

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 November 15, 2004, at 4:30 p.m., 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, Public Works Director Schaeffer, City Attorney Doster

AGENDA

Kohlhaas 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 shared a thank you he received from Dawn Kirsch of the Farmer's Market and a thank you from Maureen Elbert, KCEDC, for the City's contribution of \$500 towards the Visitors Guide.

The Mayor informed the Council that the City's website has received an average of 1500 hits per month since the Sesquicentennial. He also reviewed the Library's monthly report stating 8,750 items had been checked out in the month of October.

Councilmember Lighter commented on the high usage of the composite site this fall and how much cleaner it was.

CONSENT AGENDA

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

- a. Minutes of November 1, 2004, council meeting
- b. Appropriating Resolution No. 04/05-10 (bills)
- c. Department reports for October
- d. Minutes of various Boards/Commissions
- e. Administrator's report

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

RELEASE OF MORTGAGE-L. HUDSON

Von Ruden moved and Lighter seconded the motion that Resolution No. 04-77, **"Resolution Authorizing Execution of Release or Satisfaction of Mortgage"**, be adopted. Larry and Carol Hudson, d/b/a Kossuth Abstract, have repaid their economic development loan. On call of the roll the vote was all ayes. Motion carried.

SETTING DATE & TIME FOR A PUBLIC HEARING
ON DEVELOPER'S AGREEMENT WITH BARCO DEV.

Lighter moved and Kohlhaas seconded the motion that Resolution No. 04-78, **"Resolution Fixing Date for a Meeting on the Proposal to Enter into a Development Agreement with BARCO Development Co., L.C., and Providing for Publication of Notice Thereof"**, be adopted. The public hearing will be December 6, 2004, at 5:00 p.m., City Hall Council Chambers. On call of the roll the vote was all ayes. Motion carried.

APPROVE LOAN AGREEMENT-ARP THEATRE PROJ.

Esser moved and Weaver seconded the motion that Resolution No. 04-79, **"Resolution Approving \$250,000.00 Loan Agreement with Algona Revitalization Project, Inc."**, be adopted. The loan is on the condition that ARP secures the property from Fridley Theatres. On call of the roll the vote was all ayes. Motion carried.

APPROVE 5 YEAR CIP-AIRPORT

Weaver moved and Esser seconded the motion that Resolution No. 04-80, **"A Resolution Authorizing the Submission of Applications for Federal Airport Improvement Program Funding and Certifying Eligibility Requirements"**, be adopted. A 5-year capital plan must be submitted for the airport for the City to receive federal funding. On call of the roll the vote was all ayes. Motion carried.

APPROVE ENG. CONTRACT-PARKING LOT PROJ.

Lighter moved and Von Ruden seconded the motion that Resolution No. 04-81, **"Resolution Approving Engineering Agreement with Kuehl & Payer, LTD., Concerning 2005 Parking Lot Improvements Project"**, be adopted. This contract is for Central Park and Solbach parking lots and the shelter and parking lot at South Park. On call of the roll the vote was all ayes. Motion carried.

APPROVE ENG. CONTRACT-E. STATE ST.

Weaver moved and Kohlhaas seconded the motion that Resolution No. 04-82, **"Resolution Approving Professional Services Agreement with WHKS & Co., Concerning State Street Reconstruction Project"**, be adopted. The contract is for the State Street reconstruction from Phillips to Main. On call of the roll the vote was all ayes. Motion carried.

APPROVE 2004 FINANCIAL REPORT

Kohlhaas moved and Von Ruden seconded the motion to approve the 2004 Financial Report Fiscal year Ended June 30, 2004. On call of the roll the vote was all ayes. Motion carried.

SET DATE & TIME FOR PUBLIC HEARINGS

Lighter moved and Curtis seconded the motion to set December 6, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on amendment of the current budget. On call of the roll the vote was all ayes. Motion carried.

Esser moved and Lighter seconded the motion to set December 6, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on the Pre-Hazard Mitigation Plan. On call of the roll the vote was all ayes. Motion carried.

Kohlhaas moved and Weaver seconded the motion to set December 6, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on a rezoning request from Good Samaritan Center to rezone a portion of their property from RS-60 and RM-2 to RM-1. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Esser seconded the motion to set December 6, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on street vacations for Good Samaritan Center's expansion. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to set December 6, 2004, at 5:00 p.m., City Hall Council Chambers, for a public hearing on vacation of an alley request by Norberto Mireles. The alley is located north of his property on South Sample Street. On call of the roll the vote was all ayes. Motion carried.

APPROVE URBAN REITALIZATION TAX EXEMPTION

Von Ruden moved and Lighter seconded the motion to approve an Application for Urban Revitalization Tax Exemption for West Bend Building Corp. This is for remodeled commercial, 10 years declining, estimated cost of \$1,301,000. On call of the roll the vote was all ayes. Motion carried.

APPOINTMENTS

Algona Board of Adjustment. Von Ruden moved and Lighter seconded the motion to table this appointment until December 6, 2004. On call of the roll the vote was all ayes. Motion carried.

Retail Revolving Loan Committee. Von Ruden moved and Kohlhaas seconded the motion to reappoint Greg Mullins and Teri Von Ruden, with terms expiring September 16, 2006, and Cheryl Rasmussen and Jeff Knapp, with terms expiring September 16, 2007. On call of the roll the vote was all ayes. Motion carried.

NOTIFICATION OF TERM EXPIRING

Algona Planning & Zoning Commission. Notification was given on the following terms expiring January 1, 2005: Steve Becker, Russ Buscher and John Brenner. These are Council appointments.

Algona Recreation Commission. Notification was given that Ruth Lindgren's term expires December 31, 2004. This is a Mayoral appointment.

Algona Housing Commission. Notification was given that Jim Conard and Greg Mullins terms expire January 1, 2005. These are Mayoral appointments.

Algona Broadband Telecommunication Commission. Notification was given that Father Cecil Friedman's term expires December 31, 2004. This is a Council appointment.

PUBLIC HEARINGS

Mayor Kueck announced at 5:00 p.m., that this is the time and place for a public hearing on the Capital Improvement Plan for Fiscal Years 2006-2010. City Administrator O'Donnell highlighted the plan which includes reconstruction of E. State Street, parking lots, aesthetic features for the Hwy. 169 bridge, installation of playground equipment at Tietz and Call City Parks, walking trails and traffic control at Phillips and McGregor. Also discussed was the probability of sewer rates being raised. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:10 p.m.

Mayor Kueck announced at 5:10 p.m., that this is the time and place for a public hearing on the proposed Amendment No. 1 to the Algona Urban Renewal Plan. The Plan designates portion of the city as Urban Renewal Area. Within the designated area the City can promote projects to improve valuation of the property. It also extends the life of the Plan to 2024. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:14 p.m.

Mayor Kueck announced at 5:14 p.m., that this is the time and place for a public hearing on the petition to vacate a portion of an official plat. Gene Hunt has purchased 3 lots of the Western Hills Subdivision. He would like to re-plat these lots as part of his Wood Haven Subdivision. This is out of the city limits, but within our two mile review. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:15 p.m.

Mayor Kueck announced at 5:15 p.m., that this is the time and place for a public hearing to renew the cable TV franchise. Kohlhaas moved and Weaver seconded the motion that this public hearing be continued until December 20, 2004, at 4:30 p.m. On call of the roll the vote was all ayes. Motion carried.

APPROVE CAPITAL IMPVT. PLAN

Lighter moved and Kohlhaas seconded the motion that Resolution No. 04-83, **"Resolution on the Adoption of the Capital Improvement Plan for Fiscal Years 2006 through 2010"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE AMENDMENT NO. 1-ALGONA URBAN RENEWAL PLAN

Esser moved and Lighter seconded the motion that Resolution No. 04-84, **"Resolution Determining an Area of the City to be a Blighted and Economic Development Area, and that the Rehabilitation, Conservation, Redevelopment, Development, or a Combination Thereof, of such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City; Designating such Area as Appropriate for Urban Renewal Project; and Adopting Amendment No. 1 to the Algona Urban Renewal Plan Therefor"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE VACATION OF PORTION OF OFFICAL PLAT

Von Ruden moved and Esser seconded the motion that Resolution 04-85, **"Resolution Approving Vacation of Portion of Official Plat"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE PRELIMINARY PLAT-WOOD HAVEN

Von Ruden moved and Lighter seconded the motion that Resolution No. 04-86, **"Resolution Approving Preliminary Plat for Wood Haven Subdivision"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE SUBDIVISION AGREEMENT-WOOD HAVEN

Weaver moved and Kohlhaas seconded the motion that Resolution No. 04-87, **"Resolution Approving Subdivision Agreement Concerning Wood Haven Subdivision"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

AUTHORIZE EXTENSION OF CABLE TV FRANCHISE

The franchise with MediaCom expires November 30, 2004. We have not reached agreement on a new franchise and the Algona Broadband Telecommunications Commission is recommending a 30 day extension of the current franchise agreement. Kohlhaas moved and Weaver seconded the motion to authorize the 30 day extension with MediaCom. On call of the roll the vote was all ayes. Motion carried.

EMPLOYEE CONTRACT NEGOTIATION-CLOSED SESSION

Weaver moved and Lighter seconded the motion that the Council adjourn into a closed session pursuant to Iowa Code Chapter 21.5(1).i for the purpose of evaluating the City Administrator, as he had requested a closed session. On call of the roll the vote was all ayes. Motion carried. The Council adjourned into closed session at 5:25 p.m. and returned into open session at 5:50 p.m.

Weaver 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 5:52 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk