

November 21, 2022
Wellman, Iowa

The Wellman City Council met in regular session in the Wellman City Hall Council Chambers at 5:30 pm. Mayor Ryan Miller presided with City Administrator, City Clerk, and the following Council Members: Anthony Evans, Fern Bontrager, Shannon McCain, Angela Stutzman & Aaron Fleming. The Consent Agenda was approved upon motion by McCain, seconded by Stutzman and all voted ayes. The consent agenda includes the agenda, minutes from previous meeting, Approval of October Financials, Approval of Wellman Scofield Library Board Member – Melody Rowe and the following:

11/14 Payroll

Erin R Campbell		\$1,115.09
Carrie R Geno		\$412.51
Laurelin E Geno		\$161.87
Lisa M Lundstrom		\$446.69
Brenda J Reasor		\$1,225.84
Beth A VanWinkle		\$1,569.23
Betty J Johnston		\$68.82
Timothy J Garrett		\$2,489.03
Travis D Hartley		\$1,392.29
Jesse J Meade		\$1,549.11
Josh S VanWinkle		\$1,332.54
Debra S Hill		\$609.30
Landon P Humble		\$60.25
Shirley Y Brown		\$184.89
Anita J Kanagy		\$725.94
Kelly L Litwiller		\$2,140.24
Cynthia S Thrapp		\$1,070.48
Fed Taxes		\$5,280.63
Alexandria/Companion Corp.	Library Annual Subscription	\$1,323.00
Baker & Taylor Books	Library Books	\$458.59
Barco Municipal Products	Yellow/Blue Marking Paint	\$533.13
Brown Supply Co.	WTP Supplies	\$42.50
Carrie R Geno	Library Supplies Reimbursement	\$23.26
City of Wellman	City Utilities	\$986.49
Cobb Oil	City Equipment Fuel	\$2,531.99
Cody's Fire Prevention	Sr. Dining Exhaust System	\$575.00
Cox Sanitation & Recycling	WTP/WWTP Dumpsters, Trash Bags & Fall Clean-Up	\$1,292.65
Creative Product Source	Library Supplies	\$256.19
Demco	Library Supplies	\$74.44
Finish Line Technology	Library Security Cameras	\$1,647.80
Helmuth Repair	Banquet Hall Vacuum	\$4,491.25
Hi-Line	Shop Supplies	\$39.27
ION Environmental Solutions	WTP/WWTP Labs	\$945.00
Iowa Rural Water Assn.	2023 Membership Dues	\$275.00

Jetco	WTP Ray Snubber	\$60.00
Kalona Machine & Fab	October Gas Tank Rental	\$20.00
KCTC	Monthly/Annual Charges/Public Works iPad	\$1,333.92
Kohl Wholesale	Sr. Dining Food	\$1,102.11
Koons Gas Measurement	Gas Supplies	\$530.51
Leet's Refrigeration	Sr. Dining Condensing Unit Installation	\$10,443.60
Lynch Dallas	Attorney Fees	\$1,117.50
Mahaska Bottling Co.	Skate Pop for Resale	\$101.70
Menards-Iowa City	Shop/Skate/City Hall Supplies	\$424.23
Merchant Services	October Merchant Fees	\$842.96
Municipal Gas System	Gas Furnace Rebates	\$500.00
Office Express	City Hall Office Supplies	\$399.98
Project Share	Project Share	\$200.00
Stutzman Lawn Care	Snowblower Parts	\$130.00
Thrapp Electric	Parkside Outlet/Sunrise Lights/Circle Drive Lights	\$951.75
Traci Waterhouse	Drug Screenings	\$60.00
USDI	Retainer Fees/Regulator Inspection	\$1,529.50
Visa	Library Supplies/Wordpress	\$75.75
Visa	City Hall Credit Card Payment	\$623.43
Washington Community YMCA	Wedding Staff Hours	\$147.45
TOTAL		\$57,924.70

October Financials:

	Fund	Revenues	Expenses
001	General Fund	\$134,437.68	\$66,457.19
003	Aid to Public Library	\$4,386.01	\$445.19
004	Liability/Prop Ins	\$20,845.23	\$0.00
005	Flood Insurance-Fire Dept	\$0.00	\$0.00
006	Street Assessment Tax Credit	\$2,350.79	\$0.00
007	Reimbursement	\$3.98	\$279.93
040	American Relief Plan-ARP	\$0.00	\$0.00
050	Comm Dev Grant/Housing	\$0.00	\$0.00
054	Comm Dev Grant/Sewer	\$0.00	\$0.00
110	Road Use Tax	\$17,553.72	\$11,348.12
112	Employee Benefit	\$20,295.97	\$4,904.27
121	Local Option Sales Tax	\$12,554.86	\$0.00
125	Tax Increment Financing	\$93,352.15	\$0.00
127	Housing & Urban	\$1.65	\$0.00
131	Library County	\$0.00	\$0.00
133	Library Local	\$566.83	\$0.00
134	Library Sitler Trust	\$0.00	\$0.00
135	Library Fines & Fees	\$0.00	\$0.00
136	Library State	\$0.00	\$851.67

137	Library Savings	\$0.00	\$0.00
138	Library Capital	\$0.00	\$0.00
151	Skate Rink	\$8,217.39	\$9,500.66
152	Parkside	\$2,551.93	\$1,678.04
153	Parkside Maintenance	\$1.03	\$0.00
154	Parks Playground Project Riverboat Municipal	\$0.00	\$0.00
156	Grant	\$14.58	\$0.00
182	SR Dining Waiver	\$0.00	\$0.00
183	Sr Dining Donation	\$5,373.85	\$8,536.01
184	Sr Dining Project CD	\$0.00	\$0.00
185	Sr Dining CD	\$0.00	\$0.00
200	Debt Svc 2012 A	\$2.30	\$0.00
205	Debt Svc 2012 B	\$0.00	\$0.00
210	Debt Svc 2011 Infra	\$0.00	\$0.00
220	Debt Svc Parkside	\$0.00	\$2,532.00
301	Cap Equip Reserve	\$0.00	\$0.00
303	Capital Project Bridge	\$0.00	\$2,743.15
304	Cap Proj Parkside	\$0.00	\$0.00
305	Capt Proj Parks & Trls	\$0.00	\$0.00
500	Perm Funds/Library	\$0.00	\$0.00
600	Water	\$59,016.71	\$36,810.73
601	Water Capital Projects	\$0.03	\$0.00
602	Water Sinking	\$0.01	\$0.00
603	Water CD/RO Filters	\$0.00	\$0.00
604	Water RO Project	\$0.93	\$0.00
610	Sewer	\$31,350.97	\$42,656.10
611	Sewer Capital Projects	\$0.00	\$0.00
612	Sewer Sinking	\$0.62	\$0.00
640	Gas	\$22,276.42	\$43,855.77
670	Landfill/Garbage	\$5,983.81	\$11,155.82
700	Cable TV	\$0.05	\$0.00
740	Storm Water	\$3,141.58	\$0.00
TOTAL		\$444,281.08	\$243,754.65

No one spoke in public forum.

In sheriffs' report, Gould indicated that we had 42 calls last month with nothing out of the ordinary.

A public hearing to receive comments regarding Amending Ordinance 170 of the municipal code of Wellman regarding ATV/UTV legislative changes was opened by Bontrager, seconded by Fleming and upon roll call the vote was unanimous ayes. There were no written or oral comments. Fleming moved to close public hearing, McCain seconded, and the vote was unanimous ayes.

First reading of Ord. No. 271-Ordinance amending Ordinance 170 of the municipal code of Wellman to amend a definition and revise provisions regarding ATV/UTV legislative changes is as follows:

ORDINANCE NO. 271

AN ORDINANCE AMENDING ORDINANCE 170 OF THE MUNICIPAL CODE OF THE CITY OF WELLMAN, IOWA TO AMEND A DEFINITION AND REVISE PROVISIONS REGARDING ATV/UTV LEGISLATIVE CHANGES

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

Ordinance 75.03(1)(C) is hereby amended and replaced as follows:

No person shall operate an ATV or UTV within the City unless the person is at least 18 years of age and possesses a valid driver's license and have financial liability coverage in effect for the vehicle and carry proof of such financial liability coverage in accordance with Iowa Code 321.20B.

Ordinance 75.05(1) is hereby amended and replaced as follows:

ATVs and UTVs. ATVs and UTVs may be operated from sunrise to sunset. ATVs and UTVs may not be operated between sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the road at a distance of fine hundred feet unless displaying lighted headlamps as provided in Iowa Code 321.415. Exceptions to this requirement include operation for the following purposes: emergency situations, loading and unloading items from a transport trailer, and snow removal.

Ordinance 75.08 is hereby amended and replaced as follows:

EQUIPMENT. ATVs, UTVs and snowmobiles operated within the City shall be equipped with at least the following:

1. Adequate brakes; and

Two functioning headlights with one on each side of the front of the vehicle and two taillights.

(Code of Iowa, Sec. 321I.13 & 321G.12)

2. Adequate muffler system that limits engine noise in accordance with Section 321I.12 of the *Code of Iowa* (ATVs/UTVs) and 321G.11 (snowmobiles).

3. An ATV or UTV operated within City limits shall be equipped with the parts, lamps, and other equipment in proper condition and adjustment as required for motor vehicles under Iowa code 321.234A(2A).

4. An ATV or UTV shall display at all times lighted headlamps while the vehicle is in operation, and as in accordance with and as provided for motor vehicles under Iowa Code 321.415.

A violation of any requirement of this section shall constitute a simple misdemeanor punishable as a scheduled fine under Section 805.8B of the *Code of Iowa*.

Section 3. Rescission. Except for the language of Chapter 75.03(1)(C), 75.05(1), and 75.08 specifically amended by this Ordinance, all remaining portions of Chapter 75, as previously adopted, shall remain in full force and effect.

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. Repealer. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 6. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Bontrager made a motion to approve the first reading of Ordinance No. 271, and waive the second and third, Stutzman seconded and upon roll call the vote was unanimous ayes.

Resolution No. 22-40 A resolution setting public hearing to amend provisions of Chapter 55 was introduced and caused to be read. Public hearing is set for December 5, 2022, meeting. Evans made a motion to approve Resolution No. 22-40, McCain seconded and upon roll call the vote was unanimous ayes.

McCain made a motion to approve \$4,723 quote from Summit Fire Protection for repairs from 2022 inspection at Parkside Activity Center, Bontrager seconded and all voted ayes.

Evans made a motion to approve the \$3,995 quote from Central Iowa Distributing to refinish floor at Skate Rink, Fleming seconded and all voted ayes.

Bontrager made a motion to approve 4th of July Fireworks Permit & Agreement with J&M Displays with the city contributing \$10,000, McCain seconded and all voted ayes.

Council moved into work session to discuss watermain projects, water source project & FY24 budgeting.

With no further business to be discussed McCain made a motion for adjournment at 6:31pm, Fleming seconded and all voted ayes. The next regular City Council meeting will be Monday, December 5, 2022, at 5:30pm in the Council Chambers of the Wellman Municipal Building.

Minutes transcribed by the City Clerk subject for Council Approval.