

The Paullina City Council met in regular session on January 16, 2023 in the Council Chambers, City Hall, 127 S Main St, Paullina, Iowa. Mayor Brenda Ebel Kruse called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

Roll Call. Council Members present: Steve Heeren, Carol Honkomp, Jay Jones, Lexy Murphy, Jean Unrau. Members absent: None. Mayor Ebel Kruse declared a quorum.

Also present: Clerk/Administrator Scott Wise, Deputy Clerk Michelle Wilson, Police Chief Nathan Bremer, Fire Chief Ryan Harper, Ambulance Service Director Laurie Struve.

Guests: Denny Werkmeister, Jim and Wendy Gengler. Press: Radkte.

Agenda: Murphy motioned to amend the tentative agenda asking that clarification on appointing two newspapers tabled from last meeting be added. And Mayor Ebel Kruse informed Council that items 11, 12, 13 and 16 would need to be tabled until a future meeting when others would be present. Unrau seconded. Voice Call Vote: All Ayes. Motion Carried.

Open opportunity to address the Council: No guests present requested time to speak.

Approve Minutes from 01/03/23 meeting: Honkomp asked for more explanation on the Ambulance call rates for the towns. A new line item on the budget needs to state it's for the library. An extra phrase was removed and the correct date for the next council meeting is 01/16/23. Heeren asked that the verbiage on the official newspaper topic be updated. Also need to specify the approved depositories and limits. Murphy asked why we were reviewing minutes more than one time a month. Honkomp and Wise noted that it's best to do when it's fresh in our minds so it will be after each meeting. Honkomp motioned to approve minutes with stated corrections. Second by Unrau. Voice Call Vote: All Ayes. Motion Carried.

Approve payment of claims. Discussion on additional claims presented; incorrect water meter reading; over-payment for Legion; Ambulance on-call pay (County dollars cover weekdays/nights; City dollars cover weekends). Wise added that claims will be presented at every meeting to stay more current. Motion by Honkomp. Second by Murphy. Voice Call Vote: All Ayes. Motion carried.

Mayor Ebel Kruse questioned City Attorney Halverson if payment of claims approval should be reversed because the Resolution approving the Ambulance weekday incentive pay is later in the agenda. Halverson agreed it should be revised in order.

Struve clarified that her noted payments include December weekends and 6-month for weekdays/weeknights. Honkomp asked why December amounts are higher and Struve noted she paid a Christmas bonus to her crew.

Honkomp rescinded her earlier motion to approve payment of claims and the additional claims. Murphy seconded. Voice Call Vote: All ayes. Motion carried.

Heeren read and introduced Resolution 2023-05 to hire an Assistant Library Director at \$13.00 per hour for 10-15 hours/week. Discussion on how hours at the library are documented. Second by Honkomp.

Roll Call Vote: AYES: Heeren, Honkomp, Jones, Murphy, Unrau. NAYS: None. Mayor Ebel Kruse declared Resolution 2023-05 Passed and Approved.

Unrau read and introduced Resolution 2023-06 to approve incentive pay for weekday on-call hours for Paullina Ambulance: \$1.00 per hour days / \$1.50 per hour nights. Murphy seconded. Roll Call Vote: AYES: Heeren, Honkomp, Jones, Murphy, Unrau. NAYS: None. Mayor Ebel Kruse declared Resolution 2023-06 Passed and Approved.

Mayor Ebel Kruse then returned to the earlier agenda item for approving payment of claims. Honkomp motioned to approve all claims including additional ones. Murphy seconded. Voice Call Vote: All Ayes. Motion carried.

Murphy moved to appoint Tisha Halverson as City Attorney for 1-year term. Second by Unrau. Voice Call Vote: All Ayes. Motion Carried.

Approve adoption of the new City Public Records Requests Policy. Mayor Ebel Kruse introduced the draft that was modeled after other Iowa cities, as well as the O'Brien County Conservation Board. City Attorney Halverson edited and added some legal language per Iowa Code to paragraph 4 on page 2 and on fee schedule. Also include actual cost of media used. Disclaimer: "in compliance with all local, state and federal laws." Discussion on fees to charge for copies. Resolution 2023-07 Motion by Murphy to accept the City Public Records Requests Policy with the revisions suggested by City Attorney and black-and-white photocopy costs of 30-35-35-40¢-per page to match fees set by the O'Brien County Conversation Board. Revised copy will be sent to IPIB for approval as well. Second by Jones. Voice Call Vote: All Ayes. Motion Carried. Resolution 2023-07.

City Attorney Halverson explained what steps could be taken via two possible resolutions depending on the City's future plans for the property at 403 E Broadway that was acquired a couple months ago. Discussion on outstanding property taxes and street assessment amounts owed. The County can abate the property taxes of \$796. The \$16,370.50 outstanding special assessment for Maple Street improvements can be cancelled by the Council, which will be returned to the City less a \$5 maintenance fee. This includes a nearly \$8000 nuisance fee. Depending on the planned purpose for the property, Council could maintain the assessment costs to be passed on should the property be sold. That could be decided later but paying the delinquent property taxes needs to be done before April 1.

