

Regular, rescheduled meeting of the City Council was held Tuesday, April 19, 2022, at 7:00 p.m., at City Hall with Mayor Holland presiding. Mayor Holland called the meeting to order with the following Councilmembers present: Warner, Blatchford, Kreger, Christensen, Skarin, Collison. Absent: None. This meeting was rescheduled from April 12, 2022, which was not held due to inclement weather.

Move by Skarin second by Warner to approve consent agenda: (a) approve minutes of the last regular meeting as sent to the council; (b) pay bills as approved by the finance committee; (c) appoint Lori Jensen to Board of Adjustments to fill vacant term through 01/01/2024. Ayes: Unanimous. Nays: None. Motion carried.

Paid Bills		
Onawa Emp Flex Acct	MERP	804.07
General Traffic Control	traffic signal	585.48
Long Lines	phone/internet-lib	529.52
Quill	supplies-lib	52.63
Access Systems	copier-lib	234.65
Amazon	books/supplies	257.25
Baker & Taylor	books	1,196.44
Black Stone	memorials	295.51
Center Point	books	185.16
Junior Library Guild	books	2,454.10
Jacob Z's Fish Aquariums	tank cleaning	159.50
Tri-State Turf	sprinkler service	275.00
Katina Conley	cleaning contract-lib	480.00
Payroll	3/15/22	53,772.07
Onawa Emp Flex Acct	MERP	2,843.83
Consolidated Electrical Dist.	supplies/parts	2,179.24
IAMU	metering workshop	840.00
IMFOA	spring conference	175.00
Eakes	supplies	408.46
Mo Co Auditor	city election 2021	1,990.26
Onawa Democrat	publishing	460.00
PeopleService	monthly service	28,311.00
Resco	supplies	717.14
Ryan Publishing	ads	179.86
Staples	supplies	29.99
Steve's Window	window cleaning	17.00
Williams & Co.	professional services	2,950.00
US Bank	analysis fee	616.96
Accujet LLC	professional services	4,543.49
Black Hills Energy	gas	3,202.85
Bomgaars	supplies	540.26
Canon	copier contracts	231.84
Onawa Emp Flex Acct	MERP	76.46
City of Onawa	nipco rebate	3,750.00

Harland Technologies	managed services	102.56
Hydraulic Equip.	parts-bucket truck	3,183.09
Hoffman Agency	liability insurance	131,956.00
Northside Shop	professional services	525.00
Loffler	copier contract	215.10
Resco	supplies	687.50
Safety-Kleen	parts washer	264.47
Tim Wyland	nipco rebate	3,621.60
John Deere Financial	tire repair	669.90
Mike Pasch	materials -well roof	1,655.21
Max I. Walker	uniforms	927.90
Mo Co Recorder	professional services – 3 deeds	111.00
Loffler	copier contract	105.60
Jennifer Lee	refund on closed acct	117.80
Onawa Democrat	passport stamp	26.35
Colleen Ehlenbach	cc deposit refund	25.00
Brandon Madison	cc deposit refund	40.00
Payroll	3/31/22	57,030.06
IA Dept of Rev	sales tax	3,155.20
IA Dept of Rev.	sales tax	4,000.00
IA Dept of Rev.	water excise tax	9,432.94
Wellmark	cobra admin service fee	250.00
Productivity Plus	parts	999.34
Lifeguard MD Inc	aed pads	221.00
Mike Pasch	repairs to well house	900.00
Sooland Bobcat	filters/parts	250.36
Bills		
Adergy, Inc.	music service	32.95
Am. Septic	professional services-water	720.00
Al's Corner Oil	fuel	336.32
Allied Oil	oil	1,578.33
Analytical & Consulting	cBOD5	1,163.12
Base	hra monthly/renewal	82.00
Border States	supplies	1,441.68
Carrier Container	garbage fees	17,637.15
Bill's Water Conditioning	water	12.00
Casey's General Store	fuel	1,841.36
Century Link	auto dialer	53.46
Allen Christensen	cleaning contract	250.00
Onawa Emp Flex Acct	MERP	5,825.25
City of Onawa	utilities/utility deposits	11,683.47
Crary Huff	professional services	7,724.50
Cubby's II	fuel	414.22
Delta Dental	retiree insurance	79.28
Consolidated Electrical	supplies	735.36
WIMECA	power bill	148,907.00

Harland Technologies	managed services	1,049.23
Jacob Huff	comm. center dep. refund	40.00
IAMU	safety training	2,449.40
Office Elements	supplies	276.88
IA Negotiation	professional services	1,750.00
JEO Consulting	professional services	14,248.75
Eakes	supplies	7.96
Jerry Johnson	kennel attendance	225.00
Long Lines	phone/internet	1,558.33
Quadient	lease payment	658.44
Menards	supplies	1.56
Municipal Supply	supplies	748.75
Onawa Sentinel	publishing	65.00
O'Reilly's	parts	120.00
Orkin	professional services	95.00
Vince Phillips	nipco rebate	4,200.00
Power Plan	parts	86.04
Postmaster	postage	900.00
Bonine Garage Doors	professional services	120.00
Rasmussen Lumber	supplies	711.84
RCS	annual retainer	395.00
Ryan Publishing	publishing	65.40
Simmering-Cory	Ord. 514 codification	79.00
Sidwell	quarterly updates	610.00
Siouxland District Health	bacteriological	70.00
Stalp Gravel	fill sand	542.01
Sundquist	professional services	120.00
Veenstra & Kimm	professional services	4,151.95
Visa	supplies, meals	107.63
Wellmark	retiree insurance	880.49
Wesco	electric supplies	10,440.00
WIPCO	power	290.00
Lisa Crawford	cleaning-cc	400.00
Nichole Bruns	comm. center dep. refund	40.00
Samantha West	comm. center dep. refund	40.00
Lisa Hinkel	utility dep. refund	11.04
Connie Leisinger	utility dep. refund	67.66
Glenn Igou	utility dep. refund	138.03
Kristin Kavanaugh	comm. center dep. refund	200.00
Bill Beck	nipco rebate	25.00

Total Expenses: 584,320.84

Total Revenues: 561,501.22

Move by Kreger second by Blatchford to approve Resolution No. 2022.10 entitled "A Resolution for the City of Onawa Supporting the Addition of Lanes Commencing Near the Interstate

Interchange Continuing Eastward to the Proposed Three Lane Widening Beginning Near Sta 1795+21.” Ayes: Unanimous. Nays: None. Motion carried.

Move by Christensen second by Kreger to approve Mayor’s signature on letter requesting extension of Catalyst Building Remediation Grant – 801 IA Avenue. Ayes: Unanimous. Nays: None. Motion carried. The extension will be for 6 months.

Discussion on Ordinance No. 515 entitled “An Ordinance Amending the Code of Ordinances of the City of Onawa, Iowa, by Amending Chapter 51 Related to Junk and Junk Vehicles.” Councilperson Skarin introduced and caused to be read and moved the adoption of the Ordinance as written. Christensen seconded the motion to adopt the ordinance and moved to dispense with three readings. Ayes: Skarin. Nays: Christensen, Collison, Warner, Blatchford, Kreger. Motion failed. Per request by council, City Attorney Hines made changes to the ordinance pertaining to Chapter 51.04 and Chapter 51.08 so they were not in conflict.

ORDINANCE NO. 515

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ONAWA, IOWA BY AMENDING CHAPTER 51 RELATED TO JUNK AND JUNK VEHICLES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ONAWA, IOWA:

SECTION 1. CHAPTER AMENDED. Chapter 51 of the Code of Ordinances of the City of Onawa, Iowa is hereby repealed in its entirety and replaced to read as follows:

51.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Junk” means all old or scrap copper, brass, lead, or any other non-ferrous metal; old or discarded rope, rags, batteries, paper, trash, rubber, debris, waste or used lumber, or salvaged wood; dismantled vehicles, machinery and appliances or parts of such vehicles, machinery or appliances; iron, steel or other old or scrap ferrous materials; old or discarded glass, tinware, plastic or old or discarded household goods or hardware. Neatly stacked firewood located on a side yard or a rear yard is not considered junk.
2. “Junk vehicle” means any vehicle that has any of the following characteristics:
 - A. Any vehicle that does not display required, current state or local registration.
 - B. Any vehicle that is incapable of being operated on a public street due to mechanical or physical condition, such as missing or inoperable components including, but not limited to, tires, wheels, body parts, or legally required exhaust systems.
 - C. Any vehicle that appears inoperable due to the presence of weeds, grass, volunteer trees that are in violation of Chapter 147.01.in the area immediately

surrounding the vehicle.

D. Any vehicle that appears inoperable due to remaining in the same location and position for thirty (30) days or more.

E. Any vehicle that is the habitat of rodents, snakes, feral cats, insects, vermin, or other wild or nuisance animals.

F. Any vehicle that contains garbage, debris, combustibles, refuse, junk, or other similar materials.

3. "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway or street, except devices moved by human power or used exclusively upon stationary rails or tracks, and includes without limitation a motor vehicle, automobile, truck, motorcycle, tractor, buggy, wagon, farm machinery, trailers, Recreational Vehicles (RVs), All-Terrain Vehicles (ATVs), boats, and construction equipment, or any combination thereof.

4. "Hobby vehicle" means an unlicensed motor vehicle, including but not limited to fully operational dragsters, stock cars, dune buggies, go-carts, or competition pulling trucks or farm tractors. For the purpose of this chapter, golf carts, boat trailers, common utility trailers, camping trailers or snowmobile trailers are not considered hobby vehicles.

51.02 JUNK AND JUNK VEHICLES PROHIBITED. It is unlawful for any person to store, accumulate, or allow to remain on any public or private property within the corporate limits of the City any junk or junk vehicle.

51.03 JUNK AND JUNK VEHICLES A NUISANCE. It is hereby declared that any junk or junk vehicle located upon private property, except as otherwise provided by this chapter, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the *Code of Iowa*.

51.04 RESPONSIBILITY OF OWNERS. The owner of any junk vehicle is prima facie responsible for the storing of such vehicle on public or private property in violation of this article. Any owner, occupant or person in possession of real property within the city upon which one or more junk vehicles or junk are found is prima facie responsible for permitting such storage or accumulation in violation of this article. The owner of junk vehicle and the owner of real estate upon which such junk vehicle or junk are found may both be charged.

51.05 NOTICE TO ABATE. Upon discovery of any junk or junk vehicle located upon private property, any officer or agent of the City having authority or responsibility for enforcement of this Code may initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

51.06 ABATEMENT OF JUNK VEHICLES. Any junk vehicle abated pursuant to this Code of Ordinances shall be towed to a place of safekeeping, and the cost of the towing and storage shall be charged to the owner of the vehicle, or to the owner of the property upon which the vehicle was stored.

51.07 EXCEPTIONS. The provisions of this chapter do not apply to vehicles stored, parked, or located:

1. Within a garage or other fully enclosed building.
2. On the premises of a business enterprise, operated in a lawful place and manner, when necessary to the operation of such business enterprise, for a period of time not to exceed 90 days. Such business enterprise shall include junk yards, auto or truck repair shops or body shops, and licensed or franchised motor vehicle dealers, but shall not include auto or truck service stations or tire, battery, and accessory sales stores.
3. Snow removal or lawn care equipment which is both (a) fully operational, and (b) stored in a manner which would not constitute a nuisance as defined in Chapter 50 of this Code.
4. Hobby vehicles.

51.08 VIOLATION. This chapter does not preclude the issuance of a municipal infraction citation as contained in Section 4.04 of this Code of Ordinances. The owner of a junk vehicle and/or owner, occupant, or person in possession of real property containing junk or a junk vehicle may be charged with a separate violation each day the violation remains after fifteen (15) days following receipt of an official notice to abate served pursuant to code section 50.06.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Councilperson Christensen introduced, caused to be read and moved the adoption of the foregoing ordinance.

Councilperson Kreger seconded the motion to adopt the ordinance and moved that the Council dispense with the requirement that the ordinance be fully read on three different days.

The Mayor then put the question on the motion to dispense with the three readings, and, upon the roll being called, the vote was:

Ayes: Skarin, Warner, Blatchford, Kreger, Christensen

Nays: Collison

The foregoing motion having passed by three-fourths votes of the Council, the Mayor then put the question on the adoption and enactment of the foregoing ordinance and upon the roll being called, the vote was:

Ayes: Warner, Blatchford, Kreger, Christensen, Skarin.

Nays: Collison

WHEREUPON, the Mayor declared the foregoing ordinance duly enacted on April 19, 2022.

/s/Tracy Holland, Mayor

ATTEST:/s/Elaine D. Miller, City Clerk

I certify that the foregoing was published as Ordinance No. 515 on the 27th day of April, 2022.

/s/Elaine D. Miller, City Clerk

Discussion on the purchase of electric transformers to have on hand if needed. Move by Skarin second by Christensen to proceed with ordering two 750 kVA transformers and one 1000 kVA transformer not to exceed \$150,000.00. Ayes: Unanimous. Nays: None. Motion carried. Transformers will be ordered but most likely will not be received until 2023-24 budget.

Move by Warner second by Blatchford to list surplus equipment/vehicles for sale on Purple Wave website. Ayes: Unanimous. Nays: None. Motion carried. (4 old police cars; dump truck; Ford F250; 2 miscellaneous plows; old camera trailer).

Move by Kreger second by Blatchford to affirm Board of Adjustments recommendation of granting special exception at 1102 15th Street. Ayes: Unanimous. Nays: None. Motion carried.

Move by Christensen second by Kreger to approve Resolution No. 2022.11 entitled "Transfer Resolution" (2nd ½ allocation & equipment transfer per budget). Ayes: Unanimous. Nays: None. Motion carried.

Move by Kreger second by Warner to go into closed session in accordance with Iowa Code Section 21.5(1)c – possible litigation. Ayes: Christensen, Skarin, Collison Warner, Kreger. Nays: Blatchford. Motion carried.

No action taken.

Move by Blatchford second by Kreger to adjourn at 8:17 p.m. Ayes: Unanimous. Nays: None. Motion carried.

/s/Tracy L. Holland, Mayor

ATTEST:/s/Elaine D. Miller, City Clerk