

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, November 14, 2022.

OPENING/ROLL CALL

Mayor Pro Tem Kurtz opened the meeting by calling the meeting to order with Council Members Callahan, Huston, Hanna, Prusator, O'Loughlin, and Jensen in attendance. Mayor Bleichner was excused.

This meeting was available for public attendance. The meeting was also broadcasted on the local access channel in addition to being hosted electronically on Microsoft Teams.

APPROVE THE AGENDA

Mayor Pro Tem Kurtz stated that the Engineer Update will need to be held after the professional services agreement with Crawford Engineering as Brian Crawford has another meeting to attend. Motion by Council Member Jensen, second by Council Member Prusator to approve the agenda as amended for the regular meeting held November 14, 2022. Ayes: All.

CONSENT AGENDA

Motion by Council Member O'Loughlin, second by Council Member Huston to accept and approve the consent agenda that approves the following: 1) The minutes of the October 24, 2022, Regular Meeting. 2) The Sanity Room Class C Liquor License application that includes Outdoor Service and Sunday Sales, November 8, 2022, through November 7, 2023. Ayes: All.

FINANCIALS

Motion by Council Member Hanna, second by Council Member Callahan to approve the following bills for payment. Ayes: All.

ACCO	CHEMICALS-PR	\$	736.50
ADB SAFEGATE AMERICAS LLC	REPAIR-A	\$	650.35
AIRGAS	Equip Svc-ST	\$	167.70
ALLEN OCCUPATIONAL HEALTH	SERVICES-F,ST,W	\$	416.00
AMAZON CAPITAL SERVICES	Supplies-B,F,PD	\$	790.77
BAGBY'S AUTOMOTIVE	VEH REPAIR-ST	\$	93.26
BEATTY, ROBERT	PHONE ALLOWANCE	\$	45.00
BLEICHNER, BRAD	PHONE ALLOWANCE	\$	100.00
BODENSTEINER IMPLEMENT 01	VEH REPAIR-A	\$	472.16
BROWN SUPPLY COMPANY	SUPPLIES-W	\$	175.00
BUCHANAN MASONRY INC	SERVICES-W	\$	2,404.00
BUTLER, JOHN R	REIMBURSE-F	\$	1,673.38
CARD SERVICES-VISA	MISC EXP-PD,W,B,ST	\$	9,178.60
CITY LAUNDERING CO INC	BLDG MAINT-CH,PR,PD,A,W	\$	591.88
CONSOLIDATED ENERGY CO	FUEL-ALL	\$	7,995.86
CORBETT, LUCAS	SAFE-T FUND-PR	\$	10.00
CORKERY, CLARK	SAFE-T FUND-PR	\$	35.00
CRAWFORD ENGINEERING & SU	ENGINEERING-PR,ST,W	\$	48,762.37
CRAWFORD, HUNTER	REIMBRUSE-ST	\$	850.00
CY & CHARLEY'S FIRESTONE	Veh Maint-PD,PR,ST	\$	591.15
D & K PRODUCTS	SUPPLIES-PR	\$	3,876.00
D & N FENCE CO INC	SERVICES-PR	\$	7,868.00
D & S PORTABLES INC	SERVICES-PR	\$	1,975.00
DANKO EMERGENCY EQUIPMENT	EQUIPMENT-F	\$	21,964.83
DAVE SCHMITT CONSTRUCTION	SERVICES-ST	\$	296,777.64
DECKER SPORTING GOODS	SUPPLIES-PR	\$	1,162.90
DON'S TRUCK SALES INC	VEH MAINT-ST	\$	339.28
DORSEY & WHITNEY LLP	SERVICES-CH,ST	\$	19,721.00
DUNLAP MOTORS INC	VEH-MAINT-CH	\$	39.95
EMPLOYEE BENEFIT SYSTEMS	SAFE-T FUND-ALL	\$	12,732.47

