

May 5, 2010

The governing body met in regular session at 7:30 p.m., May 5, 2010 in the councilroom. Mayor Joe Mitchell and councilmembers Bob Claas, Galen Niehues, Steve Bennett and Jim Mitchell were present. Ray Shinn arrived at 7:50 p.m. Bruce Hermesch arrived at 8:15 p.m. Also present were City Administrator Tami Dandliker, Richard Massieon, Brian Rusche, Chief of Police Brent Schulte, Doug Hammes and Rhonda Hammes and reporters Matt Diehl, Heidi Wolfgang and Jim Copeland.

Galen Niehues moved and Jim Mitchell seconded a motion to approve the minutes of the April 21, 2010 regular council meeting. All four voted aye.

There were three bids received for a new backhoe. The bids are as follows: Base Price, 2WD, Standard Stick: Victor L. Phillips - \$62,324.00; Sellers Equipment - \$74,548.00 and CAT - \$71,657.92; With 4WD and Extendahoe: Victor L. Phillips - \$70,932.00; Sellers Equipment - \$75,598.00; and CAT - \$71,657.92; with a trade allowance of \$9,000.00 – Victor L. Phillips; \$9,695.00 – Sellers Equipment and \$8,500.00 – CAT. Bob Claas moved and Steve Bennett seconded a motion to approve the Backhoe with 4 WD and Extendahoe from Victor L. Phillips at a net cost of \$61,932.00. All four voted aye.

Fire Chief Brian Rusche asked the council for approval for a temporary beer permit for a beer garden at the MDA Party in the Park from 11:00 a.m. to 7:00 p.m. on June 6, 2010. Jim Mitchell moved and Galen Niehues seconded a motion to approve the beer permit. All four voted aye.

Police Chief Brent Schulte was present to request permission to hire Steve Linden as a part time Police Officer at a pay rate of \$14.00 per hour. Steve Bennett moved and Jim Mitchell seconded a motion to approve hiring Steve Linden as a part time Police officer at a rate of \$14.00 per hour. All four voted aye.

Galen Niehues moved and Jim Mitchell seconded a motion to approve Change Order No. 2 to the contract with Charlie's Construction for the Water Distribution systems Improvement Project in the net amount of \$24,580.78 to be paid from RLF proceeds. All four voted aye.

Jim Mitchell moved and Steve Bennett seconded a motion to approve Pay Request #3 in the amount of \$27,193.30 as submitted by Charlie's Construction for work and materials for the Water Distribution System Improvements project. All four voted aye.

Ray Shinn arrived at 7:50 p.m.

Steve Bennett moved and Bob Claas seconded a motion to approve Appropriation Ordinance No. 1268, paying all bills. All five voted aye.

Bruce Hermesch arrived at 8:15 p.m.

At 8:20 p.m., Galen Niehues moved and Ray Shinn seconded a motion to go into executive session for fifteen minutes on personnel/appointments. All six voted aye.

At 8:35 p.m., Bob Claas moved and Bruce Hermesch seconded a motion to go into executive session for another ten minutes. All six voted aye.

At 8:45 p.m., the regular council meeting reopened.

Mayor Joe Mitchell announced his appointments for the 2010 – 2011 year.

Jane Strathman as City Clerk – All six voted aye.

Brent Schulte as Police Chief – All six voted aye.

Bill Huerter as Zoning Administrator – All six voted aye.

Steve Deiter as Municipal Judge – All six voted aye.

Martin Mishler as City Attorney – Jim Mitchell, Ray Shinn and Galen Niehues voted aye, while Steve Bennett, Bruce Hermesch and Bob Claas voted naye. Mayor Joe Mitchell voted aye to break the tie vote.

Ray Shinn moved and Jim Mitchell seconded a motion to approve the proposal for services received from Martin Mishler. Ray Shinn, Jim Mitchell and Galen Niehues voted aye, while Bob Claas, Bruce Hermesch and Steve Bennett voted naye. Mayor Joe Mitchell voted aye to break the tie vote.

Jim Mitchell moved and Ray Shinn seconded a motion to approve Resolution No. 050510 concerning salaries and wages of certain employees, appointed officers and elected officials. Five voted aye, while Bruce Hermesch voted naye.

Galen Niehues moved and Jim Mitchell seconded a motion to adjourn the meeting at 9:00 p.m. All six voted aye.

Jane F. Strathman  
City Clerk