

COUNCIL MINUTES
REGULAR SESSION
APRIL 1, 2019

Charles City city council met in regular session on April 1, 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 engineer John Fallis and city attorney Brad Slotter.

Citizen Comments - none

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Joerger, second Mallaro to approve the minutes of the March 13, 18 and 25 meetings. Ayes - 5

Motion by Freeseaman, second Joerger to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following items: approval of the following bonds - Excavating - Mick Gage Plbg, Daybilt Construction; Sidewalk - Boys Rental LLC; Electrical - Mills, Inc. and payment of claims (including those approved by other boards):

63833-63850	PAYROLL ENDING 03/16/19	\$88,079.27
ACH	AFLAC, payroll liabilities	\$1,096.77
63851	CITY OF CHARLES CITY, payroll liabilities	\$1,440.36
63852-63853	CC PUBLIC EMP HEALTH PLAN, PR liabilities	\$9,108.50
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$212.76
ACH	EFTPS, payroll liabilities	\$24,324.53
63854	EMC NATIONAL LIFE CO, PR liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, PR liabilities	\$1,508.00
ACH	ICMA, payroll liabilities	\$1,506.92
ACH	IPERS, payroll liabilities	\$30,518.04
63855-63856	LINCOLN NATIONAL LIFE, PR liabilities	\$239.50
63857-63858	DELTA DENTAL, payroll liabilities	\$498.06
ACH	MUNICIPAL FIRE & POLICE, PR liabilities	\$25,985.97
ACH	TREASURER STATE OF IOWA, PR liabilities	\$10,545.00
ACH	VSP, payroll liabilities	\$331.88
63859	JOHN DEERE FINANCIAL, supp.	\$24.98
63860	MIDAMERICAN ENERGY, serv.	\$4,386.21
63861	SCHUETH ACE HARDWARE, supp.	\$150.96
63862	STAPLES CREDIT PLAN, supp.	\$796.35
63863	BUSINESS CARD, supp.	\$1,341.98
63864	C NABER & ASSOCIATES, serv.	\$395.00
63865	CATHERINE MARIE OTT, serv.	\$495.00
63866	CENTURYLINK, serv.	\$157.24
63867	CC HOUSING AUTHORITY, deposit withheld	\$85.00
63868	CHARLES CITY PRESS INC, serv.	\$352.00
63869	CINTAS CORPORATION, serv.	\$55.22
63870	CITY OF CHARLES CITY, serv.	\$2,604.65

63871	CONNIE LACY, security deposit refund	\$200.00
63872	DON'S REPAIR, supp.	\$15.63
63873	EFREN CREMA, security deposit refund	\$120.00
63874	VOIDED	**VOIDED**
63875	HAPPY SOFTWARE INC, serv.	\$400.00
63876	HOCKENSON PLUMBING, serv.	\$208.07
63877	IDOT-CASHIER'S OFFICE, supp.	\$541.43
63878	JENDRO SANITATION SERVICES, serv.	\$790.00
63879	JOHN DEERE FINANCIAL, supp.	\$143.98
63880	KOCH BROTHERS INC, serv.	\$2.05
63881	L&J INDUSTRIES INC, supp.	\$221.45
63882	LARSON PRINTING CO, serv.	\$339.95
63883	LEAF, serv.	\$232.18
63884	MEDIACOM, serv.	\$144.40
63885	MEHMEN PAINTING, serv.	\$270.00
63886	MIDAMERICAN ENERGY, serv.	\$10,926.49
63887	PETTY CASH-HOUSING, supp.	\$93.18
63888	PITNEY-BOWES-LEASE ACCT, serv.	\$54.09
63889	R&S MOWING, serv.	\$490.00
63890-63891	SCHUETH ACE HARDWARE, supp.	\$664.01
63892	SECRETARY OF STATE, serv.	\$30.00
63893	SHERWIN-WILLIAMS CO, supp.	\$186.15
63894	STAPLES ADVANTAGE, supp.	\$67.07
63895	SUPERIOR LUMBER INC, supp.	\$20.53
63896	T-J SERVICE INC, supp.	\$779.92
63897	TEETER SPECIALTY CO, supp.	\$725.17
63898	TENANT PI LLC, serv.	\$106.00
63899	UNITED STATES CELLULAR, serv.	\$143.16
63900	ESTATE OF ROSE WIGGINS, sec deposit refund	\$122.84
63901-63911	APRIL HAP CHECKS	\$11,074.34
ACH	APRIL HAP CHECKS	\$36,533.39
ACH	AUXIANT, serv.	\$75.00
ACH	BANCORPSV, serv.	\$2,091.97
ACH	BANCORPSV, serv.	\$479.65
ACH	BANCORPSV, serv.	\$933.45
ACH	CAROLYN LAVONNE KACER (FGP), mileage	\$7.26
ACH	DARLENE TOYNE (FGP), mileage	\$6.60
ACH	IOWA WORKFORCE DEVELOPMENT, serv.	\$5,592.87
ACH	KABRICK DISTRIBUTING, supp.	\$710.40
ACH	TREASURER STATE OF IOWA, sales tax	\$15,242.81
63912	ASSOC STATE FLOOD PLAIN MGRS, serv.	\$160.00
63913-63917	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
63918	CC PUBLIC EMP HEALTH PLAN, serv.	\$74,328.03

