

**MORAVIA CITY COUNCIL
SPECIAL MEETING
TUESDAY, FEBRUARY 25, 2020**

A special meeting of the Moravia City Council was called to order by Mayor Roy Miller at 5:00 PM on Tuesday, February 25, 2020, at Moravia City Hall. In addition to Mayor Miller, those present were Councilpersons Ken Martin, John Baty, George Bob Robinson, Don Havard, and Sheila Kirby. Sharla Stogdill, Kevin Benell, Tim Simpson, Jessi Nicoletto, Georgia Smith, Ashley Snow, Terra Walker, Paul Simpson, Veronica Simpson, Carol Cloyed, Willie Lewis, Sam Kirby, and Marcia Benjamin were also present. Terri McCoy attended via telephone speaker. The meeting opened with a prayer by Ken Martin and the Pledge of Allegiance.

Motion by Havard and seconded by Robinson to approve the agenda. Roll Call Vote: Martin-Aye, Baty-Aye, Robinson-Aye, Havard-Aye, Kirby-Aye. Motion carried.

Comments from the public – Sam Kirby told the Council the Moravia Betterment Committee is applying for a tourism grant and if they receive it are considering purchasing fans for the stage at Fall Festival or new lights on poles at park.

Motion by Baty and seconded by Kirby to open the Public Hearing for the Proposed Property Tax Levy at 5:04 PM. Roll Call Vote: Martin-Aye, Baty-Aye, Robinson-Aye, Havard-Aye, Kirby-Aye. Motion carried. Mayor Miller requested questions or comments from the public and received none. Mayor Miller asked if anyone had been asked questions or received any comments and there were none. Motion by Martin and seconded by Kirby to close the Public Hearing for the Proposed Property Tax Levy at 5:05 PM. Roll Call Vote: Martin-Aye, Baty-Aye, Robinson-Aye, Havard-Aye, Kirby-Aye. Motion carried. Motion by Baty and seconded by Havard to approve and adopt Resolution #4-2020 – Maximum Property Tax Dollars of the City of Moravia, Iowa for FY 2020/2021 as \$151,440. Roll Call Vote: Martin-Aye, Baty-Aye, Robinson-Aye, Havard-Aye, Kirby-Aye. Resolution approved and adopted.

Motion by Robinson and seconded by Baty to approve and adopt Resolution #5-2020 to set the date, time, and location of the public hearing for fiscal year 2020/2021 city budget for Moravia as Tuesday, March 17, 2020, at 5:00 PM at the Moravia Municipal building. Roll Call Vote: Martin-Aye, Baty-Aye, Robinson-Aye, Havard-Aye, Kirby-Aye. Resolution approved and adopted.

Moravia Fire Department by-laws were reviewed and discussed. Councilman Baty said he would not approve less than four years of experience in a fire department for the Fire Chief position. He had talked to two other fire departments and they required five years on the job experience. On the residency section of the by-laws, he wanted it spelled out what “reasonable circumstances applied” meant. He also wanted the section of the by-laws about members coming to the council with concerns to say they can come at any time and feel safe without any repercussions. Members of the fire department voiced concerns that a person with less years of experience does not necessarily mean you went to less fires. They pointed out Jason Snow was put in an office position before he had his time in. They also stated that in any job, you can have one year of experience and be better than someone that did the job for five years. They stated Tim Simpson has more training than any of them, approximately 180 hours in the last year. Councilman Robinson asked Tim if he had ever done a live entrance and Tim stated he has and he has trained with the Ottumwa Fire Department at his job. Councilman Robinson also said he would not accept less than four years of experience for the Fire Chief position because the City is liable. They are weakening the by-laws. Paul Simpson said he did not think even four years of experience was enough. He has spoke with seven of the members that are Fire Fighter I. Five of the seven say this is a bad idea. Ashley Snow expressed concern about the department crumbling. Concern about recruiting members and the number of fire fighters available during the day was discussed. Fire department members stated that by the time they have another election, Tim Simpson will have three years of experience. Councilman Kirby asked Tim if he felt the other fire fighters would follow him and listen to his orders. Tim felt they would. Mayor Miller asked if a member of the council or himself should attend the next fire department meeting on March 2. He reiterated the department has to get along and they have to reach a happy medium. We all have to work together. Safety of the department is the #1 concern. The fire department welcomed any council member and the mayor to attend any meeting. A copy of Iowa Code 400.13 was given to all council members by Mayor Miller. The Iowa code states the chief of a fire department shall have had a minimum of five years’ experience in a fire department, or three years’ experience in a fire department and two years of comparable experience or educational training. Councilman Baty is finding out the definition of “two years of comparable experience or

educational training” from the State Fire Marshall’s office. Council wants the fire department to amend their by-laws to what the Iowa code requires and spell out the experience and training segment once we find out more information from the State Fire Marshall. By-laws must also state the chief has to live in the fire district and leave out the portion about “within reason.” By-laws must also change the wording about members who have concerns to say they can come at any time to the City Council and feel safe without any repercussions and do not have to follow the chain of command. The by-laws need to be re-written and will be discussed at the Fire Department meeting on March 2. The Fire Department by-laws will be put on the March 10 city council meeting agenda and the Fire Department election will be put on the March 17 city council special meeting agenda. Council stated their decision for Paul Simpson to be the acting fire chief in the interim still stands.

Water/Sewer Project Update – The draft compliance schedule for the sewer was discussed. French-Reneker will be contacted to attend the March 10 council meeting. Municipal Supply invoices were not received.

Council Discussion Items – Council requested the plank be removed by Agriland/Paul Mihalovich property. Alliant Energy is removing old cable lines on Church Street and eventually will take poles down. Kids were playing basketball at Trussell Park and drove down to the court ignoring the sign that says no vehicles beyond this point. Railing needs to be put up when weather allows and rock. More was discussed about removing old water meters from residences. Mayor Miller talked to other towns and they only changed out the old meters if the owner requested it. A draft of a resolution for the old meters was reviewed. Councilman Robinson stated the meters are our property. More research needs to be done and tabled for later discussion.

Mayor Info and Discussion Items – Mayor Miller discussed conflicts of interest for municipalities and information was included in council packets. He has received four anonymous complaints from people about conflicts of interest with the fire department and some council members. Everyone on the council can be in trouble for it. The property the city acquired at 305 Milwaukee was discussed. It looks like more junk has been added to the property. Roy will talk to Carl Moffatt about it. Roy reported a citizen tripped and fell over a water pit. Council wants dirt filled in around the pits as soon as possible. We had a request for an urn burial on top of a casket at Hillcrest Cemetery. Council agreed by consensus to allow it. Unauthorized burials at Hillcrest were discussed. A letter has been sent to a funeral home that proper procedure must be followed for burials. The use of the council room after city hall is closed was discussed. Council agreed by consensus to allow it. Room needs to be left in clean condition. Fire contracts with townships were discussed and will be investigated at a later date.

Motion by Havard and seconded by Baty to adjourn at 6:36 PM. All Ayes. Motion carried.

/s/ Roy Miller, Mayor

Attest:

/s/ Sharla Stogdill, City Clerk/Treasurer