

CITY OF ODEBOLT - REGULAR MEETING

November 6, 2006 - CITY HALL, 7:30 P.M.

Mayor Rex called the meeting to order with the following Council in attendance: Flink, Hoefling, Bengford and Hemphill. (Absent: Scott) Also in attendance were: Verna Mae Schwaller, Margaret Landgraf, Jason Gritten, Don Schmidtke, Donarae Cleveland, Supt. Bill Tysor, Chief Bruce Henderson and City Attorney Joe Heidenreich.

Moved by Flink and seconded by Hoefling to approve the agenda. Four ayes. Moved by Flink and seconded by Hoefling to approve the minutes of the October meeting. Four ayes. Moved by Bengford and seconded by Hoefling to approve the bills as presented. Four ayes.

DISBURSEMENTS BY FUND

Public Safety	7,150.75
Debt Service	13,504.75
Public Works	7,659.61
Culture/Rec.	504.91
Ec. Dev.	50.00
General Gov.	6,764.52
Garbage	48,171.62
Recycling	1,270.70
Sewer	5,491.80
Water	6,908.44
Drainage	2,249.42
Sales Tax	809.00
Health & Social	<u>220.00</u>
Total	\$100,755.52

RECEIPTS

Utilities	\$22,273.10
Taxes	99,230.63
Road Fund	7,874.23
Interest	1,760.35
Misc.	<u>638.96</u>
	\$131,777.27

Verna Mae Schwaller and Margaret Landgraf were present to request financial assistance for the heating bills for the Museum. Currently the electric bill is being paid by the City and the gas bill is being paid by the Museum. Following discussion it was decided that the City would consider taking the responsibility for the gas bill also.

Jason Gritten was present to express concern about a gas leak incident on October 30th. A resident had punctured a gas line while repairing a sewer line. There were 2 fire trucks and several firemen at the scene, Gritten felt that the situation was improperly handled because the Daycare had not been ordered to evacuate. Fire Chief Tysor stated that the situation was under control within 6-7 minutes. MidAmerican Energy and Deputy Flink concurred that the situation was properly handled and that they had even gone beyond normal safety precautions.

Don Schmidtke was present to voice concern over lot line disputes. Schmidtke was advised to provide proof of the lot lines, and then a trespasser can be prosecuted.

Moved by Hemphill and seconded by Flink to approve the Mayor's nomination of Kristy Dewey to the Library Board. Four ayes.

Moved by Bengford and seconded by Hemphill to approve the application of CoBe's Bar and Grill for a Class C Liquor License. Four ayes.

Moved by Flink and seconded by Hoefling to approve the following building permits: Pete Shubin-mailboxes; Presbyterian Manse-replace sidewalk; Mike Grote-repair front steps; Travis Reis-dog kennel and snow fence (pending Supt. approval of placement of fence.) Four ayes.

Nuisances were discussed. Satisfactory progress is being made on most of the current ones. The City will be taking action on nuisance abatement of a house that is in violation of City Code.

The Police report was reviewed. Chief Henderson explained the 28-E Agreement-- Joint Exercise of Intra-County Law Enforcement. Moved by Flink and seconded by Hoefling to adopt Resolution #06.02. Four ayes.

Because the City no longer has the option of posting the Council Agenda in the Post Office front window, it was moved by Flink and seconded by Hemphill to adopt Resolution #06.21. This new resolution lists the posting places as the City Hall door and the Post Office bulletin board. Four ayes.

Delinquent water bills were discussed. If payment or an agreement is not received, water service will be disconnected. Others will be filed in Small Claims Court.

Supt. Tysor reported that the jetting/cleaning of the sewer lines work out well. There are still some problems with the garbage truck/packer. And the cost of pressure washing the underside of the water tower would be almost \$4000.00 so this has been put on hold for the time being.

Bengford commented that the park has been winterized.

At 8:00 p.m. the Mayor opened the Hearing on vacating a portion of Richland Ave. which includes the Richland Bridge. At 8:05 p.m., the Mayor closed the Hearing. No citizens appeared in resistance to said Ordinance.

ORDINANCE # 05.06

AN ORDINANCE VACATING A CERTAIN STREET AND BRIDGE AND CONVEYING THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF ODEBOLT, IOWA:

Section 1. The Council finds that the following street and bridge are not needed for public use, will not deny reasonable access to abutting owners and in its judgment finds that the best interest of the City require that the following street and bridge in the City of Odebolt should be vacated and the same is hereby vacated:

That portion of Richland Avenue between Pine Street and Odebolt Street.

Section 2. Pursuant to the provisions of Section 354.23 of the Code of Iowa all of said property above described is hereby conveyed to Robert J. Neville and Delores M. Neville, husband and wife, as joint tenants with full rights of survivorship, and

not as tenants in common, the adjoining owners, without any cash consideration being paid for mutual benefit of all parties, and reserving easement to service all utilities now in place.

It was moved Hemphill that the rule requiring three readings at three different meetings be waived and that said ordinance come on for immediate consideration, and be adopted. Said motion was seconded by Bengford. Roll call vote: four ayes. Absent: Scott. The Mayor then put the motion to adopt the ordinance to a vote with the following results: four ayes. Absent: Scott.

The Mayor declared the motion carried, and the Ordinance adopted.

It was then moved by Flink and seconded by Bengford to adopt Resolution #06.19- a resolution to post "Road Closed" signs on each side of the bridge. Four ayes.

A thank you was read from Mayor Ron Rex.

A letter was signed by Mayor Rex on behalf of the Council in support of Amy Stangl and her 4-H Project which includes upgrades to the pool bath house.

At 8:20 p.m. it was moved by Hemphill and seconded by Bengford to adjourn. Four ayes.

R. J. Rex, Mayor

Joan Godbersen, City Clerk