

COUNCIL MINUTES
REGULAR SESSION
MAY 3, 2021

Charles City city council met in regular session on May 3, 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, Phoebe Pittman and Phillip Knighten. 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 Starr to approve the agenda. Ayes – 5

Motion by Freeseaman, second Joerger to approve the minutes of the April 19 and 26 meetings. Ayes – 5

Motion by Joerger, second Pittman to approve the consent calendar. Ayes – 5. Consent calendar consisted of the following: consider approval of the following liens: broken meter \$66.25 200 8th Ave, unpaid utility bills- \$82.84Acct5014660000, \$34,17Acct5019570010, \$61.90Acct5032540000 and payment of claims (including those approved by other boards):

Mayor Andrews commented that he had attended the Lions Club dedication today on the new flag poles and memorial in Central Park. A proclamation for National Historic Preservation was presented by the chair of that commission, Carol Frye. They have recently updated their website and to celebrate this month, they will have several articles in the paper to highlight Lions Field 100th anniversary. They are still working on getting high school students to be members of the commission. Motion by Joerger, second Pittman to approve the proclamation. Ayes – 5. Mayor Andrews read the proclamation.

A proclamation for Municipal Clerk's week for the week of May 2 was presented by city clerk Trudy O'Donnell. Motion by Joerger, second Freeseaman to approve the proclamation. Ayes – 5. Mayor Andrews read the proclamation.

A request has been submitted by Charles City high school students for street closures for Comet Rodeo. Hannah Jones shared the activities the students will be doing for this event and requested that Salsbury Avenue be closed by the football field on May 14 from 11:30 a.m. to 3:15 p.m. Motion by Freeseaman, second Pittman to approve this request. Ayes – 5

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 was presented for a second reading. This would rezone the property at 808 N. Jackson to allow the construction of additional storage units. The units there now were grandfathered in. There is M-1 zone on two sides of this parcel so this is not spot zoning. Motion by Joerger, second Freeseaman to approve the second reading of this ordinance. Ayes – 5. Council member Joerger read the ordinance. A public hearing had been set for tonight on this ordinance but the notice hadn't been published, so a new hearing needs to be set for a special meeting that will be held May 12. The third reading will be done at that time as well so the ordinance should be able to be adopted at that meeting.

Councilmember Freeseaman introduced Resolution 54-21 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 – Starr, Joerger, Freeseaman, Pittman, Knighten. Nays – none.

Fiscal year 20-21 budget is in need of amending and those changes have been submitted to council for their review. Some of the reasons this amendment is needed include changes in timelines of projects, COVID related expenses, receipt/disbursement of grant funds, payment to Floyd County for the balance in the communications equipment fund and damages to vehicles due to accidents. This amendment doesn’t change the tax levy. A public hearing needs to be held on the amendment and the amendment must be submitted to the state by May 31. The public hearing has been scheduled for May 17. Council member Joerger introduced Resolution 55-21 entitled, “RESOLUTION SETTING PUBLIC HEARING ON FY21 BUDGET AMENDMENT” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Pittman, Knighten. Nays – none.

Pay estimate #18 for Portzen Construction wasn’t approved at the April 19 meeting but was paid, so staff is asking for the council to ratify this payment. It was in the amount of \$941,487.10 and is for the work done on the WRRF project this past month. Council member Joerger introduced Resolution 56-21 entitled, “RESOLUTION RATIFYING PAY ESTIMATE #18 FOR WATER RESOURCE RECOVERY FACILITY PROJECT” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Pittman, Knighten. Nays – none

Property owned by DeLaine and Jane Freeseaman located south of Riden’s Addition and north of the CW Recreation Trail has an issue with a survey that was done recently. It showed that the north line of the Freeseaman property does not directly abut the south line of the Riden Addition. This has resulted in a sliver of property that has no owner. In order to get marketable title to this property, the Freeseamans are seeking to acquire quit claim deeds from the properties in Riden Circle and the city. They will cover legal fees and costs associated with this process. This quit claim deed will simply indicate the city has no interest in their part of the sliver parcel in question and is transferring any interest to the Freeseamans. A public hearing must be held on this and has been set for the May 17 council meeting. Council member Joerger introduced Resolution 57-21 entitled, “RESOLUTION SETTING PUBLIC HEARING ON PROPOSED CONVEYANCE OF REAL ESTATE BY THE CITY OF CHARLES CITY, IOWA” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Pittman, Knighten. Nays – none. Freeseaman abstained.

MidAmerican Energy is designing a project for installation of dedicated fiber lines in between their existing substations so they can communicate easily with each other. Near the Charles Street water tower and near Victory Park, they will need easements from the city to install these lines. They are requesting a letter of intent from the city that they will grant these easements. They are planning on doing the actual installation of the fiber first and then do a survey to get the actual location of the easement. They would like the city to approve the letter of intent now and then actually approve the easements once the project is done and the actual measurements are done for the easements. This letter of intent is non-binding and will allow the project to proceed. The council will hold a public hearing later prior to approving the permanent easements. Council member Freeseaman introduced Resolution 58-21 entitled, “RESOLUTION APPROVING LETTER OF INTENT FOR MIDAMERICAN ENERGY” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Joerger, Freeseaman, Pittman, Knighten. Nays – none.

The agenda item on closed session had no action taken.

City clerk O’Donnell reported that the next planning session will be held May 12 at 6:00 preceded by a special meeting.

City administrator Diers reported that work will continue on designing a city flag. The lights at the water tower will be installed within the next week or two. May 11 we will have the Main Street group here in town for their annual tour, it will be the national committee this year.

City clerk O'Donnell stated that an email had been received from the county auditor today on information for this fall's city elections. If anyone is interested, they can get paperwork from the auditor. The positions that are up for election this year are Mayor Andrews and councilmembers Joerger and Freeseaman's positions.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, city clerk