

**CITY COUNCIL MEETING MINUTES
Webster City, Iowa November 6, 2017**

The City Council met in regular session at the City Hall, Webster City, Iowa at 5:30 p.m. on November 6, 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 Welch to approve the agenda.
ROLL CALL: Hawkins, McKinney, Miller, Talbot and Welch voting aye.

Mayor John Hawkins led the Pledge of Allegiance.

PETITIONS – COMMUNICATIONS – REQUESTS

Paul Dahl addressed the Council asking if the City was thinking about having wind turbines. Council advised not at this time.

PUBLIC INFORMATION

Mayor Hawkins thanked all the volunteers who participated in the Warm Hearts Warm Homes event on November 4th. He also reminded everyone to vote in the election on November 7th and noted the following upcoming events:

- November 11th 3 p.m. Hamilton County Freedom Rock dedication in Stratford
- November 12th 1-4 pm Open House for Veterans and everyone at Wilson Brewer Park
- November 14th City wide leaf pick up – volunteers welcome

Councilman Miller announced that ACE will be hosting the Farmers Market on the 1st and 3rd Saturdays of November and December.

Councilman Talbot advised that Mayor Hawkins had issued a proclamation on Veterans Days from November 1st to 11th and encouraged everyone to thank Veterans for their service.

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 October 16, October 30 and October 30 (Town Hall), 2017 be approved.
2. That Resolution No. 2017-140 approving Payroll for the period ending October 14, 2017 and paid on October 20, 2017 in the amount of \$147,472.71 be passed and adopted.
3. That Resolution No. 2017-141 approving Payroll for the period ending October 28, 2017 and paid on November 3, 2017 in the amount of \$148,358.79 be passed and adopted.
4. That Resolution No. 2017-142 approving bills paid in the amount of \$657,934.39 be passed and adopted and the Fund List be approved.

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

GENERAL AGENDA

1. It was moved by Welch and seconded by McKinney that the resignation of Lindsay Henderson from the Civil Service Commission be accepted.

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

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2. It was moved by Miller and seconded by McKinney that Annastacia Iverson be appointed to the Youth Advisory Commission for the unexpired term ending June 1, 2018.
ROLL CALL: Talbot, Welch, Hawkins, McKinney and Miller voting aye.

3. It was moved by Welch and seconded by Miller that the Second Reading of a proposed Ordinance, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by adding Paragraphs 9 and 10 to Chapter 65, Section 03, adding a Four-Way Stop on Fair Meadow Drive at Rodlyn Road and a Four-Way Stop on Fair Meadow Drive at Kamen Drive be approved.

ROLL CALL: Welch, Hawkins, McKinney, Miller and Talbot voting aye.
City Manager Daniel Ortiz-Hernandez advised temporary signs are currently in place.

It was moved by Welch and seconded by Talbot that the Third Reading of a proposed Ordinance, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by adding Paragraphs 9 and 10 to Chapter 65, Section 03, adding a Four-Way Stop on Fair Meadow Drive at Rodlyn Road and a Four-Way Stop on Fair Meadow Drive at Kamen Drive be waived.

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

It was moved by Welch and seconded by Miller that Ordinance no. 2017-1808, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996 by adding Paragraphs 9 and 10 to Chapter 65, Section 03, adding a Four-Way Stop on Fair Meadow Drive at Rodlyn Road and a Four-Way Stop on Fair Meadow Drive at Kamen Drive be passed and adopted..

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

4. It was moved by Miller and seconded by McKinney that the First Reading of a proposed Ordinance, an ordinance amending the Code of Ordinances of the City of Webster City, Iowa, 1996, by modifying Section 63.13 to Chapter 63 Pertaining to Speed Regulations be approved.

ROLL CALL: Miller, Talbot, Welch, Hawkins and McKinney voting aye.
City Manager Ortiz-Hernandez mentioned this is to correct recently adopted Ordinance 2017-1806.

5. It was moved by Welch and seconded by McKinney that Resolution No. 2017-143 establishing maintenance of East Second Street and Superior Street Sidewalks on City Right of Way be passed and adopted.

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

6. It was moved by Miller and seconded by Talbot that Resolution No. 2017-144 authorizing the Mayor and City Clerk to enter into Professional Services Amendment NR. 01 to License Agreement Nr. 391 (Amendment No. 1) with Computer Information Systems, Inc. in connection with Records Management Software for the Police Department be passed and adopted.

ROLL CALL: Welch, Hawkins, McKinney, Miller and Talbot voting aye.
Police Chief Shiloh Mork was present and gave an explanation of the Amendment and noted there was no increase in cost.

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17. November 6, 2017 at 5:45 p.m., City Hall, Webster City, Iowa being the time and place for a Public Hearing on proposed plans, specifications and proposed form of contract and estimate of cost for the Union Street Hot Mix Asphalt (HMA) Overlay Project, the same was held. No written objections were received and no oral objections were presented.

a. It was moved by Miller and seconded by McKinney that Resolution No. 2017-145 finally approving and confirming plans, specifications and form of contract and estimate of cost for the Union Street Hot Mix Asphalt (HMA) Overlay Project be passed and adopted.

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

b. It was moved by Welch and seconded by McKinney that Resolution No. 2017-146 awarding the contract for the Union Street Hot Mix Asphalt (HMA) Overlay Project to Fort Dodge Asphalt Company, Fort Dodge, Iowa in the amount of \$150,983.25 be passed and adopted.

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

7. It was moved by Welch and seconded by Miller that Resolution No. 2017-147 authorizing entering into Agreements with OPG-3 Inc., Eagan, Minnesota for a Laserfiche Data Management System, with scanner for City Hall and Police Department records be passed and adopted.

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

City Manager Ortiz-Hernandez explained this program will enable records to be scanned, searchable and backup will be stored at Fuller Hall.

18. November 6, 2017 at 5:50 p.m., City Hall, Webster City, Iowa being the time and place for a Public Hearing on a Proposed Amendment to the Residential Urban Renewal Area C (Brewer Creek Estates), the same was held. No written objections were received and no oral objections were presented

a. It was moved by Miller and seconded by Welch that Resolution No 2017-148 approving the Urban Renewal Plan Amendment for the Residential Urban Renewal Area C (Brewer Creek Estates) be passed and adopted.

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

Karla Wetzler, Planning Director explained the new URA and also advised that previous Brewer Creek Estates areas were done in 1994.

19. November 6, 2017 at 5:55 p.m., City Hall, Webster City, Iowa being the time and place for a Public Hearing on the continuation of the City-Wide Urban Revitalization Plan for Residential Tax Abatement, the same was held. No written objections were received and no oral objections were presented

a. It was moved by McKinney and seconded by Miller that Resolution No. 2017-149 adopting the extension of the Urban Revitalization Plan for Residential Tax Abatement be passed and adopted.

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

Karla Wetzler, Planning Director explained the original plan was adopted in 1993 for building on infill lots. She informed Council Members that 135 homes have been built through this plan since the initiation of this plan.

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20. November 6, 2017 at 6:00 p.m., City Hall, Webster City, Iowa being the time and place for a Public Hearing on the proposed sale of Lots in Brewer Creek Estates 5th and 6th Additions, Webster City, Iowa, the same was held. No written objections were received and no oral objections were presented

a. It was moved by Miller and seconded by Welch that Resolution No. 2017-150 providing for the sale of Lots in Brewer Creek Estates 5th and 6th Additions be passed and adopted.

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

Karla Wetzler, Planning Director advised this one Public Hearing will be for all 53 lots in Brewer Creek Estates 5th and 6th Additions.

8. It was moved by Welch and seconded by McKinney that the hiring of DeBoef Grinding, New Sharon, Iowa to provide the Tree Grinding Services in the amount of \$24,250.00 for Services to be completed at the Tree/Brush Drop-Off Site be approved.

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

City Manager Ortiz-Hernandez and Assistant City Manager/Public Grounds Director Kent Harfst explained this process and the fact that the amount of brush as well as the cost has increased over the years. One of the ideas suggested was a possible increase in the Recycling fee to cover the increased cost. Marty Parkhill suggested that the Line Department could begin placing the hardwood trees in separate piles to facilitate the process.

9. It was moved by Miller and seconded by McKinney that Resolution No. 2017-151 authorizing the Mayor and City Clerk to enter into an Agreement for the Millards Lane Drainage Project with The Tile Pros Inc., Webster City, Iowa in the amount of \$12,431.65 be passed and adopted.

