

CITY COUNCIL MEETING MINUTES
Webster City, Iowa June 5, 2017

The City Council met in regular session at the City Hall, Webster City, Iowa at 5:15 p.m. on June 5, 2017, upon call of the Mayor and the advance agenda. The meeting was called to order by Mayor John Hawkins and roll being called there were present John Hawkins, Mayor in the chair, and the following Council Members: Matt McKinney, Brian Miller, Jim Talbot and Logan Welch.

It was moved by Talbot and seconded by Miller to approve the agenda.

ROLL CALL: Hawkins, McKinney, Miller, Talbot and Welch voting aye.

Mayor John Hawkins led the Pledge of Allegiance.

It was moved by Miller and seconded by Talbot that the Council meet in Closed Session for the following reason:

Meet in Closed Session for a strategy meeting of public employers as provided by Chapter 20.17(3) and 21.5 of the Code of Iowa.

ROLL CALL: McKinney, Miller, Talbot, Welch and Hawkins voting aye.

The Council went into Closed Session at 5:17 p.m.

The Council returned to Open Session at 5:30 p.m. and resumed with the meeting agenda.

PETITIONS – COMMUNICATIONS – REQUESTS

Mayor Hawkins reminded everyone of the City Clean-Up Drop-Off event to be held Friday, June 9 from 12 Noon to 4 p.m. and Saturday, June 10 from 8 a.m. to 2 p.m. at the Middle School Parking Lot.

Councilman Talbot commented on a trailer getting stuck at the corner of Superior Street and Fair Meadow Drive. Mayor Hawkins advised this has been discussed for some time, however there is not really a fair and equitable way to remedy the situation at this time.

PUBLIC INFORMATION

Mayor Hawkins read a proclamation honoring Maia Jaycox, as the 2017 American Honey Queen and designated June 5, 2017 as Maia Jaycox Day in Webster City. Jaycox was present for the proclamation.

Mayor Hawkins presented plaques to Jean Fox for her years of service on the Hotel/Motel Tax Board and Jim Hisler for his years of service on the Zoning Board of Adjustment.

MINUTES AND CLAIMS

It was moved by Welch and seconded by Miller that the following motion and Resolutions be approved and adopted collectively.

1. That the Meeting Minutes of May 15, 2017 be approved.
2. That Resolution No. 2017-071 approving Payroll for the period ending May 13, 2017 and paid on May 19, 2017 in the amount of \$144,738.61 be passed and adopted.
3. That Resolution No. 2017-072 approving Payroll for the period ending May 27, 2017 and paid on June 2, 2017 in the amount of \$144,103.60 be passed and adopted.
4. That Resolution No. 2017-073 approving bills paid in the amount of \$514,212.48 be passed and adopted and the Fund List be approved.

ROLL CALL: Miller, Talbot, Welch, Hawkins, and McKinney voting aye.

GENERAL AGENDA

1. Fire Chief Chuck Stansfield and Mayor Hawkins presented Life-Saving Commendation awards to the following firemen in attendance at the meeting, for their efforts in a rescue during a structure fire on March 8th, 2017: Zach Williams, Phil Jessen, Mark Ferguson, Don Wills and Kendrick Weinschenk. Firemen Todd Madsen and Logan Frazier also received awards, but were unable to be present at the meeting.

2. It was moved by Welch and seconded by Talbot that the issuance of Beer and Liquor Licenses by the Iowa Department of Commerce be approved collectively for the following:

- a. Renewal of Class A Liquor License and Outdoor Service
American Legion Post #191, 726 Second Street
- b. Renewal of Class B Beer Permit, Class C Native Wine Permit and Sunday Sales
Leon's Pizza, 643 Second Street
- c. Renewal of Class E Liquor License, Class B Wine Permit, Class C Beer Permit and Sunday Sales - Yesway Store #10018, 1803 Superior Street
- d. Renewal of Class E Liquor License, Class B Wine Permit, Class C Beer Permit and Sunday Sales - Yesway Store #10021, 1102 Second Street
- e. Renewal of Class C Beer Permit, Class B Wine Permit and Sunday Sales
Kmart #9309, 2307 Superior Street
- f. Renewal of Class C Liquor License and Sunday Sales
Lomita's Mexican Restaurant, 500 Second Street
- g. Renewal of Class C Beer Permit and Sunday Sales
Casey's General Store #1828, 1300 Second Street

ROLL CALL: Talbot, Welch, Hawkins, McKinney and Miller voting aye.

3. It was moved by Welch and seconded by Talbot that the request from Square to close the 600 block of Second Street from Willson to Des Moines and Des Moines to the Alley on June 15, 2017 between 1 and 2 p.m. for set up, and remain closed from 2 to 9 p.m. for their film debut event at the Webster Theater with Events and Music in the Park, be approved.

ROLL CALL: Welch, Hawkins, McKinney, Miller and Talbot voting aye.

4. It was moved by Miller and seconded by McKinney that the request from the Hamilton County Fair Board for sponsorship during the Fair July 25 through July 30, 2017 in the amount of \$1,000.00 and waive the acceptance of the passes/packet, to remain in compliance with the State Gift Law, be approved.

ROLL CALL: Hawkins, McKinney, Miller, Talbot and Welch voting aye.

5. It was moved by McKinney and seconded by Miller that Resolution No 2017- 074 authorizing the Mayor and City Clerk to enter into a Property Usage Agreement with Hamilton County, Iowa for use of property located at 1900 Superior Street, Webster City, Iowa be passed and adopted.

ROLL CALL: McKinney, Miller, Talbot, Welch and Hawkins voting aye.

City Attorney Zach Chizek outlined the provisions of the agreement.

6. It was moved by McKinney and seconded by Miller that the request from the Fire Chief to attend Executive Fire Officer Program in Emmitsburg, Maryland be approved.

ROLL CALL: Miller, Talbot, Welch, Hawkins and McKinney voting aye.

City Manager Ortiz-Hernandez advised the Fire Chief was a member of this program prior to his appointment by Council, with most of expenses reimbursable by the organization.

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7. It was moved by Miller and seconded by Talbot that Resolution No. 2017-075 approving Change Order No. 1, increase in contract amount of \$9,957.15 to the 2017 Water System Improvement Project with Wunsch Construction, Inc., Greene, Iowa be passed and adopted.

ROLL CALL: Talbot, Welch, Hawkins, McKinney and Miller voting aye.

8. It was moved by Miller and seconded by McKinney that Resolution No. 2017-076 establishing a nuisance at 945 Water Street and ordering the abatement thereof within thirty (30) days be passed and adopted.

ROLL CALL: Welch, Hawkins, McKinney, Miller and Talbot voting aye.

Building Inspector Elise Timm spoke on the condition of the property.

Councilman Welch asked about the status of changes to the ordinances to address the current process. City Manager Ortiz-Hernandez advised that he and Mayor Hawkins, Zach Chizek, Karla Wetzler and Elise Timm would be attending a League of Iowa Municipalities Workshop in Story City on June 13, 2017 on nuisance properties.

9. It was moved by Miller and seconded by Talbot that Resolution No. 2017-077 establishing a nuisance at 809 Merritt Street and ordering the abatement thereof within thirty (30) days be passed and adopted.

ROLL CALL: Hawkins, McKinney, Miller, Talbot and Welch voting aye.

Building Inspector Timm spoke on the condition of the property.

10. It was moved by Miller and seconded by Talbot that the request from the Police Department to purchase a 2017 Chevrolet Impala using the Iowa State Bid program from Karl Chevrolet, Ankeny, Iowa in the amount of \$24,963.26 be approved.

ROLL CALL: McKinney, Miller, Talbot, Welch and Hawkins voting aye.

Police Chief Shiloh Mork was present and advised Council on the usage of the car.

11. It was moved by Miller and seconded by Welch that the First Reading of a proposed Ordinance, an Ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by amending Chapter 85 Title II Community Protection, Division 2 Enforcement: Animal Protection and Control be approved.

ROLL CALL: Miller, Talbot, Welch, Hawkins and McKinney voting aye.

City Manager Ortiz-Hernandez advised revisions to the ordinance were requested previously by Council.

Tehra Moore inquired how the revisions would address/apply to a previous incident concerning the loss of a dog. City Attorney Chizek provided the explanation.

12. It was moved by Welch and seconded by Talbot that the First Reading of a proposed Ordinance, an Ordinance amending the Code of Ordinances of the City of Webster City, Iowa 1996, by amending Chapter 119B Title IV Culture and Recreation: Youth Advisory Commission, be approved.

ROLL CALL: Talbot, Welch, Hawkins, McKinney and Miller voting aye.

City Manager Ortiz-Hernandez advised the amendment to the Ordinance concerns budgetary recommendations from the Commission.

13. Council discussed a date/time for the next Town Hall meeting. Tentative date would be July 24, 2017 at 6:00 p.m. City Clerk Karyl Bonjour will check on the availability of the Middle School Commons and the item will be placed on the June 19, 2017 Council Agenda to set the date/time/place and to identify topic ideas for the meeting.

14. The Council discussed the fireworks ordinance and the need to conform to new legislation. The current City Code states that fireworks are not allowed in city limits.

Council suggested amendments be made to the extent to be consistent with State guidelines which consist of annual usage dates from June 1 to July 8 and December 10 to January 3 with hours of use varying specific to dates during these periods.

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The sale of fireworks will be addressed separately setting guidelines to regulate location and specifications of building.

City Attorney Chizek will draft the amendments to the current Ordinance and bring to the Council for First Reading on June 19, 2017.

15. The Council discussed the Electric Rate Options and recommended the following: 6.25% increase across the board on base rate and KWH (kilowatt hour) usage. The 6.25% KWH increase will be implemented over a two year period for commercial and industrial customers. Language in the Ordinance will also reflect a 1% annual increase on KWH after these rates are implemented to completion.

City Manager Ortiz-Hernandez and Finance Director Dodie Wolfgram will work with the Electric Rate Study Engineer/Consultant to prepare the new electric rate ordinance and present to Council for First Reading on June 19, 2017.

**REPORTS AND RECOMMENDATIONS OF OFFICERS,
BOARDS AND COMMISSIONS:**

None brought forth

COUNCIL COMMITTEE REPORTS

Councilman Welch reported on the June 4, 2017 Youth Advisory Committee meeting.

OTHER REPORTS AND RECOMMENDATIONS

None brought forth

OTHER ITEMS SENT TO COUNCIL

The City Attorney update/report dated May 31, 2017 was previously given to Council for review.

It was moved by Miller and seconded by McKinney that the Council meet in Closed Session for the following reason:

Meet in Closed Session to discuss the purchase/sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property, as provided by Chapter 21.5 j. of the Code of Iowa

ROLL CALL: Welch, Hawkins, McKinney, Miller and Talbot voting aye.

The Council went out of Open Session at 7:47 p.m.

The Council took a ten minute recess and went into Closed Session at 7:57 p.m.

The Council returned to Open Session at 8:59 pm.

It was moved by McKinney and seconded by Talbot that Council adjourn.

ROLL CALL: Hawkins, McKinney, Miller, Talbot and Welch voting aye

The June 5, 2017 City Council Meeting stood adjourned at 9:01 p.m.