

COUNCIL MINUTES  
REGULAR SESSION  
JUNE 3, 2019

Charles City city council met in regular session on June 3, 2019 at 6:00 p.m. in council chambers. Mayor Pro Tem Jerry Joerger presided and the following council members were in attendance: DeLaine Freeseaman, Michael Hammond and Dan Mallaro. Absent was Keith Starr  
Also present were city administrator Steve Diers, city engineer John Fallis and city attorney Brad Slotter.

Citizen comments - none

Mayor Pro Tem Joerger welcomed everyone to the meeting.

Motion by Freeseaman, second Mallaro to approve the agenda. Ayes - 4

Motion by Freeseaman, second Mallaro to approve the minutes of the May 15 and 20 meetings. Ayes - 4

Motion by Hammond, second Mallaro to approve the consent calendar. Ayes - 4. Consent calendar consisted of the following items: consider approval of the following bonds: Sidewalk - L and C builders, DeBoest Concrete, Boss Construction; Excavator - Breland Enterprises d/b/a American Waterworks; Contractor - Hubert Construction d/b/a Quade Construction; consider approval of Outdoor Service for June 22 for Hot Shots Billiards for BBQ Challenge and payment of claims (including those approved by other boards):

64567	ALEC M GOODSITE, serv.	\$60.00
64568	CITY IMPROVEMENT ASSOCIATION, serv.	\$255.00
64569	IOWA DIV OF LABOR SERVICES, serv.	\$120.00
64570	IOWA TITLE & REALTY CO, serv.	\$525.00
64571	ISAIAH JAY TILTON, serv.	\$180.00
64572	JONAH DEVORE, serv.	\$30.00
64573	MERRITT COMPUTER SERVICE INC, serv.	\$264.08
64574	MICHAELS BAND BOX, serv.	\$493.00
64575	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$4,746.00
64576	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$750.00
64577	SELAH FAITH FUBAI OPP, serv.	\$210.00
64578	STEWART M DALTON, serv.	\$210.00
64579	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00
64580	JENDRO SANITATION SERVICES, serv.	\$17,540.00
64581-64599	PAYROLL ENDING 05/25/19	\$102,500.02
ACH	AFLAC, payroll liabilities	\$1,100.58
64600	CITY OF CHARLES CITY, payroll liabilities	\$1,440.36
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$212.76
ACH	EFTPS, payroll liabilities	\$27,775.18
64601	EMC NATIONAL LIFE CO, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, PR liabilities	\$1,508.00
ACH	ICMA, payroll liabilities	\$1,573.85
ACH	IPERS, payroll liabilities	\$43,913.75
64602-64603	LINCOLN NATIONAL LIFE INS CO, PR liabilities	\$239.50
64604-64605	DELTA DENTAL, payroll liabilities	\$498.06

ACH	TREASURER, STATE OF IOWA, PR liabilities	\$15,767.00
ACH	MUNICIPAL FIRE & POLICE, PR liabilities	\$38,994.69
ACH	VSP, payroll liabilities	\$331.88
64606	VERIZON WIRELESS, serv.	\$120.03
64607	CUSB BANK, serv.	\$55,250.00
64608	FIRST CITIZENS BANK, serv.	\$112,354.50
64609	FIRST SECURITY BANK, serv.	\$19,107.50
64610	STATE BANK, serv.	\$18,242.05
64611	VALERO RENEWABLE FUELS CO, serv.	\$75,750.00
64612-64624	JUNE HAP CHECKS	\$12,316.51
ACH	JUNE HAP CHECKS	\$36,513.39
ACH	JUNE FGP STIPEND CHECKS	\$22,112.39
ACH	AUXIANT, serv.	\$556.14
ACH	BANCORPSV, serv.	\$472.17
ACH	BANCORPSV, serv.	\$380.67
ACH	KABRICK DISTRIBUTING, supp.	\$429.40
ACH	CAROLYN LAVONNE KACER (FGP), mileage	\$20.57
ACH	DARLENE TOYNE (FGP), mileage	\$16.50
ACH	LINDA BETELS (FGP), mileage	\$17.60
64625	ACUSHNET COMPANY, supp.	\$199.35
64626	AGVANTAGE FS, supp.	\$1,054.35
64627	ATLANTIC TACTICAL, supp.	\$177.80
64628	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
64629	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
64630	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
64631	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
64632	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
64633	CC PUBLIC EMP HEALTH PLAN, serv.	\$72,552.87
64634	CEDAR CREEK TREE SERVICE LLC, serv.	\$10,959.00
64635	CENTRAL STATES GROUP, serv.	\$16.61
64636	CHARLES CITY CEDAR MALL, serv.	\$51,271.39
64637	CHARLES CITY PRESS INC, supp.	\$135.00
64638	CHATFIELD SALVAGE/TOWING, serv.	\$275.00
64639	CINTAS CORPORATION, serv.	\$67.15
64640	CIRCLE K COMMUNICATIONS INC, serv.	\$4,041.67
64641	CITY OF CHARLES CITY, supp.	\$160.00
64642	CLEAR LAKE SANITARY DISTRICT, serv.	\$600.00
64643	CORE & MAIN LP, supp.	\$2,791.86
64644	DIETZ CONSTRUCTION, supp.	\$29.00
64645	DON'S REPAIR, supp.	\$410.73
64646	DOUBLE Z CONSTRUCTION, serv.	\$50.00
64647	FARMCHEM, supp.	\$32.25
64648	FLOYD COUNTY TREASURER, serv.	\$505.00

64649	GHD SERVICES INC, serv.	\$2,060.48
64650	HAWKINS INC, supp.	\$3,657.56
64651	HEARTLAND ASPHALT INC, supp.	\$906.75
64652	HEWETT WHOLESale, supp.	\$116.13
64653	HOBERT ELECTRIC, serv.	\$45.00
64654	IOWA DEPT OF NATURAL RESOURCES, serv.	\$30.00
64655	IDOT-CASHIER'S OFFICE	**VOIDED**
64656	IDOT-CASHIER'S OFFICE, supp.	\$3,755.10
64657	IOWA SURVEILLANCE TEAM, serv.	\$2,409.99
64658	IOWA GOLF ASSOCIATION, serv.	\$528.00
64659	JEAN BOLEY, mileage	\$40.60
64660	JOHN A HOWE, serv.	\$850.00
64661	K&W COATINGS LLC, serv.	\$18,860.00
64662	KARL EMERGENCY VEHICLES, serv.	\$162.50
64663	KATHY K CROOKS, serv.	\$225.00
64664	KOCH BROTHERS INC, serv.	\$6.19
64665	MANAGERPLUS LLC, serv.	\$749.00
64666	MARCO TECHNOLOGIES LLC	**VOIDED**
64667	MICHAEL WILLIAMS, travel reimbursements	\$27.52
64668	MICK GAGE PLUMBING & HEATING, serv.	\$7,117.66
64669	MICK GAGE PLUMBING & HEATING, serv.	\$329.60
64670	MIDAMERICAN ENERGY, serv.	\$28,027.25
64671	MIDAMERICAN ENERGY, serv.	\$128.65
64672	MTI DISTRIBUTING INC, supp.	\$286.29
64673	NEWBAUER INC, serv.	\$105.56
64674	PAWS HUMANE SOCIETY, serv.	\$1,550.00
64675	PITNEY BOWES-LEASE ACCT, serv.	\$162.00
64676	PRODUCTIVITY PLUS ACCOUNT, supp.	\$534.17
64677	QUALITY AUTO SERVICE, supp.	\$50.95
64678	QUARTZ LAMPS, supp.	\$142.70
64679	RILEY'S INC, supp.	\$294.96
64680	SAFARILAND LLC, supp.	\$86.31
64681	SCREENPRINTS INC, supp.	\$567.07
64682	SECRETARY OF STATE, serv.	\$10.00
64683	SISSON & ASSOCIATES INC, serv.	\$301.00
64684	SNAP-ON TOOLS/DUANE KAY, supp.	\$540.00
64685	ST JOHN LUTHERAN CHURCH, serv.	\$35.00
64686	STANARD & ASSOCIATES INC, supp.	\$43.00
64687	SUPERIOR WELDING SUPPLY CO, supp.	\$310.32
64688	TRELLEBORG WHEEL SYS AMERICA, tax rebate	\$70,923.31
64689	TRIUMPH SURPLUS, serv.	\$28.53
64690	WALDERBACH PROPERTIES LLC, tax rebate	\$1,839.66
64691	WILSON CUSTOM TREE, serv.	\$4,735.00

64692	JUNE FGP STIPEND CHECK	\$310.05
64693	MARCO-BUS OFF, serv.	\$90.62
64694	MARCO-LEASE ACCT, serv.	\$204.05

**TOTAL** \$914,616.69

April Receipts- Gen-259152.48;Dispatch-32061.97;SafetyEd-225.00;P/R C/I-192.85;CommEquip-1333.93;H/M-310.72;RAGBRAI-.27;RUT-92250.41;EmpBen-100296.30;CVTC-1024.47;Emerg-5584.74;OptTx-81802.58;TIF-9766.30;LibrTr-906.89;FGP-25001.90;PubHous-70217.12;Sect8-62519.14;DebtServ-29348.04;'18CapFnd-2100.00;Water-217555.47;Sewer-233435.39;WasteFnd-56138.32;Transit-13425.25;SWU-17817.91;FireExt-112.00

April Disbursements - Gen-437588.65;Disp-55372.16;SafetyEd-40.61;RUT-112477.07;EmpBen-254909.92;CVTC-12086.62;LibrTr-8087.39;FGP-31410.20;PubHous-102104.89;Sect8-60608.77;Cable-690.00;StreetRelC/I-70229.30;ClarkStTrail-15366.63;'18CapFnd-2100.00;CW Bridge-26914.30;Water-161697.12;Sewer-128971.15;WWTPExpFnd-26539.00;WasteFnd-77825.94;Transit-37030.27;SWU-20121.94;FireExt-2031.41

Business of the Mayor - A proclamation for Flag Day for June 14 had been requested by Steve Mills. Motion by Freeseaman, second Hammond to approve the proclamation. Ayes - 4. Mayor Pro Tem Joerger read the proclamation.

Todd Prichard had presented a request for street closure for a block party on July 4. He is asking for N. Illinois to be closed from Blunt to Kelly Streets from 11 a.m. to 2 p.m. Motion by Freeseaman, second Hammond to approve the request. Ayes - 4

Requests have been submitted for street closures for events on July 3 and July 4. July 3 is Kid's Day parade at 10:30 a.m. and they are asking for the following streets to be closed: Kelly St from Main to N. Johnson, Blunt St. from Main to N. Jackson and N. Jackson from Blunt to Kelly. The fireworks company that will be shooting the fireworks on July 4<sup>th</sup> is requesting that Main Street Bridge again be closed from 2:00 p.m. to 11:00 p.m. for the display for safety purposes. Motion by Mallaro, second Freeseaman to approve these street closures. Ayes - 4

A lien that was placed on a property at 207 S. Iowa that participated in the 2012 housing rehab project is ready to be released. The homeowner has satisfied all of the requirements of the grant. Council member Hammond introduced Resolution 78-19 entitled, "RESOLUTION RELEASING LIEN ON FORGIVABLE LOAN FOR PROPERT LOCATED AT 207 S. IOWA STREET" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none.

The first phase of the 2018 housing rehab project is ready to be awarded. There are two of the six total houses included in this phase. Only one contractor, Kellogg Construction, submitted bids on these two properties as follows: 105 9<sup>th</sup> Avenue for \$30,120.00 and 206 8<sup>th</sup> Avenue for \$26,996.00. Cost estimates for these properties were \$28,564.00 and \$26,304.00 respectively. Some of the work to be done includes replacement of electrical service, installation of hard-wires smoke detectors and carbon monoxide detectors, replacement of water heater and repairs to wood burner, replacement of some windows and replacement of some exterior and interior doors. Council member Freeseaman introduced Resolution 79-19 entitled, "RESOLUTION APPROVING REHABILITATION ASSISTANCE FOR DIA NEVE, 105 9<sup>TH</sup> AVENUE , IN CONNECTION WITH THE NORTH GRAND RESTORATION AREA CDBG HOUSING REHABILITATION PROGRAM" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none. Council member Hammond introduced Resolution 80-19 entitled, "RESOLUTION APPROVING REHABILITATION ASSISTANCE FOR JACK AND GLORIA HULBERT, 206 8<sup>TH</sup> AVENUE, IN CONNECTION WITH THE NORTH GRAND RESTORATION AREA CDBG HOUSING REHABILITATION PROGRAM" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none.

The South Cedar Terrace Electrical Upgrade project was awarded to Stanton Electric at a previous meeting. We have since received the contract and bond for this project and it is ready for approval. The amount is \$317,926 for the base bid and \$66,036 for the alternate bid for a total of \$383,962. Council member Freeseaman introduced Resolution 81-19 entitled, "RESOLUTION APPROVING A CONTRACT AND BOND FOR THE CONSTRUCTION OF THE CHARLES CITY HOUSING AND REDEVELOPMENT AUTHORITY, SOUTH CEDAR TERRACE-ELECTRIC SERVICE UPGRADE PROJECT, NO 18674, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Ordinance 1130 AMENDING SECTION XXII, OFF-STREET LOADING AND PARKING OF THE CHARLES CITY ZONING ORDINANCE TO MODIFY OFF-STREET PARKING REQUIREMENTS was presented for a third and final reading. This ordinance would change some of the off street parking requirements for redevelopment housing projects only. It would be limited to roads with low volume traffic and restricted to diagonal parking only. The site would have to also have limited area for on site parking in order to allow use of the ROW for diagonal parking. This use will be allowed on a case by case basis after evaluation by staff. The amount of parking per dwelling unit is also being reduced from 2.2 per unit to 1.5 per unit to be more in line with other similar size cities requirements. Planning and zoning held a public hearing on this proposed ordinance and they are recommending approval. Motion by Freeseaman, second Mallaro to approve the third reading of Ordinance 1130. Ayes - 4. Council member Freeseaman read the ordinance.

Motion by Freeseaman, second Hammond to adopt and publish Ordinance 1130. Ayes - 4

Ordinance 1131 AMENDING CHAPTER 28 OF THE CHARLES CITY CODE OF ORDINANCES BY ADDING A NEW SECTION 28.05 RELATING TO STUDENT REPRESENTATIVES ON THE HISTORIC PRESERVATION COMMISSION was presented for a third and final reading. This would allow students to become non-voting members of the commission. It allows for four student members, ideally one from each grade in high school. They can be re-appointed every year and must reside in the Charles City school district but do not have to attend the Charles City Community school. Motion by Hammond, second Mallaro to approve the third reading. Ayes - 4. Council member Hammond read the ordinance. Motion by Hammond, second Mallaro to adopt and publish ordinance 1131. Ayes - 4

Ordinance 1132 AMENDING CHAPTERS 136-SIDWALK REGULATIONS, 137-CONSTRUCTION PERMITS AND CONTRACTORS LICENSES FOR CURBING, PAVING, DRIVEWAYS, AND SIDEWALKS AND 138-DRIVEWAY REGULATIONS, OF THE CHARLES CITY CODE OF ORDINANCES BY MODIFYING THE REQUIREMENTS FOR SIDEWALK REPAIRS AND CONSTRUCTION was presented for a second reading. This would allow property owners to do their own sidewalk repairs/installations without getting a bond or be licensed. They would still need to have the city inspect the work and get a permit. This would not cover work for driveway approach construction, those requirements would remain unchanged. Motion by Freeseaman, second Mallaro to approve the second reading. Ayes - 4. Council member Freeseaman read the ordinance.

An agreement has been drafted with a resident on Hildreth Street to allow him to operate a golf cart to reach his car parked on a side street during the Hildreth street project. He has a physical impairment that precludes him from walking any distance and has requested to use a golf cart to get to his car parked on a side street from the construction. An agreement has been drafted by the city attorney to allow this with some stipulations such as that the resident will provide the fuel and maintenance if needed and that it is only to be operated within that block of Hildreth. It will only be allowed for the duration of the construction project. Our city insurance agent is waiting back for an answer on insurance coverage, so city attorney Brad Slotter is recommending approving this agreement tonight pending an answer being received on the insurance. Council member Hammond introduced Resolution 82-19 entitled, "RESOLUTION APPROVING AGREEMENT FOR USE OF A GOLF CART BY PETER SANDROWSKY DURING HILDRETH STREET RECONSTRUCTION PROJECT, CHARLES CITY, IOWA" pending appropriate answer being received from the city's insurance agent. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Salaries for non-bargaining unit employees has been budgeted for a 2.75% increase for FY20. Traditionally, the council has given the same raise to the non union workers. There are a couple of exceptions: Tyler Mitchell, new park and rec director, will keep his starting salary since he was just hired in May and Kathy Herrick, police secretary, will receive an additional \$1.00/hour along with the 2.75% raise. Council member Freesean introduced Resolution 83-19 entitled, "RESOLUTION SETTING SALARIES/WAGES FOR APPOINTED OFFICERS AND NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freesean, Hammond, Mallaro. Nays - none

The city has been offering dental and vision insurance on a strictly voluntary basis and at 100% cost to the employee for the last few years. Staff has been discussing on offering a partial city payment toward dental insurance to help make us more competitive when hiring and also to promote more healthy employees. Staff is recommending a contribution of up to \$25/month toward dental insurance for any employees who want to participate. If the premium is less than \$25, the employee would only get the value of the premium paid. If all eligible employees took advantage of the maximum amount, it would cost \$18,900/year. Motion by Freesean, second Mallaro to approve this added employee benefit. Ayes - 5

The lime sludge project was awarded last year to Kamm Excavating. Due to unforeseen weather issues, this project was not completed prior to the December 1, 2018 deadline. Staff is recommending a change order to extend the completion date to December 1, 2019. Councilmember Freesean introduced Resolution 84-19 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER FOR LIME SLUDGE REMOVAL PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freesean, Hammond, Mallaro. Nays - none

Our recently adopted tree trimming ordinance had some incorrect section references. Ordinance 1133 AN ORDINANCE REPEALING AND REPLACING ORDINANCE 1129 OF THE CITY OF CHARLES CITY, IOWA AND MODIFYING CHARLES CITY CODE OF ORDINANCES SECTIONS 124.02 - LICENSE REQUIRED, SECTION 124.04 - WORKMANSHIP AND SECTION 151.03 - DUTY TO TRIM TREES, FOR THE PURPOSE OF REQUIRING PRIVATE PROPERTY OWNERS TO TRIM TREES ON PUBLICLY OWNED PROPERTY OR RIGHT-OF-WAY ABUTTING THE OWNER'S PRIVATE PROPERTY would repeal and replace Ordinance 1129 to correct this. Staff is also recommending waiving of the second and third readings of this ordinance and adopt it tonight since it not a substantive change and more like a scrivener's error. Motion by Freesean, second Hammond to approve the first reading of Ordinance 1133. Ayes - 4. Council member Freesean read the ordinance. Motion by Freesean, second Hammond to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance 1133 and adopt and publish. Ayes - 4.

Negotiations have been ongoing for the new ambulance contract with AMR. We have been operating on an extension of the expired agreement for the past year until a new agreement could be negotiated. The contract that was finally agreed upon calls for an annual payment to AMR from the city of \$50,000. It eliminates the funding previously received from AMR for rent, dispatch services and ambulance driver staffing in the amount of approximately \$24,000 but these services will still be provided in-kind to AMR. The original request from AMR was an annual payment to them from the city of \$128,000. This means there is a shortfall between the actual payments/in-kind and their original asking so this will be made up with an increase in service fees that AMR will charge. This will only be a one year agreement starting July 1, 2019 and it will only be between the city/St. Charles township and AMR. There is no funding coming from either the county or the hospital at this time. Council member Freesean introduced Resolution 85-19 entitled, "RESOLUTION APPROVING RENEWAL OF AGREEMENT BETWEEN THE CITY OF CHARLES CITY, IOWA AND AMR FOR AMBULANCE SERVICE FOR THE CITY OF CHARLES CITY" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freesean, Hammond, Mallaro. Nays - none.

City clerk O'Donnell reported that the next planning session will be held June 12 at the fire station. It will start with a tour at 5:00 and the business part of the meeting will begin at 6:00.

City administrator Diers reported that the evaluations for city administrator, city clerk and city attorney have been put on survey monkey for the council to complete. We have received info on the valuation for 500 N. Grand so we will work up some numbers for the proposed development agreement for that property to discuss at the next planning session. Initial valuation will be around \$260,000 with an estimated value when done of 2 to 2 ½ million.

Motion by Hammond, second Freeseaman to adjourn. Ayes - 4

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Jerry Joerger, Mayor Pro Tem

Attest:

Trudy O'Donnell, City Clerk