

Madrid City Council
Regular Meeting
October 16, 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, Val Chapman, Dave Cook and Lane Shaver. Kurt Kruse was absent.

Other City Officials Present: City Clerk Mary Jo Reese, Deputy City Clerk Deb Biegger, City Attorney John Jordan, Library Director Angie Strong, Library Board Member Alice Sharp, Public Works Employee Mike Forristall, Police Chief Rick Tasler, Fire Chief Jim Murry and Park Board Member Dualla Carlson.

Motion by Councilperson Shaver, seconded by Councilperson Burich to approve the agenda for October 16, 2017.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Shaver to approve the City Council Meeting Minutes of October 2, 2017 and Library Meeting Minutes of September 12, 2017 by consent agenda.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Shaver to approve the claims for October 16, 2017 in the amount of \$ 181,566.70.

Ayes: All Present

Motion Carried

Dean Poindexter of 413 North Main Street, Madrid approached the Council with several comments. He questioned the need for a water rate and storm water fee which are being considered by the Council. He also commented that the company hired to complete the water tower painting was not a local company. He asked for information on the bidding process. He also questioned the need for baffles in the tower. Poindexter questioned the amount of money being spent in the community, and questioned the decline in credit rating. Mayor Ringgenberg stated the rating on one bond was downgraded because the city is not bringing in enough revenue to cover the expenses of water production and distribution. He also stated he did not want his trees trimmed, as no semi's go down his street. He stated it looks nice when trees are planted in the parking area. He commented that a neighbor put a bid on an empty lot which was not accepted. He stated he had not seen anything in the newspaper about why it was rejected. He feels the recent road repair on West 2nd Street was done incorrectly. He also commented as to why his home is still in a flood plain. Mayor Ringgenberg explained the process for removing property from a flood plain, however, Poindexter feels he should not have to do anything to be removed. He feels the city should not concentrate on the High Trestle Trail. Downtown updates should not be a priority according to Poindexter. He asked who pays for the mayor's editorial in the newspaper and was surprised to learn the city is not charged for those editorials. He asked who approves the checks the City Clerk and Deputy City Clerk sign. The Council approves all checks. Councilperson Shaver, and Chief Rick Tasler advised Poindexter that his time limit for speaking before the council was over.

Frank Vander Broek of 439 North Water Street stated he made an offer for the two empty lots owned by the City and located next to his property. He offered \$1,200 for the property that is currently listed for sale at \$5,000. Mayor Ringgenberg stated the offer was too far below fair market value and was declined.

Mary Swalla Holmes of the Madrid Area Chamber of Commerce advised there would be a MAC meeting at 6:00 on Wednesday, October 18th at the Madrid Historical Society. She invited any interested parties to attend.

Library Director Angie Strong shared the Libraries Annual Report with the Council and stated the numbers for 2017 are comparable to the numbers from 2016. She also advised the library received Direct State Aide in the amount of \$1,689.87 which was an increase of 17.7% over 2016. Money from Direct State Aide is used for Tumble Books access, and replacement of a library staff computer. Strong is currently working on the accreditation process which is due February 2018. The library is preparing for Trick or Treat night at the library. Upcoming programs include Book discussion, Puppet Show tryouts, book discussion, Robotics, Adult Coloring, early out movie and International game day.

Dualla Carlson of the Park Board advised the next meeting will be held at 5:30 on Tuesday October 17th.

Public Safety Director Rick Tasler asked the Council to consider the replacement of two sets of fire gear for a total cost of \$3,400. Motion by Councilperson Shaver, seconded by Councilperson Burich to approve the purchase.

Ayes: All Present

Motion Carried

Tasler reported the fire and carbon monoxide detector give a way is going well. Several residents have taken advantage of the free equipment. The department is currently working on a meth case conviction which has gone to trial, firearms qualifications, and will also be participating in de-escalation training at the Iowa Law Enforcement Academy. Tasler has ordered two new bodycams for the department. All Police Officers will be wearing a body camera at all times while on duty. He is currently investigating various ways to store the backup video.

Motion by Councilperson Chapman, seconded by Councilperson Shaver to approve Resolution #06-17-18. "Resolution Regarding Proposal to Narrow Street Right of Way and Convey Real Estate. The resolution sets a public hearing on the matter for Monday, November 6, 2017 at 5:30 p.m. Approval of the resolution would transfer 10' along West 6th Street to Brian and Madeline Crandell.

Ayes: All Present

Motion Carried

Motion by Councilperson Cook, seconded by Councilperson Burich to approve \$24,400 to replace a water line along Highway 210 near the Madrid Home by Keller Excavating. Mike Forristall advised they will be abandoning a problematic line on the south side of the road and tying those properties into the main on the north side of the street.

Ayes: All Present

Motion Carried

Forristall advised the Council that work continues on the water tower, with the inside being painted in the next few days.

Mayor Ringgenberg suggested the Council approve the purchase of software that would allow the city to plan capital improvement projects. The software provided by Strategic Insights, Inc. would cost the city around \$1,000. Motion by Councilperson Cook, seconded by Councilperson Chapman to approve the purchase.

Ayes: All Present

Motion Carried

Mayor Ringgenberg advised the Council he recently attended a meeting with Xenia Rural Water regarding proposed rate increases. Ringgenberg hopes to work with Xenia Rural Water and use their expertise in water production to streamline the city's operation.

The Council discussed the second draft of the proposed fireworks ordinance and suggested the city approve the use of class two consumer fireworks, with the addition of bottle rockets and firecrackers from the class one consumer fireworks listing. The Council would also like to see a fee charged to any retailer who chooses to sell fireworks within the city limits. City Clerk, MaryJo Reese will make the changes to the ordinance the Council will make a final decision on allowed class one consumer

fireworks at the City Council meeting on November 6, 2017. The Council also discussed the possibility of adding a retail vendor fee to the Ordinance.

Motion by Councilperson Shaver, seconded by Councilperson Burich to approve a request from Councilperson Kruse to fund the remaining amount of \$1,100 to provide lighting for the Welcome to Madrid signs along highway 17. Kruse obtained two grants which will pay the remainder of the cost of around \$3,613.

Ayes: All present

Motion Carried

Motion by Councilperson Cook, seconded by Councilperson Chapman, to approve the first reading of Ordinance # 476," An Ordinance Amending the Code of the City of Madrid, Iowa, 1999, by Amending Chapter 92, "Water Rates" and Subsequent Amendments Thereto. The Ordinance sets the public hearing on the matter for November 6, 2017 at 5:30p.m.

Ayes: All Present

Motion Carried.

Motion by Councilperson Shaver, seconded by Councilperson Cook to approve the first reading of Ordinance number 477, "An Ordinance Amending the Code of the City of Madrid, Iowa, 1999, by Amending Chapter 99, "Sewer Service Charges", and Subsequent Amendments Thereto. This ordinance sets a public hearing for the rate increase for November 6, 2017 at 5:30 p.m.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Burich to approve the first reading of Ordinance # 478, "An Ordinance Amending the Code of the City of Madrid, Iowa, 1999, b Adding a New Chapter, "Establishing a Storm Water Management Utility." The Ordinance sets the public hearing for November 6, 2017, at 5:30 p.m.

Ayes: All Present

Motion Carried

The Council discussed the amount of annual donation to the Madrid Area Chamber of Commerce. MAC was previously advised they would be funded by the city in the amount of \$10,000. Only \$1,000 was allocated in the current year's fiscal budget. Motion by Councilperson Chapman, seconded by Councilperson Burich to approve an additional donation of \$9,000 to MAC.

Ayes: All Present

Motion Carried

Motion by Councilperson Cook, seconded by Councilperson Burich to approve the development of an electronics media policy. The policy would allow Councilmembers to occasionally attend a City Council Meeting via skype or other electronic systems.

Ayes: All Present

Motion Carried

City Attorney John Jordan advised the trial scheduled for the theatre building lawsuit has been postponed from October 18th to December 13th. due to a shortage of judges. He has spoken to the defense attorney in the case and the Council will convene in a closed session later in the meeting to discuss a possible settlement in the case. He stated there has also be a discussion of a possible settlement in the Graham lawsuit which was filed against the city.

Councilperson Burich advised he has received many questions regarding the painting of the water tower. Councilperson Shaver also commented on the water tower questions. He also stated the Council did not spend \$5,000 to send City officials to a conference.

Mayor Ringgenberg commented on several items previously brought before the Council, including tree trimming, bond ratings, and a fifteen-year plan being developed for Madrid.

Don Lincoln of 1672 334th Road approached the Council representing Friends of the Trail. He stated the group had raised the money to install additional lighting at the Johnson Family Trailhead, however he needs the help of public works to do physical labor on the project. Public Works Director Scott Church stated his employees can help with the project during regular business hours.

Lincoln who is also a realtor, also discussed the offer recently made on two empty lots owned by the City of Madrid. He felt the price offered by an adjacent property owner was too low, and there

have been other parties interested in the property. Offers for the purchase of real estate are not generally discussed in an open City Council session.

Lincoln also mentioned Christmas lights that had been discarded by Public Works. Mike Forristall stated the lights were in a state of serious disrepair and needed to be destroyed.

Motion by Councilperson Shaver, seconded by Councilperson Burich to close the regular session of the City Council meeting at 6:55 p.m. in accordance with Iowa Code 21.5 (1)(c) to discuss matters that are currently in litigation.

Motion by Councilperson Shaver, seconded by Councilperson Burich to reopen the regular session of the City Council Meeting at 7:07 p.m.

City Attorney John Jordan summarized the closed session by stating the Council gave him permission to use his judgement to settle the matter of the old theatre building litigation case. Motion by Councilperson Chapman, seconded by Councilperson Shaver to allow Jordan to proceed forth with the negotiations on behalf of the City of Madrid.

Ayes: All Present

Motion Carried

Motion by Councilperson Chapman, seconded by Councilperson Shaver to close the City Council Meeting at 7:08 p.m.

Dirk D. Ringgenberg
Mayor

Mary J. Reese
City Clerk