

COUNCIL MINUTES
REGULAR SESSION
SEPTEMBER 17, 2018

Charles City city council met in regular session on September 17, 2018 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Jerry Joerger, DeLaine Freeseaman, Michael Hammond, Dan Mallaro. Absent was 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 Mallaro to approve the agenda. Ayes - 5

Motion by Joerger, second Hammond to approve the minutes of the August 27 and September 4 meetings. Ayes - 5

Motion by Joerger, second Freeseaman to approve the consent calendar. Ayes - 5 Consent calendar consisted of the following items: approve 8/18 financials for city of Charles City and CC Public Employee health plan, approve Class B native wine permit w/ Sunday Sales for Unique Country Store, approve change in ownership for Fareway Class LE liquor license, approve microbrewery license w/ Sunday Sales and outdoor service for St. Charles Brewery, approve sidewalk bond for Hugh Anderson and payment of claims (including those approved by other boards):

61627-61628	SEPTEMBER FGP STIPEND CHECKS	\$88.07
ACH	SEPTEMBER FGP STIPEND CHECKS	\$5,438.06
61629	CENTURYLINK, serv.	\$1,488.25
61630	AMELIA MANAGEMENT, utility deposit refund	\$48.82
61631	STEVEN FERCH, utility deposit refund	\$58.01
61632	ROBERT LANENGA, utility deposit refund	\$90.00
61633	JOYCE BOHY LAWSON, utility deposit refund	\$1.48
61634	SCOTT SEGER, utility deposit refund	\$30.46
61635	BERNARD SOLOMON, utility deposit refund	\$1.70
61636	SHANA STEWART, utility deposit refund	\$31.19
61637	KENNETH BAILEY, utility deposit refund	\$90.00
61638	JAKE BROWN, utility deposit refund	\$90.00
61639	STEVEN ELTHON, utility deposit refund	\$90.00
61640	MITCH ENGELHARDT, utility deposit refund	\$90.00
61641	DANIEL FENSK, utility deposit refund	\$90.00
61642	GABRIELLE FRAZER, utility deposit refund	\$90.00
61643	MICHELLE GROB, utility deposit refund	\$90.00
61644	ADRIAN HAUGHT, utility deposit refund	\$90.00
61645	JOE HENDERSON, utility deposit refund	\$90.00
61646	KIMBERLY HUFF, utility deposit refund	\$90.00
61647	TAMARA KELLEHER, utility deposit refund	\$90.00
61648	MARC LEE, utility deposit refund	\$90.00
61649	JESSICA MCENANY, utility deposit refund	\$90.00
61650	LUCAS POGEMILLER, utility deposit refund	\$90.00
61651	ELIZABETH ROTH, utility deposit refund	\$90.00

61652	NICOLE SANDERSON, utility deposit refund	\$90.00
61653	TAWNY SYMONDS, utility deposit refund	\$90.00
61654	JOSHUA VASKE, utility deposit refund	\$90.00
61655	ALYSSA VOSECKY, utility deposit refund	\$90.00
61656	JOANNE BROWN, utility deposit refund	\$90.00
61657	VOIDED	**VOIDED**
61658	CENTURYLINK, serv.	\$234.00
61659	CENTURYLINK, serv.	\$389.69
61660	I WIRELESS, serv.	\$72.20
61661	LEAF, serv.	\$139.40
61662	MARCO, serv.	\$108.90
61663	WINDSTREAM, serv.	\$60.24
61664	UNGGYO BROADBAND, utility deposit refund	\$90.00
61665	HULL ENTERPRISES, utility deposit refund	\$90.00
61666	BAKER & TAYLOR BOOKS	**VOIDED**
61667	BAKER & TAYLOR BOOKS, supp.	\$996.26
61668	BAKER & TAYLOR ENTERTAINMENT, supp.	\$181.99
61669	BRODART COMPANY, supp.	\$794.51
61670	CAROL CASE, serv.	\$1,100.00
61671	CC PUBLIC EMPLOYEE HEALTH PLAN, serv.	\$1,578.79
61672	COREY HAWKE, serv.	\$339.00
61673	DEMCO INC, supp.	\$645.89
61674	HY-VEE INC, supp.	\$99.17
61675	ID LABEL INC, supp.	\$260.00
61676	INGRAM LIBRARY SERVICES, supp.	\$103.89
61677	KOCH BROTHERS INC, serv.	\$29.86
61678	LEAF, serv.	\$72.30
61679	MARTIN BROS DISTRIBUTING CO, supp.	\$465.54
61680	MEDIACOM, serv.	\$319.46
61681	MIDAMERICAN ENERGY, serv.	\$2,323.52
61682	NEWBAUER INC, serv.	\$29.50
61683	ORKIN PEST CONTROL, serv.	\$610.56
61684	PERRY NOVAK ELECTRIC INC, supp.	\$40.00
61685	ROCKFORD PUBLIC LIBRARY, serv.	\$320.00
61686	TASTE OF HOME, supp.	\$33.98
61687	VISA, supp.	\$180.51
61688	REPLACE LOST CHECK, utility deposit refund	\$6.13
ACH	BANCORPSV, serv.	\$335.40
ACH	BANCORPSV, serv.	\$96.10
ACH	FIRST CITIZENS-CC, serv.	\$227.63
ACH	FIRST CITIZENS-CC, serv.	\$206.43
ACH	IMAGETEK, serv.	\$340.00
ACH	KABRICK DISTRIBUTING, supp.	\$212.80

ACH	PEPSI-COLA, supp.	\$661.87
ACH	TREASURER, STATE OF IOWA, sales tax	\$412.95
ACH	UNITED BEVERAGE, supp.	\$170.80
ACH	US POSTAL SERVICE, supp.	\$1,000.00
ACH	BETTY HANSON (FGP), mileage	\$8.32
ACH	JACQUELINE FERCH (FGP), mileage	\$20.48
ACH	JANET NIESS (FGP), mileage	\$22.40
ACH	MAVIS BEENEN (FGP), mileage	\$10.88
ACH	VICKI INMAN (FGP), mileage	\$11.24
61689	AGSOURCE COOPERATIVE SERVICES, serv.	\$283.00
61690	AGVANTAGE FS, serv.	\$39.00
61691	AHLERS & COONEY PC, serv.	\$55.00
61692	ARNOLD MOTOR SUPPLY LLP, supp.	\$996.09
61693	ATLANTIC COCA-COLA BOTTLING CO, supp.	\$121.17
61694	BITUMINOUS MATERIALS & SUPPLY, supp.	\$1,663.17
61695	BODENSTEINER IMPLEMENT CO, supp.	\$212.36
61696	BREITBACH CHIROPRACTIC, serv.	\$25.00
61697	BRUENING ROCK PRODUCTS INC, supp.	\$2,743.29
61698	BUSINESS CARD, serv.	\$2,774.32
61699	CAEL RUZICKA, serv.	\$30.00
61700	CARQUEST AUTO PARTS	**VOIDED**
61701	CARQUEST AUTO PARTS, supp.	\$1,516.05
61702	CC FIRE EXTINGUISHER SERVICE, serv.	\$50.00
61703	CEDAR CREEK TREE SERVICE LLC, serv.	\$8,600.00
61704	CEDAR RIVER SOFTWARE, serv.	\$330.00
61705	CC CHAMBER OF COMMERCE, serv.	\$2,500.00
61706	CHARLES CITY PRESS INC, serv.	\$1,598.44
61707	CINTAS CORPORATION, serv.	\$67.14
61708	CIRCLE K COMMUNICATIONS INC, serv.	\$4,041.67
61709	CITY OF CHARLES CITY, serv.	\$239.29
61710	CIVICPLUS, serv.	\$150.00
61711	COMET BOWL, supp.	\$15.95
61712	CROELL INC, supp.	\$1,188.94
61713	CROELL INC, serv.	\$295,816.61
61714	DEAN SNYDER CONSTRUCTION CO, serv.	\$9,790.30
61715	DEX MEDIA INC, serv.	\$203.00
61716	DISH NETWORK, serv.	\$63.71
61717	STATE OF IOWA-ELEVATOR SAFETY, serv.	\$225.00
61718	ELECTRIC PUMP, serv.	\$5,462.08
61719	ELECTRONIC ENGINEERING, serv.	\$5,065.00
61720	ESS BROTHERS AND SONS INC, supp.	\$6,249.00
61721	FAREWAY STORE, supp.	\$642.00
61722	FEDERAL COMPANIES, serv.	\$15.00

61723	FIRE SERVICE TRAINING BUREAU, supp.	\$100.00
61724	FMC LANDFILL, serv.	\$680.40
61725	GENERAL TRAFFIC CONTROLS, serv.	\$1,441.20
61726	GHD SERVICES INC, serv.	\$2,184.50
61727	GIERKE ROBINSON CO, supp.	\$136.97
61728	GILLIAN KING, serv.	\$60.00
61729	HAWKINS INC, supp.	\$904.38
61730	HEWETT WHOLESALE, supp.	\$37.43
61731	HY-VEE INC, supp.	\$1,005.78
61732	HYDRO KLEAN LLC, serv.	\$59,600.00
61733	IDOT-CASHIER'S OFFICE	**VOIDED**
61734	IDOT-CASHIER'S OFFICE, supp.	\$2,860.17
61735	IDOT-CASHIER'S OFFICE, supp.	\$122.48
61736	ISAIAH JAY TILTON, serv.	\$60.00
61737	JENDRO SANITATION SERVICES, serv.	\$43,593.75
61738	JENDRO SANITATION SERVICES, serv.	\$238.00
61739	JENSEN'S OLD & NEW CONSTRUCTION, serv.	\$14,426.72
61740	JOHN DEERE FINANCIAL, supp.	\$380.66
61741	KEYSTONE LABORATORIES, serv.	\$470.82
61742	KIEFER AQUATICS, supp.	\$86.51
61743	KING CONSTRUCTION INC, serv.	\$194,220.13
61744	L&J INDUSTRIES INC, supp.	\$224.85
61745	LESSIN SUPPLY COMPANY, supp.	\$298.24
61746	MARCO TECHNOLOGIES LLC, serv.	\$84.38
61747	MC2 INC, supp.	\$103.22
61748	METERING TECHNOLOGY SOLUTIONS, supp.	\$2,827.77
61749	MICK GAGE PLUMBING & HEATING, serv.	\$2,497.79
61750	MIDAMERICAN ENERGY, serv.	\$10.00
61751	MIKE MOLSTEAD MOTORS INC, supp.	\$29,382.00
61752	MIKE'S C&O TIRE INC, supp.	\$914.73
61753	MISSISSIPPI LIME COMPANY, supp.	\$5,957.85
61754	MTI DISTRIBUTING INC, supp.	\$653.00
61755	NEWBAUER INC, serv.	\$93.84
61756	NEWBAUER INC, serv.	\$187.75
61757	NIACOG, serv.	\$3,970.82
61758	POPP EXCAVATING INC, serv.	\$5,860.00
61759	POSTMASTER, serv.	\$905.00
61760	RONALD HILLEGAS/R&S MOWING LLC, serv.	\$600.00
61761	RDJ SPECIALTIES INC, supp.	\$233.23
61762	RILEY'S INC, supp.	\$440.33
61763	RISE BROADBAND, serv.	\$21.00
61764	SALT, serv.	\$15.00
61765	SCHUETH ACE HARDWARE, supp.	\$263.79

61766	SJE-RHOMBUS, serv.	\$625.00
61767	SKYLINE TREE SERVICE LLC, serv.	\$12,239.00
61768	STETSON BUILDING PRODUCTS INC, supp.	\$45.04
61769	STEVEN T DIERS, phone stipend/travel reimburse	\$298.60
61770	STEWART M DALTON, serv.	\$30.00
61771	SUPERIOR LUMBER INC, supp.	\$240.90
61772	SUPERIOR WELDING SUPPLY CO, serv.	\$108.00
61773	TERRI NOVAK, mileage	\$151.51
61774	UNITED STATES CELLULAR, serv.	\$1,014.64
61775	USA BLUEBOOK, supp.	\$784.51
61776	VOGEL TRAFFIC SERVICES INC, supp.	\$3,262.50
61777	WICKS CONSTRUCTION INC, serv.	\$36,262.00
61778	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

TOTAL \$811,716.40

A request has been submitted for the CCHS homecoming parade to be held September 28. The route will be the same as in past years with a starting time of 4:15 p.m. Motion by Joerger, second Mallaro to approve the request. Ayes - 5

A proposal has been received from Look Out Point/New Com Technologies on phase 2 of the fiber to home project. This would entail development of a business and engineering plan for the project. A comprehensive plan for implementation of the project will be completed which will include vendor selection, assistance with hiring personnel, further exploration into partnership opportunities with the city of New Hampton, business plan development, and construction documents. This would be funded with General fund to start with costs to eventually be reimbursed with project financing if we move forward. This phase will cost approximately \$381,000. The third phase would happen this spring with a decision on a financing approach if we decide to move forward with the estimated \$11.5 million project. Initial thought is to use revenue bonds to fund the final cost of \$11.5 million. But a referendum could also be done that would allow general obligation bonds to be utilized to help ease the risk for purchasers of the bond. This would be done only if we need to. Our financial advisor is confident that a revenue bond will be possible. The proposal we are looking at tonight includes construction oversight which would only happen if the project moves forward and we don't have to use them for that purpose if we don't want to. The broadband commission has reviewed this proposal and is recommending council approval. Council member Freeseaman introduced Resolution 148-18 entitled, "RESOLUTION APPROVING BUSINESS PLAN/ENGINEERING SERVICES AGREEMENT WITH LOOKOUT POINT/NEW COM TECH FOR FIBER TO THE HOME 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. Nays - none

Ordinance 1120 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA TO CHANGE THE CLASSIFICATION OF A PARCEL OF REAL PROPERTY FROM M-2, GENERAL MANUFACTURING DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT was presented for it's first reading. This ordinance would re-zone some property near the rail road tracks per a request from a non profit entity wanting to locate a railroad museum there. This property is currently zoned M-2 but that zone does not allow museums whereas a B-3 zone would. This property abuts other B-3 properties so it would not be spot zoning. Planning and zoning has reviewed this request at a public hearing and they are recommending approval. City council will hold a public hearing on this on October 1. Motion by Freeseaman, second Mallaro to approve the first reading of Ordinance 1120. Ayes - 5. Council member

Freeseaman read the ordinance. Council member Freeseaman introduced Resolution 149-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1120 AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLES CITY, IOWA TO CHANGE THE CLASSIFICATION OF A PARCEL OF REAL PROPERTY FROM M-2, GENERAL MANUFACTURING DISTRICT TO B-3 SERVICE BUSINESS DISTRICT" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Joerger, Freeseaman, Mallaro. Nays - none

A Façade application has been submitted by Guy Bucknell for 100 N. Main Street. He is applying for funding to put in new windows and doors. He is asking for \$5,460 which is the remaining balance in this fund. The design committee has reviewed this application and is recommending approval of this funding request. A detailed listing of the expenses has been provided and shows that the amount of qualifying expenses is enough to qualify for the funding. Council member Hammond introduced Resolution 150-18 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 100 N. MAIN SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Joerger, Freeseaman. Nays - none

A drainage project in the SW TIF district has been identified and the area development corporation retained SEH Engineers to do a study on it. The city now needs to enter into an agreement with them for final design and plans and specifications preparation for this improvement. The city has included \$80,000 in the current budget to reconstruct the culvert under 11th Street and this would be included in the overall project in the SW TIF district. The SW TIF board has approved funding \$100,000 for this drainage project and once we get the final design, we can identify which parts of it can be accomplished with this funding we have in place already. The fee breakdown for SEH's services is a not to exceed amount of \$22,000 for design and a not to exceed amount of \$23,400 for construction services. Council member Freeseaman asked if any of this engineering cost would go toward the culvert project and the reply was yes since this culvert is part of the overall project. Council member Freeseaman wanted to be sure that none of the \$100,000 from the SW TIF fund went toward costs of the city culvert. Staff will request itemized design invoices to break out the separate costs. Council member Joerger introduced Resolution 151-18 entitled, "RESOLUTION APPROVING ENGINEERING SERVICES AGREEMENT WITH SEH FOR SW TIF DISTRICT STORM WATER IMPROVEMENT PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Ordinance 1121 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF TWO PARCELS LOCATED IN BLOCK A, PLAT OF FREEMAN, NOW INCORPORATED AS CHARLES CITY, IOWA, AND THE FRACTIONAL BLOCK EIGHTY-NINE (89) IN KELLY AND COMPANY'S ADDITION TO ST. CHARLES, NOW INCORPORATED IN AND AS A PART OF CHARLES CITY, IOWA, FROM R-2, GENERAL RESIDENCE DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT was presented for its first reading. This ordinance will correct a mapping error on properties located at 600 and 610 Gilbert Street. These properties have been businesses for many years but they are zoned R-2. Staff thinks this is an error and would like to correct it. These would be changed to a B-3 zone. Planning and zoning has reviewed this change at a public hearing and is recommending approval. A public hearing will be held October 1 for the council. Motion by Freeseaman, second Joerger to approve the first reading. Ayes - 4. Council member Freeseaman read the ordinance. Council member Hammond introduced Resolution 152-18 entitled, "RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF HEARING ON ORDINANCE 1121 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF TWO PARCELS LOCATED IN BLOCK A, PLAT OF FREEMAN, NOW INCORPORATED AS CHARLES CITY, IOWA AND THE FRACTIONAL BLOCK EIGHTY NINE (89) IN KELLY AND COMPANY'S ADDITION TO ST.

CHARLES, NOW INCORPORATED IN AND AS A PART OF CHARLES CITY, IOWA, FROM R-2 GENERAL RESIDENCE DISTRICT TO B-3 SERVICE BUSINESS DISTRICT” and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Joerger, Freeseeman. Nays - none

Ordinance 1122 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF A PARCEL LOCATED IN BLOCK A, PLAT OF FREEMAN, NOW INCORPORATED AS CHARLES CITY, IOWA, FROM R-2, GENERAL RESIDENCE DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT was presented for it’s first reading. Express Lube is interested in purchasing the property at 403 Cedar Street to demolish the house there and expand their service bays. This is zoned R-2 and would need to be changed to B-3 for them to utilize it for their business. Planning and zoning has reviewed this change at a public hearing and they are recommending approval. A public hearing will be held October 1 for the council. Motion by Joerger, second Freeseeman to approve the first reading. Ayes - 4. Council member Joerger read the ordinance. Council member Hammond introduced Resolution 153-18 entitled, “RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE OF OF HEARING ON ORDINANCE 1122 AMENDING THE ZONING CLASSIFICATION OF A PARCEL LOCATED IN BLOCK A, PLAT OF FREEMAN, NOW INCORPORATED AS CHARLES CITY, IOWA, FROM R-2 GENERAL RESIDENCE DISTRICT TO B-3 SERVICE BUSINESS DISTRICT” and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseeman, Hammond, Mallaro. Nays - none

Temporary construction easements are needed for a storm drainage project at First Avenue and Roling Street. Council has heard numerous storm water issues from citizens and this project will alleviate one of those areas. This project will allow the storm water to be contained in the gutter by reconstructing and raising the driveway approach at 800 First Avenue. To do this work, a temporary construction easement is needed from owners at 800 First Avenue and 1801 Roling Street. This project will be bid in January and done in the spring. Council member Freeseeman introduced Resolution 154-18 entitled, “RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENT FOR 800 1ST AVENUE, CHARLES CITY, IOWA” and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Freeseeman, Hammond, Mallaro, Joerger. Nays - none

Council member Freeseeman introduced Resoluton 155-18 entitled, “RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENT FOR 1801 ROLFING STREET, CHARLES CITY, IOWA” and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Joerger, Freeseeman. Nays - none

As a requirement for our application to the Federal Recreational Trail Program grant for the Charley Western Trail Bridge replacement project, we need to certify that the Buy America requirement will be supported if we are approved for funding. Council member Freeseeman introduced Resolution 156-18 entitled, “A RESOLUTION SUPPORTING BUY AMERICA REQUIREMENTS OF THE FEDERAL HIGHWAY ADMINISTRATION FOR A FEDERAL RECREATIONAL TRAILS PROJECT GRANT” and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Joerger, Freeseeman, Hammond. Nays none

City clerk O’Donnell reported that the next planning session will be held September 24 at 6:00 p.m. preceded by a special meeting to approve the annual street finance report.

City administrator Diers reported that discussion continues on the future of the 500 N. Grand building. There will likely be another closed session at the October 1 regular meeting to discuss the property purchase for the wastewater plant project. A public hearing will be held on October 22 for planning and zoning to go over the comprehensive plan draft. He will be attending the ICMA conference in Baltimore

the week of September 24. Bids for the cross walk at the theater came in at \$18,000 and \$20,000. It will be re-bid this winter/spring since it's late in the season now.

Council member Freeseaman commented that it looks much nicer at the end of Hildreth Street with the barricades gone. Mayor Andrews stated that the barricade has been replaced on the Charley Western trail by the bridge. Council member Joerger reported that the landfill cell project is making slow progress due to the rain but it should be done by December.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell