

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 a work session on May 15, 2006, at 3:30 p.m., City Hall Council Chambers, with Mayor Lynn R. Kueck and the following council members:

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

Absent: Curtis

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

Councilmember Curtis arrived at 3:45 p.m.

Discussion was held on the problem with deer within the city limits. Several options were considered, including forbidding the feeding of deer or having a special bow hunting season. Staff was directed to create an ordinance forbidding feeding deer within the city limits.

Discussion was also held on "Clean Up" days. Overall, it was another successful year.

Meeting adjourned at 4:20 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk

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 on May 15, 2006, 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

Lighter moved and Kohlhaas 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 had been given, by Eric Wiltgen, an article in *Trailer Life* about Algona.

Councilmember Von Ruden inquired about the ordinance regarding parking campers and large vehicles on residential streets. City Attorney will check the ordinance by the next council meeting.

Vicky Mallory, Chamber of Commerce Director, informed the Council she had received a call from a TV station in Denver, CO, inquiring about the history of the "World's Largest Cheeto".

CONSENT AGENDA

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

- a. Minutes of May 1, 2006, work session
- b. Minutes of May 1, 2006, council meeting
- c. Appropriating Resolution No. 05/06-22 (bills)
- d. Beer permit renewal for Premier Pizza
- e. Administrator's report.

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

APPROVING PURCHASE OF PROPERTY

Lighter moved and Weaver seconded the motion to remove from the table the Resolution Approving Purchase of Property. On call of the roll the vote was all ayes. Motion carried.

The City had made an offer to Darren Tietz of \$20,000 for the vacant lot at the corner of Jones and Nebraska. Mr. Tietz has accepted this offer conditional to Council's approval.

Councilmember Esser opposed this purchase, he feels that it would be used by the AEA office, located across the street, as their own parking lot.

It was explained that the parking lot would not be restricted for any private use, it would be for public use. No plans to improve the parking lot have been made, it would need to go into the 5 year Capital Improvement Plan.

Lighter moved and Kohlhaas seconded the motion that Resolution No. 06-40, "**Resolution Approving Purchase of Real Estate From Darren L. Tietz**", be adopted. On call of the roll the vote was as follows:

Ayes: Von Ruden, Curtis, Kohlhaas, Weaver, Lighter

Nays: Esser

Motion carried.

APPROVING AGREEMENT RESTRICTING
PARKING WITH BARCO DEVELOPMENT CO.

BARCO Development has received a variance that allows them to expand their building at 119 S. Jones to within 4 feet of the lot line on the north side. This leaves insufficient space for parking, and the agreement specifies that no parking will be allowed on the north side of the building at any time.

Lighter moved and Kohlhaas seconded the motion that Resolution No. 06-41, "**Resolution Approving Agreement Restricting Parking with BARCO Development Co., L.C.**", be adopted. On call of the roll the vote was all ayes. Motion carried.

AUTHORIZING RELEASE OF MORTGAGE-ESSER

Deanna Esser received a housing rehabilitation loan and has now satisfied the note. Von Ruden moved and Lighter seconded the motion that Resolution No. 06-42, "**Resolution Authorizing Execution of Release or Satisfaction of Mortgage**", be adopted. On call of the roll the vote was as follows:

Ayes: Von Ruden, Curtis, Kohlhaas, Weaver, Lighter

Abstain: Esser

Motion carried.

AUTHORIZING RELEASE OF MORTGAGE-SIMONS

Adam and Jamie Simons received a housing assistance loan and they have sold their home. The net proceeds were insufficient to pay back the assistance, and the property was sold in a normal arms length transaction, therefore, the loan is forgiven.

Von Ruden moved and Esser seconded the motion that Resolution No. 06-43, "**Resolution Authorizing Execution of Release of Real Estate Mortgage**", be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE BID & AWARD CONTRACT-AQUATIC CENTER

Lighter moved and Von Ruden seconded the motion that Resolution No. 06-44, "**Resolution Accepting Bid and Approving Contract for the Aquatic Center Painting Project**", be adopted. Low bidder was HEG Painting, Cherokee, in the amount of \$23,950. This will be a fall project. On call of the roll the vote was all ayes. Motion carried.

APPROVE BID & AWARD CONTRACT-T-HANGAR PROJ.

Lighter moved and Curtis seconded the motion that Resolution No. 06-45, "**Resolution Approving Bid and Awarding Contract for the T-Hanger Improvements Project**", be adopted. Holland Contracting of Forest City had the low bid of \$365,108 for the base and \$12,486 for the alternate. Cost to the city will be \$20,750 and the remainder of \$394,250 will be paid by the FAA. Currently we have \$322,000 in FAA funding, we are expecting another \$150,000, which isn't guaranteed, but should get it since it is the 4th year of a 4 year commitment made by Congress. On call of the roll the vote was all ayes. Motion carried.

APPROVE ENGINEERING SERVICES FOR STATE ST. PROJECT

Esser moved and Lighter seconded the motion that Resolution No. 06-46, "**Resolution Approving Construction Engineering Fee Agreement with WHKS & Co. Concerning Sate Street Reconstruction Project**", be adopted. The estimated amount is \$49,899, but city staff plans to do as much of the inspection process as we can to minimize the cost. On call of the roll the vote was all ayes. Motion carried.

APPROVING ACKNOWLEDGMENT/SETTLEMENT AGREEMENTS

Businesses convicted of selling tobacco products to someone underage are fined a \$300 civil penalty. By passing these resolutions, the City is asking that this penalty be paid to us instead of the State.

Kohlhaas moved and Weaver seconded the motion that Resolution No. 06-47, "**Resolution Approving Acknowledgment/Settlement Agreement**", with Krause Gentle Corporation d/b/a/ Kum & Go, be adopted. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Weaver seconded the motion that Resolution No. 06-48, "**Resolution Approving Acknowledgment/Settlement Agreement**", with Casey's Marketing company d/b/a/ Casey's General Store, be adopted. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion that Resolution No. 06-49, "**Resolution Approving Acknowledgment/Settlement Agreement**", with Billie Jo's Bar and Grill, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE CHANGE ORDER NO. 2-AIRPORT
STORAGE BUILDING AND BEACON PROJECT

Kohlhaas moved and Esser seconded the motion to approve Change Order No. 2, in the amount of \$2,675 for the removal and replacement of unsuitable soil. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION NO. 4-
AIRPORT STORAGE BUILDING AND BEACON PROJECT

Von Ruden moved and Weaver seconded the motion to approve Pay Application No. 4 in the amount of \$28,724.83 to Holland Contracting Co. for work completed. On call of the roll the vote was all ayes. Motion carried.

APPROVE PROMOTIONAL SLOGAN

Vicky Mallory, Chamber Director, Jim Conard, Chamber Board President, and Bob Jennings, Chamber Board Vice-President, informed the Council that during the grand opening the Wild Rose Casino in Emmetsburg, that they will be passing out brochures to people traveling to the casino, encouraging them to shop in Algona sometime. They have come up with a slogan for the City, "Algona's Alive". Council thought that the slogan would be good for promotional reasons, but not as a "city" slogan.

Lighter moved and Weaver seconded the motion to approve the promotional slogan "Algona's Alive" to be used by the Chamber of Commerce. On call of the roll the vote was all ayes. Motion carried.

Councilmember Lighter left the meeting at 5:12 p.m.

APPOINTMENT-AMU BD. OF TRUSTEES

Von Ruden moved and Curtis seconded the motion to approve the mayoral appointment of Al Bonde to the Algona Municipal Utilities Board of Trustees. His term will expire May 31, 2012. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPOINTMENT TO ABTC

Von Ruden moved and Kohlhaas seconded the motion to approve the appointment of Ross Opsal to replace Dr. Harold Prior on the Algona Broadband Telecommunications Commission. His term will expire December 31, 2010. On call of the roll the vote was all ayes. Motion carried.

FINAL REPORT ON NOMINEES-RLF COMMITTEE

Final report was given on the nominees to fill a vacancy on the Algona Retail Revolving Loan Fund Committee.

NOTIFICATIONS OF TERM EXPIRING-LIB. BD. OF TRUSTEES

Notification was given that the terms of Todd Buchanan, Kathleen Griffin, and Mike Nerison will expire June 30, 2006.

PUBLIC HEARING-05/06 BUDGET AMENDMENTS

Mayor Kueck announced at 5:15 p.m., that this is the time and place for a public hearing on the amendment of the current fiscal year budget. City Administrator O'Donnell reviewed the proposed amendments to revenues and expenditures. Total revenues increased by \$405,382, total expenditures increased by \$5,678. There being no other comments either oral or written the public hearing was closed at 5:25 p.m.

APPROVE FY AMENDMENTS AND CERTIFICATION

Von Ruden moved and Weaver seconded the motion that Resolution No. 06-50, "**Resolution Amending the Current Budget for the Fiscal Year Ending June 30, 2006**", be adopted. 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. Meeting adjourned at 5:30 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk