

COUNCIL MINUTES  
REGULAR SESSION  
AUGUST 7, 2023

Charles City city council met in regular session on August 7, 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 and Phillip Knighten. Absent was Phoebe Pittman. Also present were city administrator Steve Diers, city attorney Brad Sloter, engineer in training Brian Sullivan and city engineer John Fallis.

Citizen comments - Scott Gallier expressed his opposition to the proposed speeding cameras. Judy Babb expressed concerns over building permits.

Mayor Andrews welcomed everyone to the meeting.

Motion by Freseman, second Knighten to approve the agenda. Ayes - 4

Motion by Lumley, second Freeseaman to approve the minutes of the July 17 and 26 meetings. Ayes - 4

Motion by Knighten, second Freeseaman to approve the consent calendar. Ayes - 4. Consent calendar consisted of the following: approval of Class C retail alcohol license with outdoor service for Hot Shots, approval fo special class C retail native wine license for Unique Country Store, approve 6/23 financials for city of Charles City and CC Public Employee Health Plan and payment of claims (including those approved by other boards):

80943	ANDREW MCHOLM	\$269.43
80951-80952	CC PUBLIC EMP HEALTH PLAN	*VOID
80953-80954	CC PUBLIC EMP HEALTH PLAN	\$87,120.71
80964	FAREWAY STORE	\$19.47
80980	LEAF	\$144.57
80983	LUMEN	\$46.55
80987	MIDAMERICAN ENERGY	\$10.00
81018-81038	PAYROLL ENDING 7/15/23	\$111,377.27
81038	CITY OF CHARLES CITY	\$963.80
81039	CC PUBLIC EMP HEALTH PLAN	*VOID
81040	CC PUBLIC EMP HEALTH PLAN	\$10,354.14
81041	EMC NATIONAL LIFE-SUPPLEM	\$6.00
81042-81043	DELTA DENTAL	*VOID
81044	DELTA DENTAL	\$1,710.70
81045-81046	VSP	*VOID
81047	VSP	\$470.13
81048	MUTUAL OF OMAHA	*VOID
81049	MUTUAL OF OMAHA	\$1,168.38
81050	DISH	\$90.28
81051	HACH COMPANY	\$337.70
81052	LEAF	\$134.67
81053	MIDAMERICAN ENERGY	\$1,474.61
81054	MIDAMERICAN RESEARCH CHEMICAL	\$252.28
81055	SHORT ELLIOTT HENDRICKSON INC	\$775,162.00
81056	MARCO	\$143.28

81057	PLANSCAPE PARTNERS	\$1,520.00
81058	SHORT ELLIOTT HENDRICKSON INC	\$49,555.26
81059	A-1 MOBILE STORAGE SERVICE	\$240.00
81060	AMAZON CAPITAL SERVICES	\$2,031.98
81061	ASBESTROL INC	\$4,940.00
81062	ASHLEE MAHLSTEDT	\$420.00
81063	BDO USA LLP	\$1,062.50
81064	BILL PHEONIX	\$137.35
81066	CINTAS CORPORATION	\$154.66
81067	CITY OF CHARLES CITY	\$4,014.49
81068	TRENT PARKER / COMPUTER PARKER	\$2,865.69
81069	DAVID LUTZ	\$143.19
81070	EXPRESS LUBE	\$31.98
81071	GORDON ELECTRIC SUPPLY INC	\$919.86
81072	GOSSLING WOODWORKING	\$35,350.34
81073	HD SUPPLY FACILITIES MAINT.	\$1,041.63
81074	HEYER LAWN CARE	\$2,435.00
81075	HILLEGAS FLOORING LLC	\$2,960.66
81076	HOCKENSON PLUMBING	\$6,500.67
81077	HOUSING AUTH ACCTG SPECIALISTS	\$790.00
81078	JENDRO SANITATION SERVICES	\$1,068.69
81079-81080	JOHN DEERE FINANCIAL	\$440.92
81081	KARSEN KETTWICK	\$825.00
81082	KOCH OFFICE GROUP	\$204.80
81083	LEAF	\$358.45
81084	LONNIE ISAKSON	\$1,134.00
81085	MANAGEMENT COMPUTER SERVICES	\$13,022.64
81086	MANDI SANDE	\$50.00
81087-81088	MARCO TECHNOLOGIES LLC	\$261.07
81089	MEDIACOM	\$729.25
81090	MENARDS CAPITAL ONE CREDIT	\$3,381.18
81091-81092	MIDAMERICAN ENERGY	\$6,485.83
81093	MILLS-INC	\$386.40
81094	MRI SOFTWARE LLC	\$146.68
81095	OMNITEL COMMUNICATIONS	\$1,100.00
81096	PLUNKETT'S PEST CONTROL	\$113.74
81097	ROCHFORD CONSTRUCTION	\$3,812.50
81098	SCHUETH ACE HARDWARE	\$635.60
81099	SERVPRO	\$600.00
81100	SHERWIN-WILLIAMS CO	\$1,519.32
81101-81102	SISSON & ASSOCIATES INC	*VOID
81103	SUPERIOR LUMBER INC	\$580.98
81104	T-J SERVICE INC	\$4,509.86
81105	UNITED STATES CELLULAR	\$276.87
81106	US CELLULAR OF CHARLES CITY	\$69.90

81107	BUSINESS CARD	\$1,072.00
81108	GRIDOR CONSTRUCTION INC.	\$775,162.00
81109	SISSON & ASSOCIATES INC	*VOID
81110	SISSON & ASSOCIATES INC	\$10,666.00
81111-81121	HOUSING-HAPS AUGUST	\$85,713.30
81122-81141	PARYROLL ENDING 7/29/23	\$113,288.76
81142	CITY OF CHARLES CITY	\$963.80
81143	CC PUBLIC EMP HEALTH PLAN	*VOID
81144	CC PUBLIC EMP HEALTH PLAN	\$10,316.07
81145	EMC NATIONAL LIFE-SUPPLEM	\$6.00
81148	120WATER	\$18,000.00
81149	AMAZON CAPITAL SERVICES	\$199.98
81150	AMERICAN WATER WORKS ASSOC	\$418.00
81151	ARNOLD MOTOR SUPPLY LLP	*VOID
81152	ARNOLD MOTOR SUPPLY LLP	\$767.14
81153	ATLANTIC COCA-COLA BOTTLING CO	\$250.90
81154	AUBREY MICHAEL	\$195.00
81155	AUTOZONE	\$4.19
81156	BODENSTEINER IMPLEMENT CO	\$22.14
81157-81158	BURKE DOORS SALES & SERVICE	\$5,356.09
81159	BUY LOW NORTH, 9	\$55.75
81160	CC MUNICIPAL BAND	\$500.00
81161-81162	CC PUBLIC EMP HEALTH PLAN	*VOID
81163	CC PUBLIC EMP HEALTH PLAN	\$81,974.69
81164	CHARLES CITY AREA DEV CORP	\$63,500.00
81165	CENTURYLINK	\$437.08
81166	CHARLES CITY PRESS INC	\$652.90
81167	CINTAS	\$281.79
81168	CINTAS CORPORATION	\$56.02
81169	CIRCLE K COMMUNICATIONS INC	\$5,745.71
81170	TRENT PARKER / COMPUTER PARKER	\$507.55
81171	DAIDA	\$226.80
81172	DEREK MILLER	\$27.62
81173	DIAMOND VOGEL INC	\$458.00
81174	DO IT ALL SERVICES LLC	\$150.00
81175	ETHANOL PRODUCTS LLC	\$1,120.15
81176	FLOYD COUNTY AUDITOR	\$1,996.92
81177	FLOYD COUNTY ENGINEER	\$851.70
81178	FLOYD COUNTY RECORDER	\$78.00
81179	FOX STRAND (dba)	\$1,826.00
81180	GATEWAY HOTEL/CONF CENTER	\$282.24
81181	GORDON FLESCH COMPANY INC	\$300.20
81182	GOODALE CUSTOM PUMPING CO	\$400.00
81183	GRAINGER	\$2,399.05
81184	COREY CERWINSKE/GREEN IMAGE	\$267.74

81186	HOLDEN HILLEGAS/H&R LAWNCARE	\$600.00
81187	HEWETT WHOLESAL	\$1,355.74
81188	IOWA DEPT OF NATURAL RESOURCES	\$1,275.00
81189-81190	IDOT-CASHIER'S OFFICE	\$3,377.88
81191	IN CONTROL INC.	\$150.00
81192	IOWA GOLF ASSOCIATION	\$44.00
81193	IOWA GREEN ROOFING	\$1,780.00
81194	IOWA ONE CALL	\$135.00
81195	IOWA SOYBEAN ASSOCIATION	\$2,085.18
81196	JANDA MOTOR SERVICES	\$750.00
81197	JEAN BOLEY	\$51.09
81198-81199	JENDRO SANITATION SERVICES	\$1,362.45
81201	JOHN A HOWE	\$850.00
81202	L&J INDUSTRIES INC	\$128.00
81203-81204	LESSIN SUPPLY COMPANY	\$527.55
81205	LUMEN	\$1,467.53
81206	MACNIDER ART MUSEUM	\$900.00
81207	MAIN STREET CHARLES CITY	\$42,909.49
81209	MERRITT COMPUTER SERVICE INC	\$914.00
81210	MICK GAGE PLUMBING & HEATING	\$1,308.74
81211	MID COUNTRY MACHINERY INC.	\$1,091.13
81212	MIDAMERICAN ENERGY	*VOID
81213	MIDAMERICAN ENERGY	\$45,660.56
81214	MIDWEST INFLATABLES LLC	\$3,000.00
81215	MIDWEST PIPE SUPPLY INC	\$1,382.00
81216	MIKE MOLSTEAD MOTORS INC	\$248.58
81217	MIKE'S C&O TIRE INC	\$815.49
81218	MTI DISTRIBUTING INC	\$57.03
81219	NAPA AUTO PARTS	\$28.77
81220	NEB-IA INDUSTRIAL FASTENERS	\$131.96
81221	NIACOG	\$6,763.72
81222	NOAH,SMITH,SCHUKNECHT & SLOTER	\$2,520.60
81223	NORTH CEDAR AVIATION AUTHORITY	\$50,352.00
81224	NORTH IOWA LAWN & SPORTS	\$434.53
81225	PAWS HUMANE SOCIETY	\$1,550.00
81226	PERRY NOVAK ELECTRIC INC	\$594.41
81227	RECREATION SUPPLY COMPANY	\$527.46
81228	RILEY'S INC	\$527.94
81229	RUSH ORDER TEES	\$105.00
81230	SADLER POWER TRAIN INC	\$36.60
81231	SCHUETH ACE HARDWARE	*VOID
81232	SCHUETH ACE HARDWARE	\$419.19
81233	TERRY BRYANT-STREAM LINE PAINT	\$95.00
81235	SUPERIOR LUMBER INC	\$197.31
81236	SUPERIOR WELDING SUPPLY CO	\$66.75

81238	TERRI NOVAK	\$168.33
81239	THE LEARNING CENTER	\$33,333.00
81240	TIM HILDRETH COMPANY INC	\$84.45
81242	VEENSTRA & KIMM INC	\$9,851.50
81243	VERIZON WIRELESS	\$120.03
81244	VIRGINIA TITUS	\$214.11
81245	WEX BANK	\$7,926.90
81246	WISCONSIN INDEPENDENT NETWORK	\$1,250.00
ACH	BRIDGESTONE GOLF INC	\$742.29
ACH	HAWKINS INC	\$5,164.85
ACH	JACQUELINE FERCH (FGP)	\$30.40
ACH	JANET JOHNSON (FGP)	\$12.80
ACH	LADONNA NORRIS (FGP)	\$10.24
ACH	MC2 INC	\$2,330.38
ACH	MICROBAC LABORATORIES, INC.	\$1,046.00
ACH	MISSISSIPPI LIME COMPANY	\$19,994.79
ACH	SHERALEA TUMILSON (FGP)	\$19.24
ACH	D.A. DAVIDSON & COMPANY	\$9,500.00
ELEC	FLOYD SWCD	\$5,275.99
ELEC	AFLAC	\$903.33
ELEC	COLLECTION SERVICE CENTER	\$423.68
ELEC	EFTPS (PAYROLL TAXES)	\$59,145.32
ELEC	ICMA MEMBERSHIP RENEWALS	\$3,604.78
ELEC	IA PUBLIC EMPLOY RETIRE	\$30,543.29
ELEC	MUNICIPAL FIRE & POLICE	\$25,983.35
ELEC	TREASURER STATE OF IOWA	\$32,875.13
ELEC	BANCORPSV	\$816.47
ELEC	KABRICK DISTRIBUTING CO	\$2,354.35
ELEC	TELLURIAN BREWING	\$71.60
ELEC	UNITED BEVERAGE-MC	\$807.55
ELEC	VISA	\$113.72
ACH	DAIDA	\$519.55
ELEC	IOWA FINANCE AUTHORITY	\$4,710.56
ELEC	PEPSI-COLA	\$1,016.42
ACH	US POSTAL SERVICE	\$1,000.00
<b>TOTAL:</b>		<b>\$2,777,124.27</b>

Mayor Andrews is recommending the appointment of Alan Powell to the board of adjustment. Motion by Starr, second Lumley to approve this appointment. Ayes - 4. Mayor Andrews is also recommending Chris Hall to replace Coulter Page on the library board. Motion by Knighten, second Freeseaman to approve this appointment. Ayes - 4. Councilmember Lumley thanked these people willing to serve.

The updated employee handbook is ready for council approval. It has been many years since this document was completely reviewed and there were many updates due to changes in employment law. Some of the other changes include adding Christmas Eve full day as a holiday, adding employee great

grandparents to one day funeral leave, giving one week of vacation right away to new hires, giving city administrator the ability to negotiate extra vacation when hiring new department heads, increase the amount of sick time that can be used for care of immediate family members from 5 to 8 days per year, adding volunteer firefighters and reserve police officers to receive a single Wildwood golf course membership and a family pool pass, allow reimbursement for ½ of a single membership to any fitness club and changed the meal reimbursement slightly to allow for an aggregate amount of \$54. Once approved, this will be distributed to all city employees. Council member Freeseaman introduced Resolution 85-23 entitled, "A RESOLUTION TO APPROVE THE UPDATED EMPLOYEE HANDBOOK" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none.

Some additional transfers for FY23 need to be approved. We were waiting on information to get final amounts. Three of these transfers are to clear out a fund balance and the last one is for salary matches for the Foster Grandparent program. Council member Freeseaman introduced Resolution 86-23 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, Lumley. Nays - none.

A small triangle piece of property located at the intersection of 1<sup>st</sup> Avenue and Clark St. is still in City Improvement Association's name. The rest of this parcel was deeded to the city years ago to allow for the redesign of that intersection, this piece was mistakenly left out of the deed. The city has been maintaining this property all along. City attorney Slotter has prepared the deed and resolution for execution by the city and CIA officers. Council member Starr introduced Resolution 87-23 entitled, "RESOLUTION APPROVING AND ACCEPTING DEED" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none.

Ordinance 1165 was presented for a second reading. This ordinance governs the operation of golf carts on city streets. 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. Motion by Freeseaman, second Lumley to approve the second 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. Council member Freeseaman read the ordinance.

A public hearing needs to be held for additional permanent easements for Omnitel for their fiber installation in the city. There have been some issues with their replacement of concrete where they have dug in lines but these have been addressed. City engineer Fallis commented that we have kept these easements off to the sides of parking lots so as not to hinder any possible future development on these lots. It is not in the city right of way so that is why an easement is required. This hearing has been scheduled for August 21. Councilmember Starr introduced Resolution 88-23 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED CONVEYANCE OF PERMANENT, NON-EXCLUSIVE UNDERGROUND COMMUNICATIONS EASEMENTS ON REAL ESTATE OWNED BY THE CITY OF CHARLES CITY TO OMNITEL COMMUNICATIONS" and moved for adoption. Second to adopt Freeseaman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none.

Pay estimate #6 for the clear well project is ready for council approval. The total of this request is \$260,057.75. SEH has reviewed this pay request and is recommending payment. Council member Starr introduced Resolution 89-23 entitled, "RESOLUTION APPROVING PAY ESTIMATE #6 FOR THE CLEAR WELL PROJECT" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseaman, Knighten. Nays - none.

Motion by Starr, second Freeseeman to enter into closed session pursuant to Iowa Code Chapter 21.5 (I) to conduct performance evaluations for city administrator, city clerk and city attorney as requested. Ayes - Starr, Lumley, Freeseeman, Knighten. Entered into closed session at 6:35 p.m.

Reconvened into open session at 8:25 p.m., no action was taken in closed session.

Council member Starr introduced Resolution 90-23 entitled, "RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CHARLES CITY AND CITY CLERK TRUDY O'DONNELL" and moved for adoption. Second to adopt Freeseeman. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Knighten. Nays - none.

Council member Freeseeman introduced Resolution 91-23 entitled, "RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CHARLES CITY AND CITY ADMINISTRATOR STEVEN DIERS" and moved for adoption. Second to adopt Lumley. Resolution duly passed on roll call vote as follows: Ayes - Starr, Lumley, Freeseeman, Knighten. Nays - none.

City administrator Diers reported that the library floor replacement will start August 10 and will take about 4 weeks to complete, so the library will be closed during that time. A discussion was held with bond counsel on tax abatement and a follow up discussion will be held with the housing task force at their next meeting. The parking lot at 401 N. Main will be started sometime this week. We put an interior lock on the front doors so they can use that door while the lot is being done. We will review the CIP rankings at the August 16 planning session. Also, we will be recording the planning sessions starting with the next one.

Councilmember Starr commented that ambulance/9-1-1/dispatch are doing different things, biggest one is new radio system which is a high dollar item.

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

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Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk