

REGULAR MEETING, November 14, 2023

The regular meeting of the Wyoming City Council was held November 14, 2023, at Wyoming City Hall. Council members present were Huston, Leonard, Taylor and Harms. Absent Lee Scott. Staff present: Michaud and Dirks.

Visitors per Agenda; Nick Boge and Brandi Boge

Visitors: Travis and Kelly Ballou, Ginger Thomas, Tom Clark, Nate Lehrman, Katy Balichek, Sheri and Dean Osterkamp, IA DNR Shane Dodge and Sherriff Greg Graver.

Mayor Agnitsch called the meeting to order at 7 p.m.

Moved by Taylor seconded by Harms to approve the consent agenda. Roll call vote. Aye-Huston, Leonard, Taylor, Harms. Motion carried.

11/14/2023

ADVANTAGE TREE	CALKINS	\$3,397.34
AFLAC	STD.	\$456.05
ALLIANT	ALL UTIL.	\$4,402.90
ALLIANT	ALL UTIL.	\$4,480.33
AMAZON	CALKINS	\$147.96
WOODWARD	LEGALS	\$75.45
BACKYARD GRD	CALKINS	\$338.00
BARNHART	CALKINS	\$5,410.00
BLADE PEST	CALKINS	\$150.00
CA STATE	EMPL GARN	\$546.25
CA STATE	EMPL GARN	\$146.25
CASEY'S M.C.	CITY SUPP	\$135.50
CHEM RIGHT LAB	WA/SW	\$541.00
CITY	UTILITIES	\$771.01
CITY	WA/SW TRNS	\$16,594.33
D. CARSTENSEN	LIBRARY	\$50.00
ECICOG	NUISANCES	\$900.00
J. D. FINANCIAL	CALKINS	\$958.96
GEHL LAWN	CALKINS	\$200.00
GREENWOOD	CALKINS	\$1,897.23
HAWKINS	CHEM.	\$211.17
HOLIDAY INN	CLERK TRAIN	\$336.00
IDR	WA EXCISE TAX	\$807.65
IDR	SALES/WA TAX	\$207.19
IPERS	RETIREMENT	\$2,200.95
IRS	FED/FICA	\$2,998.65
IA RURAL WATER	DUES	\$305.00
J. OBERBRECKLING	WHMC	\$457.18

J. C. AUDITOR	WHMC	\$100.00
J. C. SOLID WASTE	DUES	\$653.75
J. HITE	CALKINS	\$400.00
KLUESNER SANITATION	CONTRACT	\$3,444.00
KOCH	CITY	\$76.73
LYNCH DALLAS LEGALS		\$663.50
M. WHITMARSH	CALKINS	\$400.00
MIDLAND AMB	CALKINS	\$200.00
QCANALYSTIC	SW LABS	\$48.00
QUILL	CITY SUPP	\$90.66
R. DIRKS	MLG	\$119.38
COMMAND	SECURITY	\$62.00
S. HINRICHSSEN	CITY	\$75.00
SOPER	CALKINS	\$1,001.71
S. WALLACE	CALKINS	\$200.00
T. MICHAUD	MLG	\$265.08
THOMAS MOWING	CALKINS	\$875.00
USA B.B.	WA SUPP	\$450.29
U.S. CELLULAR	CELL SERV	\$300.00
U.S. CELL	PHONE	\$27.14
USDA	WA LOAN	\$866.00
U. E. CO.	WA SUPP	\$627.20
VISA	CITY/LIB SUPP	\$1,727.96
VISA	CALKINS	\$110.11
WELLMARK	COBRA INS	\$2,310.43
WELLMARK	COBRA INS	\$2,310.43
WELLMARK	EMPL INS	\$6,401.42
WYO. AUTO	ST SUPP	\$11.99
WYO. TELE	TELEP.	\$874.04
		\$73,814.17
GENERAL		\$14,459.95
LIBRARY REG		\$1,308.97
WHMC		\$733.46
CALKINS		\$16,592.50
CALKINS B.		\$1,200.00
ROAD USE		\$5,381.83
WATER		\$10,980.80

WATER S FUND	\$866.00
SEWER	\$22,287.09
STORM SEWER	\$3.57
TOTAL FUNDS	\$73,814.17

Rev & Exp October 2023

Funds	Revenues	Expenses
General	\$77,064.37	\$14,459.95
Library Reg	\$3,530.33	\$1,308.97
Library Spec.	\$0.39	
WHMC	\$3,969.16	\$733.46
Calkins	\$68.62	\$16,592.50
Calkins B.	\$1,302.66	\$1,200.00
ARP	\$28.13	
Econ Dev	\$643.60	
Road Use	\$5,871.76	\$5,381.83
Trust & Agency	\$14,675.76	
Emergency Levy	\$1,671.94	
L. O. S. Tax	\$4,639.84	
TIF	\$9,627.48	
Rohwedder Trust	\$189.76	
Water	\$15,961.30	\$10,980.80
Water Dep.	\$300.00	
Water S Fund	\$2,841.00	\$866.00
Sewer	\$26,794.72	\$22,287.09
Sewer S Fund	\$13,753.33	
Storm Sewer	\$336.23	\$3.57
Total Funds	\$183,270.38	\$73,814.17

Visitors Nick and Brandi Boge submitted video evidence and testimony concerning nuisance smoke from Tom Clarks Outdoor Wood Furnace, Boge's asked council to deny Clark's permit request noting he had not applied for a permit before installing a new outdoor furnace as required per ordinance, Boge's stated they had reported this nuisance multiple times with no action from the city for 14yrs. Neighbors Travis and Kelly Ballou and Ginger Thomas and Boge family members Sheri and Dean Osterkamp also shared quality of life, environmental, and health concerns about Clark's outdoor wood furnace. IA DNR agent Shane Dodge also provided input, including citing Wyoming ordinance pertaining to Boge's right to quality of life, previous years reports, and complaints filed concerning Clark's furnace, Dodge stated the next step could be an air quality check cost \$3,000-\$5,000 paid for by Clark. Council member Craig

Taylor reported per a request from Nick Boge, he visited Boge's house and witnessed smoke in the house and yard coming from Clark's furnace. Tom Clark stated he did not realize he needed a new permit and provided information on the new outdoor wood furnace. Clark had recently raised the chimney and requested council approve his permit submitted to the city on 11/14/23. Evidence was provided by Boge of smoke still present in his house and yard after the stack had been raised. Council directed Clark to stop using the outdoor furnace by Sunday 11/19/23. Moved by Houston second by Leonard to deny Clark's furnace permit. Aye- Huston, Leonard, Taylor, Harms. Motion carried.

Moved by Houston second Leonard to approve Resolution for Urban Renewal Report. Aye- Huston, Leonard, Taylor, Harms. Motion carried. Clerk assigned Resolution #2206. Moved by Taylor second Leonard to approve Resolution for 2025 TIF certification. Aye- Huston, Leonard, Taylor, Harms. Motion carried.

Clerk assigned Resolution #2207. Moved by Taylor second by Harms to approve wages for librarian Brenda Vacek. Aye- Huston, Leonard, Taylor, Harms. Motion carried. Clerk assigned Resolution #2208

Moved by Taylor second by Harms to approve wages for Sheri Tjaden as needed starting December 1st. Aye- Huston, Leonard, Taylor, Harms. Motion carried.

Clerk assigned Resolution #2209

Moved by Huston second by Leonard to approve health insurance with Welmark with rate increase city pays 100% of rate. Aye- Huston, Leonard, Taylor, Harms. Motion carried. Clerk assigned Resolution #2210

Moved by Taylor second by Leonard to approve appropriation of funds to Glenwood Equities. Aye- Huston, Leonard, Taylor, Harms. Motion carried. Clerk assigned Resolution #2211

Moved by Huston seconded by Harms to approve extension for nuisance abatement and clean-up of 404 E Main St until November 30<sup>th</sup>. Aye- Huston, Leonard, Taylor, Harms. Motion carried.

Moved by Huston seconded by Taylor to Approve Midland Council of Churches Bake Sale at City Hall during Christmas City Celebration. Aye- Huston, Leonard, Taylor, Harms. Motion carried.

Motion to approve rental inspection program by ECICOG, motion tabled until December waiting for more information and input from the public at November 29<sup>th</sup> meeting.

Motion to approve Special public meeting to discuss Current and ongoing nuisance abatements and rental inspection program, date set for November 29<sup>th</sup> at 7pm, at Memorial Hall.

Clerk discussed request for nuisance extension received today from Debra Brundage concerning property located at 105 E Main St., request was not on agenda, council unable to approve extension request, will discuss at November 29<sup>th</sup> meeting.

Clerk reported on the state of junk semi-trailers owned by Lou Somerville and located on Larry Bearce property. Bearce property to be auctioned November 24th, clerk notified auctioneer, "Bearce had received certified nuisance letter from city attorney, if sold trailers must be immediately removed or brought into compliance." If needed, the council will consider motion concerning Somerville's trailers after auction.

Treasurer reported: Attending budget class, will begin budget in December. Utility billing credit limits, council and mayor recommended forwarding to city attorney for review.

Items on next agenda: 105 E Main St., Debra Brundage requesting extension for nuisance repair and payment of city property assessments.

New council members, and credit cap for UB.

Moved by Huston seconded by Harms to adjourn at 8:17 p.m. All aye. Motion carried.

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Steve Agnitsch, Mayor

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Attest: Tami Michaud, City Clerk