

City of Martensdale
City Council Meeting Minutes
May 8, 2023

Mayor ProTem Hutchison called the meeting to order.

Members present: Scott Henson, Travis Berger, Eric Hughes and Matt Gideon.

Members absent: Mayor Prichard.

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

The consent agenda was presented, April 3, minutes, the April 2023 payables and receipts, the May 2023 payables and the March 2023 financials were presented. Berger made a motion to approve the consent agenda; seconded by Gideon. On a roll call vote: Henson, Abstained; Berger, Aye; Hughes, Aye; and Gideon, Aye. Mayor ProTem Hutchison declared the motion carried unanimously.

Clerks Report: None.

Maintenance Report: Zach said for March there was a 26% water loss. M. Gideon looked at the bill from Warren Water and calculated a price we were paying Warren Water which was fairly low, but we are still losing water throughout the city.

Fire Report: Chief Henson stated they were 17 EMS calls, 10 fire calls and 1 storm.

There was discussion regarding a 2-mile radius request by Jon Wiegert for Wiegert Disposal. PLAT OF SURVEY OF PARCEL "A" O PORT OF THE SOUTHWEST 1 / 4 OF THE SOUTHWEST 1 / 4 OF SECTION 22, TOWNSHIP 76, RANGE 25 WEST OF THE 5TH P.M., WARREN COUNTY, IOWA, INCLUDING A TRACT DESCRIBED IN WARRANTY DEED BOOK 241 PAGE 132-133, SAID PARCEL DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22: THENCE N 00° 11 '33" E, ALONG THE WEST LINE OF THE SOUTHWEST 1 / 4 OF SOLD SECTION 22, A DISTANCE OF 102.22' TO THE POINT OF BEGINNING; THENCE CONTINUING N 00°11 '33" E O DISTANCE OF 837.53' TO THE CENTER OF THE OLD CHANNEL OF THE MIDDLE RIVER; THENCE N 88°56'16" E, ALONG SOLD CENTER, A DISTANCE OF 358.80'; THENCE S 28°38'16" E A DISTANCE OF 666.73'; THENCE N 89°47'59" W A DISTANCE OF 109.90'; THENCE S 00°04'17" W A DISTANCE OF 215.41'; THENCE S 89°31'41" E O DISTANCE OF 109.64'; THENCE S 00°08'31" W O DISTANCE OF 79.49'; THENCE S 89°13'55" W A DISTANCE OF 327.76; THENCE ALONG A 1382.50' RADIUS CURVE, CONCAVE NORTHERLY, AN ARC LENGTH OF 355.97', WITH A CHORD BEARING OF N 83°23'55" W, AND A CHORD LENGTH OF 354.98' TO THE POINT OF BEGINNING. CONTAINING 10.97 ACRES INCLUDING 0.25 ACRES OF RIGHT OF WAY EASEMENT.

Gideon made a motion to approve the Jon Wiegert 2-mile radius; seconded by Hughes. On a roll call vote: Henson, Aye; Berger, Aye; Hughes, Aye; and Gideon, Aye. Mayor ProTem Hutchison declared the motion carried unanimously.

There was discussion regarding a 2-mile radius request by HUB LLC. LEGAL DESCRIPTION – PARCEL 'G' - ALL THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 OF THE NE1/4) OF SECTION 18, TOWNSHIP 76 NORTH, RANGE 25 WEST OF THE 5TH PM, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE EAST QUARTER (E1/4) CORNER OF SAID SECTION 18; THENCE NORTH 89°58'50" WEST ALONG THE SOUTH LINE OF THE NE1/4 OF SAID SECTION 18, A DISTANCE OF 2172.06 FEET; THENCE NORTH 00°34'16" EAST, A DISTANCE OF 39.66 FEET TO A RIGHT-OF-WAY RAIL, ESTABLISHED BY THE IOWA DEPARTMENT OF TRANSPORTATION, FOR THE RIGHT OF INTERSTATE HIGHWAY NO. 35, AS IT IS PRESENTLY ESTABLISHED; THENCE NORTH 72°19'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 449.32 FEET; THENCE NORTH 02°37'18" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1163.62 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02°37'18" EAST, AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 316.49 FEET; THENCE NORTH 89°52'36" EAST, A DISTANCE OF 382.86 FEET; THENCE SOUTH 25°21'30" WEST, A DISTANCE OF 107.88 FEET; THENCE SOUTH 34°48'35" WEST, A DISTANCE OF 75.30 FEET; THENCE SOUTH 40°13'35" WEST, A DISTANCE OF 70.91 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHWESTERLY A DISTANCE OF 85.15 FEET ALONG THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 141.93 FEET AND A CENTRAL ANGLE OF 34°22'31" TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY A DISTANCE OF 26.04 FEET ALONG THE ARC OF SAID CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 797.71 FEET AND A CENTRAL ANGLE OF 1°52'12"; THENCE SOUTH 89°52'36" WEST, A DISTANCE OF 226.45 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY, AND THE POINT OF BEGINNING, ALL CONTAINING 2.17 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RESTRICTION OF RECORD.

