

Regular Meeting Shell Rock City Council
October 7, 2008

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

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

Motion by Meyer seconded by Kliebenstein to approve the consent agenda that included: Minutes of Sept. 2, 2008, Payment of the Bills, the Financial Reports for the month of August, 2008, and the Liquor License for Cherry Street Diner. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Ambulance Crew Chief Michelle Berglund and members Dave Green, Jennifer Nichols and Jeff Novotny were present and discussed the purchasing of a newer ambulance for the ambulance service.

Motion by DeWitt seconded by Bonzer to approve the purchase of a 2002 Braun Ambulance for \$65,000.00 from North Central Ambulance Sales in Lester Prairie, Minnesota. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Fire Chief Dwayne Sessler will have layout plans for the proposed fire station at the November council meeting.

The City will take bids on the 1975 Rescue Truck and the 1992 Coyle Craft Ambulance.

Elizabeth Bingham discussed the McCague Park improvements and the bids the Shell Rock Development Corporation received on the trail surfacing. The council was asked if the city would prefer asphalt or concrete for the trail. Motion by Nieman seconded by Meyer to recommend to the Shell Rock Development Corporation to accept the lowest concrete bid for the surfacing of the trail located along S. Prairie and S. James Streets. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Motion by Nieman seconded by Meyer to remove the tree on city right of way in front of the house located at 402 S. Prairie Street to make room for the eight foot trail in front of that property. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Shell Rock Park and Recreation Director Theresa Pothast asked the council if there was a possibility of having the Little League removed from being a city program and being a private program. City Attorney Bruce Toenjes suggested that a non-profit entity for the Little League be formed and then the council could consider transferring the Little League program.

Public Works Director Mike Tellinghuisen reported to the council that the new roof on the city shed has been completed.

Ordinance No. 309, Option 1, was introduced by Bonzer seconded by DeWitt: 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 and DeWitt. Nays-Kliebenstein, Meyer, and Nieman. Motion died.

Ordinance No. 309, Option 2, was introduced 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 and Meyer. Nays-DeWitt, Kliebenstein, and Nieman. Motion died.

Ordinance No. 310 was introduced for its first reading by DeWitt 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.

Resolution 024-2008 was introduced by Kliebenstein seconded by Meyer: A RESOLUTION APPROVING THE IDENTITY THEFT PREVENTION PROGRAM FOR THE CITY OF SHELL ROCK WATER & SEWER UTILITIES. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Resolution 025-2008 was introduced by DeWitt seconded by Nieman: A RESOLUTION APPROVING THE TRANSFERRING OF FUNDS. From Trust & Agency Fire to General \$31,349.33, from Trust & Agency Boyd Building \$5,500.00, from Trust & Agency Park to General \$10,000.00. Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Motion by Bonzer seconded by DeWitt to accept the donation of the land known as "Holley Park" located at 227 S. Cherry Street from Colleen Holley with the city having the land appraised and forgiving the remaining balance of the special assessment on that property. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Motion by Kliebenstein seconded by Meyer to approve the third and final reading of Ordinance No. 308: AN ORDINANCE ADOPTING THE "CODE OF ORDINANCES OF THE CITY OF SHELL ROCK, IOWA, 2008." Roll Call Vote: Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

The council set the first meeting date for the comprehensive land use task force meeting for October 20, 2008 at 6:30 p.m. in the City Hall.

Motion by Meyer seconded by DeWitt to adjourn at 8:40 p.m. Ayes-Bonzer, DeWitt, Kliebenstein, Meyer, and Nieman. Nays-None. Motion carried.

Larry Young
Mayor

ATTEST: Marilyn Hardee, City Clerk