

CITY COUNCIL MEETING MINUTES
Webster City, Iowa December 17, 2007

The Council interviewed five candidates (Verne Ratcliff, Brian Peterson, Jack Foster, Tami Hejlik and Linda Conaway) for the Hotel/Motel Tax Board. Appointments for this board will be made on January 7, 2008.

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p.m. December 17, 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 Foster and seconded by Adams to approve the Agenda.

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

Mayor Gray led the Pledge of Allegiance.

Public Information

Pat Powers announced the 31st annual Community Christmas Dinner will be held December 25, 2007 at Asbury United Methodist church. Social hour – 5:00 p.m. Dinner – 6:00 p.m.

Mayor Gray gave the oath of office to new police officer Nicholas Jon Hassebrock.

City Manager Ed Sadler announced that Southfield Wellness will be the special guest on the City's television program December 18, 2007 and will talk about their expansion.

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

MINUTES, PAYROLL, BILLS

1. That the Minutes of December 3 and December 11, 2007 be approved.
2. That Resolution No. 2007-147 approving Payroll for the period ending December 8, 2007 and paid on December 14, 2007 in the amount of \$121,429.85 be passed and adopted.
3. That Resolution No. 2007-148 approving payment of Bills in the amount of \$1,266,966.65 be passed and adopted.

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

It was moved by Kloberdanz and seconded by Gillette that the following motions and resolutions are 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:

LICENSES

- a. 5-Day Class C Liquor License – St. Thomas Aquinas Church, 1010 Des Moines Street – January 19, 2008
- b. Renewal of Class C Liquor License, Catering Privilege – Second Street Emporium, 615 Second Street.

ADOPT ORD 2007-1673 HOTEL/MOTEL TAX

2. That the Third Reading of a proposed Ordinance No. 2007-1673 amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by Adding Chapter 171 (Hotel/Motel Tax) be approved; and that Ordinance No. 2007- 1673, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by Adding Chapter 171 (Hotel/Motel Tax) be passed and adopted.

RESOL-APPR FINAL EST 2007 WAT SYS IMPR PROJ

3. That Resolution No. 2007-149 accepting work, authorizing payment of Final Estimate in the amount of \$120,489.02 now and the Final Retainage in the amount of \$18,921.16 in 30 days to Reding's Gravel and Excavating, Algona, Iowa, for completion of the 2007 Water System Improvement Project be passed and adopted.

RESOL-CHG OFF ACCTS

4. That Resolution No. 2007-150 charging off from active Accounts Receivable delinquent final Utility Bills and Department Charges be passed and adopted.

ACCEPT DEDICATION OFFER

5. That the Offer of Dedication to the public for utilities in an area located in the vicinity of Wall Street and Alan Avenue from Clearview Manor be accepted.

ACCEPT UTIL EASEMENT

6. That a Utility Easement Conveyance from Marilyn L. Williams, Judie Gumm, Arris M. Richardson be accepted.

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

2nd READ ORD ELECTRIC RATES

It was moved by Adams and seconded by Foster that the Second Reading of a proposed Ordinance amending the City Code of the City of Webster City, Iowa, 1996, by replacing Chapter 111 of Title 3 Establishing New Rates to be charged for Electrical Energy Sold by the City of Webster City be approved.

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

It was moved by Foster and seconded by Adams that the requirement for the Third Reading of a proposed Ordinance amending the City Code of the City of Webster City, Iowa, 1996, by replacing Chapter 111 of Title 3 Establishing New Rates to be charged for Electrical Energy Sold by the City of Webster City **be waived**; and that the proposed Ordinance amending the City Code of the City of Webster City, Iowa, 1996, by replacing Chapter 111 of Title 3 Establishing New Rates to be charged for Electrical Energy Sold by the City of Webster City be passed and adopted.

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

MOTION TO WAIVE THIRD READING OF ORDINANCE **FAILED** – three-fourths majority vote of Council is needed to waive the third reading and pass an ordinance.

RESOL-SUPPLE AGREE—FOTH-TRAIL

It was moved by Gray and seconded by Kloberdanz that Resolution No. 2007-151 authorizing the Mayor and City Clerk to enter into Supplemental Agreement with Foth Engineering Alliance, for additional Engineering Services in connection with the Boone River Recreational Trail be passed and adopted.

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

RESOL-SUPPLE AGREE-FD ASPHALT-RESURFACING

It was moved by Adams and seconded by Foster that Resolution No. 2007-152 authorizing the Mayor and City Clerk to enter into a Supplemental Agreement with Fort Dodge Asphalt Company, Inc., Fort Dodge, Iowa, in connection with the 2007 Resurfacing Project be passed and adopted.

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

RESOL-APPR POLICE WORK AGREE 2008-2011

It was moved by Gillette and seconded by Kloberdanz that Resolution No. 2007-153 approving Police Department Work Agreement for 2008-2011 and approving the execution of same by the City Manager be passed and adopted.

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

PRESS RELEASE-ABBOTT LAW SUIT

Councilman Foster spoke on why the press release from Attorney Stephen G. Kersten concerning the settlement of the Abbott vs. City of Webster City law suit was not published in the Daily Freeman Journal.

UPDATE-NUISANCE-1038 ELM

City Attorney Gary Groves gave an update on the property located at 1038 Elm Street, which was established as a nuisance by City Council on November 5, 2007.

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

REPORTS

1. That the Planning and Zoning Commission report of December 10, 2007 be accepted and placed on file.
2. That the November 2007 Financial Report and November 2007 Receipts be accepted and placed on file.
3. That the November 2007 City Treasurer Report be accepted and placed on file.
4. That the November 2007 City Manager Report be accepted and placed on file.

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

COUNCIL & OTHER REPORTS

Councilman Kloberdanz reported on the Hamilton County-Cities meeting he attended on December 4, 2007.

Mayor Gray reported on the Hamilton County Solid Waste Commission of December 12, 2007.

UTILITY SESSION (12th)

The Council proceeded with a Utility Session.

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

CLOSED SESSION-ELECTRIC

It was moved by Kloberdanz and seconded by Gillette that the Council meet in closed session to discuss information relevant to the provision of electric service by the City Utility as per Iowa Code Chapters 21.5 a, 22.7 3 & 6, and 388.9 pertaining to confidential and competitive information in records.

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

The Council went into closed session at 7:29 p.m.

The Council returned to open session at 7:52 p.m.

No formal action was taken on the resolution concerning the Wholesale Firm Power Contract with Corn Belt Power Cooperative.

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

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

The Council stood adjourned at 7:56 p.m.