

COUNCIL MINUTES
REGULAR SESSION
FEBRUARY 22, 2023

Charles City city council met in regular session on February 22, 2023 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following council members were present: Keith Starr, Patrick Lumley, DeLaine Freeseaman, Phoebe Pittman and Phillip Knighten (via Zoom due to weather). Also present were city administrator Steve Diers and city attorney Brad Sloter.

No citizen comments.

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Pittman, second Starr to approve the minutes of the February 6 and 15 meetings. Ayes - 5

Motion by Freeseaman, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve the 1/23 financials for city of Charles City and CC Public Employees Health Plan, approve the following bonds: excavation bond for TelCom Construction, LLC, and Mick Gage Plumbing and Heating, Inc; Electrical bond - Jensen Electric, approve the following liens: delinquent utility bill- \$157.00Acct5012350000, \$225.00Acct5006770002, \$890.00Acct5020310002, meter repairs-\$130.00 906 N. Grand, \$130.00 1304 F St. and payment of claims (including those approved by other boards):

79333	AMAZON CAPITAL SERVICES	\$25.57
79334	AMERICAN MEDICAL RESPONSE	\$8,333.34
79338	BREITBACH OFFICE LLC	\$75.00
79345	CC VOLUNTEER FIRE DEPT	\$2,339.90
79358	ENTERPRISE MEDIA GROUP LLC	\$60.00
79374	INTOXIMETERS INC	\$828.50
79382	L&J INDUSTRIES INC	\$5.25
79389	STOREY KENWORTHY/MATT PARROTT	\$109.89
79392	MID-AMERICA PUBLISHING	\$83.00
79395	MID-STATES ORG CRIME INFO CTR	\$150.00
79399	NEW HAMPTON TRIBUNE	\$74.00
79412	STERICYCLE INC	\$48.15
79417-79427	UTILITY BILLING DEPOSIT REFUNDS	\$960.00
79428	AMAZON CAPITAL SERVICES	\$169.63
79429	BAKER & TAYLOR BOOKS,SERV	\$2,462.18
79430	BAKER & TAYLOR ENTERTAIN	\$33.56
79431	BRODART COMPANY	\$285.67
79432	CANON FINANCIAL SERVICES INC	\$69.32
79433	CAROL CASE	\$1,507.66
79434	CC PUBLIC EMP HEALTH PLAN	\$4,350.93
79435	CENTURYLINK	\$464.79
79436	CITY OF CHARLES CITY	\$757.19
79437	COREY HAWKE	\$389.00
79438	FINDAWAY WORLD LLC	\$139.98
79439	GORDON FLESCH COMPANY	\$97.00
79440	HY-VEE INC	\$33.90

79441	INGRAM LIBRARY SERVICES	\$35.95
79442	KANOPY INC	\$42.00
79443-79444	MEDIACOM	\$457.45
79445	MIDAMERICAN ENERGY	\$2,696.36
79446	MIDWEST TAPE	\$404.04
79447	STAPLES ADVANTAGE	\$65.57
79448	VISA	\$250.48
79449	UTILITY BILLING CREDIT REFUND	\$308.26
79450	CAPITAL ONE TRADE CREDIT	\$39.99
79451	JOHN DEERE FINANCIAL	\$525.22
79452	LEAF	\$134.67
79453	MARCO	\$143.28
79454	STATE HYGIENIC LABORATORY	\$500.00
79455-79458	PAYROLL ENDING 2/11/2023	\$95,827.36
79459	CITY OF CHARLES CITY	\$1,081.10
79460	CC PUBLIC EMP HEALTH PLAN	*VOID
79461	CC PUBLIC EMP HEALTH PLAN	\$9,829.84
79462	EMC NATIONAL LIFE-SUPPLEM	\$6.00
79464	DELTA DENTAL	*VOID
79465	DELTA DENTAL	\$2,129.84
79467	VSP	*VOID
79468	VSP	\$495.09
79469	MUTUAL OF OMAHA	*VOID
79470	MUTUAL OF OMAHA	\$1,130.63
79471	AMAZON CAPITAL SERVICES	\$2,528.16
79472	ASHLEE MAHLSTEDT	\$350.00
79473	CINTAS CORPORATION	\$71.80
79474	CITY OF CHARLES CITY	\$5,848.42
79475	TRENT PARKER / COMPUTER PARKER	\$187.50
79476	ESTATE OF ARLA WRIGHT	\$206.66
79477	GORDON ELECTRIC SUPPLY INC	\$22.26
79478	HOLDEN HILLEGAS/H&R LAWNCARE	\$4,728.75
79479	HD SUPPLY FACILITIES MAINT.	\$1,489.99
79480	HOCKENSON PLUMBING	\$389.29
79481	HODES CO.	\$662.42
79482	HOUSING AUTH ACCTG SPECIALISTS	\$790.00
79483	IOWA NAHRO	\$375.00
79484	JENDRO SANITATION SERVICES	\$1,039.48
79485	KOCH OFFICE GROUP	\$154.91
79486	LEAF	\$358.45
79487	MANAGEMENT COMPUTER SERVIC	\$1,350.00
79488	MEDIACOM	\$336.90
79489	MENARDS CAPITAL ONE CREDIT	\$328.94
79490	MIDAMERICAN ENERGY	\$13,201.68

79491	MRI SOFTWARE LLC	\$146.68
79492	NOAH,SMITH,SCHUKNECHT & SL	\$14.00
79493	NORTH IOWA LAWN & SPORTS	\$217.62
79494	OMNITEL COMMUNICATIONS	\$1,100.00
79495	P&K MIDWEST	\$1,090.69
79496	PLUNKETT'S PEST CONTROL	\$135.00
79497	SCHUETH ACE HARDWARE	\$574.08
79498	SERVPRO	\$650.00
79499	SHERWIN-WILLIAMS CO	\$759.66
79500	STAPLES ADVANTAGE	\$1,040.31
79501	SUPERIOR LUMBER INC	\$60.77
79502	T-J SERVICE INC	\$777.96
79503	THE SHREDDER	\$72.00
79506	AGVANTAGE FS	\$2,739.54
79507	AUTO-JET MUFFLER CORP	\$661.61
79508	BUSINESS CARD	*VOID
79510	CARQUEST AUTO PARTS	*VOID
79511	CARQUEST AUTO PARTS	\$1,723.88
79512	CINTAS	\$299.24
79513	CINTAS CORPORATION	\$126.90
79514	CIRCLE K COMMUNICATIONS INC	\$44.40
79515	CITY OF CHARLES CITY	*VOID
79516	DEBORAH LAU	\$25.00
79517	DIVISION OF LABOR	\$225.00
79518	DO IT ALL SERVICES LLC	\$315.00
79520	EQUIPMENT BLADES INC	\$3,454.00
79521	FLOYD COUNTY ATTORNEY	\$179.00
79522	FLOYD COUNTY ENGINEER	\$465.01
79523	FLOYD COUNTY RECORDER	\$62.00
79524	GENERAL COLLECTION COMPANY	\$787.01
79525-79526	GRAINGER	\$345.75
79527	HAWKINS INC	\$9,362.80
79528	IDOT-CASHIER'S OFFICE	\$113.42
79532	IOWA LEAD SAFETY	\$450.00
79534	IOWA STATE POLICE ASSOCIATION	\$560.00
79535	IOWA STATE UNIVERSITY	\$25.00
79536-79537	JENDRO SANITATION SERVICES	\$55,428.53
79540	JOSE NOE FLORES	\$90.00
79541	KARSEN KETTWICK	\$127.00
79543	LUMEN	\$42.34
79546	MICK GAGE PLUMBING & HEATING	\$5,224.53
79548	MICROBAC LABORATORIES, INC.	\$124.00
79550	MRI SOFTWARE LLC	\$146.68
79551	NAHRO	\$559.32

79552	NCL OF WISCONSIN	\$308.10
79553	NEWBAUER INC	\$279.00
79554	NIACOG	\$1,039.11
79555	NOAH,SMITH,SCHUKNECHT & SLOTER	\$1,785.80
79556	NOLT'S MIDWEST PRODUCE SUPPLY	\$209.88
79558	PERRY NOVAK ELECTRIC INC	\$502.09
79559	POSTMASTER	\$1,200.00
79561	PROSECUT ATTORNEYS TRNG COORD	\$179.00
79562	ROAD MACHINERY & SUPPLIES	\$276.19
79563	ROCKMOUNT RESEARCH & ALLOYS	\$1,038.07
79564	SADLER POWER TRAIN INC	\$199.80
79565	SURVEYING AND MAPPING LLC	\$600.00
79566	STAPLES ADVANTAGE	\$292.74
79567	STEWART M DALTON	\$267.50
79569	TP ANDERSON & COMPANY PC	\$95.00
79570-79571	UNITED STATES CELLULAR	\$1,602.30
79574	WESTRUM LEAK DETECTION	\$795.00
79575	WICKS CONSTRUCTION INC	\$109,618.22
79576	ZARNOTH BRUSH WORKS INC	\$1,113.70
ELEC	DAIDA	\$496.00
ACH	DONNA DUNLAP	\$49.78
ACH	EVELYN NEAL	\$20.16
ACH	JACKIE FERCH	\$27.20
ACH	JANET JOHNSON	\$5.12
ACH	LA DONNA NORRIS	\$7.68
ACH	MAVIS BEENEN	\$7.04
ACH	VICKI INMAN	\$37.44
ELEC	FIRST CITIZENS BANK-CC	\$15.49
ACH	FOSTER GRANDPARENTS	\$10,304.60
ACH	FLOYD SWCD	\$10,087.38
ACH	AFLAC	\$917.03
ACH	COLLECTION SERVICE CENTER	\$357.40
ACH	EFTPS (PAYROLL TAXES)	\$26,347.92
ACH	ICMA MEMBERSHIP RENEWALS	\$1,843.09
ELEC	IA PUBLIC EMPLOY RETIRE	\$30,659.10
ACH	MISSISSIPPI LIME COMPANY	\$10,021.01
ACH	MUNICIPAL FIRE & POLICE	\$27,674.68
ELEC	TREASURER STATE OF IOWA	\$24,791.23
ELEC	BANCORPSV	\$2,618.43
ELEC	BUSINESS CARD	\$2,893.88
ELEC	US POSTAL SERVICE	\$1,000.00
	TOTAL:	\$536,306.04

January Receipts - Gen - 63086.32; SafetyEd-2125.00; P/R C.I-239.81; H/M-505.34; RAGBRAI-.93; RUT-73250.66; EmpBen-6062.06; CVTC-7050.51; Emerg-359.58; OptTx-96741.34; TIF-4597.40; AmerResc-4744.51; LibrTr-1019.90; FGP-25324.63; PubHous-111098.30; Sect8-78614.58; HousNonRest-167205.15; Cable-13737.33; DebtServ-2449.30; ClarkStArbor- -2500.00; '20CapFnd-3271.82; '21CapFnd-46112.10; CWBridge-41827.95; ArborPhse2-2500.00; Water-276401.17; WRRF-219829.34; WasteFnd-65305.37; Transit-35088.07; SWU-18311.36; FireExt-411.00

January Disbursements - Gen - 229121.64; P/R C/I-10000.00; H/M-10010.92; RUT-58568.07; EmpBen-90956.53; CVTC-8631.21; LibrTr-397.88; FGP-21574.18; pubHous-244844.14; Sect8-73841.35; homefit-2112.26; Cable-150.00; StreetRelc/i-27496.35; '20CapFnd-3410.46; '21CapFnd-46112.10; CWBridge-2162.40; FibertoHome-238.89; IPC-4877.11; Water-73452.59; WRRF-72066.73; WWTPexpFnd-28378.67; WasteFnd-59129.93; Transit-26455.79; SWU-5291.81

A street closure request has been submitted for the Color Run 5K on May 6. They are requesting the following streets to be closed: St. Mary's from Clark to Kelly and Kelly Street from St. Mary's to Brantingham from 7:00 a.m. to noon. A letter has been sent to all of the affected property owners about this event. Motion by Starr, second Pittman to approve this request. Ayes - 5

Jerry Joerger, Charles City's representative on the Floyd/Mitchell/Chickasaw Landfill board, was present to review the FY22 audit report. Their fiscal year ends September 30 and they had another good year last year. There is a certain amount they need to keep restricted to cover post closure costs but even with that, they have a good cash balance. Councilmember Freeseaman asked if the board had considered keeping the tipping fees steady for awhile since they have such a large cash balance. Joerger replied that they don't plan on raising those fees for a few years. Council member Pittman introduced Resolution 7-23 entitled, "RESOLUTION APPROVING THE FY22 AUDIT REPORT FOR FLOYD/MITCHELL/CHICKASAW SOLID WASTE MANAGEMENT AGENCY" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

A lease for a portion of the city owned parking lot south of the HyVee pharmacy drive thru was presented to be used for garden materials for this season. It is comprised of approximately 10 parking stalls and will be used to stack bags of mulch and potting soil only. Their plants and other items will be placed on their sidewalk in front of the store. The lease will run from April 1 through June 30 and the monthly rent will be \$125 and there will be no electricity usage. Councilmember Freeseaman introduced Resolution 8-23 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN HYVEE AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

The 2022 Street Project is substantially complete and the contractor is requesting a reduction in the retainage we have withheld. City engineer John Fallis is recommending reducing it from 5% to 1% which would leave a balance of \$14,260. This is more than enough to cover the remaining items that need to be completed. Council member Freeseaman introduced Resolution 9-23 entitled, "RESOLUTION APPROVING REDUCTION IN RETAINAGE FOR 2022 STREET PROJECT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

An ordinance to make changes to Chapters 158 and 159 of the city code has been drafted. International Property Maintenance Code was adopted in certain areas and minor language and date changes were made. The rental property code had the most changes. Motion

By Pittman, second Freeseaman to approve the first reading of Ordinance 1163 AMENDING AND UPDATING SECTIONS OF CHAPTER 158 - PROPERTY MAINTENANCE CODE AND CHAPTER 159 - LICENSING AND INSPECTION OF RENTAL PROPERTIES TO UPDATE UNIFORM CODE PROVISIONS ADOPTED BY REFERENCE. Ayes - 5. Council member Pittman read the ordinance.

We are ready to proceed with our annual short term borrowing process, which includes holding a public hearing. FY24 amount is \$198,000 and includes police equipment, nuisance abatement funds, street equipment, tornado outdoor sirens and third economic development payment to TLC. This will be split into two issuances: one not to exceed \$165,000 and the other not to exceed \$35,000. This is due to one loan being for essential corporate purposes and the other for general corporate purposes. The public hearing

will be set for March 6. Council member Freeseaman introduced Resolution 10-23 entitled, "RESOLUTION SETTING THE DATE FOR PUBLIC HEARINGS AND ADDITIONAL ACTION ON PROPOSALS TO ENTER INTO GENERAL OBLIGATION LOAN AGREEMENTS AND TO BORROW MONEY THEREUNDER" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none

Two Façade applications have been submitted by Josh Mack for 217 and 219 N. Main St. The work at 217 will involve mostly re-tuck pointing and he is asking for the maximum amount of \$10,000. The project at 219 involves upper story renovation of an apartment located there and he is asking for the maximum amount of \$10,000 there as well. Work includes external stairs and kitchen and bath renovations. Both of these applications have been reviewed by the design committee and are recommended for approval. These two applications would use up most of the remaining Façade funding for this current year but we can still access cultural and entertainment funds if needed. Council member Freeseaman introduced Resolution 11-23 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 217 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, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

Council member Starr introduced Resolution 12-23 entitled, "RESOLUTION APPROVING FUNDING FOR A PROJECT AT 219 N. MAIN SUBMITTED TO THE CITY OF CHARLES CITY FAÇADE PROGRAM" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

NIACC has submitted a request to lease a portion of the city parking lot next to their building to stage construction trailers and materials for their expansion project. This will start March 1 and go through May 2024. The resolution had a type of March 31 for the start date, so that will be changed to March 1. The amount arrived upon for this lease is \$500 and is comparable with similar leasing for another construction project in town. Council member Starr asked if we foresee any issues with tying up this parking area for that long and staff response was no. Council member Starr introduced Resolution 13-23 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN NIACC AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none. Councilmember Lumley commented that one of the stipulations for this project was that the rose garden located at the corner be preserved, is that still able to be done? City administrator Diers replied that most of it should be able to be saved.

An easement is necessary for a water looping project planned in the southwest corner of the city near Zoetis. Zoetis has water pressure issues and this project would alleviate those. In order to be the most cost effective and shortest distance for this main, it would require a permanent easement be secured. Staff has negotiated with the property owner where this easement would be located and a price of \$34,000 has been set. The path of this water main will follow the Charley Western Trail and an existing MidAmerican power line easement. Staff is recommending council approval of this permanent easement. Council member Freeseaman introduced Resolution 14-23 entitled, "RESOLUTION APPROVING PUBLIC WATER MAIN EASEMENT AGREEMENT" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

City clerk O'Donnell reminded council that the next planning session will be March 1 at 5:00 p.m. All of the Wednesday planning sessions in March will start at 5:00 due to Lenten church services.

City administrator Diers reported that an ambulance meeting has been scheduled for March 9 at 5:30 p.m. to go through the AMR agreement. The state bill that will change the taxable valuations for FY24 passed and has been signed by the governor. So we will wait until those new numbers come out before we set the public hearing on our max levy for FY24. There is also legislation floating around at the state that would make the city levy a combination levy that would be detrimental to many cities in the state. The final valve piece for the WRRF was installed this week.

Councilmember Freeseaman commented that he has received comments on the parking regulations on Main Street and he would like to have this on an upcoming planning session.

We will be having a general discussion on the Summit pipeline subject at the next planning session. If need to go more in depth, we can schedule a closed session at a regular meeting. Diers reported that the stakeholder meeting for the proposed Mill Race Parking project went well.

Council member starr reported that the dispatch/9-1-1 meeting was held last night. There have been lots of issues with poor radio transmission for several public safety agencies in our area so that is being looked at closely to get some solutions. He encouraged everyone to sign up for text alerts through Floyd County emergency management, this is a good way to receive emergency alerts.

Mayor Andrews commented that the emergency management seminar that was scheduled for this coming Saturday has been rescheduled for April due to the budget issues currently being faced by the cities due to the state legislation recently passed.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk