

COUNCIL MINUTES  
REGULAR SESSION  
FEBRUARY 4, 2019

Charles City city council met in regular session on February 4, 2019 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseman, Michael Hammond and Dan Mallaro. 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 Freeseman, second Joerger to approve the agenda. Ayes - 5

Motion by Starr, second Joerger to approve the minutes of the January 14, 16 and 21 meetings. Ayes - 5

Motion by Hammond, second Mallaro to approve the consent calendar. Ayes - 5. Consent calendar consisted of the payment of claims (including those approved by other boards):

63306-63323	PAYROLL ENDING 01/19/19	\$86,081.00
ACH	AFLAC, payroll liabilities	\$1,096.57
63324	CITY OF CHARLES CITY, payroll liabilities	\$1,440.36
63325-63326	CC PUBLIC EMP HEALTH PLAN, PR liabilities	\$9,193.26
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$212.76
ACH	EFTPS, payroll liabilities	\$23,549.68
63327	EMC NATIONAL LIFE CO, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, PR liabilities	\$1,508.00
ACH	ICMA, payroll liabilities	\$1,506.92
ACH	IPERS, payroll liabilities	\$29,038.82
63328-63329	LINCOLN NATIONAL LIFE INS, PR liabilities	\$239.50
63330-63331	DELTA DENTAL, payroll liabilities	\$498.06
ACH	MUN FIRE & POLICE RETIREMENT, PR liabilities	\$25,992.65
ACH	TREASURER STATE OF IOWA, payroll liabilities	\$10,004.00
ACH	VSP, payroll liabilities	\$331.88
63332	BLUHM'S GREENHOUSE, reissue lost check	\$25.00
63333	MARCO, serv.	\$47.03
63334	VERIZON WIRELESS, serv.	\$120.03
63335	VOIDED	**VOIDED**
63336	D&D SALES INC, supp.	\$42.50
63337-63348	FEBRUARY HAP CHECKS	\$10,673.12
ACH	FEBRUARY HAP CHECKS	\$38,989.53
63349	NOAH, SMITH, SCHUCKNECHT & SLOTER TRUST, serv.	\$126,413.20
ACH	AUXIANT, serv.	\$987.98
ACH	BANCORPSV, serv.	\$652.97
ACH	BANCORPSV, serv.	\$955.52
63350	ARNOLD MOTOR SUPPLY LLP	**VOIDED**
63351	ARNOLD MOTOR SUPPLY LLP	**VOIDED**

63352	ARNOLD MOTOR SUPPLY LLP, supp.	\$1,128.10
63353	CATHERINE MARIE OTT, serv.	\$240.00
63354	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63355	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63356	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63357	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63358	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63359	CC PUBLIC EMP HEALTH PLAN, serv.	\$74,310.78
63360	CENTURLINK, serv.	\$1,520.18
63361	CHARLES CITY COMMUNITY SCHOOLS, serv.	\$40,489.00
63362	CHATFIELD SALVAGE/TOWING, serv.	\$80.00
63363	CINTAS CORPORATION, serv.	\$67.15
63364	CIRCLE K COMMUNICATIONS INC, supp.	\$1,278.50
63365	CIRCLE K COMMUNICATIONS INC, serv.	\$4,041.67
63366	CITY OF CHARLES CITY, supp.	\$270.00
63367	COMPUTRONICS, serv.	\$100.00
63368	DOLLAR GENERAL STORES, supp.	\$19.80
63369	DON'S TRUCK SALES INC, supp.	\$843.30
63370	FLOYD & LEONARD AUTO ELECTRIC, supp.	\$330.00
63371	FLOYD CO MEDICAL CENTER CLINIC, serv.	\$176.00
63372	FLOYD COUNTY RECORDER, serv.	\$320.00
63373	FLOYD COUNTY TREASURER, serv.	\$755.00
63374	GILLUND ENTERPRISES, supp.	\$107.40
63375	HACH COMPANY, supp.	\$61.09
63376	INTERSTATE BATTERIES OF UPPER IOWA, supp.	\$239.90
63377	IOWA ONE CALL, serv.	\$28.10
63378	JOHN A HOWE, serv.	\$850.00
63379	KWIK TRIP INC, supp.	\$1,797.91
63380	LARSON PRINTING CO, serv.	\$382.00
63381	LESSIN SUPPLY COMPANY	**VOIDED**
63382	LESSIN SUPPLY COMPANY, supp.	\$811.97
63383	MARCO TECHNOLOGIES LLC, serv.	\$204.05
63384	MERRITT COMPUTER SERVICE INC, serv.	\$970.44
63385	MI-T-M EQUIP / PEOSTA CLEANING SYSTEMS, supp.	\$1,007.25
63386	MIDAMERICAN ENERGY, serv.	\$31,215.41
63387	MIKE'S C&O TIRE INC, serv.	\$202.52
63388	MISSISSIPPI LIME COMPANY, supp.	\$6,107.37
63389	NATIONAL LEAGUE OF CITIES, serv.	\$1,150.51
63390	NCL OF WISCONSIN, supp.	\$148.67
63391	NEWBAUER INC, serv.	\$99.04
63392	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$2,479.46
63393	NORTHERN SAFETY CO INC, supp.	\$200.70
63394	NATIONAL RURAL WATER ASSOCIATION, serv.	\$49.00

