

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

Regular Session
September 12, 2005
7:30 p.m.

Mayor pro-tem Kirkpatrick and council members Phillips, Lortz, and Greiner were present. Wanner and Mayor Armstrong were absent.

The Council received the August 2005 Police Department report.

The Council received the August 2005 Recreation Department report.

The Council received a letter from Ron Holden on behalf of the Sesquicentennial Committee.

The Council received the August 2005 Public Works Department report.

The Council received the revised Municipal Design Standards from VJ Engineering.

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

- (a) Minutes of the August 22, 2005 council meeting
 - (b) Bills as presented
 - (c) Treasurer's report
 - (d) Fast Stop Beer permit
 - (e) Sundown Lounge Liquor license (contingent upon all papers being in order)
- All ayes. Motion carried.

2. Motion by Phillips and seconded by Greiner to approve Resolution No. 76-09-05 hiring additional Recreation Center staff. Roll call: ayes; TP, PL, MG, DK, absent; GW. Motion carried.

3. Motion by Greiner and seconded by Lortz to authorize Acco to paint the pool at a cost of \$14,800. All ayes. Motion carried.

4. Motion by Lortz and seconded by Greiner to set a public hearing at 7:45 p.m. on Monday, September 26, 2005 to amend the parking ordinance. All ayes. Motion carried.

5. Motion by Phillips and seconded by Lortz to open a public hearing at 7:45 p.m. to amend the abandoned vehicle and snowmobile ordinances. All ayes. Motion carried.

6. Motion by Lortz and seconded by Greiner to close the public hearing at 7:50 p.m. All ayes. Motion carried.

7. Motion by Phillips and seconded by Greiner to approve Ordinance No. 499 amending the abandoned vehicle ordinance and Ordinance No. 500 amending the snowmobile ordinance. Roll call: ayes; TP, PL, MG, DK, absent; GW. Motion carried.

8. Motion by Phillips 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

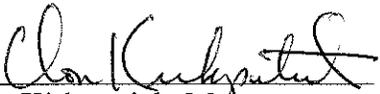
waived and the requirement of publication of said ordinance and making copies available at the time of said publication prior to the passage be waived and that Ordinance No. 499 and 500 be immediately considered and voted upon. Roll call: ayes; TP, PL, MG, DK, absent; GW. Motion carried.

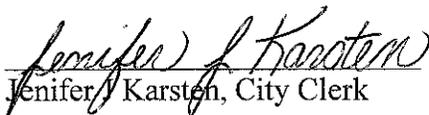
9. Motion by Phillips and seconded by Lortz to allow Buck Reinhart and Ray Garringer to fill their ditch on Welsh Street between Short Street and West Street with the inspection of the Public Works Director. All ayes. Motion carried.

10. Motion by Lortz and seconded by Greiner to approve the Landa Painting proposal for a three-year contract to re-stripe the existing lines around the city square, the Recreation and Aquatic Centers. All ayes. Motion carried.

11. Motion by Phillips and seconded by Lortz to approve the proposal from Iowa Mobile Concrete to repair the street at 400 Hampton Drive at a cost of 3,762.00. All ayes. Motion carried.

