

REGULAR MEETING OF THE CRESTON CITY COUNCIL JULY 7, 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: Wynn, White, Winborn, Shelton, Wilson, Wagner and Koets.

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

Shelton moved seconded by Wilson to approve the consent agenda, which included approval of minutes of the regular meeting on June 16, and special meeting on June 23, 2009, claims of \$250,815.40, fund transfers of \$303,398.99, beer/wine licenses for Casey's #3 and True Value/Java J's. All voted aye. Motion declared carried.

During Public Forum Kathy Dryden, Dena Jackson, Melvin Scadden and Chuck Erickson addressed Council with their concerns regarding the new rules for trash pickup.

A resolution was offered by Wagner seconded by Shelton to approve the tentative union contract with Teamsters Local #238 – Police Department and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wynn, White, Winborn, Shelton, Wilson and Wagner voted aye. Resolution declared passed.

A resolution was offered by Koets seconded by Shelton to participate in the Planning and Development Programs of the Southern Iowa Council of Governments and provide funding of \$6,267.53 and authorize the Mayor and Clerk to execute the proper documentation. Wynn, White, Winborn, Shelton, Wilson, Wagner and Koets voted aye. Resolution declared passed.

Mayor Woods announced that now was the time for a Public Hearing on the East Side Sewer Project 2009. He asked if anyone wished to speak in favor of the project; no one did. He asked if there was any written correspondence in favor of the project; there was none. He asked if anyone wished to speak against the project; no one did. He asked if there was any written correspondence against the project; there was none. Mayor Woods then called the Public Hearing to a close.

A resolution was offered by Wagner seconded by Koets to award the contract for the East Side Sewer Project 2009 to Havens Construction for \$1,225,183.00 and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Shelton, Wilson, Wagner, Koets and Wynn voted aye. Resolution declared passed.

A resolution was offered by Shelton seconded by Wilson to special assess nuisance abatement charges in the amount of \$1,887.50 for nonpayment of nuisance abatement charges for the following properties legally described as:

Lots 1-2-3 blk 2 1 st Southern, Parcel #24010-590-008-00 (800 S Vine)	\$175.00
Lot 141 Original Plat, Parcel #24010-320-117-00 (500 S Elm).....	\$175.00
Lot 96 West Creston Sec. C, Parcel #24010-360-083-00 (907 W Adams)	\$137.50
Lot 409-410 Original Plat (305 S Pine).....	\$175.00
S ½ Lot 198 & all Lots 199 & 200 McDonald's South, Parcel #24010-380-101-00 (231 S Chestnut) ...	\$175.00
Lot 38, McDonald's North Section A, Parcel #24010-390-051-00 (310 N Mulberry).....	\$175.00
Lot 59, Swigert's 2 nd , Parcel #24010-420-006-50 (707 N Vine).....	\$175.00
Lot 12 Subdivision Lot 240 West Creston Sec A, Parcel #24010-340-274-00 (801 W Jefferson)	\$175.00
Lot 273 Original Plat, Parcel #24010-320-238-00 (507 S Maple).....	\$175.00

Lots 411 & 412, Original Plat, Parcel #24010-320-352-00 (303 S Pine)..... \$175.00
E 100 ft., Lot 10 DeVoe's 2nd Add., Parcel #24010-540-030-00 (502 W Seneca) \$175.00

and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, Wynn, White, Winborn, Shelton and Wilson voted aye. Resolution declared passed.

Wagner moved seconded by Shelton to establish the Second Reading of Ordinance Number 09-114, entitled: an ordinance amending the Code of Ordinances of the City of Creston, Iowa, 1996, by amending Ordinance No. 09-113 for the additional amount to be charged per Iowa Code 321.236(a) for fines if not paid within 30 days. Section 1, Chapter 70.03. Wagner, Koets, Wynn, White, Winborn, Shelton and Wilson voted aye. Second Reading declared established.

