

COUNCIL MINUTES  
SEPTEMBER 21, 2020  
REGULAR SESSION

Charles City city council met in regular session on September 21, 2020 at 6:00 p.m. remotely via Zoom.com. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Phoebe Pittman and Phillip Knighten. 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 by Joerger to approve the agenda. Ayes-5

Motion by Joerger, second by Pittman to approve the minutes of the September 8, 2020 meeting. Ayes-5

Motion by Joerger, second Starr to approve the consent calendar. Ayes-5. Consent calendar consisted of the following: approve 8/20 financial for the city of Charles City and CC Public Employees Health Plan, approve excavation bond for Randall Construction, and payment of claims (including those approved by other boards).

70059	LATAYA EDWARDS, utility deposit refund	\$6.26
70060	DESTINY JAMES NELSON, utility deposit refund	\$46.92
70061	A+ NAILS, utility deposit refund	\$90.00
70062	STACY RENEE BREWER, utility deposit refund	\$90.00
70063	KATHIE CHRISTIANSEN, utility deposit refund	\$90.00
70064	KEISHA MARIE CUNNINGS, utility deposit refund	\$90.00
70065	COREY DAWSON, utility deposit refund	\$90.00
70066	BRIAR FULLER, utility deposit refund	\$90.00
70067	BRIDGETTE HINDERS, utility deposit refund	\$60.00
70068	SHARON MESSIER, utility deposit refund	\$90.00
70069	DEP JOE NGO, utility deposit refund	\$90.00
70070	SHERRI PARKER, utility deposit refund	\$90.00
70071	RIVER CITY HOME IMPROVEMENT, utility deposit refund	\$90.00
70072	DEAN SORENSON, utility deposit refund	\$90.00
70073	SHAMEKA TURNER, utility deposit refund	\$90.00
70074	MATT VANDERKOLK, utility deposit refund	\$90.00
70075	CENTURYLINK, serv.	\$234.00
70076	KWIK TRIP INC, supp.	\$1,677.99
70077	MARCO, serv.	\$119.86
70078	MIDAMERICAN ENERGY, serv.	\$107.73
70079	VERIZON WIRELESS, serv.	\$120.03

70080	WINDSTREAM, serv.	\$74.91
70081	CENTURYLINK, serv.	\$453.81
70082	GWORCS, supp.	\$795.00
70083	BAKER & TAYLOR BOOKS, supp.	\$2,547.79
70084	BAKER & TAYLOR ENTERTAINMENT, supp.	\$53.63
70085	BRODART COMPANY, supp.	\$347.44
70086	CANON FINANCIAL SERVICES INC, serv.	\$69.32
70087	CAROL CASE, serv.	\$1,100.00
70088	CC PUBLIC EMP HEALTH PLAN, serv.	\$2,924.51
70089	CENTER POINT LARGE PRINT, supp.	\$194.76
70090	COREY HAWKE, serv.	\$389.00
70091	GORDON FLESCH COMPANY INC, serv.	\$69.00
70092	HOCKENSON PLUMBING, serv.	\$460.00
70093	HY-VEE INC, supp.	\$16.44
70094	INGRAM LIBRARY SERVICES, supp.	\$38.53
70095	KANOPY INC, supp.	\$29.00
70096	MEDIACOM, serv.	\$395.48
70097	MIDAMERICAN ENERGY, serv.	\$2,229.29
70098	MIDWEST TAPE, supp.	\$188.93
70099	ORKIN, serv.	\$610.56
70100	OVERDRIVE INC, serv.	\$1,615.36
70101	PERRY NOVAK ELECTRIC INC, serv.	\$2,315.05
70102	STATE LIBRARY OF IOWA	**VOIDED**
70103	STATE LIBRARY OF IOWA, supp.	\$62.00
70104	TASTE OF HOME, supp.	\$37.72
70105	VISA, supp.	\$1,438.14
70106	STATE LIBRARY OF IOWA	**VOIDED**
70107	STATE LIBRARY OF IOWA, serv.	\$484.12
70108	STATE LIBRARY OF IOWA, supp.	\$52.80
70109-70121	PAYROLL ENDING 09/12/2020	\$96,209.74
ACH	AFLAC, payroll liabilities	\$1,214.80
70122	CITY OF CHARLES CITY, payroll liabilities	\$1,486.22
70123-70124	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$10,387.16
ACH	COLLECTION SERVICE CENTER, payroll liabilities	\$5.07
ACH	EFTPS, payroll liabilities	\$26,405.14
70125	EMC NATIONAL LIFE COMPANY, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,608.00
ACH	ICMA, payroll liabilities	\$1,966.10
ACH	IPERS, payroll liabilities	\$30,950.39
70126-70127	LINCOLN NATIONAL LIFE INS CO, payroll liabilities	\$352.80
70128-70130	DELTA DENTAL, payroll liabilities	\$1,952.58
ACH	MUNICIPAL FIRE & POLICE, payroll liabilities	\$28,566.11
ACH	TREASURER, STATE OF IOWA, payroll liabilities	\$10,737.00
70131-70133	VSP, payroll liabilities	\$402.98

