

COUNCIL MINUTES  
REGULAR SESSION  
JANUARY 6, 2020

Charles City city council met in regular session on January 6, 2020 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided with the following council members 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 Joerger, second Freeseaman to approve the minutes of the December 11 and 16 meetings. Ayes - 5

Motion by Starr, second Joerger to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: renewal of class LE liquor license w/ Sunday sales for Liquor, Beer and Tobacco Outlet, approve the following bonds- Sidewalk bond - Nolt's Custom Concrete, Excavation bonds - Kisch Excavating and American Waterworks, approve filing the following liens for unpaid utility bills: \$61.23Acct5021780000, \$110.49Acct5009885005, \$79.14Acct5026210005, \$129.88Acct5014290000 and payment of claims (including those approved by other boards):

67208	FOX ENGINEERING, serv.	\$22,662.58
67209	GWORKS, serv.	\$148.50
67210	MIDAMERICAN ENERGY, serv.	\$13.85
67211	STAPLES CREDIT PLAN, supp.	\$807.98
67212	ARNOLD MOTOR SUPPLY, supp.	\$45.39
67213	BRIAN STAUDT, security deposit refund	\$140.00
67214	BUSINESS CARD, serv.	\$2,451.47
67215	CATHERINE MARIE OTT, serv.	\$480.00
67216	CENTURLINK, serv.	\$163.16
67217	CHARLES CITY HOUSING AUTH, refund withheld	\$260.00
67218	CINTAS CORPORATION, serv.	\$82.83
67219	CITY OF CHARLES CITY, serv.	\$3,290.56
67220	DO IT ALL SERVICES, serv.	\$55.00
67221	KEVIN HERRON, serv.	\$384.88
67222	HOCKENSON PLUMBING, supp.	\$120.24
67223	HOUSING AUTH ACCTG SPECIALISTS, serv.	\$500.00
67224	IOWA NAHRO, serv.	\$150.00
67225	JENDRO SANITATION SERVICES, serv.	\$790.00
67226	JOHN DEERE FINANCIAL, supp.	\$58.87
67227	KAREN HEUSER, security deposit refund	\$200.00
67228	KOCH OFFICE GROUP, supp.	\$6.93
67229	KWIK TRIP INC, supp.	\$70.78
67230	LEAF, serv.	\$241.64
67231	LINDERMAN HEATING & AIR, serv.	\$1,321.77
67232	MEDIACOM, serv.	\$156.90

67233	MEHMEN PAINTING, serv.	\$420.00
67234	MIDAMERICAN ENERGY, serv.	\$5,592.13
67235	NICK ZIRBEL, travel reimbursement	\$69.60
67236	PTNEY BOWES-LEASE ACCT, serv.	\$153.75
67237	R&S MOWING, supp.	\$2,304.00
67238	ROSEA HAMELAU, MIKE BILL, deposit refund	\$250.00
67239	SCHUETH ACE HARDWARE, supp.	\$474.67
67240	SHERWIN-WILLIAMS CO, supp.	\$186.15
67241	SUPERIOR LUMBER INC, supp.	\$112.25
67242	T-J SERVICE, supp.	\$750.94
67243	TENANT PI LLC, serv.	\$461.00
67244	TRENT PARKER, serv.	\$123.75
67245	UNITED STATES CELLULAR, serv.	\$140.51
67246-67262	PAYROLL ENDING 12/21/19	\$89,098.28
ACH	AFLAC, payroll liabilities	\$1,140.04
67263	CITY OF CHARLES CITY, payroll liabilities	\$1,390.36
67264-67265	CC PUBLIC EMP HEALTH PLAN, PR liabilities	\$9,507.81
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$229.39
ACH	EFTPS, payroll liabilities	\$24,789.91
67266	EMC NATIONAL LIFE CO, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, PR liabilities	\$1,583.00
ACH	ICMA, payroll liabilities	\$1,642.35
ACH	IPERS, payroll liabilities	\$29,871.52
67267-67268	LINCOLN NATIONAL LIFE INS, PR liabilities	\$285.00
ACH	MUNICIPAL FIRE & POLICE, payroll liabilities	\$26,642.86
67269-67271	DELTA DENTAL, payroll liabilities	\$1,794.62
ACH	TREASURER STATE OF IOWA, PR liabilities	\$11,119.00
ACH	VSP, payroll liabilities	\$358.36
67272	MIDAMERICAN ENERGY, serv.	\$2,801.17
67273	MARCO TECHNOLOGIES, serv.	\$52.58
67274	MARCO TECHNOLOGIES, serv.	\$119.86
67275	MARCO TECHNOLOGIES, serv.	\$214.26
67276	PHADA-OPERATING RESERVE LITIGATION, serv.	\$100.00
67277	VERIZON WIRELESS, serv.	\$120.03
67278-67289	JANUARY HAP CHECKS	\$10,448.40
ACH	JANUARY HAP CHECKS	\$54,639.90
67290	DARLA RITTER, refund credit on account	\$99.76
ACH	AUXIANT, serv.	\$107.86
ACH	BANCORPSV, serv.	\$693.60
ACH	BANCORPSV, serv.	\$10.00
ACH	IOWA FINANCE AUTHORITY, serv.	\$104,684.75
ACH	IOWA WORKFORCE DEVELOPMENT, serv.	\$1,232.94
ACH	PORTZEN CONSTRUCTION, serv.	\$198,754.25

ACH	TREASURER STATE OF IOWA, sales tax	\$10,919.56
ACH	US POSTAL SERVICE, supp.	\$1,000.00
67291	AGVANTAGE FS, supp.	\$330.62
67292	ARNOLD MOTOR SUPPLY LLP	**VOIDED**
67293	ARNOLD MOTOR SUPPLY LLP	**VOIDED**
67294	ARNOLD MOTOR SUPPLY LLP, supp.	\$1,176.61
67295	ATCO INTERNATIONAL, supp.	\$794.68
67296	BODENSTEINER IMPLEMENT CO, supp.	\$114.76
67297	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
67298	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
67299	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
67300	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
67301	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
67302	CC PUBLIC EMP HEALTH PLAN, serv.	\$74,913.79
67303	CENTURYLINK, serv.	\$1,573.90
67304	CENTURYLINK, serv.	\$407.12
67305	CC CHAMBER OF COMMERCE, serv.	\$3,900.00
67306	CHARLES CITY ELECTRONICS, supp.	\$23.00
67307	CHARLES CITY PRESS INC, serv.	\$1,453.81
67308	CHATFIELD SALVAGE/TOWING, serv.	\$240.00
67309	CINTAS, supp.	\$132.42
67310	CINTAS CORPORATION, serv.	\$114.74
67311	CIRCLE K COMMUNICATIONS INC, serv.	\$5,086.38
67312	CITY OF CHARLES CITY, supp.	\$300.00
67313	COLLEEN ORTMAYER, supply reimbursement	\$44.42
67314	CONTROL-TECH INC, supp.	\$360.57
67315	DICK'S PETROLEUM COMPANY, serv.	\$499.03
67316	DON'S TRUCK SALES INC, supp.	\$171.62
67317	ELECTRIC PUMP, serv.	\$24,321.70
67318	ELECTRICAL ENG & EQUIP CO, serv.	\$1,875.64
67319	FLOYD COUNTY AUDITOR, serv.	\$1,369.03
67320	FLOYD COUNTY ENGINEER, supp.	\$16.97
67321	FMC LANDFILL, serv.	\$66.83
67322	GALLS LLC, supp.	\$20.94
67323	GIERKE ROBINSON CO, supp.	\$490.00
67324	GRAINGER, supp.	\$311.10
67325	HACH COMPANY, supp.	\$1,941.42
67326	HANNAH DEVORE, serv.	\$60.00
67327	HAWKINS INC, supp.	\$7,941.39
67328	HEARTLAND ASPHALT INC, serv.	\$72,065.54
67329	HEIDI J NIELSEN, travel reimbursement	\$71.59
67330	HUGH ANDERSON, reimbursements	\$73.00
67331	INT'L ASSOC ELECTRICAL INSPECTORS, serv.	\$148.00

67332	IOWA ASSOC OF BLDG OFFICIALS, serv.	\$50.00
67333	IOWA GOLF ASSOCIATION, serv.	\$22.00
67334	IOWA ONE CALL, serv.	\$59.30
67335	IOWA STATE POLICE ASSOCIATION, serv.	\$520.00
67336	ISAIAH JAY TILTON, serv.	\$210.00
67337	JENDRO SANITATION SERVICES, serv.	\$238.00
67338	JENNIFER LANTZ, reimbursements	\$103.86
67339	JOHN A HOWE, serv.	\$850.00
67340	JOHNSTON AUTOSTORES, supp.	\$69.95
67341	KATHERINE ELIZABETH PRICHARD serv.	\$60.00
67342	KRIS ENGINEERING INC, supp.	\$1,057.19
67343	LEAF, serv.	\$139.40
67344	LESSIN SUPPLY COMPANY, supp.	\$199.82
67345	LINN WOLF, safety glasses reimbursement	\$150.00
67346	MACQUEEN EQUIPMENT GROUP, serv.	\$1,073.06
67347	MAINSTAY SYSTEMS INC, supp.	\$3,227.00
67348	MARK HYDRAULIC CO INC, supp.	\$623.63
67349	MICHAEL W REH, JR, serv.	\$60.00
67350	MICK GAGE PLUMBING & HEATING, serv.	\$258.65
67351	MIDAMERICAN ENERGY, serv.	\$29,609.59
67352	MILLS-INC, serv.	\$411.68
67353	MID-STATES ORG CRIME INFO CENTER, serv.	\$150.00
67354	NCL OF WISCONSIN, supp.	\$311.74
67355	NEWBAUER INC, serv.	\$101.03
67356	NEWBAUER INC, serv.	\$212.00
67357	NATIONAL FIRE PROTECTION ASSOC, supp.	\$1,345.00
67358	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$750.00
67359	NORTH IOWA LAWN & SPORT, serv.	\$66.99
67360	OUTLAW TRUCK PARTS, supp.	\$126.76
67361	PAWS HUMANE SOCIETY, serv.	\$1,550.00
67362	POPP EXCAVATING INC, serv.	\$19,044.84
67363	PRODUCTIVITY PLUS ACCOUNT, supp.	\$2,225.86
67364	RILEY'S INC, supp.	\$388.41
67365	ROBERT W BAIRD & CO, serv.	\$3,500.00
67366	SADLER POWER TRAIN INC, supp.	\$644.12
67367	SCHAEFFER MFG CO, supp.	\$125.76
67368	SCHUETH ACE HARDWARE, supp.	\$35.33
67369	SHORT ELLIOTT HENDRICKSON, serv.	\$1,121.23
67370	SELAH FAITH FUBAI OPP, serv.	\$60.00
67371	SIGNS AND MORE LLC, supp.	\$77,938.74
67372	S J ELECTRO SYSTEMS INC, serv.	\$625.00
67373	SNAP-ON TOOLS/DUANE KAY, supp.	\$496.88
67374	SNAP-ON TOOLS/DUANE KAY, supp.	\$114.70

67375	STEWART M DALTON, serv.	\$210.00
67376	SUPERIOR LUMBER INC, supp.	\$219.99
67377	SUPERIOR WELDING SUPPLY CO, serv.	\$42.75
67378	T&W GRINDING & COMPOST SERVICE, serv.	\$6,240.00
67379	TERRACON CONSULTANTS INC, serv.	\$5,807.75
67380	TITUS LOCK SERVICES, serv.	\$100.00
67381	TP ANDERSON & COMPANY PC, serv.	\$3,800.00
67382	UMB BANK, serv.	\$500.00
67383	UNITED STATES GOLF ASSOCIATION serv.	\$150.00
67384	YOUNG CONSTRUCTION LTD, serv.	\$40.00
67385	ZIEGLER INC, supp.	\$174.25

**TOTAL** \$1,000,722.38

Mayor Andrews recommending that all council members review the current committee list and we will set those committees at the next regular meeting.

Cheryl Erb, president of the 19<sup>th</sup> Amendment Society, was present with several board members to request a proclamation commemorating the 100<sup>th</sup> anniversary of the passage of the 19<sup>th</sup> amendment. Motion by Freeseaman, second Starr to approve the proclamation. Ayes - 5. Mayor Andrews read the proclamation.

Mayor Andrews is recommending appointing Adam Buseman and Dana Sullivan to replace Jim Smith and Ken Sheckler on the park and rec board. Motion by Joerger, second Freeseaman to approve these appointments. Ayes - 5

Mayor Andrews opened the public hearing on Ordinance 1141 TO VACATING A PORTION OF THE ALLEYWAY IN BLOCK ONE OF BARTZ ADDITION TO CHARLES CITY, IOWA. Affidavit of publication dated 12/27/19 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 - 5. This ordinance will correct an error in description when this alley was originally vacated by Ordinance 313 and conveyed to the abutting property owners. City attorney Slotter has recommended that the city re-vacate using the correct legal description and then convey the parcels. Planning and zoning has held a public hearing on this vacation and is recommending approval of the ordinance. The first reading of this ordinance was held by council on December 2 and the second reading was done on December 16. Motion by Freeseaman, second by Starr to approve the third reading of Ordinance 1141. Ayes - 5. Council member Freeseaman then read the ordinance. Motion by Joerger, second Freeseaman to adopt and publish Ordinance 1141. Ayes - 5

