

MINUTES OF PROCEEDING
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 15, 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: Weaver, Kohlhaas

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

AGENDA

Curtis 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.

CITIZEN'S OPPORTUNITY

Mayor Gilmore presented a plaque to Jim Romer for his 33 years of service on the Algona Cemetery Board and the seven years of voluntary service to the Cemetery before the Board was established.

Councilmember Curtis thanked the community for their support and participation of Relay for Life. Approximately \$67,000 was raised.

Councilmember Lighter reminded citizen's that ABATE will be held over the July 4th weekend, be courteous and careful.

Councilmember Weaver arrived at 4:34 p.m.

CONSENT AGENDA

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

- a. Minutes of June 1, 2009, council meeting
- b. Appropriating Resolution No. 08/09-24 (bills)
- c. Liquor license renewal for Columbia Hall Association
- d. Liquor license renewal for Kossuth County V.F.W.
- e. Cigarette permit renewals for Kmart, Wessel's Cross Roads
- f. Department reports
- g. Minutes of various Boards/Commissions
- h. Administrator's report

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

ORDINANCE AMENDING ORDINANCE NO. 945-1ST READING

This ordinance corrects an error in Ordinance No. 945 rezoning property from RS-80 to RS-60. The ordinance read from RS-60 to RS-80 when it should have read RS-80 to RS-60. The public notice published was correct but the published Ordinance was not, therefore, the City needs to amend Ordinance No. 945.

Curtis moved and Von Ruden seconded the motion to waive the first reading of the proposed ordinance amending Ordinance No. 945 correcting the zoning classification from RS-80 to RS-60. On call of the roll the vote was all ayes. Motion carried.

Curtis moved and Von Ruden seconded the motion to approve the first reading of the proposed ordinance amending Ordinance No. 945 correcting the zoning classification from RS-80 to RS-60. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to waive the second and third reading of the proposed ordinance amending Ordinance No. 945 correcting the zoning classification from RS-80 to RS-60. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to approve the second and third reading of the proposed ordinance amending Ordinance No. 945 correcting the zoning classification from RS-80 to RS-60. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to adopt Ordinance No. 960, **An Ordinance Amending Ordinance No. 945 by Correcting the Zoning Designation of Certain Real Estate**". On call of the roll the vote was all ayes. Motion carried.

ACKNOWLEDGING REPAYMENT OF RLF-VESTIO

Vestio has repaid their Revolving Loan Fund and the City needs to acknowledge payment and release our security interest.

Esser moved and Weaver seconded the motion that Resolution No. 09-35, **"Resolution Acknowledging Repayment of Revolving Loan Fund Loan by Vestio, L.L.C."**, be adopted. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION NAMING DEPOSITORIES

Von Ruden moved and Esser seconded the motion that Resolution No. 09-36, **"Resolution Naming Depositories"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

SETTING SALARIES FOR FY 2009/2010

Von Ruden moved and Weaver seconded the motion that Resolution No. 09-37, **"Resolution Setting Salaries for Appointed Officials and Employees of the City for the Fiscal Year 2009/2010"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

Casey's General Store was cited for selling cigarettes to a minor. A civil penalty was levied, state code allows for the penalty to be paid to the city.

Esser moved and Lighter seconded the motion that Resolution No. 09-39, **"Resolution Approving Acknowledgment/Settlement Agreement"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVING YEAR-END TRANSFERS

Von Ruden moved and Esser seconded the motion that Resolution No. 09-40, **"Resolution Approving Year-End Transfer of Funds"**, be adopted. Funds of \$8,853.37 from General Self-Insurance to the General Fund will be transferred to cover expenses that exceeded the budgeted amount for partial self-funding. On call of the roll the vote was all ayes. Motion carried.

APPROVING PETITION & WAIVER FOR
SIDEWALK ASSESSMENT-DELANGE

Von Ruden moved and Curtis seconded the motion that Resolution No. 09-41, **"Resolution Approving Petition and Waiver for Sidewalk Assessment"**, for Mark DeLange in the amount of \$1,648.50, in seven equal installments at 5.5% interest, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR URBAN REVITALIZATION TAX EXEMPTION

Von Ruden moved and Weaver seconded the motion to approve the Application for Urban Revitalization Tax Exemption for Kevin and Jodi McGuire, new residential. On call of the roll the vote was all ayes. Motion carried.

NOTIFICATION OF TERM EXPIRING-AIRPORT ZONING BD. OF ADJUSTMENT

Notification was given that Junior Hurlburt's term on the Airport Zoning Board of Adjustment will expire August 1, 2009.

APPEAL OF ORDER TO REMOVE TREES

Mike and Mary LaVelle applied for the tree program where the City pays for the trees to be planted in the parking. The planted trees in the parking at 223 E. Call do not meet the SUDAS standards, of which they had a copy. They met with the Street and Sewer Committee, who instructed them to remove the trees from the parking. The LaVelle's are appealing the first decision. Mike LaVelle was present and asked for an extension to give them more time to research their situation.

After discussion, Curtis moved and Von Ruden seconded the motion to table this matter until the July 6, 2009, council meeting. On call of the roll the vote was all ayes. Motion carried.

PUBLIC HEARING ON THE ISSUANCE OF SEWER REVENUE CAPITAL LOAN NOTES

Mayor Gilmore announced at 5:05 p.m., that this is the time and place for a public hearing on the matter of instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of \$240,000 Sewer Revenue Capital Loan Notes. There being no other comments, either written or oral, the public hearing was closed at 5:06 p.m.

APPROVING THE ISSUANCE OF \$240,000

SEWER REVENUE CAPITAL LOAN NOTES

Lighter moved and Curtis seconded the motion that Resolution No. 09-42, **"Resolution Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of \$240,000 Sewer Revenue Capital Loan Notes"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

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 5:07 p.m.

Jeff Gilmore, Mayor

ATTEST:

Rexann McEnroe, City Clerk