

COUNCIL MINUTES
REGULAR SESSION
JANUARY 19, 2021

Charles City city council met in regular session on January 19, 2021 at 6:00 p.m. via Zoom due to the COVID-19 pandemic. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Jerry Joerger, DeLaine Freeseaman, Phoebe Pittman, Phillip Knighten. 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 Joerger to approve the agenda. Ayes - 5

Motion by Freeseaman, second Starr to approve the minutes of January 4, 6, 7 and 11. Ayes - 5

Motion by Starr, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve 12/20 financials for city of Charles City and CC Public Employees Health plan, approve renewal of Class E liquor license for Fareway, approve renewal of Class E liquor license w/ Sunday Sales for Dollar General and payment of claims (including those approved by other boards):

71290-71320	PAYROLL ENDING 01/02/2021	\$100,756.14
71321	CITY OF CHARLES CITY, payroll liabilities	\$932.92
71322-71323	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$8,829.10
ACH	EFTPS, payroll liabilities	\$28,188.52
71324	EMC NATIONAL LIFE COMPANY, payroll liabilities	\$6.00
ACH	COLLECTION SERVICE CENTER, payroll liabilities	\$38.32
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,608.00
ACH	ICMA, payroll liabilities	\$2,280.22
ACH	BANCORPSV, serv.	\$1,430.60
ACH	BANCORPSV, serv.	\$904.11
ACH	FIRST CITIZENS-CC, serv.	\$15.49
ACH	IMAGETEK, serv.	\$365.00
ACH	IOWA FINANCE AUTHORITY, serv.	\$95,882.96
ACH	PORTZEN CONSTRUCTION, serv.	\$1,515,359.68
ACH	TREASURER, STATE OF IOWA, sales tax	\$25.55
ACH	JANUARY FGP STIPEND CHECK	\$225.00
71325	CENTURYLINK, serv.	\$459.32
71326	HEARTLAND ASPHALT INC, serv.	\$21,271.27
71327	LINELL HESSE, utility deposit refund	\$12.16
71328	KADJAH PRICE, utility deposit refund	\$90.00
71329	CHARLES BAKER-CLARK, utility deposit refund	\$90.00
71330	JODIE JAY BECK, utility deposit refund	\$90.00
71331	SHANE DANIEL, utility deposit refund	\$60.00
71332	JESSICA MAY DANIELS, utility deposit refund	\$90.00
71333	DEREK SCHULTZ, utility deposit refund	\$90.00
71334	JACOB R GASSMAN, utility deposit refund	\$90.00
71335	STEPHEN HUNT, utility deposit refund	\$90.00
71336	MARCIA NETLAND, utility deposit refund	\$90.00

71337	JENNIFER SCHUTTLER, utility deposit refund	\$90.00
71338	JORDAN SMITH, utility deposit refund	\$90.00
71339	NIC ZORZI, utility deposit refund	\$90.00
71340	CENTURYLINK, serv.	\$234.00
71341	MARCO, serv.	\$126.60
71342	MIDAMERICAN ENERGY, serv.	\$114.10
71343-71344	WEX BANK, supp.	\$4,818.48
71345	UNIQUE WADE, credit balance refund	\$410.52
71346	KADJAH PRICE, credit balance refund	\$122.31
71347	VLADIMIR KOUZNETSOV, credit balance refund	\$28.13
71348	DARLENA ERICKSON, credit balance refund	\$83.51
71349	BUSINESS CARD, serv.	\$2,443.67
71350	POSTMASTER, serv.	\$45.00
71351	AUTOMATIC DOOR GROUP, serv.	\$942.57
71352	BAKER & TAYLOR BOOKS, supp.	\$885.64
71353	BRODART COMPANY, supp.	\$2,658.63
71354	CANON FINANCIAL SERVICES, serv.	\$69.32
71355	CAROL CASE, serv.	\$1,100.00
71356	CC PUBLIC EMP HEALTH PLAN, serv.	\$4,077.42
71357	CENTER POINT LARGE PRINT, supp.	\$22.50
71358	CENTURION HOLDINGS 1 LLC, supp.	\$50.00
71359	COREY HAWKE, serv.	\$389.00
71360	CUSTOM COMMUNICATIONS, serv.	\$371.52
71361	GORDON FLESCH COMPANY, serv.	\$83.43
71362	HOCKENSON PLUMBING, supp.	\$105.12
71363	INGRAM LIBRARY SERVICES, supp.	\$14.58
71364	IOWA LIBRARY ASSOCIATION, serv.	\$110.00
71365	KANOPY INC, supp.	\$52.00
71366	KS STATE BANK, serv.	\$157.00
71367	MEDIACOM, serv.	\$395.52
71368	MICK GAGE PLUMBING & HEATING, serv.	\$3,520.75
71369	MIDAMERICAN ENERGY, serv.	\$2,242.76
71370	MIDWEST TAPE, supp.	\$130.42
71371	PERRY NOVAK ELECTRIC, serv.	\$107.50
71372	SCHOLASTIC INC, supp.	\$190.08
71373	SCHUETH ACE HARDWARE, supp.	\$11.99
71374	SERVPRO, serv.	\$4,700.00
71375	STAPLES ADVANTAGE, supp.	\$39.09
71376	THE PRINTERY, supp.	\$57.40
71377	VISA, supp.	\$410.24
71378-71390	PAYROLL ENDING 01/16/2021	\$90,013.11
ACH	AFLAC, payroll liabilities	\$1,007.15
71391	CITY OF CHARLES CITY, payroll liabilities	\$932.78
71392-71393	CC PUBLIC EMP HEALTH PLAN, payroll liabilities	\$8,828.64

ACH	EFTPS, payroll liabilities	\$24,659.80
71394	EMC NATIONAL LIFE COMPANY, payroll liabilities	\$6.00
ACH	FAMILY COMM CREDIT UNION, payroll liabilities	\$1,608.00
ACH	ICMA, payroll liabilities	\$2,280.22
ACH	IPERS, payroll liabilities	\$30,369.67
71395-71396	LINCOLN NATIONAL LIFE INS CO, payroll liabilities	\$352.80
71397-71399	DELTA DENTAL, payroll liabilities	\$1,176.78
ACH	MUNICIPAL FIRE & POLICE, payroll liabilities	\$28,629.63
ACH	TREASURER, STATE OF IOWA, payroll liabilities	\$10,414.00
71400-71401	VSP, payroll liabilities	\$254.36
71402	AMAZON CAPITAL SERVICES, supp.	\$393.03
71403	ARNOLD MOTOR SUPPLY LLP, supp.	\$361.06
71404	BLUE TARP CREDIT SERVICES, serv.	\$39.99
71405	BROWN SUPPLY CO, supp.	\$720.00
71406	BRUENING ROCK PRODUCTS INC, supp.	\$299.94
71407	CALHOUN-BURNS & ASSOCIATES, serv.	\$1,131.43
71408	CENTURYLINK, serv.	\$44.67
71409	CHARLES CITY PRESS INC, serv.	\$1,495.35
71410	CINTAS, supp.	\$161.01
71411	CINTAS CORPORATION, serv.	\$49.73
71412	CONSTRUCTED WETLAND GROUP, supp.	\$40,000.00
71413	D&L CAR CARE, serv.	\$2,409.74
71414	DAVE SYVERSON TRUCK CENTERS, supp.	\$645.95
71415	ELECTRONIC ENGINEERING, serv.	\$5,799.53
71416	ENVIRONMENTAL RESOURCE ASSOCIATES, serv.	\$261.30
71417	ENVIRONMENTAL SYS RESEARCH INS, serv.	\$400.00
71418	FAREWAY STORE, supp.	\$89.12
71419	FLOYD CO MEDICAL CENTER CLINIC, serv.	\$539.00
71420	FLOYD COUNTY ENGINEER, supp.	\$227.42
71421	GHD SERVICES INC, serv.	\$165.25
71422	GODBERSEN-SMITH CONSTRUCTION, serv.	\$11,188.95
71423	GRAINGER, supp.	\$123.91
71424	HACH COMPANY, serv.	\$1,412.44
71425	HAWKINS INC, supp.	\$1,117.50
71426	HEARTLAND ASPHALT INC, serv.	\$29,300.28
71427	HOBERT ELECTRIC, serv.	\$1,778.00
71428	IOWA ASSOC MUNICIPAL UTILITIES, serv.	\$6,909.64
71429	IA ASSOC OF PROF FIRE CHIEFS, serv.	\$100.00
71430	INTERSTATE ALL BATTERY CENTER, supp.	\$23.40
71431	IOWA GOLF ASSOCIATION, serv.	\$565.00
71432	IOWA ONE CALL, serv.	\$40.50
71433	IOWA WALL SAWING, serv.	\$983.00
71434	JASPER CONSTRUCTION SERVICES, serv.	\$86,134.76
71435	JENDRO SANITATION SERVICES, serv.	\$48,959.19

