

Regular City Council Meeting  
City Council Chambers  
7:00 p.m.

July 21, 2009

Present: Mayor – Joyce Hudson  
Clymer  
Council members Jeff Kennedy  
Jim Aden  
Tim Strauser  
Jeff Whiting  
City Clerk Connie L. Dalrymple  
Absent: City Administrator Bruce  
City Attorney Mike Bacon

Press: Gothenburg Times - Beth Barrett

Also present: Shane Gruber, Eppie Sisneros, Travis Mason, Doug Swanson, Terry Jessen, Diana Unterseher

Mayor Hudson opened the meeting at 7:00 p.m. Advance notice and a copy of the agenda were given to the Council and members of the press. City Council meetings are conducted in accordance with the Open Meetings Act, a copy of which is available for public inspection on the north wall of the Council Chambers.

Whiting moved, Strauser seconded, to approve the consent agenda that included:

City Council minutes – July 7  
Treasurer's Report - June  
Library Director's report – May – July 2009  
Planning & Zoning Commission minutes – July 14

Roll call vote: Yea – Kennedy, Aden, Strauser, Whiting. Nay – none.

Kennedy moved, Aden seconded, allowing payment of the claims against the City, \$44,709.62, except #1868, #1920, and #1202; Public Works Division \$339,106.73; and the July 9 payroll of \$39,295.73. Roll call vote: Yea – Kennedy, Aden, Strauser, Whiting. Nay - none.

Aden moved, Whiting seconded, approval of claim #1868 to Quality Fire Extinguishers and #1920 Kennedy Landscape Service. Roll call vote: Yea – Strauser, Whiting, Aden. Nay – none.

Whiting moved, Kennedy seconded approval of claim #1202 to Blasé-Strauser Memorial Chapel. Roll call vote: Yea – Kennedy, Aden, Whiting. Nay – none.

#### OPEN FORUM:

- The Airport Authority has submitted a resolution requesting \$64,729.00 in tax allocation for the 2009-10 budget. Action on the request will be required prior to September 1 as part of the budget process.

Aden moved, Strauser seconded, to advance Ordinance 849 vacating 21<sup>st</sup> Street between Avenues G and H, to third and final reading. Roll call vote: Yea - Whiting, Kennedy, Strauser, Aden. Nay – none.

Kennedy moved, Whiting seconded, to advance Ordinance 850 updating zoning regulations, to third and final reading. Roll call vote: Yea - Strauser, Aden, Whiting, Kennedy. Nay – none.

Whiting moved, Aden seconded, to advance Ordinance 851 updating subdivision regulations to third and final reading. Roll call vote: Yea – Kennedy, Strauser, Aden, Whiting. Nay – none.

Norm Lambertus requested an expansion of his licensed premises at 811 Lake Avenue to include a beer garden on the east to accommodate his customers that smoke. He's installed a camera system to monitor the area and will install an exit-only gate.

Kennedy moved, Aden seconded, to recommend to the Liquor Control Commission the approval of an expansion to the licensed premises of Norman Lambertus, doing business as Bar-W Lounge at 811 Lake Avenue as requested. Roll call vote: Yea – Whiting, Strauser, Aden, Kennedy. Nay – none.

Aden moved, Whiting seconded, approval of the subdivision plat presented by Terry Jessen (Terry's Business Park) contingent upon a subdivision agreement that Atty. Bacon will draft. Roll call vote: Yea – Strauser, Kennedy, Whiting, Aden. Nay – none.

Travis Mason of Miller & Assoc explained that after completion of the new sewer line along Avenue I, it was discovered that the residential service at 907 11<sup>th</sup> Street was not connected. It was overlooked because it was a private line due to the depth of the home's basement. Van Kirk Construction has agreed to install a new service to connect it to the new sewer line, but it will be about two months before they can do it. The estimated cost is \$30,000. If the City wants to use this on the entire project, qualifying for stimulus funds, they will need to do a full eliminating an additional manhole.

Shane Gruber said the sewer has been temporarily repaired. If a new service is installed the old line can be removed from the right-of-way. It would be easier to install while the street is still gravel.

Strauser moved, Whiting seconded, authorizing Miller & Assoc to design specifications to proceed with the installation of a new sewer line on 11th Street. Roll call vote: Yea – Kennedy, Aden, Whiting, Strauser. Nay – none.

As a result of the additional sewer line construct, no action was taken on the change orders, application for final payment and certificate of substantial completion submitted by Van Kirk Bros. Construction.

Aden moved, Strauser seconded, to approve Change Order 1, deducting \$31,079.36; the request for final payment of \$5771.70; and the certificate of substantial completion from Paulsen's Inc

on the 5<sup>th</sup> Street paving. Payment will be by registered warrant. Roll call vote: Yea – Whiting, Kennedy, Strauser, Aden. Nay – none.

Kennedy moved, Whiting seconded, approving Change Order 2, deducing \$4,924.00; request for final payment of \$9,728.70, and the certificate of substantial completion from Paulsen’s Inc for Jefferson Street paving. Payment will be by registered warrant. Roll call vote: Yea – Strauser, Aden, Whiting, Kennedy. Nay – none.

Kennedy moved, Strauser seconded to take no action was taken on a request from State Farm Insurance for reimbursement of \$5151.85 they paid for sewer damages to the home at 802 11<sup>th</sup>. Roll call vote: Yea - Whiting, Aden, Strauser, Kennedy. Nay - none.

Whiting moved, Kennedy seconded, to adjourn the meeting at 7:27 p.m. Roll call vote: Yea – Kennedy, Strauser, Whiting, Aden. Nay – none. The next regular meeting will be August 4, 2009 at 7:00 p.m.

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Joyce Hudson, Mayor

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Connie L. Dalrymple, City Clerk