

August 5, 2020

Mayor Flatness called to order the regular meeting of the Rockwell City Council at 7:00 p.m. on Wednesday, August 5, 2020. Council members present were Gauley, Meyer, Worley and Wentz with Koob via Zoom. Also present were Ben Nash, Pat Hurley, Barbara Rich, Scott McKinnon, Tom Hensley, Jay Siefken and Chief Whitney, with Dick Fridley via Zoom.

Wentz moved to approve the minutes of the previous meeting. Motion seconded by Worley. Koob questioned if we had approved water usage for the NTPA and campers at the previous meeting. It was stated that had not been discussed or approved, and the motion carried to approve the previous minutes.

The following bills were presented for approval:

PUBLIC SAFETY

Electronic Engineering .....	Monthly Service .....	\$	9.90
Cerro Gordo County Sheriff .....	Monthly Software .....	\$	30.00
US Cellular .....	Police Phone.....	\$	101.01
Creative Products Source .....	Stickers.....	\$	290.53
Law Enforcement Systems.....	Citations .....	\$	176.00
Stop and Shop .....	Gas .....	\$	521.03
Rockwell Coop Telephone Assn.....	Monthly billing.....	\$	89.89
Wellmark Blue Cross .....	Monthly premium health insurance....	\$	2390.03
Dearborn Group .....	Life Insurance .....	\$	34.80
Total Public Safety .....		\$	3643.19

PUBLIC WORKS

Stop and Shop .....	Gas .....	\$	612.65
Mid American Energy.....	Monthly billing.....	\$	2034.91
O'Reilly.....	Supplies .....	\$	40.96
Floyd & Leonard Auto Electric.....	Supplies .....	\$	54.00
Northland Manufacturing.....	Mower Deck repair.....	\$	55.00
Absolute Waste Removal.....	Monthly Billing.....	\$	5057.20
DNR.....	National Pollutant Discharge .....	\$	210.00
Jay Siefken .....	Cell Phone.....	\$	30.00
Tom Hensley .....	Cell Phone/Clothing.....	\$	98.21
Total Public Works .....		\$	8192.93

PUBLIC WORKS ROAD USE

Menards.....	Supplies .....	\$	40.48
Barco Municipal Products .....	Signs.....	\$	394.49
Traffic Safety Store.....	Speed Bumps.....	\$	1761.83
Deano's Road Dust Control .....	Dust Control.....	\$	705.00
Frank Dunn Co.....	Patch mix.....	\$	799.00
Total Public Works Road Use.....		\$	3700.80

CULTURE AND RECREATION

Rockwell Public Library .....	Monthly payment .....	\$	3833.33
Stop and Shop .....	Gas/Cemetery .....	\$	108.48
Total Culture and Recreation .....		\$	146.81

COMMUNITY AND ECONOMIC DEVELOPMENT

Mid American Energy.....	Monthly billing/Cemetery .....	\$	32.98
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Wellmark Blue Cross .....	Monthly premium health insurance....	\$	1912.10
Dahley Tree Service.....	Tree Removal .....	\$	3500.00
City of Rockwell.....	LGCC Water .....	\$	1625.97
Total Community and Economic Development.....		\$	7070.95

**GENERAL GOVERNMENT**

Rockwell Coop Telephone Assn.....	Monthly billing.....	\$	57.96
Mid American Energy.....	Monthly billing.....	\$	164.88
Dearborn Group .....	Life Insurance .....	\$	34.80
Emergency Management.....	Membership dues.....	\$	1477.00
NIACOG .....	Membership dues.....	\$	820.81
Counsel.....	Copier contract.....	\$	44.91
Mid-America Publishing.....	Publications .....	\$	814.19
Lynch Dallas, PC Attorneys .....	Nuisance Abatement.....	\$	800.50
WebWise Solutions.....	Domain Name .....	\$	18.00
M&N Heating and Cooling.....	Community Center/EMT Building .....	\$	2061.68
Staples .....	Supplies .....	\$	259.95
Total General Government.....		\$	6554.68

**BUSINESS UTILITY WATER**

Stop and Shop .....	Gas .....	\$	26.00
Rockwell Coop Telephone Assn.....	Monthly billing.....	\$	63.95
Mid American Energy.....	Monthly billing.....	\$	409.00
Wellmark Blue Cross .....	Monthly premium health insurance....	\$	7170.09
Dearborn Group .....	Life Insurance .....	\$	69.60
State Hygienic Laboratory .....	Water Test .....	\$	19.50
DNR.....	Water Supply Operations .....	\$	118.66
Iowa One Call .....	Locates .....	\$	30.60
Hawkins, Inc .....	Chemicals .....	\$	5.00
Postmaster.....	Water Bills.....	\$	145.25
UPS .....	Ship Water Test.....	\$	37.21
Total Business Utility Water.....		\$	8094.86

**BUSINESS UTILITY SEWER**

Eurofins.....	Waste water Test.....	\$	240.03
Total Business Utility Sewer .....		\$	240.03

**DEBT SERVICE STORM WATER**

McClure Engineering.....	Storm Water Project .....	\$	10525.94
McKiness Excavating, Inc .....	Storm Water Project/pmt 4 .....	\$	102343.30
Weier's Lawn Service .....	Spray/Storm Water Project .....	\$	174.00
Debt Service Storm Water .....		\$	113043.24

Meyer moved to approve the bills as presented. Motion seconded by Gauley. Koob questioned overtime pay. Mayor Flatness stated all time was approved, and Weier noted that in July there was three pay periods. Motion carried to approve bills for payment.

July Receipts: General \$10898.93; Road Use \$17468.55; Water Utility \$11787.20; Sewer Utility \$6589.61; Local Option \$14337.82; D. S. Pool \$1123.85; Storm Water \$2286.62.  
2019-2020 Gross Payroll:

Jay Siefken	59398.55	Tom Hensley	40418.86
Lorna Weier	33516.50	Richard Whitney	50298.01
Michael Flatness	3000.00	Randy Meyer	1000.00

Betty Gauley	1050.00	Tom Worley	1100.00
Brian Koob	900.00	Larry Wentz	1200.00

At 7:05 p.m. Gauley opened the public hearing to discuss the Fireworks Ordinance Title III Community Protection. Motion seconded by Worley.

Mayor Flatness presented Fireworks Ordinance Title III Community Protection 3-1-6 Sub par 7  
 7. F. Property Control/Penalty:

1. A person who uses a consumer firework in violation of subsection A of this section; or any person who is an owner, occupant, tenant, or otherwise having any possessory control, individually or jointly with other, of any premises who either sponsors, conducts, hosts, invites or permits the use of consumer fireworks on said premises which is in violation of subsection b, c, d, or e, of this section and is the intentional result of , or within the reasonable expectations of, the person or persons having such possessory control is deemed to be in violation of this sections.
  
2. Violation of this section shall be a Municipal infraction punishable by a penalty of two hundred fifty dollars (\$250.00). Alternatively, violation of this section can be charged by a peace officer of the City as a simple misdemeanor.

Mayor Flatness stated this gives us more leverage with enforcing the current ordinance. Following discussion, Gauley moved to close the public hearing. Motion seconded by Koob, carried unanimously.

Wentz moved to adopt said update to the Fireworks Ordinance as presented. Motion seconded by Meyer, carried unanimously.

Gauley moved to waive the second and third reading of said update to the Fireworks Ordinance. Motion seconded by Worley, carried unanimously.

Meyer moved to temporarily waive the weight embargo from the North City Limits to Elm Street from August 5, 2020 to August 9, 2020. Motion seconded by Gauley, carried unanimously.

Wentz moved by Resolution 2020-11 to approve the application for Tax Abatement by Andy and Dianna Boos, 104 Main Street West, for home improvements to be forwarded to the County Assessor Office. Motion seconded by Worley, carried unanimously.

Mayor Flatness noted the storm water project is moving on with the finishing work, noting the asphalt work will be rolled into the street repairs that we do later in the season.

Mayor Flatness stated the Router12 contract has been revised and forwarded to the City Attorney for review.

Siefken presented a proposal for a sewer line on Fourth Street South for property owner Barbara Rich. Siefken stated that public sewer should be within 150 feet of a residence property line, to get this sewer line to the city main in this case it is 346 feet to get to the main, for it to feasibly work. Siefken asked the Council to consider taking some of the cost for the extra work needed to reach the sewer main as well as the cost that has been paid on the property owner's utility billing. Koob felt this should be approved by the City Attorney prior to making a set amount.

Meyer felt that the City should cover \$5,038.00 to compensate for the billing and the extra line needed. Following discussion, Gauley moved to pay no more than \$5,038.00 towards the cost of making city sewer available to the property owners at 411 Fourth Street South. Motion seconded by Worley. Ayes; Gauley, Meyer, Wentz, Worley and Nay; Koob. Motion carried.

Mayor Flatness updated the Council on the nuisance abatement at 213 Main Street, noting that August 10<sup>th</sup> is the abatement date.

Siefken reported on the street work he has talked with Heartland Asphalt about for the fiscal year with the patching being add to this and resurfacing a portion of Fourth Street, Maple Street, Monroe Street, Arthur Street and the tennis courts and basketball court. Siefken noted he has not received a quote yet for the cost, but feels we have not expended as much on the storm water project for rock excavation and could put some of that towards the street repairs.

Mayor Flatness presented a nuisance abatement notice that Chief Whitney would like to use for enforcing the code with a set fine. Wentz moved to approve the notice to abate nuisance. Motion seconded by Gauley, carried unanimously.

Mayor Flatness opened discussion on the Code updates including the trailer parking. Wentz noted he has talked with NIACOG in reference to this and was recommended to strike the private property and make it twenty-five foot in length and not to allow for trailer parking on the right of way all year. Siefken noted that the right of way is city property that the abutting property owner maintains and they should be allowed to park their camper there during the camping season. Koob questioned what the reason for the ordinance is. Gauley noted snow removal concerns with parking on the right of way. Pat Hurley stated he did not agree with the ordinance change, this is a small town and a lot of residents camp and have a trailer they would park on the right of way and should be allowed to do so. Ben Nash also noted this makes it difficult for truck parking and being within 150 feet of a residential area to idle. Koob felt that Industrial Park should be excluded from this Ordinance for noise with trucks idling, but felt that trailers should not be parked on the right of way from November 1<sup>st</sup> to April 1<sup>st</sup>. With discussion Koob moved to table the codification and hold a workshop to have public input. Motion seconded by Wentz, carried unanimously.

Mayor Flatness set a special workshop for August 24<sup>th</sup> at 6:30 p.m. to discuss this section of the Code.

Mayor Flatness noted that the speed bumps are doing their job and slowing the traffic on First Street, some are in favor and some are not! Wentz noted the speed bumps are temporary.

Gauley asked about the water problems on Westview Drive South. Siefken noted the issues on the north side of Westview Drive South have been rectified and Ries will be grading the property on the back part of the south side.

Siefken stated that we need a letter stating the request for street light placement. Koob moved to request for a street light at 239 Westview Drive North and at 1220 Main Street East. Motion seconded by Worley, carried unanimously. Siefken will follow up with the request.

Koob noted he has been waiting for response from the engineer on the work to be done at the pool, permits are in place with the state.

Mayor Flatness noted the public safety committee meeting will be set up next week.

Mayor Flatness noted with the 150<sup>th</sup> celebration postponed, ideas could also be discussed at the August 24<sup>th</sup> public meeting.

Wentz asked about trees being taken down on First Street North. Weier noted the resident had been granted permission by Council to take down tree at own expense several months back.

Koob questioned the Fire Department providing water for the Lions Club to use for their barricades and filling campers. Meyer noted the Fire Department was not informed of providing water to campers. Siefken stated he would have the Fire Department track the amount of water hauled.

Nash asked about tree trimming. Siefken stated that abutting property owners are responsible for maintaining trees. Siefken noted they will be trimming some so the snow plow does not hit them.

Chief Whitney stated that the speed bumps are serving their purpose on First Street, with traffic moving to Second Street and Oak Street, he will have a speed bump moved to Second Street and Oak Street next week.

With no further business, Koob moved to adjourn the meeting. Motion seconded by Wentz, carried unanimously.

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Michael Flatness, Mayor

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Lorna Weier, City Clerk