

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, June 10, 2024.

OPENING/ROLL CALL

Mayor Bleichner opened the meeting by calling the meeting to order with Council Members Weber, Huston, Hanna, Moore, Prusator, O’Loughlin, and Jensen in attendance.

This meeting was available for public attendance. The meeting was also broadcast on the local access channel.

APPROVE THE AGENDA

Motion by Council Member O’Loughlin, second by Council Member Jensen to approve the agenda as presented for the regular meeting held June 10, 2024. Ayes: All.

PUBLIC COMMENT

Leanne Harrison, 514 5th Ave SW, shared this week is Iowa Museum Week, there will be special hours on June 14th at the Lee Mansion, and the pancake breakfast at The Mill will be on June 30th.

CONSENT AGENDA

Motion by Council Member Hanna, second by Council Member Moore to accept and approve the consent agenda that approves the following: 1) The minutes of the May 28, 2024, Regular Meeting. 2) The 14th Annual Oakwood Cemetery tour to be held on Saturday, July 20, 2024. 3) Casey’s General Store #2239 Class E Retail Alcohol License renewal effective July 1, 2024, through June 30, 2025. Ayes: All.

FINANCIALS

Motion by Council Member Hanna, second by Council Member Huston to approve the following bills for payment. Council Member Hanna asked what the claim to Roberts & Eddy Trust account in the amount for \$25,000.00 was for? City Clerk/Treasurer Lampe said this was discussed at the May 6th work session and is for the down payment assistance applicant. The funds get paid to the entity handling the closing. Ayes: All.

ACCO	CHEMICALS-PR	\$	4,064.60
ACE HARDWARE	SUPPLIES-PR,W,F,ST	\$	985.66
ADAMS FAMILY FURNITURE	EQUIPMENT-F	\$	1,817.00
AMAZON CAPITAL SERVICES	SUPPLIES-CH,F	\$	918.07
AMERICAN TEST CENTER INC	SERVICES-F	\$	45.00
ASSURITY LIFE INSURANCE	ASSUR CRIT ILL	\$	461.34
AUDIO IMPLEMENTS/GKC	UNIFORM-PD	\$	131.18
BANK IOWA	LOAN PAYMENT-PD	\$	86,979.04
BEAM INSURANCE ADMIN LLC	VISION PRETAX	\$	452.64
BOLAND RECREATION	EQUIP-PR	\$	47,640.00
BRUENING ROCK PRODUCTS IN	ROAD ROCK-W	\$	974.97
BSN SPORTS, INC.	SUPPLIES-PR	\$	2,849.17
BUCHANAN COUNTY RECORDER	FEES-CH	\$	12.00
CC'S FLOORS & MORE LLC	BLDG MAINT-PR	\$	1,872.00
CITY LAUNDERING CO INC	BLDG MAINT-W,PD	\$	497.08
COLTON, MONETTE	REIMBURSE-ST	\$	25.00
CONSOLIDATED ENERGY CO	FUEL-ALL	\$	10,184.72
CONTROLWORX INC	SERVICES-W	\$	332.32
CRAWFORD ENGINEERING & SU	SERVICES-PR,ST,SW	\$	20,935.00
CULLIGAN TOTAL WATER MONT	COMMERCIAL SALT-A	\$	33.00
CY & CHARLEY'S FIRESTONE	SERVICES-F,PD,W	\$	2,499.34
D & K PRODUCTS	SUPPLIES-PR	\$	2,629.35
DELTA DENTAL OF IOWA	DENTAL BENEFIT	\$	4,209.80
DEPARTMENT OF THE TREASUR	ACA FEES-ALL	\$	128.80
DIAMOND VOGEL PAINTS	SUPPLIES-ST	\$	2,800.00
DICK'S PETROLEUM COMPANY	SUPPLIES-A	\$	105.47
DINGES FIRE COMPANY	EQUIPMENT-F	\$	7,125.00

ELECTRIC PUMP INC	EQUIP REPAIR-W	\$ 67,902.00
EMPLOYEE BENEFIT SYSTEMS	SAFE-T FUND-ALL	\$ 11,808.69
ERA	CHEMICALS-W	\$ 1,075.33
ESCHEN'S CLOTHING	UNIFORM-W	\$ 77.00
FOUR FARMERS LLC	SERVICES-W	\$ 25,741.02
GALLS INC	UNIFORM-PR	\$ 145.03
HAWKEYE FIRE & SAFETY COM	SERVICES-A,PR,W	\$ 629.70
HAWKINS, INC.	CHEMICALS-W	\$ 3,484.77
IA FIRE CHIEFS' ASSN	DUES-F	\$ 25.00
IA LAW ENFORCEMENT ACADEM	TRAINING-PD	\$ 250.00
INDUSTRIAL SEAL & PUMP IN	EQUIP REPAIR-W	\$ 1,008.86
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$ 27,271.32
IOWA FINANCE	BOND PAYMENT-W	\$ 82,980.00
IPERS	IPERS-PROTECTIV	\$ 51,578.58
J & R SUPPLY INC	SUPPLIES-W	\$ 2,045.35
JOHN DEERE FINANCIAL	SUPPLIES-W,PR,A	\$ 3,794.26
LEGALSHIELD	FAM LEG & IDENT	\$ 138.65
METLIFE	MET ER LIFEAD&D	\$ 1,439.80
MYERS-COX CO	CONCESSIONS-PR	\$ 5,180.83
NORTH CENTRAL LABORATORIE	LAB ANALYSIS-W	\$ 439.88
OELWEIN PUBLISHING COMPAN	PUBLICAT-CH	\$ 282.27
OFFICE TOWNE INC	SUPPLIES-PR,PD	\$ 5,079.18
P & N CORPORATION	FUEL PROFITS-A	\$ 209.18
PAYROLL CHECKS	PAYROLL CHECKS	\$ 86,957.79
PEPSI-COLA GEN. BOT. IN	CONCESSION-PR	\$ 2,283.20
PRECISION PLUMBING, HEATI	SERVICES-PR,W	\$ 5,410.02
RACOM CORPORATION	VEH EQUIP-F	\$ 14,384.15
RAY O'HERRON CO.	UNIFORM-PD	\$ 186.79
ROBERTS & EDDY TRUST ACCT	FEES-CH	\$ 25,000.00
S & K COLLECTIBLES	SHIPPING-PD,W	\$ 43.02
SECRETARY OF STATE	DUES-CH	\$ 30.00
SIGNS & MORE	SERVICES-PR	\$ 2,215.99
SPAHN & ROSE LUMBER COMPA	SUPPLIES-PD,W,ST,PR	\$ 339.21
STATE STREET BANK & TRUST	ICMA-RC \$ PRE	\$ 5,984.64
STRAND ASSOCIATES	SERVICES-W	\$ 137,120.00
SUPERB CLEANING SERVICES	BLDG MAINT-PR	\$ 2,800.00
T MOBILE	PHONE-PD,F	\$ 752.98
TASC	FLEX MEDICAL	\$ 1,356.71
TESTAMERICA LABORATORIES	LAB ANALYSIS-W	\$ 1,451.41
THREE OAKS GREENHOUSE	BASKETS-PR	\$ 2,670.00
TREASURER-STATE OF IOWA	STATE TAX	\$ 11,819.77
TSCHIGGFRIE EXCAVATING IN	SERVICES-W	\$ 21,484.74
UMB BANK NA	BOND PAYMENTS	\$ 1,549,436.25
USA BLUE BOOK	SUPPLIES-W	\$ 98.60
VERIZON WIRELESS	PHONE-CH,PD,PR,F	\$ 172.66
VISU-SEWER INC	SERVICES-W	\$ 68,389.30
VOLTMER, INC.	SERVICES-A	\$ 100,129.21
WALMART COMMUNITY	SUPPLIES-PR	\$ 223.28
WASTE MANAGEMENT	GARBAGE-ALL	\$ 46,115.53
WELLMARK BCBS	HEALTH BENEFIT	\$ 42,716.47
WICKS CONSTRUCTION, INC.	SERVICES-A	\$ 16,455.05

CLAIMS TOTAL \$2,639,321.02; General Fund \$254,169.70; Library \$20,373.17; Hotel-Motel \$2,670.00; Streets Dept-Road Use \$27,965.83; Employee Benefits \$402.56; Urban Renewal-LMI \$25,000.00; Debt Service Fund \$1,549,817.79; Cap Project-Street Improvements \$5,286.00; Cap Project-Bridges \$928.00; Parks & Rec Projects \$3,760.91; Cap Project-Airport \$116,584.26; Cap Outlay Savings/LOST \$67,524.99; Water Fund \$21,569.38; Water Revenue Bond \$86,567.50; Sewer Utility Fund \$348,842.24; Sewer SRF Sinking Fund \$82,980.00; Storm

Water Projects \$13,040.00; Self Insurance \$10,627.59; Self Insurance-Enterprise \$1,181.10.

REVENUES MONTH TO DATE TOTAL \$66,942.55; General Fund \$41,159.75; Water Fund \$5,411.96; Sewer Utility \$8,165.57; Storm Water \$756.18; Self Insurance \$10,312.94; Self Insurance-Enterprise \$1,136.15.

The revenues and expenses by department to date were available for council review and discussion.

HEARINGS & ORDINANCES

Mayor Bleichner stated, pursuant to the agenda, he will now convene a public hearing for the proposed amendment to the Independence Zoning Ordinances, Article 5 Bulk Requirements. City Clerk/Treasurer Lampe stated that no written comments were received. Mayor Bleichner closed the public hearing and stated City Clerk Lampe will note all comments in the record. Council Member Moore with a motion to approve the first reading of the amendments to the Independence Zoning Ordinances, Article 5 Bulk Requirements, second by Council Member O'Loughlin. Council Member Hanna asked that this amendment be explained to the viewers. City Manager Schmitz explained is to change C-1, C-2, and M-1 zoning rear setback requirements if the parcel abuts another commercial property. If the property abuts a residential property, the rear setback requirements would still apply. The roll being called the following Council Members voted: Ayes: Huston, Moore, Prusator, O'Loughlin, Jensen, and Weber. Nays: Hanna.

Council Member Jensen with a motion to approve the first reading of an ordinance that amends provisions pertaining to Golf Carts-Definitions, second by Council Member Weber. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Huston, Hanna, and Moore. Council Member Moore with a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Weber, Huston, Hanna, Moore, and Prusator. Council Member Moore with a motion to have this ordinance that amends provisions pertaining to Golf Carts-Definitions be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Huston, Hanna, Moore, Prusator, and O'Loughlin.

Ordinance adopted and upon approval by Mayor assigned No. 2024-582 in the Official Book of Ordinances.

Council Member Hanna with a motion to approve the first reading of an ordinance that amends provisions pertaining to Mowing of Properties, second by Council Member Moore. Council Member Jensen asked if this was standard with what other cities are doing? City Manager Schmitz said other cities have this practice, but the costs may vary. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Nays: Huston. Council Member Hanna with a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, Weber. Nays: Huston. Council Member Moore with a motion to have this ordinance that amends provisions pertaining to Mowing of Properties be placed on its final passage for adoption pursuant to Iowa Code Section 380.3 and to authorize the Mayor to sign the ordinance, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, Weber, and Huston.

Ordinance adopted and upon approval by Mayor assigned No. 2024-583 in the Official Book of Ordinances.

RESOLUTIONS

Council Member O'Loughlin with a motion to approve and authorize the Mayor to sign the resolution appointing Matt Riggers to the Library Board of Trustees, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, Huston, and Hanna.

Resolution adopted and upon approval by Mayor assigned No. 2024-45 in the Official Book of Resolutions.

Council Member Jensen with a motion to approve and authorize the Mayor to sign the resolution re-appointing Quentin Stenger to the Library Board of Trustees, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Huston, Hanna, and Moore.

Resolution adopted and upon approval by Mayor assigned No. 2024-46 in the Official Book of Resolutions.

Council Member Hanna with a motion to approve and authorize the Mayor to sign the resolution that approves the lot combination agreement and for the recording fees to be added to the previously approved claims listing, second by Council Member Jensen. Mayor Bleichner stated Mr. Hansen owns the two lots in Pines First Addition and would like to build a new home and garage. The home and garage would go over the lot lines. There was an amendment to the restrictive covenants done previously that combined the lots already and now it needs to be done

through the City. City Manager Schmitz said this has been done with other lots in the same area but were not approved through the City. This was presented to the Planning and Zoning Commission on June 4th and was approved. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Weber, Huston, Hanna, Moore, and Prusator.

Resolution adopted and upon approval by Mayor assigned No. 2024-47 in the Official Book of Resolutions.

Council Member Hanna with a motion to approve and authorize the Mayor to sign the resolution repealing and replacing resolution 2023-104, which updated the fees for building permits for the City of Independence, Iowa, second by Council Member Moore. City Manager Schmitz stated a sentence would be added to the fee schedule addressing non-emergency work done without getting a permit before work begins. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Huston, Hanna, Moore, Prusator, and O'Loughlin.

Resolution adopted and upon approval by Mayor assigned No. 2024-48 in the Official Book of Resolutions.

OTHER BUSINESS

Council Member O'Loughlin with a motion to authorize the City Manager to sign the contract with ARC Management Group, second by Council Member Hanna. Council Member Huston pointed out that in the financials the City won't hit 50% of the budget for traffic citations for 2023-2024. He also got confirmation today that the monies are a cash basis and so it is the actual money received. Sensys Gatso receives the higher of \$38 per citation or 38% of the total citations collected. Now the City is looking at bringing in another firm to do collections on unpaid citations. Would Sensys Gatso receive their share of those citations sent to collections? Mayor Bleichner and Police Chief Neidert explained that Sensys Gatso would receive their share of monies received from the collection process through ARC. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Nays: Huston.

Council Member Hanna with a motion to deny the Las Dos Marias Class C Retail Alcohol License renewal if they do not meet the requirements of the notification of non-renewal of a beer/liquor license that was sent to the applicant on June 7, 2024, giving them until June 21, 2024, to complete the modifications, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber.

REPORTS

The following comments were heard from Council and Staff: Huston – Thoughts and prayers to the Klotzbach family. Hanna – There has been a gentleman lined up to repair the broken headstones at Oakwood Cemetery. Moore – There will be a meeting at Oakwood this Saturday from 9:00 am to 12:00 pm by the shed. O'Loughlin – Thanks to everyone that participated or worked at Waste Amnesty Day. City Manager – He received a project email from Crawford Engineering for the 2024 Street Rehab Project. The areas requiring full-depth patching were completed last week and the streets are re-opened to on-street parking. The upcoming schedule is that the week of June 17th, the contractor will be in to perform street milling and placement of the new HMA surface. The contractor is required to put up no parking signs 48 hours in advance of the milling operations, and place door hangers 48 hours in advance of the HMA surface placement. During the surface placement, residents will have limited access to their driveway in order for the new surface to properly cure and cool. The bids for the IPF Stormwater project are due back by June 20th. He signed the contract to have Tony Bengston repair the three headstones for \$800. Jake Bass asked him to sign a memorandum of understanding for the senior volunteer program can receive credit for work done at Oakwood Cemetery. He is unsure if it will be talked about at the July work session, but Assistant Fire Chief Butler would like to start the conversation of having a therapy dog for the Fire Department. This would be at no cost to the City. Mayor – This Thursday at 8:30 am there will be a ribbon cutting at the all-inclusive playground. There was a grand opening at the Baseball/Softball Complex last Thursday. Reminder about the downtown open house that will be held on June 22nd from 10:00 am to 2:00 pm.

CLOSED SESSION

City Manager Schmitz previously confirmed with the City Attorney about the request of the closed session. Council Member O'Loughlin with a motion to enter closed session per Iowa Code 21.5(1)(c); to discuss strategy with counsel in a matter that is presently in litigation or where litigation is imminent at 5:38 p.m., second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, Weber, and Huston. Those invited into the closed session were the following: Council Member Weber, Council Member Huston, Council Member Hanna, City Manager Schmitz, Mayor Bleichner, City Clerk/Treasurer Lampe, Council Member Moore, Council Member Prusator, Council Member O'Loughlin, Council Member Jensen, and Building Official Chesmore.

At 5:47 p.m., Council Member Jensen made a motion to resume regular session, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O’Loughlin, Jensen, Weber, Huston, and Hanna.

Council Member Jensen with a motion to authorize the City Manager to move forward with the course of action Council discussed in the closed session, second by Council Member Moore. The roll being called the following Council Members voted: Ayes: Prusator, O’Loughlin, Jensen, Weber, Huston, Hanna, and Moore.

ADJOURNMENT

Motion by Council Member Jensen, second by Council Member O’Loughlin to adjourn. Ayes: All.

Whereupon Mayor Bleichner declared the meeting adjourned at 5:47 p.m.

ATTEST:

Brad Bleichner, Mayor of the City of Independence, Iowa

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

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