

TEMPLETON CITY COUNCIL
MAY 6, 2019
7:00 P.M. – TEMPLETON CITY HALL

The Templeton City Council met on this sixth day of May 2019 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, & Kelli Morrow
Absent: None

Others in attendance: Mayor Ken Behrens, City Clerk Rhonda Schwaller, Public Works Director Dale Prebeck, Lester Brown, Chase Prebeck, Kevin Monroe, Don & Denise Irlbeck, Tom & Dee Schmitz, Dale & Sheryl Gust and City Attorney Robert Peters.

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

Lester Brown presented Templeton Rye Distillery's wastewater treatment plant update.

- ICC Engineering completed initial design for new expansion.
- New extension to the existing WWTP will be placed to the north and house new tanks and process equipment.
- ICC Engineering has started to layout a new structure to cover the north side of the existing plant. The containers and extension will be covered with the new structure.
- Construction tentatively scheduled beginning in June.
- ICC Engineering will make the process side components operational by end of July.

Tom Schmitz addressed the council to discuss the appearance of the burn site, the pile of concrete, rocks, and landscape bricks. Mr. Schmitz requested council consider the following:

- Haul the pile of concrete, rocks, and landscape bricks away and no longer accept these types of materials.
- Put a sign on the burn site gate indicating the gate should be closed and locked.
- Install doors on the burn site building.
- Dispose of any unnecessary equipment or materials not used.

Tom Schmitz addressed the council requesting they consider and raise the issue of a nuisance regarding tires and the appearance of the property located at 110 Railway Street with the property owner.

Don & Denise Irlbeck addressed the council to discuss side yard left setback at 315 S. 3rd Avenue and zoning ordinances enforcement. Council tabled and will take information presented under consideration.

Council discussed a first amendment to Templeton Ordinance #73 – an ordinance adopting the updated and revised 2013 city of Templeton, Iowa zoning ordinance. Council tabled subject for further consideration.

Council reviewed email dated April 5, 2019 from resident located at 309 S. 4th Avenue requesting city's guidance or suggestions on stray cats. City Clerk emailed response back and recommended they talk to their neighbor and explain the situation they are having with these stray cats.

Council discussed request from Dr. George Glenn and Professor Richard Poole to use a photo of Templeton Hardware's building which formerly housed Templeton's Opera House located on the second story of the building. They would like to use the photo in their book "The Opera Houses of Iowa". Council recommended showing the photo to Glen Riesselman owner of Templeton Hardware for authorization to release permission to use photo.

At 8:49 p.m. Mayor Behrens opened the public hearing for fiscal year July 1, 2018 through June 30, 2019 budget amendment. Mayor Behrens asked for comments or discussion on the proposed amendment. City Clerk Schwaller indicated there were no written or oral objections heard on the budget amendment. At 8:50 p.m. Mayor Behrens closed the public hearing. Council Member Bauer introduced and made a motion for the adoption of Resolution #1218-19 setting the budget amendment estimates for fiscal year July 1, 2018 through June 30, 2019 and City Clerk Schwaller was directed to make the necessary filings as required by law, seconded by Irlbeck. Roll call taken.

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

Nays: None

Whereupon, Mayor Behrens declared motion carried and resolution passed.

A motion was made by Bauer to donate \$100.00 to Highway 141 Garage Sales, second by Engelen. All present voted in favor of the motion and the motion was carried.

A motion was made by Irlbeck to add Dustin Werner to the Templeton Community Fire Department roster, second by Bauer. All present voted in favor of the motion and the motion was carried.

A motion was made by Bauer to advertise on KNOD Radio promoting tourism, second by Morrow. All present voted in favor of the motion and the motion was carried.

A motion was made by Bauer to accept Wellmark Health Care Plan "CompleteBlue 4000" effective July 1, 2019, second by Engelen. All present voted in favor of the motion and the motion was carried.

Council Member Engelen moved the adoption of the following resolution entitled "Resolution Authorizing the Mayor and the City Clerk to Enter into an Agreement with the Templeton Community Betterment Association." and the motion was seconded by Council Member Irlbeck. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Nays: None

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

RESOLUTION NO. 1219-19

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE TEMPLETON COMMUNITY BETTERMENT ASSOCIATION.

WHEREAS, the Templeton Community Betterment Association would like to enter into an agreement (see attached Exhibit "A") with the city of Templeton to utilize the Templeton Ball Field Complex in which to host Sub-state Slow-pitch Tournament from July 9, 2019 through July 22, 2019; and

NOW THEREFORE, BE IT RESOLVED by the City Council of Templeton, Iowa does hereby authorize the Mayor and the City Clerk to enter into an agreement for said use of the Templeton Ball Field Complex.

PASSED AND APPROVED, this 6th day of May, 2019.

CITY OF TEMPLETON, IOWA

Ken F. Behrens
Mayor – City of Templeton

ATTEST:

Rhonda Schwaller, City Clerk

EXHIBIT "A"

**AGREEMENT BETWEEN
TEMPLETON COMMUNITY BETTERMENT ASSOCIATION
AND
CITY OF TEMPLETON**

WHEREAS, the Templeton Community Betterment Association (TCBA) intends to sponsor a "Sub-state Slow-pitch Tournament" on July 9, 2019 through July 22, 2019; and

WHEREAS, the city of Templeton owns the Templeton Ball Field complex in which the outdoor "Sub-state Slow-pitch Tournament" will be held; and

NOW THEREFORE, the Templeton Community Betterment Association (TCBA) and city of Templeton, in consideration of the promises and mutual obligations set forth in this Agreement now agree and covenant as follows:

1. The city of Templeton will allow the Templeton Community Betterment Association the use the Templeton Ball Field complex.
2. The Templeton Community Betterment Association will provide food and beverages for the softball tournament and will receive all proceeds or profits associated with this event.
3. The city of Templeton will waive any and all fees associated with the use of this property.
4. The Templeton Community Betterment Association will be responsible for obtaining a liquor license and dram shop insurance.
5. The Templeton Community Betterment Association will return the Templeton Ball Field complex and all contents to the pre-event condition.
6. The terms of the Agreement may not be amended except in writing by agreement of both the Templeton Community Betterment Association and the city of Templeton.
7. This agreement shall be effective immediately upon signing and shall remain effective until such time as it is dissolved by agreement of both parties, but no later than July 22, 2019.

IN WITNESS WHEREOF, the Templeton Community Betterment Association and city of Templeton have caused this Agreement to be duly executed as of the _____day of _____, 2019.

**FOR
TEMPLETON COMMUNITY BETTERMENT ASSOC.**

**FOR
CITY OF TEMPLETON**

BY: _____
Holly Warner, President

BY: _____
Ken F. Behrens, Mayor

ATTEST: _____
Rhonda Schwaller, City Clerk

A motion was made by Irlbeck to approve the Templeton Community Betterment Association's 14-day Class "B" Beer (includes wine coolers) License with Outdoor Sales and Sunday Sales privileges contingent upon receipt of dram shop insurance, second by Bauer. All present voted in favor of the motion and the motion was carried.

A motion was made by Bauer to approve the Sacred Heart Church's 5-day Class "C" Liquor License with Outdoor Sales contingent upon receipt of dram shop insurance, second by Morrow. All present voted in favor of the motion and the motion was carried.

A motion was made by Ramsey to approve the Sacred Heart Church's request to close 4th Street between 5th Avenue and 6th Avenue on July 3, 2019 for their annual street dance, second by Engelen. All present voted in favor of the motion and the motion was carried.

A motion was made by Ramsey to approve the Templeton Community Betterment Association's request to close 4th Street between 5th Avenue and 6th Avenue on July 9, 2019 through July 22, 2019 (during dates and times when Sub-State ball games are held), second by Bauer. All present voted in favor of the motion and the motion was carried.

A motion was made by Bauer authorizing Mayor Behrens to sign fireworks display agreement and multiple year agreement extension between the city of Templeton and J & M Displays, Inc., second by Irlbeck. All present voted in favor of the motion and the motion was carried.

Council Member Ramsey moved the adoption of the following resolution entitled "Resolution Authorizing the City Clerk to Make the Appropriate Interfund Transfers of Sums and Record the Same in the Appropriate Manner for FY 2019 for the City of Templeton, Iowa" and the motion was seconded by Council Member Morrow. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Nays: None

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

RESOLUTION #1220-19
A RESOLUTION AUTHORIZING THE CITY CLERK TO MAKE THE APPROPRIATE
INTERFUND TRANSFERS OF SUMS AND RECORD THE SAME IN THE APPROPRIATE
MANNER FOR FY 2019 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 2019.

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

1. Transfer from TIF Fund to Debt Service Fund - \$32,056.77 to pay principal and interest payment due on June 1, 2019 on Industrial Road GO Bond #3042.
2. Transfer from Water Fund to Debt Service Fund - \$10,749.51 to pay principal and interest payment due June 1, 2019 on Water Meter Loan #170031-16-184.
3. Transfer from TIF Fund to Sewer Fund - \$6,420.45 to repay interfund loan for lift station pumps & repairs. (Resolution #1209-18 dated November 5, 2018).
4. Transfer from TIF Fund to General Fund - \$20,221.99 to repay interfund loan for curb and gutter project along 4th Street between 1st Avenue and 2nd Avenue. (Resolution #1211-18 dated November 5, 2018).
5. Transfer from TIF Fund to General Fund - \$2,565.11 to repay interfund loan for outdoor weather warning siren and installation costs. (Resolution #1210-18 dated November 5, 2018).

PASSED AND APPROVED THIS 6TH day of May, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

City Clerk Schwaller updated council on plans for Summer Rec. Program.

City Clerk Schwaller updated council on submission of Hazard Mitigation Grant for Lift Station Generator.

Council discussed lawn mower trade. Tabled.

Mayor Behrens asked for comments or discussion on the proposed Water & Solid Waste Collection Rates as proposed in Ordinance #86. City Clerk Schwaller stated there were no written comments or oral objections previously received. After due consideration and discussion, Council Member Bauer moved to approve the third and final reading of Ordinance #86 – an ordinance amending provisions pertaining to Water & Solid Waste Collection Rates, second by Council Member Morrow. The Mayor put the question upon the adoption and approve the third and final reading of Ordinance #86, and the roll being called, the following Council Members voted:

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

Nays: None

Whereupon, the Mayor declared said motion carried and Ordinance #86 has been given its third and final reading.

ORDINANCE NO. 86

AN ORDINANCE CHANGING WATER AND SOLID WASTE COLLECTION RATES AND AMENDING THE 2015 CITY OF TEMPLETON CODE OF ORDINANCES

BE IT ENACTED by the City Council of the City of Templeton, Iowa:

SECTION 1. SECTIONS MODIFIED. The 2015 City of Templeton Code of Ordinances is amended by changing the following Sections relating to rates charged for Water (Sections 6-5-8) and Solid Waste Collection (6-5-9). Sections deleted are noted with a ~~strike through~~ and new sections are noted with an **underline**.

6-5-8 WATER RATES. Water shall be furnished at the following monthly rates per property as follows:
(Code of Iowa, Sec. 384.84(1) & 364.4)

1. Residential Rates within the City Limits:

- a. ~~\$11.00~~ **\$15.00** minimum charge for the first 1,000 gallons used per month
- b. ~~\$5.75~~ **\$6.25** per thousand gallons used thereafter per month.

2. Commercial Rates within the City Limits:

- a. **\$15.00** minimum charge for the first 1,000 gallons used per month
- b. **\$8.75** per thousand gallons used thereafter per month.

~~2~~ 3. Residential Rates outside City Limits: Rates for water furnished to residential properties outside of City Limits for which the City has agreed to provide service and for which the consumer has ~~signed a service contract agreeing~~ agreed to be bound by the ordinances, rules, and regulations applying to water service established by the City Council:

- a. ~~\$14.00~~ **\$18.00** minimum charge for the first 1,000 gallons used per month
- b. ~~\$6.50~~ **\$7.25** per thousand gallons used thereafter per month.

4. Commercial Rates outside City Limits: All requests for water to a non-residential user outside of City Limits shall be considered by the City Council on a case by case basis.

5. Bulk Purchase Rate. Access for bulk water purchases shall be provided at hydrants designated by the Superintendent or other City Official with an approved backflow preventer. Bulk water sales are described as those sales of water where its use will not result in discharge into the city of Templeton's sanitary sewer system. Rates for bulk water purchases shall be as follows:

- a. \$15.00 minimum charge.
- b. \$15.00 per thousand gallons.

