The Ellsworth City Council met in regular session at 7:45 p.m. at City Hall on April 8th,2024 with Mayor Yager presiding, and the following council present: Laube, Funk, Gelder, King and Sogard.

March Receipts March Disbursements

General Fund 9689.01 16259.74

Road Use Fund 4502.08 1238.55

Employee Benefit Fund 184.35 598.71

Emergency Fund 68.55

Local Option Sales Tax Fund 5446.39

Tax Increment Finance Area 1

Tax Increment Finance 1 Amend 205.80

Bingo Fund 4352.79 2102.09

Debt Service Fund 108.30 2415.00

Capital Project-Strm Water

Capital Project-Water Tower

Water Fund 27368.63 12613.89

Water Sinking Fund

Sewer Fund 7808.77 6497.07

Electric Fund 61350.22 51218.05

Electric Sinking Fund

Storm Water Fund 4247.49 58.80

Storm Water Sinking 3058.00

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $125332.38 $96059.90

**AGENDA APPROVAL**: Motion by King, seconded by Gelder to approve the agenda. Roll call votes 5-0. Motion carried.

**CONSENT AGENDA**: Motion by Funk, seconded by Laube to approve the following items listed on the consent agenda:

1. Motion to approve March 11th , 2024 council minutes.
2. Motion to approve March payment of claims.
3. Motion to renew Kum and Go #133 Tobacco Permit.

Roll call votes 5-0. Motion carried and claims hereby made a portion of these minutes.

**PUBLIC FORUM:** None.

**SHOMO-MADSEN-KRUASE INSURANCE RENEWAL:** Melissa Kelley from Shomo Madsen Krause was present to discuss the insurance package for The City of Ellsworth for the 2024/2025 policy year. She reported that the city had received dividends back in the amount of $4,488.00 for the 2022/2023 year. She was happy to report that the City’s policy did not increase the 25-26% as originally suspected, but due to requirements from EMC on raising deductibles and policy changes, the cost was actually reduced by $156.00. The premium for the current period of 4/1/2024-4/1/2025 is $79,152.00.

**28E AGREEMENT WITH HAMILTON COUNTY SHERRIF DEPARTMENT:** Sherrif Doug Timmons was available to answer and questions and concerns the council had regarding the new 28E agreement that takes effect July 1st, 2024. Previously, the council had discussed the significant per capita increases over the last 2 years in regards to the coverage the City receives. The current per capita rate is $14.00; however, the Sherriff’s Department is asking for an increase to $20.00 per capita. The Clerk also explained that prior to the FY24/25 budget, the City was able to use the Emergency levy as a way to assist in paying for this service, but that do to changes at the state level, that levy no longer exists and funding would need to come from elsewhere. Sherrif Timmons and the council addressed the need for additional patrolling

outside of the local EJS Police Department and agreed that the service provided was necessary for resident safety and peace of mind. A motion by King, seconded by Funk to approve a new 28E agreement effective July 1st, 2024 at the same per capita amount of $14.00; or contract price of $7,112.00. Roll call votes 5-0. Motion carried.

**TRINTITY LUTHERN CHURCH REQUEST:** Pastor Rollefson submitted a request to use the open shelter house in the City Park for Sunday services during the months of June through August from 8:30 am to 10:30 am. The Church has done this for the last several years and it has worked well. Motion by Sogard, seconded by Gelder to approve the usage. Roll call votes 5-0. Motion carried.

**LIBRARY UPDATE:** Members of the Library Board were present to express their displeasure with the council regarding the decision to place an additional job ad for the Library Director through the local radio station. They questioned whether the council had the authority to do so and requested that the expense not be taken from the library’s budget, but instead the City’s. There was also discussion regarding the reduced yearly allocation amount given to the Library for the 24/25 Fiscal year. Library Board members felt as though the 3% COLA approved for full time City employees and the $1.00 raise for the part time employee, should have been dedicated to the Library instead. Councilmembers spoke about employee retention, the difference in which funds employees are paid out of, the reductions to other programs and allocations that they were also faced with, as well as the loss of revenues and levying ability. The City Clerk also confirmed that while the annual amount from the City has been temporarily reduced, the Library’s revenues were still budgeted for over $30,000.00 between other payments from the state and county. She also reminded them that they had been allowed to retain the unspent general fund revenues in their savings account for over 10 years, allowing for an accumulated balance of $57,403.78, of which only $45.52 is allocated revenue for the Historical Museum. It was also brought to the City’s attention that on Thursday April 4th, 2024, concerned citizens attempted to attend the Public Library Board meeting scheduled for 5:30 pm, but were met with a locked door. Library Board members informed the residents that no meeting was being held. The Board was reminded that the Library Public meeting is subject to the same open meeting law requirements as the City Council meetings and given a copy of the Iowa Code pertaining to open meetings.

**FIRE/EMS DEPARTMENT:** Chief Evans and several members of the Fire and EMS department attended the meeting in response to certified letters that were sent regarding employee paperwork needing to be completed prior to payroll being issued. There has been previous discussion at numerous meetings regarding the change in volunteer pay tax classification and status per the Department of the Treasury, however questions still remained. After addressing those concerns and frustrations, the Clerk stated that the timeline for those members who had chosen to complete the proper paperwork would be April 30th, 2024. The Chief informed the council that there were several repairs needing to be done on fire equipment that had not been previously discussed or budgeted for. Conversation pertaining to communicating with the council when equipment breaks down, or requires repair so it may get taken care of in a timely manner, pursued. Long term equipment planning, equipment repair and replacement and budgetary amendment guidelines were also discussed. The council requested Chief Evans to compile a full list of vehicles and repairs needing to be completed and have available to be placed on the April 23rd agenda. Also discussed were several unpaid invoices relating to bills the City had not approved or were waiting for more information on, before paying. This included a bill to Danko Fire Equipment for turnout gear that was above the $12,000.00 approved by council and a reimbursement to Evan’s Autobody for a tow charge that Central Iowa Towing performed but provided incorrect invoicing for. Chief Evans presented several invoices for members who will be attending EMT training through Iowa Central. He stated there will be 4 attendees at a cost of $1,999.00 each. The Clerk reminded everyone that in February when budgets were discussed and approved, only 2 members were budgeted for, at a cost of $1500.00 each and since she was not notified of any changes to the contrary, the additional $4,996.00 was not budget for. Chief Evans response was to amend, as the debt has already been created, however as the Clerk explained; the rule is to amend before you spend, and also, she cannot amend a budget before it begins with the new fiscal year on July 1st, 2024. Due to FY24/25 Budget already being proposed, the Clerk is unable to make changes, but will discuss with the Finance Committee the possibility of amending this year’s budget to pay the registration fees early.

**126 THORESON LIVESTOCK REQUEST:** There was a request by the Funk family to increase the number of chickens and goats currently listed on their livestock permit/special request permit. They are asking for an additional 8 chickens and 1 additional goat. Mr. Funk explained to the council that upon his first request for the livestock, he provided support

letters from his neighbors, a waste removal plan and building/fencing plans for the council’s approval prior to receiving the exception approval. He also stated that on approval he was told it would be a probationary period of one year and if any problems or complaints arose, revocation of the permit could occur. After discussion that the original approval included horses, to which the Funks have yet to add, there was a motion by Sogard, seconded by Gelder to approve the additional livestock. Roll call votes 4-0, with Funk abstaining.

**BINGO SCHOLARSHIPS:** Motion by Funk, seconded by Sogard to donate $1500.00 for three - $500 scholarships to South Hamilton graduating seniors that meet the guidelines set forth previously by the City. Roll call votes 5-0. Motion carried.

**SOUTH HAMILTON T-BALL REQUEST:** Motion by Gelder, seconded by Sogard to approve a donation request for $250.00 to South Hamilton T-ball for the FY 24/25 Budget. Roll call votes 5-0. Motion carried.

**MOSQUITO CONTROL OF IOWA CONTRACT:** Motion by Sogard, seconded by King to approve the 1-year contract with Mosquito Control of Iowa in the amount of $3,425.00 for services in Ellsworth City limits. Roll call votes 5-0. Motion carried.

**ANNUAL EXAMINATIONS FOR FY21/22 AND FY22/23:** Motion by King, seconded by Laube to approve both the FY21/22 and the FY22/23 annual examinations performed by Cornwell, Frideres, Maher and Associates, P.L.C. Roll call vote 5-0. Motion carried.

**SETTING PUBLIC HEARING FOR FY24/25 BUDGET:** Motion by Sogard, seconded by King to set Tuesday April 23rd, 2024 at 5:00 p.m. for the Public Hearing on the FY24/25 Budget. Roll call votes 5-0. Motion carried.

**AMENDING ORDINANCE #17.04 PERTAINING TO COUNCIL MEETING DATES AND TIMES:** Motion by Gelder, seconded by Funk to pass the first reading on amending the current ordinance to now include a second regular monthly council meeting to be held on the fourth Tuesday of each month at five o’ clock (5:00) p.m. Roll call votes 5-0. Motion carried.

**METER DEVICE:** Motion by Sogard, seconded by King to purchase a meter adaptor device and kit at the cost of $1,446.92, to attach to the hydrant adjacent to the water treatment plant in order to provide and meter bulk water sales to larger consumers until the new water salesman is built. Roll call votes 5-0. Motion carried.

**PROPERTY CODES PERTAINING TO TREES:** The Clerk has received several inquiries regarding responsibilities of tree removal and trimming throughout the City. The council took this time to review Chapter 151 of the Property Maintenance Code and discussed how to proceed with enforcing property owners to be proactive and responsible for their overgrown or dying/dead trees.

**UTILITY RATES:** The Clerk was unable to reach Midland Power in response to help with questions regarding rate changes. The item will be added to the May agenda.

**ADJOURNMENT:** Mayor Yager adjourned the meeting at 10:41 pm.

