

**City of Williamsburg
210 West State Street
PO Box 596
Williamsburg IA 52361**

Regular Session
September 22, 2003
7:30 p.m.

Mayor Armstrong and council members VonAhsen, Phillips, Wanner, Greiner, and Kirkpatrick were present.

The Council received a thank you from the Library thanking the council for waiving the fees for their "Pizza Picnic at the Pool".

The Council received a thank you from Chris Strout from the 2CC/Pony Shop Racing Team for the Council's continued support of the Tour of Williamsburg bicycle race that took place Labor Day weekend.

The Council received a letter from the W4C's informing them that they will be moving their childcare center to Highland Ridge Senior Campus sometime in January or February 2004. They will be selling the building at 223 West Welsh Street. The City has a right of first refusal or option to purchase the building.

The Council received a letter from Greg Stolze, Cross Country Coach for Williamsburg High School, informing them that the School will be hosting two cross country meets at the Sports Complex and would like approval to use Orville Avenue. Mayor Armstrong has an objection to closing Orville Avenue for a cross-country meet.

Gloria Goeke, Williamsburg Quick Responders, informed the council that the vehicle used by them will need to be replaced sometime next year and asked for assistance from the Council.

It was the consensus that the City Council would like to make a decision as soon as possible about the proposed fire department building site. The council needs a determination from Ron Holden as soon as possible to determine what their options are.

The Council received a proposal from MMS Consultants Inc regarding the new fire station site.

1. Motion by VonAhsen and seconded by Greiner to approve the consent agenda:

- a) Minutes of the September 8, 2003 council meeting
- b) Bills as presented
- c) Fast Stop Beer permit

All ayes. Motion carried.

2. Motion by Phillips and seconded by Greiner to authorize the Mayor to sign the application and agreement for use of Highway right of way for Utilities Accommodation for electricity for the south entrance sign. All ayes. Motion carried.

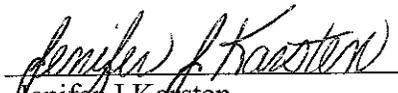
3. Motion by Kirkpatrick and seconded by VonAhsen to open a public hearing at 7:45 p.m to amend city ordinances. All ayes. Motion carried.
4. Motion by Kirkpatrick and seconded by VonAhsen to close the public hearing at 7:47 p.m. All ayes. Motion carried.
5. Motion by Kirkpatrick and seconded by Wanner to approve Ordinance No. 480 – amending and adding provisions pertaining to the conflict of interest. Roll call: ayes; TP, GW, MG, DK, GV. Motion carried.
6. Motion by Phillips and seconded by Kirkpatrick to suspend the rules and that all requirements of considering and voting on said ordinance at one or two council meetings prior to the meeting at which it is finally acted upon be waived and the requirement of publication of said ordinance and making copies available at the time of said publication prior to the passage be waived and that Ordinance No. 480 be immediately considered and voted upon. All ayes. Motion carried.
7. Motion by Phillips and seconded by Kirkpatrick to approve Ordinance No. 481 amending provisions pertaining to tobacco penalties. Roll call: ayes; GW, TP, MG, DK, GV. Motion carried.
8. Motion by Phillips and seconded by Kirkpatrick to suspend the rules and that all requirements of considering and voting on said ordinance at one or two council meetings prior to the meeting at which it is finally acted upon be waived and the requirement of publication of said ordinance and making copies available at the time of said publication prior to the passage be waived and that Ordinance No. 481 be immediately considered and voted upon. All ayes. Motion carried.
9. Motion by Phillips and seconded by VonAhsen to approve Ordinance No. 482 amending provisions pertaining to parking violations: alternate. Roll call: ayes; GV, DK, MG, TP, GW. Motion carried.
10. Motion by Vonahsen and seconded by Wanner to suspend the rules and that all requirements of considering and voting on said ordinance at one or two council meetings prior to the meeting at which it is finally acted upon be waived and the requirement of publication of said ordinance and making copies available at the time of said publication prior to the passage be waived and that Ordinance No. 482 be immediately considered and voted upon. All ayes. Motion carried.
11. Motion by Phillips and seconded by Wanner to approve Ordinance No. 483 amending provisions pertaining to municipal infraction civil penalties. Roll call: ayes: DK, GV, MG, GW, TP. Motion carried.
12. Motion by Wanner and seconded by Greiner to suspend the rules and that all requirements of considering and voting on said ordinance at one or two council meetings prior to the meeting at which it is finally acted upon be waived and the requirement of publication of said ordinance and making copies available at the time of said publication prior to the passage be waived and that Ordinance No. 483 be immediately considered and voted upon. All ayes. Motion carried.
13. Motion by Kirkpatrick and seconded by Greiner to allow the Iowa County Clover Hoppers to sell pumpkins and gourds as a fundraising project on the city right-of-way by Tanger Outlet Center on Saturdays and Sundays from noon – 4:00 p.m. during October. All ayes. Motion carried.

