

**MINUTES**  
**CITY OF MARENGO**  
**CITY COUNCIL**  
**REGULAR MEETING**  
Marengo Council Chambers  
June 26, 2024

**Call to Order** by Mayor Adam Rabe at 6:00 p.m. on June 26, 2024. Council Officials Present: Karen Wayson-Kisling, Bill Kreis, John Hinshaw, Jenni Olson, Travis Schlabach. Absent: None. Quorum declared by Rabe.

**Staff and Press Present:** Admin./Clerk Karla Marck; Deputy Clerk Allison Gerard; Financial Manager Ellen O'Rourke; Police Chief Ben Gray; Public Works Director Lonnie Altenhofen; Attorney Gage Kensler; Library Director Jackie Jordan; Managing Editor Winona Whitaker, Hometown Media. Absent: None

**Members of the Public Present:** Scott Hamlin; Dylan Pritchard; Mark Siebrecht.

**Pledge of Allegiance** led by Rabe.

**Approval of Agenda – June 26, 2024**

Motion by Olson to approve. Second by Schlabach. Ayes: Wayson-Kisling, Hinshaw, Kreis, Olson, Schlabach. Nays: None. Motion Carried.

**Consent Agenda**

Approval of minutes from June 12, 2024, City Council Meeting. Claims, checks and direct withdrawals totaling \$502,369.87.

Approval of Application for Cigarette/Tobacco/Nicotine/Vapor Sales for Family Dollar #33124. Motion by Kreis to approve. Second by Olson. Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw; Olson; Schlabach. Nays: None. Motion Carried.

**CLOSED SESSION: Motion to go into closed session pursuant to Iowa Code section 21.5(1)(c) to discuss matters presently in litigation.**

Motion by Schlabach to enter Closed Session at 6:01 p.m. Second by Hinshaw. Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Olson, Schlabach. Nays: None. Motion Carried. Council Officials Present: Wayson-Kisling, Kreis, Hinshaw, Schlabach.

Absent: Olson excused herself from session citing a potential conflict. Staff Present: Mayor Adam Rabe; Admin./Clerk Karla Marck; Deputy Clerk Allison Gerard; Chief Ben Gray, Attorney Gage Kensler.

**Motion to come out of closed session. Possible motion on the actions to be taken from the closed session.**

Motion by Wayson-Kisling to return to open session at 6:19 p.m. Second by Schlabach. Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Schlabach. Nay: None. Motion Carried.

Attorney Chris White made record in open session that he appeared virtually in light of scheduling conflicts and current commitments, and the need to expedite the potential resolution of the matter which made it impractical to look for a date when this could be done in person. Motion by Hinshaw: "I move to resolve all issues in litigation with Nathan Alardin for \$35,000 as recommended by and paid by the City's insurance carriers solely to avoid the costs, expenses, and attorney fees of ongoing litigation and not because there was any wrongdoing on the part of the City of Marengo, any officer, or anyone else with the City. All alleged wrongdoing will be expressly denied in the settlement documents to be signed by Nathan Alardin." Second by Kisling. Ayes: Wayson-Kisling, Hinshaw, Kreis, Schlabach. Nay: None. Abstain: Olson. Olson excused herself from session citing a potential conflict. Motion Carried.

**Open Forum.** No comments.

**Consideration: Request for Hearing as to Whether a Nuisance Exists, 1405 Williams Avenue; Mark Siebrecht.** Siebrecht gave a presentation on the differences between noxious weeds and pollinator plants stating his wildflower garden is for pollinators. Motion by Olson to dismiss the nuisance notice and send the issue to the Public Safety Committee for further discussion. Second by Schlabach. Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Olson, Schlabach. Nays: None. Motion Carried.

**Old Business**

- a) **Public Hearing & First Reading ORD #532: Amending the Code of Ordinances of the City of Marengo, Iowa, Chapter 56 – Exotic Pets and Farm Animals; Section 56.01 Definitions, Item 3.E. Wild Animals; Removing Boa Constrictors.** Public Hearing opened at 6:35 p.m. No public comments. Public Hearing closed at 6:41 p.m. Motion by Hinshaw to approve. Second by Wayson-Kisling. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson. Nays: Schlabach. Motion carried.
- b) **Public Hearing & First Reading ORD #533: Amending the Code of Ordinances of the City of Marengo, Iowa, Chapter 68 – One-Way Traffic; Adding Item #1. May Street Between Marengo Avenue and Court Avenue from East to West.** Public Hearing opened at 6:42 p.m. No public comments. Public Hearing closed at 6:43 p.m. Motion by Schlabach to approve. Second by Wayson-Kisling. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion carried.
- c) **Public Hearing & First Reading ORD #534: Amending the Code of Ordinances of the City of Marengo, Iowa, Chapter 65 – Stop or Yield Required; Section 65.03 Four-Way Stop Intersections; Franklyn Avenue and Marion Street.** Public Hearing opened at 6:43 p.m. No public comments. Public Hearing closed at 6:45 p.m. Motion by Wayson-Kisling to approve. Second by Olson. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson. Nays: Schlabach. Motion carried.
- d) **Consideration: Additional Discussions for Providing Safe Lafayette Avenue Throughfare between Main and May Streets.** Motion by Wayson-Kisling to include on the next agenda no parking on the west side of Lafayette Avenue and the east side from the alley south to Main Street. Second by Olson. Vote. Ayes: Wayson-Kisling, Hinshaw, Olson. Nays: Kreis, Schlabach. Motion carried.
- e) **Resolution #24-98: Approving Change order No. #4 for 2023 Pool Project.** Motion by Olson to approve. Second by Hinshaw. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion carried.
- f) **Resolution #24-99: Approving Pay Applications #7 for 2023 Pool Project.** Motion by Olson to approve. Second by Wayson-Kisling. Roll Call Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Olson, Schlabach. Nays: None. Motion carried.

- g) **Resolution #24-103: Approving Change Order #3 for 2023 Marengo Public Works.** Motion by Olson to approve. Second by Wayson-Kisling. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion carried.

**New Business**

- a) **Consideration: Eliminating Area Acquisition Grant Assistance Grant and Reallocating \$1,000 to a Single Downtown District Grant Fund for FY25.** Motion by Schlabach to approve and add maximum payout of \$2500 per application for the sign grant. Second by Olson. Vote. Ayes: Wayson-Kisling, Kreis, Olson, Schlabach. Nays: Hinshaw. Motion Carried.
- b) **Resolution #24-100: Declaration of Parade Route and Street Closure for the MarenGO July 3<sup>rd</sup> Celebration Parade.** Motion by Schlabach to approve with the addition of the end of the parade route of South on Western to Main Street, East on Main to Lafayette Avenue, South on Lafayette Avenue to West Miller Street. Second by Wayson-Kisling. Roll Call Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Olson, Schlabach. Nays: None. Motion carried.
- c) **Resolution #24-101: Authorizing Street Closures for 3<sup>rd</sup> of July Celebration.** Motion by Schlabach to approve. Second by Olson. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion carried.
- d) **Resolution #24-102: Setting Salaries/Wages for City of Marengo Employees for Fiscal Year Beginning July 1, 2024.** Motion by Schlabach to approve with amended listing of FY25 wages removing Schwertfeger and including Gray’s salary following the closed session. Second by Hinshaw. Roll Call Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion carried.
- e) **Consideration: Follow-up Discussions from “Resolution #24-96: Acceptance of Quote for Weather Siren Repairs” Motion to Consider Upgrade of the system locally referred to as the Hospital Siren; Extending Coverage to a Range Equal to the Two Tower Sirens.** Motion by Wayson-Kisling to approve the purchase of large siren for the additional amount. Second by Schlabach. Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Olson, Schlabach. Nays: None. Motion Carried.

**Update Public Works – Director Lonnie Altenhofen**

For June, Altenhofen reported 12 shut offs for nonpayment; 34 locates; nitrate sampling per DNR all good, well #12 cleaned and waiting on labs; #10 will need it next; water has been on and off on Western & May Street for hospital project. Old shop has been moved; line painting; Court Ave. water/May storm Improvement project will start after July 3<sup>rd</sup>. Alley grading has started; sprayed 5 times for mosquitos. An AED will be placed at the north shelter at City Park.

**Update Library – Director Jackie Jordan**

Jordan reported there are 86 participants for the summer reading program; 467 participants in the summer programs; 4 dehumidifiers running non-stop; received a quote to reseal the windows; condenser #6 needs replaced and waiting for a quote. Jordan will be taking a class on youth mental health and first aid. Library will be closed on July 3<sup>rd</sup>.

**Attorney/ Financial Manager/Administrator Reports**

Attorney Gage Kensler reported he has been working on court cases and attended court for a vicious dog. He has served interested parties concerning 699 Marengo Avenue. Councilperson Olson left at 7:37 p.m.

**Mayor/Council/Committee Reports**

No reports.

