

**AGENDA  
KEOTA CITY COUNCIL  
KEOTA CITY HALL  
225 E. BROADWAY AVE.  
SEPTEMBER 2, 2020  
7:00 P.M.**

**1. Roll Call**

**2. \*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 August 17, 2020 and August 19, 2020 meetings
- b. Bills for payment

**3. Department/Committee Reports**

**4. Business**

- a. Approve Councilman for the Objection Hearing
- b. Set Date/Time for Objection Hearing
- c. First Reading of Ordinance 2020-286: Fireworks
- d. Approve Tax Abatement for 407 E. Park Avenue
- e. Review the Keota Fire Dept. 28-E Agreement
- f. Discussion on Halloween

**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. Clerk/Council Comments**

**7. \*Adjournment**

\*Mayor Anthony Cansler\*Councilman Matt Greiner\*Councilman Rod Hill  
\*Councilman Keith Conrad\*Councilman Mike Bender\*Councilman Heath McDonald

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

August 17, 2020

The Keota City Council Meeting was called to order at 7:00 p.m. on Monday, August 17, 2020, by Mayor Anthony Cansler.

Council members answering roll call were: Matt Greiner, Mike Bender, and Keith Conrad. Rod Hill was conferenced in via phone for two items. Employees present were Kevin Slaubaugh, Toni Greiner, and Tomisha Hammes. Also in attendance was Rich Klein, Nick Mahan, Dan Flynn, Heath McDonald, Danielle Imhoff, Scott Brees, Ryan Sieren, Sheila Horras, Ron Wright, Chris Heisdorffer, Karen Sypherd, Delbert Sypherd, Jim Tinnes, Fred Heisdorffer, and Tim Minard.

Motion was made by Councilman Greiner to approve the consent agenda including minutes from the August 3, 2020 meeting, July month end financials, and payment of bills. Councilman Bender seconded the motion. Motion passed with a 3-0 vote.

CITY OF KEOTA  
AUGUST 17, 2020 COUNCIL MEETING  
FOR PERIOD AUGUST 4 - AUGUST 17, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
ALTENHOFEN, CHERYL	\$28.38	Payroll
CONRAD, DOUGLAS L.	\$1,851.08	Payroll
GREINER, ASHLEY	\$83.49	Payroll
GREINER, TONIA	\$797.23	Payroll
HAMMES, TOMISHA	\$1,330.46	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,496.86	Payroll
EFTPS	\$1,990.20	Employee Withholdings
IPERS	\$2,854.21	Employee Benefits
JILL BAETSLE	\$29.65	Museum Supplies
LYLE INSURANCE AGENCY	\$1,020.00	Insurance - Premium for New Building
VISION AG	\$313.75	Streets/Park - Liberty Chemical
US CELLULAR	\$197.30	All Dept. - Cell Phones
SEMCO	\$3,748.05	Economic Development - 108 N. Ellis St. House Demo
FARMERS COOPERATIVE ASSN.	\$487.48	All Dept. Veh O & M
RAY-MAN	\$30.00	City Hall - Forklift/Manbasket Rental for City Sign
MID-AMERICA PUBLISHING CORP.	\$404.93	All Dept. Printing/Publishing
KEOTA POOL ADVOCATES	\$50.00	Museum - Church Pew
MARK & TOBI ANDERSON	\$30.89	Water - Finalized Bill Refund
JEFF GARMAN	\$1,875.00	Cemetery - Mowing Contract
OLLINGER ELECTRIC	\$40.00	CH - Unhook Outlets to Teller Stations
DIGITAL-ALLY	\$145.00	Police - Battery/Mirror
RIVER PRODUCTS CO.	\$98.33	Water - Main Repair Gravel
QUILL	\$55.52	All Dept. - Janitorial Supplies
KEOTA LAWN AND POWER	\$200.00	City Hall/Park - Leaf Blower/Vac
COX SANITATION	\$2,708.50	Garbage Pick-Up/Bags
<b>TOTAL</b>	<b>\$23,074.08</b>	

July 2020 Month End Financials

FUND	BEGINNING BALANCE	RECEIPTS	EXPENDITURES	END BALANCE
LIBRARY CD 1	\$39,262.13			\$39,262
LIBRARY CD 2	\$30,865.46			\$30,865

