

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, February 28, 2022.

OPENING/ROLL CALL

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

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 O'Loughlin, second by Council Member Callahan to approve the agenda as presented for the regular meeting held February 28, 2022. Ayes: All.

CONSENT AGENDA

Motion by Council Member Kurtz, second by Council Member Huston to accept and approve the consent agenda that approves the following: 1) The minutes of the February 14, 2022, Regular Meeting. 2) Kwik Star #17 Liquor License Renewal Class C Beer Permit and Sunday Sales April 1, 2022, thru March 31, 2023. Ayes: All.

FINANCIALS

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

ACCESS SYSTEMS	Equip Contract-ALL	\$1,337.50
AFLAC	AFLAC PRE-TAX	\$301.36
AMAZON CAPITAL SERVICES	Books-L	\$1,129.63
AVFUEL CORPORATION	Equip Rental-A	\$20.00
B & B FARM STORE INC	Repair-ST	\$87.07
BLACKSTONE PUBLISHING	Supplies-L	\$434.98
BODENSTEINER IMPLEMENT	Veh Repair-A	\$74.16
BOLTON & MENK, INC.	Engineering-A	\$4,830.00
BOOMERANG CORP	Services-PR	\$82,946.67
BRODART CO	Supplies-L	\$750.03
BRUENING ROCK PRODUCTS IN	Road Rock-W	\$628.81
BUCHANAN COUNTY HEALTH CE	Payment-CH	\$6,875.00
BUCHANAN COUNTY TREASURER	Taxes-W	\$162.00
CARD SERVICES-LIBRARY	Misc Exp-L	\$754.37
CENGAGE LEARNING	Books-L	\$98.76
CENTER POINT LARGE PRINT	Supplies-L	\$27.97
CHELSEY'S DREAM FOUNDATIO	Baseball Fees-PR	\$900.00
COLONIAL LIFE & ACCIDENT	COLONIALPRETAX	\$622.16
DELTA DENTAL OF IOWA	DENTAL BENEFIT	\$3,369.58
DEMCO	Supplies-L	\$235.61
DIAMOND VOGEL PAINTS	Supplies-ST	\$3,910.20
DITCH WITCH	Supplies-W	\$515.49
DUBUQUE BOYS INDEPENDENT	Fees-PR	\$500.00
EAST-CENTRAL IOWA R.E.C.	Utility-A,PR,ST,W	\$3,059.97
ELECTRIC PUMP INC	Repair-W	\$2,040.00
FAHR BEVERAGE INC	Supplies-PR	\$552.74
FAHRNER ASPHALT SEALERS	Repair-A	\$10,907.54
FIRE SERVICE TRAINING BUR	Training-FD	\$50.00
GROUP SERVICES INC	Safe-T Fund-All	\$10,462.48
HAUBER, ANDY	Basketball-PR	\$110.00
HAWKEYE FIRE & SAFETY COM	Supplies-FD	\$59.40
HAWKINS, INC.	Chemicals-W	\$2,520.49
HUELIFE	Training-CH	\$7,954.56

IA LIBRARY ASSOCIATION	Dues-L	\$95.00
IA PEACE OFFICERS ASSOC	Training-PD	\$375.00
IA PUBLIC AIRPORTS ASSOC	Dues-A	\$175.00
IA WORKFORCE DEVELOPMENT	Unemployment-PD	\$1,611.71
ILA/IASL	Supplies-L	\$8.00
INDEPENDENCE LIGHT & POWE	Utilities-All	\$2,488.00
INDEPENDENCE PLUMBING HEA	Repair-PR	\$800.00
INGRAM LIBRARY SERVICES	Supplies-L	\$402.05
INRCOG	Services-CH	\$989.04
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$21,607.91
IPERS	IPERS-PROTECTIV	\$28,829.93
JOHN DEERE FINANCIAL	Supplies-ST	\$719.56
KENINGER, JASON	Basketball-PR	\$168.00
KIECK'S CAREER APPAREL	Uniform-PD	\$123.00
KRIVACHEK JANITORIAL SUP	Supplies-ST	\$200.00
LYNCH DALLAS, PC	Legal Exp-CH	\$1,802.13
LYNX YOUTH BASEBALL	Tourney Fees-PR	\$1,200.00
M&T BANK	ICMA-RC \$	\$1,665.65
MANCHESTER KIDS LEAGUE	Tourney Fees-PR	\$800.00
MASON CITY YOUTH BASEBALL	Baseball-PR	\$275.00
MCDONALD, CONNIE	Uniform-PD	\$15.00
MICHELS, TOM	Basketball-PR	\$168.00
MIDAMERICAN ENERGY COMPAN	Utility-W	\$15,418.67
MOTION INDUSTRIES	Equip Maint-W	\$353.34
MYBSA	Baseball Fees-PR	\$1,400.00
NORTHEAST IA INSPECTIONS	Dues-PR	\$300.00
P & N CORPORATION	Fuel Profits-A	\$33.30
PALMER, CARTER	Snow Removal-L	\$160.00
PAYROLL CHECKS	PAYROLL CHECKS	\$68,356.85
PENGUIN RANDOM HOUSE LLC	Supplies-L	\$24.00
PEPSI-COLA GEN. BOT. IN	Concession-L	\$136.56
PERMA-BOUND	Books-L	\$34.02
PIPESTONE VETERINARY CLIN	Animal Control-PD	\$1,039.01
PRECISION PLUMBING, HEATI	Repair-L	\$577.00
PRINT EXPRESS	Printing-L	\$2,204.49
PURCHASE POWER	Postage-B,CH,PR,W	\$270.99
PUSH-PEDAL-PULL INC	Equip Maint-PR	\$559.10
R & E REAL ESTATE, LLC	Rent-PD	\$2,700.00
RACOM CORPORATION	Equip Maint-FD	\$25,284.12
RAY O'HERRON CO.	Uniform-PD	\$143.09
RICHTER, BOB	Reimburse-ST	\$25.00
RYAN EXTERMINATING INC	Pest Control-CH	\$47.00
SIGNS & MORE	League-PR	\$307.75
STOREY KENWORTHY - MATT P	Supplies-L	\$624.28
STRAND ASSOCIATES	SERVICES-W	\$2,860.00
SUPERB CLEANING SERVICES	Bldg Maint-L	\$2,030.00
TASC	FLEX MEDICAL	\$1,846.99
TBT SPORTS	Tourney Fees-PR	\$13,775.00
TREASURER-STATE OF IOWA	STATE TAX	\$7,184.00
TSCHIGGFRIE EXCAVATING IN	Services-W	\$3,623.45
UNUM	LIFE/AD&D INS	\$350.00
USA BLUE BOOK	Supplies-W	\$114.53
VISION SERVICE PLAN	VISION PRETAX	\$305.70
WALMART COMMUNITY	Supplies-	\$128.69
WELLMARK BCBS	HEALTH BENEFIT	\$50,963.48
WESTERN DUBUQUE YOUTH BAE	Tourney Fees-PR	\$400.00

