

TEMPLETON CITY COUNCIL
AUGUST 9, 2016
7:00 P.M. – TEMPLETON CITY HALL

The Templeton City Council met on this ninth day of August 2016 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: Doyle Engelen, Dave Ramsey, Joe Irlbeck, Mark Bauer, & Alex Schoeppner
Absent: None

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

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

Mayor Behrens requested any comments or corrections to be made to the Consent Agenda. A motion was made by Engelen and seconded by Irlbeck to approve the Consent Agenda. All present voted in favor of the motion and the motion was carried.

1. Approve Minutes from July 5, 2016 and July 18, 2016.
2. Internal Review of city's financial records & assets submitted for the month of July 2016.
3. Budget vs Actual Report.
4. Approve Claims for July 2016.
5. Approve June 2016 Treasurer's Report
 - \$149,927.93 revenue
 - \$194,835.04 expenditures
 - \$532,140.46 total cash & investments

FUND	RECEIPTS	DISBURSEMENTS
General	\$ 75,665.89	\$ 16,646.79
Templeton Center	\$ 23,024.85	\$ 13,016.44
City Park – Checking	\$ 600.00	\$ 809.19
City Park – Savings	\$ 25.76	\$ 600.00
Historical Society	\$ 0.49	\$ 0.00
Road Use Tax	\$ 3,208.70	\$ 21.70
Employee Benefits	\$ 145.18	\$ 22,719.15
Local Option Tax	\$ 3,973.84	\$ 46,395.26
TIF	\$ 526.95	\$ 30,352.77
Debt Service	\$ 30,408.44	\$ 30,352.77
Debt Service – Comm. Ctr. Pledge	\$ 5,852.55	\$ 28,191.25
Capital Proj. – Community Center	\$ 0.00	\$ 0.00
Water	\$ 4,633.87	\$ 4,572.92
Sewer	\$ 1,835.20	\$ 1,156.80
Fire Truck Fund	\$ 26.21	\$ 0.00
Totals	\$ 149,927.93	\$ 194,835.04

Approval of the Claims for July 2016 as listed:

15378	Aspinwall Cooperative	88.12	gas
15379	Carroll Refuse Service, LLC	1,565.87	garbage collection
15380	Mid American Energy	844.26	utilities
15381	Templeton Telephone Company	27.50	TC - telephone
15382	Templeton Telephone Company	83.27	telephone & internet service
15383	Raccoon Valley Electric Coop.	47.18	sewer lagoon
15384	Mangold Environmental Testing	33.00	routine water samples
15385	Dale Prebeck	1,621.92	payroll & 1/2 insurance allowance
15386	HyVee Food Stores	10.12	TC - concessions for resale
15387	Swan Lake State Park	16.00	bait for summer rec. program
15388	HyVee Food Stores	690.10	TC - concessions for resale
15389	Main Street Liquors	224.82	TC - concessions for resale
15390	Cardmember Service	171.83	summer rec. supplies
15391	Manning Municipal Gas	51.95	TC - utilities
15392	Manning Municipal Gas	68.01	utilities

15393	De Lage Landen Financial Serv.	145.45	copier/printer lease
15394	Aramark	156.36	TC - linens
15395	HyVee Food Stores	1245.79	TC - concessions for resale
15396	Treasurer - State of Iowa	976.13	2nd qtr. 2016 sales tax
15397	West Central Iowa Rural Water	2,237.00	656,000 gallons used
15398	Kim Stork-Irlbeck	50.00	cell phone stipend
15399	Postmaster	57.80	postage
15400	Dale Prebeck	1,621.97	payroll & 1/2 insurance allowance
15401	Pepsi Beverages Co.	287.45	TC - concessions for resale
15402	Aramark	98.62	TC - linens
15403	Iowa One Call	29.70	33 one calls
15404	Postmaster	36.87	postage
15405	Rhonda Schwaller	2,680.08	payroll
15406	Kim Stork-Irlbeck	777.07	TC - payroll
15407	Lindsey Irlbeck	905.40	TC - payroll
15408	Jo Ann Thomas	104.12	TC - payroll
15409	Amy Hanken	174.82	TC - payroll
15410	James Hanken	174.82	TC - payroll
15411	Anna Irlbeck	176.68	TC - payroll
15412	Jeffrey Irlbeck	73.98	TC - payroll
15413	Carolyn Kerkhoff	72.13	TC - payroll
15414	Lisa A. Kerkhoff	72.13	TC - payroll
15415	Maria Muhlbauer	176.30	TC - payroll
15416	Chase Prebeck	89.23	TC - payroll
15417	Hannah Warner	87.38	TC - payroll
15418	Holly Warner	89.23	TC - payroll
15419	IPERS	1,573.77	retirement
15420	HyVee Food Stores	1,924.09	TC - concessions for resale
EFT	Ike Auen Distributing Co.	348.00	TC - concessions for resale
EFT	Ike Auen Distributing Co.	233.70	TC - concessions for resale
EFT	Elavon	95.93	TC - P.O.S. charges
EFT	Ike Auen Distributing Co.	835.20	TC - concessions for resale
15421	Manning Insurance Agency	101.00	Fire Dept. add'l contents insurance
15422	Duane's Repair, Inc.	2,633.04	2007 Ford pickup repairs
15423	Landus Cooperative	39.63	weed spray
15424	Daily Times Herald	22.07	publication
15425	Mangold Environmental Testing	49.00	wastewater samples
15426	Blue Space Creative	31.25	website maintenance
15427	Iowa Dept. of Natl Resources	210.00	annual wastewater permit fee
15428	IKM-Manning Community School	450.00	transportation for swim lessons
15429	Jim Martens	387.50	bus driver for swim lessons
15430	Allie Schoeppner	147.50	arts in the park instructor
15431	Maddie Bauer	30.00	cheerleader instructor
15432	Brooklyn Danner	50.00	dance instructor
15433	Allie Schoeppner	35.30	arts in the park supplies
15434	U.S. Cellular	57.08	cell phone
15435	Rye Supply, Inc.	51.22	UPS charges
15436	Kasperbauer Cleaners, Inc.	25.37	TC - linen dry cleaning
15437	New Hope Village	260.00	TC - cleaning
15438	Mid American Energy	1,086.67	TC - utilities
15439	Crawford Ice Company	127.50	TC - ice
15440	Capital Sanitary Supply	160.00	TC - bathroom paper towels
15441	Mangold Environmental Testing	49.00	wastewater samples
15442	Horizon Equipment	3,637.40	John Deere 7200 repairs
15443	Pepsi Beverages Co.	314.65	TC - concessions for resale
15444	Farner-Bocken Company	537.10	TC - supplies
15445	Postmaster	47.00	postage
15446	Don Zubrod	190.40	ball diamond drivers for sound system
15447	Cardmember Services	527.01	grasshopper, summer rec., ball diamond, trash bags
15448	Audubon-Exira Ready Mix	1,091.00	concrete - storm sewers
15449	Brown Supply Co.	857.50	storm sewer manhole covers
15450	Rasmussen Lumber Co.	34.03	lumber for storm sewer
15451	Templeton Hardware, Inc.	6,729.18	storm sewer & repairs

Citizen's Forum: None

Received State of Iowa Department of Natural Resources Water Supply Construction Permit #2016-0547W and Sanitary Sewer Construction Permit #2017-0049S for construction of water main and sanitary sewer extension.

A motion was made by Engelen and seconded by Bauer approving The Still's application for a Class "C" Liquor License with Sunday Sales and Outdoor Privileges. All present voted in favor of the motion and the motion was carried.

This being the time and place specified for holding a public hearing opened at 7:03 p.m. and taking action on the proposal to enter into a Sewer Revenue Loan and Disbursement Agreement, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor declared the public hearing closed at 7:10 p.m. After due consideration and discussion, Council Member Bauer introduced the following resolution and moved its adoption, seconded by Council Member Schoeppner. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

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

Nays: None

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

RESOLUTION NO. 1151-16

Resolution taking additional action with respect to a Sewer Revenue Loan and Disbursement Agreement and authorizing, approving and securing the payment of a \$190,000 Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement)

WHEREAS, the City of Templeton (the "City"), in Carroll County, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the "Utility") in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the "Council"), and no board of trustees exists for this purpose; and

WHEREAS, the City has heretofore proposed to borrow money and enter into a Sewer Revenue Loan and Disbursement Agreement (the "Loan and Disbursement Agreement") with the Iowa Finance Authority (the "Lender") and to issue in accordance therewith Sewer Revenue Bonds (the "Bonds") in a principal amount not to exceed \$190,000 to provide funds to pay the costs, to that extent, of planning, designing, and constructing improvements and extensions to the Utility (the "Project"), and has published notice of the proposed action and has held a hearing thereon on August 9, 2016; and

WHEREAS, it is necessary at this time to authorize and approve the issuance of a \$190,000 Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement) (the "Project Note") pursuant to the provisions of Section 76.13 of the Code of Iowa in anticipation of the receipt of and payable from the proceeds of the Loan and Disbursement Agreement (the "Loan Proceeds") in order to pay authorized costs in connection with planning and designing the Project;

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

Section 1. The City Council hereby covenants for the benefit of the Lender and all who may at any time be the holder of the Project Note to enter into the Loan and Disbursement Agreement and to issue and deliver the Bonds prior to the Maturity Date, as defined in the Project Note, and declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa. The Bonds are hereby ordered to be issued at such time as the City enters into the Loan and Disbursement Agreement.

Section 2. The Project Note in the principal amount of \$190,000 is hereby authorized to be issued to the Lender. The Project Note shall be dated as of the date of closing, shall mature on the Maturity Date as defined in the Project Note, and shall bear interest at the rate of 0% per annum.

The Project Note shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk and shall be a fully registered instrument without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Project Note shall cease to be such officer before the delivery of the Project Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The City Clerk is hereby designated as the Registrar and Paying Agent for the Project Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

The City reserves the right to prepay principal of the Project Note in whole or in part on any date prior to the Maturity Date, as defined in the Project Note, at a prepayment price equal to the principal amount thereof prepaid.

The Project Note shall be fully registered as to both principal and interest in the name of the owner in the records of the City kept for such purpose, after which no transfer shall be valid unless made on said records by the City Clerk, and then only upon a written instrument of transfer satisfactory to the City, duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City shall maintain as confidential the record of identity of owners of the Project Note, as provided by Section 22.7 of the Code of Iowa.

Section 3. The Project Note shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF IOWA
CARROLL COUNTY
CITY OF TEMPLETON
SEWER REVENUE LOAN AND DISBURSEMENT AGREEMENT ANTICIPATION PROJECT
NOTE
(IFA INTERIM LOAN AND DISBURSEMENT AGREEMENT)

No. 1	MAXIMUM PRINCIPAL AMOUNT: \$190,000
INTEREST RATE	PROJECT NOTE DATE
0%	August 19, 2016

This Sewer Revenue Loan and Disbursement Agreement Anticipation Project Note (IFA Interim Loan and Disbursement Agreement) (the "Project Note") is issued to the Iowa Finance Authority (the "Lender") by the City of Templeton, Iowa (the "City"), as of the Project Note Date. The Lender shall loan to the City an interim amount not to exceed \$190,000.

The City has adopted a resolution (the "Resolution") authorizing and approving this Project Note pursuant to the provisions of Sections 76.13 and 384.24A of the Code of Iowa, 2015, as amended, and providing for the issuance and securing the payment of this Project Note, and reference is made to the Resolution for a more complete statement as to the source of payment of this Project Note and the rights of the owners of this Project Note. This Project Note, together with any additional obligations as may be hereafter issued and outstanding from time to time under the conditions set forth in the Resolution, shall be payable solely and only from the proceeds (the "Loan Proceeds") of an authorized Loan and Disbursement Agreement and the corresponding future issuance of Sewer Revenue Bonds, a sufficient portion of which have been appropriated to the payment hereof.

The proceeds of this Project Note shall be used for the purposes set forth in the Resolution and shall be made available to the City in the form of one or more periodic disbursements.

This Project Note shall be executed and delivered to the Lender in evidence of the City's obligation to repay the amounts payable hereunder and shall bear interest at 0%. This Project Note shall be payable as to principal in full on the Maturity Date (hereinafter defined) and in the total aggregate amount drawn by the City pursuant to this Project Note, shall be subject to prepayment in whole or in part on any date at a prepayment price equal to the principal amount hereof prepaid, and shall contain such other terms and provisions as provided in the Resolution.

This Project Note is payable as to principal three years from the Project Note Date (the "Maturity Date"). If the City enters into a Loan and Disbursement Agreement with the Lender pursuant to the Iowa Water Pollution Control Works and Drinking Water Facilities Financing Program by the Maturity Date, the Lender may provide for the repayment in full of this Project Note pursuant to the terms of such Loan and Disbursement Agreement and the resolution authorizing the Loan and Disbursement Agreement.

This Project Note is executed pursuant to the provisions of Sections 76.13 and 384.24A of the Code of Iowa and shall be read and construed as conforming to all provisions and requirements of the statute.

In the event of any inconsistency or conflict between the terms and conditions of the Resolution and this Project Note, the parties acknowledge and agree that the terms of this Project Note shall take precedence over any such terms of the Resolution.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Project Note were and have been properly existent, had, done and performed in regular and due form and time; and that the issuance of this Project Note does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Templeton, Iowa has caused this Project Note to be executed by its Mayor and attested by its City Clerk all as of the Project Note Date.

CITY OF TEMPLETON, IOWA

By: DO NOT SIGN
Mayor

Attest:

DO NOT SIGN
City Clerk

IOWA FINANCE AUTHORITY

By: _____
David D. Jamison
Executive Director

Section 4. The Project Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the Project Note proceeds.

Section 5. The Loan Proceeds are hereby appropriated to the payment of the Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

At its sole discretion, the City Council may appropriate to the payment of the Project Note proceeds to be received from state or federal grants and/or income or revenues from sources to be received and expended for the Project during the period of Project construction.

The Project Note is a limited obligation of the City payable solely and only from the Loan Proceeds and shall not constitute a general obligation of the City, nor shall it be payable in any manner by taxation, and under no circumstances shall the City be in any manner liable by reason of the failure of the Loan Proceeds to be sufficient for the payment in whole or in part of the Project Note.

Section 6. Upon a breach or default of a term of the Project Note or any Parity Obligations and this resolution, a proceeding may be brought in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required under the terms of this resolution and Section 76.13 of the Code of Iowa.

Section 7. The City reserves the right to issue additional obligations (the "Parity Obligations") payable from the Loan Proceeds, and ranking on a parity with, the Project Note. The Project Note or any Parity Obligations shall not be entitled to priority or preference one over the other in the application of the Loan Proceeds regardless of the time or times of the issuance of such Project Note or Parity Obligations, it being the intention of the City that there shall be no priority among the Project Note or Parity Obligations, regardless of the fact that they may have been actually issued and delivered at different times.

Section 8. The provisions of this resolution shall constitute a contract between the City and the owners of the Project Note and Parity Obligations as may from time to time be outstanding, and after the issuance of the Project Note, no change, variation or alteration of any kind of the provisions of this resolution shall be made without prior consent of the Lender which will adversely affect the owners of the Project Note or Parity Obligations until the Project Note and Parity Obligations and the interest thereon shall have been paid in full.

Section 9. If any section, paragraph, clause or provision of this resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 10. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 11. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 9, 2016.

Mayor

Attest:

City Clerk

A motion was made by Ramsey authorizing the Mayor and City Clerk to sign letter of agreement between the city of Templeton and Templeton Savings Bank concerning an alternative site for conducting bank business at the Templeton Center in case of a disaster, seconded by Bauer. All present voted in favor of the motion and the motion was carried.

Update regarding repairs/improvements at the Templeton Ball Park:

- Replaced Outfield Ballast & Bulbs
- Power Amp & Drivers for Sound System

Council reviewed lease proposal from Access Systems for a Sharp MX-3550N copier. A motion was made by Bauer authorizing the City Clerk to sign lease agreement, seconded by Irlbeck. All present voted in favor of the motion and the motion was carried.

Maintenance Report:

- Completed installation of storm sewer at the corner of 5th Avenue and 1st Street.
- Working on installation of storm sewer at the corner of Industrial Road and E. 7st Street.
- Locating water & sanitary sewer lines for Hoddson Underground for installation of fiber optics.
- Horizon Equipment made the following repairs to the John Deere 7200 tractor: air conditioner, three point lift, fuel leak return lines, muffler, & pressurizer blower motor.
- Submitted TTHM/HAA5 sample to the Iowa DNR. Sample required every 3 years in August.

Mayor's Report:

- Thank you received from Van Wall Implement for purchase of lawn mower.
- Templeton Rye Spirits expansion update.

Council Member Engelen updated council regarding his telephone conversation with Justin Stoltenberg about renovations to his house at 615 W. Railway Street.

At 7:50 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Engelen moved to adjourn and Bauer seconded the motion. All voted aye, motion carried.

Ken F. Behrens, Mayor

Rhonda Schwaller, City Clerk