

The City Council of the City of Manly, Iowa met in regular session in City Hall Council Chambers on Thursday, June 1, 2017. The meeting was called to order a 7:00 P.M. by Mayor Badker. Council Members present were: Heagel, Banks, Leake & Ryan. Absent: Durgin.

Mayor Badker asked for approval of the agenda. Motion by Heagel to approve the agenda, second by Ryan and approved unanimously. Mayor Badker asked for approval of the Consent Agenda including routine items, minutes of the regular meeting May 15, 2017, claims paid from May 16, 2017 through May 31, 2017, per Resolution 2012-07 and claims to be paid from May 16, 2017 through May 31, 2017, approval of Cigarette/Tobacco/Nicotine/Vaper Permit for Casey's and Pronto and approval of State Auditor's Report for FY '16. Motion by Leake to approve the Consent Agenda, second by Banks and approved unanimously.

**Paid claims list – May 16, 2017 through May 31, 2017 – Per resolution 2012-07**

IRS, fed/fica payroll 5/19	\$2542.41
IA Workforce, 1 <sup>st</sup> Qtr unemployment	117.83
IA Workforce, Library 1 <sup>st</sup> Qtr unemployment	42.30
IA Insurance Division, cemetery plot sales	31.00
IA Dept. of Rev., April Sales Tax	984.57
VISA, postage/web/training/FD/supplies/P&R	2362.48
Marco, copier	142.28
Principal Financial, insurance	57.30
Wellmark, insurance	4286.06
US Post Office, June Utility billing	<u>198.15</u>
TOTAL	\$10,764.38

**Library**

Marco, copier	\$ 25.00
Demco, SRP	82.64
Marilyn Pinta, supplies/bubble machine/book/DVD's/batteries	142.09
VISA, craft supplies/DVD's/postage/cookies/popcorn	213.57
Baker & Taylor, books	467.38
Alliant Energy, utilities	247.00
Centurylink, telephone	<u>24.96</u>
TOTAL	\$1,202.64

**Claims to be paid – May 16, 2017 through May 31, 2017**

Worth County Engineer, fuel	\$598.09
Menards, supplies	479.16
Plumb Supply, supplies	377.89
Farrell Equipment, parts	241.77
D&L Equipment, parts	139.59
Hawkins, chemicals	101.20
Manly Junction Signal, publications/subscription	422.76
Centurylink, telephone	511.48
Tractor Supply Co., fertilizer	59.98
ACCO, chemicals/test kit/Pool	2854.55
BMC Aggregates, rock	256.41
US Cellular, cell phone	93.72
Quality Flow Systems, lift station	4160.00
Brown Supply Co., paint	38.81
Barco, barricade frames	407.84
Midwest Pipe Supply, frames/lids	786.00
Floyd & Leonard, blade	52.14
Asmus Farm Supply, chemicals	318.95
GC Distributing, garbage bags	2037.56
NIACC, training	60.00
Mason City Recycling, recycling	713.00
Donjia Molstad, P&R concessions	118.22
Staples, office supplies/Pool time clock/supplies	404.19
REC Supply, Pool-shower curtains	213.88
Brown Supply Co., Pool-supplies	109.65
Amy O'Connell, lifequard reimbursement	175.00
Hewett Wholesales, pool concessions	<u>269.55</u>
TOTAL	\$16,001.39

**At this time the Public Forum was opened**

Several citizens addressed the council.

**Public Forum was closed.**

**NEW BUSINESS**

**1. Merlin Bartz, Worth County Supervisor and Teresa Nicholson, Winn-Worth Betco**

Merlin Bartz and Teresa Nicholson updated the council regarding the potential partnership with Worth County and the City of Manly regarding a possible sanitary sewer project. For additional information concerning this project, Supervisor Bartz invited the Mayor and Council Members to a meeting on June 13, 2017 at 1:00 P.M.

**2. Public Works Updates**

Street repair estimates were discussed and the low bid for the repairs was Blacktop Service Co. Also discussed was benefits to repair the water issues first in some of the areas before blacktopping. Motion by Banks to postpone the street repairs until water issues were looked into, second by Leake and approved unanimously.

**3. Second Reading of Ordinance 02-2017**

Motion by Banks to waive the second motion of Ordinance 02-2017, second by Leake. Roll vote as follows: Heagel – Aye, Banks – Aye, Leake – Aye, Ryan – Aye. Motion by Banks to pass Ordinance 02-2017 on the third reading, second by Ryan. Roll vote as follows: Heagel – Aye, Banks – Aye, Leake – Aye, Ryan – Aye.

ORDINANCE NO. 02-2017

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF MANLY, IOWA, CHAPTER 75, SECTION 75.05, "OPERATION OF ALL-TERRAIN VEHICLES", BY ADDING A NEW SECTION 75.05 SUBSECTION 6 AND NEW SECTION 75.05 SUBSECTION 7.

BE IT ORDAINED by the City Council of the City of Manly, Iowa:

Section 1: That the City Code of the City of Manly, Iowa, should be and the same is hereby amended by adding a new Section 75.05 Subsection 6 and Section 75.05 Subsection 7, as follows:

CHAPTER 75  
ALL-TERRAIN VEHICLES AND SNOWMOBILES  
SECTION 75.05  
OPERATION OF ALL-TERRAIN VEHICLES

75.05: OPERATION OF ALL-TERRAIN VEHICLES:

6. Driver's License Requirements. The Operator of an All-Terrain Vehicle shall have a valid Driver's License to operate a motorized vehicle in the state of Iowa.

7. Insurance Requirements. Owners of All-Terrain Vehicles operated on streets within the city limits of Manly, Iowa shall have the minimum insurance coverage on the Vehicle as required by the state of Iowa for Automobiles. The Operator of an All-Terrain Vehicle shall have proof of insurance coverage on the All-Terrain Vehicle at all times while operating within the city limits of Manly, Iowa.

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section 4: This ordinance shall be in full force and effect upon its final passage, approval and publication as required by law.

PASSED AND APPROVED this 1st day of June, 2017.

/s/Lon Badker  
Lon Badker, Mayor

ATTEST:

/s/Dee Dunbar  
Dee Dunbar, City Clerk

1<sup>st</sup> consideration: May 15, 2017

2<sup>nd</sup> consideration: June 1, 2017

3<sup>rd</sup> consideration: June 1, 2017

**4. Fireworks Ordinance**

Fireworks ordinance was discussed. No action taken

**5. Dangerous Building**

City Attorney, Tom Meyer discussed procedures and steps involved for declaring a building unsafe. Motion by Banks to approve Tom Meyer to begin the process of declaring a building unsafe, second by Ryan and approved unanimously.

**6. Closed Session**

Motion by Heagel for the council to proceed into closed session pursuant to Chapter 21.5 (c) Code of Iowa 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, second by Banks. Heagel - Aye, Banks - Aye, Leake - Aye, Ryan - Aye.

Council adjourned to closed session at 8:04 P.M.

Council reconvened at 8:40 P.M.

**7. Employee Relations Group**

Motion by Ryan to hire Employee Relations Group for short term consulting, second by Leake and approved unanimously. Employee Relations Group will be reviewing government operations for efficiencies and make recommendations.

The meeting was adjourned at 9:01 P.M.

*The next regular meeting of the City Council is scheduled to be held Thursday, June 15, 2017 at 7:00 P.M.*

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Lon Badker  
Mayor

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Dee Dunbar  
City Clerk