

City of Martensdale
Regular City Council Meeting Minutes
June 7, 2022

Mayor Prichard called the meeting to order.

Members present: Scott Henson, Travis Berger, Deb Hutchison, and Matt Gideon.

Members absent: Eric Hughes.

The agenda was approved by Henson; seconded by Hutchison. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

Mayor Comments: Mayor Prichard stated this was the city regular June meeting, he welcomed everyone and said the visitors could speak during the open forum. Attorney Robert Stuyvesant was present and Jason VanAusdall, Martensdale city inspector was present. The city attorney said the visitors could speak during the citizen comments.

The consent agenda was presented, which included the May 2, 2022, minutes, May 2022 payables and receipts; May 2022 payables, and April 2022 financials were presented. Henson had a change to the May minutes. M. Gideon made a motion to approve the consent agenda with the change to the minutes; seconded by T. Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

Clerk's Report: No report.

Maintenance Report: Zach Wood said the water tower maintenance is completed.

Discussion and Possible Approval of Additional Expenses: None.

Fire Report: Fire Chief Henson stated there were 6 fire calls, 13 EMS calls, and 1 storm call.

Citizen Comments: Byran Kratzer, 3817 Blue Stem Road, Norwalk, IA was present to discuss the inspection of the building he has purchased the building at 325 Hwy. 28 in Martensdale, IA. He stated he did not believe anyone on the city council wanted this his building to be completed. He stated there was no demolish permit on the city's website when he looked for it and then it was on the website a week later. Mr. Kratzer spoke to V&K Engineering, Mr. VanAusdall employer and was told Jason would no longer be in Martensdale and that Mr. Kratzer could keep the concrete pads. Mr. VanAusdall stopped by the building at 325 Hwy. 28 and asked if the owner was going to fill out the proper permits. A stop work order was placed on the building by Jason VanAusdall. Mr. Kratzer asked how he could have a special meeting and if we could have it tomorrow. Mayor Prichard said the city would need to make sure they had enough city council members present and the city attorney. He told Mr. Kratzer to contact city hall to set up a special meeting.

Don Hedberg, 572 – 50th Ave., Prole, IA was present. He stated when he purchased the building previously at 325 Hwy. 28, he had nothing but problems with the building inspector, Jason VanAusdall. Mr. Hedberg stated when he heard Mr. VanAusdall was involved, he had to get involved. He said he had Jason removed as the building inspector after he hired an attorney. He stated he has had people who wanted to lease the building and purchase it, but he wanted someone who would have a good business and that would be good for Martensdale, he felt Mr. Kratzer was the right person. Mr. Hedberg said he feels bad for the new owner. Mr. Hedberg asked what's the hang up, is it just the permit? He also stated that Mr. Kratzer needed to hire an attorney.

John Ralls, 227 Walnut Dr., Martensdale, IA was present stating that there is nothing in the Martensdale code to have a demo permit. Mr. Ralls said Martensdale is against Mr. Kratzer and the City is going against the law and could be sued, and that the City Attorney would not be able to help them.

Peggy Halterman, 1025 Hwy. 28, Prole, IA was present. She asked the council about a rumor she has heard about making her property wetlands. Mayor Prichard stated it certainly is a rumor since no one on the city council has ever spoke about making any property wetlands. She asked for the code number asking for a demo permit that Mr. Kratzer is required to take out. She said the building that was being torn down was almost completed and now it is very dangerous especially if children get into it. She asked if someone gets hurt in that building who would be responsible. Ms. Halterman said she has materials blowing into her yard from the building. She asked the city council to let Mr. Kratzer at least clean the building up.

Dave Dunley, 7409 SW 9th St., Des Moines, IA was present and stated he and Bryan were at the building clean up the materials that had blown around and Mr. VanAusdall called and asked if they were working on the building. He said they were harassed by Mr. VanAusdall.

Mr. Kratzer stated he was never notified of this meeting. Mayor Prichard stated he was told the mayor would see if he could set up a special meeting for Mr. Kratzer, but that Jason VanAusdall would be present. Bryan Kratzer told the mayor if Jason was in attendance he would not attend.

Deborah Yana, 870 Burr Oaks, West Des Moines, IA was present stated she heard about the restaurant and stated it is sad that small cities must preserve whatever they have, she had never heard of Martensdale before and said it was sad the building had been empty so long. She hopes the city council will see it the restaurant will benefit the town. She feels the restaurant would draw people to the city and she would certainly come to eat at the restaurant. She felt Martensdale was a very nice small town and she felt safe coming to the city. She thanked Bryan.

John Ralls thanked Mayor Prichard for the way he was running the meeting.

Mayor Prichard thanked Mr. Ralls and said no one sitting at the city council table is against the restaurant, but the city council wants to make sure it is being done correctly. Mayor Prichard said a compliance asbestos report needs to be completed by a certified person and a demo permit filled out correctly. To discuss anything further a public hearing will have to be set.

A 2-mile radius request from Duane Proudfit, Et Al (Parcel F) NW ¼ of NW ¼ of Section 35, T76 N, R 25 W, Warren County Iowa; and (Parcel T) NW ¼ of SW ¼ of Section 10, T 76N, R 25 W, Warren County, Iowa was presented. Henson made a motion to approve the 2-mile request; seconded by Hutchison. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

A 2-mile radius request from Roy L. and Alberta A. Seymour Trust, (Parcel H) SW ¼ of Section 26, T 76N , R25 W, Warren County, Iowa was presented. Berger made a motion to approve the 2-mile request; seconded by Gideon. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

The 28E Agreement between the City of Norwalk and the City of Martensdale was presented. City Attorney Robert Stuveysant stated he would prepare a resolution for the 28E agreement, Gideon made a motion to approve the 28E Agreement between the City of Norwalk and the City of Martensdale; seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

The 28E Agreement between Warren County Fire and EMS Assn. and the City of Martensdale was presented. Hutchison made a motion to approve the 28E Agreement Warren County Fire and EMS Assn. and the City of Martensdale; seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

The city clerk presented DanLee tobacco/nicotine/vapor permit. Henson made a motion to approve the permit; seconded by Hutchison. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

There was discussion on fining residents who will keep their lawns cut. The city attorney stated in our ordinance, 50.02 Sub 9, residents can be fined on a municipal infraction, Code 50.06 fine for \$750.00.

There was discussion regarding a resident whose lawn is out of control every year. The attorney stated State code 657.A could apply to that home and what the city can do.

The new sewer pumps were discussed. The new cost would be 297,500.00. The city clerk will contact Nick at the USDA and inquire on a SRF loan and CDBG Grant to see what financing is available.

There was discussion on residents with sump pumps going into the city lines. McClure did smoke the lines previously. The city council asked to contact McClure and see who has their sewer lines going into the city lines.

There was discussion on residents having more than 3 dogs and when letters are sent, they will not sign for the letter. The city council said to have the sheriff serve the letter to the residents.

Henson made a motion to go into a closed session regarding Iowa Code No; 21.5 (c); seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

Henson made a motion to come out of the closed session regarding Iowa Code No.21.5 (c); seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

No action taken at this time on the closed session.

There was discussion when a special meeting could be held for Byran Kratzer if he requests one. June 22 was the best date for everyone to be able to attend.

The next city council meeting will be July 11, 2022, at 6:00 p.m.

Gideon made a motion to adjourn; seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hutchison, Aye, and Gideon, Aye. Mayor Prichard declared the motion carried unanimously.

Mayor Brad Prichard

Donna Bahun, City Clerk

**City of Martensdale
May 2022- Disbursements**

Brad Prichard (phone reimburse), 50.00
Zach Wood (phone reimburse), 50.00
Donna Bahun (phone reimburse), 50.00
Donna Bahun (salary), 1,860.69
Zach Wood (salary), 1,333.29
Zach Wood (salary), 1,333.29
US Postmaster (stamps), 238.00
Randy Crow (extra help), 135.00
Central IA Pest Control (city-fire dept.), 95.00
Martin Marietta (gravel East St.), 215.52
Des Moines Water Works (lab analysis), 16.05
Martin Marietta (East St.), 212.47
Core & Main (hydrant extension), 659.00
Cappel's Ace Hardware (supplies), 7.49
Windstream (city hall), 216.37
AT&T (long distance), 36.38
MidAmerican Energy (utilities), 956.10
Iowa State Bank (fire bond payment), 26,045.01
Wellmark (Zach insurance), 454.56
IRS (Donna Zach-federal taxes), 1,955.49
IPERS (Zach-Donna), 1,091.40
Wex Bank (city fuel), 324.06
Warren Water (water purchase), 3,110.80
USDA (sewer loan-sewer acct.), 2,780.00

**Martensdale Rescue Dept.
May 2022 - Disbursements**

Verizon (phone), 12.90
Verizon (ipad), 35.01
Iowa Fire Chiefs' Assn. (dues), 50.00
Linde Gas (oxygen), 83.08
Wex Bank (fuel), 281.07

City of Martensdale

May 2022 - Revenues

Water-sewer collections, 1,317.61
Water-sewer collections, 2,295.58
Frye (permit), 25.00
Water-sewer collections, 2,191.40
Water-sewer collections (DOT), 99.69
Water-sewer collections (DOT), 139.24
Water-sewer collections, 2,191.40
Warren County (property taxes), 6,746.14
Jefferson Twp. (fire), 1,478.05
Water-sewer collections, 4,480.92
Water-sewer collections, 1,008.02
Water-sewer collections, 3,475.94
State of Iowa (street construction), 2,417.75
State of Iowa (1 cent tax), 4,586.64
Water-sewer collections, 4,042.20
DanLee (tobacco permit fee), 75.00
Water-sewer collections, 641.41