

## REGULAR MEETING OF THE CRESTON CITY COUNCIL SEPTEMBER 15, 2009

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: White, Winborn, Shelton, Wilson, Wagner and Koets. Wynn was absent.

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

Shelton moved seconded by Wagner to approve the consent agenda, which included approval of minutes of the regular meeting on September 1, 2009, claims of \$466,000.91, amusement permit for Oaks Brew Garden, and appointment of Karin Coleman to Library Board. All voted aye. Wynn was absent. Motion declared carried.

No one spoke during Public Forum.

Mayor Woods announced that now was the time for a Public Hearing to vacate an easement on Lot 3 Crestmont Subdivision. He asked if anyone wished to speak in favor of vacating the easement; Todd Nielsen spoke on behalf of the UCDA and the current owners. Mayor Woods asked if there was any written correspondence in favor of vacating the easement; there was none. He asked if anyone wished to speak against vacating the easement; no one did. He asked if there was any written correspondence against vacating the easement; there was none. Mayor Woods then called the Public Hearing to a close.

A resolution was offered by Wagner seconded by Shelton to vacate an easement on Lot 3 Crestmont Subdivision and authorize the Mayor and Clerk to execute the proper documentation. Koets, White, Winborn, Shelton, Wilson and Wagner voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by White seconded by Wagner to authorize the Mayor to sign a Quit Claim Deed to Bradley Stehr and Alisha Stehr, owners of Lot 3 Crestmont Subdivision and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Koets and White voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by Shelton seconded by Koets to accept the amended grant agreement with FEMA for the McKinley Park Safe Room and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Shelton, Wilson, Wagner and Koets voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by Shelton seconded by Wilson to approve an engineering agreement with Garden & Associates for the McKinley Park Safe Room and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, White, Winborn, Shelton and Wilson voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to special assess nuisance abatement charges due to non-payment by property owners for mowing nuisances and authorize the Mayor and Clerk to execute the proper documentation. Koets, White, Winborn, Shelton, Wilson and Wagner voted aye. Wynn was absent. Resolution declared passed.

THE UNDERSIGNED COUNCIL MEMBERS HAVE CHECKED THE CLAIMS AS PRESENTED FOR THE MEETING OF SEPTEMBER 15, 2009

  
LARRY WYNN

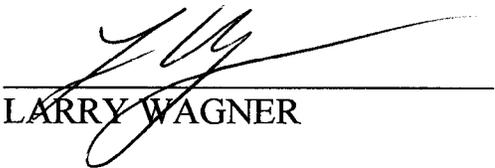
  
TERRI KOETS

  
RANDY WHITE

  
LOYAL WINBORN

  
BETTY SHELTON

  
MARSHA WILSON

  
LARRY WAGNER

A resolution was offered by Koets seconded by Wilson to approve a funding request from the Creston Chamber of Commerce for \$10,000 to be paid quarterly over FY 2010 and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Shelton, Wilson, Wagner and Koets voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by White seconded by Shelton to approve a recommendation from the Hurley Creek/McKinley Lake Watershed Improvement Committee to accept the bid proposal for three (3) stream bank stabilization projects and authorize the Mayor and Clerk to execute the proper documentation. Wilson, Wagner, Koets, White, Winborn and Shelton voted aye. Wynn was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Winborn to approve payment of a tax sale certificate, past due and current taxes for property recently acquired through Iowa Code 657A.10A located at 622 North Birch Street, Creston, Union County, Iowa and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Wilson, Wagner, Koets, White and Winborn voted aye. Wynn was absent. Resolution declared passed.

Wilson moved seconded by White to establish First Reading of Ordinance 10-116 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to the standard penalty, Section 1.10. Shelton, Wilson, Wagner, Koets, White and Winborn voted aye. Wynn was absent. First Reading declared established.

Wilson moved seconded by Shelton to establish First Reading of Ordinance 10-117 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to municipal infractions, Section 4.04. Wagner, Koets, White, Winborn, Shelton and Wilson voted aye. Wynn was absent. First Reading declared established.

Wilson moved seconded by White to establish First Reading of Ordinance 10-118 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to parking violations: alternate, Section 70.03. Winborn, Shelton, Wilson, Wagner, Koets and White voted aye. Wynn was absent. First Reading declared established.

Wilson moved seconded by Winborn to establish First Reading of Ordinance 10-119 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to abandoned vehicles, Sections 80.02 and 80.03. Wagner, Koets, White, Winborn, Shelton and Wilson voted aye. Wynn was absent. First Reading declared established.

Wilson moved seconded by Shelton to establish First Reading of Ordinance 10-120 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to disposal of property, Section 137.06. Koets, White, Winborn, Shelton, Wilson and Wagner voted aye. Wynn was absent. First Reading declared established.

Wilson moved seconded by White to establish First Reading of Ordinance 10-121 entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending provisions pertaining to off-road utility vehicles, Subsection 3 of Section 75.02. Winborn, Shelton, Wilson, Wagner, Koets and White voted aye. Wynn was absent. First Reading declared established.

Winborn moved seconded by Koets to amend a previously requested street closing during Balloon Days for the antique car show – Elm Street from Adams to Montgomery along

with the City parking lot at Elm and Montgomery and Montgomery Street from Elm to Oak and Oak Street from the north side of the alley between Adams Street and Montgomery Street from 3:00 p.m. to 9:00 p.m. All voted aye. Wynn was absent. Motion declared carried.

Mayor Woods proclaimed Saturday, September 19, 2009, as Lion's Candy Day.

Under Other Items, Councilperson Shelton has received complaints regarding vehicles parking on both sides of narrow streets, making travel on these particular streets difficult.

White moved seconded by Winborn to adjourn the meeting. All voted aye. Wynn was absent. Motion declared carried. Council adjourned at 6:24 P.M.

  
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Mayor

Attest:

  
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City Clerk