

COUNCIL MINUTES
REGULAR SESSION
OCTOBER 1, 2018

Charles City city council met in regular session on October 1, 2018 at 6:00 p.m. in council chambers. Mayor Dean 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, city engineer John Fallis and city attorney Brad Sloter.

Citizen 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 September 10 and 17 meetings. Ayes - 5

Motion by Starr, second Freeseaman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve the following liens: unpaid utility bills-Acct5014620000 \$55.67, Acct 5013760014 \$113.79, Acct 5021320001 \$217.24, Acct 5029480001 \$111.72; curbstop repair - 1101 5th Ave \$1897.43 and payment of claims (including those approved by other boards):

61779-61800	PAYROLL ENDING 09/15/18	\$89,810.95
ACH	AFLAC, payroll liabilities	\$985.65
61801	CITY OF CHARLES CITY, payroll liabilities	\$1,142.24
61802-61803	CC PUBLIC EMP HEALTH PLAN, PR liabilities	\$8,679.26
ACH	COLLECTION SERVICE CENTER, PR liabilities	\$212.76
61804	EMC NATIONAL LIFE COMPANY, PR liabilities	\$33.55
ACH	EFTPS, payroll liabilities	\$29,071.10
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,468.00
ACH	ICMA, payroll liabilities	\$1,456.92
ACH	IPERS, payroll liabilities	\$28,700.14
61805-61806	LINCOLN NATIONAL LIFE INS CO, PR liabilities	\$238.70
61807-61808	DELTA DENTAL, payroll liabilities	\$387.46
ACH	MUNICIPAL FIRE & POLICE, payroll liabilities	\$27,201.39
ACH	TREASURER STATE OF IOWA, PR liabilities	\$12,110.00
ACH	VSP, payroll liabilities	\$317.56
61809	JOHN DEERE FINANCIAL, supp.	\$61.91
61810	PAYROLL ENDING 09/15/18	\$184.68
61811	AMARIS MUNIZ COLON, deposit refund	\$200.00
61812	ATURA ARCHITECTURE, serv.	\$1,200.00
61813	BDS EQUIPMENT, supp.	\$4,249.00
61814	BLUHM CEDAR VALLEY ELECTRIC, serv.	\$1,446.00
61815	BUSINESS CARD, supp.	\$2,450.95
61816	C NABER & ASSOCIATES, serv.	\$1,140.00
61817	CATHERINE MARIE OTT, serv.	\$315.00
61818	CENTURYLINK, serv.	\$48.54
61819	CHARLES CITY ELECTRONICS, supp.	\$19.99

61820	CHARLES CITY HOUSING AUTHORITY, sec deposit withheld	\$200.00
61821	CINTAS CORPORATION, serv.	\$55.22
61822	CITY OF CHARLES CITY, serv.	\$2,984.38
61823	DON'S REPAIR, serv.	\$84.95
61824	FLOYD CO SHERIFF DEPARTMENT, serv.	\$33.50
61825	GARRY TIBBETTS, serv.	\$100.00
61826	HOCKENSON PLUMBING, serv.	\$162.80
61827	IDOT-CASHIER'S OFFICE, supp.	\$154.01
61828	JENDRO SANITATION SERVICES, serv.	\$790.00
61829	JOHN DEERE FINANCIAL, supp.	\$29.94
61830	KWIK TRIP INC, supp.	\$160.33
61831	LEAF, serv.	\$232.18
61832	MARCO TECHNOLOGIES, serv.	\$25.67
61833	MEDIACOM	**VOIDED**
61834	MEHMEN PAINTING, serv.	\$135.00
61835	MIDAMERICAN ENERGY, serv.	\$6,268.23
61836	MILLS-INC, serv.	\$100.00
61837	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$434.70
61838	PITNEY BOWES-LEASE ACCT, serv.	\$54.09
61839	SCHUETH ACE HARDWARE	**VOIDED**
61840	SCHUETH ACE HARDWARE	**VOIDED**
61841	SCHUETH ACE HARDWARE, supp.	\$1,532.52
61842	SHERWIN-WILLIAMS CO, supp.	\$176.45
61843	SKYLINE TREE SERVICE LLC, serv.	\$1,560.00
61844	SUPERIOR LUMBER INC, supp.	\$383.21
61845	T-J SERVICE INC, supp.	\$724.95
61846	TEETER SPECIALTY CO, supp.	\$243.68
61847	TITUS LOCK SERVICES, serv.	\$200.00
61848	TRUGREEN PROCESSING CENTER, serv.	\$796.00
61849	UNITED STATES CELLULAR, serv.	\$138.56
61850	YARDI RESIDENT SCREENING, serv.	\$42.00
61851	MIDAMERICAN ENERGY, serv.	\$1,480.51
61852	IOWA DIV OF CRIMINAL INVESTIGATION, serv.	\$28.00
61853	POLICE BUY FUND, supp.	\$800.00
61854-61866	OCTOBER HAP CHECKS	\$21,925.42
ACH	OCTOBER HAP CHECKS	\$35,798.53
ACH	BANCORPSV, serv.	\$228.34
ACH	BANCORPSV, serv.	\$1,823.40
ACH	IOWA WORKFORCE DEVELOPMENT, serv.	\$789.01
ACH	KABRICK DISTRIBUTING, supp.	\$603.10
ACH	TREASURER, STATE OF IOWA, sales tax	\$16,668.21
ACH	US POSTAL SERVICE, supp.	\$1,000.00

61867	ARNOLD MOTOR SUPPLY LLP	**VOIDED**
61868	ARNOLD MOTOR SUPPLY LLP, supp.	\$1,522.75
61869	BLACKHAWK AUTOMATIC SPRINKLERS, serv.	\$217.00
61870	CATHERINE MARIE OTT, serv.	\$240.00
61871	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
61872	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
61873	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
61874	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
61875	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
61876	CC PUBLIC EMP HEALTH PLAN, serv.	\$71,340.32
61877	CENTRAL IOWA DISTRIBUTING, supp.	\$133.13
61878	CHARLES CITY ELECTRONICS, supp.	\$65.99
61879	CINTAS CORPORATION, serv.	\$55.29
61880	CINTAS, supp.	\$81.47
61881	CITY OF CHARLES CITY, supp.	\$670.00
61882	CJ COOPER & ASSOCIATES INC, serv.	\$35.00
61883	COMMUNITY REVITALIZATION, serv.	\$5,460.00
61884	CROELL INC, supp.	\$184.75
61885	DATA TECHNOLOGIES INC, serv.	\$320.00
61886	DAVE'S RESTAURANT, supp.	\$266.50
61887	DON'S REPAIR, supp.	\$35.45
61888	ETHANOL PRODUCTS LLC, supp.	\$1,173.62
61889	FLOYD CO FIREFIGHTERS ASSOCIATION, serv.	\$50.00
61890	FLOYD COUNTY MEDICAL CENTER CLINIC, serv.	\$1,036.00
61891	FURNITURE RE-DO & GIFTS, serv.	\$179.30
61892	GHD SERVICES INC, serv.	\$44.50
61893	GIERKE ROBINSON CO, supp.	\$136.97
61894	HENDERSON PRODUCTS INC, supp.	\$1,380.50
61895	HEWETT WHOLESAL, supp.	\$100.38
61896	HOTSY EQUIPMENT COMPANY, supp.	\$287.07
61897	IOWA DEPT OF NATURAL RESOURCES, serv.	\$30.00
61898	IDOT-CASHIER'S OFFICE	**VOIDED**
61899	IDOT-CASHIER'S OFFICE, supp.	\$2,149.95
61900	IEMSA, serv.	\$280.00
61901	IOWA LAW ENFORCEMENT ACADEMY, serv.	\$500.00
61902	IMAGETEK INC, serv.	\$75.00
61903	INTERSTATE BATTERIES OF UPPER IOWA	**VOIDED**
61904	IOWA CODIFICATION INC, serv.	\$143.00
61905	IOWA ONE CALL, serv.	\$76.70
61906	IOWA WALL SAWING, serv.	\$350.00
61907	JEFF'S SANDBLASTING & PAINTING, serv.	\$225.00
61908	JOHN A HOWE, serv.	\$850.00
61909	L&J INDUSTRIES INC, supp.	\$15.20

61910	MACQUEEN EQUIPMENT GROUP, supp.	\$198,229.00
61911	MARCO TECHNOLOGIES LLC, serv.	\$47.03
61912	MARCO TECHNOLOGIES LLC, serv.	\$173.18
61913	MERRITT COMPUTER SERVICE INC, serv.	\$33.40
61914	METERING TECHNOLOGY SOLUTIONS, supp.	\$19,099.00
61915	MICK GAGE PLUMBING & HEATING, serv.	\$1,367.25
61916	MID-WEST ROOFING COMPANY, serv.	\$228.62
61917	MIDAMERICAN ENERGY, serv.	\$38,486.49
61918	MIKE'S C&O TIRE INC, serv.	\$154.07
61919	MILLER FENCE CO, serv.	\$13,236.20
61920	MOBOTREX INC, supp.	\$6,358.00
61921	NEWBAUER INC, serv.	\$93.20
61922	NIACOG, serv.	\$4,162.38
61923	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$750.00
61924	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$3,080.47
61925	OMG NATIONAL, supp.	\$354.76
61926	OVERHEAD DOOR CO OF MASON CITY, serv.	\$380.00
61927	PAWS HUMANE SOCIETY, serv.	\$1,550.00
61928	POSTMASTER, serv.	\$225.00
61929	QUARTZ LAMPS, supp.	\$578.00
61930	RDJ SPECIALTIES INC, supp.	\$404.28
61931	SHORT ELLIOTT HENDRICKSON INC, serv.	\$29,720.37
61932	SISSON & ASSOCIATES INC	**VOIDED**
61933	SISSON & ASSOCIATES INC, serv.	\$18,441.00
61934	SMARTSOURCE CONSULTING, serv.	\$2,100.00
61935	T&C MACHINE, serv.	\$65.00
61936	T&W GRINDING & COMPOST SERVICE, serv.	\$6,240.00
61937	TEETER SPECIALTY CO, supp.	\$236.75
61938	VERIZON WIRELESS, serv.	\$120.03
61939	YOUNG CONSTRUCTION LTD, serv.	\$4,485.87

TOTAL \$752,188.83

Business of the mayor - A request was presented for a proclamation for ADK month for October. Motion by Joerger, second Freeseaman to approve the proclamation. Ayes - 5 A request was also presented for Domestic Violence Awareness month for October. Motion by Freeseaman, second Hammond to approve the proclamation. Ayes - 5 Mayor Andrews then read both proclamations.

Mayor Andrews opened the public hearing on 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. Affidavit of publication dated 9/24/18 was informally filed. Mayor 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 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. Motion by Joerger, second Hammond to approve the second reading of Ordinance 1120. Ayes - 5. Council member Joerger read the ordinance.

Mayor Andrews opened the public 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. Affidavit of publication dated 9/24/18 was informally filed. Mayor asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Joerger, second Freeseaman to close the hearing. Ayes - 5. 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. Motion by Freeseaman, second Mallaro to approve the second reading of Ordinance 1121. Ayes - 5. Council member Freeseaman read the ordinance.

Mayor Andrews opened the public hearing on 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. Affidavit of publication dated 9/24/18 was informally filed. Mayor 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. 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. Motion by Hammond, second Mallaro to approve the second reading of ordinance 1122. Ayes - 5. Council member Hammond read the ordinance.

Emily Garden from Community Revitalization was present to request use of city property and closure of some city streets for the annual Spook Walk along the Cedar River. They are asking for the following street closures from 11:00 a.m. to 8:00 p.m. on October 25: St. Mary's street from Clark to Riverside and Riverside Drive from St. Mary's Street to Leland Avenue. Rain date is October 29. Motion by Freeseaman, second Mallaro to approve this request. Ayes - 5

A request for a waiver of certain parking lot requirements for 1906 Gilbert has been presented to the planning and zoning commission by Kelvin Keifer. He is asking for a permanent waiver of paving the parking lot at this property. He will be paving around the building for sidewalk and 8 parking spots and the approach into the property is already paved. Planning and zoning has reviewed this request and are recommending a 2 year waiver. Council member Freeseaman asked what will be done at the end of the two year period and city engineer John Fallis stated that city staff is looking at changing some of the parking requirements in the zoning code to make them a little less restrictive and that is hoped to be done in the next year. This request would be revisited at the end of the two years with the new requirements. Council member Freeseaman introduced Resolution 158-18 entitled, "RESOLUTION GRANTING TEMPORARY WAIVER FOR MILLS, INC" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr, Joerger Nays - none

A request for a waiver of certain parking lot requirements has been presented for 1307 S. Main. MidAmerican just purchased this property from Allied and they will be using it for storage only. One approach is paved up to the building but the majority of the area is gravel. MidAmerican is seeking a permanent waiver of the parking lot paving requirements. This has been reviewed by planning and zoning commission and they are recommending a two year waiver of the paving requirements. Council member Starr introduced Resolution 159-18 entitled, "RESOLUTION GRANTING TEMPORARY WAIVER FOR

MID AMERICAN” and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Hammond, Mallaro, Starr, Joerger, Freeseaman. Nays - none

Heidi Nielsen was present to request the purchase of a pickup for the housing department. They currently have a 2009 pickup that is used mostly for snow removal and it is getting in tough shape. They would like to purchase a 2019 Chevy truck from Karl Chevrolet through the state bid. Cost of the truck after trade in is \$19,252.60. A new plow will be purchased separately for this truck. This purchase has been budgeted for this fiscal year. Council member Freeseaman introduced Resolution 160-18 entitled, “RESOLUTION APPROVING PURCHASE OF PICKUP FOR HOUSING DEPARTMENT” and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Starr, Joerger, Freeseaman, Hammond. Nays - none.

Motion by Starr, second Freeseaman to enter into closed session pursuant to Iowa Code 21.5 (j) to discuss the acquisition of property. Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none. Entered closed session at 6:37 p.m.

At 7:30 p.m., council reconvened into open session. No action was taken in closed session.

Mayor Andrews directed the city attorney to continue negotiations as discussed in closed session.

City clerk O'Donnell reported that the next planning session will be on October 10 at 6:00 p.m. She also reported that city hall is now taking credit cards in the business office for utility bills, dog licenses, building permits and all other payments. The fee is \$1.95 per transaction with either a debit or credit card.

Mayor Andrews asked if council would consider moving the October 22 planning session to October 23 or 24 due to the Rotary event on October 22. Council consensus was to move to October 23 at 6:00 p.m.

City administrator Diers reported that the city manager conference in Baltimore was very good. We were recently informed that the city was not awarded a REAP grant for the CW Trail bridge. A full time driver has been hired for the city transit and we have 4 part time drivers so we can now cover all the shifts. There is still a waiting list for people to ride. He has been looking at goal setting options for the council since the Institute of Public Affairs office has been discontinued. Jeff Schott would consider doing a one session goal setting and Pat Callahan would do a more in depth one as well. Steve will ask Pat Callahan to submit a proposal for his services. Fiber to the home had a kick off meeting today. Mayor Andrews asked if a council member could attend a meeting at NIACOG in his place next Wednesday since he will be unavailable. Mayor Pro Tem Joerger will attend.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk