

**Regular Meeting Shell Rock City Council  
August 5, 2008**

Mayor Larry Young called the regular meeting to order at 7:00 p.m. in the Everson Auditorium of the Boyd Building with the Pledge of Allegiance. Council members Benjamin DeWitt, Glen Kliebenstein, Rosalee Meyer, and Steven Nieman were present. Council member Donald Bonzer was absent. There were fourteen people in the audience.

Motion by DeWitt seconded by Kliebenstein to approve the agenda with any additions. Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Motion by Kliebenstein seconded by Meyer to approve the consent agenda that included: The minutes of July 8, 2008, payment of the bills, and the financial reports for the month of June 2008. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Mayor Young presented awards for years of service to Tom Hardy for 50 years of service on the Shell Rock Fire Department and to Louis Staudt for 25 years of service on the Shell Rock Police Department.

Mayor Young opened the public hearing at 7:06 p.m. for the purpose of public comment on the adoption on a compiled Code of Ordinances for the City of Shell Rock, Iowa with seventeen people present. There were no oral or written comments. There were no oral or written comments. The hearing was closed at 7:08 p.m.

Tom Street from Water Tower Paint and Repair Company was present and asked the council to renew the water tower maintenance contract. The council will review the contract and place it on the September meeting agenda.

Motion by Kliebenstein seconded by DeWitt to accept an agreement for the provision of limited professional services from TeKippe Engineering for water system improvements. Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Kevin Blanshan from INRCOG presented the REAP application proposal to the council. Motion by Nieman seconded by Kliebenstein for enter into a Memorandum of Understanding with INRCOG for the REAP Grant Application with option 1 – land acquisition as the first choice and if not possible then option 4 – Trail Segment 2 with trees and benches. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Resolution 020-2008 was introduced by Nieman seconded by Meyer: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHELL ROCK, IOWA, APPROVING APPLICATION TO THE IOWA DEPARTMENT OF NATURAL RESOURCES FOR RESOURCE ENHANCEMENT AND PROTECTION (REAP) FUNDING AND DIRECTING EXECUTION OF SAID APPLICATION BY SHELL ROCK CITY COUNCIL. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Mayor Young opened the public hearing at 7:44 p.m. with eight people present for the purpose of public comment to consider a proposed amendment to Section 13.01 of the

Zoning Ordinance of the City Code, to allow Factory Built and Mobile Homes and Recreational Vehicles, including campers, to be used temporarily as living quarters in a Residential District or as a business in a Commercial District under certain circumstances to allow property owners to rebuild or repair after a disaster or catastrophe. There were no oral or written comments and the hearing was at 7:46 p.m.

The first reading of Ordinance No. 307 was introduced by Kliebenstein seconded by Meyer: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, TO ALLOW FACTORY-BUILT AND MOBILE HOMES AND RECREATIONAL VEHICLES TO BE USED TEMPORARILY AS RESIDENCES OR BUSINESSES FOR THE PURPOSE OF REBUILDING AFTER A DISASTER. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer.

Motion by Kliebenstein seconded by Nieman to suspend the rules on the second reading of Ordinance No. 307 under Section 380.03, Code of Iowa, 2008 as amended. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

The second reading of Ordinance No. 307 was introduced by DeWitt seconded by Meyer: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, TO ALLOW FACTORY-BUILT AND MOBILE HOMES AND RECREATIONAL VEHICLES TO BE USED TEMPORARILY AS RESIDENCES OR BUSINESSES FOR THE PURPOSE OF REBUILDING AFTER A DISASTER. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Motion by Meyer seconded by Kliebenstein to suspend the rules on the final reading of Ordinance No. 307 under Section 380.03, Code of Iowa, 2008 as amended. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

The final reading of Ordinance No. 307 was introduced by Kliebenstein seconded by Nieman: AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, TO ALLOW FACTORY-BUILT AND MOBILE HOMES AND RECREATIONAL VEHICLES OR BUSINESSES FOR THE PURPOSE OF REBUILDING AFTER A DISASTER. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Lisa Moffitt's term on the Board of Adjustment is expiring and she does not want to be reappointed.

The Boyd Building Committee is in the process of purchasing 150 new chairs for the building.

Fire Chief Dwayne Sessler reported that the Fire Department has been checking into the property located at 117 W. Prospect for the possibility of a Fire Station there. There will be more discussion about this at the September meeting.

Resolution 019-2008 was introduced by Kliebenstein seconded by DeWitt: A RESOLUTION SETTING COMPENSATION FOR THE FIRE DEPARTMENT CHIEF AND MEMBERS. Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

It was reported that Ken Leisinger has resigned from the Planning & Zoning Commission.

Police Chief Lou Staudt reported that there will be a STEP project August 18-31, 2008.

It was reported that Mary Hamilton resigned from the Pool Board. Motion by DeWitt seconded by Nieman to appoint Stephanie Cuvelier to the Pool Board. Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

The first reading of Ordinance No. 308 was introduced by Nieman seconded by Meyer: AN ORDINANCE ADOPTING THE "CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, 2008". Roll Call Vote: Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Motion by DeWitt seconded by Meyer to adjourn at 9:10 p.m. Ayes-DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Absent-Bonzer. Motion carried.

Larry Young  
Mayor

ATTEST:

Marilyn K. Hardee  
City Clerk