

## City Council Minutes: April 16, 2007

### FULTON CITY COUNCIL

#### Regular Meeting and Public Hearing

April 16, 2007

Mayor Van Zuiden called the meeting to order at 4:45 PM and directed the clerk to call the roll. On roll call, Mayor Howard Van Zuiden, Aldermen Merle Sterenberg, Warren Juist, Wes Letcher, Bill Loerop and Ron Roels answered present. Aldermen Gene Field and Charlie Letcher were absent. Also present were Randy Balk &ndash; City Administrator, Jim Rhoades &ndash; Chief of Police and Bill Shirk &ndash; City Attorney.

Ald. Sterenberg moved, seconded by Ald. W. Letcher to enter executive session to discuss collective bargaining. Roll call vote/all yes/motion carried. The council entered executive session at 4:45 PM. Executive session minutes are recorded elsewhere. Ald. Charlie Letcher arrived at 4:47PM and Ald. Field arrived at 5:20PM.

At 5:30 PM Mayor Van Zuiden called the 2007/2008 budget public hearing to order. There was no public comment and the hearing was closed.

The pledge of allegiance was recited. No invocation was given.

Communication from visitors. Myra Houzenga and Charity Houzenga told the council that Nave, Inc is still working after 3:00PM, which is in violation of the special use permit. Charity stated the phone rings on a speaker outside the business and as recently as last night.

Ald. Sterenberg moved, seconded by Ald. W. Letcher to approve the regular council meeting minutes of April 2, 2007. Roll call vote/all yes/motion carried.

Ald. C. Letcher moved, seconded by Ald. Sterenberg to approve the bill list as presented. Roll call vote/all yes/motion carried.

Ald. Loerop moved, seconded by Ald. Roels to approve the Treasurer's Report as presented. Roll call vote/all yes/motion carried.

Ald. Loerop moved, seconded by Ald. C. Letcher to use excess funds from the General Fund to pay down loans. Roll call vote/all yes/motion carried.

Steve Ames, President and CEO of Clinton Regional Development Corporation gave the council a brief update on CRDC's progress in the areas of economic development and expansion over the last year and a half. He also handed out a CRDC brochure containing key information about the region.

Ald. C. Letcher moved, seconded by Ald. Sterenberg to change Police Department line items in the budget by transferring \$16,000 from 01-21-850 (New/Rebuild Infrastructure) to 01-21-840 (Vehicle) Roll call vote/all yes/motion carried. One of the current police vehicles has serious mechanical problems, making it necessary to purchase a new vehicle this year.

Ald. Roels moved, seconded by Ald. C. Letcher to pass Ordinance No. 1341 Adopting the Annual Budget for the Fiscal year 07/08. Roll call vote/all yes/motion carried.

Ald. Roels moved, seconded by Ald. W. Letcher to approve Deb Brown's request on behalf of ABATE of Iowa for street closures on 4th Street from 11th Avenue to 12th Avenue and 12th Avenue from 3rd Street to 4th Street on Sunday, June 3, 2007 from 11:00AM to 4:00PM for the annual "Blessing of the Bikes". Roll call vote/all yes/motion carried.

Ald. Sterenberg moved, seconded by Ald. Roels to approve Johnnie's Tap request for a Beer Garden and Temporary Liquor License (with the fee waived) for a benefit for Vicki Stoecker to be held on Saturday, June 23, 2007 from 9:00AM to 10:00PM with 12th Avenue closed from 3rd Street to 4th Street. Roll call vote/all yes/motion carried.

Ald. Field moved, seconded by Ald. Sterenberg to approve the transfers to insurance fund 63 in the total amount of \$52,883.27. Roll call vote/all yes/motion carried. \$25,000 of the total amount was current year budgeted transfers and the balance of \$27,883.27 was unexpended at the end of the fiscal year 04/06. The transfers are coming out of general fund, police, streets, parks and water/sewer.

Ald. Loerop moved, seconded by Ald. C. Letcher to not rent out Heritage Canyon parking lot. Roll call vote/all yes/motion carried. This issue was discussed at a previous meeting at which time someone was interested in renting the lot for a party if the City would allow it. At that meeting the council was leaning towards allowing the rental but wanted more time to establish guidelines. Since the previous meeting the person wanting to rent the lot decided they did not want to after all. The council decided it would be best not to rent the lot out for parties and events.

Ald. Roels moved, seconded by Ald. Loerop to approve Moring yard waste service for Tuesday pick up of each week starting as soon as possible and continuing through November. Roll call vote/all yes/motion carried.

Ald. Roels moved, seconded by Ald. C. Letcher to give Randy Balk the authority to begin the process of revocation of Nave, Inc's special use permit. Roll call vote/all yes/motion carried. The business has continually violated the terms of the permit and has several outstanding ordinance fines issued by the police department. Residents who live near Nave, Inc are still being disturbed by the operation of the business during evening hours and have expressed concerns over safety for neighborhood children. Randy said he will talk to them tomorrow and said he has been working with the owner to find a more suitable location for the business.

Ald. Sterenberg moved, seconded by Ald. Juist to pass Ordinance No. 1342 Authorizing a Variance of Certain Property (SMC Properties, 1111 14th Avenue). Roll call vote/all yes/motion carried. The variance will allow construction of a garage within 2 feet, 6 inches from the side property line instead of the 5 foot requirement. This variance was recommended unanimously by the zoning board.

#### Old Business.

There was a brief discussion on building permits during which the council asked the zoning officer if there is a time limit for the completion of a permitted job. Clink Kettler stated there is a requirement that the work begin within 90 days of permit issuance, but there is no run out time. Ald. Roels referred to a new home construction at 11th Street and 3rd Avenue which has not been completed and is a safety concern. The council would like the Zoning Board to look at completion time limits and a potential amendment to the zoning ordinance.

#### New Business.

Ald. Loerop said he would be interested in the council having a planning session to discuss, review and update long range goals and objectives. A tentative date of Saturday, May 19, 2007 was discussed.

Ald. Field moved, seconded by Ald. Roels to enter into executive session to discuss the purchase or lease of property. Roll call vote/all yes/motion carried. The council entered executive session at 6:15PM. Executive session minutes are recorded elsewhere.

The council returned to regular session at 6:35PM.

Ald. Roels moved, seconded by Ald. Juist to pass Ordinance No. 1343 Amending Chapter 53 Entitled Solid Waste to

Provide for Yard Waste Collection and Establishing a Monthly Fee. Roll call vote/Ald. Sterenberg, Roels, W. Letcher, C. Letcher, Juist and Field voted yes/Ald. Loerop abstained/motion carried. The fee of \$1.33 per month will be charged to all single family utility billing accounts for a period of one year. The pick up will be each Tuesday from May through November of this year.

Ald. Field moved, seconded by Ald. Sterenberg to adjourn. The meeting adjourned at 6:45PM.

Minutes recorded by,

Linda Hollis

City Clerk