

**REGULAR MEETING OF THE EMERSON CITY COUNCIL
WEDNESDAY, JANUARY 12, 2022 – 6:00 P.M.
MEETING WAS HELD IN EMERSON CITY HALL – 410 MANCHESTER
AND ALSO AVAILABLE THROUGH ZOOM**

Mayor Larry Johnson called the regular meeting of the Emerson City Council to order on Wednesday, January 12, 2022, 6:00 p.m. in Emerson City Hall, 410 Manchester Street.

Pledge of allegiance was recited.

Roll Call: Present: Councilperson Ann Roth, Cathy Bruce, Randy Gray, and Mike Branigan
Absent: Councilperson Bob Huntsman

Moved by Councilperson Branigan, seconded by Roth to approve the agenda.

Roll Call: Ayes: Councilperson Gray, Bruce, Branigan, and Roth
Nays: None

Motion Carried.

Moved by Councilperson Roth, seconded by Gray to approve consent agenda:

*Minutes from regular meeting of December 8, 2021

*Warrants for December 2021

*Financial Report for December 2021

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Moved by Councilperson Gray, seconded by Bruce to approve claims for January 2022 in the amount of \$70,857.45

Roll Call: Ayes: Councilperson Branigan, Roth, Gray, and Bruce
Nays: None

Motion Carried.

Visitor opportunity to speak: None

Moved by Councilperson Roth, seconded by Gray to approve Resolution No. 2022-01

**RESOLUTION APPOINTING CITY CLERK/TREASURER AND DEPUTY CITY
CLERK CLERK/DEPUTY TREASURER**

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Moved by Councilperson Gray, seconded by Bruce to approve Resolution No. 2022-02

**RESOLUTION DESIGNATING INDIVIDUALS AUTHORIZED TO SIGN
CHECKS, EXECUTE CONTRACTS, AND OTHER FINANCIAL
INSTRUMENTS FOR THE CITY OF EMERSON, IOWA**

Roll Call: Ayes: Councilperson Branigan, Roth, Gray, and Bruce
Nays: None

Motion Carried.

Moved by Councilperson Roth, seconded by Branigan to approve Resolution No. 2022-03

**RESOLUTION TO APPOINT BRENT L HINDERS AND EDWARD FISHMAN
OF HOPKINS AND HEUBNER, P.C. AS THE OFFICIAL CITY ATTORNEY
FOR THE CITY OF EMERSON FOR 2022 AND 2023**

Roll Call: Ayes: Councilperson Gray, Bruce, Branigan, and Roth
Nays: None

Motion Carried.

Moved by Councilperson Branigan, seconded by Gray to approve Resolution No. 2022-04

RESOLUTION TO DESIGNATE BRI SORENSEN, ATTORNEY AT LAW, AS

**THE CITY OF EMERSON ATTORNEY FOR NUISANCE AND NUISANCE
ABATEMENTS FOR 2022 & 2023**

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Fire Department Report – Chief Liz:

*Waiting on the garage door repairs with All Things Garage

*Their annual meeting is Saturday night with election of officers. Will swear in officers at Council's February meeting

Moved by Councilperson Roth, seconded by Branigan to authorize a fuel/vehicle emergency credit card for the Fire Department with a policy written and presented to Council at February meeting.

Roll Call: Ayes: Councilperson Gray, Bruce, Branigan, and Roth
Nays: None

Motion Carried.

No action on the batteries for fire department tanker as the situation has already been resolved.

Moved by Councilperson Gray, seconded by Roth to approve the purchase of the Scag Turf Tiger 40 hp mower from Uphoff Outdoor Power, LLC from Glenwood.

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Moved by Councilperson Branigan, seconded by Gray to approve the Law Enforcement Services Contract between City of Emerson and Mills County for July 1, 2022 through June 30, 2023.

Roll Call: Ayes: Councilperson Bruce, Branigan, and Gray
Nays: Councilperson Roth

Motion Carried.

Moved by Councilperson Branigan, seconded by Roth to make the following changes on the city's Iowa Communities Assurance Pool renewal:

*Remove bleachers and fence at Bass Park

*Remove dugouts and scoreboard at Bass Park

*Remove restroom at Bass Park

*Change 1994 International truck ACV to \$10,000

(Fire department reviewing for any fire department changes)

Roll Call: Ayes: Councilperson Gray, Bruce, Branigan, and Roth
Nays: None

Motion Carried.

Moved by Councilperson Gray, seconded by Bruce to approve Resolution No. 2022-05
**RESOLUTION APPOINTING AN INDIVIDUAL AND AN ALTERNATE TO
REPRESENT CITY OF EMERSON WITH THE IOWA COMMUNITIES
ASSURANCE POOL**

Roll Call: Ayes: Councilperson Branigan, Roth, Gray, and Bruce
Nays: None

Motion Carried.

Discussion took place on the concerns and misuse of the city's recycling bin.

Moved by Councilperson Branigan to start the process to remove the recycle bin from town.

Motion died for lack of a second.

Discussion continued and city staff will check with Waste Connections for any possible ideas.

Moved by Councilperson Roth, seconded by Gray 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 Sewer Service Charges

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Councilperson Branigan led the discussion in reference to the Emerson Strategic Plan. He would like to see the Council look for Economic Development Projects and Goals. He also handed out some information about the old Judge Hotel and talked about a catalyst grant to help with the restoration. No action was taken.

Mayor Johnson explained that he had spoken with Attorney Eddie Fishman and they were both in agreement that Mr. Fishman did not need to be present through zoom for the Emerson council meetings unless he was requested. Mr. Fishman will provide a written monthly report for the council packet. Mayor also advised that through his discussion it was determined that only himself, as Mayor, and Mary Bolton as City Clerk, and Lana Moyers as Deputy Clerk will have the authorization to speak with Mr. Fishman. If council needs something from the attorney, they will need to work through one of the three.

Moved by Councilperson Bruce, seconded by Gray to approve the full Mayor salary of \$1,000 to Stephanie Latta for 2021, and 11 months of 2021 of the Mayor salary, plus any council meetings he attended in January 2021 to Mike Branigan.

Roll Call: Ayes: Councilperson Roth, Gray, and Bruce
Nays: None
Abstained: Councilperson Branigan (served as Mayor Pro-Tem in 2021)

Motion carried.

No action was taken on setting a date for the Maximum Tax Levy Hearing at this time.

Moved by Councilperson Roth, seconded by Gray to approve the Service Agreement with Power Tech for both generators.

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.

Public Works Maintenance Report: Had submitted a written report and added:

*Advised the city's truck is in the shop with alternator and battery issues

Mayor's Report: Had submitted a written report and added:

*Added Jim McDonald as valuable employee to the list in his report

Clerk Report: Had submitted a written report and added:

*Insurance company will be reimbursing city for damage repairs at the water well so most likely a budget amendment will be needed so we have to pay the invoices through the city budget

Additional item as may come before the Council: None

Agenda items for next council meeting:

*2nd reading of proposed ordinance on sewer service charges

*Recycling bin

*Revisit request/discussion of city taking over the residential trash removal

*Economic Development

*Budget

Moved by Councilperson Gray, seconded by Roth to adjourn the meeting.

Roll Call: Ayes: Councilperson Bruce, Branigan, Roth, and Gray
Nays: None

Motion Carried.
Meeting Adjourned.

Larry Johnson, Mayor

ATTEST:

Mary L. Bolton, City Clerk