

**HAMPTON CITY COUNCIL
REGULAR SESSION MINUTES
TUESDAY, JUNE 23, 2009, 5:30 P.M.**

The Hampton City Council Regular Session was called to order at City Council Chambers by Mayor Protem Patrick Palmer at 5:30 p.m. Council members in attendance were Chad Hanson, Karen Schmidt, Craig Eckhardt and Steve Harms. Mayor Diane Weldin and Council member Bill Hodge were absent. Mayor Protem Palmer invited those present to join in the Pledge of Allegiance to the U.S. flag. Mayor Protem Palmer called for a motion to approve the **agenda**, with the following amendments to the Consent Agenda: change of time for the July 14th regular session to 7:00 p.m., and adding approval of renewal of Tobacco Permit for El Valle, J.O.D. Inc., 113 2nd Street NW, Hampton, Iowa; and moving Item #8 to follow Item #12. Motion by Schmidt, seconded by Harms. Motion approved unanimously.

Public Comment: Mayor Protem Palmer invited those wishing to make public comment to address the Council; none.

Committee Reports: **Finance and Personnel** report given by Eckhardt; next meeting scheduled for July 6th. **City Services** report given by Palmer; next meeting scheduled for July 7th. **Public Assets** report given by City Manager Dunt.

New Business: Mayor Protem Palmer referred comment to City Manager Dunt regarding approval of **final pay request from a contractor on a CDBG project**. Motion to approve by Harms, seconded by Hanson. Motion approved unanimously.

Tim Moreau of Veenstra & Kimm, Inc., provided handouts to the Council and fielded questions regarding **potential change orders on the Highway 65 reconstruction project** for consideration. No action taken on the matter at this time.

Mayor Protem Palmer called for a motion to **approve claims**. Motion by Eckhardt to approve claims, as recommended by the Finance Committee, totaling \$152,919.81. Seconded by Harms. Motion approved unanimously.

Mayor Protem Palmer referred comment to City Manager Dunt regarding **Resolution 2009-16, “Resolution appointing Bankers Trust Company, N.A., of Des Moines, Iowa, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement.”** Motion by Hanson, seconded by Harms, to approve and adopt Resolution 2009-16. Roll call vote: Ayes – Schmidt, Eckhardt, Hanson, Harms, and Palmer. Nays – None. Hodge absent. Motion approved, and Resolution 2009-16 adopted.

Mayor Protem Palmer referred comment to City Manager Dunt regarding **Resolution 2009-17, “Resolution authorizing and providing for the issuance of \$2,760,000 General Obligation Bonds, Series 2009 (Urban Renewal), and levying a tax to pay said bonds.”** Motion by Harms, seconded by Hanson, to approve and adopt Resolution 2009-17. Roll call vote: Ayes – Hanson, Schmidt, Palmer, Eckhardt and Harms. Nays – None. Hodge absent. Motion approved, and Resolution 2009-17 adopted.

Mayor Protem Palmer referred comment to City Manager Dunt regarding **Resolution 2009-18, “Resolution authorizing City Manager to approve change orders for I.D.O.T. Project No. STP-065-7(33)0--2C-35 as stipulated.”** Motion by Schmidt, seconded by Hanson, to approve and adopt Resolution 2009-18. Roll call vote: Ayes - Palmer, Harms, Hanson, Eckhardt, Schmidt. Nays - None. Hodge absent. Motion approved, and Resolution 2009-18 adopted.

Mayor Protem Palmer offered the reading aloud of Ordinance No. 313, if anyone present requested same; none. City Manager Dunt advised no comments or objections had been received by City Hall since the previous reading of **Ordinance No. 313, “An Ordinance amending the Code of Ordinance of the City of Hampton, Iowa, 2009, by adding to Section 4 of Article 5 of Chapter 165, Zoning and Subdivision, and additional conditional use, defining “Hobby Livestock” and providing for adoption of rules and regulations.”** Motion by Eckhardt, seconded by Harms, to approve and adopt Ordinance No. 313. Roll call vote: Ayes - Schmidt, Harms, Palmer, Hanson and Eckhardt. Nays - None. Hodge absent. Motion approved, and Ordinance No 313 adopted; effective upon its publication in the Hampton Chronicle on July 1, 2009.

Mayor Protem Palmer offered the reading aloud of Ordinance No. 314, if anyone present requested same; none. City Manager Dunt advised no comments or objections had been received by City Hall since the previous reading of **Ordinance No. 314, “An Ordinance amending the Code of Ordinances of the City of Hampton, Iowa, 2009, Chapter 15, “Mayor” Sub-section 15.04 Compensation, increasing annual salary.”** Motion by Hanson, seconded by Harms, to approve the second reading of Ordinance No. 314. Roll call vote: Ayes - Eckhardt, Palmer, Harms, Schmidt and Hanson. Nays - None. Hodge absent. Motion approved, and Ordinance No. 314 referred to the next regular session for final consideration for approval.

Mayor Protem Palmer offered the reading aloud of Ordinance No. 315, if anyone present requested same; none. City Manager Dunt advised no comments or objections had been received by City Hall since the previous reading of **Ordinance No. 314, “An Ordinance amending the Code of Ordinances of the City of Hampton, Iowa, 2009, Chapter 17 “City Council”, Sub-section 17.06 Compensation, increased salary for meetings.”** Motion by Harms, seconded by Hanson, to approve the second reading of Ordinance No. 315. Roll call vote: Ayes - Schmidt, Hanson, Harms, Hanson and Eckhardt. Nays - None. Hodge absent. Motion approved, and Ordinance No. 315 referred to the next regular session for final consideration for approval.

Motion by Eckhardt, seconded by Harms, to approve the **Consent Agenda** and the following items: Approve the previous minutes as drafted for publication from the June 9, 2009, Regular Session Meeting; schedule the next Regular Session for Tuesday, July 14, 2009 at 7:00 p.m. at City Council Chambers; approval of street closures - Summerfest, August 13-15, 2009, by Hampton Area Chamber of Commerce; and approval of renewal of Cigarette/Tobacco Sales Permit for El Valle, J.O.D., Inc., 113 2nd Street NW, Hampton, Iowa. Motion approved unanimously.

Staff Reports given by **Captain Jim Hilton**, Police Dept., including an invitation to an open house reception honoring Chief Jim Wobschall on his retirement tomorrow from 4:00-6:00 p.m. in the Council Chambers. **Doug Tarr**, Public Works Director, advised of the approval of the Fair Board using fireworks for the Fair next month; Highway 65 Reconstruction Project began this week, and the compost site will be running extended hours this week, due to the large amount of tree damage caused by severe weather today. **Ron Dunt**, City Manager also gave a report.

Council Report given by **Eckhardt**. Palmer, Hanson, Schmidt and Harms had nothing to report. **Mayor's Report** given by **Mayor Protem Palmer**, advising that Congressman Tom Latham is scheduled for a town meeting on July 1st at 3:00 p.m.; also, meeting at the Fire Station at 2:40 p.m.

Mayor Protem Palmer called for old business; **approval of settlement proposal from Klinkenborg Aerial Spraying & Seeding, Inc., litigation**. Motion by Schmidt at 6:38 p.m. to close the session pursuant to Iowa Code 21.5(1c), to discuss and review pending litigation; seconded by Harms. Roll call vote: Ayes - Eckhardt, Harms, Palmer, Schmidt and Hanson. Nays - None. Hodge absent. Motion approved, and Mayor Protem Palmer announced the session closed at 6:38 p.m., instructing all citizens and/or staff present, with the exception of City Attorney Mike Cross, City Manager Ron Dunt, and Public Works Director Doug Tarr, to leave the Council Chambers until such time the meeting is reopened. Motion by Schmidt, seconded by Harms, to reopen the session at 6:46 p.m. Roll call vote: Ayes - Harms, Palmer, Hanson, Schmidt and Eckhardt. Nays - None. Hodge absent. Motion approved, and Mayor Protem Palmer reopened the session at 6:47 p.m. Motion by Harms, seconded by Schmidt, to approve the settlement proposal from Klinkenborg Aerial Spraying & Seeding, Inc., litigation, in the amount of \$1,500.00. Motion approved by a vote of four to one; Eckhardt opposed.

Motion to adjourn by Harms at 6:49 p.m. Second by Hanson. Motion approved unanimously.

Adjournment 6:49 p.m.

Attest:

Ron Dunt, City Manager

Mayor Protem Patrick Palmer