

CITY OF POMEROY
PUBLIC HEARINGS
MINUTES

September 9, 2024

OPENING OF PUBLIC HEARING: called to order at 6:00 P.M. by Mayor Cynthia Loots

Roll Call: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Absent: none.

Pledge of Allegiance

Public Hearing: Proposed sale of real estate 111 Ontario St. Mayor Loots stated the City paid fifteen hundred dollars for an appraisal of the Community Building, from Kesterson Realty and Appraisal, which was for \$104,000. She consulted with the City attorney and confirmed the purchase price from Byron Stuart was within the margin of error and could not be considered as “gifting property.” She went on saying that the last development in town was in the mid 70’s with the Care Center, Community Building and the Mini Mall, which was in the early 1980’s. Mayor Loots said the Catholic Church Hall will be rentable as a temporary community building. More information regarding the process will be available in the next two weeks. Per the County Auditor voting will remain at Byron’s for this year’s election and then a new location will be found. She thanked B Stuart for hosting his band and stated she has enjoyed them. Mayor Loots stated a strategic planning session was held last week with fifteen in attendance, and they plan to meet again in the coming weeks.

Public Comments: Dustin Thompson talked about the school building coming down and that he thinks the City needs a new Community Building, whether the building is sold or not. Kerstin Lyon stated that the eight shows at the Community building so far have had 20-60 people in attendance and everything that is offered is on a free will donation. She also stated the Council was voted in by the people in town, they deserve respect and have a job to do, you don’t have to get along just because you don’t agree. Tom Brandt from Spencer said he has been coming to Byron’s since 2017 and his music has saved him and improved his health. He stated music brings people together and heals them and he doesn’t understand why anyone would want to see a business close. Marita Erwin from Sac City said there are scientific studies that will tell you the importance of music and Byron has built a worldwide musical community. She said people that might not ever come to Pomeroy do because of his unique business and that Byron is loyal to his hometown. Clint Riedel stated he moved into town because of Byron’s Bar and playing music at the bar and hopes the town allows him to keep that going. Maria Farrell of Lawton stated she has spent over 12K coming to Byron’s shows over the last 3 years between the bar, gas, dollar store, merchandise and even camping. She emphasized the financial impact the bar has had and the business it brings to the Pomeroy community. Steve Erwin of Sac City stated no he is not a resident in town, but he does patronize several places in town because of coming to Byron’s and hopes the Council sells the building to Byron Stuart. Steve Ross of Pocahontas said he tried to move to town, but C Riedel bought the house he was looking at. He wanted to move closer to Byron’s and that he has been coming here for five years. He stated that if he refers to Pomeroy people say “oh that’s where Byron’s is,” and the Pomeroy has an opportunity for new growth “if we build it they will come.” Dave Hern said the 100k from Byron could jump start the building of a new fire station and community building and that Byron’s would be a great loss to the town. He said Byron has offered to host gatherings for anyone and asked the Council to vote to sell. Mike Feldhans said he didn’t plan to speak but he has been coming to Byron’s since 2003. He said he brings friends to Pomeroy for Byron’s bar if it wasn’t for him, he wouldn’t be stopping in town, to him it’s a slam dunk no brainer sell to Byron. Dave Nelson from Alta said he tried to get Byron to move his

business out of Pomeroy because of the lack of building opportunity, but Byron is loyal to Pomeroy and refused to move out of town. Mayor Loots thanked everyone for coming and said that she has had a lot of repercussions from this She thanked D Gray for bringing her to Byron's bands.

Close Public Hearing: 6:55 P.M.

CITY OF POMEROY
REGULAR CITY COUNCIL MEETING
MINUTES

September 9, 2024

REGULAR CITY COUNCIL MEETING:

Call to Order: called to order at 6:55 P.M. by Mayor C Loots.

Roll Call: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Absent: none.

MAYOR AND COUNCIL COMMENTS: Mayor Loots had a meeting with J Kramer PAC superintendent and S Boysen PAC school board member regarding a government grant program to offer food for kids in during summer break. Mayor Loots also meet with the library board and shared with them a meeting held the week before regarding strategic planning.

APPROVAL OF AGENDA: D DeVore made a motion, seconded by M Becker, to approve the agenda. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried.

CONSENT AGENDA: A motion was made by D DeVore seconded by C Charleston, to approve the consent agenda: financials, minutes, requests, reports and bill list. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried.

PUBLIC COMMENT:

COMMITTEE REPORTS:

Community Building: The Council discussed the appraisal of the Community Building from Kesterson Appraisal. Mayor Loots read resolution #419. A motion was made by M Becker seconded by C Charleston to approve Resolution #419 authorization to execute deed for 111 S. Ontario St. to Byron Stuart. Roll call: Ayes: B Hinners, C Charleston and M Becker. Nays: B Thoma and D DeVore. Motion Carried. Mayor Loots read resolution #420. A motion was made by M Becker seconded by B Hinners to approve Resolution #420 approving quit claim deed as executed to Byron Stuart for 111 Ontario St. Roll call: Ayes: B Hinners, C Charleston, D DeVore and M Becker. Nays: B Thoma. Motion Carried.

Police Dept.: Chief Gerdes stated there were 31 calls for service, two citations, one arrest and the lost dog posted online last week was dumped here by its owner.

Nuisance Properties: Chief Gerdes stated that one of the properties currently in litigation was sold. The City Attorney recommended giving them a six-month extension to allow them to get the property in compliance with the City's nuisance code.

Fire Dept.: Fire Chief D DeVore discussed the new SCBA's and getting them fit tested. He discussed a new fire station and options for the location and size of the building.

Water/Sewer/Streets: There is a meeting Wednesday at 3pm to discuss the water plant project with ISG, Woodruff and Westech. The small raw pump from the lift station is getting repaired. D Koval suggested the City replace the loader with a backhoe and presented a bid from Zigler Cat. A motion was made by D DeVore seconded B Thoma to purchase the F430 Cat backhoe form Zigler for \$59,900. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. The Council discussed the speed sign and City Clerk Juilfs will contact the insurance company regarding replacement. D Koval presented a quote from Elemech

for the bulk water station controller, a motion was made by D DeVore seconded by B Hinners to approve the quote from Elemech for \$9,500. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. D Koval compared bids of asphalt and concrete for North Ontario St. repair and stated that with the weight of the traffic on the street asphalt would not last. He suggested having a conversation with New Coop regarding the bids. D Koval stated the hydro-vac trailer that the City has been using from Cody Rogers this summer is for sale for \$10,000 and that he found the same trailer online for \$15,000. D Koval asked the Council to add purchasing the trailer to next month's agenda. D Koval gave an update on the lead line inventory that's due next month. The Council reviewed the asbestos testing report regarding the downtown Main Street Buildings and bid for removal from August Enterprise. A motion was made by B Thoma seconded by D DeVore to approve the bid from August Enterprise for asbestos removal for 100-112 Main St. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried.

City Hall: Mayor Loots gave an update for the strategic planning meeting and plans to host another meeting. A motion was made by D DeVore seconded by M Becker to approve the agreement to permit liquor sales in the Community Building. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. A motion was made by M Becker seconded by B Hinners to transfer Byron's liquor license from 112 Main St. to 111 Ontario St. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. City Clerk Juilfs presented an example of Council rules from the Iowa League of Cities for the Council to review. A motion was made by B Thoma seconded by M Becker to approve the annual financial report for FY 2024 as presented. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. The Council had the first reading of Ordinance #244 vacating an alley. A motion was made by D DeVore seconded by B Thoma to approve the first reading of Ordinance #244 vacating the alley in block 21 of the Moody & Davy's addition. Roll call: Ayes: B Hinners, B Thoma, C Charleston, D DeVore and M Becker. Nays: None. Motion Carried. The Council discussed B Van Meter's requirement to obtain a CDL.

ADJOURNMENT: 8:27 P.M.

CASEYS	4 DEPT'S GAS CREDIT CRDS	\$	182.24
CAL CO JOURNAL HERALD	Pblc Hrg Cncl Min7-25 8-2-5-12	\$	866.10
WESTERN IOWA EQUIP	repair tractor and mower	\$	764.98
HAWKINS WATER T	Azone 15 LPC-4	\$	1,091.23
JOE'S TIRE & AUTO	Tire repair PD	\$	22.00
IA LEAGUE OF CITIES	Annual membership	\$	613.00
WINDSTREAM	Telephone & Internet	\$	649.86
NWC	CH & Campground Internet	\$	155.84
WELLMARK	Health Ins	\$	6,775.36
COLLECTION SERVICES CENTE	GARNISHMENT	\$	461.54
MMM	37.07 Tons 1 Roadstone"	\$	771.05
MIDAMERICAN ENE	Electricity	\$	5,232.68
GRAY SANITATION	255 Garbage Services	\$	2,697.50
BAKER & TAYLOR	BOOKS	\$	279.99
US POST MASTER	Water Bills and stamps	\$	245.48
IPERS	POLICE IPERS	\$	2,566.29
FIRST COMMUNITY BANK	FED/FICA TAX	\$	3,673.55
TREASURER STATE OF IOWA	Aug WET Tax	\$	1,664.64
IDNR	Annual NPDES Permit Fees	\$	210.00
CAL CO TREASURER	property taxes 415 S Ontario	\$	538.00
IMFOA	Fall Conf	\$	175.00
ISG	Water Treatment Plant	\$	2,633.06
MENARDS	Cleaning Sup Shop	\$	106.28
MATT PARROTT &	2750 Water Bills	\$	782.93
ALEX AIR APPARA	8 SCBA packs and masks	\$	34,966.00
BOMGAARS	Pump,AC,Fuel Transfer tank	\$	638.96

GENTRY HARDWARE	Light bulb Shop	\$	35.46
OBERHELMAN DALE	5th Payment Cemt Park Mowing	\$	4,857.14
DOORS INC	Keyed Cylinder for Deadbolt	\$	250.00
WERNIMONT ELECTRIC & CONS	5 balasts FD	\$	368.27
AUGUST ENTERPRISES LLC	Asbestos Inspection & Reportin	\$	4,500.00
ESSING JUDY	5 Hrs Cleaning CB & SH	\$	110.00
FIRE SERVICE TRAINING BUR	HMA & FF1 Training B Thoma	\$	100.00
BADGER METER, INC.	Beacon Hosting/Orion Cellular	\$	49.38
ACCESS SYSTEMS	Main Cont	\$	215.68
SMITTY'S GREENHOUSE	Sun Valley Maple Tree Grant	\$	251.43
CORE & MAIN	Water Locator	\$	1,989.30
BASYS PROCESSING	Campground Fees	\$	95.38
DELTA DENTAL OF IOWA	Dental Ins	\$	399.16
HARTFORD	Life.short.long.dis Ad/D	\$	161.72
SEEHUSEN HOLLY	Books	\$	17.49
FOUNDATION ANALYTICAL LAB	Drinking Water Test	\$	627.50
J & K LEASING LLC	unit 1,3&9	\$	1,473.85
POKY EQUIPMENT CO	String trim	\$	26.63
BMO HARRIS BANK	Toner.Office 365.Books.Sup Lib	\$	1,027.06
REIMER, LOHMAN & REITZ	School & Byrons attorney	\$	2,140.00
MUNICIPAL MAINTENANCE SER	Affidavit Operator	\$	900.00
AUREON	Firewall Lib	\$	125.00
KESTERSON REALTY & APPRAL	Appraisal Community Building	\$	1,500.00
PAYROLL CHECKS	PAYROLL CHECKS ON 08/20/2024	\$	6,623.33
PAYROLL CHECKS	PAYROLL CHECKS ON 09/04/2024	\$	6,028.42
	CLAIMS TOTAL	\$	102,635.76
	GENERAL FUND	\$	68,623.94
	ROAD USE FUND	\$	8,258.98
	EMPLOYEE BENEFIT FUND	\$	7,336.24
	WATER FUND	\$	12,897.69
	SEWER FUND	\$	5,518.91

Total Revenues for Aug: General Fund \$6,214.86 Special Revenue \$10,442.39 and Utility Funds \$33,950.70 Total Rev. \$50,607.95

Cynthia Loots, Mayor

Sarah Juilfs, City Clerk