

**HAMPTON CITY COUNCIL
REGULAR SESSION MINUTES
TUESDAY, JULY 27, 2010, 5:30 P.M.**

The Hampton City Council Regular Session was called to order at City Council Chambers by Mayor Diane Weldin at 5:30 p.m. Council members in attendance were Steve Harms, Craig Eckhardt, Karen Schmidt, James Davies, Bill Hodge and Richard Lukensmeyer. Mayor Weldin invited those present to join in the Pledge of Allegiance to the U.S. flag. Mayor Weldin called for a motion to approve the **agenda**. Motion by Harms. Second by Davies. Motion approved unanimously.

Public Comment: Mayor Weldin called on **Sandee Brouwer** of Sandee's Flower House to make public comment. Brouwer referenced a petition she'd circulated for signatures from those in favor of the Council voting to delete sections of sidewalk along the east side of the Highway 65 Project between 6th Avenue & 9th Place NE. She voiced concerns of the Council's decision to not approve the change order (Resolution 2010-22) at the previous Council session and questioned the actions by City staff on some project construction carried out.

Rodney Schwab, 203 7th Street SE, expressed concerns of the lack of sidewalks in some areas, specifically north of 12th Avenue N, along Federal Street.

Mayor Weldin called on Capt. Hilton for details of the **vicious animal hearings** on the agenda; dog bite incident, owner **Jamie Schulte**, 503 Federal Street S, and that of a dog with vicious tendencies, owned by **Nathan & Sarah Pigman**, 720 4th Street NE, all of Hampton, Iowa. Mayor Weldin offered opportunity for the owners and other parties to address the Council on the matter; none voiced. Some Council members stated their opinions regarding accountability of pet owners and public safety concerns with frequency of these hearings. Motion by Hodge, seconded by Davies, to declare the first dog in question (Schulte) as vicious, and Order of the City Council to be served to the owners, requiring permanent removal of the dog from the City limits as allowed under Code Section 56.02 or have it destroyed in a humane manner within three (3) days, and providing evidence of the disposition of the animal to the City of Hampton. Roll call vote: Ayes - Lukensmeyer, Schmidt, Harms, Hodge, Eckhardt and Davies. Nays - None. Motion approved, and Council Order to be issued and served by the Police Department for the owner to show proof to the City that the dog has been permanently removed from the city limits or has been destroyed in a humane manner within three days.

Motion by Hodge, seconded by Harms, to declare the second dog in question (Pigman) as vicious, and Order of the City Council to be served to the owners, requiring permanent removal of the dog from the City limits as allowed under Code Section 56.02 or have it destroyed in a humane manner within three (3) days, and providing evidence of the disposition of the animal to the City of Hampton. Roll call vote: Ayes - Harms, Davies, Eckhardt, Schmidt, Hodge and Lukensmeyer. Nays - None. Motion approved, and Council Order to be issued and served by the Police Department for the owner to show proof to the City that the dog has been permanently removed from the city limits or has been destroyed in a humane manner within three days.

Mayor Weldin opened the **Public Hearing** regarding proposed Resolution 2010-27; disposal of real estate property, partially owned by City of Hampton at 5:55 p.m. Mayor Weldin referred comment to City Manager Dunt for details, who explained the property in question was a gift from the estate of Gladys Muhlenbruch; designating equally shared ownership to Hampton Fire Department, Hampton Cemetery, and two other private entities. Dunt explained the offer to purchase the property pending, which has been agreed upon by each of the co-owners, requiring public hearing and Council approval

to proceed with the sale of the property. Mayor Weldin offered opportunity for public comments on the matter. With no additional public comments voiced, Mayor Weldin closed the public hearing at 5:57 p.m.

Committee Reports: **Finance and Personnel** report given by Schmidt, making recommendation for Council approval of the Hampton Police Department's participation in the Harley-Davidson Motorcycle \$1.00 per year law enforcement leasing program. Comments were shared and questions fielded by Rsv. Officer Dave Hawver. Motion by Schmidt, seconded by Harms, to approve the Hampton Police Department's participation in the Harley-Davidson Motorcycle (Mason City) \$1.00 per year law enforcement leasing program and anticipated related expenses presented. Motion approved unanimously. Next F&P meeting scheduled for August 2nd., at 5:30 p.m. **City Services** report given by Harms; next meeting scheduled for August 3rd., at 5:30 p.m. Public Assets report given by Hodge; next meeting scheduled for August 17th., at 5:30 p.m.

New Business: Mayor Weldin called on City Manager Dunt to review information regarding the **proposed color scheme for the Aquatic Center**, presented by the architect. Motion by Davies, seconded by Hodge to approve the color scheme proposed by the architect for the Aquatic Center bathhouse. Motion approved unanimously.

Mayor Weldin called for a motion to **approve claims**. Motion by Schmidt to approve claims, as recommended by the Finance Committee, totaling \$204,624.97. Seconded by Eckhardt. Motion approved unanimously.

Mayor Weldin referred comment to Tim Moreau of Veenstra & Kimm for summary of **Resolution 2010-20, "Resolution approving Change Order No. 3 (Mailbox relocation, storm sewer joining, sanitary services) in connection with the Hwy 65 Improvement Project; IDOT Project No. STP-065-7(33)0--2C0-35."** Motion by Schmidt, seconded by Davies, to approve and adopt Resolution 2010-20. Roll call vote: Ayes - Schmidt, Eckhardt, Davies and Harms. Nays - Hodge and Lukensmeyer. Motion approved, and Resolution 2010-20 adopted.

Motion by Lukensmeyer, seconded by Davies, to **reconsider approval and adoption of Resolution 2010-22**. Dunt explained the need for this motion prior to reconsideration of the previous results of action taken on this resolution at the July 13th Council session. Eckhardt voiced questions regarding the petition circulated by Sandee Brouwer, and Tim Moreau verified final cost related to the change order. Roll call vote: Ayes - Eckhardt, Hodge, Schmidt, Lukensmeyer and Harms. Nays - None. Motion approved.

Mayor Weldin called for a motion regarding **Resolution 2010-22, "Resolution approving Change Order No. 5 (Deletion of sidewalk between 6th Avenue NE and 9th Place NE on east side of Hwy 65, as requested by the City) in connection with the Hwy 65 Improvement Project No. STP-065-7(33)0--2C-35."** Motion by Eckhardt, seconded by Lukensmeyer, to approve and adopt Resolution 2010-22. Roll call vote: Ayes - Davies, Schmidt, Lukensmeyer, Harms, Hodge and Eckhardt. Nays - None. Motion approved, and Resolution 2010-22 adopted.

Mayor Weldin called for a motion regarding proposed **Resolution 2010-27, "Resolution approving the sale of real estate of which the City of Hampton is part owner."** Motion by Lukensmeyer, seconded by Hodge, to approve and adopt Resolution 2010-27. Roll call vote: Ayes - Hodge, Eckhardt, Harms, Lukensmeyer, Davies and Schmidt. Nays - None. Motion approved, and Resolution 2010-27 adopted.

Motion by Eckhardt to approve the **Consent Agenda**, including previous minutes as drafted for publication from the Tuesday, July 13, 2010, Regular Session, scheduling the next Regular Session for Tuesday, August 10, 2010, approval of request for street closures on August 13-14, 2010, for Summerfest, and approval of renewal of Liquor License for Pit Row, LLC, 19 Federal Street N, Hampton, Iowa. Second by Harms. Motion approved unanimously.

Staff Reports given by **Capt. Jim Hilton**, Police Dept.; **Doug Tarr**, Public Works Director; and **Ron Dunt**, City Manager.

Council Reports given by **Lukensmeyer, Hodge, Schmidt, Eckhardt and Harms**. **Mayor's Report** given by **Mayor Weldin**.

Motion to adjourn by Lukensmeyer at 7:20 p.m. Second by Harms. Motion approved unanimously.
Adjournment 7:20 p.m.

Attest:

Ron Dunt, City Manager

Mayor Diane Weldin