

COUNCIL MINUTES
REGULAR SESSION
APRIL 19, 2021

Charles City city council met in regular session on April 19, 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: Jerry Joerger, DeLaine Freeseaman, Phoebe Pittman and Phillip Knighten. Absent was Keith Starr. 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 Pittman to approve the minutes of the April 5 and 14 meetings. Ayes – 4

Motion by Joerger, second Freeseaman to approve the consent calendar. Ayes – 4. Consent calendar consisted of the following items: approve 3/21 financials for city of Charles City and CC Public Employees Health Plan and payment of claims (including those approved by other boards):

Business of the Mayor – Mayor Andrews commented on what a nice welcome home ceremony it was for our returning nine soldiers this past Saturday. A proclamation for the Lions Club has been prepared and will be read at the dedication ceremony on May 3. Motion by Freeseaman, second Joerger to approve the proclamation. Ayes – 4

A request has been submitted by Emily Garden for street closures for the Kids Day events that will be held July 2. This event is sponsored by McDonald's and they are keeping the schedule a little vague for now in case changes have to be made due to COVID. It is planned to be the same route for the kids parade as in past years and the police department has signed off on this. Motion by Joerger, second Freeseaman to approve the request as presented. Ayes – 4

Mayor Andrews opened the public hearing on Grove Street/Illinois Street intersection improvement project. Affidavit of publication dated 4/9/21 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 Freeseaman to close the hearing. Ayes – 4. This project will include removing the existing pavement and storm sewer at the intersection, placing new storm sewer and additional intakes to collect storm water runoff and direct it to Sherman Creek, rebuild the rip rap embankment adjacent to Sherman Creek, remove and replace the existing guard rail and regrade the pavement to direct the storm water to the intakes. One addendum was issued during the bidding process to increase the limits of the curb and gutter removal and replacement. Other than this change, the plans remain unchanged from the preliminary plans so staff is recommending approval of the final plans. Council member Joerger introduced Resolution 47-21 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE GROVE STREET/ILLINOIS STREET INTERSECTION IMPROVEMENT PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Pittman, Knighten. Nays – none. Three bids were received for this project as follows: Heartland Asphalt at \$134,646.25; Cole Excavating at \$150,036.00 and Boulder Contracting at \$186,516.00. Engineer's estimate was \$136,500. Staff is recommending accepting the bid from Heartland Asphalt. Council member Joerger introduced Resolution 48-21 entitled, "RESOLUTION APPROVING AWARD AND CONTRACT AND BOND FOR THE GROVE STREET/ILLINOIS STREET INTERSECTION IMPROVEMENT PROJECT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Pittman, Knighten. Nays – none.

The annual renewal for the city's workman comp and liability package has been submitted by Bob Ingram from Sisson and Associates. Some components went up and some went down with a net increase of about 7%. Our work comp went down since our mod factor went from 1.04 down to .90. Total premium, including work comp, is \$406,341. At the last planning session, it was asked to check into what the premium would do if we increased our deductible for comprehensive coverage from \$250 to \$350 and we would save approximately \$3400 annually. This change will be approved at a future meeting. Ingram also stated that he would review all of the city vehicles to be sure that the very low value ones don't have full coverage on them. Motion by Freeseaman, second Joerger to approve the insurance renewal with Sisson and Associates as presented. Ayes - 4.

Ordinance 1152 that would re-zone property located at 808 N. Jackson from B-3 to M-1 has been reviewed by planning and zoning. After their public hearing, the planning and zoning commission made the recommendation to the council to approve this ordinance. There is M-1 zone on two sides of this parcel so it is not spot zoning. There are currently storage units here and they are legal non conforming. The owner wants to build more units so this parcel needs to be re-zoned in order to allow this. The council also needs to hold a public hearing on this ordinance and that has been set for May 3. Motion by Freeseaman, second Joerger to approve the first reading of this ordinance. Ayes - 4. Council member Freeseaman read the ordinance. Council member Freeseaman introduced Resolution 49-21 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1152 AMENDING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 808 N. JACKSON STREET, CHARLES CITY, IOWA, FROM B-3, SERVICE BUSINESS DISTRICT TO M-1, LIGHT MANUFACTURING DISTRICT" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Pittman, Knighten. Nays - none

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 was presented for a third and final reading. This would allow for parking lots on arterial roads to be paved for a certain portion of the area (38' from the property line) and would allow aggregate in the rest of the lot. It also states that existing lots are grandfathered in and will only be required to abide by this new ordinance if a change of use occurs. The lots in town that have been granted a waiver from the parking lot requirements will be required to abide by this new ordinance when their waiver expires. Planning and zoning has held a public hearing on this ordinance and are recommending approval. Motion by Joerger, second Pittman to approve the third reading of the ordinance. Ayes - Joerger, Pittman, Knighten. Nays - Freeseaman. Council member Joerger read the ordinance. Motion by Joerger, second Knighten to adopt and publish Ordinance 1151. Ayes - 4.

The 2020 HMA paving project has been completed and is ready for acceptance. This project was done by Heartland Asphalt and included HMA resurfacing on Cedar, Clinton and South Jackson Streets, removing and replacing sections of deteriorated curb and gutter and placing a leveling surface to improve rideability. Also included was replacement of small storm water intakes and old intakes on Clinton and Cedar Streets. Total cost of the project was \$1,565,864.35 which included a change order that was mostly due to paving the abandoned railroad crossings on N Grand and E Streets and storm sewer repairs on Clinton. The amount of the final payment is \$78,293.22. Council member Joerger introduced Resolution 50-21 entitled, "RESOLUTION ACCEPTING THE 2020 HMA PAVING PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The HMA project on N Jackson/S Main has been completed and is ready for acceptance. Heartland Asphalt was the contractor for this project and it included constructing new HMA surfacing, pedestrian curb ramps for the sidewalks within the project and a storm sewer extension on S. Main. Total project cost was \$892,642.23 which was more than the bid of \$805,949.53. Change orders approved were for unexpected rock excavation, additional storm sewer intakes, storm sewer and pavement removal/replacement to direct more storm water to the large storm sewer main. This is a SWAP project so the state will be reimbursing the city for 100% of the costs. The amount of the final payment is \$26,779.27. Council member Joerger introduced Resolution 51-21 entitled, "RESOLUTION ACCEPTING THE NORTH

JACKSON STREET/SOUTH MAIN STREET HMA PAVING PROJECT AND AUTHORIZING FINAL PAYMENT” and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Pittman, Knighten. Nays – none

Park and rec director Tyler Mitchell discussed repair to the pickle ball courts. There are large cracks forming and the court should be made bigger to be regulation size and also to be safer. He has found a \$20,000 grant that would fund all but \$16,500 of the cost to repair and enlarge the court. The \$16,500 would be paid from our annual one day borrowing. The grant is asking for a resolution from the council approving our funding amount. Council member Freeseaman introduced Resolution 52-21 entitled, “RESOLUTION APPROVING FUNDING FOR PICKLE BALL COURTS RESURFACING PROJECT” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Pittman, Knighten. Nays – none

The city recently acquired property at 312 15th Avenue and demolished the house on the lot. They would now like to sell the empty lot and will need to publish notice and hold a public hearing for this process. The bids will be due by May 13 and will be considered at the May 17th council meeting. A minimum bid of \$1,000 has been specified. It is a buildable lot but would need to comply with the flood plain building requirements. An adjoining property owner is interested in the lot. Council member Joerger introduced Resolution 53-21 entitled, “RESOLUTION APPROVING NOTICE OF REQUEST FOR BIDS FOR PROPERTY LOCATED AT 312 15TH AVENUE” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Joerger, Freeseaman, Pittman, Knighten. Nays – none

Miscellaneous correspondence – A letter has been received from the Chamber concerning the Adopt a Lot program and reminding us about sweeping the parking lot by city hall for the year.

City attorney Slotter stated that the court awarded title to the city for 607 S. Johnson and this item will come back to the council for formal action in the near future.

City clerk O’Donnell reported that the next council meeting will be on April 26 at 6:00. She is attending the annual IMFOA spring conference this week in Des Moines.

City administrator Diers reported that there was a very good article last week in the Press about the Charley Western trail bridge. He had three calls today from people wanting to buy a bench for the bridge. A local group will be soliciting donations for the lighting on the bridge soon. This is the last week for dumpster rentals as part of the spring clean up. Curbside pickup will start next week. Mayor Andrews asked that if the curbside items aren’t bagged they won’t be picked up? Reply was yes.

Motion by Joerger, second Pittman to adjourn. Ayes – 5.

Dean Andrews, Mayor

Attest:

Trudy O’Donnell, City Clerk

COUNCIL PROCEEDINGS
APRIL 26, 2021

Charles City city council met in a planning session on April 26, 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 Freesean, Phoebe Pittman and Phillip Knighten. Also present were city administrator Steve Diers and city engineer John Fallis.

Hannah Jones was present to discuss a request for closure of Salsbury Street for the Comet Rodeo at the school. They are asking for this closure on May 14 from 11:30 a.m. to 3:15 p.m. for a bean bag tourney and four square game. This item will be on the next regular agenda for council action.

The agreement with ADC and the Chamber are up for renewal. These are three year agreements and are funded through the city's TIF districts. The Chamber has changed their name to Main Street Charles City and their agreement covers the payments to Main Street Iowa, Façade grants and Cultural/Entertainment grants administered by them. The Main Street payment will increase from \$23000 to \$25000 per year, Façade is set at \$35,000/year and Cultural/Entertainment is set at \$25,000/year. It was noted that there is flexibility to utilize Cultural/Entertainment funds for Façade grants if needed. Mark Wicks, Chamber director, commented that there have been some good things done with these grants in the downtown area and that Façade funds can also be used for upper story rehab in the downtown. Council member Starr asked that with the increased costs of materials currently, should we look at increasing these funding amounts. Wicks replied that we should be okay with these amounts. The urban renewal plan will need to be amended for these new agreements and we will do both agreements plus the changes to Cambrex development agreement all at once. The ADC funding request has been submitted by ADC director Tim Fox and he is asking for an increase to \$46,000/year from the current \$42,000/year. This agreement will also be for three years and is funded through the city's TIF funds of Riverside, SW Bypass and South Grand. The funding from SW Bypass is \$17,500 and Floyd County also utilizes \$17,500 from this TIF for their support of ADC. Fox thanked the city for it's past and future support. There is a SW TIF meeting April 30 so we will determine the final funding from there at that time.

The 2017 development agreement with Cambrex could possibly be amended. This project ended up being bigger than they originally planned with the addition of another building. With the increase in valuation that was much higher than originally anticipated, Cambrex is requesting an amendment to their agreement to allow for a higher tax rebate. This issue has been discussed by the SW TIF board, since this project is in that district, and they are recommending approval of this amendment. The total rebate would go from \$170000 to \$575000, both over 9 years, so it is a significant change. The board did have another request for an increase in a tax rebate but the board felt it wasn't a significant enough change to warrant amending. Cambrex will pay all legal fees associated with the process to amend the agreement. Dorsey Whitney will prepare all of the necessary proceedings for the city and county to make this amendment.

Water superintendent Cory Spieker was present to discuss the proposed clear well expansion project. Our current underground storage is undersized and he is recommending adding a million gallons of underground storage. SEH had done a water system model of our water system a couple of years ago and these issues were discussed at that time. The constant starting and stopping of our system is hard on the equipment and with more storage, we could alleviate a lot of that wear and tear. We couldn't go much larger than an additional million gallons of storage due to land constraint around the water plant. SEH has been in discussion with Chris Diggins from NIACOG and they can assist us in getting a CDBG grant for this project. NIACOG would not charge us for the grant writing but would ask us to sign an agreement that we would hire them for the admin if we are awarded the grant. This grant cycle is quarterly so if we aren't awarded the first time, they recommended applying subsequently. We are eligible for up to \$600,000 for our population size. We also need to have an approved engineering study and be on the intended use plan with the state for the SRF loan process. SEH has sent the engineering report to the DNR but haven't heard back yet. They are recommending hiring SEH to get started on this project so that we are far enough along to be considered shovel ready, will make it more favorable for grant approval. Council member Knighten asked if we didn't get the grant, would we still go forward with the project. City administrator Diers replied that we would then just have to increase the amount of our SRF loan. Council member Freesean stated that we should go for this grant given the wear and tear on our equipment. A memorandum of understanding with NIACOG can be prepared for the next meeting as well as an agreement with SHE so this process can get started. SEH asked if we were interested in applying for a planning and design loan through SRF, if so, he can get started on that process. Reply was yes.

Discussion on title issues on property located on Cedar Street. DeLaine Freesean owns a parcel located right north of the Charley Western Trail and next to Riden Addition. He has discovered a surveying error that occurred back in the 1960's and it has resulted in a small strip of property that has no owner attached to it. In order to get marketable title to this strip, Freesean would like to acquire quit claim deeds from two owners in Riden Addition and the city which will match up the north line of this strip and make it the adjoining property

line. Freeseaman will reimburse the city for legal fees and costs in connection with this quit claim deed. The city will need to hold a public hearing on this transfer.

Budget amendment for FY21 has been prepared and was reviewed. The state requires that a budget amendment be completed if the expenses go over the amounts set at budget time and amendments must be completed before May 31. An amendment is needed in the public safety, public works, health and social services, culture and recreation, community and economic development, debt service, capital projects and business type budgets. Most of the increase is due to COVID expenses, changes in the timeline for capital projects, payment to Floyd County for the balance in the communications equipment fund, employees adding family insurance coverage and replacement of vehicles involved in accidents. A public hearing will be set for May 17 at the May 3 meeting.

MidAmerican is designing a project to place a fiber line within existing right of ways and new easements to communicate with their substations. Most of it will be placed in street right of ways but two easements are needed on city property. One of these is immediately north of the Charles Street water tower and the other is at Victory Park between the river and Clark Street. MidAmerican has prepared a letter of intent for council review and hopefully approval before the design plans are completed. Survey and easement plat won't be completed until the project is complete so that the centerline can be designated using the actual location of the fiber. This letter of intent is non binding and will allow this project to proceed with construction of the fiber lines. This will be on the next regular meeting agenda for council consideration.

City administrator Diers reported that our rural innovation grant application made it through the first round. We have been informed that the Canadian National rail road wants to purchase the Kansas City rail line and this will extend them south. They are asking for a letter of support from the city. We have two homes left to do on our CDBG housing rehab grant and have had issues finding contractors to complete them. Housing director Katie Nolte has been in contact with a contractor from Sumner who is interested, so we will be going out for bids on these two homes. The Charles City FFA is going to be asking the council to allow chickens to be raised at the high school as part of their curriculum at our next workshop.

Council member Pittman reported that May is Historic Preservation Month and our commission is working on articles and information to be shared, especially on Lions Field which is celebrating an anniversary this year. It was also mentioned that May is Tourism Month.

There being no further business, meeting was adjourned.

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk