

COUNCIL MINUTES  
JUNE 18, 2018  
REGULAR SESSION

Charles City city council met in regular session on June 18, 2018 at 6:00 p.m. in council chambers. Mayor 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 and city attorney Brad Slotter.

Citizen Comments - Dennis White ask for council to discuss the status of the old railroad depot at a future meeting to find alternatives to the planned demolition of the building by the rail road what owns it.

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Joerger, second Freeseaman to approve the minutes of the May 29 and June 4 meetings. Ayes - 5

Motion by Joerger, second Starr to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve 5/18 financials for city of Charles City and the CC Public Employee Health Plan, approve cigarette permits for the following businesses: Buy Low North, Casey's #2480, Dollar General, Fareway, HyVee Food, HyVee Gas, Kwik Star #419, Kwik Star #468, Liberty Supply, Liwuor Beer and Tobacco Outlet and Rush Stop, approve renewal of VFW liquor license and payment of claims (including those approved by other boards):

60253	JUNE FGP STIPEND CHECK	\$221.27	
ACH	JUNE FGP STIPEND CHECKS	\$23,690.11	
60254-60258	CC PUBLIC EMPLOYEES HEALTH PLAN	**VOIDED**	
60259	CC PUBLIC EMPLOYEES HEALTH PLAN, serv.	\$59,797.51	
60260	COYOTE CARRIERS, serv.	\$1,100.00	
60261	JOHN KOSKIE, utility deposit refund	\$36.33	
60262	BUSCHLEAGUER FITNESS, utility deposit refund		\$90.00
60263	TIFFANY DEETZ, utility deposit refund	\$90.00	
60264	JEANNINE GARMAN, utility deposit refund	\$90.00	
60265	H & R BLOCK, utility deposit refund	\$90.00	
60266	TYLER KLATT, utility deposit refund	\$90.00	
60267	LELAND LUMLEY, utility deposit refund	\$90.00	
60268	JENNY MAHLER, utility deposit refund	\$90.00	
60269	CODY MERCER, utility deposit refund	\$90.00	
60270-60311	PAYROLL ENDING 06/09/18	\$98,325.12	
60312	CITY OF CHARLES CITY, payroll liabilities	\$1,142.24	
60313	CC PUBLIC EMP HEALTH PLAN, PR liabilities	\$7,108.52	
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$212.76	
ACH	EFTPS, payroll liabilities	\$26,170.80	
60314	EMC NATIONAL LIFE COMPANY, PR liabilities	\$33.55	
ACH	FAMILY COMM CREDIT UNION, PR liabilities	\$1,368.00	
ACH	ICMA, payroll liabilities	\$1,555.36	
60315	CLASSIC CLEANERS, water account refund	\$27.71	
60316-60317	BAKER & TAYLOR BOOKS	**VOIDED**	
60318	BAKER & TAYLOR BOOKS, supp.	\$4,463.67	
60319	BAKER & TAYLOR ENTERTAINMENT, supp,	\$235.78	
60320	CAROL CASE, serv.	\$1,138.00	

60321	CC PUBLIC EMPLOYEES HEALTH PLAN, serv.	\$2,923.29
60322	CENTURION TECHNOLOGIES, serv.	\$151.98
60323	CHARLES CITY PRESS INC, serv.	\$264.00
60324	COREY HAWKE, serv.	\$329.00
60325	DEMCO INC, supp.	\$166.17
60326	GALE, supp.	\$525.40
60327	INGRAM LIBRARY SERVICES, supp.	\$87.92
60328	IOWA PRISON INDUSTRIES, supp.	\$1,330.00
60329	KOCH BROTHERS INC, serv.	\$1,090.74
60330	LEAF, serv.	\$72.30
60331	MEDIACOM, serv.	\$319.23
60332	MIDAMERICAN ENERGY, serv.	\$2,075.59
60333	NEWBAUER INC, serv.	\$59.00
60334	POPULAR SUBSCRIPTION SERVICE, supp.	\$6,433.16
60335	PRECISION TEST & BALANCE INC, serv.	\$4,365.00
60336	SCHOLASTIC INC, supp.	\$465.90
60337	SCHUETH ACE HARDWARE, supp.	\$6.99
60338	STAPLES ADVANTAGE, supp.	\$43.93
60339	VISA, supp.	\$982.05
60340	CENTURYLINK COMMUNICATIONS, serv.	\$375.46
60341	CENTURYLINK COMMUNICATIONS, serv.	\$234.00
60342	DISH NETWORK, serv.	\$63.71
60343	I WIRELESS, serv.	\$72.20
60344	LEAF, serv.	\$139.40
60345	MICROFLEX CORPORATION, supp.	\$216.10
60346	MIDAMERICAN ENERGY, serv.	\$10.00
60347	PRODUCTIVITY PLUS ACCOUNT, supp.	\$977.15
60348	UNITED STATES CELLULAR, serv.	\$995.46
60349	WINDSTREAM, serv.	\$59.37
60350	AGVANTAGE FS, reissued lost check	\$1,097.18
ACH	BANCORPSV, serv.	\$366.73
ACH	BANKER'S TRUST, serv.	\$393,020.00
ACH	IOWA FINANCE AUTHORITY, serv.	\$980,903.63
ACH	BARBARA BROWN (FGP), mileage	\$34.88
ACH	BETTY HANSON (FGP), mileage	\$8.32
ACH	FIRST CITIZENS-CC, serv.	\$246.03
ACH	IMAGETEK, serv.	\$340.00
ACH	JACQUELINE FERCH (FGP), mileage	\$25.60
ACH	JANET NIESS (FGP), mileage	\$53.76
ACH	KABRICK DISTRIBUTING, supp.	\$813.00
ACH	PATRICIA SINNWELL (FGP), mileage	\$10.24
ACH	TREASURER, STATE OF IOWA, sales tax	\$12,002.31
ACH	UNITED BEVERAGE, supp.	\$307.10

ACH	UNITED BEVERAGE, supp.	\$27.00
ACH	US POSTAL SERVICE, serv.	\$1,000.00
ACH	US POSTAL SERVICE, serv.	\$1,000.00
ACH	VICKI INMAN (FGP), mileage	\$27.80
60351	AAA RECOVERY SERVICES, serv.	\$45.00
60352	ACUSHNET COMPANY, supp.	\$846.10
60353	AGSOURCE COOPERATIVE SERVICES, serv.	\$127.50
60354	ARNOLD MOTOR SUPPLY LLP, supp.	\$1,262.77
60355	ARNOLD MOTOR SUPPLY LLP, supp.	\$24.99
60356	ARTWEAR / BIRDIE AND BO'S, supp.	\$35.00
60357	ATCO INTERNATIONAL, supp.	\$157.70
60358	ATLANTIC COCA-COLA, supp.	\$135.04
60359	BEACON ATHLETICS, supp.	\$488.36
60360	BITUMINOUS MATERIALS & SUPPLY, supp.	\$1,437.57
60361	BRIDGESTONE GOLF INC, supp.	\$160.59
60362	BRUENING ROCK PRODUCTS INC, supp.	\$4,394.60
60363	BURNER FIRE CONTROL INC, supp.	\$7,487.00
60364	BUSINESS CARD, serv.	\$3,646.06
60365	CAEL RUZICKA, serv.	\$30.00
60366	CAL'S AUTO REPAIR INC, supp.	\$91.44
60367	CALLAWAY GOLF, supp.	\$176.04
60368	CARQUEST AUTO PARTS, supp.	\$845.41
60369	CC FIRE EXTINGUISHER SERVICE, serv.	\$312.00
60370	CHARLES CITY AREA DEV CORP, serv.	\$105.00
60371	CEDAR CREEK TREE SERVICE LLC, serv.	\$3,000.00
60372	CENTRAL IOWA DISTRIBUTING, supp.	\$95.00
60373	CENTURYLINK COMMUNICATIONS, serv.	\$330.37
60374	CHARLES CITY PRESS INC, supp.	\$130.00
60375	CINTAS CORPORATION, serv.	\$55.29
60376	CINTAS, supp.	\$130.35
60377	CITY OF CHARLES CITY, serv.	\$183.47
60378	COLLEEN ORTMAYER, mileage	\$76.30
60379	COURIER COMMUNICATIONS, serv.	\$577.00
60380	CROELL INC, supp.	\$2,561.26
60381	D&L CAR CARE, serv.	\$266.25
60382	DIGITAL ALLY INC, supp.	\$1,000.00
60383	DON'S REPAIR, supp.	\$400.46
60384	DUANE OLLENDICK, travel reimbursement	\$145.58
60385	ELECTRIC PUMP, serv.	\$991.10
60386	FAREWAY STORE, supp.	\$412.62
60387	FEDERAL COMPANIES, serv.	\$15.00
60388	FRIEDRICH PLUMBING & HEATING, serv.	\$1,019.94
60389	GHD SERVICES INC, serv.	\$234.75

60390	GILLIAN KING, serv.	\$90.00	
60391	GRAINGER, supp.	\$191.50	
60392	HACH COMPANY, supp.	\$753.27	
60393	HAWKINS INC, supp.	\$2,199.92	
60394	HEARTLAND ASPHALT INC, supp.	\$870.45	
60395	HEIMAN FIRE EQUIPMENT, serv.	\$407.99	
60396	HEWETT WHOLESAL, supp.	\$101.66	
60397	HOBERT ELECTRIC, serv.	\$799.55	
60398	HY-VEE INC, supp.	\$1,154.05	
60399	HYDRO KLEAN LLC, serv.	\$77,928.27	
60400	IA CITY/CTY MANAGEMENT, serv.	\$150.00	
60401	IDOT-CASHIER'S OFFICE, supp.	\$1,804.19	
60402	IDOT-CASHIER'S OFFICE, supp.	\$136.83	
60403	IOWA LAW ENFORCEMENT ACADEMY, serv.	\$250.00	
60404	INTERSTATE BATTERIES OF UPPER IOWA, supp.		\$694.10
60405	IOWA DIV OF LABOR SERVICES, serv.	\$120.00	
60406	IOWA LEAGUE OF CITIES, serv.	\$3,368.00	
60407	IOWA ONE CALL, serv.	\$176.70	
60408	IOWA TITLE & REALTY CO, serv.	\$150.00	
60409	JENDRO SANITATION SERVICES, serv.	\$43,754.28	
60410	JENDRO SANITATION SERVICES, serv.	\$238.00	
60411	JOHN DEERE FINANCIAL, supp.	\$394.43	
60412	KAMM EXCAVATING CORP, serv.	\$25,552.86	
60413	KEYSTONE LABORATORIES, serv.	\$617.69	
60414	KMART STORE #7767, supp.	\$130.50	
60415	L&J INDUSTRIES INC, supp.	\$24.40	
60416	LESSIN SUPPLY COMPANY, supp.	\$1,487.50	
60417	LESSIN SUPPLY COMPANY, supp.	\$153.90	
60418	MARCO, serv.	\$128.90	
60419	MICK GAGE PLUMBING & HEATING, supp.	\$14.15	
60420	MID-WEST ROOFING COMPANY, serv.	\$335.12	
60421	MIDAMERICAN ENERGY, serv.	\$1,464.66	
60422	MIDTECH SERVICES INC, supp.	\$85.00	
60423	MIKE'S C&O TIRE INC, serv.	\$132.42	
60424	MISSISSIPPI LIME COMPANY, supp.	\$5,944.61	
60425	NEWBAUER INC, serv.	\$93.84	
60426	NEWBAUER INC, serv.	\$177.25	
60427	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$5,534.13	
60428	NOLT'S CUSTOM CONCRETE, serv.	\$19,327.75	
60429	OTTO'S ENTERPRISES LLC, supp.	\$57.48	
60430	PEPSI-COLA, supp.	\$669.71	
60431	PETTY CASH-PARK & RECREATION, supp.	\$20.00	
60432	POSTMASTER, utility bill postage	\$900.00	

60433	QUALITY PUMP & CONTROL, serv.	\$2,859.00
60434	R&R PRODUCTS INC, supp.	\$503.25
60435	RONALD HILLEGAS/R&S MOWING LLC, serv.	\$300.00
60436	RILEY'S INC, supp.	\$69.95
60437	RISE BROADBAND, serv.	\$21.00
60438	SCHUETH ACE HARDWARE, supp.	\$915.57
60439	SCHUMACHER ELEVATOR COMPANY, serv.	\$780.00
60440	SHERWIN-WILLIAMS CO, supp.	\$1,299.31
60441	SHIELD TECHNOLOGY CORPORATION, serv.	\$9,400.00
60442	SJE-RHOMBUS, serv.	\$1,534.74
60443	SUPERIOR LUMBER INC, supp.	\$291.48
60444	SUPERIOR WELDING SUPPLY CO, serv.	\$24.75
60445	T AND K TRACTOR REPAIR, supp.	\$103.32
60446	TERRI NOVAK, mileage	\$182.58
60447	THE GOOD DEED ORGANIZATION, supp.	\$54.95
60448	TRANS IOWA EQUIPMENT, supp.	\$1,620.00
60449	TRENT PARKER, serv.	\$55.00
60450	TRUDY O'DONNELL, travel reimbursement	\$81.70
60451	USA BLUEBOOK, supp.	\$549.57
60452	WESTRUM LEAK DETECTION, serv.	\$2,007.50
60453	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

**TOTAL**                      \$1,899,336.45

Business of the Mayor - Connie Burney and committee members were present to request a proclamation for Relay for Life on Friday, June 22 in Charles City. Several members of the cast and directors of the Wizard of Oz production being held June 29, 30 and July 1 were present to request a proclamation for Wizard of Oz days in Charles City. Motion by Freeseaman, second Joerger to approve the proclamations. Ayes - 5. Mayor Andrews read the proclamations.

Mayor Andrews opened the public hearing on the HMA project. Affidavit of publication dated 6/1/18 was informally filed. He 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 will be done on Stony Point Road, Bunn Ave, Second Street west of Iowa Street and S. Jackson Street between Court street and the river. The surface has completely deteriorated and has affected the use caused considerable maintenance issues for the street department. Project includes milling the existing street and rock surfacing, placing a 3" thickness of asphalt pavement, edge treatment to support the new asphalt and ADA pedestrian sidewalk ramps construction. Heartland Asphalt from Mason City has submitted the low bid at \$200,574.00. The engineer's estimate was \$277,000.00. This project will be funded with local option sales tax monies. Council member Freeseaman introduced Resolution 89-18 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2018 HMA PAVING PROJECT, CHARLES CITY, IOWA" 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. Council member Freeseaman introduced Resolution 90-18 entitled, "RESOLUTION AWARDDING CONTRACT FOR THE 2018 HMA PAVING PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays - none

Mayor Andrews opened the public hearing on the 2018 Way finding project. Affidavit of publication dated 6/1/18 was informally filed. Mayor asked for written comments. There being none, he then asked for oral comments. There were none. Staff reported that there was only one bid received for this project and it was quite high. They are asking that

the hearing be continued to the July 2 council meeting to allow staff time to look closer at the bid. Mayor Andrews continued the hearing to July 2.

The street department has budgeted a new sweeper purchase for FY19 and have requested quotes from various companies. Two have been received and they are requesting to purchase an Elgin sweeper from Trans Iowa Equipment for \$198,229.00 with trade-in. This was budgeted at \$240,000 out of the Road Use Tax fund. Council member Freeseaman introduced Resolution 91-18 entitled, "RESOLUTION APPROVING PURCHASE OF STREET SWEEPER" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none

Ordinance 1117 AN ORDINANCE AMENDING SECTION 69.09 OF THE CHARLES CITY CODE OF ORDINANCES FOR THE PURPOSE OF RESTRICTING TRUCK AND TRAILER PARKING IN DISTRICTS ZONED AS RESIDENTIAL DISTRICTS was presented for it's first reading. This has been discussed previously but with the police department getting more and more complaints, it was decided to move forward with an ordinance. This restriction doesn't include campers and RVs at this time. A public hearing has been scheduled for July 2. Motion by Freeseaman, second Joerger to approve the first reading of Ordinance 1117. Ayes - 5. Council member Freeseaman read the ordinance. Council member Joerger introduced Resolution 92-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1117 AMENDING SECTION 69.09 OF THE CHARLES CITY CODE OF ORDINANCES FOR THE PURPOSE OF RESTRICTING TRUCK AND TRAILER PARKING IN DISTRICTS ZONED AS RESIDENTIAL DISTRICTS" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none.

