

COUNCIL MINUTES
REGULAR SESSION
FEBRUARY 20,2019

Charles City city council met in regular session on February 20, 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 Freeseaman, Michael Hammond and Dan Mallaro. Also present were city administrator Steve Diers, city attorney Brad Slotter and city engineer John Fallis.

Citizen comments - none

Mayor Andrews welcomed everyone to the meeting.

Motion by Freeseaman, second Mallaro to approve the agenda. Ayes-5

Motion by Joerger, second Mallaro to approve the minutes of the January 24, 28, 31 and February 4 meetings. Ayes - 5

Motion by Hammond, second Joerger to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following:approve 1/19 financials for city of Charles City and CC Public Employees health plan, approve filing a lien for unpaid utility bill Acct5012040002 \$209.12, approve change in ownership for Kwik Star #419, approve change in ownership for Kwik Star #468 and payment of claims (including those approved by other boards):

63405-63423	PAYROLL ENDING 2/2/2019	\$87,857.35
ACH	COLLECTION SERVICE, payroll liabilities	\$212.76
ACH	EFTPS, payroll liabilities	\$23,959.66
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,508.00
ACH	ICMA, payroll liabilities	\$1,506.92
63424-63425	CITY OF CHARLES CITY, payroll liabilities	\$1,440.36
63426	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$9,108.50
63427	EMC NATIONAL LIFE-SUPPLEMENT, payroll liabilities	\$6.00
63428	FEBRUARY FGP STIPEND CHECKS	\$212.00
ACH	FEBRUARY FGP STIPEND CHECKS	\$14,917.91
ACH	US POSTAL SERVICE, serv.	\$1,000.00
ACH	BANCORPSV, serv.	\$1,168.78
63429	CENTURYLINK, serv.	\$392.47
63430	BRANDON BURKHARDT, utility deposit refund	\$13.16
63431	HEATHER CHAMBERS, utility deposit refund	\$37.10
63432	KALEB DYKSTRA, utility deposit refund	\$38.53
63433	DAVID FISHER, utility deposit refund	\$9.88
63434	EDDIE WASHINGTON, utility deposit refund	\$15.37
63435	STEPHANIE ASKILDSON, utility deposit refund	\$90.00
63436	JULIUS BRYANT, utility deposit refund	\$90.00
63437	REBECCA HILLEGAS, utility deposit refund	\$90.00
63438	KORI JENNINGS, utility deposit refund	\$90.00
63439	TYLER KUHN, utility deposit refund	\$90.00
63440	KACY MAGEE, utility deposit refund	\$90.00
63441	DUSTIN ROBBINS, utility deposit refund	\$90.00
63442	RAYCHEL RONNEI, utility deposit refund	\$90.00
63443	SIMPLY ESSENTIALS, utility deposit refund	\$90.00

63444	SIMPLYE ESSENTIALS, utility deposit refund	\$90.00
ACH	BANCORPSV, serv.	\$2,031.14
ACH	IMAGETEK INC, serv.	\$340.00
ACH	IOWA FINANCE AUTHORITY, loan payment	\$5,269.21
ACH	FIRST CITIZENS BANK, serv.	\$15.49
63445	CENTURYLINK, serv.	\$234.00
63446	GALLS LLC, supp.	\$3,995.00
63447	LEAF, serv.	\$139.40
ACH	AUXIANT,serv.	\$823.34
63448-63449	BAKER & TAYLOR BOOKS,SERV, supp.	\$3,241.48
63450	BAKER & TAYLOR ENTERTAIN, supp.	\$114.49
63451	CAROL CASE, serv.	\$1,100.00
63452	CC PUBLIC EMP HEALTH PLAN, serv.	\$2,569.87
63453	CENTER POINT LARGE PRINT, supp.	\$25.32
63454	CHARLES CITY PRESS INC, serv.	\$264.00
63455	COREY HAWKE, serv.	\$339.00
63456	DEMCO INC, supp.	\$1,268.06
63457	FREDERICK BLANCH, supp.	\$23.65
63458	GALE, supp.	\$1,029.77
63459	HUMANITIES IOWA, serv.	\$50.00
63460	INGRAM LIBRARY SERVICES, supp.	\$39.78
63461	IOWA PRISON INDUSTRIES, supp.	\$3,344.00
63462	JACKSON STREET PRESS, supp.	\$35.93
63463	KOCH BROTHERS INC, serv.	\$31.66
63464	LEAF, serv.	\$72.30
63465	LINDA MCCANN, supp.	\$40.00
63466	MEDIACOM, serv.	\$320.93
63467	MICK GAGE PLUMBING & HEATING, serv.	\$675.00
63468	MIDAMERICAN ENERGY, serv.	\$2,810.51
63469	NEWBAUER INC, serv.	\$59.00
63470	SCHUETH ACE HARDWARE, supp.	\$74.95
63471	STAPLES ADVANTAGE, supp.	\$83.93
63472	VISA, supp.	\$792.25
63473-63490	PAYROLL ENDING 2/16/19	\$88,151.96
ACH	AFLAC, payroll liabilities	\$1,096.77
ACH	COLLECTION SERVICE, payroll liabilities	\$212.76
ACH	EFTPS, payroll liabilities	\$24,187.09
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,508.00
ACH	ICMA, payroll liabilities	\$1,506.92
ACH	IA PUBLIC EMPLOY RETIRE, payroll liabilities	\$29,276.41
ACH	MUNICIPAL FIRE & POLICE, payroll liabilities	\$25,990.59
ACH	TREASURER STATE OF IOWA, payroll liabilities	\$10,032.00
ACH	VSP, payroll liabilities	\$331.88

