

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 7, 2009, at 4:30 p.m., City Hall Council Chambers, with Mayor Jeff Gilmore and the following council members:

Present: Kohlhaas, Weaver, Esser, Besch, Curtis

Absent: Lighter

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

AGENDA

Kohlhaas moved and Weaver 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 read a thank you from the Farmer's Market.

City Administrator O'Donnell asked if the Council would like to set up a Nominating Committee as a Council standing committee. With the new gender balance law for certain Boards and Commissions, it may be a better way to nominate potential candidates. He also reviewed which Boards and Commissions were affected by the new law, Park Commission, Planning and Zoning, and Airport Commission. Councilmembers Kohlhaas and Weaver encouraged anyone interested in serving on a Board or Commission to contact a council member or City Hall. Council directed City Administrator O'Donnell to set up a Council Nominating Committee.

Councilmember Lighter arrived at 4:38 p.m.

Public Works Director Roberts informed the Council there will be a retirement coffee for Wastewater Treatment Plant Superintendent Jim Pergande on Friday, December 11th, 3:00 - 4:30 p.m.

Councilmember Curtis asked City Administrator O'Donnell to explain why the letters sent out regarding residents sidewalks were sent certified. He explained that by law the City had to send them out as certified letters. He also explained that residents had until October 2010 to replace their sidewalks, and at the time if they are not replaced, the City will put them on as part of the City's sidewalk project. If the sidewalks are assessed, those charges will not show up on taxes until 2012. He also reminded anyone who will be doing their own sidewalks to either fill out a ROW permit online or stop in to City Hall and fill out the permit.

CONSENT AGENDA

Weaver moved and Besch seconded the motion that item a, Approve Minutes of the November 17, 2009, council meeting be corrected to say November 16, 2009, council meeting, and then moved to approve the corrected Consent Agenda:

- a. Minutes of November 16, 2009, council meeting
- b. Appropriating Resolution No. 09/10-11 (bills)
- c. Class B Beer permit renewal-Pizza Hut
- d. Class B Beer permit renewal-Family Table of Algona
- e. Class E Liquor license-Wine & Spirits Shoppe
- f. Administrator's report

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

ACCEPT 2008/2009 AUDIT

Tim McCarten, TP Anderson Company, reviewed the 2008/2009 audit.

Kohlhaas moved and Curtis seconded the motion that Resolution No. 09-76, **"Resolution Accepting the 2008/2009 Fiscal Year Audit"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE RLF DISTRIBUTION-FAST OIL

Lighter moved and Esser second seconded the motion that Resolution No. 09-77, **"Resolution Approving Distribution of Revolving Loan Funds to Fast Oil"**, be adopted. This is for \$6,000, 5 years at 0% for building improvements. On call of the roll the vote was all ayes. Motion carried.

APPROVE RLF DISTRIBUTION-WEAVER'S

Esser moved and Lighter second seconded the motion that Resolution No. 09-78, **"Resolution Approving Distribution of Revolving Loan Funds to Weaver's"**, be adopted. This is for \$9,000, 5 years at 0% for a new embroidery machine. On call of the roll the vote was as follows: Ayes: Kohlhaas, Lighter, Esser, Besch, Curtis. Abstain: Weaver. Motion carried.

AUTHORIZING RELEASE OF MORTGAGE-MOSHER

Carolyn Mosher received a CDBG rehabilitation grant in 2000. The terms have been satisfied and the mortgage needs to be released.

Weaver moved and Besch seconded the motion that Resolution No. 09-80, **"Resolution Authorizing Execution of Release of Real Estate Mortgage"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE AGREEMENT WITH IDOT-PHILLIPS,
DIAGONAL, COMMERCIAL, MAIN PROJECT

This project is for the milling and resurfacing of the roadway surface on Phillips to Diagonal, Diagonal to Commercial, Commercial to Main and Main to Hwy. 18. We are requesting \$200,000 in Federal STP funds to help pay for the project. Councilmember Kohlhaas asked if the corner of Main and Diagonal would be changed and now would be a good time to implement those changes. City Administrator informed him that it was just the milling and resurfacing at this time. Kohlhaas suggested that lines for a bike trail be considered and proceed forward with the trail project.

Kohlhaas moved and Esser seconded the motion that Resolution No. 09-81, **"Resolution Approving Agreement with IDOT Concerning HMA Resurfacing and Milling on Phillips, Diagonal, Commercial, and Main Streets from Call Street to Highway 18"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE AMU 2010 BUDGET

Lighter moved and Curtis seconded the motion that Resolution No. 09-82, **"Resolution Approving Algona Municipal Utilities Calendar Year 2010 Budget"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION NO. 2-TRAIL PROJECT

Lighter moved and Besch seconded the motion to approve Pay Application No. 2 in the amount of \$216,922.49 to Howrey Construction for work completed on the Trail Project. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR FIREWORKS

Esser moved and Lighter seconded the motion to approve the Application for Fireworks for the Algona Fire Department. They will have a fireworks display on December 31st west of Jack's OK Tire Service. On call of the roll the vote was all ayes. Motion carried.

CHRISTMAS EVE HOURS

Councilmember Esser is requesting that the employees be granted Christmas Eve day off. Employees who have to work that day would receive 8 hours of Floating Holiday that would need to be taken by July 1, 2010.

Esser moved and Kohlhaas seconded the motion to allow employees Christmas Eve day off. On call of the roll the vote was all ayes. Motion carried.

APPROVE REQUEST TO EXCEED VACATION LIMITS

Public Works Director Roberts is requesting to be allowed to take 100 hours of vacation leave. Our policy requires that any vacation leave request in excess of 80 hours be approved by the Council.

Lighter moved and Weaver seconded the motion to allow Public Works Director Roberts the 100 hours of vacation leave. On call of the roll the vote was all ayes. Motion carried.

ACCEPT RESIGNATION-AIRPORT COMMISSION

Kohlhaas moved and Besch seconded the motion to accept the resignation of Stacey Carlson from the Algona Airport Commission. On call of the roll the vote was all ayes. Motion carried.

NOTIFICATION OF VACANCY-AIRPORT COMMISSION

Notification was given on the vacancy on the Algona Airport Commission. This appointment is subject to the Gender Equity Law.

FINAL REPORT ON VACANCIES-PARK COMMISSION

Final report was given on the vacancies on the Algona Park Commission. These appointments are subject to the Gender Equity Law.

FINAL REPORT ON TERM EXPIRING-PARK COMMISSION

Final report was given on the term expiring on the Algona Park Commission. Mike Huff has been contacted and would like to serve another term.

FINAL REPORT ON VACANCY-RETAIL REVOLVING LOAN COMMITTEE

Final report was given on the vacancy on the Algona Retail Revolving Loan Committee. A council member needs to be appointed to this position.

FINAL REPORT ON TERMS EXPIRING-P&Z

Final report was given on the terms expiring and vacancies on the Algona Planning & Zoning Commission. These appointments are subject to Gender Equity Law. Councilmember Kohlhaas informed the Council that Mary LaVelle would like to serve.

FINAL REPORT ON TERMS EXPIRING-RECREATION COMMISSION

Final report was given on the terms expiring on the Algona Recreation Commission.

FINAL REPORT ON TERMS EXPIRING-ALGONA HOUSING

Final report was given on the terms expiring on the Algona Housing Commission.

FINAL REPORT ON TERM EXPIRING-ABTC

Final report was given on the term expiring on the Algona Broadband Telecommunication Commission.

APPROVE APPLICATIONS FOR URBAN REVITALIZATION TAX EXEMPTION

Lighter moved and Kohlhaas seconded the motion to approve the Application for Urban Revitalization Tax Exemption for Terry D. and Julie L. Stundahl, remodel residential. On call of the roll the vote was all ayes. Motion carried.

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APPROVE APPLICATIONS FOR URBAN REVITALIZATION TAX EXEMPTION

Lighter moved and Besch seconded the motion to approve the Application for Urban Revitalization Tax Exemption for North Iowa Lumber & Design, Inc. and Bryan Murphy Construction, new residential. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Councilmember Weaver asked City Administrator to review the Snow Ordinance. He explained that vehicles need to be off the streets when City Staff puts the ordinance into effect. Staff tries to do this in a timely manner so it is well publicized before it goes into effect.

Weaver moved and Lighter seconded the motion that this meeting be adjourned. On call of the roll the vote was all ayes. Motion carried. Meeting adjourned at 5:25 p.m.

Jeff Gilmore, Mayor

ATTEST:

Rexann McEnroe, City Clerk