

REGULAR MEETING OF THE EMERSON CITY COUNCIL
WEDNESDAY, AUGUST 8, 2018 – 6:13 P.M.
EMERSON CITY HALL – 410 MANCHESTER STREET

Mayor David Galley Jr. called the regular meeting of the Emerson City Council to order on
Wednesday, August 8, 2018, 6:00 p.m. at Emerson City Hall, 410 Manchester Street.

Pledge of allegiance was recited

Roll Call: Present: Councilperson Heidi Pullen, Ann Roth, Larry Johnson, and Jen Shaw
Absent: Councilperson Ronald Stephens, Jr.

Moved by Councilperson Pullen, seconded by Shaw to approve the agenda

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen

Nays: None

Motion Carried.

Moved by Councilperson Shaw, seconded by Pullen to approve the consent agenda:

*Minutes from regular meeting of July 11, 2018

*Financial Report for July 2018

*Warrants from July 2018

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen

Nays: None

Motion Carried.

Moved by Councilperson Roth, seconded by Johnson to approve claims to be paid in the amount
of \$8,720.53

Roll Call: Ayes: Councilperson Shaw, Pullen, Roth, and Johnson

Nays: None

Motion Carried.

Visitors Opportunity to speak:

*Marlin Gage: *Power lines to sign at Bass Park are hanging low

*Asked if Park could be mowed on Thursday or Friday before Emerson
Days activities

*Asked if streets could be washed down by the fire department

*Women's restroom in Community Building will need ceiling repairs
due to a water leak from roof

*Mentioned MCMH changing schedule

*Maxine Wilkinson: Questioned if coffee ladies could rent the Community Building for
8-10 am, once or twice a month for \$10.00 rent. (A resolution will be
prepared for next meeting for this fee)

Agenda item #8 about E-Stop activities for Emerson Days had no discussion or action.

Blake Birkel and Gary Johnson with JEO Consulting were present and reviewed the sewer
project. Explaining what has been done so far and what the City should consider for
repairs and finances. Simmering & Cory will be asked to attend next meeting with
paperwork to proceed with the project, preferring to use an SRF loan.

Moved by Councilperson Roth, seconded by Shaw to approve the street blocking for the parade
and games in the park on September 8, 2018

Roll Call: Ayes: Councilperson Pullen, Johnson, Shaw, and Roth

Nays: None

Motion Carried.

Moved by Councilperson Shaw, seconded by Roth to approve use of golf carts and ATVs for managing the parade and other Emerson Days activities

Roll Call: Ayes: Councilperson Johnson, Shaw, Pullen, and Roth
Nays: None

Motion Carried.

Moved by Councilperson Shaw, seconded by Johnson to approve the 1st reading of the proposed Ordinance Amending the Code of Ordinances of the City of Emerson, Iowa by Amending Provisions Pertaining to Open Burning

Roll Call: Ayes: Councilperson Pullen, Roth, Johnson, and Shaw
Nays: None

Motion Carried.

Moved by Councilperson Shaw, seconded by Johnson to waive the 2nd and 3rd readings of the proposed Ordinance Amending the Code of Ordinances of the City of Emerson, Iowa by Amending Provisions Pertaining to Open Burning

Roll Call: Ayes: Councilperson Pullen, Roth, Johnson, and Shaw
Nays: None

Motion Carried.

Moved by Councilperson Pullen, seconded by Roth to adopt Ordinance No. 356 ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EMERSON, IOWA BY AMENDING PROVISIONS PERTAINING TO OPEN BURNING

BE IT ORDAINED by the City Council of the City of Emerson, Iowa, that, Chapter 105, Solid Waste Control, hereby be amended by making the following modifications:

SECTION I. SECTION MODIFIED

105.05 OPEN BURNING RESTRICTED is hereby amended by repealing the section in its entirety and adopting the following in lieu thereof:

105.05 OPEN BURNING RESTRICTED. No person shall allow cause or permit open burning, except that open burning is permitted in the following circumstances:

1. Disaster Rubbish. The open burning of rubbish, including landscape waste, for the duration of community disaster period in cases where an officially declared emergency condition exists.
2. Trees and Tree Trimmings. The open burning of trees and tree trimmings at a City-operated burning site.
3. Flare Stacks. The open burning or flaring of waste gases.
4. Recreational Fires. Open fire for cooking, heating, recreation and ceremonies, provided the fire has a total fuel area of two (2) feet or less in diameter and two (2) feet or less in height. Fuel is limited to clear wood (no chemicals or additives) or charcoal. Recreational fires cannot be conducted within fifteen (15) feet of a structure or combustible material, unless contained in an enclosed barbecue grill or a commercially manufactured patio burner, which has legs elevating the unit off the ground and has the burning area completely enclosed with screen. Recreational fires must be fully extinguished by 12:00 am (midnight) and shall

not burn between the hours of 12:00 a.m. and 8:00 a.m. Enforcement will be handled by Public Safety Officials, Emerson Mayor or Emerson Council.

5. Training fires. Fires set for the purpose of bona fide training of public or industrial employees in fire fighting methods, provided that the training fires are conducted in compliance with rules established by the State Department of Natural Resources.

6. Variance. Any person wishing to conduct open burning of materials not permitted herein may make application for a variance to the City Council.

SECTION II. SEVERABILITY CLAUSE

If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION III. WHEN EFFECTIVE

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

Passed this 8th day of August, 2018.

Mayor

ATTEST:

Mary L. Bolton, City Clerk

Roll Call: Ayes: Councilperson Johnson, Shaw, Pullen, and Roth
Nays: None

Motion Carried.

Moved by Councilperson Roth, seconded by Johnson to approve the 2nd reading of the proposed Ordinance Amending the Code of Ordinances of the City of Emerson, Iowa, by Amending Provisions Pertaining to Traffic Stop Requirements

Roll Call: Ayes: Councilperson Shaw, Pullen, Roth, and Johnson
Nays: None

Motion Carried.

Moved by Councilperson Pullen, seconded by Shaw to waive the 3rd reading of the proposed Ordinance Amending the Code of Ordinances of the City of Emerson, Iowa, by Amending Provisions Pertaining to Traffic Stop Requirements

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen
Nays: None

Motion Carried.

Moved by Councilperson Pullen, seconded by Shaw to approve Ordinance No. 357

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF

EMERSON, IOWA, BY AMENDING PROVISIONS PERTAINING TO TRAFFIC STOP REQUIREMENTS

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EMERSON, IOWA BY AMENDING PROVISIONS PERTAINING TO TRAFFIC STOP REQUIREMENTS.

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

SUBSECTION ADDED: Chapter 65, Section 01, Subsections (39) and (40) are hereby added to read in full as follows:

65.01STOP REQUIRED. Every driver of a vehicle shall stop in accordance with the following stop signs at the following street intersections:

* * *

39.Morton Street and King Street, traffic from east and west.

40.Intersection of King Street and Edwards Street, traffic from the north.

PASSED by the Emerson City Council this 8th day of August, 2018, and approved the 8th day of August, 2018.

David Galley, Mayor

ATTEST:

Mary Bolton, City Clerk

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen
Nays: None

Motion Carried.

Moved by Councilperson Johnson, seconded by Pullen to approve Resolution No. 2018-17
**RESOLUTION TO RE-INVEST OR THE PLACEMENT OF MONIES FROM CD
AT HOUGHTON STATE BANK**

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen
Nays: None

Motion Carried.

Moved by Councilperson Shaw, seconded by Pullen to approve the application for an ICAP
Grant for risk management, in the amount of \$1,000.

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen
Nays: None

Motion Carried.

Moved by Councilperson Johnson, seconded by Shaw to approve propane through Sapp Bros.
for 600 gallons.

Roll Call: Ayes: Councilperson Pullen, Roth, Johnson, and Shaw
Nays: None

Motion Carried.

It was announced that there will be a temporary schedule change to Heartland Mobile Health clinic of Montgomery County Memorial Hospital to be every other Wednesday in Emerson, beginning August 22 and last approximately 3 months or so

Advertising for the city maintenance position was discussed. Notice will be finalized and published.

Moved by Councilperson Johnson, seconded by Shaw to approve the hiring of RC Tree Service for tree removals and trimmings.

Roll Call: Ayes: Councilperson Pullen, Roth, Johnson, and Shaw
Nays: None

Motion Carried.

Public Works maintenance report – (given by Mayor in absence of Randy)

- *Levee work being done

- *Getting signage for children

- *Need to focus on why there is undermining in streets before chip sealing

- *Bought new chains for chain saws

- *Paint has been ordered for the streets (will also be painting the crosswalks at the new sign locations by the park)

Clerk report had been provided in writing by Clerk Bolton with no discussion.

Mayor Report:

- *Mayor Pro-tem Roth will be covering any emergencies while he is unavailable a few days

- *Has received some citizen complaints about miscellaneous things

- *Shared current wage comparison to wages of previous employees

- *Helped at the levee

- *Will talk with Board of Supervisors about health insurance opportunities

Additional items as may come before the Council;

- *Councilperson Johnson – Park equipment looks nice but feels the grass needs attention as it and the sand court are full of weeds. He will obtain some bids for a minimal program to get it cleaned up

No items noted for next agenda.

Moved by Councilperson Shaw, seconded by Pullen to adjourn the meeting.

Roll Call: Ayes: Councilperson Roth, Johnson, Shaw, and Pullen
Nays: None

Motion Carried.

Meeting Adjourned.

Dave Galley, Mayor

Attest:

Mary L. Bolton, City Clerk