

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 February 16, 2004, at 4:30 p.m., in the City Hall Council Chambers with Mayor Lynn R. Kueck and the following council members:

Present: Esser, Von Ruden, Curtis, Kohlhaas, Weaver, Lighter
Also present: City Administrator O'Donnell, City Attorney Doster

AGENDA

The agenda was amended due to adding the approval of a liquor license for the Lion's Den Steakhouse under the Consent Agenda. Kohlhaas moved and Weaver 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 welcomed the Leadership Class to the council meeting.

He also read a press release from the Public Works Department requesting properly displayed street address numbers for residential, commercial and industrial buildings. The City is asking that everyone has this request done by May 1st.

Mayor Kueck reminded everyone about the forum on Thursday, February 26, at 6:30 p.m., First Baptist Church on "Meth In Our Community, What Can We Do About It? Also, on Tuesday, March 23rd there is a Mid-States Community Development Conference being held in Sioux City.

City Administrator O'Donnell pointed out the new street light, for the downtown project, that is on display in the council chambers.

CONSENT AGENDA

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

- a. Minutes of February 2, 2004, council meeting
- b. Minutes of February 10, 2004, and February 11, 2004, special council meetings
- c. Appropriating Resolution No. 03/04-16 (bills)
- d. Beer permit renewal for Kum & Go (304 N. Jones)
- e. Liquor license application for Lions Den Steakhouse
- f. Department reports for January
- g. Minutes of various Boards/Commissions
- h. Administrator's report

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

ORDINANCE AMENDING FRANCHISE
AGREEMENT WITH MIDAMERICAN ENERGY

When the City passed the ordinance establishing the franchise fee it was to be applied to gas sales in Algona. Transport customers would be charged on the delivery of gas only, not on the gas itself. We have since found out that the transport customers have been paying the franchise fee on gas used, which the ordinance specifies that MidAmerican Energy are to collect on that portion. That was not the City's intent, therefore, that specific language in the ordinance needs to be eliminated.

Lighter moved and Von Ruden seconded the motion to waive the first reading of the proposed ordinance amending the franchise agreement with MidAmerican Energy. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Von Ruden seconded the motion to approve the first reading of the proposed ordinance amending the franchise agreement with MidAmerican Energy. On call of the roll the vote was all ayes. Motion carried.

Lighter moved and Von Ruden seconded the motion to waive the second and third readings of the proposed ordinance amending the franchise agreement with MidAmerican Energy. On call of the roll the vote was all ayes. Motion carried.

Von Ruden moved and Weaver seconded the motion to adopt Ordinance No. 918, **AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT WITH MIDAMERICAN ENERGY COMPANY.** On call of the roll the vote was all ayes. Motion carried.

APPROVE LEASE AGREEMENT-OLD FAREWAY BLDG.

The City would like to lease the old Fareway building during the Downtown Project. It would be used to store materials, house contractors' offices and provide parking for downtown employees. Terms of the lease are April 1, 2004 to September 30, 2004, \$2200/month or \$12,000 in advance.

Lighter moved and Kohlhaas seconded the motion that Resolution NO. 04-09, **"RESOLUTION APPROVING LEASE AGREEMENT BETWEEN THE CITY OF ALGONA AND WILLIAM S. FARNHAM FOR THE OLD FAREWAY BUILDING SITE"**, be adopted. On call of the roll the vote was all ayes. Motion carried.

APPROVE PAY APPLICATION #3-BIO-FILTER PROJECT

Esser moved and Lighter seconded the motion to approve Pay Application #3 in the amount of \$9,485.75 to C.L. Carroll Co., Inc. for work completed on

the bio-filter/bar screen project at the Wastewater Treatment Plant. On call of the roll the vote was all ayes. Motion carried.

SET DATE AND TIME FOR A PUBLIC HEARING
AMENDING THE 2003/2004 FISCAL YEAR BUDGET

Kohlhaas moved and Weaver seconded the motion to set March 1, 2004, at 5:00 p.m., City Hall Council Chambers for a public hearing to amend the 2003/2004 fiscal year budget. This is due to expenses not be budgeted, Hwy. 18 W. Frontage Road, City Hall Facility Review, additional costs for compost screener and airport project, and expenses related to bond sale. Revenues not budgeted but received were proceeds from the sale of bonds for the Downtown Project and grants received for certain projects. On call of the roll the vote was all ayes. Motion carried.

SET DATE & TIME FOR SPECIAL COUNCIL MEETING

Lighter moved and Curtis seconded the motion to set March 8, 2004, at 5:00 p.m., City Hall Council Chambers, for a special council meeting to accept bids and award the contract for the Downtown Project and also to hold our public hearing on the 2004/2005 fiscal year budget. On call of the roll the vote was all ayes.

RE-SET DATE & TIME FOR PUBLIC HEARING-04/05 FY BUDGET

Due to the delay on health insurance rates, the public hearing for the 2004/2005 fiscal year budget needs to be re-set.

Von Ruden moved and Weaver seconded the motion to set March 8, 2004, at 5:00 p.m., City Hall Council Chambers for the public hearing on the 2004/2005 fiscal year budget. On call of the roll the vote was all ayes. Motion carried.

APPROVE APPLICATION FOR TAX EXEMPTION

Lighter moved and Kohlhaas seconded the motion to approve an Application for Urban Revitalization Tax Exemption for Scott and Suzanne Marienau. On call of the roll the vote was all ayes. Motion carried.

CITIZEN'S OPPORTUNITY

Jim Conard from the Leadership Class that was present explained that it is sponsored by the Algona Chamber of Commerce and hopefully will be more classes in the future.

Councilmember Kohlhaas announced that he will be running for the 4th District Senate seat and asked if everyone would sign his nomination papers.

Curtis moved and Von Ruden seconded the motion that this meeting be adjourned. On call of the roll the vote was all ayes. Motion carried. Meeting adjourned at 4:55 p.m.

Lynn R. Kueck, Mayor

ATTEST:

Rexann McEnroe, City Clerk