

TEMPLETON CITY COUNCIL
AUGUST 12, 2019
7:00 P.M. TEMPLETON CITY HALL

The Templeton City Council met on this twelfth day of August 2019 at 7:00 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: Doyle Engelen, Dave Ramsey, Joe Irlbeck, Mark Bauer, & Kelli Morrow
Absent: None

Others in Attendance: Ken Behrens, Dale Prebeck, & Rhonda Schwaller

Approval of Agenda: A motion was made by Engelen and second by Ramsey to approve the agenda. All present voted in favor of the motion and the motion was carried.

Citizen Forum: None

A motion was made by Bauer and second by Irlbeck to approve The Still's 5-Day Class "C" Liquor License with Sunday sales and outdoor service contingent upon receipt of dram shop insurance. All present voted in favor of the motion and the motion was carried.

A motion was made by Bauer to set public hearing date for August 26, 2019 at 7:00 p.m. at City Hall for Fiscal Year 2019/2020 budget amendment, second by Morrow. All present voted in favor of the motion and the motion was carried.

Mayor Behrens announced that an amendment to the urban renewal plan for the Templeton Urban Renewal Area had been prepared, and that it was now necessary to set a date for a public hearing on the proposed amendment to the urban renewal area. Accordingly, Council Member Engelen moved the adoption of the following resolution entitled "Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment," and the motion was seconded by Council Member Bauer. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Morrow, Bauer, Engelen, Ramsey, & Irlbeck
Nays: None

Whereupon, the Mayor declared the resolution duly adopted, as follows:

RESOLUTION NO. 1232-19

Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment

WHEREAS, this City Council of the City of Templeton, Iowa (the "City") by resolution previously established the Templeton Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to pay a portion of the costs of acquiring certain real property and furnishing and equipping an existing building thereon for use as a public works facility; and

WHEREAS, it is now necessary that a date be set for a public hearing on the Amendment;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Templeton, Iowa, as follows:

Section 1. This City Council will meet at the City Hall, Templeton, Iowa, on August 26, 2019, at 7:00 o'clock p.m., at which time and place it will hold a public hearing on the Amendment.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Clerk is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law. It is hereby directed that representatives of Carroll County and the Carroll Community School District be invited to participate in the consultation.

Passed and approved August 12, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

By: _____
Ken F. Behrens, Mayor

ATTEST:

By: _____
Rhonda Schwaller, City Clerk

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 7:00 o'clock p.m., at the City Hall, Templeton, Iowa, on August 26, 2019, the City Council of the City of Templeton, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Templeton Urban Renewal Area to facilitate the undertaking of a new urban renewal project in the Templeton Urban Renewal Area consisting of using tax increment financing to pay a portion of the costs of acquiring certain real property and furnishing and equipping an existing building thereon for use as a public works facility.

A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Rhonda Schwaller
City Clerk

After due consideration and discussion, Council Member Ramsey introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Engelen; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Irlbeck, Ramsey, Engelen, Morrow, & Bauer

Nays: None

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

RESOLUTION NO. 1233-19

Resolution setting the date for public hearing and additional action on proposal to enter into a General Obligation Public Works Building Acquisition Loan Agreement

WHEREAS, the City of Templeton, Carroll County, Iowa (the "City") proposes to enter into a General Obligation Public Works Building Acquisition Loan Agreement (the "Loan Agreement"), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$330,000 for the purpose of acquiring a building for use as a municipal public works facility (the "Acquisition"), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal pursuant to the provisions of Section 384.26 of the Code of Iowa;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Templeton, Iowa, as follows:

Section 1. This City Council shall meet on August 26, 2019, at the City Hall, Templeton, Iowa, at 7:00 o'clock p.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$330,000

(GENERAL OBLIGATION)

The City Council of the City of Templeton, Iowa (the "City"), will meet on August 26, 2019, at the City Hall, Templeton, Iowa, at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$330,000 for the purpose of acquiring a building for use as a municipal public works facility.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa. If no such petition is filed, at the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter

By order of the City Council of the City of Templeton, Iowa.

Rhonda Schwaller
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Acquisition which is reasonably estimated to cost approximately \$330,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Acquisition has heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 12, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

By: _____
Ken F. Behrens, Mayor

ATTEST:

By: _____
Rhonda Schwaller, City Clerk

After due consideration and discussion, Council Member Irlbeck introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Ramsey; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Bauer, Irlbeck, Morrow, Engelen, & Ramsey

Nays: None

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

RESOLUTION NO. 1234-19

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH
BLACKTOP SERVICE COMPANY FOR 2019 STREET REPAIRS**

WHEREAS, Templeton Public Works Director Dale Prebeck finds that street repairs within the city of Templeton are necessary for the health, safety, and welfare of the citizens; and

WHEREAS, recommended streets to be repaired and resurfaced are identified and described in Exhibit "A" and incorporated herein by reference; and

WHEREAS, work shall consist of patching, seal coating, and asphalt identified streets within the city of Templeton; and

WHEREAS, Blacktop Service Company has provided the following quote:

- Estimated Hot mix asphalt tons is 137 @ \$175.00 per ton = \$23,975.00
- Estimated Chip seal syds. is 8353 @\$2.10 per syd = \$17,541.30
- Total estimated price \$41,516.30 less \$2,233.50 for chip seal warranty work
- Skid loader mill for 3rd Street will be \$250.00 per hour.

WHEREAS, the Council has given due deliberation and consideration to the quote and 2019 street repairs; and

NOW THEREFORE BE IT RESOLVED BY THE TEMPLETON CITY COUNCIL, TEMPLETON, IOWA that the Mayor is authorized to enter into a contract on behalf of the city of Templeton, Iowa for its 2019 Street Repairs with Blacktop Service Company, 16 North Taft Street, Humboldt, Iowa 50548.

Passed, approved and awarded by the City Council of the City of Templeton, Iowa this 12th day of August, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

BY: _____
Ken F. Behrens, Mayor

ATTEST:

BY: _____
Rhonda Schwaller, City Clerk

Maintenance Report by Dale Prebeck:

- Discussed the need for residents to trim their tree branches that overhang a public street at least 15 feet above the surface of the street and at least 8 feet above the sidewalk level to comply with minimum requirements as per ordinance.

Mayor's Report: None

At 7:15 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Ramsey moved to adjourn and Bauer seconded the motion. All vote aye, motion carried.

Ken F. Behrens, Mayor

Rhonda Schwaller, City Clerk