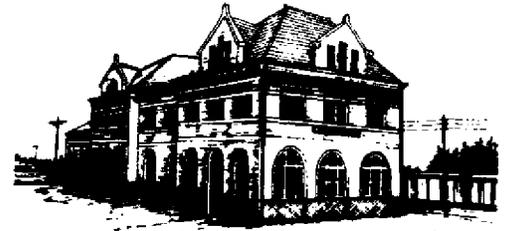


City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

MAYOR: Warren Woods
COUNCIL: Randy White, Loyal Winborn, Betty Shelton, Marsha Wilson, Larry Wagner, Terri Koets, Nancy Loudon
CITY CLERK: Lisa Williamson
CITY ADMINISTRATOR: Mike Taylor
CITY ATTORNEY: Skip Kenyon & Todd Nielsen

Regular Meeting Agenda
City Hall/Restored Depot
Council Chambers
Tuesday, February 19, 2013
6:00 p.m.
02/15/2013 2:56 PM

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of Agenda**
5. **Consider Adoption of the Consent Agenda** – *NOTE: These items are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.*
 1. **Minutes:** February 5, 2013 – Regular Meeting
 2. **Claims and Fund Transfers:**
 - i. Total Claims - \$218,811.33
 3. **Liquor Licenses/Permits:** Wal-Mart – Class BC Permit with Sunday Sales
6. **Public Forum** – *the Mayor and City Council welcome comments from the public on any subject pertaining to City business, including items on this agenda. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Chair. No action will be taken.*
7. **New Business**
 1. Resolution to Adopt Proposed Budget and set a Public Hearing on March 5, 2013, at 6:00 p.m. for Adoption of Final Budget for FY 2014
 2. Resolution to approve filling vacancy of Council Person for Ward 3 by Council Appointment OR by Special Election
 3. Resolution to reschedule Public Hearing for March 5, 2013, at 6:00 p.m. for the proposed sale of City-owned real estate located at 505 N. Elm to Kate Guiter for \$68,000
 4. Resolution to adopt Rules of Procedure for Council Meetings' Policy
 5. Resolution to take action on sealed bids received for City-owned properties located at 311 N. Sycamore, 308 Livingston Avenue, 308-310 S. Walnut and 600 W. Montgomery
 6. Resolution to approve Drawdown #12 of \$34,825 for CDBG the Housing Rehabilitation Project #09-HSG-022
 7. Resolution to set a Public Hearing on April 16, 2013, at 6:00 p.m. for tobacco violation at Creston Farm & Home

8. Resolution to set a Public Hearing on April 16, 2013, at 6:00 p.m. for tobacco violation at Casey's Store #3 (200 S. Elm)
9. Resolution to set a Public Hearing on April 16, 2013, at 6:00 p.m. for tobacco violation at Casey's Store # 2423 (621 New York Ave.)
10. Appointment with Karin Coleman regarding signage at intersection of Union, Livingston and Division Streets

8. Other

9. Adjournment

10. WORK SESSION

1. Covenants for Cottonwood Subdivision

REGULAR MEETING OF THE CRESTON CITY COUNCIL FEBRUARY 5, 2013

The Creston City Council met in regular session at 6:00 o'clock p.m. on the above date in the Council Chambers of the City Hall Complex with Mayor Woods presiding.

Roll call being taken with the following Council members present: Loudon, Koets, Wagner, Wilson, Shelton, Winborn and White.

Wilson moved seconded by Shelton to approve the agenda. All voted aye. Motion declared carried.

Wilson moved seconded by Shelton to approve the consent agenda, which included approval of minutes of January 15, 2013, regular meeting; claims of \$216,805.31 and tobacco permit for Dollar General. All voted aye. Motion declared carried.

During Public Forum, the following citizens spoke in favor of leaving the City-owned house at 1707 W. Adams Street: Kevin Downey – 411 N. Maple, Jane Brown – Park & Recreation Board Member, Mary Sid-McDonald – 404 W. Fremont, Roxanne Stovie – 611 N. Chestnut, Gary Lybarger – 410 N. Birch, Dave Koets – 623 N. Poplar, and Jim Anthony – 1720 Ryan Drive.

Wayne Pantini, 1402 N. Mulberry, UCDA Executive Director, spoke in favor of removal of the City-owned house at 1707 W. Adams Street for the expansion of the Cottonwood Subdivision.

Austin Smith, 620 N. Poplar, Civil Engineer for Cottonwood Subdivision Project, addressed flooding concerns and explained that the change in water level would be minimal, if at all.

Ellen Gerherz, Executive Director of Creston Chamber of Commerce, gave 2013 Southern Iowa Tourism Guides to Council showing them the full-page ad for Creston and Union County.

A resolution was offered by Loudon seconded by White to approve the reappointment of Ken Sharp to the Water Board of Trustees with term expiring December 31, 2018 and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wagner, Wilson, Shelton, Winborn, White and Loudon voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton to approve a Reimbursement of Training Expenses Agreement for Police Officer Maitlen and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner, Wilson and Shelton voted aye. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to set the date for a Public Hearing on February 19, 2013, at 6:00 p.m. for the sale of real estate located at 505 N. Elm to Kate Guter for \$68,000 and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Winborn to approve Addendum #4 to Offer for Real Estate at 505 N. Elm by extending the closing to on or before March 15, 2013 and authorize the Mayor and Clerk to execute the proper documentation. White, Loudon, Koets, Wagner, Wilson, Shelton and Winborn voted aye. Resolution declared passed.

Mayor Woods announced that now is the time for a Public Hearing on the matter of selling City-owned properties located at 311 N. Sycamore, 308 Livingston Avenue, 308-310 S. Walnut and 600 W. Montgomery. He asked if anyone wished to speak in favor of selling the properties; no one did. He asked if there was any written correspondence in favor of selling the properties; there was none. He asked if anyone wished to speak against selling the properties; no one did. He asked if there was any written correspondence against selling the properties; there was none. Mayor Woods then called the Public Hearing to a close.

A resolution was offered by Wilson seconded by Shelton to authorize advertising to sell and set terms for City-owned properties located at 311 N. Sycamore, 308 Livingston Avenue, 308-310 S. Walnut and 600 W. Montgomery and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner, Wilson and Shelton voted aye. Resolution declared passed.

Mayor Woods announced that now is the time for a Public Hearing regarding the current activities and status of funds for Community Development Block Grant #09-HSG-022, Housing Rehabilitation Project. No verbal or written comments for or against were received. Lucas Young, SICOG Representative, read the nine items required to be presented during the Public Hearing. Mayor Woods then called the Public Hearing to a close.

Mayor Woods announced that now is the time for a Public Hearing on the matter of an easement request from the Creston Community Schools and Greenhills AEA to place parking spaces in the City right-of-way along Swan Street and North Elm Street adjacent to 801 N. Elm Street. Derrick O'Neal, architect for Greenhills AEA, gave a brief presentation of the design for the additional parking. Mayor asked if anyone wished to speak in favor of the easement request; Chuck Scott, Interim Superintendent of Creston Community School District, spoke very highly of the City of Creston and what they have to offer. Rick Fyock, Creston Community School Board Member, spoke in favor of the easement request on Swan Street, but not on Elm Street. Pam Stow, Southern Iowa Trolley Transit Director, spoke in regards to the SIT Public Transit, Creston Community Schools and Greenhills AEA partnering together for different things. Mayor then asked if there was any written correspondence on the matter of an easement request; there was none. He asked if there was anyone wishing to speak against the easement request. Kevin Downey, 411 N. Maple, spoke against the request, stating this was just another way to spend tax dollars, and they could utilize the center of the track for more parking. Mayor then asked if there was any written correspondence on the matter of an easement request; there was none. Mayor Woods then called the Public Hearing to a close.

A resolution was offered by Winborn seconded by Koets to approve the plan as presented for the easement request from Creston Community Schools and Greenhills AEA to place parking spaces in the City right-of-way along Swan Street and North Elm Street adjacent to 801 N. Elm.

After some discussion, Winborn amended his original motion seconded by Koets to read as follows: Resolution to approve the plan as presented for the easement request from Creston Community Schools and Greenhills AEA to place parking spaces in the City right-of-way along Swan Street, but not Elm Street, adjacent to 801 N. Elm and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Wilson, Shelton, Winborn, White, Loudon and Koets voted aye. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to approve a Professional Services Agreement with Veenstra & Kimm, Inc., for the Rail Crossing Improvements Project at Elm Street and New York Avenue and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton to accept the Engineer's Statement of Completion for the Airport Fuel Tank Project and authorize Construction Payment #3 of \$3,515.00 and Final Construction Payment #4 of \$6,298.88 in 30 days to Fuel Tech, Inc. and authorize the Mayor and Clerk to execute the proper documentation. Winborn, White, Loudon, Koets, Wagner, Wilson and Shelton voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Koets to approve a contract with Mad Dog Union Shakers Touring, Inc., and payment of \$7,000 to hire the band 'Miss Willie Brown' for the Annual Concert in the Park on June 22, 2013, based on recommendation of the Park & Recreation Board and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Winborn, White, Loudon, Koets, Wagner and Wilson voted aye. Resolution declared passed.

Wilson moved seconded by Koets to approve temporary partial street closings on April 20, 2013, at 8 a.m. for the 2nd Annual Southwest Iowa Provider Awareness 5K Run/Walk. The course begins at Cedar Street by Bunn-O-Matic to Townline Street, east to Osage Street, south to Howard Street, west to Cedar Street and north on Cedar Street ending at Bunn-O-Matic. All voted aye. Motion declared carried.

John Kawa, Park & Recreation Board Chair, addressed Council again on the proposed outcome of the City-owned house located at 1707 W. Adams Street. He told Council he had 320, give or take a few, signatures on his petitions to leave the house and work that into the Assistant Park & Recreation Director's salary. He feels it would be a definite benefit to leave the house there and make it a part of McKinley Park. The petitions were not turned in to the City for record. Mr. Kawa is also concerned about the water runoff from the subdivision into Hurley Creek/McKinley Lake.

Councilperson Koets read a letter from Harry Walters, a local business person, in favor of keeping the City-owned house located at 1707 W. Adams Street.

A resolution was offered by Wilson seconded by Shelton to retain the house at 1707 W. Adams and used as residence as requested by the Creston Park & Recreation Board and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wilson and Shelton voted aye. Winborn, White, Loudon and Wagner voted nay. Resolution declared failed.

A resolution was offered by Winborn seconded by White to remove the house and buildings at 1707 W. Adams and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Wagner, Winborn and White voted aye. Koets, Wilson and Shelton voted nay. Resolution declared passed.

Mayor Woods called for a recess at 7:37 P.M.

Mayor Woods reconvened the meeting at 7:40 P.M.

A resolution was offered by Loudon seconded by White to approve the Covenants for the Cottonwood Subdivision and authorize the Mayor and Clerk to execute the proper documentation.

After much discussion, Winborn moved seconded by Wagner to table approving the Covenants for the Cottonwood Subdivision and bring back at the March 19, 2013, Council Meeting. All voted aye, motion declared carried.

Councilperson Wagner and John Kawa were invited to join the Covenant Committee. Mayor Woods also invited anyone that wanted to attend the meeting, and he would allow anyone to speak as long as it remains civil.

Councilperson Wilson asked the *Creston News Advertiser* and KSIB reporters if they would advertise by requesting that all local builders come to this meeting for more input.

Councilperson Shelton announced at the end of February it would be her last Council Meeting, as she is moving to Texas to be with family.

Councilperson Wilson asked Chief Paul Ver Meer to give kudos and a pat on the back to the Police Department for all they have dealt with over the past month.

Wilson moved seconded by Shelton to adjourn the meeting. All voted aye. Motion declared carried. Council adjourned at 7:49 p.m.

Mayor

Attest:

City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
POLICE PROTECTION	GENERAL FUND	CARPENTER UNIFORM CO & EMS LEARNING RESOURCE CENTER	PANTS, BOOTS, DUTY BELT	353.45		
			CPR RECERTIFICATION	98.00		
		GALLS INCORPORATED	DUTY BOOTS-HENRY	129.99		
		IOWA LAW ENFORCEMENT ACADEMY MAITLEN, RYAN	BASIC TRAINING-MAITLEN	5,385.00		
			MILEAGE REIMBURSEMENT	85.09		
		NAPA	MILEAGE REIMBURSEMENT	85.09		
			5/30 OIL	136.68		
		PETTY CASH - MAINTENANCE	DISC & REAR PADS-STR	336.41		
			PLUGS-COILS-MANIFOLD	481.81		
			#3025-TIRE RPR	14.00		
			TOTAL:	7,105.52		
		DETENTION & CORRECTNS	GENERAL FUND	UNION CO AUDITOR	LEC BILLING-JAN'13	3,740.05
					TOTAL:	3,740.05
		FIRE PROTECTION	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-FIRE	38.88
ED M FELD EQUIP CO INC	HANDLE ASSEMBLY				69.00	
FARM & HOME SUPPLY INC	FOAM TANK-ENG 1			70.15		
	OIL DRY-HAZ MAT CLEAN UP			59.90		
ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS			362.70		
	ELECTRICITY			493.55		
MCI MEGA PREFERRED	LONG DISTANCE			7.00		
OFFICE DEPOT	9X12 MANILLA ENVELOPES			21.85		
	TOTAL:			1,123.03		
ANIMAL CONTROL	GENERAL FUND			CRESTON VET CLINIC PC	EUTHANIZE STRAY CAT	6.95
		IOWA DEPT OF AGRICULTURE & LAND STEWAR	ANM WELFARE LICENSING		75.00	
			TOTAL:	81.95		
STREET LIGHTING	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	8,960.97		
			TOTAL:	8,960.97		
TRAFFIC SAFETY	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	1,209.97		
			TOTAL:	1,209.97		
AIRPORT	GENERAL FUND	CLAPSADDLE-GARBER ASSOCIATES INC	ENG SVCS-AIRPORT ROAD IMPR	1,920.00		
			AIRPORT LIGHTING IMPROV	2,060.00		
			AIRPORT FENCING IMPROV	1,200.00		
		WASTE MANAGEMENT	DUMPSTER-JAN'13	61.96		
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	379.42		
		SOUTHWEST IOWA RURAL ELECTRIC	ELECTRIC-AIRPORT	39.00		
		WEST AVIATION INC	PER FBO CONTRACT	1,354.17		
			FUEL PROFIT-JAN'13	711.96		
			TOTAL:	7,726.51		
		SOLID WASTE CLCT/DSPSL	GENERAL FUND	CRESTON PUBLISHING CO	XMAS TREE PICKUP AD	57.90
WASTE MANAGEMENT	GARBAGE COLLECT-JAN'13				37,351.50	
	TOTAL:			37,409.40		
LIBRARY SERVICES	GENERAL FUND	AKIN BUILDING CENTER	ROOF COATING-BRUSHES	48.57		
		CRESTON CITY WATER WORKS	WATER-LINCOLN SCHOOL	18.14		
		WASTE MANAGEMENT	DUMPSTER-JAN'13	40.89		
		ALLIANT ENERGY-INT PWR&LGHT	1001 W JEFFERSON-GAS	924.28		
			1001 W JEFFERSON-ELECTRIC	429.69		
			NATURAL GAS	357.12		
	ELECTRICITY	583.87				

