

Minutes with more detail are available on the City of Palo website and in the Atom Burst. The Palo City Council met in regular session at Palo City Hall December 17, 2012. Mayor Tom Sanders called the meeting to order at 6:30 p.m. Council Members present: Trent Miller, Doug Hanover, Scott Packingham and Josh Frank. Absent: Brian Beaty. Miller moved approval of the **agenda**, Hanover second. Motion carried. 4-0 Miller moved approval of the **consent agenda**: bill approval, treasurer's reports, DAR, and regular Council meeting minutes from November 19, 2012. Hanover motion to open the public hearing for **Ordinance 586-2012 an Ordinance Granting to Interstate Power and Light Company (Alliant Energy) a 25 Year Non-Exclusive Electric Franchise**, at 6:44 p.m., Miller second. Motion carried. 4-0 Clerk did not receive written comments. No audience comments. Keith Sherman, Franchise and Community Relations Manager, and Perry Martin, Senior Field Engineering Specialist, for Alliant Energy were in attendance to answer questions. Councilor Hanover asked if previously discussed revisions were made. Mayor confirmed. Hanover motion to close the public hearing for Ordinance 586-2012 at 6:45 p.m., Packingham second. Motion carried. 4-0 Mayor informed Council the Mayor and City Attorney have reviewed the document. The requested change in Section 5 pertaining to eminent domain has been revised as requested; the rest of the document is unchanged. Miller motion to approve the first reading of **Ordinance 586-2012 an Ordinance Granting to Interstate Power and Light Company (Alliant Energy) a 25 Year Non-Exclusive Electric Franchise**, Packingham second. Roll call. Motion carried. 4-0 Hanover motion to open the public hearing for **Ordinance 587-2012 an Ordinance Granting to Interstate Power and Light Company (Alliant Energy) a 25 Year Non-Exclusive Natural Gas Franchise**, at 6:47 p.m., Frank second. Motion carried. 4-0 Clerk did not receive written comments. No audience comments. Hanover motion to close the public hearing for Ordinance 587-2012 at 6:48 p.m., Frank second. Motion carried. 4-0 Hanover motion to approve the first reading of **Ordinance 587-2012 an Ordinance Granting to Interstate Power and Light Company (Alliant Energy) a 25 Year Non-Exclusive Natural Gas Franchise**, Miller second. Roll call. Motion carried. 4-0 The Mayor will direct the Maintenance Staff to fix the **bridge on the trail in Zeller Park** and fix the handrails in the spring. Hanover motion to **approve the Park and Recreation request for volleyball equipment and funds for basketballs and soft, all-purpose, balls**, in lieu of a judge's stand, in the amount of \$1784.04, Frank second. Motion carried. 4-0 The funds were donated by the Palo Savings Bank. Packingham motion to table the **ball field and concession stand rentals**, Hanover second. Motion carried. 4-0 The Council, Mayor, and audience participants discussed the **no parking signs on Vinton Street**. Councilors Miller, Frank, and Packingham requested the no parking signs be removed. Mayor Sanders stated he would instruct the Maintenance Staff to remove the signs Tuesday morning. He stated he would like to go on record that he would not like to see an accident on Vinton St. Councilor Packingham stated the same about Clinton St. Miller motion to open the public hearing for **Ordinance 588-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Prohibited Sales and Acts** at 7:28 p.m., Hanover second. Motion carried. 4-0 Audience comment: Why is this ordinance before the Council? Councilor Miller explained the ordinance. The Clerk did not receive written comments. Hanover motion to close the public hearing for Ordinance 588-2012 at 7:30 p.m., Miller second. Motion carried. 4-0 Miller motion to approve the first reading of **Ordinance 588-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Prohibited Sales and Acts**, Packingham second. Roll call. Motion carried. 4-0 Hanover motion to open the public hearing for **Ordinance 589-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to All-Terrain Vehicles** at 7:31 p.m., Miller second. Motion carried. 4-0 The Mayor explained the Ordinance. No audience comments. The Clerk did not receive written comments. Miller motion to close the public hearing for Ordinance 588-2012 at 7:32 p.m., Hanover second. Motion carried. 4-0 Hanover motion to approve the first reading of **Ordinance 589-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to All-Terrain Vehicles**, Packingham second. Roll call. Motion carried. 4-0 Miller motion to open the public hearing for **Ordinance 590-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Installment Payment of Cost of Abatement** at 7:33 p.m., Hanover second. Motion carried. 4-0 The Mayor explained the

Ordinance. No audience comments. The Clerk did not receive written comments. Miller motion to close the public hearing for Ordinance 590-2012 at 7:34 p.m., Packingham second. Motion carried. 4-0 Miller motion to approve the first reading of **Ordinance 590-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Installment Payment of Cost of Abatement**, Frank second. Roll call. Motion carried. 4-0 Hanover motion to open the public hearing for **Ordinance 591-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Service Discontinued and Adding Lien Exemption Language** at 7:35 p.m., Frank second. Motion carried. 4-0 The Clerk explained the Ordinance. No audience comments. The Clerk did not receive written comments. Miller motion to close the public hearing for Ordinance 591-2012 at 7:38 p.m., Hanover second. Motion carried. 4-0 Hanover motion to approve the first reading of **Ordinance 591-2012 an Ordinance Amending the Code of Ordinances of the City of Palo, IA, 2008, by Amending Provisions Pertaining to Service Discontinued and Adding Lien Exemption Language**, Frank second. Roll call. Motion carried. 4-0 Councilor Hanover asked if all the water mains are in for the Palo Water Project. Matt Wildman, HR Green representative, responded yes. Councilor Miller confirmed HR Green has approved **Ricklefs pay request 8 water main distribution system phase 2** and, upon confirmation, made a motion to approve pay request 8 for phase 2 for \$177,286.51, Hanover second. Motion carried. 4-0 Matt Wildman, HR Green engineer, explained the **Caldwell Tanks, Inc. change order 2, 200,000 gallon elevated storage tank** is due to the location of the intermediate platforms in relation to the pedestal light fixtures already installed. Miller motion to approve Caldwell Tanks, Inc. change order 2 for \$2,908.00, Frank second. Motion carried. 4-0 Miller motion to approve **Caldwell Tanks, Inc. pay application 5, 200,000 gallon elevated storage tank** for \$116,375.00 upon confirmation of approval from Mr. Wildman, Frank second. Motion carried. 4-0 Mr. Wildman explained the permitting procedures for the water treatment facility. Packingham motion to accept the **water treatment plans and specifications as 100% complete; to authorize HR Green to proceed with the notice of bid letting, and to pay the \$3000.00 DNR permit fee**, Frank second. Motion carried. 4-0 Miller motion to **set the public hearing for 01/21/13 at 6:30 p.m. for the water treatment facility plans and specifications, proposed form of contract, and opinion of probable cost for the construction of said improvement**, Hanover second. Motion carried. 4-0 The pre-bid meeting is scheduled for 01/22/13 at a 10:00 a.m. at City Hall. The bid opening is scheduled for 1:00 p.m. on 01/31/13 at City Hall. Hanover motion to approve **Resolution 121712 A the Appointment of Tom Yock to the Board of Adjustment** term ending 09/30/15, Frank second. Roll call. Motion carried. 4-0 Miller motion to approve **Resolution 121712 B Authorizing the Mayor to sign the Recreation Trail Easement** contingent upon the approval of the property owners, Hanover second. Roll call. Motion carried. 4-0 Miller motion to approve **Resolution 121712 C Authorizing the Mayor to sign the Public Utility Easement (Splash Pad Discharge Easement)** contingent upon the approval of the property owners, Frank second. Roll call. Motion carried. 4-0 Hanover motion to approve **Resolution 121712 D Special Assessment for 13 Lincoln Drive** in the amount of \$200.00, Packingham second. Roll call. Motion carried. Hanover motion to approve the 2011 96" snow bucket with bolt-on cutting edge for \$1440.00 as recommended by the Maintenance Superintendent, Frank second. Motion carried. 4-0 Miller motion to open the public hearing for **Ordinance 585-2012 An Ordinance Amending the Code of Ordinances of the City of Palo, Iowa, 2012, by Repealing and Replacing Section 90.41 Related to Private Wells** at 8:21 p.m., Hanover second. Motion carried. 4-0 Clerk did not receive written comments. Council and Mayor explained the ordinance to those in attendance Audience comment: Some shallow wells are going dry and inquired when his curb stop would be installed. Clerk instructed to contact Lauren O'Neil, HR Green engineer, and encourage the contractor to complete this area of town as quickly as possible. Miller motion to close public hearing for Ordinance 585-2012 at 8:29 p.m., Hanover second. Motion carried. 4-0 Miller motion to approve **Second Reading Ordinance 585-2012 An Ordinance Amending the Code of Ordinances of the City of Palo, Iowa, 2012, by Repealing and Replacing Section 90.41 Related to Private Wells**, Hanover second. Roll call. Motion carried. 4-0 The Mayor granted a recess at 8:30 p.m. The Mayor reconvened the meeting at 8:38 p.m. Mayor informed Council the statement was made at the June, 2012 meeting to look at the **compensation for Jennifer Cady** in 6 months. The Council discussed additional training for this employee including water operations training and on-the-job training. Council is amendable to increasing

compensation based on water/wastewater training completed through the Iowa Department of Natural Resources (IDNR). Miller motion to approve **Resolution 121712 E Urban Renewal Report**, Packingham second. Roll call. Motion carried. 4-0 The Council reviewed the bids for **sale and/or disposal of City property**. Miller motion to accept the bid of \$357.00 for the single wall pressure tank, Hanover second. Motion carried. 4-0 Hanover motion to accept the bid of \$63.00 for the 3 office desks with 2 dividers, Miller second. Motion carried. 4-0 Miller motion to accept the bid of \$53.00 for the white vinyl fence pieces, Frank second. Motion carried. 4-0 Miller motion to accept the bid of \$112.00 for the Christmas decorations, Hanover second. Motion carried. 4-0 Hanover motion to approve **Resolution 121712 F Mileage Reimbursement Rate and Per Diem**, Miller second. Roll call. Motion carried. 4-0 Hanover motion to approve **Resolution 121712 G Fire Association Donation** of \$750.00, Packingham second. Roll call. Motion carried. 3-0 Miller abstained; declared conflict of interest Frank abstained; deemed yes by operation of law. Miller motion to approve **Resolution 121712 H Money Transfer** from General Local Option Sales Tax (LOST) to the General Fund in the amount of \$64,000 to repay principal only on Palo Savings Bank loan, Hanover second. Roll call. Motion carried. 4-0 Frank motion to **adjourn** at 9:48 p.m., Hanover second. Motion carried. 4-0

Michelle Nejd
City Clerk