LEGAL DESCRIPTION – PARCEL 'H' - ALL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 OF THE NE1/4) OF SECTION 18, TOWNSHIP 76 NORTH, RANGE 25 WEST OF THE 5TH PM, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE EAST QUARTER (E1/4) CORNER OF SAID SECTION 18; THENCE NORTH 89°58'50" WEST ALONG THE SOUTH LINE OF THE NE1/4 OF SAID SECTION 18, A DISTANCE OF 2172.06 FEET; THENCE NORTH 00°34'16" EAST, A DISTANCE OF 39.66 FEET TO A RIGHT-OF-WAY RAIL, ESTABLISHED BY THE IOWA DEPARTMENT OF TRANSPORTATION, FOR THE RIGHT OF INTERSTATE HIGHWAY NO. 35, AS IT IS PRESENTLY ESTABLISHED; THENCE NORTH 72°19'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 449.32 FEET; THENCE NORTH 02°37'18" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 754.69 FEET, TO A POINT OF REFERENCE ON SAID RIGHT-OF-WAY LINE; THENCE NORTH 89°52'36" EAST, A DISTANCE OF 181.45 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°52'36" EAST, A DISTANCE OF 365.48 FEET; THENCE SOUTH 31°50'04" WEST, A DISTANCE OF 444.34 FEET; THENCE NORTH 50°23'46" WEST, A DISTANCE OF 238.29 FEET; THENCE NORTH 18°54'21" EAST, A DISTANCE OF 108.26 FEET; THENCE NORTH 11°31'44" EAST, A DISTANCE OF 73.40 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 172.66 FEET AND A CENTRAL ANGLE OF 16°50'04"; THENCE NORTHERLY ALONG SAID CURVE, A DISTANCE OF 50.73 FEET TO THE POINT OF BEGINNING, ALL CONTAINING 2.11 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

LEGAL DESCRIPTION – ROAD EASEMENT - A 40-FOOT PRIVATE ROAD EASEMENT ALL LYING WITHIN THE WEST ONE-HALF (W1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 18, TOWNSHIP 76 NORTH, RANGE 25 WEST OF THE 5TH PM, WARREN COUNTY, IOWA, WITH THE CENTERLINE OF SAID ROAD EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER NE1/4) OF SAID SECTION 18, POINT ALSO KNOWN AS THE EAST QUARTER CORNER (E1/4); THENCE NORTH 89°58'50" WEST, ALONG THE CENTER EAST-WEST SECTION LINE OF SAID SECTION 18, A DISTANCE OF 2172.06 FEET; THENCE NORTH 00°34'16" EAST, A DISTANCE OF 39.66 FEET TO A HIGHWAY RIGHT OF WAY RAIL; THENCE NORTH 72°19'23" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 301.74 FEET TO THE POINT OF BEGINNING; THENCE NORTH 25°00'35" WEST, A DISTANCE OF 56.81 FEET; THENCE NORTH 40°12'35" WEST, A DISTANCE OF 43.44 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 251.77 FEET AND A CENTRAL ANGLE OF 68°06'31" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 03°34'34" WEST, 281.97 FEET; THENCE NORTH 30°28'41" EAST TANGENT TO SAID CURVE, A DISTANCE OF 100.00 FEET; THENCE NORTH 18°54'21" EAST, A DISTANCE OF 237.25 FEET; THENCE NORTH 11°31'44" EAST, A DISTANCE OF 73.40 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 172.66 FEET AND A CENTRAL ANGLE OF 31°04'21" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 04°00'30" WEST, 92.49 FEET; THENCE NORTH 19°32'34" WEST, A DISTANCE OF 25.03 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE CONCAVE TO THE EAST, HAVING A RADIUS OF 124.05 FEET AND A CENTRAL ANGLE OF 45°52'42" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 03°23'44" EAST, 96.70 FEET TO A POINT OF REVERSE CURVATURE, CURVE IS NOW CONCAVE TO THE WEST HAVING A RADIUS OF 797.71 FEET AND A CENTRAL

ANGLE OF 20°29'01" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 16°05'32" EAST, 283.67 FEET TO A POINT OF REVERSE CURVATURE, CURVE IS NOW CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 141.93 FEET AND A CENTRAL ANGLE OF 34°22'31" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 23°02'20" EAST, 83.88 FEET; THENCE NORTH 40°13'35" EAST TANGENT TO SAID CURVE, A DISTANCE OF 70.91 FEET; THENCE NORTH 34°48'35" EAST, A DISTANCE OF 75.30 FEET; THENCE NORTH 25°21'30" EAST, A DISTANCE OF 107.88 FEET; THENCE NORTH 20°33'40" EAST, A DISTANCE OF 102.12 FEET TO THE POINT OF TERMINUS.

Henson made a motion to approve the 2-mile radius request by HUB LLC; seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hughes, Aye; and Gideon, Aye. Mayor ProTem Hutchison declared the motion carried unanimously.

Resolution 05.01.2023 Setting a public hearing date of June 5 was set by the City Council of the City of Martensdale, Iowa on the Matter of the Proposed Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$71,000 Sewer Revenue Capital Loan Notes, and the Public Hearing on the Authorization and Issuance Thereof. Gideon made a motion to set June 5, 2023 as the public hearing date; seconded by Berger. On a roll call vote: Henson, Aye; Berger, Aye; Hughes, Aye; and Gideon, Aye. Mayor ProTem Hutchison declared the motion carried unanimously.

The second reading of Ordinance 03.01.2023, An Ordinance Amending the Code of Ordinances of the City of Martensdale, Iowa by Amending Provisions Pertaining to Water Service Rates was presented. Gideon made a motion to approve Ordinance 03.01.2023; seconded by Hughes. Mayor ProTem Hutchison declared the motion carried unanimously.

Gideon made a motion to waive the 3rd hearing on Ordinance 03.01.2023; seconded by Hughes. On a roll call vote: Henson, Aye; Berger, Aye; Hughes, Aye; and Gideon, Aye. Mayor ProTem Hutchison declared the motion carried unanimously.

There was discussion on fees the city will have to pay to V&K for the building at Hwy. 28. The city council asked the city clerk to contact the city attorney and get his recommendation and then contact Jason, the building inspector at V&K.

June 5, 2023 was set as the next city council meeting.

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

Mayor ProTem Hutchison

Donna Bahun, City Clerk

These city council minutes are a draft copy and have not been approved by the city council members.

April 2023 Disbursements

4/1 Brad Prichard (phone reimburse), 50.00
4/1 Zach Wood (phone reimburse), 50.00
4/1 Donna Bahun (phone reimburse), 50.00
4/1 Donna Bahun(salary), 1,917.59
4/7 Zach Wood (salary), 2,054.80
4/21 Zach Wood (salary), 2,054.80
4/6 Indianola Independent (publications)
4/6 Veenstra & Kimm, 56.25
4/6 IA Assn. of Municipal Utilities (2023-24 dues), 667.00
4/6 Central IA Pest Control (city hall-fire dept.), 105.00
4/6 Cappel's Ace Hardware (supplies), 39.99
4/6 Plaza Printers (envelopes, mailing), 483.00
4/6 Home Depot (shop heater), 2,478.80
4/14 Windstream (pump), 73.12
4/14 Windstream (city), 215.72
4/14 AT&T (pump), 39.99
4/27 Windstream (fire), 218.40
4/27 Mid-American (utilities), 1,044.53
4/27 US Postmaster (stamps), 414.00
Auto payments
4/10 Warren Water (water purchase), 3,335.20
4/11 IRS (Donna-Zach taxes), 2,486.67
4/12 IPERS (Donna-Zach), 1,416.35
4/17 IA Dept. of Revenue (1st quarter state tax), 1,839.00
4/21 IA Dept. of Revenue (March sales tax), 956.68
4/21 IA Dept. of Revenue (March WET tax), 820.01
4/23 Wex Bank (fuel), 263.13
4/28 USDA (sewer payment), 2,780.00

April 2023 Revenues

4/7 Water-sewer collections, 871.31
4/12 State of Iowa (DOT water-sewer), 1,251.11; 101.67
4/14 Jefferson Township (fire), 22,642.42
4/14 Warren County (property taxes), 58,100.87
4/15 True Solar (permit), 75
4/15 McMahan Industries (building permit), 25.00
4/15 Clerk of Warren Co. Court (municipal infraction fee), 695.00
4/17 Water-sewer collections, 4,006.53, 5,328.56
4/21 State of Iowa (street construction), 4,716.09
4/21 Water-sewer collections, 5,101.18, 3,655.47
4/26 Water-sewer collections, 2,961.09
4/28 Water-sewer collections, 2,409.93
4/28 State of Iowa (1 cent tax), 3,578.75

April 2023 Fire Dept. Disbursements

4/6 Electronic Engineering, 532.69
4/6 Scott Henson (reimburse-gas), 27.24
4/6 Verizon (ipad), 35.01

Auto payments

4/23 Wex Bank (fuel), 254.57
4.23 Linde Gas (oxygen), 104.04