

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 20, 2004, at 4:30 p.m., City Hall Council Chambers with Mayor Lynn R. Kueck and the following council members:

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

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

AGENDA

City Administrator requested that Item #12, Resolution Approving Agreement for Septic Tank Variance, be removed from the agenda. Kohlhaas moved and Lighter seconded the motion to approve the amended agenda. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Mayor Kueck congratulated City Administrator O'Donnell on receiving a service award for 10 years of service. The Mayor also reviewed the snow ordinance, meetings with IDOT on the study at the corner of Phillips and McGregor, and meetings regarding the bike/walking trails. The contractor was notified to put the bases on the light poles and they were working on them today. The timing on the street lights is off, but will be re-timed.

Councilmember Weaver inquired about the skating rink. She was told work will begin on it since it has snowed and the temperatures are to stay low.

CONSENT AGENDA

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

- a. Minutes of December 6, 2004, council meeting
- b. Appropriating Resolution No. 04/05-12 (bills)
- c. Beer permit renewal for Pizza Hut
- d. Minutes of various Boards/Commissions
- e. Department reports for November
- f. Administrator's report

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

ORD. REZONING PROPERTY FOR GSC

Lighter moved and Von Ruden seconded the motion to waive the second reading of the proposed ordinance rezoning property for Good Samaritan Communities from RS-60 and RM-2 to RM-1. Kuehl & Payer is in the process of surveying the property. Discussion was held on the sale of the vacated streets and that adjacent property owners will be able to buy a portion of the vacated street if they want to. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Curtis seconded the motion to approve the second 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 Von Ruden seconded the motion to waive the third reading of the proposed ordinance rezoning property for Good Samaritan Communities. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Von Ruden seconded the motion to adopt Ordinance No. 921, **An Ordinance Amending Ordinance No. 869 by Amending the Official Zoning Map of the City of Algona, Iowa, by Changing the Zoning Classification on the Following Described Tract.** On call of the roll the vote was all ayes. Motion carried.

ORD. VACATING PORTIONS OF STREETS FOR GSC

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

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

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

Von Ruden moved and Weaver seconded the motion to adopt Ordinance No. 922, **An Ordinance Vacating Streets Located by the Algona Good Samaritan Communities.** 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 Esser seconded the motion to waive the second reading of the proposed ordinance vacating an alley located north of the property at 315 S. Sample Street. Adjacent property owners will have the chance to purchase part of the vacated alley. On call of the roll the vote was as follows: Ayes: Kohlhaas, Lighter, Esser, Von Ruden, Curtis. Abstain: Weaver. Motion carried.

Lighter moved and Von Ruden seconded the motion to approve the second 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: Kohlhaas, Lighter, Esser, Von Ruden, Curtis. Abstain: Weaver. Motion carried.

Lighter moved and Von Ruden seconded the motion to waive the third 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: Kohlhaas, Lighter, Esser, Von Ruden, Curtis. Abstain: Weaver. Motion carried.

Von Ruden moved and Lighter seconded the motion to adopt, **An Ordinance Vacating an Alley Located North of the Property at 315 S. Sample Street in Algona.** On call of the roll the vote was as follows: Ayes: Kohlhaas, Lighter, Esser, Von Ruden, Curtis. Abstain: Weaver. Motion carried.

APPROVE AMENDMENT NO. 1-CGA

Esser moved and Weaver seconded the motion that Resolution No. 04-94, **"Resolution Approving Amendment No. 1 to Engineering Services Agreement with Clapsaddle-Garber Associates, Inc."**, be adopted. FAA requires that the City has a Pavement Maintenance Program to receive federal funds. GCA will complete the plan for us at a cost of \$4,800, which the FAA will pay 95%. On call of the roll the vote was all ayes. Motion carried.

APPROVE DISTRIBUTION OF RLF-HEC

Kohlhaas moved and Lighter seconded the motion that Resolution NO. 04-95, **"A Resolution Approving Distribution of Revolving Loan Funds to Hydrogen Engine Center, Inc."**, be adopted. HEC, Inc. is expecting to expand in the Snap-On Drive Industrial Park. They will create up to 34 new jobs and an investment of \$1.165 million. The RLF Committee approved a \$200,000 loan at 0% for 10 years. On call of the roll the vote was all ayes. Motion carried.

APPROVE DISTRIBUTION OF RLF-PHARMACISTS MUTUAL

Lighter moved and Weaver seconded the motion that Resolution No. 04-96, **"A Resolution Approving Distribution of Revolving Loan Funds to Pharmacists Mutual Insurance Company"**, be adopted. Pharmacists Mutual is expanding, this project will create up to 15 new jobs and an investment of \$4.1 million. The RLF Committee approved a \$150,000 loan at 0% for 10 years. On call of the roll the vote was all ayes. Motion carried.

APPROVE AMU ANNUAL TRANSFER

Esser moved and Von Ruden seconded the motion that Resolution No. 04-97, **"RESOLUTION APPROVING TRANSFER OF FUNDS"**, be adopted. Algona Municipal Utilities will be making a transfer of \$162,379.41 of the Light Fund, \$28,891.77 of the Water Fund and \$2,358.43 of the Communication Fund to the City. On call of the roll the vote was all ayes. Motion carried.

REFER REZONING REQUEST TO P&Z-CINK

Von Ruden moved and Esser seconded the motion to refer to the Algona Planning & Zoning Commission the request from Mike Cink to rezone 4.5 acres of property on Irvington Road from AG to RS-60 to build a home. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR URBAN REVITALIZATION TAX EXEMPTION

Von Ruden moved and Weaver seconded the motion to approve an Application for Urban Revitalization Tax Exemption for David and Jamie Rusher for new residential. On call of the roll the vote was all ayes. Motion carried.

CHRISTMAS LEAVE FOR EMPLOYEES

Esser moved and Curtis seconded the motion to approve 4 hours Floating Holiday for city employees on December 23, 2004. On call of the roll the vote was all ayes. Motion carried.

NOTIFICATION OF TERM EXPIRING-ALG. BD. OF ADJ.

Notification was given that Bob Riedel's term on the Algona Board of Adjustment will expire January 28, 2005.

FINAL REPORT ON NOMINEES

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

PUBLIC HEARING-CABLE TV FRANCHISE AGREEMENT

Mayor Kueck announced at 5:07 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 February 21, 2005, at 4:30 p.m. On call of the roll the vote was all ayes. Motion carried.

APPROVE EXTENSION OF CURRENT CABLE TV FRANCHISE AGREEMENT

Kohlhaas moved and Weaver seconded the motion to authorize the 60 day extension with MediaCom. On call of the roll the vote was as follows: Ayes: Kohlhaas, Weaver, Esser, Von Ruden, Curtis. Nays: Lighter. Motion carried.

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 5:17 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk