The Ellsworth City Council met in regular session at 7:00 p.m. at City Hall on May 8th, 2023 with Mayor Yager presiding and the following council present: Sogard, Gelder, Funk, Norem and King.

 April Receipts April Disbursements

General Fund 96350.13 33306.74

Road Use Fund 5690.68 1308.04

Employee Benefit Fund 6385.11 2709.99

Emergency Fund 2342.68

Local Option Sales Tax Fund 3442.47

Tax Increment Finance Area 1

Tax Increment Finance Area 2

Tax Increment Finance 1 Amend 1235.52

Bingo Fund 4725.98 3488.34

Debt Service Fund 3372.93 2415.00

Capital Improv Reserve

Capital Project-Ind. Park Rd.

Capital Project-EL Util Impr

Capital Project-Well Project

Capital Project-Strm Water

Water Fund 39171.61 20038.11

Water Sinking Fund

Sewer Fund 11631.14 18067.60

Electric Fund 107848.70 55767.63

Electric Sinking Fund

Storm Water Fund 5829.38 56.70

Storm Water Sinking Fund 3058.00

 $288026.33 $140216.15

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

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

1. Motion to approve April 10th, 2023 council minutes.
2. Motion to approve April payment of claims.
3. Motion to approve debt payments: Panora State Bank for Electric Revenue Bond in the amount of $34,931.25 and; Iowa Finance Authority for SRF Loan in the amount of $92,072.50 plus service fee for $3,735.00 due June 1st, 2023.
4. Motion to renew Kum and Go #133 Class E Liquor License.
5. 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:** Fire Chief Evans and EMS Director Butler were in attendance to update and keep council informed on the latest news with the Fire and EMS departments. The Fire Department was also requesting an additional $2,000.00 be added to the already $10,000.00 budgeted expense for turn out gear and to be payable to the vendor of their choice. The council will consider the request and vote at the special meeting set for May 23rd, 2023.

**JR. HAWK BALL/ T-BALL:** The Clerk received a request from Ben Hayes for a donation to support the JR. Hawk/T-Ball program for the 2023 season. Motion by Sogard, seconded by King to donate $500.00 to aid in the expenses for this year’s program. Roll call votes 5-0. Motion carried.

**652 DES MOINES NUISANCE ABATEMENT:** At the request of the Council and Mayor, a nuisance abatement letter was sent regarding unauthorized livestock (a goat) and excessive fowl (above the 8 allowed) located at the above address. The property owner requested to be added to the agenda, however, notified the clerk prior to meeting they would like to be taken off. The council took this time to discuss how to further enforce the fowl permits, address unauthorized livestock and whether a municipal infraction would be placed on anyone violating the ordinance. It was determined that any resident not correctly permitted, found not abiding by the 8 fowl limitation or having any livestock without written consent from the council, will receive notification that they have 10 days to comply to the current ordinance or will lose the ability to have any fowl/permitted livestock, for a period of one year. The current ordinance states that no livestock is allowed within city limits without written consent of the Ellsworth City Council. In September of 2022, the council voted to allow fowl only permits for residents wishing to have ducks or chickens within city limits. Permits may be obtained from City Hall and allow up to 8 ducks or chickens or a combination of both for an annual fee of $20.00, with no male fowl allowed. The permit is required to be renewed by October 1st of every year.

**INSURANCE RENEWAL:** Melissa Kelley from Shomo Madsen Krause was present to discuss the insurance package for The City of Ellsworth for the 2023/2024 policy year. She reported that the city had received dividends back in the amount of $1,834.00 for the 2021/2022 year. The premium for the current period is $79,308.00, which is a 21.15% increase from last year. Upon receiving the invoice the week before, the Clerk had reached out to fellow cities and clerks to inquire with whom they were insured through and what policy increases they were seeing. Unfortunately, the coverage options and rate increases were consistent and comparable to those of Ellsworth’s.

**CITIZEN COMPLAINT REGARDING METER CHANGEOUT**: The Clerk had received a complaint from a property owner regarding concerns over the adverse effects from exposure to the new smart meters being installed by the City for electric and water readings. The Clerk reached out to the company installing the meters for clarification of any risks and any other instances they may have had in regards to residents opting out of the changeout. The Clerk was educated that the amount of radio-frequency waves that the meter emits is actually less than a cell phone, home wi-fi router or cordless phone, and since meters and meter antennas are for the most part located outside the home, the exposure is minimal. The Clerk passed these facts on to the resident, and also offered contact information for the metering company for any further questions they may have, but the resident insisted on an exception being made by council. After taking into consideration the complaint, discussing the factual information given by the meter company, and weighing the complications it would cause to allow residents to opt out of the meter changes, the council decided that an opt out option would not be offered. Residents who have not yet completed meter changes at this time will be billed an additional monthly fee set by the council on their billing statement until their meter change out is completed.

**SETTING FY22/23 BUDGET AMENDMENT PUBLIC HEARING:** Motion by King, seconded by Sogard to set Tuesday May 23rd, 2023 at 5:00 pm as the time for the public hearing for the FY22/23 Budget Amendment. Roll call votes 5-0. Motion carried.

**TREES:** Previously the City had a two-year agreement with Robb’s Tree Service to cut down and grind Emerald Ash borer affected trees and trees impeding electrical lines or posing a threat to electrical lines to be completed by the end of 2022. Due to incompletion of that said agreement, the council authorized the Clerk to begin the search for additional contractors that would be available to service the City moving forward. Supervisor Vanlangen informed the council that Robb’s had been in touch with him and would be in town to address the remaining trees this week. The council has given an extension of one week to allow services to be completed.

**CONTRACTOR AGREEMENTS:** There was continued discussion on service agreements with local contractors and potential long-term contracts for things like the pump maintenance at the lift station, tree services and electrical contracting. The City has had several instances where residents have had electrical issues due to fallen tree limbs, faulty wiring or bad electrical connections and the City is sent a bill by the resident or electrician, when the responsibility actually lies with the homeowner. Supervisor Vanlangen and the City Clerk will continue to work on the Electric Service Rules amendments and have a draft for the council to consider by the August meeting.

**BUILDING PERMIT CHANGES:** The Clerk and the council reviewed several topics concerning the City’s current building permit regulations. The building permit fee has been set at a flat $10.00 for many years and the clerk has requested the council consider moving to a tiered rate depending on the size of the project or the zoning in which the project takes place. She stated that most other cities already assess their fees by square foot or by cost of the build. There was also discussion on the length a building permit is valid for. The clerk confirmed that each permit is only good for a one-year period, and if the build is not completed in that time frame or is changed or altered at all during the process, a new building permit is required to be filled out and filed with City Hall. Further discussion will take place at next month’s council meeting.

**CITY PROJECTS:** Supervisor Vanlangen mentioned several projects that he and public works employee Knickerbocker would be addressing over the next few weeks. These included benches at the park, the broken cement on the ramp at City Hall, wasp and light issues at the Gym, non-working street lights and some minor repairs on city-maintained buildings.

**COMMENTS:** Council inquired about the expired pile of corn at the elevator and what was being done with it, due to several complaints of the smell becoming worse. The City Clerk will speak with the elevator and look into if a solution has been discussed.

**ADJOURNMENT:** Mayor Yager adjourned the meeting at 8:56 pm.

 /s/ Dolorus Yager, Mayor

 /s/ Amy L. Zeman, City Clerk