

The Waukon City Council met in regular session on June 21, 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, Water/Sewer Superintendent Robert Campbell, Street Superintendent Randy Murphy, Al Lyon-Development Officer, Lyle TeKippe-TeKippe Engineering and citizens.

The Mayor opened the meeting with prayer.

Moved by: Cunningham

Seconded by: Wiedner

To approve the following consent agenda items:

- Agenda
- Minutes of June 7, 2010
- Clerk/Treasurer Reports-May 2010
- Approval of Cigarette Permits (7-1-10 – 6-30-11)
- Payment of claims

Automatic Systems Co.	parts	333.50
Alliant Energy	service	11,059.39
AT & T	service	331.71
Allamakee County Sheriff	ans.service	1,500.00
Al Fogt Concrete Const.	labor/supplies	3,123.00
Wellmark Blue Cross/Blue Shield	ins.-July '10	7,793.63
Byrnes Landscaping Services	labor/supplies	711.00
Bruening Rock Products, Ins.	supplies	655.20
Cunningham Hardware	supplies	97.61
Eddy Walker	supplies	791.19
Group Services, Inc.	self fund req.-June '10	292.54
James A. Garrett	services-May '10	2,486.67
Grainger	supplies	29.24
Harland Technology Services	maint.agreement	124.89
Iowa One Call	service	40.50
Jim's Full Service	fuel	1,593.95
Kerr Electric	parts/labor	213.11
Jim Magner	license refund	112.50
ProBuild	labor/supplies	988.80
Qwest	services	759.46
Quillins	supplies/fuel	286.67
T & W Grinding	per agreement	2,000.00
TeKippe Engineering	services	295.20
TeKippe Engineering	services	301.13
TeKippe Engineering	services	28,231.10
Tyler Technologies	services	7,323.00
Micheal Thompson	fees	1,011.00
US Cellular	services	261.09
Village Farm & Home	supplies	216.88
Waukon Chamber of Commerce	sign ins.	44.00
Waukon Wellness Ctr.	Senior citizens appropriation	5,000.00
West Side Waukon Lumber	supplies	14.99
Zahn Plumbing & Heating	supplies	6.88
Ziegler, Inc.	parts	765.62
Treasurer, State of Iowa	sales tax	4,705.00
Treasurer, State of Iowa	state withholding	2,598.00
Clark Bollman	reimbursement	20.00
Waukon State Bank	federal withholding	2,818.78
Waukon State Bank	soc.sec.withholding	5,755.76
Regular Payroll	May 30, 2010 – June 12, 2010	39,408.93
IPERS	withholding	2,653.98
IPERS	withholding	5,367.58
Skyline Construction, Inc.	pay est. #5-'09 SW Util.Proj.	3,042.14
Waukon State Bank	bank card fees	20.19
Farmers & Merchants Savings Bank	principal/interest	4,550.00
Waukon State Bank	principal/interest	4,550.00

Fund Totals:	General:	46,783.02	T&A Ins.Self Fund:	292.54
	RUT:	13,378.32	'09 SW Water Util. Subfund:	4,048.34
	Water:	17,283.85	2 nd St. SW San.Sewer Fund:	301.13
	Sewer:	13,004.50	Wellness Ctr. Fund:	6,159.54
	Library:	2,381.60	Capital Equip. Fund:	7,323.00
	GIS Fund:	28,231.10	Debt Gundersen Clinic Fund:	9,100.00
			Spec.Rev.Employ.Ben:	5,998.87

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

The Mayor declared the motion carried.

This being the time and place set for the Public Hearing for taking action on the proposal to enter into a loan agreement in a principal amount not to exceed \$1,000,000.00 related to financing the construction of water and sanitary sewer improvements, the Clerk announced that no written objections had been placed on file. The Mayor called for any oral or written objections and there were none, the Mayor then declared the Public Hearing closed.

The Council heard public comments from citizens.

The Council announced that the next regularly scheduled council meeting will be Tuesday, July 6, 2010 due to the Holiday.

Moved by: Cunningham
Seconded by: Wiedner
To approve resolution expressing intent to enter into a Loan Agreement in a principal amount not to exceed \$1,000,000.00 for the purpose of paying the cost of construction of water and sanitary sewer improvements.
Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson
No: 0
The Mayor declared the resolution approved and the Clerk assigned the number 2352 to the resolution.

The Mayor updated and discussed with the Council the Wellness Center air conditioner noise.

An ordinance changing zoning district classification from "B-1" Central Business to "R-4" Transition for property located at 116 West Main Street owned by Richard Sullivan was presented to the Council for approval.

Moved by: Cunningham
Seconded by: Ellingson
To not approve the third and final reading.
Yes: 2 (Ellingson, Cunningham)
No: 3 (Wiedner, Sanderson, Mitchell)
The motion died for lack of a majority vote.

Moved by: Mitchell
Seconded by: Sanderson
To approve the third and final reading.
Yes: Sanderson, Mitchell, Wiedner
No: Ellingson, Cunningham
The Mayor declared the motion carried.

Moved by: Mitchell
Seconded by: Sanderson
To approve the ordinance.
Yes: Wiedner, Sanderson, Mitchell
No: Cunningham, Ellingson
The Mayor declared the ordinance approved and the Clerk assigned the number 674 to the ordinance.

Moved by: Cunningham
Seconded by: Sanderson
That the Allamakee County Economic Development Commission/City of Waukon services agreement be tabled for further discussion between the parties; and that any services provided between July 1, 2010 and the adoption of a new agreement will be covered retroactively back to July 1, 2010 under terms agreed to in the new contract; and that if an agreement is not entered into, all furnished services agreed to be in the previous contract, will be reimbursed at an hourly rate not to exceed \$50.00 per hour for professional staff and \$25.00 for secretarial staff.
Yes: 5
No: 0
The Mayor declared the motion carried.

Al Lyon, Development Officer, discussed with the Council temporary signs. No action taken.

Moved by: Mitchell
Seconded by: Sanderson
To approve the agreement between the City of Waukon and T & W Grinding and Compost Services, LLC- yard waste compost for July 1, 2010 - June 30, 2011.
Yes: 5
No: 0
The Mayor declared the motion carried.

Moved by: Cunningham
Seconded by: Wiedner
To approve the municipal utilities easement agreement between Jane Schneider and the City of Waukon and two municipal utilities easement agreements between Bradley and Linda Winkie and the City of Waukon.
Yes: 5
No: 0
The Mayor declared the motion carried.

Moved by: Ellingson
Seconded by: Wiedner
To approve resolution proposing annexation of territory (LaGertha Sherman Estate) to the City of Waukon.
Yes: Cunningham, Ellingson, Wiedner, Sanderson, Mitchell
No: 0
The Mayor declared the resolution approved and the Clerk assigned the number 2353 to the resolution.

Moved by: Mitchell
To table action on regular business item #9-Airport Improvements Project-Change order #2; Payment estimate #2-River City Paving, Div. of Mathy Const. and regular business item #10-Resolution-accepting work covering Airport Improvements Project.
Yes: 5
The Mayor declared the motion carried.

Seconded by: Cunningham

No: 0

Moved by: Cunningham
To approve a resolution agreeing to the internal loan transfer of \$57,045.95 from the SE Tax Increment Fund to the 2010 SW Storm Sewer Improvements sub fund.
Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson
The Mayor declared the resolution approved and the Clerk assigned the number 2354 to the resolution.

Seconded by: Mitchell

No: 0

Moved by: Cunningham
To approve contract change order #1 and payment estimate #1-\$56,945.95 to Skyline Construction, Inc. for 2010 SW Storm Sewer Improvements sub fund.
Yes: 5
The Mayor declared the motion carried.

Seconded by: Sanderson

No: 0

Moved by: Ellingson
To approve the Agreement between the City of Waukon Police Department and Chauffeurs, Teamsters and Helpers Local Union No. 238 effective July 1, 2010 – June 30, 2012; and the Agreement between the City of Waukon (Public Works) and Chauffeurs, Teamsters and Helpers Local Union No. 238 effective July 1, 2010 – June 30, 2011.
Yes: 5
The Mayor declared the motion carried.

Seconded by: Wiedner

No: 0

Moved by: Wiedner
To agree with the Board of Adjustment's decision to grant John Byrnes, d/b/a Pops Produce, 540 Rossville Road a zoning variance of a 5 foot rear yard setback for repair and new construction for safety and improvements to the north side of the building.
Yes: 5
The Mayor declared the motion carried.

Seconded by: Mitchell

No: 0

No action taken on Opera House parking lot landscaping.

Moved by: Ellingson
To approve a resolution agreeing to the transfer of \$295.20 from the Water Operation Maintenance Replacement Fund to the 2009 SW Utility (Water) Improvements sub fund.
Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson
The Mayor declared the resolution approved and the Clerk assigned the number 2355 to the resolution.

Seconded by: Wiedner

No: 0

Moved by: Sanderson
To approve a resolution agreeing to the transfer of \$301.13 from the Economic Development Special Account Fund to the 2nd Street SW Sanitary Sewer Fund.
Yes: Wiedner, Sanderson, Ellingson, Mitchell, Cunningham
The Mayor declared the resolution approved and the Clerk assigned the number 2356 to the resolution.

Seconded by: Wiedner

No: 0

Moved by: Ellingson
To approve a resolution agreeing to the internal loan transfer of \$711.00 from the SE Tax Increment Fund to the 2009 SW Utility (Water) Improvements sub fund.
Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson
The Mayor declared the resolution approved and the Clerk assigned the number 2357 to the resolution.

Seconded by: Mitchell

No: 0

Moved by: Ellingson
To adjourn.
Yes: 5
The Mayor declared the motion carried.

Seconded by: Mitchell

No: 0

Diane Sweeney
City Clerk