

AGENDA
KEOTA CITY COUNCIL
KEOTA FIRE STATION
June 1, 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 May 18, 2020 meeting
- b. Bills for Payment

4. Councilman Conrad Comments

5. Citizen Comments

While Citizen's Comments are not required by law, the Mayor and City Council welcome comments from the public. An opportunity to speak is not guaranteed, and is allowed at the discretion of the Chair. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak.

The following requirements will be enforced by the Mayor and City Council;

- *All comments must be directed at the Council*
- *Only the citizen given the chair to speak is allowed to speak. Anyone else speaking will be removed from the meeting.*
- *You may ask questions to the Council; however, your questions will not be answered during Citizens comments and will be considered, though no answer guaranteed, during the Council's debate.*
- *Once Citizens comments are complete there is to be no talking or comments from the gallery. Any citizen speaking once Citizen's comments are complete will be removed from the meeting.*

Please remember, Robert's Rules of Order requires that all debate be conducted by the Council without interruption from the gallery and is enforceable by law. Likewise, the Council is not to enter into debate with the public during the meeting. If a Councilman asks a question of a Citizen, the Citizen will be allowed to answer the question only.

Robert's Rules of Order also states that the Order of Business is at the discretion of the Chair who is the Mayor.

6. Department/Committee Reports

7. New Business

- a. Wilson Memorial Park Updates
- b. Discussion on KeWash Trailhead
- c. Third Reading of Ordinance 279: Sewer Rate Increase
- d. *Approve Ordinance 279: Sewer Rate Increase
- e. Second Reading of Ordinance 2020-282: Open Burning Restrictions
- f. Second Reading of Ordinance 2020-284: Animal Ordinance

*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

- g. *Approve Resolution 2020-26: FY20 Budgeted Fund Transfers
- h. *Approve Cigarette and Tobacco Permit for County Line Mart LLC
- i. *Approve Cigarette and Tobacco Permit for The Roost Tavern
- j. *Approve Cigarette and Tobacco Permit for Keota Eagle Foods
- k. Discussion on Employee Handbook Updates
- l. Discussion on Filling Vacancies on Board of Adjustments

8. *Approve Building Permits

- a. 211 N. Carpenter St. - Fence
- b. 507 W. Washington Ave. - Deck

9. Clerk/Council Comments

10.*Adjournment

*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

May 18, 2020

The Keota City Council Meeting was called to order at 7:00 p.m. on Monday, May 18, 2020, by Mayor Anthony Cansler.

Council members answering roll call were: Curt Burroughs, Keith Conrad, Rod Hill, and Mike Bender. Matt Greiner was unable to attend. City Employee present was Tomisha Hammes. Also in attendance was Kathy Davis, Jim Tinnes, Patty Tinnes, Heath McDonald, Marcelene Juniper, Karen Sypherd, Denny Baumert, Kathy Ewald, Judy Sigler, Carl Sigler, Sue McDonald, Mike McDonald, Rich Klein, Danielle Imhoff, and Lindsay Imhoff.

Councilman Burroughs gave the Invocation.

Mayor Cansler opened up the Public Hearing for the FY20 Budget Amendments. The clerk stated she received no written or verbal comments, concerns or questions in regards to the published amendments. There were no comments from the citizens in attendance.

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

The Mayor opened the regular meeting.

Motion was made by Councilman Conrad to amend the agenda adding in Citizen Comments before Department Reports. Councilman Burroughs seconded the motion. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve the consent agenda including minutes from the May 4, 2020 meeting, April month end financials, and payment of bills. Councilman Conrad seconded the motion. Motion passed with a majority vote.

**CITY OF KEOTA
MAY 18, 2020 COUNCIL MEETING
FOR PERIOD MAY 5 - May 18, 2020**

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
CONRAD, DOUGLAS L.	\$1,803.00	Payroll
GREINER, ASHLEY	\$25.22	Payroll
GREINER, TONIA	\$745.97	Payroll
HAMMES, TOMISHA	\$1,037.03	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,458.56	Payroll
EFTPS	\$1,808.36	Employee Withholdings
JEFFERY GARMAN	\$1,875.00	Cemetery Mowing Contract
KEOTA EAGLE FOODS	\$20.42	City Hall - Cleaning Supplies
SHIPLEY MASONRY LLC	\$11,800.00	Ball Association Concrete at Fields - Grant
MENARDS	\$119.85	Streets - Pot Hole Patch
KEOTA LAWN & POWER EQUIPMENT	\$93.05	Parks - Operating Supplies
ION ENVIRONMENTAL SOLUTIONS	\$2,024.20	Water/Sewer - May Operations/April Non-Routine Lab
MID-AMERICA PUBLISHING CORP.	\$818.54	All Dept. Printing/Publishing
KEOTA TRANSMISSION & REPAIR	\$491.81	Streets/Sewer/Water - Veh. O & M
VITTETOE INC.	\$8.28	Parks - Operating Supplies
CENTRAL STATES GROUP	\$137.15	Water - Badger Model Supplies
WATER SOLUTIONS UNLIMITED	\$350.03	Water - Chloride
CARGILL	\$5,031.67	Water - Salt
US CELLULAR	\$189.56	All Dept. Cell Phones
FARMERS COOPERATIVE ASSOCIATION	\$357.72	All Dept. Veh. O & M
TOM WOLTERING	\$793.41	Cemetery - Spraying

JJ NICHTING CO.	\$584.74	Parks - Operating Supplies
MUNICIPAL SUPPLY INC.	\$2,831.30	Water - Fire Hydrant
WINDSTREAM	\$188.44	All Dept. Phone/Fax

TOTAL \$35,801.08

April 2020 – Month End Financials

FUND	BEGINNING BALANCE	RECEIPTS	EXPENDITURES	END BALANCE
LIBRARY CD 1	\$39,174.23			\$39,174
LIBRARY CD 2	\$30,796.36			\$30,796
SEWER CD	\$144,633.11			\$144,633
SEWER VEH CD	\$20,436.52			\$20,436
WATER CD	\$68,958.00			\$68,958
WATER VEH CD	\$420.79			\$420
DARE	\$877.62			\$877
POLICE FORFEITURE	\$572.49			\$572
GEN FD INV	\$1,448.49	\$0.12		\$1,448
GEN FD LIBR INV	\$4,977.48	\$0.41		\$4,977
LIB BUILDING	\$1,304.34	\$0.11		\$1,304
LIB MEMORIALS	\$305.81			\$305
PERPETUAL CARE FUND	\$7,509.55	\$0.62		\$7,510
POLICE VEHICLE INV	\$22,295.67	\$1.83		\$22,297
PARK & CEM VEH	\$8,604.89	\$0.71		\$8,605
CITY HALL BLDG RPR	\$19,203.46	\$1.58		\$19,205
CIVIL DEFENSE FU	\$3,172.76	\$0.26		\$3,173
KEOTA DAYCARE	\$1,189.34	\$0.10		\$1,189
WILSON MEMORIAL LIB	\$17,561.65	\$1.44		\$17,563
T&A METER INV	\$23,655.33	\$1.94		\$23,657
SIDEWALK SAVINGS	\$14,516.66			\$14,516
WTR VEH SAVINGS	\$24,454.30			\$24,454
WTR TWR MAIN SAVINGS	\$9,639.36			\$9,639
SEWER VEH SAVINGS	\$8,115.71			\$8,115
SNOW EQUIPMENT SAVINGS	\$5,068.96			\$5,068
CHECKING	\$475,057.16	\$210,076.06	\$120,612.92	\$564,520
GENERAL		\$113,641.34	\$107,742.88	
GENERAL - LOCAL OPTION		\$5,120.19		
DARE				
ROAD USE		\$11,750.94	\$6,203.86	
EMPLOYEE BENEFITS		\$33,309.59	\$13,887.44	
DEBT SERVICE		\$4,991.65		
CAPITAL IMPROV				
RESER				
LIBRARY		\$4,797.65	\$6,186.46	
LIBRARY MUSEUM				
WATER		\$23,493.47	\$28,808.03	
CP. WTR. TRTMNT.				
PLANT				
CP. WTR. TOWER				

CP. WTR. MAIN DAVIS ST CP. WTR MAIN BROAD/DAVIS UTILITY DEPOSITS SEWER SEWER EXT-BROADWAY SEWER PLANT UPGRADE		\$600.00 \$16,911.62	\$507.16 \$21,428.30
TOTAL			\$1,043,422

Citizen Comments: Jim Tinnes asked the Council if they were planning on repealing the whole Noise Ordinance. The Mayor responded that yes, the Council was planning on repealing the whole ordinance. Kathy Davis, Judy Sigler, Kathy Ewald, and Jim Tinnes spoke in favor of keeping the current burn ordinance in place and not allowing leaf and garden waste to be burned. Sue McDonald and Danielle Imhoff spoke in favor of allowing burning regulations allowing leaf and garden waste burning in Keota.

Department Reports:

-Officer Doug Conrad submitted a written report. For the reporting period of May 1 through May 14 there were nineteen (19) service calls/complaints and no citations issued. Service Calls/Complaints: one burglary, one theft, two simple assault, one weapons, two family and children, one disorderly conduct, one suspicion, three assist and serve, one attempt to locate, one civil dispute, one dog/cat/misc. animal, one traffic violation, three harassment.

-Library – Councilman Burroughs was given an update prior to the meeting. The library is open to the public and averaging about ten to twelve patrons a day. There has been requests for playing games on the computer, but currently the library is only allowing essential use of the computers. The Board is looking into creative ways to still have the Summer Reading Program.

-Public Works – The fire hydrant at the corner of North McKinley Street and Keokuk Avenue will be replaced on Thursday, May 21, 2020.

Motion was made by Councilman Conrad to approve Resolution 2020-25: FY20 Budget Amendments. Councilman Burroughs seconded the motion. Roll call vote: Ayes - Burroughs, Conrad, Hill, and Bender Nays – None; Abstain – None; Absent – Greiner. Motion passed with a majority vote.

The clerk did the second reading of Ordinance 2020-279: Sewer Rate Increase.

The clerk did the first reading of Ordinance 2020-282: Open Burning Regulations.

The clerk did the first reading of Ordinance 2020-283: Noise Ordinance Repeal.

Motion was made by Councilman Bender to waive the 2nd and 3rd reading of Ordinance 2020-283: Noise Ordinance Repeal. Councilman Conrad seconded the motion. Roll call vote: Ayes - Burroughs, Conrad, Hill, and Bender Nays – None; Abstain – None; Absent – Greiner. Motion passed with a majority vote.

Motion was made by Councilman Burroughs to approve Ordinance 2020-283: Noise Ordinance Repeal. Councilman Bender seconded the motion. Roll call vote: Ayes - Burroughs, Conrad, Hill, and Bender Nays – None; Abstain – None; Absent – Greiner. Motion passed with a majority vote.

Ordinance No. 2020-283: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE NOISE ORDINANCE.

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

SECTION 1. Title VI, Chapter 25 of the City of Keota, Iowa, 2017 Municipal Codebook of Ordinances, is hereby repealed.

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 18th day of May, 2020.

The clerk did the first reading of Ordinance 2020-284: Animal Ordinance

There was discussion on possible Wilson Memorial Park updates. The clerk has looked into the REAP Grant through the Iowa DNR, Walmart Community Grant, and Alliant Energy Community Grant. Deadlines are in August and September. The Council wished to extend an invitation to the Keota Ball Association and Keota Unlimited to attend the June 1, 2020, Keota City Council meeting to work together on a plan for updates to the park.

A Grant Submission Request Information form was presented. This form would need to be filled out by any organization or department wanting to apply for a grant that would either be on city property or need a resolution passed by the Keota City Council. The form can be found on the city's website at www.keotaiowa.org under shortcut forms on the home page.

Motion was made by Councilman Conrad to approve the building permit for a fence for 114 N. Fulton Street. Councilman Bender seconded the motion. Motion passed with a majority vote.

Clerk/Council/Mayor Comments: The clerk stated that library shelving was found at a library in Dewitt, Iowa for a fraction of the price that could be found for new ones online. The Council gave approval to purchase the shelving units and the money will come out of the city hall general fund. Councilman Burroughs stated that at the May 4th meeting the Council announced that they had opened the city parks in Keota. Councilman Burroughs stated that the Governor had kept the parks closed in her proclamation, but he called and discussed this with Representative Jared Klein. According to Councilman Burroughs, Klein backed the actions by the Keota City Council to open the parks. Councilman Burroughs went on to state that the Primary Election on June 2, 2020, will take place in Sigourney. He is working on trying to get Keota permission to hold the regular election in Keota as it is also tentatively set to take place in Sigourney. Councilman Burroughs then read a prepared statement. Councilman Hill commented that the cemetery was sprayed and it looks like the chemicals are working. The cemetery looks really nice. The Council and Mayor expressed their gratitude for those that attended the meeting and offered their opinions.

Motion was made by Councilman Conrad to adjourn at 8:42 p.m. Councilman Bender seconded the motion. Motion passed with a majority vote. The City Council will next meet on Monday, June 1, 2020, starting at 7:00 p.m.

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK TOMISHA HAMMES

These are not official minutes. All documents/ordinances/resolution can be viewed at the Keota City Hall. These minutes will be approved at the next council meeting.

CITY OF KEOTA
 JUNE 1, 2020 COUNCIL MEETING
 FOR PERIOD MAY 19 - JUNE 1, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
CONRAD, DOUGLAS L.	\$1,803.00	Payroll
GREINER, ASHLEY	\$56.75	Payroll
GREINER, TONIA	\$702.34	Payroll
HAMMES, TOMISHA	\$1,037.03	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,458.56	Payroll
EFTPS	\$1,799.04	Employee Withholdings
IPERS	\$2,627.50	Employee Benefits
ALL AMERICAN PEST CONTROL	\$30.00	Library - Pest Control
BUDGET BLINDS	\$2,591.75	Library - Blinds from Grant
CASH	\$475.00	Library - Summer Reading Program Gift Cards
CENGAGE LEARNING	\$235.81	Library - Books and Memorial
INFOMAX	\$46.98	Library - Copier Fee
WINDSTREAM	\$146.18	Library - Phone/Fax
IOWA FINANCE AUTHORITY	\$66,380.69	SRF Loan Principal & Interest - Wastewater Treatment Plant
IOWA FINANCE AUTHORITY	\$27,801.25	SRF Loan Principal & Interest - Water Treatment
IOWA FINANCE AUTHORITY	\$16,167.50	SRF Loan Principal & Interest - Water Mains Davis Street
IOWA FINANCE AUTHORITY	\$11,411.94	SRF Loan Principal & Interest - Water Mains Davis/Broadway
IOWA FINANCE AUTHORITY	\$49,665.00	SRF Loan Principal & Interest - Water Tower
KIM CRAWFORD	\$75.00	Water - Finalized Bill Refund
UNITED STATES POST OFFICE	\$128.80	Water/Sewer - Monthly Bills Postage
MERLYN DETWEILER	\$15.00	All Dept. - Mower Blade Sharpening
MUNICIPAL SUPPLY INC.	\$377.50	Water - Couplings
MENARDS	\$95.90	Sewer - Plywood and Filter
WELLMARK BLUE CROSS BLUE SHIELD	\$9,130.62	Employee Health Benefits
KEOTA LAWN AND POWER EQUIPMENT	\$77.50	All Dept. - Mower Repair

TOTAL \$195,544.41



Wilson Memorial Park Plan.

Keota

Ordinance No. 2020-280

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE RATES CHARGED FOR SEWER RENTAL RATES AS OF JULY 1, 2020.

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

SECTION 1. Title VI, Chapter 9, Section 2 of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

6-9-2: Rental Rate: Each Customer shall pay a sewer rental based on water used each month:

1. For the first 2,000 gallons of water used, sewer rent shall be \$41.67 (Minimum Charge).
2. For the next 3,000 gallons of water used, sewer rent shall be charged at \$5 per 1,000 gallons.

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 with new rates taking effect on July 1, 2020.

ANTHONY CANSLER, MAYOR

1st Reading: May 4, 2020
2ND Reading: May 18, 2020
3rd Reading: June 1, 2020

ATTEST:

TOMISHA HAMMES, CITY CLERK

I certify that the foregoing was published as Ordinance 280 on June 10, 2020.

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

Ordinance No. 2020-282

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE PHYSICAL ENVIRONMENT.

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

SECTION 1. Title VI, Chapter 18, Section 8 is hereby repealed and the following adopted in lieu thereof:

6-18-8 OPEN BURNING RESTRICTIONS

1. Burn Barrels are prohibited within the City limits.
2. Regulated Burning. The City of Keota will allow open burning. All other burning that does not meet the following restrictions is prohibited.
 - a. Leaf/Landscape Waste burning is only allowed on the city right of way in the front of the dwelling. No fire is allowed to reach the street pavement, and must be a minimum of twenty-five (25) feet from any structure or building. No other items but leaves or landscape waste may be burned at this location.
 - b. Garden Waste/Landscape Waste burning is allowed within the garden plot and must be a minimum of twenty-five (25) feet from any structure or building. No other items but garden waste or landscape waste are allowed to be burned in this location.
 - c. Burning of WET leaves is prohibited.
 - d. Fires are prohibited on the street, driveways, alleys, or ditches.
 - e. Fires are limited to no larger than ten (10) feet wide.
 - f. Fires are prohibited under powerlines, light or power poles, or within fifty (50) feet of combustible materials.
 - g. Adult supervision must be on hand at all times.
 - h. A working garden hose must be available for immediate use at all times.
 - i. No fires shall be maintained if weather conditions are not favorable or in the event of an order from the Fire Chief directing that the fire must be extinguished. No fires shall take place in the event of a burn ban issued by the County, State of Iowa or DNR.
3. Recreational Fires. Open fires for cooking, heating, recreation and ceremonies, provided they comply with the limits for emission of visible air contaminants established by the DNR are legal within City limits. All recreational fires must be in a fire pit or fire ring.
4. Training Fires for the training of firefighters and Controlled Burning of Demolished/Uninhabitable Building are permitted subject to the approval of the City Council.
5. Rubber Tires, Trash, or any other items other than those listed above are prohibited within City limits.
6. Violation and Penalty. 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) dollars or a municipal infraction.

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.

ANTHONY CANSLER, MAYOR

1st Reading: May 18, 2020
2nd Reading: June 1, 2020

ATTEST:

TOMISHA HAMMES, CITY CLERK

Motion: _____ Second: _____

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

Ordinance No. 2020-284

AN ORDINANCE AMENDING THE CITY OF KEOTA, IOWA, 2017 MUNICIPAL CODEBOOK OF ORDINANCES – ANIMAL CONTROL

BE IT ENACTED by the City council of the city of Keota, Iowa:

SECTION 1. Title IV, Chapter 1, Sections 8, 11, and 12 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.
 - b. The City shall bear the burden of proof to show the dog is a pit bull by clear, convincing, and satisfactory evidence.
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. 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.

4-1-11 ANIMALS AND FOWL

1. It shall be unlawful for a person to keep within the City limits cattle, horses, swine, sheep, goats, ostriches, emus, rheas, or guinea fowl unless any parcel of land is greater than two and a half (2.5) acres.
2. Animals and small fowl such as pigeons and quail; medium fowl such as pheasants, chickens and ducks; and large fowl such as geese, turkeys, and peafowl which are of such type and nature that State and National Associations exist establishing norms for breeding, confining and rearing shall be allowed, provided that:
 - a. Cages, hutches, coops, cotes, lofts or other confinement shall be at least 35 feet away from any neighboring residence; such enclosures shall be of sufficient size to house the number of fowl permitted.
 - b. The area is maintained free of odors, insects and rodents, and excessive noises such as crowing, cackling, and gobbling, causing no safety or health hazards to the general public or interfering with the enjoyment of life and property by any neighboring resident.
 - c. Animals and fowl included in this subsection shall be fed in the confines of their enclosures; all grains and food shall be stored in rodent proof containers.
 - d. On any parcel of land which is a single lot, such animals shall be limited to five (5) large fowl, ten (10) medium fowl, and twenty (20) small fowl consisting of no more than two species.
 - e. On any parcel of land which is a double lot and smaller than two and a half (2.5) acres, such animals shall be limited to ten (10) large fowl, twenty (20) medium fowl, and thirty (30) small fowl consisting of no more than four species.
 - f. All animals and fowl in this subsection must be permanently fenced and may not be enclosed or fenced in the front yard of a dwelling.
 - g. The young produced by any animals or fowl within this subsection may be maintained with the parent animals for a period of approximately eight weeks but in no case more than ten weeks.
 - h. It shall be unlawful for a person to keep within the City limits more than one (1) rooster of crowing age.
3. Dead Animals
 - a. No person shall place any dead animal in any street, alley or other public place in the City or allow any dead animal which he or she owned or for which he or she had control to remain in any street, alley or other public place or on the premises of any person within the City for more than five hours. If an animals dies in any street, alley or other public place or on the premises of any person within the City, the person who owned or had possession and control of the animal prior to death shall remove or cause to be removed the carcass within five hours from the time the animal dies and shall have the carcass desiccated or cremated.
4. No person shall abandon any animal or fowl within the corporate limits.

5. No owner of any animal or fowl shall allow such animal or fowl to cause damage to or interfere with the property of another.

4-1-12 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 per offence.

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.

Passed and approved by the Keota City council on the 15th day of June, 2020.

ANTHONY CANSLER, MAYOR

1st Reading: May 18, 2020
2nd Reading: June 1, 2020

ATTEST:

TOMISHA HAMMES, CITY CLERK

I certify that the foregoing was published as Ordinance 284 on June 24, 2020.

Motion: _____ Second: _____

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

RESOLUTION 2020-26

A RESOLUTION APPROVING THE FOLLOWING FY20 BUDGETED FUND TRANSFERS FOR THE CITY OF KEOTA, IOWA.

BE IT RESOLVED by the City Council of the City of Keota, Iowa, that their approval is now given for the following FY20 Budgeted Fund Transfers:

- 001-1010-6710 Police Vehicle Purchase to 1145 Police Vehicle Savings Account - \$4838.00
- 600-8010-6710 Water Vehicle Purchase to 1177 Water Vehicle Savings Account - \$4838.00
- 610-8015-6710 Sewer Vehicle Purchase to 1175 Sewer Vehicle Savings Account - \$1000.00
- 002 General Fund Local Option to 331 Library Fund - \$20675.00

WHEREUPON, Resolution 2020-26 is passed and approved this 1st Day of June, 2020.

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK TOMISHA HAMMES

MOTION: _____ SECOND: _____

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

EMPLOYEE BENEFITS

5.1 HEALTH INSURANCE

The City of Keota currently offers full-time employees health coverage for employees only hired after July 1, 2020. Insurance coverage is explained in detail in the booklets provided by the carrier of the City's plan. It is the employee's responsibility to file claims with the insurance carrier for payment. There will be no compensation of any type if an employee elects to opt out of insurance coverage for any reason.

At the end of each fiscal year, during open enrollment, you are free to change you medical election for the following fiscal year, whether or not you have a change event.

5.2 COBRA

By law, the City must offer continuation of health coverage to employees under certain termination-of-employment situations.

Please contact the Keota City Clerk for a summary of your rights and obligations under the law.

5.3 GROUP LIFE INSURANCE

The City of Keota offers full-time employees a basic term life policy along with an accidental death and dismemberment policy. Each policy pays a death benefit equal to \$10,000, accidental is \$20,000.

5.4 RETIREMENT

The retirement program for all regular full-time, part-time, and certain seasonal/temporary employees is the Iowa Public Employee's Retirement System (IPERS). Employees and the City of Keota shall contribute a state mandated amount of funding to this system to compensate employees upon retirement.

5.5 EMPLOYEE TRAINING/TUITION REIMBURSEMENT

The City of Keota encourages its employees to attend conferences, seminars, and training sessions to benefit the employee in enhancing job performance, skills, and knowledge. To qualify for reimbursement, the educational training or course must be continuing education, work related courses, or supervisor requested courses. The course must directly relate to the employees current position and shall not be for the purpose of obtaining a degree.

The employee must obtain supervisor's approval in advance of enrollment. Reimbursement will be made only after the employee submits certification that the course has been completed with a letter grade of "C" or better. The City will reimburse 100% of expenses for tuition and other fees specifically charged by the school for the approved course.

5.6 EDUCATIONAL COMPENSATION

To qualify for compensation related to certification, course must be completed as stated in the education reimbursement section and certification must be obtained to its fullest.

the benefits you can continue and of the terms, conditions, limitations, and costs associated with each. Contact the City Clerk if you have any questions.

Any City property in your possession at termination must be returned to the City no later than your last day of work. This includes phone, keys, manuals, credit cards, maps, etc.

6.11 RESIGNATION

Employees shall present a written resignation at least two weeks prior to the effective date of the resignation. Employees who fail to provide a two week notice of separation may be denied the payout accrued, but unused vacation accrual.

Federal Law requires that some employee insurance benefits (notably health insurance) may be continued after termination of employment at your expense if you so choose. You will be notified of the benefits you can continue and of the terms, conditions, limitations, and costs associated with each. Contact the City Clerk if you have any questions.

Any City property in your possession at termination must be returned to the City no later than your last day of work. This includes phone, keys, manuals, credit cards, maps, etc.

6.12 FITNESS FOR DUTY

The City of Keota reserves the right to require employees to undergo a fitness for duty evaluation at the City's sole discretion.

6.13 INCLEMENT WEATHER

If the City Manager announces by public broadcast that city offices are closed, then only persons designated as 'essential personnel' need to report to work. Employees considered 'essential personnel' will be notified by their supervisor if they are required to report to work.

All leave or absences due to inclement weather shall be unpaid unless the employee elects to take available vacation, compensatory time or personal leave with approval of the supervisor.

6.14 PERFORMANCE EVALUATIONS

Evaluation Conference: Personnel Committee made up of the Mayor and two (2) Councilmen will meet with employees to do the Evaluation Conference.

A conference regarding the evaluation will be held between the employee and the evaluators following the completion of the written evaluation. A copy signed by both parties will be given to the employee.

Frequency of Evaluations: Employees shall be evaluated by the employee's supervisor and Personnel Committee at least annually, and at such other times deemed appropriate by the supervisor and/or Personnel Committee.

Response: All evaluation reports will be placed in the employee's personnel file. The employee has the right to respond to the evaluation report and such response will become part of the evaluation report.

6.15 PERSONNEL RECORDS