This alley can now be conveyed to the abutting property owners and a public hearing will be held on this at the January 20 council meeting. Council member Starr introduced Resolution 1-20 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED CONVEYANCE OF A PORTION OF THE ALLEY IN BLOCK ONE OF BARTZ ADDITION TO CHARLES CITY, IOWA" 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

The development agreement with Foutch Brothers that was previously approved needs to have a name change approved. This agreement needs to be with 500 North Grand Homes rather than Foutch Brothers, LLC. It is the same people involved, just need a different LLC name on the agreement. Council member Joerger introduced Resolution 02-20 entitled, "RESOLUTION APPROVING NAME CHANGE ON DEVELOPMENT AGREEMENT FOR 500 N. GRAND" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The second pay estimate for the water resource recovery project has been submitted by Portzen Construction. Fox Engineering has reviewed the request and is recommending approval for payment. The total request is \$198,754.25. Council member Freeseaman introduced Resolution 3-20 entitled, "RESOLUTION APPROVING PAY ESTIMATE #2 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" 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

The DOT will be doing a paving project on US Hwy 18 from Gilbert Street to Superior Lumber on the east side of town. The city's share of the project cost and design work is estimated at \$605,000 with \$278,000 being funded with SWAP funds and the remainder coming from option tax. The original plans included a 3 lane design on the Brantingham Bridge but council asked city engineer Fallis to request that this stay the same as it is now. The DOT agreed and is leaving this a four lane design. The agreement will spell out what the city is responsible for and what the DOT is responsible for. Council member Freeseaman asked if we had any water or sewer lines situated under this project that may need repairs/replacing prior to this project being done and reply was yes, we will be lining the sewer mains located here this year. Council member Joerger introduced Resolution 04-20 entitled, "RESOLUTION APPROVING PREDESIGN AGREEMENT WITH THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE US HWY 18 RESURFACING PROJECT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The loan of \$2,215,000 for the purchase of property that is a certified site is ready for issuance. Paul Donna, from Baird, was present and reported that these bonds went out on the market before Christmas. We had five banks submit bids with the best bid coming from CUSB bank for an interest rate of 3.24%. There is no reserve fund requirement, which brings the true interest rate down to 3.19%. These can be called at any time without penalty and have a ten year payment schedule. These are revenue bonds, not general obligation bonds and are subject to annual appropriation. Council member Freeseaman introduced Resolution 05-20 entitled, "RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,215,000 TAXABLE URBAN RENEAWL ANNUAL APPROPRIATION TAX INCREMENT REVENUE BONDS, SERIES 2020 AND PLEDGING TO THE PAYMENT THEREOF FUNDS AND PORTIONS OF TAXES (SUBJECT TO NON-APPROPRIATION) CREATED PURSUANT TO THE AUTHORITY OF SUBSECTION 2 OF SECTION 403.19 OF THE CODE OF IOWA" 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.

With the new budget requirements mandated by the state, the city needs to change its ordinance pertaining to budget preparation to match the state code. The two changes are the addition of a public hearing for the maximum levy as outlined by the state and the extension of the budget submittal deadline to March 31. This ordinance has been drafted by city attorney Slotter. Staff feels that this ordinance can have the second and third readings waived tonight and be adopted tonight. Motion by Starr, second Freeseaman to approve the first reading of Ordinance 1143 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CHARLES CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO OPERATING BUDGET PREPARATION. Ayes - 5. Council member Starr read the ordinance. Motion by Freeseaman, second Starr to waive the second and third readings of Ordinance 1143. Ayes - 5. Motion by Pittman, second Joerger to adopt and publish Ordinance 1143. Ayes - 5.

City clerk O'Donnell reminded council that there are budget meetings scheduled for January 8, 9, 13 and 15 at 5:30 in council chambers.

City administrator Diers reported that there is an open house scheduled with state officials for the certified site tomorrow at 11:00 in the Zastrow room. The new council members took a tour of city facilities on December 30. There is an ambulance commission meeting scheduled for this Thursday at 1:00.

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

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk