

COUNCIL MINUTES  
REGULAR SESSION  
AUGUST 3, 2022

Charles City city council met in regular session on August 3, 2022 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Patrick Lumley, DeLaine Freeseaman, Phoebe Pittman and Phillip Knighten. Also present were city administrator Steve Diers and city engineer John Fallis.

Citizen comments - Council member Lumley stated that the landscaping around the new Chautauqua lift station looks very nice.

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

Motion by Pittman, second Freeseaman to approve the minutes of the July 13 and 18 meetings. Ayes - 5

Motion by Freeseaman, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following items: renewal of Class C liquor license w/ Sunday Sales and outdoor service for Hot Shots, renewal of Class C liquor license w/ Sunday Sales and outdoor service for Pub on the Cedar, renewal of Class B wine permit for Darbe and payment of claims (including those approved by other boards):

CHECK	NAME	AMOUNT
77364	D&C SANTON ELECTRIC LLC	\$96,900.00
77429	AGVANTAGE FS	\$3,503.85
77430	BMC AGGREGATES L.C.	\$313.14
77431	CLEAR LAKE SANITARY DISTRICT	\$186.00
77432	DISH	\$84.96
77433	JOHN DEERE FINANCIAL	\$250.33
77434	LADY OF THE LAKE, INC.	\$384.00
77435	MACQUEEN EQUIPMENT GROUP	\$2,260.19
77436	MIDAMERICAN RESEARCH CHEMICAL	\$168.72
77437	NORTH CEDAR AVIATION AUTHORITY	\$52,287.00
77438	NORTHERN SAFETY CO INC	\$62.04
77439	RIB CRIB	\$339.70
77440	SMI CO	\$1,308.00
77441	STERICYCLE INC	\$48.15
77442	TAPCO	\$2,085.25
77443	TRELLEBORG WHEEL SYS AMERICA	\$1,000.00
77444-		
77465	PAYROLL ENDING 7/16/2022	\$121,996.97
77466	CITY OF CHARLES CITY	\$953.03
77467	CC PUBLIC EMP HEALTH PLAN	*VOID
77468	CC PUBLIC EMP HEALTH PLAN	\$10,331.96
77469	EMC NATIONAL LIFE-SUPPLEM	\$6.00
77471	DELTA DENTAL	*VOID
77472	DELTA DENTAL	\$2,155.60
77474	VSP	*VOID
77475	VSP	\$477.36
77476	MUTUAL OF OMAHA	*VOID

77477	MUTUAL OF OMAHA	\$573.57
77478	CC PUBLIC EMP HEALTH PLAN	\$3,135.05
77479	CATHERINE MARIE OTT	\$490.00
77480	CINTAS CORPORATION	\$292.57
77481	CITY OF CHARLES CITY	\$3,564.61
77482	COLLINS & ASSOCIATES, S.C	\$7,100.00
77483	TRENT PARKER / COMPUTER PARKER	\$406.25
77484	CRYSTAL (WORDES) BUSS	\$428.00
77485	DUSTIN PHILLIPS	\$97.78
77486	HOLDEN HILLEGAS/H&R LAWNCARE	\$744.00
77487	HD SUPPLY FACILITIES MAINT.	\$248.29
77488	HOCKENSON PLUMBING	\$2,691.66
77489	HOMETOWN TV & APPLIANCE	\$8,235.00
77490	HOUSING AUTH ACCTG SPECIALISTS	\$790.00
77491	IOWA NAHRO	\$1,125.00
77492	JENDRO SANITATION SERVICES	\$912.45
77493	JOHN DEERE FINANCIAL	\$9.99
77494	KATIE NOLTE	\$422.42
77495	KOCH OFFICE GROUP	\$111.09
77496	LEAF	\$345.56
77497	MARCO TECHNOLOGIES LLC	\$152.60
77498	MEDIACOM	\$315.57
77499	MIDAMERICAN ENERGY	\$6,887.71
77500	MILLS-INC	\$58.20
77501	MRI SOFTWARE LLC	\$146.68
77502	NORTH IOWA LAWN & SPORTS	\$77.33
77503	OTTO'S ENTERPRISES LLC	\$71.78
77504	PLUNKETT'S PEST CONTROL	\$875.00
77505	QUILL CORPORATION	\$375.23
77506	RESERVE ACCOUNT	\$750.00
77507	SCHUETH ACE HARDWARE	\$700.27
77508	STAPLES ADVANTAGE	\$413.21
77509	SUPERIOR LUMBER INC	\$390.00
77510	US CELLULAR OF CHARLES CITY	\$319.06
77511	UB DEPOSIT REFUND	\$90.00
77512	DIAMOND VOGEL INC	\$1,579.20
77513	DREW MCHOLM	\$266.25
77514	MARCO TECHNOLOGIES LLC	\$61.42
77515	MIDAMERICAN ENERGY	\$1,503.81
77516	NAPA AUTO PARTS	\$36.77
77517	NORTHERN SAFETY CO INC	\$320.75
77518	JASON WEBSTER	\$92.83
77558	AMERICAN WATERWORKS ASSN	\$406.00
77559- 77562	ARNOLD MOTOR SUPPLY LLP	\$1,838.59

77563	ARTWEAR / BIRDIE AND BO'S	\$10.00
77564	ASCAP	\$390.00
77565	ATLANTIC COCA-COLA BOTTLING CO	\$190.52
77566	CC FIRE EXTINGUISHER SERV	\$199.00
77567-		
77570	CC PUBLIC EMP HEALTH PLAN	\$75,427.04
77571	CHARLES CITY AREA DEV CORP	\$63,500.00
77572	CEDAR RIVER SOFTWARE	\$325.00
77574	CC CHAMBER OF COMMERCE	\$15,000.00
77575	CHARLES CITY PRESS INC	\$75.00
77576	CINTAS	\$100.71
77577	CINTAS CORPORATION	\$45.15
77578	CIRCLE K COMMUNICATIONS INC	\$5,572.95
77579	CITY OF CHARLES CITY	\$330.61
77580	CJ COOPER & ASSOCIATES INC	\$35.00
77581	DREW MARTIN	\$10.00
77583	EMC INSURANCE COMPANIES	\$2,500.00
77584	ETHANOL PRODUCTS LLC	\$1,236.48
77585	FLOYD CO MEDICAL CENTER CLINIC	\$381.00
77586	FOX STRAND (dba)	\$1,245.00
77587	GDB & SONS	\$160.00
77590	GODBERSEN-SMITH CONSTRUCTION	\$3,386.50
77591	GRAINGER	\$968.46
77592	HACH COMPANY	\$1,784.99
77593	HAWKINS INC	\$4,623.42
77594	HOBERT ELECTRIC	\$60.00
77595	HUNTER SCHMITT	\$10.00
77596-		
77597	IOWA DEPT OF NATURAL RESOURCES	\$1,867.50
77598-		
77599	IDOT-CASHIER'S OFFICE	\$687.51
77600	IOWA GOLF ASSOCIATION	\$132.00
77601	IOWA LEAGUE OF CITIES	\$3,597.00
77602	IOWA ONE CALL	\$124.60
77603	IOWA PRISON INDUSTRIES	\$2,286.35
77604	JANDA MOTOR SERVICES	\$6,000.00
77605	JENDRO SANITATION SERVICES	\$2,086.48
77606	JENNIFER LANTZ	\$236.25
77607	JOHN KOBLISKA	\$250.00
77608	KEYSTONE LABORATORIES	\$1,417.66
77609	MACQUEEN EQUIPMENT GROUP	\$312.50
77610	MARCO TECHNOLOGIES LLC	\$204.05
77611	MARVIN PLANNING CONSULTANTS	\$2,520.00
77612	MERRITT COMPUTER SERVICE INC	\$500.00
77613	MICK GAGE PLUMBING & HEATING	\$527.25

77615-		
77616	MIDAMERICAN ENERGY	\$46,348.30
77617	MISSISSIPPI LIME COMPANY	\$9,436.46
77618	MUNICIPAL SUPPLY INC	\$499.90
77619	MUSCO SPORTS LIGHTING, LLC	\$17,800.00
77620	NCIN TASK FORCE	\$1,470.20
77621	NEB-IA INDUSTRIAL FASTENERS	\$101.64
77622	NEWBAUER INC	\$47.60
77623	NICK ZIRBEL	\$8.07
77624	NORTH IOWA LAWN & SPORTS	\$1,124.92
77625	PERRY NOVAK ELECTRIC INC	\$720.03
77626	PICKAR-OULMAN PLMB & HEATING	\$1,453.75
77627	POLLARD PEST CONTROL	\$185.00
77629	QUILL CORPORATION	\$124.46
77630	RILEY'S INC	\$864.21
77631	SCHUMACHER ELEVATOR COMPANY	\$786.00
77632	SHORT ELLIOTT HENDRICKSON INC	\$17,860.00
77634	SNAP ON	\$57.37
77635	SUPERIOR LUMBER INC	\$41.77
77636	US CELLULAR OF CHARLES CITY	\$109.98
ACH	PORTZEN CONSTRUCTION INC	\$262,742.15
ACH	BANCORPSV	\$1,245.27
ELEC	FIRST CITIZENS BANK	\$396.04
ELEC	KABRICK DISTRIBUTING CO	\$935.00
ELEC	BUSINESS CARD	\$515.98
ACH	AFLAC	\$1,067.07
ELEC	COLLECTION SERVICE CENTER	\$60.00
ACH	EFTPS (PAYROLL TAXES)	\$33,481.97
ACH	FAMILY COMM CREDIT UNION	\$1,683.00
ACH	ICMA MEMBERSHIP RENEWALS	\$2,544.85
ACH	IA PUBLIC EMPLOY RETIRE	\$28,869.83
ACH	MUNICIPAL FIRE & POLICE	\$28,992.80
ELEC	TREASURER STATE OF IOWA	\$11,759.00
ELEC	UNITED BEVERAGE-MC	\$116.80
ELEC	PEPSI-COLA	\$301.05

**TOTAL:** \$1,020,620.25

June Receipts - Gen - 780473.28; SafetyEd-750.00; P/R C/I-53952.65; H/M-226.82; NuisAbate-40000.00; RAGBRAI-27003.86; PolPurchRes-20000.00; FirePurchRes-25000.00; RUT-130344.67; EmpBen-22314.76; CVTC-22285.96; Emerg-1291.87; OptTx-84043.44; TIF-3653.78; AmerResFnd-1033.73; FGP-65736.68; PubHous-302259.96; Sect8-64660.11; '18Rehab-2000.00; DebtServ-621565.99; StreetRelC/I-168683.05; '20CapFnd-130083.79; '21CapFnd-121404.21; CWBridge-10000.00; FibertoHome-5467.25; SWIndStorm-113430.43; IPC-55853.49; Water-231714.10; WaterReservFnd-1892.00; Sewer-150348.18; SewerReserv-48316.00; WasteFnd-58803.612; Transit-46558.02; SWU-16794.13; FireExt-60.00

June Disbursements - Gen-465506.00; SafetyEd-393.21; P/R C/I-10000.00; H/M-98555.08; NuisAbate-46966.00; RAGBRAI-9507.08; RUT-130495.24; EmpBen-96352.89; CVTC-230076.76; Emerg-76226.26; OptTx-383672.05; TIF-627323.29; LibrTr-3219.79; FGP-41824.07; PubHous-94330.77; Sect8-

81873.37;Cable-4900.00;DebtServ-724747.58;'20CapFnd-130083.79;'21CapFnd-121404.21;FibertoHome-203.29;IPC-6380.58;Water-1052899.33;ClearWell-116090.00;Sewer-959956.46;WWTPExp-788545.47;WasteFnd-80281.23;Transit-29318.08;SWU-134326.57;FireExt-463.25

Business of mayor - Mayor Andrews thanked everyone who was involved with RAGBRAI, it was a successful event. Council member Freeseaman also stated he had heard many positive comments about Charles City as he rode RAGBRAI this year.

The arts center has submitted a street closure request for Art a Fest on August 20. It for the same streets they have requested in the past, which are: Jackson and Kelly Streets around Central Park. It is not known if the affected property owners have been notified yet or not. Motion by Starr, second Lumley to approve this request contingent on affected property owners being notified. Ayes - 5

Ordinance 1162 repealing Chapter 75 of the Charles City Code of Ordinances and adopting a new Chapter 75 which amends the provisions of the repealed chapter to provide rules and regulations for the operation of all-terrain vehicles, off road utility vehicles and snowmobiles within the city of Charles City, Iowa was presented for a first reading. This ordinance change will mirror the recent changes in the state code concerning UTVs. They are now allowed to drive on state highways, we have limited the time of operation. We also don't allow them to drive on our bike trail or off road in our parks. Since the state changes were effective July 1, staff is recommending waiving the second and third readings of this ordinance and adopting it tonight. Motion by Starr, second Pittman to approve the first reading of Ordinance 1162. Ayes - 5. Council member Starr read the ordinance. Motion by Freeseaman, second Starr to waive the second and third readings of Ordinance 1162. Ayes - 5. Motion by Pittman, second Lumley to adopt and publish Ordinance 1162. Ayes - 5

Amendments to Steve Diers and Trudy O'Donnell employment agreements have been prepared to compensate for extra time spent on the telecom project. The compensation is for work done up to June 2021. The amount for city clerk is \$1,023 and the amount for the city administrator is \$5,472. Council member Lumley introduced Resolution 90-22 entitled, "RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CHARLES CITY AND CITY CLERK TRUDY O'DONNELL" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none. Council member Starr introduced Resolution 91-22 entitled, "RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CHARLES CITY AND CITY ADMINISTRATOR STEVE DIERS" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

As discussed at the last planning session, staff is recommending changing the section of Lane Street from N. Grand to N. Main from Lane St. to N. Main Street. This will fit into the planned reconfiguration of this area due to the vacation and leasing of the section of Main Street in front of Pure Prairie Farms. There will be pavement markings to start out and barricades will be put on each end of the vacated section of Main Street. Once Pure Prairie Farms is done with their construction, a more permanent barrier will be put to keep the public from entering from the south side of the vacated street. Signs will also be erected to show the new traffic controls, such as "right turn only", "left turn only" and "no right turn". There will be no parking in front of Cal's old building and two hour parking limitation in front of North Iowa Lawn and Tractor. Council member Starr introduced Resolution 92-22 entitled, "RESOLUTION DIRECTING AND AUTHORIZING THE STREET NAME CHANGE OF LANE STREET BETWEEN NORTH GRAND AVENUE AND MAIN STREET TO NORTH MAIN STREET" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none. Council member Pittman introduced Resolution 93-22 entitled, "RESOLUTION AMENDING RESOLUTION NO. 35-92 THE OFFICIAL TRAFFIC CONTROL LISTING FOR THE CITY OF CHARLES CITY" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none. City administrator Diers commented that we are looking at a sign to direct people to the new entrance to Main Street when this reconfiguration is done.

Ordinance 1163 AMENDING THE CHARLES CITY CODE OF ORDINANCES SECTIONS 122.04 - APPLICATION FOR LICENSE AND 122.05 - LICENSE FEES, TO INCREASE THE LICENSE FEES FOR PEDDLERS, SOLICITORS, MERCHANTS, AND VENDORS AND TO ESTABLISH A LICENSE FEE FOR FAILURE TO PAY THE REQUIRED LICENSE FEE BEFORE ENGAGING IN REGULATED ACTIVITY was presented for a first reading. This ordinance would implement a \$75 penalty across the board for all of these types of permits for those who don't register with the city prior to conducting business in the city. This is getting more and more common to have to chase down vendors who do not register. Much discussion on the possibility of increasing this penalty amount, so staff will consult with the city attorney to see if there is a limit on what we can do. Motion by Freeseeman, second Pittman to approve the first reading of Ordinance 1163. Ayes - 5. Council member Freeseeman read the ordinance.

A public hearing needs to be set for the clear well project. We have been waiting for the DNR to approve the permit for this project and it was finally received. This public hearing has been scheduled for September 7. The bid documents will be sent out tomorrow and bids will be due September 30. Council member Freeseeman introduced Resolution 94-22 entitled, "RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE NEW 1 MILLION GALLON CLEARWELL TANK PROJECT AND THE TAKING OF BIDS THEREFOR" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Pittman, Knighten. Nays - none.

City clerk O'Donnell reported that the next planning session will be August 10 at 6:00 p.m.

City administrator Diers reported that discussions have been held with Pure Prairie Farms concerning the lease of that section of North Main Street in front of their facility and possible cost share of the reconfiguration of N. Main Street. They would prefer to purchase the street rather than lease it to make securing financing easier. This will be discussed further at an upcoming council meeting. Work continues on options for EMS, we are getting more definite amounts for operations. Floyd Township is having problems securing fire service and we will try to help facilitate this. The recent RAGBRAI overnight went well. Council member Lumley commented that information will be going to the board of supervisors to make an EMS levy decision. Council member Starr commented that this levy would be for the entire county.

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

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk

