

**AGENDA
KEOTA CITY COUNCIL
KEOTA CITY HALL
April 6, 2020
6:00 P.M.**

- 1. Roll Call**
- 2. Work Session**
- 3. *Adjournment**

Due to the COVID-19 crisis, the City of Keota will be holding this city council meeting electronically via a conference call. If you would like to participate, just before the meeting start time, you must call or login in with the information listed below. Only Mayor/Council/Staff are allowed in city hall.

Join Zoom Meeting
+1 312 626 6799 US (Chicago)
Meeting ID: 587 844 486

Chapter 21.8 of the Iowa Code does permit an electronic meeting where members participate remotely when an in-person meeting is impossible or impractical, which is certainly true during this crisis. On March 19, 2020, Governor Reynolds issued a Proclamation of Disaster Emergency which included a suspension of Iowa laws that would prevent the use of electronic meetings or the limitation on the number of people present at an in-person meeting site. Therefore, only the Mayor, Council, and city staff will be present at the Keota City Hall for the meeting to stay under the group gathering requirements.

*Mayor Anthony Cansler*Councilman Matt Greiner*Councilman Curt Burroughs
*Councilman Keith Conrad*Councilman Mike Bender*Councilman Rod Hill

*Public Works Director Kevin Slaubaugh*Public Works Employee Kevin Miller*Police Chief Doug Conrad
*City Clerk Tomisha Hammes

**AGENDA
KEOTA CITY COUNCIL
KEOTA CITY HALL
April 6, 2020
7:00 P.M.**

1. Roll Call

2. Invocation by Councilman Burroughs

3. *Approve Consent Agenda

Note: These are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.

- a. Minutes of March 16, 2020 meeting
- b. Bills for Payment

4. Department/Committee Reports

5. Old Business

- a. Second Reading Ordinance 274: Traffic Codes – Golf Carts
- b. *Potential Waiving of 3rd Reading of Ordinance 274
- c. *Potential Approval of Ordinance 274: Traffic Codes – Golf Carts
- d. Second Reading Ordinance 276: Traffic Codes – ATVs and UTVs
- e. *Potential Waiving of 3rd Reading of Ordinance 276
- f. *Potential Approval of Ordinance 276: Traffic Codes – ATVs and UTVs

6. New Business

- a. *Approve Building Permit for Hamilton Street
- b. *Approve Resolution 2020-19: Approve Museum Board Member
- c. *Approve Resolution 2020-20: FY21 Wages for Wilson Memorial Library
- d. *Approve Liquor License for Keota VFW Post 4716
- e. *Approve Liquor License for Lagos Acres Golf and Country Club
- f. *Approve Letter of Support for Community Catalyst Grant Extension for Ramsey Bldg.
- g. *Approve LL Pelling Sealcoat Work Proposal
- h. *Approve Mayoral Emergency Proclamation

7. Clerk/Council Comments

8. *Adjournment

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*Councilman Keith Conrad*Councilman Mike Bender*Councilman Rod Hill

*Public Works Director Kevin Slaubaugh*Public Works Employee Kevin Miller*Police Chief Doug Conrad
*City Clerk Tomisha Hammes

March 16, 2020

The Keota City Council met on March 16, 2020, at the Keota City Hall. The meeting was called to order at 7:00 p.m. by Mayor Anthony Cansler.

Council members answering roll call were: Curt Burroughs, Matt Greiner, Rod Hill, Mike Bender, and Keith Conrad. City Employees present were: Kevin Slaubaugh, Toni Greiner and Tomisha Hammes. Also in attendance was Naomi Burroughs, Nick Mahan, Chris Heisdorffer, Ryan Sieren, Kathy Davis, and Health McDonald.

Councilman Burroughs gave the Invocation.

The Mayor opened up the Public Hearing for the FY21 City of Keota Budget. There were no written or verbal comments, concerns or complaints regarding the budget. Motion was made by Councilman Bender to close the public hearing. Councilman Hill seconded the motion. Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None; Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to approve the consent agenda including minutes from the March 2, 2020 meeting, bills for payment and month end financials for February 2020. Councilman Burroughs seconded the motion. Motion passed with a unanimous vote.

CITY OF KEOTA
MARCH 16, 2020 COUNCIL MEETING
FOR PERIOD MARCH 3- MARCH 16, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
BURROUGHS, ESTHER	\$31.52	Payroll
CONRAD, DOUGLAS L.	\$1,803.00	Payroll
GREINER, ASHLEY	\$50.44	Payroll
GREINER, TONIA	\$759.06	Payroll
HAMMES, TOMISHA	\$1,037.03	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,458.56	Payroll
EFTPS	\$1,822.80	Employee Withholdings
JEFF GARMAN	\$1,875.00	Cemetery - Mowing Contract
CASH	\$29.48	Petty Cash Replenish – Recorder's Office Payment
US CELLULAR	\$314.76	All Dept. Cell Phones
TREMMEL BACKHOE SERVICE	\$187.50	Water - Shut off Repair
FARMERS COOPERATIVE ASSN.	\$1,602.28	Water/Sewer/Police/Snow - Veh. O & M
ALL AMERICAN PEST CONTROL	\$65.00	City Hall/Maintenance Shop - Pest Control
WATER SOLUTIONS UNLIMITED	\$812.48	Water - Chemicals
KOCH OFFICE GROUP	\$174.23	All Dept. - Copier
VITTETOES' INC.	\$5.00	Park - Bolts
KEVIN'S CELLULAR SALES & SERVICE	\$55.00	Library - Snow Removal
SEMCO LANDFILL	\$211.05	Streets - Cleaning Streets
QUILL	\$143.96	All Dept. Supplies
COUNTY LINE MART	\$193.96	Police - Veh. O & M
JIM TINNES TRUCKING	\$1,680.00	Snow - Snow Removal
WINDSTREAM	\$186.60	All Dept. Phone/Fax
TOTAL	<u>\$15,674.96</u>	

February 2020

FUND	BEGINNING BALANCE	RECEIPTS	EXPENDITURES	END BALANCE
LIBRARY CD 1	\$39,086.53		\$87.70	\$39,174
LIBRARY CD 2	\$30,727.41		\$68.95	\$30,796

SEWER CD	\$144,633.11			\$144,633
SEWER VEH CD	\$20,267.94	\$168.58		\$20,436
WATER CD	\$68,389.15	\$568.85		\$68,958
WATER VEH CD	\$420.79			\$420
DARE	\$777.62			\$777
POLICE FORFEITURE	\$572.49			\$572
GEN FD INV	\$1,447.97	\$0.33		\$1,448
GEN FD LIBR INV	\$4,975.71	\$1.12		\$4,976
LIB BUILDING	\$1,303.88	\$0.29		\$1,304
LIB MEMORIALS	\$305.62			\$305
PERPETUAL CARE FUND	\$7,506.88	\$1.69		\$7,508
POLICE VEHICLE INV	\$22,287.76	\$5.01		\$22,292
PARK & CEM VEH	\$8,601.84	\$1.93		\$8,603
CITY HALL BLDG RPR	\$19,196.65	\$4.31		\$19,200
CIVIL DEFENSE FU	\$3,171.64	\$0.71		\$3,172
KEOTA DAYCARE	\$1,188.91	\$0.27		\$1,189
WILSON MEMORIAL LIB	\$17,555.43	\$3.94		\$17,559
T&A METER INV	\$23,646.94	\$5.31		\$23,652
SIDEWALK SAVINGS	\$14,507.55			\$14,507
WTR VEH SAVINGS	\$24,438.96			\$24,438
WTR TWR MAIN SAVINGS	\$9,633.31			\$9,633
SEWER VEH SAVINGS	\$8,110.62			\$8,110
SNOW EQUIPMENT SAVINGS	\$5,065.78			\$5,065
CHECKING	\$456,235.69	\$80,138.11	\$73,917.11	\$462,456
GENERAL		\$19,139.36	\$13,360.48	
GENERAL - LOCAL				
OPTION		\$5,120.19		
DARE		\$105.00		
ROAD USE		\$12,448.15	\$2,756.05	
EMPLOYEE BENEFITS		\$186.54	\$14,077.72	
DEBT SERVICE		\$27.95		
CAPITAL IMPROV RESER				
LIBRARY		\$268.10	\$1,926.20	
LIBRARY MUSEUM				
WATER		\$24,680.15	\$13,916.42	
CP. WTR. TRTMNT. PLANT				
CP. WTR. TOWER				
CP. WTR. MAIN DAVIS ST				
CP. WTR MAIN				
BROAD/DAVIS				
UTILITY DEPOSITS		\$200.00		
SEWER		\$17,962.67	\$12,470.68	
SEWER EXT-BROADWAY				
SEWER PLANT UPGRADE				
	TOTAL			\$941,196

Citizen Comments: There were no comments.

Department Reports:

-The Daycare Committee has met with Tammy Wejjen-Kesterson, from Early Childhood Iowa, has been working with the Daycare Committee to get the Market Survey ready for release. She is hoping to get the survey monkey up and running this week. The Committee will have a walk-thru of the library on Wednesday, March 25, 2020 with Dan Levi, from Levi

Architecture, to see if the library is a feasible option for a daycare facility.

-Public Works Director Kevin Slaubaugh stated that they are still working on the playground equipment. He wanted everyone to be assured that it is all still in safe working order, they are just taking piece by piece and replacing the bolts. They have been working on cleaning the streets and ditches. They will be taking down the snow fence in the upcoming week.

-Officer Doug Conrad was unable to attend, but submitted a written report. For the reporting period of February 28 through March 12 there were twenty (20) service calls/complaints and nine (9) citations issued. Service Calls/Complaints: one simple assault, one controlled substance, two intoxication, one disorderly conduct, two mental, one suicide/statements, six assist and serve, one misc. compliant, two dog/cat/misc. animal, one livestock, two domestic abuse. Citations: eight (8) speed/alternative enforcement and one fail to obey stop sign.

-Nick Mahan, Wilson Memorial Library Board President, gave the Library Report. The State Library of Iowa has recommended that libraries suspend unnecessary programs at this time. The Library Association had recommended that libraries be closed. Councilman Greiner stated that with the schools being closed he worried that children would then start to congregate in the libraries. He supports the library closing until further notice. Councilman Hill agreed with the closure – he stated that it is not the librarian's responsibility to watch children during the school closures. The Mayor agreed with the closure of the library until further notice as well.

The city clerk did the first reading of Ordinance No. 2020-271: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE BICYCLE REGULATIONS.

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title III, Chapter 4, Section 81, 86, 87, 88, 90, 92-2, of the Keota Municipal Code, 2017, is hereby repealed:

Title III, Chapter 4, Section 81: Double Riding Restricted is hereby repealed.

Title III, Chapter 4, Section 86: Carrying Articles is hereby repealed.

Title III, Chapter 4, Section 87: Riding on Sidewalks is hereby repealed.

Title III, Chapter 4, Section 88: Towing is hereby repealed.

Title III, Chapter 4, Section 90: Improper Riding is hereby repealed.

Title III, Chapter 4, Section 92-2: Equipment Requirement of Signal Device is hereby repealed.

Motion was made by Councilman Bender to waive the second and third reading of Ordinance 271. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to Approve Ordinance 271. Councilman Greiner seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

The City Clerk did the first reading of Ordinance No. 2020-272: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE NUISANCES – COTTON BEARING TREES.

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title III, Chapter 2, Section 1-h of the Keota Municipal Code, 2017, is hereby repealed:

Title III, Chapter 2, Section 1-h: Cotton-bearing cotton wood trees and all other cotton-bearing poplar trees in the city from the Keota Municipal Code, 2017, is hereby repealed.

Motion was made by Councilman Burroughs to waive the second and third reading of Ordinance 272. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Bender to Approve Ordinance 272. Councilman Hill seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

The City Clerk did the first reading of Ordinance No. 2020-273: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TREES – GENERAL PROVISIONS.

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title VI, Chapter 15, Section 3-1 and 3-3 of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

Title VI, Chapter 15, Section 3-1: Alignment of planting trees is hereby repealed.

Title VI, Chapter 15, Section 3-3: Prohibited Trees. No person shall plant any tree or shrub in the city right of way effective March 25, 2020. All trees or shrubs planted before March 25, 2020 are exempt.

Motion was made by Councilman Burroughs to waive the second and third reading of Ordinance 273. Councilman Conrad seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to Approve Ordinance 273. Councilman Hill seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

The City Clerk did the first reading of the Ordinance No. 2020-274: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – GOLF CARTS. This ordinance would allow the use of golf carts on city streets in Keota if the golf cart is registered with the City of Keota. There would be no fee to register the golf cart.

Motion was made by Councilman Greiner to waive the second and third reading of Ordinance 273. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Burroughs; Nays – Hill, Bender, and Conrad; Abstain – None; Absent – None. Motion did not pass. The full ordinance, if approved at an upcoming meeting, would be published in its entirety upon approval. The ordinance may be read at the Keota City Hall.

The City Clerk did the first reading of Ordinance No. 2020-275: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – SNOWMOBILES.

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title III, Chapter 4, Section 95-100 is hereby repealed and the following adopted in lieu thereof:

3-4-95 PURPOSE The purpose of this chapter is to regulate the operation of snowmobiles within the City.

3-4-96 DEFINITIONS For use in this chapter the following terms are defined:

1. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners

3-4-97 GENERAL REGULATIONS No person shall operate a snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation. (Code of Iowa, Ch. 321G)

3-4-98 PLACES OF OPERATION The operators of snowmobiles shall comply with the following restrictions as to where snowmobiles may be operated within the City:

1. Streets. Snowmobiles shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council. (Code of Iowa, Sec. 321G.9[4a])

2. Exceptions. Snowmobiles may be operated on prohibited streets only under the following circumstances:

A. Emergencies. Snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical. (Code of Iowa, Sec. 321G.9[4c])

B. Direct Crossing. Snowmobiles may make a direct crossing of a prohibited street provided:

- (1) The crossing is made at an angle of approximately ninety degrees (90) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
- (2) The snowmobile is brought to a complete stop before crossing the street;
- (3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and
- (4) In crossing a divided street, the crossing is made only at an intersection of such street with another street. (Code of Iowa, Sec. 321G.9[2])

3. Parks and Other City Land. Snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

4. Sidewalk or Parking. Snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

3-4-99 NEGLIGENCE The owner and operator of a snowmobile is liable for any injury or damage occasioned by the negligent operation of the snowmobile. (Code of Iowa, Sec. 321G.18)

3-4-100 ACCIDENT REPORTS Whenever a snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to Two Hundred Dollars (\$200.00) or more, either the operator or someone acting for the

operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law. (Code of Iowa, Sec. 321G.10)

Motion was made by Councilman Conrad to waive the second and third reading of Ordinance 275. Councilman Greiner seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Burroughs to Approve Ordinance 275. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

The City Clerk did the first reading of 2020-276 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – ALL-TERRAIN VEHICLES (ATVs) AND UTILITY TRAIL VEHICLES (UTVs). This ordinance would allow UTVs and ATVs on city streets in the City of Keota if registered with the City. There would be no registration fee. The full ordinance, if approved at an upcoming meeting, would be printed in its entirety upon approval. The ordinance may be read at the Keota City Hall.

