

Madrid City Council  
Regular Meeting  
March 6, 2017  
5:30 p.m.

The City Council meeting was called to order at 5:30 p.m. with Mayor Dirk Ringgenberg presiding.

Present at Roll Call: Steve Burich, Kurt Kruse, Val Chapman, Dave Cook and Lane Shaver.

Other City Officials Present: City Administrator/Clerk Todd Kilzer, Public Works Director Scott Church, City Attorney John Jordan, Deputy City Clerk Mary Jo Reese, Public Safety Director Rick Tasler, Parks and Recreation Board Member Dualla Carlson and Labor Day Committee members Nathan Samples and Chuck Rigby.

Motion by Councilperson Shaver, seconded by Councilperson Chapman to approve the agenda for March 20, 2017.

Ayes: All Present

Motion Carried

Mayor Ringgenberg expressed his sympathy to the family of Madrid Fire Chief Jim Murry on the loss of his mother.

Motion by Councilperson Kruse, seconded by Councilperson Shaver to open the public hearing regarding Resolution # 12-16-17, "Adoption of Budget and Certification of City Taxes."

Kilzer advised he received no commentary either in writing or verbally regarding the proposed budget. There was no one present at the hearing who wished to speak on the matter.

Motion by Councilperson Chapman, seconded by Councilperson Shaver to close the Public Hearing.

Motion by Councilperson Cook, seconded by Councilperson Kruse to approve the meeting minutes of March 6, 2016.

Ayes: All Present

Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Kruse to approve the claims for March 20, 2017 in the amount of \$33,652.78.

Ayes: All Present

Motion Carried

Rick Hunziker, Executive Director of Region XII Council of Governments approached the Council to share information about the organization. He advised that while Boone County is not a Base County of Region XII as recognized by Iowa Code. Five cities in Dallas and Boone Counties including Madrid have chosen to be associate members of Region XII. The city pays dues each year, however there is not a board seat for associate members. Hunzinger explained Region XII receives funding from its member cities, state funds, county funds, federal programs, and local and private contracts. Some services the organization provides to its member cities are grant writing, comprehensive plans, codes of ordinances, hazard mitigation plans, census information, and technical assistance and research. Hunzinger explained Region XII's water/wastewater project funding options by stating the city may be eligible for \$600,000 in block grants, however it must be a moderate to low income community. At this time, Madrid is at 46.91% moderate to low income. The city must be at 51% to receive funding, so a special survey must be done. Several processes must be followed to receive the funding.

Motion by Councilperson Chapman, seconded by Councilperson Shaver, to approve the purchase of a sound system in the amount of \$1,398.00 to be used for the Madrid Labor Day Celebration.

Ayes: All Present

Motion Carried

Chuck Rigby of the Labor Day Committee reported he met recently with the operators of the Truck Pull and Garden Tractor pull planned for the celebration. The events will run simultaneously. Rigby reported planning for this year's celebration is nearly 40% complete, and plans are already underway for next year's event. John Jordan stated the city would like an indemnification clause in the agreements with the truck and tractor pull providers which would protect the city in the event of an accident during the event.

Don Lincoln of 1672 334<sup>th</sup> Road approached the Council representing Friends of the Trail. He advised the committee has decided to install a portable toilet at the Johnson Family trailhead to allow trail users access to restroom facilities before the permanent restrooms are opened for the season. They plan to leave the portable toilet in place on a regular basis to provide additional restroom access. Lincoln reported upcoming projects for Friends of the Trail include additional parking lot lighting, and painting the interior of the restroom building, and a prairie burn at the trailhead.

Public Safety Director Rick Tasler reported Firefighter I class has started and will be held Monday's and Wednesday's from 6-10 p.m. for the next several weeks. He advised service work on the police vehicles will be completed soon, and a bulletproof vest was donated for Officer Mackey by a citizen who wished to remain anonymous. This is the second vest that individual has donated to the police department. Tasler also reported on a recent court case with a guilty plea of manufacturing methamphetamine with the intent to deliver.

The Council considered a request for payment from Neuvirth Construction for two invoices. Application #3 for payment in the amount of \$112,921.45, the final payment for work on the Main Street Trail Access, and Pay Application #4, in the amount of \$15,192.25 for retainage fees. Motion by Councilperson Shaver, seconded by Councilperson Kruse to approve payment of the two invoices to Neuvirth Construction. Kilzer stated the work has been inspected by the engineering firm, Snyder, and Associates, and have approved the final payments for the project  
Ayes: All Present Motion Carried

Public Work/Parks Director Scott Church approached the Council to ask for their consideration to hire three-part time seasonal employees for the summer. He would like to hire Ron Hodges who currently has volunteered many hours maintaining the park. He would also like to hire two high school students who may have an interest in public works as a possible career path. Hiring part time help for the summer to do tasks such as mowing and weed eating would free up the full time public works employees to concentrate on other duties. Motion by Councilperson Chapman, seconded by Councilperson Shaver to allow Church to begin the hiring process of three-part time seasonal employees.  
Ayes: All Present Motion Carried

Church asked the Council to approve street repairs at the west end of West 1<sup>st</sup> Street. The area experiences a high amount of water runoff which causes erosion in the area. The cost to repair the issue would be around \$3,000. Motion by Councilperson Cook, seconded by Councilperson Kruse to approve the expenditure.  
Ayes: All Present Motion Carried

Church also asked the Council's permission to approve the purchase of 600 ton of rock to begin the repair process of the city's alleyways. The Council agreed that the city is responsible for maintaining alleys that belong to the city. Church plans to address the main alleyways first, and gradually maintain them all over a period of time. He stated the ballfields at Edgewood also need additional rock. Church plans to stockpile rock at the city shed and other areas. Kilzer reminded the Council that some alleyways are owned by adjacent property owners, and some are unmaintained. Motion by Councilperson Cook, seconded by Councilperson Burich to allow Church to purchase 600 ton of rock.  
Ayes: All Present Motion Carried

John Rosa of the Boone County Sanitary Landfill approached the Council to discuss changes in recycling requirements at the landfill. All recycling will be gathered at the new transfer station at the landfill. From there it is trucked to Des Moines for further processing. The landfill will no longer process the recycling. Rosa asked that the city designate a spot to place a to place a large recycling

box where residents of the city could place any extra recycling that does not fit in their regular pick up bin. The box could also be used for commercial customers and rural residents who are not offered recycling pickup. He also mentioned any business can be added to the route and have their recyclables picked up at no charge. Mayor Ringgenberg asked that Rosa consult with Scott Church to determine a location for the recycling container.

John Jordan advised he is currently drafting a reply to the Graham lawsuit. There will be a trial setting conference regarding the lawsuit the City filed against the Victory Promise Church located at 234 West 2<sup>nd</sup> Street.

Sara Behn of the Boone County Hospital Association approached the Council to advise the organization will be hold a Dualathlon on the High Trestle Trail on June 10, 2017. This is the second year for the event. Behn plans some changes this year which will allow for less traffic crossing Highway 17. She stated that the event is covered by insurance.

Councilperson Burich advised he has been approached by citizens asking when the Annex Road project will be started. Kilzer advised it will start around May 1, 2017. Councilperson Kruse passed along positive comments regarding placement of the new street signage. Councilperson Chapman reported there is a pothole just north of the elementary playground on 21<sup>st</sup> Street. Church advised he will have the pot hole repaired as soon as possible. Councilperson Cook also commented on positive responses to the new street signs. Councilperson Shaver commented the alleyway behind Elmo's Bar and Grill has been repaired and several citizens thanked Public Works for work on the alleyway.

Motion by Councilperson Kruse, seconded by Councilperson Chapman to approve Resolution # 12-16-17, Adoption of Budget and Certification of City Taxes.

Ayes: All Present

Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Cook to approve Resolution # 14-16-17, "Resolution setting the dates for Open Burning Within the City Limits of Madrid". The resolution called for open burning to take place from March 25, 2017 through May 28<sup>th</sup>, 2017.

Ayes: All Present

Motion Carried

Mayor Ringgenberg read Ordinance #474, "An Ordinance Amending the Code of the City of Madrid, Iowa, 1999, by Amending Title II, Division 2, Chapter 136 "Sidewalk Regulations." Kilzer advised the ordinance places liability for sidewalks on the adjacent property owners. The Ordinance sets the second reading and public hearing for Ordinance #474 for March 20, 2017 at 5:30 p.m. Motion by Councilperson Kruse, seconded by Councilperson Chapman to approve the first reading of Ordinance #474.

Ayes: All Present

Motion Carried

Motion by Councilperson Cook, seconded by Councilperson Kruse to approve a request for renewal of Liquor License from Elmo's Bar and Grill.

Ayes: All Present

Motion Carried

Mayor Ringgenberg commented he has spoken with Huxley Communications and will proceed with talks to for ideas for a possible internet provider for Madrid. He also stated there will be a meeting to continue union negotiation in the upcoming week.

Councilperson Cook asked permission to be removed from the union negotiation committee. He feels as a union member himself, he would like someone else to serve who could remain impartial.

Chuck Rigby reminded the Council the Labor Day Committee will be holding a can drive on March 25, 2017.

Motion by Councilperson Shaver, seconded by Councilperson Cook to close the regular session of the City Council meeting for the purpose of holding a closed session meeting in accordance with Iowa Code Chapter 21.5 (1)(i.)

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Kruse to reopen the regular City Council Meeting at 6:58 p.m.

John Jordan advised Mayor Ringgenberg is authorized to enter into, and sign a mutual resignation agreement with City Administrator/Clerk Todd Kilzer. The agreement calls for Kilzer to voluntarily resign on March 9, 2017 while continuing as a paid employee of the City of Madrid until March 9, 2018.

Motion by Councilperson Shaver, seconded by Councilperson Kruse to authorize Mayor Ringgenberg to sign the separation agreement with Todd Kilzer.

Ayes: Kruse, Chapman, Cook, Shaver      Nays: Burich      Motion Carried

Motion by Councilperson Shaver, seconded by Councilperson Kruse to adjourn the City Council Meeting at 7:02 p.m.

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Dirk D. Ringgenberg  
Mayor

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Attest:  
Mary J. Reese  
Deputy City Clerk