

REGULAR CITY COUNCIL MEETING
CITY ADMINISTRATIVE OFFICES
511 N. COMMERCIAL

May 2, 2011
7:30 P.M.

PRESIDING: Council President Jon Jenson

GOVERNING BODY MEMBERS PRESENT: Larry Emmel; Thom Noone; Rick Jacob; Lynne Vigil

ABSENT: Mayor Keith DeHaven, Janise Enterkin, City Clerk

ALSO ATTENDING: Jaci Reimer, City Administrator; Kelley DeGraffenreid, Harvey County Independent; Asa Galloway, Deputy City Clerk; Richard Phinney; Joe Uhlman, Fire Chief; Brad Jantz, City Attorney; Misti Uhlman

ADDITIONS/DELETIONS TO THE AGENDA

MOVED BY VIGIL AND SECONDED BY NOONE TO APPROVE THE AGENDA WITH NOTED ADDITIONS: 4A PUBLIC COMMENT, RICHARD PHINNEY; NEW BUSINESS, 5H NATIONAL EMS WEEK PROCLAMATION; 5I NATIONAL PUBLIC WORKS WEEK PROCLAMATION; 5J NATIONAL POLICE WEEK PROCLAMATION; OLD BUSINESS, 7C MOSIMAN'S TENANTS, MOTION CARRIED.

CONSENT AGENDA

MOVED BY NOONE AND SECONDED JACOB TO APPROVE THE CONSENT AGENDA INCLUDING PAYROLL CHECKS 25187 THRU 25211 AND GENERAL DISBURSEMENT CHECKS 56678 THRU 56711 AND MINUTES OF THE REGULAR COUNCIL MEETING OF APRIL 18, 2011 WITH THE FOLLOWING CORRECTION AT THE BOTTOM OF PAGE 2: THE MOTION "MOVED BY EMMEL AND SECONDED BY VIGIL TO NOT APPROVE SPECIAL USE AMENDMENT 99B AND 99C TO ZONING REGULATIONS C-1 DISTRICT. MOTION DIED DUE TO LACK OF MOTION" SHOULD READ AS FOLLOWS AFTER THE "C-1 DISTRICT"...COUNCIL MEMBER EMMEL WITHDREW THE MOTION AND NO FURTHER ACTION WAS TAKEN.

PUBLIC COMMENT

4.a. Richard Phinney was confused about why he needed to be at the council meeting tonight, he received a call from city hall stating he needed to appear this evening about property located at 522-524 N. Commercial. After a lengthy discussion council consented that the language still needs to be clarified in Ordinance 99a and proposed Ordinance 99b & 99c. Council Emmel stated that somehow we need to make it work for Mr. Phinney. This said property has been used as residential for many years, because if it walks like a duck and quacks like a duck then it is a duck.

NEW BUSINESS

MOVED BY EMMEL AND SECONDED BY NOONE TO APPROVE HARVEY COUNTY INDEPENDENT AS THE OFFICIAL NEWSPAPER. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY VIGIL TO APPOINT ALLIANT BANK AS OFFICIAL DEPOSITORY. MOTION CARRIED 4-1 JENSON OPPOSED.

MOVED BY VIGIL AND SECONDED BY NOONE TO APPOINT JANISE ENTERKIN AS CITY CLERK. MOTION CARRIED.

MOVED BY NOONE AND SECONDED BY EMMEL TO APPOINT BRAD JANTZ AS CITY ATTORNEY. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY VIGIL TO APPOINT GREGORY NYE AS MUNICIPAL JUDGE. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY NOONE TO APPOINT RODNEY WILLOUGHBY AS CITY TREASURER. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY NOONE TO APPOINT JON JENSON TO THE PWWSD #17 FOR A THREE YEAR TERM. MOTION CARRIED.

MOVED BY EMMEL AND SECONDED BY VIGIL TO APPROVE MAY 15TH – 21ST AS NATIONAL EMS WEEK PROCLAMATION. MOTION CARRIED.

MOVED BY NOONE AND SECONDED BY EMMEL TO APPROVE MAY 15TH – 21ST AS NATIONAL PUBLIC WORKS WEEK PROCLAMATION. MOTION CARRIED.

MOVED BY VIGIL AND SECONDED BY JACOB TO APPROVE MAY 15TH – 21ST AS NATIONAL POLICE WEEK PROCLAMATION. MOTION CARRIED.

STAFF REPORTS

Jaci Reimer, City Administrator, advised council, all full time employees received their 1st direct deposit payroll checks. Reimer informed council that the sewer utility fund finished last year barely covering the cost of operations. She stated that the water & sewer ordinance provides an annual increase of 3% if needed. Reimer said the May sewer base rate will increase from 23.10 to 23.80 with the next billing.

Brad Jantz, City Attorney, contacted BNSF to get the check returned. Brad was told the check had not been cashed yet.

OLD BUSINESS

MOVED BY EMMEL AND SECONDED BY NOONE TO ACCEPT THE BID FROM US COACH WORKS FOR THE 2011 CHEVY G4500 WITH THE DIESEL ENGINE AMBULANCE FOR \$82,000. MOTION CARRIED.

MOVED BY VIGIL AND SECONDED BY NOONE TO APPROVE THE FIREWORKS SALE & DISCHARGE FROM THURSDAY JUNE 30TH TO JULY 2ND FROM 10 AM – 10PM, JULY 3RD FROM 12 NOON – 10 PM, AND JULY 4TH FROM 10 AM – 12 MIDNIGHT. MOTION CARRIED 3-2 EMMEL & JENSON OPPOSED.

MOVED BY VIGIL AND SECONDED BY JACOB TO GIVE BRUCE MOSIMAN'S TENANT, MR. BELL, UNTIL JULY 1ST TO BE MOVED OUT OF THE RENTAL PROPERTY AT 418 N. COMMERCIAL. MOTION CARRIED.

City Administrator Reimer was going to do a Web Page update. Due to the length of the meeting, it will be postponed until the May 16th meeting.

MAYOR & COUNCIL REPORTS

Council Member Jenson reported on PWWSD #17 meeting. Newton wants to increase the maintenance fee 26%, this will be presented to us in August. Jenson stated overall the district is in good shape.

MEETING REMINDERS

May 7, City Wide Garage Sale

May 9, REAP

May 13-14, Governing Body Institute & Mayor's Conference

May 14, SCAC

May 26, REAP Water Conference

June 1, Harvey Co EDC Mtg. & Industry Appreciation Dinner

MOVED BY EMMEL AND SECONDED BY JACOB TO ADJOURN. MOTION CARRIED.

Meeting adjourned at 9:58 p.m.

Asa Galloway,
Deputy City Clerk