

COUNCIL MINUTES
MARCH 5, 2018
REGULAR SESSION

Charles City city council met in regular session on March 5, 2018 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 engineer John Fallis and city attorney Brad Sloter.

Citizen comments - none.

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Joerger, second Mallaro to approve the minutes of the February 14, 20 and 26 meetings. Ayes - 5

Motion by Starr, second Joerger to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: filing lien for unpaid utility bill \$228.79Acct 5028210001, approve Class LC liquor license w/ Outdoor Service and Sunday Sales for Wildwood Golf Course and payment of claims (including those approved by other boards):

59139-59159	PAYROLL ENDING 2/17-18	\$83,274.19
59160-59166	PAYROLL LIABILITIES	\$100,216.15
59167	ASBESTROL, INC, serv.	\$4,941.00
59168	BUSINESS CARD, supp.	\$3,239.00
ACH	US POSTAL SERVICE, serv.	\$1,000.00
ACH	BANCORPSV, serv.	\$1,179.06
59169	MEREDITH BOOKS, supp.	\$35.91
ACH	BANCORPSV, serv.	\$1,182.75
59170-59183	MARCH HAP CHECKS	\$17,082.54
ACH	MARCH HAP CHECKS	\$44,671.58
59184	IOWA DEPT OF NATURAL RESO, serv.	\$276.20
59185-59186	MARCH FGP STIPEND CHECKS	\$323.30
ACH	MARCH FGP STIPEND CHECKS	\$14,549.95
59187	AGVANTAGE FS, supp.	\$183.11
59188	BROWN SUPPLY COsupp.	\$54.90
59189	CC FIRE EXTINGUISHER SERV, supp.	\$452.00
59190	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
59191	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
59192	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
59193	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
59194	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
59195	CC PUBLIC EMP HEALTH PLAN	\$59,804.86
59196	CHARLES CITY AREA DEV COR, serv.	\$560.00
59197	CENTRAL IOWA DISTRIBUTING, supp.	\$77.57
59198	CHARLES CITY COMMUNITY SC, serv.	\$37,797.00
59199	DAVIS EQUIPMENT CORPORATI, supp.	\$268.22
59200	DON'S REPAIR, supp.	\$75.00
59201	N ZIMMERMAN dba DOUBLE Z, serv.	\$50.00
59202	ENVIRONMENTAL PRODUCTS &, supp.	\$283.90
59203	EOR IOWA LLC, serv.	\$1,253.50
59204	FOX ENGINEERING INC, serv.	\$122,629.00
59205	FOX WOODCRAFT, supp.	\$231.00
59206	GIS WORKSHOP LLC, serv.	\$400.00
59207	HAWKINS INC, suppl.	\$1,026.05

59208	IOWA ASSOC MUNICIPAL UTIL, serv.	\$896.13
59209	IDOT-CASHIER'S OFFICE, supp.	\$142.45
59210	IDOT-CASHIER'S OFFICE, supp.	\$53.28
59211	IOWA DIV OF LABOR SERVICE, serv.	\$40.00
59212	IOWA FIRE CHIEFS' ASSOCIA, dues	\$25.00
59213	JANE ANDERSEN, refund	\$100.00
59214	JOHN A HOWE, serv.	\$850.00
59215	JOHN MILLER, serv.	\$40.12
59216	L&J INDUSTRIES INC,supp.	\$196.40
59217	LARSON PRINTING CO, supp.	\$75.00
59218	MARCO TECHNOLOGIES LLC, serv.	\$59.31
59219	MICK GAGE PLUMBING & HEAT, supp.	\$180.47
59220	MIDAMERICAN ENERGY, serv.	\$32,951.55
59221	MTI DISTRIBUTING INC, supp.	\$123.30
59222	NATIONAL REC & PARK ASSOC, dues	\$170.00
59223	NCL OF WISCONSIN, supp.	\$152.02
59224	NEB-IA INDUSTRIAL FASTENE, supp.	\$399.00
59225	NEW HAMPTON AUTO BODY LLC, supp.	\$64.00
59226	NEWBAUER INC, serv.	\$93.28
59227	NIACOG, serv.	\$5,354.22
59228	PAWS HUMANE SOCIETY, serv.	\$1,550.00
59229	SHORT ELLIOTT HENDRICKSON, serv.	\$18,037.50
59230	SISSON & ASSOCIATES INC, serv.	\$3,035.80
59231	STEVEN T DIERS, monthly phone stipend	\$50.00
59232	SUPERIOR WELDING SUPPLY C, serv.	\$103.28
59233	TERRACON CONSULTANTS, INC, serv.	\$11,750.00
59234	TESTAMERICA LABORATORIES, serv.	\$501.85
59235	USA BLUEBOOK, supp.	\$62.07
59236	VEENSTRA & KIMM INC, serv.	\$1,573.04
59237	VENTURE LIGHTING INTERNAT, supp.	\$158.40
ACH	BARBARA BROWN (FGP), mileage	\$43.60
ACH	CAROLYN LAVONNE KACER (FGP), mileage	\$15.44
ACH	DARLENE TOYNE (FGP), mileage	\$8.64
ACH	JANET NIESS (FGP), mileage	\$15.36
ACH	LINDA BETELS (FGP), mileage	\$9.72
ACH	SHIRLEY ORTHEL (FGP), mileage	\$8.64
ACH	VICKI INMAN (FGP), mileage	\$22.86

TOTAL **\$576,029.47**

Business of mayor - none

Mayor Andrews opened the public hearing for the FY19 budget. Affidavit of publication dated 2/23/18 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 The total revenue for FY19 is \$26,995,209 and the total expenses are \$28,707,802. There are a lot of street projects, a large portion of the wastewater plant project and other capital projects budgeted for FY19 so that is why the budget is about ten million dollars higher than normal. Council member Joerger introduced Resolution 30-18 entitled, "RESOLUTION TO APPROVE THE CI TY OF CHARLES CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2019" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Starr, Joerger, Freeseaman, Hammond. Nays - none

Mayor Andrews opened the public hearing for the 2018 owner occupied rehab grant. Affidavit of publication dated 2/22/18 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. He was informed that the city previously received a request from one interested person who stated that he wished to comment during the public hearing. However this person could not attend because of inclement weather. Upon this notification, motion by Starr, second Joerger that the public hearing would be continued to March 19, 2018 at 6:00 p.m. so the interested party could be heard. Ayes - 5

Mayor Andrews opened the public hearing on the 2018 Riverside Drive/Illinois Street Reconstruction Project. Affidavit of publication dated 2/21/18 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 Hammond to close the hearing. Ayes - 5 This project entails reconstruction of Riverside Drive and Illinois Street from Joslin to Kelly with new concrete pavement with curb and gutter. On-street parking will be provided to service Victory Park. The intersection of Riverside and Illinois will be realigned to the northeast of it's current location to move it away from the floodway and elevate the street. New storm sewer intakes and subdrains will be constructed to improve the drainage issues at this intersection. Completion date is on or before September 1, 2018. Council member Hammond introduced Resolution 33-18 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2018 RIVERSIDE DRIVE/ILLINOIS STREET RECONSTRUCTION PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays - none.

Six bids were received for this project with King Construction being low bid at \$320,829.88. This company hasn't done any work for the city but city engineer John Fallis called some cities who had worked with them and they all were happy with their work. Council member Freeseaman introduced Resolution 34-18 entitled, "RESOLUTION AWARDED CONTRACT FOR THE 2018 RIVERSIDE DRIVE/ILLINOIS STREET RECONSTRUCTION PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Starr, Joerger, Freeseaman, Hammond. Nays - none

Theisen's has submitted a lease for their annual garden center located in the parking lot by their building. The layout is the same as in previous years. Council member Freeseaman introduced Resolution 35-18 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THEISEN'S AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none

A revised 28E agreement between the city, school, chamber of commerce and community revitalization has been drafted by the broadband commission, city staff and city attorney. This agreement covers the joint operation of the local access cable channel. The amounts being paid to the chamber and community revitalization remained the same but the payment to the school increased by roughly 7% due to no increase for FY18. FY20 will see a 3.5% increase. Council member Freeseaman introduced Resolution 36-18 entitled, "RESOLUTION APPROVING REVISED 28E AGREEMENT BETWEEN CITY OF CHARLES CITY, CHARLES CITY CHAMBER OF COMMERCE AND COMMUNITY REVITALIZATION AND CHARLES CITY SCHOOL" 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.

Request for proposals were sent out to 6 firms for audit services over the next three years. Two were received back, from Gardiner Thomsen and TP Anderson. TP Anderson's bid was \$14000, \$14800 and \$15550 for the FY18, FY19 and FY20 respectively. Gardiner Thomsen bid was \$19500 for each of those three years. Since this bid is for services, the city does not have to take the low bid. This was voted on at the last regular council meeting with the vote ending tied at 2-2 with one member being absent. So it is being re-visited with the full council at this meeting. Council member Freeseaman stated that the reason we go out for bids is to see if we can save some money on audit costs and this is quite a big difference. He is in favor of going with TP Anderson. Council member Joerger commented that Gardiner Thomsen has done a great job for us the past several years and we have a good relationship with them. Even though there is a big price difference, he thinks we should stay with them. Motion by Freeseaman, second Hammond to accept the quote from TP Anderson for the city audit services. Ayes - Freeseaman, Hammond, Starr. Nays - Joerger, Mallaro. Motion carried.

Preliminary plans have been prepared for the 2018 Hildreth Street Reconstruction Project. This project includes a complete reconstruction of the street and underground utilities. New water main and storm sewer mains will be placed and the unlined sanitary sewers will be removed and replaced. The water and sewer service lines from the main to the sidewalks will also be replaced. Question on also replacing the lined sanitary sewers while we are there and reply was that the lining makes the mains like new again so they will hold up a long time. Completion date for this project is on or before October 26, 2018. Councilmember Freeseaman introduced Resolution 37-18 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF CONSTRUCTION COST FOR 2018 HILDRETH STREET RECONSTRUCTION PROJECT AND ORDERING THE ADVERTISEMENT FOR BIDS" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none

Ordinance 1113 AN ORDINANCE AMENDING SUBSECTIONS OF 105.02-DEFINITIONS AND 105.10 - WASTE STORAGE CONTAINERS OF THE CHARLES CITY CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING THE REQUIREMENTS FOR THE DISPOSAL OF RESIDENTIAL SOLID WASTE AND RECYCLABLE MATERIALS was presented for a third and final reading. This ordinance will update our garbage process for the new tote system being implemented on April 1. It also changes the references to bundling of newspapers and specifies that only clear glass is recyclable. Motion by Hammond, second Joerger to approve the third reading of Ordinance 1113 and adopt and publish. Ayes - 5. Council member Hammond read the ordinance.

Ordinance 1115 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF TWO PARCELS LOCATED IN THE SOUTHEAST QUARTER OF SECTION TWO (2), TOWNSHIP NINETY-FIVE (95) NORTH, RANGE SIXTEEN (16) WEST OF THE 5TH P.M. IN FLOYD COUNTY, IOWA FROM R-1, SINGLE FAMILY DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT was presented for it's first reading. This ordinance would change the zoning classification on an area encompassing the New Life Church property west of town and going east in a 250' strip of land on the south side of Gilbert and ending at the storage units. Planning and zoning has held a public hearing on this ordinance and their recommendation is to approve this ordinance. Their vote was four in favor, one against and one abstention. The concern raised by the person voting no was with the water drainage issues that already exist in this area, afraid any development might make them worse. City engineer John Fallis stated that if anything is developed in this area, whether it be commercial or residential, they will need to abide by the subdivision ordinance and have a water detention plan prepared. City administrator Steve Diers stated that this area is within the scope of our sponsored project guidelines so if the landowner is agreeable, we might be able to help with some of those water issues. Motion by Starr, second Joerger to approve the first reading of Ordinance 1115. Ayes - 5. Council member Starr read the ordinance.

A public hearing needs to be held by the council for this change to the zoning ordinance and this has been scheduled for March 19 at 6:00 p.m.. Council member Freeseaman introduced Resolution 38-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1115 AMENDING THE ZONING CLASSIFICATION OF TWO PARCELS LOCATED IN THE SOUTHEAST QUARTER OF SECTION TWO (2), TOWNSHIP NINETY-FIVE (95) NORTH, RANGE SIXTEEN (16) WEST OF THE 5TH P.M. IN FLOYD COUNTY, IOWA FROM R-1 SINGLE FAMILY DISTRICT TO B-3, SERVICE BUSINESS DISTRICT" 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.

Ordinance 1116 AN ORDINANCE AMENDING SECTION XXIII, ADVERTISING AND SIGNS, OF THE CHARLES CITY ZONING ORDINANCE BY AMENDING SUBSECTIONS F.11(a) AND F.12 (a) TO PERMIT THE PLACEMENT OF EXTERIOR FASCIA SIGNS WHICH ARE VISIBLE FROM STREET FRONTAGES OF PRINCIPAL BUILDINGS IN B-1 AND B-2 DISTRICTS was presented for it's first reading. A request has been received from a business owner to put a sign on his building that is not on the frontage side but can be seen from an abutting street. Planning and zoning held a public hearing on this ordinance and they are recommending unanimously that council approve it. Motion by Starr, second Hammond to approve the first reading of Ordinance 1116. Ayes - 5. Council member Starr read the ordinance.

Council needs to hold a public hearing on this change to the zoning ordinance and it has been scheduled for March 19, 2018 at 6:00 p.m. Council member Starr introduced Resolution 39-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1116 AMENDING SECTION XXIII, ADVERTISING AND SIGNS, OF THE CHARLES CITY ZONING ORDINANCE BY AMENDING SUBSECTIONS F.11(a) AND F.12 (a), TO PERMIT THE PLACEMENT OF EXTERIOR FASCIA SIGNS WHICH ARE VISIBLE FROM STREET FRONTAGES OF PRINCIPAL BUILDINGS IN B-1 AND B-2 DISTRICTS" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none

As part of the FY19 budget process, a one day borrowing for pieces of equipment and repairs is included. To fulfill the creation of this debt, public hearings must be held for the essential corporate purpose items and the general corporate purpose items which total \$185000 and \$30000 respectively. These will be scheduled for March 19, 2018 at 6:00 p.m. Council member Freeseaman introduced Resolution 40-18 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 Starr. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Starr, Joerger, Freeseaman. Nays - none.

City clerk O'Donnell reported that the next planning session will be held March 14 at 6:00 p.m. She also reminded the council members to email our state legislators concerning the backfill payments. It's being debated right now to phase out these reimbursements to cities.

City administrator Steve Diers reported that an update on Parkside Development is slated for April. The last of the focus group meetings for the updated comp plan are held. A preliminary draft will now be drafted and reviewed by city staff and others. Funding of our RCPP grant has not happened yet. He will be gone to conference in Iowa City for the March 14 planning session.

Council member Joerger reported that the landfill board is still waiting to vote on a project bid, haven't been able to get a quorum present.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk

