

SERGEANT BLUFF, IOWA

City Council Minutes

Council Chambers, 1:00 PM

October 5, 2017

I. CALL TO ORDER:

Attendee Name	Title	Status	Arrived
Ron Hanson	Mayor Pro Tem	Absent	
Bill Gaukel	Assistant Mayor Pro Tem	Present	
Jim Linafelter	Council Member	Present	
Nicole Cleveland	Council Member	Present	
Carol Clark	Council Member	Present	
Jon Winkel	Mayor	Present	

II. ORDINANCE(S):

1. ORD 664 Establishing Regulations Pertaining to Underground Utilities

Bill Gaukel abstained due to a conflict of interest with the measure.

Motion by Jim Linafelter second by Carol Clark to Adopt ORD 664 Establishing Regulations Pertaining to Underground Utilities. 3 Ayes, 1 Abstain due to conflict. Motion Carried.

Motion by Carol Clark to waive 2nd and 3rd readings second by Nicole Cleveland. 3 Ayes, 1 abstain due to conflict. Motion Carried.

III. ADJOURNMENT:

Motion by Linafelter second by Gaukel to adjourn meeting. Motion Carried. The meeting was adjourned at 1:03 pm.

Mayor/Mayor Pro-Tem

Attest:

Michelle Colvert, City Clerk



City Council
401 4th Street
Sergeant Bluff, IA 51054

Meeting: 10/05/17 01:00 PM
Department: Finance
Category: Amendment
Prepared By: Michelle Colvert
Initiator: Michelle Colvert
Sponsors:
DOC ID: 3800

ADOPTED

ORDINANCE (ID # 3800)

ORD 664 Establishing Regulations Pertaining to Underground Utilities

COMMENTS - Current Meeting:

Bill Gaukel abstained due to a conflict of interest with the measure. Motion by Carol Clark to waive 2nd and 3rd readings second by Nicole Cleveland. 3 Ayes, 1 abstain due to conflict. Motion Carried

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Linafelter, Council Member
SECONDER:	Carol Clark, Council Member
AYES:	Jim Linafelter, Nicole Cleveland, Carol Clark
ABSENT:	Ron Hanson, Bill Gaukel

ORDINANCE NO. 664

**AN ORDINANCE ESTABLISHING REGULATIONS
PERTAINING TO UNDERGROUND UTILITIES**

BE IT ENACTED by the City Council of the City of Sergeant Bluff, Iowa:

SECTION 1. SECTION MODIFIED. Subsection 2 of Section 118.06 of the Code of Ordinances of the City of Sergeant Bluff, Iowa, is repealed and the following adopted in lieu thereof:

2. A public utility company or any other person shall place all utility distribution systems in properly constructed underground conduits or sheathing and in accordance with the applicable regulations of the Iowa Utilities Board and all other applicable laws and regulations. All fixtures placed or installed after _____(insert date) shall be placed underground.

SECTION 2. SECTION MODIFIED. Subsection 2 of Section 116.33 of the Code of Ordinances of the City of Sergeant Bluff, Iowa, is repealed and the following adopted in lieu thereof:

2. Effective _____, all new facilities and network construction of the franchisee shall be installed underground. In areas where either telephone or electric utility facilities are installed aerially at the time of network construction, the franchisee must install new facilities underground and other services may be relocated underground in coordination with new construction underground by franchisee. At any time existing aerial facilities are required to be placed underground by the City, the franchisee shall relocate aerial facilities underground. Any additional cost to subscribers for such installation shall be approved by the City in accordance with the provisions in this chapter.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. In all other respects, The Code of Ordinances of the City of Sergeant Bluff shall remain in effect.

SECTION 4. SEVERABILITY. 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. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the City Council of the City of Sergeant Bluff on the ___ day of _____, 2017, and approved this ___ day of _____, 2017.

MAYOR/MAYOR PRO TEM

Attest:

CITY CLERK

First Reading: Vote for passage:

Second Reading: Vote for passage:

Third Reading: Vote for passage:

Passed, Approved, and Adopted _____, 2017.

I, Michelle Colvert, City Clerk, certify that the foregoing was published as Ordinance No. 663 on the ____ day of _____, 2017.

CITY CLERK

Attachment: ORD 664 Amending Chapters 116 and 118 regarding underground utilities (3800 : ORD 664 Establishing Regulations Pertaining to