

CITY COUNCIL MEETING MINUTES
Webster City, Iowa September 8, 2009

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p.m. September 8, 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 Gray and seconded by Adams to approve the agenda.

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

Mayor Gray read a proclamation honoring Jean McMurray and proclaiming September 19, 2009 as Jean McMurray Day in Webster City.

Carolyn McMurray Bybee accepted the plaque with the proclamation on behalf of her mother.

MINUTES AND CLAIMS

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

1. That the Minutes of August 17 and August 24, 2009 be approved.
2. That Resolution No. 2009-089 approving payroll for the period ending August 15, 2009 and paid on August 21, 2009 in the amount of \$143,438.79 be passed and adopted.
3. That Resolution No. 2009-090 approving payroll for the period ending August 29, 2009 and paid on September 4, 2009 in the amount of \$138,246.06 be passed and adopted.
4. That Resolution No. 2009-091 approving bills paid in the amount of \$ 519,197.24 be passed and adopted.

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

GENERAL AGENDA

It was moved by Kloberdanz and seconded by Adams that the following motions and resolution be approved and adopted:

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- 1.** That the exception on the drawing of Kelly's Place, 545 Second Street removing the 8 ft. in front, on the liquor license submitted to the State Alcoholic Beverages Division, be approved.
- 2.** That the resignation of Mildred Elm from the Senior Citizens Center Administrative Board, Senior Citizens Club be accepted.
- 3.** That the appointment of Richard Irelan to the Senior Citizens Center Administrative Board, Senior Citizens Club for the unexpired term ending December 31, 2009 be approved.
- 4.** That Resolution No. 2009-092, a resolution of support for appointment by the Hamilton County Board of Supervisors of Jack Foster to the MIDAS Council of Government Boards be passed and adopted.

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

5. Webster City Area Development Chamber Director Carrie Fitzgerald gave her quarterly report/update.

11. September 8, 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 Resurfacing 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. 2009-093 finally approving and confirming plans, specifications and form of contract and estimate of cost for the 2009 Resurfacing Project be passed and adopted.

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

Public Works Project Coordinator Jan Andrew reported on the bids received.

The bids which were opened by City Staff at 2:00 p.m. on September 1, 2009 are recorded in the minutes.

BID:

Fort Dodge Asphalt \$395,480.32
Fort Dodge, Iowa

It was moved by Kloberdanz and seconded by Gillette that Resolution No. 2009-094 awarding contract for the 2009 Resurfacing Project to Fort Dodge Asphalt, Fort Dodge, Iowa, in the amount of \$395,480.32 as bid, plus \$200,000.00 for additional work, be passed and adopted.

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

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12. September 8, 2009 at 7:20 p.m. at City Hall, Webster City, Iowa being the time and place 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, the same was held. No written objections were filed and no oral objections were presented.

It was moved by Borer and seconded by Gillette that the First Reading of a proposed ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 122, Section .08, pertaining to uses allowed in a C-3 (Highway Business) District be approved.

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

13. September 8, 2009 at 7:25 p.m. at City Hall, Webster City, Iowa being the time and place 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, the same was held. No written objections were filed and no oral objections were presented.

It was moved by Gillette and seconded by Adams that the First Reading of a proposed ordinance providing for the vacation of a portion of street right-of-way at the corner of High Street and Second Street, Bells Subdivision, Webster City, Iowa be approved.

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

Cindy Bettis, owner of Kelly's Place spoke on action taken earlier in the meeting on Item 1, which corrected the drawing attached to the liquor license by removing the 8 ft. in front of the property.

14. September 8, 2009 at 7:30 p.m. at City Hall, Webster City, Iowa being the time and place 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, the same was held. No written objections were filed and no oral objections were presented.

Virginia Meade spoke on the area(amount) of right of way that she would like to obtain, which is different (more) than what the Planning and Zoning Commission recommended.

It was the **CONSENSUS** of the Council to **defer action** on a proposed Resolution authorizing execution of quit claim deed conveying the vacated portion of street right-of-way at the corner of High Street and Second Street, located in Bell's Subdivision, Webster City, Iowa, to M. Virginia Meade, Webster City, Iowa to the next Council meeting on September 21, 2009.

6. It was the **CONSENSUS** of the Council to approve tax increment financing for a potential developer in Southeast Development Park #4.

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7. It was moved by Kloberdanz and seconded by Adams that the Request for Proposals be approved and bids authorized on tree trimming for electric line clearance.
ROLL CALL: Gillette, Gray, Kloberdanz, Adams and Borer voting aye.

8. It was moved by Kloberdanz and seconded by Adams that the Second Reading of proposed Ordinance (*Ordinance 2*), 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, Kloberdanz, Adams and Gillette voting aye.
Borer voting nay.

9. It was moved by Gillette and seconded by Kloberdanz that Resolution No. 2009-095 authorizing the Mayor and City Clerk to enter into an agreement with Bolton and Menk, Inc., Ames, Iowa for engineering services in connection with the Jordan Well Project be passed and adopted.
ROLL CALL: Kloberdanz, Adams, Borer, Gillette and Gray voting aye.

10. It was the **CONSENSUS** of the Council to approve option #2 (*no one member of the Commission would have more than 45% of the vote*) of the 8-26-09 letter/request from the Hamilton County Solid Waste Commission, as Webster City's preferred option on vote distribution.

15. It was moved by Gillette and seconded by Borer to table the annual evaluation of the City Manager until receipt and review of depositions on a recent (Ely) law suit.
Gillette withdrew his motion.
Borer withdrew her second.

It was moved by Gillette and seconded by Borer that the Council see the depositions from the law suit for the purpose of confidential evaluation of the City Manager only.

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

THE MOTION FAILED

It was moved by Gillette and seconded by Gray to defer the evaluation of the City Manager until the next meeting on September 21, 2009.

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

COUNCIL REPORTS

Councilman Kloberdanz thanked the volunteers who cleaned the Bonebright Museum in preparation of the successful Heritage Day held on August 29, 2009.

Mayor Gray advised he had received concerns/complaints on fire rings being used by campers in the City campground

Mayor Gray noted letter and news release items on the open agenda under other items.

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

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

The Council stood adjourned at 9:22 p.m.