Motion was made by Councilman Conrad to approve Resolution 2020-17: WAIVE THE RIGHT TO REVIEW PARCEL SPLIT WITHIN 2 MILES OF THE CITY LIMITS, AUDITORS PARCEL D IN WASHINGTON COUNTY. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Motion was made by Councilman Burroughs to approve Resolution 2020-18: APPROVING CITY BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING ON JUNE 30, 2021. Councilman Conrad seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Bender, Hill; Nays – None; Abstain – None Absent – None. Motion passed with a unanimous vote.

Chris Heisdorffer and Ryan Sieren presented three bids to replace three doors for the Keota Fire Station. The Council reviewed the bids and requested that the fire department replace the two that need it the most and to try for a grant for the third door. Otherwise, to go ahead and have the doors replaced by W-3 Construction.

The Council requested that the city clerk contact the city attorney about starting the condemnation process for 306 West Broadway Avenue in Keota.

Clerk/Council/Mayor Comments: Spring Clean Up Day for the City of Keota will be on Saturday, April 18, 2020. The City was not given any dates to choose from, they were given this date only or to not have it at all. The clerk asked if the Council would like her to post the tentative Council Packet for the meetings online along with the agenda. They said to go ahead and do that. The clerk has been set up with remote access and email to prepare for the COVID-19 issues. She has requested to take half days and work from home or to take sick days for the afternoons that she wouldn't be at city hall. Councilman Greiner stated that he did not want her to use any sick days because with the schools closing and other closures the City shouldn't make employees take sick days if they need to be closed. The clerk was approved to work from home when necessary. Tentatively city hall will be open from 8:00-11:00 am to accept payments and do necessary day to day in office functions until further notice. Councilman Burroughs commented that Library Board Member Sandy Stephens has been volunteering at the library and learning the library system. He applauds her for taking it upon herself to do this. Councilman Hill stated that he will be taking inventory of the sidewalks in town to see which ones can be vacated and which ones should be repaired or replaced. Mayor Cansler stated that during this time the City of Keota will do what is recommended by Governor Reynolds in terms of the Corona Virus. For the residents – help your neighbors if you can by calling or checking on them. Take care of yourself and your family. But most of all, stay calm and use common sense. We will all get through this together.

Motion was made by Councilman Burroughs to adjourn at 9:12 p.m. Councilman Greiner seconded the motion. Motion passed with a unanimous vote. The City Council will next meet on Monday, April 6, 2020 with work session starting at 6:00 p.m. and the regular meeting to start at 7:00 p.m. If there is a need at that time to have an electronic meeting or conference call instead of a meeting at city hall the public will be notified.

March 26, 2020

The Keota City Council met on March 26, 2020, at the Keota City Hall. The meeting was called to order at 3:00 p.m. by Mayor Anthony Cansler.

Council members answering roll call were: Curt Burroughs, Matt Greiner via phone, Mike Bender, and Keith Conrad. City Employee present was Tomisha Hammes. Also in attendance via phone conference was Jason Palmer, Keota City Attorney from Bradshaw, Fowler, Proctor & Fairgrave, PC in Des Moines.

Motion was made by Councilman Bender to approve the agenda. Councilman Conrad seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Conrad to go into closed session per Iowa Code 21.5(1)(c) – Matters currently in litigation per the city attorney's request at 3:01 p.m. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Conrad, Burroughs, and Bender; Nays – None; Abstain – None Absent – Hill. Motion passed with a majority vote.

Motion was made by Councilman Bender to end closed session at 3:11 p.m. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Conrad, Burroughs, and Bender; Nays – None; Abstain – None Absent – Hill. Motion passed with a majority vote.

The city clerk did the first reading of Ordinance 2020-277 Animal Control – Dangerous Animals.

Motion was made by Councilman Conrad to waive the 2nd and 3rd reading of Ordinance 2020-277. Councilman Burroughs seconded the motion. Roll call vote: Ayes – Greiner, Conrad, Burroughs, and Bender; Nays – None; Abstain – None Absent – Hill. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve Ordinance 2020-277. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Conrad, Burroughs, and Bender; Nays – None; Abstain – None Absent – Hill. Motion passed with a majority vote.