70134	ASBESTROL INC, serv.	\$2,470.00
70135	BLUHM CEDAR VALLEY ELECTRIC, serv.	\$1,461.18
70136	BUSINESS CARD, supp.	\$915.51
70137	CATHERINE MARIE OTT, serv.	\$540.00
70138	CENTURLINK, serv.	\$163.76
70139	CINTAS CORPORATION, serv.	\$56.22
70140	CITY OF CHARLES CITY, serv.	\$3,257.26
70141	ESTATE OF LORI FOSTER, security deposit refund	\$82.01
70142	ESTATE OF MARY KELLOGG, security deposit refund	\$198.36
70143	HOCKENSON PLUMBING, serv.	\$202.80
70144	HOUSING AUTH ACCTG SPECIALISTS, serv.	\$572.00
70145	JENDRO SANITATION SERVICES, serv.	\$790.00
70146	JENSEN NEW & OLD CONSTRUCTION, serv.	\$2,681.00
70147	JOHN DEERE FINANCIAL, supp.	\$30.96
70148	JUANA VARGAS, security deposit refund	\$400.00
70149	KWIK TRIP INC, supp.	\$57.39
70150	LEAF, serv.	\$252.04
70151	MATT LOSEE, security deposit refund	\$216.01
70152	MEDIACOM, serv.	\$276.90
70153	MELINDA JASS, pet deposit refund	\$50.00
70154	MID AMERICA METER INC, serv.	\$6,248.49
70155	MIDWEST DUCT WORKS, serv.	\$1,425.00
70156	MRI SOFTWARE LLC, supp.	\$480.00
70157	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$306.00
70158	PETTY CASH-HOUSING, supp.	\$48.35
70159	PITNEY BOWES POSTAGE, supp.	\$205.06
70160	PITNEY BOWES POSTAGE, serv.	\$160.38
70161	PLUNKETT'S PEST CONTROL, serv.	\$1,440.00
70162	ROCHFORD CONSTRUCTION, serv.	\$3,352.00
70163	SALLY HART, security deposit refund	\$140.00
70164	SCHUETH ACE HARDWARE, supp.	\$671.21
70165	SHORT ELLIOTT HENDRICKSON INC, serv.	\$5,857.02
70166	SHERWIN-WILLIAMS CO, supp.	\$46.97
70167	SHIRLEY RIEKEN, security deposit refund	\$250.00
70168	SHRED IT, C/O STERICYCLE INC, serv.	\$123.47
70169	STAPLES ADVANTAGE, supp.	\$202.09
70170	SUPERIOR LUMBER INC, supp.	\$2,069.60
70171	T-J SERVICE INC, serv.	\$151.77
70172	TENANT PI LLC, serv.	\$78.00
70173	COMPUTER PARKER LLC, supp.	\$2,129.21
70174	TRUGREEN PROCESSING CENTER, serv.	\$796.00
70175	UNITED STATES CELLULAR, serv.	\$154.42
70176	VALERIE SHAW, account balance refund	\$12.00
70177	VEENSTRA & KIM INC, serv.	\$628.45

ACH	BANCORPSV, serv.	\$458.82
ACH	BANCORPSV, serv.	\$163.23
ACH	FIRST CITIZENS-CC, serv.	\$273.45
ACH	KABRICK DISTRIBUTING, supp.	\$158.00
ACH	TREASURER, STATE OF IOWA, sales tax	\$12,352.69
ACH	TREASURER, STATE OF IOWA, sales tax	\$568.77
ACH	US POSTAL SERVICE, supp.	\$1,000.00
ACH	CARMEN RAMSAY (FGP), mileage	\$33.60
ACH	FLOYD SWCD, serv.	\$5,137.08
ACH	MAVIS BEENEN (FGP), mileage	\$5.76
ACH	PORTZEN CONSTRUCTION, serv.	\$652,090.46
70178	AGSOURCE COOPERATIVE SERVICES, serv.	\$271.00
70179	AGVANTAGE FS, supp.	\$922.66
70180	AHLERS & COONEY PC, serv.	\$1,320.00
70181	ARNOLD MOTOR SUPPLY LLP, supp.	\$28.99
70182	BLUE TARP CREDIT SERVICES, serv.	\$39.99
70183	BODENSTEINER IMPLEMENT CO, supp.	\$146.01
70184	BRUCELLI ADVERTISING INC, supp.	\$183.57
70185	BRUENING ROCK PRODUCTS INC, supp.	\$2,018.22
70186	BUSINESS CARD, serv.	\$1,022.81
70187	CARQUEST AUTO PARTS	**VOIDED**
70188	CARQUEST AUTO PARTS, supp.	\$1,132.05
70189	CENTURLINK, serv.	\$65.50
70190	CC CHAMBER OF COMMERCE, serv.	\$7,634.50
70191	CINTAS CORPORATION, serv.	\$139.09
70192	CITY OF CHARLES CITY, serv.	\$197.35
70193	CORE & MAIN LP, supp.	\$5,468.50
70194	CROELL INC, supp.	\$1,796.32
70195	DANIELS AUTO COLLISION, serv.	\$6,296.78
70196	DEBOEST CONCRETE, serv.	\$3,750.00
70197	DIGITAL-ALLY INC, supp.	\$70.00
70198	DISH NETWORK, serv.	\$74.33
70199	DOWNING EXCAVATING, serv.	\$1,322.50
70200	ECOLAB, supp.	\$394.36
70201	FAREWAY STORE, supp.	\$134.71
70202	FLOYD COUNTY ENGINEER, supp.	\$143.05
70203	FLOYD COUNTY RECORDER, serv.	\$81.00
70204	FLOYD COUNTY TREASURER, serv.	\$4,899.53
70205	FMC LANDFILL, serv.	\$252.45
70206	HOLDEN HILLEGAS/H&R LAWN CARE, serv.	\$374.00
70207	HAMPTON EQUIPMENT INC, supp.	\$778.74
70208	HAWKINS INC, supp.	\$935.79
70209	HEARTLAND ASPHALT INC, serv.	\$208,659.38
70210	KEVIN HERRON'S BAND BOX, serv.	\$342.60

70211	HEWETT WHOLESALE, supp.	\$49.50
70212	HY-VEE INC, supp.	\$544.78
70213	IOWA DEPT OF NATURAL RESOURCES, serv.	\$30.00
70214	IDOT-CASHIER'S OFFICE, supp.	\$223.06
70215	IOWA PARKS & REC ASSOCIATION, serv.	\$580.00
70216	JASPER CONSTRUCTION SERVICES, serv.	\$126,429.31
70217	JENDRO SANITATION SERVICES, serv.	\$49,221.44
70218	JENDRO SANITATION SERVICES, serv.	\$238.00
70219	JOHN DEERE FINANCIAL, supp.	\$532.99
70220	KEYSTONE LABORATORIES, serv.	\$408.49
70221	KIELKOPF ADVISORY SERVICES, serv.	\$600.00
70222	LARRY ELWOOD CONSTRUCTION, supp.	\$550.00
70223	LEAF, serv.	\$125.20
70224	LEAF, serv.	\$129.96
70225	LESSIN SUPPLY COMPANY, supp.	\$527.97
70226	MERRITT COMPUTER SERVICE INC, serv.	\$222.64
70227	METERING TECHNOLOGY SOLUTIONS, supp.	\$14,387.07
70228	MICK GAGE PLUMBING & HEATING, serv.	\$2,409.41
70229	MIDAMERICAN ENERGY, serv.	\$241.40
70230	MIKE'S C&O TIRE INC, serv.	\$2,570.74
70231	MILLS-INC, supp.	\$410.00
70232	MISSISSIPPI LIME COMPANY, supp.	\$6,403.21
70233	NB GOLF LLC, supp.	\$620.95
70234	NEWBAUER INC, serv.	\$92.53
70235	NEWBAUER INC, serv.	\$95.75
70236	NIACOG, serv.	\$428.22
70237	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$2,564.90
70238	NORTH IOWA LAWN & SPORTS, supp.	\$79.32
70239	NORTHERN SAFETY CO INC, supp.	\$166.77
70240	OTTO'S ENTERPRISES LLC, serv.	\$659.59
70241	OUTLAW TRUCK PARTS, supp.	\$408.91
70242	PERRY NOVAK ELECTRIC INC, serv.	\$963.93
70243	POPP EXCAVATING INC, serv.	\$10,431.00
70244	POSTMASTER, supp.	\$910.00
70245	POWER SERVICES/MICHAEL CHAPMAN, serv.	\$949.21
70246	PRODUCTIVITY PLUS ACCOUNT, supp.	\$6.85
70247	RDG PLANNING & DESIGN, serv.	\$730.00
70248	RILEY'S INC, supp.	\$1,089.02
70249	PALOS SPORTS, supp.	\$149.99
70250	SCHUMACHER ELEVATOR COMPANY, serv.	\$750.00
70251	SJE RHOMBUS, supp.	\$805.38
70252	STAPLES CREDIT PLAN, supp.	\$252.94
70253	ED STIVERS FORD INC, supp.	\$34,695.00
70254	TERRACON CONSULTANTS INC, serv.	\$1,821.00

70255	TP ANDERSON & COMPANY PC, serv.	\$8,000.00
70256	TRIUMPH SURPLUS LLC, serv.	\$19.32
70257	UNITED STATES CELLULAR, serv.	\$854.71
70258	USA BLUEBOOK, supp.	\$1,225.72
70259	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

**TOTAL** **\$1,476,378.18**

Motion by Freeseaman, second by Starr to reappoint Marta Fisher to library board and appoint Cheryl Nootnagel and Coulter Page to replace Mike Brummond and Angel McKenzie. Ayes-5

Motion by Joerger, second by Pittman to appoint Lisa Soifer to the broadband commission. Ayes-5.

Mayor said information has been sent out to the council, Charles City Press, and KCHA in regards to Halloween. Information will also be placed on the city's Facebook page.

Mayor Andrews opened the hearing on the Gilbert Street lift station. Affidavit of publication dated 8/18/20 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second by Freeseaman to close the hearing. Ayes-5. Replacement of the Chautauqua Sewer Lift Station was included in the second part of the WRRF project. Lance Aldrich from Fox Engineering was present to answer any questions regarding the lift station. Lance stated the estimated cost of the project to be \$230,000. They looked at several different locations and determined that building the lift station next to the old one was the best location. A map was presented to show the council when the lift station would be located. Environmental review has been completed. Floodplain development permit has been obtained. The overall reason for the project was to increase capacity for flows coming into the area. When asked how much the capacity would increase, Aldrich stated it was twice the capacity of the old station. Aldrich said another benefit to rebuilding the lift station was that it was able to be built above the 100' floodplain level.

Mayor Andrews opened the hearing on the Loan and Disbursement Agreement for issuance and securing payment of \$14,575,000 Taxable Sewer Revenue Bonds, Series 2020. Affidavit of publication dated 9/15/2020 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second by Pittman to close the hearing. Ayes-5. This loan is for the current Water Resource Recovery project. We are borrowing a total of \$17,475,000. The revenue-based loan amount will be \$14,475,000 and the additional \$3,000,000 will serviced by G.O. debt service. The \$3,000,000 has all ready been approved at a previous meeting. At the current time we have spent approximately \$4,400,0000. A list of the payment schedule was presented to the council. There was an additional \$405,000 in funding needed due the additional garbage that needed to be hauled as well as additional fill needed. Council member Freeseaman introduced Resolution 161-20 entitled, "RESOLUTION AUTHORIZING AND APPROVING A LOAN DISBURSEMENT AGREEMENT AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$14,575,000 TAXABLE SEWER REVENUE BONDS, SERIES 2020" and moved for adoption. Second to adopt Pittman. Resolution passed on roll call vote as follows: Ayes-Freeseaman, Pittman. Knighten, Starr and Joerger. Nays-none

City Engineer, John Fallis, explained that work is continuing on the Water Resource Recovery Facility. A Pay estimate #11 has been submitted in the amount of \$652,090.46. The costs included in this estimate are for construction work on the oxidation ditch, equalization basin and reed beds. Fox Engineering has reviewed the payment request. Council member Joerger introduced Resolution 162-20 entitled, "RESOLUTION APPROVING PAY ESTIMATE #11 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes-Pittman, Knighten, Starr, Joerger and Freeseaman. Nays-none.

City Attorney, Brad Sloter, explained that the State has updated their State Code pertaining to the standard penalty for violations. They have increased the amount of a fine to at least one hundred and five dollars to a maximum of eight hundred and fifty-five dollars. We would like to amend our ordinances to match the state code. Motion by Starr, second by Joerger to approve the first reading of Ordinance 1147 AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 1, SECTION 1.14 – STANDARD PENALTY, BY AMENDING THE PROVISIONS PERTAINING TO THE STANDARD PENALTY FOR VIOLATIONS. Ayes-5. Council member Starr read the ordinance.

City Attorney, Brad Sloter, explained that the State has also updated the State Code pertaining to animal neglect. An amended ordinance is needed to update our City Ordinance to mirror the State code. Motion by Freeseaman, second by Starr to approve the first reading of Ordinance 1148 AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 55, SECTION 55.02, BY AMENDING THE PROVISIONS PERTAINING TO ANIMAL NEGLECT. Ayes-5. Council member Freeseaman read the ordinance.

City Attorney, Brad Sloter, explained that there have been a few discussions about providing extra pay for the city administrator and city clerk for the extra work that has been done by them on getting the telecom up and running. Mike Galloway, the city's employment law attorney, recommended an amendment to the employment contracts for the additional pay. The calculated amount of extraordinary duty pay for the city clerk is in the amount of \$1,762.20. This is for the time period of December 2019 through September 2020. The additional pay is not contingent upon the city's receipt of the reimbursement from the telecom. Council member Joerger introduced Resolution 163-20 entitled, "AMENDMENT TO EMPLOYMENT AGREEMENT" and moved for adoption. Second to adopt Knighten. Motion duly passed on roll call vote as follows: Ayes-Joerger, Freeseaman, Pittman, Knighten and Starr. Nays-none.

City Administrator, Steve Diers, calculated amount of extraordinary duty pay is \$16,065. This covers the time period from December 2019 through September 2020. This pay is not contingent upon receipt of the reimbursement from the telecom. Council member Freeseaman introduced Resolution 164-20 entitled, "AMENDMENT TO EMPLOYMENT AGREEMENT" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes: Freeseaman, Pittman, Knighten, Starr, Joerger. Nays—none.

Jasper Construction Services is the general contractor for the Main Street Bridge Project. John Fallis, city engineer, explained that since the survey had been done the area to be repaired has sustained more damage. Calhoun Burns has designed a repair consisting of a structural wall or "jacket" tied to and added to the outside edge of the northwest wing wall to securely repair the wall. The increased cost to add the structural wall is \$28,450. Council member Starr introduced Resolution 165-20 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER FOR THE 2020 MAIN STREET BRIDGE REPAIR PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes- Pittman, Knighten, Starr, Joerger, Freeseaman. Nays-none.

The Floyd/Mitchell/Chickasaw Landfill has discussed with the city staff concerning the disposal of leachate material into our wastewater facility. An agreement has drawn up for the council's approval. Council member Joerger said he had met with a couple of the landfill board members and there are a few items they would like to discuss before finalizing the agreement. For that reason, no action was taken on this item.

The City has received permission to place an asphalt surface over the existing unused railroad tracks at North Grand and E Street. Farmers Feed and Grain, who owns the rails, is in agreement as well. Heartland Asphalt would be able to perform this construction as a change order to the 2020 HMA Paving Project at a cost of \$25,000. City engineer, John Fallis, has talked to some counties and cities who have used this method. He has also talked to the Asphalt Paving Association of Iowa's field engineer. The entities said they expect to receive 15 years of performance out of the crossing pavement. The representatives that John talked to also implied that their agencies funded this work and did not receive compensation from the respective railroads. Heartland Asphalt has assured that they can accomplish this extra work. If the council moves ahead with this change order, we will invoice the Canadian Pacific Railway the extra costs incurred by the City. Using this option does not give us time to use the assessment process. Council member Knighten asked Fallis if being this close to the cold weather would affect the quality of the pavement. Fallis stated that weather is still good to lay asphalt. If the weather did change the contractor would have to follow the SUDAS standards for laying asphalt. Council member Freeseaman asked if there was any merit in finding out if Farmer's Feed and Grain has any interest in using those tracks in the future. Fallis related that he had spoken to Steve Eastman about the tracks. Eastman indicated that someday they would like to use the tracks again but at this time it is not cost effective to do so. Sloter said that there is a provision in the code that if Farmers Feed and Grain make an improvement to those rails that the council can require them to bring it up to grade. There was a discussion about the crossing signals and the required distance from the first rail. The question became if the rails are covered up with asphalt does that change the placement of the signals. Knighten asked if there was anyway to get clarification on the placement of the signals. Knighten expressed concerns on there being a lot of unanswered questions about this process. Sloter did say that he had a contact for the legal counsel of Canadian Pacific Railway and he could draft a letter to that contact person to see if he could get something back in writing in regards to the signal placement. Council member Joerger introduced Resolution 167-20 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER FOR THE 2020 HMA PAVING 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. Nays-Knighten.

Steve Diers reminded the council that he has sent out the new goal setting worksheet. Goal setting session is set for November 9<sup>th</sup> at 5 p.m. Department heads goal setting session will be held on October 23<sup>rd</sup>. Mayor asked if the meetings would be held off site. Diers said he would check into what sites are available. He also said the water tower painting is complete. Community has been asking a lot about Spring Cleanup. At this time there are still some concerns about Covid. He stated it may be better off to wait until next spring. He told the council if any of them had concerns with this to contact him and there could be further discussion. Mark Hotkamp project will be coming up for discussion in the next month or so regarding the development agreement. Staff will be looking at a module from gworks to add to our software to handle the building permitting process more efficiently.

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



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Dean Andrews, Mayor

Attest:

Virginia Titus, Deputy Clerk