

TEMPLETON CITY COUNCIL
 SEPTEMBER 6, 2011
 7:00 P.M. – TEMPLETON CITY HALL

The Templeton City Council met on this sixth day of September 2011 at 7:00 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: Mary Lou Stevens, Dave Ramsey, Mark Bauer, & Doyle Engelen
 Absent: Rick Hoffman

Others in attendance: Mayor Ken Behrens, City Clerk Rhonda Schwaller, & Public Works Director Dale Prebeck

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

Mayor Behrens requested any comments or corrections to be made to the Consent Agenda. A motion was made by Ramsey and seconded by Stevens to approve the Consent Agenda. All in favor, motion carried.

- Approved Minutes from August 1, 2011.
- Approved August 2011 Financial Review.
- Approved July 2011 Treasurer's Report.
 - \$ 16,771.72 revenue
 - \$ 18,845.10 expenditures
 - \$237,055.71 total cash & investments

FUND	RECEIPTS	DISBURSEMENTS
General	\$ 4,539.15	\$ 12,086.68
Road Use Tax	\$ 2,250.46	\$ 0.00
Employee Benefits	\$ 119.11	\$ 0.00
Local Option Tax	\$ 3,048.19	\$ 0.00
TIF	\$ 0.00	\$ 0.00
Debt Service	\$ 225.44	\$ 0.00
Water	\$ 4,630.83	\$ 5,226.78
Sewer	\$ 1,921.50	\$ 1,531.64
Certificate of Deposit	\$ 0.00	\$ 0.00
Fire Truck Fund	\$ 37.04	\$ 0.00
Totals	\$ 16,771.72	\$ 18,845.10

- Approval of the Claims for August 2011 as listed:

12194	Aspinwall Cooperative	340.69	gas
12195	Carroll Refuse Service	1,606.11	garbage collection
12196	Mid American Energy	692.97	utilities
12197	Duane's Repair	41.25	2007 Ford pickup maint.
12198	Templeton Hardware	31.68	misc. supplies
12199	Postmaster	44.00	postage
12200	Dale Prebeck	1,345.24	payroll
12201	Dale Prebeck	483.00	insurance allowance
12202	Rhonda Schwaller	332.06	insurance allowance
12203	Templeton Telephone Co.	69.69	telephone & internet service
12204	Manning Municipal Gas Dept.	56.28	utilities
12205	Raccoon Valley Electric Coop.	40.00	lagoon service
12206	U.S. Cellular	49.51	cell phone
12207	West Central IA Rural Water	2,162.00	748,000 gallons used
12208	Dale Prebeck	1,345.24	payroll
12209	Chase Prebeck	592.53	payroll
12210	Postmaster	48.14	postage
12211	Rhonda Schwaller	1,726.90	payroll
12212	IPERS	826.92	retirement fund
ACH	Templeton Savings Bank	1,671.91	August 2011 941 tax pymt.
12213	Carroll Extension Office	70.00	D. Prebeck registration
12214	Mangold Environmental Testing	160.00	lead/copper water samples

12215	West Central Iowa Clerks Assoc.	10.00	2011 dues
12216	Iowa One Call	10.80	12 one calls
12217	The Office Stop	173.65	misc. supplies
12218	BlueSpace Creative	572.02	letterhead & envelopes
12219	Carroll County Treasurer	567.00	real estate taxes
12220	Audubon-Exira Ready Mix	195.50	concrete
12221	Rhonda Schwaller	55.10	summer rec. supplies
12222	Kay Langel	346.13	Arts in the Park supplies
12223	Sara Langel	240.00	Arts in the Park instructor
12224	Cardmember Services	204.95	Adobe Contribute CS5 software
12225	Stork Construction	64,225.00	3rd Ave street project & sidewalk

Citizen Forum: None

Council discussed verbal comments they received from neighbors of Lauren & Bev Fuchs regarding groundhogs, skunks, & raccoons seen on and taking shelter on the Fuchs's property located at 110 Railway Street. Council recommended a letter be written to Lauren & Bev requesting they take the necessary steps to rectify this situation and a follow up visit by Mayor & Council.

Update on Street Improvement project on 3rd Avenue between 1st Street and 2nd Street:

- Mayor Behrens approached Mike Blum from West Central Cooperative about a monetary donation from West Central Cooperative to help pay for the street improvement project. Mike indicated to Mayor Behrens he would submit a request to Michael Abildtrup, Executive Vice President of Operations. Mayor Behrens indicated he has not heard back from Mike Blum regarding this matter.
- Public Works Director Dale Prebeck indicated the street improvement project is complete and Stork Construction has adhered to all the requirements stated in their contract.
- A motion was made by Engelen and seconded by Stevens to waive 5% retainage fee from the total contract cost, pay Stork Construction \$62,845.00 bid amount as stated in the contract and an additional \$1,380.00 extra for corner sidewalk work totaling \$64,225.00. All in favor, motion carried.
- A motion was made by Bauer and seconded by Ramsey authorizing City Clerk Rhonda Schwaller to cash Certificate of Deposits #63256 and #63257 at the Templeton Savings Bank totaling \$20,000. Council instructed City Clerk Schwaller to deposit the funds into the city of Templeton's checking account and proceeds be used to help pay for the street improvement project on 3rd Avenue. All in favor, motion carried.

Council discussed 18-month warranty letter dated August 29, 2011 from JEO Consulting Group regarding 2008 TADC 3rd Addition Grading project constructed by Negus & Sons. The letter advises the city of Templeton that its two-year warranty period is approximately six months from the expiration date. As per Recommendation of Acceptance signed on March 4, 2010 the project plans, specifications and contract documents require a two-year warranty for materials and workmanship. JEO Consulting Group advised the city to contact contractor's surety company, International Fidelity Company if they have any concerns. No further action taken.

A motion was made by Bauer and seconded by Ramsey to approve building permit application from Dave Schoeppner Construction for sidewalk replacement and driveway approach between 327 W. 3rd Street and 427 W. 3rd Street. All in favor, motion carried.

A motion was made by Stevens and seconded by Engelen to approve building permit application from Kenny and Paula Klocke for sidewalk replacement. All in favor, motion carried.

Council reviewed the City Street Financial Report for fiscal year ending June 30, 2011. Council Member Engelen introduced and made a motion to approve the adoption of Resolution #974-11 accepting the City Street Financial Report for fiscal year ending June 30, 2011, seconded by Bauer. Clerk takes roll call:

Ayes: Bauer, Ramsey, Stevens, & Engelen

Nays: None

Whereupon, Mayor Behrens declared the motion duly carried and Resolution #974-11 passed.

Council discussed memorandum received from Karina Ward, Region XII Council of Governments Regional Planner regarding Carroll County has received funding from FEMA through Iowa Homeland Security Emergency Management to develop a multi-jurisdictional hazard mitigation plan. The plan will replace the single jurisdiction plans of the past that the city has. The Carroll County hazard mitigation plan will include each individual city in Carroll County, streamlining the process and ensuring that every city is covered by a FEMA approved plan to maintain eligibility for FEMA disaster relief funds. Council Member Stevens introduced Resolution #975-11 and made a motion to appoint Mark Bauer as the Hazard Mitigation Committee Representative, seconded by Engelen. Clerk takes roll call:

Ayes: Stevens, Ramsey, Engelen

Nays: None

Abstained: Bauer

Whereupon, Mayor Behrens declared the motion duly carried and Resolution #975-11 passed.

City of Templeton
Resolution #975-11

Resolution Appointing Hazard Mitigation Committee Representative

Whereas, Carroll County is undertaking an effort to prepare a multi-jurisdictional Hazard Mitigation Plan; and

Whereas, participation in and adoption of the resulting Carroll County Hazard Mitigation Plan will provide coverage by a FEMA approved plan and maintain eligibility for FEMA disaster relief funds; and

Whereas, the City of Templeton intends to participate in the planning process and the creation of the Carroll County Hazard Mitigation Plan;

Now, Therefore Be It Resolved, that the City of Templeton appoints Mark Bauer to represent the City of Templeton on the Hazard Mitigation Committee.

Approved: September 6, 2011

Ken F. Behrens
Mayor

Date

Attest:

Rhonda Schwaller
City Clerk

Date

Council considered approval of notice for people seeking access to public records within the control of the city of Templeton. Council Member Ramsey introduced and made a motion to approve Resolution #976-11 – a Resolution to Implement and Approve a Notice and Request for Public Records for the city of Templeton, Iowa. Clerk takes roll call:

Ayes: Ramsey, Stevens, Engelen, & Bauer

Nays: None

Whereupon, Mayor Behrens declared the motion duly carried and Resolution #976-11 passed.

Resolution #976-11

A RESOLUTION TO IMPLEMENT AND APPROVE A NOTICE AND REQUEST FOR PUBLIC RECORDS FOR THE CITY OF TEMPLETON, IOWA.

WHEREAS, persons seeking public records within the control of the City of Templeton may examine such records at the city offices between the hours of 9:00 a.m. and noon, Monday through Friday, except legal holidays, and under the supervision of city staff.

WHEREAS, after examination of public records, persons seeking public records shall specifically and clearly indicate which records are wanted. Such a request must be in written form. City staff will make copies at the rate set by council in their fee schedule; costs shall be computed and paid in advance.

WHEREAS, City staff shall be afforded sufficient time to make and deliver said copies*, i.e.

1. 1-10 pages, one (1) full business days
2. 11-25 pages, two (2) full business days
3. 26-100 pages, three (3) full business days
4. 101-500 pages, five (5) full business days
5. 501-1000 pages, ten (10) full business days
6. 1000+ pages, twenty (20) full business days
7. Each additional 1000 pages or increment thereof, ten (10) full additional business days.

WHEREAS, these records are deemed to be “public records” under Iowa Law, person(s) requesting public records are hereby advised that use of this information must comply with all local, state and federal laws including but not limited to laws relating to privacy, harassment, discrimination, debt collection, libel, slander and tort. Misuse of said information is a violation of the law and will be exclusively the person(s) requesting the “public records” responsibility. City of Templeton denies any and all responsibility for how this information will be used by the public.

WHEREAS, if a third party makes a claim against the City of Templeton for misuse of public records information by the person(s) requesting the information, the City of Templeton will pursue all available legal remedies against the person(s) requesting the information.

NOW THEREFORE, BE IT RESOLVED, the Templeton City Council approves and implements the attached Notice and Request for Public Records.

PASSED AND APPROVED ON THIS _____ day of _____ 2011.

CITY OF TEMPLETON

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

Notice

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Although these records are deemed to be “public records” under Iowa Law, you are hereby advised that your use of this information must comply with all local, state and federal laws including but not limited to laws relating to privacy, harassment, discrimination, debt collection, libel, slander and tort. Misuse of said information by you in violation of the law is exclusively your responsibility. City of Templeton hereby denies any and all responsibility for how this information is used by you. If any third party makes a claim against City of Templeton for misuse of this information attributed to you, City of Templeton shall pursue all available legal remedies against you.

Let it be known that the request for public records and by whom they are requested also becomes part of the public record.

A motion was made by Ramsey and seconded by Stevens setting the rate at \$0.50 per page for copies of public records. All in favor, motion carried.

A motion was made by Engelen and seconded by Bauer setting Sunday, October 30, 2011 from 4:00 p.m. to 6:00 p.m. as the date and time for “Halloween Beggars Night”. All in favor, motion carried.

Mayor Behrens reported Templeton’s website is live. A few minor changes still need to be made.

Fire Department roster update by Fire Chief Dale Prebeck:

- Resignations: Sara Nielsen & Alex Schoeppner
- Deceased member: Jim Schoeppner. Date of death July 8, 2011.
- Cory Dopheide joined department as a reserve fire fighter.

A motion was made by Ramsey and seconded by Engelen to approve roster update. All in favor, motion carried.

Maintenance Report by Dale Prebeck:

- Verbal request was made to turn water off at curb stop at unoccupied residence at 226 S. Main St.
- Unable to work valve box at corner of 5th Avenue and 2nd Street.
- Installing fire hydrant and valve at the corner of 3rd Avenue and 5th Street.
- Will be adding rock on 2nd Avenue North of Railway Street.
- Will be ordering traffic cones.
- IAMU conducted mock OSHA inspection.
- Removed sidewalk at 116 S. 3rd Avenue and will be seeding empty lot.

Mayor’s Report:

- Grand opening invite received from West Central Cooperative for their Hamlin grain facility on Thursday, September 8, 2011.
- Carroll Area Development Corporation meeting on Tuesday, September 20, 2011 to discuss their 2011 Washington D.C. trip.
- Appreciation letter received from the Des Moines Register’s RAGBRAI committee.
- Letter received from Karen Pound from Jefferson, Iowa commenting on the neat appearance of Templeton.

Council Member Bauer inquired about the following:

- Dan Manatt from Manatt Media is gearing towards December for release of documentary of Templeton. He has been in contact with Iowa Public Television.
- Explored renaming city streets and will not be pursuing at this time.
- Park flag pole quote
 - 35' - \$1,865 includes freight
 - 25' - \$ 995 includes freight

Council Member Bauer will pursue pulley system for existing flag pole at park.

- Inquired about status of updating Code of Ordinances & Zoning Ordinances. City has a contract with Region XII Council of Governments.

At 8:40 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