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

10. It was moved by McKinney and seconded by Miller that Resolution No. 2017-152 accepting and approving acquisition of property generally located at 1203 E. Second Street in the City of Webster City, Hamilton County, Iowa be passed and adopted.

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

City Manager Ortiz-Hernandez and City Attorney Zach Chizek discussed various options on what to do with the property now that the City has possession. During discussion of this item, Chris Anderson spoke about the need for housing in Webster City. Council will place on a future agenda to discuss.

11. It was moved by Miller and seconded by McKinney that Resolution No. 2017-153 authorizing and approving execution of a Purchase Agreement between the City of Webster City, Iowa and Shiva Real Estate, LLC, Subhash Sahai Trust and Anil Sahai Family Trust be passed and adopted.

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

Talbot voting nay.

Prior to the vote, City Manager Ortiz-Hernandez explained the need for a new Wastewater Treatment Plant and this site was determined to be the best location. Councilman Talbot stated he would like to see exact figures from local industries on future wastewater needs.

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12. It was moved by Welch and seconded by Miller that Resolution No. 2017-154 relating to the financing of a proposed project to be undertaken by the City of Webster City, Iowa, establishing compliance with reimbursement bond regulations under the Internal Revenue Code be passed and adopted.

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

13. It was moved by Welch and seconded by McKinney that Resolution No. 2017-155 authorizing and approving execution of an agreement to Rescind Residential Purchase Agreement between the City of Webster City, Iowa and Veranda Homes, Corporation be passed and adopted.

ROLL CALL: Miller, Talbot, Welch, Hawkins and McKinney voting aye.
Councilman Talbot asked about selling Lot 10 to Dave and Annette Louk without a restriction that they had to build on the lot. City Manager Ortiz-Hernandez advised that they have been notified.

14. It was moved by McKinney and seconded by Miller to **table** extending the Residential Completion Agreement between the City of Webster City and Marty and Nathaniel Parkhill at 1503 First Street, to the November 20, 2017 regular City Council meeting.

ROLL CALL: Talbot, Welch, Hawkins, McKinney and Miller voting aye.
Prior to the vote, Marty Parkhill handed Council Members copies of the following:
Offer to Purchase from Boman
WCF Financial Bank Preliminary Approval Letter 11-6-17
Bacon Builders estimate sheet for foundation
Berghorst & Son, Inc. for house moving and tentative plan.

Marty, Nathaniel and Chris Parkhill all spoke on the agenda item and considerable discussion was held by the Council. City Inspector, Elise Timm, advised she is happy with Parkhill's plans and progress.

15. It was moved by Welch and seconded by Miller that Resolution No. 2017-156 establishing and approving the Declaration of Restrictions and Protective Covenants and Conditions for Brewer Creek Estates Fifth Addition in Webster City, Iowa be passed and adopted.

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

16. It was moved by McKinney and seconded by Miller that Resolution No. 2017-157 establishing and approving the Declaration of Restrictions and Protective Covenants and Conditions for Brewer Creek Estates Sixth Addition in Webster City, Iowa be passed and adopted.

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

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

None brought forth.

COUNCIL COMMITTEE REPORTS

Councilman Welch reported that the next meeting of the Youth Advisory Commission will be November 19, 2017 at 7:00 p.m. at Fuller Hall. They will be discussing "Christmas in the City".

OTHER REPORTS AND RECOMMENDATIONS

None brought forth

OTHER ITEMS SENT TO COUNCIL

The City Attorney update/report dated November 1, 2017 was previously given to Council for review. City Attorney Zach Chizek gave details on items included on the report.

CLOSED SESSION

It was moved by McKinney and seconded by Miller that the Council meet in Closed Session to evaluate the performance of the City Manager, which is necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session as provided by Chapter 21.5 i of the Code of Iowa.

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

The Council went out of Open Session at 7:09 p.m.

The Council took a short recess.

The Council went into closed session at 7:20 p.m.

The Council returned to Open Session at 8:20 p.m.

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

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

The November 6, 2017 regular City Council Meeting stood adjourned at 8:21 p.m.