

TEMPLETON CITY COUNCIL
DECEMBER 7, 2020
7:00 P.M. TEMPLETON CITY HALL

The Templeton City Council met on this seventh day of December 2020 at 7:00 p.m. at City Hall, Templeton, Iowa. 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: Mayor Ken Behrens, City Clerk Rhonda Schwaller, & Public Works Dale Prebeck

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

A motion was made by Bauer adding Tim Henriksen to the Templeton Community Fire Department's roster, second by Irlbeck. All present voted in favor of the motion and the motion was carried.

Templeton Community Fire Department's 2020 Dodge 5500 Crew Cab Quick Attack delivered. Discussed payment of truck.

Mayor Behrens read email dated December 7, 2020 from Lester Brown from Templeton Rye Distillery regarding stillage treatment plant, production, water infrastructure, and rebranding.

This being the time and place specified for holding the public hearing 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 7:06 p.m.

After due consideration and discussion, Council Member Ramsey introduced the following resolution and moved 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: Bauer, Irlbeck, Morrow, Engelen, & Ramsey

Nays: None

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

RESOLUTION NO. 1270-20

Resolution authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$220,000 Sewer Revenue Bonds, Series 2020

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 contract indebtedness and enter into a certain Sewer Revenue Loan and Disbursement Agreement (the "Agreement") and to borrow money thereunder in a principal amount not to exceed \$275,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of planning, designing and constructing improvements and extensions (the "Project") to the Utility, and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on December 7, 2020; and

WHEREAS, it is necessary at this time for the City Council to approve the Agreement with the Iowa Finance Authority, an agency and public instrumentality of the State of Iowa, as lender (the "Lender") and to issue Sewer Revenue Bonds, Series 2020 (the "Bonds") in evidence thereof in the principal amount of \$220,000 to pay the costs of the Project;

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

Section 1. It is hereby determined that the City shall enter into the Agreement with the Lender. The Agreement shall be in substantially the form as has been placed on file with the City and shall provide for a loan (the "Loan") to the City in the amount of \$220,000, for the purpose as set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Agreement on behalf of the City, and the Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the City under the Agreement, in the aggregate principal amount of \$220,000, to be dated the date of delivery to or upon the direction of the Lender, and bearing interest from the date of each advancement made at the rate of 1.75% per annum pursuant to the Agreement, until payment thereof, as set forth in Exhibit A attached to the Agreement.

The Bonds may be in the denomination of \$1,000 each or any integral multiple thereof and, at the request of the Lender, shall be initially issued as a single bond in the denomination of \$220,000 and numbered R-1.

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

Payment of the principal of and interest on the Bonds and premium, if any, shall be payable at the office of the Paying Agent to the registered owners thereof appearing on the registration books of the City. All such payments, except full redemption, shall be made to the registered owners appearing on the registration books at the close of business on the fifteenth day of the month next preceding the payment date. Final payment of principal shall only be made upon surrender of the Bond or Bonds to the Paying Agent.

In addition to the payment of principal of and interest on the Bonds, the City also agrees to pay the Initiation Fee and the Servicing Fee (defined in the Agreement) in accordance with the terms of the Agreement.

The Bonds 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 fully registered bonds without interest coupons. The issuance of the Bonds and the amount of the Loan advanced thereunder shall be recorded in the office of the City Treasurer, and the certificate on the back of each Bond shall be executed with the official manual or facsimile signature of the City Treasurer. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of such Bonds, 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 Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Registrar. Each Bond shall be transferable without cost to the registered owner thereof only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds are subject to optional redemption by the City at a price of par plus accrued interest (i) on any date with the prior written consent of the Lender, or (ii) in the event that all or substantially all of the Project is damaged or destroyed. Any optional redemption of the Bonds by the City may be made from any funds regardless of source, in whole or from time to time in part, in inverse order of maturity upon not less than thirty (30) days' notice of redemption by facsimile, e-mail, certified or registered mail to the Lender (or any other registered owner of the Bonds). The Bonds are also subject to mandatory redemption as set forth in Section 5 of the Agreement.

All of the Bonds and the interest thereon, together with any additional obligations as may be hereafter issued and outstanding from time to time ranking on a parity therewith under the conditions set forth herein (which additional obligations are hereinafter sometimes referred to as "Parity Obligations"), shall be payable solely from the Net Revenues of the Utility and the Sinking Fund hereinafter referred to, both of which are hereby pledged to the payment of the Bonds. The Bonds shall be a valid claim of the owners thereof only against said Net Revenues and Sinking Fund. None of the Bonds shall be a general obligation of the City, nor payable in any manner by taxation, and under no circumstances shall the City or the Utility be in any manner liable by reason of the failure of the Net Revenues of the Utility to be sufficient for the payment in whole or in part of the Bonds and the interest thereon.

Section 3. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon they shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the loan proceeds (the "Loan Proceeds"), and all action heretofore taken in connection with the Agreement is hereby ratified and confirmed in all respects.

Section 4. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
CARROLL COUNTY
CITY OF TEMPLETON

SEWER REVENUE BOND, SERIES 2020

No. R-1			\$220,000
	RATE	MATURITY DATE	BOND DATE
	1.75%	June 1, 2040	December 18, 2020

The City of Templeton (the "City"), in Carroll County, State of Iowa, for value received, promises to pay from the source and as hereinafter provided, on the maturity date of this Bond to

IOWA FINANCE AUTHORITY

or registered assigns, the principal sum of

TWO HUNDRED TWENTY THOUSAND DOLLARS

Interest at the rate specified above shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 2021, and principal shall be due and payable in installments in the amounts shown on the Principal Payment Schedule, attached hereto as Exhibit A, on June 1, 2021, and annually thereafter on June 1 in each year until the principal and interest are fully paid, except that the final installments of the entire balance of principal and interest, if not sooner paid, shall become due and payable on June 1, 2040. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

The City Clerk shall act as Registrar and Paying Agent and may be hereinafter referred to as the "Registrar" or the "Paying Agent."

Payment of the principal of and interest on this Bond and premium, if any, shall be payable at the office of the Paying Agent to the registered owners thereof appearing on the registration books of the City at the addresses shown on such registration books. All such payments, except full redemption, shall be made to the registered owners appearing on the registration books at the close of business on the fifteenth day of the month next preceding the payment date. Final payment of principal shall only be made upon surrender of this Bond to the Paying Agent.

This Bond is one of a series of bonds (the "Bonds") issued by the City to evidence its obligation under a certain Loan and Disbursement Agreement, dated the date hereof (the "Agreement") entered into by the City for the purpose of providing funds to pay a portion of the cost of planning, designing and constructing improvements and extensions (the "Project") to the Municipal Sanitary Sewer System of the City (the "Utility").

The Bonds are issued pursuant to and in strict compliance with the provisions of Sections 384.24A and 384.83 of the Code of Iowa, 2019, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council authorizing and approving the Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The Bonds shall be subject to optional redemption by the City at a price of par plus accrued interest (i) on any date with the prior written consent of the Iowa Finance Authority, or (ii) in the event that all or substantially all of the Project is damaged or destroyed. Any optional redemption of the Bonds by the City may be made from any funds regardless of source, in whole or from time to time in part, in inverse order of maturity upon not less than thirty (30) days' notice of redemption by e-mail, facsimile, certified or registered mail to the Iowa Finance Authority (or any other registered owner of the Bonds). The Bonds are also subject to mandatory redemption as set forth in Section 5 of the Agreement.

The Bonds are not general obligations of the City but, together with any additional obligations as may be hereafter issued and outstanding from time to time ranking on a parity therewith under the conditions set forth in the Resolution, are payable solely and only out of the future Net Revenues (as defined in the Resolution) of the Utility of the City, a sufficient portion of which has been ordered set aside and pledged for that purpose. This Bond is not 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 said Net Revenues to be sufficient for the payment of this Bond and the interest thereon.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified, Recited and Declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the Bonds have existed, have happened and have been performed in due time, form and manner, as required by law, and that the issuance of the Bonds does not exceed or violate any constitutional or statutory limitation or provision.

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

CITY OF TEMPLETON, IOWA

By (Do Not Sign)
Mayor

Attest:

(Do Not Sign)
City Clerk

(On the back of each Bond the following certificate shall be executed with the duly authorized signature of the City Treasurer)

STATE OF IOWA
CARROLL COUNTY
CITY OF TEMPLETON

SS: CITY TREASURER'S CERTIFICATE

The original issuance of the Bonds, of which this Bond is a part, was duly and properly recorded in my office as of the Bond Date.

(Do Not Sign)
City Treasurer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	_____
TEN ENT	- as tenants by the entireties		(Custodian)
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	As Custodian for	_____
			(Minor)
		under Uniform Transfers to Minors Act	_____
			(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer
this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

EXHIBIT A
PRINCIPAL PAYMENT SCHEDULE

<u>Due</u> <u>June 1</u>	<u>Amount</u>	<u>Due</u> <u>June 1</u>	<u>Amount</u>
2021	\$ 9,000	2031	\$11,000
2022	\$ 9,000	2032	\$11,000
2023	\$ 9,000	2033	\$12,000
2024	\$10,000	2034	\$12,000
2025	\$10,000	2035	\$12,000
2026	\$10,000	2036	\$12,000
2027	\$10,000	2037	\$12,000
2028	\$10,000	2038	\$13,000
2029	\$11,000	2039	\$13,000
2030	\$11,000	2040	\$13,000

Section 5. The Loan Proceeds shall be held by the Lender and disbursed for costs of the Project, as referred to in the preamble hereof. The City will keep a detailed, segregated accounting of the expenditure of the Loan Proceeds.

Section 6. So long as the Bonds or any Parity Obligations are outstanding, the City shall continue to maintain the Utility in good condition, and the Utility shall continue to be operated in an efficient manner and at a reasonable cost as a revenue producing undertaking. The City shall establish, impose, adjust and provide for the collection of rates to be charged to customers of the Utility, including the City, to produce gross revenues (hereinafter sometimes referred to as the "Gross Revenues") at least sufficient to pay the expenses of operation and maintenance of the Utility, which shall include salaries, wages, cost of maintenance and operation, materials, supplies, insurance and all other items normally included under recognized accounting practices (but does not include allowances for depreciation in the valuation of physical property) (which such expenses are hereinafter sometimes referred to as the "Operating Expenses") and to leave a balance of net revenues (herein referred to as the "Net Revenues") equal to at least 110% of the principal of and interest on all of the Bonds and any other Parity Obligations due in such fiscal year, as the same become due.

Section 7. From and after the issuance of the Bonds, the Gross Revenues of the Utility shall be set aside into a separate and special fund which is hereby established, to be known and hereinafter referred to as the City's Sewer Revenue Fund ("Sewer Revenue Fund"). The Sewer Revenue Fund shall be used in maintaining and operating the Utility, and after payment of the Operating Expenses shall, to the extent hereinafter provided, be used to pay the principal of and interest on the Bonds and any Parity Obligations, and to create and maintain the several separate funds hereinafter established.

Section 8. There shall be and is hereby created and there shall be maintained a "Sewer Revenue Bond Sinking Fund" (herein referred to as the "Sinking Fund"), into which there shall be set aside from future Net Revenues of the Utility such portion thereof as will be sufficient to pay the interest on and principal of the Bonds and any Parity Obligations at any time outstanding as the same become due, and it is hereby determined that the minimum amounts to be set aside into the Sinking Fund from the Net Revenues during each month of the year shall be not less than as follows:

Commencing on January 1, 2021 and continuing to and including May 1, 2021, an amount equal to 1/5th of the installment of principal and interest coming due on June 1, 2021, and thereafter, commencing on June 1, 2021, and continuing to final maturity, an amount equal to 1/6th of the installment of interest coming due on the next succeeding interest payment date on the then outstanding Bonds, plus an amount equal to 1/12th of the installment of principal coming due on such Bonds on the next succeeding principal payment date until the full amount of such installment is on deposit in the Sinking Fund.

Money in the Sinking Fund shall be used solely for the purpose of paying principal of and interest on the Bonds and any Parity Obligations as the same shall become due and payable. Whenever Parity Obligations are issued under the conditions and restrictions hereinafter set forth, provisions shall be made for additional payments to be made into the Sinking Fund for the purpose of paying the interest on and principal of such Parity Obligations.

If at any time there should be a failure to pay into the Sinking Fund the full amount above stipulated, then an amount equivalent to the deficiency shall be paid into the Sinking Fund from the Net Revenues of the Utility as soon as available, and the same shall be in addition to the amount otherwise required to be so set apart and paid into the Sinking Fund.

No further payments need be made into the Sinking Fund when and so long as the amount therein is sufficient to retire all of the Bonds and any Parity Obligations then outstanding which are payable from the Sinking Fund and to pay all interest to become due thereon prior to such retirement, or if provision for such payment has been made.

All of such payments required to be made into the Sinking Fund shall be made in equal monthly installments on the first day of each month, except that when the first day of any month shall be a Sunday or legal holiday, then such payments shall be made on the next succeeding secular day.

Section 9. There shall be and is hereby created a special fund to be known and designated as the Surplus Fund into which there shall be set apart and paid all of the Net Revenues remaining after first paying the Operating Expenses and making the required payments into the Sinking Fund. All money credited to the Surplus Fund shall be transferred and credited to the Sinking Fund whenever necessary to prevent or remedy a default in the payment of the principal of or interest on the Bonds and any Parity Obligations.

As long as the Sinking Fund has the full amounts required to be deposited therein by this resolution, any balance in the Surplus Fund may be made available to the City as the Council, or such other duly constituted body as may then be charged with the operation of the Utility, may from time to time direct.

Section 10. All money held in any fund or account created or to be maintained under the terms of this resolution shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds. All interest received by the City as a result of investments under this section shall be considered to constitute Gross Revenues of the Utility and shall be deposited in or transferred to the Sewer Revenue Fund and used solely and only for the purposes specified herein for such funds.

Section 11. The City hereby covenants and agrees with the owner or owners of the Bonds and any Parity Obligations, or any of them, that from time to time may be outstanding, that it will faithfully and punctually perform all duties with reference to the Utility required and provided by the Constitution and laws of the State of Iowa, that it will segregate the Gross Revenues of the Utility and make application thereof in accordance with the provisions of this resolution and that it will not sell, lease or in any manner dispose of the Utility or any part thereof, including any and all extensions and additions that may be made thereto, until all of the Bonds and any Parity Obligations shall have been paid in full, both principal and interest, or unless and until provisions shall have been made for the payment of the Bonds and any Parity Obligations and interest thereon in full; provided, however, that the City may dispose of any property which in the judgment of the Council, or such duly constituted body as may then be charged with the operation of the Utility, is no longer useful or profitable in the operation of the Utility nor essential to the continued operation thereof and when the sale thereof will not operate to reduce the revenues to be derived from the operation of the Utility.

Section 12. Upon a breach or default of a term of the Bonds 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 Division V of Chapter 384 of the Code of Iowa or an action may be brought to obtain the appointment of a receiver to take possession of and operate the Utility and to perform the duties required by this resolution and Division V of Chapter 384 of the Code of Iowa.

Section 13. The Bonds or any Parity Obligations shall not be entitled to priority or preference one over the other in the application of the Net Revenues of the Utility regardless of the time or times of the issuance of such Bonds or Parity Obligations, it being the intention of the City that there shall be no priority among the Bonds or any Parity Obligations, regardless of the fact that they may have been actually issued and delivered at different times. The City hereby reserves the right and privilege of issuing Parity Obligations.

Section 14. The City agrees that so long as the Bonds or any Parity Obligations remain outstanding, it will maintain insurance for the benefit of the owners of the Bonds and any Parity Obligations on the insurable portions of the Utility of a kind and in an amount which usually would be carried by private companies or municipalities engaged in a similar type of business. The proceeds of any insurance, except public liability insurance, shall be used to repair or replace the part or parts of the Utility damaged or destroyed. The City will keep proper books of record and account, separate from all other records and accounts, showing the complete and correct entries of all transactions relating to the Utility, and the owners of the Bonds or any Parity Obligations shall have the right at all reasonable times to inspect the Utility and all records, accounts and data of the City relating thereto.

Section 15. The provisions of this resolution shall constitute a contract between the City and the owners of the Bonds and any Parity Obligations as may from time to time be outstanding, and after the issuance of the Bonds, no change, variation or alteration of any kind of the provisions of this resolution shall be made which will adversely affect the owners of the Bonds or any Parity Obligations until all of the Bonds and any Parity Obligations and the interest thereon shall have been paid in full, except as hereinafter provided.

The owners of a majority in principal amount of the Bonds and any Parity Obligations at any time outstanding (not including in any case any obligations which may then be held or owned by or for the account of the City, but including such obligations as may be issued for the purpose of refunding any of the Bonds or Parity Obligations if such obligations shall not then be owned by the City) shall have the right from time to time to consent to and approve the adoption by the City of a resolution or resolutions modifying or amending any of the terms or provisions contained in this resolution; provided, however, that this resolution may not be so modified or amended in such manner as to:

- (a) Make any change in the maturity or redemption terms of the Bonds or Parity Obligations.
- (b) Make any change in the rate of interest borne by any of the Bonds or Parity Obligations.
- (c) Reduce the amount of the principal payable on any Bonds or Parity Obligations.
- (d) Modify the terms of payment of principal of or interest on the Bonds or Parity Obligations, or any of them, or impose any conditions with respect to such payment.
- (e) Affect the rights of the owners of less than all of the Bonds or Parity Obligations then outstanding.
- (f) Reduce the percentage of the principal amount of the Bonds or Parity Obligations, the consent of the owners of which shall be required to effect a further modification.

Whenever the City shall propose to amend or modify this resolution under the provisions of this section, it shall cause notice of the proposed amendment to be (1) filed with the Lender and (2) mailed by certified mail to each registered owner of any Bond or Parity Obligation as shown by the records of the Registrar. Such notice shall set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory resolution is on file in the office of the City Clerk.

Whenever at any time within one year from the date of the mailing of said notice, there shall be filed with the City Clerk an instrument or instruments executed by the owners of at least a majority in aggregate principal amount of the Bonds and any Parity Obligations outstanding at the time of the adoption of such amendatory resolution specifically consenting to the adoption thereof as herein provided, no owner of any Bonds or Parity Obligations shall have any right or interest to object to the adoption of such amendatory resolution or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin or restrain the City from taking any action pursuant to the provisions thereof.

Any consent given by the owners of a Bond or Parity Obligation pursuant to the provisions of this section shall be irrevocable for a period of six (6) months from the date of such consent and shall be conclusive and binding upon all future owners of the same Bond or Parity Obligation during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the owner who gave such consent or by a successor in title, but such revocation shall not be effective if the owners of a majority in aggregate principal amount of the Bonds and Parity Obligations outstanding as in this section defined shall have, prior to the attempted revocation, consented to and approved the amendatory resolution referred to in such revocation.

The fact and date of the execution of any instrument under the provisions of this section may be proved by the certificate of any officer in any jurisdiction, who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction, that the persons signing such instrument acknowledged before such officer the execution thereof, or may be proved by an affidavit of a witness to such execution sworn to before such officer.

Section 16. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the “Internal Revenue Code”). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as “Qualified Tax Exempt Obligations” as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 17. 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 18. 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 19. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved December 7, 2020.

Mayor

Attest:

City Clerk

Council Member Bauer introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Morrow; and after due consideration thereof by the 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: Engelen, Morrow, Ramsey, Bauer, & Irlbeck

Nays: None

Whereupon the Mayor declared resolution duly adopted as follows:

RESOLUTION #1271-20

A RESOLUTION AUTHORIZING THE CITY CLERK TO MAKE THE APPROPRIATE INTERFUND TRANSFERS OF SUMS AND RECORD THE SAME IN THE APPROPRIATE MANNER FOR FY 2021 FOR THE CITY OF TEMPLETON, IOWA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the city of Templeton, Iowa as follows:

SECTION 1: Authorize the City Clerk to Transfer Funds. That the City Clerk be and is hereby authorized by the City Council to make the appropriate interfund transfer of sums and record the same in the appropriate manner for FY 2021.

SECTION 2: Transfer of Funds. The City Clerk will transfer the following sums and to record the same in the appropriate manner:

- Transfer from TIF Fund to Debt Service Fund - \$2,112.77 to pay interest payment due on December 1, 2020 on Industrial Road GO Bond #3042.
- Transfer from TIF Fund to Debt Service Fund - \$3,375.00 to pay interest payment due on December 1, 2020 on Public Works Building GO Bond #3053.
- Transfer from Water Fund to Debt Service Fund - \$159.30 to interest payment due December 1, 2020 on Water Meter Loan #170031-16-184.

PASSED AND APPROVED THIS 7th day of December, 2020.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

Council reviewed outstanding debt report as of December 1, 2020.

Council discussed donation request from Iowa Rural Water Charitable Foundation. No action taken.

Mayor Behrens made the following appointments:

- Dale Prebeck – 2-year term as Zoning Administrator
- Dale Prebeck – 2-year term as Water Superintendent
- Emily Drees, Chad Morrow, & Rhonda Schwaller – 2-year term to Park & Recreation Board

Council appointments:

- A motion was made by Engelen appointing Robert Peters as City Attorney, seconded by Bauer. All present voted in favor of the motion and the motion was carried.
- A motion was made by Irlbeck authorizing Templeton Savings Bank as depository bank, seconded by Bauer. All present voted in favor of the motion and the motion was carried.
- A motion was made by Bauer appointing Don Irlbeck to Planning & Zoning Commission, seconded by Morrow. All present voted in favor of the motion and the motion was carried.
- A motion was made by Ramsey appointing Cole Kerkhoff to the Zoning Board of Adjustment, seconded by Bauer. All present voted in favor of the motion and the motion was carried.

Council conducted FY21/22 budget workshop.

A motion was made by Bauer approving reimbursement request from Becky Sporrer in the amount of \$334.90, seconded by Engelen. All present voted in favor of the motion and the motion was carried.

Council discussed email dated November 9, 2020 from Jordan Kappos from Veenstra & Kimm regarding Mangold Environmental Testing's lab results dated October 16, 2020 for Iowa Legendary Rye's biochemical oxygen demand (BOD) and pH level. Consensus of council agreed it would be in the best interest of the city's wastewater system to require Iowa Legendary Rye to pretreat their waste or haul it off premises.

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

1. Minutes from November 2, 2020.
2. Park Board's minutes from November 18, 2020
3. Templeton Center's minutes from November 24, 2020
4. Internal Review of city's financial records & assets for the month of November 2020.
5. Balance Sheet.
6. Budget vs Actual FY20/21.
7. Approve Claims for November 2020.
8. Approve October 2020 Treasurer's Report
 - \$ 164,471.88 revenue
 - \$ 30,737.62 expenditures
 - \$ 808,312.49 total cash & investments

FUND	RECEIPTS	DISBURSEMENTS
General	\$ 40,816.38	\$ 13,632.50
Templeton Center	\$ 1,512.76	\$ 3,288.64
Historical Society	\$ 0.00	\$ 0.00
Fire Dept. – Checking	\$ 0.00	\$ 1,103.92
Park Fundraising	\$ 110.48	\$ 0.00
Road Use Tax	\$ 2,504.51	\$ 0.00
Employee Benefits	\$ 7,803.78	\$ 0.00
Local Option Tax	\$ 4,837.50	\$ 0.00
TIF	\$ 93,646.63	\$ 0.00
Debt Service	\$ 0.00	\$ 0.00
Debt Service – Comm. Ctr. Pledge	\$ 0.00	\$ 0.00
Capital Proj. – Fire Truck	\$ 0.00	\$ 0.00
Capital Proj.–CDBG Housing Rehab	\$ 0.00	\$ 0.00
Water	\$ 10,105.68	\$ 8,405.21
Sewer	\$ 2,008.66	\$ 4,307.35
Fire Truck Fund	\$ 1,125.50	\$ 0.00
Totals	\$ 164,471.88	\$ 30,737.62

EFT	Wellmark	health insurance premium	1,084.01
EFT	Fort Dodge Distributing	TC - concessions for resale	113.40
18739	Templeton Hardware	furnace repairs & misc. supplies	165.58
18740	Mid American Energy	utilities	968.20
18741	Ray's Refuse, Inc.	garbage collection	1,852.25
18742	Raccoon Valley Electric Coop.	sewer lagoon	48.05
18743	Postmaster	postage	55.00
18744	Central Iowa Ready Mix	concrete	768.00
18745	Mangold Environmental Testing	water & wastewater tests	62.00
18746	Engelen Computer Service	repairs	100.00
18747	Iowa Assn. of Municipal Utilities	WCISA dues	272.86
18748	Templeton Telephone Co.	TC - telephone	28.50
18749	Templeton Telephone Co.	telephone & internet service	109.08
18750	Dale Prebeck	payroll	1,610.07
18751	Postmaster	postage	70.00
18752	West Central Iowa Rural Water	1,135,000 gallons used	4,256.25
18753	Dale Prebeck	payroll	1,610.07
18754	Rhonda Schwaller	payroll	2,861.52
18758	Rebecca Sporrer	TC - payroll	416.25
18759	Robert Eddington	TC - payroll	89.50
18760	IPERS	retirement	1,436.09
EFT	Templeton Savings Bank	941 tax pymt.	2,382.08
EFT	Elavon	P.O.S. charges	161.19
18761	Templeton Savings Bank	Industrial GO Bond interest pymt.	2,112.77
18762	Templeton Savings Bank	TC GO Bond interest pymt.	4,290.00
18763	Templeton Savings Bank	Public Works GO Bond interest pymt.	3,375.00
18764	Templeton Savings Bank	water meter loan interest pymt.	159.30

18765	Templeton Rye Spirits	1st half FY 20/21 TIF rebate pymt.	40,838.00
18766	Dedham American Legion	flags	315.00
18767	U.S. Cellular	cell phone	59.98
18768	Veenstra & Kimm, Inc.	engineering services	819.00
18769	Foundation Analytical Lab	water sample	134.50
18770	Access Systems	copier/printer usage	78.43
18771	Void		
18772	GameTime	engineered wood fibers	9,488.00
18773	Manning Insurance Agency	insurance	12.00
18774	Gary Weilt	playground supplies	10.99
18775	Iowa Rural Water Association	dues	225.00
18776	SafeChoice, Inc.	annual license renewal	1,399.95
18777	Carroll Co. Solid Waste Mgmt.	1st qtr. 2021 assessment	1,035.00
18778	Daily Times Herald	publications	215.32
18779	Access Systems	copier/printer	242.00
18780	Templeton Hardware	TC - furnace repairs	636.65
18781	Templeton Hardware	playground supplies	15.00
18782	Templeton Hardware	misc. supplies	22.24
18783	Irlbeck Welding	misc. repairs	88.50
18784	Kurt Muhlbauer Construction	TC - gate latch repairs	154.00
18785	Manning Municipal Utilities	TC - utilities	135.52
18786	Manning Municipal Utilities	utilities	277.64
18787	Carol Schoeppner	2020 internal financial reviews	120.00
18788	Templeton Savings Bank	safe deposit box rent	7.00
18789	Dale Prebeck	1 gas board meeting	25.00
18790	Don Irlbeck	1 gas board meeting	25.00
18791	Jeff & Kim Irlbeck	TC - refund	75.00
18792	Mid American Energy	TC - utilities	421.12
18793	Kasperbauer Cleaners	TC - linens	153.60
18794	Crawford Ice Company	TC - ice	52.50
18795	Waspy's	fuel	184.68
18796	Fastenal	sewer lagoon supplies	50.76
18797	Bill Prebeck	TC-outside winter plant arrangement	96.30
18798	Templeton Savings Bank	money order 1/2 Fire Dept. AD & D	219.45
18799	Rye Supply, Inc.	shipping	15.89
18800	Becky Sporrer	TC - supplies	334.90
18801	Cardmember Services	Grasshopper	20.60
18802	Iowa One Call	one calls	21.60
18803	Mid American Energy	utilities	958.08
18804	Ray's Refuse, Inc.	garbage collection	1,888.10
18805	Pepsi-Cola	TC - concessions for resale	240.76
EFT	Templeton Telephone Co.	Fire Dept. - telephone/internet	31.07
EFT	Mid American Energy	Fire Dept. - utilities	87.00
EFT	Manning Municipal Utilities	Fire Dept. - utilities	18.00
EFT	Manning Municipal Utilities	Fire Dept. - utilities	30.79
3009	Waspy's	Fire Dept. - fuel	41.40
3010	Dave Ramsey	Fire Dept. - meeting expense	140.24
3011	Duane's Repair	Fire Dept. - 1993 Intl repairs	311.62
3012	Ed Feld Fire Equipment	Fire Dept. - 2020 Dodge Ram	91,825.00
3013	Ed Feld Fire Equipment	Fire Dept. - pressure fan	3,900.00
3014	Ed Feld Fire Equipment	Fire Dept-equipment for 2020 Dodge	1,369.93
			<u>189,325.13</u>

Citizen Forum: None

Maintenance Report:

- Storm sewer between 210 S 6th Ave. and 302 S 6th Ave. needs to be cleaned out. Will contact Templeton Hardware.

Mayor's Report:

- Contacted property owner at 427 W 2nd St. regarding property's appearance & cleanup.
- Received confirmation the city was awarded \$3,459.33 from the State of Iowa CARES Act for the Coronavirus Local Government Relief Funding.

At 8:30 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Bauer moved to adjourn and Irlbeck seconded the motion. All voted aye, motion carried.