

**CITY COUNCIL MEETING MINUTES  
Webster City, Iowa August 21, 2006**

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p. m. August 21, 2006 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.

Mayor Gray presented a plaque to Larry Bucknam for his ten years of service to the Park and Recreation Commission.

**APPR AGENDA**

It was moved by Foster and seconded by Gillette to approve the Agenda.

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

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

**MINUTES, PAYROLLS & BILLS**

1. That the Minutes of August 7, 2006 be approved as corrected by adding "*with funding to be from the uncommitted LOSST (Local Option Sales and Service Tax) funds*" to the motion to approve the concept of the first phase of the Willson Avenue between Second and north alley Project in the amount of \$68,000.
2. That Resolution No. 2006-100 on Payroll for the period ending August 5, 2006 and paid on August 11, 2006 in the amount of \$129,440.02 be passed and adopted.
3. That Resolution No. 2006-101 approving payment of Bills in the amount of \$1,742,440.74 be passed and adopted.

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

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

**RESOL-DISSOLVE 28E AGREE-REG 5 TASK FORCE**

1. That Resolution No. 2006-102 dissolving the 28D/28E Agreement creating the Region 5 Task Force be passed and adopted.

**RESOL-AUTH TAX ABATE 1309 GRAND**

2. That Resolution No. 2006-103 authorizing approval of application for the Webster City Revitalization Plan Involving Tax Abatement for Loran Seiser, 1309 Grand Street be passed and adopted.

**RESOL-ACCEPT 2006 RESURFACING PROJ**

4. That Resolution No. 2006-104 accepting work, authorizing payment of Final Estimate in the amount of \$227,571.20 now and the final retainage in the amount of \$13,517.95 in 30 days to Fort Dodge Asphalt, Fort Dodge, Iowa, for completion of the 2006 Resurfacing Project be passed and adopted.

**APPR EXT-JAYCOX-LOT 3. WALL CREEK to 2-21-08**

5. That the Request from Debbie and Lynn Jaycox for an extension on their contract with the City for building on Lot 3, Wall Creek First Addition be approved and the completion date be extended for a period of 18 months, or until February 21, 2008.

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

**City Council Meeting Minutes August 21, 2006**

**ADOPT ORD 1651-AMEND ZON ORD-FUNERAL HOME**

It was moved by Foster and seconded by Gillette that the Second Reading of proposed Ordinance No. 2006-1651, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 122.04, 122.05, and 123.15(18) Pertaining to Zoning be approved.

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

It was moved by Gray and seconded by Foster that the **requirement** for the Third Reading of proposed Ordinance No. 2006-1651, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 122.04, 122.05, and 123.15(18) Pertaining to Zoning be **waived**, and that Ordinance No. 2006-1651, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 122.04, 122.05, and 123.15(18) Pertaining to Zoning be passed and adopted.

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

**ADOPT ORD 1652 DISSOLVE PLBG BD**

It was moved by Gillette and seconded by Kloberdanz that the Second Reading of proposed Ordinance No. 2006-1652, an ordinance amending the City Code of the City of Webster City, Iowa, 996, by replacing Chapter 164, concerning Licensing of Plumbers be approved.

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

It was moved by Gillette and seconded by Foster that the **requirement** for the Third Reading of proposed Ordinance No. 2006-1652, an ordinance amending the City Code of the City of Webster City, Iowa, 996, by replacing Chapter 164, concerning Licensing of Plumbers be **waived**, and that Ordinance No. 2006-1652, an ordinance amending the City Code of the City of Webster City, Iowa, 996, by replacing Chapter 164, concerning Licensing of Plumbers be passed and adopted.

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

**ADOPT ORD 1653 DISSOLVE ELEC BD**

It was moved by Kloberdanz and seconded by Adams that the Second Reading of proposed Ordinance No. 2006-1653, an ordinance amending the City Code of the City of Webster City, Iowa, 1996 by replacing Chapter 168, concerning Licensing of Electricians be approved.

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

It was moved by Gray and seconded by Gillette that the **requirement** for the Third Reading of proposed Ordinance No. 2006-1653, an ordinance amending the City Code of the City of Webster City, Iowa, 1996 by replacing Chapter 168, concerning Licensing of Electricians be **waived**, and that Ordinance No. 2006-1653, an ordinance amending the City Code of the City of Webster City, Iowa, 1996 by replacing Chapter 168, concerning Licensing of Electricians be passed and adopted.

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

**ADOPT ORD 1654 DISSOLVE BLDG CD BD OF APPEAL**

It was moved by Adams and seconded by Kloberdanz that the Second Reading of proposed Ordinance No. 2006-1654, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 132, pertaining to Building Code Board of Appeals be approved.

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

**City Council Meeting Minutes August 21, 2006**

It was moved by Gillette and seconded by Adams that the **requirement** for the Third Reading of proposed Ordinance No. 2006-1654, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 132, pertaining to Building Code Board of Appeals be **waived** , and that Ordinance No. 2006-1654, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 132, pertaining to Building Code Board of Appeals be passed and adopted.

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

**APPR KELLY'S LIQ LICENSE-DANCE REQUEST**

It was moved by Foster and seconded by Adams that the issuance of an Outdoor Service Area Application of the Class C Liquor License of Kelly's Bar and Grill, 545 Second Street on September 2, 3, 2006 by the Iowa by the Iowa Department of Commerce be recommended for approval.

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

It was moved by Gillette and seconded by Adams that the request from Kelly's Bar and Grill, 545 Second Street for permission to hold a Street dance on Saturday, September 2<sup>nd</sup> be approved, with the City to provide for barricades, picnic tables and electric service hook up-outlet; with Kelly's to be responsible for the kybos (port-a-potties).

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

**WILLSON AVE PROJ**

It was moved by Foster and seconded by Adams to approve the Willson Avenue (between Second Street and North Alley) Enhancement Project.

The following people spoke on the proposed Willson Avenue Enhancement Project:

Al Reynolds, Tim Adams, Theresa Draeger, Vicki Olson, Bonnie Graham, Char Ringstad, Rod Leman, Bob Erickson, Jean McMurray, Jim Olson, Sherry Adams, Susan Buser and Phil Voge.

It was moved by Gray and seconded by Gillette to amend the previous motion and defer any action on the Willson Avenue (between Second Street and North Alley) Enhancement Project to March 15, 2007.

ROLL CALL on the amended motion:

Gillette and Gray voting aye.

Klobberdanz, Adams and Foster voting nay.

The motion on the amended motion failed.

Foster withdrew his original motion.

Adams withdrew her second on the original motion.

The Willson Avenue Enhancement Project will be placed on the September 5, 2006 Agenda.

The Council took a short recess.

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

**P&Z, City Mgr Reports**

1. That the Planning and Zoning Commission report of August 14, 2006 be accepted and placed on file.
2. That the July 2006 City Manager Report be accepted and placed on file.

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

COUNCIL AND OTHER REPORTS

Councilman Foster reported on the MIDAS Council of Government meeting he attended.

Councilwoman Adams reported on an Iowa Workforce Development meeting she attended.

Mayor Gray reported on the Hamilton County Solid Waste Commission meeting of August 9, 2006.

City Manager Ed Sadler reported on the offer of a \$250 reward for information leading to an arrest on the recent vandalism at Kendall Young Park.

**UTILITY WORK SESSION (8<sup>th</sup>)**

The Council then proceeded with a Utility work session.

The "Change A Light, Change the World" program was discussed. The City will participate in this program with Iowa's municipal and cooperative utilities, Wisconsin Energy Conservation Corporation (WECC), MidAmerican Energy and Alliant Energy, which will begin in October, 2006. Several local businesses will participate.

It was the **CONSENSUS** of the Council to accept the low bid of Nikkel and Associates, and to proceed with the separate metering of electric heating at the City Hall, Fire Station, Fuller Hall and Webster City Day Care in the total amount of \$7,943.00.

The Council discussed two electrical service update requests and one rate request. The City Manager will send letters in response to the requests.

City Manager Sadler discussed his proposal for the negotiating team on the Corn Belt Power Cooperative contract. Council was asked to suggest possible names for the negotiating team to be appointed at a later date.

**CLOSED SESSION-REAL ESTATE & LITIGATION**

It was moved by Kloberdanz and seconded by Foster that the Council meet in Closed Session to:

1. To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property, as provided by Chapter 21.5 j. of the Code of Iowa; and
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: Adams, Foster, Gillette, Gray and Kloberdanz voting aye.

The Council went into Closed Session at 9:12 p.m.

The Council returned to Open Session at 9:55 p.m.

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

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

The Council stood adjourned at 9:57 p.m.