

COUNCIL MINUTES  
REGULAR SESSION  
OCTOBER 2, 2023

Charles City city council met in regular session on October 2, 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 attorney Brad Sloter (via Zoom), city engineer John Fallis 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 Lumley, second Pittman to approve the minutes of the September 13, 18 and 27 meetings. Ayes - 5

Motion by Freeseaman, second Pittman to approve the consent calendar. Ayes - 5. Consent calendar consisted of the following: approve the following liens: mowing bills - \$153.00 306 8<sup>th</sup> Avenue, \$153.00 306 8<sup>th</sup> Avenue; unpaid utility bills - \$35.00Acct5009140005, \$64.00Acct5009450004, \$178.00Acct5032790006, \$241.00Acct5033060002, \$60.00Acct5016410008, \$178.00Acct5014560001, \$106.00Acct5017110000, \$537.00Acct5021390004, \$102.00Acct5017270002, \$208.00Acct5030150001 and payment of claims (including those approved by other boards):

81673	AGVANTAGE FS	\$4,159.86
81674	AHLERS & COONEY PC	\$437.00
81683	CITY OF CHARLES CITY	\$210.78
81697	IDOT-CASHIER'S OFFICE	\$1,800.00
81709	LEAF	\$144.57
81714	MICK GAGE PLUMBING & HEATING	\$2,430.90
81720	NEWBAUER INC	\$279.00
81726	SHORT ELLIOTT HENDRICKSON INC	\$35,172.40
81739	A-1 MOBILE STORAGE SERVICE	\$120.00
81740	ACCESS SYSTEMS LEASING	\$1,149.68
81741	AMAZON CAPITAL SERVICES	\$964.13
81742	ASHLEE MAHLSTEDT	\$210.00
81743	CHARLES CITY PRESS INC	\$2,742.00
81744	CITY OF CHARLES CITY	\$3,394.51
81745	CULLIGAN MASON CITY	\$1,128.60
81746	FMC LANDFILL	\$25.80
81747	HD SUPPLY FACILITIES MAINT.	\$727.44
81748	HEYER LAWN CARE	\$3,449.44
81749	HOCKENSON PLUMBING	\$2,605.47
81750-81775	BATCH VOID	*VOID
81776	HODES CO.	\$49.89
81777	HOUDEK FLOOR COVERING	\$2,722.55
81778	HOUSING AUTH ACCTG SPECIALISTS	\$867.00
81779	IOWA LEAD SAFETY	\$2,975.00

81780	JENDRO SANITATION SERVICES	\$145.31
81781	LEAF	\$372.30
81782	LONNIE ISAKSON	\$3,276.00
81783	MARCO TECHNOLOGIES LLC	\$197.18
81784	MARQUETTE BRADLEY	\$50.00
81785	MIDAMERICAN ENERGY	\$2,855.96
81786	MILLS-INC	\$376.05
81787	NOAH,SMITH,SCHUKNECHT & SLOTER	\$499.00
81788	OMNITEL COMMUNICATIONS	\$1,100.00
81789	OVERHEAD DOOR CO OF MASON CITY	\$115.00
81790	PEGGY AGHAEI	\$200.00
81791	PITNEY BOWES SUPPLIES	\$160.38
81792	ROCHFORD CONSTRUCTION	\$5,581.00
81793	ROXANN MAHAN	\$200.00
81794	SCHUETH ACE HARDWARE	*VOID
81795	SCHUETH ACE HARDWARE	\$1,254.68
81796	SHERWIN-WILLIAMS CO	\$940.93
81797	SUPERIOR LUMBER INC	\$6,758.73
81798	SUSAN CLARK	\$250.00
81799	T-J SERVICE INC	\$15,078.96
81800	TENNA CAREY	\$255.00
81801	UNITED STATES CELLULAR	\$444.09
81802	DISH	\$90.28
81803	IDOT-CASHIER'S OFFICE	\$3,244.83
81804	MIDAMERICAN ENERGY	\$1,521.62
81805	PRODUCTIVITY PLUS ACCOUNT	\$203.70
81806	TELLURIAN BREWING	\$27.00
81807	BUSINESS CARD	\$1,912.97
81808	AL'S ROOFING LLC	\$94,140.35
81809-81814	PAYROLL ENDING 9/23/23	\$99,134.51
81815	CITY OF CHARLES CITY	\$944.57
81816	CC PUBLIC EMP HEALTH PLAN	*VOID
81817	CC PUBLIC EMP HEALTH PLAN	\$11,136.45
81818	EMC NATIONAL LIFE-SUPPLEM	\$6.00
81820	DELTA DENTAL	*VOID
81821	DELTA DENTAL	\$2,009.06
81823	VSP	*VOID
81824	VSP	\$476.64
81825	MUTUAL OF OMAHA	*VOID
81826	MUTUAL OF OMAHA	\$1,193.43
81827-81828	UB CREDIT BALANCE REFUNDS	\$155.31
81829-81840	HOUSING-HAPS 10/2023	\$80,549.43
81853	AHLERS & COONEY PC	\$114.00
81854	ARNOLD MOTOR SUPPLY LLP	*VOID
81855	ARNOLD MOTOR SUPPLY LLP	\$1,296.31

81857	ATCO INTERNATIONAL	\$362.00
81858	BRYCE HAMM	\$33.67
81859	BURKE DOORS SALES & SERVICE	\$378.60
81860-81861	CC PUBLIC EMP HEALTH PLAN	*VOID
81862	CC PUBLIC EMP HEALTH PLAN	\$88,035.05
81863	CENTRAL LOCK SECURITY	\$1,368.00
81865	CHARLES CITY PRESS INC	\$637.95
81866	CINTAS	\$296.79
81867	CINTAS CORPORATION	\$195.62
81868	CIRCLE K COMMUNICATIONS INC	\$5,745.71
81870	DANIEL J RIMROD	\$8.15
81871	DELAINE FREESEMAN	\$441.37
81872	ETHANOL PRODUCTS LLC	\$922.67
81873	FOX STRAND (dba)	\$1,917.50
81874	FRIEDRICH PLUMBING & HEATING	\$608.00
81876	GOODALE CUSTOM PUMPING CO	\$2,475.00
81877	HACH COMPANY	\$83.90
81878	HINSON CONSULTING LLC	\$3,100.00
81880	IDOT-CASHIER'S OFFICE	\$276.84
81882	INTOXIMETERS INC	\$125.00
81883	JENNIFER LANTZ	\$656.96
81884	JOHN DEERE FINANCIAL	\$223.98
81885	JOHN A HOWE	\$850.00
81886	LEAF	\$2,382.39
81887	LUMEN	\$37.01
81888	MAINSTAY SYSTEMS OF IOWA LLC	\$150.00
81889	MARCO TECHNOLOGIES LLC	\$66.69
81890	MIDAMERICAN ENERGY	*VOID
81891	MIDAMERICAN ENERGY	\$42,888.90
81892	MIKE'S C&O TIRE INC	\$1,749.20
81893	NIACOG	\$783.98
81894	NOAH,SMITH,SCHUKNECHT & SLOTER	\$750.00
81895	NORTHERN SAFETY CO INC	\$852.63
81896	PAWS HUMANE SOCIETY	\$1,550.00
81897	PETROBLEND CORP	\$756.50
81898	PHILLIP KNIGHTEN	\$327.12
81899	RAPID PRINTERS/OFFICE WORLD	\$144.87
81900	RIB CRIB	\$389.66
81902	SCHUMACHER ELEVATOR COMPANY	\$814.00
81903	STEVEN T DIERS	\$202.00
81905	SWEET CRETE	\$1,900.00
81906	T&W GRINDING & COMPOST SERVICE	\$7,817.00
81907	THAD JOHNSON	\$234.22
81908	TRUDY O'DONNELL	\$165.35
81909	UNIQUE COUNTRY STORE	\$275.50

81910	USA BLUEBOOK	\$1,083.71
81911	V21 DUST CONTROL LLC	\$440.00
81912	VEENSTRA & KIMM INC	\$10,696.85
81913	VERIZON WIRELESS	\$120.03
ACH	CARMEN RAMSAY (FGP)	\$12.80
ACH	HAWKINS INC	\$5,300.74
ACH	JACQUELINE FERCH (FGP)	\$25.60
ACH	JANET JOHNSON (FGP)	\$12.80
ACH	MICROBAC LABORATORIES, INC.	\$1,209.75
ACH	MISSISSIPPI LIME COMPANY	\$9,828.54
ACH	VESSCO INC	\$860.00
ACH	DONNA DUNLAP (FGP)	\$13.76
ELEC	BUSINESS CARD	\$2,971.24
ELEC	AFLAC	\$903.33
ELEC	COLLECTION SERVICE CENTER	\$211.84
ELEC	EFTPS (PAYROLL TAXES)	\$26,983.29
ELEC	ICMA MEMBERSHIP RENEWALS	\$1,825.28
ELEC	IA PUBLIC EMPLOY RETIRE	\$30,809.44
ELEC	MUNICIPAL FIRE & POLICE	\$26,366.72
ELEC	TREASURER STATE OF IOWA	\$8,878.17
ELEC	BANCORPSV	\$54.77
ELEC	IA WORKFORCE DEVELOPMENT	\$2,793.76
ELEC	QUILL CORPORATION	\$192.89
ELEC	AUXIANT	\$45.35
ELEC	FIRST CITIZENS-CC	\$343.66
<b>TOTAL:</b>		<b>\$710,997.15</b>

Sandy Pleggenkuhl was present to request a proclamation for Alpha Delta Kappa month for October. This is an honorary sorority for women educators. Motion by Knighten, second Freeseaman to approve the proclamation. Ayes - 5. Mayor Andrews then read the proclamation.

Mayor Andrews commented that there are several meetings set for tomorrow. There will be two different sessions of information meetings held at Prologue at 10:00 a.m. and 6:30 p.m. on the high school referendum. There is also a meeting scheduled at council chambers tomorrow night from 5:00 to 7:00 p.m. on the planned Main Street resurfacing project that will be done next summer.

Mayor Andrews opened the public hearing on the status of funded activities for the clear well project. Affidavit of publication dated 9/22/23 was informally filed. He asked for written comments. There being none, he then asked for oral comments. Chris Diggins, from NIACOG, presented the following information on the project:

**ACCOMPLISHMENTS TO DATE:** Engineering 70% Complete; Construction 65% Complete

**SUMMARY OF ALL EXPENDITURE TO DATE:**

	Original Estimate	Spent To Date	=	Remaining Funds
CDBG Money	\$ 570,000	\$ 345,373	=	\$ 224,627
ADMIN	\$ 30,000	\$ 19,406	=	\$ 10,594

Local	<u>\$ 3,979,550</u>	<u>\$ 2,417,623</u>	=	<u>\$ 1,561,927</u>
	\$ 4,579,550	\$ 2,782,402	=	\$ 1,797,148

**GENERAL DESCRIPTION OF REMAINING WORK:** Need to finish baffle walls in easterly tank, cap slab for structure, electrical, backfilling, testing, tank appurtenances, and all restoration.

**DESCRIPTIONS OF CHANGE ORDERS:** C/o 1 – additional reinforcement steel needed \$5,598; C/o 2 – fixing leaking raw w/m, repair unlocated line, and restoration of roadway \$19,291

**PERFORMANCE TARGETS:**

Project schedule has slipped from original presented schedule. West tank cap slab is scheduled for pouring this week. Remaining baffle walls to be poured in the next two weeks. Anticipated having new clear well online by end of November, final restoration will likely happen in the spring of 2024.

**ACTIVITY SCHEDULES** Tank construction and testing completed by end of November.

Restoration and punch list completion spring of 2024

**PROJECT SCOPE:** The project includes construction of a one million (1,000,000) gallon clear well treated water storage, associated piping, miscellaneous items, restoration, legal and administrative.

**LOCATION:** Adjacent to existing water treatment facility located at 1709 Indiana Avenue within the city limits of Charles City, Iowa.

**OBJECTIVES/BENEFICIARIES:** LMI persons and all other residents of Charles City, Iowa. Following the presentation of information, the Mayor asked for any questions. Following a brief discussion, a motion was made by Freeseaman, seconded by Pittman to close the Public Hearing. Ayes – 5.

Mayor Andrews opened the public hearing on the 2023 tree removal project, Contract 2. Affidavit of publication dated 9/22/23 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 Knighten to close the hearing. Ayes – 5 The final plans are unchanged from the preliminary plans. This contract will cover the removal of approximately 200 trees. Council member Pittman introduced Resolution 104-23 entitled, “RESOLUTION APPROVING FINAL PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2023 TREE REMOVAL PROJECT – CONTRACT 2, CHARLES CITY, IOWA” 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. The bids for this project were opened September 28 with a total of 4 bids received. The low bid was from GDB and Son for \$133,650.00. He also was awarded the first phase of this contract, of which he is approximately 50% completed. Council member Freeseaman introduced Resolution 105-23 entitled, “RESOLUTION APPROVING AWARD AND CONTRACT AND BOND FOR THE 2023 TREE REMOVAL PROJECT, CONTRACT 2” 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 city currently leases property for a billboard owned by Dave Davidson on South Grand Avenue. This lease expires in March 2024. The current user of the billboard, Tami Vetter, has

expressed interest in purchasing this billboard and implementing another ten year lease with the city. There are a couple of changes from the current lease language, including removal of a cost share revenue percentage and the amount is increasing from \$500 to \$750 per year. The clause that requires the lessee to remove the billboard if the city deems necessary or at the end of the lease will be done at the lessee's cost remains in the agreement. Since this lease is longer than 3 years, a public hearing needs to be held before council can approve. This has been set for the October 16 meeting. Council member Freeseaman introduced Resolution 106-23 entitled, "RESOLUTION SETTING PUBLIC HEARING ON PROPOSED LEASE OF PROPERTY BY THE CITY OF CHARLES CITY TO TAMI VETTER" 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 request for an extension of a parking lot waiver has been presented to planning and zoning for 1007 Gilbert St. They are recommending approval of this request with the following requirement: that a signed contract with a contractor be submitted to city staff by March 1, 2024 with the project being completed by September 15, 2024. If they would happen to not meet these deadlines, they would be subject to a municipal infraction. There was some concern voiced over giving the extension, what message does that send? The deadlines established seemed fair and it is hoped that the project gets done by the deadline. Council member Pittman introduced Resolution 107-23 entitled, "RESOLUTION GRANTING EXTENSION OF A PARKING WAIVER FOR PROPERTY AT 1007 GILBERT ST" and moved for adoption. Second to adopt Knighten. Resolution duly passed on roll call vote as follows: Ayes – Starr, Lumley, Freeseaman, Pittman, Knighten. Nays – none.

Change order #2 has been submitted for the clear well project. This consists of repairs to an existing raw water main from well #8 that was discovered to be leaking. There were also repairs to an undetectable chlorine feed line that was damaged during excavation. The total increase in the contract with this change order is \$19,291.00. This change order also adds 3 extra days to the project completion timeline due to the unforeseen repairs needed. Council member Pittman introduced Resolution 108-23 entitled, "RESOLUTION APPROVING CHANGE/EXTRA WORK ORDER #2 FOR 1 MILLION GALLON CLEAR WELL TANK PROJECT, CHARLES CITY, IOWA" 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. Council member Knighten asked if any of the other buried lines were investigated for leaks and reply was no, since excavating to inspect could possibly cause some leaks. So only the ones that were uncovered for this project were inspected for leaks.

City attorney Slotter reported that he had further researched the change order #1 amounts to see if any of that increase could be attributable to SEH error in preparing the plans. It was determined that half of the increase would have occurred anyway and the rest was due to the error. After consulting with city staff and SEH, it was decided that SEH would review the changes without charge so that should even out the costs. The letter sent to SEH outlining these amounts will be put into the project file.

City clerk O'Donnell reported that the next meeting is a planning session on October 11 starting at 6:00.

Council member Lumley reported that the next meeting of the EMS advisory board will be October 24 or 26<sup>th</sup>. One of the issues discussed will be the alarming rate that medicare reimbursements are dwindling.

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

---

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk