

AGENDA
KEOTA CITY COUNCIL
KEOTA FIRE STATION
June 15, 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 June 1, 2020 meeting
- b. Bills for Payment
- c. May month end financials

4. 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.

5. Department/Committee Reports

6. Business

- a. Keota Pool Advocates Updates
- b. Final Reading of Ordinance 2020-282: Open Burning Restrictions
- c. *Approve Ordinance 2020-282: Open Burn Restrictions
- d. Final Reading of Ordinance 2020-284: Animal Ordinance
- e. *Approve Ordinance 2020-284: Animal Ordinance
- f. First Reading of Ordinance 2020-285: Building and Land Use Regulations – Fees
- g. *Potential Waiving of Second and Third Reading

*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

- h. *Potential Approval of Ordinance 2020-285: Building and Land Use Regulations - Fees
- i. *Approve Resolution 2020-28: Employee Handbook Update
- j. *Approve Resolution 2020-29: 28-E Agreement with Washington County Conservation – KeWash Trailhead
- k. *Approve Appointing The News Review as Official Paper
- l. *Approve Building Permit for 207 N. Ellis St. - fence
- m. *Approve Building Permit for 206 W. Broadway Ave. – deck
- n. *Approve Building Permit for 109 N. Lincoln St. – fence
- o. *Approve Letter of Support for the Nuisance Property Loan Agreement Amortization Schedule Amendment
- p. *Discussion of the Agreement and Contract for Fire Protection

7. Clerk/Council Comments

8. *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

June 1, 2020

The Keota City Council met on June 1, 2020, at the Keota City Hall. The work session was called to order at 6:01 p.m. by Mayor Pro-Tem Keith Conrad.

Council Members answering roll call were: Curt Burroughs, Mike Bender, and Rod Hill. City employees present were Kevin Slaubaugh and Tomisha Hammes. Also in attendance was Rita Sheetz, Lyle Insurance.

Public Works Director Kevin Slaubaugh gave his report during work session as he was unable to attend the meeting. LL Pellings have finished their work on the city streets. He presented the amount of water that Manatts used for grinding the highway west of town. The total was 338,000 gallons of water used. The clerk will send out a bill for the water used at \$36.61 base for 2,000 gallons and \$11.00 for every 1,000 used after that. The lot at 105 N. Davis Street has been seeded. The new fire hydrant is in at the corner of McKinley Street and Keokuk Avenue. The Ball Association requested that the electricity be left on until the 2021 season so that they can keep the frozen meat in the freezer. The Council said that the electricity needs to be turned off due to the price to keep it on and liability if the power goes out and the meat goes bad. The clerk and Slaubaugh will be going to Dewitt on Monday, June 8 to pick up the library shelving that the Council approved purchasing. There have been a few complaints about headstones being moved or knocked over at the cemetery. Bean & Bean will be coming through to move them back. The trailer at 110 N. Hamilton is in the process of being torn down. He has picked out a flag pole to put up at the new city hall that is like the ones at the Keota VFW Memorial.

Rita Sheetz, Lyle Insurance, discussed different health insurance options for the City.

The Council reviewed the presented rough draft copy of the 28-E Agreement with the City of Keota for the KeWash Trailhead and the Washington County Conservation.

Discussion was held on the Workforce Housing Tax Incentive Program Resolution and Letter of Support for SDF Properties, LLC.

No decisions were made on any items discussed during work session.

Motion was made by Councilman Conrad to adjourn work session at 6:53 p.m. Councilman Bender seconded the motion. Motion passed with a majority vote.

The Keota City Council Meeting was called to order at 7:06 p.m. by Mayor Anthony Cansler in the Keota Fire Station.

Council members answering roll call were: Curt Burroughs, Keith Conrad, Rod Hill, Mike Bender, and Matt Greiner. City Employee present was Tomisha Hammes. Also in attendance was Denny Lyle, Larry Huber, Rich Klein, Patty Tinnes, Jim Tinnes, Nick Mahan, Heath McDonald, Erin McGuire, Kathy Davis, Carl Sigler, Judy Sigler, Kathy Ewald, Marcelene Juniper, Sue McDonald, Karen Sypherd, Dan Flynn, Dave Shemanski, and Steve Klein.

Councilman Burroughs gave the Invocation.

Motion was made by Councilman Conrad to amend the agenda adding Resolution 2020-27: Supporting the Application for the Workforce Housing Tax Incentive Program for Scott Flynn, SDF Properties, LLC and the Letter of Support to apply for the Workforce Housing Tax Incentive Program

for Scott Flynn, SDF Properties, LLC after (f) under new business. Councilman Bender seconded the motion. Motion passed with a unanimous vote.

Motion was made by Councilman Burroughs to approve the consent agenda including minutes from the May 18, 2020 meeting and payment of bills. Councilman Hill seconded the motion. Motion passed with a majority vote.

**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
UNITED STATES POST OFFICE	\$128.80	Water/Sewer - Monthly Bills Postage
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
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	\$96.00	All Dept. - Mower Repair
ALLIANT ENERGY	\$6,789.99	All Dept. - Gas/Electric
FIRST NATIONAL BANK	\$613.79	Library - Books/Memorial/Janitorial
FIRST NATIONAL BANK	\$97.61	Police - Vehicle O & M
FIRST NATIONAL BANK	\$216.69	All Dept. - Mailings/Water Bills
KOCH OFFICE GROUP	\$151.38	All Dept. - Copier/Printing
TREMMEL BACKHOE SERVICE	\$1,420.00	Water - Fire Hydrant Replacement
GREENLEYS, CORP.	\$162.54	Police - Office Supplies
MALLEY HARDWARE	\$235.67	All Dept. - Operating Supplies
TOTAL	\$205,250.58	

Councilman Conrad stated that moving forward with the meetings, while residents are speaking, please allow them to speak. Do not debate with them or the Council. We all need to be respectful of one another at the meetings and let people speak their opinion while they have the floor.

Citizen Comments: Mayor Cansler read the following: 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.

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

Jim Tinnes asked if the transaction to exchange the city owned property of 508 N. Davis Street for the property at 506 N. Ellis Street. And what the process would look like if the City were to sell the property at 506 N. Ellis Street. The transaction is not quite done and the Council would have to have a public hearing and take seal bids for the sale of 506 N. Ellis Street. Comments for and against the Open Burn Regulations Ordinance were voiced by multiple people.

Department Reports:

-Officer Doug Conrad submitted a written report. For the reporting period of May 15 through May 28 there were thirteen (13) service calls/complaints and no citations issued. Service Calls/Complaints: two theft, two disorderly conduct, one suicide/statements, two assist and serve, one attempt to locate, two dog/cat/misc. animal, one traffic violation, one domestic abuse, one scam.

-Museum Board President Karen Sypherd stated that the Museum is able to accept a stained glass window from the mid-1800s that was in the Keota Methodist Church that was built in 1872. Karen was asking the Council for permission to house it in the lobby area of the new city hall building if they were to take possession of it and have it repaired. The Council agreed to allow the window to be place in the lobby area of the city hall building.

-Library Board President Nick Mahan stated that the library Summer Reading Program will start on June 1 and there will be prizes for all ages. There is a large book sale going on now at the library. The library is open to the public daily from 10:00 a.m. to 4:00 p.m. Tuesday, July 28, the library is tentatively scheduled to have the Raptor Center come for a program. The library is requesting to use the north park to allow for more space for the program. The Council stated that they were fine with allowing the use of the park for the library.

The potential Wilson Memorial Park Updates were discussed. Erin McGuire and Steve Klein were present from the Keota Ball Association and Denny Lyle and Larry Huber were present from the Keota Unlimited to discuss past projects, current projects, and potential future projects with the Council.

Denny Lyle talked to the Council about the KeWash Trailhead. Keota Unlimited is wanting to plant about fifteen trees/shrubs along the north area of the trail by the Vision Ag building. There are still some issues with the drainage along the ditch even with the berm that was built. They are working on a sign to put out at the trailhead. He looked over the 28-E agreement that was sent and everything

looks in order with it.

The city clerk did the third reading of Ordinance 279.

Motion was made by Councilman Bender to approve Ordinance 279 – Sewer Rates. Councilman Conrad seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill, and Bender; Nays – None; Abstain – None; Absent – None. Motion passed with a unanimous vote. The reason for the rate increase is to pay the SRF Loan for the new wastewater treatment plant that the Iowa DNR required the City of Keota to update.

Ordinance No. 2020-279

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.

The city clerk did the 2nd reading of the Ordinance 2020-282: Open Burning Restrictions.

Discussion on the Ordinance 2020-282: Open Burning Restrictions. Councilman Burroughs commented that he appreciated the number of people coming to the meeting to express their opinion on the Open Burning Ordinance. It seems there is a strong majority wanting to keep the current ordinance in place and not allow open burning. Councilman Bender stated that he is open to revising the Open Burn Restrictions and adding in timeframes as to when you are only able to burn. Councilman Greiner stated that he had never had anyone request being able to burn leaves, so why change it now. He would be open to looking into having an option of putting leaves at the curb for city employees to pick up yard waste for those that have no way to get the yard waste to the compost site. Councilman Conrad stated that he would be open to easing the current burn ban restrictions for time periods. Councilman Hill commented that Mission Groups previously would go around as a fundraiser to rake leaves and clean up yards. He would like to see some organizations look into starting up that fundraiser again to help those who don't have a way to access the compost site. The final reading and decision will be made at the June 15, 2020 meeting. **The Burn Ban is still currently in place. Untreated wood is the only item allowed to be burned within the City of Keota city limits.*

The city clerk did the second reading of Ordinance 2020-284: Animal Ordinance.

Discussion on Ordinance 2020-284: Animal Ordinance. Councilman Hill stated that he is worried that by putting this ordinance in place, it is going to cost the City a lot of money to prove that certain dogs are pit bulls in town.

Motion was made by Councilman Conrad to approve Resolution 2020-27: Supporting the Application for the Workforce Housing Tax Incentive for SDF Properties LLC. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill, and Bender; Nays – None; Abstain – None; Absent – None. Motion passed with a unanimous vote. Councilman Burroughs stated that moving forward, all applications or resolutions seeking approval from the Council need to be submitted the Friday before a meeting by 10:00 a.m. for the Council to review. If not received by the deadline, those applications or resolutions will be pushed to the following meeting.

Motion was made by Councilman Burroughs to approve the Letter of Support for the Workforce Housing Tax Incentive Program for SDF Properties LLC. Councilman Conrad seconded the motion. Motion passed with a unanimous vote.

Motion was made by Councilman Burroughs to approve Resolution 2020-26: FY20 Budget Funds Transfers. Councilman Bender seconded the motion. Roll call vote: Ayes – Greiner, Burroughs, Conrad, Hill, and Bender; Nays – None; Abstain – None; Absent – None. Motion passed with a unanimous

Motion was made by Councilman Conrad to approve the Tobacco Permit for County Line Mart LLC. Councilman Bender seconded the motion. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to approve the Tobacco Permit for The Roost. Councilman Greiner seconded the motion. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to approve the Tobacco Permit for Keota Eagle Foods. Councilman Bender seconded the motion. Motion passed with a unanimous vote.

Discussion was held on the Employee Handbook. The Council is discussing changing the health insurance to single plans only for any future hires for the City. The Council is also looking into having a Personnel Committee made up of the Mayor and two Council members to do the annual employee evaluations and set wages to streamline the budget process when it comes to employee wages. The Committee would do the evaluations in October or November and have the wage recommendations set in December each year.

The Board of Adjustments is needing two new members. If anyone is interested in potentially being part of the Board contact the Mayor or a Councilman to discuss it.

Motion was made by Councilman Conrad to approve the 211 N. Carpenter Street building permit for a fence. Councilman Bender seconded the motion. Motion passed with a unanimous vote.

Motion was made by Councilman Conrad to approve the 507 W. Washington Avenue building permit for a deck. Councilman Hill seconded the motion. Motion passed with a unanimous vote.

Clerk/Council/Mayor Comments:

The clerk stated that she contacted Dan Levi, Levi Architecture, to find a date that he could do a walk thru at Wilson Memorial Library for the potential Daycare Facility. He will get back to her on his travel dates. The property sale of 201 South Davis Street is complete. The City received the check for the

sale last week. The purchase agreement for 105 N. Davis Street has been signed and sent to the Keokuk County Recorder's Office. The abstract for that property is with the city attorney. The Rural Road Trip will be June 5-7, so there will be an upswing of traffic through town on those dates. Slaubaugh and the clerk continue the drive arounds – there were ten letters sent on the previous weeks and an additional eight letters for the Council to sign this week.

Councilman Burroughs – update on why the Council is reviewing and changing so many ordinances. For years there have been ordinances added giving the Council more power and the residents less power. The Council has eliminated 131 ordinances giving more power to the residents and lessening the power of the Council.

Councilman Bender – contacted Dan Flynn about the Pool Committee. Flynn stated that the Pool Committee will be meeting next week and will talk at the June 15 meeting about any updates.

Councilman Conrad – People need to be respectful when using the compost site. If you lose branches on your way out to the site, please stop and pick them up to take them to the compost. Don't just leave them or throw them in the ditch.

Mayor Cansler – The primary election will take place on Tuesday, June 2 in Sigourney at the high school gym from 7:00 a.m. to 9:00 p.m. He thanked those that attended the meeting.

Motion was made by Councilman Conrad to adjourn at 8:41 p.m. Councilman Bender seconded the motion. Motion passed with a unanimous vote. The City Council will next meet on Monday, June 15, 2020, starting at 7:00 p.m. in the Keota Fire Station – tentatively.

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK TOMISHA HAMMES

These are not official minutes. These minutes will be approved at the next council meeting.

CITY OF KEOTA
 JUNE 15, 2020 COUNCIL MEETING
 FOR PERIOD JUNE 2 - JUNE 15, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
BURROUGHS, ESTHER	\$25.22	Payroll
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	\$1,812.80	Employee Withholdings
FARMERS COOPERATIVE	\$2,520.42	All Dept. Veh. O & M - Skid Loader/Sewer truck tires
JEFF GARMAN	\$1,875.00	Cemetery Mowing Contract
MERLYN DETWEILER	\$15.00	Park - Mower Blade Sharpening
ACTION SERVICES	\$143.75	Park - Monthly Service
MID-AMERICA PUBLISHING	\$471.56	All Dept. Printing & Publishing
UNITED STATES POST OFFICE	\$56.00	All Dept. Post Office Box
VERIZON	\$40.01	Police - Hot Spot
QUILL	\$188.89	All Dept. Office Supplies
ION ENVIRONMENTAL SOLUTIONS	\$1,810.80	Water/Sewer - Operations & Labs
IOWA DEPT. OF NATURAL RESOURCES	\$175.00	Storm Water Permit Fee
THE NORTHWAY CORP.	\$12,908.77	Water - Pump #1
HICKENBOTTOM INC.	\$172.18	Sewer - Operating Supplies
QUAD CITIES WINWATER	\$2,308.40	Water - Water Meters
WATER SOLUTIONS UNLIMITED INC.	\$362.48	Water - Hypochloride
US CELLULAR	\$194.56	All Dept. - Cell Phones
VISION AG	\$200.00	All Dept. Grass Seed
ALL AMERICAN PEST CONTROL	\$65.00	City Hall/Maintenance Shop - Pest Control
CELESTE WOLTERING	\$75.00	Water Deposit - Refund for Finalized Bill

TOTAL \$31,673.17

May-20

FUND	BEGINNING BALANCE	RECEIPTS	EXPENDITURES	END BALANCE
LIBRARY CD 1	\$39,174.23		\$87.90	\$39,262.13
LIBRARY CD 2	\$30,796.36		\$69.10	\$30,865.46
SEWER CD	\$144,633.11		\$324.53	\$144,957.64
SEWER VEH CD	\$20,436.52			\$20,436.52
WATER CD	\$68,958.00			\$68,958.00
WATER VEH CD	\$420.79		\$2.10	\$422.89
DARE	\$877.62			\$877.62
POLICE FORFEITURE	\$572.49			\$572.49
GEN FD INV	\$1,448.61		\$0.12	\$1,448.73
GEN FD LIBR INV	\$4,977.89		\$0.42	\$4,978.31
LIB BUILDING	\$1,304.45		\$0.11	\$1,304.56
LIB MEMORIALS	\$305.81			\$305.81
PERPETUAL CARE FUND	\$7,510.17		\$0.64	\$7,510.81
POLICE VEHICLE INV	\$22,297.50		\$1.89	\$22,299.39
PARK & CEM VEH	\$8,605.60		\$0.45	\$8,606.05
CITY HALL BLDG RPR	\$19,205.04		\$1.63	\$19,206.67
CIVIL DEFENSE FU	\$3,173.02		\$0.27	\$3,173.29
KEOTA DAYCARE	\$1,189.44		\$1.49	\$1,189.58
WILSON MEMORIAL LIB	\$17,563.09		\$2.01	\$17,565.10
T&A METER INV	\$23,657.27		\$0.10	\$23,657.37
SIDEWALK SAVINGS	\$14,516.66			\$14,516.66
WTR VEH SAVINGS	\$24,454.30			\$24,454.30
WTR TWR MAIN SAVINGS	\$9,639.36			\$9,639.36
SEWER VEH SAVINGS	\$8,115.71			\$8,115.71
SNOW EQUIPMENT SAVINGS	\$5,068.96			\$5,068.96
CHECKING	\$564,520.30	\$170,785.08	\$130,862.32	\$604,443.06
GENERAL		\$97,981.02	\$29,556.37	
GENERAL - LOCAL OPTION		\$6,014.64		
DARE				
ROAD USE		\$9,524.48	\$3,296.41	
EMPLOYEE BENEFITS			\$1,678.46	
DEBT SERVICE		\$949.56		
CAPITAL IMPROV RESER		\$6,336.48		
LIBRARY		\$86.35	\$3,027.97	
LIBRARY MUSEUM				
WATER		\$25,513.46	\$21,514.93	
CP. WTR. TRTMNT. PLANT				
CP. WTR. TOWER				
CP. WTR. MAIN DAVIS ST				
CP. WTR MAIN BROAD/DAVIS				
UTILITY DEPOSITS		\$1,000.00		
SEWER		\$18,581.44	\$8,751.94	
SEWER EXT-BROADWAY				
SEWER PLANT UPGRADE				
TOTAL				\$1,075,837.82

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
3rd Reading: June 15, 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

3rd Reading: June 15, 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				

Ordinance No. 2020-285

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE BUILDING AND LAND USE REGULATIONS.

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

SECTION 1. Title VI, Chapter 12, Section 5 of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

Title VI, Chapter 12, Section 5: FEES. The following fees shall accompany applications:

Sidewalks:	\$10.00
Fence:	\$10.00
Deck:	\$25.00
Residential Structure:	\$50.00
Commercial Structure:	\$100.00

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.

ANTHONY CANSLER, MAYOR

ATTEST:

TOMISHA HAMMES, CITY CLERK

WAIVING 2ND & 3RD READING:

MOTION MADE BY: _____ 2ND BY: _____

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

ORDINANCE APPROVAL

MOTION MADE BY: _____ 2ND BY: _____

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

RESOLUTION 2020-28

A RESOLUTION APPROVING THE 2020 EMPLOYEE HANDBOOK 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 approval of the 2020 City of Keota Employee Handbook updates;

WHEREUPON, Resolution 2020-28 is passed and approved this 15th Day of June, 2020

MAYOR ANTHONY CANSLER

ATTEST:

CITY CLERK TOMISHA HAMMES

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

28E AGREEMENT

THIS 28E AGREEMENT (the "Agreement") entered into by and between the City of Keota, Iowa, 309 E. Broadway Avenue, PO Box 77, Keota, Iowa 52248 (hereafter referred to as the "City") and the Washington County Conservation Board, 2943 Highway 92, Ainsworth, Iowa 52201 (hereafter referred to as the "WCCB").

WHEREAS, the City and the WCCB have collaborated on recreational trail improvements in the past and plan to continue this cooperation in the future in accordance with current and future planning processes and governing body policy decisions; and

WHEREAS, with these improvements come additional maintenance demands, and the City and WCCB wish to outline each entity's responsibility in regard to future trail maintenance.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. PURPOSE. The purpose of this 28E Agreement is to set forth the duties and obligations of the City and WCCB in connection with future trail maintenance responsibilities.

2. SEPARATE ENTITY. Further, it is hereby noted that no separate legal entity shall be created by this Agreement and the Keota City Council and Washington County Conservation Board shall administer its provisions.

3. DUTIES AND RESPONSIBILITIES OF THE PARTIES.

- A. Following completion of the Keota trail head, the City shall be responsible for all future maintenance and improvements of the newly created shelter and parking area. This will include but is not limited to: mowing, general maintenance, etc.
- B. The WCCB agrees to continue assisting with the maintenance of vegetation along the Kewash Nature Trail, east of the City of Keota. This would include the continued management of the native seeding's along the trail. Management of these seeding's may include but is not limited to: prescribed burns, mowing, etc.
- C. The WCCB agrees to continue assisting with the maintenance of the current 3/8" minus trail substrate. (Conservation would propose that the City pay for additional material, or that the cost be split 50/50. In the event that material needed to be added to the trail surface.)

D. The WCCB shall be responsible for the operation and maintenance of all other aspects of the Kewash Nature Trail east of parcel number: 0530151010.

4. TERM AND TERMINATION OF THIS AGREEMENT. This Agreement shall remain in full force and effect from the approval and execution of the Agreement by the WCCB and the City. It may be terminated or amended by mutual agreement of the parties, subject to formal approval by each governing body.

5. DEFAULT AND REMEDIES. In the event that either party to this Agreement defaults on its obligations, the non-defaulting party shall send notice of said default to the other party requesting that said default be remedied within 30 days. In the event that the defaulting party fails to remedy said default within said 30-day period, the non-defaulting party may terminate this Agreement and file an action in the Iowa District Court for Washington County to pursue any remedy allowed by law or equity. In the event that the non-defaulting party prevails in such an action, the defaulting party will also owe the non-defaulting party reasonable attorneys' fees and costs for prosecuting said action to enforce the terms of this Agreement.

6. NOTICES. All notices given under this Agreement shall be in writing and shall be deemed delivered on the date of placing the notice in the U.S. Mail, postage prepaid, to the following address:

For the WCCB:

Washington County Conservation Board
2943 Highway 92
Ainsworth, IA 52201
ATTN: Executive Director

For the City:

309 E. Broadway Avenue
PO Box 77, Keota, Iowa 52248
ATTN: City Mayor

7. INDEMNITIES. Each party to this Agreement expressly agrees to save and hold the other party, its employees and agents, harmless from any and all claims filed against both or either party arising from the performance of the duties and obligations under this Agreement.

8. FILING. Following approval of this agreement by the Parties, the Agreement shall be filed with the Washington County Recorder and with the Secretary of State for the State of Iowa, by the Washington County Auditor.

Executed and approved this ____ day of _____, 2018.

CITY:

Tony Cansler, Mayor

ATTEST:

Tomisha Hammes, City Clerk

Executed and approved this ____ day of _____, 2018.

WCCB:

Craig Capps, Chairman

ATTEST:

Zach Rozmus, Executive Director