

The Eldon City Council met in regular session on Tuesday, May 8, 2018 at City Hall with Mayor Pro-tem McClure presiding. Council members answering roll call were Craig Brown, Patti Durflinger, Brian Keasling, Mike McClure and Jane Sapp. Mayor Potts was absent. The meeting was called to order at 6:30pm.

Motion by Keasling to approve the agenda with the change that Patti Durflinger requested that under Eldon Uptown/Downtown to say that the building remediation technical assistance grant instead of building remediation grant, second by Brown, all aye, motion carried.

CONSENT AGENDA – The Consent Agenda consisted of minutes from the regular minutes April 10, 2018 and special meeting minutes April 17, 2018. Motion by Sapp to approve the minutes, second by Keasling, all aye, motion carried.

Motion by Brown to approve the bills, second by Keasling, all aye, motion carried.

#### PETITIONS AND COMMUNICATIONS –

Joel Pederson and Brandon Hyde was present to update the council on the progress of students attending the Visions school. Discussion was held on an extension of the lease and possibly purchasing the building in FY20. Consensus was to table until further notice.

Trent Gregory with Citizens Mutual was present to discuss placing a fiber line and a permanent easement through the Eldon Cemetery. Citizens Mutual would bore under the road approximately 940 ft. Motion by McClure to authorize a permanent easement at a cost of \$1000.00, second by Brown, all aye, motion carried. A special meeting will be set once a copy of the easement is obtained.

Molly Naumann was present to explain her downtown survey for the façade project.

Discussion was held on American Gothic Performing Arts wine and beer license. Carrie Teninty explained that a premise change was not needed. The American Gothic Performing Arts would need to apply for a license. Motion by McClure to table until the information is obtained, second by Brown, all aye, motion carried.

Motion by Sapp to authorize a fence permit for Eldon Uptown/Downtown, second by McClure, all aye, motion carried.

Motion by Brown to authorize a building permit for Kenny Kildow at 804 Elm Street, second by Keasling, all aye, motion carried.

Donna Jeffrey was present. She told the council that the letter that was read to the council was totally uncalled for and that she has submitted a complaint and now it is in the hands of the council. The council needs to decide what to do. Mike McClure explained that the council does not have a say according to the personnel policy. The matter is to be handled by the mayor. Mr. Zingg explained that if the council at some point wants to do a performance evaluation, they can place that on the agenda and give the employee an opportunity to go into closed session, if that is what the council wants to do. A private citizen cannot compel that. It is a management decision. Brian Keasling stated in his mind that evaluations are yearly events. Mr. Zingg explained that this process was just completed. If the council chooses to do interim evaluations, they can. Patti Durflinger stated that employee relations with citizens rule number two was violated. Carrie Teninty explained that if the handbook is read furthermore that the council does not handle complaints against an employee. Brian Keasling and Patti Durflinger both stated that they were going down the wrong path. Mr. Zingg again stated it must be listed on the agenda and the employee must be given an opportunity to go into closed session.

City Clerk – No report.

Public Works – Jerred Reed was present to update the council on a DNR inspection that was complete at the lagoons. Jerred Reed gave the council an update on the repairs of the bucket truck.

Fire Department – Motion by Durflinger to authorize Matt Spurgeon for the fire department, second by Brown, all aye, motion carried.

Motion by Keasling to allow Tim Richmond and Loren McIntosh for the fire department as temporary members, second by Brown, all aye, motion carried.

Motion by McClure to allow the fire department to burn the house located at 111 Elm Street, second by Keasling, all aye, motion carried.

Motion by Durflinger to replace the fire hose and radio that was damaged on a fire call, second by Keasling, all aye, motion carried. An incident report was provided to the city council.

Motion by Durflinger to allow the agreement between the Eldon Fire and Rescue Department and the Wapello County Fair Board, second by Sapp, all aye, motion carried. This agreement states that the fire department will provide fire and ems service during the races at a cost of \$300.00 each race, excluding the fair race.

The 6 wheeler repairs was taken care of by Mayor Potts.

Law Enforcement – A written report was received.

Library – A written report was received.

Cemetery – Patti Durflinger asked about the case involving the Illingsworth lot. Mr. Zingg will get an update from the county attorney's office.

Trails/Parks – No report.

Engineer- No report.

Gothic Visitors Center – Sarah Camp was present to update the council on upcoming events.

Historic Preservation – No report.

Eldon Uptown/Downtown – Discussion was held on Eldon Uptown/Downtown providing a contract in regards to disbursing the \$5000.00 Building Remediation Technical Assistance Grant. Consensus was to table until a special council meeting is set.

Discussion was held on forgiving the sewer charges once water service is obtained at 412 W Elm Street. Mike McClure asked where the water was going to go if no sewer service was going to be installed. Tom Fullencamp stated the water has not been installed yet. The curb stop is installed. Water will be used to keep the area clean. Discussion was held on the neighboring building having water issues. Donna Jeffrey stated that the amount of water that they will be using will be a lot less than a downpour. Patti Durflinger stated the water will be used in the summer time. Craig Brown does not see the water runoff being an issue. If it becomes an issue, the city will address it at that time. Tom Fullencamp stated that most Uptown/Downtown groups get along with their city council, but it does not happen here. Mike McClure stated that the only thing that was said was there may be issues that need to look into and there was no need to argue about it. Donna Jeffrey asked what kind of permits are required. Mike McClure explained that a water deposit must be paid and a permit to connect the water service if the water service is not connected. A meter is going to have to be installed somewhere and prevent the meter from freezing. Consensus was to table until further information is obtained.

Brian Keasling stated a deck permit would be submitted.

Eldon Athletics – Mike McClure updated the council on the electric problem at the ball field. A contractor has been working to repair the issue. At some time, someone has tampered with the fuses. A lock will be placed on the main breaker with only one key.

Playground –No report.

Old Business – Discussion was held on the results of city hall inspection. Craig Brown did look at the building and did talk with Jerred Reed regarding the sewer. Patti Durflinger stated that she and Brian Keasling did talk with Anthony Christner. He plans to come down and give an evaluation of the building. Anthony Christner intends to bring someone from Winger Contracting for the electric and someone to inspect cement buildings. No date has been provided at this time for the inspection.

Discussion was held on nuisance properties. Mike McClure explained that Mayor Potts will visit with property owners.

Discussion was held sending out a letter regarding downtown lower level residency. Brian Keasling provided a revised copy of the letter. Craig Brown asked if this letter was to let the public know. It was explained that the letter will go out to give the public a chance to give their input at the regular council meeting June 12, 2018. Brian Keasling stated that this issue has been discussed for three months and needs to be mailed out. A revised copy was provided to the city clerk. Motion by Keasling to authorize the revised notice to be mailed out, second by Sapp, all aye, motion carried.

New Business – Discussion was held on applicants for part time garbage laborer. Jerred Reed recommended hiring Jason Jones. Motion by Brown to hire Jason Jones, second by Sapp, all aye, motion carried.

Discussion was held on repairing the KD Center bathrooms accessible from outside. Linda Durflinger explained that the building is leased to the KD Board and the issue must be brought to the board. The issue is the bathrooms get used while no water service is provided. Linda Durflinger suggested Jerred Reed have a meeting with the KD Board. Motion by Brown to allow Jerred Reed to meet with the KD Board to discuss the bathroom repair, second by McClure, all aye, motion carried.

Discussion was held on the repair to Casey's gate that was damaged by the garbage truck. The cost is \$750.00. Motion by Brown to allow the repair, second by Keasling, all aye, motion carried. The city has deductible of \$500.00. The city will not turn this in as a claim.

No discussion was held on the forgiving of sewer charges for 17,000 gallons of water for 114 Cornell Street. This item was not needed on the agenda anymore.

Motion by Keasling to authorize Resolution 2018-4 – A Resolution proposing disposal by sale of the City of Eldon's interest in real property located and described as lots 30,31,32,34 and 35 in block 16 {Doc Sawyer Park}, second by Sapp, roll call vote taken, all aye, motion carried.

Motion by Durflinger to authorize Resolution 2018-5 – A Resolution proposing disposing by sale of the City of Eldon's interest in real property located and described as south 40ft of lots 27,28 and 29 in block 26 {behind city hall}, second by Brown, roll call vote taken, all aye, motion carried.

Notice will be publish in the paper.

Mr. Zingg explained to the council that some property owned by the city cannot be sold. The property on Roy Street would require a survey to be done to establish a line for the street.

The property on West Walnut does have restrictions on three of the lots. Lots 13, 14 and 15 are subject to restrictive covenants from FEMA for flood damaged properties. The property must remain in public ownership and can only be used for open space. It can be leased for agricultural purposes in limited circumstances, but no buildings or structures are permitted with some minor exceptions. Lots 16, 17 and 18 do not appear to have any restrictions, but the city does not have an abstract. Mr. Zingg will get a report of title for the three lots on West Walnut Street.

The river property next to the trail and along Water Street must remain in public ownership and can only be used for open space. It can be leased for agricultural purposes in limited circumstances, but no buildings or structures are permitted with some minor exceptions.

The property on Fourth Street located next to TNT Trucking would require a survey to be done.

The area adjoining the ball field is in the process of having a survey done. The surveyor will provide the information. No further action can be taken until the city has the survey of these two parcels.

Council Discussion – A special meeting has been set for May 17, 2018 at 4:00pm. The extended Cardinal school lease agreement, Citizens Mutual easement through the cemetery, and the liquor license for American Gothic Performing Arts will be listed on the agenda.

Motion by Keasling to adjourn, second by Sapp, all aye, motion carried.

Meeting adjourned at 8:08pm.

Attest: Carrie Teninty