

COUNCIL MINUTES  
REGULAR SESSION  
MARCH 6, 2023

Charles City city council met in regular session on March 6, 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. Also present were city administrator Steve Diers, city engineer John Fallis, city attorney Brad Slotter and engineer in training Brian Sullivan.

Citizen comments - none

Mayor Andrews welcomed everyone to the meeting.

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

Motion by Freeseaman, second Pittman to approve the minutes of the February 22 and March 1 meetings. Ayes - 5

Motion by Pittman, second Lumley to approve the consent calendar. Ayes - 5 Consent calendar consisted of the following: approve 8 month Class C retail alcohol license for Wildwood Golf Course, approve Special Class B retail native wine license for Rustic Corner, approve sidewalk bond for Schroeder Concrete and payment of claims (including those approved by other boards):

79504	DISH	\$90.28
79505	RICHIE LEE LUKENBILL	\$90.00
79509	CALHOUN-BURNS & ASSOCIATES	\$1,346.40
79519	DOOLITTLE OIL CO INC.	\$124.14
79529	IDOT-CASHIER'S OFFICE	\$340.78
79530	ILLINOIS CASUALTY COMPANY	\$2,850.00
79531	IA MUN FINANCE OFFICERS ASSOC	\$50.00
79533	IOWA SOYBEAN ASSOCIATION	\$881.53
79538	JEO CONSULTING GROUP	\$7,360.00
79539	JOHN DEERE FINANCIAL	\$101.91
79542	LEAF	\$139.23
79544	MARCO TECHNOLOGIES LLC	\$63.99
79545	MASON CITY RENTALS LLC	\$739.24
79547	MICK GAGE PLUMBING & HEATING	\$686.94
79549	MIDAMERICAN ENERGY	\$5,240.83
79557	NORTHERN SAFETY CO INC	\$1,166.77
79560	PRODUCTIVITY PLUS ACCOUNT	\$5.73
79568	T&C MACHINE	\$50.00
79572	VANWALL EQUIPMENT INC	\$556.30
79573	VEENSTRA & KIMM INC	\$8,582.00
79577	CITY OF CHARLES CITY	\$554.64
79578	INTERSTATE BATTERIES UPPER IA	\$319.90
79579	IOWA DEPT INSPECTIONS/APPEALS	\$150.00
79580	IOWA DNR	\$25.00
79581	LUTCAVISH FLOORING	\$1,597.93
79582	MAIN STREET CHARLES CITY	\$20,000.00

79583	MARCO TECHNOLOGIES LLC	\$214.34
79584	MENARDS CAPITAL ONE CREDIT	\$431.02
79585	MIDAMERICAN ENERGY	\$46,240.28
79586	RICHARD & LISA MILLER	\$34,000.00
79587	ROCHFORD CONSTRUCTION	\$1,486.00
79588	SHORT ELLIOTT HENDRICKSON INC	\$5,970.00
79591	CITY OF CHARLES CITY	\$840.50
79593	KATIE NOLTE	\$462.45
79595	MIDAMERICAN ENERGY	\$1,822.50
79597	MINNEAPOLIS PHA	\$2,092.98
79598	SAN MARCOS HOUSING AUTH	\$869.99
79599-79602	PAYROLL ENDING 2/29/2023	\$95,562.01
79603	CITY OF CHARLES CITY	\$1,081.10
79604	CC PUBLIC EMP HEALTH PLAN	*VOID
79605	CC PUBLIC EMP HEALTH PLAN	\$9,829.84
79606	EMC NATIONAL LIFE-SUPPLEM	\$6.00
79607	VERIZON WIRELESS	\$120.03
79608	AHLERS & COONEY PC	\$79.50
79609	ALLIED SYSTEMS INC	\$1,716.45
79610	ARTWEAR / BIRDIE AND BO'S	\$14.00
79612	BURKE DOORS SALES & SERVICE	\$292.00
79613-79614	CC PUBLIC EMP HEALTH PLAN	*VOID
79615	CC PUBLIC EMP HEALTH PLAN	\$80,856.86
79617	CHARLES CITY PRESS INC	\$4,599.14
79618	CINTAS	\$158.39
79619	CINTAS CORPORATION	\$51.99
79620	CIRCLE K COMMUNICATIONS INC	\$5,572.95
79621	D&L CAR CARE	\$497.50
79622	DAKOTA SUPPLY GROUP	\$2,464.87
79623	DO IT ALL SERVICES LLC	\$480.00
79625	FLOYD COUNTY RECORDER	\$17.00
79626	FOX STRAND (dba)	\$3,524.50
79627	GALLS LLC	\$100.71
79628	GENERAL TRAFFIC CONTROLS	\$975.00
79629	GORDON FLESCH COMPANY INC	\$849.13
79630	GRAINGER	\$343.66
79632-79633	IDOT-CASHIER'S OFFICE	\$4,670.00
79634	IOWA ASSOC OF BLDG OFFICIALS	\$32.64
79636	IOWA PRISON INDUSTRIES	\$606.54
79638	JOHN A HOWE	\$850.00
79639	KOCH OFFICE GROUP	\$299.75
79640-79641	LESSIN SUPPLY COMPANY	\$926.12
79642	MACHINE TOOL ENGINEERING	\$640.00

79645	MERRITT COMPUTER SERVICE INC	\$4,982.59
79646	MICK GAGE PLUMBING & HEATING	\$400.00
79647	MICROBAC LABORATORIES, INC.	\$637.86
79648	MIKE'S C&O TIRE INC	\$1,054.93
79650	NORTHERN SAFETY CO INC	\$236.00
79651	PACKARD ELECTRIC INC	\$247.00
79652	PAWS HUMANE SOCIETY	\$1,550.00
79653	PERRY NOVAK ELECTRIC INC	\$2,117.23
79655	RILEY'S INC	\$171.95
79656	SALT	\$15.00
79658-79658	SCHUETH ACE HARDWARE	\$892.74
79660	SHERWIN-WILLIAMS CO	\$325.81
79661	SULLIVAN ELECTRIC INC	\$208.65
79662	SUPERIOR LUMBER INC	\$981.49
79663	TITUS LOCK SERVICES	\$241.96
79665	VEENSTRA & KIMM INC	\$5,162.94
79666	WEX BANK	\$7,949.06
79667	WISCONSIN INDEPENDENT NETWORK	\$1,250.00
ACH	MARCH HOUSING - HAPS	\$57,000.00
ELEC	DAIDA	\$496.00
ACH	DONNA DUNLAP (FGP)	\$49.78
ACH	EVELYN NEAL-FGP	\$20.16
ACH	JACQUELINE FERCH (FGP)	\$27.20
ACH	JANET JOHNSON (FGP)	\$5.12
ACH	LADONNA NORRIS (FGP)	\$7.68
ACH	MAVIS BEENEN (FGP)	\$7.04
ACH	MISSISSIPPI LIME COMPANY	\$10,021.01
ACH	VICKI INMAN (FGP)	\$37.44
ELEC	BUSINESS CARD	\$1,553.09
ELEC	POULTON ASSOCIATES-NCIP	\$1,100.90
ELEC	BANCORPSV	\$547.94
ELEC	COLLECTION SERVICE CENTER	\$348.20
ELEC	EFTPS (PAYROLL TAXES)	\$26,187.67
ELEC	ICMA MEMBERSHIP RENEWALS	\$1,843.09
ACH	QUILL CORPORATION	\$47.45
ACH	FLOYD SWCD	\$9,043.63
<b>TOTAL:</b>		<b>\$501,529.89</b>

February receipts: Gen-34486.00;P/R C/I-190.03;H/M-21350.72;RAGBRAI-.84;RUT-84566.32;EmpBen-5748.84;CVTC-7503.62;Emerg-341.03;OptTx-97186.18;TIF-11055.82;AmerRescue-4438.75;FGP-21908.65;PubHous-59293.14;Sect8-78717.79;AssetForf-1790.00;DebtServ-2688.12;'22CapFnd-4115.00;Water-251671.83;ClearWell-13859.00;WRRF-189295.27;WasteFnd-61871.32;Transit-41158.15;SWU-17332.74;FireExt-58.00

February Expenses- Gen-245229.04;P/RC/I-7360.00;RUT-116727.52;EmpBen-92339.24;CVTC-39537.15;TIF-4772.63;LibrTr-1742.65;FGP-20582.82;PubHous-71777.80;Sect8-75978.98;AssetForf-

358.00;Homefit-148.96;Cable-357.50;StreetRelc/i-118200.22;'20CapFnd-725.16;'22CapFnd-5068.66;CWBridge-1346.40;FibertoHome-750.52;IPC-10968.91;Water-135474.61;WaterLoopProj-34000.00;ClearWell-9552.00;WRRF-91959.85;WWTPExpFnd-3170.00;WasteFnd-59291.73;Transit-32359.31;SWU-7062.55;FireExt-142.97

Business of the mayor - Mayor Andrews congratulated Charles City police officer Lenny Luft on his Scheel's Hometown Hero award and his daughter, Lilly Luft on being named Ms. Wrestler of the Year.

Mayor Andrews opened the public hearing on proposal to enter into an essential corporate purpose loan agreement. Affidavit of publication dated 2/24/23 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Pittman, second Freeseaman to close the hearing. Ayes - 5. Motion by Freeseaman to approve the agreement. Died for lack of a second. These two loan agreements will be passed with one resolution after the second public hearing. Mayor Andrews opened the public hearing on proposal to enter into a general obligation loan agreement. Affidavit of publication dated 2/24/23 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Pittman, second Lumley to close the hearing. Ayes - 5. There are two separate loans due to some of the items being essential corporate purpose and the others are general corporate purpose. The majority of the borrowing, approximately \$165,000, is essential corporate purpose that includes police/fire equipment, nuisance abatement and tree removal. The resolution to approve will cover both loans for a total of approximately \$200,000. Council member Freeseaman introduced Resolution 15-23 entitled, "RESOLUTION TAKING ADDITIONAL ACTION ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND PROVIDING FOR THE LEVY OF TAXES TO PAY A GENERAL OBLIGATION CORPORATE PURPOSE NOTE" 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.

Theisen's has submitted a lease agreement for their garden center to be located in the city parking lot directly south of their store. This is for the same area as previous years and will start April 16 and end June 30 for \$250/month. Council member Starr introduced Resolution 16-23 entitled, "RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THEISEN'S AND THE CITY OF CHARLES CITY FOR USE OF PUBLIC PARKING LOT" 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.

Ordinance 1163 making changes to the city property maintenance code was presented for a second reading. 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 Freeseaman, second Pittman to approve the second reading. Ayes - 5. Councilmember Freeseaman read the ordinance.

Council has included a payment of \$2000 to Crisis Intervention for FY24. In order to comply with recent state changes, an agreement for services should be approved for this payment. City attorney Slotter has prepared an agreement to meet this guideline. Council member Pittman introduced Resolution 17-23 entitled, "RESOLUTION APPROVING AGREEMENT FOR SERVICES" 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.

With the recent changes to the city's taxable valuations due to the state legislation, the max levy is now ready for council consideration and setting a public hearing. This max levy consists of only the following city levies: regular 8.10 levy, transit, insurance, local emergency management, emergency, police/fire retirement, FICA/IPERS and other employee benefits. Since the increase from last year is less than 2%, we are not required to adopt the FY24 budget by a super majority. The public hearing on the max levy is set for March 20. With the recent state legislation changing the valuations, the budget deadline has been extended to April 30 for this year only. Council member Freeseaman introduced Resolution 18-23 entitled, "RESOLUTION SETTING TIME AND PLACE FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE MAXIMUM TAX DOLLARS FOR CERTAIN LEVIES FOR THE CITY'S PROPOSED FISCAL YEAR 2023-2024 BUDGET" 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

Cory Spieker, street superintendent, is recommending the purchase of a new sewer vac truck. He has received a quote of \$612,039.36 from Macqueen for a new one with a local contractor offering to purchase our current one for \$150,000. The cost for this purchase will be spread over FY23 and FY24 with water, sewer and streets sharing the cost. Outsourcing our routine maintenance was researched and it was found that owning our own equipment and doing it ourselves was much more beneficial. Councilmember Pittman introduced Resolution 19-23 entitled, "RESOLUTION APPROVING PURCHASE OF A SEWER VAC TRUCK" and moved for adoption. Second to adopt Freeseeman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Pittman, Knighten. Nays - none.

Cory Spieker, water superintendent, is recommending the purchase of a portable generator that would service the high pressure zone of our water distribution, which services the area that includes the hospital, Cambrex and Zoetis. Since it is portable, it could also be used in other areas of the city as needed. Quote received from Perry Novak for this is \$89,942.51. This purchase was included in the F24 water budget. Council member Freeseeman introduced Resolution 20-23 entitled, "RESOLUTION APPROVING PURCHASE OF A PORTABLE GENERATOR" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Pittman, Knighten. Nays - none

Superintendent Spieker also reviewed the proposed plugging of well #4. This well is located near 13<sup>th</sup> Avenue and it is a very old and deep well. It has not been used for quite awhile and can only be used in an emergency situation and then for only 24 hours. It is showing signs of deterioration and would be quite costly to bring it up to standards. Northway Well and Pump has submitted a quote of \$50,000 to plug this well. Council member Pittman introduced Resolution 21-23 entitled, "RESOLUTION APPROVING A QUOTE TO PLUG WELL #4" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Pittman, Knighten. Nays - none

An agreement for services has been drafted with TLC to allow for the third and final payment of \$33,333 of the original pledge of \$100,000 to be made in FY24. Council member Freeseeman introduced Resolution 22-23 entitled, "RESOLUTION APPROVING AGREEMENT FOR SERVICES WITH TLC" and moved for adoption. Second to adopt Pittman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Pittman, Knighten. Nays - none.

City clerk O'Donnell reported that the next planning session will be held March 15 starting at 5:00 p.m.

City administrator Diers reported that the revised levy sheet has been distributed after receiving the reduced valuations from the state. The levy increased to \$16.5366/thousand. Diers toured Eldora's EMS facility last week at a city manager's meeting and it was very interesting. He will be meeting with their EMS director to discuss their operations. The housing task force infill subcommittee has been discussing changes in our rental inspection process and will be talking to the landlords about them soon.

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

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk