

TEMPLETON CITY COUNCIL
MAY 7, 2018
7:00 P.M. – CITY HALL

The Templeton City Council met on this seventh day of May 2018 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
Dale Prebeck, City Attorney Robert Peters, Joe Behrens, & Sara Kappos from Veenstra & Kimm

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

At 7:00 p.m. Mayor Behrens opened the public hearing for fiscal year July 1, 2017 through June 30, 2018 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 7:01 p.m. Mayor Behrens closed the public hearing. Council Member Ramsey introduced and made a motion for the adoption of Resolution #1193-18 setting the budget amendment estimates for fiscal year July 1, 2017 through June 30, 2018 and City Clerk Schwaller was directed to make the necessary filings as required by law, seconded by Irlbeck. Roll call taken.

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

Whereupon, Mayor Behrens declared motion carried and resolution passed.

Council reviewed proposed water purchase contract from West Central Iowa Rural Water. Council requested City Attorney Robert Peters contact representative(s) from West Central Iowa Rural Water to discuss proposed changes to contract.

Sara Kappos from Veenstra & Kimm updated council on future water system improvements. No further action taken at this time.

Council discussed North Ridge Addition's restrictive covenants regarding the installation of sidewalks. Council recommended reminder letter be sent to both property owners.

After due consideration and discussion, Council Member Engelen introduced Resolution #1194-18 - a Resolution of Clarification and moved for its adoption, seconded by Council Member Morrow. 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, Ramsey, & Engelen
Nays: None

Whereupon, the Mayor declared the resolution duly approved and adopted.

Council reviewed pending expiration date for refuse hauling contract. Council requested City Clerk Schwaller to send out invitations to bid for garbage and recycling pick up.

Council discussed Cooperation Agreement dated February 4, 2008 between Templeton Rye Spirits, the Templeton Community Betterment Association, and the city of Templeton. Council requested City Clerk Schwaller forward the agreement to Templeton Rye Spirits and the Templeton Community Betterment Association for renewal consideration.

Council Member Bauer introduced an ordinance entitled Ordinance #82 - An Ordinance Amending Chapter 8 in the Code of Ordinances of the City of Templeton, Iowa and Entitled "RAGBRAI - Miscellaneous Permits". It was moved by Council Member Bauer and seconded by Council Member Irlbeck that the ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Whereupon, Mayor Behrens declared the motion duly carried and declared ordinance had been given its initial consideration.

It was moved by Council Member Engelen and seconded by Council Member Ramsey that the statutory rule requiring an ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Member voted:

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

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Irlbeck and seconded by Council Member Bauer that the ordinance entitled "Ordinance #82 - An Ordinance Amending Chapter 8 in the Code of Ordinances of the City of Templeton, Iowa and Entitled "RAGBRAI – Miscellaneous Permits" now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

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

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

VENDOR ORDINANCE NO. 82

AN ORDINANCE AMENDING CHAPTER 8 IN THE CODE OF ORDINANCES OF THE CITY OF TEMPLETON, IOWA AND ENTITLED "RAGBRAI - MISCELLANEOUS PERMITS"

Be it enacted by the City Council of Templeton, Iowa:

SECTION 1: This ordinance as amended is enacted to help city officials and citizens deal with the public health and safety problems created by the infusion of a large number of people into the City of Templeton when the Des Moines Register's Annual Great Bicycle Ride Across Iowa™ (RAGBRAI®) arrives in Templeton on July 23, 2018, and departs on July 23, 2018.

SECTION 2: That Chapter 8 RAGBRAI - Miscellaneous Permits of the Code of Ordinances of the City of Templeton, Iowa, be and the same is hereby amended to read as follows:

Chapter 8 RAGBRAI Ordinance - Miscellaneous Permits

Sections:

- 7-8-1 Commercial Booth Food & Beverage-Permit Required
- 7-8-2 Commercial Booth Food & Beverage Fees
- 7-8-3 Commercial Booth Location
- 7-8-4 Health Regulations
- 7-8-5 Commercial Booth Non-Food - Permit Required
- 7-8-6 Commercial Booth Non-Food Fees
- 7-8-7 Commercial Booth Non-Food Location
- 7-8-8 Glass Containers
- 7-8-9 Nuisance
- 7-8-10 Violations-Penalties
- 7-8-11 Effective Period
- 7-8-12 Street Closings

7-8-1 Commercial Booth Food & Beverage - Permit Required. The Templeton Community Betterment Association and Iowa Corn shall be the only authorized vendors to provide or sell food and beverages to the public in Templeton, Iowa on July 23, 2018 unless special exception is granted by the Mayor of Templeton or his/her successor. However, any person or entity which is a resident or business with a zip code of 51463 and in possession of a valid permit issued by the State of Iowa for the sale of food to be consumed on its premises as of July 23, 2018, or in possession of a current Iowa retail sales tax permit, shall be exempt from the requirements of this Section.

7-8-2 Commercial Booth Food & Beverage Fees. The fee for a Templeton Commercial Booth Permit shall be \$200.00. Commercial Booth permits issued to vendors whose residence is outside the 51463 zip code shall be \$500.00.

7-8-3 Commercial Booth Food & Beverage Location. A vendor who has been granted a Templeton Commercial Booth permit shall locate its temporary sale facility at a location to be determined by the official Templeton RAGBRAI Committee.

7-8-4 Health Regulations. A person or entity issued a commercial booth permit pursuant to this Chapter (a RAGBRAI COMMERCIAL BOOTH PERMITTEE herein) shall comply with the Iowa Department of Health and Carroll County Department of Health rules and regulations pertaining to the sale and dispensing of food for consumption on its premises.

7-8-5 Commercial Booth Non-Food - Permit Required. No person, club, group, organization, corporation or entity of any kind which is in business in Templeton, Iowa shall sell merchandise to the public on July 23, 2018, at a location other than their regularly-established place of business unless said person or entity shall first obtain a Commercial Booth Non-Food Permit from the City of Templeton located at 108 S. Main Street in Templeton, Iowa 51463. Those Templeton businesses, which operate only from their regularly established locations, are exempt from the requirements of this section.

7-8-6 Commercial Booth Non-Food Fees. Their shall be no local fee charged to a Templeton Commercial Booth Non-Food vendor. Commercial Booth Non-Food permits issued to vendors whose residence is outside the 51463 zip code shall be \$250.00.

7-8-7 Commercial Booth Non-Food Location. A Commercial Booth Non-Food permittee who has been granted a Templeton Commercial Booth Non-Food permit shall locate its temporary facility at a location to be determined by the official Templeton RAGBRAI Committee.

7-8-8 Glass Containers. To promote safety during RAGBRAI, all beverages sold in Templeton, Iowa, by Commercial Booth permittees, on July 23, 2018 shall be sold in non-glass containers only. This requirement shall also apply to any existing business, restaurant, service station, grocery store or other establishment selling beverages on its premises in an outdoor setting open to the public.

7-8-9 Nuisance. The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a Templeton Commercial Booth or Templeton Commercial Booth Non-Food permit on July 23, 2018, will be in violation of the provisions of this Chapter shall be considered a nuisance as defined in the City Code of Ordinances. If this type of nuisance is determined to exist, an emergency abatement procedure pursuant to the City Code is hereby authorized and may be executed by any peace officer or those acting at their direction by dismantling and removing the nuisance without notice. However, if the only nuisance or violation of this chapter is the offender's failure to obtain the necessary permit, the Templeton RAGBRAI Committee or the City of Templeton, in lieu of immediate abatement, may allow the person or organization to immediately purchase (cash only) a necessary permit as provided by this Ordinance.

7-8-10 Violations - Penalties. Selling or supplying food or merchandise to any person without a Templeton Commercial Booth or Templeton Commercial Booth Non-Food permit on July 23, 2018, or any violation of this chapter shall be a simple misdemeanor punishable by a maximum fine of \$500.00 and/or a maximum of thirty (30) days in Jail.

7-8-11 Effective Period. The provisions of this ordinance shall be effective on July 23, 2018.

7-8-12 Street Closings. During the effective dates of this ordinance and without prior Council approval regarding the blocking of any city streets, the City of Templeton, the Carroll County Sheriff's Department, and the Iowa Highway Patrol, or those at their direction, may place barricades or road blocks in any City street, alley or roadway to redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the City limits of the City of Templeton.

SECTION 3: REPEALER. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4: 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 this ordinance as a whole or any section, provision, or party thereof not adjudged invalid or unconstitutional.

SECTION 5: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by this Council on the 7th day of May, 2018.

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

Council Member Engelen moved the adoption of the following resolution entitled “Resolution Deleting Property from the Templeton Urban Renewal Area,” and the motion was seconded by Council Member Ramsey. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

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

RESOLUTION NO. 1195-18

Resolution Deleting Property from the Templeton Urban Renewal Area

WHEREAS, the City of Templeton, Iowa (the “City”), has previously established the Templeton Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, the City Council now desires to decrease the size of the Urban Renewal Area by deleting certain property (the “Property”) from the Urban Renewal Area, as set out on Exhibit A hereto; and

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

Section 1. The Property as described on Exhibit A hereto is hereby deleted from the Urban Renewal Area.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved May 7, 2018.

Mayor

Attest:

City Clerk

**EXHIBIT A
Legal Description of
Property Deleted from the
Templeton Urban Renewal Area
May 7, 2018**

Certain real property situated in the City of Templeton, Carroll County, State of Iowa, bearing Carroll County Tax Parcel Identification Numbers 1416101008, 1416153001, 1416101013 and more particularly described as follows:

Legal Description of Parcel No. 1416101008:

Lots 1, 2, 3, 11, & 12, T.A.D.C. 2nd Addition to the City of Templeton, Carroll County, Iowa;

AND

Lot 1, NW ¼ NW ¼, including Lot A thereof; and Lot 2, SW ¼ NW ¼, except the S. 46.69’ thereof, all in Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County Iowa;

AND

The northerly 66’ road and/or right-of-way, locally known as the northern unpaved portion of Industrial Road, beginning at the extended north right-of-way line of 3rd Street to the North boundary line of the T.A.D.C. 2nd Addition between Lots 2 & 3 to the West and Lots 11 & 12 to the East, City of Templeton, Carroll County, Iowa, as platted.

Legal Description of Parcel No. 1416153001:

Lot 1, T.A.D.C. 3rd Addition to the City of Templeton, Carroll County, Iowa; and

Legal Description of Parcel No. 1416101013:

The S. 329.68' of Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

Council Member Morrow introduced an ordinance entitled “Ordinance No. 83. An Ordinance Deleting Property From the Tax Increment Financing District for the Templeton Urban Renewal Area of the City of Templeton, Iowa, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Morrow and seconded by Council Member Irlbeck that the ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Nays: None

Whereupon the Mayor declared the motion duly carried and declared that the ordinance had been given its initial consideration.

It was moved by Council Member Bauer and seconded by Council Member Ramsey that the statutory rule requiring an ordinance to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Nays: None

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Engelen and seconded by Council Member Irlbeck that the ordinance entitled “Ordinance No. 83. An Ordinance Deleting Property From the Tax Increment Financing District for the Templeton Urban Renewal Area of the City of Templeton, Iowa, Pursuant to Section 403.19 of the Code of Iowa,” now be put upon its final consideration and adoption. The Mayor put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Council Members voted:

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

Nays: None

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. 83

An Ordinance Deleting Property From the Tax Increment Financing District for the Templeton Urban Renewal Area of the City of Templeton, Iowa, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Templeton, Iowa (the “City”) previously enacted an ordinance providing for the division of taxes levied on taxable property in the Templeton Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Templeton Urban Renewal Area in the City of Templeton was designated a “tax increment district”; and

WHEREAS, the City Council now desires to decrease the size of the “tax increment district” by deleting certain property;

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

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Templeton Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“Deleted Property” shall mean the following real property situated in the City of Templeton, Carroll County, State of Iowa, bearing Carroll County Tax Parcel Identification Numbers 1416101008, 1416153001, 1416101013 and more particularly described as follows:

Legal Description of Parcel No. 1416101008:

Lots 1, 2, 3, 11, & 12, T.A.D.C. 2nd Addition to the City of Templeton, Carroll County, Iowa;

AND

Lot 1, NW ¼ NW ¼, including Lot A thereof; and Lot 2, SW ¼ NW ¼, except the S. 46.69’ thereof, all in Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County Iowa;

AND

The northerly 66’ road and/or right-of-way, locally known as the northern unpaved portion of Industrial Road, beginning at the extended north right-of-way line of 3rd Street to the North boundary line of the T.A.D.C.2nd Addition between Lots 2 & 3 to the West and Lots 11 & 12 to the East, City of Templeton, Carroll County, Iowa, as platted.

Legal Description of Parcel No. 1416153001:

Lot 1, T.A.D.C. 3rd Addition to the City of Templeton, Carroll County, Iowa; and

Legal Description of Parcel No. 1416101013:

The S. 329.68’ of Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Templeton Urban Renewal Area. No division of property tax revenues as provided under Section 403.19 of the Code of Iowa shall be done with respect to the Deleted Property without further action by the City Council.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Templeton, Iowa, on May 7, 2018.

Mayor

Attest:

City Clerk

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

Ayes: Morrow, Bauer, Engelen, Irlbeck & Ramsey

Nays: None

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

RESOLUTION NO. 1196-18

Resolution Setting Date for Public Hearing on Designation of the Expanded Templeton Urban Renewal Area and on Urban Renewal Plan Amendment

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

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the "Property") lying within the legal description set out in Exhibit A; and

WHEREAS, this City Council is desirous of obtaining as much information as possible from the residents of the City before making this decision; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) providing tax increment financing support to Templeton Rye Spirits, LLC (the "Company") in connection with the remodeling of the Company's existing facilities located at 209 East 3rd Street and the construction of new manufacturing and distribution facilities for use in the Company's business operations in the Urban Renewal Area; (b) using tax increment financing to pay the costs of constructing improvements and extensions to the Municipal Waterworks System to support the City's Industrial Park; (c) using tax increment financing to pay the costs of constructing improvements and extensions to the Municipal Sanitary Sewer System to support the City's Industrial Park; (d) using tax increment financing to pay the costs of installing a new emergency warning siren for the City's Industrial Park; (e) using tax increment financing to pay the costs of constructing street and curb and gutter improvements to provide better transportation infrastructure for the promotion of economic development; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

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

Section 1. This City Council will meet at the City Hall, Templeton, Iowa, on June 4, 2018, at 7:00 o'clock p.m., at which time and place it will hold a public hearing on the designation of the expanded Urban Renewal Area described in the preamble hereof and on the Amendment.

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

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

Section 4. The proposed Amendment is hereby submitted to the City's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Passed and approved May 7, 2018.

