

**CITY COUNCIL MEETING MINUTES**  
**Webster City, Iowa October 15, 2007**

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p.m. October 15, 2007 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, Jack Foster, Mark Gillette, and Jerry Kloberdanz.

**APPR AGENDA**

It was moved by Adams and seconded by Kloberdanz to approve the Agenda.

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

Mayor Gray led the Pledge of Allegiance.

Public Information

City Manager Ed Sadler spoke on the following:

1. The Fall Leaf Pickup will be held on November 15, 2007.
2. Clarification on Hotel/Motel Tax – apartments are **not** included.

It was moved by Gillette and seconded by Kloberdanz that the following motion and resolutions are approved and adopted:

**MINUTES, PAYROLL**

1. That the Minutes of October 1, October 4 and October 9, 2007 be approved.
2. That Resolution No. 2007-123 approving Payroll for the period ending September 29, 2007 and paid on October 5, 2007 in the amount of \$124,733.12 be passed and adopted.
3. That Resolution No. 2007-124 approving payment of Bills in the amount of \$1,258,372.44 be passed and adopted.

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

**UPDATE-UNSAFE BLDG-710 DES MOINES**

City Attorney Gary Groves gave an update on the building established as a nuisance by Council on 8-27-07, said building is located at 710 Des Moines Street. Dr. E. F. Faine, owner, is proceeding with plans to have the building demolished.

**ESTABLISH NUISANCE-1116 ELM**

Michelle Carpenter spoke on the condition of the property at 1116 Elm Street.

It was moved by Gray and seconded by Foster that Resolution No. 2007-125 establishing a nuisance at 1116 Elm Street and ordering the abatement thereof be passed and adopted.

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

**AMEND TIF DEV AGREE-HOME 4<sup>th</sup> ADD**

Don Struchen owner of Home Fourth and Fifth Additions spoke on his Tax Increment Financing (TIF) agreements.

It was moved by Foster and seconded by Gillette that Resolution No. 2007-126 amending Struchen Home Fourth Addition Development Agreement and TIF Subfund Description be passed and adopted.

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

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**AMEND TIF DEV AGREE-HOME 5<sup>th</sup> ADD**

It was moved by Kloberdanz and seconded by Gillette that Resolution No. 2007-127 amending Struchen Home Fifth Addition Development Agreement and TIF Subfund Description be passed and adopted.

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

It was moved by Adams and seconded by Foster that the issuance of Beer and Liquor Licenses by the Iowa Department of Commerce be recommended for approval for the following:

**PERMITS**

1. Renewal of Class B Native Wine Permit, Sunday Sales – Heart N/Home Gift Shoppe, 1600 Superior Street.
2. Renewal of Class C Beer Permit, Sunday Sales – Doc's Stop #3, 1345 Second Street.

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

**ADOPT ORD-1672-PROHIBIT PRIVATE WELLS**

It was moved by Foster and seconded by Kloberdanz that the Third Reading of a proposed Ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by adding a New Section Prohibiting Private Wells in the Corporate Limits be approved; and that Ordinance No. 2007-1672, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by adding a New Section Prohibiting Private Wells in the Corporate Limits be passed and adopted.

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

**SET PH PROP.SALE-505 DES MOINES-Nov 5-7:15 pm**

It was moved by Gillette and seconded by Adams that Resolution No. 2007-128 setting November 5, 2007 at 7:15 p.m. for a [PData Files/AmerConcrSetPH.doc](#) public Hearing on the proposed sale of property located at 505 Des Moines Street be passed and adopted.

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

**APPR TREE TRIM CONTR-FRYE**

It was moved by Foster and seconded by Kloberdanz that Resolution No. 2007-129 authorizing the Mayor and City Clerk to enter into an agreement with Fryes Tree Service, Webster City, Iowa, providing for Electric Line Clearance Tree Trimming, **subject** to meeting the bond requirements, be passed and adopted.

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

**CONSENSUS-ASPHALT ROAD-CEMETERY**

It was the **CONSENSUS** of the Council to approve the asphaltting of a roadway at Graceland Cemetery with Fort Dodge Asphalt, Fort Dodge, Iowa in the amount of \$18,459.00.

The Council discussed the clean up project – alleys regarding brush, vehicles etc.

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It was moved by Gray and seconded by Kloberdanz that the following motions are approved:

### REPORTS

1. That the Planning and Zoning Commission report of October 8, 2007 be accepted and placed on file.
2. That the September 2007 Financial Report and Receipts be accepted and placed on file.
3. That the September 2007 City Treasurer Report be accepted and placed on file.
4. That the September 2007 City Manager Report be accepted and placed on file.

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

### Council Committee and Other Reports:

Mayor Gray reported the Hamilton County Solid Waste Commission is in the process of preparing an increase in landfill rates.

City Manager Sadler reported a news release from DuPont on funding to Nature Conservancy for Water Quality Initiative in the amount of \$250,000 for two rivers, one of which is the Boone River.

### UTILITY SESSION (10<sup>th</sup>)

The Council proceeded with a Utility Session

The Year to date (September) Utilities Cash Statement Report on the three utilities was presented.

### CLOSED SESSION-LITIGATION;POLICE COL BARG

It was moved by Gillette and seconded by Adams that the Council meet in Closed Session:

1. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, as provided by Chapter 21.5 1.c of the Code of Iowa 2007.
2. For the purpose of holding a strategy meeting in connection with collective bargaining with the Police Department Unit, as authorized by Chapters 20.17 3. and 21.5 of the Code of Iowa 2007.

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

The Council went into closed session at 7:50 p.m.

The Council returned to open session at 9:03 p.m.

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

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

The Council stood adjourned at 9:05 p.m.