63919	CC VOLUNTEER FIRE DEPT, supp.	\$2,199.50
63920	CENTURYLINK, serv.	\$1,521.18
63921	CHARLES CITY PRESS INC, supp.	\$75.00
63922	CINTAS CORPORATION, serv.	\$67.15
63923	CINTAS, supp.	\$96.68
63924	CIRCLE K COMMUNICATIONS INC, serv.	\$4,041.67
63925	CITY OF CHARLES CITY, supp.	\$620.00
63926	CITY OF CHARLES CITY, serv.	\$371.93
63927	CJ COOPER & ASSOCIATES INC, serv.	\$35.00
63928	CORE & MAIN LP, supp.	\$313.94
63929	CORY SPIEKER, travel reimbursement	\$10.00
63930	DON'S TRUCK SALES INC, supp.	\$236.63
63931	ENVIRONMENTAL RESOURCE ASSOC, serv.	\$639.83
63932	FLOYD CO MEDICAL CENTER CLINIC, serv.	\$30.00
63933	FLOYD COUNTY ENGINEER, supp.	\$276.86
63934	FLOYD COUNTY RECORDER, serv.	\$190.00
63935	FLOYD COUNTY FOCUS, serv.	\$588.00
63936	FOX ENGINEERING INC, serv.	\$15,436.00
63937	GENERAL COLLECTION COMPANY, serv.	\$4.71
63938	HAWKINS INC, supp.	\$1,200.84
63939	HEWETT WHOLESALE, supp.	\$514.93
63940	HILLEGAS FLOORING LLC, supp.	\$42.75
63941	HUGH ANDERSON, supp. reimbursement	\$35.00
63942	IAWEA COLLECTION SYS COMMITTEE, serv.	\$490.00
63943-63945	IDOT-CASHIER'S OFFICE	**VOIDED**
63946	IDOT-CASHIER'S OFFICE, supp.	\$14,855.84
63947	IDOT-CASHIER'S OFFICE, supp.	\$459.52
63948	INLAND TRUCK PARTS & SERVICE, supp.	\$123.42
63949	INTERSTATE BATTERIES OF UPPER IOWA, supp.	\$338.85
63950	IOWA CHAPTER IAEI, serv.	\$350.00
63951	IOWA DEPT OF PUBLIC HEALTH, serv.	\$70.00
63952	IOWA ONE CALL, serv.	\$17.90
63953	IOWA STATE POLICE ASSOCIATION, serv.	\$520.00
63954	JOHN A HOWE, serv.	\$850.00
63955	KAMM EXCAVATING CORP, serv.	\$259.12
63956	KIRKWOOD COMM COLLEGE, serv.	\$725.00
63957	MARCO TECHNOLOGIES LLC, serv.	\$47.03
63958	MARCO TECHNOLOGIES LLC, serv.	\$204.05
63959	MARINE RESCUE PRODUCTS INC, supp.	\$180.50
63960	MARTIN BROS DISTRIBUTING CO, supp.	\$74.30
63961	MC2 INC, supp.	\$50.04
63962	METERING TECHNOLOGY SOLUTIONS, supp.	\$15,456.58
63963	MICK GAGE PLUMBING & HEATING, serv.	\$10,290.55

