

TEMPLETON CITY COUNCIL
JUNE 9, 2014
6:00 P.M. – TEMPLETON CITY HALL

The Templeton City Council met on this ninth day of June 2014 at 6:00 o'clock p.m. at City Hall, Templeton, Iowa. The meeting was called to order by Mayor Behrens, and the roll was called showing the following named Council Members present and absent:

Present: Dave Ramsey, Mark Bauer, Doyle Engelen, & Rick Hoffman (arrived at 6:23 p.m.)
Absent: Jan Wieland

Others in attendance: Mayor Ken Behrens, City Clerk Rhonda Schwaller, Public Works Director & Fire Chief Dale Prebeck, City Attorney Robert Peters & Justin Stoltenberg

Approval of Agenda: A motion was made by Ramsey and seconded by Bauer to approve the agenda. All in favor, motion carried.

A motion was by Bauer to amend 2013/2014 budget and set the public hearing date for Monday, June 23, 2014 at 7:00 p.m. at Templeton City Hall, seconded by Engelen. All in favor, motion carried.

After due consideration and discussion, Council Member Bauer introduced the following resolution and moved for its adoption, seconded by Council Member Ramsey. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Bauer, Ramsey & Engelen

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 1085-14

RESOLUTION FOR PAYMENT TO IRLBECK WELDING LLC FOR LABOR AND MATERIALS FOR SINK MOUNT IN THE TEMPLETON CENTER

WHEREAS, Irlbeck Welding LLC, 701 East 7th St, Templeton, Iowa has submitted a bill in the amount of \$185.50 for materials and labor for sink mount in the Templeton Center; and

WHEREAS, the Templeton Center's Planning Committee has inspected the building and deeded Irlbeck Welding's work as acceptable;

WHEREAS, the Templeton Center's Planning Committee and the Templeton City Council find that said work is in accordance with their plans.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLETON, IOWA, that it is hereby found and determined approval of payment to Irlbeck Welding, LLC in the amount of \$185.50.

Passed and approved by the City Council of the City of Templeton, Iowa this 9th day of June, 2014.

City Council of the
City of Templeton, IA

Ken F. Behrens
Mayor

Attest: _____
Rhonda Schwaller
Templeton City Clerk

After due consideration and discussion, Council Member Bauer introduced the following resolution and moved for its adoption, seconded by Council Member Ramsey. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Bauer, Engelen & Ramsey

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 1086-14

**A RESOLUTION AUTHORIZING THE CITY CLERK
TO PAY CERTAIN CLAIMS PRIOR TO COUNCIL APPROVAL**

WHEREAS, certain routine claims of the City of Templeton must be processed and sent in a timely manner, on dates which fall between Templeton City Council meeting; and

WHEREAS, the Templeton City Council wishes to give the City Clerk permission to issue and distribute the following routine claims without prior Council approval:

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Templeton, Iowa hereby authorizes payment of the following claims without prior Council approval:

- Expenditures, which if not paid promptly would result in loss of discount, penalty for late payment or additional interest cost
- Expenditures, which have been previously approved by the Council
- Payroll and benefits
- Payroll withholding
- Class/training seminar registration fees for city employees
- Business credit card payments
- Sales tax payment to the State of Iowa
- Contractual obligations
- Postage
- Petty cash
- Utility bills
- Bond principal and interest payments
- Routine claims up to \$7,500 for the Templeton Center

BE IT THEREFORE RESOLVED, by the City Council of Templeton, Iowa, that this resolution be passed by this body.

APPROVED AND ADOPTED THIS 9th day of June, 2014.

City Council of the
City of Templeton, IA

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

At 6:15 p.m. Mayor Behrens opened the public hearing on the disposal of municipally – owned real estate described as Parcel “B” of W ½ NE ¼ Section 17, Township 82 North, Range 35 West, Carroll County, Iowa. City Attorney Robert Peters addressed the council regarding proposed Real Estate Contract between the city of Templeton and Justin Stoltenberg to purchase real estate property described as Parcel “B” of W ½ NE ¼ Section 17, Township 82 North, Range 35 West, Carroll County, Iowa, subject to easements, apparent or of record, and the zoning ordinances of the City of Templeton, Carroll County, Iowa. City Attorney Peters indicated the \$100,000 Performance Bond requested by the council from Justin Stoltenberg on June 2, 2014 would cost him \$1,500. City Attorney Peters recommended to the council to add the following clause to 17a of the Real Estate Contract: *“Buyer also agrees that in lieu of a \$100,000 Performance Bond that Mr. Stoltenberg will make the \$500.00 down-payment and upon City Council approval of this contract to forthwith pay the sum of \$9,000.00 comprising the balance on the contract, to be held in constructive trust by the Clerk of the City of Templeton until the foundation has been poured and the house is ready to move on at which time Buyer will inform the Clerk to transfer the proceeds of \$9,000.00 to the appropriate City account and finalize this transaction.”* Mayor Behrens asked for any comments or discussion on the proposal. No written or oral objections were heard on the proposal from the public. At 6:23 p.m. Mayor Behrens closed the public hearing.

After due consideration and discussion, Council Member Engelen introduced the following resolution and moved for its adoption, seconded by Council Member Bauer. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Engelen, Bauer & Ramsey

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 1083-14

**RESOLUTION TO APPROVE REAL ESTATE CONTRACT BETWEEN
JUSTIN STOLTENBERG AND THE CITY OF TEMPLETON**

WHEREAS, on June 2, 2014 Justin Stoltenberg submitted to the Templeton City Council a written and signed Offer to Buy Real Estate Property in Carroll County, Iowa in the amount of \$9,500.00 for the following described real property: Parcel “B” of the West Half of the Northeast Quarter of said Section 17, Township 82 North, Range 35 West of the 5th P.M., Carroll County, Iowa; and

WHEREAS, Justin Stoltenberg would like to purchase the above described real property for residential development; and

WHEREAS, Justin Stoltenberg desires to dig a basement, pour the foundation and arrange for the movement of an acquired house on the real property.

NOW THEREFORE, BE IT RESOLVED that it is in the best interest of the city of Templeton to enter into a real estate contract with Justin Stoltenberg for the sale of real property described as: Parcel “B” of the West Half of the Northeast Quarter of said Section 17, Township 82 North, Range 35 West of the 5th P.M., Carroll County, Iowa. The Mayor and the City Clerk are hereby authorized to execute said Real Estate Contract and sign all appropriate documents to effectuate this Resolution.

Passed and approved by the City Council of the City of Templeton, Iowa this 9th day of June, 2014.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

BY: _____
Ken F. Behrens, Mayor

ATTEST:

BY: _____
Rhonda Schwaller, City Clerk

Council Member Rick Hoffman arrived at 6:23 p.m.

Council tabled building permit application from Justin Stoltenberg until Monday, June 23, 2014.

A motion was made by Bauer to approve house mover's permit application from Heartland Building Moving, West Bend, Iowa to move house from 28302 Granite Avenue, Manning, Iowa to the following legally described property: Parcel "B" of the West Half of the Northeast Quarter of said Section 17, Township 82 North, Range 35 West of the 5th P.M., Carroll County, Iowa, seconded by Engelen. All in favor, motion carried.

After due consideration and discussion, Council Member Ramsey introduced the following resolution and moved for its adoption, seconded by Council Member Hoffman. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Ramsey, Hoffman & Engelen

Abstained: Bauer – employee of Templeton Hardware, Inc.

Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 1084-14

**RESOLUTION FOR PAYMENT TO TEMPLETON HARDWARE, INC.
FOR APPLIANCES, EQUIPMENT, & RENOVATIONS TO THE TEMPLETON CENTER**

WHEREAS, Templeton Hardware, Inc., P.O. Box 100, Templeton, Iowa has submitted a bill in the amount of \$8,423.81 for appliances, equipment, & renovations in the Templeton Center; and

WHEREAS, the Templeton Center's Planning Committee has inspected the building and deeded materials and work as acceptable;

WHEREAS, the Templeton Center's Planning Committee and the Templeton City Council find that said work is in accordance with their plans.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLETON, IOWA, that it is hereby found and determined approval of payment to Templeton Hardware, Inc. in the amount of \$8,423.81.

Passed and approved by the City Council of the City of Templeton, Iowa this 9th day of June, 2014.

City Council of the
City of Templeton, IA

Ken F. Behrens
Mayor

Attest: _____
Rhonda Schwaller
Templeton City Clerk

At 6:34 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Bauer moved to adjourn and Engelen seconded the motion. All voted aye, motion carried.

Ken F. Behrens, Mayor

Rhonda Schwaller, City Clerk