63395	OFFICE DEPOT, supp.	\$259.93
63396	PAWS HUMANE SOCIETY, serv.	\$1,550.00
63397	PERRY NOVAK ELECTRIC INC	**VOIDED**
63398	PERRY NOVAK ELECTRIC INC, serv.	\$2,840.25
63399	PLANSCAPE PARTNERS, serv.	\$652.50
63400	SUPERIOR WELDING SUPPLY CO, supp.	\$199.15
63401	THE CTK GROUP, serv.	\$590.00
63402	USA BLUEBOOK, supp.	\$722.44
63403	WHKS & CO, serv.	\$5,000.00
63404	WINDSTREAM, serv.	\$54.83

**TOTAL** \$555,557.71

December Receipts - Gen-143727.09;Dispatch-48965.88;K-9-20.00;P/R C/I-215.91;CommEq-1325.61;H/M-312.11;RAGBRAI-.32;RUT-86857.76;EmpBen-32740.68;CVTC-20365.12;Emer-3493.55;OptTx-67778.83;TIF-11563.02;FGP-27928.24;pubHous-71158.35;Sect8-69379.71;DebtServ-18530.48;'17CapProj-7997.35;'18CapProj-2775.00'Water-199190.94;Sewer-173171.81;WasteFnd-52877.13;Transit-22471.25;SWU-17945.26;FireExt-311.00

December Disbursements - Gen-202184.08;Dispatch-33042.48;SafetyEd-73.49;P/R C/I-1950.00;RUT-37627.85;EmpBen-77494.79;CVTC-7049.57;TIF-133389.28;LibrTr-477.27;FGP-24483.43;PubHous-51100.94;Sect8-61170.81;AssetForf-4.46;Cable-330.00;DebtServ-36045.00;StreetRelC/I-31059.22;ClarkStTrail-99909.47;'18CapProj-2775.00;McQuillCapProj-764.00;CWBridge-11259.38;FibertoHome-57074.97;SWIndStormWat-1588.90;Water-205051.25;Sewer-86488.92;WWTPExpFnd-418735.20;WasteFnd-46164.15;Transit-21011.33;SWU-31965.08;FireExt-651.13

Business of the Mayor - Mayor Andrews would like to appoint Bethany Bryant to replace Marilee Monroe on the planning and zoning commission. Motion by Joerger, second Starr to approve this appointment. Ayes - 5. Mayor Andrews stated that a letter of intent was sent to AARP to submit an application for AARP age friendly community. When the application is ready to submit, will get council approval then.

Mayor Andrews opened the public hearing on proposal to vacate and sell certain real property located at 500 N. Grand Avenue. Affidavit of publication dated 1/30/19 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 Mallaro to close the hearing. Ayes - 5

Ordinance 1127 AN ORDINANCE VACATING A PORTION OF 6<sup>TH</sup> AVENUE AND ALLEYWAYS AT 500 N. GRAND AVENUE was presented for a first reading. When the school district was preparing to sell the old middle school located at 500 N. Grand, an error was discovered from proceedings taking place back in the 1930's to vacate and convey some right of ways for the construction of the middle school. The vacation proceedings were never recorded and no conveyance documents were done. There was an incorrect legal description used as well for the alley in Block 3 and only a portion of the alley in Block 4 was vacated when the entire alley should have been. City attorney Slotter's recommendation was to do the entire vacation and conveyance proceedings over. Ordinance 1127 will need three readings but the resolution approving the conveyance is being passed tonight and once all three readings are done, we can then convey the property. Motion by Starr, second Joerger to approve the first reading of Ordinance 1127. Ayes - 5. Council member Starr read the ordinance. The conveyance resolution states that upon the final reading and passage of the vacating ordinance, this property can be conveyed to the school district. Council member Freeseaman introduced Resolution 12-19 entitled, "RESOLUTION APPROVING SALE OF PUBLIC PROPERTY" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Mayor Andrews opened the public hearing on the 2019 Way finding Sign Project. Affidavit of publication dated 1/30/19 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 Corbin Design Group was hired to draw up plans and specs for this project. Three alternate bids were included with the base bid: gateway signs, info kiosk and public parking signage. One addendum was issued for clarification and also removal of existing gateway signs but this did not change the scope of the plans. Council member Hammond introduced Resolution 13-19 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2019 WAY FINDING SIGN PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes-Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none. Six bids were received for this project. Low bid was \$157,428 from Signs and More from Independence, Iowa. Engineer's estimate of cost was \$230,000. An email had been received from Nagle Signs, the second low bidder, stating their concerns over the big spread between their bid of \$240,688 and the low bid. They wanted to be sure the specs were followed and that no sub grade materials would be used. City engineer Fallis replied that he had been unable to reach Corbin on this matter. He stated that bids are good for 30 days so council can either award the bid and secure the performance bond which would protect the city on the job or else wait to award the bid until further research can be done. Engineer Fallis is confident in the bid documents prepared by Corbin and he is recommending moving forward with the bid award. Council members Freeseaman and Hammond expressed concern over the large spread in the two lowest bids and want to be sure the city is getting what we want. City engineer Fallis stated that everyone bid on the same specs and know what materials we are requiring. He has talked to the low bidder and they are confident in their numbers and are standing by them. Council took no action on this resolution and will revisit it at the next meeting.

Speed limit signs are not posted downtown for the business district speed zone. It is a 20 mph zone per state code and if we post a sign on either end of the district, we will be covered. The business district extends from the intersection of S. Main and Gilbert to the intersection of N. Main and N. Grand. A sign will be posted in the 100 block of Main Street and another on Main Street close to Simply Essentials. Council member Starr introduced Resolution 15-19 entitled, "RESOLUTION APPROVING THE PLACEMENT OF SPEED LIMIT SIGNS" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Ordinance 1124 to rezone 101 and 111 S. Jackson Street properties was presented for a third reading. These properties are currently zoned R-3 but the county is requesting they be re-zoned to a B-3 to accommodate the law enforcement center project. There are abutting B-3 properties so this would not be spot zoning. Planning and zoning held a hearing on this and are recommending council approval. City council held a public hearing on this on January 7. Motion by Freeseaman, second Mallaro to approve the third reading of Ordinance 1124 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCELS LOCATED IN KELLY AND COMPANY'S ADDITION TO ST. CHARLES, NOW INCORPORATED IN AND AS A PART OF CHARLES CITY, FROM R-3, MULTI-FAMILY RESIDENCE DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT. Ayes - 5. Council member Freeseaman read the ordinance. Motion by Joerger, second Starr to adopt and publish Ordinance 1124. Ayes - 5.

Ordinance 1125 to vacate a portion of South Jackson Street was presented for a third reading. This ordinance will vacate a section of S. Jackson to allow for construction of the county's new law enforcement center. Planning and zoning has reviewed this request and is recommending approval by the council. This ordinance will not be effective until published and we will wait for publication until the construction is ready to start on the law enforcement center. Motion by Freeseaman, second Starr to approve the third reading of Ordinance 1125 AN ORDINANCE VACATING A PORTION OF SOUTH JACKSON STREET IN CHARLES CITY, IOWA". Ayes - 5 Motion by Starr, second Mallaro to approve the adoption and publication of this ordinance when construction starts. Ayes - 5

Ordinance 1126 increasing the sewer charges was presented for a second reading. With the upcoming wastewater treatment plant expansion, an increase in the rates is required to cover the bond costs. The total cost of the plant is estimated at twenty million and is expected to last 50 years. Due to more stringent DNR regulations, we are forced to update our current treatment plant to comply. We have been

granted a lower interest rate of 1.75% on a 30 year SRF loan. The increase in rates proposed is 20% immediately on the base rate and variable rates. The annual set increase that was approved about 12 years ago helped keep the 20% increase from being much higher. Motion by Freeseeman, second Joerger to approve the second reading of Ordinance 1126 AMENDING SECTION 99.06 - USER CHARGES OF THE CHARLES CITY CODE OF ORDINANCES FOR THE PURPOSE OF INCREASING THE MINIMUM MONTHLY CHARGE AND USER CHARGE RATE FOR THE CITY OF CHARLES CITY'S WASTEWATER TREATMENT WORKS. Ayes - 5

The annual maintenance and monitoring agreement with GHD for monitoring the Shaw Avenue site is up for renewal. These costs are shared 50/50 with Zoetis and our half is estimated at \$13,800. This is an increase from prior due to the upcoming start of the 5 year EPA review. This is the same company we have used since the beginning of this project, were formerly known as Conestoga Rovers. Council member Freeseeman introduced Resolution 16-19 entitled, "RESOLUTION APPROVING AGREEMENT FOR SITE MONITORING AND MAINTENANCE ACTIVITIES FOR SHAW AVENUE WITH GHD CONSULTANTS FOR 2019" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freesema, Hammond, Mallaro. Nays - none

At the January 21 regular meeting, a public hearing was set for the SW TIF drainage project was set for February 19. This meeting has now been changed to February 20 so the public hearing needs to be re-set to February 20. Council member Joerger introduced Resolution 17-19 entitled, "RESOLUTION RESETTING THE PUBLIC HEARING DATE FOR THE PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF CONSTRUCTION COST FOR THE SOUTHWEST DEVELOPMENT PARK DRAINAGE PROJECT" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseeman, Hammond, Mallaro. Nays - none.

City clerk O'Donnell reported that the next budget/planning session will be held February 11 at 5:30 p.m. Next regular council meeting will be held February 20 at 6:00 p.m. due to President's Day. City hall will be closed for President's Day. If needed, a budget review will be done February 13.

Motion by Freeseeman, second Mallaro to adjourn. Ayes - 5

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk