

Regular Meeting Shell Rock City Council
November 4, 2008

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

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

Motion by DeWitt seconded by Bonzer to approve the consent agenda that included the following items: Minutes of September 10, 2008 and October 7, 2008, Payment of the Bills, and the Financial Reports for the month of September, 2008. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Michelle Berglund the Ambulance Crew Chief was present and reported to the council that the new ambulance is in service.

Motion by DeWitt seconded by Kliebenstein to appoint Karen Cuvelier to the Board of Adjustment. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Boyd Building Chairperson Mike Tellinghuisen reported that the roof on the Boyd Building sustained wind damage and has been repaired. Motion by Nieman seconded by Meyer to donate 15 old Boyd Building chairs to the Shell Rock Fire Department and sell the remaining old chairs first come first serve for \$2.00 a chair. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Fire Chief Dwayne Sessler reported that the new fire rescue truck should be in service by November 10, 2008. Chief Sessler also presented plans for a proposed new fire station. Council will check into these plans further and will discuss them at a later council meeting.

Chris Blau of the Shell Rock Development Corporation presented plans to remodel the outside of the lift station on the corner of N. Cherry and N. Public Road. This item was tabled until the December council meeting.

Resolution 026-2008 was introduced by Nieman seconded by Meyer: A RESOLUTION APPROVING THE CITY OF SHELL ROCK'S 2008 FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2008. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Resolution 027-2008 was introduced by DeWitt seconded by Kliebenstein: A RESOLUTION APPROVING THE TRANSFERRING OF FUNDS. From Trust & Agency Capital Improvements Ambulance to General \$59,000.00. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

City Attorney Bruce Toenjes reported that Leonard Lewis Healthcare is donating 40 feet from the east side of their property to the City of Shell Rock for Right of Way. Motion by DeWitt seconded by Bonzer to accept the 40 feet from Leonard Lewis Healthcare

for City Right of Way. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Council Member Kliebenstein then introduced the following proposed Resolution 028-2008 entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED BUSINESS PARK URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF SHELL ROCK", and moved that the same be adopted. Council Member Meyer seconded the motion to adopt. The roll was called and the vote was, AYES: Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried. NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SHELL ROCK, IOWA: Section 1. That the consultation on the proposed Business Park Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 14 day of November, 2008, in the Council Chambers, City Hall, 303 S. Cherry Street, Shell Rock, Iowa at 1 o'clock P.M., and the Designated Representative is hereby appointed to serve the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2). That a public hearing shall be held on the proposed Business Park Urban Renewal Plan before the City Council at its meeting which commences at 7 o'clock P.M. on December 2, 2008, in the Council Chamber, City Hall, 303 S. Cherry Street, Shell Rock, Iowa.

Motion by DeWitt seconded by Nieman to approve the agreement with Ahlers & Cooney, P.C. to act as Legal Counsel in connection with the establishment of an Urban Renewal Area. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Ordinance No. 311 was introduced for its first reading by Meyer seconded by Bonzer: AN ORDINANCE AMENDING CHAPTER 56 OF THE CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, PERTAINING TO DANGEROUS AND VICIOUS ANIMALS, AND EXCLUDING PIT BULL TERRIERS FROM THE DEFINITION OF DANGEROUS ANIMALS. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, and Meyer. Nays-Nieman. Motion carried.

Ordinance No. 310 was introduced by Nieman seconded by Kliebenstein: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, 2003, PERTAINING TO ABANDONED SEWER LINE CONNECTIONS. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Council set a special council meeting to discuss the flood buyout program for November 18, 2008 at 7:00 p.m.

Motion by DeWitt seconded by Kliebenstein to adjourn at 8:16 p.m. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Larry Young
Mayor

ATTEST:

Marilyn K. Hardee
City Clerk

