

TEMPLETON SPECIAL CITY COUNCIL MEETING  
JULY 18, 2016  
5:30 P.M. – TEMPLETON CITY HALL

The Templeton City Council met on this eighteenth day of July 2016 at 5:30 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: Dave Ramsey, Alex Schoeppner, & Mark Bauer  
Absent: Doyle Engelen & Joe Irlbeck

Others in attendance: Mayor Ken Behrens, City Clerk Rhonda Schwaller, Public Works Director Dale Prebeck, & John Anderson from Waspy's Truck Stop

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

Citizen Forum: None

After due consideration and discussion, Council Member Bauer introduced the following resolution and moved for its adoption, seconded by Council Member Schoeppner. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: Bauer, Schoeppner, & Ramsey  
Nays: None

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

**RESOLUTION NO. 1149-16**

Resolution to fix a date for a public hearing on a proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$190,000

**WHEREAS**, the City of Templeton (the "City"), in the County of Carroll, 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 now proposes to enter into a Sewer Revenue Loan and Disbursement Agreement (the "Agreement") in a principal amount not to exceed \$190,000 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 to the Utility, and it is necessary to fix a date of meeting of the Council at which it is proposed to take action to enter into the Agreement and to give notice thereof as required by such law;

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

Section 1. This City Council shall meet on August 9, 2016, at Templeton City Hall, in the City of Templeton, at 7:00 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE  
PROCEEDINGS TO ENTER INTO A LOAN AND DISBURSEMENT AGREEMENT IN A  
PRINCIPAL AMOUNT NOT TO EXCEED \$190,000

(SEWER REVENUE)

The City Council of the City of Templeton, Iowa, will meet on August 9, 2016, at Templeton City Hall at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan and disbursement agreement (the "Agreement") and borrow money in a principal amount not to exceed \$190,000, for the purpose of paying the cost, to that extent, of planning, designing and constructing improvements and extensions to the Municipal Sanitary Sewer System.

The Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer System of the City.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Agreement. After receiving objections, the City may determine to enter into the Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Templeton, Iowa.

Rhonda Schwaller  
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost at least \$190,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved this July 18, 2016.

---

Mayor

Attest:

---

City Clerk

A motion was made by Ramsey to set Public Hearing date to consider Waspy's Truck Stop's application for voluntary annexation, rezoning, and ordinance consideration for Thursday, August 18, 2016 at 7:00 o'clock p.m. at Templeton City Hall, at which time proceedings will be instituted and action taken, seconded by Schoeppner. All present voted in favor of the motion and the motion was carried.

Mayor Behrens 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 Schoeppner 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 Ramsey. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Ramsey, Bauer, & Schoeppner  
Nays: None

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

**RESOLUTION NO. 1150-16**

Resolution Setting Date for a 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 covers the addition of the Property to the Urban Renewal Area and authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to Waspy's - Templeton, L.L.C. in connection with the construction of a new convenience store/truck stop facility for use in its business operations; and

WHEREAS, a portion of the Property meets the definition of "agricultural land" under Section 403.17 of the Code of Iowa which requires property owner consent before "agricultural land" may be included in an urban renewal area; and

WHEREAS, a consent agreement (the "Ag Land Consent") has been prepared for presentation to the owners of any "agricultural land" proposed for inclusion in the Urban Renewal Area; and

WHEREAS, the Property meets the statutory definition of "agricultural land" as set forth in Section 403.17 of the Code of Iowa, and in satisfaction of the consent requirements of said statute, the City has received consent agreements from the owners of such "agricultural land"; and

WHEREAS, the Property is located outside but within two miles of the incorporated limits of the City, and a resolution has been adopted by the Board of Supervisors of Carroll County, Iowa in satisfaction of the consent requirements of Section 403.17.4 of the Code of Iowa;

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 August 18, 2016, 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) nor 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.

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 July 18, 2016.

---

Mayor

Attest:

---

City Clerk

**EXHIBIT A**  
Legal Description  
Expanded Templeton Urban Renewal Area  
(2016 Addition)

Lot 1 of the Northwest Quarter of the Southwest Quarter of Section 16, Township 82 North, Range 35 West of the 5<sup>th</sup> P.M., Carroll County, Iowa.

**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 August 18, 2016, the City Council of the City of Templeton will hold a public hearing on the question of amending the plan for the Templeton Urban Renewal Area and designating an expanded Templeton Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, by adding and including all the property generally described as follows:

Lot 1 of the Northwest Quarter of the Southwest Quarter of Section 16, Township 82 North, Range 35 West of the 5<sup>th</sup> P.M., Carroll County, Iowa

The proposed amendment to the urban renewal plan brings the property described above under the plan and makes it subject to the provisions of the plan. The amendment includes the authorization for the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to Waspy's – Templeton, L.L.C. in connection with the construction of a new convenience store/truck stop facility for use in its business operations.

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

Council reviewed final specifications for water main and sanitary sewer extension to Waspy's Truck Stop. A motion was made by Bauer approving final specification plans provided by Veenstra & Kimm, seconded by Schoeppner. All present voted in favor of the motion and the motion was carried.

Maintenance Report:

- Discussed Templeton Rye Spirits treatment of BOD with Mike Lally. No further action taken.

Mayor's Report: None

At 5:50 o'clock p.m. and with no further business before the council at that time, they agreed to adjourn. Bauer moved to adjourn and Schoeppner seconded the motion. All voted aye, motion carried.

---

Ken F. Behrens, Mayor

---

Rhonda Schwaller, City Clerk