

MINUTES OF PROCEEDINGS
OF THE
CITY COUNCIL OF THE CITY OF ALGONA, KOSSUTH COUNTY, IOWA

The City Council of the City of Algona, Iowa, met in regular session February 21, 2005, at 4:30 p.m., City Hall Council Chambers with Mayor Lynn R. Kueck and the following council members:

Present: Von Ruden, Curtis, Kohlhaas, Weaver, Lighter, Esser

Also present: City Administrator O'Donnell, Public Works Director Schaeffer, City Attorney Doster

AGENDA

Kohlhaas moved and Weaver seconded the motion that the agenda for this meeting be approved. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Mayor Kueck read a proclamation for "Rotary International Week", February 21-25. They are celebrating their 100th birthday. Also, he informed the Council of the following meetings, Bio-Emergency Training Exercise, March 10th in Bancroft and the Mid Iowa Community Development Conference, March 31st in Ft. Dodge.

Councilmember Kohlhaas reported on the Farm Bureau meeting he attended.

CONSENT AGENDA

Esser moved and Curtis seconded the motion that the following be approved as part of the Consent Agenda:

- a. Minutes of February 7, 2005, council meeting
- b. Appropriating Resolution No. 04/05-16 (bills)
- c. Beer permit renewal for Kum & Go (N. Jones)
- d. Department reports for January
- e. Minutes of various Boards/Commissions
- f. Administrator's report

On call of the roll the vote was all ayes. Motion carried.

PUBLIC HEARING-TV FRANCHISE AGREEMENT

Mayor Kueck announced at 4:39 p.m., that this is the time and place for a public hearing to renew the TV Franchise Agreement with MediaCom. Scott Buchanan reviewed the provisions of the agreement. Some of the provisions included MediaCom giving the City a \$6,000 grant towards the Veteran's Park playground equipment, customers will be charged .30 per month towards a public access grant, and the City will receive 5% of the cable TV revenues. This will be a 10 year franchise agreement. After discussion, and there being no other comments either written or oral, the Mayor declared the public hearing closed at 4:49 p.m.

ORDINANCE RENEWING TV FRANCHISE AGREEMENT-MEDIACOM

Lighter moved and Kohlhaas seconded the motion to waive the first reading of the proposed ordinance to renew the cable franchise with MediaCom. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Weaver seconded the motion to approve the first reading of the proposed ordinance. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Lighter seconded the motion to waive the second and third readings of the proposed ordinance. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to adopt Ordinance No. 924, **An Ordinance to Renew the Cable Franchise Lawfully held by MCC Iowa LLC, its Successors or Assigns, the Non-Exclusive Rights, Privileges and Authority to Construct, Operate, Maintain, Repair, Replace, Reconstruct and Remove a Cable Television System Across the Public Way in the City Limits of Algona for a Term of Ten (10) Years.** On call of the roll the vote was all ayes. Motion carried.

RELEASE OF MORTGAGE-POPEJOY

Thomas and Mary Popejoy have satisfied their housing loan. Weaver moved and Von Ruden seconded the motion that Resolution No. 05-13, **"Resolution Authorizing Execution of Release or Satisfaction of Mortgage"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

RELEASE OF MORTGAGE-FEHR

Anthony Fehr received funds from the Algona Housing Assistance Program. He is refinancing and has repaid the assistance amount. Kohlhaas moved and Esser seconded the motion that Resolution No. 05-14, **"Resolution Authorizing Execution of Release or Satisfaction of Mortgage"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

RELEASE OF MORTGAGE-Uhlenhopp

Chad and Tara Uhlenhopp received funds from the Algona Housing Assistance Program. They are refinancing and have repaid the assistance amount. Von Ruden moved and Esser seconded the motion that Resolution No. 05-15, "**Resolution Authorizing Execution of Release or Satisfaction of Mortgage**", be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE 3 YEAR AUDIT CONTRACT

The City received bids to do the annual audit from 4 companies. Staff reviewed the bids and recommends accepting the bid from TP Anderson, Humboldt, IA.

Esser moved and Lighter seconded the motion to accept the bid from TP Anderson and that Resolution No. 05-16, "**Resolution Approving Three Year Audit Contract**", be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE HOTEL/MOTEL TAX REPORTS

Lori Jorgenson, Chamber of Commerce President, Nick Scholer, Camp Algona President, and Bruce Jensen, Co-chair/Treasurer of the A.A.E.D.C., each reported on the use of revenues they have received from the hotel/motel tax.

Kohlhaas moved and Lighter seconded the motion to approve the reports from these three agencies. On call of the roll the vote was all ayes. Motion carried.

APPROVE IDOT AGREEMENT-E. STATE STREET RECONSTRUCTION

The City to comply with DOT bid and construction standards since we are receiving federal funding for the E. State Street Reconstruction.

Esser moved and Weaver seconded the motion that Resolution No. 05-17, "**Resolution Approving Iowa Department of Transportation Agreement for Federal-Aid Surface Transportation Program (STP) Project (State Street Reconstruction Project)**", be adopted. On call of the roll the vote was all ayes. Motion carried.

SET DATE & TIME FOR 05/06 FY BUDGET PUBLIC HEARING

Lighter moved and Von Ruden seconded the motion to set March 7, 2005, at 5:00 p.m., City Hall Council Chambers, for a public hearing on the 2005/2006 Fiscal Year budget. On call of the roll the vote was all ayes. Motion carried.

SET DATE & TIME FOR PUBLIC HEARING ON PLANS, SPECS,
FORM OF CONTRACT & ENGINEERS COSTS ESTIMATES-ALG. WELCOME CENTER

Esser moved and Lighter seconded the motion to set March 7, 2005, at 5:00 p.m., City Hall Council Chambers, for a public hearing on the Plans, Specifications, Form of Contract and Engineer's Costs Estimates for the Algona Welcome Center. On call of the roll the vote was all ayes. Motion carried.

NOTIFICATION OF RESIGNATION-ALGONA P&Z

Notification was given that Bill Crandall is resigning from the Algona Planning & Zoning Commission. Council needs to appoint someone to fill his remaining term which expires January 1, 2009.

APPROVE APPLICATION FOR URBAN REVITALIZATION TAX EXEMPTION

Kohlhaas moved and Von Ruden seconded the motion to approve the Application for Urban Revitalization Tax Exemption for Chad and Kristen Hodgen, new residential, 10 year declining. On call of the roll the vote was all ayes. Motion carried.

PUBLIC HEARING ON REQUEST TO REZONE-CINK

Mayor Kueck announced at 5:17 p.m., that this is the time and place for a public hearing to rezone property located at 1401 Irvington Road. Mike Cink has requested that his property be rezoned from AG to RS-60. There being no other comments either written or oral, the Mayor declared the public hearing closed at 5:19 p.m.

ORDINANCE REZONING PROPERTY LOCATED AT 1401 IRVINGTON RD.

Lighter moved and Kohlhaas seconded the motion to waive the first reading of the proposed ordinance rezoning property located at 1401 Irvington Road from AG to RS-60. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Kohlhaas seconded the motion to approve the first reading of the proposed ordinance. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Kohlhaas seconded the motion to waive the second and third readings of the proposed ordinance. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Curtis seconded the motion to adopt Ordinance No. 925, **An Ordinance Amending Ordinance No. 869 by amending the Official Zoning Map of the City of Algona, Iowa, by Changing the Zoning Classification on the**

Following Described Tract: The South 330 feet of the West 590 feet of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of Section Twelve (12), Township Ninety-five (95) North, Range Twenty-nine (29), West of the 5th P.M., Kossuth County, Iowa, EXCEPT the West 260 feet thereof. On call of the roll the vote was all ayes. Motion carried.

Weaver moved and Curtis seconded the motion that this meeting be adjourned. On call of the roll the vote was all ayes. Motion carried.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk