

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 December 6, 2004, at 4:30 p.m., City Hall Council Chambers with Mayor Lynn R. Kueck and the following council members:

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

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

CITIZEN'S OPPORTUNITY

Mayor Kueck made several community announcements including the new book "Portraits of Iowa", which has eight pages on Algona, and Ricke's Christmas Open House on December 11th and 12th.

CONSENT AGENDA

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

- a. Minutes of November 15, council meeting
- b. Appropriating Resolution No. 04/05-11 (bills)
- c. Beer permit renewal for Godfather's Pizza
- d. Beer permit renewal for Algona Family Table
- e. Administrator's report

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

APPOINTMENT-ALG. BD. OF ADJUSTMENT (TABLED)

Von Ruden moved and Kohlhaas seconded the motion to remove from the table the appointment to fill the vacancy on the Algona Board of Adjustment. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Lighter seconded the motion to appoint Jim Buscher to the Algona Board of Adjustment. His term will expire January 28, 2007. On call of the roll the vote was all ayes. Motion carried.

AMENDING TIF POLICY

The City amended the urban renewal plan to designate areas as slum and blighted, therefore, we need to address this in our TIF policy. Currently, retail projects can only receive 50% of the eligible TIF for 5 years. It is being proposed that we add a new exception for projects in the slum and blighted areas that they would be eligible for up to 100% of eligible TIF for up to 15 years.

Esser moved and Lighter seconded the motion that Resolution No. 04-88, **"Resolution Amending the Tax Increment Financing Program Guidelines for the City of Algona, Iowa"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPOINT REPRESENTATIVE TO CIC

Kohlhaas moved and Esser seconded the motion that Resolution No. 04-89, **"Resolution Appointing Representative to Central Iowa Committee"**, be adopted. Chad Schaeffer, Director of Public Works, was appointed as representative to the Central Iowa Committee and Cole O'Donnell, City Administrator, as alternate. On call of the roll the vote was all ayes. Motion carried.

APPROVE A.M.U. 2005 BUDGET

A.M.U. has submitted their budget for calendar year 2005. Showing estimated revenues of \$9,100,872 and expenditures, with transfers of \$14,102,051.

Kohlhaas moved and Von Ruden seconded the motion that Resolution No. 04-90, **"Resolution Approving Algona Municipal Utilities Calendar Year 2005 Budget"**, be adopted. On call of the roll the vote was all ayes. Motion carried. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION #1-AIRPORT ENTRANCE ROAD

Curtis moved and Weaver seconded the motion to approve Pay Application No. 1 to Blacktop Services Co., in the amount of \$72,786.78, for work completed on the Airport Entrance Road Rehabilitation Project. On call of the roll the vote was all ayes. Motion carried.

SET DATE, TIME AND LOCATION FOR COUNCIL RETREAT

Kohlhaas moved and Lighter seconded the motion to set January 13, 2005, at 4:00 p.m., Algona Public Library, for their Council Retreat. On call of the roll the vote was all ayes. Motion carried.

REQUEST FOR EXTENDED VACATION LEAVE-K. SCHISSEL

Lighter moved and Esser seconded the motion to approve extended vacation leave for Karen Schissel. Vacation leave over 2 weeks needs to be approved by the Council. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR URBAN REVITALIZATION TAX EXEMPTION

Lighter moved and Esser seconded the motion to approve an Application for Urban Revitalization Tax Exemption for Darlene Treslan for new residential. On call of the roll the vote was all ayes. Motion carried.

REPORT ON NOMINEES

Report was given on nominees for Algona Planning and Zoning Commission, Recreation Commission, Algona Housing Commission and Algona Broadband Telecommunications Commission.

Mayor Kueck declared a 12 minute recess at 4:48 p.m.

PUBLIC HEARING-AMENDMENT OF CURRENT BUDGET

Mayor Kueck announced at 5:00 p.m., that this is the time and place for a public hearing on the amendment of the current city budget. With the loan for ARP we needed to amend \$250,000 into Economic Development. Also, the purchase of a tractor from the sewer department to airport. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:03 p.m.

PUBLIC HEARING-PRE-HAZARD MITIGATION PLAN

Mayor Kueck announced at 5:03 p.m., that this is the time and place for a public hearing on the Pre-Hazard Mitigation Plan. NIACOG completed our Pre-Hazard Mitigation Plan which is needed to receive any FEMA funds in case of a disaster. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:07 p.m.

PUBLIC HEARING-REZONING REQUEST FOR GSC

Mayor Kueck announced at 5:07 p.m., that this is the time and place for a public hearing on the rezoning request from Good Samaritan Communities for their expansion, rezoning their property from RS-60 and RM-2 to RM-1. John Kern, Director of GSC, reviewed plans, financing and construction of their new Assisted Living complex. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:16 p.m.

PUBLIC HEARING-VACATING STREETS FOR GSC

Mayor Kueck announced at 5:16 p.m., that this is the time and place for a public hearing to vacate streets for the new Good Samaritan Communities expansion. Streets needed to be vacated are portions of W. Kennedy, Blackford and Riverview Drive. Chad Schaeffer, Director of Public Works, explained the procedure of vacating streets and selling of the vacated streets. Linda Nerdig, neighbor, inquired on lot lines, since they have two retaining walls on the north end of their property. Lot lines will be located before selling vacated Riverview Drive. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:28 p.m.

PUBLIC HEARING-VACATING ALLEY FOR MIRELES

Mayor Kueck announced at 5:28 p.m., that this is the time and place for a public hearing on a request from Norberto Mireles to vacate an alley north of his property at 315 S. Sample. Chad Schaeffer read a letter from Steven Weaver regarding the sale of the vacated alley. Mr. Weaver wants an opportunity to purchase part of the vacated alley. There being no other objections either written or oral, the Mayor declared the public hearing closed at 5:31 p.m.

PUBLIC HEARING-DEVELOPER'S AGREEMENT WITH BARCO

Mayor Kueck announced at 5:31 p.m., that this is the time and place for a public hearing on the Developer's Agreement with BARCO Development. The agreement would provide BARCO with 100% of the eligible TIF for 10 years on their new building on Norwood Drive. There being no objections either written or oral, the Mayor declared the public hearing closed at 5:33 p.m.

ORD. REZONING PROPERTY FOR GSC

Lighter moved and Kohlhaas seconded the motion to waive the first reading of the proposed ordinance rezoning property for Good Samaritan Communities from RS-60 and RM-2 to RM-1. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Kohlhaas seconded the motion to approve the first reading of the proposed ordinance rezoning property for Good Samaritan Communities from RS-60 and RM-2 to RM-1. On call of the roll the vote was all ayes. Motion carried.

ORD. VACATING PORTIONS OF STREETS FOR GSC

Lighter moved and Weaver seconded the motion to waive the first reading of the proposed ordinance vacating streets located by Good Samaritan Communities. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Curtis seconded the motion to approve the first reading of the proposed ordinance vacating streets located by GSC. On call of the roll the vote was all ayes. Motion carried.

ORD. VACATING AN ALLEY NORTH OF
PROPERTY LOCATED AT 315 S. SAMPLE ST.

Lighter moved and Curtis seconded the motion to waive the first reading of the proposed ordinance vacating an alley located north of the property at 315 S. Sample Street. On call of the roll the vote was as follows: Ayes: Curtis, Kohlhaas, Lighter, Esser, Von Ruden. Abstain: Weaver. Motion carried.

Von Ruden moved and Curtis seconded the motion to approve the first reading of the proposed ordinance vacating an alley located north of the property at 315 S. Sample Street. On call of the roll the vote was as follows: Ayes: Curtis, Kohlhaas, Lighter, Esser, Von Ruden. Abstain: Weaver. Motion carried.

AMEND CURRENT FISCAL YEAR BUDGET

Lighter moved and Esser seconded the motion that Resolution No. 04-91, **"A Resolution Amending the Current Budget for the Fiscal Year Ending June 30, 2005"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

ADOPTING PRE-HAZARD MITIGATION PLAN

Kohlhaas moved and Von Ruden seconded the motion that Resolution No. 04-92, **"A Resolution Adopting a Pre-Hazard Mitigation Plan for the City of Algona, Iowa"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVING DEVELOPER'S AGREEMENT WITH BARCO

Weaver moved and Von Ruden seconded the motion that Resolution No. 04-93, **"Resolution Approving and Authorizing Execution of a Development Agreement by and Between the City of Algona and BARCO Development Co., L.C."**, be adopted. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Mayor Kueck invited the public to drive by and see the community Christmas tree at Sara and Scott Curtis' residence on the corner of McGregor and Wooster. The Strohman family had the community tree for 26 years, but due to damage to the tree it had to be removed.

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 5:41 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk