

The Waukon City Council met in regular session on February 7, 2011 at 7:00 o'clock P.M. in the Council Room of City Hall, 101 Allamakee Street, with Mayor Loren Beneke presiding. Council members present: Trent Mitchell, Steve Wiedner, John Ellingson, Dave Sanderson and Joe Cunningham. Council members absent: none. Others present: City Attorney James Garrett, Police Chief Clark Bollman, Street Superintendent Randy Murphy, Water/Sewer Superintendent Robert Campbell, Development Officer/Zoning Administrator Al Lyon, Lyle TeKippe-TeKippe Engineering and citizens.

The Mayor opened the meeting with prayer.

Moved by: Wiedner

Seconded by: Cunningham

To approve the following consent agenda items:

Agenda

Minutes of January 17, 2011-special; January 17, 2011-regular

Clerk/Treasurer Reports-December, 2010

Class "C" Liquor License renewal with Sunday Sales for Amarillo's Roadhouse

Grill LLC, d/b/a Amarillo's Roadhouse Grill, 609 Rossville Road

Payment of claims

AT & T	services	122.18
Alliant Energy	services	989.25
Allamakee County Economic Development	2 nd /3 rd qtr. contribution	6,196.50
Allamakee County Economic Development	contractual serv.-Jan. '11	2,086.66
Allamakee Clayton Electric	service	65.93
Black Hills Energy	services	3,785.28
Bresnahan Oil Company	fuel	1,264.90
Brinks Tree Service	labor	2,000.00
Brown Supply Company	parts	1,175.59
Carquest Auto Parts	parts	364.98
Casey's General Stores, Inc.	fuel	324.30
City Laundering Co.	service	425.75
Culligan Water Conditioning	services	30.00
Jerry Donahue	labor/truck hire	813.75
Group Services	adm.fees-Feb. '11	238.35
Group Services	self fund req.-Feb.'11	38.73
HD Supply Waterworks, Ltd.	parts	458.87
Iowa One Call	services	13.50
JaDecc's	computer	1,195.00
JennerJohn & Holthaus, Inc.	labor	850.00
Jim's Full Service	fuel	1,366.80
Kwik Trip	fuel	4,575.17
Chad Kelly	truck hire	440.00
Ken Kerr Electric	parts/labor	81.84
John Kerndt	truck hire	360.00
Bruce Meador	labor	1,455.00
Municipal Supply, Inc.	parts	743.30
News Publishing Co., Inc.	service	323.56
Northway Well & Pump Company	parts/labor	1,643.63
Olson Explosives, Inc.	supplies	583.80
Palmer Repair	parts/labor	437.09
Public Safety Center	supplies	246.98
Quillins	supplies	22.05
Reiser Implement, Inc.	supplies	31.96
RW Pladsen, Inc.	parts/labor	746.66
DuWayne Snitker	dog care	105.00
Stilwell Bros.	truck hire	440.00
Storey Kenworthy	supplies	267.00
TeKippe Engineering	services-IDOT proj.	1,358.00
Test America	samples	50.40
Tres Amigos	refund	154.38
Union Security Ins. Co.	insurance-Feb.'11	162.00
US Cellular	services	89.87
Veterans Memorial Hospital	supplies	6.00
Waukon Tire Center	parts	928.15
Waukon Postmaster	postage stamps	44.00
Waukon Area Fire Protection District	28E contribution	15,000.00
Wellmark Blue Cross Blue Shield	insurance-Feb.'11	7,446.56
Iowa Department of Revenue	withholding	318.30
WSB/Electronic Filing	federal w/h	3,379.56
WSB/Electronic Filing	soc.sec. w/h	5,007.11
Stuart Bloxham	reimbursement	44.24

Skyline Construction, Inc.	pay est. #5-final-9 th St.SW util.	36,388.74
Treasurer, State of Iowa	state w/h	4,319.00
Regular Payroll	Jan. 9 – Jan. 22, 2011	27,078.48
Mark Lomen	land purchase	40,911.65
Treasurer, State of Iowa	sales tax	4,008.00
Stuart Bloxham	reimbursement	47.45
Town & Country Sanitation	services	16,280.85
Waukon Postmaster	postage	149.45
Iowa Department of Revenue	withholding	318.30
Waukon State Bank	federal w/h	3,163.06
Waukon State Bank	soc.sec. w/h	4,865.99

Fund Totals:	General: 62,010.84	Library:	3,850.01
	Water: 12,245.89	Wellness:	9,034.90
	RUT: 20,620.91	IDOT Sub fund:	1,358.00
	Sewer: 15,956.09	9 th St. SW Util:	36,388.74
	Lomen: 40,911.65	Spec.Rev.Emp:	5,451.87

Yes: Ellingson, Wiedner, Mitchell, Cunningham, Sanderson No: 0

The Mayor declared the motion carried.

The Public Hearing on Kwik Trip tobacco sale violation complaint was cancelled, upon the recommendation of the City Attorney.

City Attorney James Garrett discussed with the Council, the Kwik Trip tobacco sale violation complaint.

Moved by: Cunningham Seconded by: Wiedner

To approve order disposing of Hearing complaint.

Yes: 5 No: 0

The Mayor declared the motion carried.

Dennis Murphy discussed with the Council proposed resolution to place the imposition of a Hotel and Motel tax on the election ballot for the City of Waukon, Iowa.

Moved by: Cunningham Seconded by: Ellingson

To table action on resolution until late September, 2011.

Yes: 5 No: 0

The Mayor declared the motion carried.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution agreeing to close the extension of Road No. Iowa 9 and Iowa 9 and 76 from Northern Engraving parking lot along 9/76 to St. Patrick's Catholic Church on 2nd St. SW (via W. Main) for the period beginning at 1:00 P.M. and ending at 2:00 P.M. on March 13, 2011 for the St. Patrick's Day Parade.

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2419 to the resolution.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution agreeing to close the extension of Road No. 9 and 76 from South on Allamakee Street (Hwy.9) from the intersection with 8th Avenue NW to West Main Street (Hwy.76), then west to 2nd Street NW, north to 8th Avenue NW and east back to the fairgrounds on Allamakee Street (Hwy.9) for the period beginning at 7:00 P.M. and ending at 8:30 P.M. on June 6, 2011 for the Dairy Days Parade. (Rain date-June 13, 2011)

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2420 to the resolution.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution agreeing to close the extension of Road No. 9 and Highway 76 from 8th Avenue NW to East and West Main and Highway 76 North from Highway 9 to 2nd Street SW for the period beginning at 7:00 P.M. and ending at 8:00 P.M. on August 1, 2011 for the Waukon Antique Car and Tractor Parade. (Rain date-August 8, 2011)

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2421 to the resolution.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution agreeing to close the extension of Road No. Hwy 76 from 5th Street NW to Rossville Road to 1st Avenue SW to 6th Street SW to 6th Street NW for the period beginning at 6:00 P.M. and ending at 7:00 P.M. on November 21, 2011 for the Waukon Christmas Parade.

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2422 to the resolution.

Moved by: Wiedner

Seconded by: Mitchell

To grant permission to Lee Gavle, in accordance with City Code Section 135.06, to place a lunch wagon on West Main Street to sell food; with the understanding that the City Clerk will issue a Peddlers License to him to sell the food on March 13, 2011-St. Patrick's Day celebration, with the license to be effective until 7:00 P.M. in accordance with City Code Section 122.10.

Yes: 5

No: 0

The Mayor declared the motion carried.

Darryl Palmer was present to discuss with the Council the possible sale of his lot located along 8th Avenue NW and the storm sewer that crosses the lot.

Moved by: Cunningham

Seconded by: Ellingson

To instruct the Mayor and City Clerk to sign the Municipal Storm Sewer Easement Agreement.

Yes: 5

No: 0

The Mayor declared the motion carried.

The Council discussed firearms on City property and authorized the City Attorney to draft resolution for the next Council meeting.

The Council discussed possible vacation of alley between Second Avenue and Third Avenue SE and the alley adjacent to Dennis Murphy residence, 511 2nd Street SW. It was agreed to get the neighbors input and cost estimates.

City Attorney James Garrett discussed with the Council Verizon lease. No action taken.

Moved by: Cunningham

Seconded by: Sanderson

To schedule date of Public Hearing for March 7, 2011 at 7:00 P.M. for an ordinance amending the Code of Ordinances of the City of Waukon, Iowa 1998, by amending provisions pertaining to the regulation of Daycare Centers under the Zoning Ordinance.

Yes: 5

No: 0

The Mayor declared the motion carried.

An ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding additional nuisance definitions (pools of water) was presented to the Council for approval.

Moved by: Mitchell

Seconded by: Cunningham

To approve the first reading.

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham

No: 0

The Mayor declared the motion carried.

Lyle TeKippe-TeKippe Engineering discussed with the Council 2011 Street Improvements Project (3rd Avenue NW) and discussed the costs, whereas the City would pay the first \$100,000.00 with the remaining balance-40% property owners, 60% City.

Moved by: Mitchell

Seconded by: Cunningham

To proceed with 2011 Street Improvements Project. (3rd Avenue NW)

Yes: 5

No: 0

The Mayor declared the motion carried.

City Attorney James Garrett discussed with Council amending of the City-County Road Maintenance Agreement. No action taken.

The Council discussed Bruening Rock Products, Inc. claim for \$52,370.18 (Kitchen Krafts Project).

Moved by: Cunningham

Seconded by: Wiedner

To approve partial payment of \$41,896.14 (80% of \$52,370.18) to Bruening Rock Products, Inc., with the understanding that the check would not be drafted until after the Council approves the resolution transferring the funds to the Kitchen Krafts Sub fund at their February 22, 2011 meeting.

Yes: 5

No: 0

The Mayor declared the motion carried.

Moved by: Cunningham

Seconded by: Wiedner

To approve payment of claim for \$1,511.95 to Bruening Rock Products, Inc. for manhole-IDOT Project.

Yes: 5

No: 0

The Mayor declared the motion carried.

Moved by: Mitchell

Seconded by: Ellingson

To approve resolution agreeing to the internal loan transfer of \$2,869.95 from the SE Tax Increment Fund to the DOT Maintenance Garage Project Sub fund.

Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson

No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2423 to the resolution.

Moved by: Ellingson

Seconded by: Sanderson

To approve resolution establishing TIF Administrative Costs Sub fund and agree to the internal loan transfer of \$3,750.00 from the SE Tax Increment Fund to the TIF Administrative Costs Sub fund.

Yes: Wiedner, Sanderson, Ellingson, Mitchell, Cunningham

No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2424 to the resolution.

Moved by: Ellingson

Seconded by: Sanderson

To approve resolution agreeing to the transfer of \$3,750.00 from the TIF Administrative Costs Sub fund to the General Fund for payback for payments made July 1, 2010 through January 31, 2011.

Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham

No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2425 to the resolution.

Moved by: Cunningham

Seconded by: Mitchell

To adjourn.

Yes: 5

No: 0

The Mayor declared the motion carried.

Diane Sweeney
City Clerk