SEWER CD	\$144,957.64	\$198.77		\$145,156
SEWER VEH CD	\$20,436.52			\$20,436
WATER CD	\$68,958.00			\$68,958
WATER VEH CD	\$422.89			\$423
DARE	\$977.62			\$977
POLICE FORFEITURE	\$572.49			\$572
GEN FD INV	\$1,448.85	\$0.12		\$1,449
GEN FD LIBR INV	\$4,978.72	\$0.42		\$4,979
LIB BUILDING	\$1,304.67	\$0.11		\$1,305
LIB MEMORIALS	\$305.88			\$306
PERPETUAL CARE FUND	\$7,511.43	\$0.64		\$7,512
POLICE VEHICLE INV	\$27,140.63	\$3.46		\$27,144
PARK & CEM VEH	\$606.10	\$0.05		\$606
CITY HALL BLDG RPR	\$19,208.25	\$1.63		\$19,209
CIVIL DEFENSE FU	\$3,173.55	\$0.27		\$3,173
KEOTA DAYCARE	\$1,189.64	\$0.10		\$1,189
WILSON MEMORIAL LIB	\$17,566.02	\$1.49		\$17,567
T&A METER INV	\$23,661.22	\$2.01		\$23,663
SIDEWALK SAVINGS	\$14,520.28			\$14,520
WTR VEH SAVINGS	\$29,298.77			\$29,298
WTR TWR MAIN SAVINGS	\$9,641.76			\$9,641
SEWER VEH SAVINGS	\$9,117.81			\$9,117
SNOW EQUIPMENT SAVINGS	\$5,070.22			\$5,070
CHECKING	\$483,167.85	\$104,490.33	\$153,882.35	\$433,779
GENERAL		\$23,775.82	\$97,399.95	
GENERAL - LOCAL				
OPTION		\$6,014.64		
DARE				
ROAD USE		\$16,964.17	\$3,268.86	
EMPLOYEE BENEFITS		\$5,508.41	\$14,092.66	
DEBT SERVICE		\$277.56		
CAPITAL IMPROV RESER		\$298.93		
LIBRARY		\$677.50	\$3,229.20	
LIBRARY MUSEUM				
WATER		\$31,231.40	\$19,644.58	
CP. WTR. TRTMNT. PLANT				
CP. WTR. TOWER				
CP. WTR. MAIN DAVIS ST				
CP. WTR MAIN				
BROAD/DAVIS				
UTILITY DEPOSITS		\$200.00	\$1,200.00	
SEWER		\$19,434.21	\$15,636.02	
SEWER EXT-BROADWAY				
SEWER PLANT UPGRADE				
TOTAL				\$916,179

#### Department Reports:

-Public Works – Purchased a leaf vacuum for picking up the leaves for around the new building. There is a generator located at the new city building. Slaubaugh will have it serviced to make sure it is ready to run if there was ever an emergency need for it in Keota. The compost pile has been busy. No major damage in Keota, but lots of clean up. The carpet has been getting pulled up under the teller stations at the new building. The new carpet will be patched in around the middle of September.

-Officer Doug Conrad was absent and therefore presented a written report. For the reporting period of August 1 through August 14, 2020, there were twenty-two (22) service calls/complaints and one (1) citation issued. Service Calls/Complaints: one motor vehicle theft, one simple assault, two sex offenses, one controlled substance, two suspicion, two assist and serve, one suicide/statements, two civil disputes, four misc. complaints, two dog/cat/misc. animal, two traffic violations, one harassment, one scam. Citation: Speed/alternative enforcement.

-Library – Nothing to report.

-Museum – Minutes with information about the Museum were included in the Council packet.

Motion was made by Councilman Bender to approve the appointment of Heath McDonald to fill the Council Vacancy. Councilman Hill, via phone at 7:06 p.m., seconded the motion. Roll call vote: Ayes – Bender, Conrad, Greiner, Hill; Nays – None; Absent – None; Abstain – None. Motion passed with a 4-0 vote.

Oath of Office as given to Heath McDonald by city clerk Tomisha Hammes.

Discussion was held on where the Keota Historical Museum would be located. An informal meeting was held on Wednesday, August 12, 2020 with Councilman Greiner, Councilman Bender, Mayor Cansler, Officer Doug Conrad, city clerk Tomisha Hammes, and Museum Board members Karen Sypherd and Dan Flynn. This was to allow the different departments to discuss the options for locations for these specific departments.

Motion was made by Councilman Conrad to approve moving the Keota Historical Museum to the new city hall building. Councilman Bender seconded the motion. Motion passed with a 5-0 vote.

Discussion was held on the location of the police department. Councilman Greiner stated that he talked with Ryan Sieren about the Keota Fire Department purchasing and maintaining the fire station since the City has no offices located in that building. The Fire Department had financial concerns with taking over the building. Ryan Sieren stated that he didn't have issues with Officer Conrad being located there, but they would prefer to have the building for the fire department and QRS only. They are using the front space for QRS and fire department offices and looking to update the back for training.

Motion was made by Councilman Bender to approve the following: the police department will not be located at the new city building now or in the future and will stay at its current location for the time being. Councilman Greiner seconded the motion. Motion passed with a 3-2 vote. Ayes – Bender, Greiner, McDonald; Nays- Conrad and Hill. Councilman Hill concluded his conference call with the Council.

Motion was made by Councilman Greiner to approve the cemetery spraying. Councilman Conrad seconded the motion. Motion passed with a 4-0 vote.

Motion was made by Councilman Conrad to approve the liquor license for Keota Eagle Foods. Councilman Bender seconded the motion. Motion passed with a 4-0 vote.

Review and discussion on the fireworks ordinance. The first reading will be done at the September 2, 2020 meeting.

Discussion on the insurance coverage for fundraisers. Councilman Conrad and Tom Hahn will be the point people when it comes to adding the Keota Pool Advocates to the insurance coverage for their

fundraisers. The City will need to be notified in advance if and when there will be a fundraiser with specifics of date, time, location, and information about the fundraiser. Councilman Conrad and Tom Hahn can then get the information to the City's insurance carrier. Once the insurance company gives permission for the event, then the City can approve it.

Citizen Comments:

Scott Brees stated that he is in the process of purchasing a house on West Broadway Avenue. He was in attendance to ask the Council if they would help in the cost to tear it down if her were to buy it. In March 2020, the Council started the process of condemning the property. If the city were to continue down this path, the Council would try to resell the property after the demolition of the property.

Jim Tinnes stated that he was disappointed on the appointment with the stipulation of nepotism since there is no mention of it in the bylaws for the library. Councilman Bender stated that he had called all three that put in letters for consideration and that wasn't his reasoning for his appointment decision. Councilman Conrad stated that he didn't want to be placed in this position, but he felt that with family being on a Board then there can be a conflict when it comes to budget season. Councilman Greiner stated that if the public isn't happy with the decision of the Council then they do have the right to petition to have a special election to vote on who they would like to have as the city council position. Fred Heisdorffer said he had to remove a building a few months ago and there is a trailer across the street that is still standing. He asked the Council why that person hasn't taken care of their structure yet. There is a second letter being sent to the owner of the trailer. If the issue is not resolved, then the Council will have citations written when the courts are opened back up.

Clerk/Council/Mayor Comments: Councilman Bender stated that the Council needs to start looking at the comp time that has been accumulated by the employees. He went on to thank those that put in their letters of consideration. Looking forward to the Keota Historical Museum being located at the new building. Councilman Conrad stated that it was tough decision tonight with the appointment. He appreciates those that put in the letters of consideration. Councilman Greiner thanked everyone that attended and stated that public input is important. It is nice to see that people are paying attention to what the Council is doing. He also appreciated those that put in their letter of consideration and it was a tough decision. Councilman McDonald wanted to say thank you to the Council for appointing him to the Council. Mayor Cansler thanked those that that put their name in for consideration.

Motion was made by Councilman Bender to adjourn at 8:52 p.m. Councilman McDonald seconded the motion. Motion passed with a 4-0 vote. The Keota City Council will hold a special meeting on Wednesday, August 19 at 7:30 p.m. to discuss the location of the Police Department. The City Council's next regular meeting will be on Wednesday, September 2, 2020, starting at 7:00 p.m. with work session starting at 6:00 p.m.

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MAYOR ANTHONY CANSLER

ATTEST:

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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.\*

August 19, 2020

The Keota City Council Meeting was called to order at 7:30 p.m. on Wednesday, August 19, 2020, by Mayor Anthony Cansler.

Council members answering roll call were: Matt Greiner, Mike Bender, Rod Hill, Heath McDonald, and Keith Conrad. Keota City Employee present was Tomisha Hammes. Also in attendance was Dan Flynn.

Motion was made by Councilman Conrad to amend the agenda adding in insurance for Keota Pool Advocates Fundraiser.

Discussion was held on where to have the Keota Police Department. Councilman Conrad stated that he would like to see Officer Conrad moved to the Keota Maintenance Shop remodeling the Public Works Department office into the office for Officer Conrad. He would like to see the Keota QRS move their rig out of the Maintenance Shop and allow Officer Conrad to park his police truck inside the building if and when he would need to. Councilman Greiner stated that he had a conversation with members of the fire department and the fire department could potentially have conversations to take the Keota QRS under the fire department.

Motion was made by Councilman Conrad to approve that the Keota Police Department would be located where he is currently at with remodeling the public works office into Officer Conrad's office with also giving the Keota QRS until August 19, 2021 to find a new place to store their rig allowing Officer Conrad the space to park his truck in the maintenance shop if he would choose to. Councilman Greiner seconded the motion. Motion passed with a 5-0 vote. Councilman Hill had to leave right after the vote to attend another meeting.

Motion was made by Councilman Conrad approve adding to the City of Keota's liability insurance the Keota Pool Advocates fundraiser of garage sales at DDF, LLLP barn from now until October 1, 2020; the Rural Road Trip Fundraiser at Jim Tinnes Trucking's building on Broadway Avenue from October 1 to 5, 2020; October 5 until spring 2021 storing items at the Keota Pool Bath House. Councilman Bender seconded the motion. Motion passed with a 4-0 vote.

Motion was made by Councilman Bender to adjourn at 8:16 p.m. Councilman Greiner seconded the motion. Motion passed with a 4-0 vote. The City Council will next meet on Wednesday, September 2, 2020, starting at 7:00 p.m. with work session starting at 6:00 p.m.

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MAYOR ANTHONY CANSLER

ATTEST:

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CITY CLERK TOMISHA HAMMES

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CITY OF KEOTA  
 SEPTEMBER 2, 2020 COUNCIL MEETING  
 FOR PERIOD AUGUST 18 - SEPTEMBER 2, 2020

<u>PAYEE</u>	<u>AMOUNT</u>	<u>COMMENT</u>
ALTENHOFEN, CHERYL	\$69.36	Payroll
CONRAD, DOUGLAS L.	\$1,851.08	Payroll
GREINER, ASHLEY	\$55.66	Payroll
GREINER, TONIA	\$901.21	Payroll
HAMMES, TOMISHA	\$1,330.46	Payroll
MILLER, KEVIN	\$1,207.77	Payroll
SLAUBAUGH, KEVIN L.	\$1,496.86	Payroll
EFTPS	\$2,025.64	Employee Withholdings
IPERS	\$2,859.52	Employee Benefits
WINDSTREAM	\$145.26	Library - Phone/Fax/Internet
INFOMAX	\$140.17	Library - Copier Lease
CENTER POINT LARGE PRINT	\$44.34	Library - 2 Lg Print Books
CENGAGE LEARNING	\$88.88	Library - Books
ALL AMERICAN PEST CONTROL	\$30.00	Library - Pest Control
OVERDRIVE	\$419.62	Library - Bridges E-Books Content Fee
QUILL CORP.	\$89.51	Library - Supplies/Janitorial
STATE LIBRARY OF IOWA	\$62.00	Library - Bridges Platform Fee
SWANK MOVIE LICENSE	\$322.00	Library - Copyright License
WOODWARD PUBLIC LIBRARY	\$10.00	Library - Book
KOCH OFFICE GROUP	\$138.04	CH - Copier
DIGITAL - ALLY	\$205.00	Police - Chest Camera
CARGILL	\$5,074.60	Water - KD CRSE Bulk
BLUE CROSS BLUE SHIELD	\$9,079.55	Employee Benefits
WINDSTREAM	\$238.71	All Dept. Phone/Fax
ION ENVIRONMENTAL SOLUTIONS	\$1,935.80	Water/Sewer - Operations/Labs
KEILA ROSS	\$100.60	Finalized Bill - Refund
MUNICIPAL SUPPLY INC.	\$282.05	Sewer - Curb Box/Repair Clamp
TREMME BACKHOE SERVICE	\$660.00	Water - Main Leak Carpenter Street
TREASURER, KEOKUK COUNTY	\$708.00	Economic Development - 105 N. Davis Street/506 N. Ellis St. Final
COX SANITATION	\$5,068.00	Garbage Pick Up/Garbage Bags
ALLIANT ENERGY	\$7,689.52	All Dept. Gas/Electric
FIRST NATIONAL BANK	\$571.21	Library - Books/DVDs/Programs
FIRST NATIONAL BANK	\$711.50	CH - Keokuk County Endowment Grant Tech
FIRST NATIONAL BANK	\$161.90	Police - Veh O & M
FIRST NATIONAL BANK	\$497.15	Water - Iowa Rural Water Conference Hotel/Training
MALLEY HARDWARE	\$105.28	CH/Library/Water - Supplies
VISION AG	\$109.81	Streets - Liberty Bulk
WATER SOLUTIONS UNLIMITED	\$249.98	Water - Hypochlorite
VERIZON WIRELESS	\$40.01	Police - Hot Spot

TOTAL                       
 \$46,776.05

Aug. 4, 2020

I, Heath McDonald, would be interested in being appointed to the open council member seat. I have worked with the council over the last several years, and now have a better understanding of the way the council works and the process and laws they need to uphold. I also understand that being on council is a privilege and my vote is not for myself, but for all citizens. As a business owner in this town for the past 14 years, I believe I can bring something new to the table. I believe in listening to the concerns of all citizens and working with them to reach a common goal. I would like to be a part of the projects that are in the works now for Keota and the future. Keota is where my wife and I grew up. We are proud to be a part of this community. We have enjoyed raising our kids here and would like to help make it a more flourishing place to call home.

Heath A. McDonald

A handwritten signature in black ink, appearing to read "Heath A. McDonald", with a long, sweeping flourish extending to the right.

I would like to be considered for  
the vacant seat on the city council.

Thanks

Nick Makou

Date: August 13, 2020

To: Keota City Council

From: Delbert Sypherd

RE: Open City Council Position

I wish to be considered for the open City Council position.

Thank you.

A handwritten signature in cursive script, appearing to read "Delbert Sypherd". The signature is written in black ink and is positioned below the typed text "Thank you."

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KEOTA, IOWA, 2017, BY AMENDING PROVISIONS PERTAINING TO THE COMMUNITY PROTECTION; FIREWORKS.

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

**SECTION 1.** Title III, Chapter 1, Section 5(8)(f) of the Keota Municipal Code, 2017, is hereby repealed and the following adopted in lieu thereof:

3-5-8-f: FIREWORKS. The use or exploding of fireworks within the City of Keota is subject to the following:

***Fireworks – Discharging General Requirements.***

A. No person under the age of 18 shall discharge a DOT 1.4 class consumer firework without parental supervision.

B. A person shall only discharge a consumer fireworks device on real property he or she owns or on property where consent has been given. Novelties, including snakes, sparklers, or caps, may be discharged on a public place so long as all trash, wrappers, and wires are properly disposed of.

C. Consumer fireworks shall not be discharged by persons showing visible signs of, or determined to be, intoxicated or under the influence of a drug or narcotic.

D. Any person discharging a consumer fireworks device assumes all responsibility for its operation and the consequences thereof. No person shall discharge a consumer fireworks device in a reckless manner or manner likely to cause death, injury, fire, or property damage.

E. No person shall discharge a consumer fireworks device outside the following dates and hours:

(1) July 1 through July 7 from the hours of 9:00 a.m. until 11:00 p.m.

F. It is unlawful to alter, remove, or discharge components of a consumer fireworks device from its intended method of discharging.

G. Sky lantern open flame devices are not permitted to be released within the City limits, except if tethered by a retrievable rope so long as the person discharging has control over the sky lantern.

H. No person shall discharge a consumer fireworks device during a state, county, or local burn ban.

***Violations.*** All violations of any provisions of this section are hereby declared simple misdemeanors and/or municipal infractions. Violations may be prosecuted as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the Police Officer. Violations of this chapter shall be reported to the State Fire Marshal.

***Exceptions.*** This section does not prohibit the sale by a resident, dealer, manufacturer, or jobber of fireworks that are not prohibited; or the sale of any kind of fireworks if they are to be shipped out of State; or the sale or use of blank cartridges for a show or theater, or for signal purposes in athletic sports or trucks for signal purposes, or by a recognized military organization. This section does not apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

**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

FIRST READING: SEPTEMBER 2, 2020  
SECOND READING: SEPTEMBER 21, 2020  
THIRD READING: OCTOBER 5, 2020

ATTEST:

\_\_\_\_\_  
TOMISHA HAMMES, CITY CLERK

ORDINANCE APPROVAL

MOTION MADE BY: \_\_\_\_\_ 2<sup>ND</sup> BY: \_\_\_\_\_

<b>ROLL CALL VOTE</b>				
<b>COUNCIL MEMBER NAME</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
MIKE BENDER				
KEITH CONRAD				
ROD HILL				
MATT GREINER				
HEATH MCDONALD				

**AGREEMENT AND CONTRACT FOR  
FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES  
BETWEEN**

Keota Volunteer Fire Department, Inc. of Keota, located in Keokuk County, State of Iowa  
And the City of Keota, Keokuk County, State of Iowa.

**1. PUBLIC ENTITIES**

This agreement and contract shall be between the Keota Volunteer Fire Department, Inc., hereafter referred to as "the Fire Department", and the City of Keota, hereafter referred to as "the City".

**2. AREA SERVICE**

The legal description of the area to be afforded fire suppression and emergency response services as provided by this agreement is attached as Exhibit A to this agreement. A map of the area described in Exhibit A is attached as Exhibit B to this agreement.

**3. SERVICES PROVIDED**

It is agreed that the Fire Department will provide fire protection and other emergency services as set forth in Exhibit C for all property in the City as described in Exhibit A. Exhibit C is hereby included and made part of the agreement.

**4. EQUIPMENT**

It is further agreed that the Fire Department will own, maintain, and staff the fire protection and other emergency equipment used under this agreement. The equipment provided shall meet or exceed standards set by the National Fire Protection Association.

**5. TAX LEVIES**

It is agreed that the City Council will levy enough taxes within the tax limitations prescribed by the Code of Iowa to pay for the City's agreed upon share of the fire and emergency equipment maintenance, replacement and all other necessary expenditures to provide fire protection to the signatories.

**6. CITY CONTRIBUTION**

It is further agreed that the City shall pay all costs of the water system and fire hydrants in their city, and their repair and upkeep. It is also further agreed the City of Keota will house the Fire Department and keep insurance covered for the building also paying utilities for the siren. The Fire Department will be responsible for all electrical utilities/heating costs and maintenance to the Fire Department building. The Keota QRS emergency rig will also be housed in the fire department building.

**7. COST SHARING**

The taxable cost to all Townships and Cities or contracted areas will be the same for each. It will be figured on cents per 1000 dollar of evaluation, determined by the County Auditor of the county in which they are located.

**8. FIRE ADVISORY BOARD**

In order to determine the amount required for fire protection there is hereby created a Fire Advisory Board, consisting of one trustee from each Township served by the Fire Department, one elected official of the City and Fire Chief. This Board shall consider and advise the Fire Department on the annual budget for the operation of the department and for all major

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_



proceeding, demand, expense, and liability of any kind whatsoever resulting from any action or inaction related to either entity which is deemed by a court of law or arbitrator not to be an action or inaction of the other entity. Notwithstanding the above, each entity at all times reserves the right to retain counsel of its own to defend its respective interests.

**14. TERMS OF AGREEMENT**

The entities agree that this agreement is the complete agreement of the parties and nothing further may be utilized to explain, contradict, or nullify the agreement. The parties further agree that this document contains twenty (20) numbered sections and four (4) exhibits. Each party has had ample opportunity to seek independent advice with regard to its terms. If there are to be any changes made to this agreement, they shall be done in writing and signed by all entities.

**15. JURISDICTION, VENUE, AND ATTORNEYS FEES**

In the event there are any disputes that arise between the entities, all entities hereby consent and agree to the jurisdiction of the State of Iowa and the venue of Keokuk County, Iowa. All disputes shall be decided according to the laws of the State of Iowa and prevailing entity shall be entitled to reasonable attorney fees.

**16. ARTICLE HEADINGS**

The article headings contained in this agreement are for reference purposes only and shall not affect the meaning or the interpretation thereof.

**17. EXECUTION OF DOCUMENTS**

The parties agree to timely execute any documents necessary to carry out the terms of the agreement. The parties further agree that this document may be executed outside the presence of the other party in separate counterparts.

**18. AMENDMENTS**

As required by Section 28E.8 Code of Iowa, this agreement before going into effect must be filed with the Secretary of State and recorded with the County Recorder of Keokuk County, Iowa.

The President of the Fire Department shall cause this agreement to be recorded in the office of the County Recorder and filed with the Secretary of State prior to the effective date of this agreement which shall be deemed effective fifteen days subsequent to the last date of approval, below, by the governing bodies designated. Any amendment, before adoption, must receive unanimous approval of the governing bodies of the public entities who are signatories of this agreement. An amendment is required to add another public agency as a signatory party to this agreement. Any duly approved amendments to the agreement shall be filed with the Secretary of State and recorded in the office of the Keokuk County Recorder.

**19. TERM OF AGREEMENT**

This agreement shall be in effect for the two years ending on June 30, 2022, and may be terminated, or be extended for periods of two years at a time and/or amended by all parties by resolution of the Fire Advisory Board, City Council, and/or Township Trustees made at least thirty (30) days prior to the first day of February next, preceding the above date or any subsequent February 1<sup>st</sup> thereafter.

**20. TERMINATION**

In the event that any public entity that is a party to this agreement shall desire to withdraw or terminate this agreement, a written notice of withdraw shall be completed and delivered to all other public entities by hand delivery or certified mail by the first day of February prior to the expiration date of this agreement as stated in section 19.

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_

Said withdraw or termination shall not become effective until June 30<sup>th</sup>, and all current and outstanding payments for services and large purchases not fully paid for have been made by all parties involved.

APPROVED BY THE KEOTA VOLUNTEER FIRE DEPARTMENT INC. OF KEOTA, IOWA.

\_\_\_\_\_  
PRESIDENT, RYAN SIEREN

\_\_\_\_\_  
DATE

ATTEST:

\_\_\_\_\_  
SECRETARY/TREASURER

\_\_\_\_\_  
DATE

APPROVE BY THE CITY COUNCIL OF THE CITY OF KEOTA, IOWA.

\_\_\_\_\_  
ANTHONY CANSLER  
MAYOR, CITY OF KEOTA

\_\_\_\_\_  
DATE

ATTEST:

\_\_\_\_\_  
TOMISHA HAMMES  
CITY CLERK/ADMINISTRATOR

\_\_\_\_\_  
DATE

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_

# EXHIBIT A

The Keota Volunteer Fire Department Inc., agrees to provide fire protection and emergency services to the entire incorporated area of the City of Keota, Iowa, being in the south half of section 24 and the north half of section 25 of Lafayette Township in Keokuk County, Iowa. The attached map being on Exhibit B.

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

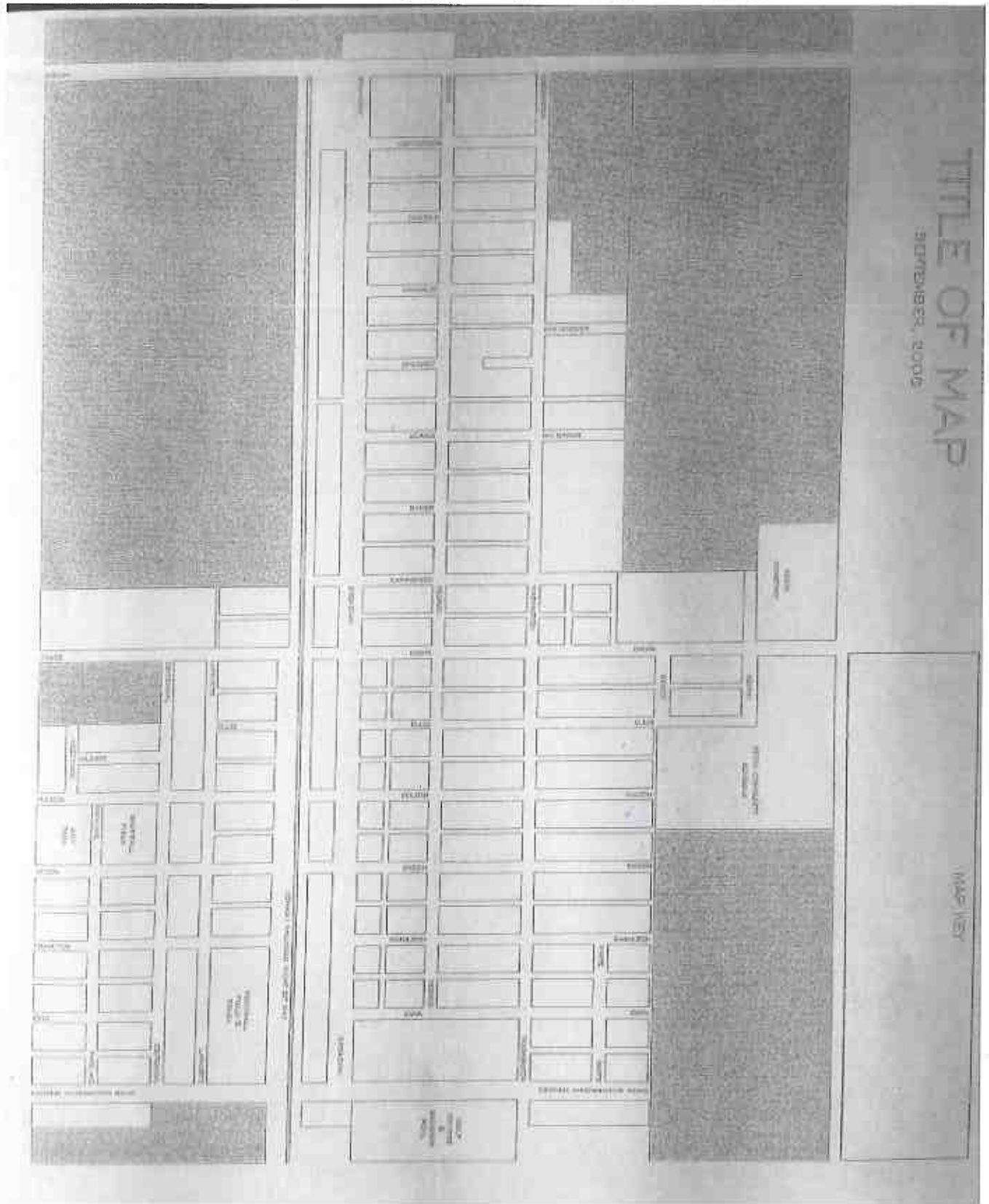
CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_

# EXHIBIT B

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

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# MAP OF THE CITY OF KEOTA, IOWA



FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_

# EXHIBIT C

## DUTIES AND RESPONSIBILITIES OF

### THE KEOTA VOLUNTEER FIRE DEPARTMENT OF KEOTA, IOWA FOR THE PROTECTION AND EMERGENCY RESPONSE SERVICES

- 1.) The Fire Department shall be responsible for the operation and maintenance of the fire protection, suppression, and emergency services, emergency extrication, and other emergency services.
- 2.) The Fire Department shall be responsible for contracting with companies or individuals to provide services for the efficient operation of the fire protection and emergency response system.
- 3.) The Fire Department shall be responsible for recruiting, training, and compensating all the personnel needed to operate and maintain fire and emergency response vehicles and equipment.
- 4.) The Fire Department will at all times operate, maintain, and replace its system in an efficient manner and will take such action as may be necessary to furnish the City or Township with fire suppression and emergency services. Except during an emergency, service to the Township shall not be interrupted. Service shall be resumed, as soon as possible, after alleviation of the emergency conditions. In the event of an emergency, the Fire Department shall give immediate notice thereof to the City or Township.
- 5.) The Fire Department shall obtain such permits, certificates, or the like as may be required by any County, State, or Federal Agency that may have jurisdiction over the suppression of fires and emergency service response system.

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_

# EXHIBIT D

## BUDGETING FORMAT

### INCOME

Receipts from	how budgeted amount is figured	Budgeted Amount
TWP		
City		
Fundraising		
Donations		
Interest (checking or interest from CD not rolled over to new CD and noted)		

### TOTAL INCOME

### DISBURSEMENTS

Categories	Amount Budgeted
Alliant/Siren	
Alliant Gas/Electric	
Clothing Allowance	
Communication (radios, pagers, etc.)	
Computer	
Dues and Subscriptions	
Equipment Repairs (gear, saws, fans, generators, etc.)	
Fire Equipment Purchases	
Breathing Air (air compressor, SCBA's, cascade tanks, and all testing)	
Fuel and Oil (use to be gas and oil)	
Fundraising Expenses (golf outing etc.)	
Insurance (all insurance – vehicle, Workman's Compensation, liability, and accident)	
Telephone (lines for faxes, incoming and outgoing calls)	
Legal Expenses	
Schooling/Training	
Truck Maintenance (servicing, testing, and repairs)	
Miscellaneous (office, postage, anything not having a spot)	
Purchase CD (large equipment fund for truck replacement or large equipment purchases)	
TOTAL EXPENDITURES	TOTAL AMOUNT BUDGETED
All CDs that are redeemed (principal) – Interest made on that CD	
What that money is spent – back into a new CD or what is purchased with it	
Balance on hand at the end of previous year	
Budgeted income for budgeted year	
TOTAL amount that can go toward expenditures	
Minus budgeted expenditures	
Balance on hand at end of budgeting year	
Also will be a bank sheet showing all CDs and their maturity dates	

FIRE DEPT. PRESIDENT INITIAL \_\_\_\_\_

CITY OF KEOTA MAYOR INITIAL \_\_\_\_\_