

August 8, 2016

The regular meeting of the Monroe City Council was called to order by Mayor Duinink at 7:00 p.m. at the Monroe City Hall on August 8, 2016. Roll Call was taken, present – Bradbury, Goemaat, Hegwood, Nickelson, Hansen, absent - none. Matt Mardesen, City Administrator & Economic Development Director; Kim Thomas, City Clerk; Jeff Timmins, Public Works Director, and Nicholas Chambers, Monroe Police Chief; were in attendance. Mayor Duinink announced the meeting was being recorded.

Visitors at the meeting were: Donna Thomason, Keith Templeton, Benita Templeton, Kristie Teeple, Norm Madsen, Kathleen Darrach, Deanna Shannon, Nikki Ulrey, Dan Clark, Jeremiah Ulrey, Richard Aalbers, Steve Hewitt, Brian D. Briles, Kathy Van Veen, Shirley Lanphier, Heather Fenton, Nicole Vannoy, Heather Arthurs, Carol Ann Diekema, Larry Diekema, Dean Van Ryswyk, Pat Carapelle, Jan Van Ryswyk, Jo Van Baale, Angie Landgrebe, Judy Woody, Andrea Steenhoek, Clint Price, Marsha Schnug, Andrea Lanphier, Robert Schnug, Taylor Burns, Tatum Nearmyer, Joe Phillipson, Pam Munson, Lyn Munson, Thomas C Daniels, Kim Daniels, Barb Nickelson, Ada Beth Hume, Glen Duinink.

Consent Agenda – Council Member Hansen moved and was seconded by Council Member Nickelson to approve the consent agenda. Items on the agenda included the clerk and treasurer’s report and bills and minutes from the July meeting. Motion carried 5-0. Jeff Timmins, Public Works Director; notified the Council that the DuraPatcher Machine has been delivered to the shop. Chief Chambers notified the Council and audience that GSTB starts on the 23rd of this month and will last till the 5th of September. More law enforcement will be out during that period of time.

July 2016 Bills

Salaries	Net:	22901.35
EFTPS	Federal Tax Payment	8063.52
Iowa Department of Revenue	Withholding/Sales Tax	1417.00
IPERS	Police/Regular	4792.47
City of Monroe	Health Ins Reimbursement	375.66
AFSCME	Union Dues	72.20
United Healthcare	Health Ins	2504.24
Fraser	Tier	225.00
Professional Computer Services	All Points Software	2400.00
Van Gorp-Edwards Insurance	Workers Comp Premium	1804.00
Windstream	Phone Service	664.48
Kal Services	Sanitation Contract	10036.25
Mediacom	Internet	118.40
Mid American Energy	Utilities	3560.80
US Cellular	Cell Service	143.68
Cardmember Services	Registration/Books/Subscriptions	528.55
Airgas	Cylinder Rental/Oxygen/Misc	588.05
Baker & Taylor	Books	639.94
Casey's	Gas	1190.78
Cashiers Office State DOT	Police Paper/Fax	104.04
Center Point Large Print	Books	84.48
Central Iowa Rural Water	Payment/Principal/Interest	15541.64
Chief Supply Corporation	Drug Kits	95.65
DEMCO	Library Supplies	91.35
EMP Emergency Medical Products	Ambulance Supplies	93.05
Forbes	Ink/Pens	18.40
Guideposts	Book	17.74
Hewitt's	Tire Repairs	60.00
International Institute of Municipal Clerks	Membership Dues	180.00
Iowa Department of Natural Resources	Water Supply Annual Fee	212.55
Iowa One Call	Locates	24.30
Jasper County Abstract	Title Certificate	100.00
Jasper County Animal Rescue League	Service/Participation Fee	259.99
Jerico Services	Dust Control	736.25
Kabel Business Systems	Annual POP Plan	350.00
Keltek	Paper Repairs	319.65
Keystone	Testing	1555.10
Kim Thomas	Mileage	76.14
Lowe's	Power Washer	584.10
Marco	Copier Usage	133.64

Midwest Living	2 Year Subscription	19.97
Monroe Foods	Ice	2.78
Monroe Mirror	Supplies/Publications	350.14
Monte Oldham	Tree Reimbursement	175.00
Mowboys	Mowing Contract	2962.50
Shred It	Service	88.89
Star Equipment	Turbo Grinding	58.00
SVPA Architects	Bike Trail Reprographics	105.60
Safe Building	Permits	622.06
Two Rivers Coop	Round Up/Diesel	849.70
Veenstra & Kimm	Engineering/Wastewater Treatment	222.00
WP Barber Lumber	Supplies/Misc	202.68
LL Pelling Co	Road Repair/Silent City	20330.80
Corson Cemetery Restoration	Monument Repair	7500.00
6 FT	Library Computer	2015.00
Computer Pro	PW Computer	919.97
GIS Benefits	Life Insurance	27.18
Total July Expense:		\$ 119,116.71
Total July Revenue:		\$ 54,830.59

Total Revenue

General	15572.88
Road Use	17031.06
Special Revenue	15763.41
Capital Project	452.88
Enterprise	5289.46
Fiduciary	250.00
Debt Service	470.90
Total:	\$ 54,830.59

Total Expense

General	68861.07
Road Use	7064.29
Special Revenue	7834.05
Capital Project	0.00
Enterprise	35357.30
Fiduciary	0.00
Debt Service	0.00
Total:	\$ 119,116.71

Nickelson moved and was seconded by Hansen to approve Mustang Lanes LLC request for Class B Beer and Sunday Sales for 112 W Sherman Street. Motion carried 5-0.

Hansen moved and was seconded by Nickelson to approve CJ'S Bar and Grill (formerly) Monroe American Legion) request for Class C Liquor, Sunday Sales, Outdoor Service and Native Wine for 105 E Marion pending proof of dram shop insurance. Motion carried 5-0.

Prior to the meeting the Board of Adjustment met at City Hall at 6:00 p.m. for the variance electrical service request at 608 N Mechanic Street. The Board of Adjustment voted 5-1 to allow Jeremiah and Nikki Ulrey to put an electrical service at 608 N Mechanic prior to building a permanent structure at that location. Mr. Scott Mavis voted no by letter and was not at the meeting due to health reasons. Matt Mardesen recommended to both the Council and Adjustment Board that since there would be no permanent residence and no special hardship circumstances that the council and board are advised to deny the request. Mardesen stated that 6 of the surrounding neighbors were against allowing them an electrical service before building a home on the lot and that they did not want the lot to become a place for storage. Mardesen also stated the Iowa Supreme Court has determined that applicants must meet the definition of a hardship before permission should be granted or the city will have the potential of being sued. Richard Aalbers, a Board of Adjustment Member, asked why the neighbors who were against the variance request were not at the Board of Adjustment meeting prior. Hansen responded they could respond by letter or in person as stated in the letter they all received. Bradbury suggested amending the zoning ordinances. Ulrey's stated they would like to be able to store their campers and parents' camper at the location 3 months out of the year. Nikki Ulrey

stated they would not be living in the camper at any time. During the winter months the campers are stored elsewhere. Council Member Bradbury moved and was seconded by Nickelson to table the decision until the next month's meeting and research amending the zoning ordinances for the City of Monroe. Upon roll call vote, ayes – Bradbury, Nickelson, Goemaat, nays – Hansen, Hegwood. Motion carried 3-2.

At 7:16 p.m. Mayor Duinink opened the Public Hearing for the sale of city owned land known as Madsen Field. Mayor Duinink stated that individuals would have 2 minutes to voice their opinions. Kristie Teeple was the first to speak at the hearing and commented that a new business would bring new jobs to the community. Teeple wished that when her kids were growing up that they would have had the opportunity to get a job there and hoped that DG would not be left as an empty building like the former Casey's. Teeple claimed that people would still go to Petes and go there too without having to spend money in another community and drive 30 miles to get there. Steve Hewitt stated he knew that his business has problems and he felt like he could weather the storm if he had to, but would like the city to keep the land a green space. Steve stated that the town could not afford to lose a grocery store and Pete truly cared about the community and a big corporation would not. Steve also continued to state that if the sale of Madsen Field goes through that it would jeopardize the city getting volunteers and donations in the future. Steve stated that he is in the process of cleaning up his property and his intentions would be to sell to a younger couple in the future. Steve stated that he did not feel that DG cared about the community and urged the council to take a strong look before voting. Steve urged the council to leave Madsen Field a green space. Brian Briles encouraged the Council to vote yes on the sale of Madsen Field. Briles emphasized that the community needs to grow and those in leadership positions have to make the not so popular decisions. The Monroe City Council are leaders in the community and emphasized bringing new businesses to town. Norm Madsen stated he was very humbled when he was told that Madsen Field was being named after him. Norm attended many games, practices and events at Madsen Field over the years and has many fond memories there. Norm stated many have asked him what he thinks of the sale of Madsen Field and he responds "if you had a park named after you and it was sold in your lifetime, how would you feel?" Pam Munson stated she felt the same way Steve Hewitt does. Thomas Daniels stated he was not a resident of Monroe but thanked Steve and does not want to lose Pete's or Steve and that a big corporation will not care. Daniels encouraged the City to sell local. Barb Nickelson, Ada Beth Hume, Jo Van Baale all encouraged the Council to bring new business to town. Bob Schnug and Joe Phillipson both would like to see the land left as a green space. Kathy Van Veen confirmed with the Council the DG contacted the city and that no strings are attached with the sale of Madsen Field. No tax incentives were offered from the City of Monroe claimed Van Veen. Clint Price stated he thought this decision was splitting the town and thinks selling Madsen Field would hurt the town. Keith Templeton asked if the city needed the money and asked if the sale went through what the funds would be used for. Mayor Duinink replied water, sewer, streets or whatever the Council decides. Several expressed concerns about the local grocery store but some felt like the sale would not hurt Monroe Foods in the way being expressed by others at the meeting. Kathleen Darrach questioned what the proper sales price was since the council packet said something different than what the proposed resolution stated. Mardesen stated that the sales price was \$150,000. She also questioned the amount of real estate tax since the packet stated real estate taxes as being the same as their estimated taxable value. Mardesen replied the figures received were based off of Mr. Deegan's estimates from Jasper County. Darrach emphasized that the amount given by the county did not show the true impact of taxes because the calculation showed taxes coming to Monroe on non-taxable items. In addition other local businesses sales that would be lost would also need to be deducted to get the true impact. Darrach also questioned whether the resolution needed to be conditional upon the rezoning of the property since that was included in the proposed contract. Mardesen stated that the City Attorney had looked at the resolution prior to the meeting. Many pros and cons were heard during the public hearing concerning the sale of Madsen field. At 8:01 p.m. Hansen moved and was seconded by Council Member Goemaat to close the public hearing. Motion carried 5-0.

Before voting on the resolution the Council was given the opportunity to speak. Nate Bradbury stated he had moved to Monroe 10 years ago and wondered how long a business like DG would actually be here. Bradbury commented on small town pride and taking care of each other. Bradbury stated Pete was in tears during one of their last conversations and feels that this sale would bring a lot of damage with it. Bradbury further stated that the sale to DG would impact Pete and green space lost would never come back. Goemaat stated that she has talked to people in and outside of Monroe and asked what is important to them in a town. Goemaat's response was the school system, the police and fire and a grocery store. Goemaat was not sure if they would move here without a grocery store. Hansen stated she was also a small business owner and that those who shop at Pete's would continue to shop there. Hansen stated that bringing business to town would help bring people to the community and that maybe more people would shop in town instead of going out of town or online. Nickelson didn't have much to add to the conversation except that there were no strings attached to the sale and that a property owner can do whatever they want with it. Hegwood stated he has mixed emotions but the MRP is a great place and needs to be used. Hegwood said he has thought long and hard about what is best for Monroe. Bradbury read page 71 of the Monroe Code of Ordinances concerning veto power of the mayor and encouraged the Mayor to veto the resolution within 14 days if needed. Hansen moved and was seconded by Nickelson to approve RESOLUTION NO. 25-2016. A resolution authorizing the sale of real property. Upon roll call vote, ayes – Hansen, Nickelson, Hegwood, nays – Bradbury & Goemaat. Motion carried 3-2 to sale Madsen Field to DG Partners LLC.

Jason Van Ausdall from Vennstra & Kimm, Inc. would like to become the building inspector for the City. Jason assured the Council that a meeting like the one tonight would not happen again. Jason would be happy to take a look at our zoning ordinances and have the necessary meetings with the council, board of adjustment and zoning board. Jason also stated by adopting the 2009 Building Codes it would improve our ISO Rating and a good checks and balancing system would be put in place. Bradbury moved and was

seconded by Goemaat to approve the Building Department Services Agreement with Veenstra & Kimm and the City of Monroe, Iowa. Upon roll call vote, motion carried 5-0.

Mardesen suggested tabling the discussion on monthly water billing until the September meeting. The council has received RFP's from 2 companies. The first received was from Utiliuse out of Schertz, TX. The cost for drive by meters was \$346,666.80 and \$314,664.30 for walk by automated readers. The second RFP was from Metering and Technology Solutions out of Burnsville, MN. The cost estimates from Metering Technology range from \$164,092 to \$238,587. Mardesen will ask Dan Sinclair from Metering Technology Solutions to be at the September meeting to answer any questions the council or audience may have.

Heather Fenton spoke on behalf of the chicken ordinance. Heather would like to see a couple items on the permit changed. Those suggested to remove by Fenton on the permit were: a letter indicated permission from neighbors to house chickens, property being inspected by city staff and any existing or unresolved nuisance conditions present on the property. Bradbury moved and was seconded by Goemaat to approve the 2nd reading of an ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONROE, IOWA BY AMENDING THE PROVISIONS PERTAINING TO ANIMAL PROTECTION AND CONTROL AS IT RELATES TO ALLOWING CHICKENS IN THE CITY LIMITS. Upon roll call vote, ayes – Bradbury, Goemaat, Nickelson, Hegwood, nays – Hansen. Motion carried 4-1. Bradbury moved and was seconded by Goemaat to approve the 3rd and final reading of an ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MONROE, IOWA BY AMENDING THE PROVISIONS PERTAINING TO ANIMAL PROTECTION AND CONTROL AS IT RELATES TO ALLOWING CHICKENS IN THE CITY LIMITS. Upon roll call vote, ayes – Bradbury, Goemaat, Nickelson, Hegwood, nays – Hansen. Motion carried 4-1.

ORDINANCE NO. 273

BE IT ENACTED by the City Council of the City of Monroe, Iowa: SECTION 1. SECTION MODIFIED. Chapter 55, Section 01, Subsection 9 is amended by adding a new Subparagraph A which is hereby adopted to read as follows: 55.01 (9) (A) Chicken shall mean a member of the subspecies Gallus domesticus, a domestic fowl. SECTION 2. SECTION MODIFIED. Chapter 55, Section 01, of the Code of Ordinances is amended by adding two (2) Subsections numbered 15 and 16 which are hereby adapted to read as follows: 55.01 (15) "Coop" means a cage, enclosure, or structure used for housing and protecting chickens from weather and predators. 55.01(16) "Pen" shall mean a cage, structure, or similar enclosure capable of movement used for housing and protecting chickens from weather and predators. SECTION 3. SECTION MODIFIED. Chapter 55, Section 5 is amended by adding a new Subsection number 1 which is adopted to read as follows: 55.5(1) Livestock belonging to the poultry used by private individuals for residential purposes on a permit basis upon the following conditions: A. The keeping of no more than six (6) chickens for use on a single-family detached residential property for the benefit of the owner or lessee of said property. B. It shall be unlawful to keep roosters within the City limits. C. Chickens must be kept in pen at all times. Chickens shall be secured within a coop during non daylight hours. D. Coops shall be constructed of sturdy materials and shall be kept well maintained. Pens shall consist of sturdy wire fencing of a type customarily designed for and used to enclose chickens. E. Coops and pens shall be limited to the rear yard of the property, with a minimum of ten (10) feet distance from any and all property lines and residential structures. F. Owners shall not engage in the breeding of chickens, egg production, or fertilizer production for commercial purposes. G. It shall be unlawful to slaughter chickens within City limits. H. The owner shall dispose of dead chickens within a sanitary landfill. I. Chickens shall be provided with access to feed and clean water at all times. All feed and other items associated with keeping chickens shall be stored in a manner to prevent rodents, wild birds, and predators from coming into contact with them. J. Feces and waste shall be removed from enclosures and coops at least once per month. K. Chickens will not be permitted to live, stared or raised in the primary residence. SECTION 4. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed. SECTION 5. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional. SECTION 6. WHEN EFFECTIVE. This Ordinance shall be in effect from and approval and publication as provided by law after its final passage, approval and publication as provided by law. Signed: Douglas Duinink, Mayor and Attested by: Kim Thomas, City Clerk.

Open Forum – Mayor Duinink thanked the audience and council for respecting each other's comments at the meeting. Mardesen stated he would be on vacation for the next 2 weeks. Bradbury thanked Old Settlers and commented on many improvements noticed around town. Bradbury also will be stopping by the city shop to see the new DuraPatcher. Bob Schnug suggested naming the MRP after Norm Madsen (which a field at the MRP already has been named Madsen Field).

Hansen moved and was seconded by Goemaat to adjourn at 9:16 p.m. Motion carried 5-0. A full copy of minutes may be seen at the Monroe City Hall or www.MonroelA.com.

Douglas P. Duinink, Mayor

Kim K. Thomas, City Clerk

