

The Waukon City Council met in regular session on December 3, 2012 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, Dave Sanderson and Joe Cunningham. Council members absent: John Ellingson. Others present: City Attorney James Garrett, Police Chief Clark Bollman, Water/Sewer Superintendent Robert Campbell, Street Superintendent Randy Murphy, Development Officer/Zoning Administrator Allen Lyon and citizens.

The Mayor opened the meeting with prayer.

Moved by: Sanderson Seconded by: Mitchell

To approve the following consent agenda items:

Agenda

- Minutes of November 19, 2012-regular; November 26, 2012-special; November 29, 2012-special
- Class "C" Liquor License renewal with Sunday Sales for Nichole Klingeman, The Rusted Nail, 7 Spring Avenue
- Payment of claims

AT & T	service	122.33
Alliant Energy	service	883.64
Black Hills Energy	service	1,712.95
Allamakee County Sheriff	ans.serv.-Nov.'12	750.00
Bresnahan Oil Company	fuel-ambulance	1,017.52
Brink's Tree Service	tree labor-REAP	560.00
Bresnahan Oil Company	fuel	379.44
Brown Supply Co.	supplies	490.00
Carquest Auto Parts	supplies	41.98
Employee Data Forms	supplies	36.75
Electric Pump	parts/service	6,482.58
Electronic Engineering	parts	300.00
Group Services, Inc.	adm.fees-Dec.'12	238.35
Hansmeier Truck & Trailer	parts/labor	2,235.66
Iowa Patch	supplies	669.20
Iowa Prison Industries	sign	196.02
Iowa Rural Water Assoc.	membership dues-2013	300.00
JaDecc's	supplies	12.50
Jim's Full Service	fuel	409.80
Kwik Star	fuel	113.17
Lydon Electric Motors	parts	22.48
McMillan Muffler	parts/supplies	93.95
Quillin's Food Ranch	fuel/ups charges/supplies	263.17
Skyline Construction, Inc.	REAP proj.	16,028.74
Sweeney Oil Company	supplies	566.60
TASC-Client Invoices	services	40.00
TeKippe Engineering P.C.	services	1,602.70
Thompson Construction/Monona Overhead Door	parts/labor	1,351.52
Union Security Ins. Co.	ins.-Dec.'12	171.00
USA BlueBook	supplies	308.86
Waukon Tire Center, Inc.	parts/labor	91.90
Waukon Tire Center, Inc.	parts/labor-ambulance	1,227.05
Waukon Chamber of Commerce	2013 membership	135.00
Waukon Chamber of Commerce	sign maintenance	3,422.52
Ziegler, Inc.	parts	647.45
EFTPS	federal w/h	3,424.19
EFTPS	soc.sec./medicare w/h	5,229.13
Rick Hagensick	digging bond refund	500.00
Iowa Department of Natural Resources	exam fee	30.00
Regular Payroll	Nov. 11-Nov. 24, 2012	27,658.25
Town & Country Sanitation	services	16,741.95
Waukon Postmaster	postage	190.40

Fund Totals:	General: 41,129.31	REAP:	16,588.74
	RUT: 8,468.27	Spec.Rev.Emp.Ben:	1,788.90
	Water: 9,296.39	Library:	2,943.30
	Sewer: 12,071.52	Wellness Ctr:	4,412.22

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

The Mayor declared the motion carried.

A resolution waiving right to review Mark Lomen subdivision plat was presented to the Council for approval.

Moved by: Cunningham Seconded by: Wiedner

To approve the resolution.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2614 to the resolution.

The Council discussed transfer of right of first refusal purchase option for Lomen property to Allamakee Community School District.

Moved by: Cunningham

Seconded by: Wiedner

With respect to the rights of the City of Waukon (the "City") under the terms of the Right of First Refusal Agreement between the City and Mark Lomen ("Lomen") recorded on September 14, 2010, as Document #2010-2031, copy of which is attached hereto:

1. In the event that Allamakee Community School District ("ACSD") negotiates an agreement with Lomen for the purchase of all or a portion of the real estate subject to the Right of First Refusal Agreement, the City will not exercise its rights under the Right of First Refusal Agreement; and
2. In the event the City receives notice from Lomen regarding a bona fide purchase offer from another party for all or a portion of the real estate which Lomen desires to accept, and in the further event the City at that time concludes not to exercise its rights under the Right of First Refusal Agreement, the City will at this time assign its rights under the Right of First Refusal Agreement to ACSD.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

The Mayor opened the following sealed bids for sale of 1999 Crown Victoria police car:

Michael Dugan	\$ 600.00
Margie Schulte	\$1,005.00
Chris McCartney	\$ 556.50
Israel Elimelech	\$ 700.00
Thomas J. Novak	\$ 2,156.00

Moved by: Cunningham

Seconded by: Sanderson

To accept the high bid of \$2,156.00 from Thomas J. Novak for purchase of the 1999 Crown Victoria police car.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Cunningham

Seconded by: Mitchell

To accept the retirement resignation of Police Chief Clark Bollman, as of February 1, 2013 (last date of employment-January 31, 2013)

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Wiedner

Seconded by: Mitchell

To approve the appointment of Phil Young as Police Chief of the Waukon Police Department, effective date February 1, 2013.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

The Council discussed US Cellular lease amendment.

Moved by: Mitchell

Seconded by: Cunningham

To approve First Amendment to Ground Lease between the City of Waukon and Iowa RSA No. 12 Limited Partnership.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

The Council discussed property tax rebate revision.

Moved by: Cunningham

Seconded by: Mitchell

To table action on the property tax rebate revision.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Mitchell

Seconded by: Cunningham

To approve resolution agreeing to the transfer of \$40,900.00 from the General Fund to the Capital Equipment Fund (Police).

Yes: Cunningham, Wiedner, Sanderson, Mitchell

No: 0

Absent: Ellingson

The Mayor declared the resolution approved and the Clerk assigned the number 2615 to the resolution.

Moved by: Mitchell

Seconded by: Cunningham

To approve resolution agreeing to the transfer of \$8,300.00 from the Capital Equipment Fund (Police) to the General Fund (Police) for roof in accordance with the November 5, 2012 Council Meeting minutes.

Yes: Cunningham, Wiedner, Sanderson, Mitchell

No: 0

Absent: Ellingson

The Mayor declared the resolution approved and the Clerk assigned the number 2616 to the resolution.