6-5-9 SOLID WASTE/REFUSE COLLECTION RATES. The fee for solid waste collection and disposal service, used or available, shall be ~~\$14.00~~ **\$15.00** per month for each single family residence and for each dwelling unit of a multiple family dwelling.

(Code of Iowa, Sec. 384.84(1))

SECTION 2. BILLING EFFECTIVE DATES. All rates outlined herein shall be effective with the June, 2019 meter reading and July 1, 2019 invoice/billing date.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED BY THE TEMPLETON CITY COUNCIL.

City of Templeton, Iowa

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

Park Board Member Dale Prebeck updated council on park improvements.

- Basketball hoops & flag pole installed.
- Will be installing flag pole light.
- Will be installing & wiring for outside lights.
- Will be installing gutters & leaf guards.
- Will be contacting Danner Lawnsapes for seeding & landscaping.
- Will be painting outside of shelter house.

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

1. Minutes from April 1, 2019.
2. Templeton Center minutes from April 9, 2019.
3. Internal Review of city's financial records & assets for the months of March and April 2019.
4. Balance Sheet.
5. Budget vs Actual FY18/19.
6. Approve Claims.
7. Approve March 2019 Treasurer's Report
 - \$ 44,157.13 revenue
 - \$ 31,558.95 expenditures
 - \$729,161.58 total cash & investments

FUND	RECEIPTS	DISBURSEMENTS
General	\$ 11,508.72	\$ 18,814.27
Templeton Center	\$ 9,021.58	\$ 6,171.13
Historical Society	\$ 0.67	\$ 0.00
Fire Dept. – Checking	\$ 0.00	\$ 500.71
Park Fundraising	\$ 1,934.50	\$ 0.00
Road Use Tax	\$ 2,550.46	\$ 0.00
Employee Benefits	\$ 419.67	\$ 0.00
Local Option Tax	\$ 3,956.55	\$ 0.00
TIF	\$ 1,432.53	\$ 0.00
Debt Service	\$ 0.00	\$ 0.00
Debt Service – Comm. Ctr. Pledge	\$ 2,000.00	\$ 0.00
Capital Proj. – Community Center	\$ 0.00	\$ 0.00
Capital Proj. – CDBG Housing Rehab	\$ 4,465.00	\$ 0.00
Water	\$ 4,851.60	\$ 5,504.65
Sewer	\$ 1,949.87	\$ 568.19
Fire Truck Fund	\$ 65.98	\$ 0.00
Totals	\$ 44,157.13	\$ 31,558.95

- Approval of the Claims for April 2019 as listed:

EFT	Wellmark	health insurance premium	934.82
17576	Mid American Energy	utilities	871.60
17577	Ray's Refuse, Inc.	garbage collection	1,804.45
17578	Raccoon Valley Electric Coop.	sewer lagoon	48.05
17579	Templeton Telephone Company	TC - telephone	28.00
17580	Templeton Telephone Company	telephone & internet service	89.86
17581	Access Systems	copier/printer	186.90
17582	Mangold Environmental	routine water samples	39.00
17583	Clarke Mosquito Control	mosquito control	865.46

17584	Van Meter, Inc.	TC - batteries	16.82
17585	Display Sales Co.	banner rods	271.00
17586	Cardmember Services	TC - wall plates	83.21
17587	Dale Prebeck	payroll	1,541.13
17588	Treasurer - State of Iowa	1st qtr. 2019 state w/h	1,143.00
17589	Treasurer - State of Iowa	1st qtr. 2019 WET excise tax	1,244.00
17590	Treasurer - State of Iowa	1st qtr. 2019 comm. sewer tax	64.00
17591	Postmaster	postage	70.00
17592	West Central Iowa Rural Water	1,440,000 gallons used	5,400.00
17593	Dale Prebeck	payroll	1,541.12
17594	Eugene Prebeck	payroll	27.70
17595	Mark Skillen	TC - payroll	110.26
17596	Peggy Weitzl	TC - payroll	193.64
17597	William Prebeck	TC - payroll	23.09
17598	Alex Fletcher	TC - payroll	161.66
17599	Brooke Kerkhoff	TC - payroll	55.41
17600	Rhonda Schwaller	TC - payroll	2,261.83
17601	Karen Prebeck	TC - payroll	77.45
17602	IA Public Employees Retirement	retirement	1,246.76
EFT	Templeton Savings Bank	941 tax pymt.	2,015.74
EFT	Elavon	TC - P.O.S. charges	215.94
EFT	Fort Dodge Distributing	TC - concessions for resale	319.40
17603	Access Systems	overage charge 2/1/19 thru 4/30/19	411.86
17604	Void		
17605	John Deere Financial	equipment supplies	99.41
17606	RW Concrete	concrete	24,547.50
17607	Audubon-Exira Ready Mix	concrete	235.00
17608	Templeton Hardware	misc. supplies & labor	175.08
17609	Manning Municipal Utilities	TC - utilities	258.89
17610	Manning Municipal Utilities	utilities	177.60
17611	The Office Stop	misc. supplies	65.06
17612	Hannah Warner	Park fundraiser supplies	92.35
17613	Waspy's	fuel	363.83
17614	Void		
17615	Daily Times Herald	publications	178.51
17616	Mid American Energy	TC - utilities	379.50
17617	Templeton Hardware	TC - repairs	275.06
17618	Crawford Ice Co.	TC - ice	87.50
17619	Kasperbauer Cleaners	TC - linens	55.50
17620	Central Iowa Distributing	TC - supplies	162.25
17621	Danner Lawnsapes	TC - fertilizer	186.00
17622	Audubon Co. Advocate Journal	TC - adv.	100.00
17623	Rhonda Schwaller	mileage	104.40
17624	Rye Supply, Inc.	park supplies & shipping	320.32
17625	Cardmember Services	TC - Grasshopper	21.18
17626	Cardmember Services	post hole digger & wire ties	657.92
17627	Jason & Katie Cheney	refund water/sewer deposit	75.00
17628	Trident Furniture Group	TC - tables	1,075.52
EFT	Mid American Energy	Fire Dept. - utilities	109.00
EFT	Templeton Telephone Company	Fire Dept. - telephone	31.64
EFT	Manning Municipal Gas	Fire Dept. - utilities	221.54
2952	Midwest Breathing Air	Fire Dept. - annual air test	669.32
2953	Joe Behrens	Fire Dept. - meeting expense	103.22
2954	Ed Feld Equipment Co.	Fire Dept. - test compressor for air packs	600.00
2955	Waspy's	Fire Dept. - fuel	168.83
17629	Midwest Wholesale Building	flag pole & misc. supplies	763.45
17630	Mangold Environmental	wastewater samples	197.00
17631	Carroll Lumber & Hdwe.	TC - liquid nails	2.99
17632	Pepsi	TC - concessions for resale	402.54
17633	New Hope Village	TC - cleaning	85.00
EFT	Ike Auen Distributing	TC - concessions for resale	942.90
17634	Carroll Public Library	library services	1,239.64
17635	Carroll County Feed	grass seed	25.00
17636	Iowa Dept. of Natl Resources	Prebeck -water/wastewater certification	120.00
17637	Highway 141 Garage Sale	donation	100.00

17638	Postmaster	certified mail	3.50
17639	U.S. Cellular	cell phone	57.69
17640	Region XII Council of Govts.	K. Behrens registration	15.00
	Region XII Council of Govts.	CDBG housing rehabilitation pymt.	4,517.00
			63,431.80

Citizen Forum: None

Maintenance Report:

- Will be drawing down sewer lagoon.
- Completed maintenance on lawn mower.
- Snowplow removed & truck cleaned.
- Met with Pavement Doctor to discuss street repairs, estimated \$4,000.
- Streets will need additional repairs due to frost. Will be contacting Blacktop Service.

Mayor's Report:

- Met with Carroll County Supervisor Eugene Meiners & Carroll County Engineer Dave Paulson to discuss condition of Railway Street. County has work tentatively scheduled for year 2021.

At 9:30 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Engelen moved to adjourn and Irlbeck seconded the motion. All voted aye, motion carried.

Ken F. Behrens, Mayor

Rhonda Schwaller, City Clerk