

**UNAPPROVED MINUTES**  
**Earlham City Council Meeting**  
**February 12, 2024**

The Earlham City Council met in regular session on Monday, February 12, 2024, at Earlham City Hall. Mayor Lillie called the meeting to order at 7:00 p.m. and the following answered roll: Fredericksen, Miller, Mudge, Nelsen, Visser. Also present: Clerk Hibbs, Police Chief Stringham, and Public Works Supervisor Coffman.

1. APPROVAL OF AGENDA

**Motion by Mudge, second by Visser, to approve agenda.**

**Roll: Ayes – unanimous. Motion passes.**

2. PUBLIC HEARINGS – FY 24 Budget Amendment #1

Mayor declared the meeting open at 7:01p.m. No one present to address this issue. Hibbs stated there were no written or oral comments received at city hall.

**Motion by Nelsen, second by Fredericksen, to adjourn the public hearing.**

**Roll: Ayes – unanimous. Motion passes. Public Hearing closed at 7:02 p.m.**

3. PUBLIC FORUM - none

4. CONSENT AGENDA:

a. Council meeting minutes for 01-08-24

b. Budget Workshop minutes for 1-22-24, 2-1-24

c. Treasurer’s Report for 02-12-24

d. Claims and Receipts Report for 02-12-24

e. Consider approval of FY23 Annual Urban Renewal Report

f. Consider approval of renewal of Liquor License #BW0096936 Special Class C Retail Alcohol License for Beans & Beignets LLC

**Motion by Fredericksen, second by Mudge to approve consent agenda.**

**Roll: Ayes – unanimous. Motion passes.**

5. DEPARTMENT REPORTS

a. Public Works - Gary Coffman, Public Works Supervisor

Snow plowing for a week. SW project progress report. Still waiting on two pumps. It’s starting to work. Trying to figure a few things out. Waiting on small pumps. Blowers were replaced within last 3 years, and one has already froze up. While doing DNR reports, he noticed water usage has gone up. Found a service line leak at a vacant house. Hauled leaves out to Petticort to avoid burning. Mayor mentioned they did a great job on snow removal. PW employees went above and beyond to get streets cleared.

b. Police Department – Chief Matt Stringham

Chief stated they were also busy with the snow events, in city, on interstate and roads surrounding Earlham. Everything is good with school and Gary. Noted citizens did a good job of getting cars off of the streets during snow removal.

c. Library – Justina Meek Library Director

Plan for backyard was in packets. Wants direction as what to do next. Cannot use cement pad in back, needs to be torn out and new installed. Coffman stated he looked at plan and sees no reason for permit, it’s just a landscaping design. Reminded council they received a \$10,000 grant. Stated backyard has become unmanageable. \$3,600 will be spent on automatic back door for accessibility. Remainder of money for concrete and planters. Looking for simple maintenance. Friends of Library will help with any other expenses. Consensus of Council agrees with plan. She asked if city could break up the concrete and haul it away. Coffman said they could take care of that.

6. BOARD, COMMISSION, COMMITTEE REPORTS – none

7. UNFINISHED BUSINESS

- a. Consider approval of Second Reading of Ordinance No. 449, An Ordinance Granting to MidAmerican Energy Company, Its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Earlham, Iowa, a Natural Gas System and to Furnish and Sell Natural Gas to the City and Its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years.

Hibbs said she spoke with Tyler Gartenberg from MidAmerican Energy who laid out the process going forward. Hibbs stated this ordinance has a 0% fee. We will need to pass a revenue statement resolution, hold a public hearing, and amend the ordinance with the percentage desired.

**Motion by Mudge, second by Nelsen, to approve the Second Reading of Ordinance No 449 Granting to MidAmerican Energy Company, Its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Earlham, Iowa, a Natural Gas System and to Furnish and Sell Natural Gas to the City and Its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years.**

**Roll: Ayes – unanimous. Motion passes**

- b. Consider approval of motion to Waive Third Reading of Ordinance No. 449.

**Motion by Mudge, second by Visser, to Waive the Third Reading of Ordinance No 449.**

**Roll: Ayes – unanimous. Motion passes.**

- c. Consider approval of Second Reading of Ordinance No 450, An Ordinance Granting to MidAmerican Energy Company, Its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Earlham, Iowa, an Electric System and Communications Facilities and to Furnish and Sell Electric Energy to the City and Its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years.

**Motion by Fredericksen, second by Miller, to approve the Second Reading of Ordinance No 450. Granting to MidAmerican Energy Company, Its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Earlham, Iowa, an Electric System and Communications Facilities and to Furnish and Sell Electric Energy to the City and Its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 25 Years.**

**Roll: Ayes – unanimous. Motion passes.**

- d. Consider approval of motion to Waive Third Reading of Ordinance No. 450.

**Motion by Fredericksen, second by Mudge, to Waive the Third Reading of Ordinance No 450.**

**Roll: Ayes – unanimous. Motion passes.**

8. NEW BUSINESS

- a. Colleen Peterson, Linda Smith, Historical Preservation – Intensive Survey Update, Historical District. Colleen stated the Intensive Survey is completed. Eligible to go for nomination to National Register. Applying for grant for nomination fee. Work on report in 2025, and 2026 will get final determination. Survey report has a vast amount of historical information on the 37 buildings included in the survey. Includes a detailed history of Earlham’s economic history. Has requested for a grant for structural engineer to look at West Side’s north wall. It is an original interior wall now serving as an exterior wall, and is in need of attention. She also mentioned they can help with new Comprehensive Plan wording. They would like a preliminary copy to look at before the Comp Plan meeting.

- b. Connie Terry – Levitt AMP Summer Music in the Park.

Amy Hopkins spoke for Connie Terry. Dates of concerts will be June 2 through August 11, excluding July 7<sup>th</sup>. Once again asked for custodial services, security services, exemption for vendors at park, and for noise ordinance exception. Hibbs explained they will still need to fill out a permit form so we can make sure they have their state license and inspection. She also explained there needs to be a contract between Chicks and City for donation to a non-profit.

- c. Tracy Griffin – Freedom Fest  
Annie Massure present for Tracy Griffin. Last year was best Freedom Fest as far a turnout and response from community. Fundraising has been hard. Difficult getting Miss Earlham contestants and that use to be a big fundraiser. Going to have an upcoming fundraiser. People don't realize how much money it takes for all of the events. Need dumpster at pool for vendors camping, as well as 150-amp outlet. Internet at park has been problem. Mayor said he would get ahold of Mediacom and/or Century Link to ask about a portable wi-fi station/hot spot. He said city will cover port-a-potties, garbage, and attempt to do something about wi-fi. Request to be on next month's agenda with more details.
- d. Consider approval of Ordinance No. 451, Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Chapter 75 Golf Carts, ATVS, UTVS, And Snowmobiles  
Hibbs explained this was to make the permit a 2-year permit with a fee of \$75.00.  
**Motion by Mudge, second by Visser, to approve Ordinance No. 451 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Chapter 75 Golf Carts, ATVS, UTVS, And Snowmobiles**  
**Roll: Ayes – unanimous. Motion passes.**
- e. Consider approval of motion to Waive Second and Third Readings of Ordinance No.451.  
**Motion by Frederickson, second by Mudge, to Waive Second and Third Readings of Ordinance No. 451.**  
**Roll: Ayes – unanimous. Motion passes.**
- f. Consider approval of Resolution No. 24-04, A Resolution to Participate in the Planning and Development Programs of the Southern Iowa Council of Governments.  
**Motion by Mudge, second by Fredericksen, to approve Resolution No. 24-04, A Resolution to Participate in the Planning and Development Programs of the Southern Iowa Council of Governments.**  
**Roll: Ayes – unanimous. Motion passes.**
- g. Consider approval of Resolution No. 24-05 Approving Budget Amendment #1 for FY24.  
**Motion by Fredericksen, second by Miller, to approve Resolution No. 24-05 Approving Budget Amendment #1 for FY24.**  
**Roll: Ayes – unanimous. Motion passes.**
- h. Discussion - private swimming pool regulations  
Visser stated there is nothing in the Iowa Code regarding residential pools. Most of it is insurance company requires you to have fence for liability. Previous Public Works Supervisor Bruce Koboldt requested city look into this. He thought it had been in the code. There are 8 residential pools in Earlham with no fences. This also puts the city at risk. Mayor suggested this go to the Public Safety Committee for further discussion. Meeting set for Monday February 26<sup>th</sup> at 6:00 p.m.
- i. Consider approval of motion to reimburse Jordan Russell in the amount of \$4300.  
Mayor explained this was due to building permit for garage that was withdrawn by Veenstra & Kim.  
**Motion by Fredericksen, second by Mudge, to approve reimburse Jordan Russell in amount of \$4300.**  
**Roll: Ayes – unanimous. Motion passes.**
- j. Set date and time for Public Hearing on electric and gas franchise fees, for Monday, March 11, 2024, 7:00 p.m.  
**Motion by Mudge, second by Visser to, set Public Hearing on electric and gas franchise fees, for Monday, March 11, 2024, 7:00 p.m.**  
**Roll: Ayes – unanimous. Motion passes.**
- k. Set date and time for Public Hearing for Property Tax Levy for Thursday, March 28, 2024, 6:30 p.m.  
**Motion by Fredericksen, second by Nelsen, to set the Public Hearing for Property Tax Levy for Thursday, March 28, 2024, 6:30 p.m.**  
**Roll: Ayes – unanimous. Motion passes.**

1. Set date and time for Special Session Council meeting for Thursday, March 28, 2024, 7:00 p.m. to set date and time for Public Hearing on Full FY25 Budget,  
**Motion by Mudge, second by Miller, to set a Special Session Council meeting for Thursday, March 28, 2024, 7:00 p.m., to set date and time for Public Hearing, and consider adoption, on the Full FY25 Budget**  
**Ayes – unanimous. Motion passe.**

9. MAYOR’S REPORT

Has been attending budget meetings for city, county, SICO, assessor, emergency management service, and Madison County Development Group. It is his understanding RAGBRAI will not be coming through Earlham. Route will be going through southern part of county.

10. CLERK’S REPORT – budget

Regular duties, concentrating on budget.

11. COUNCIL COMMENTS/DISCUSSION - none

12. ADJOURN

**Motion by Mudge, second by Fredericksen, to adjourn.**

**Roll: Ayes – unanimous. Motion passes.**

Being there was no further business, meeting was adjourned at 8:24 p.m.

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Jeff Lillie, Mayor

Attest:

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Mary Sue Hibbs, Clerk/Treasurer