CLAIMS TOTAL \$416,326.92; General \$168,460.68; Library \$29,194.04; Street Dept-Road Use Tax \$29,917.69; Employee Benefits \$3,755.35; Economic Development \$989.04; Cap Proj-Visioning \$82,946.67; Cap Proj-Airport \$15,737.54; Cap Outlay Savings/LOST \$25,978.37; Water \$15,690.88; Sewer Utility \$33,194.18; Self Insurance \$5,974.07; Self Insurance-Enterprise \$4,488.41.

REVENUES MONTH TO-DATE TOTAL \$1,139,245.44; General \$153,194.33; Library \$29,188.32; Streets Dept – Road Use Tax \$66,720.50; Employee Benefits \$11,223.79; Emergency Levy \$398.53; Tax Increment Financing \$5,686.19; Debt Service \$5,853.38; Debt-Special Assessment \$1,817.00; Cap Proj-Street Improve \$239,583.04; Cap Outlay Savings/LOST \$18,952.29; Cap Project Highway 150 \$247,516.21; Water \$108,473.51; Sewer Utility \$198,838.33; Sewer Sinking Revenue Bond \$13,161.50; Storm Water \$13,535.73; Self Insurance \$20,093.07; Self Insurance-Enterprise \$4,979.72.

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

PETITIONS FROM THE PUBLIC

Laura Blaker, Library Director, presented the 2020-2021 annual report.

Lisa Kremer, Buchanan County Economic Development, presented the 2021 annual report, the 2021 labor shed results, and spoke on upcoming events.

HEARINGS & ORDINANCES

Council Member Kurtz with a motion to approve the second reading of Chapter 3 Wards and Precincts amendment, 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 Huston with a motion to waive the requirement of three considerations of this Ordinance prior to final passage and have this measure placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Kurtz. The roll being called the following Council Members voted: Ayes: Kurtz, Prusator, O'Loughlin, Jensen, Callahan, and Huston. Nays: Hanna

Ordinance adopted and upon approval by Mayor assigned No. 2022-554 in the Official Book of Ordinances.

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

LIBERTY TRAIL SOUTH EXTENSION PROJECT

Council Member Kurtz with a motion to receive and file proof of publication of notice of public hearing, second by Council Member Callahan. Ayes: All. Council Member Kurtz with a motion to hold the public hearing, second by Council Member Prusator. Ayes: All. City Manager Roder and Mayor Hill explained the proposed locations of the trail project and thanked the individuals that have been involved with this project. Tim Durtiza asked if the project would be on City or County property. City Manager Roder answered that the trail would be on City property. John Nennig asked questions about the project cost, funding source, and who would be responsible for trail maintenance in the winter. City Manager Roder shared that State transportation grants would be used. Maintenance would be done by City staff for the trails that get high traffic in the winter. Council Member Callahan with a motion to close the public hearing, second by Council Member Kurtz. Ayes: All.

Council Member Kurtz with a motion to approve a resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Liberty Trail South Extension Project, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz.

Resolution adopted and upon approval by Mayor assigned No. 2022-51 in the Official Book of Resolutions.

Discussion was held on the bids received for the Liberty Trail South Extension Project.

Council Member Kurtz with a motion to approve a resolution awarding the contract for the Liberty Trail South Extension Project to Skyline Construction, Inc, for the total bid amount of \$401,260.30, second by Council Member O'Loughlin. 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. 2022-52 in the Official Book of Resolutions.

2022 STREET REHABILITATION PROJECT

Council Member Kurtz with a motion to approve a resolution of necessity for the 2022 Street Rehabilitation Project, second by Council Member Prusator. John Nennig presented a handout to Council Members citing the reasons why citizens signed the petition that was discussed at the February 14, 2022, Council Meeting. Mayor Hill spoke on the previous year's street rehabilitation projects and the City's history on why special assessments are being done. He also explained Road Use Tax monies fund the daily operations for the Street Department. Those monies could be used for projects, but then money would need to come from another source to fund the Street Department. It will be discussed at the March 7, 2022, Committee of the Whole meeting on what to do with the funds that were ear-marked for this project. Daniel Young, 608 7th Street NW, spoke on the minimal traffic that travels along 7th Avenue NW. He spoke of earlier repair work done on the curb, concerns for future work and special assessments. He asked if he would be assessed for work in the future on 7th Street NW. City Manager Roder explained that it is the City's practice to not double assess a property if work is done in the same project. Discussion was held on the Council's practice for special assessments and following State Code Chapter 384. Clarification was asked on how the \$30.00/linear foot is broken out between entities and the possibility of not being special assessed in a future project. City Manager Roder shared that the \$30.00/linear foot is an attempt to share the cost with the property owners involved with the project. Mayor Hill shared that the \$30.00/linear foot was discussed with Engineers and the Council at that time to reach that amount. John Nennig asked that it would be nice for property owners that future council members are aware of special assessments practices done in Independence. He would also like for something to be put in writing regarding special assessments that a group meeting be done to come up with different solutions for a project. The roll being called the following Council Members voted: Nays: Callahan, Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen. Resolution failed.

Resolution adopted and upon approval by Mayor assigned No. 2022-53 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution ratifying the preparation of detailed plans, specifications, notice of hearing, notice to bidders and form of contract, second by Council Member Callahan. The roll being called the following Council Members voted: Nays: Huston, Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Callahan. Resolution failed.

Resolution adopted and upon approval by Mayor assigned No. 2022-54 in the Official Book of Resolutions.

RESOLUTIONS

Council Member Kurtz with a motion to approve a resolution that assesses property owners for Chapter 136.03 removal of snow, ice and accumulations failure to comply, second by Council Member Prusator. 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. 2022-55 in the Official Book of Resolutions.

Council Member Callahan with a motion to approve a resolution that sets the date for a public hearing for March 14, 2022, at 5:00 p.m. and additional action on proposal to enter into General Obligation Loan Agreements and to borrow money thereunder, second by Council Member Huston. City Manager Roder shared that is short-term funding for the Downtown Façade Program and to spread the use of Tax Increment Financing over a five year term. 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. 2022-56 in the Official Book of Resolutions.

OTHER BUSINESS

Mayor Hill reminded Council Members that when discussing wages for a position, it is important to look at the position and not the person in the position. City Manager Roder shared his recommendation to Council in his agenda notes to maintain the current wage rate for the building inspector position. Discussion was held on the comparability of duties in nearby cities for similar positions and what it would cost if the city were to hire a new person to take over as building inspector/code enforcement. Council Member O'Loughlin with a motion to table wage discussion for the building inspector position to the next meeting, second by Council Member Jensen. Ayes: All.

Council Member Kurtz with a motion to have a wage rate of \$68,640 for the Street Superintendent position, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, Kurtz, and Prusator.

Council Member Kurtz with a motion to approve the amended development agreement with Dominick Sparrgrove,

second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, Prusator, and O'Loughlin.

Council Member Kurtz with a motion to approve Change Order #2 for the 6th Avenue SW Trail Project in a net decrease of \$4,550.00, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, Prusator, O'Loughlin, and Jensen.

Council Member Kurtz with a motion to approve pay request number three to Boomerang Corp, for the 6th Ave SW Trail Project, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, Prusator, O'Loughlin, Jensen, and Callahan.

Brian Crawford, Crawford Engineering, shared that the City would still receive bids concerning the 2022 Street Rehabilitation Project and they will be presented at the March 14th meeting. There are two processes when a public improvement project with assessments. There is the assessment procedure and the bidding procedure that overlap in the process, but the bidding process is separate.

REPORTS

The following comments were heard from Council and Staff: Kurtz- Thanked all the citizens that did work regarding the street project. Is proud of the work the City has done on previous project. O'Loughlin- Good example of democracy at work tonight. Jensen- Shared that communication is important for projects. City Manager- Gave a reminder about the upcoming Chamber Banquet for anyone interested in attending.

ADJOURNMENT

Motion by Council Member O'Loughlin, second by Council Member Kurtz to adjourn. Ayes: All.

Whereupon Mayor Hill declared the meeting adjourned at 6:46 p.m.



Robert Hill, Mayor of the City of Independence, Iowa

ATTEST:



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