ERICKSON-DALE, TANNER	SAFE-T FUND-ST	\$ 10.00
ESCH, BRAD	PHONE ALLOWANCE	\$ 45.00
ESCHEN'S CLOTHING	UNIFORM-ST,W	\$ 1,123.00
FAHR BEVERAGE INC	SUPPLIES-PR	\$ 750.00
FELD FIRE	VEH MAINT-F	\$ 2,380.08
FIRE SERVICE TRAINING BUR	TRAINING-FD	\$ 500.00
FOLEY, TRAVIS	PHONE ALLOWANCE	\$ 45.00
FUTURE LINE LLC	VEH REPAIR-A	\$ 583.42
GENERAL TRAFFIC CONTROLS	LIGHTS-ST	\$ 276.00
GRAINGER INC	SUPPLIES-W	\$ 606.91
GWORKS	ANNUAL LICENSE-CH	\$ 16,772.00
HARDWARE HANK	SUPPLIES-W,F,B,PR	\$ 175.38
HAWKINS, INC.	CHEMICALS-W	\$ 1,559.62
HAYWARD, BLAKE	REIMBURSE-F	\$ 128.63
HINSON CONSULTING, LLC	SERVICES-CH	\$ 3,750.00
HOLIDAY INN	LODGING-CH	\$ 112.00
HOOVER FENCE CO	CAP EQUIP-PR	\$ 13,232.75
HOYLE PHOTOGRAPHY	PICTURES-PR	\$ 845.00
HYDRITE CHEMICAL CO	SUPPLIES-W	\$ 703.40
IA DEPT OF REVENUE	Sales Tax-W	\$ 7,511.61
IA PARK & RECREATION ASSN	TRAINING-PR	\$ 650.00
IA PRISON INDUSTRIES	UNIFORM-PD	\$ 88.98
IA RURAL WATER ASSOCIATIO	DUES-W	\$ 375.00
ICAP	Insure-PD	\$ 563.00
INRCOG	SERVICES-CH	\$ 7,627.15
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$ 22,831.18
JACOBS, MORGAN	REIMBURSE-F	\$ 54.75
JOHN DEERE FINANCIAL	SUPPLIES-A,PR,ST,W,B	\$ 1,178.98
JOHNSON PLBG HEATING & AI	HOME REHAB-CH	\$ 10,000.00
KEYSTONE LABORATORIES INC	LAB ANALYSIS-W	\$ 255.75
KILER, ANGELA	PHONE ALLOWANCE	\$ 45.00
KLUESNER CONSTRUCTION INC	REPAIR-W	\$ 1,750.00
KNAPP'S SERVICE	REPAIR-ST	\$ 105.58
LAU, BRIAN	PHONE ALLOWANCE	\$ 45.00
LEVI ARCHITECTURE	SERVICES-PD	\$ 5,850.00
LYNCH DALLAS, PC	LEGAL EXP-CH	\$ 2,074.00
MIDWEST SAFETY COUNSELORS	EQUIP-W	\$ 255.00
MIKE FLAUCHER PAINTING	PAINTING-PR	\$ 3,442.00
MOTOROLA SOLUTIONS	SUPPLIES-PD	\$ 200.00
NAPA AUTO PARTS	SUPPLIES-W,B,ST	\$ 387.46
NORTHERN ESCROW, INC.	SERVICES-CH	\$ 64,577.12
OELWEIN PUBLISHING COMPAN	PUBLICAT-CH	\$ 868.90
OFFICE TOWNE INC	SUPPLIES-PR,W,PD	\$ 850.32
P & N CORPORATION	FUEL PROFITS-A	\$ 912.89
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	\$ 69,698.12
PEPSI-COLA GEN. BOT. IN	CONCESSIONS-L	\$ 180.00
PETERS & LONGMUIR PLC	Bldg Purchase-PD	\$ 395,468.36
PITNEY BOWES GLOBAL FINAN	EQUIP LEASE-PR	\$ 177.90
PREUSS, SHAYNE	VEH REPAIR-ST	\$ 620.00
PRINT EXPRESS	SUPPLIES-PR	\$ 171.12
PURCHASE POWER	POSTAGE-PR	\$ 54.74
PUSH-PEDAL-PULL INC	EQUIP MAINT-PR	\$ 2,901.43
RECK, BRENT	PHONE ALLOWANCE	\$ 45.00
ROTO-ROOTER	SERVICES-ST,PR	\$ 1,008.00
RYAN EXTERMINATING INC	PEST CONTROL-CH,PD,PR	\$ 155.00
RYDELL AUTO GROUP	VEH MAINT-PD	\$ 354.97

S & K COLLECTIBLES	SHIPPING-W	\$ 234.63
S.T.A.N. DEVELOPMENT	GRANT REIMBURSE-CH	\$ 59,495.19
SHIELD TECHNOLOGY CORP	SOFTWARE-PD	\$ 1,800.00
SIGNS & MORE	UNIFORM-CH,B	\$ 88.26
SIMMERING-CORY IA CODIFI	CODE UPDATES-CH	\$ 1,016.00
SIMMONS, JENNIFER	REIMBURSE-F	\$ 83.63
SPAHN & ROSE LUMBER COMPA	Supplies-F,PR,W	\$ 2,236.69
SPRING VALLEY SHEDS, LLC	CANINE PURCH-PD	\$ 4,821.00
STATE STREET BANK & TRUST	ICMA-RC \$ PRE	\$ 4,875.06
STRAND ASSOCIATES	SERVICES-W	\$ 8,620.00
SUPERIOR CLEANING SERVICE	BLDG MAINT-PR	\$ 3,014.75
SWISHER & COHRT	PROF SERVICE-CH	\$ 18.50
TASC	FLEX MEDICAL	\$ 1,078.57
TESTAMERICA LABORATORIES	LAB ANALYSIS-W	\$ 1,590.56
THE TRENDY TULIP	COMM REHAB-CH	\$ 4,995.00
TRUE VALUE HARDWARE	Supplies-F,PD,PR,ST,W	\$ 1,261.31
TSCHIGGFRIE EXCAVATING IN	SERVICES-W	\$ 20,615.00
UMB BANK NA	BOND PAYMENTS-CH	\$ 600.00
US CELLULAR	Utilities-B,F,PD	\$ 709.66
VERIZON WIRELESS	UTILITY-CH,PR,F	\$ 172.38
WALMART COMMUNITY	SUPPLIES-B,PR,W	\$ 412.86
WASTE MANAGEMENT	GARBAGE-A,CH,PR,W	\$ 48,337.31
WBC MECHANICAL INC	REPAIR-W	\$ 1,699.61
WHEALY ENTERPRISES, LLC	REFUND-A	\$ 800.00
WINTHROP NEWS, THE	PUBLICAT-CH,PR	\$ 624.71

CLAIMS TOTAL \$1,258,329.23; General Fund \$495,673.79; Library \$10,487.65; Streets Dept-Road Use \$29,030.16; Urban Renewal-LMI Housing \$10,000.00; Economic Development \$136,694.46; Debt Service \$600.00; Cap Proj-Street Improve \$9,152.50; Cap Proj-City Buildings \$5,850.00; Cap Project-Visioning Project \$911.50; Cap Outlay Savings/LOST \$147,844.88; Cap Project Highway 150 \$336,155.51; Water Fund \$25,686.57; Sewer Utility Fund \$37,509.74; Self Insurance \$12,677.47; Self Insurance-Enterprise \$55.00.

REVENUES MONTH TO DATE TOTAL \$607,008.10; General Fund \$26,242.56; Library \$243.70; Employee Benefits \$140.00; Cap Proj-Airport \$1,623.60; Cap Outlay Savings/LOST \$63,508.94; Cap Proj-Highway 150 \$467,339.42; Water Fund \$13,600.05; Sewer Utility \$19,492.99; Storm Water \$2,084.37; Self Insurance \$12,677.47; Self Insurance-Enterprise \$55.00.

The November 2022 bank reconciliation and the revenues and expenses by department to date were available for council review and discussion.

OUR STORAGE UNITS LLC

Council Member Prusator with a motion to receive and file proof of publication of the notice of public hearing for Our Storage Units LLC development agreement, second by Council Member Jensen. Ayes: All. Council Member Callahan with a motion to hold the public hearing, second by Council Member Hanna. Ayes: All. City Clerk/Treasurer Lampe stated that no written comments were received. Council Member Huston with a motion to close the public hearing, second by Council Member Jensen. Ayes: All.

Council Member Hanna with a motion to approve a resolution approving the development agreement with Our Storage Units LLC, authorizing annual appropriation tax increment payments and pledging certain tax increment revenues to the payment of the agreement, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Callahan.

Resolution adopted and upon approval by Mayor assigned No. 2022-136 in the Official Book of Resolutions.

HEARINGS & ORDINANCES

Council Member O'Loughlin with a motion to set a public hearing for November 28, 2022, at 5:00 pm in City Hall Council Chambers to amend Code Section 69.06 Parking Regulations, second by Council Member Callahan. Brief discussion was held that the amendment should be for parking on sidewalks instead parking on crosswalks. Ayes: All.

Council Member Callahan with a motion to approve the second reading of an ordinance providing for the division of taxes levied on taxable property in the October 2022 addition to the Independence Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, Prusator, O'Loughlin, Jensen, Callahan, and Huston.

Council Member Jensen with a motion to approve the first reading of an ordinance providing for the vacation and conveyance of a portion of the 5th Street NE right-of-way, second by Council Member Callahan. Council Member O'Loughlin reached out to County officials about this property and other properties in similar situations. Council Member Hanna asked if the property owner was aware of this when the property was purchased. Council Member Jensen asked if this was documented on the purchase documents that the lot was non-conforming. Council Member Kurtz said it should have been documented but he did not see where it had been. He looked at other properties in Fourth Ward and found there are other lots that have unusual boundary lines. This particular property is being addressed as it is a concern of liability for the City as some of the house is on City property. By doing the vacation of property process, this would give the City property to the property owner. Council held discussion on the tree that the City had taken down and the retaining wall that was next to the tree. Brian Crawford, Crawford Engineering, did state that the encroachment was only on the North side and was noted when Crawford Engineering did their survey work years ago. The roll being called the following Council Members voted: Ayes: Kurtz, Prusator, Jensen, Callahan, and Huston. Nays: O'Loughlin and Hanna.

RESOLUTIONS

Council Member Jensen with a motion to approve a resolution approving the professional services agreement with Crawford Engineering-Surveying, Inc. for the City of Independence, Iowa West Side storm water study, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen.

Resolution adopted and upon approval by Mayor assigned No. 2022-137 in the Official Book of Resolutions.

Brian Crawford, Crawford Engineering, spoke on the Highway 150 Reconstruction Phase 2 Project.

Council Member Prusator with a motion to approve a resolution that sets November 28, 2022, at 5:00 pm in City Hall Council Chambers for a public hearing on a proposed vacation and disposition of a portion of the 5th Street NE right-of-way, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, Prusator, and O'Loughlin.

Resolution adopted and upon approval by Mayor assigned No. 2022-138 in the Official Book of Resolutions.

Council Member Prusator with a motion to approve a resolution to assess a property owner for Chapter 52 Mowing of Properties – Failure to Comply, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Callahan.

Resolution adopted and upon approval by Mayor assigned No. 2022-139 in the Official Book of Resolutions.

Council Member Prusator with a motion to approve a resolution approving the Fiscal Year 2024 Tax Increment Financing Indebtedness Certification and authorizing the City Clerk to submit the Indebtedness Certification to the County Auditor, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, Prusator, O'Loughlin, Jensen, Callahan, and Huston.

Resolution adopted and upon approval by Mayor assigned No. 2022-140 in the Official Book of Resolutions.

LMI HOMEOWNER REPAIR

Council Member Hanna with a motion to approve a homeowner/agency repair program project for 202 19th Avenue NW Lot 6, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Kurtz, Prusator, O'Loughlin, Jensen, Callahan, Huston, and Hanna.

Resolution adopted and upon approval by Mayor assigned No. 2022-141 in the Official Book of Resolutions.

Council Member Prusator to approve the homeowner/agency repair project contract for 202 19th Avenue NW Lot 6, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz.

Council Member Callahan with a motion to approve a homeowner/agency repair program project for 202 19th Avenue NW Lot 5, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, Kurtz, and Prusator.

Resolution adopted and upon approval by Mayor assigned No. 2022-142 in the Official Book of Resolutions.

Council Member Callahan with a motion to approve the homeowner/agency repair project contract for 202 19th Avenue NW Lot 5, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, Prusator, and O'Loughlin.

OTHER BUSINESS

Council Member O'Loughlin with a motion to approve Change Order #4 with no contract cost changes for the Independence Façade COVID Project, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen.

Council Member Prusator with a motion to approve Change Order #5 with no contract cost changes for the Independence Façade COVID Project, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Callahan.

Council Member Hanna with a motion to approve the Memo of Agreement with Buchanan County Emergency Management and Buchanan County Public Health that allows the Fire Station to be used in the event of a public emergency, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, Prusator, O'Loughlin, Jensen, Callahan, and Huston.

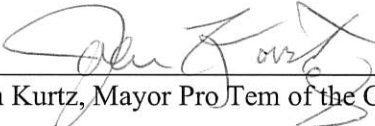
REPORTS

The following comments were heard from Council and Staff: Huston- Happy that the Council is trying to help low to middle income housing needs. Talked with Council Member Hanna about what the City can do to help homelessness in Independence. Congratulation to Council Member Kurtz on his recent election win. Hanna- Remembers when former Police Chief Dallenbach and another individual helped an individual get into a nursing home. Kurtz- Spoke that larger cities have warming and cooling centers for homeless individuals. Police- Spoke on what the department does to help homeless individuals. Jensen- Was told to inquire about the City-County-School meeting that needs to be scheduled and it is the City's turn to host. O'Loughlin- Congratulation to Council Member Kurtz. Prusator- Wanted to let residents know they can sign up on the City's website to receive text alerts.

ADJOURNMENT


Motion by Council Member Jensen, second by Council Member Callahan to adjourn. Ayes: All.

Whereupon Mayor Pro Tem Kurtz declared the meeting adjourned at 5:57 p.m.



John Kurtz, Mayor Pro Tem of the City of Independence, Iowa

ATTEST:



Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer of the City of Independence, Iowa