

COUNCIL MINUTES
REGULAR SESSION
JULY 5, 2023

Charles City city council met in regular session on July 5, 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 attorney Brad Slotter, engineer in training Brian Sullivan and city engineer John Fallis (via Zoom).

Citizens opportunity to address the council - none.

Mayor Andrews welcomed everyone to the meeting.

Mayor Andrews added approval of the postponed fireworks street closures for July 8 from July 4 to the agenda. Motion by Freeseaman, second Knighten to approve the agenda with that addition. Ayes - 5

Motion by Pittman, second Freeseaman, to approve the minutes of the June 14 and June 21 meetings. Ayes - 5.

Motion by Knighten, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: consider renewal of Class C liquor license w/ outdoor service for The Pub and payment of claims (including those approved by other boards):

80602-80621	PAYROLL ENDING 6/22/2023	\$109,203.63
80622	CITY OF CHARLES CITY	\$1,081.10
80623	CC PUBLIC EMP HEALTH PLAN	*VOID
80624	CC PUBLIC EMP HEALTH PLAN	\$9,528.78
80625	EMC NATIONAL LIFE-SUPPLEM	\$6.00
80627	DELTA DENTAL	*VOID
80628	DELTA DENTAL	\$2,165.64
80630	VSP	*VOID
80631	VSP	\$480.99
80632	MUTUAL OF OMAHA	*VOID
80633	MUTUAL OF OMAHA	\$1,170.24
80691	MARCO TECHNOLOGIES LLC	\$197.08
80693	MEDIACOM	\$150.00
80710	PETTY CASH-HOUSING	\$13.48
80724	CARQUEST AUTO PARTS	\$43.54
80725	CITY OF CHARLES CITY	\$2,500.00
80726	FIRST CITIZENS BANK	\$164,025.00
80727	MAINSTAY SYSTEMS OF IOWA LLC	\$144.00
80728	MARCO TECHNOLOGIES LLC	\$63.99
80729	MIDAMERICAN ENERGY	\$1,511.31
80730	ARNOLD MOTOR SUPPLY LLP	*VOID
80731-80732	ARNOLD MOTOR SUPPLY LLP	\$1,164.32
80733	BARGEN INCORPORATED	\$15,000.00
80734	BLACKHAWK AUTOMATIC SPRINKLERS	\$455.00
80735	BRUENING ROCK PRODUCTS INC	\$897.42
80736	BURKE DOORS SALES & SERVICE	\$108.70

80737-80738	CC CHAMBER OF COMMERCE	\$52,764.54
80739	CINTAS	\$267.35
80740	CINTAS CORPORATION	\$56.02
80741	CITY OF CHARLES CITY	\$257.00
80742	CROELL INC	\$1,117.00
80743	DANKO EMERGENCY EQUIPMENT	\$5,075.00
80744	DEBOEST CONCRETE CORP	\$3,360.00
80745	DIGITAL-ALLY INC	\$14,119.00
80746	FAREWAY STORE	\$341.37
80747	FLOYD CO MEDICAL CENTER CLINIC	\$272.00
80748	FOX STRAND (dba)	\$2,971.00
80749	GALLS LLC	\$950.82
80750	GHD SERVICES INC	\$536.47
80751	GOODALE CUSTOM PUMPING CO	\$100.00
80752	GRAINGER	\$1,405.87
80753	HACH COMPANY	\$97.90
80754	HAMPTON EQUIPMENT INC	\$793.50
80755	HAWKINS INC	\$8,067.30
80756	HEWETT WHOLESALE	\$289.21
80757	HILLEGAS FLOORING LLC	\$2,206.24
80758	HUBER SUPPLY CO INC	\$450.00
80759-80760	IDOT-CASHIER'S OFFICE	\$160.66
80761	INTERNATIONAL CODE COUNCIL INC	\$380.00
80762	INTERSTATE BATTERIES UPPER IA	\$539.80
80763	IOWA ONE CALL	\$132.60
80764	IOWA POLICE CHIEFS ASSOCIATION	\$75.00
80765	JENDRO SANITATION SERVICES	\$55,512.04
80766	JENNIFER LANTZ	\$271.14
80767	L&J INDUSTRIES INC	\$3.00
80768	LESSIN SUPPLY COMPANY	\$104.49
80769	MACQUEEN EQUIPMENT GROUP	\$1,817.69
80770	MAINSTAY SYSTEMS OF IOWA LLC	\$150.00
80771	MARCO TECHNOLOGIES LLC	\$214.34
80772	MERRITT COMPUTER SERVICE INC	\$1,065.00
80773-80774	MICK GAGE PLUMBING & HEATING	\$15,393.98
80775	MICROBAC LABORATORIES, INC.	\$62.00
80776	MUNICIPAL SUPPLY INC	\$109.76
80777	NEWBAUER INC	\$26.90
80778	NIACC	\$20.00
80779	NORTH CEDAR AVIATION AUTHORITY	\$19,432.25
80780	NORTH IOWA LAWN & SPORTS	\$79.97
80781	PAUL HUGHES	\$29.05
80782	PETTY CASH-BUS OFF	\$14.64
80783	RICK CORDES CONSTRUCTION	\$3,000.00
80784	SHORT ELLIOTT HENDRICKSON INC	\$16,214.40

80785	SNAP ON	\$111.37
80786	T&W GRINDING & COMPOST SERVICE	\$7,817.00
80787	TRIUMPH SURPLUS LLC	\$75.37
80788	UNIQUE COUNTRY STORE	\$67.00
80789	VERIZON WIRELESS	\$120.03
80790	BSN SPORTS LLC	\$42.00
80791	JOHN DEERE FINANCIAL	\$718.45
80792	LEISURETIME GOLF CARS	\$4,500.00
80793	MEDIACOM	\$260.89
80794-80805	HAPS-HOUSING JULY 2023	\$79,741.04
80845	ATLANTIC COCA-COLA BOTTLING CO	\$414.45
80846	BARGEN INCORPORATED	\$11,252.00
80847	BODENSTEINER IMPLEMENT CO	\$21.22
80848	CAL'S AUTO REPAIR INC	\$34.10
80849	CHARLES CITY ELECTRONICS	\$9.98
80850	CINTAS-WRRF PLANT	\$440.10
80851	CIRCLE K COMMUNICATIONS INC	\$5,572.95
80852	CIVICPLUS	\$9,774.01
80853	CRISIS INTERVENTION	\$2,000.00
80854	DEBOEST CONCRETE CORP	\$9,550.00
80855	FMC LANDFILL	\$229.50
80856	GORDON FLESCH COMPANY INC	\$300.20
80857	IOWA GOLF ASSOCIATION	\$550.00
80858	JENDRO SANITATION SERVICES	\$320.23
80859	JOHN A HOWE	\$850.00
80860	LISTER CONCRETE PRODUCTS	\$794.00
80861	LUMEN	\$1,510.80
80862	MAIN STREET CHARLES CITY	\$1,330.00
80865	MICROBAC LABORATORIES, INC.	\$399.50
80866	MIDAMERICAN ENERGY	*VOID
80867	MIDAMERICAN ENERGY	\$41,770.85
80868	MTI DISTRIBUTING INC	\$69.78
80869	N.E CONTROLS, LLC	\$2,547.98
80870	NCL OF WISCONSIN	\$354.29
80871	NIACOG	\$3,765.48
80872	NOAH,SMITH,SCHUKNECHT & SLOTER	\$750.00
80873	NOAH,SMITH,SCHUKNECHT & SLOTER	*VOID
80874	NORTH IOWA LAWN & SPORTS	\$37.85
80875	PAWS HUMANE SOCIETY	\$1,550.00
80876	PERRY NOVAK ELECTRIC INC	\$2,707.16
80877	POSTMASTER	\$3,780.00
80880	TELLURIAN BREWING	\$308.40
80881	TRIUMPH SURPLUS LLC	\$46.81
80882	UNIQUE COUNTRY STORE	\$1,160.00
80883	USA BLUEBOOK	\$313.24

80884	VEENSTRA & KIMM INC	\$626.50
80886	NOAH,SMITH,SCHUCKNECHT,SLOTER	\$8,733.60
ACH	FGP-MONTHLY STIPENDS	\$8,464.34
ACH	FGP-MILEAGE REIMBURSEMENTS	\$91.61
ACH	MISSISSIPPI LIME COMPANY	\$10,112.23
ACH	PORTZEN CONSTRUCTION INC	\$53,272.79
ACH	VESSCO INC	\$301.00
ELEC	BUSINESS CARD	\$6,839.50
ELEC	AUXIANT	\$167.07
ELEC	BANCORPSV	\$2,675.59
ELEC	KABRICK DISTRIBUTING CO	\$1,916.00
ELEC	PITNEY BOWES-LEASE ACCT	\$159.57
ELEC	QUILL CORPORATION	\$18.99
ELEC	UNITED BEVERAGE-MC	\$990.50
ACH	COLLECTION SERVICE CENTER	\$211.84
ACH	ICMA MEMBERSHIP RENEWALS	\$1,823.09
ACH	IA WORKFORCE DEVELOPMENT	\$4,616.49
ELEC	PEPSI-COLA	\$1,020.72
ACH	US POSTAL SERVICE	\$1,000.00
ELEC	EFTPS (PAYROLL TAXES)	\$28,779.33
ELEC	AFLAC	\$759.29
ELEC	IA PUBLIC EMPLOY RETIRE	\$29,686.01
ELEC	MUNICIPAL FIRE & POLICE	\$26,196.34
ELEC	TREASURER STATE OF IOWA	\$8,617.87
ACH	FLOYD SWCD	\$5,013.43
ACH	HAWKINS INC	\$6,138.77
	TOTAL:	\$926,417.02

Mayor Andrews stated that a new CIP ranking list will be sent out to the council that will show what projects are already committed for FY24 and beyond and would like the ratings returned by July 12. Mayor Andrews is recommending the following board appointments: reappointing Gene LaBounty to the board of adjustment for a vacancy term that will end January 1 2025, appoint Terry Schmidt to replace Marta Fischer on the library board and re appoint Cheryl Nootnagel to the library board. Motion by Freeseaman, second Lumley to approve the appointments as recommended. Ayes - 5.

City clerk O'Donnell discussed the renewal of the current 28E agreement with the state and county for operation of the Cedar Valley Transportation Center. This is set to expire in 2024. The CVTC board has reviewed it and is recommending that this agreement be renewed with a perpetual term, everything else is to remain the same. Council member Freeseaman introduced Resolution 77-23 entitled, "RESOLUTION APPROVING AMENDMENT TO A 28E AGREEMENT BETWEEN THE IOWA DEPARTMENT OF TRANSPORTATION, FLOYD COUNTY, IOWA AND CITY OF CHARLES CITY, IOWA FOR OPERATION OF THE CEDAR VALLEY TRANSPORTATION CENTER" 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.

A loan agreement for \$525,000 to be used for tree removal is ready for council to approve. This loan will be with Fidelity Bank at an interest rate of 5.75% for 10 years. This is a taxable issuance according to the IRS so that is why the interest rate is a little higher than some of our other tax exempt issuances. This is a draw down loan so we will only pay interest on whatever the balance

is that we have drawn. Final date to draw on this loan is July 19, 2024. There is a prepayment feature so can pay this loan off or re finance in 2028. Council member Freeseaman introduced Resolution 78-23 entitled, "RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT, PROVIDING FOR THE PRIVATE PLACEMENT AND ISSUANCE OF A \$525,000 TAXABLE GENERAL OBLIGATION CORPORATE PURPOSE NOTE, SERIES 2023 AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME" 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 owner of 223 N. Main Street is requesting a permanent easement to install an ADA ramp into his business. The measurements have been verified to be assured that a 4' wide sidewalk is maintained in order for the sidewalk to be ADA compliant. A public hearing needs to be held on this and it has been set for July 21. The owner, Dave Davidson, has agreed to pay the costs associated with securing this easement. Councilmember Freeseaman introduced Resolution 79-23 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED PERMANENT EASEMENT TO LORIE LYNN, LLC ADJACENT TO 223 NORTH MAIN STREET IN CHARLES CITY" 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.

A draw down loan for the Charley Western Trail Bridge reconstruction was taken out at First Security Bank. It took longer than expected to close this project out and do the final draw and consequently, we missed the final deadline to complete this loan. First Security has agreed to extend the date to do the final draw on this loan, so our bond counsel has prepared a resolution for council to pass that amends those loan documents to extend the draw down date. Council member Pittman introduced Resolution 80-23 entitled, "RESOLUTION AMENDING RESOLUTION NO. 201-20 AND APPROVING THE CORRESPONDING MODIFICATION OF LOAN DOCUMENTS" and moved for approval. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

Tim Fox and Emily Garden have been working on an application to the Thriving Communities program sponsored by IEDA and IFA. If awarded this designation, it would open up tax credits to the developer who would work on our proposed project. We are submitting under the workforce housing section of this program and have a housing development in mind that is located off Corporate Drive on land owned by ADC. The city would participate financially in this project by extending 13th Street to this development and also offering tax abatement or tax rebates. The utilities are already there. ADC has agreed to donate the land. The deadline to apply is July 17, so we had a pretty short window to prepare this application. If we would be awarded, we would then pitch our project at a conference put on by IFA to see if a developer would be interested in doing our project. The city would only do the street extension if we find a developer for our project. It has always been said that we need housing in Charles City, so we feel that this is a good program to pursue. It had been discussed previously about possibly waiving building permit fees for this project but staff is recommending not to do that. There were two versions of a resolution submitted to council and the second one does not include the waiving of building permit fees. Council member Knighten introduced Resolution 81-23 entitled, "RESOLUTION APPROVING APPLICATION ON BEHALF OF THE CITY TO THRIVING COMMUNITIES PROGRAM" and moved for adoption. Second to adopt Lumley. It was verified that this is the second version of the resolution that does not include waiving building permit fees. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Pittman, Knighten. Nays - none.

Motion by Freeseaman, second Pittman to approve the street closings for the rescheduled fireworks on July 8, the same as previously approved for July 4. Ayes - 5

City attorney Slotter commented that he will review the liquidated damages for the 4th/5th Avenue water main project with staff and attend the July 12 planning session to discuss this issue with council.

City clerk O'Donnell reported that the next meeting will be a planning session on July 12 at 6:00 p.m. One of the items on that agenda is reviewing the new employee handbook. Since this is quite a lengthy document, it will be sent out later this week to council to give them plenty of time to look it over before the meeting on Wednesday.

City administrator Diers reported that he, city engineer and engineer in training met with the DOT via Zoom concerning the rail road crossings in the city. There is a grant available from the DOT to fund some of these changes and they encouraged the city to apply. There are some real safety concerns with some of the railroad crossings in town. Diers will be a conference next week but should be able to attend the planning session via Zoom.

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

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk