

COUNCIL MINUTES
REGULAR SESSION
MAY 2, 2016

Charles City City Council met in regular session on May 2, 2016 at 7:00 p.m. in council chambers. Mayor James Erb 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 Ralph Smith.

Citizen Comments - none

Mayor Erb 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 April 13, 18 and 25 meetings. Ayes - 5

Motion by Joerger, second Freeseaman to approve the consent calendar. Ayes - 5 Consent calendar consisted of the following: renewal of Big Kmart Class C beer permit w/ Sunday Sales, renewal of Kwik Star #419 Class C beer permit w/ Sunday Sales and payment of claims (including those approved by other boards):

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| 50864 | JAMES BLUHM/BLUHMS CV ELECTRIC, serv. | \$135.00 |
| 50865 | BUSINESS CARD, serv. | \$14.98 |
| 50866 | C NABER & ASSOCIATES, serv. | \$395.00 |
| 50867 | CARNETTE STARR, serv. | \$50.00 |
| 50868 | CDW-GOVERNMENT INC, supp. | \$241.85 |
| 50869 | CENTURYLINK COMMUNICATIONS, serv. | \$178.52 |
| 50870 | CHARLES CITY HOUSING, deposit held | \$200.00 |
| 50871 | CHARLES CITY PRESS INC, serv. | \$159.98 |
| 50872 | CINTAS CORPORATION #762, serv. | \$124.84 |
| 50873 | CITY OF CHARLES CITY, serv. | \$2,876.36 |
| 50874 | DON'S REPAIR, serv. | \$69.51 |
| 50875 | GE CAPITAL, serv. | \$252.02 |
| 50876 | HOCKENSON PLUMBING, serv. | \$971.95 |
| 50877 | IDOT-CASHIER'S OFFICE, supp. | \$123.76 |
| 50878 | JENDRO SANITATION SERVICES, serv. | \$637.25 |
| 50879 | LINDERMAN HEATING & AIR, serv. | \$1,823.06 |
| 50880 | MARCO INC, serv. | \$74.20 |
| 50881 | MASON CITY ROOFING, serv. | \$725.00 |
| 50882 | ARTHUR MEHMEN PAINTING, serv. | \$385.00 |
| 50883 | MIDAMERICAN ENERGY | **VOIDED** |
| 50884 | MIDAMERICAN ENERGY | **VOIDED** |
| 50885 | MIDAMERICAN ENERGY, serv. | \$7,145.08 |
| 50886 | NOAH, SMITH & SCHUKNECHT PLC, serv. | \$1,872.00 |
| 50887 | NORTHEAST IOWA INTERPRET, serv. | \$120.00 |
| 50888 | PETTY CASH-HOUSING, serv. | \$49.16 |
| 50889 | PITNEY BOWES, serv. | \$54.09 |
| 50890 | PITNEY BOWES SUPPLIES, supp. | \$122.38 |
| 50891 | PLUNKETT'S PEST CONTROL, serv. | \$75.00 |

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| 50892 | SCHUETH ACE HARDWARE | **VOIDED** |
| 50893 | SCHUETH ACE HARDWARE, supp. | \$17,165.54 |
| 50894 | SHERWIN-WILLIAMS CO, supp. | \$480.60 |
| 50895 | SUPERIOR LUMBER INC, supp. | \$204.96 |
| 50896 | T-J SERVICE INC, supp. | \$146.98 |
| 50897 | TRENT PARKER, serv. | \$430.00 |
| 50898 | UNITED STATES CELLULAR, supp. | \$72.36 |
| 50899 | WAGGONER & WINEINGER ARCHITECTS, serv. | \$2,332.73 |
| 50900-50931 | PAYROLL ENDING 04/16/16 | \$82,032.52 |
| 50932-50939 | PAYROLL LIABILITIES | \$97,894.81 |
| 50940 | HILLEGAS FLOORING LLC, serv. | \$1,098.75 |
| 50941 | MARILYN BURKE dba PROFINISHES, serv. | \$195.00 |
| 50942-50950 | MAY HAP CHECKS | \$8,103.43 |
| ACH | MAY HAP CHECKS | \$41,175.50 |
| ACH | DARLENE TOYNE (FGP), mileage | \$17.28 |
| ACH | JOANIE NIELSEN (FGP), mileage | \$17.28 |
| ACH | LINDA BETELS (FGP), mileage | \$6.48 |
| ACH | LAVONNE KACER (FGP), mileage | \$13.93 |
| ACH | AUXIANT, flex spending reimbursements | \$348.33 |
| ACH | KABRICK DISTRIBUTING, supp. | \$424.00 |
| ACH | TREASURER, STATE OF IOWA, sales tax | \$4,148.47 |
| ACH | UNITED BEVERAGE, supp. | \$285.10 |
| ACH | UNITED BEVERAGE, supp. | \$121.50 |
| ACH | BANCORPSV, serv. | \$225.70 |
| ACH | BANCORPSV, serv. | \$617.59 |
| 50951 | ACUSHNET COMPANY, supp. | \$3,598.47 |
| 50952 | AGVANTAGE FS, supp. | \$689.28 |
| 50953 | ALFIE PACKERS INC, serv. | \$92.50 |
| 50954 | APCO INTERNATIONAL, serv. | \$69.00 |
| 50955 | IOWA AWWA LAB & PRETREATMENT, serv. | \$70.00 |
| 50956 | BEARING DISTRIBUTORS INC, supp. | \$174.39 |
| 50957 | BLUHM'S GREENHOUSE, supp. | \$50.00 |
| 50958 | CAL'S AUTO REPAIR INC, supp. | \$5.80 |
| 50959 | CC FIRE EXTINGUISHER SERVICE, serv. | \$54.00 |
| 50960 | CC PUBLIC EMP HEALTH PLAN | **VOIDED** |
| 50961 | CC PUBLIC EMP HEALTH PLAN | **VOIDED** |
| 50962 | CC PUBLIC EMP HEALTH PLAN | **VOIDED** |
| 50963 | CC PUBLIC EMP HEALTH PLAN | **VOIDED** |
| 50964 | CC PUBLIC EMP HEALTH PLAN | **VOIDED** |
| 50965 | CC PUBLIC EMP HEALTH PLAN, serv. | \$55,933.64 |
| 50966 | CENTURYLINK COMMUNICATIONS, serv. | \$381.67 |
| 50967 | CC CHAMBER OF COMMERCE, serv. | \$32.33 |
| 50968 | CHARLES CITY COMMUNITY SCHOOLS, serv. | \$36,875.00 |

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| 50969 | CITY DIRECTORY INC, serv. | \$177.00 |
| 50970 | CITY OF CHARLES CITY, serv. | \$252.80 |
| 50971 | CLAREY'S SAFETY EQUIPMENT, supp. | \$736.76 |
| 50972 | COAST TO COAST SOLUTIONS, supp. | \$77.49 |
| 50973 | D&K PRODUCTS, supp. | \$7,549.12 |
| 50974 | DAVIS EQUIPMENT CORPORATION, supp. | \$35.04 |
| 50975 | DON'S REPAIR, supp. | \$168.90 |
| 50976 | ELECTRONIC ENGINEERING, serv. | \$195.90 |
| 50977 | ERIC WHIPPLE, travel reimbursement | \$60.05 |
| 50978 | ESS BROTHERS AND SONS INC, supp. | \$655.00 |
| 50979 | FARMCHEM, supp. | \$12.92 |
| 50980 | FIRE SERVICE TRAINING BUREAU, serv. | \$20.00 |
| 50981 | FLOYD CO HIST SOCIETY MUSEUM, supp. | \$35.00 |
| 50982 | FLOYD COUNTY ENGINEER, supp. | \$28,893.48 |
| 50983 | FOX ENGINEERING INC, serv. | \$7,596.75 |
| 50984 | GHD SERVICES INC, serv. | \$1,414.83 |
| 50985 | GOLF CARS OF IOWA, supp. | \$114.42 |
| 50986 | WINGFOOT COMMERCIAL TIRE, supp. | \$1,002.56 |
| 50987 | GRAINGER, supp. | \$121.20 |
| 50988 | GREGORY M LEE, serv. | \$1,100.00 |
| 50989 | HEARTLAND ASPHALT INC, serv. | \$53,690.53 |
| 50990 | HEARTLAND ASPHALT INC, supp. | \$926.60 |
| 50991 | HEWETT WHOLESALE, supp. | \$223.90 |
| 50992 | HOBERT ELECTRIC, serv. | \$93.00 |
| 50993 | IOWA ASSOC MUNICIPAL UTILITIES, serv. | \$981.81 |
| 50994 | IA DEPT OF NATURAL RESOURCES, serv. | \$30.00 |
| 50995 | IDOT-CASHIER'S OFFICE | **VOIDED** |
| 50996 | IDOT-CASHIER'S OFFICE, supp. | \$1,166.66 |
| 50997 | IDOT-CASHIER'S OFFICE, supp. | \$114.24 |
| 50998 | IOWA COUNTY ATTORNEYS ASSOC, serv. | \$130.00 |
| 50999 | JEP CONSTRUCTION, serv. | \$2,450.00 |
| 51000 | JOHN A HOWE, serv. | \$850.00 |
| 51001 | KAMM EXCAVATING CORP, serv. | \$870.00 |
| 51002 | KAY PARK RECREATION, supp. | \$519.50 |
| 51003 | MICK GAGE PLUMBING & HEATING, supp. | \$18.48 |
| 51004 | MIDAMERICAN ENERGY | **VOIDED** |
| 51005 | MIDAMERICAN ENERGY, serv. | \$25,053.11 |
| 51006 | MIDAMERICAN ENERGY, serv. | \$1,700.74 |
| 51007 | MIDTECH SERVICES INC, serv. | \$187.92 |
| 51008 | MIKE'S C&O TIRE INC, serv. | \$1,561.35 |
| 51009 | MISSISSIPPI LIME COMPANY, supp. | \$5,448.46 |
| 51010 | NEWBAUER INC, serv. | \$102.08 |
| 51011 | NIACC, serv. | \$530.24 |

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| 51012 | NIACOG, serv. | \$7,063.75 |
| 51013 | NOAH, SMITH & SCHUKNECHT PLC, serv. | \$4,000.21 |
| 51014 | NORTHERN SAFETY CO INC, supp. | \$75.17 |
| 51015 | OFFICE DEPOT, supp. | \$62.99 |
| 51016 | OFFICE OF VEHICLE SERVICES, serv. | \$30.00 |
| 51017 | OLGA GUZMAN, serv. | \$180.00 |
| 51018 | ORIENTAL TRADING COMPANY, supp. | \$188.44 |
| 51019 | PAWS HUMANE SOCIETY, serv. | \$1,550.00 |
| 51020 | PETTY CASH-FIRE DEPT, supp. | \$22.04 |
| 51021 | PRIORITY DISPATCH, supp. | \$150.00 |
| 51022 | QUALITY PUMP & CONTROL, supp. | \$149.86 |
| 51023 | RAMADA INN NORTHWEST-DM, serv. | \$123.20 |
| 51024 | RON PAULLUS, mailbox reimbursement | \$165.80 |
| 51025 | ROTARY CLUB OF CHARLES CITY, serv. | \$139.50 |
| 51026 | RYAN W WOLFE, serv. | \$90.00 |
| 51027 | STAAB CONSTRUCTION CORPORATION, serv. | \$27,064.56 |
| 51028 | STAPLES CREDIT PLAN, supp. | \$288.82 |
| 51029 | STEVEN ZIMMER, serv. | \$120.00 |
| 51030 | SUPERIOR WELDING SUPPLY CO, supp. | \$1,046.55 |
| 51031 | SWARTZROCK IMPLEMENT CO, supp. | \$560.11 |
| 51032 | TAP PUBLISHING COMPANY, serv. | \$147.49 |
| 51033 | TITUS LOCK SERVICES, serv. | \$620.85 |
| 51034 | TRANS-IOWA EQUIPMENT INC, supp. | \$2,762.54 |
| 51035 | TRUDY O'DONNELL, mileage reimbursement | \$97.20 |
| 51036 | US POSTAL SERVICE, serv. | \$1,000.00 |
| 51037 | VANWALL EQUIPMENT INC, supp. | \$57.10 |
| 51038 | VERIZON WIRELESS, serv. | \$120.03 |
| 51039 | VIRGINIA TITUS, travel reimbursement | \$89.33 |

TOTAL \$569,294.29

Business of the Mayor - Proclamation for Historic Preservation Month was presented by Mark Wicks. Several events are planned throughout the month including request for old pictures of Charles City from area residents to be scanned and kept at the museum, walking tour and trivia contest revolving around historic buildings in the city. Proclamation for Stamp Out Hunger day was presented by local mail carrier Jim Sanner. This event will be held Saturday, May 14 with letter carriers collecting non perishable food items left by resident's mail boxes that day. These items all stay here for local use. They average 1 ½ to 2 tons each year of collected food. Barry Sweet was present to request a proclamation for Elks Youth Week May 1-7. A banquet is scheduled for May 15 to honor local students. Kim Witcraft, Dawn Staudt and Kenford Simon were also present to request a proclamation for EMS Week May 15-21. Events planned for this include hands on CPR classes and an open house and teddy bear clinic on May 21. Motion by Freeseaman, second Mallaro to approve all four proclamations. Ayes - 5 Mayor Erb read and presented the proclamations.

Mayor Erb opened the public hearing on proposal to enter into a general obligation fire truck acquisition loan agreement. Affidavit of publication dated 4/21/16 was informally filed. Mayor Erb asked for written

comments. There being none, he then asked for oral comments. There were none. Motion by Hammond, second Joerger to close the hearing. Ayes - 5

City Administrator Diers stated that this loan would be for the purchase of an aerial truck and related costs of the issuance. We will be looking at a private issuance so the four banks in the city will be notified to offer their terms. This will be for a ten year term and we are anticipating 2% interest. This will be repaid with future debt service levies. Council member Joerger introduced Resolution No. 35-16 entitled, "RESOLUTION TAKING ADDITIONAL ACTION WITH RESPECT TO A GENERAL OBLIGATION FIRE TRUCK ACQUISITION LOAN AGREEMENT" 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 Main Street agreement with the state of Iowa is due to expire June 30, 2016 and Mark Wicks was present to review that agreement. The city supports this program each year with funding of \$21,000 that is funded by Riverside TIF. This has been a very successful program in the city. Council member Hammond introduced Resolution No. 36-16 entitled, "RESOLUTION OF SUPPORT AND FINANCIAL COMMITMENT FOR THE MAIN STREET PROGRAM IN 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

Jack Tynan, residing at 507 M Street, had presented a request to council to raise 6 chickens at his residence. Our current code allows this by special permission of the council. Mr. Tynan will only have hens and has received verbal approval from his neighbors to do this. Council member Freeseaman commented that the resolution drafted does not specify just hens, so that will be changed. He also commented that it doesn't state in the resolution that the neighbors have been asked to allow. City Attorney Smith stated that he hesitates to make neighbor approval a condition of the request, that can cause all kinds of problems, especially since neighbors can move. Council member Joerger is not in favor of this, the ordinance is there for a reason and that is to not allow livestock in city limits. Council member Hammond introduced Resolution No. 37-16 entitled, "RESOLUTION REGARDING CHICKENS WITHIN CITY LIMITS" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Freeseaman, Hammond, Mallaro, Starr. Nays - Joerger

The city's FY16 budget is in need of amendment. Main reasons for this is the aerial truck purchase, refunding of a bond and change in timeline of some capital projects. A public hearing will be held May 16 and the amendment deadline for submittal to the state is May 31. Motion by Freeseaman, second Joerger to set date of May 16 for public hearing on the FY16 city budget. Ayes - 5

Installation of a dog park has been presented by the local Girl Scout troop and Julie Taylor at previous planning sessions. This group has been awarded a grant for this and the grant requires that installation be complete by May 31. Contractors were there today to start construction of this facility. City staff did not really think that formal council action was required to allow this construction, but then it was decided that documentation of approval at a meeting would be a good idea. Motion by Joerger, second Mallaro to approve construction of a dog park at Waverly Hill Park. Ayes - 5

Mike Molstead Motors had submitted a request for waiver of installing curb and gutter on a new paved parking lot area they want to construct at their car dealership. This matters has been submitted to planning and zoning and they are recommending approval of the request. City Engineer Fallis concurs with this recommendation since curb and gutter is not needed in this situation for drainage runoff or encroachment from parked vehicles onto a neighboring property and this parking lot is located at the back of the Molstead property so will not be aesthetically prominent. Motion by Freeseaman, second Joerger to approve this waiver request from Mike Molstead Motors. Ayes - 5

City Clerk O'Donnell stated that the city had been given an award from the Foster Grandparents for their continued sponsorship and support of the program.

City Attorney Smith stated that a recent supreme court decision regarding new urban renewal areas that are joined with a perpetual urban renewal area may have an impact on future city TIF areas.

City Clerk O'Donnell reported that the next planning session will be May 11 at 7:00 p.m. She also stated that this week is Municipal Clerk's Week and that she truly enjoyed being the city clerk for Charles City.

City Administrator Diers reported that the SMART conference he recently attended was very informative. City staff met with the Simply Essentials people last week to continue discussions on the requirements for the discharge from this proposed plant. RFPs for the joint law enforcement effort were sent out last week and deadline for submittal for proposals is May 20.

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

James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk