

**EVERLY CITY COUNCIL
MINUTES OF MAY 17, 2010**

The Everly City Council held their regular council meeting on Monday, May 17, 2010 at the Everly City Hall. Mayor Pro-Tem Trojahn called the meeting to order at 7:32 p.m. Council members present were Ron Thompson, Jon Pausley, Cathy Adkins and Sheryl Kahl. Kate Rice, City Clerk was also present.

Mayor Pro-Tem Trojahn declared the public hearing open at 7:32 p.m. to accept comments on the proposed budget amendment for FY10. No comments were received either oral or written at the meeting or with the City Clerk. Mayor Pro-Tem declared the public hearing closed at 7:34 p.m.

The consent agenda including minutes from 4.19.2010, May claims, and April financials were presented. Pausley made a motion, seconded by Adkins, to approve the consent agenda. Voting aye: all. Voting nay: none. Motion passed.

The Habitat for Humanity project was discussed. The Clerk noted that she had received an objection to the build from a neighbor. Thompson made a motion, seconded by Pausley, to waive the utility connect fee, variance fee, abstract fee, and building permit fee for the Habitat for Humanity property.

The Mayor Pro-Tem announced that the purpose of the meeting was, in part, to consider whether the city should sell the following described property, to-wit:

Lot Fourteen (14), Block Three (3), Rumsey and Sleeper's Addition to the Town of Everly, Clay County, Iowa.

Thereafter, a general discussion took place. After considerable discussion, the council decided that such sale would be in the city's best interests.

WHEREUPON, Council Member Adkins introduced and moved for the adoption of **Resolution No. 2010-06 proposing the sale of the aforesaid real property, scheduling a hearing on said resolution, and directing the notice thereon.** Council Member Pausley seconded said motion. Such question was properly put forth, the roll was called, and the following vote was made:

AYES: Thompson, Kahl, Adkins, Trojahn, and Pausley

NAYS: None

ABSTENTIONS: None

ABSENT: None

WHEREUPON, the Mayor Pro-Tem declared that the motion had carried and adopted.

The Petersen Heights properties were discussed. Thompson made a motion, seconded by Adkins, to waive the building permit fee for the Petersen Heights builds. Voting aye: all. Voting nay: none. Abstaining: Kahl. Motion passed.

The Mayor Pro-Tem announced that the purpose of the meeting was, in part, to consider whether the city should sell the following described property, to-wit:

Lot 9, Plat of Petersen Heights, a subdivision of the City of Everly, Clay County, Iowa, and an adjacent parcel to the South bounded by the South line of said Lot 9, by Southerly extensions of the East and West lines of said Lot 9 and by the Easterly extension of the North line of Lots 2 and 3, EIDC 1st Addition to the City of Everly, Clay County, Iowa.

Thereafter, a general discussion took place. After considerable discussion, the council decided that such sale would be in the city's best interests.

WHEREUPON, Council Member Adkins introduced and moved for the adoption of **Resolution No. 2010-07 proposing the sale of the aforesaid real property, scheduling a hearing on said resolution, and directing the notice thereon**. Council Member Pausley seconded said motion. Such question was properly put forth, the roll was called, and the following vote was made:

AYES: Thompson, Kahl, Adkins, Trojahn, and Pausley

NAYS: None

ABSTENTIONS: None

ABSENT: None

WHEREUPON, the Mayor Pro-Tem declared that the motion had carried and adopted.

The Mayor Pro-Tem announced that the purpose of the meeting was, in part, to consider whether the city should sell the following described property, to-wit:

Lot Ten (10) of Petersen Heights, a subdivision of the City of Everly, Clay County, Iowa, including an area of land lying Sixty-four (64) feet, more or less, directly to the South of said Lot 10, located in the South Half (S ½) of the Southwest Quarter (SW ¼) of Section Three (3), Township Ninety-six (96) North, Range Thirty-eight (38) West, all in the City of Everly, Clay County, Iowa.

Thereafter, a general discussion took place. After considerable discussion, the council decided that such sale would be in the city's best interests.

WHEREUPON, Council Member Adkins introduced and moved for the adoption of **Resolution No. 2010-08 proposing the sale of the aforesaid real property, scheduling a hearing on said resolution, and directing the notice thereon**. Council Member Pausley seconded said motion. Such question was properly put forth, the roll was called, and the following vote was made:

AYES: Thompson, Adkins, Trojahn, and Pausley

NAYS: None

ABSTENTIONS: Kahl

ABSENT: None

WHEREUPON, the Mayor Pro-Tem declared that the motion had carried and adopted.

Adkins made a motion, seconded by Thompson, to approve **Resolution No. 2010-05 the Everly City Budget Amendment and Certification For FY10 as presented**. Voting aye: Pausley, Kahl, Thompson, Trojahn, and Adkins. Voting nay: none. Resolution approved.

A motion was made by Thompson, seconded by Adkins, to approve an outdoor liquor license and to allow the sidewalk to be enclosed for the Ranch on Saturday, June 19th and Sunday, June 20th. Voting aye: all. Voting nay: none. Motion passed.

The Clerk updated the Council on residential complaints.

The Clerk presented material on a portable generator that the Public Works department would like to purchase. Item was tabled until the May 26th meeting for further discussion.

Thompson made a motion, seconded by Adkins, directing the Clerk to get bids to conduct a 3 year audit of the City's financial records. Voting aye: all. Voting nay: none.

Being there no further business, meeting was adjourned at 8:10 p.m.

Bud Meyer, Mayor

Attest:

Kate Rice, City Clerk