

December 02, 2002

The City Council of Buffalo, IA, met on December 02, 2002, at 6:02 p.m. with Mayor ProTem Betty Walters presiding. Mayor Ted Teel was absent. Councilmembers present were Dana Jo Smith, Cathy Stowe, Larry Thein and Betty Walters. Absent, Kent Roe.

The Pledge of Allegiance was given.

Motion was made by Stowe and Thein to approve the minutes of November 04, 19 and 25. All ayes. Carried.

Motion was made by Thein and Smith to approve payment of the bills. All ayes. Carried. Discussion was held on Ordinance #381, "AN ORDINANCE REZONING PROPERTY FROM "A" COUNTRY HOME TO "B" SINGLE FAMILY DWELLING DISTRICT." This is for property owned by Bill Sheeder. The public hearing was held and the Zoning Board recommends approval. Motion was made by Stowe and Thein to approve the first reading. Voting yes were Stowe, Thein, Smith & Walters. Absent, Roe. Carried. Motion was made by Thein and Stowe to waive the second and third readings and adopt Ordinance #381. Voting yes were Walters, Smith, Stowe and Thein. Absent, Roe. Motion carried.

Discussion was held on Ordinance #382, "AN ORDINANCE REZONING PROPERTY FROM "A" COUNTRY HOME TO "F" CENTRAL BUSINESS DISTRICT." This is for property owned by Chris & Lisa Westfphal. The public hearing was held and the Zoning Board recommends approval. Motion was made by Thein and Stowe to approve the first reading. Voting yes were Smith, Thein, Stowe and Walters. Absent, Roe. Motion carried. Motion was made by Stowe and Walters to waive the second and third readings and adopt Ordinance #382. Voting yes were Smith, Thein, Stowe and Walters. Absent, Roe. Motion carried.

There was discussion concerning the request of Sandy Anderson for a variance to divide a large lot on Franklin Street into two lots, one of which would be a few feet short of the required street width, but larger than the total required square footage. The public hearing was held and the Board of Adjustment recommends approval for the variance. No one present had any objection to the variance.

Motion was made by Thein and Stowe to table a resolution for the Buffalo School Subdivision final plat, as the legal description has not been received from the school. All voted to table until the final plat is received. Carried.

The Community Center report was given by Lynn Kinkennon, representing the Community Center Commission. She said the month of December the building is not used for bingo. Thein asked about her report for November, but she has not received the bank statement and will put it in their mailboxes when it is ready.

The Community Center Commission and the Committee met to work on their contract for renting the building and copies were given to the Council. Motion was made by Stowe and Thein to pass the contract as is at the present time, but to possibly amend it later. All present voted yes. Carried.

Mayor ProTem Walters asked permission to use \$600 from the flood fund that is left from donations received from the 1993 flood. She said there is a large balance in the bank for this fund, and in the past, they have used some to purchase toys for children that may not have much during the holidays. Signup is until December 11, and they will be given out on December 18. Motion was made by Stowe and Smith to allow Walters to do this. All present voted yes. Carried.

The police report was given by Gage Adams, Chief. He reported on the traffic enforcement checks they have been holding in different areas of the City, and vandalism to the school.

Motion was made by Stowe and Thein to approve renewal of E Z Way beer license. All ayes. Carried.

Motion was made by Thein and Smith to donate \$100.00 from the option tax funds as a contribution to the Seniors Light Bus Trip. All ayes. Carried.

Four bids were received for the 1995 squad car that was advertised. Bids ranged from \$2539.00 down to \$1425.00. Motion was made by Thein and Stowe to award to the highest bidder for \$2539.00 by the name of Paul Malik. All present voted yes. Carried.

Dwain Bollman, Public Works Director, was ill and <sup>not</sup> present to give his report. City Clerk, Carol Bernauer, said a list was drawn up of residents that have abandoned appliances, furniture, piles of garbage and trash, that have accumulated in the past months, as was discussed at a previous meeting. Motion was made by Stowe and Walters to send certified letters to the names on the list, giving them ten (10) days to clean up the problems or have the City employees do it and bill it to the property owners taxes for any and all expenses, including labor, equipment and fees. All present voted yes. Carried.

There was discussion of a large walnut tree located in the alley on City property that has caused concern and problems for the neighbors it affects. It is a hazard to the property owners nearby who have requested its removal either by the City or an individual who is experienced in this area. Motion was made by Stowe and Thein for discussion on removal. Thein said for Stowe to be ready for a lot of other people wanting their trees removed if this takes place. She read a section from our code book that she feels covers this removal. Its not the first time the City has removed trees from the City property and it won't be the last time. Voting to remove the tree were Walters, Smith and Stowe. Voting no, Thein. Absent, Roe. Motion carried.

Motion was made by Thein and Stowe to approve Resolution #38-2002, "A RESOLUTION FOR ANNUAL BONUS FOR EMPLOYEES." Voting yes were Smith, Stowe, Walters and Thein. Carried.

