

City Council met in regular session on November 23, 2009 in the Council Rooms Sac City Municipal Building with the following members present: Bill Brenny, Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, with Barb Bloes, Mayor presiding.

A motion was made by Bill Brenny and seconded by Jim Frederick to approve the following consent agenda items:

Approval of the agenda.

Approval of the minutes of the November 9, 2009 council meeting.

Approval of the receipts and disbursements for October 2009 as follows:

RECEIPTS FOR OCTOBER 2009

| | |
|------------------------------|--------------|
| General Fund | \$176,268.37 |
| Airport | 250.00 |
| Road Use Tax | 39,829.96 |
| Debt Service | 78,230.23 |
| T & A Property Tax | 68,684.58 |
| T & A Local Option Sales Tax | 14,192.02 |
| Water and Gas Deposits | 2,105.00 |
| Water Utility | 47,879.56 |
| Sewer Utility | 54,021.65 |
| Storm Sewer Utility | 5,175.82 |
| Gas Utility | 53,154.20 |
| Garbage Utility | 18,792.08 |
| Special Assessments | 1,150.00 |

DISBURSEMENTS FOR OCTOBER 2009

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|------------------------|-------------|
| General Fund | \$55,350.53 |
| Fire Department | 3,806.08 |
| Road Use Tax | 18,018.12 |
| T & A Library | 180.00 |
| Energy Assistance Fund | 271.30 |
| Water Utility | 31,875.98 |
| Sewer Utility | 28,064.27 |
| Storm Sewer Utility | 3,160.97 |
| Gas Utility | 90,633.94 |
| Garbage Utility | 31,514.18 |

Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Bill Brenny.

Nays: None.

Abstain: Jim Johnston, Brian Muska.

The Mayor announced that this was the time and place set for the public hearing to hear comments and concerns on the Proposed Plans and Specifications, Proposed Form of Contract and Estimate of Cost for the Sanitary Sewer Lining Improvements Project and the Taking of Bids Therefor. There were no written or oral comments received. It was moved by Bill Brenny and seconded by Jim Johnston to close the public hearing on said project. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Jim Frederick introduced and moved and Bill Brenny seconded the adoption of resolution 2009-16 entitled: "Resolution Finally Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the Sanitary Sewer Lining Improvements Project". Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

The Mayor declared said resolution duly passed and adopted.

The following bids were received for the Sanitary Sewer Lining Project:

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|---|--------------|
| Municipal Pipe Tool Hudson, Iowa | \$156,008.75 |
| Insituform Technologies Chesterfield, MO | 172,420.60 |
| Visu-Sewer Clean and Seal Pewaukee, WI | 159,320.75 |

Jim Frederick introduced and moved and Bill Brenny seconded the adoption of resolution 2009-17 entitled: "Resolution Making Award of Contract for the Sanitary Sewer Lining Improvements Project" (Municipal Pipe Tool - \$156,008.75). Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

The Mayor declared said resolution duly passed and adopted.

The Mayor announced that this was the time and place set for the public hearing to hear comments and concerns on Proposed Plans and Specifications, Proposed Form of Contract and Estimate of Cost for the Sanitary Sewer Main Improvements Project. There were no written or oral comments received. It was therefore moved by Gary Hansen and seconded by Jim Johnston to close the public hearing. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Jim Johnston introduced and moved the adoption of resolution 2009-18 entitled: "Resolution Finally Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the Sanitary Sewer Main Improvements Project". Brian Muska seconded the motion. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

The Mayor declared said resolution duly passed and adopted.

The following bids were received for the Sanitary Sewer Main Improvements Project:

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| Van Hauen and Associates Grimes, IA | \$822,378.00 |
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|--------------------------------------|--------------|
| H & W Contracting Sioux Falls, SD | 1,067,580.00 |
|--------------------------------------|--------------|

Gary Hansen introduced and moved the adoption of resolution 2009-19 entitled: "Resolution Making Award of Contract for the Sanitary Sewer Main Improvements Project". (Van Hauen and Associates - \$822,378.00) Brian Muska seconded the motion. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

It was moved by Jim Johnston and seconded by Bill Brenny to approve draw down #6 of FAA funds in the amount of \$28,614.00 for the Airport Electrical Vault Building Project. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

A motion was made by Bill Brenny and seconded by Brian Muska to approve Voltmer Electric's bill in the amount of \$30,119.70 for said project. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

It was moved by Jim Frederick and seconded by Jim Johnston to approve the city's portion in the amount of \$321.81 for the Airport Electrical Vault Building Project. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Curtis Bloes commented to the council, during the citizen's opportunity to address the council, on concerns he had with procedures.

A motion was made by Jim Frederick and seconded by Bill Brenny to approve the renewal license for Sac County Fair dba/ Sac County Fair for a Class "C" Liquor License with Outdoor Service and Sunday Sales subject to issuance of a permit by the liquor commission. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Terri Moland failed to appear to address the council. No action was taken on this item.

Scott Fairbrother addressed the council requesting permission to remove a sidewalk at 505 Platt Street. It was moved by Gary Hansen and seconded by Brian Muska to approve the request to remove the sidewalk. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

A motion was made by Brian Muska and seconded by Jim Johnston to approve Alvin Quail's resignation effective December 12, 2009. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

A motion was made by Jim Johnston and seconded by Gary Hansen to include the geo domes (alternate A) on the WWTP Improvement Project. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Jim Frederick introduced and moved and Bill Brenny seconded the adoption of resolution 2009-15 entitled: "Resolution Making Award of Contract for the WWTP Improvement Project". (Ericksen Construction - \$5,349,000 base bid). Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

The Mayor declared said resolution duly passed and adopted.

It was moved by Bill Brenny and seconded by Jim Frederick to approve the third and final reading of ordinance 2009-214 entitled: "An Ordinance Establishing a Zoning Map for the Incorporated City of Sac City, Sac County, Iowa". Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Gary Hansen introduced ordinance 2009-215 entitled: "An Ordinance Amending the Code of Ordinances of the City of Sac City, Iowa by Amending Provisions Pertaining to Water Rates". It was moved by Bill Brenny and seconded by Jim Johnston to approve the first reading of said ordinance. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

It was moved by Jim Frederick and seconded by Jim Johnston to waive the second and third readings of ordinance 2009-215. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Jim Johnston introduced ordinance 2009-216 entitled: "An Ordinance Amending the Code of Ordinances of the City of Sac City, Iowa by Amending Provisions Pertaining to Municipal Infractions". It was moved by Brian Muska and seconded by Jim Frederick to approve the first reading of said ordinance. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Jim Frederick introduced ordinance 2009-217 entitled: "An Ordinance Amending the Code of Ordinance of the City of Sac City, Iowa by Amending Provisions Pertaining to Code to Ordinances". It was moved by Bill Brenny and seconded by Jim Johnston to approve the first reading of said ordinance. Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

It was moved by Jim Johnston and seconded by Brian Muska to approve allowing the City Administrator to submit a bid with the Rockwell City-Lytton school district for playground equipment for the city park.

Roll call was taken and vote was as follows:

Ayes: Jim Frederick, Gary Hansen, Jim Johnston, Brian Muska, Bill Brenny.

Nays: None.

Committee and Department reports were presented and reviewed.

The council forum was held. Committee updates were given. The council was informed that the city employees were requesting no raises or changes in policy for FY 10-11.

It was moved by Brian Muska and seconded by Jim Frederick to adjourn.

Time: 7:27 p.m.

Ayes: All.

Nays: None.

Mayor

Attest:

City Clerk