63491	CITY OF CHARLES CITY, payroll liabilities	\$1,440.36
63492-63493	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$9,108.50
63494	EMC NATIONAL LIFE-SUPPLEM, payroll liabilities	\$6.00
63495-63496	LINCOLN NATIONAL LIFE INS COC, payroll liabilities	\$239.50
63497-63498	DELTA DENTAL , payroll liabilities	\$498.06
ACH	TREASURER STATE OF IOWA, sales tax	\$15,700.21
ACH	BANCORPSV, serv.	\$159.99
63499	CENTURYLINK, serv.	\$123.62
ACH	BETTY HANSON, mileage reimburse	\$5.12
ACH	JACQUELINE FERCH, mileage reimburse	\$11.52
ACH	JANET NIESS, mileage reimburse	\$26.88
ACH	JANICE DUREN, mileage reimburse	\$10.00
ACH	LADONNA NORRIS, mileage reimburse	\$7.68
ACH	MAVIS BEENEN, mileage reimburse	\$7.68
ACH	PATRICIA SINNWELL, mileage reimburse	\$7.68
ACH	VALERIE M JENKINS, mileage reimburse	\$8.06
ACH	VCKI INMAN, mileage reimburse	\$17.40
63500	AGSOURCE COOPERATIVE SERVICES, serv.	\$181.50
63501	AGVANTAGE FS, suppl.	\$105.50
63502	ARNOLD MOTOR SUPPLY LLP, suppl.	\$129.88
63503	BRADLEY WORRALL, mileage reimburse	\$7.22
63504	BREITBACH CHIROPRACTIC, serv.	\$55.00
63505	BUSINESS CARD, supp.	\$3,585.49
63506	CARQUEST AUTO PARTS, supp.	\$577.12
63507	CATHERINE MARIE OTT, serv.	\$240.00
63508	CC CHAMBER OF COMMERCE, hotel/motel	\$28,242.47
63509	CHARLES CITY HOUSING AUTHORITY, serv.	\$991.00
63510	CHARLES CITY PRESS INC, serv.	\$634.32
63511	CINTAS CORPORATION, serv.	\$55.30
63512	CITY OF MASON CITY, serv.	\$150.00
63513	COMPASS BUSINESS SOLUTIONS, supp.	\$1,570.46
63514	DARIO GAMINO-BARRIENTOS, travel reimbursement	\$62.72
63515	DO IT ALL SERVICES LLC, serv.	\$1,135.00
63516	NORM ZIMMERMAN-DBL Z CONSTRUCTION, serv.	\$115.00
63517	FAREWAY STORE, supp.	\$85.55
63518	FLOYD CO MEDICAL CENTER CLINIC, serv.	\$536.00
63519	FLOYD COUNTY ENGINEER, supp.	\$140.08
63520	FLOYD COUNTY RECORDER, serv.	\$239.00
63521	FOX ENGINEERING INC, serv.	\$880.00
63522	GENERAL COLLECTION COMPANY, serv.	\$37.33
63523	HACH COMPANY, supp.	\$349.10
63524	HAWKINS INC, supp.	\$8,424.04
63525	HAZARDOUS SUBSTANCE RESPONSE, serv.	\$704.16

63526	DARWIN W HOLLAND, serv.	\$750.00
63527	HY-VEE INC, supp.	\$135.30
63528	IAFC MEMBERSHIP, serv.	\$215.00
63529	IOWA ASSOC MUNICIPAL UTILITIES, serv.	\$923.00
63530	IOWA DEPT OF NATURAL RESOURCES, serv.	\$60.00
63531-63533	IDOT-CASHIER'S OFFICE, supp.	\$6,786.99
63534	IDOT-CASHIER'S OFFICE, supp.	\$219.92
63535	IA MUN FINANCE OFFICERS ASSOC, serv.	\$50.00
63536	IOWA DIV OF LABOR SERVICES, serv.	\$920.00
63537	ISAIAH JAY TILTON, serv.	\$60.00
63538	JASON WEBSTER, fuel reimbursement	\$30.00
63539	JENDRO SANITATION SERVICES, serv.	\$43,190.52
63540	JENDRO SANITATION SERVICES, serv.	\$238.00
63541-63542	JOHN DEERE FINANCIAL, supp.	\$1,088.85
63543	LARSON PRINTING CO, supp.	\$418.00
63544	LESSIN SUPPLY COMPANY, supp.	\$111.66
63545	LOOKOUT POINT COMMUNICATIONS, supp.	\$43,017.87
63546	MARCO, serv.	\$114.00
63547	MARTIN GARDNER ARCHITECTURE, serv.	\$414.17
63548	MERRITT COMPUTER SERVICE INC, serv.	\$76.08
63549	MICK GAGE PLUMBING & HEATING, serv.	\$173.12
63550	MIKE'S C&O TIRE INC, serv.	\$852.92
63551	MODERN MARKETING INC, supp.	\$164.04
63552	MTI DISTRIBUTING INC, supp.	\$291.85
63553	NEWBAUER INC, serv.	\$104.19
63554	NEWBAUER INC, serv.	\$217.00
63555	NIACOG, serv.	\$3,000.00
63556	NOAH,SMITH,SCHUKNECHT & SLOTER, serv.	\$6,071.68
63557	NORTHERN SAFETY CO INC, supp.	\$150.14
63558	O'REILLY AUTOMOTIVE INC, supp.	\$93.40
63559	PERRY NOVAK ELECTRIC INC, serv.	\$915.00
63560	POSTMASTER, serv.	\$900.00
63561	RONALD HILLEGAS/R&S MOWING LLC, serv.	\$765.00
63562	RILEY'S INC, supp.	\$573.48
63563	SCHUETH ACE HARDWARE supp.	\$248.94
63564	SCHUETH ACE HARDWARE, supp.	\$75.89
63565	SHERWIN-WILLIAMS CO, supp.	\$46.22
63566	SISSON & ASSOCIATES INC, serv.	\$595.90
63567	STAPLES CREDIT PLAN, supp.	\$264.08
63568	STEWART M DALTON, serv.	\$60.00
63569	SUPERIOR LUMBER INC, supp.	\$124.32
63570	SUPERIOR WELDING SUPPLY CO, supp.	\$289.80
63571	T AND K TRACTOR REPAIR, supp.	\$2,568.57

63572	TESTAMERICA LABORATORIES, serv.	\$499.75
63573	TP ANDERSON & COMPANY PC, serv.	\$2,371.05
63574	UNITED STATES CELLULAR, serv.	\$1,002.00
63575	VAC SHACK & SEWING CENTER, supp.	\$39.90
63576	VENTURE LIGHTING INTERNATIONAL, supp.	\$180.72
63577	WESTRUM LEAK DETECTION, serv.	\$467.50
63578	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

TOTAL \$557,589.91

January receipts - Gen-68576.44;Disp-34956.90;K-9-120.00;P/R C/I-210.54;CommEq-1326.46;H/M-307.93;RAGBRAI-.32;RUT-83488.69;EmpBen-9571.13;CVTC-9454.38;Emerg-532.92;OptTx-67792.17;TIF-5616.11;LibrTr-4142.50;FGP-64581.80;PubHous-58815.69;Sect8-72555.92;Cable-14996.85;DebtServ-2861.51;ClarkStTrail-75931.20;'18CapFnd-3825.00;Water-197966.09;Sewer-168738.39;WasteFnd-50203.81;Transit-2708.00;SWU-17390.65;FireExt-310.00

January Disbursements- Gen-278591.05;Disp-37116.10;SafetyEd-80.00;RUT-50298.24;EmpBen-79354.65;CVTC-8130.22;LibrTr-5963.76;FGP-56607.41;PubHous-49296.83;Sect8-56093.78;Cable-240.00;StreetRelC/I-34369.83;'18CapFnd-3825.00;CapProjMcQuill-4367.84;CW Bridge-54510.84;FibertoHome-138693.20;SWIndSW-17797.96;Water-98877.88;Sewer-124489.29;WasteFnd-50227.73;Transit-22781.65;SWU- -11183.76

Business of the mayor - A proclamation for Honey Bee Day on February 27 was presented. Motion by Freeseaman, second Joerger to approve the proclamation. Ayes - 5 Mayor Andrews recommended appointment of Cheryl Erb and Cady Mead to the broadband commission to replace Kim Wilson and Sarah Downing respectively. Motion by Hammond, second Joerger to approve these appointments. Ayes - 5. Mayor Andrews also commented that a citizen had asked him to pass on appreciation for the hard work the city crews have been doing with snow removal.

Mayor Andrews opened the public hearing on the Southwest Development Park drainage project. Affidavit of publication dated 2/8/19 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 Freeseaman to close the hearing. Ayes - 5. City engineer Fallis reviewed the project. SEH engineers have been working with ADC and did a study of this area. Plans and specs were prepared and the intent was for a detention basin and a culvert installed under 11th Street. Eleven bids were received and the low bid was from Reilly Construction from Ossian for \$427,364.00. This was still quite a bit higher than the engineer's estimate of \$384,000. Staff is recommending rejecting all bids and re-doing the plans and specs. Council member Freeseaman asked if the plans were done in pieces so that we could choose items to complete. Reply was that with this project, it would be hard to do just a couple of items. If we would just do the culvert, it would just push water farther down the line. We really need basins to retain the water. Council member Freeseaman introduced Resolution 18-19 entitled, "RESOLUTION REJECTING ALL BIDS FOR THE SOUTHWEST DEVELOPMENT PARK DRAINAGE PROJECT" 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.

Ordinance 1126 AN ORDINANCE 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 was presented for a third and final reading. This will increase the sewer portion only of water bills by 20% effective March 1 to help pay the loan for the wastewater plant upgrade. The project will cost approximately twenty million. Council member Freeseaman asked if we had received any comments from the public on this and reply was no. Motion by Freeseaman, second Joerger to approve the third reading of Ordinance 1126. Ayes - 5. Council member Freeseaman read the ordinance. Motion by Joerger, second Hammond to adopt and publish Ordinance 1126. Ayes - 5

Ordinance 1127 AN ORDINANCE VACATING A PORTION OF 6TH AVENUE AND ALLEYWAYS AT 500 N. GRAND AVENUE" was presented for a second reading. This ordinance would correct errors in the original vacation proceedings done back in the 1930's and would allow the school to obtain good title. They are in the process of selling this property to a developer. Planning and zoning has reviewed the right of way vacation request and is recommending approval of this vacation to the city council. The council held a public hearing and approved the first reading of this ordinance at the February 4 council meeting. Motion by Hammond, second Freeseaman to approve the second reading of Ordinance 1127. Ayes - 5. Council member Hammond read the ordinance.

The purchase of the Villelobos property near the wastewater treatment plant has been completed and the council needs to accept the deed to this property. Council member Freeseaman introduced Resolution 19-19 entitled,

"RESOLUTION ACCEPTING DEED" 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.

The budget for FY20 has been drafted and a public hearing needs to be set. The hearing is scheduled for March 4 at 6:00 p.m. and needs to be submitted to the county auditor and the state by March 15. Total revenues/transfers are set for \$41,917,092 and total expenses/transfers are set for \$42,362,427. The reason for the large increase in these numbers is due to the wastewater plant expansion and the fiber to the home projects. The levy is set at \$15.90021/thousand of valuation compared to \$15.83 for FY19. Council member Joerger introduced Resolution 20-19 entitled, "RESOLUTION SETTING DATE FOR PUBLIC HEARING ON THE FY20 BUDGET" and moved for adoption. Second to adopt Freeseeman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseeman, Hammond, Mallaro. Nays - none

City engineer Fallis reported on a TAP application to be submitted for the Charley Western Trail bridge replacement. We were awarded \$249,000 last year through this program. Total estimated cost of this project is \$1,200,000. One requirement if awarded funding is to maintain the project for 20 years. Applications are due March 1 to NIACOG. Council member Starr introduced Resolution 21-19 entitled, "RESOLUTION APPROVING AN APPLICATION FOR A TAP GRANT FOR THE CHARLEY WESTERN TRAIL BRIDGE REPLACEMENT PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Freeseeman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseeman, Hammond, Mallaro. Nays - none.

Discussion on trimming the trees in the city right of way. Our code states that abutting property owners are responsible for trimming trees in the right of way both on the street side and sidewalk side. It also states that only a licensed tree trimmer can perform this job, it doesn't allow a homeowner to do it themselves unless they are licensed. This is what prohibits most of the homeowners from doing this due to the lack of licensed tree trimmers available. The city has solicited quotes for trimming all of the trees in the city right of way (approximately 3000 trees) and low bid is from Cedar Creek Tree Service for \$150,096. City administrator Diers has asked several cities how they handle this and all but two have the city cover the cost of trimming ROW trees. We plan to split this over two fiscal years and take it out of the Road Use Tax fund. Concern over setting a precedent by having the city pay to do this and it was decided to discuss further amending the ordinance to allow homeowners to do this themselves. Then, in the future, notify them to trim their trees and if not done, then the city will do and assess the costs. Council member Joerger introduced Resolution 22-19 entitled, "RESOLUTION ACCEPTING QUOTE FOR TREE TRIMMING IN CITY RIGHT OF WAY" and moved for adoption. Second to adopt Freeseeman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseeman, Hammond, Mallaro. Nays - none.

Wayfinding sign project discussed. Bids had been received for this project with low bid coming in from Signs and More of \$157,427.99. This was significantly lower than the second low bid of \$240,688.00 and council had some concern over this drastic difference. Engineer Fallis subsequently talked to the owners about their bid and they are confident in their numbers. Corbin Design Group, who drew up the plans and specs for this project, were consulted and asked to review the bids. They found no "red flags" in Signs and More bid and their opinion was that they bid low so they could get the job and start to branch out in this field. Since Signs and More is considered a responsive bidder and staff finds no reasons to reject their bid. They are recommending approval of this bid. Council member Joerger introduced Resolution 14-19 entitled, "RESOLUTION APPROVING AWARD AND CONTRACT AND BOND FOR 2019 WAY FINDING SIGN PROJECT" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseeman, Hammond, Mallaro. Nays - none.

Items have been identified for the one day borrowing for FY20 and include the following: PD equipment \$1,000; pd/fire/street clothing \$12,600; fire equipment \$7,238; tornado siren replacement \$3000; code enforce computer \$1000; cages for animal control \$500; tree removal for streets and parks \$50,000; city hall servers \$18000; Wildwood clubhouse painting \$15000; nuisance abatement \$40,000 and work to 401 N. Main building \$20,000 for a total of \$188,338. A public hearing needs to be held for this and it is scheduled for March 4. Council member Freeseeman introduced Resolution 23-19 entitled, "RESOLUTION SETTING THE DATE FOR PUBLIC HEARINGS AND ADDITIONAL ACTION ON PROPOSALS TO ENTER INTO GENERAL OBLIGATION LOAN AGREEMENTS AND TO BORROW MONEY THEREUNDER" and moved for adoption. Second to adopt Joerger. 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 planning session will be February 25 at 6:00 p.m.

City administrator Diers reported that the city was awarded a hotel motel tourism grant of \$10,000 for the Charley Western bridge replacement. Staff will be meeting with the architect tomorrow to discuss this project. Broadband commission met to discuss the fiber project and all the engineer work is completed. Now we need to determine the site location for the utility, this should be done within the next four weeks or so. Need to create a board for this utility and hire employees to get this project off the ground. Will be conducting interviews tomorrow for a transit driver. A meeting is scheduled for March 8 with Fox Engineering for the wastewater project and we are shooting for a bid

opening date of July 22. The engineering study for the intersection at Casey's will be discussed next week with those engineers.

Council member Hammond reported that 5 applications were received for hotel motel tourism grants and all five were funded at various levels.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk