

TEMPLETON CITY COUNCIL
JULY 22, 2019
7:15 A.M. – TEMPLETON CITY HALL

The Templeton City Council met on this twenty-second day of July 2019 at 7:15 o'clock a.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, Kelli Morrow, & Mark Bauer by conference call.
Absent: Joe Irlbeck

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

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

Citizen's Forum: None.

A motion was made by Engelen and second by Ramsey to approve the Templeton Center minutes dated July 1, 2019. All present voted in favor of the motion and the motion was carried.

After due consideration and discussion, Council Member Bauer introduced and moved for the adoption of the following resolution entitled "Resolution #1224-19 – an Amended Resolution of the City Council of the City of Templeton Awarding Bid for a New 2019 Truck for Public Works Department, second 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, Morrow, Engelen, & Ramsey

Nays: None

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

RESOLUTION NO. 1224-19

**AN AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLETON
AWARDING BID FOR A NEW 2019 TRUCK FOR PUBLIC WORKS DEPARTMENT.**

WHEREAS, funds were appropriated in fiscal year 2020 budget to purchase a new 2019 truck for the Public Works Department; and

WHEREAS, bid proposals were mailed out to five area dealerships with bid instructions; and

WHEREAS, bidders were instructed to return sealed bids to Templeton City Hall by noon on Thursday, June 27, 2019; and

WHEREAS, New Way Ford, Coon Rapids, Iowa, the low bidder submitted a bid for a 2019 Ford 150 Truck in the sum \$24,925 which was the lowest bid received.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Templeton, Iowa, on this 22nd day of July, 2019 does hereby approve the purchase of a 2019 Ford 150 truck in the amount of \$24,925 from New Way Ford, Coon Rapids, Iowa.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized to execute any and all appropriate documents to complete the sale.

Passed and approved by the Templeton City Council this 22nd day of July, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

By: _____
Ken F. Behrens, Mayor

ATTEST:

By: _____
Rhonda Schwaller, City Clerk

After due consideration and discussion, Council Member Engelen introduced and moved for the adoption of the following resolution entitled “Resolution #1225-19 – a Resolution setting the compensation for salary and benefits for Rebecca Sporrer, a Templeton Center employee of the city of Templeton, Iowa beginning July 15, 2019 or as indicated, second 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: Morrow, Ramsey, Engelen, & Bauer
Nays: None

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

RESOLUTION #1225-19

A RESOLUTION SETTING THE COMPENSATION FOR SALARY AND BENEFITS FOR REBECCA SPORRER A TEMPLETON CENTER EMPLOYEE OF THE CITY OF TEMPLETON, IOWA BEGINNING JULY 15, 2019 OR AS INDICATED.

IT IS HEREBY RESOLVED, by the Council of the City of Templeton, Iowa that:

Effective July 15, 2019 or as indicated the following criteria for salary and benefits shall be set for Rebecca Sporrer, a Templeton Center employee of the City of Templeton. The clerk is authorized to issue checks, less legally required or authorized deductions from the amount set out below and make such payments or contributions to Health Insurance, Garnishments, IPERS, Social Security or any other purpose as required by law or authorization of the council.

Manager Rebecca Sporrer - \$18.00 per hour. Approximately 15-20 hours per week average or more as monthly time sheets are submitted, IPERS –covered eligibility based on IPERS rules and regulations. No health insurance offered at this time.

IT IS FURTHER HEREBY RESOLVED by the City Council of the City of Templeton, Iowa that the salaries and benefits set for Rebecca Sporrer shall be effective as indicated above or as of July 15, 2019.

Passed and approved this 22nd day of July, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens
Mayor

ATTEST:

Rhonda Schwaller
City Clerk

After due consideration and discussion, Council Member Bauer introduced and moved for the adoption of the following resolution entitled “Resolution #1226-19 – a Resolution setting the date for public hearing on Urban Renewal Plan Amendment, second 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: Engelen, Morrow, Ramsey, & Bauer
Nays: None

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

RESOLUTION NO. 1226-19

RESOLUTION SETTING DATE FOR PUBLIC HEARING 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, an amendment (the “Amendment”) to the Plan has been prepared which authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to pay a portion of the costs of acquiring certain real property and furnishing and equipping an existing building thereon for use as a public works facility; and

WHEREAS, it is now necessary that a date be set for a public hearing 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 August 19, 2019, at 7:00 o’clock p.m., at which time and place it will hold a public hearing 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 the City, 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.

Passed and approved July 22, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens
Mayor

ATTEST:

Rhonda Schwaller
City Clerk

**NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL
PLAN AMENDMENT**

Notice Is Hereby Given: That at 7:00 o’clock p.m., at the City Hall, Templeton, Iowa, on August 19, 2019, the City Council of the City of Templeton, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Templeton Urban Renewal Area to facilitate the undertaking of a new urban renewal project in the Templeton Urban Renewal Area consisting of using tax increment financing to pay a portion of the costs of acquiring certain real property and furnishing and equipping an existing building thereon for use as a public works facility.

A copy of the amendment is on file for public inspection in the office of the City Clerk.

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
Templeton City Clerk

After due consideration and discussion, Council Member Ramsey introduced and moved for the adoption of the following resolution entitled “Resolution #1227-19 – a Resolution setting the date for public hearing and additional action on proposal to enter into a General Obligation Public Works Building Acquisition Loan Agreement, second by Council Member Engelen. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Morrow, Ramsey, Bauer, & Engelen

Nays: None

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

RESOLUTION NO. 1227-19

**RESOLUTION SETTING THE DATE FOR PUBLIC HEARING AND ADDITIONAL ACTION
ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION PUBLIC WORKS BUILDING
ACQUISITION LOAN AGREEMENT**

WHEREAS, the City of Templeton, Carroll County, Iowa (the “City”) proposes to enter into a General Obligation Public Works Building Acquisition Loan Agreement (the “Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$330,000 for the purpose of acquiring a building for use as a municipal public works facility (the “Acquisition”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal pursuant to the provisions of Section 384.26 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 shall meet on August 19, 2019, at the City Hall, Templeton, Iowa, at 7:00 o’clock p.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan 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, not less than ten (10) and not more than twenty (20) days before the date of said 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 AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL
AMOUNT NOT TO EXCEED \$330,000
(GENERAL OBLIGATION)**

The City Council of the City of Templeton, Iowa (the “City”), will meet on August 19, 2019, at the City Hall, Templeton, Iowa, at 7:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$330,000 for the purpose of acquiring a building for use as a municipal public works facility.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa. If no such petition is filed, at the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan 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
Templeton 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 Acquisition which is reasonably estimated to cost approximately \$330,000, (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 Acquisition has 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 July 22, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens
Mayor

ATTEST:

Rhonda Schwaller
City Clerk

After due consideration and discussion, Council Member Engelen introduced and moved for the adoption of the following resolution entitled “Resolution #1228-19 – a Resolution approving the acquisition of real property owned by Gary W. Rupiper and Charlene A. Rupiper, in the city of Templeton, Iowa, second 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: Bauer, Engelen, Morrow, & Ramsey

Nays: None

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

RESOLUTION #1228-19

**RESOLUTION APPROVING THE ACQUISITION OF REAL PROPERTY OWNED BY
GARY W. RUIPIPER AND CHARLENE A. RUIPIPER, IN THE
CITY OF TEMPLETON, IOWA**

WHEREAS, the City of Templeton (City) intends to acquire certain real Property offered by and owned by Gary W. Rupiper and Charlene A. Rupiper (Owners), located at 502 S Industrial Road, Templeton, Iowa and legally described as follows (the Property):

Lot 7, T.A.D.C. Second Addition to the City of Templeton, Carroll County, Iowa

for the purpose of a Public Works Building; and

WHEREAS, a written Real Estate Contract regarding this real Property has been negotiated with the Owners, and a copy of which is appended hereto and is by this reference incorporated herein; and

WHEREAS, it is in the best interest of the City to acquire the Property under the proposed Real Estate Contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Templeton, Iowa.

Section 1. That the City Council of the City of Templeton, Iowa hereby approves the proposed Real Estate Contract attached hereto.

Section 2. That the City of Templeton be and is hereby authorized to accept a Warranty Deed and other documents to this Property, conveying the owner's interest to the City of Templeton, Iowa for the contract described real estate.

Section 3. That the City Clerk should now be and is hereby authorized and directed to cause said Warranty Deed and all other necessary documents to be recorded in the office of the Carroll County Recorder, together with a certified copy of this Resolution.

Section 4. That the City Clerk should now be and is hereby directed to forward a copy of this Resolution to the Carroll County Assessor and the Carroll County Auditor.

Passed and approved by the Templeton City Council this 22nd day of July, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

By: _____
Ken F. Behrens, Mayor

ATTEST:

By: _____
Rhonda Schwaller, City Clerk

After due consideration and discussion, Council Member Morrow introduced and moved for the adoption of the following resolution entitled "Resolution #1229-19 – a Resolution authorizing the City Clerk to make the appropriate interfund transfers of sums and record the same in the appropriate manner for FY2019 for the city of Templeton, Iowa, second 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: Engelen, Morrow, Ramsey, & Bauer

Nays: None

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

RESOLUTION #1229-19
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 as of June 30, 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 Emergency Levy to General Fund \$3,982.84.
2. Transfer from Local Option Sales Tax Fund to General Fund \$56,905.21.
3. Transfer from Employee Benefits Fund to General Fund \$28,486.24.

PASSED AND APPROVED THIS 22nd day of July, 2019.

CITY COUNCIL OF THE
CITY OF TEMPLETON, IOWA

Ken F. Behrens, Mayor

ATTEST:

Rhonda Schwaller, City Clerk

A motion was made by Bauer approving The Still's Class "C" Liquor License with Catering Privilege & Sunday Sales, second by Engelen. All present voted in favor of the motion and the motion was carried.

A motion was made by Engelen to close Main Street from Railway Street to Second Street on Sunday, September 8, 2019, second by Morrow. All present voted in favor of the motion and the motion was carried.

At 7:35 o'clock a.m. and with no further business before the council at that time, they agreed to adjourn. Ramsey moved to adjourn and Engelen seconded the motion. All present voted in favor of the motion and the motion was carried.

Ken F. Behrens, Mayor

Rhonda Schwaller, City Clerk