

The Waukon City Council met in regular session on Tuesday, September 7, 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, Police Chief Clark Bollman, Water/Sewer Superintendent Robert Campbell, Street Superintendent Randy Murphy, Development Officer/Zoning Administrator Al Lyon, Lyle TeKippe-TeKippe Engineering, Dennis DeBuhr-Waukon Economic Development Corporation and citizens.

The Mayor opened the meeting with prayer.

Moved by: Cunningham

Seconded by: Mitchell

To approve the following consent agenda items:

Agenda

Minutes of August 16, 2010

Class "C" Liquor License with Sunday Sales for Victoria Bloxham, d/b/a Waukon City Club, 39 West Main Street; Class "C" Beer Permit renewal with Carryout Wine and Sunday Sales for Quillins Iowa, Inc., d/b/a Quillins 9th St SW "A"; Class "E" Liquor License renewal with Sunday Sales for Quillins Iowa, Inc. d/b/a Quillins Food Ranch-9th St SW "B"; Class "C" Liquor License renewal for Quillins Iowa, Inc., d/b/a Quillins-9th St SW Basement; Class "B" Native Wine Permit renewal for Gil C. Hunstad, d/b/a Waukon Greenhouse-27 Spring Avenue
 Clerk/Treasurer Reports-July 2010

Payment of claims

Allamakee Clayton Electric	services	31.25
Allamakee County Recorder	services	137.00
Allamakee County Sheriff	answering service-Aug.'10	750.00
Allamakee Clayton Electric	membership	55.00
Alliant Energy	service	895.31
Allamakee County Treasurer	taxes	144.00
AT & T	service	122.89
Black Hills Energy	service	1,079.24
Bresnahan Oil Company	fuel	392.87
Brown Supply Co.	supplies	240.00
Carquest Auto Parts	supplies	365.73
City Laundering Co.	services	915.16
Culligan Water Conditioning	services	29.00
DeBuhr & Casper Plumbing & Htg.	supplies	19.05
Dorsey & Whitney LLP	legal services	5,977.54
Group Services, Inc.	adm.fees-Sept.'10	204.30
Iowa Prison Industries	supplies	198.00
Kelly Concrete	labor/materials	1,756.00
Ken Kerr Electric	parts/labor	1,070.20
Keystone Laboratories, Inc.	samples	66.50
McDonald Supply-Decorah	supplies	22.27
Penn Valley Pump	parts	3,122.70
Public Safety Center, Inc.	supplies	78.68
Quillin's	services	17.38
Reiser Implement Inc.	parts	34.38
Sensus	yearly support	1,320.00
DuWayne Snitker	dog care	210.00
TASC	service	38.00
Teamsters Local 238	union dues-Sept.'10	220.00
TeKippe Engineering	services	2,631.70
TeKippe Engineering	services	1,875.80
Test America	samples	258.30
Torkelson's of Waukon	parts/labor	166.68
Union Security Insurance Co.	ins.-Sept.'10	153.00
Waukon Implement Company	part	18.71
Waukon Tire Center, Inc.	parts/labor	49.70
West Side Waukon Lumber, Inc.	supplies	37.30
Zarnoth Brush Work, Inc.	supplies	148.50
Zahn Plumbing & Htg.	supplies	64.79
Zee Medical, Inc.	supplies	40.87
WSB/Electronic Filing	soc.sec. w/h	6,062.65
WSB/Electronic Filing	federal w/h	2,613.86
Chad Dugan	reimbursement	25.00
Broken Arrow	academy uniforms	116.71
Iowa Department of Revenue	withholding	301.57
Collection Services Center	withholding	23.07

Regular Payroll	Aug. 8 – Aug. 21, 2010	29,742.13
Town & Country Sanitation	services	16,185.45
Waukon Postmaster	postage	169.05
Treat America	academy meal fees	1,049.95
NICC Continuing Education	training	99.00
Waukon State Bank	bankcard fee	25.74
Skyline Construction, Inc.	pay estimate #1-9 th St.SW Util.	243,937.54
Treasurer, State of Iowa	sales tax	4,906.00
Wellmark Blue Cross Blue Shield	insurance-Sept.'10	7,793.63
Waukon State Bank	principal/interest	4,550.00
Farmers & Merchants Savings Bank	principal/interest	4,550.00
WSB/Electronic Filing	federal w/h	3,392.17
WSB/Electronic Filing	soc.sec. w/h	7,756.96
Iowa Department of Revenue	withholding	301.57
Collection Services, Inc.	withholding	23.07
Fund Totals:	General: 53,594.73	Spec.Rev.Employ.Ben: 5,269.52
	RUT: 8,797.55	9 th Street SW Util. Improv: 243,937.54
	Water: 9,432.57	Debt Gundersen Clinic: 9,100.00
	Sewer: 13,835.57	Wellness Ctr: 5,956.13
	Library: 2,415.81	Street Fund: 2,631.70
	GIS Fund: 1,875.80	City Hall Improv. 1,756.00

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

Council member Steve Wiedner entered the meeting.

The Council discussed the Wellness Center air conditioner noise. No action taken.

Moved by: Cunningham Seconded by: Wiedner
To approve the Right of First Refusal Agreement between the City of Waukon and Mark Lomen and authorized the Mayor and Clerk to sign the agreement.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Cunningham Seconded by: Wiedner
To approve real estate purchase agreement for portion of Northern Engraving property and authorized the Mayor to sign documents, upon City Attorney's review of paperwork.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Mitchell Seconded by: Cunningham
To approve resolution waiving right to review Northern Engraving subdivision plat.
Yes: Ellingson, Sanderson, Mitchell, Wiedner, Cunningham No: 0
The Mayor declared the resolution approved and the Clerk assigned the number 2381 to the resolution.

The Council discussed request from Iowa DOT to begin construction of overflow structure for the detention basin at the new Waukon Maintenance Facility.
Moved by: Cunningham Seconded by: Wiedner
To approve Memorandum of Agreement between the City of Waukon, Waukon Economic Development Corporation and the Iowa Department of Transportation.
Yes: 5 No: 0
The Mayor declared the motion carried.

Dennis DeBuhr, representing WEDC, requested funds, in accordance with Development Agreement, in the amount of \$3,914.59 to pay the September 2010 Hansmeier farm (First Half) taxes.
Moved by: Wiedner Seconded by: Ellingson
To approve payment to WEDC for \$3,914.59 for Hansmeier farm (First Half) taxes.
Yes: 5 No: 0
The Mayor declared the motion carried.

The Council discussed proposed ordinance prohibiting certain breeds of dog and providing limited exemptions.
Moved by: Ellingson Seconded by: Mitchell
To set the date of a public hearing for September 20, 2010 at 7:00 P.M. in the Council Room, City Hall on this ordinance.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Cunningham
Seconded by: Wiedner
To approve the first reading of an ordinance amending the Code of Ordinances of the City of Waukon, Iowa, 1998, by amending provisions pertaining to signs on public property.
Yes: Cunningham, Ellingson, Wiedner, Sanderson, Mitchell No: 0
The Mayor declared the motion carried.

Marilyn Clark, representing St. Vincent DePaul Society, requested permission to hang a 24 inch protruding sign over public property to advertise St. Pat's Thrift Store. Christine Enyart also requested permission to hang a sign to advertise her business. After lengthy discussion the Council tabled action on this matter.

Moved by: Sanderson
Seconded by: Cunningham
To agree with the Board of Adjustment's decision to grant Roger Peterson a zoning variance of front yard setback of two feet to replace existing porch at 402 1st Avenue NW.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Wiedner
Seconded by: Sanderson
To agree with the Board of Adjustment's decision to grant Peter Mauss a zoning variance of four feet on the north side and a zoning variance of seven feet on the east side to build a two car garage at 206 East Main Street.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Mitchell
Seconded by: Wiedner
To approve resolution waiving right to review Rachel M. Curtin subdivision plat.
Yes: Cunningham, Ellingson, Wiedner, Sanderson, Mitchell No: 0
The Mayor declared the resolution approved and the Clerk assigned the number 2382 to the resolution.

Moved by: Cunningham
Seconded by: Sanderson
To schedule public hearing date of September 20, 2010 at 7:00 P.M. in the Council Room, City Hall on proposed change in zoning district classification from "A" agricultural to "M-1" manufacturing district for property located along and south of 11th Avenue SW and is presently owned in part by Waukon Economic Development Corporation and in part by the Iowa Department of Transportation.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Mitchell
Seconded by: Cunningham
To schedule public hearing date of September 20, 2010 at 7:00 P.M. in the Council Room, City Hall on proposed change in zoning district classification from "R-2" single family district to "A" agricultural district for property located at 1931 9th Street SW and is owned by the LaGertha Sherman Estate.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Mitchell
Seconded by: Cunningham
To schedule public hearing date of September 20, 2010 at 7:00 P.M. in the Council Room, City Hall on a proposed amendment to the Waukon Zoning Ordinance to add the following uses to the list of permitted uses in the "M-1" manufacturing district regulations: animal hospitals, veterinary clinics and boarding kennels.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Mitchell
Seconded by: Sanderson
To approve payment estimate #1-\$38,469.34 to Skyline Construction, Inc. for 2010 Street Improvement Project.
Yes: 5 No: 0
The Mayor declared the motion carried.

Moved by: Cunningham
Seconded by: Sanderson
To approve resolution approving the Official Financial Report for City Streets and Parking for the City of Waukon, County of Allamakee for July 1, 2009 – June 30, 2010.
Yes: Wiedner, Cunningham, Mitchell, Ellingson, Sanderson No: 0
The Mayor declared the resolution approved and the Clerk assigned the number 2383 to the resolution.

Moved by: Mitchell

Seconded by: Cunningham

To approve resolution agreeing to close the extension of Highway IA 76/IA 9 from 610 Rossville Road to West Main, IA 76 right on 6th Street NW to 3rd Avenue NW, ending at 1061 3rd Avenue NW for the period beginning at 2:00 P.M. and ending at 2:45 P.M. on September 24, 2010 for the Homecoming Parade.

Yes: Wiedner, Sanderson, Ellingson, Mitchell, Cunningham

No: 0

The Mayor declared the resolution approved and the Clerk assigned the number 2384 to the resolution.

Moved by: Mitchell

Seconded by: Sanderson

To re-appoint Jerry Schoenthal and Paul Roeder to the Planning and Zoning Commission, five year terms expiring September 21, 2015.

Yes: 5

No: 0

The Mayor declared the motion carried.

Moved by: Cunningham

Seconded by: Mitchell

To authorize Black Hills Energy to perform an energy audit at City Hall for a fee of \$50.00.

Yes: 5

No: 0

The Mayor declared the motion carried.

The Council discussed future street improvements and agreed to meet at City Hall on September 20, 2010 at 6:00 P.M. to tour streets.

Moved by: Mitchell

Seconded by: Cunningham

To adjourn.

Yes: 5

No: 0

The Mayor declared the motion carried.

Diane Sweeney
City Clerk