63964	MIDAMERICAN ENERGY, serv.	\$31,126.05
63965	NEB-IA INDUSTRIAL FASTENERS, supp.	\$193.01
63966	NEWBAUER INC, serv.	\$102.08
63967	NIACC, serv.	\$570.00
63968	NORTHERN SAFETY CO INC, supp.	\$103.07
63969	PAWS HUMANE SOCIETY, serv.	\$1,550.00
63970	PERRY NOVAK ELECTRIC INC, serv.	\$692.99
63971	POSTMASTER, supp.	\$165.00
63972	QUALITY TRAFFIC CONTROL, supp.	\$250.00
63973	RILEY'S INC, supp.	\$471.06
63974	SRIXON/CLEVELAND GOLF, supp.	\$4.20
63975	TERRACON CONSULTANTS INC, serv.	\$7,300.75
63976	THAD JOHNSON, travel reimbursement	\$10.00
63977	TERRY JUHL dba TWO JUHLS & A GEM, serv.	\$150.00
63978	USA BLUEBOOK, supp.	\$586.71
63979	VANWALL EQUIPMENT INC, supp.	\$236.60
63980	VERIZON WIRELESS, serv.	\$120.03
63981	WAVERLY HEALTH CENTER CLINIC, serv.	\$281.00
63982	ZIEGLER INC, supp.	\$39.69

TOTAL \$489,382.21

Business of the Mayor - A proclamation for Child Abuse Prevention Month for the month of April was presented for approval. Motion by Freeseaman, second Joerger to approve the proclamation as presented. Ayes - 5 Mayor Andrews read the proclamation.

Mayor Andrews is recommending re-appointing Sarah Barrett and Diane Meyer to the park and rec board. Motion by Mallaro, second Freeseaman to approve these re-appointments. Ayes - 5

Mayor Andrews opened the public hearing on the 2019 North Missouri Avenue Sub drain Project. Affidavit of publication dated 3/22/19 was informally filed. Mayor 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. The final plans for this project are the same as the preliminary and include extending 6" diameter sub drain from storm sewer intakes. It will be done in the area between the back of curb and sidewalk along the west and east sides of Missouri Avenue and the west side of North Grand Avenue. Council member Freeseaman introduced Resolution 37-19 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2019 NORTH MISSOURI AVENUE SUB DRAIN PROJECT, CHARLES CITY, IOWA" 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. Three bids were received for this project with Kamm Excavating of Charles City being low at \$56,028.75. Engineer estimate of cost was \$70,000.00. This project will be done this summer with a completion date in August. Council member Joerger introduced Resolution 38-19 entitled, "RESOLUTION APPROVING AWARD AND CONTRACT AND BOND FOR THE 2019 NORTH MISSOURI AVENUE SUB DRAIN PROJECT" 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.

Mayor Andrews opened the public hearing on the 2019 South Main Street Sidewalk Extension project. Affidavit of publication dated 3/22/19 was informally filed. Mayor 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 The final plans for this project had an addendum to include an intake that was covered by snow when the plans were done. There was also an addition to include construction of the remaining sidewalk in Parkside Addition. This sidewalk work will be done under a separate agreement between the contractor and Parkside developers. Council member Freeseaman introduced Resolution 39-19 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2019 SOUTH MAIN SIDEWALK EXTENSION 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. Four bids were received for this project with King Construction from Clear Lake being low at \$59,273.00 for the base bid. There were also two alternate bids requested, one for the mid block cross walk by the theater and the other for gutter flow modifications at 800 First Avenue to correct a storm water drainage issue. Those bids were \$10,173.80 and \$8,767.65 respectively. Staff is recommending accepting the alternate bid for the storm water drainage issue and it is up to the council on the cross walk bid. Funding will be road use tax. Council member Starr motioned to accept the low bid on all three projects. Motion died for lack of a second. Council member Hammond commented that he thinks more discussion is needed on the cross walk project. Council took no further action on this item and will discuss it at the next planning session and take action at the next regular council meeting.

HyVee has presented a lease for area in the parking lot near their building for a garden center. Lease will run from April 2 to June 30 and will cost \$250 per month with a \$100 refundable deposit. Area is same as last year. Council member Joerger introduced Resolution 41-19 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN HY VEE FOOD STORE AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT" 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

Theisen's has also presented a lease for area in the parking lot for their garden center for the season. Their lease term is from April 15 to July 15 and is for the same area as in the past. The cost is \$250 per month with a \$100 refundable deposit. Council member Joerger introduced Resolution 42-19 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 Hammond. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none.

Heidi Nielsen, housing director, presented a project to replace the exterior door knobs and install deadbolts at North and South Cedar Terrace apartments. A request for quotes was done with three being received. Strauss Security Solutions from Urbandale submitted the low quote at \$16, 847.58. The housing board has reviewed the quotes and is recommending accepting the quote from Strauss Security Solutions. This will be done through the operating budget for housing. Council member Joerger introduced Resolution 43-19 entitled, "RESOLUTION ACCEPTING QUOTE FROM STRAUSS SECURITY SOLUTIONS FOR APARTMENT DEADBOLT/DOOR HANDLE REPLACEMENT PROJECT" 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 1128 AN ORDINANCE AMENDING CHAPTER 100 OF THE CHARLES CITY CODE OF ORDINANCES BY ADDING NEW SECTIONS 100.13, 100.14, 100.15, AND 100.16 FOR THE PURPOSE OF PROVIDING FOR REGULATIONS FOR THE CONNECTION OF SUMP PUMP SYSTEMS INTO THE PUBLIC STORMWATER SEWER SYSTEM was presented for a third reading. Currently, each homeowner is required to come before the council to execute an agreement for them to connect to the city storm sewer with their sump pumps. We want to re-write the ordinance to allow for this to happen at staff level with approval of a permit and an inspection of the connection. There are certain requirements, such as size of the discharge pipe and an inspection. This amendment will also allow the city to require connection to the storm sewer if a nuisance is occurring, such as ice buildup in the street in winter and moss/excessive water draining in the streets in the summer. Motion by Hammond, second Freeseaman to approve the third reading of Ordinance 1128. Ayes - 5. Council member Hammond read the ordinance. Motion by Joerger, second Freeseaman to adopt and publish Ordinance 1128. Ayes - 5.

Ordinance 1129 AN ORDINANCE AMENDING SECTIONS 124.03 - EXCEPTIONS, SECTION 124.06 - WORKSMANSHIP, AND SECTION 151.03 - DUTY TO TRIM TREES, OF THE CHARLES CITY CODE OF ORDINANCES FOR THE PURPOSE OF REQUIRING PRIVATE PROPERTY OWNERS TO TRIM TREES ON PUBLICLY OWNED PROPERTY OR RIGHT-OF-WAY ABUTTING THE OWNERS' PRIVATE PROPERTY was presented for a second reading. This change would allow the trimming of trees in the city right of way by the abutting property owners without needing a bond or tree trimming license to do so. This is for the trees in front of their property only, not anyone else's. It will also allow for the city to inspect the work done. Motion by Freeseaman, second Hammond to approve the second reading of Ordinance 1129. Ayes - 5. Council member Freeseaman read the ordinance.

Staff has been working on some changes to the off street parking paving requirements and will now also be adding some changes to the requirements for parking in the city right of way as well. These changes can be initiated by the city and sent to planning and zoning for their review. They will hold a public hearing and then make a recommendation to the council. The council will also then hold a public hearing and do three readings of the ordinance. Council member Joerger introduced Resolution 44-19 entitled, "RESOLUTION DIRECTING REVIEW OF CHANGES TO OFF STREET PARKING REQUIREMENTS TO PLANNING AND ZONING FOR CONSIDERATION AND RECOMMENDATION" 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. It was also stated that it might be beneficial to have this ordinance allow a decision be made on a case by case basis rather than a "one size fits all" approach to allow some flexibility because not all situations are the same.

The city has been approached by AARP about joining their livable communities program. Right now, Des Moines is the only Iowa city in this program. This effort is co-sponsored by the World Health Organization. Council member Joerger introduced Resolution 45-19 entitled, "RESOLUTION APPROVING APPLICATION TO AARP NETWORK OF AGE-FRIENDLY STATES AND COMMUNITIES PROGRAM" 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

Temporary easements are needed for the North Missouri Avenue sub drain project in order to construct the ADA sidewalk ramps. There are five easements needed for this project. Once the project is done, the easements will be done. Council member Joerger introduced Resolution 46-19 entitled, "RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENTS FOR THE 2019 NORTH MISSOURI AVENUE SUB DRAIN PROJECT, CHARLES CITY, IOWA" 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.

Temporary easements are also needed for the South Main sidewalk extension project in order to construct the ADA sidewalk ramps. There are four easements needed for this project. Council member Hammond introduced Resolution 47-19 entitled, "RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENTS FOR THE 2019 SOUTH MAIN SIDEWALK EXTENSION PROJECT, CHARLES CITY, IOWA" 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.

Purchase of land for site certification was discussed. This item has been debated at length by the Southwest Bypass TIF board. A site committee has identified a tract of land that would work well for a certified site and a purchase option has been secured on this property by the Area Development Corporation. At a recent SW TIF board meeting, the idea of doing an appraisal on the property was discussed and Tim Fox, ADC director, had stated that if either the city or county requests an appraisal then they will do one. But some members thought an appraisal was not appropriate since an option to purchase at a certain price was already in place. Fox commented to the council that this site is a good fit and had a lot of desirable qualities for development, such as access to the avenue and infrastructure already in place. Access to fiber is also easily attainable. Council member Hammond stated that what Tim and the rest of the site committee had done as far as research on possible sites was technically an appraisal. He had looked at all the pros and cons and compared to other certified sites in the state. Council member Freeseaman asked if any of the search information had been given to the SW TIF board. Director Fox replied that he had given just an oral overview of the search results but nothing is formally

documented. Council member Joerger stated that since an agreement is already in place, he doesn't think it's necessary to do an appraisal at this time. Since the county will be the one incurring the debt for this purchase, he thought the request for an appraisal should come from them if they so choose. Council member Freeseaman commented that he had requested this item to be on the agenda after the discussion held at the SW TIF board meeting last week for council to discuss. If they aren't in favor of it, it can be voted down. He also stated that he is in favor of this project but he just wants to be able to back up the purchase if it does occur. No motion was made on this item so it died for lack of a motion.

City clerk O'Donnell reported that the next planning session has been moved from April 10 to April 8 starting at 6:00 in council chambers.

City administrator Diers reported that we were approved for a Partners for Conservation grant. This will fund a staff person to oversee the RCPP grant. At the next workshop, we will be discussing a pole mounted antenna policy that we should implement due to upcoming 5G coverage needs for cell phones. This needs to be in place by April 15. There will be a meeting with Mid American Energy reps on Wednesday to discuss their upcoming projects.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, city clerk