

**EVERLY CITY COUNCIL
MINUTES OF AUGUST 17, 2009**

The Everly City Council held their regular council meeting on Monday, August 17, 2009 at the Everly City Hall. Mayor Bud Meyer called the meeting to order at 7:33 pm. Council members present were Jeannett Trojahn, Ron Thompson, Cathy Adkins, Jon Pausley, and Sheryl Kahl. Also present Kate Rice, City Clerk; Deputy Bellis; and Dennis Cmelik, City Attorney.

C. Adkins noted that a change needed to be made to the 7/20/09 minutes. It was recorded that she voted on Resolution No. 2009-19, she had actually abstained from voting. A motion to approve the consent agenda, with the correction to the minutes, was made by J. Trojahn and seconded by R. Thompson. Voting aye: all, voting nay: none.

Resolution No. 2009-20 Approving and Authorizing Employees to use City Credit Card Issued by Northwest Bank for D. Johnson, Bar Manager, with a credit limit of \$300.00 was presented. Motion by J. Trojahn and seconded by R. Thompson to approve Resolution No. 2009-20 was made. Voting Aye: Trojahn, Kahl, Thompson, Pausley, Voting Nay: none. Abstaining: Adkins.

The Mayor welcomed our new City Attorney Dennis Cmelik. Mr. Cmelik gave a brief work history of his practice.

The City Clerk notified the Council that there were at least 14 people still without their pets having licenses. The Mayor stated that not having animals up to date with rabies vaccination is a large hazard. A motion was made by Thompson that the Clerk needs to write one final letter to all in violation giving them 10 days to become compliant or face a municipal infraction which could include \$85.00 in court costs and a penalty ranging from \$65.00-\$500.00 according code. Motion was seconded by Pausley. Voting aye: all. Voting nay: none. Motion carried.

The City's water rates were discussed. By making the proposed increase, of a \$0.100 per one hundred gallons used, the water department may shed its deficit in 2 years. **Ordinance No. 2009-02A Enacting New Water User Fees for the City of Everly** was proposed. It increases the water usage charge by \$0.100 per 100 gallons used. Thompson made a motion for Ordinance No. 2009-02A to be read and placed on file. Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Thompson made a motion to waive the required 3 readings of Ordinance No. 2009-02A. Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Thompson made a motion to approve Ordinance No. 2009-02A. Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Ordinance passed. **Ordinance No. 2009-03A Enacting Utility Rates and User Fees for the City of Everly** was proposed. This ordinance states all the user fees for residents and reflects the new water rates. Thompson made a motion for Ordinance No. 2009-03A to be read and placed on file.

Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Thompson made a motion to waive the required 3 readings of Ordinance No. 2009-03A. Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Thompson made a motion to approve Ordinance No. 2009-03A. Motion was seconded by Adkins. Voting Aye: Thompson, Trojahn, Kahl, Adkins, and Pausley. Voting Nay: none. Motion carried. Ordinance passed.

The City Clerk presented **Resolution No. 2009-21 the Annual Street Report for Everly, Iowa**. It shows funds received and expended from July 1st, 2008 – June 30, 2009 on road related funds. Motion by Trojahn, seconded by Pausley to approve Resolution No. 2009-21 was made. Voting aye: all. Voting Nay: none. Motion carried.

The Mayor talked about the parade truck. It is needed to be switched over to a 12 volt system as the current system is no longer working.

There are 4 council members up for election this November. The Clerk has nomination papers available if they choose to run again.

Being there no further business, meeting was adjourned at 8:55 p.m.

Bud Meyer, Mayor

Attest:

Kate Rice, City Clerk