

# OFFICIAL COUNCIL PROCEEDINGS: City of Kanawha

## Kanawha City Council

### Proceedings from August 11, 2020

The Kanawha City Council met in regular open session, Tuesday, August 11th, 2020 at 6:00 p.m. All council members were present. Mayor Sobek called the meeting to order at 6:00 p.m.

Councilman Bassett moved approval of the agenda. The motion was seconded. All were in favor. Motion carried.

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$400,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of the opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KANAWHA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$400,000 General Obligation Capital Loan Notes, for the foregoing essential corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 11th day of August, 2020.

*Mayor*  
Attest: *City Clerk*

The motion to approve passage of the above Resolution was seconded by Councilperson Lemay.

Voting AYE: Bassett, VanderPloeg, Lemay, Baker, Purvis  
Voting NAY: none  
Whereupon, the Mayor declared the measure duly adopted.

Whereupon, the Mayor declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

Councilperson Bassett then read the following resolution and moved for passage of same:

### RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the City Council has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agree-

ment and the issuance of not to exceed \$400,000 General Obligation Capital Loan Notes, for the essential corporate purposes, in order to provide funds to pay the costs of the opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements, bridges, grade crossing separations and approaches; the acquisition, installation, and repair of sidewalks, culverts, retaining walls, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices; and the acquisition of any real estate needed for any of the foregoing purposes, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the City and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KANAWHA, STATE OF IOWA:

Section 1. That this Council does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$400,000 General Obligation Capital Loan Notes, for the foregoing essential corporate purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 11th day of August, 2020.

*Mayor*  
Attest: *City Clerk*

The motion to approve passage of the above Resolution was seconded by Councilperson Lemay.

Voting AYE: Bassett, VanderPloeg, Lemay, Baker, Purvis  
Voting NAY: none  
Whereupon, the Mayor declared the measure duly adopted.

The Council then received a proposal from First Citizens Bank offering funds in the amount of \$400,000 at an interest rate of 3.25% fixed for 15 years, and directed the Clerk to go forward with said proposal and notify Ahlers & Cooney, the City's bonding attorneys.

At this time, the Mayor announced this was the time for a public hearing on a proposal to sell real estate legally described as Lot Three (3), Block Fourteen (14), Original Town of Kanawha. The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City of Kanawha. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor called for oral objections and none were made. The Mayor declared the time for receiving any oral or written objections to be closed. Whereupon, the Mayor declared the hearing to be closed.

Councilperson VanderPloeg then read and moved for passage of same the following resolution:

### RESOLUTION NO. 81120 A RESOLUTION APPROVING THE TRANSFER OF REAL ESTATE TO PAMPERED PETS, LLC, SAID PROPERTY LOCATED WITHIN THE CITY OF KANAWHA, IOWA.

BE IT RESOLVED by the City of Kanawha, Iowa, that:

WHEREAS the City Council of Kanawha, Iowa, is considering the transfer of property within the City of Kanawha, Iowa; and,

WHEREAS the property is legally described as follows:

Lot Three (3), Block Fourteen (14), Original Town of Kanawha

WHEREAS the City is required to publish notice and hold a public hearing prior to officially transferring the property by resolution of the City Council; and

WHEREAS the City Clerk caused a notice to be published for a hearing on the transfer of said property, said hearing to be held at 6:00 p.m. on August 11, 2020 at the City Hall, Kanawha, Iowa; and

WHEREAS a notice of hearing was published on August 5, 2020; and

WHEREAS a public meeting was held on August 11, 2020; and

WHEREAS the City has determined that the transfer and development of said property pursuant to the proposed Development Agreement and the fulfillment generally of said Agreement are in the vital and best interests of the City of Kanawha, Iowa, and in accord with the public purposes and provisions of the applicable federal, state, and local laws.

BE IT FURTHER RESOLVED by the City of Kanawha, Iowa, that:

SECTION 1. The City Council hereby

approves the notice published on August 5, 2020 and the acts of the City Clerk in publishing said notice.

SECTION 2. The City of Kanawha, Iowa, will transfer the property herein described above to Pampered Pets, LLC for consideration of \$1.00 subject to the conditions and contingencies outlined in the Development Agreement.

SECTION 3. The Mayor and City Clerk are hereby authorized to execute any documents necessary to effectuate this transaction according to the provisions of this resolution.

*Gloria Sobek Mayor*

The motion to approve said Resolution was seconded by Councilperson Baker.

Voting AYE: Bassett, VanderPloeg, Lemay, Baker

Voting NAY: none  
Abstaining: Purvis

Whereupon the Mayor declared the Resolution duly Adopted.

Councilperson Bassett moved approval of the minutes, clerk's report and payment of the following bills:

Brown Supply-locator, other .....	1375.94
JD Financial-various .....	155.62
Mid-America Publishing	
-publications .....	304.05
Wells Fargo-equipment lease .....	214.62
Hawkins-chlorine, chemicals .....	639.39
WHKS-engineering .....	1104.00
R & M-thermostat .....	308.00
Cintas-mops, rugs .....	128.08
Office Depot-various supply .....	47.62
Iowa One Call-locates .....	22.50
lowa DNR-permit fee .....	210.00
Peters Services-repairs .....	675.80
CT Sewer Solutions	
-jet vac, cleaning .....	5369.60
Gall's-outfitting .....	215.69
Gold-Eagle-fuel .....	392.14
Ag Source-tests .....	76.75
Earl Hill-legal .....	744.20
Swenson Hdwe-supplies .....	235.73
Hach-accuvacs, other .....	165.67
Team Lab-super bugs .....	1225.00
Heartland-asphalt .....	45701.90
Kirkwood-waster water training .....	485.00

The motion to approve was seconded. All were in favor. Motion carried.

The following report was given:

### July 2020 Expenditures

Book Look-book order .....	971.34
Wellmark-insurance .....	3939.16
Postmaster-postage .....	81.20
Joshua Zeigler-reimb lodging .....	200.44
US Cellular-phone .....	126.26
Delta Dental-insurance .....	200.25
IMWCA-work comp .....	4978.00
Alliant-utilities .....	3200.36
Comm1-phone .....	569.90
State of Iowa-state withholding .....	1757.00
IRS-941 tax .....	4720.00
State of Iowa-W.E.T. .....	1671.00
State of Iowa-sales tax .....	212.00

Workforce Development-unemp .....	38.47
Ipers-ipers .....	2929.50
Nancy Litch-permit fees .....	50.00
Principal-insurance .....	140.73
Joshua Zeigler-reimb lodging .....	250.84
North Ia Libraries Collaborating	
-Beacon support .....	767.96
Hancock Co Treas-prop tax .....	620.00
Gold Eagle-fire dept fuel .....	32.68
Annie's-book .....	20.99
Brakke Impl-service on gator .....	503.03
Hancock Co Treasu	
-bal due on prop tax .....	8.00
Morgan Johnson	
-summer rec wages .....	300.00
Hawkins-chlorine .....	10.00
Iowa One Call-locates .....	29.50
Kirkwood College-training-Zeigler .....	960.00
Hach-accuvacs, chlorine .....	819.65
Matt Parrot-meter sheets .....	160.00
Ag Source-tests .....	25.50
Matt Zadow-summer rec .....	150.00
Nikkie Riedesel-summer rec .....	550.00
Kanawha Comm Pool-donation .....	7000.00
Layne Christensen-well testing .....	643.20
JD Financial-filters, battery, other .....	148.68
Matt Roberts-summer rec .....	150.00
Mid-America Publishing	
-publications .....	327.34
Lampe Welding-brackets .....	91.87
Swenson Hdwe-blades, air hose .....	53.58
Harrison Truck Center-tanker .....	171.67
MCI-phone .....	33.00
ILEA-academy .....	6650.00
Onsolve-code red .....	2750.00
Hancock Co Comm Ctr	
-communications .....	11174.39
Galls-police supply .....	1479.54
Wells Fargo-equip lease .....	107.31
NIACOG-dues .....	515.08
Iowa DNR-fee .....	74.46
Hanson & Sons-tire disposal .....	27.00
Trulson Auto-parts .....	4.44
Riteway-checks .....	346.47
Earl Hill-legal .....	850.00
Waste Mgmt-parks .....	2814.83
WHKS & Co-engineering .....	16156.00
BMC-rock .....	113.03
Banyon Data-support .....	1590.00
Goodnature Store-tshirts .....	52.48
Cintas-rugs, mops .....	121.44
Macqueen Emergency-parts .....	479.37
Pavement Doctor-street patching .....	4227.20
Heartland Asphalt-asphalt .....	47401.55
Swenson Hdwe-paint, other .....	256.83
Office Depot-supply .....	93.29
Gold Eagle-fuel .....	347.99
Waste Mgmt-garbage .....	403.67
UMB Bank-admin fee .....	250.00
Ray Bassett-sidewalk program .....	702.00
Tony Rasmussen	
-Ipers over deducted .....	250.52
Delta Dental-insurance .....	168.80
MCI-phone .....	42.74
Wellmark-insurance .....	3956.39
Alliant-utilities .....	313.47
Alliant-utilities .....	3033.59

Wright Co Area Landfill	
-clean up day .....	100.00
Nutrition Action-renewal .....	20.00
Joshua Zeigler	
-reimb clean up costs .....	45.00
Garner Library-Book Page .....	21.24
Baker & Taylor-book order .....	38.20
Gordon Flesch-lib copier .....	80.01
Globe Gazette-lib renewal .....	49.99
Visa-lib supplies .....	568.60
Larry Cooper-sidewalk program .....	144.00
Sharon Grimm-mileage paid .....	59.17
US Cellular-phones .....	124.72
Mid-America Publishing-renewal .....	47.00
Postmaster-water bills .....	80.15

### July 2020 Expenditure by Fund

General .....	64815.95
Road Use .....	55866.15
Employee Benefit .....	5143.21
Local Option .....	3587.83
Debt Service .....	22931.51
Library .....	4084.95
Water .....	22931.51
Sewer .....	1130.30

### July 2020 Revenue by Fund

General .....	2248.57
Road Use .....	10961.98
Employee Benefit .....	384.28
Local Option .....	6761.78
Debt Service .....	932.56
Library .....	138.72
Water .....	12110.34
Sewer .....	6075.41
Storm Water .....	1138.58

There were no citizen comments.

Councilperson Lemay gave the second reading and moved approval of Proposed Ordinance No. 71420, an ordinance pertaining to the carrying of concealed weapons. The motion to approve was seconded. All were in favor. Motion carried.

Councilperson Bassett moved approval of Paul Jackson's application for sidewalk construction funding. The motion was seconded. All were in favor. Motion carried.

Discussion on selling certain city alleys was had. No action taken.

A bid was received from Reutzel Excavation Inc. in the amount of \$19,700 for the demo of the building located at 118 North Main. Councilperson Bassett moved approval of the bid. The motion was seconded by Councilperson VanderPloeg.

Voting AYE: Bassett, VanderPloeg, Lemay, Baker  
Voting NAY: none  
Abstaining: Purvis  
The motion carried.  
With there being no further business, a motion to adjourn was made, seconded, and carried.

*Gloria Sobek, Mayor*  
*Sharon Grimm, Clerk*

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