

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 January 5, 2004, at 4:30 p.m., in the 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, City Attorney Doster

AGENDA

Von Ruden moved and Lighter 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 swore in council members. The Mayor also congratulated Larry Rochleau on his 30 years of service with the City.

Council was informed of the Chamber Banquet being held January 28th. They are to contact the City Clerk if they are planning to attend.

CONSENT AGENDA

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

- a. Minutes of December 15, 2003, council meeting
- b. Appropriating Resolution No. 03/04-13 (bills)
- c. Beer permit renewal for Pizza Hut
- d. Beer permit renewal for Hy-Vee
- e. Administrator's report

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

ORDINANCE REPEALING 2 HOUR PARKING LIMIT

City Attorney Doster gave the first reading of the proposed ordinance that would repeal the two-hour parking limitations in the downtown business district.

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

RESOLUTION APPROVING RLF-AMERICAN MARINE

Lighter moved and Esser seconded the motion that Resolution No. 04-01, **"A RESOLUTION APPROVING DISTRIBUTION OF REVOLVING LOAN FUNDS TO AMERICAN MARINE, INC."**, be adopted. The loan would be for \$10,000 at 0% for 5 years. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION APPROVING CORRECTED QUIT CLAIM DEED

Kohlhaas moved and Weaver seconded the motion that Resolution No. 04-02, **"RESOLUTION APPROVING CORRECTED QUIT CLAIM DEED"**, be adopted. This deed corrects the legal description on the portion of vacated Metcalf Street that Chris Gerhardt purchased. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION APPOINTING REGISTRAR/PAYING AGENT

Esser moved and Lighter seconded the motion that Resolution No. 04-03, **"RESOLUTION APPOINTING IOWA STATE BANK OF ALGONA, IOWA, TO SERVE AS PAYING AGENT, BOND REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND BOND REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT"**, be adopted. This names Iowa State Bank as our bond registrar and paying agent for the new bond issuance for the Downtown Project. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION AUTHORIZING ISSUANCE OF
\$3,630,000 G.O. BONDS-DOWNTOWN PROJECT

Von Ruden moved and Kohlhaas seconded the motion that Resolution No. 04-04, **"RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$3,630,000 GENERAL OBLIGATION BONDS, SERIES 2004, AND LEVYING A TAX TO PAY SAID BONDS"**, be adopted. This authorizes the issuance of bonds for the Downtown Project and refunding of the 1994 and 1995 bonds. On call of the roll the vote was all ayes. Motion carried.

APPROVE TAX EXEMPTION CERTIFICATE

Von Ruden moved and Kohlhaas seconded the motion to approve the Tax Exemption Certificate that sets the conditions we must meet to maintain the bonds as tax exempt. On call of the roll the vote was all ayes. Motion carried.

APPROVAL OF CONTINUING DISCLOSER CERTIFICATE

Von Ruden moved and Weaver seconded the motion to approve the Continuing Disclosure Statement. This requires us to provide specific financial data to the bond market place on an annual basis. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION NO. 2-BIO-FILTER PROJECT

Von Ruden moved and Lighter seconded the motion to approve Pay Application No. 2 in the amount of \$35,150.00 to C.L. Carroll Co., Inc. for work completed on the bio-filter/bar screen project at the Wastewater Treatment Plant. Public Works Director Schaeffer updated the Council on the project, estimated time of completion is the end of March. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION NO. 2-AIRPORT PROJECT

Esser moved and Kohlhaas seconded the motion to approve Pay Application No. 2 in the amount of \$11,533.55 to Wicks Construction for work completed on the Airport Project. On call of the roll the vote was all ayes. Motion carried.

SET PUBLIC HEARING ON PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ENGINEER'S COST ESTIMATE-DOWNTOWN PROJECT

Lighter moved and Kohlhaas seconded the motion to set January 19, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on Plans, Specifications, Form of Contract and Engineer's Cost Estimate for the Downtown Project. On call of the roll the vote was all ayes. Motion carried.

RE-APPOINTMENT OF CITY CLERK

Esser moved and Weaver seconded the motion that Rexann McEnroe be re-appointed as City Clerk. On call of the roll the vote was all ayes. Motion carried. The City Clerk's term will expire at the first regular council meeting January 2006.

REPORT ON NOMINEES-ALGONA BOARD OF ADJUSTMENT

Report was given on nominees for the Algona Board of Adjustment. Jerry Anderson's term expires January 31, 2004.

CITIZEN'S OPPORTUNITY

Ron Peck, citizen of the county, was concerned that City Administrator O'Donnell has an unlisted phone number. He was told that if he had any complaints he should call during business hours or call the Mayor or a councilperson.

Lighter moved and Weaver seconded the motion that the Council adjourn into a strategy session that is closed to the public pursuant to Iowa Code 20.17.3. On call of the roll the vote was all ayes. Motion carried. The Council went into closed session at 4:56 p.m. and returned to open session at 6:13 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.