

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 October 18, 2004, at 4:30 p.m., City Hall Council Chambers with Mayor Lynn R. Kueck and the following council members:

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

Absent: Weaver

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

AGENDA

Von Ruden 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 congratulated Pharmacists Mutual for receiving an award for being one of the "10 Best Companies for Employee Financial Security". They were the only company from Iowa.

Mayor Kueck read a thank you from Mayor Mitch Hauskins of Swea City. Mayor Hauskins thanked the City of Algona and the Wastewater Treatment Plant employees for helping during the time they received heavy rains and were having water problems.

City Administrator O'Donnell asked Council if January 12th or 13th would work for them for the annual retreat. They are to contact City Hall and let us know.

CONSENT AGENDA

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

- a. Minutes of October 4, 2004, council meeting
- b. Appropriating Resolution No. 04/05-8 (bills)
- c. Beer permit renewal for Algona Lanes
- d. Minutes of various Boards/Commissions
- e. Department reports for September
- f. Administrator's report

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

REQUEST TO REMOVE TREE FROM BOULEVARD-TULL

Mayor Kueck moved this item up on the agenda as Mr. & Mrs. Mike Tull were present.

The Tull's are requesting to remove an ash tree on the boulevard as it is growing into other trees and is a very messy tree. The ash has been trimmed many times, but is overpowering the other trees. They will have the tree removed, at their expense, and replace it with an approved tree from the City's list.

After discussion and reviewing photos brought in by the Tull's, Lighter moved and Von Ruden seconded the motion to grant the request to remove the ash tree at the Tull's expense and replacement of an approved tree. On call of the roll the vote was as follows: Ayes: Lighter, Von Ruden, Curtis, Kohlhaas. Nay: Esser. Motion carried.

ORD. PROVIDING NO SMOKING IN CENTRAL PARK

City Attorney Doster gave the first reading of the proposed ordinance amending the municipal code by providing for no smoking in Central Park.

Councilmember Curtis requested that this ordinance providing for no smoking be placed on the agenda. She would like to see the city take a stand to support our youth by providing no smoking at Central Park.

Councilmember Von Ruden agreed, but feels it not up to the City to regulate it.

Curtis moved and Lighter seconded the motion to approve the first reading of the proposed ordinance. On call of the roll the vote was as follows: Ayes: Curtis. Nays: Lighter, Esser, Von Ruden, Kohlhaas. Motion failed, first reading did not reach required majority for passage.

RESOLUTION APPROVING \$10,000 RLF AGREEMENT-CSA

Von Ruden moved and Lighter seconded the motion that Resolution No. 04-70, "**Resolution Approving \$10,000.00 Loan Agreement with Franklin D. Rusch and Patty A. Rusch**", be adopted. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION APPROVING \$10,000 RLF AGREEMENT-BUSCHER FLORISTS

Von Ruden moved and Esser seconded the motion that Resolution No. 04-71, **"Resolution Approving \$10,000.00 Loan Agreement with Thomas H. Buscher and Sandra K. Buscher"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

RESOLUTION APPROVING RELEASE OF MORTGAGE-COZZINI

AFECO had been approved for a revolving loan in the amount of \$250,000.00. Their plans changed and they never received any loan proceeds, but the mortgage was recorded. Since a loan was not made, the mortgage needs to be released.

Esser moved and Kohlhaas seconded the motion that Resolution No. 04-72, **"Resolution Authorizing Execution of Release of Real Estate Mortgage and Other Documents"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

SETTING DATE & TIME FOR PUBLIC HEARING-CIP

Von Ruden moved and Lighter seconded the motion that Resolution No. 04-73, **"Resolution Setting Public Hearing on the Adoption of the Capital Improvement Plan for Fiscal Years 2006 Through 2010 and Authorizing Publication of Notice Thereof"**, be adopted. Public hearing will be November 15, 2004, at 5:00 p.m., City Hall Council Chambers. On call of the roll the vote was all ayes. Motion carried.

SETTING DATE & TIME FOR PUBLIC HEARING-URBAN RENEWAL PLAN

The City's Urban Renewal Plan needs to be amended to designate the downtown area as slum and blighted and to extend the life of our current Urban Renewal Area. This needs to be done as the Urban Renewal Plan is what gives us the authority to use TIF.

Lighter moved and Curtis seconded the motion that Resolution No. 04-74, **"Resolution Setting Dates of Consultation and Public Hearing on Proposed Amendment No. 1 to the Algona Urban Renewal Plan for the City of Algona, Iowa"**, be adopted. Public hearing will be November 15, 2004, at 5:00 p.m., City Hall Council Chambers. On call of the roll the vote was all ayes. Motion carried.

APPROVE ENG. AGREEMENT WITH CGA

Esser moved and Lighter seconded the motion that Resolution No. 04-75, **"Resolution Approving Engineering Services Agreement with Clapsaddle-Garber Associates, Inc."**, be adopted. This is for engineering services, cost is \$22,500.00, for the equipment storage building and rotating beacon projects at the airport. On call of the roll the vote was all ayes. Motion carried.

REFER TO P&Z

Kohlhaas moved and Curtis seconded the motion to refer the following to the Algona Planning & Zoning Commission:

- a. Request from Good Samaritan Center to rezone their property from RS-60 and RM-2 to RM-1.
- b. Request to vacate the alley ½ block south of McGregor on E. Sample Street.
- c. Review amendment to the Urban Renewal Plan to see that it conforms to our land use plan.

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

SET DATE & TIME FOR PUBLIC HEARING ON ANNUAL FINANCIAL REPORT

Lighter moved and Kohlhaas seconded the motion to set November 15, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on the Financial Report for Fiscal Year Ending June 30, 2004. On call of the roll the vote was all ayes. Motion carried.

SET DATE & TIME FOR PUBLIC HEARING ON PETITION
TO VACATE LOTS 1,2,3, OF WESTERN HILLS ADDITION-HUNT

Kohlhaas moved and Curtis seconded the motion to set November 15, 2004, at 5:00 p.m., for a public hearing on the request to vacate Lots 1, 2, 3 of Western Hills Addition. On call of the roll the vote was all ayes. Motion carried.

REPORT ON NOMINEES-BD. OF ADJ.

Report was given on the nominees to fill the vacancy on the Algona Board of Adjustment.

REPORT ON NOMINEES-RLF

Report was given on the nominees for the Revolving Loan Committee.

FINAL REPORT ON NOMINEES-AIRPORT COMMISSION

Final report was given on the nominees for the Algona Airport Commission.

DOWNTOWN PROJECT UPDATE

Public Works Director Schaeffer provided the Council with an update on the Downtown Project. The street lights are installed and should be ready to go by the end of the week. Traffic signals will be another 1-2 weeks. Punch list items are starting this week. There is a two year maintenance bond, which begins once the project is accepted by the City.

CITIZEN'S OPPORTUNITY

Public Works Director Schaeffer informed the Council that on October 22nd the house at 809 E. McGregor will be open for the public to come in and put bids on anything that can be salvaged.

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 5:20 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk