

CITY COUNCIL MEETING  
February 21, 2022

The Montezuma City Council met in regular session at Montezuma City Hall on February 21, 2022. The meeting was called to order at 6:00 p.m. with Mayor Jacki Bolen presiding.

PRESENT: Willrich, C. Bolen, Schuur, Eichenberger & Watts

ABSENT: none

ALSO, PRESENT: Christy Sanger, Erik Kriegel, Abby Hubbard, Austin Henry, Bret Warden, James Frank & Deedee Lehman

Councilmember Willrich made a motion to approve the consent agenda which consisted of the following:

- Minutes from meeting: February 7, 2022
- Claims

A second was made by Councilmember Eichenberger. Ayes: all, Nays: none.

Councilmember Eichenberger made a motion to approve the liquor license for the Montezuma Country Club. It was seconded by Councilmember C. Bolen. Ayes: all, Nay: none. Councilmember Watts abstained as he serves on the board for the country club.

Veenstra & Kimm engineer, Libby Patton, discussed closing out the Waste Water Treatment Facility Project. She clarified that the new UV parts have been shipped and they will be installed as soon as they arrive. She also pointed out that all other contract work has been completed for the project and that the city has just over \$256,000 in retention. Patton discussed the dollar amount related to the liquidated damages that the city could ask as well. Taking into consideration both completion deadlines that were not met, it results in a total of \$157,200. Both councilmember Watts and Willrich agree, with all of the change orders and issues with this project, they don't believe that Boomerang is due any further compensation from the city. Patton explained that the issues and dollar amounts need to be discussed with the city attorney to determine what the city can legally fight for. Sanger will get a conference call set up between Patton, herself and the city attorney to discuss further details regarding this matter.

Warden and Hubbard then questioned Patton about the enlarged utility bills the sewer department is experiencing with the new SAGR system up and running. Patton said the blowers being used now consume more energy than the old system components, but she is also concerned at the inflated numbers. She will look into the issue and see if they can find a way to lessen the burden.

Warden explained that over the past few years, there have been a few instances where the city has been called out for repair a sewer backup. The city does not have its own jetter, and with most issues, a jetter company must be called in to clear the problem. In some instances, costly sewer repairs are necessary as well. Warden wanted to make sure that the city can assess charges to a property owner if the same issue continues to arise. Sanger reread the code book and in the Sanitary Sewer System section, Chapter 95.09, subsection 2 and 3, it is explained that continuing violators can be held *"liable to the City for any expense, loss or damage occasioned the City by reason of such violation."*

James Frank announced that Deedee Lehman passed all written and practical exams and is now a certified EMT. During her training she responded to multiple ambulance calls observing and assisting the on-call EMT. Normally, the ambulance service would still send out an experienced EMT with the new EMT until they are comfortable assessing a patient one on one. Frank wanted council's approval to allow both on-call EMT's to be paid during this timeframe. A motion to approve compensating two on-call EMT's until the newest EMT has the confidence in being in the back of the rig unaccompanied was made by Councilmember Eichenberger. A second was made by Councilmember Schuur. Ayes: all, Nays: none. Councilmember C. Bolen abstained as he is a member of the Montezuma Fire & Ambulance Service.

Mid-Iowa Community Action, Inc. (MICA) now offers a Low-Income Household Water Assistance Program (LIHWAP) to help assist customers with reconnection and help avoid disconnection. The customer must be under the income maximums, demonstrate a water burden, currently be experiencing a water crisis and must demonstrate legal U.S. status. The Water Board originally did not sign up for the program but after the Water Department Superintendent, Chris Widmer, spoke to a few communities that are currently using the program, he explained that they have not had any issues receiving their payments thus far. At that point, the Water Board agreed to go ahead with the program. Mayor J. Bolen stated that she had talked to the Montezuma Utility Clerk, Tammi Quinlan, and asked for her thoughts on the program. Quinlan agreed that it would be a good way of getting paid for some of the unpaid water and sewer bills. The city can opt out of the program at any time by providing MICA with a thirty-day written notice so there is no obligation. A motion to enter into the LIHWAP was by Councilmember C. Bolen and seconded by Councilmember Eichenberger. Ayes: all, Nays: none.

Marty Wymore, the Region 6 Resource Partners & Peoplerides Director, has reached out to communities in Hardin, Marshall, Poweshiek and Tama Counties regarding the funding deficit for Peoplerides. A survey was sent out and Hubbard asked the mayor and council to take a look at it as some of the questions require their guidance. Wymore requests that each city using the Peoplerides service to contribute \$2.61 for each individual registered in their 2020 Census report. Montezuma's 2020 Census count was 1492 residents resulting in a city contribution of \$3,894.12. Several councilmembers questioned how many Montezuma residents actually use this service. Hubbard said she would gather this information and report back.

Public Hearing: Maximum Property Tax Dollars for Fiscal Year 2023

Opened: 7:00 p.m.

No one was present for discussion.

Closed: 7:01 p.m.

Resolution #22-02-02: Resolution Approving the Maximum Property Tax Dollars for Fiscal Year 2023 for the City of Montezuma, Iowa. A motion to approve Resolution #22-02-02 was made by Councilmember C. Bolen and seconded by Councilmember Eichenberger. A roll call vote was taken. The vote is as follows: Willrich – aye; C. Bolen – aye; Eichenberger – aye; Watts – aye; Schuur – aye. The motion passed.

Public Hearing: Ordinance #71 – First Reading

Opened: 7:03 p.m.

No one was present for discussion.

Closed: 7:03 p.m.

Ordinance #71: An Ordinance Adopting the "Code of Ordinances of the City of Montezuma, Iowa". A motion to approve Ordinance #71 was made by Councilmember Eichenberger and seconded by Councilmember Watts. Ayes: all, Nays: none. Councilmember C. Bolen made the motion waive the second and third readings of Ordinance #71. A second was made by Councilmember Schuur. Ayes: all, Nays: none.

Resolution #22-02-03: Resolution Setting Time and Place for Public Hearing Concerning the Budget for Fiscal Year 2023 for the City of Montezuma, Iowa. A motion to approve Resolution #22-02-03 was made by Councilmember C. Bolen and seconded by Councilmember Eichenberger. Ayes: all, Nays: none. Mayor J. Bolen asked Hubbard if she planned on holding a separate meeting pertaining only to the budget so that the council could look at the final figures before a vote was taken. It was decided to hold a special meeting on Monday, March 7<sup>th</sup> at 5:00 p.m. with the regular meeting to follow at 6:00 p.m.

Resolution #22-02-06: Resolution Setting Time and Place for Public Hearing on the Grant Funding for the Meals on Wheels Program for the City of Montezuma, Iowa. A motion to approve Resolution #22-02-06 was made by Councilmember Watts and seconded by Councilmember Willrich. Ayes: all, Nays: none.

Previously, the council discussed if a work from home policy was needed. Sanger reached out to multiple communities of different sizes to see if any had a sample policy to review. She only came across two cities that had an emergency policy due to COVID. Neither city continued with their policy now that COVID has settled down. Sanger also contacted the League of Cities for guidance and they did not have anything to go off of either. Councilmember Willrich expressed his views citing the importance of making sure public servants be where the people can see them and address them with any issues pertaining to the city. When COVID was in full-force Councilmember Watts stated that in the midst of that emergency-type situation, compromises were made and business ran usual with no policy in place. He does not think the city needs to implement one now. Councilmember C. Bolen stressed the necessity of city employees being in the office during working hours. The current employee handbook highlights the city's employment policy and Councilmember Eichenberger would like to make sure all city employees have read or refreshed themselves and understand all written procedures. He feels there are some issues occurring that could be easily settled by making sure all city workers comprehend what is spelled out in the handbook. Sanger said she would get new, updated copies of the handbook for all employees and have them sign a worksheet stating that they have read, understand and accept the document.

Other items discussed:

- Discontinuing discussion on the work-related incident policy and using what is already outlined in the employee handbook.
- Possible contract needed to supply EMT coverage for the Barnes City Races this year.

At 7:22 p.m., Councilmember Eichenberger made a motion to go into closed session pursuant to:

Review of Employee Professional Competency in Closed Session

a. Closed Session Pursuant to Iowa Code Chapter 21.5(i)

*i. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.*

Councilmember Schuur seconded the motion. Ayes: all, Nays: none.

Councilmember Willrich made a motion to adjourn the regular session at 7:23 p.m. It was seconded by Councilmember Watts. Ayes: all, Nays: none.

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City Clerk

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Mayor