

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, May 23, 2022.

### OPENING/ROLL CALL

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

Motion by Council Member Prusator, second by Council Member Hanna to approve the agenda as presented for the regular meeting held May 23, 2022. Ayes: All. Absent: Callahan.

### CONSENT AGENDA

Motion by Council Member O'Loughlin, second by Council Member Jensen to accept and approve the consent agenda that approves the following: 1) The minutes of the May 9, 2022, Regular Meeting. 2) Casey's General Store #2239 Class E Liquor License Renewal application that includes Class B Wine Permit, Class C Beer Permit, and Sunday Sales, July 1, 2022, thru June 30, 2023. 3) Special Event Application – Allerton Brewing June 18, 2022. 4) Special Event Application – Independence Celebration Committee July 2, 2022, to July 5, 2022. 5) Old Rush Park Class C Liquor License Renewal that includes Sunday Sales, May 30, 2022, thru May 29, 2023. 6) Allerton Brewing Company Liquor License Amendment that adds Outdoor Service for their events July 2, 2022, thru July 4, 2022. 7) The Sanity Room Liquor License Amendment reflecting an ownership change. 8) Special Event Application – 175<sup>th</sup> Anniversary Community Toast June 15, 2022. Ayes: All. Absent: Callahan.

### FINANCIALS

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

ADVANCE AUTO PARTS	Vehicle Repair-A	\$ 113.99
AFLAC	AFLAC PRE-TAX	\$ 301.36
AIRGAS	Equip Lease-ST	\$ 33.01
ALTORFER INC	Equip Maint-W	\$ 965.78
AMAZON CAPITAL SERVICES	Computer-L	\$ 7,247.30
BANK IOWA	Bond Payment-W	\$ 192,164.00
BLACKSTONE PUBLISHING	Supplies-L	\$ 521.24
BRODART CO	Supplies-L	\$ 667.95
BUCHANAN COUNTY HEALTH CE	Services-CH	\$ 13,798.04
CARD SERVICES-LIBRARY	Misc Exp-L	\$ 692.59
CARD SERVICES-VISA	Misc Exp-CH,B,W,ST,FD,PD	\$ 3,366.59
CASEY'S MARKETING COMPANY	TIF Rebate-CH	\$ 19,029.00
CAVENDISH SQUARE	Supplies-L	\$ 201.48
CEDAR BEND HUMANE SOCIETY	Animal Control-B	\$ 108.00
CENGAGE LEARNING	Books-L	\$ 123.45
COLONIAL LIFE & ACCIDENT	COLONIALPRETAX	\$ 622.16
CONVERSIGHT.AI INC	Computer-L	\$ 3,000.00
CY & CHARLEY'S FIRESTONE	Services-FD	\$ 2,571.00
DAVE SCHMITT CONSTRUCTION	Hwy 150 Recon-ST,W	\$ 588.13
DELTA DENTAL OF IOWA	DENTAL BENEFIT	\$ 3,409.36
E & B SCALE SERVICES INC	Services-W	\$ 135.00
EAST-CENTRAL IOWA R.E.C.	Utility-A,PR,ST,W	\$ 2,488.68
EBSCO	Dues-L	\$ 1,268.83
ESCHEN'S CLOTHING	Uniform-W	\$ 132.50
FAHR BEVERAGE INC	Supplies-PR	\$ 68.45
FASTENAL COMPANY	Supplies-ST	\$ 19.16
FIRE SERVICE TRAINING BUR	Training-FD	\$ 50.00
FISH WINDOW CLEANING	Bldg Maint-L	\$ 939.00

FLETCHER-REINHARDT CO	LED Lights-ST	\$ 1,400.00
GENERAL TRAFFIC CONTROLS	Equip Repair-ST	\$ 1,988.68
GRITTON, DAWN	Refund-CH	\$ 140.00
GROUP SERVICES INC	\$afe-T Fund-All	\$ 7,035.44
HARKLAU, RYAN	Rebate-CH	\$ 1,512.28
HAUSERS WATER SYSTEMS INC	Maint-Repair-L	\$ 156.46
HAWKEYE FIRE & SAFETY COM	Supplies-PD	\$ 143.50
HAWKINS, INC.	Chemicals-W	\$ 1,099.05
HILL, AUDREY	Reimburse-CH	\$ 288.75
IA DEPT OF REVENUE	Sales Tax-W	\$ 11,493.00
IA STATE UNIVERSITY	Training-CH	\$ 195.00
IA TRANSMISSION REBUILDER	Veh Repair-PD	\$ 204.20
ILLINOIS LIBRARY ASSOC	Programming-L	\$ 38.25
INDEPENDENCE CONSTRUCTION	TIF-Rebate-CH	\$ 1,982.80
INDEPENDENCE LIGHT & POWE	Utilities-All	\$ 33,953.17
INDEPENDENCE ROTARY CLUB	Dues-CH	\$ 276.00
INGRAM LIBRARY SERVICES	Books-L	\$ 104.12
INRCOG	Services-CH	\$ 1,030.16
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$ 22,431.96
IPERS	IPERS-PROTECTIV	\$ 30,023.65
IWORQ	IT Software-ST,W	\$ 10,000.00
J & R SUPPLY INC	Supplies-W	\$ 2,337.62
JACOBS, MORGAN	Training-FD	\$ 31.80
KEYSTONE LABORATORIES INC	Lab Analysis-W	\$ 1,148.75
LIBRARICA LLC	Computer Exp-L	\$ 461.85
LIBRARY IDEAS LLC	Audio Recordings-L	\$ 756.42
LL PELLING COMPANY	Repair-ST	\$ 2,474.47
LYNCH DALLAS, PC	Legal Exp-CH	\$ 3,160.15
M&T BANK- 305533	ICMA-RC \$	\$ 1,665.65
MANATT'S INC	Cement-ST	\$ 457.06
MIDAMERICAN ENERGY COMPAN	Utility-W	\$ 7,089.27
MURPHY TRACTOR & EQUIPMEN	Equipment-PR	\$ 7,982.00
NISSEN, THOMAS	Programs-L	\$ 500.00
OVERDRIVE INC.	Ebooks-L	\$ 4,000.00
OVERHEAD DOOR CO CR & IC	Repair-A	\$ 529.50
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	\$ 71,530.84
PENGUIN RANDOM HOUSE LLC	Supplies-L	\$ 111.75
PEPSI-COLA GEN. BOT. IN	Concession-PR	\$ 1,268.06
PERMA-BOUND	Books-L	\$ 65.25
PITNEY BOWES GLOBAL FINAN	Equip Lease-PR	\$ 131.97
PRINT EXPRESS	Postage-L	\$ 2,989.23
PURCHASE POWER	Postage-ALL	\$ 270.99
R & E REAL ESTATE, LLC	Rent-PD	\$ 2,700.00
RESTORATION SERVICES INC	Services-CH	\$ 22,125.00
RYAN EXTERMINATING INC	Pest Control-CH	\$ 47.00
RYDELL AUTO GROUP	TIF Rebate-CH	\$ 79,679.00
S & K COLLECTIBLES	Shipping-W	\$ 31.41
SIGNS & MORE	Services-CH	\$ 578.82
SKINNER, BRANDON	TIF Rebate-CH	\$ 10,046.00
SKOGMAN CONSTRUCTION CO	TIF Rebate-CH	\$ 0.32
SPAHN & ROSE LUMBER COMPA	Supplies-FD,CH,B,ST	\$ 1,508.21
STEVE GEE CONSTRUCTION	TIF Rebate-CH	\$ 8,497.40
STOREY KENWORTHY - MATT P	Supplies-CH	\$ 631.06
SUPERB CLEANING SERVICES	Bldg Maint-L	\$ 1,750.00
TASC	FLEX MEDICAL	\$ 1,188.19
TREASURER-STATE OF IOWA	STATE TAXES	\$ 7,614.00

TRUE VALUE HARDWARE	Supplies-L	\$ 12.47
UNUM	LIFE/AD&D INS	\$ 924.04
US CELLULAR	Phone-ST,B	\$ 502.25
VERIZON WIRELESS	Utility-CH,F,PR	\$ 82.76
VISION SERVICE PLAN	VISION PRETAX	\$ 305.70
WALMART COMMUNITY	Supplies-L	\$ 95.99
WAPSIE VALLEY CREAMERY	TIF Rebate-CH	\$ 106,056.00
WASTE MANAGEMENT	Garbage-PR	\$ 1,030.11
WELLMARK BCBS	HEALTH BENEFIT	\$ 50,740.38

**CLAIMS TOTAL \$785,231.26;** General Fund \$163,760.63; Library \$41,621.65; Streets Dept-Road Use \$34,696.63; Employee Benefits \$4,010.90; Tax Increment Financing \$226,802.80; Economic Development \$1,030.16; Cap Project-Street Improve \$1,400.00; Cap Outlay Savings/LOST \$36,336.77; Water Fund \$23,552.02; Sewer Utility Fund \$50,363.20; Sewer Sinking Revenue Bond \$192,164.00; Storm Water \$2,457.06; Self Insurance \$7,004.46; Self Insurance-Enterprise \$30.98.

**REVENUES MONTH TO DATE TOTAL \$880,290.37;** General Fund \$323,950.00; Library \$29,266.97; Street Dept-Road Use \$34,824.76; Employee Benefits \$24,428.47; Emergency Levy \$1,218.45; Tax Increment Financing \$18,373.08; Economic Development \$99,748.27; Debt Service \$18,002.94; Debt-Special Assessment \$5,183.00; Cap Outlay Savings/LOST \$116,252.99; Water Fund \$48,924.43; Sewer Utility \$123,390.62; Sewer Sinking Revenue Bond \$13,161.50; WWTP Replacement \$89.17; Storm Water \$7,636.50; Self Insurance \$14,575.92; Self Insurance-Enterprise \$1,263.60.

The April 2022 budgeted transfers and the revenues and expenses by department to date were available for council review and discussion.

## HEARINGS & ORDINANCES

Council Member Prusator with a motion to approve the third and final passage of the amendment to Code Section 63.04 Special Speed Zones for adoption pursuant to Iowa Code Section 380.3, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen. Absent: Callahan.

**Ordinance adopted and upon approval by Mayor assigned No. 2022-558 in the Official Book of Ordinances.**

Council Member Jensen with a motion to receive and file proof of publication of notice of public hearing for amending Code Section 55.17 Number of Animals Limited, second by Council Member Hanna. Ayes: All. Absent: Callahan. Council Member Hanna with a motion to hold the public hearing, second by Council Member O'Loughlin. Ayes: All. Absent: Callahan. Council Member Hanna asked a question regarding household that had six or more animals when the first amendment to this section was done. Police Chief Niedert explained that City employees will not go around to verify the number of animals in a household. This is amendment is more aimed toward animal care and safety and for peoples ability to properly provide that care. Council Member Hanna with a motion to close the public hearing, second by Council Member Jensen. Ayes: All. Absent: Callahan. Council Member Jensen with a motion to approve the first reading, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Huston. Absent: Callahan.

## RESOLUTIONS

Council Member Hanna with a motion to appoint M. Toale-Burke to serve as a member on the Independence Light & Power Board of Trustees, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Huston, Hanna, and Kurtz. Absent: Callahan.

**Resolution adopted and upon approval by Mayor assigned No. 2022-87 in the Official Book of Resolutions.**

Council Member Jensen with a motion to approve a resolution that approves an amendment to a development agreement, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Huston, Hanna, Kurtz, and Prusator. Absent: Callahan.

**Resolution adopted and upon approval by Mayor assigned No. 2022-88 in the Official Book of Resolutions.**

## OTHER BUSINESS

Council Member Hanna with a motion to set a special election on July 19, 2022, for the mayor vacancy, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Jensen, Huston,



Hanna, Kurtz, Prusator, and O'Loughlin. Absent: Callahan.

Council Member Jensen with a motion to approve the Spargrove Development agreement extension request, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen. Absent: Callahan.

Council Member O'Loughlin with a motion to approve Mayor Pro Tem Kurtz to sign and send a letter opposing the CDBG Elimination of eligible activities, second by Council Member Hanna. Ayes: All. Absent: Callahan.

Council Member Jensen with a motion to discontinue televising the Committee of the Whole Meeting effective immediately, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Huston, Kurtz, Prusator, O'Loughlin, and Jensen. Nays: Hanna. Absent: Callahan.

City Attorney Leidinger spoke on the work involved in updating the "Rules of Procedure for Conduct of City Council Business." This will be brought to a future meeting for approval once all revisions have been made.

Mark Crawford, Crawford Engineering, spoke on the Highway 150 Reconstruction Phase 2 Project, the Liberty Trail South Extension Project, and the Enterprise Drive Trail Phase 2 Project.

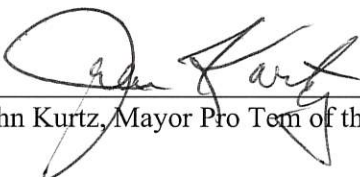
## REPORTS

The following comments were heard from Council and Staff: Hanna- There is a new resident in her neighborhood that is handicap and there is an issue of people parking on sidewalks when they pull into a driveway. Asked if tall grass violators get notices for each time the ordinance is violated. Police- The recent squad purchased should be done this week getting outfitted. Chief Niedert and Captain Lau will be attending the Chief's conference this week. Spoke on people dumping illegal items at Waste Management and the brush dump. City Manager- Council received a letter from an out of state individual that was unhappy with the camera on 1<sup>st</sup> Street West and said there needs to be signs there. City Manager Roder drove that area and said the signs are still there that have been up since the camera was installed. June 17<sup>th</sup> is the Chamber golf outing for those interested. Reminded everyone that June 11<sup>th</sup> is City Wide Clean up. Kurtz- Encouraged people to reach out to others to take out nomination papers for the mayor election once they are available.


## ADJOURNMENT

Motion by Council Member O'Loughlin, second by Council Member Jensen to adjourn. Ayes: All. Absent: Callahan.

Whereupon Mayor Pro Tem Kurtz declared the meeting adjourned at 6:13 p.m.

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

ATTEST:

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