

COUNCIL MINUTES  
REGULAR SESSION  
DECEMBER 17, 2012

Charles City City Council met in regular session on December 17, 2012 at 7:00 p.m. in council chambers. Mayor Erb presided and the following council members were present: Jerry Joerger, DeLaine Freeseaman, Mike Hammond and Dan Mallaro. Keith Starr was absent.

Citizen Comments: none

Mayor Erb welcomed everyone to the meeting.

Motion by Freeseaman, second Hammond to approve the agenda. **Ayes - 4**

Motion by Joerger, second Mallaro to approve the minutes of the December 3 and 10 meetings. **Ayes - 4**

Motion by Joerger, second Freeseaman to approve the consent calendar. **Ayes - 4.**

Consent calendar consisted of the following: approve Class C liquor license w/ Sunday Sales for Derailed, approve Class C liquor license w/ Sunday Sales for 3 C Bistro, approve Class C Beer permit w/ Sunday Sales and Outdoor Service for Rush Stop, approve Class C beer permit w/ Sunday Sales for Buy Low North, approve 11/12 financials for City of Charles City and CC Public Employee Health Plan, approve mechanical and electrical bonds for Tom Bock and payment of claims (including those approved by other boards):

33561-33592	PAYROLL ENDING 12/01/12	\$76,677.98
33593-33596	PAYROLL LIABILITIES	\$34,002.40
33597-33678	DECEMBER FGP STIPEND CHECKS	\$19,562.20
33679	CONNIE R. HERMAN, utility deposit refund	\$27.19
33680	ANTHONY JOHNSTON, utility deposit refund	\$43.46
33681	SHAWNNA KEEVER, utility deposit refund	\$22.46
33682	TSION LEMMA, utility deposit refund	\$53.28
33683	SUE PYLE, utility deposit refund	\$24.31
33684	COREY REAMS, utility deposit refund	\$20.40
33685	HY-VEE, INC., supp.	\$2,370.00
33686	MCDONALD'S, supp.	\$150.00
33687	BAKER & TAYLOR BOOKS, supp.	\$27.82
33688	CAROL CASE, serv.	\$767.00
33689	CC PUBLIC EMP HEALTH PLAN, serv.	\$1,134.10
33690	CDW-GOVERNMENT, INC., supp.	\$355.65
33691	DANA SCHWICKERATH, supply reimbursement	\$23.25
33692	GALE, supp.	\$241.51
33693	GAYLORD BROS., INC., supp.	\$187.38
33694	HY-VEE, INC., supp.	\$64.76
33695	INGRAM LIBRARY SERVICES, supp.	\$232.06
33696	JIM ZIRBEL, serv.	\$309.00
33697	K-MART STORES, supp.	\$79.29
33698	KWIK TRIP, INC., supp.	\$2,389.32
33699	LAKESHORE LEARNING MATERIALS, supp.	\$257.93
33700	LARGE PRINT OVERSTOCKS, supp.	\$9.84
33701	MARVEL SUBSCRIPTIONS, supp.	\$71.97
33702	MASTERCARD, supp.	\$108.16
33703	MEREDITH BOOKS, supp.	\$38.01
33704	MICK GAGE PLUMBING, INC., serv.	\$250.00
33705	MIDAMERICAN ENERGY, serv.	\$1,838.50

33706	MIDWEST TAPE, supp.	\$282.87
33707	NEWBAUER, INC., serv.	\$54.10
33708	ODE DESIGN, supp.	\$38.00
33709	PERRY NOVAK ELECTRIC, INC., supp.	\$64.00
33710	REIMAN PUBLICATIONS, supp.	\$30.98
33711	TRENT PARKER, serv.	\$1,173.75
33712	VALUE LINE PUBLISHING, INC., supp.	\$898.00
33713	1 STOP PARTY SHOPPE, supp.	\$155.35
33714	AGSOURCE LABORATORIES, serv.	\$128.00
33715	AGVANTAGE FS, DIV GROWMARK, supp.	\$1,323.12
33716	AHLERS & COONEY P.C., serv.	\$933.00
33717	ALLIED MANATTS GROUP LLC, supp.	\$2,380.83
33718	ATCO INTERNATIONAL, supp.	\$82.50
33719	AUCHSTETTER FLOOR SERVICE, serv.	\$775.00
33720	AUTOZONE, supp.	\$46.66
33721	BARBARA BROWN (FGP), mileage	\$62.16
33722	BETTY HANSON (FGP), mileage	\$12.80
33723	BLUE GAVEL PRESS, supp.	\$128.90
33724	BRAD BILHARZ, damaged watch reimbursement	\$74.81
33725	BROKEN ARROW, supp.	\$239.22
33726	BRUCELLI ADVERTISING INC, supp.	\$292.13
33727	BUSINESS CARD, serv.	\$1,258.89
33728	CARUS CORPORATION, supp.	\$3,463.50
33729	CC COMMUNITY SCHOOLS, 28E agreement	\$35,975.00
33730	CC FAMILY HEALTH CENTER, serv.	\$351.00
33731	CEDAR VALLEY PRINT & SUPPLY, supp.	\$1,001.53
33732	CENTURYLINK, serv.	\$1,944.23
33733	CERRO GORDO PUBLIC HEALTH, serv.	\$40.00
33734	CHARLENE THORESON (FGP), mileage	\$14.56
33735	CHARLES CITY PRESS INC., serv.	\$1,114.54
33736	CHELSEA BUNSTON, utility deposit refund	\$6.77
33737	CHRISTIE DOOR COMPANY, supp.	\$176.50
33738	CINTAS CORPORATION #762, serv.	\$475.05
33739	CIRCLE K COMM. INC., supp.	\$9.15
33740	CITY MOTOR PARTS LTD.	**VOIDED**
33741	CITY MOTOR PARTS LTD., supp.	\$1,824.06
33742	CITY OF CHARLES CITY, serv.	\$221.73
33743	CJ COOPER & ASSOC, INC., serv.	\$128.00
33744	CLARENCE JUSTUS ESTATE, deposit refund	\$81.80
33745	CNH CAPITAL, supp.	\$523.17
33746	COMPUTRONICS, supp.	\$1,085.00
33747	DARLENE TOYNE (FGP), mileage	\$38.40
33748	DE LAGE LANDEN, serv.	\$344.93
33749	DEPARTMENT OF JUSTICE, serv.	\$45.50
33750	DISH NETWORK, serv.	\$34.01
33751	DORSEY & WHITNEY LLP, serv.	\$6,119.65
33752	DUSTY'S TOTAL TREE SERVICE, serv.	\$925.00
33753	ELECTRICAL ENG & EQUIP CO, serv.	\$1,179.20
33754	ELK'S LODGE, serv.	\$890.00
33755	ETHANOL PRODUCTS LLC, supp.	\$504.61

33756	FAREWAY STORES INC., supp.	\$636.50
33757	FLOYD MITCHELL CHICKASAW, serv.	\$130.50
33758	GAGE AMUNDSON, serv.	\$30.00
33759	GLORIA HUMBURG (FGP), mileage	\$10.24
33760	HARRISON TRUCK CENTERS, supp.	\$112.26
33761	HAWKINS INC., supp.	\$690.00
33762	HEALTHWORKS, serv.	\$212.00
33763	HEARTLAND ASPHALT, INC., supp.	\$770.40
33764	HEARTLAND POWER COOPERATIVE, serv.	\$46.98
33765	HIGH FOREST BOBCAT SERVICE, serv.	\$440.00
33766	HY-VEE, INC., supp.	\$768.84
33767	I WIRELESS, serv.	\$78.77
33768	IDOT-CASHIERS OFFICE, supp.	\$3,903.98
33769	IDOT-CASHIERS OFFICE, supp.	\$418.07
33770	INTERSTATE BATTERIES OF UPPER IA, supp.	\$105.95
33771	INTERSTATE BATTERY CENTER, supp.	\$272.21
33772	IOWA LAW ENFORCEMENT ACADEMY, supp.	\$260.00
33773	IOWA ONE CALL INC., serv.	\$52.70
33774	JACKSON STREET PRESS, supp.	\$63.32
33775	JACQUELINE FERCH (FGP), mileage	\$20.48
33776	JANICE DORENKAMP (FGP), mileage	\$8.88
33777	JEANETTE KLUNDER (FGP), mileage	\$8.00
33778	JENDRO SANITATION INC., serv.	\$19,365.98
33779	JENDRO SANITATION INC., serv.	\$200.00
33780	JOHN DEERE FINANCIAL, supp.	\$161.67
33781	JOHN GOHR, supply reimbursement	\$73.79
33782	L&J INDUSTRIES, INC., serv.	\$12.15
33783	LAVONNE KACER (FGP), mileage	\$16.64
33784	LESSIN SUPPLY CO., supp.	\$191.25
33785	LESSIN SUPPLY CO., supp.	\$13.92
33786	MARY CHURCH (FGP), mileage	\$16.64
33787	MASON CITY BUS SYST INC., supp.	\$26.55
33788	MCKINESS EXCAVATING, INC, serv.	\$49,103.84
33789	MERRITT COMPUTER SERV INC, serv.	\$169.92
33790	MIDAMERICAN ENERGY, serv.	\$11.72
33791	MIKE'S C&O TIRE INC, supp.	\$621.41
33792	MISSISSIPPI LIME COMPANY, supp.	\$5,361.32
33793	MYRLEEN M JONES (FGP), mileage	\$17.92
33794	NETCONX, serv.	\$12.00
33795	NEWBAUER, INC., serv.	\$190.33
33796	NEXTEL COMMUNICATIONS, serv.	\$190.40
33797	NFPA, serv.	\$855.00
33798	NFPA, serv.	\$165.00
33799	NIACOG, serv.	\$8,723.22
33800	NW6142, supp.	\$190.71
33801	OFFICE OF VEHICLE SERVICES, serv.	\$10.00
33802	OTTO'S OASIS, serv.	\$288.00
33803	POSTMASTER, serv.	\$900.00
33804	POSTMASTER, supp.	\$135.00
33805	QUALITY AUTO SERVICE, serv.	\$15.30

