City of Oxford

Regular Council Meeting - August 18, 2020

7:00 p.m.- Oxford City Hall

A regular meeting of the Oxford City Council was brought to order by Mayor Penny Jenn at 7:00 p.m., August 18, 2020 at the Oxford City Hall. Council present: Vicki Kasper, Pat Lewis, Margaret Reihman, Brian Cooling and David Cook. Absent: None. Clerk absent for COVID quarantine. Meeting recorded.

Motion Lewis, second Kasper to approve the printed clerk’s report. Ayes: Cooling, Cook, Lewis, Reihman and Kasper. Motion carried.

Motion Kasper, second Cooling to approve the printed minutes with noted typo corrections for the regular meeting of July 14, 2020. Ayes: Cook, Reihman, Lewis, Kasper and Cooling. Motion carried.

Motion Lewis, second Kasper to approve printed accounts payable. Ayes: Kasper, Cooling, Lewis, Reihman and Cook. Motion carried.

Citizen Forum: Mayor Penny Jenn welcomed comments from the public.

EMT Leader - (Amanda Wallace) 205 N Augusta. Amanda said she has answered two calls by herself. 2/3 of EMT members have left and 3 volunteers remain with the Oxford Volunteer Emergency Medical Team.

Amanda Wallace - 131 E State. Amanda expressed that she thought the Mayor had indicated no repercussions regarding the fire department happening. Mayor Jenn said she had not reopened the matter. Amanda said she felt asking about the status of the EMT was a reopening of the Fire Department matter. Mayor Jenn said she did not know how the changed EMT volunteers affected Oxford and had tried to learn more at the county EMT. People of the community have asked these questions. Amanda at a previous meeting had said the EMT response time would be delayed with loss of volunteers, and that volunteers would probably resign if the council did not approve a lack of confidence in Mayor Jenn. Mayor Jenn said she had been trying to fulfill approved ordinances of the city. Wallace said the Mayor had denied her an agenda item. The Mayor responded that to be placed on the agenda, an item of action needed to be presented, and she had not heard an item. Mayor Jenn asked Wallace what she wanted on the agenda. Amanda responded that she wanted Mayor Jenn out of office.

Ray and Sally Ceynar indicated that they had wanted to know how these resignations impacted response to EMT calls. Ray wanted to know if the Mayor was responsible for volunteers resigning and would it be her fault if volunteers resigned. Mayor Jenn said she didn’t think she could control the sign on of people who volunteer to help the community.

No report from Johnson County Sheriff Department.

Fire Chief, Jim Hennes provided a written report that the 120-brush truck has been repaired and is back in service. 107 calls provided in previous year. Mayor Jenn reported that the required finance report for year ending July 31, 2020 from the Fire Department was not included in report.

Library report provided by Twyla Morlan.and Librarian, Megan Dial present to answer questions. Morlan reported very successful summer program that included Make and Take projects that could be picked up at The Depot.

Public Works hustled to keep generator at water system, sewer system and two lift stations running during the three-day outage of the 2020 Storm Derecho. Public Works Nathan asked if a diesel and/or gas storage could be obtained for such times. Brett Mehman is working with Public Works Nathan to keep all state required tests completed as last day for Public Works Mark Struzynski was Friday, August 13, 2020. Mayor Jenn thanked all volunteers who had helped in clearing of roadways and city frontages. The Storm Derecho has brought down extensive tree, limbs and some home damage. Neighbors had helped one another during the storm outage. Mayor Jenn thanked Mike and Alex Cox and many others for help after storm. Mayor Jenn that anyone needing assistance should contact the city and the Mayor and Clerk would try to help in any way possible.

Lisa Olson reported that the Board of Adjustment is needing three new members and asked that new volunteers be found for this.

Motion Kasper, second Reihman to increase fee for Brett Mehmen by $400.00 for water and sewer training time for the new person replacing Public Works Mark Struzynski. Ayes: Cook, Cooling, Kasper, Lewis and Reihman. Motion carried.

Motion Reihman, second Kasper that the meeting minutes for May 15, 2020 be clarified and approved upon recommendation and counsel of the city attorney. Ayes: Lewis, Kasper, Cooling, Cook and Reihman. Motion carried. As follows:

The Motion to go into closed session is in accordance with Iowa Code 21.5(1)(h): To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law. The motion to execute what was talked about in closed session is clarified and should state as follows: Motion to talk to fire chief regarding relevant City ordinances, to continue forward with the investigation and possible charges regarding alleged theft, and to request reimbursement for costs associated with alleged theft.

Motion Lewis, second Reihman to approve an Informal Resolution signed by Toni Cooling and the Oxford City Council. Ayes: Lewis, Kasper, Cooling, Cook, and Reihman. As follows:

INFORMAL RESOLUTION 20FC:0058 Toni Cooling/Oxford City Council On June 10, 2020, Toni Cooling filed formal complaint 20FC:0058, alleging that the Oxford City Council (Council) violated Iowa Code chapter 21 at a meeting on May 15, 2020. She stated that the Council held a closed session without complying with Iowa Code section 21.5. A review of the minutes shows that the Council agenda listed “#3. According to Iowa Code 2001: Section 21.5 Council will be going into closed session.” The unapproved minutes from the meeting indicate that a closed session was held, but does not provide the reason for the closed session. The Council’s response to the complaint is that the closed session was to discuss a law enforcement issue. Iowa Code section 21.4(1)(a) requires that the agenda for a meeting be “reasonably calculated to apprise the public” of the items to be discussed at the meeting. Iowa Code section 21.5(2) requires that “the reason for holding the closed session by reference to a specific exemption under this section shall be announced publicly at the open session and entered into the minutes.” The Council did not follow the requirements of Iowa Code chapter 21 when holding the May 15, 2020, closed session. The Iowa Public Information Board (IPIB) accepted the formal complaint on July 16, 2020, as to the violation of Iowa Code section 21 and specifically 21.5, violation of the requirements for holding a closed session. Pursuant to Iowa Code 23.9, the parties negotiated and reached an informal resolution. The parties agree to the following terms: 1. The Council will acknowledge that the requirements for holding a closed session were not properly conducted. 2. At an open meeting, the Council will amend the minutes of the May 15, 2020 meeting to state the provision of Iowa Code chapter 21.5(1) used to enter into closed session and to clarify the action taken in open session immediately following the closed session. 3. The Council or City Clerk shall develop a checklist for holding a closed session. 4. The Council shall conduct training for all Council members and city officials on Iowa Code chapters 21 and 22 (Sunshine Laws). The Council may utilize the powerpoint training available on the IPIB website. The City shall work with the city attorney or retain the assistance of the Iowa League of Cities to provide the training to the Council and staff. 5. The Council shall approve this resolution during an open meeting and include the full text in the minutes of said meeting. Said minutes shall be provided to the IPIB. The terms of this informal resolution will be completed within 60 days of acceptance by all parties. Upon showing proof of compliance, the IPIB shall dismiss this complaint as successfully resolved.

Council reviewed L.L. Pelling proposed street work in the amount of $88,923.60. Pat Lewis has reviewed the proposed work by walking each street. Cook asked if the Mayor would look into curb and gutter costs. Motion Reihman, second Kasper to approve the $18,953.40 of work recommended by Lewis for completion and review further for additional streets needing work. Ayes: Cooling, Kasper, Cook, Reihman, and Kasper. Motion carried.

Discussion regarding the need for dog tags for helping with vaccinations for rabies. Public suggestion for improvements for resident’s dogs such as a fenced dog park. Mayor reported addressing dangerous dogs in the city. Cook said the dogs of his neighborhood had moved away, so his problem was gone.

Committee Lewis and Cook interviewed prospective new employee for Public Works with recommendation. Motion Lewis, second Cook to approve hire of Justin Fields for the position of Public Works an hourly rate of $23.00/hour. Ayes: Kasper, Lewis, Cook, Reihman and Cooling. Motion carried.

Discussion on tree grants, and information provided by Vicki Kasper on MidAmerican application.

Mayor reported that appliances can be removed at a cost of $20.

Motion Cook, second Cooling to adjourn. Motion carried. 8:40 p.m.

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