

COUNCIL MINUTES
REGULAR SESSION
OCTOBER 21, 2013

Charles City City Council met in regular session on October 21, 2013 at 7:00 p.m. in council chambers. Mayor Erb presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Mike Hammond and Dan Mallaro.

Citizen Comments - none

Mayor Erb extended a special welcome to Charles City Boy Scout Troop 1078 and Troop 1087 who were in attendance.

Motion by Freeseaman, second Hammond to approve the agenda. Ayes - 5

Motion by Starr, second Freeseaman to approve the minutes of the October 7 meeting. Ayes - 5

Motion by Joerger, second Mallaro to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following items: approve financials for City of Charles City and CC public Employees Health Plan, approve filing a lien for unpaid utility bill of \$27.13 at 907 Cedar St and payment of claims (including those approved by other boards):

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| 38752-38788 | PAYROLL ENDING 10/05/13 | \$79,985.86 |
| 38789-38793 | PAYROLL LIABILITIES | \$37,543.27 |
| 38794 | JESSE BUNSTON, utility deposit refund | \$42.06 |
| 38795 | CHASITY COOK, utility deposit refund | \$25.10 |
| 38796 | EVA GROVE, utility deposit refund | \$45.61 |
| 38797 | CASSIDY HAMMER, utility deposit refund | \$62.85 |
| 38798 | ANDREW HARRIS, utility deposit refund | \$41.95 |
| 38799 | NICOLE TOWNER, utility deposit refund | \$20.66 |
| 38800 | QING WANG, utility deposit refund | \$29.41 |
| 38801 | MICHAEL ZOGG, utility deposit refund | \$37.72 |
| 38802 | DIANE BILHARZ, utility deposit refund | \$90.00 |
| 38803 | FURNITURE BARN, utility deposit refund | \$25.00 |
| 38804 | JEREMY IRIARTE, utility deposit refund | \$90.00 |
| 38805 | MARRIAN LINDE, utility deposit refund | \$60.00 |
| 38806 | STEPHEN MEYER, utility deposit refund | \$90.00 |
| 38807 | NANCY SCHMITT, utility deposit refund | \$90.00 |
| 38808 | SARA SHARP, utility deposit refund | \$90.00 |
| 38809 | NATHAN SKUSTER, utility deposit refund | \$90.00 |
| 38810 | MICHAEL SPRINGER, utility deposit refund | \$90.00 |
| 38811 | ADRIENNE SQUIER, utility deposit refund | \$90.00 |
| 38812 | KIM WITCRAFT, utility deposit refund | \$90.00 |
| 38813 | AUTOMATIC DOOR GROUP, serv. | \$336.00 |
| 38814 | BAKER & TAYLOR BOOKS | **VOIDED** |
| 38815 | BAKER & TAYLOR BOOKS, supp. | \$2,376.05 |
| 38816 | BAKER & TAYLOR ENTERTAINMENT, supp. | \$326.44 |
| 38817 | BIBLIONIX, serv. | \$2,900.00 |
| 38818 | CAROL CASE, serv. | \$782.00 |
| 38819 | CC PUBLIC EMPLOYEES HEALTH PLAN, serv. | \$1,776.08 |
| 38820 | CDW-GOVERNMENT, supp. | \$3,300.00 |
| 38821 | DREAMA KARIN DESKINS, serv. | \$25.00 |
| 38822 | GALE, supp. | \$279.89 |
| 38823 | INGRAM LIBRARY SERVICES, supp. | \$134.39 |

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| 38824 | JAMES ZIRBEL, serv. | \$315.00 |
| 38825 | MASTERCARD, serv. | \$319.89 |
| 38826 | MCGRAW-HILL GLOBAL EDUCATION, supp. | \$87.45 |
| 38827 | MICK GAGE PLUMBING, INC, serv. | \$1,149.94 |
| 38828 | MIDAMERICAN ENERGY, serv. | \$1,348.54 |
| 38829 | NEWBAUER, INC, serv. | \$43.28 |
| 38830 | PERRY NOVAK ELECTRIC, serv. | \$104.70 |
| 38831 | QUADE CONSTRUCTION CO, serv. | \$1,146.47 |
| 38832 | RON'S PLUMBING, serv. | \$98.96 |
| 38833 | RONALD E SCHMITT, serv. | \$27.95 |
| 38834 | STAR TRIBUNE, supp. | \$205.40 |
| 38835 | THE DES MOINES REGISTER, supp. | \$349.37 |
| 38836 | TRENT PARKER, serv. | \$750.00 |
| 38837 | BUSINESS CARD, serv. | \$115.41 |
| 38838 | C. NABER & ASSOCIATES, serv. | \$375.00 |
| 38839 | CEDAR VALLEY PRINT & SUPPLY, supp. | \$76.85 |
| 38840 | CENTURYLINK, serv. | \$176.41 |
| 38841 | CINTAS COPORATION, serv. | \$115.80 |
| 38842 | CITY OF CHARLES CITY, serv. | \$15,144.60 |
| 38843 | DON'S REPAIR, serv. | \$59.18 |
| 38844 | ELAYNE STEWART, security deposit refund | \$96.68 |
| 38845 | FOXEN FLOORS & MORE, serv. | \$35.53 |
| 38846 | FRIEDRICH PLUMBING & HEATING, serv. | \$170.00 |
| 38847 | GE CAPITAL, serv. | \$230.51 |
| 38848 | IDOT-CASHIER'S OFFICE, supp. | \$210.98 |
| 38849 | JENDRO SANITATION SERVICES, serv. | \$563.00 |
| 38850 | KRONLAGE & OLSON, serv. | \$5,300.00 |
| 38851 | LINDERMAN HEATING & AIR , serv. | \$279.59 |
| 38852 | MEHMEN PAINTING, serv. | \$220.00 |
| 38853 | MICK GAGE PLUMBING, INC, serv. | \$285.00 |
| 38854 | MIDAMERICAN ENERGY | **VOIDED** |
| 38855 | MIDAMERICAN ENERGY, serv. | \$4,054.14 |
| 38856 | MIDWEST BASEMENT SYSTEMS, serv. | \$14,740.00 |
| 38857 | MIKE MOLSTEAD MOTORS, supp. | \$29,303.00 |
| 38858 | NAN MCKAY & ASSOCIATES, serv. | \$224.00 |
| 38859 | PITNEY BOWES, serv. | \$47.74 |
| 38860 | PLUNKETT'S PEST CONTROL, serv. | \$25.00 |
| 38861 | PURCHASE POWER, serv. | \$300.00 |
| 38862 | RON'S PLUMBING, serv. | \$295.64 |
| 38863 | SCHNEIDER LABORATORIES, serv. | \$272.00 |
| 38864 | SCHUETH ACE HARDWARE | **VOIDED** |
| 38865 | SCHUETH ACE HARDWARE, supp. | \$492.39 |
| 38866 | STOCK GLASS, serv. | \$30.00 |
| 38867 | SUPERIOR LUMBER, supp. | \$154.20 |
| 38868 | T-J SERVICE, serv. | \$960.92 |
| 38869 | UNITED STATES CELLULAR, serv. | \$69.28 |
| 38870 | YARDI RESIDENT SCREENING, serv. | \$31.50 |
| ACH | AUXIANT, flex spending reimbursements | \$33.00 |
| 38871 | AGSOURCE LABORATORIES, serv. | \$128.00 |
| 38872 | AHLERS & COONEY P.C., serv. | \$1,720.50 |

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| 38873 | ALLIED MANATTS GROUP LLC, serv. | \$22,294.81 |
| 38874 | APCO INTERNATIONAL, INC., serv. | \$75.00 |
| 38875 | ASBESTROL, INC., serv. | \$2,320.00 |
| 38876 | BARBARA BROWN (FGP), mileage | \$162.72 |
| 38877 | BETTY HANSON (FGP), mileage | \$19.20 |
| 38878 | BUSINESS CARD, serv. | \$1,201.67 |
| 38879 | CAL'S AUTO REPAIR, INC., serv. | \$27.00 |
| 38880 | CENTURYLINK, serv. | \$458.00 |
| 38881 | CENTURYLINK, serv. | \$386.00 |
| 38882 | CERRO GORDO PUBLIC HEALTH, serv. | \$40.00 |
| 38883 | CHARLES CITY ELECTRONICS, supp. | \$19.99 |
| 38884 | CHARLES CITY PRESS INC., serv. | \$97.08 |
| 38885 | CHARLES CITY PRESS INC., serv. | \$125.00 |
| 38886 | CINTAS CORPORATION #762, serv. | \$99.86 |
| 38887 | CITY OF CHARLES CITY, serv. | \$131.57 |
| 38888 | CLASSIC CLEANERS INC., serv. | \$22.80 |
| 38889 | CNH CAPITAL, serv. | \$108.98 |
| 38890 | CONSERVATION DESIGN FORUM, serv. | \$1,940.00 |
| 38891 | CRYSTAL GRIFFEN, shelter reservation refund | \$25.00 |
| 38892 | DAVID J. BAHE, fuel reimbursement | \$49.99 |
| 38893 | DE LAGE LANDEN, serv. | \$158.68 |
| 38894 | DORSEY & WHITNEY LLP, serv. | \$2,863.50 |
| 38895 | ELIZABETH FOX (FGP), mileage | \$97.92 |
| 38896 | ENVIRONMENTAL RESOURCE, serv. | \$238.02 |
| 38897 | FASTENAL COMPANY, supp. | \$86.76 |
| 38898 | FIRE SERV TRAINING BUREAU, serv. | \$10.00 |
| 38899 | FOX ENGINEERING INC., serv. | \$5,418.25 |
| 38900 | FRIEDRICH PLUMBING & HEATING, serv. | \$543.40 |
| 38901 | GALLS, AN ARAMARK CO, LLC, supp. | \$259.98 |
| 38902 | GLORIA HUMBURG (FGP), mileage | \$33.28 |
| 38903 | HAWKINS INC., supp. | \$660.00 |
| 38904 | HEARTLAND ASPHALT, INC., serv. | \$64,910.82 |
| 38905 | HOLIDAY INN DUBUQUE, serv. | \$510.72 |
| 38906 | HY-VEE, INC., supp. | \$1,283.00 |
| 38907 | I WIRELESS, serv. | \$79.72 |
| 38908 | IA DEPT OF NATURAL RESOURCES, serv. | \$80.00 |
| 38909 | IA DEPT OF PUBLIC SAFETY, serv. | \$1,053.00 |
| 38910 | IDEA ART, supp. | \$88.60 |
| 38911 | IDOT-CASHIER'S OFFICE | **VOIDED** |
| 38912 | IDOT-CASHIER'S OFFICE, supp. | \$9,615.89 |
| 38913 | IDOT-CASHIER'S OFFICE, supp. | \$141.44 |
| 38914 | IOWA ARBORIST ASSOCIATION, serv. | \$35.00 |
| 38915 | IA EMERGENCY NUMBER ASSOC, serv. | \$100.00 |
| 38916 | IOWA OFFICE SUPPLY, INC, supp. | \$8.55 |
| 38917 | IOWA ONE CALL INC., serv. | \$113.80 |
| 38918 | IOWA RURAL WATER ASSOC, serv. | \$200.00 |
| 38919 | IOWA ASSOC OF CODE ENFORCEMENT, serv. | \$105.00 |
| 38920 | JACQUELINE FERCH (FGP), mileage | \$10.24 |
| 38921 | JANICE DORENKAMP (FGP), mileage | \$180.80 |
| 38922 | JEANETTE KLUNDER (FGP), mileage | \$8.80 |

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| 38923 | JENDRO SANITATION SERVICES, serv. | \$19,495.13 |
| 38924 | JENDRO SANITATION SERVICES, serv. | \$216.00 |
| 38925 | JOHN DEERE FINANCIAL, supp. | \$275.20 |
| 38926 | JOHN DEERE FINANCIAL, supp. | \$101.61 |
| 38927 | K-MART STORE 7767, supp. | \$121.22 |
| 38928 | L&J INDUSTRIES, INC., supp. | \$77.25 |
| 38929 | LARSON CONTRACTING CENTRAL, serv. | \$49,582.40 |
| 38930 | LESSIN SUPPLY CO., supp. | \$230.79 |
| 38931 | LESSIN SUPPLY CO., supp. | \$78.69 |
| 38932 | MAINSTAY SYSTEMS, INC., serv. | \$354.00 |
| 38933 | MARSHA WRIGHT, mileage | \$89.27 |
| 38934 | MARY CHURCH (FGP), mileage | \$16.64 |
| 38935 | MATHY CONSTRUCTION CO., serv. | \$22,113.50 |
| 38936 | MICHAELS BAND BOX, serv. | \$342.60 |
| 38937 | MIDAMERICAN ENERGY, serv. | \$1,224.91 |
| 38938 | MIKE MOLSTEAD MOTORS INC, supp. | \$30.67 |
| 38939 | MISSISSIPPI LIME COMPANY, supp. | \$5,323.20 |
| 38940 | MYRLEEN M JONES (FGP), mileage | \$28.16 |
| 38941 | NAEMD, serv. | \$40.00 |
| 38942 | NEWBAUER, INC., serv. | \$369.37 |
| 38943 | NFPA, serv. | \$165.00 |
| 38944 | NIACC, serv. | \$100.00 |
| 38945 | NIACOG, serv. | \$3,421.22 |
| 38946 | NOAH,SMITH & SCHUKNECHT, serv. | \$17,870.35 |
| 38947 | NORTHERN SAFETY CO, INC., supp. | \$89.47 |
| 38948 | OFFICE OF VEHICLE SERVICES, serv. | \$30.00 |
| 38949 | POSTMASTER, serv. | \$910.00 |
| 38950 | POSTMASTER, supp. | \$138.00 |
| 38951 | PRAIRIE INET, serv. | \$17.50 |
| 38952 | RESERVE ACCOUNT, serv. | \$1,000.00 |
| 38953 | RIVER CITY FENCE CO., serv. | \$3,963.50 |
| 38954 | ROCKMOUNT RESEARCH & ALLOYS, supp. | \$562.61 |
| 38955 | RUTH LATHAM (FGP), mileage | \$26.34 |
| 38956 | SATERN BUILDERS, serv. | \$8,323.00 |
| 38957 | SHARON OTT (FGP), mileage | \$113.00 |
| 38958 | SHERALEA TUMILSON (FGP), mileage | \$113.00 |
| 38959 | SHERWIN-WILLIAMS CO., supp. | \$196.12 |
| 38960 | SPRINT/NEXTEL, serv. | \$237.97 |
| 38961 | T & W GRINDING INC., serv. | \$6,000.00 |
| 38962 | TEAM SERVICES, INC., serv. | \$432.00 |
| 38963 | TREASURER, STATE OF IOWA, serv. | \$415.45 |
| 38964 | UNITED STATES CELLULAR, serv. | \$250.66 |
| 38965 | USA BLUEBOOK, supp. | \$350.60 |
| 38966 | VICKI INMAN (FGP), mileage | \$42.94 |
| 38967 | ZACHARY ECKENROD, K-9 reimbursement | \$14.00 |

TOTAL \$476,641.32

Business of the Mayor - Mayor Erb reported that trick or treating will be done in Charles City on October 31 from 5:30 to 7:30 p.m. He also reported that he had received a request from Iowa Geological Water Survey for a letter of support for their planned geological mapping project in our area. Mayor Erb will draft

and send this letter.

Mayor Erb opened the public hearing on urban renewal plan amendment for Riverside TIF district. Affidavit of publication dated 10/4/13 was informally filed. He asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Hammond, second Freeseaman to close the hearing. Ayes - 5

New TIF regulations require more detailed explanation of projects being done to be included in an urban renewal plan. This amendment will cover changes we are making in preparation for the development agreement for McQuillen Place. Council member Freeseaman introduced Resolution No. 105-13 entitled, "RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE RIVERSIDE URBAN RENEWAL AREA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Starr, Joerger, Freeseaman, Hammond. Nays - none

Mayor Erb opened the public hearing on urban renewal plan amendment for South Grand TIF. Affidavit of publication dated 10/4/13 was informally filed. Mayor Erb asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second Mallaro to close the hearing. Ayes - 5

An amendment is needed to this urban renewal plan for the CIPP project and for administrative and legal expenses for South Grand TIF. Council member Joerger introduced Resolution No. 106-13 entitled, "RESOLUTION TO APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE SOUTH GRAND URBAN RENEWAL AREA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays - none

Heidi Nielsen, Housing Director, was present to report on the Morningside foundation repair project. The foundation was found to be settling so a push pier system was used to repair it. One change order is needed for this project for the cement work to provide access to the foundation. City workers ended up doing this portion of the project which resulted in a credit of \$1500 to the bid which brought the total cost of the project down to \$14,740. The work is complete and ready for acceptance. Council member Freeseaman introduced Resolution No. 107-13 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER NO 1, MORNINGSIDE FOUNDATION REPAIR PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none

Council member Joerger introduced Resolution No. 108-13 entitled, "RESOLUTION ACCEPTING THEMORNINGSIDE FOUNDATION REPAIR PROJECT, CHARLES CITY, IOWA IN THE AMOUNT OF \$14,740.00" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Starr, Joerger, Freeseaman. Nays - none

Ordinance 1075 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA BY PERMITTING BUSINESS USES ABOVE THE GROUND FLOOR OF BUILDINGS IN THE BUSINESS DISTRICTS; BY PERMITTING DWELLING UNITS IN B-2 BUSINESS DISTRICTS; AND REMOVING HEIGHT RESTRICTIONS FOR MULTI-STORY RESIDENTIAL OR MIXED RESIDENTIAL/COMMERCIAL BUILDINGS IN B-1 AND B-2 BUSINESS DISTRICTS was presented for a first reading. A public hearing was held prior to the council meeting tonight by planning and zoning and they have recommended passage of this ordinance by the council. This ordinance will amend to permit dwelling units above the ground floor and allow business uses above the ground floor and remove height restrictions. Motion by Freeseaman, second Mallaro to approve the first reading of Ordinance 1075. Ayes - 5

Council member Freeseaman read the ordinance.

Council member Joerger introduced Resolution No. 109-13 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA BY PERMITTING BUSINESS USES ABOVE THE GROUND FLOOR OF BUILDINGS IN THE BUSINESS DISTRICTS; BY PERMITTING DWELLING UNITS IN B-2 BUSINESS DISTRICTS AND REMOVING HEIGHT RESTRICTIONS FOR MULTI-STORY RESIDENTIAL OR MIXED RESIDENTIAL/COMMERCIAL BUILDINGS IN B-1 AND B-2 BUSINESS DISTRICTS" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none.

City Clerk O'Donnell reported that a special meeting and a planning session will be held on October 28 at 7:00 pm

Motion by Starr, second Freeseaman to adjourn. Ayes - 5

James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk