

CITY COUNCIL MEETING MINUTES
Webster City, Iowa October 6, 2008

The City Council met in a regular Session at the City Hall, Webster City, Iowa, at 7:00 PM October 6, 2008 upon call of the mayor and the advance agenda. The meeting was called to order by mayor Eugene C. Gray and roll being called their 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 Gillette to approve the Agenda:
ROLL CALL: Borer, Gillette, Gray, Kloberdanz and Adams voting aye.

It was moved by Kloberdanz and seconded by Borer to amend the agenda by:
A. Deleting item No. 5 on request from 901 Second on an exception to location in parameters to SSMID District.

B. Adding to the consent agenda a resolution rescheduling item No. 10 a public hearing on the 2008 Storm Sewer Rehabilitation.
ROLL CALL: Gillette, Gray, Kloberdanz, Adams and Borer voting aye.

Mayor Gray led the Pledge of Allegiance.

PETITIONS, COMMUNICATIONS, REQUESTS

Gaylord Victora, President of the Hamilton County Taxpayers Association spoke on Webster City Municipal Electric Utility. Victora read and distributed copies of his statement to the Council.

PUBLIC INFORMATION

City Manager Ed Sadler reminded everyone of the Fire Department Open House on Tuesday October 7th from 5-7:30 PM. Sadler also reminded everyone that the Hospital Foundation will make a presentation at the October 20th Council meeting. Sadler then reminded everyone of the Halloween activities at the Depot on Friday October 31st.

Mayor Eugene C. Gray announced that he will be compiling a list of local authors from Webster City.

MINUTES AND CLAIMS

It was moved by Gillette and seconded by Borer to approve the following:

1. That the Minutes of September 22, 2008 be approved.

2. That Resolution No. 2008-130 approving payroll in the amount of \$129,034.34 for the period ending September 13, 2008 and paid on September 19, 2008 be passed and adopted.

3. That Resolution No. 2008-131 approving payroll in the amount of \$128,361.74 for the period ending September 27, 2008 and paid on October 3, 2008 be passed and adopted.

4. That Resolution No. 2008-132 approving payment of Bills in the amount of \$627,456.65 be passed and adopted.

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

It was moved by Adams and seconded by Kloberdanz that the Minutes of September 15th, 2008 be approved *as corrected below*:

Councilman Gillette was not present during the first part of the closed session.

Councilman Gillette was not included in the Consensus to negotiate with the Husimans.

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

CONSENT AGENDA

It was moved by Adams and seconded by Kloberdanz that the following Motions and Resolutions be approved and adopted.

1. That the issuance of Beer and Liquor Licenses by the Iowa Department of Commerce be recommended for approval for the following:
 - a. Renewal of Class E Liquor License, Carryout Beer, Carryout Wine, Sunday Sales – B and I Enterprises, Inc. dba Lenas Liquors, 1544 Superior Street.
 - b. Renewal of Class B Native Wine Permit, Sunday Sales – Iowa Wines and Gifts-Jack Peed, 707 Second Street.
 - c. Request for Class C Liquor License of Tee Gee's to Hamilton County Fairgrounds for October 10 - 12, 2008 for a festival.
2. That the resignation of Laric Elbert from the Hotel/Motel Tax Board be accepted.
3. That Resolution No. 2008-133 accepting work, authorizing payment of Final Estimate in the amount of \$0.00 now and the final retainage in the amount of \$2,295.00 in 30 days to Graves Construction Company, Inc., Spencer, Iowa, for completion of the Boone River Recreational Trail Project (Bridge Phase – Project No. STP-E-8212(614)—8V-40). Be passed and adopted
4. That Resolution No. 2008-134 setting October 20, 2008 at 7:15 PM at City Hall, Webster City, Iowa for a Public Hearing on proposed plans and specifications and proposed form of contract and estimate of cost for the construction of the 2008 Storm Sewer Rehabilitation Project be passed and adopted.

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

GENERAL AGENDA

4. It was moved by Adams and seconded by Kloberdanz to approve the new Electric Rebate program for the Fiscal Year ending June 30, 2009.

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

6. It was moved by Kloberdanz and seconded by Adams that the second reading of a proposed Ordinance amending the Code of Ordinances of the City of Webster City, Iowa 1996, by amending Chapter 128, Section .12, pertaining to Signs be approved.

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

7. It was moved by Gray and seconded by Kloberdanz that the Second reading of a proposed Ordinance amending the City Code of the City of Webster City, Iowa 1996 by amending Chapter 7 Title I, Sections 7.02, 7.03, 7.05, 7.08 Pertaining to Fiscal Management be approved.

Councilwoman Borer offered three amendments to the proposed Ordinance. The Council discussed the first two amendments.

Councilwoman Adams called for the Question on the motion.

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

ROLL CALL ON THE FIRST TWO AMENDMENTS: Borer and Gillette voting aye. Adams, Gray and Kloberdanz voting nay.

The Motion Failed.

It was moved by Gillette and seconded by Borer to discuss Councilwoman Borer's third amendment.

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

The Motion Failed.

It was moved by Gillette and seconded by Borer to discuss Councilman Gillette's amendment.

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

ROLL CALL ON COUNCILMAN GILLETTE'S AMENDMENT: Borer and Gillette voting aye. Adams, Gray and Kloberdanz voting nay.

The Motion Failed.

ROLL CALL ON THE SECOND READING OF THE ORDINANCE: Adams, Gray and Kloberdanz voting aye. Borer and Gillette voting nay.

The Motion Carried.

8. It was moved by Kloberdanz and seconded by Adams that the second reading of a proposed Ordinance amending the City Code of the City of Webster City, Iowa 1996 by amending Chapter 20, Section 20.14, No. 6 and adding Numbers 9, 10, 11 and 12 pertaining to City Funds be approved.

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

9. It was moved by Gillette and seconded by Kloberdanz that Resolution No. 2008-135 establishing a nuisance at 1009 Boone Street and Ordering the Abatement thereof be passed and adopted.

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

REPORTS

City Attorney Gary Groves updated the Council on the Electric Negotiating Team and current Corn Belt Contract. Groves also spoke to the Council on a proposed Code of Conduct and Ethics that he is currently working on.

Ed Sadler gave an update on Channel 12 equipment.

Councilwoman Adams spoke on the project that the Pride Committee is doing in the vacant lot west of the Elks Building.

ADJOURNMENT

It was moved by Gillette and seconded by Adams that the Council Adjourn.

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

The Council stood adjourned at 8:33PM