

COUNCIL MINUTES
REGULAR SESSION
JULY 17, 2023

Charles City city council met in regular session on July 17, 2023 at 6:00 p.m. in council chambers. Mayor Dean Andrews presided and the following councilmembers were present: Keith Starr, Patrick Lumley, DeLaine Freeseaman and Phillip Knighten. Absent was Phoebe Pittman. Also present were city administrator Steve Diers, engineer in training Brian Sullivan, city attorney Brad Slotter and city engineer John Fallis (via Zoom).

Citizen comments - none

Mayor Andrews welcomed everyone to the meeting.

Mayor Andrews stated that we needed to remove the agenda item appointing Alan Powell to board of adjustment and add an item appointing Doug Kamm to replace Jeff Sisson on the airport commission to the Business of the Mayor area on the agenda. Motion by Freeseaman, second Knighten to approve the agenda as amended. Ayes - 4

Motion by Knighten, second Freeseaman to approve the minutes of the June 28, July 5 and 12 meetings. Ayes - 4

Motion by Lumley, second Knighten to approve the consent calendar. Ayes - 4. Consent calendar consisted of the following: consider renewal of Class B retail alcohol permit for Darbe and Co, consider approval of a Class C retail alcohol 5 day license for Chamber of Commerce (Art a Fest) and payment of claims (including those approved by other boards):

80806-80840	PAYROLL ENDING 7/1/2023	\$132,005.46
80841	CITY OF CHARLES CITY	\$1,081.10
80842	CC PUBLIC EMP HEALTH PLAN	*VOID
80843	CC PUBLIC EMP HEALTH PLAN	\$10,554.38
80844	EMC NATIONAL LIFE-SUPPLEM	\$6.00
80863	MARCO TECHNOLOGIES LLC	\$4,570.88
80864	MEDIACOM	\$355.42
80878	SHERWIN-WILLIAMS CO	\$11.89
80879	SWANK MOVIE LICENSING	\$520.00
80885	WEX BANK	\$8,598.28
80887-80914	UB DEPOSIT REFUNDS	\$2,158.42
80915	CENTURYLINK	\$0.28
80916	JOHN DEERE FINANCIAL	\$604.78
80917	MEDIACOM	\$260.46
80918	TELLURIAN BREWING	\$159.60
80919	AMAZON CAPITAL SERVICES	\$453.82
80920	BAKER & TAYLOR BOOKS,SERV	\$822.58
80921	BAKER & TAYLOR ENTERTAIN	\$13.99
80922	CANON FINANCIAL SERVICES INC	\$69.32
80923	CAROL CASE	\$1,507.66
80924	COREY HAWKE	\$389.00

80925	DEMCO INC	\$103.94
80926	GALE	\$50.38
80927	GORDON FLESCH COMPANY	\$165.89
80928	HY-VEE INC	\$66.05
80929	INGRAM LIBRARY SERVICES	\$141.86
80930	KANOPY INC	\$48.00
80931	MICK GAGE PLUMBING & HEATING	\$100.00
80932	MIDAMERICAN ENERGY	\$3,050.03
80933	MIDWEST TAPE	\$132.19
80934	OVERDRIVE INC	\$1,853.16
80935	SCHUETH ACE HARDWARE	\$17.95
80936	STAPLES ADVANTAGE	\$114.57
80937	AGVANTAGE FS	\$192.86
80938	AHLERS & COONEY PC	\$66.00
80939	AMAZON CAPITAL SERVICES	\$46.06
80940	AMCS GROUP INC.	\$1,650.00
80941	AMERICAN MEDICAL RESPONSE	\$8,333.34
80942	AMERICAN WATER WORKS ASSOC	\$418.00
80944	ANN BOGUE	\$40.00
80945	AUDIBEL HEARING CENTERS	\$100.00
80946	BREITBACH OFFICE LLC	\$55.00
80947	BRUENING ROCK PRODUCTS INC	\$661.67
80948-80949	BURKE DOORS SALES & SERVICE	\$28,150.90
80950	CARQUEST AUTO PARTS	\$2,724.28
80955	CENTRAL IOWA DISTRIBUTING	\$252.00
80956	CHARLES CITY PRESS INC	\$1,456.92
80957	CINTAS CORPORATION	\$129.10
80958	CITY OF CHARLES CITY	\$299.52
80959	CLEAR LAKE SANITARY DISTRICT	\$186.00
80960	CONTINENTAL RESEARCH CORP	\$667.69
80961	CROELL INC	\$988.00
80962	DIAMOND VOGEL INC	\$981.30
80963	FAREWAY STORE	*VOID
80964	FAREWAY STORE	\$1,509.99
80965	FARMERS NEW AG LLC	\$709.29
80966	GHD SERVICES INC	\$765.68
80967	GRAINGER	\$3,505.32
80968	HEWETT WHOLESALE	\$1,450.72
80969	IOWA ASSOC MUNICIPAL UTILITIES	\$7,578.03
80970	IOWA DEPT OF NATURAL RESOURCES	\$819.51
80971	IOWA COUNTY ATTORNEYS ASC	\$225.00
80972	IOWA PUMP WORKS INC	\$1,687.00
80973	IOWA STATE UNIVERSITY	\$90.00
80974	JEAN BOLEY	\$45.85
80975-80976	JENDRO SANITATION SERVICES	\$56,634.55

80977	JEO CONSULTING GROUP	\$3,070.00
80978	JOSE NOE FLORES	\$60.00
80979	L&J INDUSTRIES INC	\$13.75
80981	LESSIN SUPPLY COMPANY	*VOID
80982	LESSIN SUPPLY COMPANY	\$886.54
80984	MEDIACOM	\$288.33
80985	METERING TECHNOLOGY SOLUTIONS	\$28,279.33
80986	MICHAEL MALENA	\$46.38
80987	MIDAMERICAN ENERGY	\$200.69
80988	MIKE'S C&O TIRE INC	\$933.97
80989	MILLS-INC	\$54.00
80990	NCL OF WISCONSIN	\$53.99
80991	NEB-IA INDUSTRIAL FASTENERS	\$187.33
80992-80993	NEWBAUER INC	\$474.15
80994	NORTH IOWA LAWN & SPORTS	\$459.01
80995	NORTHLAND SECURITIES INC	\$1,250.00
80996	PLAINFIELD WELDING & REPAIR	\$175.00
80997	POSTMASTER	\$1,250.00
80998	RILEY'S INC	\$138.95
80999	SANDY PLEGGENKUHLE	\$59.75
81000-81001	SCHUETH ACE HARDWARE	*VOID
81002	SCHUETH ACE HARDWARE	\$789.16
81003	STATE HYGIENIC LABORATORY	\$100.00
81004	STEVEN T DIERS	\$127.00
81005	STEWART M DALTON	\$110.00
81006	SUPERIOR LUMBER INC	\$257.59
81007	TERRI NOVAK	\$269.65
81008	TIM HILDRETH COMPANY INC	\$11,028.00
81009	TITUS LOCK SERVICES	\$70.00
81010	TRIUMPH SURPLUS LLC	\$13.33
81011	UNIQUE COUNTRY STORE	\$28.00
81012	UNITED STATES CELLULAR	\$1,225.46
81013	USDA	\$2,014.13
81014	GEORGE USHER/USHER SHARPENING	\$10.00
81015	V21 DUST CONTROL LLC	\$2,362.40
81016	WHITE CAP L.P.	\$120.00
81017	WISCONSIN INDEPENDENT NETWORK	\$1,250.00
ACH	FGP MILEAGE REIMBURSEMENT	\$53.44
ACH	FLOYD SWCD	\$5,013.43
ACH	HAWKINS INC	\$6,138.77
ACH	MICROBAC LABORATORIES, INC	\$1,079.54
ELEC	VISA	\$418.68
ELEC	DAIDA	\$519.55
ELEC	KABRICK DISTRIBUTING CO	\$1,061.15
ELEC	QUILL CORPORATION	\$23.99

ELEC	TELLURIAN BREWING	\$223.20
ELEC	TREASURER, STATE OF IOWA	\$22,017.96
ELEC	AUXIANT	\$25.00
ELEC	BANCORPSV	\$1,425.67
ELEC	BUSINESS CARD	\$6,035.72
ELEC	UNITED BEVERAGE-MC	\$345.05
ELEC	ICMA MEMBERSHIP RENEWALS	\$1,798.31
ELEC	COLLECTION SERVICE CENTER	\$211.84
ACH	EFTPS (PAYROLL TAXES)	\$34,818.39
ELEC	FIRST CITIZENS BANK-CC	\$450.51
ACH	MISSISSIPPI LIME COMPANY	\$10,006.93
ELEC	BRIDGESTONE GOLF INC	\$742.29
ACH	MC2	\$2,217.51
ACH	SHERALEA TUMILSON	\$19.24
TOTAL:		\$444,708.98

June receipts: Gen - 1034971.25; SafetyEd-500.00; P/R C/I-59331.38; H/M-562.97; NuisAbateRes-10000.00; RAGBRAI-30.90; RUT-115167.03; EmpBen-38694.59; CVTC-12036.77; Emerg-2295.18; OptTx-97698.90; TIF-28265.29; AmerResPlan-4756.71; FGP-87167.73; pubHous-105702.45; Sect8-100294.23; HousNonRes-829.34; DebtServ-450648.88; StreetRelC/I-1385538.12; '22CapFnd-23535.00; FibertoHome-4171.67; SWIndStormWater-23950.00; Water-267157.60; WaterReserv-754.00; ClearWell-73964.00; WRRF-191714.11; SewerRes-74.00; WasteFnd-61704.28; Transit-95686.09; SWU-17611.33; FireExt-62.00

June Disbursements: Gen-429808.20; Disp-2634.69; P/R C/I-15000.00; H/M-120128.54; NuisAbateRes-41039.00; RUT-80206.18; EmpBen-93037.68; CVTC-10903.06; Emerg-71716.80; OptTx-1480187.12; TIF-456186.87; FGP-62371.87; PubHous-125888.61; Sect8-121189.49; Cable-330.00; DebtServ-378030.01; StreetRelC/I-22990.63; '20CapFnd-7687.00; '22CapFnd-23535.00; FibertoHome-51.13; IPC-5606.95; Water-1233894.33; WaterLoopProj-15.08; ClearWell-228220.65; WRRF-1148859.10; WWTPExpFnd-57242.29; WasteFnd-80299.02; Transit-26829.35; SWU-29201.15; FireExt-461.22

Motion by Starr, second Lumley to approve reappointment of Rick Noah and Jeff Titus to planning and zoning commission. Ayes - 4 Motion by Freeseaman, second Lumley to approve appointing McKenna Lloyd and Larry Michehl to replace Mary Ann Townsend and Michael Barrigan on historic preservation commission. Ayes - 4 Council member Freeseaman thanked Mary Ann and Michael for their long time service on this board.

Mayor Andrews opened the public hearing on a permanent easement located at 223 N. Main Street. Affidavit of publication dated 7/7/23 was informally filed. Mayor Andrews asked for written comments. There being none, he then asked for oral comments. There were none. Motion by Knighten, second Freeseaman to close the hearing. Ayes - 4. This easement is being requested in order to install an ADA ramp into the side door on Kelly Street to the business located there and it is for about one foot of property there. The business owner has agreed to pay all costs for preparing this lease. The owner is required to maintain a 4 foot wide sidewalk there for the public to use to keep the city ADA compliant. Council member Freeseaman introduced Resolution 82-23 entitled, "RESOLUTION APPROVING PERMANENT, NON-EXCLUSVIE EASEMENT ON REAL ESTATE OWNED BY THE CITY OF CHARLES CITY TO LORIE LYNN, LLC" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none

Charles City police department is requesting some street closures for National Night Out to be held August 1. They are requesting the blocks of N. Jackson, Kelly Street and Blunt Street around Central Park be closed from 2:00 p.m. to 8:00 p.m. for this annual event. Motion by Freeseaman, second Knighten to approve this request. Ayes - 4.

City clerk O'Donnell has prepared the transfers for FY23 and has submitted them for council approval. These transfers are for things such as bond payments, our share of expenses at the CVTC facility, moving the transit and emergency levies to their respective funds, expenses for street projects through the year and to clear certain funds. Also included in this resolution is the required calculation for the amount of reserve funds in water and sewer available. There are a couple more transfers that were not included in this resolution that will be approved at the next regular meeting. Council member Freeseaman introduced Resolution 83-23 entitled, "RESOLUTION AUTHORIZING TRANSFERS" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none

Police chief Anderson has prepared a draft of a golf cart ordinance for council consideration after discussing this at the last planning session. This is modeled on the Clear Lake ordinance. It allows operation of a golf cart only on streets with a posted speed limit of less than 25 MPH and can't be driven at all on Hwy 18, Hwy 14 and Gilbert Street, however, golf carts may cross those streets. It also prohibits golf carts on recreational, bike or walking trails and sidewalks. Drivers are also required to be at least 18 years old and possess a valid driver's license. The carts must have a slow moving vehicle sign, a safety flag and rear view mirror on the driver's side. Hours of operation are from sunrise to sunset. Councilmember Starr commented that this has all that the council requested and asked that a report be brought back in the next year to see if this is working or if it needs to be tweaked. Motion by Starr, second Lumley to approve the first reading of Ordinance 1165 AN ORDINANCE ESTABLISHING CHAPTER 79 OF THE CHARLES CITY CODE OF ORDINANCES WHICH PROVIDES RULES AND REGULATIONS FOR THE OPERATION OF GOLF CARTS WITHIN THE CITY OF CHARLES CITY, IOWA". Ayes - 4. Councilmember Starr read the ordinance.

Pay estimate #5 has been submitted for the clear well project. The amount is \$775,162.00. Council asked if this project is on schedule and Sullivan replied that they have been notified that they are getting behind a bit. Council member Freeseaman introduced Resolution 84-23 entitled, "RESOLUTION APPROVING PAY ESTIMATE #5 FOR THE CLEAR WELL PROJECT" and moved for adoption. Second to adopt Starr. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none

City clerk O'Donnell reported that the next meeting will be a planning session on July 26 at 6:00 p.m.

City administrator Diers reported that the job evaluations that were scheduled for a special meeting on July 26 after the planning session need to be rescheduled due to a long planning agenda and the possibility of Trudy being gone to a funeral that day in Wisconsin. We will plan on doing the evaluations at the end of the August 7 regular meeting. He reminded council to get their CIP rankings back to him as soon as possible, if they haven't already. He attended a good conference recently and received information on the numerous recent legislative changes and how they will impact cities. The Thriving Communities grant is due tonight and we are asking for one million in tax credits for whatever developer might take on our project if we are awarded. Brian Sullivan recently passed his last exam for his engineering license and now just needs to fulfill the supervisory requirement to receive his license.

Motion by Freeseaman, second Starr to adjourn. Ayes - 4

Dean Andrews, Mayor

Attest:
Trudy O'Donnell, City Clerk