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## Shambaugh City Council Meeting Minutes June 3 2019

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### Call to order

A meeting of Shambaugh City Council Meeting was held at Shambaugh City Hall on March, 2019. Attendees included Ron Peterman, Mahlon Sorensen, Sherry Stuvick, Sam Woodruff, Karen Miller, Kevin Johnson, Lyle Palmer and Sandra Bilokonsky. Patty Johnson, was absent due to out of state family. Joe Dow was absent. Several members of the community was present, including Annmarie Lauber, Gary Kent, and Cheryl Campbell. Quorum was present.

### Approval of minutes

Motion Sherry Stuvick Second Karen Miller All in favor: yes Motion carried

### Reading of Agenda

Motion Sherry Stuvick Second Karen Miller All in favor: yes Motion carried

### Reports

On May 6<sup>th</sup> deputies called to 106 Hersey St. Protection order, May 16<sup>th</sup> Engine in middle of road. May 16<sup>th</sup> the old church phone had an issue and was dialing 911 Time: 29.18 hours.

### Unfinished business

Mahlon started to speak about the property on 213 Fourth St., Sandra stated Cheryl was in attendance. Mahlon stated that he hasn't been able to her to return the green card (mail reference) Cheryl stated that during the winter she could not work in the house due to the cold weather. She stated April 1<sup>st</sup>, that she was in the hospital and "almost didn't make it", after she got out the hospital she seen the note, so decided she would just come to a meeting. She stated as far as the property it is now being taken care of, yard work will be done this week by a person ( she did not name person), she expressed to this person that the yard needed to be done "NOW". She stated in 3 months it will be up and living. She stated she was planning on attending a meeting in April, however due to her being in the hospital, which did not happen. Mayor Ron Peterman asked Cheryl, if in 3 months it will be livable. Cheryl stated, yes. She stated if not, then the city can have it. Mahlon stated that doesn't sound too unreasonable. She stated she was being honest, with the city that she couldn't work on it during the winter months. Her family stated that trash will be out of it and yard will be done. Sandra stated that is one of the main reasons, why we ended up in this problem to begin with because of the yard and the way the property was looking. Cheryl agreed and stated it will be all taken care of. Mahlon asked Cheryl if it would be ok to write her a letter stating her timeline, and if she doesn't have it done by September, and come to agree the party is over. Cheryl stated "the party is over". She was question again if she would have the house livable by Labor Day, she stated should be. Mahlon stated since she has no doubts, he said he would just let sit for 90 days and do a Consent to Judgement on the property, if she does not follow through. Sandra asked for a motion.

Motion to allow 90 to rehab the property, if not rehab in 90 days it will be signed over to the city on 213 Fourth St. Cheryl Campbell property.

Motion Sherry Stuvick Second Karen Miller All in favor: yes Motion carried

Sandra stated we need a motion for the water rate. Mahlon asked if anyone has come in and stated concerns or comments. Sandra stated, no, and that she placed that the new water rates will be effective in July. A community member asked how much the water rates will be going up, Sandra stated the standard rate; \$26 sewer and \$46 for water with flow rate \$6 per 1000 gal, explained that if a person uses 2500gal the bill will no longer be prorated, the person will be billed for 3000gal of water. She stated the reason why we are doing this is because our sewer and water accounts by the end of the year are not good, the city is either in debt or barely breaking even. Mahlon stated that council has the right to waive the 3<sup>rd</sup> reading, Ron stated the council usually does. Ron asked for motions.

Motion to Rate Increase Sewer: Base Rate (2000gal) \$26 Flow Rate (per 1000 gal) \$6 Water: Base Rate (2000gal) \$46 Flow Rate (per 1000 gal) \$6 Rate increase 3% effective July 2nd Reading

Motion Sherry Stuvick Second Kevin Johnson All in favor: yes Motion carried

Motion to Rate Increase Sewer: Base Rate (2000gal) \$26 Flow Rate (per 1000 gal) \$6 Water: Base Rate (2000gal) \$46 Flow Rate (per 1000 gal) \$6 Rate increase 3% effective July WAIVE 3<sup>rd</sup> Reading

Motion Kevin Johnson Second Sherry Stuvick All in favor: yes Motion carried

Motion to ADOPT Rate Increase Sewer: Base Rate (2000gal) \$26 Flow Rate (per 1000 gal) \$6 Water: Base Rate (2000gal) \$46 Flow Rate (per 1000 gal) \$6 Rate increase 3% effective July

Motion Kevin Johnson Second Sherry Stuvick All in favor: yes Motion carried

Mahlon stated he would prepare the ordinance for the water rates. Sandra stated, awesome, once she receives the ordinance she will send to RVS software so they can update the billing software with their programming to reflect the proper rate increase and water used. Ron stated that Joe is working on the old Auten property. Gary Kent was in attendance, with his payment for his deed. Sandra gave to City Attorney Mahlon Sorensen. Mahlon told Gary he has that ready for him and will get the fees paid and get everything to him. Mahlon asked about the discussion about the chickens, Sandra stated the chickens were gone. Mahlon stated he didn't do anything about it and was wondering if it solved itself.

#### Motion to Bills and Unpaid Bills

Motion Sherry Stuvick Second Karen Miller All in favor: yes Motion carried

#### Business

Water/Sewer: Sam stated not much to report. Copy of the Confidence Report has been announced on the water bills and Sandra has posted it. Sandra confirmed this. Lagoons have been drawn down. Sam stated everything is going good. He stated we are coming in the season of pool fills and would like members to please notify him or Sandra. He stated that way he doesn't think there is a big water leak some place. He stated there is 4-6 pretty decent size swimming pools that are filled in Shambaugh, roughly in June and July. Sandra stated she has them marked on office notes for meter reading for the pools she is aware of. Sam stated if he sees a big usage at the water station and Ron has not read meters, yet he will assume it's a leak until its resolve on the location of where the usage is from. He stated mowing has been done and things are going well.

Streets: Mayor Ron Peterman asked as far as the streets, if all Sam was going to was use the patch material that is currently near the recycling bin. Sam stated yes, Ron stated he was not going to have any contractor come in this year. Sam stated there will be no oil this year and he has patch some of the roads and using the rest of the patch as needed and you cannot do the patching when it is wet. Ron stated it needs to warm up a little. Everyone laughed and agreed it needs to warm up and stop raining and dry out.

Mayor: Mayor Ron Peterman stated that the upcoming Landfill meeting they stated there was a "crisis" in regards to the recycling, however he had no further information. Ron stated the city had a complaint filed on the Lauber property, 211 Old Highway, he stated that is being taken care of. Sherry asked, so they are cleaning up the property? Sandra stated yes, Annmarie is here and Sandra and the Mayor had a meeting with Annmarie before the city council meeting, during that meeting Annmarie discussed they have been working on the trash issue. Annmarie Lauber, asked if she could burn the trash. Sandra brought in the Mayor Ron during that meeting to discuss, during that meeting the mayor and city clerk gave 211 Old Highway known as the Lauber property, permission to burn trash, permitting they do it in a safe manner. During that meeting Sandra stated to Annmarie that they would not be allowed to place the trash bags in the bins for city wide clean up. Annmarie understood. The trash issue was resolved before the meeting, by allowance of burning the trash in a safe manner.

Clerk: Sandra stated there will be 2 bins coming on Friday, June 7 and she will be placing signs on the bins. Gary will be bringing out his trailer for metal clean up. The bins will be for city wide clean up. Sandra noted that city elections are upcoming this fall, she was hoping that Joe would be in attendance, as she needed to hand over paperwork for election to current council members that will be returning for next term. Mayor asked timeline of collection of signatures, which is in August. Sandra stated she was handing the council members the paperwork so they can review. If they need the paperwork again she will provide. Sandra stated as this is her first election she is making sure her deadlines are met. Mayor and council assured her not to worry. Sherry and Kevin refused the paperwork. Sandra asked if they are choosing not to run in the fall. Sherry stated to Kevin, he needs to they need a man here. Kevin stated, they have Joe. Sandra confirmed that Sherry and Kevin would not run for city council in the fall. Sherry stated yes, Kevin stated yes. Sandra noted for auditor paperwork and said she would email that. With Sherry and Kevin leaving this will open up 2 new spots on city council in the fall. Mayor stated we have some time on that. Sandra stated there is some disconnection notices out and one violation of payment agreement. If person does not act on violation of payment agreement a disconnect notice will be issued in July.

Council: Mayor asked Gary how he was getting along with the property the Joe Dow purchased, as clean up as been started. Gary stated he has most of the metal out of it. Kevin Johnson, stated he would like a notice on the water bills to state no pit bill bulls in town. He had heard a rumor that someone in town was going to start a breeding operation. Sherry stated if it is the same one she made a complaint against, they claim those dogs are American Bulldogs, she stated sorry those are not bulldogs those are bull dogs. Kevin stated this would be next to Ron. Sherry said no. Ron, asked next to him? Kevin stated between Ron and Rande, he had heard a dog going there. Mayor Ron stated they can't do it. Kevin stated people think they can bring them in and start that "crap". Karen stated your house insurance won't cover you have certain kind of dogs. She stated they asked her during her insurance process and stated they would not insure if you have certain breeds. Sandra stated, that she could tell from experience from living on a pit bull sanctuary people lie on their insurance. She stated the sanctuary lied on their insurance. Sherry stated they can say they have American bulldogs, Sherry said she understands that

they are breeding them and selling them down there. They have gotten rid of all of them except the 2 that came to her house. (Reference is a file complaint on 211 Old Highway for allowing 2 pit bull puppies on Stuvick property in horse pen and went after homeowners dog)

Public: Annmarie Lauber address the pit bull issue and trash issue. She address the dog issued first stating that "Yes, we consider them dogs American Bullies, not bulldogs, calling them pit bulls is like calling everyone Americans when everyone has different diversities below us. My dogs are breed and their ancestry is bulldogs, unfortunate, part of their ancestry is a terrier which is considered a pit bull. But more of their blood line is a bull dog, that is why they are considered a American Bully instead of a pit bull" She stated as far as the breeding that was a hopeful, but it's not going anywhere. It was all talk. She stated yes, her dog did have puppies and they did sell a few, they do have two that are "harmless". She stated she understands that people have fear of them. She knows this has been an issue before. She stated she knows that other people in town have pit bulls as well. She stated she has known other breeds to be just as aggressive and mean. She spoke about the history of pit bulls, on how they once was nanny dogs. She stated her dogs are not fighting dogs, nor will they be fighting dogs. She stated her dogs are good with children, including her 5 at home and how her children rough house the dogs. She stated her dog is not aggressive unless you come into the yard and aggressive to the family. She stated most dogs will do that to protect their humans. She stated that her family has been a nuisance to this community. She apologized to the community about being a nuisance. She stated her and her family has fallen on hard times, and that she is currently the sole provider for her family in the household. She will get the trash cleaned up, as it was brought up earlier in the meeting and she will try her hardest to do so. She stated she is crossing her fingers and hoping by the weekend to get done. She stated she don't like and she stated it's discussing to her. She stated her yard as well she doesn't like. She stated she doesn't own a lawn mower, but she will try to get her property in order. She stated once again, being the sole provider it's a little tough. She reference back to the pit bull breeding, she stated it was hopeful but nothing is going on there. She stated that was a onetime thing. Sandra stated from the complaints she receive in regards to her dogs, without whatever what the council decides, that Annmarie needs to keep her dogs contained her on her property. Annmarie asked would it be fair to her to complain about other dogs in the community as well or is it because her dogs are pit bulls. Everyone on the Council stated No, if a dog is being a nuisance a dog is being a nuisance. Annmarie stated she feels that she is being picked on, but there is other dogs that she has almost 'ran over'. Sandra stated that as she has worked on a pit bull sanctuary she stated she was saying this as a community member and city clerk, the type of breed people do get scared, it would be best for Annmarie to try to contain her dogs because of the breed status. Sandra stated yes, there is an ordinance stating not to have those dogs in town. Annmarie stated she would do her best to get that fix. Ron stated in regards to next to his home, the council would have to wait and see. He did stated that Byron was building a kennel on the east side of the garage. Sandra said she doubts it's for pit bulls. Ron stated we will see what breed. John Hanson stated it's not the city's responsibility to chase dogs around town. It the owner's responsibility to chase after their own dogs. Sandra said that is true. John continued to say those whom have dogs that don't have fences, know they have to keep them contained, if by tie down or other means. He said yes, he knows it can be difficult, but it is the owner's responsibly. Sandra stated it has to do with training, if you take the time and effort. Cheryl asked about city wide yard sales, during clean up. Sandra stated it was not discussed during the last meeting, so there was not a formal planning. Sandra did state when last year city wide yard sale planning happen, no one came. Everyone agreed it was because of the planning was during Clarinda's city wide yard sale. Ron Peterman also stated it was raining that day as well. Sherry stated if you want a garage sale just have a garage sale.

### Adjournment

Motion Sherry Stuvick Second Kevin Johnson

All in favor: yes

Motion carried