The Ellsworth City Council met in regular session at 7:00 p.m. at City Hall on September 11th, 2023 with Mayor Yager presiding and the following council present: Gelder, Norem and King, with Funk arriving at 8:05 pm. Absent: Sogard.

 August Receipts August Disbursements

General Fund 11120.13 13595.38

Road Use Fund 5648.76 1339.03

Employee Benefit Fund 814.71

Emergency Fund

Local Option Sales Tax Fund 6106.14

Tax Increment Finance Area 1

Tax Increment Finance Area 2

Tax Increment Finance 1 Amend

Bingo Fund 5290.42 1740.99

Debt Service Fund 2415.00

Capital Improv Reserve 36578.28

Capital Project-Ind. Park Rd.

Capital Project-EL Util Impr

Capital Project-Well Project

Capital Project-Strm Water

Water Fund 24160.11 7959.77

Water Sinking Fund

Sewer Fund 6468.39 6485.36

Electric Fund 56998.08 102297.75

Electric Sinking Fund 70700.00

Storm Water Fund 4685.11 338.00

Storm Water Sinking 3058.00

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 $120477.14 $247322.27

**AGENDA APPROVAL**: Motion by King, seconded by Norem to approve the agenda. Roll call votes 3-0. Motion carried.

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

1. Motion to approve August 14th , 2023 council minutes.
2. Motion to approve August payment of claims.

Roll call votes 3-0. Motion carried and claims hereby made a portion of these minutes.

**PUBLIC FORUM:** A long time Ellsworth resident was present to express her concerns regarding the City’s decision to open bids for recycling services in town. After discussing her thoughts, another member of the public attending the meeting also agreed with the points made. The council will take the comments into consideration during the bidding process and voting come October.

An agreement was made with the property owner at 1720 Dewitt Street to grant an extension on the junk car and nuisance abatement letter that was served. The owner will now have until October 9th, 2023 to clean up the property.

**SOUTH HAMILTON SOCCER REQUEST:** Ben Hayes was in attendance to provide the council with information about this year’s soccer league. Currently, the league has 150 kids registered from all neighboring towns. The league is requesting a

donation of $500.00 to help offset the costs of equipment and game costs. Motion by King, seconded by Norem to donate $500.00 to South Hamilton Soccer League. Roll call votes 3-0. Motion carried.

**LIBRARY BOARD:** Library Director Schmitz and members of the Library Board were in attendance to inquire about certain expenses coming from the Library budget and to request additional reports on a quarterly basis. The group discussed the process by which expenditures are paid during the year and the allocated amount the City contributes to the Library on an annual basis. The City Clerk will continue to work with the director and board to provide the additional information.

**GRANTS:** Janet Adix submitted a request for the Ellsworth Historical Museum to use the City as a fiscal sponsor to apply for the 3rd quarter S.E.E.D catalyst grant through the Enrich Hamilton County Foundation. The museum is in need of a new computer that allows Janet to continue to scan and copy documents and items for historical purposes. The grant requires matching funds and the City would not be responsible for obtaining those funds. Motion by Gelder, seconded by King to approve the use of the City’s EIN number for this grant purpose. Roll call votes 3-0. Motion carried.

The City Clerk also discussed with the council the possibility of applying for the same grant next quarter in efforts to replace some of the equipment in the park that the City is being required to remove due to safety concerns addressed by our insurance provider. At this time, without a full-time grant writer, the Clerk suggested proposing a $30,000.00 project cost, which would maximize the $12,000.00 amount offered from the grant, while limiting the amount the City matched to the remaining $18,000.00. Supervisor Vanlangen and the Clerk will look into play equipment and ground surface costs and further conversation will continue at next months meeting.

**FOWL PERMIT ANNUAL RENEWALS:** The Clerk reminded everyone that annual fowl permits are due to City Hall by no later than October 1st, 2023. The reminder will be posted on the City website and Facebook page. A late penalty charge will apply beginning October 5th, 2023. Failure to renew your permit will result in revocation of permission to allow fowl for up to a period of one year.

**TRAFFIC ISSUE WITH TREE AT DECORA AND DETROIT:** Previously there were several concerns raised about not being able to see oncoming traffic at the intersection of Decora and Detroit Street, due to a large tree obstructing the view. The tree has since been trimmed, however to prevent the problem from reoccurring, discussion took place about the possibility of placing a stop sign at the intersection. Several members of the council stated that there used to be a stop sign there and inquired about what had happened to that sign. It was decided that a stop sign would be re-implemented for safety reasons. Supervisor Vanlangen and Public Works Employee Knickerbocker will complete the work this week.

**CHANGES TO ORDINANCE 105.07:** Last month the council discussed the issue of littering in the City, particularly in areas surrounding Love’s Travel Stop and the Industrial Park. Police Chief Turpen mentioned doing some further research on the fines imposed for the infractions and the different ways the City could enforce them, whether by ordinance or simply by traffic citation. The Clerk will contact the City Attorney and look into the enforcement requirements and report back to the council on how to proceed.

**MUNICIPAL PENALTIES:** Due to numerous violations to current City policies, ordinances, and permit requirements, the council discussed the possibility of assessing penalties to those found violating any of the above-mentioned rules. The current book of ordinances does not specifically address what penalties may be assigned if policies are not followed and that has allowed the violations to continue without repercussions. The City Clerk will reach out to other cities in the area and obtain appropriate penalty amounts that will be considered at the November council meeting.

**EXPENDITURE DISCUSSION:** The Clerk received several invoices that either exceeded discretionary spending limits or required further explanation before payment was made. The council discussed authorization that was granted prior to one repair and that the invoice may just contain incorrect information, so the Clerk will contact the Company to confirm. Motion by King, seconded by Funk to approve payment to Fire Safety USA in the amount of $4,603.00 for invoice

#176348 and #176349 pending confirmation that the charges are for the inspection of 2 different engines. Roll call votes 4-0. Motion carried.

Additional invoices for sewer maintenance, pump cleaning and water line repairs were also discussed. The Clerk expressed concerns of already exceeding the program budgets and asked for suggestions on how to reduce future expenses and the possibility of performing some of the work ourselves.

**POLICY AND ORDINANCE IMPROVEMENTS:** As part of the littering and municipal penalty discussion, updating and amending the City’s Code of Ordinances was mentioned. The council has been methodically making changes to different policies and ordinances for several years, but agrees it may now require bigger, more drastic amendments. The Council, City staff and the City Attorney will work together over the next few months to complete such changes in order to produce a new and improved book of ordinances. This will also allow for the ordinances to be accessible to the public by a link on the City’s website.

**SET TRICK OR TREATING NIGHT:** Motion by Norem, seconded by King to set Tuesday October 31st, 2023 from 6:00 p.m. to 8:00 p.m. as Beggars Night. Roll call votes 4-0. Motion carried.

**ADJOURNMENT:** Mayor Yager adjourned the meeting at 8:58 pm.

 /s/ Dolorus Yager, Mayor

 /s/ Amy L. Zeman, City Clerk