Mayor

Attest:

City Clerk

NOTICE OF PUBLIC HEARING ON DESIGNATION OF EXPANDED TEMPLETON
URBAN RENEWAL AREA AND ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT

Notice Is Hereby Given: That at 7:00 o'clock p.m., at City Hall, Templeton, Iowa, on June 4, 2018, the City Council of the City of Templeton will hold a public hearing on the question of amending the urban renewal plan (the "Plan") for the Templeton Urban Renewal Area and designating an expanded Templeton Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403, Code of Iowa, by adding and including all the property (the "Property") described as follows:

Certain real property situated in the City of Templeton, Carroll County, State of Iowa, bearing Carroll County Tax Parcel Identification Numbers 1416101008, 1416153001, 1416101013, 1416101010, 1417278001, 1417278002, 1417278003, 1417278004 and more particularly described as follows:

Legal Description of Parcel 1416101008:

Lots 1, 2, 3, 11, & 12, T.A.D.C. 2nd Addition to the City of Templeton, Carroll County, Iowa;

AND

Lot 1, NW ¼ NW ¼, including Lot A thereof; and Lot 2, SW ¼ NW ¼, except the S. 46.69' thereof, all in Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County Iowa;

AND

The northerly 66' road and/or right-of-way, locally known as the northern unpaved portion of Industrial Road, beginning at the extended north right-of-way line of 3rd Street to the North boundary line of the T.A.D.C.2nd Addition between Lots 2 & 3 to the West and Lots 11 & 12 to the East, City of Templeton, Carroll County, Iowa, as platted.

Legal Description of Parcel 1416153001:

Lot 1, T.A.D.C. 3rd Addition to the City of Templeton, Carroll County, Iowa

Legal Description of Parcel 1416101013:

ALL of Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

Legal Description of Parcel 1416101010:

Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

3rd Street and 1st Ave. Right-of-way and Parcels 1417278001- 1417278004:

Beginning at a point on the West line of 1st Ave. where the extended North right-of-way line of East 3rd Street meets said line, thence south along the West line of said 1st Ave. to the North line of W. 4th Street, thence east along the extended North line of said West 4th Street to the centerline of South Rye Ave., thence north along the centerline of South Rye Ave. to the north line of East 3rd Street extended, thence west to the point of beginning. Said property also includes Lots 1, 2, 3, & 4, Block 2, Steffes First Addition the City of Templeton, Carroll County, Iowa.

Rye Avenue

All of the public right-of-way of Rye Avenue from the center line of 300th Street continuing south to the corporate City limits.

300th Street

All of the public right-of-way of 300th Street lying within the corporate City limits.

The proposed amendment to the Plan brings the property described above under the Plan and makes it subject to the provisions of the Plan. The amendment (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) providing tax increment financing support to Templeton Rye Spirits, LLC (the "Company") in connection with the remodeling of the Company's existing facilities located at 209 East 3rd Street and the construction of new manufacturing and distribution facilities for use in the Company's business operations in the Urban Renewal Area; (b) using tax increment financing to pay the costs of constructing improvements and extensions to the Municipal Waterworks System to support the City's Industrial Park; (c) using tax increment financing to pay the costs of constructing improvements and extensions to the Municipal Sanitary Sewer System to support the City's Industrial Park; (d) using tax increment financing to pay the costs of installing a new emergency warning siren for the City's Industrial Park; (e) using tax increment financing to pay the costs of constructing street and curb and gutter improvements to provide better transportation infrastructure for the promotion of economic development.

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

Rhonda Schwaller
City Clerk

EXHIBIT A
Legal Description
Expanded Templeton Urban Renewal Area
(June, 2018 Addition)

Certain real property situated in the City of Templeton, Carroll County, State of Iowa, bearing Carroll County Tax Parcel Identification Numbers 1416101008, 1416153001, 1416101013, 1416101010, 1417278001, 1417278002, 1417278003, 1417278004 and more particularly described as follows:

Legal Description of Parcel 1416101008:

Lots 1, 2, 3, 11, & 12, T.A.D.C. 2nd Addition to the City of Templeton, Carroll County, Iowa;

AND

Lot 1, NW ¼ NW ¼, including Lot A thereof; and Lot 2, SW ¼ NW ¼, except the S. 46.69' thereof, all in Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County Iowa;

AND

The northerly 66' road and/or right-of-way, locally known as the northern unpaved portion of Industrial Road, beginning at the extended north right-of-way line of 3rd Street to the North boundary line of the T.A.D.C. 2nd Addition between Lots 2 & 3 to the West and Lots 11 & 12 to the East, City of Templeton, Carroll County, Iowa, as platted.

Legal Description of Parcel 1416153001:

Lot 1, T.A.D.C. 3rd Addition to the City of Templeton, Carroll County, Iowa

Legal Description of Parcel 1416101013:

ALL of Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

Legal Description of Parcel 1416101010:

Lot 3 of the NW ¼ NW ¼ of Section 16, Township 82 North, Range 35 West, 5th P.M., Carroll County, Iowa.

3rd Street and 1st Ave. Right-of-way and Parcels 1417278001- 1417278004:

Beginning at a point on the West line of 1st Ave. where the extended North right-of-way line of East 3rd Street meets said line, thence south along the West line of said 1st Ave. to the North line of W. 4th Street, thence east along the extended North line of said West 4th Street to the centerline of South Rye Ave., thence north along the centerline of South Rye Ave. to the north line of East 3rd Street extended, thence west to the point of beginning. Said property also includes Lots 1, 2, 3, & 4, Block 2, Steffes First Addition the City of Templeton, Carroll County, Iowa.

Rye Avenue

All of the public right-of-way of Rye Avenue from the center line of 300th Street continuing south to the corporate City limits.

300th Street

All of the public right-of-way of 300th Street lying within the corporate City limits.

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 Carroll County Softball Association.” and the motion was seconded by Council Member Bauer. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

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

Nays: None

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

RESOLUTION NO. 1197-18

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE CARROLL COUNTY SOFTBALL ASSOCIATION.

WHEREAS, the Carroll County Softball 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 an outdoor softball tournament from June 25, 2018 through July 1, 2018; 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 7th day of May, 2018.

CITY OF TEMPLETON, IOWA

Ken F. Behrens
Mayor – City of Templeton

Attest:

City Clerk

EXHIBIT “A”

**AGREEMENT BETWEEN CARROLL COUNTY SOFTBALL ASSOCIATION
AND
CITY OF TEMPLETON**

WHEREAS, the Carroll County Softball Association intends to sponsor a “Softball Tournament” on June 25, 2018 through July 1, 2018; and

WHEREAS, the city of Templeton owns the Templeton Ball Field complex in which the outdoor “Softball Tournament” will be held; and

NOW THEREFORE, the Carroll County Softball Association 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 Carroll County Softball Association the use the Templeton Ball Field complex.
2. The Carroll County Softball Association and 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 Carroll County Softball Association will be responsible for obtaining a liquor license and dram shop insurance.
5. The Carroll County Softball Association and 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 Carroll County Softball 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 1, 2018.

IN WITNESS WHEREOF, the Carroll County Softball Association and city of Templeton have caused this Agreement to be duly executed as of the 7th day of May, 2018.

CARROLL COUNTY SOFTBALL ASSOCIATION CITY OF TEMPLETON

BY: _____

BY: _____

Council discussed and was in consensus to relocate the city’s hoop barn currently located on Lot 3, Block 6 to the burn site located on the North end of town.

Mayor Behrens issued Mayoral Home Rule Proclamation.

Home Rule Proclamation

Whereas, Home Rule is essential to effective and responsive municipal governance in Iowa and provides flexibility to make decisions at the local level, where decisions are made closest to the people they impact and can be tailored to fit local conditions, needs and concerns in order to better serve taxpayers;

Whereas, the City of Templeton supports Home Rule and the powers it provides to make local decisions that best reflect the residents of our community;

Whereas, the citizens of Iowa approved the adoption of Home Rule in the Constitution of Iowa on November 5, 1968;

Whereas, this is the 50th year of municipal Home Rule in Iowa;

Whereas, Home Rule continues to be vital to the health and prosperity of all cities in Iowa;

Now, therefore, I, Ken F. Behrens, Mayor of Templeton, IA do hereby recognize the 50th Anniversary of municipal Home Rule in Iowa and proudly support its continued authority.

Ken F. Behrens
Mayor of the City of Templeton
May 7, 2018

A motion was made by Engelen approving Jesse Weitzl’s building permit application for a 46’ x 34’ attached garage, second by Bauer. All present voted in favor of the motion and the motion was carried.

A motion was made by Irlbeck approving Waspy’s Truck Stop’s application to add outdoor service privilege on July 23, 2018 to their Class “C” Liquor License, second by Bauer. All present voted in favor of the motion and the motion was carried.

Discussion held regarding 2018 street repairs. Public Works Prebeck will report back next month.

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

1. April 2, 2018 Council Minutes.
2. Internal Review of city's financial records & assets for the month of April 2018.
3. Budget vs Actual FY2018.
4. Balance Sheet
5. April 2018 Claims.
6. March 2018 Treasurer's Report
 - \$ 33,565.82 revenue
 - \$ 26,551.04 expenditures
 - \$680,837.85 total cash & investments

FUND	RECEIPTS	DISBURSEMENTS
General	\$ 4,273.04	\$ 16,971.05
Templeton Center	\$ 5,315.12	\$ 3,877.41
City Park – Checking	\$ 0.00	\$ 0.00
City Park – Savings	\$ 0.51	\$ 0.00
Historical Society	\$ 0.43	\$ 0.00
Fire Dept. – Checking	\$ 0.00	\$ 431.92
Road Use Tax	\$ 2,579.10	\$ 0.00
Employee Benefits	\$ 305.10	\$ 0.00
Local Option Tax	\$ 6,961.70	\$ 0.00
TIF	\$ 1,400.76	\$ 0.00
Debt Service	\$ 171.21	\$ 0.00
Debt Service – Comm. Ctr. Pledge	\$ 0.00	\$ 0.00
Capital Proj. – Community Center	\$ 0.00	\$ 0.00
Water	\$ 10,564.13	\$ 4,743.37
Sewer	\$ 1,943.57	\$ 527.29
Fire Truck Fund	\$ 51.15	\$ 0.00
Totals	\$ 33,565.82	\$ 26,551.04

- April 2018 Claims as listed:

16725	Mid American Energy	utilities	855.67
16726	SGS, LLC DBA Carroll Refuse	garbage collection	1,576.24
16727	Raccoon Valley Electric Coop.	sewer lagoon	48.48
16728	Templeton Telephone Company	TC - telephone	28.00
16729	Templeton Telephone Company	telephone & internet service	88.32
16730	Access Systems	copier/printer	182.86
16731	Waspy's Truck Stop	TC - concessions	160.64
16732	Templeton Hardware	TC - furnace filters & sink repairs	503.50
16733	Templeton Hardware	misc. supplies	31.26
16734	Kasperbauer Cleaners	TC - clean table skirts	50.74
16735	New Hope Village	TC - cleaning	155.00
16736	Mangold Environmental Testing	routine water samples	39.00
16737	Computer Concepts	TC - PCI compliance certification	175.00
16738	Dale Prebeck	payroll	1,690.39
EFT	Ike Auen Distributing Co.	TC - concessions for resale	1,562.00
16739	HyVee	TC - concessions for resale	355.74
16740	Manning Insurance Agency	FY 2018/2019 insurance	20,984.00
16741	Postmaster	postage	22.05
16742	West Central Iowa Rural Water	1,367,000 gallons used	4,442.75
16743	Dale Prebeck	payroll	1,690.38
16744	Mark Skillen	TC - payroll	147.75
16745	Manning Municipal Gas	TC - utilities	489.34
16746	Manning Municipal Gas	utilities	282.84
16747	Karen Prebeck	TC - payroll	194.40
16748	William Prebeck	TC - payroll	36.94
16749	James Hanken	TC - payroll	228.73
16750	Lindsey Irlbeck	TC - payroll	342.46

16751	Brooke Kerkhoff	TC - payroll	187.19
16752	McKenzie Poday	TC - payroll	187.19
16753	Peggy Weitzl	TC - payroll	239.77
16754	Rhonda Schwaller	TC - payroll	2,357.14
16755	Postmaster	postage	57.30
16756	IPERS	retirement	1,313.09
EFT	Templeton Savings Bank	April 2018 941 pymt.	2,412.59
EFT	Elavon	TC - P.O.S. charges	178.69
16757	RW Concrete	concession stand sidewalk	480.00
16758	Waspy's - Templeton	fuel	205.38
16759	U.S. Cellular	cell phone	57.64
16760	The Office Stop	misc. supplies	63.09
16761	Trophies Plus	lease rental fee	250.00
16762	Larry Heithoff - L & H Tree Service	tree trimming	60.00
16763	Dave Bueltel	snow removal	450.00
16764	Storey Kenworthy/Matt Parrott	receipt books	247.54
16765	Engelen Computer Service	computer support	65.00
16766	Daily Times Herald	budget publication	121.75
16767	Daily Times Herald	TC - adv.	60.00
16768	Crawford Ice Company	TC - ice	178.50
16769	Capital Sanitary Supply	TC - misc. supplies	371.97
16770	Mid American Energy	TC - utilites	426.89
16771	Peggy Weitzl	TC - batteries	14.97
16772	Karen Prebeck	TC - concessions & supplies	363.62
16773	Kurt Muhlbauer Construction	TC - stair railing	753.45
16774	Templeton Hardware	TC - restroom repairs & supplies	169.60
16775	Templeton Hardware	water leak repairs & supplies	3,820.57
16776	Carroll Public Library	library services	954.00
16777	Carroll County Auditor	city election	511.22
16778	Templeton Area Development	1/2 progress ad	162.50
16779	Rye Supply	shipping	27.37
16780	Rhonda Schwaller	mileage	196.20
16781	Joe Behrens	TC - supplies	631.96
16782	Cardmember Services	equip. maint.	6.00
16783	Cardmember Services	TC - misc. supplies & telephone	1,029.19
2899	Carroll Co. Fire Assn.	Fire Dept. - dues	100.00
2900	Templeton Hardware	Fire Dept. - misc. supplies	5.78
2901	Ed Feld Fire Equipment	Fire Dept. - bunker gear	384.00
2902	Manning Insurance Agency	Fire Dept. - insurance	9,082.00
2903	O'Halloran	Fire Dept. - repairs	49.94
2904	O'Halloran	Fire Dept. - repairs	11.81
2905	Duane's Repair	Fire Dept. - repairs	379.23
2906	Templeton Hardware	Fire Dept. - keys	26.22
2907	Ed Feld Fire Equipment	Fire Dept. - repairs	60.85
2908	Midwest Breathing Air	Fire Dept. - annual air test	581.09
2909	Waspy's - Templeton	Fire Dept. - fuel	249.42
EFT	Templeton Telephone Company	Fire Dept. - telephone & internet	31.31
EFT	Mid American Energy	Fire Dept. - utilities	99.00
EFT	Manning Municipal Gas	Fire Dept. - utilities	131.57
Grand Total:			<u>66,168.07</u>

Citizen Forum: None

Maintenance Report:

- Discussed installation of curb & gutter along 4th Street between 1st Avenue and 2nd Avenue. Mayor Behrens will contact property owners.
- Will be drawing down sewer lagoons.
- 2005 Johnston VT650 sweeper delivered.
- Installation of storm sewer completed at burn site.
- 2018 John Deere Z950R Commercial ZTrack lawn mower delivered.

Mayor's Report: None

At 9:15 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