

**LENNOX CITY COUNCIL REGULAR MEETING**  
**MONDAY, JULY 9, 2012 7:00 P.M.**  
**LENNOX CITY HALL - 107 S. MAIN ST.**

Mayor Wiebers called the meeting to order at 7:00 pm and all present recited the Pledge of Allegiance.

Members Present: Mayor Orville Wiebers, Tracy West, Mike Gregg, Glenn Nelson, Greg Poppenga, Darin Olson, Ty Serr. Staff Present: Roger Almond, Water Superintendent, David Schonhardt, Finance Officer, Rich Schriever, Planning Commission Chairman, Police Chief Russ Nelson, Streets Superintendent Dave Tipton, Public Works Director Greg Stack. Others present: Debbie Schmidt of *The Independent*, Marlyn Jacobsen, Wayne Peterson, Paul Jacobsen, Mitch Mergen of Stockwell Engineers, Dan Nelson of Midcontinent, Seth Hyberger of SECOG, Dennis Wheeldryer, Art Ringen of the LADC, Gail Strasser, Megan Clark.

Motion by West second Gregg to approve agenda. Upon voice vote, all members present voted aye. Motion carried.

Motion by Gregg second Poppenga to approve 6/11/12 minutes. Upon voice vote, all members present voted aye. Motion carried.

Motion by Nelson second Gregg to approve June 2012 claims. Upon roll call vote, all members present voted aye. Motion carried.

Motion by Gregg second Poppenga to approve June 2012 payroll report. Upon roll call vote, all members present voted aye. Motion carried.

Dennis Wheeldryer presented a proposal from Beresford offering water from Beresford's Lewis & Clark purchased capacity. Said that a letter to Troy Larson would be the preferable method of notification. Consensus of the council that Lennox does not want a share of the water.

Finance Officer Schonhardt reported on the financial status of the city. Motion by West second Olson to approve. Upon roll call vote, all members present voted aye. Motion carried.

**OLD BUSINESS:**

Ordinance Number 525, regarding language in the ordinance book pertaining to the City Administrator, motion by Gregg, second Poppenga to approve and adopt. Upon voice vote, all members present voted aye. Motion carried. Mayor declared second reading.

Report by Russ Nelson on a possible ordinance regarding lewd or unseemly public behavior. Per discussion with city attorney, he advised avoiding that sort of amendment. Some discussion on the possibility of a disorderly conduct ordinance. Consensus by council to not pursue the matter further.

Mitch Mergen of Stockwell Engineers presented the current status of the 4<sup>th</sup> Ave project. Survey has been conducted, will consider the possibility of a sanitary sewer component. Seth Hyberger of SECOG inquired as to an interest in the sewer component. Discussion followed regarding the procedure.

Russ Nelson reported on possible used prescription collection sites. No action taken.

Motion by West second Gregg to approve Ordinance Number 526, amending Ordinance number 6.0501. Upon roll call vote, all members present voted aye. Motion carried, Mayor declared second reading and adoption.

Received the plat maps from Alan Fodness. Will be reviewed by Planning and Zoning. No action taken.

Motion by Nelson second Olson to adopt Ordinance number 527, franchise agreement with Midcontinent Communications, with a \$100,000 performance bond. Upon roll call vote, all members present voted aye. Mayor declared second reading and adoption.

Mayor Wiebers reported that he had not met yet with other mayors to discuss a wastewater regionalization.

Greg Stack reported on the status of the Sanitary Sewer Survey. No action taken.

#### NEW BUSINESS:

Mayor Wiebers discussed some pool matters. Said the pool will be opened up to lap swimming and water walking. Also reported that the pool staff, fire department and ambulance will participate in a mock drowning training. Also reported that capacity was reached twice on the Fourth of July. No action taken.

Art Ringen of the LADC presented the LADC budget request. Requested \$60,000 for 2013.

Tracy West led discussion on conducting a Low-to-Moderate Income Survey to pursue potential grants. Advised that it is in the best interest of the city for all residents to participate fully to maximize potential grants. Greg Stack advised that this is for a Community Development Block Grant through the Governor's Office. Seth Hyberger of SECOG advised some of the steps that would need to be taken. Motion by West second Gregg to conduct the survey with the assistance of SECOG. Some discussion on cost. Upon roll call vote, all members present voted aye. Motion carried.

Mayor Wiebers led discussion regarding Land and Water Conservation Fund grants. Asked all members of audience and council to participate in discussion on possible projects. Some questions on the potential scope. Suggestions given: splash park, chemical storage options, shower room upgrade, installation of shade areas, entrance/exit lift, chemical displacement and filtration upgrade, mechanical room upgrade, slide, lifeguard stands, seating facilities. Motion by West second Nelson to adopt resolution #2012-07-09-01 applying for LWCF funds. Upon roll call vote, all members present voted aye. Motion carried.

Mayor Wiebers declared first reading of Rural and Urban Services Ordinance

Motion by West second Serr to table City Attorney Agreement for discussion in Executive Session.

Motion by West second Olson to adopt resolution 2012-07-09-02 regarding Pre-Disaster Mitigation Plan. Upon roll call vote, all members present voted aye. Motion carried.

Motion by Serr second Olson to adopt resolution 2012-07-09-03 regarding a DOT Community Access Grant for completing street improvements on Main Street from 4<sup>th</sup> Ave to Hwy 44. Upon roll call vote, all members present voted aye. Motion carried.

Motion Nelson second West to approve Gridor Pay Request #25. Upon roll call vote, all members present voted aye. Motion carried.

#### COMMITTEE REPORTS:

- Streets/Water/Sewer: Mike Gregg reported that a lift station power panel failed, and has been replaced with a spare. The original is being sent out to repair. Discussed also the North Tower collector. Said streets are stockpiling rock for chip sealing. Investigating dust control options, but temperature is a barrier for application at this point. Also looking at flashing solar lights for stop signs.
- Zoning: Glenn Nelson reported on the 6/28 meeting.

- Police/Fire: Ty Serr reported that a meeting was held with Chief Nelson, another police officer, Fire Chief Earl Fisher and another volunteer firefighter. Discussion was held about running stop signs and illegal U-Turns. Also advised that the Fire Department is working on a budget.
- Park/Recreation/Pool: Orville Wiebers reported on mowing hiatus and baseball/softball tournaments.
- Finance/Library: Tracy West reported that there will be a library meeting on Thursday, also discussed debt reduction and a proposed capital improvement program. Discussed also paying certain debts and weighing those options carefully against potential grant receipts. Recommended that the police building be paid off in August.
- Buildings/Solid Waste/Recycling/Weeds: Greg Poppenga reported that the front of City Hall was painted and the rubble site is receiving waste. Weeds are also being addressed.
- Health/Ambulance/Goals/Accomplishments: Darin Olson reported that things are moving smoothly.

Motion by West second Gregg to approve the committee reports. Upon voice vote, all members present voted aye. Motion carried.

Motion by Poppenga second West to enter into executive session for legal and personnel. Upon voice vote, all members present voted aye. Mayor declared executive session open at 9:00 p.m.

Motion by West second Serr to close executive session for legal. Upon voice vote, all members present voted aye. Mayor declared executive session closed at 10:05 p.m.

Motion by Olson second Serr to hire Colt Mayfield as a part-time paramedic at \$12.00. Upon roll call vote, all members present voted aye. Motion carried.

Motion by West second Gregg to issue Greg Stack a \$3,000 annual raise effective 7/1/12 and to confer the duties of public works director to him. Upon roll call vote, five members voted aye, one voted nay. Motion carried.

Motion by Serr second Gregg to table attorney retainer agreement. Upon voice vote, all members present voted aye. Motion carried.

Motion by Gregg second West to adjourn. Mayor declared meeting adjourned at 10:13 p.m.

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Mayor Orville Wiebers

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Attest:

David Schonhardt, Finance Officer