A resolution was offered by Wagner seconded by Koets naming the City of Creston's Depositories and authorize the Mayor and Clerk to execute the proper documentation. Wynn, White, Winborn, Shelton, Wilson and Koets voted aye. Resolution declared passed.

A resolution was offered by White seconded by Winborn to accept a grant from South Central Iowa Community Foundation on behalf of McKinley Lake/Hurley Creek Watershed for \$7,589.76 and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Wilson, Wagner, Koets, Wynn, White and Winborn voted aye. Resolution declared passed.

A resolution was offered by White seconded by Koets to accept a grant from South Central Iowa Community Foundation on behalf of Southern Prairie YMCA for \$1,850.00 and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Koets, Wynn and White voted aye. Resolution declared passed.

A resolution was offered by Shelton seconded by Wilson to accept a grant from South Central Iowa Community Foundation on behalf of the Creston Police Department for \$2,500.00 and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, Wynn, White, Winborn, Shelton and Wilson voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve the recommendation of the Planning & Zoning Commission to vacate and sell a portion of an east-west alley and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Koets, Wynn and White voted aye. Resolution declared passed.

A resolution was offered by White seconded by Shelton to set a Public Hearing to vacate and sell a portion of an east-west alley for July 21, 2009, at 6:00 p.m. and authorize the Mayor and Clerk to execute the proper documentation. Wilson, Wagner, Koets, Wynn, White, Winborn and Shelton voted aye. Resolution declared passed.

A resolution was offered by White seconded by Koets to set a Public Hearing for an easement request to construct an awning on City right-of-way at 129 N. Pine Street for July 21, 2009, at 6:00 p.m. and authorize the Mayor and Clerk to execute the proper documentation. Wynn, White, Winborn, Shelton, Wilson, Wagner and Koets voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton to approve a funding request drawdown of \$37,429.00 from the Hurley Creek/McKinley Watershed Improvement Association WIRB Funds and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, Wynn, White, Winborn, Shelton and Wilson voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton to accept a grant from the Department of Justice on behalf of the Creston Police Department for \$11,360.00, of which 67% (\$7,612.00) will be allocated to the City of Creston and 33% (\$3,748.00) will be allocated to Union County and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Koets, Wynn, White, Winborn, Shelton and Wilson voted aye. Resolution declared passed.

A resolution was offered by Wagner seconded by White to approve a funding request drawdown of \$314,650.00 from the Summit Lake WIRB Funds and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Koets, Wynn and White voted aye. Resolution declared passed.

A resolution was offered by Wagner seconded by Shelton to approve the City pursuing the acquisition of abandoned property located at 605 West Adams Street, Creston, Union County, Iowa and authorize the Mayor and Clerk to execute the proper documentation. Koets, Wynn, White, Winborn, Shelton, Wilson and Wagner voted aye. Resolution declared passed.

Linda Kilgore, 601 E. Townline, appealed her residential solid waste charges to Council, claiming she had received permission from the City in October 1990 to use the dumpster located at their business for their residential waste.

Winborn moved to approve the appeal. Motion died for lack of a second.

White moved seconded by Shelton to deny an appeal by Linda Kilgore of 601 E. Townline, to pay residential solid waste fees. All voted aye. Motion declared carried.

Kevin Downey, 411 N. Maple, appealed his residential solid waste charges to Council, claiming because he recycles, he has no solid waste.

White moved seconded by Koets to deny an appeal by Kevin Downey of 411 N. Maple, to pay residential solid waste fees. All voted aye. Motion declared carried.

Under Other Items, Mayor Woods announced that the City's website is now up and running, and to view it at www.crestoniowa.org.

Mayor Woods also notified Council that the City had received a packet from RAGBRAI and asked that they let him know if there are any groups and individuals that are willing to volunteer helping out with RAGBRAI should the City of Creston be chosen as part of their route in the future.

Wilson moved seconded by Wagner to adjourn the meeting. All voted aye. Motion declared carried. Council adjourned at 7:12 P.M.

Mayor

Attest:

City Clerk

