

Earlham City Council Meeting
August 12, 2024

The Earlham City Council met in regular session on Monday, August 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. Absent: Visser. Also present: Clerk Hibbs, Police Chief Stringham, Public Works Supervisor Coffman.

1. APPROVAL OF AGENDA

Motion by Nelsen, second by Mudge, to approve agenda.

Roll: Ayes – unanimous. Motion passes.

2. PUBLIC HEARINGS

a. Ordinance No. 449 Gas Franchise

Mayor Lillie called the public hearing open at 7:01 p.m. Hibbs stated there were no oral or written comments received at City Hall. No one present to address the issue.

Motion by Fredericksen, second by Mudge, to close public hearing on Ordinance No 449.

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

b. Ordinance No 450 Electric Franchise

Mayor Lillie called the public hearing open at 7:02 p.m. Hibbs stated there were no oral or written comments received at City Hall. No one present to address the issue.

Motion by Miller, second by Fredericksen, to close public hearing on Ordinance No 450.

Roll: Ayes – unanimous. Motion passes. Public Hearing was closed at 7:03 p.m.

3. PUBLIC FORUM – none

4. CONSENT AGENDA:

a. Council meeting minutes for 7-15-24, Special Session meeting minute 7-18-24

b. Treasurer’s Report for 8-12-24

c. Claims and Receipts Report for 8-12-24

d. Consider approval for renewal of Liquor License No. LG0000947 for Class B Retail Alcohol Licenses (LG) for Hometown Market

e. Consider approval of Stephanie Raber to fill Community Building Board vacancy, term ending 6-30-29.

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

Normal mowing, trimming spraying. Filled several pot holes. Talked with new company just outside of town that has process for filling pot holes. Did a demo in front of city shop. Will see how it does. Working on tree grant. Vacuum at pool is having issues. Hopefully it will last the season. Water tower will be inspected tomorrow. Separated the old street lights. Scrapped 7 poles for \$100 each. Coffman stated the poles were originally paid for by individual citizens. No city money spent. Coffman has contacted the City of Greenfield. Council agreed if Greenfield can use any of them to replace storm damage, Earlham will just give to them. He said to put remaining poles on Facebook for \$100 each. Lagoon project hit a snag with ammonia levels in cell 3. He will be taking multiple samples for the next two weeks to see if they can determine what is going on.

b. Police Department – Chief Matt Stringham

Chief stated Freedom Fest went well. No problems. Officers have all re-qualified on firearms. New car is here. Just waiting to get equipment out of old car transferred to new car. Music in park is finished. Had no problems at all this year.

6. BOARD, COMMISSION, COMMITTEE REPORTS - none

7. UNFINISHED BUSINESS – none

8. NEW BUSINESS

- a. Consider approval of First 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.
Motion by Mudge, second by Fredericksen, to approve First Reading of Ordinance No. 449
Roll: Ayes – unanimous. Motion passes.
- b. Consider approval of motion to waive Second and Third Readings of Ordinance No. 449.
Motion by Nelsen, second by Miller, to approve waive Second and Third Readings of Ordinance No. 449
Roll: Ayes – unanimous. Motion passes and Ordinance No. 449 is approved.
- c. Consider approval of First 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 Mudge, to approve First Reading of Ordinance No. 450.
Roll: Ayes - unanimous. Motion passes
- d. Consider approval of motion to waive Second and Third Readings of Ordinance No. 450.
Motion by Fredericksen, second by Mudge, to approve waive Second and Third Readings of Ordinance No. 450.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 450 is approved.
- e. Consider approval of First Reading of Ordinance No. 458 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Chapter 106.08 Collection of Solid Waste – Collection fees.
Motion by Mudge, second by Miller, to approve First Reading of Ordinance No. 458 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Chapter 106.08 Collection of Solid Waste – Collection fees.
Roll: Ayes – unanimous. Motion passes.
- f. Consider approval of motion to Waive Second and Third Readings of Ordinance No. 458.
Motion by Mudge, second by Nelsen, to waive Second and Third Readings of Ordinance No. 458.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 458 is approved.

Note: items f through t are as a result of 2024 legislative changes

- g. Consider approval of the First Reading of Ordinance No. 459 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Chapter 5.06 Pertaining to Electronic Meetings.
Motion by Fredericksen, second by Mudge, to approve First Reading of Ordinance No. 459 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Chapter 5.06 Pertaining to Electronic Meetings.
Roll: Ayes – unanimous. Motion passes.
- h. Consider approval of motion to Waive the Second and Third Readings of Ordinance No. 459.
Motion by Fredericksen, second by Miller, to waive Second and Third Readings of Ordinance No. 459
Roll: Ayes – unanimous. Motion passes and Ordinance No. 459 is adopted.

- i. Consider approval of First Reading of Ordinance No. 460 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 35.13 Fire Officials Authority to Cite Violations.
Motion by Mudge, second by Nelsen, to approve First Reading of Ordinance No. 460 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 35.13 Fire Officials Authority to Cite Violations.
Roll: Ayes – unanimous. Motion passes.
- j. Consider approval of motion to Waive the Second and Third Readings of Ordinance No. 460.
Motion by Mudge, second by Nelsen, to waive Second and Third Readings of Ordinance No. 460.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 460 is approved.
- k. Consider approval of First Reading of Ordinance No. 461 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Provision Pertaining to Chapter 7.05 Operating Budget Preparation.
Motion by Fredericksen, second by Mudge, to approve First Reading of Ordinance No. 461 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, by Amending Provision Pertaining to Chapter 7.05 Operating Budget Preparation
Roll: Ayes – unanimous. Motion passes and Ordinance No. 461 is approved.
- l. Consider approval of motion to Waive the Second and Third Readings of Ordinance No. 461.
Motion by Miller, second by Nelsen, to waive Second and Third Readings of Ordinance No. 461
Roll: Ayes – unanimous. Motion passes and Ordinance No. 461 is approved.
- m. Consider approval of First Reading of Ordinance No. 462 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017 by Amending 60.02 Pertaining to Pedestrians’ Right-Of-Way.
Motion by Nelsen, second by Miller, to approve First Reading of Ordinance No. 462 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017 by Amending 60.02 Pertaining to Pedestrians’ Right-Of-Way.
Roll: Ayes – unanimous. Motion passes.
- n. Consider approval of motion to Waive the Second and Third Readings of Ordinance No. 462.
Motion by Fredericksen, second by Mudge, to waive Second and Third Readings of Ordinance No. 462.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 462 is approved.
- o. Consider approval of First Reading of Ordinance No. 463 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 18.03 Publication of Minutes.
Motion by Fredericksen, second by Miller, to approve First Reading of Ordinance No. 463 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 18.03 Publication of Minutes.
Roll: Ayes – unanimous. Motion passes.
- p. Consider approval of motion to Waive Second and Third Readings of Ordinance No. 463.
Motion by Mudge, second by Nelsen, to waive Second and Third Readings of Ordinance No. 463.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 463 is approved.
- q. Consider approval of First Reading of Ordinance No. 464 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 136.04 Sidewalk Liability.
Motion by Fredericksen, second by Mudge, to approve First Reading of Ordinance No. 464 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Chapter 136.04 Sidewalk Liability.
Roll: Ayes – unanimous.
- r. Consider approval of motion to Waive Second and Third Reading of Ordinance No. 464.
Motion by Mudge, second by Fredericksen, to waive Second and Third Readings of Ordinance No. 464
Roll: Ayes – unanimous. Motion passes and Ordinance No. 464 is approved.

- s. Consider approval of First Reading of Ordinance No. 465 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Adult Establishment Nuisances.
Motion by Fredericksen, second by Miller, to approve First Reading of Ordinance No. 465 Amending the Code of Ordinances of the City of Earlham, Iowa, 2017, Pertaining to Adult Establishment Nuisances.
Roll: Ayes – unanimous. Motion passes.
- t. Consider approval of motion to Waive the Second and Third Readings of Ordinance No 465.
Motion by Miller, second by Nelsen, to waive Second and Third Readings of Ordinance No. 465
Roll: Ayes – unanimous. Motion passes and Ordinance No. 465 is approved.
- u. Consider approval of First Reading of Ordinance No. 466 Amending the Code of Ordinances of the City of Earlham, Iowa, by Amending Chapter 5.02 Pertaining to Bond Requirements.
Motion by Fredericksen, second by Miller, to approve First Reading of Ordinance No. 466 Amending the Code of Ordinances of the City of Earlham, Iowa, by Amending Chapter 5.02 Pertaining to Bond Requirements.
Roll: Ayes – unanimous. Motion passes.
- v. Consider approval of motion to Waive the Second and Third Readings of Ordinance No. 466.
Motion by Mudge, second by Fredericksen, to waive Second and Third Readings of Ordinance No. 466.
Roll: Ayes – unanimous. Motion passes and Ordinance No. 465 is approved.
- w. Consider approval of Resolution No. 24-07 Approving an Agreement With the Madison County Sheriff's Department Providing Coverage of After-Hour Calls in Earlham.
Motion by Fredericksen, second by Nelsen, to approve Resolution No. 24-7 Approving an Agreement with the Madison County Sheriff's Department Providing Coverage of After-Hour Calls in Earlham
Roll: Ayes – unanimous. Motion passes.
- x. Consider approval of Resolution No. 24-20 Approving Agreement between the City of Earlham and Christmas on Chestnut Committee for Donation to 501c3.
Motion by Mudge, second by Nelsen, to TABLE Resolution 24-20 until the September meeting.
Roll: Ayes – unanimous. Motion passes
- y. Consider approval of Resolution No. 24-21 Setting Wages for Permanent Part Time Earlham Library Employee, Avory Hayden, Effective September 7, 2023.
Hibbs stated auditors found that a resolution was not done for setting this wage.
Motion by Miller, second by Mudge to approve Resolution No 24-21 Setting Wages for Permanent part time Earlham Library Employee, Avory Hayden, Effective September 7, 2023.
Roll: Ayes – unanimous. Motion passes.
- z. Earlham Christmas Share – Jackie Hansen
Requested permission to use Earlham City Park for Autumn Fun Fest fundraiser on October 5. They are adding a 5K run and a one mile run this year. Asked for police presence at 6th & Chestnut as well at 6th & Hull. Consensus of council to grant permission for use of park for Fun Fest and streets for races.
- aa. Christmas on Chestnut - Allissa Johnson
Stated Christmas on Chestnut will be held on Saturday, November 30th. Last year city gave \$1000 to help fund the cost of the buggy rides and the tree. Johnson said due to insurance costs, the cost of buggy ride has now gone up to \$1000. Therefore, they are asking for \$2000 this year. Mayor asked Hibbs to check budget to see if the amount can be increased. Johnson said this year will include Kid Zone, cookie decorating, face painting, coffee & hot cocoa, hot toddies and caroling.

9. MAYOR’S REPORT

Attending several meetings. Has been talking to Ryan Marquardt from Madison County Development Group regarding possible business sites in Earlham. Marquardt had noted Earlham’s rail and interstate accessibility.

10. CLERK’S REPORT

Hibbs stated the new owners of the mobile home park will be bringing in new trailers, and submitting building permits. We will be charging \$500 per trailer, which includes the water meter. Hibbs will bring an ordinance to the September meeting for manufactured and mobile home permits. Hibbs informed council she will be retiring December 31, 2024, but will be available for training, etc. Mayor asked her to put ad in paper. Hoping to get someone hired before budget preparation.

11. COUNCIL COMMENTS/DISCUSSION

Nelsen stated he felt there needed to be more discussion on dog/dangerous animal ordinance. Hibbs stated Visser had requested this and it will be on the September agenda.

12. ADJOURN

Motion by Mudge, second by Miller, to adjourn.

Roll: Ayes – unanimous. Motion passes

Being there was no further business, meeting was adjourned at 7:59 p.m.

Jeff Lillie, Mayor

Attest: _____
Mary Sue Hibbs, Clerk/Treasurer