12. Motion by Lortz and seconded by Greiner to adjourn at 9:00 p.m. All ayes. Motion carried.


Don Kirkpatrick, Mayor pro-tem


Jennifer Karsten, City Clerk

ACCO				930.60
ACE HARDWARE INC				334.78
ADVANCED WATER TECHNOLOG				399.04
ADVENTURELAND				1,180.00
ALLIANT ENERGY				20,364.45
APEX OFFICE SUPPLY				20,201.83
ARK PEST CONTROL				40.00
<i>COX SANITATION</i>				4,250.00
AVALON NETWORKS INC				16.00
AVERY, JOHN				34.90
BELLAND PLUMBING & HEATI				169.49
BIBLIOGRAPHICAL CENTER				40.00
CASEYS GENERAL STORE				313.83
CCRF/LATHAM & ASSOCIATES				250.00
CEDAR RAPIDS GAZETTE				400.31
CEDAR RAPIDS WELDING				170.00
CHARLES CAPPER FORD INC				168.95
CLUBB, DELBERT				9.30
CLUBB, RALPH				34.65
COX SANITATION & RECYCLI				69.44
				14.60
				111.20
				217.32
				209.99
				141.15
				3,125.00
				15.50
				72.00
				150.00
DELTA DENTAL PLAN OF IOW				1,315.02
DES MOINES REGISTER				1,117.00
DONS JOHNS				75.00
DORSEY & WHITNEY				4,489.75
ECKENROD, TRACI				49.30
EMC INSURANCE CO				53.49
GRAND SLAM SPORTS				5,240.65
HANSON LIBRARY PETTY CAS				70.62
HARTNETT, MARK				93.94
HAWKINS INC				26.46
HVVEE FOOD STORES INC				391.00
INGRAM BOOK COMPANY				19.10
IOWA COMMUNICATIONS NETW				1,276.00
IOWA COUNTY RECORDER				7.62
				17.00
				12.00
				7.00
				7.00
IOWA COUNTY SHERIFF				17.00
IOWA COUNTY TIRE & SERVI				110.78
IOWA MOBILE CONCRETE				142.88
IOWA PAPER & CHEMICAL				40,964.00
IOWA PRISON INDUSTRIES				256.53
IOWA SPORTS SUPPLY INC				27.36
				177.21
#0505532 CHLORINE				
SUPPLIES				
#24894 POLYQUEST				
59 TICKETS				
UTILITY BILLS				
#3957630 REC CTR				
PEST CONTROL 2366,2365,2				
25 RECYCLING CARTS				
SPORTS COMPLEX				
CITY WEB SITE/FIRE DEPT				
INS. REIMB				
FRAN MUNSON FAUCET REPAI				
REC CTR MOTOR REPLACEMENT				
#106314 LIBRARY SUPPLIES				
POLICE GAS/POOL PIZZAS				
ALLIANT RATE INCREASE WO				
LIBRARY				
#112558 SUPPLIES				
POLICE TAHOE OIL CHANGE				
F350 4X4 REPAIR				
POLICE IMPALA OIL CHANGE				
INS. REIMB.				
INS. REIMB				
CLOTHING ALLOWANCE				
INS. REIMB./CLOTHING ALL				
1ST 1/2 9/05 ALLOCATION				
CITY HALL				
RECREATION CTR				
AQUATIC CTR				
9/05 PREMIUM				
LIBRARY				
#421217 WEST END POND				
2005 BOND WORK				
INS REIMB				
TAX REIMB				
150 YRS T-SHIRTS				
LIBRARY POSTAGE				
DRUG REIMB				
CLOTHING ALLOWANCE				
#740053 CHLORINE				
KEEGAN MEALS/FIREARMS SC				
LIBRARY BOOKS/VIDEOS				
LIBRARY				
RES 73-08-05 ANNEXATION				
HEITSHUSEN EASEMENT				
WESTCOTT BD OF ADJ				
ORD 498 I-80 SPEED				
E-CITY SIGN EASEMENT				
TRUNK SEWER CONDEMNATION				
TIRES 87 FORD TRUCK				
PAY REQ #3 SOUTH ST PROJ				
#69306 REC CTR				
#360712				
#63346 REC CTR TOWELS				

IOWA TELECOM	#632258 SOCCER SUPPLIES	260.36
J & S FARM SUPPLY	PHONE BILL	1,217.43
KEEGAN, BILL	HERBICIDE	72.50
KESSLERS TEAM SPORTS INC	FIRE ARMS SCHOOL	104.49
KEYSTONE LABORATORIES	#J0748 SOCCER EQUIPMENT	180.35
KLIESNER, HEATHER OR CHRI	#2501982 H2O TESTS	67.00
KRUSE CONSTRUCTION	SOCCER REFUND	105.00
LAREYS	500 STATE TREE REMOVAL	1,980.00
	#33148 CITY HALL	53.87
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	#42529 STREET PATCH	79.24
LL PELLING CO INC	REC MAINT.	54.69
MINOLTA - DIV KMBS USA	PUBLISHING FEES	807.71
MPC NEWSPAPERS	GAS	1,993.68
MULTI COUNTY OIL	H2O SUPPLIES	115.44
NATIONAL WATERWORKS INC	POLICE CELL BILL	7.99
NEXTEL PARTNERS	MAIL BOX DAMAGE REVIEW	112.50
NIDEX PETERSON ERDAHY &	#9428334, 9303871, 9347301	177.07
OUTILL CORP	POLICE	43.62
OWEST	LIBRARY PERIODICALS	26.23
FRADDERS DIGEST ASSOC INC	REPAIR TRAFFIC LIGHTS	467.88
ROBERT NEWKIRK ELECTRIC	AQUATIC REPAIR	1,120.28
	SHOP FAN REPAIR	381.56
	WWTP SCRAPER REPAIR	148.34
	AERATION FAN REPAIR	805.65
	PREV.MAINT. REC EQUIPMEN	200.00
	#561173 H2O SUPPLIES	635.35
	PARKS	822.92
	LIBRARY SUPPLIES	169.73
	LIBRARY BOOKS	12.00
	PAY REQ#2 S.TRUNK SEWER	218,470.55
	FIRE STA. SERVICES	323.75
	#4038280007	550.80
	POLICE CELL PHONES	49.97
	UTILITY BILLS	892.69
	PARKS WEED CONTROL	50.00
	SP.COMPLEX MOWING/WEED C	3,736.75
	REC CTR WEED CONTROL/MOW	590.50
	AQUATIC WEED CONTROL/MOW	430.60
	WEED CONTROL H2O	85.00
	LIFT STATIONS WEED CONTR	480.00
	TREES REMOVED/E.SEWER PR	75.00
	#15209 AQUATIC	786.45
	#15381 AQUATIC	16.27
	PHONE BILL	85.36
	BOARD/DOG	18.00
	7/16-7/31 SOUTH ST	637.00
	7/16-7/31 STATE ST PROJ	7,971.50
	8/1-8/15 STATE ST PROJ.	5,347.50
	8/1-8/15 SOUTH ST PROJ	1,586.00
	7/15-8/15 FIRE STATION	1,181.00
	COUNCIL MEETINGS	1,040.00
	FIRE RIDGE DR LEGAL DESC	34.00
	E.STATE SEWER EASEMENT	112.50
TOWN & COUNTRY WHOLESAL		
US CELLULAR		
VETERINARY MEDICAL CENTE		
VJ ENGINEERING		

DATE 9/09/2005

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

PAGE

3

WALL STREET JOURNAL	
WESTRUM LEAK DETECTION I	
WILLIAMSBURG CARQUEST	
WILLIAMSBURG FOODS	
WINEGARDEN, NICHOLE	
ZIMMERMAN, MICHAEL	
FIRE STA.H2O EXTENSION	452.00
NORTH ST SEWER MAIN	722.00
LIBRARY	215.00
LEAK LOCATE ON ELM ST	1,300.00
SUPPLIES	1,127.61
SUPPLIES	135.03
INS. REIMB.	30.21
PREP FIELDS	40.00

DATE 9/09/2005

CITY OF WILLIAMSBURG
CLAIMS REGISTER REPORT

PAGE 4

EXPENDED 348,215.29
LIQUID ACCRUAL

GRAND TOTALS

	EXPENDED	LIQUID	ACCRUAL
RECAP TOTALS			
FUND TOTALS			
001 GENERAL	13,413.70		
002 RECREATION	19,436.21		
003 LIBRARY	2,948.25		
006 HISTORICAL COMMISSION	5,240.65		
110 ROAD USE TAX	9,000.80		
300 CAPITAL IMPROVEMENTS	5,399.25		
302 SOUTH ST PROJECT - COURT TO ELM	43,187.00		
305 2004 FIRE STATION SITE PROJECT	1,990.75		
306 2004 TRUNK SEWER PROJECT	218,593.33		
307 STATE ST PROJECT - ELM TO WILSON	13,359.00		
600 WATER	9,821.66		
610 SEWER	5,824.69		
****	348,215.29		

Thomas P. ...

John A. ...

marcia ...

...

ORDINANCE NO. 499

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

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

SECTION 1. CHAPTER MODIFIED. Chapter 141 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

CHAPTER 141

ABANDONED VEHICLES

141.01 Definitions

141.02 Authority to Take Possession of Abandoned Vehicles

141.03 Notice by Mail

141.04 Notification in Newspaper

141.05 Fees for Impoundment

141.06 Disposal of Abandoned Vehicles

141.07 Disposal of Totally Inoperable Vehicles

141.08 Proceeds from Sales

141.09 Duties of Demolisher

141.01 DEFINITIONS. For use in this chapter the following terms are defined:

(Code of Iowa, Sec. 321.89[1])

1. "Abandoned vehicle" means any of the following:
 - A. A vehicle that has been left unattended on public property for more than twenty-four (24) hours and lacks current registration plates or two (2) or more wheels or other parts which renders the vehicle totally inoperable.
 - B. A vehicle that has remained illegally on public property for more than twenty-four (24) hours.
 - C. A vehicle that has been unlawfully parked or placed on private property without the consent of the owner or person in control of the property for more than twenty-four (24) hours.
 - D. A vehicle that has been legally impounded by order of a police authority and has not been reclaimed for a period of ten (10) days. However, a police authority may declare the vehicle abandoned within the ten-day period by commencing the notification process.

E. Any vehicle parked on the highway determined by a police authority to create a hazard to other vehicle traffic.

F. A vehicle that has been impounded pursuant to Section 321J.4B of the Code of Iowa by order of the court and whose owner has not paid the impoundment fees after notification by the person or agency responsible for carrying out the impoundment order.

2. "Demolisher" means a person licensed under Chapter 321H of the Code of Iowa whose business it is to convert a vehicle to junk, processed scrap or scrap metal, or otherwise to wreck, or dismantle vehicles.

3. "Police authority" means the Iowa state patrol or any law enforcement agency of a county or city.

141.02 AUTHORITY TO TAKE POSSESSION OF ABANDONED VEHICLES. A police authority, upon the authority's own initiative or upon the request of any other authority having the duties of control of highways or traffic, shall take into custody an abandoned vehicle on public property and may take into custody any abandoned vehicle on private property. The police authority may employ its own personnel, equipment and facilities or hire a private entity, equipment and facilities for the purpose of removing, preserving, storing, or disposing of abandoned vehicles. If a police authority employs a private entity to dispose of abandoned vehicles, the police authority shall provide the private entity with the names and addresses of the registered owners, all lienholders of record, and any other known claimant to the vehicle or the personal property found in the vehicle.

(Code of Iowa, Sec. 321.89[2])

141.03 NOTICE BY MAIL. The police authority or private entity that takes into custody an abandoned vehicle shall notify, within twenty (20) days, by certified mail, the last known registered owner of the vehicle, all lienholders of record, and any other known claimant to the vehicle or to personal property found in the vehicle, addressed to the parties' last known addresses of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model and vehicle identification number of the vehicle, describe the personal property found in the vehicle, set forth the location of the facility where the vehicle is being held, and inform the persons receiving the notice of their right to reclaim the vehicle and personal property within ten (10) days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of the notice. The notice shall also state that the failure of the owner, lienholders or claimants to exercise their right to reclaim the vehicle or personal property

within the time provided shall be deemed a waiver by the owner, lienholders and claimants of all right, title, claim and interest in the vehicle or personal property and that failure to reclaim the vehicle or personal property is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher and to disposal of the personal property by sale or destruction. The notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or property by the police authority or private entity or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. If the persons receiving the notice do not ask for a hearing or exercise their right to reclaim the vehicle or personal property within the ten-day reclaiming period, the owner, lienholders or claimants shall no longer have any right, title, claim, or interest in or to the vehicle or the personal property. A court in any case in law or equity shall not recognize any right, title, claim, or interest of the owner, lienholders or claimants after the expiration of the ten-day reclaiming period.

(Code of Iowa, Sec. 321.89[3a])

141.04 NOTIFICATION IN NEWSPAPER. If it is impossible to determine with reasonable certainty the identity and addresses of the last registered owner and all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned shall be sufficient to meet all requirements of notice under Section 141.03. The published notice may contain multiple listings of abandoned vehicles and personal property but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in Section 141.03.

(Code of Iowa, Sec. 321.89[3b])

141.05 FEES FOR IMPOUNDMENT. The owner, lienholder or claimant shall pay three dollars (\$3.00) if claimed within five (5) days of impounding, plus one dollar (\$1.00) for each additional day within the reclaiming period plus towing charges if stored by the City, or towing and storage fees, if stored in a public garage, whereupon said vehicle shall be released. The amount of towing charges, and the rate of storage charges by privately owned garages, shall be established by such facility.

(Code of Iowa, Sec. 321.89[3a])

141.06 DISPOSAL OF ABANDONED VEHICLES. If an abandoned vehicle has not been reclaimed as provided herein, the police authority or private entity shall make a determination as to whether or not the motor vehicle should be sold for use upon the highways, and shall dispose of the motor vehicle in accordance with State law.

(Code of Iowa, Sec. 321.89[4])

141.07 DISPOSAL OF TOTALLY INOPERABLE VEHICLES. The City or any person upon whose property or in whose possession is found any abandoned motor vehicle, or any person being the owner of a motor vehicle whose title certificate is faulty, lost or destroyed, may dispose of such motor vehicle to a demolisher for junk, without a title and without notification procedures, if such motor vehicle lacks an engine or two (2) or more wheels or other structural part which renders the vehicle totally inoperable. The police authority shall give the applicant a certificate of authority. The applicant shall then apply to the County Treasurer for a junking certificate and shall surrender the certificate of authority in lieu of the certificate of title.

(Code of Iowa, Sec. 321.90[2e])

141.08 PROCEEDS FROM SALES. Proceeds from the sale of any abandoned vehicle shall be applied to the expense of auction, cost of towing, preserving, storing and notification required, in accordance with State law. Any balance shall be held for the owner of the motor vehicle or entitled lienholder for ninety (90) days, and then shall be deposited in the State Road Use Tax Fund. Where the sale of any vehicle fails to realize the amount necessary to meet costs the police authority shall apply for reimbursement from the Department of Transportation.

(Code of Iowa, Sec. 321.89[4])

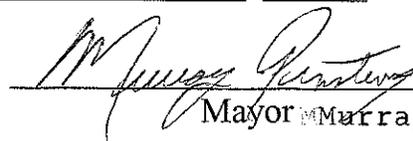
141.09 DUTIES OF DEMOLISHER. Any demolisher who purchases or otherwise acquires an abandoned motor vehicle for junk shall junk, scrap, wreck, dismantle or otherwise demolish such motor vehicle. A demolisher shall not junk, scrap, wreck, dismantle or demolish a vehicle until the demolisher has obtained the junking certificate issued for the vehicle.

(Code of Iowa, Sec. 321.90[3a])

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.

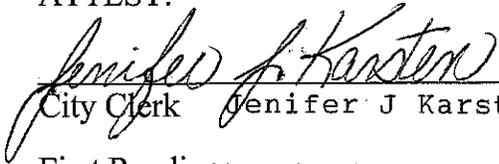
SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 12th day of September, 2005, and approved this 12th day of September, 2005.



Mayor Murray Armstrong

ATTEST:


City Clerk Jenifer J Karsten

First Reading: 9/12/05

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 499 on the
15th day of September, 2005.


City Clerk Jenifer J Karsten

ORDINANCE NO. 500

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WILLIAMSBURG, IOWA, 1997, BY AMENDING THE DEFINITION OF A SNOWMOBILE

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

SECTION 1. SUBSECTION MODIFIED. Subsection 2 of Section 80.02 of the Code of Ordinances of the City of Williamsburg, Iowa, 1997, is repealed and the following adopted in lieu thereof:

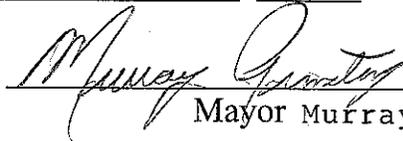
2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread with a width of forty-eight (48) inches or less, or any combination of runners, skis or tread, and is designed for travel on snow or ice. "Snowmobile" does not include an all-terrain vehicle which has been altered or equipped with runners, skis, belt-type tracks or treads.

(Code of Iowa, Sec. 321G.1[18])

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 12th day of September, 2005 and approved this 12th day of September, 2005.



Mayor Murray Armstrong

ATTEST:

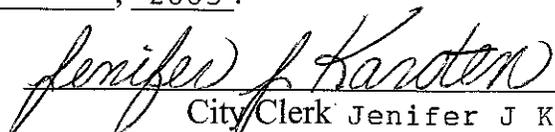
City Clerk Jenifer J Karsten

First Reading: 9/12/05

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 500 on the 15th day of September, 2005.



City Clerk Jenifer J Karsten

Resolution No. 76-09-05

Resolution hiring employees for the Recreation Department.

WHEREAS, Traci Eckenrod, Recreation Director, made a request to hire additional employees; and

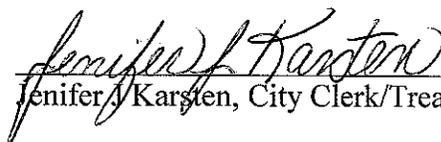
WHEREAS, we Mayor Armstrong and Jenifer J Karsten, City Clerk/Treasurer of the City of Williamsburg, Iowa do hereby certify that the foregoing Resolution was adopted (introduced by Phillips and seconded by Greiner), roll call: ayes; TP, PL, MG, DK, absent; GW) by the City Council of the City of Williamsburg, Iowa, at a meeting held on the 12th day of September 2005, four members of the council present;

NOW THEREFORE, It is Resolved by the City Council of the City of Williamsburg, Iowa, as follows:

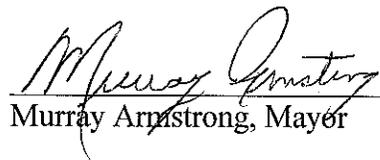
Section 1. The Williamsburg City Council approves hiring Jennifer Wehr as an aerobics instructor at the rate of \$13.00 per hour and Danielle Wauters as an aerobics instructor at the rate of \$13.00 per hour and front desk help at the rate of \$7.50 per hour at the Recreation Center.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved September 12, 2005.



Jenifer J. Karsten, City Clerk/Treasurer



Murray Armstrong, Mayor