SECTION 1. Title IV, Chapter 1, Section 8 of the City of Keota, Iowa, 2017 Municipal Codebook of Ordinances, is hereby repealed and the following adopted in lieu thereof:

4-1-8 DANGEROUS ANIMALS

1. **Dangerous Animals Prohibited.** No person shall keep, shelter, or harbor for any purpose within the City limits a dangerous animal except for the following circumstances;
 - a. Animals under the control of a law enforcement or military agency.
2. **Definitions.** A dangerous animal is:
 - a. Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals, and having known tendencies as a species or breed to do so.
 - b. The following are animals which shall be deemed to be dangerous animals per se:
 - i. Lions, tigers, jaguars, leopards, cougars, lynx, and bobcats;
 - ii. Wolves, coyotes, and foxes;
 - iii. Badgers, raccoons, wolverines, weasels, skunks, and mink;
 - iv. Bears;
 - v. Monkeys, chimpanzees, and apes;
 - vi. Alligators and crocodiles;
 - vii. Scorpions and gila monsters;
 - viii. Snakes that are venomous or constrictors;
 - ix. Any animals declared to be dangerous by the City Council.
3. **Pit Bull Breeds Prohibited.** No person shall keep, shelter, or harbor for any purpose within the City limits, a Pit Bull as defined in this ordinance.
 - a. Pit Bull dogs defined as the following;
 - i. American Pit Bull Terrier
 - ii. American Staffordshire Terrier

- iii. Staffordshire Bull Terrier
- iv. Or any dog displaying a majority of the distinguishable physical characteristics as set forth and established as physical characteristics by the American Kennel Club, United Kennel Club for any of the aforementioned breeds.

4. **Vicious Animal Definition.** A vicious animal means any animal, except for a dangerous or banned animal as listed above, that has attacked, bitten or clawed a person and the attack was unprovoked, or any animal that has exhibited vicious tendencies in the past or present conduct.
5. In the event that a dangerous animal, banned animal, or vicious animal (as defined in this ordinance) is found at large and unattended upon public property, park property, public right-of-way, or the property of someone other than its owner, thereby creating a hazard to persons or property, such animal may, at the discretion of the Mayor or Peace Officer, be destroyed if it cannot be confined or captured. The City shall be under no duty to attempt the confinement or capture of a dangerous, banned, or vicious animal (as defined in this ordinance) found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.
6. Upon the complaint of any individual that a person is keeping, sheltering or harboring a dangerous, banned, or vicious animal (as defined in this ordinance) on premises in the City, the Mayor or Peace Officer shall cause the matter to be investigated and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous, banned, or vicious animal (as defined in this ordinance) in the City, the Mayor or Peace Officer shall order the person named in the complaint to safely remove such animal from the City or destroy the animal within three days of the receipt of such an order. Such order shall contain the following and be delivered in person or by certified mail:
 - a. A copy of the ordinance;
 - b. A description of ordinance violation;
 - c. Order of compliance;
 - d. Information of procedure of appeal

Such order and notice to remove such animal shall not be required where such animal has previously caused serious physical harm or death to any person, in which case the Mayor or Peace Officer shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

7. The order to remove a dangerous, banned, or vicious animal (as defined in this ordinance) issued by the Mayor or Peace Officer may be appealed to the Council. In order to appeal such order, written notice of appeal must be filed with the Clerk within seven days after receipt of the order contained in the notice to remove the dangerous, banned, or vicious animal (as defined in this ordinance). Failure to file such written notice of appeal shall constitute a waiver of the right to appeal the order of the Mayor or Peace Officer.
8. The notice of appeal shall state the ground for such appeal and shall be delivered personally or by certified mail to the Clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of the notice of appeal. The hearing may be continued for good cause. After such hearing, the Council may affirm or reverse the order of the Mayor or Peace Officer. Such determination shall be contained in a written decision and shall be filed with the Clerk within three days after the hearing or any continued session thereof. If the Council affirms the action of the Mayor or Peace Officer the owner may be responsible for all costs associated with the maintenance of the animal, and costs associated with the appeal, which may include service fees, attorney fees, and witness expenses. However, if the Council over turns the action of the Mayor or Peace Officer, the dog will be returned to the owner and no costs shall be assessed against them.
9. If the Council affirms the action of the Mayor or Peace Officer, the Council shall order in its written decision that the person owning, sheltering, harboring, or keeping such dangerous, banned, or vicious animal (as defined in this ordinance) remove such animal from the City or destroy it. The decision and order shall immediately be served upon the person against whom rendered in the same manner as the notice of removal. If the original order of the Mayor or Peace Officer is not appealed and is not complied with within three days, or the order of the Council after appeal is not complied with within three days of its issuance, the Mayor or Peace Officer is

authorized to seize, impound or destroy such dangerous, banned, or vicious animal (as defined in this ordinance). Failure to comply with an order of the Mayor or Peace Officer issued pursuant to this chapter and not appealed, or of the Council after appeal, constitutes a misdemeanor offense for each day of failure to comply.

SECTION 2. REPEALER. That all other ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 3. SEVERABILITY CLAUSE. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the Keota City council on the 26th day of March, 2020.

Motion was made by Councilman Conrad to adjourn at 3:27 p.m. Councilman Bender seconded the motion. Motion passed with a majority vote. The City Council will next meet on Monday, April 6, 2020 with work session starting at 6:00 p.m. and the regular meeting to start at 7:00 p.m. If there is a need at that time to have an electronic meeting or conference call instead of a meeting at city hall the public will be notified.

CITY OF KEOTA
 APRIL 6, 2020 COUNCIL MEETING
 FOR PERIOD MARCH 17- APRIL 6, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
CONRAD, DOUGLAS L.	\$1,803.00	Payroll
GREINER, ASHLEY	\$18.91	Payroll
GREINER, TONIA	\$872.49	Payroll
HAMMES, TOMISHA	\$1,037.03	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,458.56	Payroll
EFTPS	\$1,850.34	Employee Withholdings
IPERS	\$2,670.56	Employee Benefits
CENTERPOINT LARGE PRINT	\$139.56	Library - Richardson Memorial
INFOMAX	\$140.17	Library - Copier Lease
KEOTA EAGLE FOODS	\$6.39	Library - Light Bulb
TECHSOUP	\$88.00	Library - TechSoup
TONIA GREINER	\$54.63	Library - Mileage Summer Reading Program Meeting
WINDSTREAM	\$143.01	Library - Phone/Fax
UNITED STATES POSTAL SERVICE	\$129.50	Water/Sewer - Water Bill Postage
UNITED STATES POSTAL SERVICE	\$275.00	All Dept. Newsletter Postage
ION ENVIRONMENTAL SOLUTIONS	\$1,838.00	Water/Sewer - April Operations
WASHINGTON STATE BANK	\$200.00	Deposit Refund - Finalized 604 E. Washington Ave.
ABIGAIL HOLETON	\$200.00	Deposit Refund - Finalized 108 N. Ellis St.
TREMMELE BACK HOE SERVICE	\$745.00	Storm Sewer - Manhole Repair County Line Rd.
VERIZON	\$40.01	Police - Hot Spot
DEARBORN GROUP	\$117.00	Employee - Benefits
D & N FENCE CO. INC.	\$2,500.00	Ball Assn. Grant for Fence
WELLMARK BLUE CROSS & BLUE SHIELD	\$9,190.53	Employee Benefits
WHITE LAW OFFICE	\$2,265.90	Legal Expenses
ALLIANT ENERGY	\$6,341.49	All Dept. Gas/Electric
MALLEY HARDWARE	\$97.20	All Dept. Supplies
COX SANITATION	\$5,443.50	Garbage - Pick Up/Bags
FIRST NATIONAL BANK	\$538.34	Library - Books/Programs/DVDs
FIRST NATIONAL BANK	\$211.68	All Dept. - Supplies/Meetings

TOTAL \$41,623.57

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – GOLF CARTS.

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title III, Chapter 4, Section 102 of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

Title III, Chapter 4, Section 101 and 102 is hereby repealed and the following adopted in lieu thereof:

3-4-101 PURPOSE

The purpose of this chapter is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter applies whenever a golf cart is operated on any street or alley, subject to those exceptions stated herein.

3-4-102 OPERATION OF GOLF CARTS PERMITTED

Golf carts registered with the City of Keota may be operated upon the streets of the City, except as prohibited in Section 3-4-101 of this chapter. The number of occupants shall not exceed the number of seats installed by the manufacturer in said vehicle. All operators under eighteen (18) years of age shall operate golf carts to and from the golf course only.

3-4-103 PROHIBITED STREETS

Golf carts shall not be operated upon Broadway Avenue from Keokuk-Washington Road to Davis Street as per the Business District sub definition in Section 3-4-2.5.2 unless said road is being crossed.

3-4-104 HOURS

Golf carts may be operated on City streets only between sunrise and sunset as set by the National Weather Service for Keota, Iowa.

3-4-105 SPEED

No golf carts shall be operated on any City street at a speed in excess of twenty-five (25) miles per hour.

3-4-106 REGISTRATION

No person shall operate a golf cart on any public street or alley for any purpose unless said golf cart is registered by the City of Keota.

1. Golf cart owners may register a golf cart with the City Clerk using forms provided by the City.
2. The registration sticker shall be displayed visibly and prominently on the rear of the golf cart.
3. All registrations issued shall uniquely identify the name and address of the owner.
4. Registrations shall be effective from January 1 through December 31 of each year.

3-4-107 PENALTIES FOR VIOLATIONS

1. Any person guilty of violating the provisions herein shall be guilty of a simple misdemeanor and shall be subject to a fine of one hundred dollars (\$100.00) or a municipal infraction.
2. The permit may be suspended or revoked upon finding evidence that:
 - a. The permit holder has violated the conditions of the permit.
 - b. The permit holder or authorized user has abused the privilege of being a permit holder by engaging in reckless driving or by using the golf cart in violation of traffic laws.

- c. First offense suspension would be thirty (30) days and a ten-dollar (\$10.00) reinstatement fee. Second offense and all following offenses the revocation of permit would extend until January 1 of the following year and a twenty-five (\$25.00) reinstatement fee.

SECTION 2. REPEALER. That all other ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 3. SEVERABILITY CLAUSE. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrased be declared unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE TRAFFIC CODE – ALL-TERRAIN VEHICLES (ATVs) AND UTILITY TRAIL VEHICLES (UTVs).

BE IT ENACTED by the City Council of the City of Keota, Iowa:

SECTION 1. Title III, Chapter 4, Section 108-116 is hereby adopted:

3-4-108 PUPROSE

The purpose of this chapter is to permit the operation of All-Terrain Vehicles (ATVs) and Utility Trail Vehicles (UTVs) on City streets. This chapter applies whenever an ATV or UTV is operated on any street or alley, subject to those exceptions stated herein.

