

City of Palo
Council Meeting Minutes
February 23rd, 2009

The Palo City Council met in Open Session Monday February 23rd, 2009 at the Temporary City Hall located at the FS Building. Mayor Beauregard called the meeting to order at 6:30 PM with the following council present: Alan Mengler, Paula Gunter-Mayor Pro-tem, Jeannie Blumer, Trent Miller and Julie Klawiter. Others present: City Attorney; Scott Peterson, City Infrastructure Commander; Tom Watson, City Administrator; Stacy Dix, City Public Works Director; Tony Hite.

- ❖ Mayor Beauregard asked everyone to stand and say the pledge of allegiance.
 - ❖ Mayor Beauregard stated the City would like to present the family of Howard Wright a certificate of appreciation for his Dedicated Service and Commitment to the Community throughout the years.
 - ❖ Motion by Gunter to approve the minutes, seconded by Blumer, motion carried (5-0).
 - ❖ Chamber of Commerce Report by Dan Diehm
 - Next Business Group Meeting March 6th, 2009
 - Easter Egg Hunt will be April 5th, 2009 at the Palo Savings Bank
 - July 25th is set for Palo Fun Days the PCG will be working with the Lions Club
 - Working on Wetland development testing with IA DOT
 - Working with DNR on trail system
 - Working with Linn County Road Department for native grasses to be planted on hwy 94.
 - ❖ Rebuild Palo Fund update by Tom Watson
 - RPF is working with the Chamber on incentive programs to stimulate needed growth in Palo.
 - ❖ Audience Comments: No Comments
 - ❖ Goal Setting Report from the Institute of Public Affairs Training that was administered by Jeff Schott for the Mayor, Council & Staff, Motion by Mengler, seconded by Blumer to adopt the Goal Setting Report and will present at the next Town Hall Meeting, motion carried (5-0).
 - ❖ Motion by Mengler to open the public hearing at 6:55pm on P & Z Commission regarding compensation, seconded by Gunter, motion carried (5-0).
 - After discussion Mengler made motion to approve the first reading of Ordinance #551-2009, motion died for lack of second.
 - Motion by Gunter, seconded by Mengler to close the Public Hearing @ 7:00pm.
 - ❖ **Resolution #022309A to appoint Dan Oliphant to the Board of Adjustment**, Motion by Gunter, seconded by Mengler, motion carried (5-0).
 - ❖ Motion by Mengler to approve change order # 6 for Foley Construction extending final and substantial completion date to March 31st, 2009, seconded by Gunter, motion carried (5-0).
 - ❖ Motion by Blumer, seconded by Mengler to approve Summers Enterprise pay schedule, motion carried (5-0).
 - ❖ Motion by Mengler to add to the agenda for next meeting regarding a locate fee ordinance, seconded by Miller, motion carried (5-0).
1. Motion by Gunter to open the Public Hearing at 7:20pm regarding rezoning for property located at a portion of the SE ¼ SW ¼ Section 20, T. 84N., R.8W., of the 5th P.M., Linn County, Iowa, described as follows: Commencing at a pk nail found marking the S ¼ Corner of said Section 20; thence 589 50, 33' W- 979.20 feet along the south line of said SE ¼ SW ¼ to a set pk nail, also being the Point of Beginning of Auditor's Parcel "A" herin described:

thence s 89 50' 33" W- 341.83 feet along the said south line of the SE ¼ SW ¼ to found pk nail; thence N00 06'19" E- 571.20 feet along the west line of said SE ¼ SW ¼ to a rebar found on the south R.O.W. line of Iowa Northern Railroad; thence S56 52'19"E-407.69 feet along the said south R.O.W. line of the Iowa Northern Railroad to a set ½" rebar; thence 2 00 06'19"W-126.97 feet to a set ½" rebar; thence N 89 53'41" W-15.00feet to a set ½" rebar; thence S00 06'19"W-20.00 feet to a set ½" rebar; thence S 89 53'41"E- 15.00 feet to a set ½" rebar; thence S 00 06'19" W-200.49 feet to the Point of Beginning. Said parcel contains 3.60 acres which includes 0.90 acre of Road Easement., seconded by Gunter

- Doug Hanover stated the P & Z recommendation is zoning C1 to be the best use for the area.
- Motion by Mengler, seconded by Gunter to close Public Hearing at 7:35pm, motion carried (5-0).
- Ordinance #550-2009 by amending zoning for certain property from A-1 Agricultural to C-1 Highway Commercial, Motion by Gunter to approve the first reading of Ordinance #550-2009, seconded by Blumer, roll call, motion carried (5-0). Motion by Mengler to suspend the requirements for a separate reading as per Iowa Code 380.3, seconded by Gunter, roll call, motion carried (5-0). Motion by Mengler to approve the second reading of Ordinance #550-2009, seconded by Gunter, roll call, motion carried (5-0). Motion by Gunter to approve the third and final reading, seconded by Mengler, roll call, motion carried (5-0).
- ❖ Ball Park Lease Rob Bower representing the Park & Rec. Board discussed the contract with the Cougar Program at \$4300 for April 1st- July 31st , Mon-Thursday 5-9pm and all day Saturday. Possibly putting the lights on timers. Leaving Friday and Sunday available for rental or residents use.
 - Jim Ecker representing the Cougar Program requested March 15th through July 15th as well as M-TH. 5-10:30. Also questioned if the City would replace the net around the batting cage, and if the sheds could stay or need to be removed.
 - City will not be able to replace the netting of the Cougars batting cage, however the City agrees the sheds could stay.
 - Contract will go back to the Committee for revision and will be on next agenda.

Department Reports:

- ❖ Gunter- Went to Linn County EMA meeting last week very anxious on getting bid information of police car. Linn County did approve the river gauges.
- ❖ Watson- Sewer project is moving along and will have to close 1st street next week for the project.

New Business

- ❖ Mayor Beauregard asked the Council to participate in the News Letter every other month.
 - Myself , Tom & Trisca went to the meeting in Coralville was very informative and was a good representation of Palo.

Motion by Mengler, Seconded by Blumer to go into Closed Session @ 8:15pm as per Iowa Code Chapter 21.5 sub (C).

Motion by Gunter to adjourn @ 9:34pm, seconded by Mengler, motion carried (5-0).

Respectfully submitted by,

Trisca Smetzer, City Clerk