

COUNCIL PROCEEDINGS  
APRIL 14, 2021

Charles City city council met in a planning session on April 14, 2021 at 6:00 p.m. via Zoom due to the COVID-19 pandemic. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Phillip Knighten and Phoebe Pittman (left the meeting approximately 6:45). Also present were city administrator Steve Diers, city engineer John Fallis and city attorney Brad Sloter.

City engineer John Fallis shared recent pictures of the Charley Western trail bridge project.

Discussion on extension of the note to the telecommunications board. This note was originally set to come due on March 31. But with the delay in securing the financing, so this due date should probably be extended for possibly a year. City administrator Diers commented that all of the consultants are now on a contingency basis for payment so there should be no more bills until the financing is completed. We are now looking to partner with another entity for this project so that should lower the amount of financing needed and will hopefully be easier to secure that financing. All we will need is a date for the extension and city attorney Sloter can draw up the necessary paperwork.

The city recently acquired the property at 312 15<sup>th</sup> Avenue through nuisance abatement. The house has been demolished and the city would like now sell the property. It is located in the 100 year flood plain so that will limit future construction since any new house would have to comply with the flood plain construction requirements. An adjacent property owner is interested in purchasing the lot but we are required to open up the bids to everyone. Consensus of council was to sell this lot. Sloter stated that the assessed value of the land is \$8300 but the actual fair market value would be much lower due to being in the flood plain. We will need to hold a public hearing once we accept the high bid. A similar type of lot the city sold recently for \$1500.

Ordinance 1152 to re-zone a parcel located at 808 N. Jackson has been drafted and reviewed by planning and zoning. This lot is currently zoned B-3 and has storage units on it. The owner would like to build more storage units but a B-3 zoning doesn't allow this. The current units there are a legal non-conforming structure. An M-1 district allows this type of building and this lot is bordered on two sides by M-1. Planning and zoning held a public hearing on this proposed ordinance and they are recommending approval. John Newton, the property owner requesting this re-zoning, asked the council to consider expediting this ordinance by waiving the third reading. A public hearing is set for the council on May 3 along with the second reading. He said construction costs continue to increase and he would like to start as soon as possible to lock in prices. Council member Starr asked if staff had received any negative comments from surrounding properties and response was no. The first reading of this ordinance will be done at the April 19 council meeting.

The Cedar Health building located on 5<sup>th</sup> Street has been empty for some time and our public housing director Katie Nolte has been researching possible ideas for this property. The bank has not been able to find a buyer and it can't be re-opened as a senior living facility. Nolte is suggesting this building be demolished and a new affordable housing unit be constructed. Earmarked funding could be used for this project. HUD money would cover the demolition and abatement of any hazardous materials that may be in the building so the city won't be responsible for any of those costs. Council member Freeseaman asked if we had any idea of the cost to buy this property. Nolte explained that there is a second mortgage on this property plus the bank's interest. City attorney Sloter commented that the abstract would need to be brought up to date in order to determine what taxes are due and if there are any liens on the property before we could determine a cost to buy the property. Nolte commented that the housing department could leverage some of their capital funds to help with developing the property. They have been wanting to divest themselves of the Morningside Apartments and this project could replace that site. Council member Starr asked why the housing department wants to get rid of Morningside, was it due to higher crime in the area of Morningside? Nolte replied in part, yes. Morningside is also located farther away from downtown and businesses. Starr commented that if there is an issue with crime in the area of Morningside, the city needs to take a good look at it and try to address it. The application for the earmark funds is due soon. Council can always turn down the funds if we are approved. Consensus of council

was to apply for the funds and continue to do more research on demo costs and try to get an estimate of what the lot would cost. Since there are changes coming down the road from HUD on how public housing units will operate, this may be a good move for us.

Park and rec director Tyler Mitchell reported that he has secured a grant of \$20,000 from MinnTex to be used for resurfacing and expanding the pickle ball courts. Total estimated cost is \$36,500 which leaves the city's portion to fund of \$16,500. This project would also make the courts bigger which will make them safer and also be sanctioned. This would open up to having sanctioned leagues and tournaments. This will be on the next regular agenda for council to approve the funding.

Mark Wicks was present to review the CLG annual report. This is a requirement for us to keep our certified local government status. This status creates the historic preservation committee and oversees the historic structures in the city. The most recent effort of this group has been working with the save the depot group to move the historic train depot. They have also been working on adding a study advisory group to the committee.

Bob Ingram, from Sisson and Associates, reviewed the city's insurance renewal package. The worker's comp and liability premiums increased about 7% from \$378,718 to \$406,341. The derecho last year and an increase in litigation against cities have both contributed to this increase. The city's work comp mod factor did decrease to .9 from 1.04, which helped keep the increase lower. Council member Starr asked if our deductibles were appropriate and response was that we went from a \$1000 to a \$5000 deductible last year which saved us some money. But going to \$10,000 won't be a big enough savings to take on that extra risk. This renewal will be on the next regular meeting for council action.

A request has been received from Gilbert Starble, owner of Hartwood Inn, for re-zoning of his property. He would like to convert the Hartwood Inn from a motel to long term rental units. The zoning ordinance requires that a property owner must complete a rezoning petition with signatures from at least 50% of the surrounding property owners within 200' and he has been unable to do that. So he is requesting that the city initiate the re-zoning request, which is his only other course of action to get this re-zoned. He was asked if he knew why the abutting property owners wouldn't sign and it seemed that most of them just didn't want to sign anything and some thought they were signing to endorse the proposed project. Some just wanted more information before they signed. Council member Starr commented that he is hesitant to initiate this re-zoning with so many of the abutting property owners not in favor of it. Council member Knighten stated that he thinks this should go before the planning and zoning so that all of the residents within 200 feet would get the public hearing notice so they can come to hear about the project and know what it's all about. Council consensus was that Mr. Starble should gather more information to get to his neighbors on the proposed project and bring back to the council at the next planning session for more discussion. Council member Freeseaman requested that any verification be made of any additional information brought forward.

The 2020 HMA paving project is complete and ready for acceptance. This project consisted of HMA resurfacing on Cedar, Clinton and South Jackson streets, removing and replacing small sections of deteriorated curb and gutter and placing a leveling surface to improve rideability. There was also replacement of small sized storm sewer and old intakes on Clinton and Cedar Streets. A section of Second Street was completely reconstructed with a new 31 foot wide HMA paved street. The total project cost was \$1,565,864.35 which was more than the bid. Two change orders for the paving of abandoned railroad crossings on N. Grand and storm sewer repairs on Clinton Street accounted for the large majority of the increase. Heartland Asphalt was the contractor for the project. This acceptance and final payment will be on the next regular agenda for council action.

The North Jackson/South main HMA overlay project is completed and ready to be accepted. This project included approximately 3,650 feet of overlay with minor repairs to the curb and gutter, improvements to storm sewer intakes, pedestrian curb ramps for the sidewalks and a storm sewer extension on South Main. Total cost was \$892,642.23 which was more than the bid of \$805,949.53. Changes orders were issued which was mostly for unexpected rock excavation that was needed for the storm sewer construction on S. Main. This is a SWAP project. This acceptance and final payment authorization will be on the next regular agenda.

City administrator Diers reported that a resident had thanked him for the railroad crossing that was fixed this summer. Staff has been working on getting ready for in person council meetings to begin again. We will need some updated equipment to accomplish this and plan to keep the Zoom feature available for people who can't attend in person. Spring clean up is moving along and city workers have been able to average 15-20 dumpsters a day. Staff has been discussing a possible clear well project at the water plant and this will be discussed with council at an upcoming workshop. Chamber remodel and ambulance bay remodel projects have been started. The police department is working on updating their SOP and are also working on purchasing more body cameras so that each officer can have their own.

There being no further business, meeting was adjourned.

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, city clerk