

May 17, 2023

Mayor Wentz called to order the regular meeting of the Rockwell City Council at 7:00 p.m. on Wednesday, May 17, 2023. Council members present were Worley, Meyer, Morrison and Emhoff with Koob absent. Also present were Brad Jones, Sean Hannah, Zach Laudner and Chief Brunstein and Pat Hurley arriving later.

Morrison moved to approve the minutes of the previous meeting. Motion seconded by Worley, carried unanimously.

Brad Jones was present on behalf of the Rockwell Lions Club. Jones told the Council the NTPA will be held August 4th, 5th and 6th. Jones noted they are again asking to have the noise ordinance waived and allow for the use of ATV's. Chief Brunstein noted that ATV/UTV's are allowed on streets. With discussion, Emhoff moved to waive the noise ordinance during the NTPA event August 4th, 5th and 6th until 1:00 AM. Motion seconded by Meyer, carried unanimously.

Mayor Wentz presented the application from the Rockwell Lions Club for the liquor license for the NTPA event. Meyer moved to approve the liquor license for the Rockwell Lions Club. Motion seconded by Worley, carried unanimously.

Jones was also present on behalf of the Rockwell Chamber, stating that the Chamber is planning the July 3rd fireworks display, by Flashing Thunder, to be set off at the football field. Jones asked to have the noise ordinance waived and asked the Council for their financial support. Meyer moved to waive the noise ordinance on July 3rd for the fireworks display until 11:00 p.m. motion seconded by Morrison, carried unanimously. Emhoff moved to give the Rockwell Chamber \$2,500.00 for the fireworks display. Motion seconded by Morrison, carried unanimously.

Worley moved to approve the tobacco permit renewal for Jonesy's Stop and Shop. Motion seconded by Emhoff, carried unanimously.

Jones thanked the Council for their continued support as he left the meeting.

Mayor Wentz presented an application for liquor license renewal for the Rockwell American Legion Club. Chief Brunstein noted that they have not fenced the area behind the building and that should be done. With discussion, Morrison moved to approve the liquor license renewal for the Rockwell American Legion Club with a notice of putting the fence up. Motion seconded by Emhoff, carried unanimously.

Laudner, on behalf of the Linn Grove Country Club, requested the annual local option allocation for their water usage for the course. Laudner noted that a new meter was installed and with a more accurate reading they might need more than the previous years \$5,000.00. Meyer moved to allow the local option allocation of \$5,000.00 for the Linn Grove Country Club watering and re-evaluate the usage later in the season. Motion seconded by Worley, carried unanimously.

Mayor Wentz presented the following ordinance on the restrictions on the use of consumer fireworks:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWELL, IOWA, BY ADDING 3-1-8 RESTRICTIONS ON THE USE OF CONSUMER FIREWORKS, 3-1-9 SEIZURE OF FIREWORKS AND 3-1-10 EMERGENCY.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWELL, IOWA:

Section 1. That the Code of Ordinances of the City of Rockwell, Iowa, be amended to add 3-1-8, 3-1-9 and 3-1-10 reads as follows:

3-1-8 RESTRICTIONS ON THE USE OF CONSUMER FIREWORKS.

a. A person shall not use or explode Consumer Fireworks on days other than July 3rd through July 4th and December 31st through January 1st of each year, all dates inclusive.

b. A person shall not use or explode Consumer Fireworks at times other than between the hours of 5:00 p.m. and 11:00 p.m. on the July dates and 5:00 p.m. to 12:30 a.m. on the December dates.

c. All fireworks will cease fifteen minutes prior to and after the community display.

d. A person shall not use Consumer Fireworks on real property other than that person's real property or on the real property of a person who has consented to the use of Consumer Fireworks on that property.

e. Persons using or exploding Consumer Fireworks must be at least eighteen (18) years of age or older.

f. Persons using or exploding Consumer Fireworks are prohibited from being under the influence of alcohol or other drugs or a combination of such substances, while having a blood alcohol concentration of .08 or more or while having any amount of a controlled substance in the person's body.

g. No use or explosion of Consumer Fireworks is allowed on any public property, including parks, cemeteries, public rights-of-way, public parking lots, or sidewalks.

h. A person who violates this subsection commits a simple misdemeanor.

3-1-9 SEIZURE OF FIREWORKS.

1. Local Law Enforcement may seize, take, remove, or cause to be removed, at the expense of the owner, all Consumer Fireworks or Display Fireworks, offered or exposed for sale, used, stored, possessed, or held in violation of this Chapter.

3-1-10 EMERGENCY.

1. When, in the opinion of the Fire Chief, weather and soil conditions create a safety emergency so that the use of Consumer Fireworks and/or Display Fireworks creates a danger to the public or property, the Fire Chief may suspend, cancel, or prohibit the use of Consumer Fireworks and/or Display Fireworks.

Section 2. This Ordinance shall take effect following publication as required by law.

PASSED, APPROVED, and ADOPTED by the City Council of Rockwell Iowa, on the 17th day of May, 2023.

Meyer moved to approve Ordinance 1-2023 as amended. Motion seconded by Morrison. Roll call vote: Ayes; Worley, Meyer, Morrison and Emhoff, carried unanimously.

Meyer moved to waive the second and third reading of Ordinance 1-2023. Motion seconded by Emhoff, carried unanimously.

Mayor Wentz presented the following ordinance amending the burning of yard waste:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWELL, IOWA, BY 6-4-10 CITY YARD WASTE SITE

Be amended to the following:

6-4-10 CITY YARD WASTE SITE. Residents may utilize the City yard waste collection site according to the rules and regulations as established by the City Council.

1. Residents may burn yard waste at such dates and times as determined by the Rockwell City Council.

Section 2. This Ordinance shall take effect following publication as required by law.

PASSED, APPROVED, and ADOPTED by the City Council of Rockwell Iowa, on the 17th day of May, 2023.

Morrison moved to approve Ordinance 2-2023 as presented. Motion seconded by Worley, carried unanimously. Roll call vote: Ayes; Worley, Meyer, Morrison and Emhoff, carried unanimously.

Morrison moved to waive the second and third reading of Ordinance 2-2023. Motion seconded by Emhoff, carried unanimously.

Mayor Wentz asked for discussion on the First Street paving project. Laudner noted the cost with Heartland Asphalt. With discussion, Emhoff moved to accept the bid from Heartland for First Street from the North City limit to Main Street at a cost of \$205,394.95. Motion seconded by Worley, carried unanimously.

Laudner reported on repairs needed for the Case tractor, noting the tractor is in great condition, the mechanic had given two options to fix the issue. With discussion, Meyer moved to make the repairs needed with a cost of up to \$4,500.00. Motion seconded by Morrison, carried unanimously.

Laudner noted the siren at the South water tower does not communicate with the other siren. Laudner has contacted an electrician and it seems to be a motor starter. With discussion, Emhoff moved to seek another bid for the work and follow up with the lowest bid to have the work done. Motion seconded by Worley, carried unanimously.

Mayor Wentz noted complaints about dogs, being loose, barking and defecating. Hannah also noted the same issue with dogs in his neighborhood. Meyer asked to have code sent to residents noted.

Weier reported that the committee for the Jefferson Highway has contacted us that they will be having a caravan through Rockwell on the Jefferson Highway on June 7th at 1:30. Council feels this will be a great opportunity to have everyone spruce things up and be ready to show case our community!

Mayor Wentz reported that he and the committee have done interviews and would like to move forward with an offer to one of these. With discussion, Meyer moved to set the start wage at \$18.00 an hour with another dollar for each certification; CDL, CPO, water treatment, water

distribution, and waste water and to offer the Public Works position to the individual at said rates. Motion seconded by Emhoff, carried unanimously.

Weier presented the budget amendment for the 2022-2023 fiscal year, noting the main portion being the Library repairs that were mostly covered by insurance. Morrison moved to publish the hearing notice of amendment and set hearing for June 21, 2023 at 7:05 p.m. Motion seconded by Worley, carried unanimously.

Emhoff has talked with Noss Landscaping about doing work around the sign at Highway 65 and Elm Street and will contact Northland Manufacturing about the Main Street planters and sign.

Worley asked if anymore has been discussed on the cameras. Contac will be made about pricing.

Morrison reported that work continues on the pool, the goal is still to open Memorial Day weekend. Morrison stated that Jade Stubbe will be the manager. Morrison also noted that the Lions Club has two members to take positions on the board.

Emhoff stated she had put out some feelers about a Farmers Market, with positive feedback. More will be discussed at the next meeting.

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

Larry Wentz, Mayor

Lorna Weier, City Clerk