

CITY COUNCIL MEETING MINUTES
Webster City, Iowa March 20, 2006

The City Council met in regular session at the City Hall, Webster City, Iowa, at 7:00 p. m. March 20, 2006. 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 Kloberdanz and seconded by Gillette to approve the Agenda.

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

Public Information:

Dennis Jackson spoke on the upcoming Special Olympics events to be held July 1st in Ames, June 30th in Webster City, and the local law enforcement run to be May 18th.

Interim City Manager Kent Harfst advised that the City Council Agenda Packet is now on the City of Webster City's Web Site.

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

MINUTES, PAYROLLS & BILLS

1. That the Minutes of March 6 and March 13, 2006 be approved.
2. That Resolution No. 2006-37 on Payroll for the period ending March 4, 2006 and paid on March 10, 2006 in the amount of \$113,087.57 be passed and adopted.
3. That Resolution No. 2006-38 approving payment of Bills in the amount of \$ 830,523.59 be passed and adopted.

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

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

PERMITS

1. That the issuance of Beer and Liquor Licenses by the Iowa Department of Commerce be recommended for approval for the following:
 - a. New Off Premise application for Class B Native Wine Permit-Romancing the Home (Kristine M. Peed), 721 Des Moines Street.
 - b. Transfer Liquor License LC0027535 - Wild Side Sports Tap, 723 Second Street to 1200 Bluff Street (Hamilton County Fairgrounds) for March 27 and March 28, 2006.

APPT-CIVIL SERV COMM-ARTRIP

2. That the appointment of Ray Artrip to the Civil Service Commission for the six year term ending April 2012 be approved.

RESOL-WARRANTY DEED-LOT 11-BR CREEK ESTATES-3rd

3. That Resolution No. 2006-39 approving executed Warranty Deed conveying City owned property, Lot 11, Brewer Creek Estates Third Addition, Webster City, Iowa to Daniel Willard and Diane Powers be passed and adopted.

RESOL-TAX ABATE-2005 BEACH

4. That Resolution No. 2006-40 authorizing approval of application for the Webster City Revitalization Plan involving tax abatement for Diane B. Jackson, 2005 Beach Street be passed and adopted.

RESOL SET PH BANK ST BRIDGE PAINT-Apr 17th -7:15 p.m.

5. That Resolution No. 2006-41 setting April 17, 2006 at 7:15 p.m. 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 2006 Bank Street Bridge Painting Project be passed and adopted.

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

APPR PUR.FIRE ALARM-ST DEPT

It was moved by Gray and seconded by Adams that the purchase of a Fire Alarm System for the Street Department from Midwest Alarm Service, Des Moines, Iowa in the amount of \$8,958.00 be approved.

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

APPR SPEC SNOW BLOWER-ST DEPT

It was moved by Kloberdanz and seconded by Gillette that the specifications be approved and quotations be authorized for rebuilding or buying a used Snow Blower for the Street Department.

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

AUTH ENCR.PER-GALLENINE-FENCE

It was moved by Gray and seconded by Gillette that the request for an encroachment permit from Lee Gallentine, 526 Bank Street, to place a four foot high chain link fence in the City right of way (Dubuque Street) be approved; and that Resolution No. 2006-42 authorizing an encroachment permit to Lee Gallentine 526 Bank Street, pertaining to an encroachment on City right-of-way (four foot high chain link fence) at 526 Bank Street, Webster City, Iowa, be passed and adopted.

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

RESOL-AUTH \$78,514 PAY-UPRR-TRAIL

It was moved by Kloberdanz and seconded by Foster that Resolution No. 2006-43 authorizing the Mayor and City Clerk to execute Private Road Crossing Agreement with the Union Pacific Railroad in connection with the Boone River Recreational Trail and authorizing payment in the amount of \$78,514.00 in connection with said agreement be passed and adopted.

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

AUTH \$500 PAY-UPRR-TRAIL

It was moved by Adams and seconded by Foster that a motion authorizing a \$500.00 payment to Union Pacific Railroad for Contractor's Right of Entry Agreement in connection with the Boone River Recreational Trail be approved.

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

RESOL-AUTH AGREE-IDOT-TRAIL

It was moved by Kloberdanz and seconded by Adams that Resolution No. 2006-44 authorizing the Mayor and City Clerk to enter into Transportation Enhancement Agreement Number 06-STPE-106, Project Number STP-E-8212(613) – 8V-40, with the Iowa Department of Transportation providing funds for the Boone River Recreational Trail Project be passed and adopted.

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

BEAU. STUDY COMM-ADAMS

The Council discussed reestablishing a Beautification Committee.

It was moved by Gray and seconded by Kloberdanz to appoint Janet Adams as the Council representative to the Beautification Study Committee to work with staff and the city attorney's office in developing a plan on community beautification issues.

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

RECYCLE CONT-ST.DEPT

The Council discussed placement of the Recycling Container.

The **Consensus** of the Council was to move the Recycling Container to the Street Department.

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

REPORTS

1. That the February 2006 Financial Report and Receipts be accepted and placed on file.
2. That the February 2006 City Treasurer Report be accepted and placed on file.
3. That the February 2006 City Manager Report be accepted and placed on file.

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

Council Committee Reports:

Councilman Foster reported on the MIDAS meeting he attended in Fort Dodge.

Councilman Foster reported on a meeting that he and Councilman Gillette attended with Congressman Latham on the Electrolux situation on March 20, 2006.

Councilman Kloberdanz reported on the Webster City Community Readjustment Steering Committee meeting that he attended on March 17, 2006.

CLOSED SESSION-ATTY DOC.REVIEW-ELEC SERV.

It was moved by Gray and seconded by Kloberdanz that the following motion to hold a Closed Session for the City Council to be informed as to the preliminary document review of an attorney relevant to the provision of electric service by the City Utility and possible claims to be made by said utility be adopted:

WHEREAS, the City of Webster City ("City"), owns and operates an electric utility system to distribute and sell electric power and energy at retail to City residents ("City Utility");

WHEREAS, the City Council, as the governing body of the City Utility, has determined that it is in the best interests of the City and its electric ratepayers for the City to be informed of the functioning and meaning of the wholesale power contract of the current supplier of wholesale electric service to the City Utility and an attorney has been retained for that purpose;

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WHEREAS, said work product of an attorney constitutes a confidential record under Iowa Code §22.7(4) as well as some matters under Iowa Code §388.9(2) authorizing the closed session pursuant to Iowa Code §21.5 and Iowa Code §388.9(1).

NOW, THEREFORE, BE IT DETERMINED BY THE CITY COUNCIL OF WEBSTER CITY, IOWA:

Section One: The City shall hold a closed session pursuant to Iowa Code §21.5 and Iowa Code §388.9(1) only to the extent necessary to be informed of said information and to hold any related documentation as confidential under Iowa law;

Section Two: This motion recording the vote of the City Council as well as the specific legal authority for holding the closed session is a public record;

Section Three: No final action shall be taken on any matter discussed in the closed session that is the subject of this Motion.

Section Four: The requirements of Iowa Code §21.5(4) and Iowa Code §388.9(1) requiring detailed minutes and tape recording of the closed shall be diligently complied with.

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

The Council went into Closed Session at 8:04 p.m.

The Council returned to Open Session at 8:52 p.m.

UTILITY WORK SESSION (3rd)

The Council then proceeded with a Utility work session.

Finance Office Supervisor Vicki Smith presented the February Year to Date Utilities Cash Statement Report on the three utilities. Further discussion was held on the operation of the utilities.

The following item will be on the April 17, 2006 utility work session agenda:

1. Year to date (March) Utilities Cash Statement Report on the three utilities.

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

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

The Council stood adjourned at 9:30 p.m.