

**February 19, 2008 REGULAR MEETING**

**PG.1136**

The first meeting of February for the Denver City Council, Bremer County, Iowa was held on Tuesday February 19, 2008 at the Denver City Hall Council Chambers. Council members present were Rod Diercks, Dave Larson, Jeremie Peterson and Joel Wikner. Councilman Dave Larson was present at 7:35 p.m.

Mayor Isaacson called the meeting to order at 7:09 p.m.

Motion Diercks, second Peterson to approve the agenda as presented but wait to open discussion on Agenda Item #6 & #7 until Councilman Larson is in attendance. AYES: Diercks, Moeller, Peterson, Wikner. NAYS: None.

Motion Wikner, second Diercks to approve the minutes of February 4, 2008. AYES: Diercks, Moeller, Peterson, Wikner. NAYS: None.

No one spoke during Public Forum.

Motion Peterson, second Diercks to approve Resolution No. 7-2008 to set the date for the Public Hearing on the FY 2009 City Budget for March 3, 2008 at 7:00 p.m. in the City Hall Council Chambers. ROLL CALL VOTE: AYES: Diercks, Moeller, Peterson, Wikner. NAYS: None

Motion Diercks, second Wikner to approve the appointment of Eric Fenton to the Denver Library Board of Trustees. AYES: Diercks, Moeller, Peterson, Wikner. NAYS: None.

Motion Wikner, second Peterson to recess the meeting until Councilman Larson is present. AYES: Diercks, Moeller, Peterson, Wikner. NAYS: None. The meeting was recessed at 7:26 p.m.

Motion Diercks, second Peterson to resume the regular meeting. AYES: Diercks, Larson, Moeller, Peterson, Wikner. NAYS: None. The regular meeting resumed at 7:35 p.m.

Mayor Isaacson asked Kyle Schueler if he would like to go into Closed Session to discuss a personnel issue. Kyle Schueler requested the Council Meeting remain in Open Session. Mayor Isaacson read the entire Notice of Termination of Employment Letter to Kyle Schueler. The eight reasons stated in the letter included your recent arrest for operating while intoxicated, your choice to drink past the point of intoxication while being on-call status with the City, your attempt to perform your job duties while being intoxicated after being called, negligence, incompetence, conduct adversely affecting the department, conduct unbecoming of a public employee and misconduct. This was Kyle Schueler's Pre-Termination Hearing as he was suspended with pay until the City Council voted on his employment status. The Notice of Termination of Employment was issued to Kyle Schueler on February 11, 2008 following an Operating while Intoxicated charge on February 8, 2008.

Kyle Schueler informed the Council he had no hard feelings toward the Council and that he would be willing to attend substance abuse class and he realized that he had done this to himself. Councilman Diercks would like to give Kyle Schueler another chance and try rehabilitation.

Motion Diercks, second Wikner to approve Resolution No. 6-2008 terminating the employment of Kyle Schueler with the City of Denver effective February 19, 2008. ROLL CALL VOTE: AYES: Larson, Moeller, Peterson, Wikner. NAYS: Diercks.

**PG.1137**

Motion Diercks, second Larson to adjourn. AYES: Diercks, Larson, Moeller, Peterson, Wikner.  
NAYS: None. The meeting adjourned at 7:45 p.m.

\_\_\_\_\_  
Mike Isaacson, Mayor

ATTEST:

\_\_\_\_\_  
Larry Farley, City Clerk/Admin.