

City of Boyden  
Minutes of Monthly Council Meeting, May 11, 2020

Mayor Laryl Koerselman called the meeting to order at 5:30 p.m.

Mayor Koerselman announced that we were only allowing 10 people in the council chamber due to the COVID pandemic. There was a TV set up in the hallway with video and audio of the meeting for anybody that couldn't be in the room.

Council members present were Robin Jungers, Dale Winter, Kim Ochsendorf, and Nathan Alexander.

Justin Beukelman was present as a citizen of Boyden and did not sit on council during the meeting.

Others present were Sioux County Officer Stan Oostra, Deryck Hoogendoorn, Alex Hoogendoorn, Stacy Denekas, Bob Koerselman, Brent Steven and city employees Blake Snieder and Tami Kamies.

Mayor Koerselman opened the public hearing for the FY20 Budget Amendment at 5:30 pm. Winter introduced Resolution 2020-12 to approve the annual budget amendment for fiscal year ending June 30, 2020. There were no citizens present for the budget amendment public hearing. There were no oral or written comments regarding the budget amendment. Ochsendorf seconded the motion to adopt the Resolution 2020-12. The roll call vote was 4-0. Mayor Koerselman closed the public hearing at 5:32 pm.

All parties involved in the hearing regarding Deryck & Alex Hoogendoorns dog were in agreement that the hearing could be started earlier than the set time of 5:45. Mayor Koerselman opened the hearing at 5:39 pm. The mayor stated that each party would be allowed ten minutes to present their evidence in support of their position at the hearing. After each party had their 10 minutes the mayor would permit comments from the public. After those comments the council would then be allowed to ask questions to each party involved. When the questions were done council would then deliberate and a decision would be made.

At 5:41 pm Deryck & Alex Hoogendoorn along with Stacy Denekas were given their 10 minutes to speak. With no further comments to make Hoogendoorns were finished with their presentation of evidence at 5:49 pm. At 5:50 pm Justin Beukelman was given his 10 minutes to speak. With no further comments to make Mr. Beukelman finished his presentation of evidence at 5:55 pm. At 5:55 Mayor Koerselman allowed community members to speak. Bob Koerselman made a statement at that time. With no other comments at 5:57 both parties agreed to cease presenting evidence and allow the council to ask questions of the parties.

The hearing was now open for the council to ask either party questions regarding the case. At 6:28 the mayor made a formal statement and closed the hearing and deemed the matter fully submitted at 6:30 pm. After submission of the matter, council entered into deliberation. After discussion Ochsendorf made a motion as follows:

The Boyden City Council finds that the evidence in the record supports the following factual conclusions: Deryck and Alex Hoogendoorn own a dog commonly understood as a pit bull, meeting the definition of one of the breeds in the Code of Ordinance section 56.01. At more than one time, the dog was not confined as required in Section 56.02. Additionally, the dog has displayed vicious tendencies in past conduct, such as running after people on their yards and threatening them by barking and growling. Hoogendoorns have not provided evidence of insurance specifically covering the dog to the City, despite their claim of having insurance. Further, no evidence was presented indicating that the dog is a service dog, as defined by the Americans with Disabilities Act. The dog is not currently located in Boyden.

The council finds that the parties have reached an agreement which would not result in the removal of the dog, and such agreement is satisfactory to the Council as a stipulated resolution of this matter.

Accordingly, the Council orders as follows: Despite sufficient evidence existing to justify removal, Deryck and Alex Hoogendoorn will not be required to remove their dog from the City at this time. The Hoogendoorns shall construct a fence around their entire back yard. The fence does not need to have an enclosed top and does not need to be 2 feet underground. Construction must be completed on or

before June 10, 2020. The dog must remain out of town until the fence is built. Prior to determining construction is sufficiently completed, Hoogendoorns will allow the City to inspect the fence to make sure the locks/gate are adequate. Hoogendoorns must provide proof of specific insurance stating the dog is covered as required to the City Clerk on or before June 10, 2020. Hoogendoorns shall give an updated copy of the insurance to the city each time it is renewed. The Hoogendoorns agree that if this Order is violated the City is not obligated to have an additional hearing, as the dog has already been determined as a vicious dog pursuant to the Boyden Code of Ordinances. If violations of the order occur, the City may remove the dog from the city limits without further hearing or notice. The Hoogendoorns must follow the ordinance regarding vicious dogs, except as specifically indicated in this order, and specifically will need to keep the dog on a 4-foot leash and muzzled when it is not in the confined area of the fence. Councilman Winter supported the motion. Roll call vote 4-0.

Ambulance director Brent Steven came to inform the council that the City of Boyden now has a new medical director since the old director took a different job. The new director will be Dr. Amy Wingert. Also, the state will be mandating that smaller ambulance services will need to be affiliated with a larger ambulance service. The City of Boyden would look at being affiliated with Sheldon Ambulance. A decision will be made at a later time after the state makes the requirement.

#### Maintenance Report:

A discussion was had regarding fixing the RV Sewer Dump. Ochsendorf made a motion that the city proceed with having the RV sewer dump fixed. Jungers supported. Motion carried 4-0. Blake also presented a quote from Van Holland Lawn Service to have the sprinkler system at the east ball diamond repaired. The city will go ahead with the repair. The council discussed with Blake that we hire Dennis Snieder to help with weekend work for the city as well as helping where needed with mowing.

Josh Miller inquired about having permission to put dirt in the ditch on the east edge of his property and along main street. He intends to plant grass back in the area. This would make mowing the ditch easier. Council agreed that this would fine for him to do.

Councilman Winter left the meeting at 7:45.

Consent Agenda: Councilman Ochsendorf made a motion to approve the April Financials, the minutes from the April 13 minutes, the bills in the amount of \$38,814.16, and the building permits for Laryl Koerselman, Deryck Hoogendoorn, Dan Buyert, and James Swartz. Jungers supported. Motion carried 3-0.

Council discussed the property owned by city between and beside parcel numbers 0526401006 and 0526401005. Jungers made a motion that the city will vacate those properties to the homeowner of the adjacent parcels. Alexander supported. Motion carried 3-0.

The city has been offered a different cyber insurance plan that will better fit the needs of the city. The city will move forward with obtaining the new insurance.

With no further business Ochsendorf made a motion to adjourn the meeting. Jungers supported. Motion carried 3-0. Meeting was adjourned at 7:54 p.m.

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Tamara Kamies  
City Clerk

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Laryl Koerselman  
Mayor

**April 2020 Claims List**

Access Systems Leasing	City/Library Copier Lease	332.98
Alpha Wireless	Ambulance Radio	168.00
Arnold Motor Supply	Street Sweeper Maintenance	54.59
Badger Meter	Meter Charge	89.77
Bill's Electric	Repair Lagoon Pump	376.37
Bomgaars	Shop Supplies	65.43
Bound Tree	Ambulance Supplies	292.26
Boyden EDC	Industrial Park TIF	18,120.00
Brent Steven	Ambulance Supplies	58.76
Bruce's Repair	Saw/Cement Blade	774.00
Center Pointe Large	Library Books	44.34
Citizen State Bank	Prairie Street Loan	20,000.00
Citizen State Bank	Taft/Main Street Loan	21,000.00
Citizen State Bank	City/Library Loan	34,000.00
City of Sheldon	Millings	840.00
Co-op Gas & Oil	City Gas & Oil	497.17
DGR	Engineering Fees	2,243.25
Echo Group	Park Lights	91.95
EFTPS	Payroll Taxes	2,710.53
Foundation	Testing Fees	2,141.50
Galen Blankers	Ambulance Supplies	20.48
George Office Supplies	City Office Supply	60.76
Hillyard	City Janitor Supplies	231.86
Holly Starkenburg	Ambulance Supplies	81.97
Iowa Dept of Revenue	Sales Tax	166.00
Iowa Dept of Revenue	Water Excise Tax	2,688.00
Iowa Information	Demco Center Ad	197.50
IPERS	Employee IPERS	2,121.57
Lyon Sioux Rural Water	Bulk Water/Loan	10,535.65
MasterCard-Library	Books/DVD/Supplies	920.17
MasterCard – City	Postage/Office Supplies	431.03
Matheson	Ambulance Oxygen	112.39
Metering & Technology	Water Meter	221.02
Mid-American Energy	City Gas & Electric	4,711.94
MRK Electric	Park Cameras	544.00
Neal Chase Lumber	Sakrete	15.80
New Century Press	Publish Minutes	198.41
Nilles Lawn Care	Snow/Rock Removal	180.00
O.C. Sanitation	Garbage/Recycling	3,795.00
Payroll	April Payroll	10,776.70
PCC	Ambulance Billing	165.98
Premier Communication	City Phone/Internet	401.26
Recorded Books	Library Subscription	59.97
Shari Fedders	Cafeteria Plan	94.55
Sheldon Power & Equipment	Equipment Maintenance	13.66
Sioux County Sheriff	Sheriff Contract	20,647.50
Siouxland Press	Library Subscription	18.00
Tami Kamies	Mileage/Packing Tape	42.08
Van's Farms	Repair Dump Truck	187.99
William's & Company	Audit Payment	515.00
	<b>Total Claims</b>	<b>164,057.14</b>

**Claims Dept. Summary**

<u>Dept. Name</u>	<u>Total</u>
Police	20,647.50
Ambulance	899.84
Shop	332.48
Street Lights	1,385.31
Traffic Control	15.88
Library	3,829.07
Parks	233.12
Demco Center	283.56
Economic Development	18,120.00
Mayor/Council/City Mgr.	34.50
Clerk/Treasurer/Admin	2,913.85
Legal Service	515.00
City Hall/General Bldgs.	389.49
Miscellaneous	7.35
Roads/Bridges/Sidewalks	5,221.49
Snow Removal	298.00
Employee Benefits	715.75
Tax Increment Finance	39,120.00
Debt Service	75,000.00
Capital Projects Park Revitalization	544.00
Water	17,812.22
Sewer	11,516.99
Garbage	3,795.00

**Claims Fund Summary**

<u>Fund Name</u>	<u>Total</u>
General	49,606.95
Road Use	5,519.49
Employee Benefit	715.75
Tax Increment Finance	39,120.00
Debt Service	75,000.00
Capital Project Park Revit.	544.00
Water	17,812.22
Sewer	11,516.99
Garbage	3,795.00
Self Insurance	94.55

**Revenue Fund Summary**

<u>Fund</u>	<u>Total</u>
General	111,268.21
Road Use	8,233.81
Emergency	2,095.65
Local Option Tax	7,156.96
Tax Increment Finance	38,431.71
Debt Service	42,884.78
Water	21,051.05
Sewer	14,126.61
Garbage	4,735.68
Self Insurance	38.46