

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, January 24, 2022.

OPENING/ROLL CALL

Mayor Hill opened the meeting by calling the meeting to order with Council Members Callahan, Huston, Kurtz, 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 Callahan, second by Council Member Kurtz to approve the agenda as presented for the regular meeting held January 24, 2022. Ayes: All.

CONSENT AGENDA

Motion by Council Member Kurtz, second by Council Member O'Loughlin to accept and approve the consent agenda that approves the following: 1) The minutes of the January 10, 2022, Regular Meeting. Ayes: All.

FINANCIALS

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

ADVANCE AUTO PARTS	Vehicle-A	\$163.08
AMAZON CAPITAL SERVICES	Books-L	\$920.32
BEATTY, ROBERT	Phone Allow	\$45.00
BLACKSTONE PUBLISHING	Supplies-L	\$258.73
BODENSTEINER IMPLEMENT	Supplies-PR	\$218.49
BOLTON & MENK, INC.	Engineering-A	\$14,490.00
BRODART CO	Supplies-L	\$1,003.73
BROWN SUPPLY COMPANY	Supplies-W	\$4,960.00
BSN SPORTS, INC.	Supplies-PR	\$222.86
BUCHANAN COUNTY HEALTH CE	Amb.Contract-CH	\$10,645.17
BUCHANAN COUNTY SOIL & WA	Park Grounds-PR	\$600.00
BULS, JANET L	Instructor-PR	\$567.00
C & C WELDING & SAND BLAS	Repair-W	\$70.08
C23 GRAPHIC DESIGN	Printing-PR	\$101.49
CARD SERVICES-LIBRARY	Misc Exp-L	\$335.45
CARD SERVICES-VISA	Misc.Exp-All	\$392.76
CAVENDISH SQUARE	Supplies-L	\$195.54
CENGAGE LEARNING	Books-L	\$100.06
CENTER POINT LARGE PRINT	Supplies-L	\$134.25
CHRISTOPHERSON HYDRAULICS	Veh Repair-ST	\$510.00
CONSOLIDATED ENERGY CO	Fuel-All	\$7,909.74
CONTROL INSTALLATION OF I	Maint/Repair-L	\$180.00
CONTROLWORX INC	Equip Repair-W	\$5,831.06
CORBETT, LUCAS	Phone Allow	\$45.00
DAVE SCHMITT CONSTRUCTION	Hwy 150 Recon-ST,W	\$632.50
DELTA DENTAL OF IOWA	Dental Insurance-ALL	\$216.56
DILIGENT	Dues-CH	\$3,000.00
EAST-CENTRAL IOWA R.E.C.	Utility-A,PR,ST,W	\$2,880.88
ESCH, BRAD	Phone Allow	\$45.00
FOLEY, TRAVIS	Phone Allow	\$45.00
GROUP SERVICES INC	Safe-T Fund-All	\$6,873.59
HAWKINS, INC.	Chemicals-W	\$319.10
HAYWARD, BLAKE	Phone Allow	\$45.00
HEARTLAND ASPHALT, INC.	Retainage-ST	\$14,145.99

