

CITY OF PANORA

City Council Meeting

REGULAR MEETING MINUTES FOR MONDAY, SEPTEMBER 9TH, 2024 AT 5:30 P.M.

I. Mayor Thornberry opened the council meeting at 5:30 p.m. and called Roll. Council members present were Roger Dorr, Brian Dorsett, Tom Flanery, Blake Michelsen, and Mark Sheeder. Staff attending were Joyce Calmer-Deputy City Clerk, Doug Long-Electrical Superintendent, Matt Reising-Police Chief, and Lisa Grossman-City Administrator. The meeting was accessible electronically thru GoToMeeting as allowed by Section 21.8 of the Iowa Code.

II. Approval of Agenda – Dorr made a motion to approve the agenda, seconded by Sheeder. Motion carried unanimously.

III. Public Forum – Alli Halsey – 215 E South Street and Tricia Small – 217 E South Street requested the Council consider directing the property owners on the south side of South Street to install a sidewalk as the hill makes it dangerous for kids that go to and from Michael Mills Park. Linda and Marshall Burgess – 208 SW 2nd Street discussed issues they are having with water quality in their home and asked the council to look into it.

IV. Consent Items – Dorsett moved to approve the minutes of 08-26-24 Regular Meeting, seconded by Dorr. Motion carried unanimously.

V. Council Business

A. Mayor Thornberry introduced the first reading of an ordinance entitled “Ordinance No. 354. An Ordinance amending the City Code of the City of Panora, Iowa by adding Chapter 149 Portable Storage Containers.”

It was moved by Council Member Flanery and seconded by Council Member Dorsett that the Ordinance be now received, placed on file, and read by the City Clerk. The mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorr, Dorsett, Flanery, Michelsen
Nays: Sheeder

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Dorsett and seconded by Council Member Flanery that the statutory rule requiring an ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended and the ordinance entitled “Ordinance No. 354. An Ordinance amending the City Code of the City of Panora, Iowa by adding Chapter 149 Portable Storage Containers,” now be put upon its final consideration and adoption. The mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorr, Dorsett, Flanery, Michelsen
Nays: Sheeder

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Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. 354

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PANORA, IOWA, BY ADDING A NEW CHAPTER 149 PORTABLE STORAGE CONTAINERS

BE IT ENACTED by the City Council of the City of Panora, Iowa;

SECTION 1. Chapter 149 Portable Storage Containers of the Panora Code of Ordinances, is added and reads as follows:

CHAPTER 149

PORTABLE STORAGE CONTAINERS

149.01 Definitions

149.03 Commercial Property

149.05 Stacking

149.07 Compliance

149.02 Residential Property

149.04 Industrial Property

149.06 Good Repair

149.01 DEFINITION.

“Portable storage container” is defined as a container fabricated for the purpose of transporting freight or goods on a truck, railroad, railcar, or ship, including cargo containers, steel cargo containers, shipping containers, freight containers, portable storage containers, cargo boxes, sea vans, or storage units that are placed on private property and used for storage of clothing, equipment, goods, household or office fixtures, furnishings, construction materials, and merchandise.

149.02 RESIDENTIAL PROPERTY.

1. The use of portable storage containers on a property used for residential purposes is prohibited.

149.03 COMMERCIAL PROPERTY.

1. Portable storage containers are prohibited on a property used for commercial purposes.

149.04 INDUSTRIAL PROPERTY.

1. The use of a portable storage container is permissible on an industrial/manufacturing property, provided the portable storage container is not stored on public right-of-way, in a fire lane, in the front of the property, or in any area visible from a public street.
2. No portable storage container shall be placed or located in any aisle or driving lane, fire lane, public utility easement, or public right-of-way, including streets, sidewalks, and parking.
3. All portable storage containers will require a building permit.

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149.05 STACKING.

1. Portable storage containers may not be stacked on top of one another, and stacking of any other materials on top of or around any storage containers shall be prohibited in all districts.

149.06 GOOD REPAIR.

1. Portable storage containers must be kept in good repair and be secured against unauthorized entry and comply with any state and local health regulations.
2. A portable storage container is not in a state of good repair when it is incapable of being moved intact, contains holes in the container due to damage or rust, cannot be secured against unauthorized entry, or has become infested with vermin, insects, or other pests.
3. A portable storage container that has deteriorated and is no longer in a state of good repair must be removed immediately.

149.07 RESIDENTIAL USE.

1. A portable storage container may not be used as a dwelling or living quarters.
2. A portable storage container may not be used for camping, cooking, or recreational purposes in any district.

149.08 COMPLIANCE.

1. A portable storage container existing on any property in the city on the date of final passage of this ordinance shall either be removed from the property or brought into compliance with the provisions of this ordinance within ninety (90) days of the ordinance's effective date.

SECTION 2. REPEALER. All ordinances or parts of ordinances that conflict with this ordinance is hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged as invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after the later to occur of its final passage, approval and publication as provided by law.

PASSED AND APPROVED _____ 2024.

Curtis Thornberry, Mayor

Attest:

Mayor Curtis Thornberry

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Lisa Grossman, City Administrator

CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 354 was published as required by law on the ____ day of ____ 2024.

SIGNED _____
Lisa Grossman, City Administrator

B. Sheeder made a motion to open a public hearing on adopting by reference the 2021 Edition of the International Codes and other related building codes, seconded by Dorr. The motion carried unanimously. Mayor Thornberry asked if there were any comments. Hearing none, he then asked if any comments had been submitted, Administrator Grossman replied where were none. Hearing none, Mayor Thornberry asked for a motion to close the public hearing. Dorsett made a motion to close, seconded by Flanery. The motion carried unanimously.

C. Mayor Thornberry introduced the second reading of an ordinance entitled "Ordinance No. 356. An Ordinance to repeal Chapter 144 of the Municipal Code of the City of Panora, Iowa and to adopt by reference the 2021 Edition of the International Codes (I-Codes) and more specifically the International Building Code, the International Residential Code, the International Existing Building Code, the International Fuel Gas Code, the International Mechanical Code, the International Property Maintenance Code, The International Fire Code, the 2021 Uniform Plumbing Code as adopted by the State of Iowa, the International Plumbing Code, the 2012 International Energy and Conservation Code, and by reference the National Electrical Code as currently used by the State of Iowa, NFPA 58, and NFPA 54 to regulate the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, heights, area and maintenance of buildings and structures, including installation of mobile, manufactured and modular homes; to provide for the issuance of permits and collection of fees; and to provide penalties for violations."

It was moved by Council Member Dorr and seconded by Council Member Michelsen that the Ordinance be now received, placed on file, and read by the City Clerk. The mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorr, Dorsett, Flanery, Michelsen, Sheeder

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Flanery and seconded by Council Member Dorsett that the statutory rule requiring an ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended and the ordinance entitled "Ordinance No. 356. An Ordinance to repeal Chapter 144 of the Municipal Code of the City of Panora, Iowa and to adopt by reference the 2021 Edition of the International Codes (I-Codes) and more specifically the International Building Code, the International

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Residential Code, the International Existing Building Code, the International Fuel Gas Code, the International Mechanical Code, the International Property Maintenance Code, The International Fire Code, the 2021 Uniform Plumbing Code as adopted by the State of Iowa, the International Plumbing Code, the 2012 International Energy and Conservation Code, and by reference the National Electrical Code as currently used by the State of Iowa, NFPA 58, and NFPA 54 to regulate the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, heights, area and maintenance of buildings and structures, including installation of mobile, manufactured and modular homes; to provide for the issuance of permits and collection of fees; and to provide penalties for violations,” now be put upon its final consideration and adoption. The mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorr, Dorsett, Flanery, Michelsen, Sheeder

Nays: None

Whereupon, the Mayor declared that with the public hearing being held in accordance to Iowa Code 380.10, the motion duly carried, and the ordinance duly adopted by reference.

ORDINANCE NO. 356

AN ORDINANCE TO REPEAL CHAPTER 144 OF THE MUNICIPAL CODE OF THE CITY OF PANORA, IOWA AND TO ADOPT BY REFERENCE THE 2021 EDITION OF THE INTERNATIONAL CODES (I-CODES™) AND MORE SPECIFICALLY THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL FIRE CODE, THE 2021 UNIFORM PLUMBING CODE AS ADOPTED BY THE STATE OF IOWA, THE INTERNATIONAL PLUMBING CODE, THE 2012 INTERNATIONAL ENERGY AND CONSERVATION CODE, AND BY REFERENCE THE NATIONAL ELECTRICAL CODE AS CURRENTLY USED BY THE STATE OF IOWA, NFPA 58, AND NFPA 54 TO REGULATE THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS AND STRUCTURES, INCLUDING INSTALLATION OF MOBILE, MANUFACTURED AND MODULAR HOMES; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PANORA, IOWA:

SECTION 1. The ordinance is published in its entirety in Chapter 144 of the City Code available to view at www.cityofpanora.com.

SECTION 2. REPEALER. All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect

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the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged as invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after the later to occur of its final passage, approval and publication as provided by law.

PASSED AND APPROVED _____ **2024.**

Curtis Thornberry, Mayor

Attest:

Lisa Grossman, City Administrator

CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 356 was published as required by law on the ____ day of ____ 2024.

SIGNED

Lisa Grossman, City Administrator

D. The disposition of Officer Porsch's vest was discussed as he has taken a job with the Washington Sheriff's office. The vest is tailored to the officer and would not be utilized by the city. Washington Sheriff's office is willing to purchase the vest for 40% of the original cost, which was \$879.00. Sheeder made a motion to sell the vest to the department for a cost of \$351.60, seconded by Dorr. With the roll being called, the motion carried unanimously.

E. Chief Reising presented an additional pay proposal for the open days that cannot be covered by part time officers during the process to hire and train a new officer. He proposed a per day pay rate of \$180, to be split between Chief Reising and Officer Armstrong when they split a 24-hour shift. If either officer works the full 24-hour shift outside of their normal schedule, the officer would then be credited the full rate of \$180. Dorr made a motion to approve, seconded by Sheeder. With the roll being called, the motion carried unanimously.

VI. Financials.

A. Michelsen moved to approve the bills payable, seconded by Flanery. With the roll being called, the motion carried unanimously.

B. Dorr moved to approve the monthly financials, seconded by Dorsett. With the roll being called, the motion carried unanimously.

VII. Information Items. Administrator Grossman provided a verbal report to the Council. Chief Reising provided a verbal report to the Council. It was noted a Public Safety Committee meeting would be held directly after the conclusion of the City Council Meeting.

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Mayor Thornberry asked for a motion to adjourn. Flanery made a motion to adjourn at 6:02 p.m., seconded by Dorr. With the roll being called, the motion carried unanimously.

Curtis Thornberry, Mayor

ATTEST:

Lisa Grossman, City Administrator