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ECHO ELECTRIC SUPPLY	30 LIGHT BULBS	57.31
		MCI MEGA PREFERRED	LONG DISTANCE	10.94
			TOTAL:	2,470.85
PARKS	GENERAL FUND	CJ COOPER & ASSOCIATES INC	RANDOM DRUG SCREENS	32.00
		GREATER COMM HOSPITAL-COMM SVCS	DRUG SCREENS	28.00
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	961.34
		NAPA	COIL ASSEMBLY	18.55
			COIL ASSEMBLY-PLOW PARTS	74.36
			ELECT & TRBL LITE REELS	124.00
			FREIGHT-COIL ASSEMBLY	13.53
		PETTY CASH - RECREATION	#1760-CAR WAX	7.48
			#1762-DISPOSABLE COVERALLS	5.78
		SERVICE TECHS INC	HELMET FACE PROTECTION	68.95
		TRUE VALUE HARDWARE & RENTAL	REPAIR POLE SAW	186.97
			TOTAL:	1,521.00
RECREATION	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	131.62
		PETTY CASH - RECREATION	#1761-POSTAGE	4.09
			TOTAL:	135.71
CEMETERY	GENERAL FUND	BARKER IMPLEMENT & MOTOR CO INC	FILTER-STRING-OIL	771.00
		CJ COOPER & ASSOCIATES INC	RANDOM DRUG SCREENS	32.00
		WASTE MANAGEMENT	DUMPSTER-JAN'13	61.96
		GREATER COMM HOSPITAL-COMM SVCS	DRUG SCREENS	62.00
		ALLIANT ENERGY-INT PWR&LGHT	ELECTRICITY	322.25
		MCI MEGA PREFERRED	LONG DISTANCE	0.88
		PETTY CASH - CEMETERY	#411774-BATTERIES	4.29
			#411775-SHARPEN CHAIN	18.00
		TRUE VALUE HARDWARE & RENTAL	RPR CARBERATOR	69.87
			TOTAL:	1,342.25
SWIMMING POOL	GENERAL FUND	ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	22.29
			ELECTRICITY	106.33
			TOTAL:	128.62
FINANCIAL ADMINISTRATN	GENERAL FUND	BANKERS LEASING CO	COPIER LEASE-MAINTENANCE	233.22
		CRESTON PUBLISHING CO	LEGAL ADS/NOTICES-JAN'13	677.63
		HEARTLAND TECHNOLOGY SOLUTIONS	MONTHLY FIREWALL MGMT	129.00
		ECI	AFFORDABLE CARE ACT	50.00
		MCI MEGA PREFERRED	LONG DISTANCE-CITY HALL	29.94
			LONG DISTANCE-FAXES	2.53
		OFFICE DEPOT	TONER CARTRIDGE-KIM	52.92
		SWICAA TREASURER	2013 ANNUAL DUES	20.00
		UNION CO TREASURER	TAX SALE @ 310 S WALNUT	98.00
			TOTAL:	1,293.24
CITY HALL	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-CITY HALL	20.41
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	1,013.31
			ELECTRICITY	573.88
		INNOVATIVE INDUSTRIES INC	JANITORIAL SVC-JAN'13	285.00
		PEINELT, ROBERT	JANITORIAL SERVICES	80.00
			TOTAL:	1,972.60
ROAD MAINTENANCE	ROAD USE TAX	AKIN BUILDING CENTER	5 GAL FIBERED ROOF CEMENT	39.99
		ARAMARK (LAUNDRY ACCTS)	LAUNDRY SERVICE	31.85

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ASPEN EQUIPMENT CO	TEETH-TIE ROD END-GRINDER	183.04
		CJ COOPER & ASSOCIATES INC	RANDOM DRUG SCREENS	32.00
		GREATER COMM HOSPITAL-COMM SVCS	DRUG SCREENS	28.00
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	458.36
			ELECTRICITY	551.06
		ECHO ELECTRIC SUPPLY	LIGHT TESTER	17.61
		MACQUEEN EQUIPMENT, INC.	PELICAN TRAINING-HARRIS	70.00
		MCI MEGA PREFERRED	LONG DISTANCE	7.74
		STIVERS FORD	SHIFT CABLE-#91	103.00
		NAPA	95 GAL BULK OIL 15/40	969.00
			FILTER	11.98
			BULBS-FITTINGS-TIE D	149.13
			COUPLER-ANTENNA	11.98
			OIL SEALS	66.98
			CUT OFF WHEEL	20.98
			WRENCH	54.49
			GAS TREATMENT	21.98
			CAN PAINT-BOTTLE GAS	76.45
		O'HALLORAN INTERNATIONAL INC	WIPER MOTOR-#48	194.79
		PETTY CASH - MAINTENANCE	#3022-SEAT BELT SIGNS	12.84
			#3024-FUEL CHAIN SAW	6.74
			#3026-FUEL CHAIN SAW	6.39
			#3027-CUTTING TIPS	23.26
		SERVICE TECHS INC	3-CHAIN SAW SHARPEN	24.00
		SCHILDBERG CONSTRUCTION COMPANY INC	45.87 TON CLASS D ROCK	506.87
			TOTAL:	3,680.51
AND ICE CONTROL	ROAD USE TAX	INDEPENDENT SALT COMPANY	22.9 TON ROCK SALT	1,417.05
		PETTY CASH - MAINTENANCE	#3023-HINGE	9.65
			TOTAL:	1,426.70
ADMIN-STREETS(ENGINR)	ROAD USE TAX	OFFICE DEPOT	SMEAD EXPANDABLE FOLDERS	121.98
			TOTAL:	121.98
SELF FUNDING INSURANCE PAYROLL TAX BENEFIT		TOTAL ADMINISTRATIVE SERVICES CORP	SVC PERIOD 4/1/13-4/30/13	102.00
			TOTAL:	102.00
SANITARY SEWER/WASTWTR SEWER OPERATING FU		CRESTON CITY WATER WORKS	1/2 ONE CALLS-JAN'13	13.95
		WASTE MANAGEMENT	DUMPSTER-JAN'13	75.14
		FARM & HOME SUPPLY INC	HOSE/FITTINGS	19.22
		HAWKINS INC.	55 GAL POLYMER	1,149.00
		HEARTLAND TECHNOLOGY SOLUTIONS	INSTALL ADD ON CARD-JIM	258.75
		HENDERSON, MIKE	FOOTING TILE REMOVAL	500.00
		HYGIENIC LABORATORY-AR	AMMONIA	36.00
			2-NH3'S	36.00
			2-NH3'S	36.00
			2-NH3'S	36.00
			2-BOD'S & 2-NH3'S	36.00
			2-BOD'S & 2-NH3'S	72.00
			2-NH3'S, 1-PHOSPHORUS	108.00
			2-BOD'S, NH3'S	72.00
			METALS	116.00
		ALLIANT ENERGY-INT PWR&LGHT	NATURAL GAS	1,810.01
			ELECTRICITY	5,229.42
		IOWA TOOL & MANUFACTURING INC	ROLLER ASSEMBLY RPR	357.00
		MATT PARROTT & SONS CO	15,000 UTILITY BILLS	2,383.05

