

CITY OF LOGAN  
COUNCIL MEETING  
CITY HALL, 108 W. 4<sup>TH</sup> STREET  
APRIL 9, 2012

At 6:53 P.M., immediately following the public hearing, Mayor Fetter called the meeting to order. Those present were Council Members Clark, Johnson, Greve, Lefebber and Crum.

Mayor Fetter asked if there were any additions or deletions to the agenda. Lefebber asked to add an agenda item to discuss purchasing a new recording device for council meetings. Motion was made by Johnson and seconded by Clark to approve the agenda with the addition. 5 ayes.

Motion was made by Crum and seconded by Johnson to approve the consent agenda which consisted of approving the minutes of the 3-12-12 regular city council meeting, 3-26-12 regular city council meeting and the 4-2-12 special council meeting, set a date of Monday, April 23<sup>rd</sup>, 2012 for a regular council meeting, approve the Claims Register, Treasurer's Report and Revenue Report, and approve building permits for: Loftus Heating, 418 E. 7<sup>th</sup> St., remodel building to office space; James Gibson, 403 N. 2<sup>nd</sup> Ave., 936 sq ft garage; Patrick Tillinghast, 420 N. Tower Rd., 780 sq ft garage; Tyson Kurth, 703 N. 3<sup>rd</sup> Ave., 6' privacy fence. 5 ayes. There was a discussion on how the council could see the receipts before the bills are paid. The Clerk stated that the council could come to City Hall to review them on the before each meeting because the checks are written on the Friday before the meeting. Council Member Greve asked if the city has a purchase order system in place. The Clerk explained that we do not, but if there was something that is going to cost more than what was originally expected, our local vendors would call to let us know. Other vendors that the City does business with will call sometimes to ask if there is a purchase order on large purchases such as a lawn mower for example. The Clerk would give them her name and the date as a purchase order number because she knows it has been approved by the council. Greve asked if there was a set dollar amount for the guys to purchase anything without approval. The Clerk stated that if there's anything that would be in the \$500 range, for example, Scott Muxfeldt would notify her before the purchase was made. Greve stated that as long as the invoices are at the council meeting, they could look at them at that time. Lefebber asked who decides what goes in the minutes. Mayor Fetter stated that he likes to see the minutes include the highlights of the meeting. The Clerk stated that she or the Deputy Clerk decide what should go in the minutes because of their training. Historic value is being recorded so that anyone could look at your minutes at any time and know why the council made the decisions they made. This is balanced with how much you have to spend on publishing costs. She stated that minutes are not written to include what every single person had to say about the same subject. Greve asked if there was a problem hearing what people were saying at the meetings. The Deputy Clerk stated that it was hard to hear what the citizens were saying on the tape because they were too far away from the recorder. Greve stated that maybe there should be a podium with a microphone so the citizens could be heard. He also stated that maybe the City should have a digital recorder, and it could be downloaded into a computer and then a disc could be burned of each meeting. A disc would be a lot easier to save than a tape, and if someone wanted to check the historical data, they could. Greve stated that this information could be saved forever. The Clerk stated that there is no legal requirement to tape a meeting or to save the tape. She also stated that since what gets printed in the newspaper is the legal document, she would have to check into what we would do with that

information in terms of saving it forever because it's not the legal minutes. Greve stated that maybe it could be saved for ten years, and then if someone wanted a copy of it you could burn one. The Clerk stated that it would be up to the City Attorney if a recording of the meeting, which is not published in the paper, would be the legal minutes.

Item 6 on the agenda was to approve a Class C Liquor and Sunday Sales license for Doc's Roadhouse. Motion was made by Greve and seconded by Lefeber to approve a Class C Liquor & Sunday Sales license for Doc's Roadhouse. 5 ayes.

Item 7 on the agenda was to approve a Class E Liquor, carryout beer & wine, & Sunday Sales license for Logan Superfoods. Motion was made by Greve and seconded by Lefeber to approve a Class E Liquor, carryout beer & wine, & Sunday Sales license for Logan Superfoods. 5 ayes.

Next on the agenda was for the Park Board to make a recommendation to the Council to change the Park Board ordinance from a 5 to a 7 member board. Gary Nordby recommended putting John Espenmiller & Gordon Fliehe on the Park Board. He said they came forward and stated that they would help. Council Member Clark stated that she didn't have any problem with the two gentlemen that were recommended but there's another Ordinance with the Park Board that the Council needs to look into. Motion was made by Clark and seconded by Johnson to put a hold on changing the Park Board Ordinance from a 5 member board to a 7 member board. Council Members Clark, Johnson, Greve and Lefeber voted aye. Council Member Crum voted nay. Mayor Fetter discussed looking at the ordinance and incorporating something else, and he reminded the Council that an ordinance has to go through three readings so it wouldn't be something that would take place right away. Clark stated that they did not want to do this.

