

COUNCIL PROCEEDINGS
MARCH 15, 2023

Charles City city council met in a planning session on March 15, 2023 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Patrick Lumley, DeLaine Freeseaman and Phillip Knighten (via Zoom due to illness). Absent was Phoebe Pittman. Also present were city administrator Steve Diers and city engineer John Fallis.

Mayor Andrews commented that the disaster symposium in Des Moines would cover for a portion of NIMS training for council. If interested in attending this symposium, please contact him.

Discussion held on allowing chickens in the city limits. The code currently allows for chickens in town with special permission from the council. In the past when we have allowed them, they have been located on the edge of town. City administrator Diers had contacted several of his colleagues about their rules for chickens. Some had started to allow them but then rescinded it, mostly due to them becoming a nuisance situation. Those that allowed them had a common maximum of 6. Council member Lumley commented that his concerns on allowing were as follows: we currently have no animal control in place, so this would fall on our code enforcement department probably, the egg prices should be dropping at some point and if we allow chickens, will requests for other livestock follow? Council member Knighten stated that if enforcement falls to our code department, they are stretched pretty thin already with other nuisances. If we don't have the manpower to police this, it would allow them to become a nuisance much more quickly. He has received several phone calls from citizens concerned over allowing them. He is not in favor of allowing chickens. Councilmember Starr commented that he was also concerned over these home flocks spreading viruses and that is a larger concern for Pure Prairie Poultry currently operating in the city. He is also worried about the neighbors of these home flocks, could be a nuisance pretty quickly. Councilmember Freeseaman's biggest concern is the smell caused by the chickens. Citizen Tyler Robbins spoke again in favor of allowing this. Connie Parson spoke against allowing, citing the effect it may have on real estate values if there is a nuisance issue with them, such as odor. Diers stated that we could leave the code as it is. Freeseaman commented that this has worked pretty well so far and allows the council a little bit of latitude. Consensus was to leave the code as it is.

Lance Aldrich from Fox Strand reviewed the final pay request for the WRRF project. He is still waiting on the warranty for the roof and EQ basin owner manual for some equipment. Since these are very minor, we can go ahead and accept the project at the next regular meeting. We will hold the final payment for 30 days after acceptance and at the end of that, if we haven't received the items listed above, we can continue to hold the payment until they are received. However, if we do that, we will be responsible for paying interest on that final payment amount. Wastewater superintendent Dan Rimrod has requested a couple of other items be installed and these will be done as a separate project from the original one.

A Façade application from Burrito Mexpress has been submitted for some new signage. They are located within the Hot Shots building at 700 Riverside. Total estimated cost of the project is \$3200 and they are requesting 50% of that, which is \$1600, for this grant. Signage will be placed on the north and south sides of the building. Mark Wicks remarked that we have used up all of the Façade funding for this year but we are able to utilize unused cultural/entertainment funding as needed. There were drawings submitted for one of the signs but not both. Design committee has reviewed this application and is recommending funding. This item will be on the next regular council meeting for consideration.

Carol Frye and Christopher Anthony, representing the historic preservation commission, gave a report on the activities of the commission the past year as required by the certified local

government program. They have built a new website and designed a new logo. They are also working on implementing QR codes for area historic buildings so visitors can get more information on the building. They have also added student advisors to their board to get young people involved in the city's history.

The proposed Mill Race parking project was reviewed. Design drawings had been distributed to the council. We would be utilizing sponsored project dollars for this project. This project will provide quite a few more parking spaces that are currently in this area and will be especially beneficial to the residents of the Union House apartment building. City staff have met with the local businesses in this area about this project and the response has been overwhelmingly favorable. The grass located in these parking lots now will be replaced with permeable paving to absorb the run off. The current grass located on the south side of the current sidewalk on Riverside will remain and Mill Race Park will not be disturbed for this project. When this project is let, we will also include the replacement of the parking lot behind 401 N. Main in this project. Councilmember Starr stated that we need to try to minimize the negative impact on those local businesses as much as we can during the construction of this project. Questions on making sure the contractors meet deadlines and/or possibly doing this in steps to help minimize down time. City engineer Fallis stated that if we put too many requirements in the bidding documents, the bids from contractors will more than likely be much higher than normal. Council asked that adequate signage be installed once the project is completed so people understand the flow of traffic.

