

Strawberry Point City Council
Regular Meeting August 18, 2010

The Strawberry Point City Council met for a regular meeting on Wednesday, August 18, 2010 at 6:00 p.m. at the Council Chambers of City Hall. Mayor Fox presided and led the Pledge of Allegiance. Council members answering roll call were Jan Parkin, Rich Newman, Jacci Meyers, Troy Stover, and Jackie Opperman. Many visitors were present, including the City Attorney.

Stover moved to approve the agenda. Parkin seconded the motion. A roll call vote was taken. Ayes: Opperman, Parkin, Stover, Meyers and Newman. Nays: None. Motion passes.

CONSENT AGENDA

- 4) Minutes from August 4th
- 5) Claims

Parkin moved to approve the consent agenda. Stover seconded the motion. A roll call vote was taken. Ayes: Parkin, Stover, Meyers, Newman and Opperman. Nays: None. Consent agenda passes.

UNFINISHED BUSINESS

Council reviewed the third reading of Ordinance No. 10-16 an Ordinance Doubling the Fine for Moving Traffic Violations in any Road Work Zone in the City of Strawberry Point. Newman moved to approve third reading of Ordinance No. 10-16. Parkin seconded the motion. A roll call vote was taken. Ayes: Stover, Meyers, Newman, Opperman and Parkin. Nays: None. Ordinance No. 10-16 passes.

The council again discussed the tree removal violation at 511 Commercial Street. The City Attorney was present to offer legal guidance on this and the alley. There are four options that the city council can take to address this violation. The four options include issuing a ticket, and/or lawsuit, or working with a mediator or selling the alley back to the adjacent property owners. If the alley is sold back to the property owners, the alley would be split in the middle and each adjoining owner would have the option to purchase their half. Dick Neis, Chairman of Planning & Zoning was present to discuss the age of the trees and zoning issues relating to this matter. It was also discussed that the pine trees may be considered a nuisance for these property owners. Since a pending litigation is possible, council will enter into closed session at the end of the meeting.

INFORMATION

The council received Strawberry Point Library Board Minutes from July 26th and July month-end financial reports.

NEW BUSINESS

Farmer's Savings Bank is discussing expanding their current location and is in need of parking spots. They are proposing using spots at Inger Park. Farmer's Savings Bank is proposing paving or black topping the parking area by Inger Park with the ability to use these parking spots. It would remain City property. Farmer's Savings Bank would then give the City the area east of the playground equipment. The council would like Farmer's Savings Bank to put a proposal in writing and then bring it back to council for approval.

The City bought a newer digger/derrick truck and we can get rid of the old one. We will take sealed bids to dispose of this.

It is time to renew our maintenance agreement with Ziegler for the electric generators. There are two proposals one for \$15,258.87, which includes general maintenance and switchgear

maintenance and one for \$10,224.46, which is just general maintenance. The electric study committee recommended that we go with the proposal for \$15,258.87. Opperman moved to approve the agreement for \$15,258.87. Newman seconded the motion. A roll call vote was taken. Ayes: Meyers, Newman, Opperman, Parkin and Stover. Nays: None. Motion passes.

It is time again to write the CDBG housing rehab grant. Upper Explorerland does this service for free. If we do not get funded again we will investigate why we weren't funded and proceed next year with a different administering agent for the grant. Meyers moved to approve using Upper Explorerland to write the CDBG housing rehab grant. Stover seconded the motion. A roll call vote was taken. Ayes: Newman, Opperman, Parkin, Stover and Meyers. Nays: None. Motion passes.

The network in City Hall has some issues and is old and upgrading would be very beneficial. A proposal was presented by Five Star Telecom for \$1,735.92. This is not in the budget so we will budget for this item in next year's budget and get it done then.

OTHER BUSINESS

The area south of town where concrete is being dumped is being cleaned up. It will be maintained and kept clean. It may be turned into a park area. The next meeting with DOT to discuss Elkader Street construction will probably be held this winter. If you extend Highway 13 south to 410 the West side of the middle line is the Counties responsibility and the East side of the middle line is the State's responsibility. Council discussed grass clippings and the ones who are blatantly blowing grass into the streets are the ones who should be warned. Speeding in town will be watched closer.

Council then discussed the executive session to discuss strategy with council in matters involving litigation pursuant to Iowa Code Section 21.5(1)(c). Opperman moved to enter into closed session per 21.5(1)(c) at 7:33pm. Stover seconded the motion. A roll call vote was taken. Ayes: Opperman, Parkin, Stover, Meyers and Newman. Nays: None. All voted in favor. Council entered back into open session at 8:44pm. Council discussed with the property owners that they broke Section 21.01 of the Strawberry Point City Code and they would authorize Chief Pope to issue a criminal citation for \$200 per tree plus court costs. They property owners would like something in writing regarding this offer.

With no further business, Opperman moved to adjourn at 8:53 p.m. Newman seconded the motion. Motion passed.

Deanna Dement, City Clerk

Dale Fox, Mayor