

**HAMPTON CITY COUNCIL
REGULAR SESSION MINUTES
TUESDAY, OCTOBER 13, 2009, 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 Patrick Palmer, Bill Hodge, Chad Hanson, Karen Schmidt, Craig Eckhardt and Steve Harms. 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 Hanson. Second by Palmer. Motion approved unanimously.

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

Mayor Weldin referred comment to Chief Ray Beltran for investigative summary for **Vicious Animal Hearing** regarding a dog bite incident, involving a dog owned by Michael Velasquez, 824 1st Street NE. Opportunity was given the owner, Stephanie Velasquez, who claimed the incident was not unprovoked; dog just defending her land. Council members expressed liability issues being a concern for the City. No other comments voiced by public in attendance. Motion by Harms, seconded by Palmer, to declare the dog in question 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 - Schmidt, Hanson, Harms, Palmer, Eckhardt and Hodge. Nays - None. Motion carried. Council Order to be served by the Hampton Police Department to the owner for directives on the animal's disposition.

Committee Reports: Finance and Personnel report given by Eckhardt. Palmer questioned signatures on a petition presented by James Kent for the placement of sidewalk along Highway 65, north of 12th Avenue NE; noting some listed are actually opposed. City Services report given by Palmer. Public Assets report given by Hodge; next meeting October 20th.

New Business: Karen Mitchell, Franklin County Development Association, addressed the Council with a report of activities by FCDA over the past several weeks; including incentives and showing of spec buildings in Industrial Park, plans for attendance to Fast Track, and hiring of a company to assist with corporate contacts of potential prospects. She also reported the wind farm will be done in 30 days.

Mayor Weldin called on City Manager Dunt for details of the applications for **Tax Abatement under the Urban Revitalization Plan**, submitted by **Lloyd Sorenson** for property located at 2, 3 & 4 Armory Lane, Hampton, Iowa. Motion by Schmidt, seconded by Hodge, to approve applications for Tax Abatement Under the Urban Revitalization Plan, submitted by Lloyd Sorenson. Motion approved unanimously. City Manager will deliver the applications to the Franklin County Assessor for final consideration and processing.

Mayor Weldin referred comment to City Manager Dunt regarding a request by **Russ Gibson** for the City to take action on a **storm sewer outlet** involving his property on **Oak Hill Drive**. Dunt shared information provided by legal counsel on the matter, suggesting the City's position remain the same, based on prior decisions made by the developer of the subdivision for placement of storm sewers and property owner's knowledge of storm sewer location and acceptance of easements in place at the time of purchase. Motion by Harms, seconded by Hodge, to approve recommendations of Attorney

Wainwright, directing him to draft a letter to Attorney Ray Drew, explaining that the City's position has not changed with regard to this issue. Motion approved unanimously.

Mayor Weldin asked City Manager Dunt to review the content of the **2009 Financial Report for Fiscal Year Ended June 30, 2009**. Motion by Eckhardt, seconded by Harms to approve the 2009 Financial Report for Fiscal Year Ended June 30, 2009. Motion approved unanimously.

Mayor Weldin called for a motion to **approve claims**. Motion by Eckhardt to approve claims, as recommended by the Finance Committee, totaling \$325,708.51. Seconded by Schmidt. Dunt explained two payrolls have been issued since the last session, purchase of a new fire truck, airport project's final payment, engineering fees for the Highway 65 project, scheduled FY funding of FCDA, along with other miscellaneous expenditures caused the higher total. Some of the expenditures will be reimbursed by FEMA and Iowa DOT. Motion approved unanimously.

Motion by Harms to approve the **Consent Agenda**, including previous minutes as drafted for publication from the September 22, 2009, Regular Session, scheduling the next Regular Session for Tuesday, October 27, 2009, and approval of renewals of Liquor Licensing for Liquor Barn, Inc., 721 Central Avenue W, and Casey's General Store #1605, 719 4th Street NE, both of Hampton, Iowa. Second by Hanson. Motion approved unanimously.

Staff Reports given by **Chief Ray Beltran**, Police Dept.; **Doug Tarr**, Public Works Director; and **Ron Dunt**, City Manager, designating the annual 30-day burn ban lift in 2009 for October 25th through November 23rd.

Council Reports given by **Eckhardt, Schmidt, Palmer, and Hodge**. **Mayor's Report** given by **Mayor Weldin**, appointing Philip Hauser to Hampton Planning & Zoning Commission, term expiring 2015. Council and Mayor commented about recent experiences at the fall League of Cities Conference, and Palmer noted previous candidate forums held prior to elections, offering to participate in a forum with Dick Lukensmeyer on the radio.

Motion to adjourn by Hanson at 6:34 p.m. Second by Palmer. Motion approved unanimously.

Adjournment 6:34 p.m.

Attest:

Ron Dunt, City Manager

Mayor Diane Weldin