COUNCIL ROOM-------May 3, 2010

The Waukon City Council met in regular session on May 3, 2010 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, Street Superintendent Randy Murphy, Water/Sewer Superintendent Robert Campbell, Development Officer Al Lyon, Lyle TeKippe-TeKippe Engineering, representatives of Robey Memorial Library and citizens.

The Mayor opened the meeting with prayer.

Moved by: Mitchell Seconded by: Cunningham

To approve the following consent agenda items:

Agenda

Minutes of April 19, 2010-special; April 19, 2010-regular

Class "C" Beer Permit renewal with carryout Native Wine and Sunday Sales-Casey's Marketing Company, d/b/a Casey's General Store #1997, 516 Rossville Road

Payment of claims

AT&T	service	59.65
Alliant Energy	service	677.55
Allamakee County Sheriff	ans.service-April '10	750.00
Bankers Trust Co.	principal/interest	41,418.75
Bankers Trust Co.	principal/interest	75,866.25
Bankers Trust Co.	principal/interest	202,169.88
Barker LeMar Engineering	services	2,989.00
Black Hills Energy	services	1,439.78
Bresnahan Oil Company	fuel	2,804.71
Carquest Auto Parts	parts	36.64
Culligan Water Conditioning	supplies	46.80
Cunningham Hardware & Rental	supplies	7.16
Chemsearch	supplies	212.04
Group Services, Inc.	self fund reqMay '10	2,693.51
Hansmeier Truck & Trailer	parts/labor	188.59
Hawkins, Inc.	supplies	2,023.69
HD Supply Waterworks, Ltd.	Parts	2,747.00
IKON Office Solutions	supplies	84.00
Jim's Full Service	fuel	528.46
Liquid Engineering Corp.	services	2,895.00
MARC	supplies	794.72
DuWayne Snitker	dog care	105.00
Sportsmen's Unlimited	supplies	30.18
Teamsters Local 238	union dues-May '10	244.00
Torkelson's of Waukon, Inc.	parts/labor	45.68
Union Security Insurance Co.	insMay '10	144.32
USA BlueBook	signs/supplies	200.30
Waukon Implement Co.	parts/labor	651.08
Waukon Tire Center	parts/labor	705.71
Zee Medical, Inc.	supplies	72.50
Regular Payroll	April 4-April 17, 2010	33,630.34
Paul Wagner	reimbursement	11.08
Waukon Postmaster	postage	44.00
Waukon Postmaster	postage stamps	220.00
Bieber Insurance	insurance	2,425.00
Waukon Trees Forever	contribution	2,000.00
Alcoholic Beverage Division	license	120.00
Treasurer, State of Iowa	state withholding	2,890.00
Treasurer, State of Iowa	sales tax	2,896.00
Skyline Construction, Inc.	pay est.#4-SW Util.Improv.	43,046.72
WSB/Electronic Filing	soc.sec. withholding	7,263.93
WSB/Electronic Filing	federal withholding	5,474.90
Clark Bollman	reimbursement	78.25
Waukon State Bank	bankcard fee	41.59
Fund Totals: General: 35,413.89	Spec.Rev.Emply.Ben:	2,174.19
DLIT: 6.244.20	Dobt Convices	116 005 00

RUT: 6,344.29 Debt Service: 116,885.00 C-Mart Subfund: Water: 11,027.83 2,989.00 9,660.33 TIF Fund: 201,969.88 Sewer: 5,575.98 Water Op.Maint. Fund: 2,895.00 Library: SW Water Util.Subfund: 42,144.22 Wellness: 4,702.69 2<sup>nd</sup> St. Sanitary Sewer: 902.50

T&A Ins.: 88.96 2<sup>nd</sup> St. Sanitary Sewer: 902.50 Yes: Ellingson, Mitchell, Cunningham, Sanderson No: 0 Absent: Wiedner

The Mayor declared the motion carried.

This being the time and place set for the Public Hearing on proposed change of zoning district classification presently classified as "B-1" and proposed to be reclassified to "R-4" for property owned by Richard and Mary Sullivan, located at 116 West Main Street, the Mayor called for any oral or written comments and there were none. The Clerk announced that no written comments had been previously received. The Mayor declared the Public Hearing closed.

This being the time and place set for the Public Hearing on the designation of the expanded urban renewal area and on proposed urban renewal plan amendment, the Mayor called for any oral or written comments and there were none. The Clerk announced that no written comments had been previously received. The Mayor declared the Public Hearing closed.

Council member Steve Wiedner entered the meeting.

Public comments were heard from Dan Welsh.

An ordinance changing zoning district classification from "B-1" central business to "R-4" transition, for certain real estate located at 116 West Main Street in the City of Waukon was presented to the Council for approval.

Moved by: Mitchell Seconded by: Wiedner

To approve the first reading.

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

The Mayer declared the motion carried.

Brian Stark and Dave Martin-Gardner Architecture presented information to the Council and answered questions regarding proposed Library improvements.

Moved by: Cunningham Seconded by: Wiedner

To authorize the City of Waukon to incur General Obligation debt to cover the balance of Library improvement costs, after all grants, private funding and any other sources of funding are received.

Yes: 5 No: 0

The Mayor declared the motion carried.

Moved by: Ellingson Seconded by: Sanderson

To authorize the Library Board to enter into an agreement with Gardner Architecture-Strawberry Point

for Library improvements.

Yes: 5 No: 0

The Mayor declared the motion carried.

City Attorney James Garrett discussed with the Council a proposed Public Street Use Agreement between the City and the County for use of part of Second Avenue NW located west of Eleventh Street NW, to be used by the County Treasurer's Office, under contract with the Iowa Department of Transportation, for motorcycle drivers license testing.

Moved by: Ellingson Seconded by: Sanderson To approve the Public Street Use Agreement for motorcycle drivers license testing.

Yes: 5 No: 0

The Mayor declared the motion carried.

Council member John Ellingson reviewed with the Council the State of Iowa Airport grant application for Fiscal Year 2011.

Moved by: Ellingson Seconded by: Wiedner

To approve the submittal of the State of Iowa Airport grant application for Fiscal Year 2011 to Iowa

Department of Transportation, Office of Aviation.

Yes: 5 No: 0

The Mayor declared the motion carried.

Moved by: Wiedner Seconded by: Mitchell

To approve Resolution endorsing Fiscal Year 2011 Waukon Municipal Airport Grant application and certifying availability of matching funds, not to exceed \$9,220.00.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2322 to the resolution.

Council member John Ellingson left the meeting.

The Council tabled action on water/sewer department residence inspections.

The Council discussed proposed Bresnahan subdivision and development agreement.

Moved by: Mitchell Seconded by: Cunningham

To form a committee to work on a Development Agreement for the proposed Bresnahan subdivision and to name Council Member Steve Wiedner and Joe Cunningham to serve on this committee, with

Council Member Dave Sanderson to serve in the absence of Joe Cunningham.

Yes: 4 No: 0 Absent: 1 (Ellingson)

The Mayor declared the motion carried.

Moved by: Mitchell Seconded by: Wiedner

To set date of Public Hearing for June 7, 2010 at 7:00 P.M. in the Council Room of City Hall to assign

permanent zoning classification for recently annexed property.

Yes: 4 No: 0 Absent: 1 (Ellingson)

The Mayor declared the motion carried.

Moved by: Cunningham Seconded by: Sanderson

To agree with the Board of Adjustment's decision to grant James Allison, 505 4<sup>th</sup> Avenue SW a zoning variance of 5 feet from the required 8 foot side yard setback on east side and a zoning variance to exceed the 40% building to lot ratio.

Yes: 4 No: 0 Absent: 1 (Ellingson)

The Mayor declared the motion carried.

Moved by: Cunningham Seconded by: Mitchell

To approve resolution to declare necessity and establish an urban renewal area, pursuant to Iowa Code Section 403.4, and approve urban renewal plan amendment for the Second 2010 Addition to the Southeast Urban Renewal Area.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2323 to the resolution.

An ordinance providing for the division of taxes levied on taxable property in the Second 2010 Addition to the Southeast Urban Renewal Area, pursuant to Iowa Code Section 403.19 was presented to the Council for approval.

Moved by: Cunningham Seconded by: Wiedner

To approve the first reading.

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

The Mayor declared the motion carried.

Moved by: Cunningham Seconded by: Mitchell

To waive the second and third readings.

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

The Mayor declared the motion carried.

Moved by: Cunningham Seconded by: Sanderson

To approve the ordinance.

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

The Mayor declared the ordinance approved and the Clerk assigned the number 670 to the ordinance.

City Attorney James Garrett discussed with the Council proposed Innovative Ag Development Agreement. No action taken.

The Mayor announced that it was appropriate at this time to take action on the proposed Ninth Street SW Utility Improvements Project and to arrange for the taking of bids for this project.

Moved by: Cunningham Seconded by: Mitchell

To approve resolution ordering preparation of detailed plans, specification, notice of hearing, notice to

bidders and form of contract pertaining to the Ninth Street SW Utility Improvements Project.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2324 to the resolution.

The City Clerk announced that detailed plans and specifications, notice of hearing and notice to bidders and form of contract pertaining to the Ninth Street SW Utility Improvements Project have been filed.

Moved by: Cunningham Seconded by: Sanderson

To approve resolution approving detailed plans and specifications, notice of hearing, notice to bidders

and form of contract pertaining to the Ninth Street SW Utility Improvements Project.

Yes: Sanderson, Mitchell, Wiedner, Cunningham

No: 0

Absent: Ellingson

The Mayor declared the resolution approved and the Clerk assigned the number 2325 to the resolution.

Moved by: Mitchell Seconded by: Wiedner

To approve Municipal Storm Sewer Easement Agreement between Mark W. Pladsen and Sheila A. Pladsen, Stephen E. Pladsen and Michelle M. Pladsen and the City of Waukon for work to be done on the

Pladsen property.

Yes: 4 No: 0 Absent 1 (Ellingson)

The Mayor declared the motion carried.

The Council tabled action on Library Board appointment to fill vacancy, term expiring June 30, 2013.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution establishing the GIS Project Fund.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2326 to the resolution.

Moved by: Mitchell Seconded by: Sanderson

To approve resolution agreeing to the transfer of \$24,500.00 from the Economic Development Special Account Fund, \$18,700.00 from the Water Fund and \$18,700.00 from the Sewer Fund to the GIS Project

Fund.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2327 to the resolution.

Moved by: Cunningham Seconded by: Sanderson

To approve resolution establishing the Gundersen Clinic Maintenance/Improvement Fund. Yes: Cunningham, Wiedner, Sanderson, Mitchell No: 0 Absent: Ellingson

The Mayor declared the resolution approved and the Clerk assigned the number 2328 to the resolution.

Moved by: Cunningham Seconded by: Wiedner

To approve resolution agreeing to the transfer of \$1,000.00 from the General Fund to the Gundersen

Clinic Maintenance/Improvement Fund.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2329 to the resolution.

Council member John Ellingson returned to the meeting.

Moved by: Mitchell Seconded by: Sanderson

To approve a resolution agreeing to the internal loan transfer of \$5,312.17 from the SE Tax Increment

Fund to the Wellness Center South Parking Lot Subfund.

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

The Mayor declared the resolution approved and the Clerk assigned the number 2330 to the resolution.

Moved by: Mitchell Seconded by: Cunningham

To adjourn.

Yes: 5 No: 0

The Mayor declared the motion carried.

Diane Sweeney City Clerk