

REGULAR SESSION

November 12, 2025

The Essex City Council met in regular session in the Essex Community Room at 6:00 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, Gresham. Absent: Wenstrand-Larson. City Clerk Catherine Moore and City Attorney Sorensen were also present.

The agenda was approved. Motion by Franks, second by Eshelman. Ayes: All.

Motion to enter closed session pursuant to Iowa Code Section 21.5(i) to prevent injury to reputation and upon the request of the individual that may be affected by and for closed session 6:00pm Motion by Ballinger, second by Franks. Ayes: All. Returned to open session at 6:58pm, Motion by Gresham, second by Franks. Ayes: All

Members of the public present: Kathy Silvestre, Tim Moyer, Kevin Naico, Sarah Franks

Public Comments: None

Tim Moyer-Planning and Zoning, Had thought about why it was 2 years later he was bringing up the ADA ramp at the opera house, to which he told the council he did tell the mayor 2 years ago and was told it didn't need to be ADA since it wasn't those funds being used nor was it beginning rented or advertised as ADA accessible. Mayor Kinney did confirm that is the information he had at the time but had recently learned that information was not correct and that all city owned buildings must comply and that the city is working on fixing the issue. Tim feels after reviewing there is plenty of room to make the corrections and is happy to give his input when the time comes to get it fixed correctly.

Public Hearing: Golf cart ordinance 82.04 resolution 2025-29 opened at 7:14pm there were no comments closed at 7:15pm

Approval of first reading ordinance 82.04, resolution 2025-29. Motion by Eshelman, second by Gresham. Ayes: All

Waive 2nd and 3rd reading ordinance 82.04, resolution 2025-29. Motion by Eshelman, second by Gresham. Ayes: All

Approval of ordinance 82.04, resolution 2025-29 Motion to adopt by Eshelman, second by Gresham. Ayes: All

Public Hearing: Parking Ordinance 69.05, resolution 2025-28 opened at 7:16pm Tim Moyer asked who enforces and was told council is no has the authority to enforce. Sarah asked about the bar and people who drink too much leaving their car instead of driving. The council said exceptions could be made and considered giving them extra permits for those situations. Closed at 7:21pm

Approval of first reading Parking ordinance 69.05, resolution 2025-28 Motion by Eshelman, second by Franks. Ayes: All

Waive 2nd and 3rd reading ordinance 69.05, resolution 2025-28 Motion by Eshelman, second by Franks. Ayes: All

Approval of parking ordinance 69.05, resolution 2025-28 Motion to adopt by Eshelman, second by Ballinger. Ayes: All

Resolution 2025-32 Transfer of Funds general to perpetual Motion by Eshelman, second by Franks. Ayes: All

FOIA Request for video, the city had received a FOIA request for video from an incident at the city park, the concern is that there are multiple minors in said video and they wanted to verify with the city attorney to make sure it was allowed. City attorney Sorensen said with other minors in said video and concern for how or where video could be posted/viewed that the city should require the requestor to gain written permission from the other minors' parents to allow the city to release said video and that they had been allowed to view the video just not received a copy.

Acceptance of monthly Page County Sheriff's report October 1, 2025 – October 31, 2025. Motion by Franks, second by Gresham. Ayes: All

Acceptance of delinquent utilities report. Motion by Ballinger, second by Greham. Ayes: All

Approval of 2024 water system improvements: Approval of tax exemption certificate. Motion by Ballinger, second by Eshelman. Ayes: All.

Approval of 2024 water system improvements: Approval resolution authorizing the issuance of \$2,701,000 water revenue capital loan notes anticipation project note, series 2025. Motion by Franks, second by Ballinger. Ayes: All.

EYS Approval of resignations, unable to do as we did not receive minutes prior to the meeting

EYS Approval of Jena Bowers as board secretary. Motion by Franks, second by Eshelman. Ayes: All.

Fire department approval of new member Dalton Larson. Motion by Franks, second by Eshelman. Ayes: All.

Public comments on agenda items, None

Approval of consent agenda. Minutes: October 8, 2025, October 13, 2025, October 22, 2025; Treasurer's Report October 31, 2025; Abstract of Claims October 9, 2025 – November 12, 2025. Motion by Gresham, second by Eshelman. Ayes: All.

City attorney updates, North Street property close to asking for judgment, 303 Brooks has a December 1st hearing set. 300 Forbes buyer had second thoughts and seems to have fallen through, but they are listing and looking for new buyer, but he wants the city to file a claim on the estate to make sure we get delinquent utilities and shut off replacement taken care of if/when the property sells.

Jeff on closing the gate at the brush pile he doesn't like it being closed early so people cannot get down there after work. Dennis has been closing it after dark to help it stay open longer but would like the council to create a schedule, so everyone takes a turn so it's not all on one person. Jeff agreed he could help this year as he has more availability than in the past. Moore said she talked to camera guys and camera can be moved up with a lift and have a better view of the entire pile, Jeff said he can help with getting a lift. Council would like to start charging tree trimming service to dump trees, it has become an issue of them dumping a lot and they are very large trees. They also want them to sign a waiver when doing work for the city if they damage anything (sidewalks, etc), they are responsible for repairs. Calvin thanked everyone for their support and his reelection and said going forward he wants to hold employees and council to a higher standard. He also invited Kevin to sit in on budget meetings coming up to help him to see how the process works. At 8:01pm council member Franks had to leave the meeting.

Good News:

- Jeff – At midnight was booking a cruise!
- Betty – Absent
- Cathy – Got new siding on house
- Dennis – Going to KC this weekend to take grandkids to traveling Titanic museum
- Nicole – Absent
- Patti – Gets to watch her football team.
- Calvin –Wanted to give Tess props for getting a grant to pay for all of a battery backup for the emergency siren which is close to 12,000.
- Mahlon –Cough is not as bad as Patti
- Adjournment at 8:06pm. Motion by Ballinger, second by Eshelman. Ayes: All.

Mayor, Calvin L. Kinney

ATTEST:

City Clerk, Catherine Moore