

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 21, 2007, 4:30 p.m., City Hall Council Chambers, with Mayor Lynn R. Kueck and the following council members:

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

Absent: Esser

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

AGENDA

Von Ruden moved and Curtis 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 thank you from Bishop Garrigan's After Prom Party committee. He also informed the Council that Thursday, May 24th, there is a groundbreaking at Snap-On Tools. Mayor Kueck read a letter from the Fort Dodge Police Department and the Webster County Sheriff's Office commending Officer Bo Miller and Matt on their quick response and professionalism when they were called to a bomb threat at Ft. Dodge High School. He also gave an update on Founder's Day and that four picnic tables were purchased by the Founder's Day Committee for the Carnegie Library lawn. The Mayor reported that the tree planting along Finn Drive last Saturday went very well with volunteers from the First Baptist Church youth group, students from Bishop Garrigan and Algona High Schools, Roger Wilson, Chad Schaeffer and himself.

Tom Henry, Kossuth County Fair Board, was present to talk to the Council about the 150th year for the Kossuth County Fair in 2008 and that the Fair Board has property that they would like to see the City and County work together towards developing a Civic Center/Events Center.

Mayor Kueck received a warning from the Polk County regarding "strawberry meth" that looks like pop rocks candy. He stressed that parents talk to their children and warn them not to take any candy from strangers and even friends if they don't know where the candy came from.

Councilmember Lighter commented on how nice the downtown flower baskets look.

CONSENT AGENDA

Kohlhaas moved and Von Ruden seconded the motion that the following be approved as part of the Consent Agenda:

- a. Minutes of May 7, 2007, council meeting
- b. Appropriating Resolution No. 06/07-22 (bills)
- c. Beer permit renewal for Premier Pizza
- d. Liquor license and outdoor service area for Berte's Back Nine
- e. Outdoor service area for Lava Lounge
- f. Cigarette permit for Candlelite Lounge
- g. Liquor license for Candlelite Lounge
- h. Department reports for April
- i. Minutes of various Boards/Commissions
- j. Administrator's report

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

ORDINANCE AMENDING TERM OF
OFFICE FOR THE CITY ADMINISTRATOR-2nd READING

Lighter moved and Von Ruden seconded the motion to waive the second reading of the proposed ordinance amending the term of office for the City Administrator by giving the Council the authority to appoint an administrator and enter into a contract of any term. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Weaver seconded the motion to approve the second reading of the proposed ordinance amending the term of office for the City Administrator. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Weaver seconded the motion to waive the third reading of the proposed ordinance amending the term of office for the City Administrator. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Von Ruden seconded the motion to adopt Ordinance No. 942, **An Ordinance Amending the Algona Municipal Code by Amending the term of Office for the City Administrator.** On call of the roll the vote was all ayes. Motion carried.

ORDINANCE AMENDING MUNICIPAL CODE BY
PROVIDING FOR DIAGONAL PARKING IN THE DOWNTOWN AREA

Lighter moved and Kohlhaas seconded the motion to waive the first reading of the proposed ordinance providing for diagonal parking in the downtown area. On call of the roll the vote was all ayes. Motion carried.

City Administrator O'Donnell explained that during a review of the current ordinance, City staff found that some spaces were listed that did not exist and other spaces existed but were not listed. This ordinance corrects those errors.

Lighter moved and Von Ruden seconded the motion to approve the first reading of the proposed ordinance providing for diagonal parking in the downtown area. 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 reading of the proposed ordinance providing for diagonal parking in the downtown area. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Kohlhaas seconded the motion to adopt Ordinance No. 943, **An Ordinance Amending the Algona Municipal Code by Providing for Diagonal Parking in Certain Areas of Downtown Algona.** On call of the roll the vote was all ayes. Motion carried.

APPROVE RELEASE OF SECURITY INTEREST-IN A NUTSHELL

Dennis and Gwen Rohwer, In a Nutshell, have satisfied their revolving loan fund and our security interest needs to be released.

Kohlhaas moved and Curtis seconded the motion that Resolution No. 07-29, **"Resolution Acknowledging Repayment of Revolving Loan Fund Loan by Dennis J. Rohwer and Gwen M. Rohwer, D/B/A In A Nutshell"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE RELEASE OF MORTGAGE-D. HANSEN

Deanna Hansen has repaid her housing assistance loan and the mortgage needs to be released.

Weaver moved and Curtis seconded the motion that Resolution No. 07-30, **"Resolution Authorizing Execution of Release or Satisfaction of Mortgage"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE RELEASE OF MORTGAGE-ELLIOTT

Blaine and Denise Elliott have repaid their rehabilitation loan and the mortgage needs to be released.

Von Ruden moved and Kohlhaas seconded the motion that Resolution No. 07-31, **"Resolution Authorizing Execution of Release or Satisfaction of Mortgage"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

SUPPORT FOR KOSS. CO. SANITARY LANDFILL
2007 COMPREHENSIVE PLAN UPDATE

Kohlhaas moved and Lighter seconded the motion that Resolution No. 07-32, **"A Resolution of Support for the Kossuth County Sanitary Landfill 2007 Comprehensive Plan Update"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE INDUSTRIAL RLF-SNAP-ON TOOLS

Kohlhaas Moved and Lighter seconded the motion that Resolution No. 07-33, **"A Resolution Approving Distribution of Revolving Loan Funds to Snap-On Tools Company, LLC"**, be approved. This loan will be in the amount of \$300,000, at 0% for 10 years and requires them to create 30 jobs within 2 years of completion of the expansion. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION NO. 5-T-HANGAR PROJECT

Von Ruden moved and Curtis seconded the motion to approve Pay Application No. 5 in the amount of \$85,157.91 to Holland Contracting for work completed on the Airport T-Hangar Project. On call of the roll the vote was all ayes. Motion carried.

REQUEST TO VACATE PORTIONS OF E. LUCAS STREET-BARCO

BARCO Development is requesting that the City vacate portions of Lucas Street in the Eastland Heights development as they would like to create a small private lake within the development.

Kohlhaas moved and Lighter seconded the motion to refer the request from BARCO Development to the Algona Planning & Zoning Commission. On call of the roll the vote was all ayes. Motion carried.

SET PUBLIC HEARINGS ON REQUESTS TO REZONE

Lighter moved and Weaver seconded the motion to set June 4, 2007, at 5:00 p.m. for a public hearing on the request to rezone. After realizing that the notice would not be published this Thursday, Lighter moved and Weaver seconded the motion to amend the previous motion by setting the public hearing for June 18, 2007, at 5:00 p.m., on the request to rezone property located at 715 & 722 W. Call from RS-80 to RS-60. On call of the roll the vote was all ayes. Motion carried.

Kohlhaas moved and Lighter seconded the motion to set June 18, 2007, at 5:00 p.m., for a public hearing on the request to rezone property located at the 1900 block of E. Mound from RM-2 to HSB. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR URBAN REVITALIZATION TAX EXEMPTION

Weaver moved and Von Ruden seconded the motion to approve the Application for Urban Revitalization Tax Exemption for Richard and Linda Feaster, new residential. On call of the roll the votes were all ayes. Motion carried.

APPOINTMENT-AMU BOARD OF TRUSTEES

Lighter moved and Kohlhaas seconded the motion to approve the Mayor's re-appointment of Jim Modrell to the Algona Municipal Utilities Board of Trustees. His term will expire May 31, 2013. On call of the roll the vote was all ayes. Motion carried.

APPOINTMENT TO KOSS. CO. WASTE MGMT. ASSOC.

Lighter moved and Weaver seconded the motion to appoint Councilmember Harley Kohlhaas to the Kossuth County Waste Management Association. On call of the roll the vote was all ayes. Motion carried.

Weaver moved and Lighter seconded the motion to appoint Councilmember Teri Von Ruden as the City's alternate to the Kossuth County Waste Management Association. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Councilmember Weaver reminded everyone that the first Family Fun Night will be May 31st.

Public Works Director Schaeffer gave an update on the bridge project.

CLOSED SESSION-POSSIBLE PURCHASE OF REAL ESTATE

Lighter moved and Von Ruden seconded the motion that the Council adjourn into closed session pursuant to Iowa Code Chapter 21.5.1.(j) for the purpose to discuss purchase of particular real estate where disclosure could be reasonably expected to increase the price the City would have to pay for that property. On call of the roll the vote was all ayes. Motion carried. Council adjourned into closed session at 5:12 p.m. and returned to open session at 5:17 p.m.

CLOSED SESSION-PENDING LITIGATION

Lighter moved and Von Ruden seconded the motion that the Council adjourns into closed session pursuant to Iowa Code Chapter 21.5.1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in litigation. On call of the roll the vote was all ayes. Motion carried. The Council adjourned into closed session at 5:17 p.m., and returned into open session at 5:27 p.m.

Von Ruden 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 5:27 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk