

The Palo City Council met in open session Tuesday May 26th, 2009 at the Temporary City Hall located at the FS Building. Mayor Jeff Beauregard called the meeting to order at 6:30 PM with the following council present: Alan Mengler, Paula Gunter-Mayor Pro-tempore, Trent Miller and Jeannie Blumer. Absent: John Harris. Others present: City Attorney; Erik Sittig, City Infrastructure Commander; Tom Watson, City Administrator Stacy Dix.

Mayor Jeff Beauregard asked everyone to stand and say the pledge of allegiance.

Motion by Council member Paula Gunter to approve the agenda, seconded by Council member Al Mengler, motion carried (4-0).

Motion by Council member Paula Gunter to approve the consent agenda with the correction of changing in the May 11th minutes Resolution #051109A the street closure should be Vinton street between 1st and 2nd street, seconded by Council member Al Mengler, motion carried (4-0). Chamber of Commerce Report by Beth Rathje; reminded that the Gazette article will be out May 31st, stated Community Group is busy working on the Palo Fun Day, Chamber has applied for a trees forever recovery grant. Resolution #052609A to approve the closure of 2nd St. between Vinton and Main St. for Palo Fun Day on 8/29 from 6am until midnight, motion by council member Paula Gunter, seconded by Council member Al Mengler, roll call, motion carried, (4-0). Parks & Recreation Report: Corey Lubahn P&R Board member, presented the pavilion contract for approval, Tami Oliphant, P&R Board Member stated they would like to keep the time until 11:00pm, Erik Sittig City Attorney, reported that would require Ordinance amendments in two sections, city will review. Motion by Council member Al Mengler to approve the pavilion contract with the last rental time ending at 10:30, seconded by Council member Paula Gunter, v.v , motion carried (4-0).

Corey presented the proposal of projects for this fiscal year. Resolution #052609B Motion by Council member Al Mengler to approve the allocation of \$35,000 to go towards Dry Creek Estates Park Equipment, seconded by Council member Jeannie Blumer, v.v, motion carried (4-0). Resolution #052609C Motion by Council member Jeannie Blumer to approve the allocation of \$11,000 to go towards the Cedar River Estates Park, seconded by Council member Trent Miller, v.v, motion carried (4-0). Resolution #052609D Motion by Council member Jeannie Blumer to approve the allocation of \$4,500 to go toward the Drake Drive Park, seconded by Council member Al Mengler, v.v, motion carried, (4-0). Resolution #052609E Motion by Council member Jeannie Blumer to approve the allocation of \$18,285 to go towards the new ball park to be placed in the location of the former community center, seconded by Council member Trent Miller, v.v., motion carried (4-0). Resolution #052609F Motion by Council member Al Mengler to approve the allocation of \$9,100 to go towards a new basketball court, seconded by Council member Paula Gunter,v.v., motion carried (4-0).

Rebuild Palo Fund Report by Tom Watson; Stated the baskets will be delivered on Saturday sponsored by the RPF in conjunction with Anderson- Bogart and the Cedar River Garden Center. City Council, Staff, Mayor, and other volunteers will help distribute to every home as a house warming gift.

Audience Comments:

Bill Zeller questioned the ornamental trees to be placed in the right of way. Stated Dan Diehm is waiting for the city to give an answer. Council requested Bill submit a site plan and scope of work that would be done in the right of way.

Resolution #052609G motion by Council member Al Mengler to approve the appointment of Jud Starn to Fire Chief for the next term, seconded by Council member Jeannie Blumer, v.v., motion carried (4-0).

Resolution #052609H motion by Council member Jeannie Blumer to approve the appointment of Brentt Stepanek to Asst. Fire Chief for the next term, seconded by Council member Paula Gunter, v.v., motion carried (4-0).

Contract Services is tabled until the next Council meeting.

Motion by Council member Jeannie Blumer to approve the purchase of one collapsible sign and stand, 2 road close signs, 4 detour signs from Iowa Prison Industries, seconded by Council member Al Mengler, motion carried (4-0).

Council member Al Mengler placed Ordinance #555-2009 Amending provisions pertaining to Church or Public Bulletin Boards on its second reading, seconded by Council member Paula Gunter, roll call, motion carried (4-0). Council member Trent Miller motioned to suspend the requirement for a separate reading, seconded by Council member Al Mengler, roll call, motion carried (4-0). Council member Trent Miller placed Ordinance #555-2009 on its 3rd and final reading, seconded by Council member Al Mengler, roll call, motion carried (4-0).

Council member Paul Gunter placed Ordinance #556-2009 amending provisions pertaining to powers and duties of the Mayor, Council, and City Administrator, on its second reading, seconded by Council member Al Mengler, roll call, motion carried (4-0).

Council member Al Mengler placed Ordinance #557-2009 Amending provisions pertaining to Fire Protection on its second reading, seconded by Council member Paula Gunter, roll call, motion carried (4-0). Council member Paula Gunter motioned to suspend the requirements of a separate reading, seconded by Council member Al Mengler, roll call, motion carried (4-0).

Council member Paula Gunter placed Ordinance #557-2009 on its 3rd and final reading, seconded by Council member Al Mengler, roll call, motion carried (4-0).

Council member Paula Gunter made motion to open the public hearing at 7:55pm regarding Ordinance #558-2009 modifying provisions pertaining to special speed zones, seconded by Council member Al Mengler, motion carried (4-0). Mayor Jeff Beauregard stated this would allow the City to change the speed limit by resolution upon the basis of an engineering and traffic investigation. Motion by Council member Al Mengler to close the public hearing at 7:57pm, seconded by Council member Jeannie Blumer, motion carried (4-0). Council member Al Mengler placed Ordinance #558-2009 on its first reading, seconded by Council member Jeannie Blumer, roll call, motion carried (4-0).

Motion by Council member Jeannie Blumer to approve the cigarette permit for Palo Mini Mart, seconded by Council member Al Mengler, motion carried (4-0).

Motion by Council member Al Mengler to deny Brogans the Outdoor Service Area add on to his liquor license, seconded by Council member Jeannie Blumer, v.v, Gunter naye, Miller naye, motion failed (2-2). Council would like to research the regulations of having both the outdoor service area and smoking area and bring back to next council meeting.

Resolution #052609K to approve property lien on 307 Linn Drive, motion by Council member Al Mengler, seconded by Council member Jeannie Blumer, v.v, motion carried (4-0).

Resolution #052609I to rescind initial local match resolution #012609A for the HMGP., motion by Council member Paula Gunter, seconded by Council member Al Mengler, v.v, motion carried (4-0).

Resolution #052609J to approve local match for the HMGP, motion by Council member Paula Gunter, seconded by Council member Al Mengler, v.v, motion carried (4-0).

Old Business

Council requested to extend part/time employee until the hiring process is complete.

New Business

Mayor Jeff Beauregard stated he would like to explore the idea of a grant program to offer to residents for installing a rain garden. The City is also in the progress of working on a grant for a trail system. Need to add both items to the next agenda.

Trisca Smetzer submitted a copy of the proposal for scope of work from ECICOG to help create the Comprehensive and Land Use Plan that will be up for discussion at the June 8th Council meeting.

Motion by Council member Paula Gunter, Seconded by Council member Al Mengler to go into Closed Session @ 8:43pm as per Iowa Code Chapter 21.5 sub (C).

Motion by Council member Paula Gunter to adjourn at 9:13pm, seconded by Council member Jeannie Blumer, motion carried (4-0).

Respectfully submitted by,

Trisca Smetzer, City Clerk