HILL, ROBERT	Phone Allow	\$100.00
HILLTOP MOTORS INC	Veh Repair-A	\$55.00
HOTSY CLEANING SYSTEMS	Minor Equip-W	\$5,235.00
IA CHAPTER OF IAPMO	Dues-B	\$30.00
IA DEPT OF REVENUE	Sales Tax-W	\$8,267.84
IA DNR	Education Mat-W	\$30.00
IA LIBRARY ASSOCIATION	Dues-L	\$275.00
IA STATE UNIVERSITY	Training-CH	\$352.00
INDEPENDENCE LIGHT & POWE	Utilities-All	\$7,358.15
INDEPENDENCE ROTARY CLUB	Dues-L	\$131.00
INGRAM LIBRARY SERVICES	Books-L	\$211.83
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$21,694.28
JOHNSON CONTROLS	Supplies-W	\$88.66
KILER, ANGELA	Phone Allow	\$45.00
KRIVACHECK JANITORIAL SUP	Supplies-ST	\$55.96
LAU, BRIAN	Phone Allow	\$45.00
LYNCH DALLAS, PC	Legal Exp-CH	\$2,537.50
M&T BANK	ICMA-RC \$	\$1,665.65
MAIN, TIMOTHY E	Instructor-PR	\$1,086.00
MAVERICK POWERSPORTS	Vehicle-A	\$32.00
MCGRAW'S CARPETS	FCC-Cap Equip-PR	\$5,008.19
MIDAMERICAN ENERGY COMPAN	Utility-W	\$12,010.48
MIDWEST SAFETY COUNSELORS	Safety Equip-W	\$240.00
MIKE'S AUTOMOTIVE SERVICE	Vehicle-A	\$91.04
NATIONAL STORMWATER CENTR	Mtns/Conference-ST	\$824.00
NEWTON, DICK	Phone Allow	\$45.00
NORTH CENTRAL LABORATORIE	Lab Analysis-W	\$25.17
OELWEIN PUBLISHING COMPAN	Publicat-CH	\$861.60
PALMER, CARTER	Maint-L	\$80.00
PAYROLL CHECKS	PAYROLL CHECKS	\$69,378.38
PENGUIN RANDOM HOUSE LLC	Supplies-L	\$111.00
PENWORTHY COMPANY, THE	Books-L	\$163.75
PERMA-BOUND	Books-L	\$153.70
PERNICK, BENJAMIN	Program-L	\$150.00
PRECISION CONCRETE CUTTIN	Services-ST	\$36,284.00
PRINT EXPRESS	Printing-PR	\$2,429.00
PURCHASE POWER	Postage-B,CH,PR,W	\$270.99
R & E REAL ESTATE, LLC	Rent-PD	\$2,700.00
RECK, BRENT	Phone Allow	\$45.00
RODER, ALBERT W.	Phone Allow	\$100.00
ROUTE 3 PRESS	Books-L	\$12.00
RYAN EXTERMINATING INC	Pest Control-PR	\$97.00
S & K COLLECTIBLES	Shipping-W	\$37.38
SIGNS & MORE	Grounds Maint-PR	\$894.64
SPAHN & ROSE LUMBER COMPA	Supplies-A,PR,B,ST	\$8,092.47
STOREY KENWORTHY - MATT P	Supplies-CH	\$533.75
SUNNY SIDE CONSTRUCTION	Bldg Repair-A	\$5,800.00
SUPERB CLEANING SERVICES	Bldg Maint-L	\$1,750.00
TASC	FLEX MEDICAL	\$1,188.19
THE LIBRARY STORE	Office Supplies-L	\$52.33
TRUE VALUE HARDWARE	Supplies-PR,ST,PD,FD	\$1,223.68
TYSON FOODS, INC.	TIF Rebate-CH	\$ 1,091.00
UMB BANK NA	Bond Fees-CH	\$250.00
UNUM	LTD-All	\$571.28
US CELLULAR-FIRE DEPT	Phone-FD	\$583.08
USA BLUE BOOK	Supplies-W	\$436.04

WALMART COMMUNITY	Supplies-L	\$289.21
WASTE MANAGEMENT	Garbage-PR	\$1,070.10
WBC MECHANICAL INC	Equip Repair-W	\$224.00
WELLMARK BCBS	Health Ins-ALL	\$5,405.78
WINTHROP NEWS, THE	Publicat-PR	\$30.00

CLAIMS TOTAL \$288,002.53; General \$126,408.52; Library \$17,022.30; Streets-Road Use \$19,825.12; Employee Benefits \$5,637.96; Tax Increment Financing \$1,091.00; Economic Development \$400.60; Debt Service \$250.00; Debt-Special Assessment \$25,089.00; Cap Proj-Street Improve \$14,145.99; Cap Proj-Airport \$14,490.00; Cap Outlay Savings/LOST \$7,064.80; Water \$18,216.35; Sewer \$30,030.80; Storm Water \$1,456.50; Self Insurance \$4,952.52; Self Insurance-Enterprise \$1,921.07.

REVENUES MONTH TO-DATE TOTAL \$803,465.94; General \$142,668.23; Library \$28,888.97; Streets-Road Use \$68,732.59; Employee Benefits \$7,332.07; Emergency Levy \$259.81; Tax Increment Financing \$4,001.43; Debt Service \$3,847.75; Debt-Special Assessment \$991.74; Cap Proj-Airport \$171,762.30; Cap Outlay Savings/LOST \$40,518.76; Cap Project Highway 150 \$119,443.50; Water \$78,683.98; Sewer Utility \$99,678.29; Sewer Sinking Revenue \$18,642.50; Storm Water \$10,420.43; Self Insurance \$5,576.52; Self Insurance-Enterprise \$2,017.07.

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

PETITIONS FROM THE PUBLIC

Council Member Callahan with a motion to table the billing services and water meter reading agreement with Independence Light & Power, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, O'Loughlin, Jensen, and Callahan.