3-4-109 DEFINITIONS

1. All-Terrain Vehicle (ATV) means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road recreational use. All-Terrain Vehicle includes as defined in section 321.1, but does not include farm tractors or equipment, construction equipment, forestry vehicles, or lawn and grounds maintenance vehicle.

(Code of Iowa, Sec 321.1)

2. Utility Trail Vehicle (UTV) means a motorized vehicle, with not less than four non-highway tires that is limited in engine displacement to less than one thousand five hundred (1,500) cubic centimeters and in total – highway dry weight to not more than two thousand (2,000) pounds and that has a seat that is of bucket or bench design not intended to be straddled by the operator, a steering wheel or control levers for control, and is equipped with a bed or cargo box for hauling materials. Vehicles designed for the primary purpose of recreation, such as dune buggies and recreational side by sides, shall not fit this definition and are not allowed under this section. The Chief of Police shall have the final say on whether a vehicle meets this definition.

3-4-110 OPERATION OF ATVs AND UTVs PERMITTED

ATVs and UTVs may be operated upon the streets of the City by persons possessing a valid operator's license and at least eighteen (18) years of age, as long as the ATV or UTV possesses a valid City of Keota permit, meets all necessary DNR licensing and registration, and all other requirements of this ordinance are met.

3-4-111 REQUIRED EQUIPMENT

ATVs and UTVs operated upon City streets shall be equipped with at least the following:

1. Valid operator's license
2. Valid liability insurance covering the ATV or UTV in the same limits as required of automobiles by the financial responsibility provisions of Chapter 321A of the Code of Iowa.
3. A valid City of Keota permit

3-4-112 HOURS OF OPERATION

ATVs and UTVs may be operated on City streets only between sunrise and sunset as set by the National Weather Service for Keota, IA. ATVs and UTVs owned and operated by any governmental entity or school district are exempt from these time restrictions when used in the performance of duties.

3-4-113 SPEED

ATVs and UTVs shall be subject to posted speed limits.

3-4-114 OPERATION

1. Except as noted otherwise, therein, any person operating an ATV or UTV on City streets or alleys shall adhere to all traffic signs and signals, all other City of Keota and State of Iowa traffic rules and regulations, and shall obey the orders and direction of any law enforcement officer authorized to direct or regulate traffic or the direction of a fire department officer during a fire.
2. This ordinance forbids the operation of ATVs and UTVs on:
 - a. Any recreational, bike or walking trail unless the trail is specifically designed to allow the use of motor vehicles.
 - b. Sidewalks
 - c. City parks or any other land owned by the City, unless permission is granted by the City Council.
 - d. Private property without the consent of the property owner.
3. All alley use by ATVs and UTVs must be conducted only when the alley is sufficiently dry as to maintain the integrity of the alley once traveled through. All alley use by ATVs and UTVs must not cause the alley to suffer damage.

3-4-115 PERMITS

1. All ATVs and UTVs must be registered with the City of Keota before operating on any public street or alley. Permit applications shall be made available via the City Clerk. Permit applications shall include the following:
 - a. All applications shall uniquely identify the name(s) and address(es) of the owner, or the owner's agent, the owner's address, or bonafide place of business, and phone number.
 - b. All applications shall include a description of the ATV or UTV and shall be for a specific ATV or UTV as evidenced by its serial number.
 - c. All applications shall show evidence owner has liability insurance covering operation of an ATV or UTV on City streets with limits of liability at least as great as those required by the Code of Iowa, Chapter 321A.1(11) as amended.
 - d. All ATVs must be compliant with all current Iowa DNR registration decal and registration certificates.
 - e. List of authorized users.
2. Once permit application is approved, all ATVs and UTVs operated on the City streets shall display the City of Keota permit sticker prominently on the left rear of the vehicle.
3. Permits shall be effective from January 1st through December 31st of each year.
4. Businesses selling ATVs or UTVs are exempt from having to obtain permits, unless the vehicle is being used for general transportation and not as a test vehicle.
5. All ATVs and UTVs must comply with all applicable state regulations.

3-4-116 VIOLATION AND PENALTY

1. Any person guilty of violating the provisions herein shall be guilty of a simple misdemeanor and shall be subject to a fine of up to one hundred (\$100.00) dollars or a municipal infraction.
2. The permit may be suspended or revoked upon finding evidence that:
 - a. The permit holder has violated the conditions of the permit.
 - b. Permit holder or authorized user has abused the privilege of being a permit holder by engaging in reckless driving or by using the ATVs or UTVs in violation of traffic laws.

3. For a first offense the suspension would be thirty (30) days and a ten-dollar (\$10.00) reinstatement fee. For a second offense and all following offenses the revocation of permit would extend until January 1st of the following year and a twenty-five-dollar (\$25.00) reinstatement fee.

SECTION 2. REPEALER.

That all other ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 3. SEVERABILITY CLAUSE.

That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrased be declared unconstitutional.

SECTION 4. WHEN EFFECTIVE.

