

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 June 1, 2009, at 4:30 p.m., City Hall Council Chambers, with Mayor Jeff Gilmore and the following council members:

Present: Lighter, Esser, Von Ruden, Curtis

Absent: Kohlhaas, Weaver

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

AGENDA

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

Councilmember Weaver arrived at 4:32 p.m.

Councilmember Kohlhaas arrived at 4:33 p.m.

CITIZEN'S OPPORTUNITY

Stacy Besch, representing the Chamber of Commerce, updated the Council on upcoming events. Founder's Day is July 9-12 and a revised Leadership Class will begin in August and end in May.

Herb Kaiser, 402 N. Phillips, asked why he would need to replace his sidewalk on a street that dead ends. After discussion, Council will address this issue in a work session in August or September.

Chuck Shockley, KLGa, inquired as to what street projects are going on. PWD Roberts informed him that the street crew is doing crack sealing.

Councilmember Kohlhaas reminded everyone to call Iowa One Call whenever they are going to be digging, even for planting gardens and trees.

Councilmember Curtis invited everyone to come out to Bishop Garrigan for Relay for Life on June 12th.

Mayor Gilmore complimented Cemetery Superintendent John Bartolo, his crew and all the public works employees on how great the cemeteries looked.

CONSENT AGENDA

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

- a. Minutes of May 18, 2009, work session
- b. Minutes of May 18, 2009, council meeting
- c. Appropriating Resolution No. 08/09-23 (bills)
- d. Beer permit renewal for K-Mart
- e. Beer permit for Founders' Day Celebration Committee
- f. Class B Native Wine permit for Daily Bread Bakery
- g. Cigarette permits renewals for Hy-Vee, Hy-Vee Wine & Spirits, Casey's General Store (1414 N. Main), Casey's General Store (602 E. State), Chrome Truck Stop, Fareway Store, Kum and Go, Classic Stop, and Wine & Spirits
- h. Administrator's report

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

APPROVE RLF AGREEMENT-PREMIER PIZZA

Von Ruden moved and Kohlhaas seconded the motion that Resolution No. 09-30, "**Resolution Approving \$10,000.00 Loan Agreement with Paul L. DeLange and Theresa L. DeLange, N/B/A Premier Pizza**", be adopted. On call of the roll the vote was all ayes. Motion carried.

SETTING DATE & TIME FOR A PUBLIC HEARING ON THE
PROPOSED AUTHORIZATION OF A LOAN & DISBURSEMENT AGREEMENT
AND ISSUANCE OF \$240,000 SEWER REVENUE CAPITAL LAON NOTES

The City has been awarded a SRF design loan for design fees relating to the sewer treatment plant upgrades. A public hearing needs to be held as this is debt to the City.

Kohlhaas moved and Von Ruden moved that Resolution No. 09-31, "**Resolution Fixing Date for a Meeting on the Authorization of a Loan and Disbursement Agreement and the Issuance of \$240,000 Sewer Revenue Capital Loan Notes, Series 2009, of Algona, Iowa, and Providing for Publication of Notice Thereof**", be adopted. This sets the public hearing for June 15, 2009,

at 5:00 p.m., City Hall Council Chambers. On call of the roll the vote was all ayes. Motion carried.

AUTHORIZING RELEASE OF OBLIGATIONS UNDER
CDBG REHABILITATION GRANT A RELEASE OF MORTGAGE

Margaret Pilcher received a CDBG in the amount of \$27,790.00. She has recently passed away. The recipient of the grant must live in the residence for 5 years to have the grant forgiven. Failure to do so results in a pro-rated portion of the grant being repaid. However, the CDBG regulations also state that the Council may forgive all or a portion of the balance in case of extenuating circumstances, which a death of the resident is. Staff recommends forgiving 100% of the remaining portion, and release the mortgage.

Kohlhaas moved and Curtis seconded the motion that Resolution No. 09-32, **"Resolution Authorizing Release of Obligations Under CDBG Rehabilitation Grant and Release of Mortgage"**, for Margaret Pilcher, be adopted. On call of the roll the vote was all ayes. Motion carried.

ADOPT AMENDED POLICIES OF THE CITY OF ALGONA

Staff has reviewed and updated several policies and consolidated revisions from boards and commissions. Notably, changing the walnut tree policy to include any nonconforming tree in the right-of-way, changes to the decorating policy for the cemeteries, modifications to the vehicle policy, addition of a clause prohibiting employees from serving on appointed boards and commissions of the city, and increasing the daily meal allowance from \$25 to \$30.

Von Ruden moved and Kohlhaas seconded the motion that Resolution No. 09-33, **"Resolution Adopting Amended Policies of the City of Algona, Iowa"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE COMPENSATION FOR CITY ATTORNEY

Esser moved and Lighter seconded the motion that Resolution No. 09-34, **"Resolution Approving Compensation for City Attorney"**, be adopted. This increases his hourly fee from \$115 to \$125. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATIONS FOR URBAN REVITALIZATION TAX EXEMPTION

Von Ruden moved and Lighter seconded the motion to approve the Application for Urban Revitalization Tax Exemption for Kossuth Fabricators, Inc., for estimated improvement of \$1,031,343, 3 year 100% exemption. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Weaver seconded the motion to approve the Application for Urban Revitalization Tax Exemption for KOFAB, for estimated improvement of \$650,000, 3 year 100% exemption. On call of the roll the vote was all ayes. Motion carried.

CLOSED SESSION ON MATTERS IN LITIGATION

Weaver moved and Curtis seconded the motion that the Council adjourns into closed session pursuant to Iowa Code Chapter 21.5 (1)(c) to update Council on matters that are presently in litigation. On call of the roll the vote was all ayes. Motion carried. The Council adjourned into closed session at 5:08 p.m., and returned into open session at 5:47 p.m.

Von Ruden moved and Weaver seconded the motion that this meeting be adjourned. On call of the roll the vote was all ayes. Motion carried. Meeting adjourned at 5:48 p.m.

Jeff Gilmore, Mayor

ATTEST:

Rexann McEnroe, City Clerk