

## MINUTES OF THE SULLY CITY COUNCIL

SULLY, IOWA

SEPTEMBER 14, 2009

The Sully City Council met in regular session at 7:00 p.m., on September 14, 2009, in the Council Chambers with Mayor Gordon Yarrington presiding. The following Council Members were present: Chad Fikse, Doug Huyser, Robert Nikkel (arrived late), Brent Vander Molen and Wesley Van Wyk.

**CONSENT AGENDA:** Motion made by Huyser, Second made by Fikse, to approve consent agenda consisting of Minutes for August 31 2009; and payment of claims list. Roll Call Vote: 4-0 Motion carried

Council Member Nikkel entered the meeting at 7:07 p.m.

**CONSIDER \$1 LOT PROGRAM REQUEST:** Motion made by Van Wyk, Second made by Nikkel, to allow Northridge Estates Lot 16 to be sold for fair market value to Sully Development for potential client as extension of \$1 Lot Program with client having a 60 day deadline to initiate purchase. Roll Call Vote: 5-0 Motion carried

**APPOINT BOARD OF ADJUSTMENT MEMBER:** Motion made by Huyser, Second made by Vander Molen, to approve appointment of Lynn Sheets to another as member of the Board of Adjustment. Roll Call Vote: 5-0 Motion carried

**APPOINT CITY REPRESENTATIVE TO REVOLVING LOAN BOARD:** Motion made by Fikse, Second made by Vander Molen, to approve appointment of Wes Van Wyk as the Council Representative to the Revolving Loan Fund Review Committee. Roll Call Vote: 4-1 Motion carried (Van Wyk voted no)

**2009 FTE JOBS DUNSBERGEN DEVELOPMENT AGREEMENT:** Council postponed discussion on this item until required American Distribution employee information is received.

**CONSIDER PROPERTY DONATION PROPOSAL:** Jad Van Der Zyl has proposed that the former Community Church building property be turned over to a local non-profit group who would then donate the property to the City of Sully. The City could then use the property for whatever purpose they deem appropriate.

Motion made by Huyser, Second made by Van Wyk, to accept the proposed donation of property at 802 4<sup>th</sup> Street. Roll Call Vote: 5-0 Motion carried

**CONSIDER COMPLAINT POLICY AND MUNICIPAL INFRACTION PROCEDURE:** Council reviewed information from the City Attorney on complaint procedure to enforce municipal infractions.

Motion made by Van Wyk, Second made by Huyser, to adopt Resolution 2009-11 adopting complaint procedure as city policy. Roll Call Vote: 5-0 Motion carried

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Motion made by Vander Molen. Second made by Fikse, to have City Attorney draft a simpler and more easily enforceable city ordinance relating to parking in the alleys. Roll Call Vote: 5-0 Motion carried

**CONSIDER JCARL MEMBERSHIP/ANIMAL CONTROL:** Council discussed animal control issues and reviewed information regarding costs for the City to become a member of the Jasper County Animal Rescue League. Council consensus was they did not wish to become a member of JCARL at this time due to the fact the City would be required to pay 11 years of back annual fees in the amount of \$10,449. Council also discussed was purchase of protective equipment and placing an advertisement for someone willing to handle animal control issues for the city.

Motion made by Huyser. Second made by Vander Molen, to purchase up to \$750 worth of protective clothing and equipment for animal control and appoint the Public Works Director as the Animal Control Officer at this time. Roll Call Vote: 5-0 Motion carried

**CONSIDER SECURITY EQUIPMENT PROPOSALS:** Council reviewed proposals submitted by New Millennium Technology and Sully Telephone Association for purchase of security equipment to enhance public safety.

Motion made by Van Wyk. Second made by Nikkel, to approve proposal submitted by Sully Telephone Association with optional equipment, 3 months warranty on labor and 1 year warranty on equipment. Roll Call Vote: 5-0 Motion carried

**REVIEW SUMP PUMP PROGRAM:** Motion made by Nikkel. Second made by Van Wyk, to send written notice to property owner of 703 10<sup>th</sup> Avenue giving 30 days to pay surcharge fees or the City will certify balance due to the County as property tax lien. Roll Call Vote: 5-0 Motion carried

Motion made by Huyser. Second made by Fikse, to send written notice to property owner of 201 5<sup>th</sup> Street giving 30 days to complete excavation work needed for program certification; or the City will do the work and bill the costs back to the property owner. Roll Call Vote: 4-0-1 Motion carried (Van Wyk abstained from the vote)

**CONSIDER NEW PUBLIC WORK BUILDING:** Council discussion included street grade height of West 2<sup>nd</sup> Avenue; storm water drainage; and state required bid process for construction of public works building. No action was taken

**PUBLIC HEARING:** As published a public hearing was held to consider the proposal to sell city property located at 503 6<sup>th</sup> Street. No objections were filed or voiced.

Motion made by Nikkel. Second made by Vander Molen, to close public hearing and return to regular session. Roll Call Vote: 5-0 Motion carried

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Motion made by Vander Molen. Second made by Huyser. to adopt Resolution 2009-12 to sell real property located at 503 6<sup>th</sup> Street to HOIC-SCE as proposed. Roll Call Vote: 5-0 Motion carried

**RESOLUTION(S):** Motion made by Nikkel. Second made by Vander Molen. to adopt Resolution 2009-13 approving FY2009 Iowa DOT street finance report. Roll Call Vote: 5-0 Motion carried

**ORDINANCE(S):** Motion made by Huyser. Second made by Vander Molen. to approve first reading of an ordinance amending city code pertaining to mowing regulations. Roll Call Vote: 4-1 Motion carried (Nikkel voted no)

**CITIZEN FORUM:** Citizens brought up two issues that were not on the agenda: proposal to purchase a lot in the Business Park and repair of the concrete drainage trough north of 1<sup>st</sup> Street. Both issues will be formally addressed at the October meeting.

**REPORTS:**

Public Works Director:

1. No items to report

City Clerk:

1. No items to report

Council:

1. Complaints regarding loud car radios late at night
2. Complaints regarding trucks going down 4<sup>th</sup> Street
3. Property owner concerned with overhead wires hanging low

Mayor Yarrington adjourned the meeting at 10:55 p.m.