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		MCI MEGA PREFERRED	LONG DISTANCE	4.90
		NAPA	PILLOW BLOCK	19.80
			FILTER	60.50
		OFFICE DEPOT	9X12 MANILLA ENVELOPES	21.80
		PETTY CASH - SANITATION	#497881-FITTING/SOCKET	17.90
		REGION IV IA WATER POLLUTION	SCHOOLING FOR MIKE/JIM	64.00
		UPS	POSTAGE	49.20
			POSTAGE	22.70
		USA BLUE BOOK	DRUM PUMP	87.90
			LOG BOOKS	39.90
			N&P REMOVAL BOOK	99.90
			SHIPPING	22.70
			TOTAL:	12,861.30

ANIMAL CONTROL	ANIMAL SHELTER *AG	CRESTON PUBLISHING CO	CARE ADS-JAN'13	50.00
		CRESTON VET CLINIC PC	EMERGENCY MEDICAL-SICKELS	100.00
			BULK WORMER/CAT CARRIERS	76.60
			SPAY CAT-SHERYL DRAMAN	55.00
			EMERGENCY TREATMENT	167.52
		SOUTHERN HILLS VET SVC INC	TEST,VACCINATE,NEUTER	95.00
			TEST, VACC, NEUTER CAT	63.00
			TEST/TREAT PND CAT-LYDIA	12.50
			TEST,VACC, SPAY STRAY CAT	115.00
			TOTAL:	734.71

===== FUND TOTALS =====

001	GENERAL FUND	76,221.65
110	ROAD USE TAX	5,229.19
112	PAYROLL TAX BENEFIT	102.00
610	SEWER OPERATING FUND	12,861.33
953	ANIMAL SHELTER *AGENCY FU	734.71
GRAND TOTAL:		95,148.88

CITY OF CRESTON
 MANUAL CHECKS/DEBITS – PERIOD ENDING 02/19/13

NO DEPT ENTERED		
ELECTRONIC FEDERAL TAX	TAX DEPOSIT	15,478.09
IOWA DEPT OF REVENUE	STATE TAX	6,141.00
IPERS	PENSION	12,899.17
TOTAL ADMINISTRATIVE SVC	FLEX	733.63
NO DEPT ENTERED	TOTAL	\$ 35,251.89
AIRPORT		
FUEL TECH INC.	FINAL PMT	6,298.88
AIRPORT	TOTAL	\$ 6,298.88
FINANCIAL DEPARTMENT		
CRESTON CITY WATER WORKS (2)	PASS THRU	41,600.00
SICOG	DRAWDOWN	34,956.00
FINANCIAL DEPARTMENT	TOTAL	\$ 76,556.00
SELF FUNDING INSURANCE		
TRISTAR BENEFIT (2)	INV CHECK RUN	5,555.68
SELF FUNDING INSURANCE	TOTAL	\$ 5,555.68
MANUAL CHECK/DEBITS TOTAL		\$123,662.45

Lisa Williamson

From: Mayor Woods
Sent: Wednesday, February 06, 2013 8:32 AM
To: Lisa Williamson; Mike Taylor
Subject: council appointees

FYI

From: Warren Woods [mailto:wwoods@mchsi.com]
Sent: Wednesday, February 06, 2013 7:10 AM
To: Mayor Woods
Subject: council appointees

Vacancies on City Councils

Laws Related to City Council Vacancies

Iowa Code sections 372.13 (for the full code) and 69.12 apply to vacancies in city offices.

Filling Vacancies

The city council must decide whether to fill a vacancy in an elective city office by appointment or by calling for a special election.

[§372.13(2)]

Extra or Special Publication Requirements

There are extra or special publication requirements if the council decides to appoint a replacement. The council must publish notice of its intention to appoint at least four but no more than 20 days before the appointment is scheduled to occur. The publication must also notify city residents of the right to request a special election by filing a petition. The publication must occur once and must be published in a newspaper of general circulation in the city, unless the city has a population of fewer than 200 and has an ordinance designating three public places for posting of such notices.

[§372.13(2)(a), 362.3]

There are no extra or special publication requirements if the council decides to call for a special election.

[§372.13(2)(b)]

Appointing Replacements

Deadline

The appointment must be made within 40 days after the vacancy occurs.

[§372.13(2)(a)]

Appointment not Made Before Deadline

There is no penalty set forth in the *Iowa Code* if the city council does not make the appointment before the deadline

Warren Woods

City of Creston

COUNCIL RULES OF PROCEDURE POLICY

Adopted by City Council

February 19, 2013

Meeting Times

The city council shall meet at **6:00** p.m. on the first and third **Tuesday** of each month in the council chambers. On holidays, the council shall meet on the **next business day** following the holiday.

Work Sessions

Work sessions of the council shall be held in accordance with state statutes when special circumstances require such a session. A work session may be called by the mayor, city manager or majority of council members.

Special Meetings

The mayor, or in the mayor's absence, the mayor pro tem, may call a meeting at any time for the transaction of the business as specified. Written notice of a special meeting shall be given each member of the council at least 24 hours in advance of the meeting.

Executive Sessions

Executive sessions may be held during regular or special meetings, so long as appropriate statutory requirements are met. Executive sessions may also be held during work sessions but must also meet appropriate statutory requirements.

Presiding Officer

The mayor, or in the mayor's absence or incapacity, the mayor pro tem, shall be the presiding officer at all council meetings. If both the mayor and mayor pro tem are absent, the most senior council member in terms of continuous service on the council shall be presiding officer. In the event of a tie, the older council member shall be presiding officer.

The presiding officer shall control the meeting in accordance with these rules.

Rules of Parliamentary Procedure

Except as specifically provided in these rules, *Robert's Rules of Order*, 10th Edition, shall serve as the rules of parliamentary procedure.

Quorum

The presiding officer shall call the meeting to order at the hour designated for the meeting. If a quorum is not present, the City Clerk shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required. If the absent member

or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting.

Agenda

The **City Clerk** shall prepare an agenda of the business to be presented at a regular council meeting. No item of business shall be added to an agenda after **5:00** p.m. on the **day** preceding the council meeting for which the agenda has been prepared, except under emergency circumstances pursuant to state law and as determined by the city attorney. At the meeting, the council shall consider only matters that appear on the agenda for that meeting or are introduced by a council member or the mayor. Council members and the mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda.

Order of Business

The order of business at council meetings shall be as follows:

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Consideration of Agenda
5. Consider Adoption of the Consent Agenda
6. Public Forum
7. New Business
8. Other
9. Adjournment

Each agenda item shall be considered in the numerical order as listed on the agenda. With the consent of the council, any agenda item may be considered out of order at the request of a council member or mayor.

Consent Agenda

In order to make more efficient use of meeting time, the **City Clerk** shall place minutes, claims and fund transfers, licenses/permits and requests for approval that are considered routine and non-controversial on a "consent agenda." Any item placed on the consent agenda shall be removed at the request of the mayor or a council member prior to the time a vote is taken on the consent agenda items. All remaining items on the consent agenda shall be disposed of by a single motion "to adopt the consent agenda," which shall not be debatable. Adoption of the consent agenda shall be by the affirmative vote of all council members present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the consent agenda shall be voted upon separately in the usual manner.

Public Hearings

Prior to each public hearing, the presiding officer shall announce the nature of the matter to be heard. The presiding officer shall then declare the hearing to be open and invite any member of the audience to come forward to be heard. If appropriate, the presiding officer may first ask those persons in favor of the stated matter to come forward, with those speaking in opposition coming after. The presiding officer may, with the approval of council, limit the time allotted to speakers at each public hearing. The presiding officer shall announce the restriction prior to the commencement of the hearing.

Closing Debate

Discussion shall be closed on any item by the presiding officer with the concurrence of a majority of the council.

Call for Vote

At the conclusion of debate, the presiding officer shall call for a vote. However, a majority of the council may require a vote at any time, in accordance with the rules of parliamentary procedure.

Voting Generally

- 1) The vote on every motion shall be taken by voice vote or roll call and entered in full upon the record.
- 2) A roll call vote shall be used for all ordinances and resolutions. Members shall not explain their vote during roll call. Any member may change his or her vote prior to the next order of business.

Duty to Vote

When a question is taken, every member shall vote, but no member shall be permitted to vote on a subject in which he or she has a conflict-of-interest.

Waiver of Ordinance Readings

A council member may move suspension of the rules and call for final passage of an ordinance, with waiver of first or second consideration, or both, consistent with applicable state law. Such a motion requires $\frac{3}{4}$ vote of all council members, whether present or absent and including vacant positions, for passage.

Reconsideration of Actions Taken

A member who voted with the majority may move for a reconsideration of an action at the same or the next following regular meeting. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the council.

Sergeant-at-Arms

- 1) The sergeant-at-arms shall be the **Police Chief** or an appropriate designee.
- 2) The sergeant-at-arms shall assist the presiding officer, as appropriate, to maintain order and decorum at all meetings.

General Speaking by Council Members

Every council member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine the remarks to the question under debate.

Questioning of Administrative Staff by Council Members

Any council member desiring to question staff shall address the questions to the presiding officer, who may refer the inquiry to a staff member for response.

Administrative Staff and City Employees Addressing Council or Public

Members of the city staff desiring to address the council or members of the public shall first be recognized by the presiding officer and shall address the remarks to the chair. Staff may respond to questions or comments by the council or members of the public with permission of the presiding officer, and shall always do so in a polite and tactful manner.

Public Members Addressing the Council

The agenda for each regular meeting of the city council shall include a time in which members of the audience may address the council.

- 1) An audience member desiring to address the council shall stand and wait to be recognized by the presiding officer. After recognition, the person shall state his/her name and address for the record. All remarks and questions shall be addressed to the presiding officer and not to any individual council member, staff member or other person. No person shall enter into discussion without being recognized by the presiding officer.
- 3) No public member shall be allowed to speak more than once on any one subject until every other public member choosing to speak has spoken.
- 4) After a motion has been made or after a public hearing has been closed, no audience or staff member shall address the council without first securing permission from the presiding officer.

Order and Decorum

- 1) Any of the following shall be sufficient cause for the sergeant-at-arms to, at the direction of the presiding officer, remove any person from the council chambers or meeting hall for the duration of the meeting:
 - a) Unreasonably loud or disruptive language, noise or conduct which obstructs the work or the conducting of the business of the council.
 - b) Willful injury of furnishings or of the interior of the council chambers or meeting hall.
 - c) Refusal to obey the rules of conduct, including the limitations on occupancy and seating capacity.
 - d) Refusal to obey an order of the presiding officer or an order approved by a majority of the council present.
- 2) Before the sergeant-at-arms is directed to remove any person from the meeting hall, the presiding officer shall give that person a warning to cease his or her conduct.

- 3) If a meeting is disrupted by members of the audience, the presiding officer or a majority of the council present may order that the council chambers or other meeting hall be cleared.

Seating Capacity and Safety Requirements

- 1) The safe occupancy and seating capacity of the council chambers as determined by the fire marshal shall be posted within the council chambers. The limitations on occupancy and seating capacity shall be complied with at all times.
- 2) Aisles shall be kept clear at all times. Members of the audience shall abide by the seating plan in the chambers.

Flags, Signs and Posters

No flag, posters, placards, or signs, unless authorized by the presiding officer, may be carried or placed within the council chambers, any meeting hall in which the council is officially meeting, or any meeting hall in which a public hearing is being held. This restriction shall not apply to armbands, emblems, badges or other articles worn on personal clothing of individuals, provided that such devices are of such a size and nature as not to interfere with the vision or hearing of other persons at the meeting, and providing that such devices do not extend from the body in a manner likely to cause injury to another.

News Media

The provisions of this ordinance shall not be construed to prevent news media representatives from performing their duties so long as the manner of performance is not unreasonably disruptive of the meeting.

**COMMUNITY DEVELOPMENT BLOCK GRANT
REQUEST FOR PAYMENT - Housing**

Recipient: City of Creston
 Contract Number: 09-HSG-022
 Report Number: 12
 Period Ending: 02/13/13

ACTIVITY CODE/TITLE	Federal CDBG Budget	CURRENT EXPENDITURES			TOTAL
		Expended Since Last Report	Less Program Income Applied	CDBG Reimbursable	CDBG Requested to Date
97 Rehabilitation	\$300,000	\$20,625			\$171,555
0181 ADMIN	\$20,000	\$14,200			\$14,200
TOTALS	\$320,000	\$34,825			\$185,755
Less: IDED Funds Received					\$118,974
Less: IDED Payments Pending					\$31,956
NET REQUEST					\$34,825

LOCAL FINANCIAL INFORMATION				List of Addresses requesting funds:		
ACTIVITY CODE	Current Budget	Expended Since Last Report	Expended to Date	General Administration		
97-Rehabilitation	\$24,000	\$1,000	\$16,000	Technical Services		\$14,200.00
				Lead Administration		\$11,875.00
						\$3,000.00
				509 N. Pine		\$6,750.00
				509 N. Pine / Lead		\$0.00
				Interest on Line of Credit		\$0.00
TOTAL	\$24,000	\$1,000	\$16,000		Total	\$35,825

Attach supporting documentation to the back of this form

STATE OF IOWA

GAX

BUDGET FY		General Accounting Expenditure						DOCUMENT NUMBER								
FY 13		DATE 2/13/13			ACCTG PERIOD (mm/yy) 02/13											
VENDOR CODE				AGENCY NAME												
VENDOR NAME AND ADDRESS City of Creston City Hall 116 W. Adams St. - PO Box 449 Creston, IA 50801				BILL TO ADDRESS (ORDERING AGENCY) Iowa Economic Development Authority 200 E. Grand Ave. Des Moines, Iowa 50309				SHIP TO ADDRESS								
TERMS		FOB		ORDER APPROVED BY				GOODS RECEIVED/SERVICES PERFORMED								
QUANTITY				VENDOR'S INVOICE NUMBER Report Number: 12				DATE		INITIALS						
ORDERED	RECEIVED	UNIT OF MEASURE		DESCRIPTION				UNIT PRICE	TOTAL PRICE							
				Request for Payment under CDBG Housing Contract Number: 09-HSG-022					\$34,825.00							
DOCUMENT TOTAL								\$34,825.00								
CLAIMANT'S CERTIFICATION						AGENCY CERTIFICATION										
I CERTIFY THAT THE ITEMS FOR WHICH PAYMENT IS CLAIMED WERE FURNISHED FOR STATE BUSINESS UNDER THE AUTHORITY OF THE LAW AND THAT THE CHARGES ARE REASONABLE, PROPER AND CORRECT, AND NO PART OF THIS CLAIM HAS BEEN PAID.						I CERTIFY THAT THE ABOVE EXPENSE WERE INCURRED AND THE AMOUNTS ARE CORRECT AND SHOULD BE PAID FROM THE FUNDS APPROPRIATED BY:										
DATE		02/19/13		TITLE		Mayor				CODE OR CHAPTER SECTION(S)						
CLAIMANT'S SIGNATURE						AUTHORIZED SIGNATURE										
THE FOLLOWING FIELDS ARE FOR STATE ACCOUNTING USE ONLY																
DOC TYPE (GAX) GAX	DOC NUMBER		DOC DATE		ACCTG PRD	BUDGET FY	ACTION NEW/MOD	PO SHIP INSTR	GAX TYPE	INT IND	INT SELLER FUND	INT SELLER AGCY				
VENDOR CODE 0		ADDR OVERRIDE	F/A INDICATOR	EFT IND Y	TEXT -po's only (Y/N)			TEXT (po's only)								
REF DOC TYPE	REF DOC NUMBER		REF DOC LINE	COM LN	VEND INVOICE #		COMMODITY CODE	GS CONTRACT								
LINE	FUND	AGCY	ORG	SUB ORG	ACTV	FUNC	OBJT	SUB OBJT	JOB NUMBER	REP CAT	QUANTITY / UNITS	UD	DESCRIPTION	AMOUNT	UD	PRF
01	0340	259	4810				4125									
02																
03																
04																
05																
06																
07																
DOCUMENT TOTAL												0.00				

GAX

WARRANT #

AUDITED BY

PAID DATE

Lisa Williamson

READS FROM BOTTOM TO TOP

From: Kevin Kruse
Sent: Monday, February 11, 2013 2:36 PM
To: Mayor Woods; Lisa Williamson
Subject: FW: city council question

Please place on the next agenda "Appointment with Karin Coleman"

From: Karin Coleman [mailto:karinc@greaterregional.org]
Sent: Monday, February 11, 2013 2:23 PM
To: Kevin Kruse
Subject: RE: city council question

Mr Kruse-

Thank you for your response. I think I understand your position to be that because no accidents have been reported for that area, no signage is warranted. I would respectfully disagree and I would appreciate it if you could add me to the agenda to speak with the City Council at one of their upcoming meetings. Please let me know when I can expect that. Thank you.

-Karin Coleman

From: Kevin Kruse [mailto:KKruse@crestoniowa.org]
Sent: Monday, February 11, 2013 1:59 PM
To: Karin Coleman
Cc: Tim, Nancy & Eli Loudon; Paul Ver Meer
Subject: RE: city council question

Karin:

The Public Works Department, and all other traffic safety agencies, follow the Manual on Uniform Traffic Control Devices (MUTCD) when it comes to the placement of signage. The MUTCD states that regulatory signs such as stop and yield signs should be considered only when justified by engineering data or if a high accident occurrence of three or more accidents have occurred over a two year period.

I have asked Police Chief Ver Meer for an accident report of the intersection and he says that there have been no accidents at Livingston/ Division/ Union Street intersection over the past 2 years. I have also attached the reported crash map from the Iowa DOT covering the years of 2004 - 2008. There were no reported accidents at that intersection during that 4 year period as well.

While regulatory signs may seem to be an answer to controlling traffic they may have an opposite effect in giving other traffic the false sense that the other car is going to stop or yield. Unfortunately, if some motorists feel that the sign is not needed they will not obey it. At intersections with no regulatory signs all motorists are more inclined to watch out for the other guy and not assume they are going to stop or yield. With regulatory signs or no signs we can't fix attitude, inattentiveness or carelessness when it comes to any intersection.

My recommendation would be that this intersection does not warrant any regulatory signs. However, if you wish to speak to the City Council regarding your concerns you may do so at any Council meeting during the public forum portion of the meeting or if you wish to set an appointment to discuss this with Council you may let me know and I will have you placed on the agenda.

If you have any questions please feel free to contact me.

Thank you for your suggestions to make Creston safer for motorists.

Yours truly,

Kevin Kruse
Public Works Director
City of Creston
P.O. Box 449, 116 West Adams
Creston, Iowa 50801
641-782-2000 ext. 104
641-782-6377 Fax
kkruse@crestoniowa.org
<http://crestoniowa.gov>

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From: Karin Coleman [mailto:karinc@greaterregional.org]
Sent: Friday, February 08, 2013 8:58 AM
To: Kevin Kruse
Cc: Tim, Nancy & Eli Loudon
Subject: RE: city council question

Mr. Kruse-

The intersection in question actually involves three streets. It's the area where Union, Livingston, and Division come together. Yesterday, while driving my daughter to school, we had a near collision when driving east on Union. A car driving north on Livingston did not stop or even slow down as it entered onto Union. This area is a problem area because you have several streets coming together with no stop or yield signs to help guide drivers as to right-of-way. I think a stop sign on Livingston and at least a yield sign on Division would both be entirely appropriate and help control the flow of traffic in that area. St Malachy school, which also serves as a public school bus drop-off, is very near, which makes this area very busy before and after school. I doubt I am the first citizen to bring up concerns about this area. Please let me know your thoughts on how you would like to proceed. Thank you for your time.

Sincerely,

Karin Coleman

From: Tim, Nancy & Eli Loudon [mailto:threeloudons@iowatelecom.net]
Sent: Thursday, February 07, 2013 7:58 PM
To: Karin Coleman
Cc: Kevin Kruse
Subject: Re: city council question

Karen,

Thank you for the email. I am going to forward this email to Kevin Kruse, our public works director (phone 641-782-2000 Ext 1). Kevin, please engage Karen in a conversation as to what intersection and if you can give some input or direction for her. I will follow-up with you both the next time we see one another.

Be safe,
Nancy

Nancy E. Loudon
Creston At Large City Councilmember
1109 North Oak Street Creston, IA 50801
641-782-5825
threeloudons@iowatelecom.net

Web site <http://www.crestoniowa.gov>
Supporting the Library Move to Lincoln School at: <http://www.crestoniowa.gov/library/lincolnschool.htm>

----- Original Message -----

From: Karin Coleman
To: threeloudons@iowatelecom.net
Sent: Thursday, February 07, 2013 8:21 AM
Subject: city council question

Good morning nancy-

I have a concern about an uncontrolled street intersection here in town. Would the city council be the best people to visit with about it? if so, who should I talk to about getting on the agenda? Thanks

-karin

Karin Coleman
Greater Regional Medical Center
1700 W. Townline Rd.
Creston, IA 50801
(641) 782-7091 ext. 3213
Fax (641) 782-3830
karinc@greaterregional.org

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City of Creston

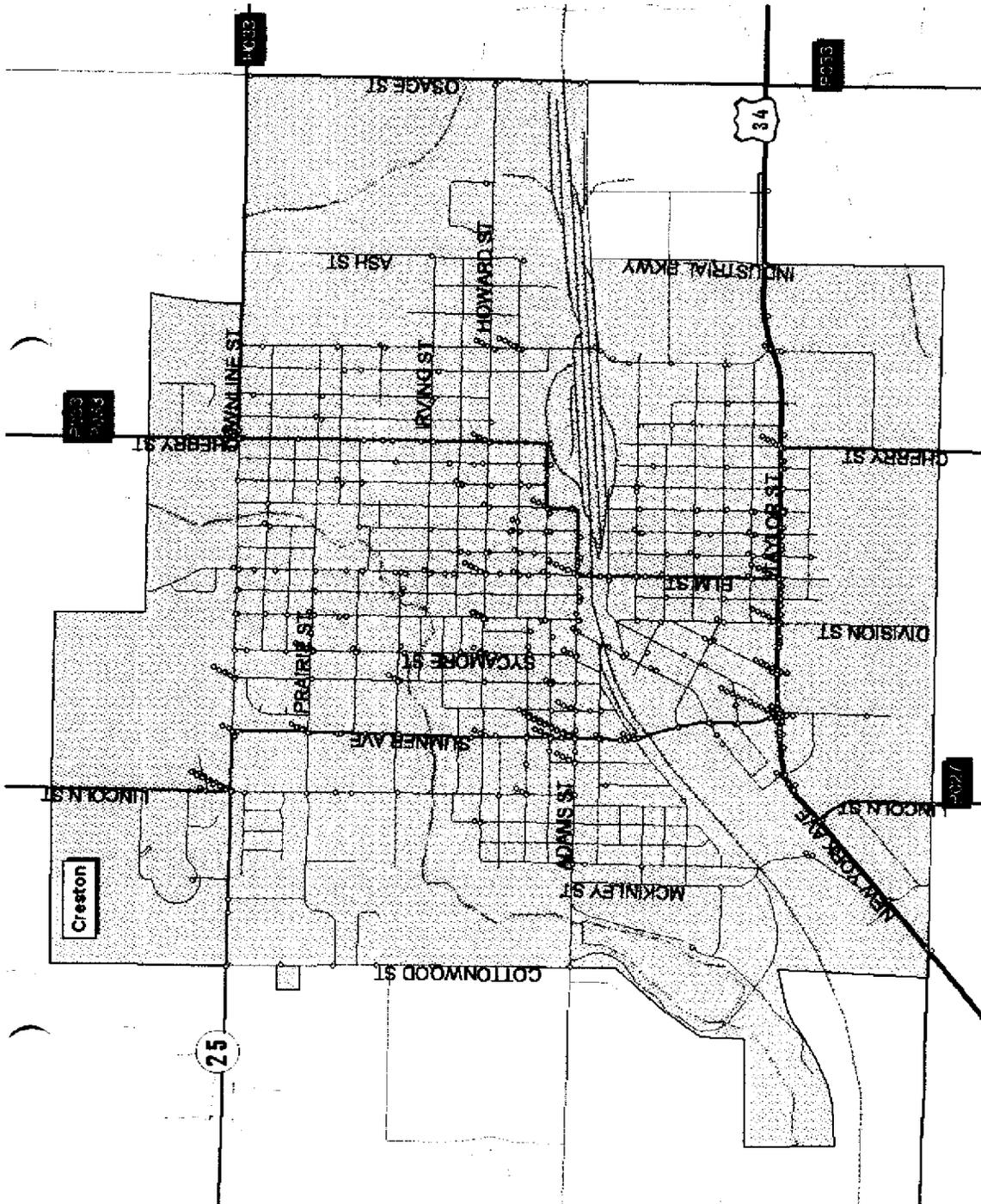
Citywide

Reported Crash History

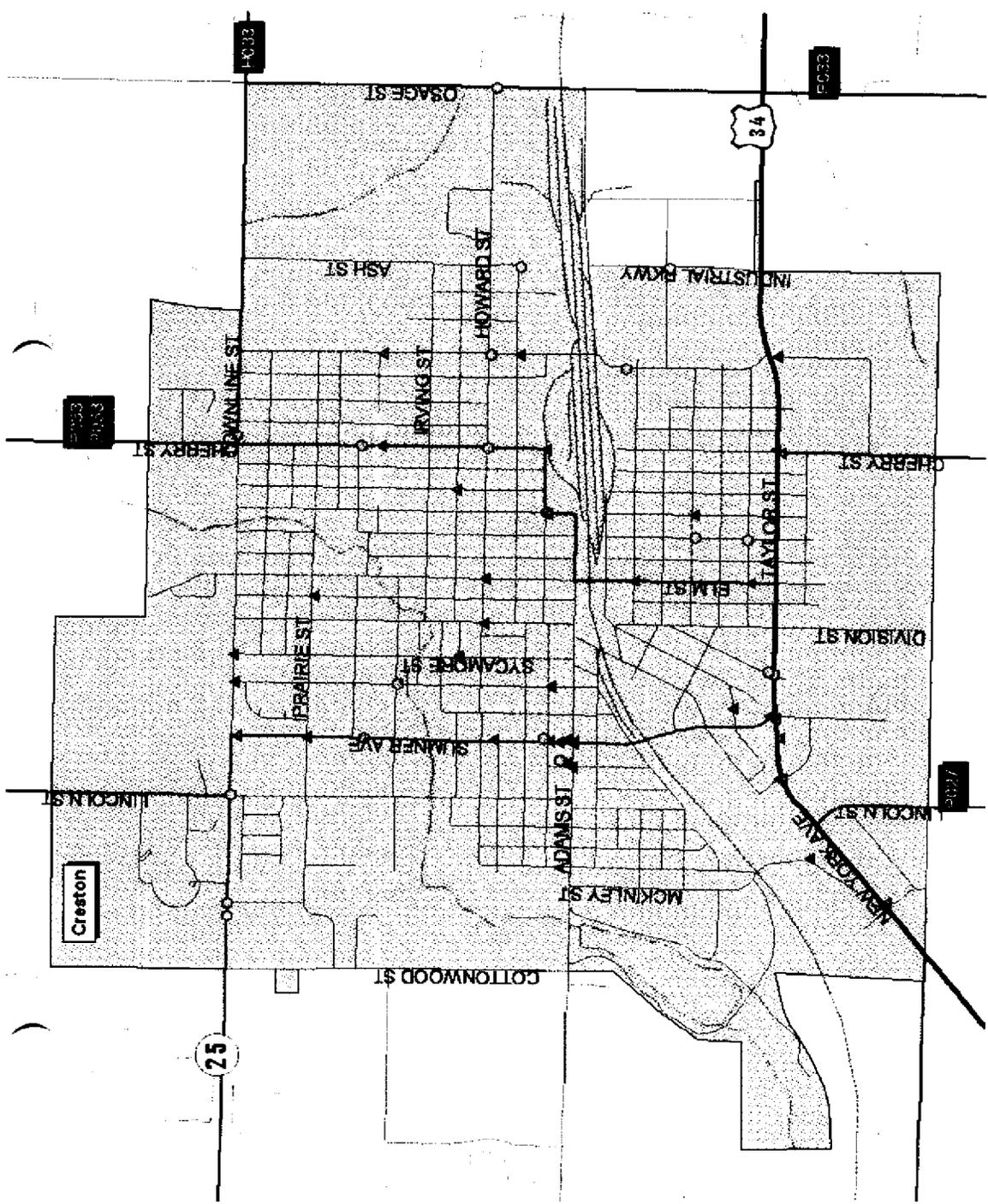
2004-2008

Urban Crashes

All Crashes



Crashes					Injuries						
Crashes	Fatal	Major	Minor	Poss/Unk	PDO	Injuries	Fatalities	Major	Minor	Possible	Unknown
598	0	21	40	90	447	203	0	24	51		128



Reported Crash History

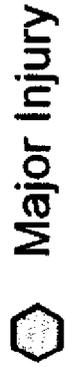
2004-2008

Urban Crashes

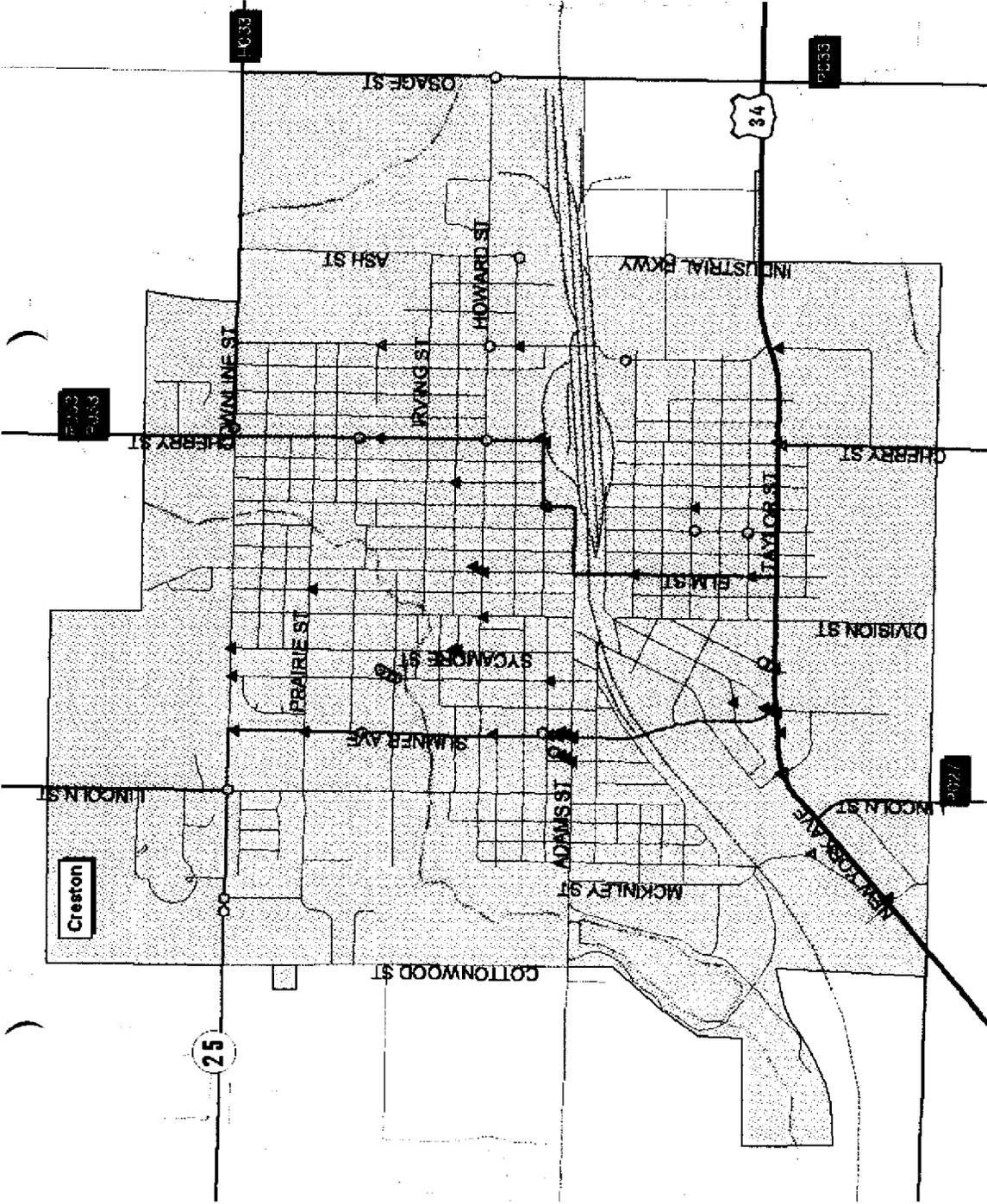
All Crashes

By Crash Severity

Crash Severity Key



Crashes	Crashes						Injuries					
	Fatal	Major	Minor	Poss/Unk	PDO	Injuries	Fatalities	Major	Minor	Possible	Unknown	
598	0	21	40	90	447	203	0	24	51		128	



Reported Crash History

2004-2008

Urban Crashes

All Crashes

By Injury Severity

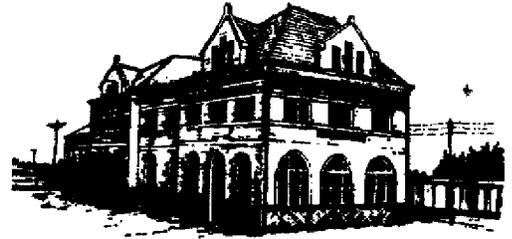
Injury Severity Key

- Fatalities
- ⬡ Major Injuries
- ▲ Minor Injuries

Crashes	Crashes					Injuries					
	Fatal	Major	Minor	Poss/Unk	PDO	Injuries	Fatalities	Major	Minor	Possible	Unknown
598	0	21	40	90	447	203	0	24	51		128

CRESTON POLICE DEPARTMENT

Paul A. Ver Meer, Chief of Police
302 N. Pine Street Creston, IA 50801-0449
Phone 641-782-8402 • Fax 641-782-8404



Creston's Restored Depot and City Hall

To: Kevin Kruse, Public Works Director

From: Paul Ver Meer, Chief of Police

Subj: Intersection of Livingston/Union/Division

Date: February 14, 2013

Kevin,

I regards to our conversation about the above intersection, I would have to agree with you that signage would not be warranted at this location. I have gone back two-years to check for any traffic collisions at the location and was unable to find any.

I agree with you when you say signage will not remedy inattentiveness or careless driving. It would be my recommendation that the city council not put signage at this intersection.

Respectfully,

Paul Ver Meer
Chief of Police