Honkomp read and introduced Resolution 2023-08 to request abatement of accrued property taxes on property owned by the City of Paullina, Iowa, for public purposes within the City limits of the City of Paullina, Iowa, regarding 403 E Broadway. Murphy seconded with the correction to read "Clerk/Administrator." Roll Call Vote. AYES: Heeren, Honkomp, Jones, Murphy, Unrau. NAYS: None. Mayor Ebel Kruse declared Resolution 2023-08 Passed and Approved.

Mayor Report: Recently attended O'Brien County Joint 911 Service Board & Emergency Management Commission meetings. And NWIPDC will attend the February 20th meeting.

Clerk/Administrator Report: Workshop with Primghar City Council is scheduled for Wednesday 1/18/23 at 5:30 p.m. in Primghar, weather-permitting. Last week two auditors from Williams & Company were present and may need to return to access more files. Then they will compile all the data and share results in a few weeks.

Wise shared that two city residents are using a building on East Broadway for storage and do not generate garbage so they asked to suspend garbage service and requested a refund. Discussed that they could stop service but would not be entitled to a refund of fees paid prior to cancellation.

Murphy inquired about the 9/1 switch between summer and winter electrical rates. Wise stated that the delayed transition would be complete before the next meeting. Mayor Ebel Kruse would seek advice from MRES on how to handle any adjustments as well as look at upcoming rate increases.

Unrau asked if someone from South O'Brien Community Schools would share an update on their upcoming bond vote for improvements. Mayor will arrange for a presentation to be given at the next regular council meeting.

Police Chief Report: Moving onto the next steps with police officer applicant, such as a post test, physical assessment, background check.

Fire Dept: Chief Harper commented that Township Meetings were held and contracts will be finalized for the next fiscal year starting July 1. He shared that Bob Faust retired as the Union Township clerk. Anita Frerk will now take that role. He said Union Township is the largest and we are its only fire department.

Ambulance: Struve reported they are working on resiliency training with Orange City. Working with an outside firm to handle forwarding run reports to the Hospital so City employees won't have to be responsible for this step. There will be a \$480/year cost associated with this service that she will include in her FY24 budget request based on 100 calls/year transport volume. To get full report with access to patient histories, \$960/year. Typically go to 4 hospitals so one-time set-up costs for each. Struve also shared about a potential new applicant who is currently a member of Sheldon's ambulance crew and will be moving to Paullina. Struve asked that her title of "Ambulance President" be changed to "Service Director" to coordinate with State Code. By-laws will be updated to reflect change too. Will need to update prior to codification.

Library named new Director and Assistant Director. Employee committee interviewed police officer candidate. No other committee reports.

Newspaper Clarification: Heeren questioned the previously tabled topic of appointing an official City newspaper. Mayor Ebel Kruse shared clarification from Iowa League of Cities regarding legal publication. There is no requirement to only use one newspaper or to use a newspaper for a certain period of time. It's not required to select a newspaper published within City limits; just that the paper printing the City's legal publication has "general circulation within the area." Iowa Code does not even require that a city formally designate, appoint or name the newspaper(s) where it chooses to publish its legal proceedings and notices. Cities are free to publish in any number of newspapers.

Heeren questioned Iowa Code Chapter 618.3 and asked for further clarification of chapter 618.14. City Attorney Halverson replied that the latter is considered a discretionary provision of the Code. In addition to what is required for legal publication, the City can choose to publish anything else it feels is of public importance as either a news article (straight matter) or pay for a regular display ad. It allows a City to publish in more than one place if they wish. Iowa Code Chapter 618.3 governs what a City is required to publish legal notice in a paper of general circulation. Council member Jones reiterated phrases from a response from League of Cities.

City Attorney Halverson commented that while it may be a common practice, it is not a requirement to appoint an official newspaper for a specific time or to appoint an official newspaper at all. And it does not need to be done at the beginning of the year. There are no requirements unless a contract is established. This is a different process than the counties have to use.

Murphy noted that the Council should support local businesses when possible. Jones didn't disagree but questioned the support of the supposedly more-local choice Murphy was referring to. As an example, he then shared copies of two newspaper issues comparing coverage of the Chamber's Hometown Christmas event in early December. He pointed out the limited, lacking coverage of a couple small photos on the back page in *The Bell-Times-Courier* vs the impressive, colorful front-page coverage by *The South O'Brien Sun*, published by the N'West Iowa Review. He noted that there's a big difference.

At 6:40 p.m., the meeting moved across to the Laue Room for a Zoom Presentation on Iowa Code Chapters 21 and 22 ("sunshine laws") led by Amanda Trebon Boyd from the Iowa League of Cities. The material clarified open meetings and records. This fulfills item 4 from the IPIB Informal Resolution 22FC:0050. Present for the required training: Brenda Ebel Kruse, Carol Honkomp, Steve Heeren, Jay Jones, Lexy Murphy, Jean Unrau, Scott Wise, Michelle Wilson, Ryan Harper.

Upon completion of the presentation, three Council Members returned to Council Chambers. Murphy motioned to adjourn. Jones seconded. Ayes: Murphy, Jones, Heeren. Absent: Honkomp, Unrau. Motion Carried. Meeting adjourned at 7:47 p.m.

Brenda Ebel Kruse, Mayor

ATTEST:

Scott Wise, City Clerk/Administrator