

COUNCIL MINUTES  
REGULAR SESSION  
MARCH 15, 2021

Charles City city council met in regular session on March 15, 2021 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 and Phillip Knighten. Absent was Phoebe Pittman. Also present were city administrator Steve Diers and city attorney Brad Sloter.

Motion by Freeseaman, second Starr to approve the agenda. Ayes – 4

Motion by Starr, second Joerger to approve the minutes of the February 22, March 1 and 10 meetings. Ayes – 4

Motion by Joerger, second Starr to approve the consent calendar. Ayes – 4. Consent calendar consisted of the following items: approve 2/21 financials for city of Charles City and CC Public Employees Health Plan, approve the following bonds: Sidewalk – DeBoest Concrete, Deerfield Concrete, Electrical – Jensen Electric, Mechanical – Pederson Plumbing and Excavation – Mick Gage Plumbing and Heating, approve filing the following liens: Mowing bills - \$856.49 807 5<sup>th</sup> Street, \$263.55 807 5<sup>th</sup> Street, \$172.51 Blunt Street, \$525.08 314 1<sup>st</sup> Avenue, snow removal - \$40.00 vacant lot 14<sup>th</sup> Avenue, \$40.00 411 4<sup>th</sup> Avenue and payment of claims (including those approved by other boards):

Business of the Mayor – Mayor Andrews is recommending appointing Jennifer Thiele to replace Jeff Sisson on the Historic Preservation Commission. Motion by Freeseaman, second Starr to approve this appointment. Ayes – 4. Council expressed their appreciation to Jeff Sisson for his long time service on this board.

Mayor Andrews opened the public hearing on a proposal to enter into an essential corporate purpose loan agreement. Affidavit of publication dated 2/5/21 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Starr, second Freeseaman to close the hearing. Ayes – 4

Mayor Andrews opened the public hearing on a proposal to enter into a general corporate purpose loan agreement. Affidavit of publication dated 2/5/21 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 Starr to close the hearing. Ayes – 4.

These public hearings were for our annual short term borrowing items that include tree removal, fire/police equipment, first of three payments to TLC for their proposed move and nuisance abatement funds. The reason for two hearings is that some of the items are considered essential corporate purpose and the rest are considered general corporate purpose items. The resolution to be passed will authorize the city to levy for the debt that will be issued to pay for these items in FY22. Council member Freeseaman introduced Resolution 37-21 entitled, “RESOLUTION TAKING ADDITIONAL ACTION ON PROPOSAL TO ENTER INTO LOAN AGREEMENTS, COMBINING LOAN AGREEMENTS AND PROVIDING FOR THE LEVY OF TAXES TO PAY GENERAL OBLIGATION CORPORATE PURPOSE BONDS” and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Knighten. Nays – none

A preliminary plat of the Red Cedar Subdivision has been submitted for council approval. This development is located outside city limits but within a two mile radius of the city limits. This requires the city to sign off on the city’s subdivision requirements. City staff have reviewed this plat and are concerned with a driveway access issue for this property. The abutting property owner’s property actually goes across the driveway at this time which technically blocks access to the property. Staff is recommending council approval of this minor plat and waiving city subdivision requirements subject to the resolution of the driveway access issue prior to county approval. Planning and zoning has reviewed this minor plat and are recommending council approval. Council member Freeseaman introduced Resolution 38-21 entitled, “RESOLUTION APPROVING THE PRELIMINARY PLAT OF RED CEDAR SUBDIVISION, FLOYD COUNTY, IOWA, WAIVING FURTHER SUBDIVISION REQUIREMENTS AND DIRECTING CERTIFICATION” and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Knighten. Nays – none. Council member Joerger asked if each lot would have it’s own water and sewer. Dean Stewart replied that a central well

is located on Lot 2 and a well agreement will be executed among the owners. Each lot has its own septic system.

A request for proposals had been sent to 6 accounting firms for the next three years of the city's financial audit. Two proposals were received with TP Anderson, who did our last three years of audits, having the low bid. Their proposal was \$16,000 for year 1, \$16,800 for year 2 and \$17,600 for year 3. Motion by Freeseaman, second Starr to accept the proposal from TP Anderson for the next three years of annual audits. Ayes - 4.

A public hearing needs to be set for the Grove Street/Illinois Street intersection improvement project. This work will include removing the existing pavement and storm sewer at the intersection, placing new storm sewer and additional intakes, rebuild the rip rap embankment on Sherman Creek and remove and replace existing guard rail and replacing the pavement with new grades to direct the storm water runoff to the intakes. Cost estimate for this project is \$135,000. Paul Rottinghaus, the new owner of the abutting property formerly owned by Bailey's Nursey, has agreed to cost share in the amount of \$26,000 since some of this work will be done to the bridge there that accesses his property and is owned by him. The public hearing is scheduled for April 19. Council member Freeseaman asked what funding source will be used and reply was local option sales tax. Council member Starr introduced Resolution 39-21 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF CONSTRUCTION COST FOR THE GROVE STREET/ILLINOIS STREET INTERSECTION IMPROVEMENT PROJECT AND ORDERING THE ADVERTISEMENT FOR BIDS" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Knighten. Nays - none

A change order has been submitted for the WRRF project. It includes an increase of \$47,722.60 for replacement of the clarifier scum baffle and mechanism painting, increase of \$11,327.14 for grit wash drain pipe reroute and pump efficiency exchange at no cost for a total increase in the project cost of \$59,049.74. The pump efficiency item consists of a vendor agreeing to give us additional pumps to compensate for the lost efficiency of the pumps that were installed for the WRRF project that are too difficult to switch out at this time. These additional pumps can be used to replace two aging pumps we have at Maple Heights lift station. Council member Joerger introduced Resolution 40-21 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER #5 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

Pay estimate #17 has been submitted from Portzen Construction in the amount of \$274,156.20 for the WRRF project. There has not been much activity this past month due to the colder weather. Councilmember Joerger introduced Resolution 41-21 entitled, "RESOLUTION APPROVING PAY ESTIMATE #17 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" 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 1151 AN ORDINANCE AMENDING SECTION XXII, OFF-STREET LOADING AND PARKING, OF THE CHARLEWS CITY ZONING ORDINANCE TO MODIFY THE DESIGN STANDARDS AND REQUIREMENTS FOR THE SURFACING OF OFF-STREET PARKING AND LOADING AREAS was presented for its first reading. Planning and zoning had reviewed this over a year ago and have recommended approval. City council had also reviewed it but decided to wait and include this change in the re-write of the zoning code, which is going on right now. However, due to COVID issues, this project has taken quite a bit longer than anticipated. Therefore, council would like to move ahead with adopting this ordinance now and have it incorporated into the new draft of the zoning ordinance when it finally gets completed. The current ordinance is very cost prohibitive with its requirements and we are trying to find a compromise. Paving will only be required 28' from the right of way in where the driveway is located and the width of the area. The rest of the lot can be millings, HMA or paved. Mayor Andrews commented that his recollection is that we were going to allow gravel for the remainder of the lot. Staff will double check this item before the second reading. Grass is allowed in the 10' right of way but the next 28' needs to be paved. Council member Freeseaman commented that he really is not in favor of this ordinance but he also doesn't have a better alternative. He does like using millings instead of gravel for the remainder of the lot. He thinks that paving would increase the value of the property. Motion by Starr, second Joerger

to approve the first reading of Ordinance 1151. Ayes – 4. Council member Starr read the ordinance. A public hearing needs to be held on this ordinance. Council member Starr introduced Resolution 42-21 entitled, “RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1151 AMENDING SECTION XXII, OFF-STREET LOADING AND PARKING, OF THE CHARLES CITY ZONING ORDINANCE TO MODIFY THE DESIGN STANDARDS AND REQUIREMENTS FOR THE SURFACING OF OFF-STREET PARKING AND LOADING AREAS” and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Knighten. Nays – none.

The agenda item pertaining to 607 S. Johnson was not ready for council action at this time.

A lease has been submitted from HyVee for their annual garden center that is located in the city parking lot in front of their store. They are asking for the same area as in past years starting April 1 and going through June 30. Rent will be the same at \$275/month. The map that was provided shows a little different area than past years, staff will verify with the manager that the area is indeed the same as past years. Will come back to council if there are any changes. Council member Starr introduced Resolution 43-21 entitled, “RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN HYVEE AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT” and moved for adoption. Second to adopt Knighten. 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 planning session on March 22 at 6:00 p.m.

City administrator Diers reported that last Friday, Governor Reynolds and Lt. Governor Gregg were in Charles City to talk about their plans to help with issues concerning broadband, childcare and housing throughout the state. Staff has been working on spring clean up procedures to make sure this event is safe for all of the workers. This information will be released as soon as it is finalized. He will be attending the IMMI conference in person Wednesday through Friday next week and is a presenter for the session on broadband.

Council member Starr reported that the dispatch move to the county facility is planned for mid May.

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

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Dean Andrews, Mayor

Attest:

Trudy O’Donnell, City Clerk