Item 9 on the agenda was for Matt Pitt to discuss the trails in Milliman Park. Pitt stated that he is a representative of the Kiwanis, and their organization is very committed to volunteering their time and labor to establish and maintain the primitive nature trails in Milliman Park. He stated that everything he said from that point forward was his personal thought and opinion. In his opinion, the trail would be easy to create because it would follow abandoned streets or trails that have been used in the past. It would be a simple grass trail so it would have little maintenance besides mowing, and it would be easy to access and use. There has been discussion about only establishing the lower trail. If that is done, the easiest part of the trail would be eliminated. He stated that this trail should be made available to people of all ages and for people with a wide range of physical abilities. Possibly even a wheelchair bound person could enjoy the park environment. Pitt addressed some of the concerns. He stated that this will cost the city nothing. The Kiwanis Club, Boy Scouts and Park Board are committed to the long-term maintenance of the trails. Pitt stated he spoke with Chief Smith and in the nearly four and a half years that he has been the police chief, he has been called to Milliman Park twice. Both times were for vandalism on Glen Avenue. In reviewing four studies from Iowa Trails 2000, Pitt stated that adjacent property values either increase or remain the same. With regard to the trail location, he stated that the trail is farther from the houses than the street or alley except in two cases, which would be Max Grady's and Scott Wohler's houses. He said if you stand on the sidewalk, street or alley, you would be closer to the houses than if you were standing on the trail. Pitt referenced the comprehensive plan for the city of Logan which was adopted in 2002. This is a guideline for the council to follow to achieve the goals that are

included in this document he said. Chapter 9 is entitled “Community Concerns, Issues and Needs.” Some of the needs listed are: new pool and recreational areas, more active and passive recreational areas, development of ball fields and the need for bike paths and walkways. Chapter 10 of this plan consists of the policy statements adopted by the city. The recreation policy states “to promote continued maintenance and improvement of existing parks in the future” and the transportation policy says “encourage development of trails and bikeways in the community.” Table 7 in this document is entitled, “City Initiated Priorities”. Priority #1 is a new swimming pool, priority #2 is to continue maintenance and improvement of existing parks. Pitt read excerpts from the 2008 minutes where Stewart and Samantha Johnson expressed interest in purchasing city property on the west side of their property. The council explained that they could not sell Milliman Park or a city street. They thanked the council and stated that they wanted to work with the city or the Park Board in whatever way possible to clean up and beautify the area. In closing, Pitt stated that he hoped that the council realizes the benefits this trail brings to the community and has the courage to do what is right.

Item 10 on the agenda was to discuss and approve a recommendation by the Park Board to clean and restore walking trails in Milliman Park. Board Member Gary Nordby reiterated that the Park Board would like to go ahead with the trails in Milliman Park. He stated that the tentative date for clean up would be April 28<sup>th</sup> and the state forester would come in and make recommendations. All Park Board members voted yes on this issue at the Park Board meeting on April 5<sup>th</sup>. Lefeber asked which trails were being rehabilitated, and Nordby stated that it would be all of them. It was discussed that the cleanup of the park would not be completed in one day. The organizations that would be involved would be the Boy Scouts, Kiwanis and other volunteers from the city. There was discussion that there may be an issue of a special needs person in the area of the trail, and maybe the trails could be scaled down some. The Park Board was asked if they wanted all of the trails or nothing, or would they be able to do something smaller. Park Board Member Nikki Allen stated that they bring the whole thing to the table because they want to propose as much as they can and hopefully the council will accept it or let them know what they can do. The Park Board continues to present the whole project because the Council has not communicated their thoughts on what they would allow them to do she stated. When the issue of privacy was addressed, it was stated that there is already a park there. A survey was brought up, and Mayor Fetter stated that it would not be at the expense of the City because this project is not supposed to cost the City anything. Council Member Crum stated that he would like to see the park cleaned up and put the smaller trail in for now until they figure out where the trails would be with regard to the property owners. This would be the trail going up 3<sup>rd</sup> Street part way and then it would come back down around the park. Street Superintendent Scott Muxfeldt would like to see the trees cleaned off of 3<sup>rd</sup> Street so if there is a problem with the water main they would be able to get to it. The City does not have the manpower to do this. Nikki Allen also told the Council she received a call from Jake Richardson, and he would like to restore the baseball field in the park in the next couple of weeks. Council Member Lefeber expressed his concern of the Park Board having two projects going at the same time. The park shelter is costing the city money, and he is afraid the trail project will get started and the park shelter project will fall by the wayside. He stated that it makes more sense to finish one project before beginning another one when you’re using the same group of people for each project. Nikki Allen stated more than once that the park shelter will be done by the 4<sup>th</sup> of July. Lefeber made a motion to table the trail project completely and concentrate on the shelter project until the end of the year. So that one’s done, everything’s

done and then go back to this one. Crum reiterated that the material would be in the first week in May for the park shelter. He stated that they could work a couple of Saturday's cleaning up Milliman Park and quit when the materials for the park shelter came in. He also stated that there would be some different people working on each project. Since the last meeting, Ira Collins of Collins Construction has offered to donate the labor for putting the roof on the shelter. Clark seconded the motion. Mayor Fetter stated that he could see tabling this project for a couple of weeks, but this is something that has been in the works for a long time. There is a lot of volunteer labor from people who want to come forward and help do something to promote the city. He stated that he would hate to see it put off that long because if they wait until fall to clean it up they're going to have to wait until next year, and they'll have the same issues. Council Members Clark, Johnson, Greve and Lefeber voted aye. Council Member Crum voted nay. Greve made a motion to go ahead and have Jake Richardson build the ball diamonds down there. The Clerk stated that it would have to be put on the next agenda so it could be formally approved, but if everyone was in favor then Nikki Allen could give Jake Richardson the go ahead on it. After some discussion, Greve told Allen to go ahead and let Jake Richardson know that he can start the project.

Next on the agenda was to discuss the City's Nuisance Abatement process. It was discussed that 30 days is too long to give a person to clean up their property. The ordinance doesn't specifically say 30 days, it states a "reasonable length of time". If the council wants to save the expense of rewriting the Ordinance, they could say by resolution how many days are acceptable depending on what they think is reasonable. The Clerk stated that she would like to leave it up to the police department whether a nuisance abatement letter is sent. It was decided that the Clerk will check with the City Attorney to find out if it's alright to pass a resolution to change the time to 14 days.

Agenda item 12 was to discuss inviting either the city attorney or Jeff Schott from the Institute of Public Affairs to a council meeting for a training session for council and boards on open meetings, open records and closed sessions. This was suggested by Mark Tomb, of the Iowa League of Cities. Schott is holding a training class for Mo. Valley on June 7<sup>th</sup> and we could split the travel costs with Mo. Valley if we held a class on the 6<sup>th</sup> or the 8<sup>th</sup>. The cost for the training is \$250. The council decided to have Mr. Schott do the training. The City Clerk will check with Schott or Mo. Valley to see when he will be meeting with their council so that we could share the travel costs with them.

Agenda item 13 was to discuss changing the way the minutes are done and published in the newspaper. This will be discussed after the council has their training.

Next on the agenda was to discuss purchasing a new recorder for recording the meetings. The Clerk will check in to this and get some prices.

Citizen's questions and comments: Citizens Bill DeWitt, Melissa Rosengren, John Espenmiller, Rene Springston and Mike Foutch spoke in favor of the trails. Samantha Johnson spoke in opposition of the trails. John McElderry with the Harrison County Humane Society talked about a property dispute with a neighbor of the Humane Society property. John Espenmiller spoke about the nuisance abatement, the properties in this town and the properties

on each side of his property. Maxine Lesline asked the council if they would like to share why they didn't increase the Park Board members from 5 to 7.

Chamber update: Nikki Allen stated that the Easter Egg Hunt was a big success, and they had about 750 prizes donated. The Chamber is working on the 4<sup>th</sup> of July celebration.

CLAIMS		
ACCO	CHEMICALS	\$2,664.40
AED PROFESSIONALS	AED BATTERIES	\$340.00
AGRILAND FS	FUEL	\$888.05
FIRST NATIONAL BANK	PAYROLL TAXES	\$3,539.00
G & M REFRIGERATION	PHOTO EYE/LABOR	\$83.89
LOIS HALL	CONTRACT SERVICE	\$459.74
HARRISON CO LANDFILL	ASSESSMENT	\$3,233.00
HELLER IMPLEMENT INC	KUBOTA REPAIR	\$713.66
IOWA ASSOC OF MUNICIPAL UTIL	DUES	\$559.82
IOWA LAW ENFORCE ACADEMY	TRAINING/GRABER	\$235.00
LOGAN AUTO SUPPLY	FILTERS/OIL/TOOLS/ANTIFREEZE	\$542.62
LOGAN DO IT BEST HARDWARE	UPS/LUMBER/BULBS/OFFIC SUP	\$320.76
LOGAN FIRE DEPT.	REIMBURSE/28E AGREEMENT	\$10,819.00
LOGAN HERALD OBSERVER	PUBLISHING	\$355.27
LOGAN MINI MART	PROPANE	\$22.03
LOGAN PUBLIC LIBRARY	REIMBURSE	\$4,725.00
LOGAN SUPER FOODS	DIST WATER	\$3.57
LOGAN WATER DEPARTMENT	WATER REFUND	\$100.00
MANGOLD ENVIRON TESTING	WASTEWATER TESTS	\$46.00
MID AMERICAN ENERGY	UTILITIES	\$5,218.72
OPPOLD LUMBER INC.	LUMBER	\$200.98
PAPILLION SANITATION	TRASH PICKUP	\$68.50
TREASURER, STATE OF IOWA	SALES TAX	\$1,673.00
ULTRA NO TOUCH	CITY VEHICLE WASH	\$26.00
UPPER BOYER DRAINAGE DIST	DRAINAGE TAX	\$57.94
VERIZON WIRELESS	CELL PHONES	\$108.53
WINDSTREAM	TELEPHONE	\$304.89
WINNELSON CO	PVC PIPE	\$110.18
	TOTAL	\$37,419.55
	PAYROLL THRU 4/9/2012	<u>\$12,573.04</u>
	PAID TOTAL	\$49,992.59

Motion was made by Clark and seconded by Crum to adjourn. 5 ayes.  
 Angela Winther, City Clerk/Administrator  
 Attest: Randy Fetter, Mayor