Mayor Andrews left the meeting at 6:15 p.m. and mayor pro tem DeLaine Freeseaman took over chairing the meeting.

Staff would like to get this parking lot project out for bids as soon as possible since it is getting late in the bidding season. We would like to get this project done yet this construction season.

City clerk O'Donnell recently sent out requests for proposals for the city banking services and received four of them back. We do this every three years and have been with CUSB for a very long time. The highest interest rate was from First Security at 4.97% with CUSB second at 4.95%. There can be lots of issues when you switch banks, with ACH payments and having to order new checks, so staff is recommending that, for the negligible difference in interest, it would be best to stay with CUSB for the city banking services. This item will be on the next regular agenda for council consideration.

City engineer John Fallis reviewed the 2023 sanitary sewer lining project. It involves 3300 feet of lining for the base bid, 1600 feet for alternate bid one and 900 feet for alternate bid two. If the bids come back low enough, we may be able to do all three bids. The base bid involves Main Street from Riverside to North Grand. We have \$200,000 budgeted for this project and it would have a completion date of November 2023.

A possible vehicle stipend has been proposed by city administrator Diers in lieu of providing a city vehicle for him. The current vehicle, a 2010 Nissan Murano, is getting more and more issues needing fixing. Rather than provide a vehicle, Diers is proposing a vehicle stipend instead of \$500/month paid to him. This would cover any trips for city business up to 30 miles, anything over that would get mileage paid to him. Some discussion on selling the Murano or keeping it as a spare vehicle for other city employees to use. Questions also asked if city insurance would cover Diers while he was using his personal vehicle for city business and what other cities are paying for vehicle stipends. Diers will get this information gathered and send it out to the council.

As part of the water looping project, an easement is needed with MidAmerican to utilize their current easement area for a portion of the project. This would require an encroachment easement be executed with them. Once this is approved, we can then go out for bids on this

project. Council member Starr asked if we had considered going with a larger diameter main in this area to try and be ready for possible future development here. City engineer Fallis will consult with SHE, who helped model our water system, to get their input on that.

Water superintendent Cory Spieker discussed needed repairs to well #5. The variable frequency drive needs to be replaced since the repair parts are no longer available. This part is roughly 20 years old. The total cost for the replacement is \$24,950.34, which includes installation. This will be on the next regular agenda for council consideration.

Spieker then discussed needed repairs to various sections of sewer mains. One of these sections needs to be cut out because it has asphalt blocking it and others have tree roots in them. Spieker will get some quotes and we will set a maximum total dollar amount of work to be done.

City administrator Diers reported that he has been made aware of some possible funding for broadband. It sounds like we probably wouldn't qualify for it but he will look into it anyway. He has talked to bond counsel about a loan for removing ash trees and it is considered an essential corporate purpose. So we plan to borrow a total of \$500,000 with half coming out this current year and the rest coming out in FY24. We may look at hiring more than one contractor for this job to get it done faster.

Councilmember Freeseaman reported that the airport plans on doing a project this summer including repairs to the runway and also looking at closing the current grass runway. Will also be looking at more signage.

There being no further business, meeting was adjourned.

DeLaine Freeseaman, Mayor Pro Tem

Attest:

Trudy O'Donnell, City Clerk

COUNCIL MINUTES
REGULAR MEETING
MARCH 20, 2023

Charles City city council met in regular session on March 20, 2023 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Patrick Lumley, Phoebe Pittman and Phillip Knighten. Absent – DeLaine Freeseaman. Also present were city administrator Steve Diers, city engineer John Fallis, city attorney Brad Sloter and engineer in training Brian Sullivan.

Citizen comments- Bob Carey was present to speak to the council about the intersection of N. Jackson and Clark Street. He presented the council with a picture he had taken of the intersection that showed drivers parking illegally. He expressed his concerns of this being a dangerous intersection and requested that the council review to see what could be done. The mayor responded to Bob that the city is working on a project in that area that should make the situation much better. A graphic of the proposed change was presented. Mayor thanked Bob for coming and told Bob that as the project moves forward, they would keep his concerns in mind.

Mayor Andrews welcomed everyone to the meeting.

Motion by Knighten, second Pittman to approve the agenda. Ayes-4.

Motion by Starr, second Pittman to approve the minutes of the March 6 meeting. Ayes-4.

Motion by Lumley, second by Pittman to approve the consent calendar. Ayes-4 Consent calendar consisted of the following: approve 2/23 financial for the city of Charles City and CC Public Employees Health Plan, approve 5 day special Class C retail alcohol license for Top of Iowa Lucky Wife (located at Otto's Oasis for Chick Fest), approve liens: snow removal-607 I St-\$55.00, 506 S. Main-\$55.00, 506S. Main (2nd time) \$55.00, 500 Spriggs St.-\$55.00, 500 Spriggs St. (2nd time))\$55.00, 904 S. Johnson-\$55.00, 1210 E St.-\$55.00, 201 Blunt St.-\$55.00, 308 8th Ave.-\$55.00, 305 B St.-\$55.00, 401 Richings-\$55.00, 401 Richings (2nd time)\$55.00, 700 S. Johnson-\$55.00; delinquent utility bills-Acct5020330000\$50.00, Acct5015910001\$248, Acct5023920007\$100.00, Acct5019960000\$65.00,Acct5001130002\$281; Curb Stop repair-1312 Gilbert \$4472.00 and payment of claims (including those approved by other boards).

The mayor would like to reappoint Jeremy Heyer and Linda Klemsrud to the housing board. The mayor said both of them have served for awhile and are wishing to continue on. Pittman motioned, second by Lumley to reappoint Jeremy Heyer and Linda Klemsrud to the housing board. Ayes-4. The mayor thanked them for continuing to serve. The mayor also handed out information on an Emergency Management Symposium on April 15th and asked any of the council to let him know if they were interested in attending.

Mayor Andrews opened the public hearing on the max levy for FY24. Affidavit of publication dated 3/7/23 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 by Pittman to close the hearing. Ayes -4. Administrator Diers explained that the state requires a public hearing to be held on the maximum tax dollars from certain but not all levies. The levies include general levy, transit levy, liability/property/self insurance levy, emergency management levy, emergency levy, police/fire retirement levy, FICA/IPERS levy and other employee benefits levy. It does not include the aviation levy, library levy and debt service levy. This year we are showing a negative increase so a super majority will not be required to adopt the final budget. Council member Pittman introduced Resolution 23-23 entitled, "RESOLUTION APPROVING THE MAXIMUM TAX DOLLARS FROM CERTAIN LEVIES FOR THE CITY'S PROPOSED FISCAL YEAR 2023-2024 BUDGET" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes- Lumley, Pittman, Knighten and Starr. Nays-None.

Mark Wicks joined the council remotely to discuss a façade application for Burrito Mexpress located at 700 Riverside Drive. The request is for \$1,600.00 dollars and consists of adding two pieces of signage to the Hot Shots building. One sign on the south wall and one sign on the north wall. The design committee has reviewed and approved the recommendation. Funds will come out of the cultural and entertainment district funds since we have used up all of our Façade funding. Council member Starr introduced Resolution 24-23 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 700 RIVERSIDE DRIVE SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Pittman, Knighten, Starr and Lumley. Nays- none.

Due to state requirements a public hearing is necessary to complete the FY24 budget. Staff is recommending a public hearing date of April 3rd at 6:00 p.m. The proposed levy is \$16.53 which is an increase from last years levy of \$16.20. The budget is required to be submitted to the state by April 30th this year only due to the late changes in the valuations made by the state. Council member Starr introduced Resolution 25-23 entitled, "RESOLUTION SETTING DATE FOR PUBLIC HEARING ON THE FY24 BUDGET" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes- Knighten, Starr, Lumley and Pittman. Nays-none.

Ordinance 1163 AN ORDINANCE AMENDING AND UPDATING SECTIONS OF CHAPTER 158- PROPERTY MAINTENANCE CODE AND CHAPTER 159-LICENSING AND INSPECTION OF RENTAL PROPERTIES TO UPDATE UNIFORM CODE PROVISIONS BY REFERENCE was presented for the third and final reading. This ordinance will update our current code to the international property code 2021 version. Code enforcement added some sections to chapter 159 property standards clarifying that these sections will also apply to rental properties. Motion by Pittman, second by Knighten to approve the third reading of Ordinance 1163. Ayes -all. Council member Pittman read the ordinance. Mayor announced that the housing commission task force is holding a meeting in the Zastrow room on March 30th at 5:30 for landlords and anyone in the

community that may be interested. Motion by Knighten, second by Pittman to adopt and publish Ordinance 1163. Ayes-4.

Requests for proposal were sent out to the banks in Charles City. This is done every three years. All of the banks returned their proposals. Even though First Security had proposed a slightly higher percent for interest earned it was not enough to offset the cost of switching over. Recommendation is to stay with CUSB. Council member Starr introduced Resolution 26-23 entitled, "RESOLUTION NAMING BANK DEPOSITORY" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes-Pittman, Knighten, Starr and Lumley. Nays-none.

The preliminary plans and specifications for the 2023 Sanitary Sewer Lining Project need to be approved and the public hearing will need to be set. Fallis is recommending setting the hearing date for April 17th at 6:00 p.m. as the date and time for the hearing on the final plans, specifications and form of contract for the project. It also sets the amount of the bid security at ten percent of the bid amount. Fallis explained that the lining process allows us to rebuild the sanitary sewer lines in place without excavation. The cured in place pipe lining process rehabilitates existing sanitary sewer mains by inserting a new pipe within existing sewer pipe. The 2023 project involves lining approximately 3,300-5,800 lineal feet of sanitary sewer main located on the following streets: Main Street-Riverside Drive to North Grand, Alternate 1 Jackson Street- Riverside Drive to Spriggs and Alternate 2 North Grand Ave – Hulin to Ninth Ave. Project has a completion date of November 17, 2023. Council member Starr introduced Resolution 27-23 entitled "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF CONSTRUCTION COST FOR THE 2023 SANITARY SEWER LINING PROJECT AND ORDERING THE ADVERTISEMENT FOR BIDS" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes- Knighten, Starr, Lumley, and Pittman. Nays-none.

Ordinance 1164 has been prepared and presented to council. Chief Anderson explained this ordinance will raise the parking fees from our current \$15 to \$25 with the exception of violations of snow removal which would be \$50. The fine for improper use of a person with disabilities parking permit is raised to \$200 to reflect the state code amount. Motion by Pittman, second by Knighten to approve the first reading of Ordinance 1164 AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 70- TRAFFIC CODE ENFORCEMENT PROCEDURES, SECTION 03- PARKING VIOLATIONS, TO INCREASE THE FINE AMOUNTS FOR UNCONTESTED VIOLATION OF PARKING RESTRICTIONS. Ayes-4. Council member Pittman read the ordinance.

Council member Lumley said he had a couple of communities each out to him about the handling of the ambulance service. He had a couple of hour conversation with them. He feels that a lot of communities are having the same concerns as we are.

Mayor reminded the council that the next planning session would be April 29th at 5:00 p.m.

Diers said he would like to move ahead with two issues that need to be fixed that are above his threshold but did not make the agenda. He feels that it would be better to make those repairs sooner than later and approve the expenses at the next regular meeting. The two issues to fix were variable frequency drive for well number 5. Total cost of replacement \$24,950.34 and some sanitary sewer issues that the estimated cost to repair is below \$20,000. Attorney Slotter agreed with the fact that these things fall into an emergency type situation and the process to start fixing the issues could be started and then put on the next regular agenda for approval by the council. Diers also explained that the WRRF project was not on the agenda as they are still in the process of getting some questions answered before accepting the project as completed. Library is working some issues on the flooring project. Sandy Solomon has reached out and is looking for feedback on how the recent legislative changes will affect our community.

Motion by Knighten, second Pittman to adjourn. Ayes-4.

Dean Andrews, Mayor

Attest:

Virginia Titus, Deputy Clerk

