent to it. The problem was fixed and a bid is being done so if the system breaks down again we could have a backup system.

Motion by Davis to approve the clerk's reports, bills and minutes, 2<sup>nd</sup> by Warrior. Approved

**BILLS PAID IN JUNE, BUT NOT APPROVED**

Massena Chamber of Commerce	Fireworks	\$1,500.00
Held, Amanda	Mileage	\$113.40
Iowa Workforce Development	Un-employment Ins	\$46.02
Iowa Dept. of Rev	Contributions	\$1,172.00
United Health Care	Group Ins	\$4,433.38
GMU	Water	\$3,265.70
Westphal Iron works	Sign	\$250.00
IPERS	Contributions	\$2,368.55
IRS	Contributions	\$2,105.83
<b>Total</b>		<b>\$15,254.88</b>

**BILLS PAID IN JULY BUT NOT APPROVED**

Zimmerline, Jack	Meter Reading	\$400.00
Country Blooms	Lawn Care	\$3,695.00
IRS	Contributions	\$1,989.79
Farmers Lumber	Supplies	\$58.07
Library	Quarterly Dues	\$6,825.00
Iowa Rev	Sales tax	\$2,118.00
<b>Total</b>		<b>\$15,085.86</b>

**BILLS READY TO PAY**

Iowa League of Cities	Dues	\$647.00
Verizon	Cell Phones	\$107.31
GMU	Water	\$3,640.17
Banyon	Vault Backup	\$129.00
Grantham Sanitation	Garbage Hauling	\$386.00
Municipal Supply	Nuts & Bolt	\$366.86
Windstream	Phone Internet	\$232.15
IPAIT/SIMECA	Electric Purchase	\$8,800.70
Jim Scott	Electric Purchase	\$6.43
Rod Dukes	Electric Purchase	\$8.55
State Hygienic Lab	Lab Testing	\$410.00
Visa	Postage/Classes	\$716.03
Alliant Energy	Gas	\$29.09
Schildberg Construction	Road Rock	\$191.98
WAPA	Electric Purchase	\$10,748.35
Farmers Electric	Electric Usage	\$353.28
Forward Fontanelle	Electric Purchase	\$5,556.23
Matheson Tri-Gas	Oxygen	\$84.00
IAMU	Swiss Dues	\$670.40
Border States	Lights	\$2,100.62
IDNR	Water License	\$185.34

Cintas	Shirts	\$297.87
Agriland FS	LP Gas	\$220.80
Clint Hight	Legal Exp	\$50.00
Fontanelle Observer	Publishing	\$91.33
Fox Welding	Pipe	\$110.04
ECHO	Terminal Box	\$112.42
Municipal Utilities	City Utilities	\$2,317.68
Casey's	gas	\$267.83
<b>Total</b>		<b>\$38,837.46</b>

<b>Revenues</b>		<b>Expenditures</b>	
General Fund	\$7,006.45	General Fund	\$15,141.67
Road Use Tax	\$6,964.78	Road Use Fund	\$1,261.17
Employee Benefit	\$399.26	Employee Benefit	\$508.46
Local Option Sales Tax	\$9,082.94	Water Fund	\$44,643.67
Meter Deposits	\$2.70	Meter Deposits	\$0.67
Water Fund	\$16,181.89	Water Sinking	\$30,420.00
Sewer Fund	\$7,872.82	Sewer Fund	\$5,363.45
Electric Fund	\$47,556.34	Electric Fund	\$35,200.10
Landfill Fund	\$739.57	Landfill Fund	\$0.00
<b>Total</b>	<b>\$95,806.75</b>	<b>Total</b>	<b>\$132,539.19</b>

Motion by Dukes for adjournment at 8:37p.m, 2<sup>nd</sup> by Warrior. Approved.  
 Attest: Amanda Held, City Clerk