

The Waukon City Council met in regular session on September 20, 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 and Dave Sanderson. Council members absent: Joe Cunningham. Others present: City Attorney James Garrett, Police Chief Clark Bollman, Street Superintendent Randy Murphy, Development Officer/Zoning Administrator Al Lyon, Lyle TeKippe-TeKippe Engineering, Allamakee County Economic Development Executive Director Laura Olson and citizens.

The Mayor opened the meeting with prayer.

The Mayor announced to delete #7 under Regular Business.

Moved by: Mitchell

Seconded by: Sanderson

To approve the following consent agenda items:

Agenda

Minutes of September 7, 2010

Class "E" Liquor License with Carryout Beer & Wine for Fareway Stores, Inc. d/b/a

Fareway Stores Inc. #062, 777 11th Avenue SW

Clerk/Treasurer Reports-August 2010

Fund Transfer-Resolution No. 2385

Payment of claims

AT &T	service	349.57
Allamakee Clayton Electric Coop	services	306.11
Allamakee County Economic Development	services	616.66
Alliant Energy	services	14,312.99
Wellmark Blue Cross Blue Shield	insurance-Oct.'10	7,793.63
Bresnahan Oil Company	fuel	2,335.31
Brinks Tree Service, Inc./Tony Beneke	tree removal	600.00
Bruening Rock Products, Inc.	supplies	124.18
Carquest Auto Parts	parts	24.99
Casey's General Stores, Inc.	fuel	490.75
Cunningham Hardware & Rental	supplies/rental	283.22
Employee Data Forms	supplies	35.75
Galls	supplies	1,613.51
Group Services, Inc.	self fund req.-Sept.'10	2,515.32
Iowa One Call	service	31.50
Iowa Prison Industries	signs	306.90
JaDecc's, Inc.	computer	1,304.10
James Garrett	services-Aug.	2,723.91
Jim's Full Service	fuel	2,098.90
Kruger Lawn & Landscaping	labor/materials	11,803.80
Kwik Trip/Kwik Star	fuel	230.01
Al Lyon	reimbursement	72.26
Legislative Services Agency	2011 Iowa Code	200.00
Northeast Iowa Printers, Inc.	service	118.00
News Publishing Co., Inc.	services	403.98
Palmer Repair	parts	20.00
Pamida #185	supplies	124.91
Quartermaster	supplies	252.09
Qwest	service	772.82
DuWayne Snitker	dog care	315.00
Storey Kenworthy	supplies	317.12
Siebring Enterprises	printer	499.00
Sportsmen's Unlimited	parts	7.79
Secretary of State	notary application	30.00
Sommer Pumper LLC	service	390.00
T&W Grinding	agreement	2,000.00
TeKippe Engineering	services	2,844.20
TeKippe Engineering	services	14,831.55
US Cellular	service	262.62
Village Farm & Home	supplies	752.74
Waukon Implement	parts/labor	18.50
Waukon Tire Center	parts/labor	260.56
Waukon State Bank	principal/interest	4,550.00
Farmers & Merchants Savings Bank	principal/interest	4,550.00
Grand Harbor	lodging/training	103.04
Regular Payroll	Aug. 22-Sept. 4, 2010	29,889.88

Skyline Construction, Inc.		pay est. #1-2010 St. Imp. Proj.	38,469.34
WEDC		real estate taxes	3,914.59
Clark Bollman		reimbursement	114.97
WSB/Electronic Filing		federal w/h	2,688.51
WSB/Electronic Filing		soc.sec. w/h	6,148.28
Iowa Department of Revenue		withholding	301.57
IPERS		withholding	3,279.97
IPERS		withholding	5,702.83
Treasurer, State of Iowa		state w/h	2,960.00
Fund Totals:	General: 47,416.10	Spec.Rev.Employ.Ben:	6,503.45
	RUT: 12,431.14	9 th St. SW Util. Improve.	15,527.66
	Water: 12,165.64	Debt Gundersen Clinic:	9,100.00
	Sewer: 15,305.17	Wellness Ctr:	5,809.10
	Library: 2,463.88	Street Fund:	38,469.34
	T&A Ins: 71.95	Water Op.Maint:	11,803.80

Yes: Ellingson, Wiedner, Mitchell, Sanderson No: 0 Absent: Cunningham
The Mayor declared the motion carried.

This being the time and place set for the Public Hearing on the proposed amendment to the City Code that would prohibit certain breeds of dog within the City and provide limited exemptions, the Mayor called for any oral or written comments. Several property owners voiced their concerns about the pit bull in their neighborhood and discussion between the Council, citizens and City Attorney followed. The Clerk announced that no written comments had been received. The Mayor then declared the Public Hearing closed.

This being the time and place set for the Public Hearing on proposed change in zoning district classification for property located at 1931 9th Street SW, 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 then declared the Public Hearing closed.

This being the time and place set for the Public Hearing on proposed change in zoning district classification for property located along and south of 11th Avenue SW, 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 then declared the Public Hearing closed.

This being the time and place set for the Public Hearing on proposed amendment of the Waukon Zoning ordinance to add animal hospitals, veterinary clinics and boarding kennels to list of permitted uses in the M-1 manufacturing district, 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 then declared the Public Hearing closed.

An ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by prohibiting certain breeds of dog and providing limited exemptions was presented to the Council for approval.

Moved by: Mitchell Seconded by: Ellingson

To approve the first reading.

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

The Mayor declared the motion carried.

An ordinance changing zoning district classification from "R-2" Single Family Residential to "A" Agricultural for certain real estate located at 1931 9th Street SW was presented to the Council for approval.

Moved by: Mitchell Seconded by: Sanderson

To approve the first reading.

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

The Mayor declared the motion carried.

An ordinance changing zoning district classification from "A" Agricultural to "M-1" Manufacturing for certain real estate located along and south of 11th Avenue SW was presented to the Council for approval.

Moved by: Sanderson Seconded by: Wiedner

To approve the first reading.

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

The Mayor declared the motion carried.

An ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by adding new permitted uses in the zoning regulation to the manufacturing district was presented to the Council for approval.

Moved by: Ellingson

Seconded by: Wiedner

To approve the first reading.

Yes: Ellingson, Wiedner, Sanderson, Mitchell

No: 0

Absent: Cunningham

The Mayor declared the motion carried.

Wellness Center air conditioner noise was discussed. No action taken.

The Council discussed Northeast Iowa Regional Housing Trust Fund and request for funding. The Council instructed Laura Olson, Allamakee County Economic Development, to submit funding request for the City's FY 11-12 budget.

An ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by amending provisions pertaining to signs on public property was presented to the Council for approval.

Moved by: Sanderson

Seconded by: Mitchell

To approve the second reading.

Yes: Wiedner, Mitchell, Ellingson, Sanderson

No: 0

Absent: Cunningham

The Mayor declared the motion carried.

City Attorney James Garrett informed the Council that he had been contacted by Dennis Herman regarding the alley in the block of Second Avenue SE and Third Avenue SE and asked the Council if they were interested in vacating the alley. Development Officer/Zoning Administrator Al Lyon was instructed to contact adjacent property owners to see if they would be interested in acquiring the property.

City Attorney James Garrett asked the Council to table action on Comtec Fiber Optic Cable from the High School to Hospital.

Moved by: Wiedner

Seconded by: Sanderson

To table action.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Council discussed Northern Engraving real estate purchase payment. City Attorney James Garrett informed the Council that he hasn't received the abstract yet but stated the Council could approve payment pending finding of merchantable title.

Moved by: Mitchell

To table action on Northern Engraving real estate purchase payment until the next council meeting.

The motion died for lack of a second.

Moved by: Wiedner

Seconded by: Ellingson

To approve purchase payment of \$100,000.00 for Northern Engraving real estate contingent upon the City Attorney's review of merchantable title.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

The Council discussed NEICAC Affordable Housing Project 2010. The Mayor announced that he was informed that September 27, 2010 was the deadline for a commitment from the City. The Council talked about possible lot.

Moved by: Ellingson

Seconded by: Wiedner

To fund the Affordable Housing Project for 2011 instead of the 2010 Affordable Housing Project.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Ellingson

Seconded by: Wiedner

To approve TeKippe Engineering to work with Water/Sewer Department on Northgate lift station.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Sanderson

Seconded by: Mitchell

To approve payment estimate #2-\$148,807.89 to Skyline Construction, Inc. for Ninth Street SW Utilities Project.

Yes: 4

No: 0

Absent: 1

The Mayor declared the motion carried.

Moved by: Mitchell
To approve payment estimate #1-\$56,009.95 to Tschiggfrie Excavating Co. for Tricking Filter Repair Project.
Yes: 4
No: 0
Absent: 1
The Mayor declared the motion carried.

Moved by: Wiedner
To approve request from the trustees of Robey Memorial Library to amend their current FYE 2011 Library Budget by increasing their Trust & Agency Library account #31-21-76 from \$5,000.00 to \$10,000.00 for costs of hiring a new director and moving expenses and continued costs for proposed expansion.
Yes: 4
No: 0
Absent: 1
The Mayor declared the motion carried.

Moved by: Mitchell
To approve application for property tax exemption from John Ellingson, to be forwarded to the County Assessor for her consideration.
Yes: 3
Abstain: 1 (Ellingson)
Absent: 1
The Mayor declared the motion carried.

Moved by: Mitchell
To adjourn.
Yes: 4
No: 0
Absent: 1
The Mayor declared the motion carried.

Diane Sweeney
City Clerk