

City of Agency, Iowa
Council Meeting
November 14, 2024

The regular meeting of the Agency City Council was called to order at 7:00 pm by Mayor Pro Tem Samantha Ulin at City Hall. Council members in attendance were Andrew Birch, Jacoby Deshler, Sara Jane Douglas and Steve O'Brien. Also present were Angel Schafer, Fred Clubb, Michelle Ludwig, Jim Lind, Jason Knaak, Randy Knaak, Deb Knaak, Mary Hannah, Royce Kent, Alan Novak, Dawn Benedict and Sheriff Don Phillips.

APPROVE OR AMEND AGENDA:

Ms. Douglas motioned to approve the Agenda. Second by Ms. Deshler. **All Ayes. Motion passed.**

CONSENT AGENDA

Ms. Deshler motioned to approve the Consent Agenda. Second by Mr. Birch. **All Ayes. Motion passed.**

COMMITTEE REPORTS

FINANCE COMMITTEE – Ms. Deshler advised everything is good.

STREETS, ALLEY, WATER & SEWER COMMITTEE – Mr. Birch advised he didn't have an update. Mr. O'Brien advised there was a bad crack in the 400 block of Hazel Street close to the intersection with Patricia. Mr. O'Brien asked if this crack could be sawed out or do we need to wait until the new budget? Mr. Clubb answered that for the problem to be fixed correctly it would need to be dug down 2 feet and add compacted rock. He further advised that in the past the City has used a contractor to fix the crack.

HEALTH COMMITTEE – Ms. Deshler advised that recycling bins have been delivered. Ms. Schafer advised that the city has received several complaints regarding the new recycling bins.

BUILDING & GROUNDS & PARKS – Mr. O'Brien advised that he didn't have an update. Mayor Pro Tem Ulin advised that Mayor Johnson had spoken with Tyler Batterson who has been mowing the cemetery the past few years is going to be clearing out the weeds and overgrowth to uncover 2 rows of headstones. Mayor Johnson asks that this topic be added to the agenda for next month to decide on how much it will cost. Mr. O'Brien asked if Fred would be able to add dirt to the uncovered area and where would the brush be disposed of. Mr. Clubb advised that he would add the dirt and haul the brush to the lagoon.

FIRE BOARD – Mrs. Ulin advised there is no update on the fire board.

Library Board – Ms. Deshler advised that she doesn't have an update. Ms. Schafer spoke about the Lunch at the Library Program and mentioned that the librarian is hoping to start a new group called Friends of the Library.

PERMITS – None

PUBLIC FORUM: No comments received during the public forum.

MAYOR/COUNCIL COMMENTS:

OLD BUSINESS:

SET FEE FOR EXTRA 64 GALLON TRASH TOTER

Ms. Schafer advised that at the last meeting the council voted to set the cost of an extra 64 gallon trash toter at \$20.00 per month with a minimum length of 6 months. The city has received multiple complaints regarding the 6 month minimum. The city was able to figure out how to add the cost to the monthly bill. Ms. Schafer is asking that this be allowed.

Mr. O'Brien made a motion to allow the extra toter fee to be added to the bill monthly. Second by Ms. Douglas. **Roll call vote.**

Ayes: Ulin, O'Brien, Deshler, Birch, Douglas

Nays: None.

Absent: None.

Extra Toter fee added monthly is approved.

204 N ANN ST

Pro Tem Mayor Ulin advised that the owner of Agency Auto has been served papers regarding the nuisance. The 30 days deadline started on November 13, 2024.

NEW BUSINESS

DAWN BENEDICT – ELECTRONIC SIGN

Mrs. Benedict spoke about the Agency Community Development Corporation (ACDC) received a grant from the Wapello County Foundation for an electronic sign. ACDC will be covering the cost of the rest of sign. She is asking for permission from the city to place the sign where the Agency Lions Park sign currently is. She further asks that the city be responsible for paying for the electricity and insurance on the sign and the installation. The cost for cement and electric supplies is estimate to be \$1,200.00. Linder Electric has volunteered their time to assist with installation. She advised that businesses and residents could pay a fee to advertise on the sign and that money could go to the cost of electricity. Mr. O'Brien asked why the city is using an out of state company to purchase a sign for our city. Mrs. Benedict answered that ACDC is paying for the sign not the city. Ms. Schafer advised that contact with Stewart Signs was established years ago when the talk of an electronic sign came up. Stewart Signs has maintained contact with the City ever since.

Ms. Deshler made a motion to allow the sign to be placed at the park and the city would be responsible for installation, insurance, and electricity. Second by Ms. Douglas. Roll call vote.

Ayes: Deshler, Birch, Douglas, Ulin, O'Brien

Nays: None.

Absent: None.

Sign placement is approved. Electricity, installation and insurance will be paid by the city.

MICHELLE LUDWIG – NUISANCE COMPLAINT

Mrs. Ludwig advised that she had looked in the the cities ordinance and code and she believes the water on her property is being dammed up by a neighboring property. Mrs. Ludwig read the cities definition of a nuisance out loud. She further read aloud section c, section o and section t out loud from the cities ordinance. Mrs. Ludwig asked the council to determine that this is a nuisance due to the storm water just pooling on to her property. She further advised that she spoke with the owner earlier today and he advised her that it's the cities problem. Mrs. Ludwig advised that she was in receipt of text messages where the owner tells her that he will do the dirt work and he then installed the water line while she was gone. She further states that when the owner calls her he threatens her. Mayor Pro Tem asked when was the last time that you spoke to the owner. Mrs. Ludwig said that she had spoken with him earlier today. Mayor Pro Tem Ulin advised that she had spoken with the owner and he advised that a contractor came in and installed the drain. Mrs. Ludwig spoke about the drain only be 3 sided and that there is nowhere for the water on her property to drain. Ms. Deshler asked where the water was going prior to the trees being removed. Mrs. Ludwig said that she was able to mow her property all the way up to the trees and she can no longer mow that area due to the water. Mr. O'Brien advised that he believed this was a civil issue and no a city issue. Mr. Birch advised that he felt the city should contact the Attorney regarding the issue. Ms. Deshler advised that it was up to the council to decide if this was a nuisance or not she asked why do we have ordinances if we aren't going to follow them. Mr. Birch advised that he felt the council couldn't determine if it was a nuisance because we aren't seeing it in person. Ms. Deshler advised that the council has had a lot of time to look at it. Ms. Deshler suggested that the city send a nuisance letter to the owner of the neighboring property covering section o and section t of the nuisance ordinance and that it will be up to the owner to prove that the drain was installed properly and that it's not a nuisance.

Ms. Deshler made a motion to send a nuisance letter to the owner of Corn Belt Seed Solutions. Second by Ms. Douglas. Roll call vote.

Ayes: Deshler, O'Brien, Birch, Ulin and Douglas

Nays: None.

Absent: None.

Nuisance letter will be sent by the city to Corn Belt Seed Solutions.

SEALED BIDS 1998 FORD F700 DUMP TRUCK

Mayor Pro Tem Ulin advised that two sealed bids had been received for the purchase of the 1998 Ford F700 Dump Truck. Mayor Pro Tem Ulin opened the bids at this time in the meeting. The first bid was received from Royce Kent for \$2,425.00 and the second bid was from Fred Clubb for \$511.00.

Mr. O'Brien made a motion to accept the highest bid. Second by Ms. Deshler. Roll call vote.

Ayes: Douglas, Ulin, O'Brien, Birch, and Deshler

Nays: None.

Absent: None.

Highest bid is accepted and Royce Kent will purchase the truck for \$2,425.00.

RENTAL INSPECTION – 201 E. MAIN ST APARTMENTS

Mayor Pro Tem Ulin asked Jason Knaak to speak about the rental inspection that he accompanied the Rental Inspector on to the apartments on Saturday November 9, 2024. Mr. Knaak advised that Mayor Johnson had asked him to meet at the motel and assist with the inspection on behalf of the fire department. Mr. Knaak advised that he saw a lot of things. There are wiring issues and an insect problem. Mr. Knaak advised that the inspector had told him it would take approximately a month to finish the inspection reports. Mr. O'Brien asked where the city stood if the building caught on fire and someone died due to it being placarded. Ms. Deshler advised that the placard says unfit for habitation and that the people who live there have been warned that it is unfit and if they choose to stay there they are taking the risk. Sheriff Don Phillips advised the council to seek counsel from the Attorney. Mr. O'Brien advised that the city needs to do something. Ms. Douglas asked if the city had enough proof to send a letter. Mr. Birch asked if the fire department could shut it down until it's brought up to code. Ms. Deshler advised that she wasn't disagreeing but that the council needed to think that there are people who live there who don't have access to live somewhere else. She advised that it's a safety issue and not the tenants. Ms. Douglas advised that she believes the city should involve the Attorney. Mr. O'Brien said council can't keep prolonging it.

Mr. O'Brien made a motion to set a special meeting with the Attorney and council for November 21, 2024. Second by Mr. Birch. Roll call vote.

Ayes: Deshler, Douglas, O'Brien, Birch, and Ulin

Nays: None.

Absent: None.

Special Meeting is set for Thursday November 21, 2024.

CENTRAL SQUARE SUPPORT AGREEMENT ANNUAL RENEWAL

Ms. Schafer advised that the annual renewal for the water billing software is due. Mr. Birch asked if the city was happy with the current system. Ms. Schafer advised that the city was.

Ms. Douglas made a motion to accept the contract for Central Square. Second by Mr. O'Brien. Roll call vote.

Ayes: O'Brien, Douglas, Birch, Deshler, and Ulin

Nays: None.

Absent: None.

The Central Square annual renewal is approved.

EMPLOYEE REVIEWS

Mayor Pro Tem Ulin advised that last year's wage increase was 3.5%.

Mr. Birch motioned to approve a 5% wage increase across the board. Second by Ms. Deshler. **Roll Call Vote.**

Ayes: Douglas, Birch, O'Brien, Ulin, and Deshler

Nays: None.

Absent: None.

5% wage increase passed.

ADJOURNMENT- Ms. Deshler motioned to adjourn. Second by Mr. O'Brien. **All Ayes. Meeting adjourned at 7:31 pm.**

Samantha Ulin, Mayor Pro Tem

Attest: Angel Schafer - City Clerk