33806	QUILL CORPORATION, supp.	\$120.09
33807	RELIABLE OFFICE SUPPLIES, supp.	\$109.53
33808	RESERVE ACCOUNT, serv.	\$1,000.00
33809	RILEY'S INC., supp.	\$518.95
33810	RUTH LATHAM (FGP), mileage	\$25.31
33811	SCHUETH ACE HARDWARE, supp.	\$112.94
33812	SCHUETH ACE HARDWARE, supp.	\$100.91
33813	SHARON OTT (FGP), mileage	\$31.08
33814	SHERALEA TUMILSON (FGP), mileage	\$17.76
33815	SHIRLEY ORTHEL (FGP), mileage	\$34.00
33816	SISSON & ASSOCIATES, serv.	\$391.00
33817	SNAP-ON TOOLS/DUANE KAY, supp.	\$277.45
33818	STATE HYGIENIC LABORATORY, serv.	\$425.00
33819	SUPERIOR LUMBER, INC., supp.	\$56.51
33820	TEETER SPECIALTY CO. LLC, supp.	\$122.62
33821	TESTAMERICA LABORATORIES, serv.	\$165.90
33822	TITLEIST, supp.	\$188.00
33823	TITUS LOCK SERVICES, serv.	\$88.00
33824	TRANS-IOWA EQUIPMENT, INC, supp.	\$314,854.68
33825	TREAT AMERICA, supp.	\$1,173.48
33826	ULTRAMAX, supp.	\$387.00
33827	UNITED STATES CELLULAR, serv.	\$223.93
33828	UNIVERSITY ENTERPRISES, supp.	\$110.00
33829	USA BLUEBOOK, supp.	\$88.80
33830	VAC SHACK & SEWING CENTER, serv.	\$48.95

**TOTAL** \$627,042.84

November Receipts - General - 264266.98; PolDispatch - 33881.46; PolAssetForfeit-999.00; Park & Rec C/I - 60.89; CommEq-1255.16; RUT-56364.99; EmpBen-76893.88; CVTC-274.40; FireRet-10679.70; PolRet-19223.47; Emergency-5951.33; WPC Flood Wall-17490.88; OptTx-274726.41; TIF- 113063.10; H/M - 58.67; LibrTr-2080.28; FGP- 25824.27; PubHousing - 101228.70; DebtServ-35389.03; 2011 Perm Pave-782392.04; Water- 161567.80; Sewer-99297.63; Waste-28529.01; Transit-2070.00; SWU-13422.49; FireExt-436.50

November Disbursements - Gen-228140.43; PolDisp-33336.74; PolSafeEd-487.60; PolAssetForfeit-3537.98; RUT-61365.40; EmpBen-41684.54; CVTC-3371.86; FireRet-6285.46; PolRet-14412.34; WPCFloodWall-85825.54; TIF-97023.01; FGP-30347.09; PubHous-94365.17; Cable-22784.92; DebtServ-257033.14; StreetRelC/I-15098.27; 2011 PermPave-363923.41; Water-193569.30; Sewer-77589.01; UVDisinf-33993.15; WasteColl-33769.38; SWU-3329.59; FireExt-950.85

**Business of the Mayor - The mayor and city administrator have been invited to make a presentation in Peoria Illinois at a rural development conference. Will talk about all of our recently completed projects such as the Riverfront development and permeable paving.**

Mayor opened the public hearing on final plans and specs for Well #7 Rehab. The affidavit of publication dated November 27, 2012 was informally filed. He 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 - 4**

City Engineer John Fallis stated that there were two addendums to the preliminary plans, mostly for clarifications on the plans. Councilmember Joerger introduced Resolution No. 116-12 entitled, **"RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE CHARLES CITY, WELL NO. 7 REPAIR AND RESTORATION PROJECT, 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. Nays - none.**

City engineer John Fallis reported that two bids were received and were opened on December 12. Staff is still evaluating the bids, so they are requesting the council to defer action on awarding the bid. There are some questions on the bids, so they want to investigate further. Motion by Joerger, second Freeseaman to defer action on awarding this bid until the January 7<sup>th</sup> council meeting. **Ayes - 4**

Discussion on the sale of ROW property at 223 N. Main. Staff has not received the necessary paperwork on this so they are requesting to adjourn the hearing and the reading of the ordinance to January 7<sup>th</sup>. Motion by Joerger, second Hammond to defer the third reading of the ordinance to vacate to January 7, 2013. **Ayes - 4**

Mayor Erb reconvened the public hearing on the sale of ROW located at 223 N. Main. There were no written or oral comments. Motion by Hammond, second Joerger to adjourn the hearing to January 7, 2013. **Ayes - 4**

Discussion on doing a refunding bond. The 2005B is callable June 2013. After the June 1 payment, the balance is \$890,000. Would use \$275,000 from S. Grand to retire a portion and the rest will be financed at .55%, .65% and .75% for various portions due at different times. Current interest on this bond range from 3.5% to 3.65%. Estimated interest savings is \$41,000. A public hearing needs to be held on this issuance and is scheduled for February 4. Councilmember Joerger introduced Resolution No. 118-12 entitled, "RESOLUTION TO FIX A DATE FOR A PUBLIC HEARING ON A LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$650,000" and moved for adoption. Second to adopt Hammond. Resolution duly passed on roll call vote as follows: **Ayes - Joerger, Freeseaman, Hammond, Mallaro. Nays - none.**

We have been requested to approve a subordination agreement for a mortgage on 1507 Clark Street. This homeowner participated in the housing rehab program and in order for them to re-finance, the city needs to approve it. This would not change the city's position on this mortgage and is not new debt, it is simply a refinance. Councilmember Joerger introduced Resolution No. 119-12 entitled, "RESOLUTION ACCEPTING SUBORDINANCE AGREEMENT WITH PREMIER HOME MORTGAGE BANK ON FORGIVABLE LOAN FOR PROPERTY LOCATED AT 1507 CLARK STREET" and moved for adoption. Second to adopt Mallaro. Resolution duly passed on roll call vote as follows: **Ayes - Freeseaman, Hammond, Mallaro, Joerger. Nays - none**

The state is now requiring an annual urban renewal report to be submitted each year by December 1. This is an addition to the TIF certification report due every year. It basically gives detail on each TIF district we have, such as the original documents filed when the TIF was formed, all debt that is being paid out of each TIF and all revenues going into each TIF. This first year the state granted a waiver for submission due to the extensive TIFs many cities have, including Charles City. Motion by Joerger, second Freeseaman to approve the report as presented. **Ayes - 4**

No city attorney report.

No city administrator report.

City Clerk O'Donnell reported that city hall will be closed December 24 and 25 for the Christmas holiday. After polling the council members, a December 26 planning session was also scheduled for 5:30.

Motion by Freeseaman, second Hammond to adjourn. **Ayes - 4**

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James A. Erb, Mayor

Attest:

Trudy O'Donnell, City Clerk