14. Motion by Kirkpatrick and seconded by Greiner to allow Harrison Fish Farm Inc to use the Recreation Center parking lot on October 11 to sell fish. All ayes. Motion carried.

15. Motion by Phillips and seconded by Kirkpatrick to approve Resolution 39-09-03 to approve the form of contract for Feldman Concrete and Notice to Proceed for the 2003 Recreation Area Sidewalks Project. All ayes. Motion carried.

16. Motion by Kirkpatrick and seconded by Wanner to authorize Jenifer Karsten, City Clerk, to purchase equipment for the local access channel not to not exceed \$1000. All ayes. Motion carried.

17. Motion by Wanner and seconded by Phillips to adjourn at 8:41 p.m. All ayes. Motion carried.


Jenifer J Karsten
City Clerk/Treasurer


Murray Armstrong, Mayor

DATE 9/18/2003

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

REC CNTR

PAGE 2

2.20

DATE 9/18/2003

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

PAGE 3

GRAND TOTALS

EXPENDED
29,973.83

LIQUID

ACCRUAL

RECAP TOTALS
FUND TOTALS
001 GENERAL
002 RECREATION
003 LIBRARY
110 ROAD USE TAX
600 WATER
610 SEWER

EXPENDED
15,264.35
3,996.38
1,858.44
2,116.32
3,264.97
3,473.37
29,973.83

LIQUID

ACCRUAL

ORDINANCE NO. 480

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WILLIAMSBURG, IOWA, 1997, BY AMENDING AND ADDING PROVISIONS PERTAINING TO THE CONFLICT OF INTEREST

Be It Enacted by the City Council of the City of Williamsburg, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 4 of Section 5.07 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

4. Stock Interests. Contracts in which a City officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in subsection 8 of this section, or both, if the contracts are made by competitive bid in writing, publicly invited and opened, or if the remuneration of employment will not be directly affected as a result of the contract and the duties of employment do not directly involve the procurement or preparation of any part of the contract. The competitive bid qualification of this subsection does not apply to a contract for professional services not customarily awarded by competitive bid.

(Code of Iowa, Sec. 362.5[5])

SECTION 2. SUBSECTION ADDED. The Code of Ordinances of the City of Williamsburg, Iowa, 1997, is amended by adding a new Subsection 12 to Section 5.07, which is hereby adopted to read as follows:

12. Third Party Contracts. A contract that is a bond, note or other obligation of the City and the contract is not acquired directly from the City, but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser or obligee of the contract.

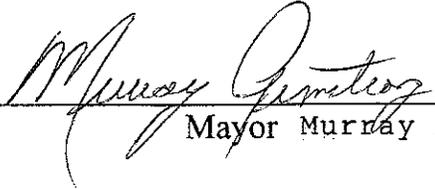
(Code of Iowa, Sec. 362.5[13])

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 22nd day of September, 2003, and approved this 22nd day of September, 2003.



Mayor Murray Armstrong

ATTEST:



City Clerk Jenifer J Karsten

First Reading: 9/22/03

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 480 on the
25th day of September, 2003.



City Clerk Jenifer J Karsten

ORDINANCE NO. 481

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WILLIAMSBURG, IOWA, 1997, BY AMENDING PROVISIONS PERTAINING TO TOBACCO PENALTIES

Be It Enacted by the City Council of the City of Williamsburg, Iowa:

SECTION 1. SECTION MODIFIED. Section 160.07 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

160.07 PERSONS UNDER LEGAL AGE. No person shall sell, give or otherwise supply any tobacco, tobacco products or cigarettes to any person under eighteen (18) years of age. The provision of this section includes prohibiting a minor from purchasing cigarettes or tobacco products from a vending machine. If a retailer or employee of a retailer violates the provisions of this section, the Council shall, after written notice and hearing, and in addition to the other penalties fixed for such violation, assess the following:

1. For a first violation, the retailer shall be assessed a civil penalty in the amount of three hundred dollars (\$300.00). Failure to pay the civil penalty as ordered under this subsection shall result in automatic suspension of the permit for a period of fourteen (14) days.
2. For a second violation within a period of two (2) years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00) or the retailer's permit shall be suspended for a period of thirty (30) days. The retailer may select its preference in the penalty to be applied under this subsection.
3. For a third violation within a period of three (3) years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00) and the retailer's permit shall be suspended for a period of thirty (30) days.
4. For a fourth violation within a period of three (3) years, the retailer shall be assessed a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00) and the retailer's permit shall be suspended for a period of sixty (60) days.
5. For a fifth violation within a period of four (4) years, the retailer's permit shall be revoked.

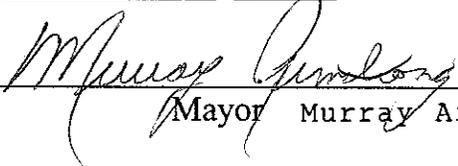
The Clerk shall give ten (10) days' written notice to the retailer by mailing a copy of the notice to the place of business as it appears on the application for a permit. The notice shall state the reason for the contemplated action and the time and place at which the retailer may appear and be heard.

(Code of Iowa, Sec. 453A.2, 453A.22 and 453A.36[6])

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 22nd day of September, 2003, and approved this 22nd day of September, 2003.



Mayor Murray Armstrong

ATTEST:



City Clerk Jenifer J Karsten

First Reading: 9/22/03

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 481 on the 25th day of September, 2003.



City Clerk Jenifer J Karsten

ORDINANCE NO. 482

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WILLIAMSBURG, IOWA, 1997, BY AMENDING PROVISIONS PERTAINING TO PARKING VIOLATIONS: ALTERNATE

Be It Enacted by the City Council of the City of Williamsburg, Iowa:

SECTION 1. SECTION MODIFIED. Section 70.03 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

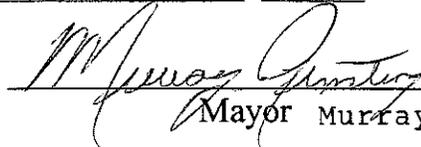
70.03 PARKING VIOLATIONS: ALTERNATE. Admitted violations of parking restrictions imposed by this Code of Ordinances may be charged upon a simple notice of a fine payable at the office of the City Clerk. The simple notice of a fine shall be in the amount of five dollars (\$5.00) for all violations except snow route parking violations and improper use of a persons with disabilities parking permit. If such fine is not paid within thirty (30) days, it shall be increased by five dollars (\$5.00). The simple notice of a fine for snow route parking violations is twenty-five dollars (\$25.00), and the simple notice of a fine for improper use of a persons with disabilities parking permit is one hundred dollars (\$100.00). Failure to pay the simple notice of a fine shall be grounds for the filing of a complaint in District Court.

(Code of Iowa, Sec. 321.236 [1a] & 321L.4[2])

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

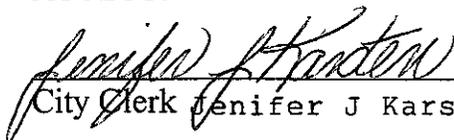
SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 22nd day of September, 2003, and approved this 22nd day of September, 2003.



Mayor Murray Armstrong

ATTEST:



City Clerk Jennifer J Karsten

First Reading: 9/22/03

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 482 on the
25th day of September, 2003



City Clerk Jenifer J Karsten

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WILLIAMSBURG, IOWA, 1997, BY AMENDING PROVISIONS PERTAINING TO MUNICIPAL INFRACTION CIVIL PENALTIES

Be It Enacted by the City Council of the City of Williamsburg, Iowa:

SECTION 1. SUBSECTION MODIFIED. Subsection 1 of Section 4.03 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

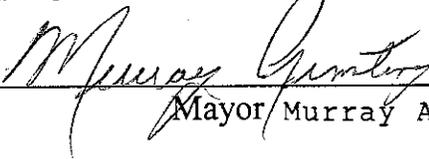
1. Standard Civil Penalties.
 - A. First Offense - Not to exceed \$750.00
 - B. Each Repeat Offense - Not to exceed \$1,000.00

Each day that a violation occurs or is permitted to exist constitutes a repeat offense.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

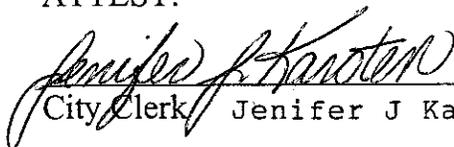
SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 22nd day of September, 2003, and approved this 22nd day of September, 2003.



Mayor Murray Armstrong

ATTEST:



City Clerk Jenifer J Karsten

First Reading: 9/22/03

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 483 on the 25th day of September, 2003.



City Clerk Jenifer J Karsten