Lisa Kremer, Buchanan County Economic Development, and Brad Cole, owner of Hardware Hank, spoke on the grant application requirements and shared their requests they would like the City to make. The requests included \$50,000 in Tax Increment Financing, 10 parking spots for the 10 apartments to be considered as an in-kind donation, and the permit costs to be waived and to be considered as an in-kind donation. Council Member Callahan with a motion to approve the second story housing application, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, O'Loughlin, Jensen, Callahan, and Huston.

Firefighter Blake Hayward spoke on the closure of 4th Avenue SE from approximately 4:30 pm to 7:00 pm to provide for a drive-thru for the Fire Departments soup supper on February 15, 2022. Council Member O'Loughlin with a motion to approve the Fire Department request to close 4th Avenue SE on February 15, 2022, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Kurtz, O'Loughlin, Jensen, Callahan, Huston, and Hanna.

RESOLUTION

Council Member Callahan with a motion to approve a resolution that permanently changes the regular meeting time for Council Meetings to 5:00 p.m., second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, and Kurtz. Nays: O'Loughlin.

Resolution adopted and upon approval by Mayor assigned No. 2022-19 in the Official Book of Resolutions.

HEARINGS & ORDINANCES

Council Member Kurtz with a motion to receive and file proof of publication of notice of public hearing regarding the amendment to Chapter 55 Animal Protection and Control, second by Council Member Callahan. Ayes: All. Council Member Callahan with a motion to hold the public hearing, second by Council Member O'Loughlin. Ayes: All. Police Chief Niedert spoke on the changes being made to reflect the new agreement with Cedar Bend Humane Society. He shared he would like to have these changes and the changes for Code Section 1.15 in place before the process gets too far along. Council Member O'Loughlin with a motion to close the hearing and file oral and written comments, second by Council Member Jensen. Ayes: All. Council Member Huston with a motion to approve the first reading, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz. 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 Callahan. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, and O'Loughlin.

Ordinance adopted and upon approval by Mayor assigned No. 2022-552 in the Official Book of Ordinances.

Council Member Kurtz with a motion to receive and file proof of publication of notice of public hearing regarding the amendment to Code Section 1.15 Fines and Fee Schedules, second by Council Member Huston. Ayes: All. Council Member Callahan with a motion to hold the public hearing, second by Council Member O'Loughlin. Ayes: All. City Manager Roder pointed out the changes in the fee table. Council Members Hanna and O'Loughlin asked questions regarding fees not being changed. Council Member O'Loughlin with a motion to close the hearing and received and file oral and written comments, second by Council Member Callahan. Ayes: All. Council Member Kurtz with a motion to approve the first reading, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, O'Loughlin, and Jensen. 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 Callahan. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, O'Loughlin, Jensen, and Callahan.

Ordinance adopted and upon approval by Mayor assigned No. 2022-553 in the Official Book of Ordinances.

Council Member O'Loughlin with a motion to set February 14, 2022, at 5:00 p.m., as a public hearing on the Maximum Property Tax Dollars and authorize the City Clerk to Publish the Maximum Levy Hearing Notice, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, O'Loughlin, Jensen, Callahan, and Huston.

2022 STREET REABILITATION PROJECT

Council Member Huston with a motion to approve a preliminary resolution pursuant to Section 384.42 of the Iowa Code covering the 2022 Street Rehabilitation Project, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Kurtz, O'Loughlin, Jensen, Callahan, Huston, and Hanna.

Resolution adopted and upon approval by Mayor assigned No. 2022-20 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution approving and adopting preliminary plans and specifications, estimate of cost and plat and schedule, second by Council Member Callahan. Council Member O'Loughlin asked what the estimated cost of the project is and the anticipated amount to be received in assessments. Mark Crawford, Crawford Engineering, shared that the estimated cost is \$285,000 and approximately 50% is brought back in assessments. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz.

Resolution adopted and upon approval by Mayor assigned No. 2022-21 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve the proposed resolution of necessity, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, and O'Loughlin.

Resolution adopted and upon approval by Mayor assigned No. 2022-22 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2022 Street Rehabilitation Project, and the taking of bids therefor, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, O'Loughlin, and Jensen.

Resolution adopted and upon approval by Mayor assigned No. 2022-23 in the Official Book of Resolutions.

AIRPORT REHABILITATION PROJECTS

Council Member Callahan with a motion to approve a resolution that accepts the substantial completion of the Taxilane and Terminal Apron Rehabilitation, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, O'Loughlin, Jensen, and Callahan

Resolution adopted and upon approval by Mayor assigned No. 2022-24 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution that accepts the substantial completion of the T-Hangar Rehabilitation, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, O'Loughlin, Jensen, Callahan, and Huston.

Resolution adopted and upon approval by Mayor assigned No. 2022-25 in the Official Book of Resolutions.

Council Member O'Loughlin with a motion to approve the Professional Services Agreement Addendum for the 2nd Grant for the Taxiway and Terminal Apron Rehabilitation Project, second by Council Member Jensen. The roll

being called the following Council Members voted: Ayes: Kurtz, O'Loughlin, Jensen, Callahan, Huston, Hanna.

RESOLUTIONS

Council Member Huston with a motion to replace and repeal Resolution 2022-01 and amend the Public Hearing Date to February 14, 2022, at 5:00 pm. for a Public Hearing on the Designation of the Urban Renewal Area and on the Urban Renewal Plan and Project, second by Council Member Kurtz. Council Member O'Loughlin asked where the LMI area is in the project. City Manager Roder shared that the project does not involve LMI work; however, the City does capture a percentage of the incremental value for LMI. Discussion was held on the proposed site for Hummingbird Court 2021. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz.

Resolution adopted and upon approval by Mayor assigned No. 2022-26 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution approving the Declaration of Submission of Property to Horizontal Property Regime for Three Elms Condominiums, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Callahan, Huston, Hanna, Kurtz, and O'Loughlin.

Resolution adopted and upon approval by Mayor assigned No. 2022-27 in the Official Book of Resolutions.

Council Member Callahan with a motion to approve a resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Liberty Trail South Extension Project, and the taking of bids therefor, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hann, Kurtz, O'Loughlin, and Jensen.

Resolution adopted and upon approval by Mayor assigned No. 2022-28 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve an application and maintenance resolution for the Enterprise Drive Trail Phase II Project, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, O'Loughlin, Jensen, and Callahan.

Resolution adopted and upon approval by Mayor assigned No. 2022-29 in the Official Book of Resolutions.

Council Member Callahan with a motion to approve a resolution to endorse the Surface Transportation Block Grant for the 1st Street West Reconstruction Project, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Kurtz, O'Loughlin, Jensen, Callahan, and Huston.

Resolution adopted and upon approval by Mayor assigned No. 2022-30 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution to endorse the Surface Transportation Block Grant for the Independence STBG #2 Street Rehabilitation Project, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Kurtz, O'Loughlin, Jensen, Callahan, Huston, and Hanna.

Resolution adopted and upon approval by Mayor assigned No. 2022-31 in the Official Book of Resolutions.

Council Member Kurtz with a motion to approve a resolution to assess property owners for Chapter 136 Sidewalk Regulations, second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Callahan, Huston, Hanna, and Kurtz.

Resolution adopted and upon approval by Mayor assigned No. 2022-32 in the Official Book of Resolutions.

OTHER BUSINESS

Police Chief Niedert presented the 2021 Police Annual Report to the Council.

Mark Crawford, with Crawford Engineering, had no updates on projects within the City of Independence at the time of the meeting.

REPORTS

The following comments were heard from Council and Staff: Kurtz- Even though there was no snow emergency declared for the last three days, please try to get your vehicles off the street to help the Street Department clean the streets. City Manager- Sent emails to Council Members serving on committee meetings to see what times work for them to meet. O'Loughlin- Asked who was on which committees and which committee would deal with HR and personnel issues.

POSSIBLE CLOSED SESSION: PER IOWA CODE: 21.5(1), (I)

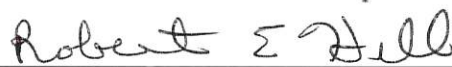
Mayor Hill sought the opinion of the City Attorney before requesting a motion to enter into closed session. Council Member Kurtz with a motion to enter into a closed session per Iowa Code 21.5 (1), I; to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session, at 6:24 p.m., second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Callahan, Huston, Hanna, Kurtz, O'Loughlin, and Jensen. Those invited into the closed session were: Council Member Kurtz, Council Member O'Loughlin, Council Member Jensen, Council Member Callahan, Council Member Huston, Council Member Hanna, City Attorney Leidinger, City Manager Roder, and City Clerk/Treasurer Lampe.

Council Member Kurtz with a motion to resume regular session at 7:08 p.m., second by Council Member Callahan. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Kurtz, O'Loughlin, Jensen, and Callahan.

ADJOURNMENT

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

Whereupon Mayor Hill declared the meeting adjourned at 7:09 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