**Consideration: Motion to Enter into CLOSED Session Pursuant to Iowa Code 21.5.i to Discuss Strategy with Counsel in Matters 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**

Motion by Wayson-Kisling to enter into Closed Session at 7:40 p.m. Second by Kreis. Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Schlabach. Nays: None. Absent: Olson. Motion Carried. Council Officials Present: Wayson-Kisling, Kreis, Hinshaw, Schlabach. Absent: Olson. Staff Present: Mayor Adam Rabe; Admin./Clerk Karla Marck; Deputy Clerk Allison Gerard; Chief Ben Gray, Attorney Gage Kensler.

**Motion to come out of closed session. Possible motion on the actions to be taken from the closed session.** Motion by Schlabach to return to open session at 8:08 p.m. Second by Kreis. Vote. Ayes: Wayson-Kisling, Hinshaw, Kreis, Schlabach. Nay: None. Motion Carried. Motion by Schlabach to approve a 6% salary increase for FY25 for Police Chief Gray. Second by Kreis. Vote. Ayes: Wayson-Kisling, Kreis, Schlabach. Nay: Hinshaw. Motion Carried.

**Adjournment**

Motion by Kreis. Second by Schlabach to adjourn at 8:10 p.m. Vote. Ayes: Wayson-Kisling, Kreis, Hinshaw, Schlabach. Nays: None. Motion Carried.

**City of Marengo Claims - 6.26.24**

<b>Fund Name</b>	<b>Fund</b>	
General Fund	001	32,361.34
Road Use Tax Fund	110	4,772.14
Pool Renovation/Donations	312	351,298.05
May & Franklyn Storm Box	343	2,711.02

Water Fund	600	40,239.51
Water System Improvements	604	39,211.00
Sewer Fund	610	4,925.25
Storm Sewer Fund	740	649.14
	<b>Total:</b>	<b>476,167.45</b>

<u>Pavee</u>	<u>Amount</u>	<u>Description</u>
PAYROLL	<b>26,202.42</b>	6/21/2024
<b>EFT Payments</b>		
<b>EFT TOTAL:</b>	<b>0.00</b>	
ACCO	39,211.00	Filter Media Project-PW
Alliant Energy	10,982.60	Electric
Amazon Capital Business	68.68	Stamp/Paper/Staples-CH/PD
City of Marengo Petty Cash	76.15	June 2024 Petty Cash-2-PW/PD
Commerical Recreation Specialists	79,874.00	Play Structure-Pool
Cummins Sales & Services	905.66	Generator Maintenance-PW
Duncan Parking Technologies, Inc.	1,052.58	Tickets-PD
Galls, Inc.	403.09	Uniforms-PD
HACH Company	2,749.35	Water Plant Supplies-PW
Hometown Current	40.00	FY25 Subscription-CH
Iowa County Recorder	34.00	Recording Fee-Cemetery
JEO Consulting Group	7,182.50	Marengo Pool Design-Pool
Macqueen	917.34	Jet Vac-PW
Marco Technologies, Inc.	185.08	Copier Lease-CH
Marengo Post Office	742.00	June 2024 Postage-PW/CH
Microbac Laboratories, Inc.	136.00	Drinking Water Analysis-PW
North English Little League	50.00	Boys Tournament-MRC
Portzen Construction, Inc.	264,241.55	Payment #7-Pool
R.E.I.C.-Iowa County Landfill	17,653.75	Q1 2024-2025 Landfill Fee
Racom Corporation	6,424.85	Cameras/Battery-PD
REC	85.13	Welcome Sign Electric
River Products Company, Inc.	2,711.02	Rock-May Street Project
Staples	137.98	Filing Cabinet-PW
TruGreen Commercial	225.00	Spray-Park
Utility Service Co., Inc.	34,897.86	Tank Cleaning-PW
Veenstra & Kimm, Inc.	1,330.25	Engineering
Victor Lumber	1,063.44	Lime-MRC
VISA	2,213.19	June 2024 Charges-PD/CH/PW
Windstream Iowa-Comm, Inc.	334.72	Internet/Phones
WMPF Group, LLC	238.68	Publications
<b>CHECK TOTAL:</b>	<b>476,167.45</b>	

<b>LIBRARY TOTAL:</b>	<b>0.00</b>	
<b>GRAND TOTAL:</b>	<b>502,369.87</b>	

**Claims Total - Payroll & EFT's**                      **\$476,167.45**

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Adam Rabe, Mayor

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Attest: Karla Marck, City Administrator