This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

RESOLUTION NO. 2020-19

RESOLUTION APPOINTING THE FOLLOWING NAMED PERSON AS A MEMBER OF THE MUSEUM BOARD FOR THE CITY OF KEOTA, IOWA.

BE IT THEREFORE RESOLVED, that the City Council of Keota, Iowa, approves the appointment of the following named person to serve on the Museum Board for the term set forth:

Jeri Klein – July 31, 2021

PASSED AND APPROVED this 6TH day of April, 2020.

ANTHONY CANSLER, MAYOR

ATTEST:

TOMISHA HAMMES, CITY CLERK

ROLL CALL VOTE				
COUNCIL MEMBER NAME	AYES	NAYS	ABSTAIN	ABSENT
MIKE BENDER				
KEITH CONRAD				
MATT GREINER				
ROD HILL				
CURT BURROUGHS				

RESOLUTION NO. 2020-20

**RESOLUTION APPROVING THE COMPENSATION FOR BUDGET YEAR
2020-2021**

WHEREAS, The City Council of Keota, Iowa, has discussed and agreed to set the pay compensation for the following employee as follows for July 1, 2020 to June 30, 2021:

TONIA GREINER - \$13.00 PER HOUR
ASHLEY GREINER - \$8.00 PER HOUR

BE IT THEREFORE RESOLVED, that the City Council of Keota, Iowa, approves the following list of pay compensation for the 2020-2021 budget year.

PASSED AND APPROVED this 6TH day of April, 2020.

ANTHONY CANSLER, MAYOR

ATTEST:

TOMISHA HAMMES, CITY CLERK

ROLL CALL VOTE				
COUNCIL MEMBER NAME	AYES	NAYS	ABSTAIN	ABSENT
MIKE BENDER				
KEITH CONRAD				
MATT GREINER				
ROD HILL				
CURT BURROUGHS				

CITY OF KEOTA

309 E. Broadway Avenue
PO Box 77
Keota, Iowa 52248

641-636-2266
keotacityhall@cloudburst9.net
keotaiowa.org

April 6, 2020

The City of Keota supports the request for extension on the deadline for the completion of SDF Properties, LLC Project for the Iowa Community Catalyst Grant. A project of this magnitude takes a great deal of time to make sure all guidelines are followed and that specifications are met. SDF Properties, LLC has kept the City of Keota abreast of their progress and has been diligently working hard to meet their deadlines. With a historic project such as this, complications and surprises arise, not to mention the current pandemic that the country is in as well. The City supports an extension of six months to allow the project to be completed.

The City of Keota appreciates your consideration of extension for the project for SDF Properties, LLC. Thank you.

Anthony Cansler
Mayor

Date

Keith Conrad
Building Code Official

Date

MAYOR & CITY COUNCIL

Mayor Cansler*K.Conrad*R.Hill*C.Burroughs*M.Greiner*M.Bender

PROPOSAL

CITY OF KEOTA
 CITY CLERK
 P.O. BOX 77
 309 E. BROADWAY AVE.



WWW.LLPELLING.COM

1425 W. Penn Street P.O. Box 230 North Liberty, Iowa 52317

(319) 626-4600 FAX (319) 626-4605

WE PROPOSE TO DO THE FOLLOWING WORK AND/OR FURNISH THE MATERIALS AT THE UNIT PRICE QUOTED BELOW:

Page 5

Street	From	To	L (ft)	W (ft)	TYPE OF WORK (SY)		Total
					Type A	Type B	
	V15	WEST	A			-	\$ -
			B	260	20		578
CEMETERY	CORNER	NORTH (EAST RD.)	A			-	\$ -
			B	1000	10		1,111
WASHINGTON	FULTON	WEST	A			-	\$ -
			B	90	23		230
	DAVIS	WEST	A			-	\$ -
			B	100	23		256
	CARPENTER	WEST	A			-	\$ -
			B	60	23		153
	330TH. AVE.	LINCOLN	A			-	\$ -
			B	600	23		1,533
			A			-	\$ -
			B				-
			A			-	\$ -
			B				-
			A			-	\$ -
			B				-

Summary of Work	Unit of Measure	Quantity	Unit Cost	Total
Type B Work	Square Yd	16,371	\$ 2.25	\$ 36,834.75
Cold Mix Patching	per ton	36.00	\$ 225.00	\$ 8,100.00
				<u>\$ 44,934.75</u>

NOTES: Billing on final units completed.

Date: 3/18/2020

Authorized
Signature

Bob Donohoe

Note: This proposal may be withdrawn if not accepted within 30 days.

All work & materials will be according to specifications submitted or per standard practices. Any alteration or deviation from the above specifications involving extra cost will become an extra charge over and above the estimate. Items bid per Unit of Measure are based on estimated quantities, and payment will be based on actual quantities placed. Payment is due upon receipt of invoice. 1 3/4% Service Fee will be charged on all past due accounts (21% per annum). Any expense incurred to collect past due accounts, including attorney fees, will be reimbursed by owner.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be due upon receipt of invoice. I will retain the white copy for my records and return the yellow copy for authorization to schedule work.

Signature _____ Date _____

Signature _____ Date _____

"Committed to Excellence since 1948"