
Shambaugh City Council Meeting Minutes March 2 2020

Call to order

A meeting of Shambaugh City Council Meeting was held at Shambaugh City Hall on **March 2, 2020**. Attendees included Ron Peterman, Mahlon Sorensen, Sherry Stuvick, Joe Dow, Kevin Johnson, Patty Johnson, Karen Miller, Sam Woodruff, Lyle Palmer and Sandra Bilokosky. Quorum was present.

Approval of minutes

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

Reading of Agenda

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

Reports

On February 8th, deputy went to Lisa Foster's home to get a statement from Zach Sherlock for possible stolen chainsaws Deputy began investigation of the matter. On the 9th, Sherriff's Office served a Search Warrant at 501 Second with numerous firearms and ammunition seized. Gary Kent taken in custody for felon/possession. Warrant issued for Jimmy Moses for felon in possession of a firearm. On the 15th deputies went to 510 Second St. Jimmy Moses arrested on the warrant. On the 22nd, Deputies were dispatched to 502 Second St. spoke with owner there who wanted to report a domestic abuse assault between Lisa and Zach. Deputies went to speak to Foster, who reported nothing about a domestic abuse assault. On the 26th Adult probation requested that deputies go to 106 Hersey St to do a PBT on David Stimson. Deputies went and performed the requested tests. Time: 34.08

Unfinished business

Sandra stated that she filed a Clerk's Certificate on March 2, 2020 on the 211 Old Highway past due water bill. It was filed at court house in the Treasurer's office. Sandra stated if the Lauber's try to pay the city, they will need to be directed to go to the County Treasurer's Office. Sandra stated she heard back from the offset program and the officials will be signing their portion and hopefully she hears more information in March. Sandra stated, from last meeting from the city conversations about collections, she sent everyone a "first notice" letter, even if they had been current on payment, but had an outstanding balance. Sandra stated the goal is zero balance on accounts. Council agreed. Mahlon asked if anyone had a chance to look at the 213 4th St property. Sam stated that he did go in, when asked what does he think, Sam stated it needs to be scrap. However anything is possible, but a person needs to be willing to spend at min \$40K Mahlon stated it would be too big of a project. Kevin stated if a person was to spend that type of money they might as well build new. Sam rattled off everything the house would need. Ron stated him as an interested party in the property and asked how we need to proceed. Mahlon stated that the city need to ask certain questions, such as do they know how to do it, funds to do it, will they do in a reasonable amount of time? Sandra and Ron both stated yes on all the questions. Patty stated the property should go through the same process as the other properties. Mahlon stated if we get an offer from someone the city would have to make a resolution and post, to give another person time to match or do better. Ron stated that is what the city needs to do. Sandra stated the person was Byron Osthoff. Sandra stated that Bryon is aware of the house issues, since he did come in her office before the meeting at look at the report. Mahlon asked the city what price they want to sell the property for. Council discuss conditions, Council agreed during discussions that property will have the same conditions has previous properties, on cleaning and building timelines. Council and Mahlon spoke about offers, Mahlon stated that some of his towns will contract for \$2K or \$1K if the house is occupied in a certain amount of time. The council discussed further that if Bryon was to take the property he will follow through on any contract the city sets forth. Sandra stated that from the city's expenses she would like to see it contract for \$2K to recoup the costs the city has in the property. Patty stated that would recoup some of the city expenses. Council discussed again. Kevin stated the city can contract and give some of the money back (if he fulfills the contract), however if something happens, the city would have recoup cost. Council discussed removal of the house and rebuilding. Joe spoke of the cost factors of removal. Sherry stated if a new house is built, that is tax dollars and water meter for the city. Sandra stated, Bryon's end goal is to have a house on the property. Council discussed more. Final discussion is to have \$1500 deposit down, pay for the deed and get \$1000 back once house is built within contract time line. Sandra asked for a motion. Patty stated the contract needed to contain all the stipulations of clearing the property and building on the property. Ron stated that he told Bryon the timelines, 6 months to make mow worthy and 1 year to build. Council defined the contract stipulation. A motion was declared.

Motion to present Byron Ostoff with \$1500 offer.

Motion Joe Dow Second Karen Miller All in favor: yes Motion carried

Sandra asked Mahlon if there was any more information on the judgment issue, with the 211 Old Highway trash issue. Mahlon stated no, it is just up in final judgement. Mahlon stated he was hoping they would sell the house. Kevin stated he was up there, since he was

interested in the house. He discussed with the council his experience. Kevin did state from what he could see in the shed that it appears to have trash. Sandra stated maybe that placed the trash from outside in there. Council spoke about the property, Mahlon asked if any other utilities are on the property, Sandra stated not that she is aware.

Motion to Bills and Unpaid Bills

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

Business

Water/Sewer: Leaks at Mary Young property have been taken care of, that leak was 1000 gals a day. Sam stated on the sewer side that DNR has sent a letter stating the E.coli samples must arrive at testing lab within 8 hour window, he stated before it was 30 hours, therefore he could take the sample and mail via UPS. It would cost the city approx. \$20 to send. Sam stated with the new regulation, he will have to drive the samples to Newton, Iowa. Council gasp at Newton location. Sam explained that is where the lab is at. Council was didn't know lab was in Newton, but understood. Sam said he could change labs to Omaha and that would be 2 hours, Sherry stated it's the same no matter which way he was to go. Sam explained that he would have to do 2 samples twice in spring and fall. Sam stated that Sandra figured out the mileage which was 336 miles round trip at .55 which is \$184.80. Sam stated the city will also have to pay his wages which is another 7 hours. Sam stated the price of our E.coli samples will rise from \$20 to \$300. Sandra stated there is nothing we can do about it, as Sam contacted DNR. Sam stated that DNR is trying to do a study and get EPA to do a reversal on the issue, but that could take up to 2 years. Ron stated that all the little towns will have the same issue. Sam stated yes, he could take to Omaha however with Newton, Sherry made a comment that the Omaha testing is hard to find. Newton has a copy of the city's permit, Sam knows the supervisor and Shambaugh has a long history using the testing site. Sam stated if someone else wanted to drive the samples he had no issues, Sandra stated road trip as she volunteered. Sherry stated the city has no choice in regards to having to drive the samples. Ron asked when DNR started this regulation. Sandra/Sam both stated March. Sam stated March 15, exact date and he will be taking a sample in April. Council and Sam had discussion on how many trips and draw downs. No share rides was concluded due to every city draw downs, their cells at different times. Sam stated at the lift station there is 2 fence lines that are grown up with brush and poison ivy. Sam stated that he talked to Eric McCalla a year ago, about cutting it down and spraying it. Sam stated that Eric took 2 weekends and did the job himself, without Sam's help. Sam stated that Eric McCalla did it to help the town out and will not take any money, however he would like to see the town give him some money as a Thank You. Ron and the council spoke about how much work that taking out all that brush and the fact he took 2 weekends to do. Council discussed reward options. Council agreed to give Eric McCalla a cash and Thank You card.

Streets: Sam will order a load of patch and contact Black Top services. Sam stated the city still has some patch material, but a load will need to be ordered. Sam stated as soon as weather permits he will use the patch we currently have. Sam is awaiting for Black Top services to contact back, to tour streets for an estimate. Sandra stated that she had not ordered the sand yet for the playground, however that is on her agenda to do.

Mayor: Ron stated the council needs to approve the final budget. Ron asked for a motion to approve the budget.

Motion to approve Resolution 2020-2 City Budget 2020-2021

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

Clerk: Sandra stated that her neurologist has placed a consult for her to have spinal surgery. Sandra does not know yet, when surgery will be since she has not seen the surgeon, however she wanted to prepare the city and council for her recovery process. Sandra stated she has spoken to Patty about showing her some of the office duties and has an "office bible" she has created with some of her basic duties and Ron just in case. She stated she will try her best after surgery to do her duties. Sandra stated at the end of March she will be gone on a Friday, since she will have to be in St. Louis, for her Local Coordinator and host mom trip. Sandra announced, that she is now the new Local Coordinator for CIEE exchange program, and gets to help in pairing host families and exchange students.

Council: none

Public: Bryon arrived late. Bryon talked about what he would like to do to the property. Bryon, Council and Mahlon discussed terms and conditions. Ron stated Mahlon was going to send him a letter of the Council's motion. Bryon stated he couldn't give a lot for it, however willing to give \$1000 for it and take everything off of the property including trees, sidewalk and level the property and seed it. Bryon spoke about utilities and where he would like to set everything. Council discussed. Mahlon stated that the city would remove the second part of the agreement. Patty explained the agreement to Byron, Byron stated that he was not ready to build but the property would be cleaned up within the 6 month period. Council discussed that there would be at least an empty lot cleaned. Council discussed price and legal fees. Council agreed to amend previous offer with Mahlon. Offer \$1000, not to exceed \$1500, cost of deed legal fees to be paid by Bryon. Sandra requested a motion.

Motion to amend Byron Ostoff offer. Offer \$1000 cost of legal fees, not to exceed. \$1500.

Motion Sherry Stuvick

Second Joe Dow

All in favor: yes

Motion carried

Sam asked if Byron was to give a check, could he start. Bryon stated so he could start work right away? Patty stated, that he would have to wait 30 days, due to legal. Sherry stated it needs to be posted. Sandra stated if Bryon gives her a check, she will contact Mahlon. Byron stated he was leaving to see his brother so was not in a hurry.

Adjournment

Motion Sherry Stuvick

Second Kevin Johnson

All in favor: yes

Motion carried