

COUNCIL MINUTES
REGULAR SESSION
SEPTEMBER 6, 2016

Charles City City Council met in regular session on September 6, 2016 at 7:00 p.m. in council chambers. Mayor Pro Tem Jerry Joerger presided and the following council members were present: Keith Starr, DeLaine Freeseaman, Mike Hammond and Dan Mallaro. Also present were city administrator Steve Diers, assistant city attorney Brad Slotter and city engineer John Fallis.

Citizen comments - none

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

Motion by Freeseaman, second Hammond to approve the minutes of the August 10, 15 and 22 meetings. Ayes - 5

Motion by Hammond, second Mallaro to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approval of special Class C liquor license w/ Outdoor service and Sunday Sales for HyVee Farm to Fork dinner September 25, approve renewal of Class C liquor license w/ Sunday Sales for Lucky Dragon, approve filing a lien for unpaid utility bill: acct5007370007 \$180.82 and payment of claims (including those approved by other boards):

52511	BAKER & TAYLOR BOOKS	**VOIDED**
52512	BAKER & TAYLOR BOOKS	**VOIDED**
52513	BAKER & TAYLOR BOOKS, supp.	\$2,918.50
52514	BAKER & TAYLOR ENTERTAINMENT, supp.	\$26.21
52515	BRODART CO, supp.	\$589.00
52516	CAROL CASE, serv.	\$818.00
52517	CC PUBLIC EMPLOYEES HEALTH PLAN, serv.	\$2,639.28
52518	CITY DIRECTORY INC, supp.	\$139.00
52519	DEMCO INC, supp.	\$466.27
52520	GALE, supp.	\$232.71
52521	HW WILSON COMPANY, supp.	\$295.70
52522	HY-VEE INC, supp.	\$27.55
52523	INGRAM LIBRARY SERVICES, supp.	\$133.24
52524	STATE LIBRARY OF IOWA, supp.	\$3,175.40
52525	JAMES ZIRBEL, serv.	\$329.00
52526	LEAF, serv.	\$77.36
52527	MEDIACOM, serv.	\$456.41
52528	MICK GAGE PLUMBING & HEATING, serv.	\$195.95
52529	MIDAMERICAN ENERGY, serv.	\$2,013.72
52530	NEWBAUER INC, serv.	\$59.00
52531	OVERDRIVE, supp.	\$930.68
52532	VISA, supp.	\$441.64
52533	CARQUEST AUTO PARTS, supp.	\$8.98
52534	BUSINESS CARD, serv.	\$19.98
52535	C NABER & ASSOCIATES, serv.	\$395.00
52536	CC FAMILY HEALTH CENTER, serv.	\$188.00
52537	CHARLES CITY ELECTRONICS, serv.	\$268.98
52538	CHARLES CITY PRESS INC, serv.	\$944.00
52539	CINTAS CORPORATION, serv.	\$141.34
52540	CIRCLE K COMMUNICATIONS INC, serv.	\$60.00

52541	CITY OF CHARLES CITY, serv.	\$3,235.64
52542	DON'S REPAIR, serv.	\$33.58
52543	FLOYD CO TREASURER, pymt in lieu of taxes	\$39,202.70
52544	HAPPY SOFTWARE INC, serv.	\$2,081.25
52545	HILLEGAS FLOORING, serv.	\$1,035.00
52546	HOCKENSON PLUMBING, serv.	\$128.00
52547	IDOT-CASHIER'S OFFICE, supp.	\$251.42
52548	IOWA NAHRO, serv.	\$230.00
52549	JENDRO SANITATION SERVICES, serv.	\$611.00
52550	LINDERMAN HEATING & AIR, serv.	\$48.00
52551	MARCO TECHNOLOGIES, serv.	\$74.20
52552	MICHAELS BAND BOX, serv.	\$238.10
52553	MIDAMERICAN ENERGY	**VOIDED**
52554	MIDAMERICAN ENERGY	**VOIDED**
52555	MIDAMERICAN ENERGY, serv.	\$6,049.76
52556	NAN MCKAY & ASSOCIATES, serv.	\$573.00
52557	NOAH, SMITH & SCHUKNECHT, serv.	\$162.00
52558	PERRY NOVAK ELECTRIC, serv.	\$175.00
52559	PITNEY BOWES, serv.	\$54.09
52560	QUALITY AUTO SERVICE, serv.	\$230.61
52561	SCHUETH ACE HARDWARE, supp.	\$749.78
52562	SHERWIN-WILLIAMS CO, supp.	\$172.60
52563	SHYVETTE WASHINGTON, sec deposit refund	\$200.00
52564	STAPLES DIRECT, supp.	\$488.38
52565	STOCK GLASS, serv.	\$309.46
52566	SUPERIOR LUMBER INC, supp.	\$70.00
52567	T-J SERVICE INC, serv.	\$486.81
52568	TITUS LOCK SERVICES, serv.	\$154.00
52569	UNITED STATES CELLULAR, serv.	\$137.11
52570	WELLS FARGO VENDOR FIN SE, serv.	\$265.03
52571	YARDI RESIDENT SCREENING, serv.	\$63.00
52572	BUSINESS CARD, serv.	\$1,327.96
52573	CENTURYLINK COMMUNICATIONS, serv.	\$188.62
52574	DANA SHERMAN, overpayment refund	\$522.16
52575	DISH NETWORK, serv.	\$69.01
52576	HY-VEE INC, supp.	\$731.43
52577	IOWA WORKFORCE DEVELOPMENT, serv.	\$33.02
52578	IAWEA, serv.	\$170.00
52579	JOHN DEERE FINANCIAL, supp.	\$549.98
52580	RISE BROADBAND, serv.	\$19.00
52581	UNITED STATES CELLULAR, serv.	\$1,061.78
52582-52629	PAYROLL ENDING 08/20/16	\$89,188.61
52630-52637	PAYROLL LIABILITIES	\$100,319.85

52638	AHLERS & COONEY, serv.	\$100.00
52639	CENTURYLINK COMMUNICATIONS, serv.	\$404.81
52640	DORSEY & WHITNEY, reissued check	\$19,500.00
52641	HEWETT WHOLESALE, reissued check	\$171.14
52642	IOWA DIV OF CRIMINAL INVESTIGATION, serv.	\$13.00
52643	MIDAMERICAN ENERGY, serv.	\$1,410.66
52644	SHIELD TECHNOLOGY CORP, reissued check	\$7,900.00
52645	STAPLES CREDIT PLAN, supp.	\$301.33
52646	PAYROLL, lost check reissued	\$185.96
52647	IOWA DIV OF CRIMINAL INVESTIGATION, serv.	\$84.00
52648	DEX MEDIA, serv.	\$185.74
52649	PAYROLL, lost check reissued	\$440.06
52650-52658	SEPTEMBER HAP CHECKS	\$5,847.30
ACH	SEPTEMBER HAP CHECKS	\$42,045.00
52659	SEPTEMBER FGP STIPEND CHECK	\$18.55
ACH	SEPTEMBER FGP STIPEND CHECKS	\$4,280.11
52660-52661	VOIDED	**VOIDED**
ACH	BANCORPSV, serv.	\$166.96
ACH	BANCORPSV, serv.	\$815.71
ACH	BANCORPSV, serv.	\$168.35
ACH	KABRICK DISTRIBUTING, supp.	\$378.10
ACH	TREASURER, STATE OF IOWA, sales tax	\$4,367.57
ACH	UNITED BEVERAGE, supp.	\$9.50
ACH	UNITED BEVERAGE, supp.	\$27.00
52662	AGVANTAGE FS, supp.	\$177.60
52663	ATCO INTERNATIONAL, supp.	\$157.70
52664	BARCO MUNICIPAL PRODUCTS, supp.	\$250.51
52665	BASIL LAW, balance insurance proceeds	\$5,000.00
52666	BODENSTEINER IMPLEMENT CO, serv.	\$433.34
52667	BRUENING ROCK PRODUCTS INC, supp.	\$521.67
52668	CC FIRE EXTINGUISHER SERVICE, serv.	\$67.00
52669	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
52670	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
52671	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
52672	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
52673	CC PUBLIC EMP HEALTH PLAN	**VOIDED**
52674	CC PUBLIC EMP HEALTH PLAN, serv.	\$59,545.50
52675	CEDAR VALLEY PRINT & SUPPLY, supp.	\$829.36
52676	CENTURYLINK COMMUNICATIONS, serv.	\$1,839.35
52677	CHARLES CITY ELECTRONICS, serv.	\$355.85
52678	CITY OF CHARLES CITY, serv.	\$129.88
52679	COCA-COLA BOTTLING CO, supp.	\$331.92
52680	COMMUNITY REVITALIZATION, serv.	\$10,000.00

52681	COMPUTRONICS, supp.	\$20.00
52682	D&K PRODUCTS, supp.	\$1,793.95
52683	DAIRY QUEEN, supp.	\$442.00
52684	DICK'S PETROLEUM COMPANY, serv.	\$476.68
52685	DOLLAR GENERAL STORES, supp.	\$10.70
52686	DON'S REPAIR, supp.	\$26.04
52687	ELECTRONIC ENGINEERING, supp.	\$37.50
52688	FARMCHEM, supp.	\$62.44
52689	FLOYD CO MEMORIAL HOSPITAL, serv.	\$110.00
52690	FLOYD CO PUBLIC HEALTH, serv.	\$50.00
52691	FLOYD COUNTY TREASURER, serv.	\$126.00
52692	FMC COUNTY LANDFILL, serv.	\$908.19
52693	FOX ENGINEERING INC, serv.	\$3,600.00
52694	GILBERT'S SERVICE CENTER LLC, serv.	\$329.00
52695	GURNEY & ASSOCIATES INC, supp.	\$2,654.80
52696	HAWKINS INC, supp.	\$837.90
52697	HEARTLAND ASPHALT INC, serv.	\$21,783.42
52698	HEARTLAND ASPHALT INC, supp.	\$924.34
52699	HEWETT WHOLESALE, supp.	\$96.43
52700	HOBERT ELECTRIC, serv.	\$20.25
52701	HOCKENSON PLUMBING, permit refund	\$66.00
52702	HUNTER ORTMAYER, travel reimbursement	\$19.90
52703	IA ASSOC OF PROF FIRE CHIEFS, serv.	\$50.00
52704	IA DEPT OF NATURAL RESOURCES, serv.	\$30.00
52705	IDOT-CASHIER'S OFFICE, supp.	\$1,439.23
52706	IDOT-CASHIER'S OFFICE, supp.	\$41.28
52707	IOWA LAW ENFORCEMENT ACADEMY, serv.	\$500.00
52708	INTERNATIONAL CODE COUNCIL, serv.	\$135.00
52709	IOWA CODIFICATION INC, serv.	\$155.00
52710	IOWA DIV OF CRIMINAL INVESTIGATION, serv.	\$28.00
52711	IOWA RURAL WATER ASSOCIATION, serv.	\$280.00
52712	IOWA STATE UNIVERSITY, serv.	\$170.00
52713	JACKSON STREET PRESS, supp.	\$80.00
52714	JOHN A HOWE, serv.	\$850.00
52715	KEYSTONE LABORATORIES, serv.	\$30.00
52716	KMART STORE #7767, supp.	\$77.80
52717	LEAF, serv.	\$126.58
52718	LINDERMAN HEATING & AIR LLC, serv.	\$230.00
52719	MARCO TECHNOLOGIES LLC, supp.	\$706.32
52720	MARTIN BROS DISTRIBUTING CO, supp.	\$6.23
52721	MERRITT COMPUTER SERVICE INC, serv.	\$697.00
52722	METERING TECHNOLOGY SOLUTION, supp.	\$1,540.44
52723	MICK GAGE PLUMBING & HEATING, serv.	\$2,345.50

52724	MID-WEST ROOFING COMPANY, serv.	\$249.69
52725	MIDAMERICAN ENERGY	**VOIDED**
52726	MIDAMERICAN ENERGY, serv.	\$34,350.76
52727	MIDTECH SERVICES INC, supp.	\$275.00
52728	MIKE MOLSTEAD MOTORS INC, serv.	\$487.63
52729	MIKE'S C&O TIRE INC, supp.	\$1,037.86
52730	MILLS-INC, serv.	\$1,836.16
52731	MISSISSIPPI LIME COMPANY, supp.	\$11,207.78
52732	NEWBAUER INC, serv.	\$121.05
52733	PAWS HUMANE SOCIETY, serv.	\$1,550.00
52734	PEPSI-COLA, supp.	\$208.88
52735	PERRY NOVAK ELECTRIC INC, serv.	\$550.00
52736	PERRY NOVAK ELECTRIC INC, serv.	\$795.00
52737	PETTY CASH-PARK & RECREATION, supp.	\$19.35
52738	PLANSCAPE PARTNERS, serv.	\$274.00
52739	PRODUCTIVITY PLUS ACCOUNT, supp.	\$2,775.25
52740	RILEY'S INC, supp.	\$249.34
52741	SADLER POWER TRAIN INC, supp.	\$1,275.98
52742	SHORT ELLIOTT HENDRICKSON INC, serv.	\$346.89
52743	SHYVETTE WASHINGTON, water pymt refund	\$212.59
52744	SISSON & ASSOCIATES INC, serv.	\$378.00
52745	SMI CO, supp.	\$1,067.50
52746	STEVEN T DIERS, monthly phone stipend	\$50.00
52747	SUPERIOR WELDING SUPPLY CO, supp.	\$699.35
52748	SWARTZROCK IMPLEMENT CO, supp.	\$73.32
52749	TRENT PARKER, serv.	\$135.00
52750	USA BLUEBOOK, supp.	\$1,013.39
52751	VERIZON WIRELESS, serv.	\$120.03
52752	ZACHARY ECKENROD, K-9 reimbursement	\$179.00

Mayor Pro Tem Joerger opened the public hearing on the 2016 House Demolition project. Affidavit of publication dated 8/26/16 was informally filed. Mayor Pro Tem Joerger asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Hammond, second Starr to close the hearing. Ayes - 5. This house demolition is for 1911 Clark Street. This is a nuisance property that the city recently purchased and the structure needs to be demolished. Two addendums were issued during the bidding process. One clarified the bond requirements for the contract and provided additional bid requirements for the tree removals and the second provided information on the coordination of work with MidAmerican's tree trimming contractor. These addendums did not change the scope of the project, so the final plans essentially match the preliminary plans. Council member Hammond introduced Resolution No. 65-16 entitled, "RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2016 HOUSE DEMOLITION PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Hammond, Mallaro. Nays - none

Bids for the 2016 House Demolition project were opened on September 2 and four were received with Sargent Trucking and Excavating of Floyd, Iowa being low at \$10,324.00. Completion for this project is end of October 2016. Council member Freeseaman introduced Resolution No. 66-16 entitled, "RESOLUTION AWARDDING CONTRACT FOR THE 2016 HOUSE DEMOLITION PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays - none

Ordinance 1096 AN ORDINANCE AMENDING SECTION 136.04 OF THE CHARLES CITY CODE OF ORDINANCES BY CLARIFYING THE PROVISION THEREIN THAT AUTHORIZES A PROPERTY OWNER TO FILE AN APPLICATION WITH THE CITY COUNCIL FOR REMOVAL OF A SIDEWALK was presented for a second reading. This ordinance will amend Section 136.04 of the city code with language that was inadvertently left out during the recodification process last year. When text was added pertaining to property owners being liable for damages caused by failure to maintain the sidewalk, the following text was mistakenly omitted: "a property owner may file an application with the city council to remove the sidewalk if the following conditions exist". The conditions were included in both the 2005 and the 2015 versions of the code, but that preceding sentence was omitted by mistake. Motion by Freeseaman, second Mallaro to approve the third reading of Ordinance 1096. Ayes - 5. Council member Freeseaman read the ordinance. Motion by Hammond, second Freeseaman to adopt and publish Ordinance 1096. Ayes - 5

The city's Façade program has been reviewed by Chamber director Mark Wicks and city administrator Steve Diers and the following updates to the language are being recommended: change language on approving process to match current practice of design committee making recommendation to the city council for funding consideration, change work to be completed and bills submitted prior to one year anniversary of grant award date instead of two year, include Chamber Director as final inspector, and adding emergency roof repair as an eligible item for extreme cases of roof failure and adding adjacent sidewalk projects as ineligible item for funding. Motion by Freeseaman, second Starr to approve this revised language for the Façade program. Ayes-5

The cultural and entertainment program was also reviewed by Mark Wicks and city administrator Steve Diers with the following recommendations: change wording on funding cycle to allow applications based on a case by case basis through the year, change expected work to be completed from not to exceed 24 months and due on December 31 to due 12 months from award date, change consultation with Tim Reinders from Main Street Iowa to the Main Street Iowa current consultant in general, keep June 15th as deadline between funding cycles and remove all other various deadlines to keep in line with operating on a case by case basis. Motion by Hammond, second Starr to approve the revisions to the language as presented. Ayes - 5

The 2015 PCC Paving and Water Repair project is completed and ready for acceptance. This project consisted of replacing leaking water main on Kelly Street between Illinois and Howard Streets and the water main at the intersection of South main and Fourth Street. PCC pavement removal and replacement was also required as part of the water main reconstruction. Settled pavements on Boulder Avenue between Southgate Drive and the Hog Slats building and on Park Avenue south of First Avenue were removed, settled areas filled and the pavements replaced. Pavement work was also done in the city owned parking lots near Lidd and Cordray store, First Security bank and HyVee Food Store. The total cost of the project was \$229,350.17 and the original bid price submitted by Heartland Asphalt was \$222,371.55. The overrun resulted primarily in additional underground work on the Kelly Street portion of the project and additional pavement removal and replacement quantity on Fourth Street at South Main which was necessary to properly connect the new pavement to the existing pavement slab. Council member Freeseaman introduced Resolution No. 67-16 entitled, "RESOLUTION ACCEPTING THE 2015 PCC PAVING AND WATER REPAIR PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: Ayes - Mallaro, Starr, Joerger, Freeseaman, Hammond. Nays - none

HyVee has made a request to install a "superhero" parking sign in the parking lot near their store for veterans and active-duty military personnel. Other HyVees have installed these and since this is a city owned parking lot, city permission is required to install this sign. These signs would be unenforceable by police officers. Motion by Freeseaman, second Hammond to allow this parking sign in the HyVee parking lot. Ayes - 5

Due to the opening of the new middle school, the school board has requested the installation of stop signs at the intersections of First Avenue at L Street and at Highland Avenue. To do this, an engineering study should be conducted to justify the need for such signs. Since a final traffic patterns has yet to be established and the school officials are still evaluating the traffic circulation, it's too early to conduct a traffic study. Per the MUTCD, portable stop signs are allowed per Iowa Code section 321.249 through establishing a school zone. This would allow time for the school to finalize their traffic flow plan and then allow the city time to complete a traffic study. The proposed school zone will include Salsbury Avenue from the north right of way line of Clark Street to First Avenue and will include First Avenue from Salsbury Avenue to the school districts east property line. Council member Freeseaman introduced Resolution No. 68-16 entitled, "RESOLUTION APPROVING THE DESIGNATION OF A SCHOOL ZONE ON SALSBUARY AVENUE AND FIRST AVENUE AT THE CHARLES CITY HIGH SCHOOL/MIDDLE SCHOOL CAMPUS" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Joerger, Freeseaman, Hammond, Mallaro, Starr. Nays - none

City Clerk O'Donnell reported that the planning session next week will be held on Tuesday, September 13 at 7:00 due to the League of Cities conference held Wednesday through Friday.

City Administrator Diers reported that he will be attending the League conference next week. Testing supplies are being shipped to city hall for Goulder and Associates testing of the Shaw Avenue dump site.

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

Jerry Joerger, Mayor Pro Tem

Attest:

Trudy O'Donnell, City Clerk