

STATE CENTER **EMERGENCY** SPECIAL COUNCIL MEETING  
NOTICE POSTED 8 A.M. SEPTEMBER 3, 2020  
September 3, 2020, 6:30 P.M.

Mayor Sodders opened the special meeting at 6:30 p.m. via phone. Council present in chambers: Wilkinson, Darrow, Quick and Nichols. Absent: Shaffar. Also present were Zach Faught and Lori Bearden.

Faught explained the need for the emergency meeting and informed the council that he has located services to help with the removal of dangerous hanging limbs and trees in public areas and these companies are knowledgeable of FEMA policies and regulations.

Quick introduced and moved to adopt Res. 21-07 approving contract with Rostan Solutions, LLC for 3<sup>rd</sup> party monitoring the operations of the disaster debris removal and disposal company and applicable reimbursement and financial recovery services with a cost cap of \$75,000.00.

2<sup>nd</sup> by Wilkinson, Res. 21-07 is adopted 4-0 roll call.

Darrow introduced and moved to adopt Res. 21-08 approving contract with Wright Outdoor Solutions, Inc. for tree debris cutting, collection and disposal in public areas with a cost cap of \$150,000.00. 2<sup>nd</sup> by Nichols; Res. 21-08 is adopted 4-0 roll call.

At this time Nicole Christianson and Hunter Wilkening arrived to update the council on the Rose Festival Coronation proposed later this month. Council was agreeable to their proposal.

There being no further business, motion by Wilkinson, 2<sup>nd</sup> by Nichols to adjourn at 6:55 p.m.



Steve Sodders, Mayor *Pro Tem*  
Lee Wilkinson

Attest:



Lori Bearden, City Clerk

### From Iowa DOJ Attorney General's office...

#### Emergency Meetings: Can Good Cause Justify Less Notice?

What if a government body has to conduct an emergency meeting and doesn't have time for the normal 24-hour advance public notice?

Government bodies usually must give notice and provide a tentative agenda 24 hours in advance of a meeting (Iowa Open Meetings Law, IA.Code Ch. 21.) The notice requirement goes right to the heart of open government. Why? The public has a right to know when a government body will meet, and what's on the agenda, in order to decide whether to attend and observe an open session. So, what happens in an emergency where action must be taken quickly?

How does the law balance the public's need for notice and the government's need to act quickly?

These basic principles apply to emergency meetings:

- **The general rule: 24-hour notice is required.** Government bodies must give the time, date, place and tentative agenda of each meeting. Notice must be posted on a bulletin board or other prominent place accessible to the public at the principal office of the government body (or at the building where the meeting will be held, if there is no principal office.)
- **The exception: Less notice may be given only if, for good cause, 24-hour notice is impossible or impractical.** Whether an emergency makes 24-hour notice impossible or impractical depends upon the facts. Officials should ask whether action can reasonably be deferred to a later time that allows for 24-hour notice. Is faster action really necessary?
- **The bottom line: Give as much notice as reasonably possible.** If 24-hour notice is impossible or impractical, give notice as soon as possible. The facts will determine what's reasonably possible – but a government body should never meet without any notice at all.

**Remember: The Iowa Open Meetings Law requires adequate notice to keep the public informed. In the rare circumstance when a government body must act quickly, officials should give as much notice as is reasonably possible.**