

COUNCIL MINUTES
REGULAR SESSION
JUNE 15, 2020

Charles City city council met in regular session on June 15, 2020 at 6:00 p.m. in council chambers and via Zoom. Mayor Dean Andrews presided and the following members were present in the chambers: DeLaine Freeseaman and Jerry Joerger and via Zoom were Phoebe Pittman, Phillip Knighten and Keith Starr. Also present were city administrator Steve Diers, city engineer John Fallis and city attorney Brad Sloter.

Citizens comments - none

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Joerger, second Starr to approve the minutes of the May 27 and June 1 meetings. Ayes - 5

Motion by Freeseaman, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve 5/20 financials for city of Charles City and CC Public Employee Health Plan, outdoor service permit for Whimsical Wine Trailer, expanded outdoor service for St. Charles Brewery, cigarette permits for the following: Buy Low North, Rush Stop, Fareway, Casey's, HyVee Food Store, HyVee Gas, Kwik Star #419, Kwik Star #468, Liquor Beer and Tobacco Outlet and payment of claims (including those approved by other boards). It was noted that the Whimsical Wine trailer would need to have a fence for their outdoor service on July 11.

68922	CENTURYLINK, serv.	\$1,914.42
68923	KWIK TRIP INC, supp.	\$2,253.17
68924	WINDSTREAM, serv.	\$74.45
68925-68940	PAYROLL ENDING 06/06/2020	\$100,443.64
68941	CITY OF CHARLES CITY, payroll liabilities	\$1,448.05
68942-68943	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$9,454.59
ACH	COLLECTION SERVICE CENTER, payroll liabilities	\$5.07
ACH	EFTPS, payroll liabilities	\$26,854.78
68944	EMC NATIONAL LIFE COMPANY, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,608.00
ACH	ICMA, payroll liabilities	\$1,642.35
68945	CENTURYLINK, serv.	\$234.00
68946	CITY OF CHARLES CITY-TELECOM UTILITY, supp.	\$20.55
68947	FANG LIU, utility deposit refund	\$13.12
68948	JOSEPH RAVELING, utility deposit refund	\$13.12
68949	GARY LEE SCHMIDT, utility deposit refund	\$42.45
68950	CONRADO VALLE, utility deposit refund	\$23.24
68951	KATHERINE ANORVE-ANDRESS, utility deposit refund	\$90.00
68952	NICHOLAS JOHN BIENO, utility deposit refund	\$90.00
68953	BRYAN MICHAEL DETTMER, utility deposit refund	\$90.00
68954	ROBIN LYNN FINGALSEN, utility deposit refund	\$90.00
68955	LENNY FULLER, utility deposit refund	\$90.00
68956	DOUGLAS HAHN, utility deposit refund	\$90.00
68957	JOSHUA HEIMS, utility deposit refund	\$90.00
68958	CHRISTOPHER HERMAN, utility deposit refund	\$90.00

68959	HIGH POINT REALTY & AUCTION, utility deposit refund	\$90.00
68960	MICHAEL R KIRSCH, utility deposit refund	\$90.00
68961	ADRIENNE MARIE O'NEILL, utility deposit refund	\$90.00
68962	CINDY PAUL, utility deposit refund	\$90.00
68963	DEBRA PETERSON, utility deposit refund	\$90.00
68964	NORMA RAAB, utility deposit refund	\$90.00
68965	ALEXY LEIGH SCHWEINFURTH, utility deposit refund	\$90.00
68966	TEENA PATRICE CURL-SNOW, utility deposit refund	\$90.00
68967	DARREN STREICH, utility deposit refund	\$90.00
68968	DANA SULLIVAN, utility deposit refund	\$90.00
68969	ALISA KAY TOBIN, utility deposit refund	\$90.00
68970	CENTURYLINK, serv.	\$401.01
ACH	BANCORPSV, serv.	\$10.00
ACH	BANCORPSV, serv.	\$593.64
ACH	FIRST CITIZENS-CC, serv.	\$278.38
ACH	FLOYD SWCD, serv.	\$4,860.54
ACH	FORTE PAYMENT SYSTEMS, serv.	\$503.70
ACH	IMAGETEK, serv.	\$365.00
ACH	KABRICK DISTRIBUTING, supp.	\$585.45
ACH	PORTZEN CONSTRUCTION, serv.	\$198,452.15
ACH	TREASURER, STATE OF IOWA, sales tax	\$967.82
ACH	UNITED BEVERAGE, supp.	\$146.20
ACH	US POSTAL SERVICE, supp.	\$1,000.00
68971	ACUSHNET COMPANY, supp.	\$516.48
68972	AGSOURCE COOPERATIVE SERVICES, serv.	\$231.50
68973	AGVANTAGE FS, supp.	\$76.07
68974	ARNOLD MOTOR SUPPLY LLP, supp.	\$171.89
68975	ARTWEAR / BIRDIE AND BO'S, supp.	\$32.00
68976	ATLANTIC COCA-COLA, supp.	\$25.20
68977	BODENSTEINER IMPLEMENT CO, supp.	\$33.27
68978	BREITBACH CHIROPRACTIC, serv.	\$175.00
68979	BUSINESS CARD	**VOIDED**
68980	BUSINESS CARD, serv.	\$1,863.74
68981	CALHOUN-BURNS & ASSOCIATES, serv.	\$4,119.60
68982	CEDAR RIVER SIGNS INC, supp.	\$451.07
68983	CENTRAL IOWA DISTRIBUTING, supp.	\$108.00
68984	CENTURYLINK, serv.	\$126.27
68985	CHARLES CITY CEDAR MALL, tax rebate	\$50,449.20
68986	CHARLES CITY ELECTRONICS, supp.	\$10.99
68987	CHARLES CITY PRESS INC, serv.	\$1,361.83
68988	CHARLES CITY PRESS INC, supp.	\$165.00
68989	CINTAS, supp.	\$218.36
68990	CINTAS CORPORATION, serv.	\$56.75
68991	CJ COOPER & ASSOCIATES INC, serv.	\$210.00

68992	COMMUNITY REVITALIZATION, serv.	\$4,015.22
68993	COMPUTRONICS, serv.	\$65.00
68994	CORE & MAIN LP, supp.	\$1,286.00
68995	CROELL INC, supp.	\$207.75
68996	D&C STANTON ELECTRIC LLC, serv.	\$24,898.10
68997	DAVID OTTO, serv.	\$200.00
68998	DICK'S PETROLEUM COMPANY, serv.	\$1,278.66
68999	DIRK UETZ, COVID-19 reimbursement	\$18.55
69000	DISH NETWORK, serv.	\$74.33
69001	DIXON ENGINEERING INC, serv.	\$4,650.00
69002	DLT SOLUTIONS LLC, serv.	\$625.00
69003	DO IT ALL SERVICES LLC, serv.	\$640.00
69004	DON'S TRUCK SALES INC, supp.	\$39.80
69005	DORSEY & WHITNEY LLP, serv.	\$10,728.00
69006	DOUBLE Z CONSTRUCTION, supp.	\$10,812.95
69007	ELECTRIC PUMP, serv.	\$13,662.30
69008	ETHANOL PRODUCTS LLC, supp.	\$1,067.25
69009	FAREWAY STORE, supp.	\$51.76
69010	HANAWALT & SON LUMBER, supp.	\$200.00
69011	HEARTLAND ASPHALT INC, supp.	\$1,609.28
69012	HEWETT WHOLESALE, supp.	\$65.09
69013	IOWA ASSOC MUNICIPAL UTILITIES, serv.	\$1,960.55
69014	IDOT-CASHIER'S OFFICE, supp.	\$96.30
69015	JENDRO SANITATION SERVICES, serv.	\$48,978.06
69016	JENDRO SANITATION SERVICES, serv.	\$238.00
69017	JOHN DEERE FINANCIAL, supp.	\$388.92
69018	JOHN FALLIS, travel reimbursement	\$519.38
69019	JOHN A HOWE, serv.	\$86.00
69020	KAMM EXCAVATING CORP, serv.	\$3,867.73
69021	KEYSTONE LABORATORIES serv.	\$222.98
69022	KING CONSTRUCTION INC, serv.	\$40,355.82
69023	LESSIN SUPPLY COMPANY, supp.	\$162.90
69024	LESSIN SUPPLY COMPANY, supp.	\$159.90
69025	MACQUEEN EQUIPMENT GROUP, supp.	\$55.27
69026	MANAGERPLUS SOLUTIONS LP, serv.	\$749.00
69027	MARCO, serv.	\$119.86
69028	MC2 INC, supp.	\$731.00
69029	MERCER PRESSURE WASHING, serv.	\$200.00
69030	MERRITT COMPUTER SERVICE INC, serv.	\$6,818.48
69031	MICK GAGE PLUMBING & HEATING, serv.	\$1,141.30
69032	MIDAMERICAN ENERGY, serv.	\$160.96
69033	MIDAMERICAN ENERGY, serv.	\$26.46
69034	MIKE MOLSTEAD MOTORS INC, serv.	\$476.66
69035	MIKE'S C&O TIRE INC, supp.	\$254.84

69036	MISSISSIPPI LIME COMPANY, supp.	\$6,358.21
69037	MOLSTEAD DEVELOPMENT AGREEMENT, tax rebate	\$4,805.74
69038	NCL OF WISCONSIN, supp.	\$2,468.21
69039	NEWBAUER INC, serv.	\$97.90
69040	NEWBAUER INC, serv.	\$56.75
69041	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$5,931.26
69042	PACKARD ELECTRIC INC, serv.	\$1,365.00
69043	PERRY NOVAK ELECTRIC INC, serv.	\$778.02
69044	PITNEY BOWES-LEASE ACCT, serv.	\$159.57
69045	POPP EXCAVATING INC, serv.	\$115,262.92
69046	POSTMASTER, serv.	\$890.00
69047	QUILL CORPORATION, supp.	\$161.94
69048	RONALD HILLEGAS/R&S MOWING LLC, serv.	\$841.00
69049	RILEY'S INC, supp.	\$570.02
69050	SCHNEIDER LABORATORIES INC, serv.	\$48.00
69051	SCHUETH ACE HARDWARE	**VOIDED**
69052	SCHUETH ACE HARDWARE, supp.	\$548.79
69053	SHERWIN-WILLIAMS CO, supp.	\$1,929.84
69054	SJE RHOMBUS, serv.	\$625.00
69055	SUPERIOR WELDING SUPPLY CO, serv.	\$24.75
69056	T-J SERVICE INC, supp.	\$1,299.00
69057	TEETER SPECIALTY CO, supp.	\$115.13
69058	TRELLEBORG WHEEL SYS AMERICA, tax rebate	\$72,537.58
69059	UNITED STATES CELLULAR, serv.	\$807.15
69060	USA BLUEBOOK, supp.	\$1,313.31
69061	VISU-SEWER INC, serv.	\$226,284.75
69062	WALDERBACH PROPERTIES LLC, tax rebate	\$2,056.30
69063	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

TOTAL \$1,048,828.66

Motion by Freeseaman, second Joerger to appoint Robin Macomber to replace Bethany Bryant on the planning and zoning commission. Ayes - 5

Motion by Starr, second Pittman to appoint Kelvin Keifer to the broadband commission board. Ayes - 5

Jan Adams had requested a proclamation for Relay for Life. Due to the pandemic, they won't do the relay but will have a weeklong celebration instead during June 22 through June 26. Motion by Freeseaman, second Joerger to approve the proclamation. Ayes - 5. Mayor Andrews read the proclamation.

Tami Vetter was present remotely to request a street closure for an event in front of the Rustic Corner on July 11. She would like to block off the entire 400 block of Main Street up to the entrance to the parking lot on the north side of her building. She is asking to close the street from 8:00 to 4:00 on that day. She is also involving other businesses in town for this Christmas in July event. Motion by Freeseaman, second Joerger to approve this request. Ayes - 5

Tony Lessin has also presented a request for a street closure on Yorkshire for a neighborhood block party on July 4th starting at noon and ending at sunset. Motion by Joerger, second Pittman to approve this request. Ayes - 5

Emily Garden from McDonald's has presented a request for kids day activities on July 3 and needs the 200 and 300 blocks of N. Jackson closed to have a drive through for kids to stay in their cars and receive goody bags. She is requesting the street be closed from 10:00 a.m. to 1:00 p.m. Motion by Freeseaman, second Pittman to approve the request. Ayes - 5

Todd Prichard has submitted a request for a street closure on N. Illinois from Blunt to Kelly on July 4th for a block party from 10:00 a.m. to 4 p.m. He will be encouraging social distancing at this event. Motion by Starr, second Joerger to approve this street closure request. Ayes - 5

Mayor Andrews opened the public hearing for conveyance of portion of right of way on South Johnson. Affidavit of publication dated 6/9/20 was informally filed. He asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Starr, second Pittman to close the hearing. Ayes - 5. This section of right of way is being vacated and transferred to the adjoining property owners. A 10' surface water easement is being retained for the Parkside Development which is directly behind these property owners as an overflow for any surface water from that property. Motion by Freeseaman, second Pittman to approve the third and final reading of Ordinance 1145 AN ORDINANCE VACATING A PORTION OF SOUTH JOHNSON STREET IN CHARLES CITY, IOWA. Ayes - 5. Council member Freeseaman read the ordinance. Motion by Freeseaman, second Joerger to adopt and publish Ordinance 1145. Ayes - 5. Council member Joerger introduced Resolution 103-20 entitled, "RESOLUTION APPROVING CONVEYANCE OF REAL PROPERTY" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Mayor Andrews opened the public hearing on the plans and specifications for the Charley Western Trail Bridge project. Affidavit of publication dated 6/9/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Starr, second Freeseaman to close the hearing. Ayes - 5.

This project was initially let in January and only one bid was received. It was quite high so the council decided to reject that bid and extended the completion date for the project in hopes of getting some better bids. The project extension was the only change to the original plans and specs. Two bids were received this time with the low bid coming from Godbersen-Smith Construction from Ida Grove, Iowa for \$1,390,633.75. Engineer's estimate for this project was \$1,200,000. Council member Freeseaman introduced Resolution 104-20 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE CHARLEY WESTERN TRAIL BRIDGE PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. Council member Freeseaman introduced Resolution 105-20 entitled, "RESOLUTION APPROVING AWARD AND CONTRACT AND BOND FOR CHARLEY WESTERN TRAIL BRIDGE PROJECT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Two properties that participated in the 2012 owner occupied rehab grant are ready to have their liens released after fulfilling all of the requirements of this program. Councilmember Joerger introduced Resolution 106-20 entitled, "RESOLUTION RELEASING LIEN ON FORGIVABLE LOAN FOR PROPERTY LOCATED AT 900 GILBERT STREET" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. Council member Freeseaman introduced Resolution 107-20 entitled, "RESOLUTION RELEASING LIEN ON FORGIVABLE LOAN FOR PROPERTY LOCATED AT 510 S. JOHNSON STREET" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

The electrical upgrade project done at South Cedar Terrace is completed and ready for acceptance and final payment to be made. The architects, Skott and Anderson Architects, have reviewed all of the final

documents and are recommending acceptance of this project. Council member Freeseaman introduced Resolution 108-20 entitled, "RESOLUTION ACCEPTING THE SOUTH CEDAR TERRACE-ELECTRIC SERVICE UPGRADE, CHARLES CITY, IOWA IN THE AMOUNT OF \$383,962.00" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

St. Charles Brewery has applied for Façade funding for FY21. They are putting siding on the north and east side of their building at 100 S. Main and are adding outside lighting and signage. The design committee has met and is recommending approval of their funding request of \$6,150.49 which is 50% of the total cost. Mark Wicks has confirmed the inside electrical work is not included in the total cost of this project, it was just listed on the quote for a second project that will be done. Council member Freeseaman introduced Resolution 109-20 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 100 S. MAIN SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

The annual one day borrowing is ready to be completed. The total to be borrowed is \$189,500 and will be used for police/fire equipment, tree removal, nuisance abatement, city server replacement and Shaw Avenue dump expenses. Quotes were requested from the four area banks for the fee for this transaction and First Citizens was low at \$75. The funds to pay this debt have been levied all year through debt service. Council member Freeseaman introduced Resolution 110-20 entitled, "RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT AND PROVIDING FOR THE ISSUANCE OF A \$189,500 GENERAL OBLIGATION CORPORATE PURPOSE NOTE" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The Gilbert Street lift station project plans have been completed and a public hearing needs to be set to approve these plans. This is a secondary part of the WRRF project the city is currently constructing and it will replace the Chautauqua lift station currently in use. Public hearing will be held July 20 and the application for SRF funding for this project and the environmental study will also be reviewed during this public hearing. Council member Freeseaman introduced Resolution 111-20 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF CONSTRUCTION COST FOR GILBERT STREET LIFT STATION PROJECT AND ORDERING THE ADVERTISEMENT FOR BIDS" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

The proposed project for a assisted living/memory care/rest home located in the South Grand urban renewal area requires that the urban renewal plan be amended. This developer is asking for a tax rebate agreement to help fund this project. Council member Joerger introduced Resolution 112-20 entitled, "RESOLUTION SETTING DATE FOR PUBLIC HEARING ON URBAN REENWAL PLAN AMENDMENT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. A public hearing also needs to be held on this development agreement and that will also be held on July 20. Council member Freeseaman introduced Resolution 113-20 entitled, "RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH MARK HOLTkamp, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

Pay estimate #8 has been submitted by Portzen Construction for the WRRF project. Fox Engineering has reviewed this and is recommending payment in the amount of \$198,452.15. Council member Joerger introduced Resolution 114-20 entitled, "RESOLUTION APPROVING PAY ESTIMATE #8 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Requests have been submitted from two residents to construct accessory structures on vacant lots. Pat Ohlerking and Jesse Marzen have gone to the board of adjustment and received special use permits to allow these to be built. A non-conveyance agreement has been executed by each party that would prohibit these lots to be sold separately in the future and will keep them tied to the main property. Council member Joerger introduced Resolution 115-20 entitled, "RESOLUTION APPROVING MULTI LOT RESTRICTION AGAINST CONVEYANCE FOR 1206 AND 1210 CLARK STREET" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes- Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. Council member Pittman introduced Resolution 116-20 entitled, "RESOLUTION APPROVING MULTI LOT RESTRICTION AGAINST CONVEYANCE FOR 3016 AND 3018 CLARK STREET" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

The 2019 S. Main Sidewalk extension project is completed and ready for acceptance. The total cost of the project was \$66,379.43 and was constructed by King Construction. The final payment amount to be paid is \$18,014.84 and the city engineer is recommending acceptance and final payment be made. Council member Starr introduced Resolution 117-20 entitled, "RESOLUTION ACCEPTING THE 2019 SOUTH MAIN SIDEWALK EXTENSION PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The Riverside Drive/Illinois Street reconstruction project is also completed and ready for acceptance and final payment. This project was constructed by King Construction for a total cost of \$384,836.83 and final payment amount is \$22,340.98. A change order of \$46,122.34 had been previously approved by council. Council member Freeseaman introduced Resolution 118-20 entitled, "RESOLUTION ACCEPTING THE RIVERSIDE DRIVE/ILLINOIS STREET RECONSTRUCTION PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The 2020 HMA paving project requires some temporary easements to construct the pedestrian ramps on this project. There are 14 properties affected by this and those owners have all signed the temporary easements. Council member Freeseaman introduced Resolution 119-20 entitled, "RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENTS FOR THE 2020 HMA PAVING PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

City attorney Slotter reported that he continues working on resolving two nuisance properties. The trials for both have been pushed back due to COVID-19.

City clerk O'Donnell reported that the next planning session will be on June 22 with a special meeting held prior to the planning session.

City administrator Steve Diers reported that there will be a telecom meeting tomorrow to conduct the second interviews with the general manager candidates and to review the logo design. An ambulance meeting is scheduled for this Thursday and plans are to have the ambulance commission meet on Friday to review and recommend approval of the agreement to the city and county. Parkside Development has found a builder to construct some twin homes at this development.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, city clerk

