

**LENNOX CITY COUNCIL SPECIAL MEETING
TUESDAY, SEPTEMBER 23, 2014
LENNOX CITY HALL – 107 S MAIN ST.**

The special meeting of the Lennox City Council was called to order by Mayor Wiebers at 7:00 PM and all present recited the Pledge of Allegiance. Members present were Orville Wiebers, Tracy West, Mike Gregg, Russ Nelson, Darin Olson, Phillip Fett and Greg Poppenga. Staff present was Finance Officer Jerry Jones and Public Works Director Greg Stack. Others present were Mitch Mergen, Toby Brown, Dennis and Marilyn Ebright, Wayne and Amy Fisher, Gary and Linda Gayken, Bev Plucker, Lyle and Dona Christensen, Lynda DeJong, Peter Van Den Oever, Larry and Sandra DeVries, Mike and Mary Schave, Shannon Bracha, Kevin and Cindy Kelley, Willie and Carol Poppenga, Gailyn and Glenda Hagena, Doug and Kathy Meyer, Justin DeCou, Paul Jacobson and Wayne Peterson.

AGENDA:

Motion by West, second by Olson to approve the agenda with the deletion of Resolution 2014-09-23-02 LWCF grant and second reading of Ordinance #549 Flood Plain Management. Motion carried.

APPROVAL OF CONSENT AGENDA:

Claims:

Motion by Poppenga, second by West to approve the claims for August that were late for the September regular meeting. Upon roll call vote, all members present voted aye. Motion carried.

AVERA MCKENNAN PHARMACY	AMB AUG MEDS	\$192.54
AVERA QUEEN OF PEACE	STREET 2 DRUG TESTS	\$142.80
BANNER ASSOCIATES, INC.	Engineering Fees	\$725.00
KNOLOGY, INC., DBA WOW!	Utilities	\$1,312.80
MIDAMERICAN ENERGY	Utilities	\$158.44
PARK N POOL	POOL UMBRELLAS/CHAIRS/BENCH	\$4,787.26
TMC	FIN CREDIT CARD AUG	\$128.93
***** REPORT TOTAL *****		\$7,447.77

Visitors to be heard: None

Old Business: None

New Business:

Public Hearing for Proposed Resolution of Necessity 2014-09-23-01 4th Avenue Project: Mayor Wiebers opened the public hearing at 7:04 PM for the 4th Avenue Project resolution of necessity for construction of sewer, water, storm sewer, curb and gutter and pavement of street. Residents in opposition and in favor of the project voiced their concerns of the project and City Engineer Mitch Mergen answered questions from those in attendance. PWD Stack calculated the total of property in the project area as to signed responses submitted in opposition to the project and enough was presented to stop the project. Questions from the audience were addressed as to what would it take to complete a portion of the project in the area that is in favor of the project. Mayor stated that the scope of the project can be changed if the Council agrees to it. Mayor Wiebers

closed the public hearing at 7:52 PM. Motion by West, second by Gregg to table the resolution of necessity 2014-09-23-01 for the 4th Avenue Project. Upon roll call vote, all members present voted aye. Motion carried.

Resolution 2014-09-23-03 TAP Grant: PWD Stack presented and read the TAP grant resolution 2014-09-23-03 for Council approval. Motion by Poppenga, second by West to approve and adopt resolution 2014-09-23-03 TAP grant. Upon roll call vote, West-aye; Olson-aye; Poppenga-aye; Nelson-aye; Gregg-aye; Fett-nay; Motion carried on a 5 to 1 vote.

Resolution 2014-09-23-04 Administration Fee: PWD Stack presented and read the Administration Fee resolution 2014-09-23-04 for Council approval. Motion by Poppenga, second by Gregg to approve and adopt resolution 2014-09-23-04 Administration Fees. Upon roll call vote, West-aye; Olson-aye; Nelson-aye; Poppenga-aye; Gregg-aye; Fett-nay; Motion carried on a 5 to 1 vote.

Public Hearing for Ordinance #550 Zoning Regulations Revision: Mayor Wiebers opened the public hearing at 7:58 PM for the zoning regulations revisions as approved by the Planning Commission. Toby Brown from SECOG addressed questions from the Council concerning certain issues. There were no comments from the public. Mayor Wiebers closed the public hearing at 8:08 PM and declared the first reading of Ordinance #550 zoning regulation revisions.

Ordinance #548 Annual Appropriation Ordinance Second Reading: The Finance Officer presented the 2015 annual appropriation ordinance upon the second reading. Certain line items of the budget were addressed and discussed. After further discussion, motion by Poppenga, second by West to approve the second reading of the 2015 annual appropriation ordinance and to certify the mill levy with the Lincoln County Auditor. Upon roll call vote, all members present voted aye. Motion carried.

Central Mobile Home Park License: PWD Stack informed the Council on the status of the license for the Central Mobile Home Park and the re-inspection of the required items to be done for the license. As of now, all the required items have not been accomplished. Motion by Poppenga, second by West to turn over the license issue to the City Attorney for legal action. Upon roll call vote, all members present voted aye. Motion carried.

PERSONNEL:

Motion by Poppenga, second by Nelson to approve the hiring of Derrick Fisher as patrolman for the Lennox Police Dept. with the starting pay of \$15.00 per hour, \$15.50 at end of first 6 months and \$15.75 at end of first year and to increase probation to one full year for all new hires of the Lennox Police Department. Upon roll call vote, all members voted aye. Motion carried.

Executive Session: No need for executive session at this time.

Adjournment: Motion by West, second by Gregg to adjourn at 8:47 PM. All members present, voted aye. Motion carried.

ATTEST: _____
Jerry Jones, Finance Officer

Orville Wiebers, Mayor