The Ellsworth City Council met in regular session at 7:00 p.m. at City Hall on June 12th, 2023 with Mayor Pro Tem King presiding and the following council present: Sogard, Funk and Norem. Absent: Mayor Yager and Council Member Gelder.

May Receipts May Disbursements

General Fund 9468.72 57964.83

Road Use Fund 6305.39 10598.26

Employee Benefit Fund 163.67 825.12

Emergency Fund 60.05

Local Option Sales Tax Fund 7562.18

Tax Increment Finance Area 1

Tax Increment Finance Area 2

Tax Increment Finance 1 Amend

Bingo Fund 4676.13 1105.82

Debt Service Fund 86.04 2415.00

Capital Improv Reserve

Capital Project-Ind. Park Rd.

Capital Project-EL Util Impr

Capital Project-Well Project

Capital Project-Strm Water 18755.50

Water Fund 30838.83 28727.19

Water Sinking Fund

Sewer Fund 9143.91 9791.51

Electric Fund 68572.65 58932.60

Electric Sinking Fund 34931.25

Storm Water Fund 3944.30 55.65

Storm Water Sinking Fund 3058.00

$159577.37 $208405.23

**AGENDA APPROVAL**: Motion by Norem, seconded by Funk to approve the agenda. Roll call votes 4-0. Motion carried.

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

1. Motion to approve May 8th, and May 23rd, 2023 council minutes.
2. Motion to approve May payment of claims.
3. Motion to approve Love’s Travel Stop #684 Tobacco Permit.

Roll call votes 4-0. Motion carried and claims hereby made a portion of these minutes.

**PUBLIC FORUM:** None.

**COMMUNITY ASSOCIATION REQUEST:** The Community Association has been providing concessions for both Bingo and sport activities at the Ellsworth ball diamond. For the last several years, the popcorn machine that they have been using at the ball diamond has been being repaired with pieces from a broken machine stored at the gym. Unfortunately, they are no longer able to keep the current machine going. A request was made to purchase a new popcorn machine for the Bingo concession stand and move that current machine to the ball diamond concession. Motion by Sogard, seconded by Funk to approve a reimbursement to the Community Association for the purchase of a new popcorn machine for Bingo concessions in the amount of $1,846.00. Roll call votes 3-0, with Norem abstaining. Motion carried.

**FIRE DEPARTMENT:** Chief Evans was present to revisit previous discussion regarding gutter replacement at the fire station, the possibility of a grant writer being hired for future grant help with Fire and EMS, and questions regarding a donation made to the Fire Association and how it relates to donating to the Fire Department and City Buildings. The council requested at least 2 updated quotes be obtained for the gutter repairs. The City Clerk mentioned that she would reach out to the county supervisors on the possibility of a grant writer program they had previously mentioned to her and see if that had come to fruition. After reviewing the different regulations that exist for associations, the Clerk requested to contact the City attorney or Iowa League of Cities for more clarification on the donation inquiry before making any decisions.

**COMPLAINT:** This listed item was combined with the next agenda item.

**GRAVEL IN ALLEYS:** Jeremy Laube and Dan Knipple were in attendance to discuss the unfinished alley that runs on the east side of their properties. The City currently does not maintain unfinished alleys in the City. If residents purchase and lay their own gravel, the City will then maintain the alley going forward. In this case, Mr. Laube has already purchased and laid gravel for a large section of the alley, however other sections have not been graveled, so the City does not regularly maintain it. Mr. Knipple wished to confirm that if he did lay a base layer of gravel down to the south, the City would then maintain the alley.

**FISCAL YEAR END TRANSFER RESOLUTION:** Motion by Norem, seconded by Funk to adopt Resolution #922 authorizing the City Clerk to make certain transfers for fiscal year end expenses. Roll call votes 4-0. Motion carried.

**1520 DEWITT STREET:** The City Clerk was contacted by the executor of the estate that owns the property located at 1520 Dewitt Street regarding future plans on the building. She had several questions and concerns going forward and the Clerk discussed those with the council. Further discussion will take place between the council, the executor and the city attorney to formulate a plan moving forward.

**METER PROJECT INVOICES:** The Clerk received several invoices from Van Wert Company for their services on the water and electric meter project that she had questions on. After discussing some of those concerns with the council, it was decided that it was best to request a representative from Van Wert be present at July’s council meeting in order to address those questions in person. The Clerk will reach out to Van Wert with the request.

**CITY PROJECT FOLLOW UPS:** An emergency sewer line repair presented itself on Friday May 26th, 2023 late into the afternoon. After Supervisor Vanlangen informed the City Clerk, a group message was sent to council regarding the collapsed line and the City’s options on repair. Due to the cost of the repair, a council vote was required since it exceeds the current purchasing and authorization policy set by the City. Hall Backhoe and Trenching was already in the area working on a repair and were able to complete the line repair at a reduced price since remobilizing and re-digging wouldn’t be necessary. There was a motion by King, seconded by Gelder on May 26th, 2023 to approve the repair. Roll call votes 5-0. Motion carried at that time.

Additional concrete labor and material to pour and finish the sidewalk and street was also required once the sewer line was fixed. The council was given two quotes at tonight’s meeting for the work. Motion by Sogard, seconded by Funk to approved Woodruff Constructions quote of $2300.00. Roll call votes 3-0, with King abstaining. Motion carried.

**TAX CHANGES:** During the 2021 and 2022 IPERS review and Annual Financial Examinations, the City Clerk was notified that the City would need to change the status of Volunteer Fire and EMS workers to City employees. The IRS states that tax laws apply to firefighters in the same manners as other types of workers whether they are termed “volunteers’ or not, and that they are considered employees for Federal tax purposes. The Clerk was instructed to immediately begin withholding federal payroll taxes and report wages for each employee on a W-2. In May, the City also received a letter from the Department of the Treasury regarding backup withholding and correcting the employee status. Before checks are issued in December of this year, members of the Fire and EMS department will need to fill out W-2’s and other employment paperwork in order to receive their proper payment.

**POLICY REVIEW:** Recent issues with the authorization and purchasing policy have sparked a conversation on whether a review of the spending limits need to be revised and also whether an emergency exemption clause needs to be added. The council took into consideration suggestions by both Fire Chief Evans, EMS representative Butler and City attorney Montag before concluding that further discussion needed to take place prior to any changes being voted on.

**ADJOURNMENT:** Mayor Pro Tem King adjourned the meeting at 9:18 pm.

/s/ Kalib King, Mayor Pro Tem

/s/ Amy L. Zeman, City Clerk