71436	JENDRO SANITATION SERVICES, serv.	\$238.00
71437	JENNIFER LANTZ, mileage	\$36.80
71438	JOHN DEERE FINANCIAL, supp.	\$481.76
71439	KEYSTONE LABORATORIES, serv.	\$420.78
71440	L&J INDUSTRIES INC, supp.	\$234.00
71441	LEAF, serv.	\$255.16
71442	LESSIN SUPPLY COMPANY, supp.	\$389.43
71443	MAIN STREET DRUG INC, supp.	\$50.51
71444	MARTIN GARDNER ARCHITECTURE, serv.	\$2,030.24
71445	MARVIN PLANNING CONSULTANTS, serv.	\$1,500.00
71446	MICK GAGE PLUMBING & HEATING, serv.	\$916.60
71447	MIDAMERICAN ENERGY, serv.	\$182.80
71448	MIKE'S C&O TIRE INC, supp.	\$347.58
71449	NEWBAUER INC, serv.	\$133.31
71450	NEWBAUER INC, serv.	\$439.00
71451	NIACOG, serv.	\$2,075.64
71452	NOAH, SMITH, SCHUKNECHT & SLOTER, serv.	\$5,824.00
71453	NORTH IOWA LAWN & SPORTS, supp.	\$17.80
71454	OFFICE DEPOT, supp.	\$56.57
71455	OFFICE WORLD - RAPID PRINTERS, supp.	\$108.00
71456	PERRY NOVAK ELECTRIC INC, serv.	\$689.70
71457	POPP EXCAVATING INC, serv.	\$6,838.34
71458	POSTMASTER, serv.	\$910.00
71459	PRODUCTIVITY PLUS ACCOUNT, supp.	\$862.45
71460	QUILL CORPORATION, supp.	\$117.96
71461	RILEY'S INC, supp.	\$296.25
71462	ROTARY CLUB OF CHARLES CITY, serv.	\$77.50
71463	SCHUETH ACE HARDWARE, supp.	\$254.91
71464	SECURITY & COMMUNICATION PROFESSIONALS, supp.	\$180.00
71465	SENSUS USA INC, serv.	\$1,949.94
71466	SHERWIN-WILLIAMS CO, supp.	\$440.54
71467	SHRED IT, C/O STERICYCLE INC, serv.	\$45.00
71468	T&T TOOLS INC, supp.	\$298.00
71469	TERRACON CONSULTANTS INC, serv.	\$1,855.50
71470	TRENT PARKER, serv.	\$55.00
71471	TRIUMPH SURPLUS LLC, serv.	\$38.04
71472	UNIQUE COUNTRY STORE, serv.	\$740.00
71473	WESTRUM LEAK DETECTION, serv.	\$692.50
71474	WISCONSIN INDEPENDENT NETWORK, serv.	\$1,200.00

TOTAL **\$2,288,643.80**

December Receipts - Gen - 160212.87;Disp-39727.02;P/R C/I-55576.45;CommEquip-1197.98;H/M-31.09;RAGBRAI-.27;RUT-93843.33;EmpBen-63898.69;CVTC-4213.05;Emerg-3697.28;OptTx-71517.86;TIF-19418.42;FGP-19591.55;PubHous-81600.04;Sect8-92696.17;DebtServ-20519.71;'20CapFnd-38084.27;Water-197384.67;Sewer-142662.15;WWTPExp-2985000.00;WasteFnd-59278.48;Transit-38744.10;SWU-17021.39;FireExt-30.00

December Disbursements - Gen-329139.85;Disp-38620.02;RUT-64126.76;EmpBen-85047.26;CVTC-5354.89;TIF-197425.74;FGP-21836.62;PubHous-65923.01;Sect8-72492.45;DebtServ-76440.78;StreetRelC/I-211749.16;'20CapFnd-44084.27;CapProjMcQuill-8299.50;CWBridge-13029.76;FibertoHome-415.33;IPC-7368.63;Water-204275.88;Sewer-131885.31;WWTPExp-1114160.98;WasteFnd-59666.33;Transit-32348.69;SWU-9375.68;FireExt-442.25

Business of the Mayor - A committee needs to be formed to help with choosing a design for a city flag. A contest will be held and this committee will judge the entries. The mayor and city administrator Diers are on the committee and they are wanting to know if any of the council is interested. Council member Pittman volunteered. An article from the Fox Engineering newsletter about our wastewater project was sent out to the council.

A Façade application has been received from Dr. VanGilder for her med spa that is located in the Main Street Drug building at 204 N. Main. She is asking for \$564.08 of funding, which is 50% of the total expected cost, to be used for signage in the front and back of the building. We have depleted our Façade funding but can dip into Cultural and Entertainment funding for this. Council member Joerger introduced Resolution 01-21 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 204 N. MAIN SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

A development agreement with Mark Holtkamp has been drafted for his proposed senior living project called Birkwood Village. It will be an 82 bed facility and will be located just across the street from the hospital. He is asking for a 10 year tax rebate with a cap of \$2,000,000. Twenty full time jobs will be added and the site plan will be coming shortly. Council member Freeseaman introduced Resolution 02-21 entitled, "RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH BIRKWOOD VILLAGE OF CHARLES CITY, LLC AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The Birkwood Village development has drafted a minor plat to be approved. Planning and zoning has reviewed this and they are recommending that the council approve it. This qualifies as a minor plat since it's not requiring an extension of city utilities and the streets located inside the development will be private. Council member Joerger introduced Resolution 03-21 entitled, "RESOLUTION APPROVING MINOR PLAT OF SUBDIVISION TO BE KNOWN AS BIRKWOOD VILLAGE ADDITION, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Ordinance 1150 AN ORDINANCE AMENDING THE CHARLES CITY CODE OF ORDINANCES CHAPTER 24, SECTION 24.01 - PLANNING AND ZONING COMMISSION, BY AMENDING THE PROVISIONS PERTAINING TO RESIDENCY REQUIREMENTS FOR MEMBERS OF THE COMMISSION was presented for a third reading. This ordinance would allow a resident within two miles outside the city limits to serve on the planning and zoning commission. We have recently experienced several vacancies on the board and have had trouble finding people to serve. Since our zoning ordinance allows our jurisdiction up to two miles outside the city limits, staff feels allowing a board member living within this area to serve is appropriate. Motion by Freeseaman, second Starr to approve the third reading of Ordinance 1150. Ayes - 5. Council member Freeseaman read the ordinance. Motion by Starr, second Joerger to adopt and publish Ordinance 1150. Ayes - 5.

The water usage agreement with Valero expired in December 2020 when the water main that we were leasing from them had ownership transferred to the city. A new agreement has been drafted that would

be for a 2 ½ year term that would cover the rest of FY21 and full years for FY22 and FY23. The rate would increase each year by the CPI percentage with a minimum usage of 100,000 gallons. Valero has reviewed this agreement and has approved it. New rate will be \$1.80/thousand gallons and there will be meter charges as well for their size of meters as set in the water ordinance. Council member Starr asked what would they pay if they don't use the minimum gallons and reply was that they would pay for the difference in the gallon usage. Council member Starr introduced Resolution 04-21 entitled, "RESOLUTION APPROVING WATER USAGE AGREEMENT BETWEEN THE CITY OF CHARLES CITY, IOWA AND VALERO RENEWABLE FUELS COMPANY, LLC" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none

A change order has been submitted for the water tower painting project. This change order is for adding a second set of lettering on the tower at a cost of \$4500. Council member Starr introduced Resolution 05-21 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER FOR WATER TOWER PAINTING PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The water tower painting project is complete and ready for acceptance and final payment. The total cost of the project was \$225,680.00 with a final payment due of \$11,284. Council member Freeseaman introduced Resolution 06-21 entitled, "RESOLUTION ACCEPTING THE 2020 WATER TOWER PAINTING PROJECT AND AUTHORIZING FINAL PAYMENT" and moved for adoption. Second to adopt Joerger. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Fox Engineering has submitted pay request #15 from Portzen Construction for the wastewater project in the amount of \$1,515,359.68. This is mostly for work on the reed beds and for stored material for the generator and oxidation ditch equipment. Fox Engineer has reviewed this request and is recommending payment. Council member Joerger introduced Resolution 07-21 entitled, "RESOLUTION APPROVING PAY ESTIMATE #15 FOR WATER RESOURCE RECOVERY FACILITY PROJECT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

As part of the DOT Hwy 18 project, the traffic signals will be replaced at Clark Street and North Grand Avenue. A new pedestrian signal will also be installed at Lincoln School. The DOT is asking that new agreements be executed for these signals. These are standard DOT agreements and city attorney Slotter has reviewed them. Council member Joerger introduced Resolution 08-21 entitled, "RESOLUTION APPROVING TRAFFIC CONTROL AGREEMENT WITH IOWA DOT FOR THE CLARK STREET AND NORTH GRAND AVENUE TRAFFIC SIGNALS" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. Council member Freeseaman introduced Resolution 09-21 entitled, "RESOLUTION APPROVING TRAFFIC CONTROL AGREEMENT WITH IOWA DOT FOR F STREET LINCOLN SCHOOL TRAFFIC SIGNAL" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

Temporary construction easements are needed at the Charley Western Trail crossing on Hwy 18 for the DOT street project. These are needed to make the crossings ADA compliant. An issue was discovered when researching the deeds for this property. There are two deeds and one deed shows the city as the owner and the other deed shows ADC being the owner. Since these are temporary easements, city attorney Slotter's opinion is that issuing this easement in both names will not affect any future title issues since it is temporary. And doing it this way will expedite the process for this project. Council member Freeseaman introduced Resolution 10-21 entitled, "RESOLUTION APPROVING TEMPORARY CONSTRUCTION EASEMENT FOR THE hwy 18/4th AVENUE HMA PAVING PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none.

The city recently purchased the property at 806 N. Grand and would like to demolish the structure. Quotes were received for this project as follows: Popp Excavating \$12550, Cole Excavating \$14500, Kamm Excavating \$17257, Downing Excavating \$19416, Maple Valley Tree Service \$21300, Poppe Excavating \$22000, Vieth Construction \$46350 and Earth Services \$56150. A completion date was not specified in the bid documents so each bidder submitted a completion date. Popp Excavating, the low bidder, has done projects for the city before and have done good work. Staff is recommending accepting the bid from Popp Excavating for this project. Council member Joerger introduced Resolution 11-21 entitled, "RESOLUTION AWARDED CONTRACT FOR THE 2021 HOUSE DEMOLITION PROJECT, CHARLES CITY, IOWA" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Joerger, Freeseaman, Pittman, Knighten. Nays - none. There is a nuisance property on 15th Avenue that needs to be demolished so we will talk to Popp about demolishing that at same time as the 806 N. Grand property is done.

Cambrex has asked the IEDA for an extension for their High Quality Jobs program agreement. This has been approved by IEDA but the city also needs to approve this as the project sponsor. Motion by Freeseaman, second Pittman to approve this request for an extension. Ayes - 5

Street extension designation for Yorkshire was discussed. This was discussed at length at the last planning session. This street was originally platted as Yorkshire Boulevard but sometime in the eighties, the residents there were contacted and told to use Drive as the name instead of Boulevard. No one seems to know who made that request. Currently, some residents use Drive and some use Boulevard. A survey was done of the residents there and the majority want Drive but several did not care one way or the other or did not respond. Staff is looking for the council to make the determination once and for all so a resolution can be drafted for council action at the next regular meeting. Staff recommendation is to leave this as Boulevard since that is how it was platted. Motion by Joerger, second Starr to keep this street named Yorkshire Boulevard. Ayes - 5. Council member Knighten asked what we would need to do if this stays Boulevard. Reply was that a letter will be sent to the post office and county offices letting them know that this will be left as Boulevard. A letter will also be sent to the residents on Yorkshire letting them know of the council's decision.

City attorney Slotter reported that the property at 312 15th Avenue will be owned by the city in February. Also working on resolving one other nuisance property.

City clerk O'Donnell reported that the next meeting will be a budget meeting on Thursday at 5:30.

City administrator Diers reported that Sw TIF board will meet this Friday morning. There is a neat video on the city website of the WRRF project showing a time lapse of the construction. We have started back with everyone working full time in their department, not working from home. Exception right now is code enforcement since there is no way to keep a 6' separation in their office. We are working on getting a suitable workspace for them.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk