

COUNCIL PROCEEDINGS
MARCH 2, 2022

Charles City city council met in a planning session on March 2, 2022 at 6:00 p.m. in council chambers. Mayor Pro Tem DeLaine Freeseaman presided and the following council members were present: Keith Starr, Patrick Lumley, Phoebe Pittman and Phillip Knighten. Mayor Andrews joined via Zoom. Also present were city administrator Steve Diers and city attorney Brad Sloter.

Katie Nolte, housing director, discussed the need to install more reliable internet connections for the camera system that housing has. They want to have Omnitel install fiber to all of the housing locations in the city so that the new security cameras can be operated. Right now, there is a problem getting a feed back to the office. Mediacom is the provider right now and it doesn't work all the time. Omnitel's service would be more reliable and it would also provide wifi to all of the residents at the three housing complexes. Public housing is able to provide an up front payment of \$20,000 to share in the install costs for this. It would come out of their capital funds. Council member Starr voiced concern over the city not having a right of way plan in place and a long term plan for installing fiber throughout the entire city, maybe we should put this on hold for now until we can further explore this. Nolte commented that housing is doing an electrical project this spring so it would make sense to install the fiber at the same time the electrical is being dug in. City administrator Diers commented that Omnitel does have a plan for expanding their service through the city. Nolte stated that it would be a three year contract with Omnitel so if another provider comes along and they want to switch to them, they could after the three year period is up. The price quoted by Omnitel for monthly service is \$1100/month that covers all three locations. Right now, housing is paying \$363/month with unreliable service and no wifi for the residents. After installation, Omnitel would own all of the fiber. Some concern over the city not owning any of the fiber after putting \$20,000 toward the installation. Nolte stated that it is very important to have the security cameras functioning properly. She is also increasing the prices on the units periodically to meet the HUD requirements of having our rent at a certain level. Adding free wifi to the units will make them more enticing and also connect low income residents to the world. The capital grant is done in a year, so if this project isn't done now, we would have to take the \$20,000 out of a future capital grant. Council member Knighten asked if we do not pay the \$20,000 toward installation, what would our monthly rate be? One of the Omnitel representatives that were present commented that they were requested to provide a quote with the \$20,000 being paid in order to utilize the grant, so they would have to prepare another quote without figuring in the \$20,000 payment. Council still voiced concern over the city not having a right of way use plan in place. City attorney Sloter stated that the right of way agreement the city did with Omnitel last fall was very specific on where they could install their fiber so we could do that again for the public housing install. That would allow us time to explore our right of way policies and possibly get something in place for the next time Omnitel needs to prepare their next phase of their install. Mayor Andrews asked if we could put in an empty conduit in the same trench when the electrical project is done for housing? Nolte stated its an option and the Omnitel rep stated that they could use that conduit if they eventually do provide the service to housing. Council members still voiced concern over the lump sum payment for install, so Omnitel will provide a quote for monthly fees without paying the lump sum for our next planning session, which will be March 14, and council will discuss this further.

Police chief Hugh Anderson was present to discuss the draft of the new police policies prepared by Lexipol. These are based on Iowa laws and we have been working on this for the last year. Some of the items included are due to Federal laws. There is an annual charge that would cover any updates needed to the policy due to court cases and changes in the laws going forward. Chief Anderson would like to be able to approve the future changes in real time without having to go to council, due to the lead time it takes to get on a council meeting. City attorney Sloter will research to see how best to approve the updated policies going forward.

On street parking on Main Street downtown was discussed. We have had some issues since Union House has residents living there now. Currently, there is no parking allowed on downtown Main Street from 2:00 a.m. to 6:00 a.m. This is tough for Union House residents to adhere to and also residents in the upper story apartments located throughout downtown. This is mainly an issue in the first three blocks of Main Street. Staff has been considering several options to help alleviate this issue. One is using a snow emergency declaration that would require cars to be moved off the street prior to snow removal procedures starting. Not sure how to handle the parking lots with this option since the downtown residents need a place to park. We need to try to accommodate both downtown businesses and downtown residents with whatever we decide. With several city parking lots behind most of the downtown businesses, there should be plenty of places to park off the street. That may be inconvenient for some of the downtown residents, however. It was mentioned that we may need to revisit closing the street in front of the Pub and expand that parking lot to add parking spaces. Chief Anderson commented that the limited time for parking during the day only is too confusing for people and is very tough for the police department to enforce. After much discussion, consensus was to draft a 90 minute parking limit and a snow emergency ordinance for now and remove the "no parking from 2:00 to 6:00 a.m.". Council person Pittman also suggested recommending citizens to sign up for the emergency alerts on the city website so we can alert everyone about a snow emergency when it happens.

City administrator Diers reported that the LOST ballot was passed. The water quality initiative grant for edible garden paths was funded. Spring clean up this year will be discussed next week but we have already decided that we will not do the dumpsters like we did last year. We are holding interviews for the street/water positions. Staff has been keeping on top of the property located at intersection of 11th and F Streets, hoping to rectify that situation soon.

There being no further business, meeting was adjourned.

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, city clerk

COUNCIL MINUTES
REGULAR SESSION
MARCH 7, 2022

Charles City city council met in regular session on March 7, 2022 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Patrick Lumley, DeLaine Freeseeman, Phoebe Pittman and Phillip Knighten. Also present were city administrator Steve Diers, city engineer John Fallis and city attorney Brad Slotter.

Citizen comments – none

Mayor Andrews welcomed everyone to the meeting.

Motion by Freeseeman, second Pittman to approve the agenda. Ayes – 5

Motion by Pittman, second Freeseeman to approve the minutes of the February 23 meeting. Ayes – 5

Motion by Freeseeman, Pittman to approve the consent calendar. Ayes – 5. Consent calendar consisted of the following: consider approval of the following liens: frozen meter – 2102 Clarkview Dr \$235.00; CurbStop-605Cedar \$1060.28;unpaid utility bills-Acct5029380000 \$47.16, Acct5005590001\$471.55, Acct5029360004\$105.99, Acct5030920009\$100.65,Acct5023030003\$48.87,Acct5027800001 \$203.22 , consider approval of 8 month liquor license for Wildwood Golf Course, consider approval of native wine permit for Rustic Corner, approve excavating bond for Mick Gage Plumbing and Heating and payment of claims (including those approved by other boards):

Motion by Freeseeman, second Pittman to approve appointing Jeff Titus to the planning and zoning commission to fill a vacancy. Ayes – 5

Motion by Knighten, second Pittman to approve the following re appointments to the public housing board: Beth Diers, Brandon Franke, Jeremy Heyer and Linda Klemesrud. Ayes – 5

Emily Garden was present to request street closures and parade permit for Kids Day activities to be held on July 1 in conjunction with the 4th of July activities. She is requesting that the streets be closed for the parade at 10:30 a.m. as follows: one block of Main Street along Central Park, west on Blunt Street to N. Johnson, south on N. Johnson to Kelly Street and then east back to Central Park. For the other kids day events, they are asking that N. Jackson, Kelly and Blunt Streets around Central Park be closed from 9:00 a.m. to 1:00 p.m. Motion by Freeseeman, second Pittman to approve the request for parade and street closures.

Mayor Andrews opened the public hearing on the maximum levy for FY23. Affidavit of publication dated 2/25/22 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Freeseeman, second Pittman to close the hearing. Ayes – 5. A resolution has been prepared that lists the maximum amount of taxes for only certain levies within the city. If the increase from the previous year is over 2%, a super majority of the council is needed. Ours actually decreased 3.77% from last year so we don't need a super majority. Council member Lumley asked if we received any more feedback from the assessor on the major decrease we had with our taxable valuations. Reply was no. Unfortunately, the uptick in home sales and the amounts happened right after the biennial review that the state requires assessors to do. We hope that the next time that process is done, we will experience an increase in valuations. Council member Freeseeman introduced Resolution 28-22 entitled, "RESOLUTION APPROVING THE MAXIMUM TAX DOLLARS FROM CERTAIN LEVIES FOR THE CITY'S PROPOSED FISCAL YEAR 2022-2023 BUDGET" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Lumley, Freeseeman, Pittman, Knighten. Nays – none.

Mayor Andrews opened the public hearing on a proposal to enter into a loan agreement. Affidavit of publication dated 2/25/22 was informally filed. He asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Freeseeman,

second Knighten to close the hearing. Ayes – 5. This is for our annual short term borrowing and is for FY23. It covers items such as police/fire equipment, tree removal and nuisance abatement expenses. The amount we are looking at is a not to exceed amount of \$170,000. Council member Freeseaman introduced Resolution 29-22 entitled, “RESOLUTION TAKING ADDITIONAL ACTION ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND PROVIDING FOR THE LEVY OF TAXES TO PAY GENERAL OBLIGATION CORPORATE PURPOSE NOTE” and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Lumley, Freeseaman, Pittman, Knighten. Nays – none.

Representatives from Omnitel were present to further discuss their request to use city right of way to provide fiber access to some entities in the city. They would like to have a right of way agreement approved once that would cover all of their builds in Charles City rather than coming back for each phase. They were granted approval last fall for their first build. Right now, they have three phases of build planned. After much discussion, consensus was for staff to draft an agreement and bring back for council to approve. Council also would like a right of way use plan developed in the near future for the city that would help with these types of requests. City attorney Slotter commented that even if the city gives permission to Omnitel to use the right of way, a right of way permit still will need to be granted by the city engineer, so the city still has some control over where things go within the right of way.

The city’s budget for FY23 has been prepared and public hearing is planned for March 21. The total levy is increasing approximately \$.22/thousand, from \$15.98283 to \$16.20113. To keep the increase at a minimum, we have put off some projects and are using some cash reserves. The budget needs to be certified to the state by March 31. Council member Pittman introduced Resolution 30-22 entitled, “RESOLUTION SETTING DATE FOR PUBLIC HEARING ON THE FY23 BUDGET” and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes – Starr, Lumley, Freeseaman, Pittman, Knighten. Nays – none

The street department has a budgeted purchase for either a dump truck box replacement or replacement of a pickup truck. They have found a used 2018 GMC two wheel drive at Quality Auto here in Charles City they would like to buy. It has approximately 70,000 miles on it for \$25,250. This will be funded by Road Use Tax. The truck being replaced will be handed down to the park and rec department. Council member Pittman introduced Resolution 31-22 entitled, “RESOLUTION APPROVING PURCHASE OF USED PICKUP FOR STREET DEPARTMENT” and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes – Starr, Lumley, Freeseaman, Pittman, Knighten. Nays – none.

City clerk O’Donnell reported that the next meeting will be a planning session on March 14 rather than March 16.

City administrator Diers reported that discussion is being held on spring clean up procedures for this year. Pure Prairie is holding a town meeting to answer questions on their new operation at the Simply Essentials facility.

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

Dean Andrews, Mayor

Attest:

Trudy O’Donnell, City Clerk