

**CITY COUNCIL MEETING MINUTES
Webster City, Iowa November 19, 2007**

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p.m. November 19, 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 Gillette to approve the Agenda.

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

Mayor Gray led the Pledge of Allegiance.

Public Information

Public Grounds Director/Assistant City Manager Kent Harfst announced the following:

1. Senior Thanksgiving Potluck Dinner will be November 21, 2007 at 12 Noon at Fuller Hall.
2. Turkey Trot will be November 22, 2007 beginning at Brewer Creek Park at 9:00 a.m.

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

MINUTES, PAYROLL

1. That the Minutes of November 5, 2007 be approved.
2. That Resolution No. 2007-137 approving Payroll for the period ending November 10, 2007 and paid on November 16, 2007 in the amount of \$121,068.82 be passed and adopted.
3. That Resolution No. 2007-138 approving payment of Bills in the amount of \$1,999,143.43 be passed and adopted.

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

LIQUOR LICENSE-TEEGEE'S

It was moved by Gillette and seconded by Kloberdanz that the issuance by the Iowa Department of Commerce of a New Class C Liquor License, Sunday Sales to TeeGee's Bar & Grill (Travis & Ragina Hurt), 723 Second Street (*formerly Wild Side*) be recommended for approval.

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

1st READ ORD HOTEL/MOTEL TAX

It was moved by Foster and seconded by Adams that the First Reading of a proposed Ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by Adding Chapter 171 (Hotel/Motel Tax) be approved.

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

Gillette: abstained

APPR PUR-END LOADER-STREET DEPT

It was moved by Kloberdanz and seconded by Foster that the purchase of a John Deere 624J End Loader from Murphy Tractor, Fort Dodge, Iowa in the amount of \$95,500.00 for the Street Department be approved.

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

APPR PUR-TRUCK-FIRE DEPT

It was moved by Gillette and seconded by Adams that the purchase of a 2004 Dodge Dakota pickup truck from Art's Used Cars, Webster City, Iowa in the amount of \$14,300.00, plus license, light package and siren (\$1,800) and emblem(\$150) for the Fire Department be approved.

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

APPR CO#1 2007 RESURF PROJ

It was moved by Gray and seconded by Kloberdanz that Resolution No. 2007-139 approving Change Order No. 1 to the 2007 Resurfacing Project with Fort Dodge Asphalt Company, Fort Dodge, Iowa by adding the amount of \$10,027.27 be passed and adopted.

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

RESOL-FINAL 2007 RESURF PROJ

It was moved by Kloberdanz and seconded by Gillette that Resolution No. 2007-140 accepting work, authorizing payment of Final Estimate in the amount of \$436,332.03 now and the final retainage in the amount of \$44,017.78 in 30 days to Fort Dodge Asphalt Company, Fort Dodge, Iowa for completion of the 2007 Resurfacing Project (*areas of 9 streets*) be passed and adopted.

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

CONSENSUS-TREE GRINDING-THOMAS BROS

It was the **CONSENSUS** of the Council that the contract for Tree Grinding at the Tree/Brush Drop-Off site be awarded to Thomas Brothers Professional Tree Care, Fort Dodge, Iowa in the amount not to exceed \$16,700.00.

UPDATE-NUISANCE-1116 ELM

City Attorney Gary Groves gave an update on the property located at 1116 Elm Street, which was established as a nuisance by City Council on October 15, 2007.

He will be preparing additional information on how to proceed on this property for the Council to consider at the December 3, 2007 council meeting.

It was moved by Foster and seconded by Gillette that the following motions are approved:

REPORTS

1. That the Planning and Zoning Commission report of November 12, 2007 be accepted and placed on file.
2. That the October 2007 Financial Report and October 2007 Receipts be accepted and placed on file.
3. That the October 2007 City Treasurer Report be accepted and placed on file.
4. That the October 2007 City Manager Report be accepted and placed on file.

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

TRAFFIC COMM RPT-DIV OF QUESTION

It was moved by Adams and seconded by Kloberdanz for a Division of Question on the October 15, 2007 Traffic Committee report by separating the St. Thomas Aquinas School request and the first reading of a proposed Ordinance on a No Parking Zone in the 1300, 1400 & 1500 blocks of Grand Street.

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

TRAFFIC COMM REPORT

It was moved by Adams and seconded by Kloberdanz that the Traffic Committee report of October 15, 2007 be accepted and placed on file, **to include approval** of the request of St. Thomas Aquinas School to place a sign to close Water Street (between Willson Avenue and Des Moines Street) south of the school only during the afternoon dismissal time (3:15-3:30 p.m.) .

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

DEFER 1st READ ORD-NO PARK GRAND ST

It was moved by Gray and seconded by Kloberdanz that the First Reading of a proposed Ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Paragraph 37 to Chapter 69, Section 08, Providing the Addition of a No Parking Zone on the North Side of Grand Street (1300, 1400 & 1500 blocks) **be deferred until traffic counts can be made in the area.**

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

Council Committee and Other Reports:

IA LIVING ROADWAY COMMUNITY VISION GRANT

Councilwoman Adams reported that Webster City has been selected as one of 12 communities to participate in the 2008 Iowa's Living Roadways Community Visioning Program, which is sponsored by the Iowa Department of Transportation partnering with Iowa State University Extension Landscape Architecture and Trees Forever. The Pride in Webster City Committee submitted this grant application and each committee member will be volunteering 40-60 hours over a six month period.

The Community Visioning Program Agreement will be on the December 3, 2007 Council agenda for Council acceptance.

Councilman Foster reported that the MIDAS Council of Governments will hold a combined November and December meeting, which will be held on December 3, 2007.

UTILITY SESSION (11th)

The Council proceeded with a Utility Session

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

CONSENSUS-PREPARE NEW ELEC ORD-3 YR PLAN

City Manager Ed Sadler discussed the electric rate increase (1 mill/kwh) from Corn Belt Power Cooperative and outlined his proposal to reflect the rate increases in a three year phase in plan, of which the first year is already in effect.

It was the **CONSENSUS** of the Council for the City Manager to begin preparation of a new electric rate ordinance for the second year of the three year phase in plan.

CLOSED SESSION-COL BARG-FIRE; LITIGATION

It was moved by Kloberdanz and seconded by Gillette that the Council meet in closed session:

1. For the purpose of holding a strategy meeting in connection with collective bargaining with the Fire Department Unit, as authorized by Chapters 20.17 and 21.5 of the Code of Iowa.
2. 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 c. of the Code of Iowa.

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

City Council Meeting Minutes November 19, 2007

The Council went into closed session at 8:00 p.m.

The Council returned to open session at 9:15 p.m.

RE-AUDIT-REQUEST STATE ATTY GENERAL OPINION

It was moved by Foster and seconded by Kloberdanz to ask the State Attorney General for his opinion on the recent re-audit conducted by the office of the Auditor of State.

The City Attorney will contact the State Attorney General asking for his opinion.

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

**CITY ATTY SUGGESTION TO SPONSOR MTG W/STATE
OMBUDSMAN ON IA OPEN MTG/PUBLIC RECORDS LAWS**

City Attorney Gary Groves suggested that the City sponsor a meeting with the State Ombudsman for all current and newly elected government officials concerning Iowa Open Meetings and Public Records Laws.

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

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

The Council stood adjourned at 9:20 p.m.