



# City of Lester

October 3, 2022  
Regular Meeting 6:30 PM

Mayor Dan Gerber called the council meeting to order with council member Jeff Hoogeveen, Erika Kellenberger, Lance Boote and Curt Doorneweerd present. Also, present Cathi Senior, Steve Simons, Jon Gerber, and Michael Leuthold.

A motion was made by Jeff Hoogeveen to approve the Consent Calendar which consisted of the Minutes of the September 7th meeting, Treasurer's Report and the following bills and warrants issued through September as presented. Lance Boote seconded the motion with all members voting in favor.

**Expenses:**

Alliance Communications	Sewer Phone	\$41.00
Alliance Communications	Community Center	\$103.00
Alliant Energy	Sewer	\$190.30
Alliant Energy	Community Center	\$686.08
Alliant Energy	Street Lights	\$733.01
Alliant Energy	Siren	\$41.72
AB Excavation	400 Riggs Street	\$5,500.00
Ageson Trucking	14.5 T gravel	\$198.61
Cathi Senior	Wages (\$604.80) send hub \$15.98 /Adobe	\$620.78
Darcy Gerber	cleaning hours	\$81.00
Denny's	Garbage (106 x 18.50)	\$2,234.50
Foundation	water testing	\$15.00
Gerber Insurance	insurance audit	\$184.00
IPERS	Sept Contributions (W 52.08 S 59.52 G 277.52)	\$389.12
Iowa Dept of Rev	3rd Quarter 2022	\$1,002.46
Jeff Hoogeveen	Mowing	\$1096.72
LG Everist Inc	1" recycled concrete	\$365.17
Leenderts	ballfield maintenance	\$395.00
Lester Local	mower fuel	\$131.57
Lyon County Sheriff	contract work	\$3,848.00
Lyon County Street	K30 Project	\$17,718.08
Lyon & Sioux Rural Water	902,000 gallons	\$2,119.70
New Century Press	minute publication	\$70.79
Peoples Banks	ACH Fee	\$25.00
Robert Leuthold	Wage (W \$302.40 & S \$302.40)	\$604.80
TrafficLogix	Speed sign	\$4,334.00
US Treasury	3rd Quarter 2022	\$1,199.14

**Expenditures**

001 GENERAL	\$36,361.08
110 ROAD USE TAX	\$733.01
600 WATER	\$3,495.18
610 SEWER	\$1,068.28
670 LANDFILL/GARBAGE	\$1,961.00
Total	<b>\$43,928.55</b>

**Revenues**

General	\$17,31.87
Road Use	\$3,572.21
Water	\$3,813.32
Sewer	\$5,021.59
Garbage	\$2,187.21
Total	<b>\$32,326.20</b>

Discussion was held regarding Lester Local, LLC application for a Liquor License. Curtis Doorneweerd made a motion to approve the application Erika Kellenberger seconded the motion with all members voting in favor.

Discussion was held regarding Building Permit 2022-161 Paul Metzger to construct new shop 44'x 40' over existing garage at 409 Hoogie Street. Curtis Doorneweerd made a motion to approve the building permit. Lance Boote seconded the motion with all members voting in favor.

Discussion was held regarding Residential Subdivision to develop residential lots on the north side of Meadowview. Erika Kellenberger made a motion to approve the DNR Construction Permit Application for Residential Development. Curtis Doorneweerd seconded the motion with all members voting in favor.

Council Member Lance Boote introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Curtis Doorneweerd and after due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Lance Boote, Curtis Doorneweerd, Jeff Hooegeveen, Erika Kellenberger

Nays: \_\_\_\_\_

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

#### RESOLUTION 2022-15

Resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$300,000

WHEREAS, the City of Lester (the "City"), in Lyon County, 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, pursuant to a prior resolution of the Council (the Outstanding Note Resolution"), the City has heretofore issued its \$575,000 Sewer Revenue Capital Loan Note, SRF Series 2006, dated December 7, 2006 (the "Outstanding Note"), a portion of which remains outstanding; and

WHEREAS, pursuant to the Outstanding Note Resolution, the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Outstanding Note under the terms and conditions set forth in the Outstanding Note Resolutions; and

WHEREAS, the City now proposes to enter into a Sewer Revenue Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$300,000, 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 (the "Project"), and it is 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;

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

Section 1. This City Council shall meet on November 7, 2022, at the Lester Community Center in the City, at 6:30 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 Loan Agreement.

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 four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City

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 approximately \$300,000, (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 October 3, 2022.

\_\_\_\_\_  
Dan Gerber,

Mayor

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Attest: Cathi Senior, City Clerk

Council Member Jeff Hoogeveen introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member Erika Kellenberger; and after due consideration thereof by the Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: Lance Boote, Curtis Doorneweerd, Jeff Hoogeveen, Erika Kellenberger

Nays: \_\_\_\_\_.

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

#### RESOLUTION NO 2022-16

Resolution to fix a date for a public hearing on proposal to enter into a Water Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$250,000

WHEREAS, the City of Lester (the "City"), in Lyon County, State of Iowa, did heretofore establish a Municipal Waterworks Utility System (the "Utility") in and for the City which has continuously supplied water 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 Water Revenue Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$250,000, 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 (the "Project"), and it is 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;

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

Section 1. This City Council shall meet on November 7, 2022, at the Lester Community Center in the City, at 6:45 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 Loan Agreement.

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 four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City.

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 approximately \$250,000, (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 October 3, 2022.

\_\_\_\_\_  
Dan Gerber, Mayor

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Attest: Cathi Senior, City Clerk

RESOLUTION 2022-17

Discussion was held regarding Resolution 2022-17, 2021-2022 Annual Urban Renewal Report. Curtis Doorneweerd made a motion to approve the report. Jeff Hoogeveen seconded the motion with all members voting in favor.

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Dan Gerber, Mayor

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Attest: Cathi Senior, City Clerk

RESOLUTION 2022-18

Discussion was held regarding Resolution 2022-18 Obligation funds from the Urban Renewal Tax Revenue Fund – Lester Feed & Grain scheduled payment in the amount of \$17,000. Annual payment due July 1, 2023. Lance Boote made a motion to approve resolution. Curtis Doorneweerd seconded the motion with all members voting in favor.

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Dan Gerber, Mayor

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Attest: Cathi Senior, City Clerk

RESOLUTION 2022-19

Discussion was held regarding Resolution 2022-19 2021-City Street Finance Report. Jeff Hoogeveen made a motion to approve the report. Curtis Doorneweerd seconded the motion with all members voting in favor.

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Dan Gerber, Mayor

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Attest: Cathi Senior, City Clerk

Discussion was held regarding comments received from residents regarding no access to their driveway or allowing garbage and recycling service to be completed due to the road being blocked by construction vehicles. Mayor Dan will speak to Dutchland Foods to get this concern resolved.

Mid-Sioux Opportunity services have programs available to assist low-income families, please contact Cathi for more information.

Discussion was held regarding the bid proposal to update the old Fire Hall. Jeff Hoogeveen made a motion to approve the bid of \$11,606.89 from Paul Metzger Construction. Curtis Doorneweerd seconded the motion with all members voting in favor.

League of Cities meeting is scheduled for Thursday, October 20<sup>th</sup>, 2022, at 7:00 PM at the Forster Community Center in Rock Rapids.

The next regular city council meeting will be Monday, November 7<sup>th</sup>, 2022, at 6:30 PM at the Lester City Council Chambers.

Lance Boote made a motion to adjourn the meeting. Erika Kellenberger seconded the motion with all members voting in favor.

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Dan Gerber, Mayor

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Attest: Cathi Senior, City Clerk