The Park Board report was given by Ben Gerischer. He said at their committee meeting, they discussed changing some of mowing contract in the parks when the contract comes due in 2006. He said the railroad is working with us to get some walkways across the tracks but wants to put a vehicle crossing down at Maple Street and close the rest of them in the main part of town. This is not feasible to locate it there, and the railroad people will be contacted about this. The Park Board will meet on December 17 at 6:00 p.m. at City Hall with the Buffalo Trail representatives. The meeting is open to the public.

Stowe discussed the problem of some members of Committees discussing other people and employees when they are having their meetings. Motion was made by Stowe and Thein that when having Committee meetings, only the items on their agendas be discussed and not employees and their job performance. All present voted yes. Carried.

Smith discussed a problem she and some of her neighbors have had to deal with concerning animal and bird droppings being placed on their properties in large amounts. Some of the neighbors having the same problem and spoke to the Council were Hutchison, Farnum and Goodrick. Smith showed some photos she has taken of the piles of litter and waste that was dropped on and over the fences. Motion was made by Smith and Thein to have the police department check it out and proceed as needed. All ayes. Carried.

The Treasurers report was not available as the bank statements have not been received. Copies will be placed in the mailboxes. Committee reports have already been covered. There is no Mayors report. No special meetings were scheduled.

Public input was asked for. Sharon Carlson said it would be nice to name an area along the river or park area in honor to Chad Pregracke for the work he has done along the riverfront area. Steve Teel Jr. said he is trying to start up a youth group in Buffalo with a party on Friday night at the Community Center and would like to be exempted from having to pay the \$75.00 rental fee on the building. He said there will be adults present to avoid any problems and the building will be cleaned up before they leave. He said he could pay the \$75.00 but would like to be allowed to have the building at no charge once a week or month to have youth groups meet there and keep them off the streets. He said that taxes paid for the building, which brought comments from several former members of the Commission that tax money did not pay for the building, that fund raising paid for it. The present Commission pays for the expenses of maintaining the building from rent and bingo. As this item was not on the agenda, no action was taken by the Council. Motion was made at 7:40 p.m. to adjourn. All ayes. Carried.

Attest: Carol A. Bernauer  
Carol A. Bernauer, City Clerk, Buffalo, IA

Signed: Betty O. Walters  
Betty O. Walters, Mayor ProTem  
Buffalo, IA

EFTPS, 1832.23; Terminix, 35.00; Interstate Battery, 143.90; K&K Hardware, 17.99; Grass Groomers/The Outhouse, 120.00; Utility Equipment, 1276.46; Matt Parrott and Sons, 543.36; Scott Cty Engineers Office, 1079.42; AT&T, 81.93; Lee Stone, 114.63; City of Buffalo, 91.3 (meter dep. return); IRWA, 225.00; Wal-Mart, 40.86; Kirkwood Community College, 110.00; Batteries Plus, 97.48; Teamsters Local #238, 319.00; U.S. Cellular, 17.54; MidAmerican, 1430.82; Lowe's, 109.11; Esther Smith, 73.50; Cecil Young, 131.25; Treasurer, State of IA, 3524.87; EFTPS, 1752.12; Internet Revealed, 25.00; Meyer Oil, 374.64; Panther Uniforms, 7.50; CarQuest, 24.84; Scott Area Landfill, 41.25; KJWW, 4032.10; Dick-n-Sons, 203.36; Trust-X-QMS, 40.00; Chemsearch, 132.19; Menards, 35.29; City of Buffalo, 183.54, (misc.); Batteries Plus, 80.49; Interstate Supply, 32.94; Signsnow, 260.00; Dale's Body Shop, 547.60; U.S. Cellular, 81.96; First USA Bank, 407.51; Racom, 752.40; Officemax, 39.86; City of Davenport, 139.86; Racom, 432.10; J.A. Reno, 203.53; Hy-Vee, 29.75; Quad-City Times, 145.65; Prairie Waste, 3570.00; Xerox, 17.00; Hach, 198.80; Betz Engraving, 26.00; EFTPS, 1809.10; Builders Sand & Cement, 598.29; Linwood Mining, 97.12; Menards, 26.18; Iowa Firemen Assoc., 240.00; Pitney Bowes, 163.10; Racom, 71.25; QWest, 855.26; AT&T, 15.16; Meyer Oil, 66.08; EFTPS, 1758.13; Gage Adams, 132.66; Treasurer, State of Iowa, 1920.31; IPERS, 2912.21; AT&T, 26.48; Terminix, 35.00; WearGuard, 181.01; Quad-City Times, 102.81; AT&T, 120.70; City of Buffalo, 128.76 (supplies); Treasurer, State of Iowa, 1239.00; Polk Directories, 318.50; Bankers Trust, 15442.50; Delta Dental, 671.21; John Deere Health, 7396.21; US Cellular, 325.79; Veenstra & Kimm, 3321.87; Culligan, 37.25; Quad City Times, 59.97; T.R.A.I.N., 33.00; Office Machine Consultants, 157.82; McCleary Excavating, 17503.00;