

The Palo City Council met in open session Monday August 24th, 2009 at the Temporary City Hall located at 4533 Shellsburg Road. 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, John Harris and Jeannie Blumer. Others present: City Attorney; Scott Peterson, City Engineer; Matt Shock, Infrastructure Commander; Tom Watson, City Administrator/Clerk; 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 (5-0).

Motion by Council member Paula Gunter to approve the consent agenda including August 10th, 2009 Council meeting minutes, seconded by Council member Jeannie Blumer, motion carried (5-0)

Chamber of Commerce Report by Faye Dykema; Submitted the Parade route map to the council. Rebuild Palo Fund report; Mayor Jeff Beauregard stated they have received a \$10,000 check from WalMart.

Park & Recreation Report; Corey Lubahn discussed the splash pad purchase; this will be paid for by the donation from DAEC Next era Energy.

Resolution #082409A to approve the purchase of the splash pad through Arch for \$55,986.00, motion by Council member Trent Miller, seconded by Council member Al Mengler, roll call, motion carried (5-0).

Corey presented the option of buying park equipment for half price through a grant that could be placed at the new community center. Council would like to wait until the building process is further along.

Resolution #082409B to install the existing park equipment that was purchased at the Dry Creek Estates Park, motion by Council member John Harris, seconded by Council member Jeannie Blumer, roll call, Gunter nay, motion carried (4-1).

Discussion on pavilion purchase for Cedar River Estates Park. Motion by Council member Paula Gunter to use the concrete that has been purchased for the park as a basketball court, seconded by Council member Jeannie Blumer, motion carried (5-0).

Audience Comments:

Bill Zeller discussed that Cedar Rapids is taking donations from residents for planting trees in the right of way, would like Palo to consider doing the same program. Also discussed the street project is concerned about the road being too high. Mayor, City Staff and Engineers are working on concerns with this project.

Darrell Cannon requested Council consider zoning change for his property located at 4638 Shellsburg Road. This would include an auction facility and a residence. Darrell submitted a sketch of the existing facilities that would be taken down and the proposed auction building that could also be used for weddings & other events. Mayor Jeff Beauregard talked about spot zoning being a concern also stated the property is not in the City of Palo Corporate limits currently. Council would like to see the zoning to be contiguous and at this time would recommend talking to developer about intention of zoning the land next to the east and south side of the proposed property which is currently zoned residential.

Motion by Council member Al Mengler to approve Brogans beer permit for Palo Fun Days, seconded by Council member Trent Miller, motion carried (5-0).

Ball Park lighting will be tabled until next meeting when lighting representatives can be present. Motion by Council member Paul Gunter to open the public hearing at 8:02pm regarding Ordinance #560-2009 City Clerk Publication requirements, seconded by Council member John Harris, motion carried (5-0). Motion by Council member Al Mengler to close public hearing at 8:03pm, seconded by Council member Paula Gunter, motion carried (5-0). Stated this will change the posting places to be the Community Board, Post Office and Palo Savings Bank. Motion by Council member Paula Gunter to place Ordinance #560-2009, on its first reading, seconded by Council member Al Mengler, roll call, motion carried (5-0). Motion by Council member Paul Gunter to open the public hearing at 8:04pm regarding Amending the Code of Ordinance pertaining to Zoning District and Home Occupations Chapter 165.18, seconded by Council member John Harris, motion carried (5-0). Council member Al Mengler stated he would like to delete B, C, D, J and K. Bill Zeller questioned grandfathering current Home occupations. Council stated yes. Motion by Council member Al Mengler to close public hearing at 8:12pm, seconded by Council member John Harris, motion carried (5-0). Council would like to review what the city currently has in its Ordinance before moving forward. Motion by Council member Jeannie Blumer to open public hearing at 8:16pm regarding amending the Code of Ordinance by adding a chapter pertaining to the operation of golf carts on city streets with a city issued permit, seconded by Council member Al Mengler, motion carried (5-0). Corey Lubahn questioned driving down Blairs ferry road? Stated this would allow you to cross Blairs Ferry and Hwy 94 but not drive on. Kevin Matt questioned if it was possible for the city to obtain an easement on property on Blairs Ferry that is directly across from the Cedar River Estates development? Council will look into. Motion by Council member John Harris to close public hearing at 8:22pm, seconded by Council member Paula Gunter, motion carried (5-0). Motion by Council member Trent Miller to place Ordinance of it first reading with the addition of adding to not allow in parks or trails, adding reverse warning alarm, add seat belts, inserting safe road conditions, add turn signals, permit fee at \$50., motion dies for a lack of second.

Resolution #082409C to adopt the official speed zone map, motion by Council member Al Mengler, seconded by Council member John Harris, roll call, motion carried (5-0). Discussion on trials Tom Watson stated they have measured the road along First Street and could paint a line to designate a trail for pedestrians and bikes. Council is concerned with the amount of space that would take up with the road, how it will affect street side parking, and if bicycles are legal to ride against traffic. Council would like to see crosswalks painted on Blairs Ferry Rd to 1st Street.

Resolution #082409D to approve the personnel policy, motion by Council member John Harris, seconded by Council member Al Mengler, roll call, Miller nay, Blumer nay, motion carried (3-2).

Resolution #082409E to approve the transfer of \$200,000 from Money Market to General Fund, motion by Council member Paula Gunter, seconded by Council member Al Mengler, roll call, motion carried (5-0).

Resolution #082409F to approve the drainage easement between Benjie Snitker and the City of Palo, motion by Council member Al Mengler, seconded by Council member Trent Miller, roll call, motion carried (5-0).

Resolution #082409G to approve the drainage easement between Darren & Delores Adams and the City of Palo, motion by Council member Trent Miller, seconded by Council member Al Mengler, roll call, motion carried (5-0).

Department Reports:

City Employee Doug Hanover asked what should be done with the Old park equipment. City Attorney Scott Peterson will look into any liability issues will taking bids. Also discussed the old blue ford tractor is not working properly. Mayor Jeff Beauregard stated the Kabota tractor should be used when mowing. Doug stated they are still working on getting a tool list and the sander has been cleaned and put away.

Council member Paula Gunter stated she attended that EMA meeting last Tuesday and is requesting someone attend the Training session at Kirkwood on September 16th at 8:00am. Will forward the information to City Staff.

Old Business

PAC (Property Acquisition Committee) members needed. Kevin Matt stated he would be interested in sitting on the committee. City Staff will send out email, advertise of the website and community board for additional members.

New Business

Mayor Jeff Beauregard states that Council member Paula Gunter will be receiving a certificate of merit from Mt. Mercy College in October.

Discussion on Tax Abatement Mayor Beauregard, City Administrator Stacy Dix, Council member Gunter, and City Infrastructure Tom Watson attended a meeting with individuals representing the Linn County Board of Supervisor's. They are going to be voting on tax abatements for flood affected residential and commercial properties. There is another meeting scheduled for next Thursday at 2:00 with limited occupancy. Stated that no other county is offering any kind of tax abatement. Council member Paula Gunter stated this will directly affect Linn County, Cedar Rapids School district, and City of Cedar Rapids employee's and have discussed potential lay off's in direct correlation to this abatement.

Motion by Council member Paula Gunter to go into closed session at 9:12pm regarding Foley Construction seconded by Council member Al Mengler, motion carried (5-0).

Motion by Council member Paula Gunter to adjourn at 9:35pm, seconded by Council member Jeannie Blumer, motion carried (5-0).

Respectfully submitted by,

Trisca Smetzer, City Clerk