Ordinance 1118 AN ORDINANCE AMENDING SECTION XIX OF THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA, 2015 BY ADDING FIRE TRAINING FACILITIES AS A SPECIAL USE IN M-2 GENERAL MANUFACTURING DISTRICT AND AMENDING SECTION III OF THE ZONING ORDINANCE BY ADDING A DEFINITIO FOR FIRE TRAINING FACILITY was presented for it's first reading. This would allow this type of facility as a special use in an M-2 district. This would make it necessary for the applicant to go before the board of adjustment to be granted a special use. The definition of a fire training facility will also be added. The plan is for the Floyd County Firefighters Association to put this trailer on the old White Farm site. Council member Freeseaman asked how much activity might go on with this facility, he wants to be cognizant of the residents in that area. A public hearing has been scheduled for July 2. Motion by Freeseaman, second Joerger to approve the first reading. Ayes - 5. Council member Freeseaman read the ordinance. Council member Hammond introduced Resolution 93-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1118 AMENDING SECTION XIX OF THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA , 2015 BY ADDING FIRE TRAINING FACILITIES AS A SPECIAL USE IN M-2 GENERAL MANUFACTURING DISTRICT AND AMENDING SECTION III OF THE ZONING ORDINANCE BY ADDING A DEFINITION FOR FIRE TRAINING FACILITY" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Freeseaman, Hammond, Mallaro, Starr, Joerger. Nays - none.

A portion of Grove Street needs to be vacated and conveyed to Bailey Nursery Company. This section was platted many years ago but has never been used as right of way. One of the buildings there has been built over this right of way, so staff is proposing to vacate and convey this section of Grove. Planning and Zoning has reviewed this and are approving this. A public hearing needs to be held prior to this conveyance and has been scheduled for July 2. Council Member Jorger introduced Resolution 94-18 entitled, "RESOLUTION SETTING PUBLIC HERAING ON PROPOSED VACATION AND CONVEYANCE OF A PORTION OF GROVE STREET" 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.

**Salaries for non-bargaining unit employees need to be approved by council for FY19. A 2 ½% increase is being requested, same as the union.** Council member Joerger introduced Resolution 96-18 entitled, "RESOLUTION SETTING SALARIES/WAGES FOR APPOINTED OFFICERS AND NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THE CITY FOR THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2018" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Starr, Joerger, Freeseaman. Nays - none

There is an irregular shaped parcel located at 401 Charles Street near the water tower and owned by Dorothy Parson that gives the city access to the water tower. This parcel functions as an alley but is actually owned by her. A water main is also located within this property and the city doesn't have a recorded easement for this main. This parcel is being sold and Ms. Parson is agreeable to a purchase agreement with the city for this parcel. The property has been surveyed and necessary closing documents have been prepared and reviewed by the city attorney. Council member Joerger introduced Resolution 96-18 entitled, "RESOLUTION ACCEPTING DEED" 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

The former Bailey's nursery site is being marketed to be sold and in preparing for that, it was determined that the city's watermain was not located in an easement. The original watermain was relocated due to construction of a building on the property and a new easement was not acquired at that time. The easement for the former watermain will need to be released and a new easement will need to be done. The documents have been prepared by city attorney Brad Slotter. A public hearing needs to be held on this easement agreement and has been scheduled for July 2. Council member Joerger introduced Resolution 97-18 entitled, "RESOLUTION SETTING DATE FOR PUBLIC HEARING ON EASEMENT AGREEMENT WITH BAILEY NURSERIES, INC" 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

The city has been working with Bailey's Nursery to clean up some property discrepancies and old right of way issues associated with the property and adjacent property. A portion of the Bailey's property is shown on the survey to belong to the city but in reality belongs to Bailey's. City staff has reviewed this and is recommending the transfer of ownership to Bailey's Nursery. A public hearing has been scheduled for July 2 for this conveyance of property to Bailey's. Council member Joerger introduced Resolution 98-18 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED CONVEYANCE OF REAL ESTATE OWNED BY THE CITY OF 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

City clerk O'Donnell reported that the next planning session will be held June 25 with a special session prior to handle the one day borrowing for FY18.

City administrator Diers reported that work continues with NIACOG on finding a solution to the transit issue. The survey was done on the land at the wastewater plant so will start negotiating a purchase price for that soon. Broadband met today and the request for information was discussed.

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

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk