

**CITY COUNCIL MEETING MINUTES**  
**Webster City, Iowa August 17, 2009**

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p.m. August 17, 2009 upon call of the Mayor and the advance agenda. The meeting was called to order by Mayor Eugene C. Gray and roll being called there were present Eugene C. Gray, Mayor in the chair and the following named Council Members: Janet Adams, Melissa Borer, Mark Gillette and Jerry Kloberdanz.

It was moved by Adams and seconded by Kloberdanz to approve the agenda, with the addition of council committee reports and other reports and recommendations in Section D.

ROLL CALL: Borer, Gillette, Gray, Kloberdanz and Adams voting aye.

Mayor Gray led the Pledge of Allegiance.

**PETITIONS – COMMUNICATIONS – REQUESTS**

None brought forth

**PUBLIC INFORMATION**

City Manager Ed Sadler advised a new Brochure is available listing Hamilton County Provider Agencies on financial and other assistance for citizens, and thanked Upper Des Moines Opportunity for their help on this.

Mayor Gray announced Lisa Berglund is a new employee in the Utility Office.

**MINUTES AND CLAIMS**

It was moved by Adams and seconded by Gillette that the following motion and resolutions be approved and adopted:

1. That the Minutes of July 20, 2009 be approved.
2. That Resolution No. 2009-080 approving payroll for the period ending July 18, 2009 and paid on July 24, 2009 in the amount of \$144,835.46 be passed and adopted.
3. That Resolution No. 2009-081 approving bills paid in the amount of \$872,513.67 be passed and adopted.

ROLL CALL: Gillette, Gray, Kloberdanz, Adams and Borer voting aye.

**GENERAL AGENDA**

**1.** It was moved by Kloberdanz and seconded by Adams that Resolution No. 2009-082 accepting work, authorizing payment of final estimate in the amount of \$21,608.64 now and the final retainage in the amount of \$3,668.70 in 30 days to D & B Building Systems, Hubbard, Iowa, for completion of the 2009 Electric Line Department Building Expansion Project be passed and adopted.

ROLL CALL: Gray, Kloberdanz, Adams, Borer and Gillette voting aye.

**2.** It was moved by Gillette and seconded by Kloberdanz that the request for an additional driveway entrance for Webster City Community School District, Pleasant View School, at 1901 Willson Avenue be approved.

ROLL CALL: Kloberdanz, Adams, Borer, Gillette and Gray voting aye.

**3.** It was moved by Adams and seconded by Gillette that the First Reading of a proposed Ordinance establishing nine off street diagonal parking spaces between the two school driveway entrances at 1901 Willson Avenue be approved.

ROLL CALL: Adams, Borer, Gillette, Gray and Kloberdanz voting aye.

It was moved by Gillette and seconded by Borer that the requirements for the second and third readings of a proposed Ordinance establishing nine off street diagonal parking spaces between the two school driveway entrances at 1901 Willson Avenue be **waived**; and that Ordinance No. **2009-1701**, an Ordinance establishing nine off street diagonal parking spaces between the two school driveway entrances at 1901 Willson Avenue be **passed and adopted**.

ROLL CALL: Borer, Gillette, Gray, Kloberdanz and Adams voting aye.

**4.** It was moved by Adams and seconded by Kloberdanz that the Planning and Zoning Commission Report of August 10, 2009 be accepted and placed on file.

ROLL CALL: Gillette, Gray, Kloberdanz, Adams and Borer voting aye.

**5.** It was moved by Kloberdanz and seconded by Adams that Resolution No. 2009-083 setting September 8, 2009 at 7:20 p.m. at City Hall, Webster City, Iowa for a Public Hearing on the proposed amending of the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 122, Section .08, Pertaining to uses allowed in the C-3 (Highway Business) District be passed and adopted.

ROLL CALL: Gray, Kloberdanz, Adams, Borer and Gillette voting aye.

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**14.** August 17, 2009 at 7:15 p.m. at City Hall, Webster City, Iowa being the time and place for a Public Hearing on proposed plans and specifications and proposed form of contract and estimate of cost for the 2009 Infrastructure Improvement Project, the same was held. No written objections were filed and no oral objections were presented.

It was moved by Kloberdanz and seconded by Adams that Resolution No. 2009-084 finally approving and confirming plans, specifications and form of contract and estimate of cost for the 2009 Infrastructure Improvement Project be passed and adopted.  
ROLL CALL: Kloberdanz, Adams, Borer, Gillette and Gray voting aye.

Public Works Project Coordinator Jan Ensley reported on the bids.

**Bids**

1,	Wunsch Construction, Inc. Greene, IA	\$140,886.60
2.	Habhab Construction, Inc. Webster City, IA	\$145,552.00
3.	Brian Nettleton Excavating Joice, IA	\$162,955.50
4.	Redings Gravel & Excavating Algona, IA	\$179,003.25

It was moved by Adams and seconded by Kloberdanz that the bids which were opened by City Staff at 2:00 p.m. on August 10, 2009 be recorded in the minutes.  
ROLL CALL: Kloberdanz, Adams, Borer, Gillette and Gray voting aye.

It was moved by Gillette and seconded by Adams that Resolution No. 2009-085 awarding the contract for the 2009 Infrastructure Improvement Project to Wunsch Construction, Greene, Iowa in the amount of \$140,886.60 be passed and adopted.  
ROLL CALL: Adams, Borer, Gillette, Gray and Kloberdanz voting aye.

**15.** August 17, 2009 at 7:20 p.m. at City Hall, Webster City, Iowa being the time and place set for a Public Hearing on the proposed sale of City owned property located at 400 Third Street, Webster City, Iowa the same was held. No written objections were filed and no oral objections were presented.

Two offers were received as follows:

Central Iowa Building Supply, Inc, Vic Weisberg	\$2,500 for a clear title
MIDAS Council of Governments	\$1.00 and other valuable consideration

Vic Weisberg of Central Iowa Building Supply and Cliff Weldon of MIDAS Council of Governments spoke to the Council on their offers.

Phil Voge spoke on the location for a proposed building for MIDAS

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It was moved by Kloberdanz and seconded by Adams that Resolution No. 2009-086 authorizing entering into an agreement for a Warranty Deed conveying City owned property located at 400 Third Street, Webster City to MIDAS Council of Governments be passed and adopted.

ROLL CALL: Borer, Gillette, Kloberdanz and Adams voting aye.  
Gray voting nay

The Council took a 5 minute recess to enable the recording system to be restarted.

**6.** It was moved by Kloberdanz and seconded by Gillette that Resolution No. 2009-087 setting September 8, 2009 at 7:25 p.m. at City Hall, Webster City, Iowa for a Public Hearing on the proposed vacation of a portion of city right-of-way located at the corner of High Street and Second Street, Webster City, Iowa be passed and adopted.

ROLL CALL: Gillette, Gray, Kloberdanz, Adams and Borer voting aye.

**7.** It was moved by Kloberdanz and seconded by Gillette that Resolution No. 2009-088 setting September 8, 2009 at 7:30 p.m. at City Hall, Webster City, Iowa for a Public Hearing on the proposed disposal of the vacated portion of City right-of-way located at the corner of High Street and Second Street, Webster City, Iowa be passed and adopted.

ROLL CALL: Gray, Kloberdanz, Adams, Borer and Gillette voting aye.

**8.** It was moved by Adams and seconded by Kloberdanz that the City of Webster City Administrative Plan - voluntary property acquisition funded under the Hazard Mitigation Grant Program be approved.

ROLL CALL: Kloberdanz, Adams, Borer, Gillette and Gray voting aye.

**9.** It was ;moved by Gray and seconded by Kloberdanz that the First Reading of a proposed Ordinance (*Ordinance 1 – No Phase In*) amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 99 Pertaining to Sewer Rental Rates be approved.

ROLL CALL: Gray voting aye.  
Adams, Borer, Gillette and Kloberdanz voting nay.

THE MOTION FAILED.

Gary Sandholm of Webster City Area Development and Bill Korleski of Mary Ann's Specialty Foods spoke on the proposed sewer rental rate ordinances.

It was moved by Gillette and seconded by Kloberdanz that the First Reading of a proposed Ordinance (*Ordinance 2 – Phase In*) amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 99 Pertaining to Sewer Rental Rates be approved.

ROLL CALL: Gillette, Kloberdanz and Adams voting aye.  
Borer and Gray voting nay.

THE MOTION PASSED.

**10.** It was moved by Adams and seconded by Kloberdanz that the Second Reading of a proposed Ordinance amending Chapter 97 of the Municipal Code on the Use of Public Sewers (sump pumps) be approved.

NO ROLL CALL ON THIS MOTION

It was moved by Adams and seconded by Kloberdanz to **amend** the motion by deferring the Second Reading of a proposed Ordinance amending Chapter 97 of the Municipal Code on the Use of Public Sewers (sump pumps), and referring the ordinance to the Planning and Zoning Commission for further study and recommendations with their report to be received at the first council meeting of January, 2010.

ROLL CALL: Gray, Kloberdanz, Adams and Borer voting aye  
Gillette voting nay

**11.** It was moved by Kloberdanz and seconded by Adams that the program for water conservation money be withdrawn from the agenda.

ROLL CALL: Gray, Kloberdanz, Adams, Borer and Gillette voting aye.

**12.** It was moved by Gillette and seconded by Borer that a Resolution establishing a new designated amount for the three Municipal Utilities to transfer to the General Fund as Payment in Lieu of Taxes for the year 2010-2011 be passed and adopted.

NO ROLL CALL ON THIS MOTION

John Van Diest, Myra Maxon and Geary Meyer spoke on the proposed resolution.

It was moved by Borer and seconded by Gillette to table the Resolution establishing a new designated amount for the three Municipal Utilities to transfer to the General Fund as Payment in Lieu of Taxes for the year 2010-2011 to the first council meeting of January, 2010.

ROLL CALL: Kloberdanz, Adams, Borer and Gillette voting aye.  
Gray voting nay.

**13.** It was the **CONSENSUS** of the Council to approve the proposed City of Webster City Council Member Manual to be used as a reference manual to be given to present and future council members.

**REPORTS**

It was moved by Kloberdanz and seconded by Borer that the following motions be approved:

1. That the August 2009 City Treasurer Report be accepted and placed on file.
  2. That the August 2009 City Manager Report be accepted and placed on file.
- ROLL CALL: Adams, Borer, Gillette, Gray and Kloberdanz voting aye.

**COUNCIL REPORTS**

Councilwoman Adams advised the Webster City Historical Committee's Heritage Appreciation Day will be August 29, 2009.

Councilman Kloberdanz thanked the supporters of the Webster City Fire Association golf tournament held August 16, 2009.

Councilwoman Borer thanked Councilman Kloberdanz and staff for assistance on the council manual.

Mayor Gray reported on the August 12, 2009 Hamilton County Landfill meeting.

**OTHER REPORT**

City Manager Sadler advised the topic for the August 24, 2009 Council Utility meeting agenda would be on business development.

It was moved by Gillette and seconded by Borer that the Council adjourn.

ROLL CALL: Borer, Gillette, Gray, Kloberdanz and Adams voting aye.

The Council stood adjourned at 9:56 p.m.