

**CITY OF LOGAN
CITY COUNCIL MEETING & PUBLIC HEARING
CITY HALL, 108 W. 4TH STREET
August 6, 2012**

At 7:00 P.M. Mayor Fetter called the meeting to order. Those present were Council Members Clark, Johnson, Lefeber and Crum.

Mayor Fetter asked if there were any additions or deletions to the agenda. Council Member Johnson asked to have agenda items 11, 12 and 13 removed. Council Member Johnson stated that on agenda item 11, Terry Francis did not specify what ordinance he wanted to address so he proposed removing that item. On agenda item 12, he stated that Jim Ettleman had questions regarding the termination of Angela Winther, and a city attorney had not been approved so the Council was not prepared to discuss that item. With regard to agenda item 13, Council Member Johnson stated that Bill DeWitt is asking for the resignation of Dee Clark. Mayor Fetter stated that these citizens requested to be on the agenda, and they should be allowed to address the Council. **Motion was made by Council Member Johnson and seconded by Council Member Clark to remove items 11, 12 and 13 from the agenda.** Council Member Crum stated that the people asked to be on the agenda so he thought they should remain on the agenda. **3 ayes. Council Member Crum voted nay.**

Next on the agenda was to approve the consent agenda which consisted of approving the minutes of the 7-23-12 council meeting, set a date of Monday, August 20, 2012 for the next regular city council meeting, approve the claims register and a building permit for Danny Cohrs, 223 W. 4th St., cover step and build retaining wall. **Motion was made by Council Member Johnson and seconded by Council Member Crum to approve the consent agenda. 4 ayes.**

The next agenda item was to approve closing 6th St. by the Court House to 5th Ave. and 4th Ave. between 6th St. and 7th St. for the Logan Chamber of Commerce on August 25th from 11 a.m. through approximately 5 p.m. for the Car/Motorcycle Show and Cruise. **Motion was made by Council Member Crum and seconded by Council Member Clark to approve closing the streets for the Motorcycle and Car show. 4 ayes.**

The next item was to approve a Class C Beer, Sunday Sales & Class B Native Wine permit for Logan Mini Mart, Inc. All of the paperwork is in order. **Motion was made by Council Member Crum and seconded by Council Member Johnson to approve a Class C Beer, Sunday Sales & Class B Native Wine permit for Logan Mini Mart, Inc. 4 ayes.**

The next agenda item was to appoint Aaron Rodenburg as City Attorney. **Motion was made by Council Member Johnson and seconded by Council Member Clark to appoint Aaron Rodenburg as City Attorney. 4 ayes.**

Next on the agenda was to discuss and approve a \$0.25 raise for Marilyn Keizer. Mayor Fetter stated that the Deputy Clerk was to have gone to Clerk School and upon completion she would have received a \$0.25 raise. Due to the City's situation, she did not attend. **Motion was made by**
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Council Member Johnson and seconded by Council Member Clark to approve a \$0.25/hour raise. 4 ayes.

The next item was to discuss and approve the second reading of Ordinance 441: An ordinance to amend Chapter 99 Sewer Rates. **Motion was made by Council Member Johnson and seconded by Council Member Crum to approve the second reading of Ordinance 441: An ordinance to amend Chapter 99 Sewer Rates. 4 ayes.**

The next agenda item was to set a date of August 20, 2012 at 7:00 P.M. for a public hearing on the dismissal of the City Clerk at the request of Angela Winther. **Motion was made by Council Member Johnson and seconded by Council Member Crum to set a date of August 20, 2012 at 7:00 P.M. for a public hearing. 4 ayes.**

Citizens questions/comments: Bill DeWitt asked why he was taken off of the agenda, and he wanted clarification on a personnel matter. He asked for the definition of insubordination and cited examples of the Council's acts of insubordination. Jim Ettleman asked questions about the following: the grounds and actions that led to the terminations of the city clerk and attorney, emails and bills from the former city attorney, livestock in city limits, possible litigation against the City of Logan, outside council on the terminations, use of a council position to gain employment for a relative, lack of attendance at council meetings, lack of discussion at the emergency meeting held on July 6th, the sale of city property to a council member, meetings with a citizen about official city business, phone hang ups with citizens, conflicts of interest with regard to nuisance abatements, examples of threats, civic duties of the citizens of Logan, following the steps in the employee handbook, email content between the city clerk and attorney, meetings that were held about emails, the reason for an emergency meeting, laws that may have been broken and pending charges to justify a special meeting. Terry Francis wanted to make the Council and the Mayor aware of the ordinances that they uphold and the state law that's directly related to the Council's unwillingness to perform their duties. Andrew Francis discussed the Council's actions of taking the citizens off of the agenda and their disregard for what the citizens want. Mona McDonald spoke to Council Member Lefeber about resigning. Ginger Schemmer stated that the people want Council Members Johnson, Clark and Lefeber to resign because of lack of representation and trust. John Espenmiller discussed an invasion of privacy issue. Renea Springston discussed the fact that she has still not received any items that she requested under the Freedom of Information Act. Andrew Francis asked if the Council would be answering the citizen's questions at the next meeting since a City Attorney had been appointed. Susan Bonham inquired about how much the new City Attorney charges. Renea Springston asked if the citizens would have access to the information between the council and the new attorney. Andrew Francis pointed out that public information is information that belongs to the citizens. Terry Francis discussed what is required in the minutes.

Clerk/Administrator comments: Tuesday, August 14th will be the special election for the new council member. Polls will be open from noon until 8:00 P.M.

CLAIMS

ACCO	CHEMICALS	\$1,157.64
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BARCO MUNICIPAL PRODUCTS	PAINT/SURVEY FLAGS	\$117.36
FERGUSON WATERWORKS	METER SUPPLIES	\$1,791.77
FIRST NATIONAL BANK	PAYROLL TAXES	\$3,870.97
HACH COMPANY	CHEMICALS	\$207.93
LOIS HALL	CONTRACT SERVICE	\$937.88
HARRISON CO DEVELOPMENT	28E AGREEMENT	\$869.06
HARR CO HUMANE SOCIETY	28E AGREEMENT	\$388.60
HARRISON CO LANDFILL	ASSESSMENT	\$3,243.78
HINGSTRUM, ROBERT	DEPOSIT REFUND	\$53.87
I P E R S	REGULAR IPERS	\$4,240.34
LOFTUS HEATING	FILTER REPLACEMENT	\$369.80
LOGAN AUTO SUPPLY	FITTINGS/SEAT COVERS	\$200.52
LOGAN DO IT BEST HARDWARE	BLEACH/TOWELS/UPS	\$368.11
LOGAN HERALD OBSERVER	PUBLISH	\$500.47
LOGAN PUBLIC LIBRARY	REIMBURSE	\$1,825.00
LOGAN SUPER FOODS	CONCESSIONS	\$964.06
LOGAN WATER DEPARTMENT	DEPOSIT REFUNDS	\$246.13
MID AMERICAN ENERGY	UTILITIES	\$6,409.34
PAPILLION SANITATION	TRASH REMOVAL	\$115.00
SAMS CLUB	CONCESSIONS	\$493.26
SHELBY CO ENVIRONMENTAL	POOL INSPECTION	\$486.00
TREASURER, STATE OF IOWA	STATE TAXES	\$1,352.00
ULTRA NO TOUCH	CITY VEHICLE WASH	\$39.00
UPPER BOYER DRAIN DIST	DRAINAGE TAX	\$57.94
VERIZON WIRELESS	CELL PHONE	\$226.95
WINDSTREAM	TELEPHONE	\$308.26
WINNELSON CO	WATER PARTS	<u>\$128.98</u>
	TOTAL	\$30,970.02
	PAYROLL THRU 8/3/12	<u>\$16,669.07</u>
	PAID TOTAL	\$47,639.09
FUND SUMMARY	GENERAL FUND	\$32,666.73
	ROAD USE	\$4,747.93
	WATER	\$7,686.29
	SEWER	<u>\$2,538.14</u>
		\$47,639.09

Motion was made by Council Member Crum and seconded by Council Member Johnson to adjourn. 4 ayes.

Marilyn Keizer, Deputy City Clerk

Attest: Randy Fetter, Mayor

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