

COUNCIL MEETING
FEBRUARY 25, 2008

The Carroll City Council met in regular session on this date at 5:15 p.m. in the Council Chamber of the Farner Government Building. Members present: Bob Eich, Mike Eifler, Phil Phillips, Jeff Scharfenkamp, Carolyn Siemann, and Tom Tait. Absent: None. Mayor Jim Pedelty presided and City Attorney Dave Bruner was in attendance.

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The Pledge of Allegiance was led by the Mayor and City Council. No Council action taken.

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It was moved by Phillips, seconded by Eich, to approve the minutes of the February 11, 12 and 18th, 2008 meetings as written. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Eich, to approve the bills and claims in the amount of \$ 398,321.38. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Eich, to approve the following licenses and permits:

- New 8-month Class “C” Liquor License with Outdoor Service and Sunday Sales – *CCM Golf Course*
- Renewal of Class “B” Liquor License with Sunday Sales and Outdoor Service – *Carrollton Inn & Swizzle Stick Lounge*

On roll call, all present voted aye. Absent: None. Motion carried.

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There were no oral requests or communications from the audience.

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At 5:17 P.M., February 25, 2008, Mayor Pedelty opened the public hearing for the rezoning of Lots 2 & 3 of G. C. Property Subdivision to the City of Carroll, Carroll County, Iowa. Jim Greteman representing Village Rentals, LLC, appeared in front of the Council, requested the rezoning and submitted its application for the request to rezone into evidence. Mayor Pedelty allowed time for citizens to speak or present evidence in favor of the application. No evidence was presented. Mayor Pedelty allowed time for citizens to speak or present evidence in opposition of the application. No evidence was presented. Zoning Administrator, Gerald Clausen, presented the Planning and Zoning Commission’s recommendation and proposed minutes of their last meeting and further presented evidence of proper Public Notice of the Public Hearing regarding the rezoning matter to the Planning and Zoning Commission. City Manager, Gerald Clausen, then presented evidence that Public Notice of the Public Hearing for the City Council was properly made in a timely fashion and further presented Proof of Publication for the Notice of Public Hearing for both the Planning and Zoning Commission hearing and the City Council hearing. Greg Schreck provided evidence that the proposed rezoning would be consistent with the City of Carroll’s Comprehensive Plan. Mayor Pedelty then requested further evidence from others. No further evidence was presented. The Council

was then given the opportunity to ask questions of any of the witnesses or evidence. No questions were asked. Mayor Pedelty then closed the public hearing at 5:24 P.M. February 25, 2008.

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It was moved by Scharfenkamp, seconded by Tate, that upon consideration of all the evidence contained in the record of public hearing dated February 25, 2008, including the fact that there was no opposition to the request; that all proper procedure and notice was followed; and the rezoning is consistent with the City's Comprehensive Plan, the application to rezone Lots 2 & 3 of G. C. Properties Subdivision to the City of Carroll, Carroll County, Iowa, from I-2, General Industrial District, to B-2, General Business District, be approved; that the City Clerk prepare detailed minutes of the public hearing and retain and preserve all written evidence or exhibits presented; and that an ordinance amending the Zoning Map be presented to the Council for passage. On roll call, all present voted aye. Absent: None. Motion carried.

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An Ordinance amending the Zoning Map to rezone Lots 2 and 3 of G.C. Properties Subdivision to the City of Carroll, Carroll County, Iowa from I-2, General Industrial District, to B-2, General Business District, was presented by Council Member Scharfenkamp. It was moved by Scharfenkamp, seconded by Tait, to waive all three readings of said Ordinance. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Eich, to adopt said Ordinance No. 0802. On roll call, all present voted aye. Absent: None. Motion carried.

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An Ordinance to install a stop sign on southbound Market Street at Kittyhawk Avenue was introduced by Council Member Phillips. It was moved by Phillips, seconded by Eich, to waive all three readings of said Ordinance. Steve Quandt, representing Quandt Auto Sales, addressed the Council on this issue. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Eich, seconded by Siemann, to adopt said Ordinance No. 0803. On roll call, all present voted aye. Absent: None. Motion carried.

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At 5:40 p.m. Mayor Pedelty opened a public hearing on the Plans, Specification, Form of Contract and Estimate of Cost for the Street Resurfacing 2008 Project. Mayor Pedelty closed said hearing at 5:43 p.m.

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It was moved by Scharfenkamp, seconded by Tait, to approve Resolution No. 0803, Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Street Resurfacing 2008 Project. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Siemann, to approve the Preliminary Plat for Timber's Edge Subdivision. On roll call, ayes: Phillips, Siemann, and Tait, nays: Eich, Eifler and Scharfenkamp. Absent: None. Motion failed.

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It was moved by Phillips to reserve the requirement for a sidewalk in Timber's Edge Subdivision if the City puts in a sidewalk from Pleasant Ridge Road southbound to the subdivision. Motion failed due to a lack of second.

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It was moved by Phillips, seconded by Siemann, to reconsider the original motion and approve Resolution No. 0804, Preliminary Plat for Timber's Edge Subdivision. On roll call, ayes: Eich, Phillips, Siemann, and Tait, nays: Eifler and Scharfenkamp. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Siemann, to approve Resolution No. 0805, Final Plat for Timber's Edge Subdivision. On roll call, ayes: Eich, Phillips, Siemann, and Tait, nays: Eifler and Scharfenkamp. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Eifler, to approve Resolution No. 0806, Pre-levy Resolution for Not to Exceed \$ 2,960,000 General Obligation Bonds, Series 2008. On roll call, all present voted aye. Absent: None. Motion carried.

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Andy Pennekamp, Burbach Aquatics Inc., updated the Council on Phase II engineering of the Carroll Family Aquatic Center. No Council action taken.

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It was moved by Scharfenkamp, seconded by Phillips, to approve Change Order No. 3 to the Main Street-Middle Raccoon River Bridge Contract. The effect on the construction cost of the proposed Change Order No. 3 is as follows:

Original Contract Price	\$1,163,166.39
Change Order No. 1 & 2	\$ 39,683.63
Proposed Change Order No. 3	<u>(\$7,010.91)</u>
Revised Contract Price	<u>\$1,195,839.11</u>

On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Eifler, seconded by Scharfenkamp, to approve the Statement of Completion and Final Acceptance of Work and approve final payment to the contractor for the Main Street-Middle Raccoon River Bridge Project. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Scharfenkamp, seconded by Tait, to accept the bid of \$24,620.10 from Tiffin Metal Products for new lockers in the men's restroom at the Carroll Recreation Center. On roll call, all present voted aye except Phillips voted nay. Absent: None. Motion carried.

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It was moved by Phillips, seconded by Siemann, to adjourn at 6:46 p.m. On roll call, all present voted aye. Absent: None. Motion carried.

James Pedelty, Mayor

ATTEST:

Laura A. Schaefer, City Clerk