

REGULAR SESSION

April 12, 2023

The Essex City Council met in regular session at the Essex Community Room at 7:00 PM. Mayor Kinney called the meeting to order and roll call was taken showing the following members of the Council present or absent. Present: Ballinger, Eshelman, Franks, Thornton, Wenstrand. Absent: none. City Attorney Sorensen and City Clerk Ohnmacht were also present.

The Agenda was approved. Motion by Franks, second by Wenstrand. Ayes: All.

Guests present: Diane Liljedahl, Brian Steinkuehler, Heidi Hertensen, Lori Johnson, Dennis Gresham, Lyl Ellis, Tracey Ellis, Becki Franks, Tara Sample, Beau Sample, Jeremy Schmidt, and Patty Perry.

Public Comments: Lyl Ellis spoke in favor of urban chickens. Lori Racine requested trash cans in park be fastened down. She also spoke against urban chickens. Lori Johnson spoke against urban chickens.

Brian Steinkuehler informed the Council how liability insurance should be requested from potential renters of the Opera House. He also explained how the sale of alcohol would need to work.

Approval of Opera House rules and rates. Motion by Eshelman, second by Thornton. Ayes: All.

Public Hearing: Budget Estimate for the Fiscal Year beginning July 1, 2023 – Ending June 30, 2024 was opened by Mayor Kinney. No written or oral comments or objections were received. The public hearing was closed.

Approval Resolution 2023 – 18: Adopting of Annual Budget for the Fiscal Year July 1, 2023 – June 30, 2024. Motion by Ballinger, second by Wenstrand. Ayes: All.

Public Hearing: Sale of 707 Omaha Avenue was opened by Mayor Kinney. No written or oral comments or objections were received. The public hearing was closed.

Approval Resolution 2023 – 20: Lot for Sale. Motion by Wenstrand, second by Franks. Ayes: All.

Public Hearing: Resolution to Establish Scheduled Civil Penalty for Animal Protection and Control was opened by Mayor Kinney. No written or oral comments or objections were received. The public hearing was closed.

Approval first reading Resolution 2023 – 11: Establish Scheduled Civil Penalty for Animal Protection Control. Motion by Eshelman, second by Wenstrand. Ayes: All.

Approval to waive second and third reading. Motion by Franks, second by Ballinger. Ayes: All.

Approval to adopt Resolution 2023 – 11: Establish Scheduled Civil Penalty for Animal Protection Control as Ordinance 2023 – 1. Motion by Eshelman, second by Thornton. Ayes: All.

Construction of 2022 Sanitary Sewer Rehabilitation:

- Public Hearing on the matter of adoption of plans, specifications, and form of contract and estimate of cost of construction was opened by Mayor Kinney. No written or oral comments or objections were received. The public hearing was closed.
- Approval Resolution adopting plans, specifications, form of contract and estimate of costs. Motion by Ballinger, second by Wenstrand. Ayes: All.
- Consideration of construction bids
- Approval Resolution Designating Low Bidder. Motion by Franks, second by Ballinger. Ayes: All.
- Approval Resolution making award of construction contract. Motion by Eshelman, second by Thornton. Ayes: All.

Acceptance of monthly police report: March 5, 2023 – April 8, 2023. Motion by Wenstrand, second by Thornton. Ayes: All.

Acceptance of delinquent utilities report. Motion by Thornton, second by Wenstrand. Ayes: All.

The water tower report and repair were discussed.

Approval of hiring of temporary summer help Danielle Miller. Motion by Eshelman, second by Thornton. Ayes: All.

Approval of 2 year of fertilization and aeration contract with Turk Tek. Motion by Wenstrand, second by Eshelman. Ayes: All.

Urban chickens were discussion Motion to continue to pursue rules for chickens by Thornton. Second by Eshelman. Ayes: Eshelman, Thornton. Nays: Ballinger, Franks, Wenstrand. Motion failed.

Approval Resolution 2023 – 12 Chapter 151 Trees. Motion by Franks, second by Wenstrand. Ayes: All.

Approval Resolution 2023 – 13: Setting Wages for Employees of the city of Essex for Fiscal Year 2023 – 2024. Motion by Wenstrand, second by Franks. Ayes: All.

Approval Resolution 2023 – 14: Proposing Amending Chapter 92 by Amending Section 92.02 Provisions Pertaining to Water Service Charges and 92.04 Service Discontinued. Motion by Wenstrand, second by Ballinger. Ayes: All.

Approval Resolution 2023 – 15: Proposing Amending Chapter 106 by Amending Section 106.07 Provisions Pertaining to Collection Fees for the Collection and Disposal of Solid Waste. Motion by Ballinger, second by Eshelman. Ayes: All.

Approval Resolution 2023 – 16: Transfer of Funds for Lied Public Library. Motion by Franks, second by Wenstrand. Ayes: All.

Approval Resolution 2023 – 17: Setting the Wages for Employees of the City of Essex. Motion by Eshelman, second by Thornton. Ayes: All.

Approval of property purchase proposal of 705 Burlington Avenue from Jeremy Schmidt and Patty Perry in the amount of \$800.00. Motion by Franks, second by Eshelman. Ayes: All.

Discussion of bid from Blacktop services. Tabled until May.

Public Comments on Agenda Items: Dennis Gresham asked about ordinance allowing farm animals with permit. Lori Johnson thanked council for reaching out to the community. Diane Liljedahl thanked the Council for all of the support on the Opera House project.

Approval of Consent Agenda: Minutes: March 8, 2023, March 20, 2020, March 23, 2023; Treasurer's Report: March 31, 2023; Abstract of Claims: March 9, 2023 – April 12, 2023. Motion by Wenstrand, second by Thornton. Ayes: All.

Sorensen reported to the council on the acquisition of the property for the water tower. He updated the Council on property acquisition on South Avenue, working on 28E Agreement for shared position, and continues to work on South Avenue nuisance.

Council updates: Ballinger discussed planting of flower pots. Eshelman reported state level discussion on urban chickens. Mayor Kinney reported that generator project at the school should be complete by June 1st. There are 14 meters left to be replaced. Updated the Council that water tower project needed to be completed by May 2027 to secure the low interest funding the City has qualified for.

Good News:

- Jeff – thankful water tower project is complete and is labeled “structurally sound”.
- Betty – clean-up day with the school went well. The students did a good job!
- Patti – after 32 years at Earl May – started new job at the hospital
- Nicole – planting season has started good. Easter Egg Hunt had a great turn out
- Heather – Labor Day planning has started.
- Calvin – granddaughter celebrated her first birthday
- Mahlon – working on moving his office
- Mary – excited to have the prom banquet at the Opera House

Adjournment at 8:34 PM. Motion by Ballinger, second by Eshelman. Ayes: All.

Mayor, Calvin L. Kinney

ATTEST:

City Clerk, Mary A. Ohnmacht