

Pleasantville City Council Meeting

October 17, 2023, at 5:30pm

Mayor Brandon Pennington opened the meeting with council members Kody Jurgens, Rachel Lopez, Jon Koehn, and Kyle Patterson present. Jordan Van Ness was absent.

Mayor Pennington opened the public hearing on proposed amendments to Chapter 165, zoning regulations. City Clerk, Rachel Reed, explained that this ordinance is to add provisions pertaining to duplexes. The first section is 165.08(7)(D) - Minimum lot width for a duplex dwelling unit (in cases of lot division) 30 feet. 165.08(9)(D) – Minimum side yard width for duplex dwelling (in cases of lot division) 0 feet (common lot line only). 165.08(13) – Lot division procedures for duplex dwellings. Where a duplex dwelling is legally constructed, and the plat in which such dwelling is located is properly recorded, provided the dwelling has met zoning regulations at the time it was issued a building permit and subsequently inspected, the lot may thereafter be divided to provide individual ownership of the duplex dwelling unit pending the following conditions are met; A. A plat of survey is provided to the Zoning Administrator showing the as-built location of the duplex dwelling with each duplex dwelling unit located exclusively on one lot, except for the party wall that bisects the lot line, and individual legal descriptions for each new parcel. B. An executed party wall agreement is provided to the Zoning Administrator for each duplex dwelling unit. C. The duplex dwelling and each duplex dwelling unit comply with the bulk regulation requirements of this section. D. Each duplex dwelling unit is serviced by separate utilities. With no further questions or comments Council Member Patterson made a motion to close the public hearing. Seconded by Jurgens, all voting in favor motion carried.

Council Member Jurgens gave appreciation to the Fire Department for their quick response to an incident at the school this month.

City Admin./Police Chief, Joe Mrstik, informed the council that the Friends of the Old East Elementary are working with the developer on getting a quote to get the building cleaned out. He explained the asbestos testing is done and we should have the report within a couple of weeks. The developer will be responsible for mitigating the asbestos.

Mrstik informed the council that the trees that Jenkins Garden Market donated have been planted at the Jasper Street Park.

Mrstik informed the council that the flagpole is in and Public Works Director, Shawn Breazeale, is working on getting the trees removed from the park in the square for the Christmas In The Park event.

Breazeale sent a copy of the DNR Survey to the council members. He explained if they had any questions to let him know.

Breazeale informed the council that the cost of the sludge removal at the WWTP has been costing the city about \$.18/gal to have it hauled off. He has contacted a different trucking company from the Pella area and they are going to do it for \$.11/gal. Breazeale explained that his chloride levels at the WWTP are over the limits. He believes this is due to water softeners so he would like to do a survey and see how many homes have them.

Mrstik explained to the council that Engineer, Jordan Stoermer, is going to work on a presentation for the Marion County Rural Water Board for the water line for the Adkins Development.

Council Member Lopez asked about the recreation budget. She would like to see a breakdown of all equipment purchased this fiscal year with an inventory list.

Motion by Jurgens, seconded by Patterson to approve the consent agenda as follows; approval of previous council meeting minutes, approval of September 2023 financial reports, approval of water consumption report for September 2023, approval of employee comp time, approval of Police Report, and approval of the following bills: All voting in favor, motion carried.

VENDOR	REFERENCE	AMOUNT	VENDOR	REFERENCE	AMOUNT
ACCESS SYSTEMS INC	COPIER	183.85	MID AMERICAN ENERGY	BALL FIELD LIGHTS	41.3
ADVANTAGE ADMINISTRATORS, INC	INSURANCE ADMINS	42	MID AMERICAN ENERGY	UTILITIES	5,303.88
BAKER & TAYLOR	BOOKS	152.34	NAPA AUTO PARTS	FILTER/OIL	291.11
BAKER & TAYLOR	BOOKS	272.77	MOTOROLA SOLUTIONS INC	BODY CAMERAS	1,568.81
BANLEACO	LED LIGHTING	297.11	MUNICIPAL SUPPLY INC	CLARK ST HYDRANT	734.46
BOBS CUSTOM TROPHIES, INC	FOOTBALL TROPHIES	198	NORTHCOTE MEATS INC.	POWERADE	57.82
BROWN SANITATION	RECYCLING	630	ON TRACK CONSTRUCTION LLC	PAY APP 12	174,654.69
CELESTE HUDSPETH	LIB/PD CLEANING	350	TREASURER-STATE OF IA	STATE TAXES	1,611.67
CENTER POINT LARGE PRINT	BOOKS	23.87	PELLA COOPERATIVE ELECTRIC	6108156371	1,610.27
CITY OF PLEASANTVILLE	FIRE STATION WATER	54.98	PITNEY BOWES G	POSTAGE MACHINE	81.27
CITY OF PLEASANTVILLE	WATER UTILITIES	833.28	POSTMASTER	UTILITY WATER BILLS	286.62
CJ COOPER & ASSOCIATES INC	ADMIN FEES	270	SAFE BUILDING LLC	ELECTRICAL PERMIT	75
COLONIAL LIFE	COLONIAL PRETAX	70.18	SIMMERING-CORY, INC	BINDER/TABS	35
COWDEN SANITATION	CITY/LIB GARBAGE	295	STUYVESANT,STRONG,KRAPFL	LEGAL FEES	1,917.40

STATE OF IOWA DNR	ANNUAL WA USE FEE	115	THE DES MOINES REGISTER	SUBSCRIPTION	34
DORSEY & WHITNEY LLP	LEGAL FEES	36,899.00	TROY GILCHRIST	CELL STIPEND	20
EFTPS	FED/FICA TAX	5,503.43	TYLER FLESHER	CELL STIPEND	20
EFTPS	FED/FICA TAX	5,430.58	US AUTOFORCE	CHEVY TIRES	415.76
ELITE PEST CONTROL	PEST CONTROL	40	US AUTOFORCE	21 CHEVY TIRES	328.04
ENGINEERED EQUIP SOLUTIONS	BLOWER MAINT	636	US SALE & SERVICE, LLC	DIGESTER SLUDGE	3,700.00
FARM & HOME	CHAIN/BRINE PUMP	52.27	VERIZON	COMMUNICATIONS	120.03
FERGUSON WATERWORKS	METER GASKETS	38.99	VESSCO	FILTER/OIL/FREIGHT	208.56
GRAINGER	THERMAL UNIT	218.91	WAGNER & MILLER PLUMBING	CONCESSION LEAK	239.95
GWORCS	SUPPORT AGREEMENT	5,413.00	RAY'S WINDOW CLEANING	LIBRARY INSIDE/OUT	34
HACH	WA/WW SUPPLIES	262.18	Accounts Payable Total		286,615.40
HAWKINS INC	WA SUPPLIES	1,886.26	Refund Checks Total		
I & S GROUP, INC	WATER MAIN	14,472.81	Payroll Checks		32,610.19
IOWA ONE CALL	LOCATES	53.2	***** REPORT TOTAL *****		319,225.59
IOWA PRISON INDUSTRIES	STICKERS/SIGNS	113.2	GENERAL		34,647.22
IOWA STATE DEPT OF REV	SALES TAX	396.12	MEMORIAL HALL		1,469.04
IOWA STATE DEPT OF REV	WA EXCISE TAX	1,565.35	RECREATION		7,913.92
IPERS	PROTECTED IPERS	7,232.39	ROAD USE TAX		8,923.06
JOELLEN GLICK	ILA CONFERENCE	251.52	EMPLOYEE BENEFITS		42
JORDAN FLAWS	GATORADE	35.76	CAPITAL PROJ-ADKINS DEVEL		36,899.00
KLM ENGINEERING INC	GRD STORAGE TANK	3,000.00	EQUIPMENT		769.46
KNOXVILLE HOSPITAL & CLINICS	DRUG SCREEN	36	WATER		21,034.70
LEFTLANE ATHLETICS	JERSEYS/SHORTS	4,080.00	WATER-STATE ST WA MAIN		189,127.50
MARION COUNTY EXPRESS	PUBLICATIONS	261.94	SEWER		14,669.25
MARION COUNTY SHERIFF	CELLEBRITE LICENSE	677.77	CONSTRUCTION WWTP		3,700.00
MEDIACOM	LIB PH/INTERNET	654.86	STORM WATER		30.44
MENARDS DES MOINES	SUPPLIES	165.84	TOTAL FUNDS		319,225.59
MICROBAC LAORATORIES INC	WA TESTING	60			

Revenue received during month of September 2023: General Fund \$42,082.66; Memorial Hall \$2,618.76; Recreation \$10,998.55; Road Use Tax \$26,235.09; Employee Benefits \$15,396.66; Local Option Sales Tax \$25,123.57; TIF \$2,124.04; Debt Service \$17,361.05; Capital Proj.-Adkins Development \$300,000; Water \$40,816.98; Water-State St. WA Main \$207,486.95; Water Sinking \$13,262.98; Sewer \$46,561.58; Sewer Sinking \$28,102.40; Storm Water \$2,328.20

New Business:

Sherri Heaberlin submitted pictures to City Hall via email. The pictures show the leak in the water hose and the crawl space with no water. Jurgens explained to Sherri that the council only allows a one-time sewer adjustment. Therefore, if this happens again, they will not consider a sewer adjustment. Motion by Jurgens, seconded by Lopez to approve a sewer adjustment in the amount of \$156.52 for Sherri Heaberlin at 214 W North St. All voting in favor motion carried.

Breazeale informed the council that he had went to 307 N Douglas St. when Jeff Miller was working on their water leak. The break in the line was in the same area as the break from last month. Breazeale informed the council that the first repair only lasted about a week. The leak is in the crawl space, right after the water meter. The council discussed the sewer adjustment that they approved last month in the amount of \$498.74. They discussed the one-time sewer adjustment. No action was taken. Mayor Pennington advised the council to set better standards for reviewing sewer adjustments.

Motion by Patterson, seconded by Jurgens to approve Ordinance 2305, amending Chapter 165.08 pertaining to zoning regulations for duplex dwellings. All voting in favor motion carried.

Motion by Patterson, seconded by Jurgens to waive the 2nd and 3rd readings for Ordinance 2305, amending Chapter 165.08 pertaining to zoning regulations for duplex dwellings. All voting in favor motion carried.

Stoermer informed the council that pay app #5 to Vanderpool is for the sanitary sewer boring and finishing Hwy 5. He explained paving Pleasant St. is the next major item to get done this year. Jurgens asked Reed if the city has received the funds to pay for this pay app. Reed explained that the city hasn't received the grant reimbursements from the RISE or U-Step grants yet. She explained that once we receive those funds, we can release the payments for construction to Vanderpool and payment to Snyders for engineering. Once those payments are released, we will have about \$30,000. Therefore, we will not be able to pay future Vanderpool pay apps until we receive county funding. In the development agreement it states the county will release funds 120 days after the final commencement date of the agreement, which will be in February. Council Member Patterson asked if Vanderpool is aware of this and if we were going to see if the county would release the funds before Feb? Mrstik and Stoermer explained that Vanderpool is aware, and they are comfortable waiting until the city receives the county funding. Motion by Patterson, seconded by Koehn to approve pay app #5 to Vanderpool in the amount of \$848,350.77 and for the payment to be released upon receipt of the RISE and U-Step grant reimbursements. All voting in favor motion carried.

Engineer, Joey Whitehouse, informed the council that he has given the punch list of items to be completed to the contractor. He explained there are over 30 items with one of them being the sidewalk at Carol Sage's house. He explained that the cross slopes of the sidewalk are out of compliance therefore, the ramp and middle panels will be redone to be within compliance which will raise the sidewalk up a few inches. Mrstik and Whitehouse met with Carol, and she is satisfied with this. The council would also like to have a copy of the punch list to review. Whitehouse explained there will be a final change order of about \$25,000 from additional work that was needed done throughout the project as it progressed. Motion by Patterson, seconded by Jurgens to approve pay app #12 to On Track Construction in the amount of \$174,654.69. All voting in favor motion carried.

Mrstik informed the council that the Marion County Hazard Mitigation Plan is updated every 5 years. Motion by Jurgens, seconded by Patterson to approve Resolution 23-39, adopting the Marion County Hazard Mitigation Plan. All voting in favor motion carried.

Mrstik explained to the council that he worked with the City Attorney, Bob Stuyvesant, on a purchase agreement for the Stubbs property. He explained there are a few things that Cass Stubbs needs to complete before the city can purchase the property. Mrstik explained the purchase agreement is structured to purchase the property over a 4-year period and for it to be paid out of the LOST fund. If the council chooses to move forward with purchasing the property, the 4 acres of Outlot X will be donated to the city for additional park space. Stuyvesant explained to the council that the only thing on the agenda this evening is the offer to buy, which is subject to the final plat being recorded with the county. There are a few other items that Cass Stubbs will need to do with the county, once the city receives the proof of all the outstanding items being completed, there will be an agenda item for the council to approve a real estate contract. Mrstik informed the council that the purchase agreement is for \$150,000. Koehn asked Reed if this was feasible for a 5-year plan. Reed explained that the council wouldn't be able to plan for any major projects for the next few years. The council discussed potential upcoming projects. Breazeale explained the council needed to keep in mind the condition of the 30-year-old water detention tank. This tank was recently repaired, and the repair won't last long. Therefore, the city will be faced with either replacing the tank or the water treatment system. Mrstik informed the council that the plan is to delay putting aside funds from the LOST fund to other street projects, instead using those funds for the purchase of the Stubbs property. Mrstik also explained to the council that this would help the city determine the type of development that will go on this property. If the city doesn't purchase the property, it could be sold as one lot and only have one home built on it. Jurgens expressed that he doesn't feel the city should be spending tax money on land to control a housing market that's going to be a struggling market for the next couple of years. Mrstik expressed if the council doesn't approve to move forward to purchase the Stubbs property, we will lose the 4 acres of land adjacent to the park that Stubbs was going to donate. Patterson expressed that he thinks this is a good idea. Motion by Patterson to approve the offer to buy real estate for the Stubbs property and for it to be signed by the mayor and clerk. Koehn expressed it is a business when trying to run a city, and the more development the more revenue to run the city. Jurgens expressed that it would be beneficial if we were a larger city with the funds to purchase land. He stated the city keeps going in debt and then taxes have to be raised to pay for it. Mayor Pennington asked if there was a second. With no second, the motion died due to a lack of a second.

Stoermer explained that the hearing for the pond project was on the last agenda and tabled so the project could be reviewed and modified to keep the cost down. He explained that the project is ready to send out for bid, then hold a letting about a week before the November meeting and approve a contract at the November meeting after the hearing. Motion by Koehn, seconded by Jurgens to set a public hearing for the pond project – WQI funding for November 21, 2023 at 5:30pm

Motion by Jurgens, seconded by Patterson to adjourn the meeting. Patterson nay, Koehn aye, Lopez aye, Jurgens aye. Motion carried.

Mayor, Brandon Pennington

Attest: Rachel Reed, City Clerk