

COUNCIL MINUTES  
REGULAR SESSION  
DECEMBER 21, 2020

Charles City city council met in regular session on December 21, 2020 at 6:00 p.m. via Zoom due to the COVID-19 pandemic. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Phillip Knighten. Absent was Phoebe Pittman. Also present were city administrator Steve Diers, city engineer John Fallis and city attorney Brad Sloter.

Citizen comments - none

Mayor Andrews welcomed everyone to the meeting.

Motion by Freeseaman, second Joerger to approve the agenda. Ayes - 4

Motion by Joerger, second Starr to approve the minutes of December 7 and 16 meetings. Ayes - 4

Motion by Freeseaman, second Knighten to approve the consent calendar. Ayes - 4. Consent calendar consisted of the following: consider approval of the 11/20 financials for city of Charles City and CC Public Employees health plan, consider approval of filing the following liens for unpaid utility bills - \$61.63Acct5003530000 and payment of claims (including those approved by other boards):

Mayor Andrews opened the public hearing on proposed amendment to the South Grand Urban Renewal Area. Affidavit of publication dated 12/4/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second Freeseaman to close the hearing. Ayes - 4. This amendment will add the Parkside Development project into the South Grand TIF district. It is housing urban renewal area and will be a separate district within the South Grand TIF district. Council member Freeseaman introduced Resolution 198-20 entitled, "RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN EXPANDED SOUTH GRAND URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND TO APPROVE AN URBAN RENEWAL PLAN AMENDMENT FOR THE SOUTH GRAND URBAN RENEWAL AREA" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none Ordinance 1149 will amend the South Grand urban renewal area to include the Parkside Development. This will be joined to the current South Grand district via South Main Street. Staff is recommending waiving the second and third reading of this ordinance and adopting it tonight so we can proceed with the process. Motion by Freeseaman, second Joerger to approve the first reading of Ordinance 1149 PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE DECEMBER 2020 ADDITION TO THE SOUTH GRAND URBAN RENEWAL AREA PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA". Ayes - 4. Council member Freeseaman read the ordinance. Motion by Joerger, second Starr to waive the second and third readings of Ordinance 1149. Ayes - 4. Motion by Freeseaman, second Joerger to adopt and publish Ordinance 1149. Ayes - 4

Mayor Andrews opened the public hearing on proposed general fund economic development grant agreement with CP Iowa Properties, LLC. Affidavit of publication dated 12/4/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Freeseaman, second Joerger to close the hearing. Ayes - 4 This agreement will cover the development of the remaining 24 lots in the Parkside Development. This agreement follows the letter of intent previously adopted by council in August. They plan to do about 4 lots each time and the city will pay \$17,500/lot to cover the infrastructure costs already incurred. These payments will be made from the general fund and the city will be reimbursed through TIF. Council member Freeseaman introduced Resolution 199-20 entitled, "RESOLUTION APPROVING GENERAL FUND ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH CP IOWA PROPERTIES, LLC" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none

Mayor Andrews opened the public hearing on proposal to enter into a taxable general obligation bridge improvement loan agreement. Affidavit of publication dated 12/11/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second Knighten to close the hearing. Ayes - 4. Paul Donna, from Baird, reviewed this financing. It is in two different pieces due to the nature of the expenses. The money the city has paid so far for demolition of the bridge needs to be done through a taxable loan and the actual construction of the bridge can be done with a non-taxable loan. Two local banks, First Citizens and First Security, will fund these loans with First Security being the lead bank. The taxable loan of \$220,000 will have a 1.5% rate and be through 2025. The tax exempt loan of \$1,313,000 will have a 1.75% rate and go through 2031. The project will be completed by fall of 2021. Council member Freeseaman introduced Resolution 200-20 entitled, "RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT, PROVIDING FOR THE PRIVATE PLACEMENT AND ISSUANCE OF A \$220,000 TAXABLE GENERAL OBLIGATION BRIDGE IMPROVEMENT BOND, SERIES 2021A AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

Mayor Andrews opened the public hearing on proposal to enter into a general obligation bridge improvement loan agreement. Affidavit of publication dated 12/11/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second Freeseaman to close the hearing. Ayes - 4. Council member Starr introduced Resolution 201-20 entitled, "RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT, PROVIDING FOR THE PRIVATE PLACEMENT AND ISSUANCE OF A \$1,313,000 GENERAL OBLIGATION BRIDGE IMPROVEMENT BOND, SERIES 2021B AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

Pay estimate #14 has been submitted from Portzen Construction for the work done on the wastewater project during November. The amount requested is \$978,047.15 and consisted mostly of reed bed construction and some work on the oxidation ditch. Total paid to date is approximately 8.2 million. Fox Engineering has reviewed the request and is recommending payment. Council member Starr introduced Resolution 202-20 entitled, "RESOLUTION APPROVING PAY ESTIMATE #14 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

The Main street bridge repair project is completed and ready for acceptance and final payment. Jasper Construction did the work and Calhoun Burns did the design and project oversight. Total cost of the project was \$327,059.80 and the project was meant to protect the bridge and extend its life. Council member Joerger introduced Resolution 203-20 entitled, "RESOLUTION ACCEPTING THE MAIN STREET BRIDGE REPAIR PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

The public housing sidewalk/parking lot project has a change order that needs to be approved. The reason for the change was installation of subdrain at North Cedar Terrace, extra grading and seeding that was required, additional striping and additional paving at both of the new parking lots at North Cedar Terrace. The amount of the change order is an increase of \$29,681.95 and is being recommended by SEH Engineers. Council member Joerger introduced Resolution 204-20 entitled, "RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE CCHRA PARKING LOT/SIDEWALK IMPROVEMENT PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

The public housing sidewalk/parking lot project is completed and ready for acceptance. The total cost of the project was \$410,827.67 with a final payment of \$21,271.27. SEH is recommending acceptance of the project and payment of the final amount. Council member Joerger introduced Resolution 205-20 entitled, "RESOLUTION ACCEPTING THE CCHRA PARKING LOT/SIDEWALK

IMPROVEMENTPROJECT, CHARLES CITY, IOWA IN THE AMOUNT OF \$410,827.67” and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none

The WRRF project is requiring a change order to be done for an increase of \$63,090.13. This will be for adding a building to the main electrical feed, adding a handrail and for additional landfill material removal fees. Fox Engineering is recommending approval of this change order. Council member Freeseaman introduced Resolution 206-20 entitled, “RESOLUTION APPROVING CHANGE/EXTRA WORK RODER #2 FOR WATER RESOURCE AND RECOVERY FACILITY PROJECT, CHARLES CITY, IOWA” and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

Ordinance 1150 AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 24, SECTION 24.01 - PLANNING AND ZONING COMMISSION, BY AMENDING THE PROVISIONS PERTAINING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF THE COMMISSION has been drafted by city attorney Slotter to allow a resident within two miles outside the city limits to serve on the planning and zoning commission. Recently we have experience several vacancies on the board and have had trouble finding people to serve. Our current zoning ordinance allows our jurisdiction up to two miles outside the city limits. Staff feels allowing one member on the board to fall within this distance to be acceptable. Council member Freeseaman asked if we had received any comments on this proposed ordinance and response was no. Administrator Diers commented that this is strictly a recommendation board so no judicial changes would be made by them. Motion by Freeseaman, second Joerger to approve the first reading of Ordinance 1150. Ayes - 4. Council member Freeseaman read the ordinance.

The Southwest Development Park water quality project requires some temporary and permanent easements to be approved for the construction of this project. The permanent easements are for a portion of the existing drainage way being constructed outside the platted drainage easement and for the detention basin that will be built. Temporary easements will allow the contractor to enter on to the private properties to construct the improvements. Council member Freeseaman introduced Resolution 207-20 entitled, “RESOLUTION APPROVING PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE 2020 SOUTHWEST DEVELOPMENT PARK WATER QUALITY IMPROVEMENT PROJECT, CHARLES CITY, IOWA” and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none.

City clerk O’Donnell reported that the next meeting will be a regular meeting on January 4 at 6:00 p.m.

City administrator Diers reported that he is working on a budget prep workbook for council, the first budget meeting is scheduled for January 6. Discussion continues on the work stoppage issue for the WRRF project. Telecom financing is not quite ready but there has been a lot of behind the scenes work being done. They will meet next on January 5. Have conducted second interviews for the housing director position and have a couple of very good candidates. NIACOG has told us that we can have prior director Heidi Nielsen’s assistance on the CDBG grant through the closing if needed. Staff is testing the new time and attendance payroll module and hope to start everyone with using it January 1. Council member Knighten commented that the Foster Grandparent program has a fundraising item that is a collage of all the area businesses done by John Guthart quite a few years ago.

Motion by Freeseaman, second Starr to adjourn. Ayes - 4

---

Dean Andrews, Mayor

Attest:

Trudy O’Donnell, City Clerk