

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, June 24, 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, YouTube, and Facebook.

### **APPROVE THE AGENDA**

Motion by Council Member Jensen, second by Council Member O'Loughlin to approve the agenda as presented for the regular meeting held June 24, 2024. Ayes: All.

### **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 June 10, 2024, Regular Meeting. 2) Mini-Mart Class E retail alcohol renewal application effective June 10, 2024, through June 9, 2025. 3) Chuong Garden Special Class C retail alcohol license renewal application effective July 11, 2024, through July 10, 2025. 4) Del Rio Class C retail alcohol license renewal application effective June 15, 2024, through June 14, 2025. 5) Special Event Application from Independence Area Chamber of Commerce for "Meet Me on Main" to be held Friday, August 9, 2024. Ayes: All.

### **FINANCIALS**

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

ACCESS SYSTEMS LEASING	EQUIP CONTRACT-ALL	\$ 1,528.41
ACE HARDWARE	SUPPLIES-L	\$ 37.98
ALLEN OCCUPATIONAL HEALTH	SERVICES-F,ST	\$ 165.00
AMAZON CAPITAL SERVICES	SUPPLIES-L	\$ 3,406.73
AMERICAN COLOR IMAGING	SIGNAGE-L	\$ 60.11
BEATTY, MARCUS	UMPIRE-PR	\$ 1,050.00
BEATTY, ROBERT	PHONE ALLOWANCE	\$ 45.00
BENESH, LIAM	UMPIRE-PR	\$ 180.00
BLACKSTONE PUBLISHING	SUPPLIES-L	\$ 388.72
BLEICHNER, BRAD	PHONE ALLOWANCE	\$ 100.00
BOLTON & MENK, INC.	SERVICES-A	\$ 1,768.41
BOOK FARM LLC	BOOKS-L	\$ 367.58
BOWKER MECHANICAL	SERVICES-W	\$ 2,147.50
BRODART CO	SUPPLIES-L	\$ 732.37
BRUENING ROCK PRODUCTS IN	ROAD ROCK-ST	\$ 179.70

BUCHANAN COUNTY HEALTH CE	AMB. SVC-CH	\$ 11,271.00
BUCHANAN COUNTY RECORDER	FEES-CH	\$ 37.00
BUTLER, JOHN R	REIMBURSE-F	\$ 105.93
CABELL, TRENTON	PHONE ALLOWANCE	\$ 45.00
CARD SERVICES-LIBRARY	MISC EXP-L	\$ 936.60
CARD SERVICES-VISA	MISC EXP-PR,PD,F,W,CH	\$ 7,299.95
CASS LASER ENGRAVING	SERVICES-PD	\$ 894.00
CHESMORE, MATT	REIMBURSE-B	\$ 202.34
CITY LAUNDERING CO INC	BLDG MAINT-PD	\$ 77.07
CIVICPLUS	SOFTWARE-CH	\$ 6,000.00
CONNOLLY, KRISTIN	REFUND-CH	\$ 1,236.40
CONVERSIGHT.AI INC	SERVICES-L	\$ 3,150.00
CY & CHARLEY'S FIRESTONE	SERVICES-PD,ST	\$ 4,129.59
DANKO EMERGENCY EQUIPMENT	SUPPLIES-PD	\$ 43.10
DECKER SPORTING GOODS	SUPPLIES-PR	\$ 108.20
DIAMOND VOGEL PAINTS	SUPPLIES-ST	\$ 2,242.00
DON'S TRUCK SALES INC	EQUIP-ST	\$ 6,425.00
DORSEY & WHITNEY LLP	SERVICES-CH	\$ 7,683.50
DUERLING, COLTON	UMPIRE-PR	\$ 315.00
EAST-CENTRAL IOWA R.E.C.	UTILITY-A,PR,ST,W,CH	\$ 1,639.29
EBSCO	DUES-L	\$ 453.21
EMPLOYEE BENEFIT SYSTEMS	SAFE-T FUND-ALL	\$ 3,086.19
ENGELBRECHT, MELINDA B.	REFUND-CH	\$ 1,195.50
ESCH, BRAD	PHONE ALLOWANCE	\$ 45.00
ESCHEN'S CLOTHING	UNIFORM-W	\$ 152.00
FAHR BEVERAGE INC	CONCESSIONS-PR	\$ 1,516.00
FAREWAY STORES INC	SUPPLIES-PR	\$ 240.46
FELD FIRE	VEH REPAIR-F	\$ 370.85
FLETCHER-REINHARDT CO	SERVICES-ST	\$ 736.00
FOLEY, TRAVIS	PHONE ALLOWANCE	\$ 45.00
FRONTLINE PUBLIC SAFETY	SERVICES-PD	\$ 1,050.00
G & L LAWN RANGERS LLC	SUPPLIES-PR	\$ 180.00
GALLS INC	UNIFORM-F	\$ 508.00
GRAWE, NOLAN	UMPIRE-PR	\$ 105.00
HAWKEYE FIRE & SAFETY COM	SERVICES-ST	\$ 468.40
HAWKINS, INC.	CHEMICALS-W	\$ 100.00
HAYWARD, BLAKE	PHONE ALLOWANCE	\$ 45.00
HILLTOP MOTORS INC	VEH REPAIR-PD	\$ 2,838.45
HOMAN, CARTER	UMPIRE-PR	\$ 15.00
HOTSY CLEANING SYSTEMS	SUPPLIES-ST	\$ 676.72
HUPKE, BEN	UMPIRE-PR	\$ 810.00

HUPKE, DEWEY	UMPIRE-PR	\$ 810.00
HY-VEE ACCOUNTS RECEIVABLE	SUPPLIES-PR	\$ 357.70
IA DEPT OF PUBLIC SAFETY	SERVICES-PD	\$ 682.50
IA DEPT OF REVENUE	SALES TAX-PR,W	\$ 8,738.81
IA DNR	NPDES FEE-SW	\$ 175.00
ICAP	INSURE-PR	\$ 286.00
IMWCA	WC PREMIUM-ALL	\$ 73,084.00
INDEPENDENCE CELEBRATIONS	FIREWORKS-CH	\$ 5,840.00
INDEPENDENCE LIGHT & POWE	UTILITIES-ALL	\$ 31,656.62
INGRAM LIBRARY SERVICES	BOOKS-L	\$ 1,996.42
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$ 29,776.40
INTERSTATE ALL BATTERY CE	SUPPLIES-F	\$ 193.00
ISU TREASURER'S OFFICE	SERVICES-CH	\$ 5,414.82
J & R SUPPLY INC	SUPPLIES-ST,W	\$ 679.24
JOHNSON, MITCH	UMPIRE-PR	\$ 670.00
KEENER, ABBIE	TOURNEY FEE-PR	\$ 375.00
KEYSTONE LABORATORIES INC	LAB ANALYSIS-W	\$ 19.75
KILER, ANGELA	PHONE ALLOWANCE	\$ 45.00
KLUESNER CONSTRUCTION INC	SERVICES-PR	\$ 28,364.18
KOBLINSKA, BOBBY	UMPIRE-PR	\$ 865.00
KUENNEN, GABE	UMPIRE-PR	\$ 510.00
LAU, BRIAN	PHONE ALLOWANCE	\$ 45.00
LIBRARY IDEAS LLC	BOOKS-L	\$ 1,395.36
LOUGHREN, ADDISON	UMPIRE-PR	\$ 30.00
LYNCH DALLAS, PC	LEGAL EXP-CH	\$ 1,471.00
LYON, DANE	UMPIRE-PR	\$ 155.00
MANATT'S INC	CEMENT-PR,ST,W,SW	\$ 10,322.05
MAVERICK POWERSPORTS	SERVICES-PR	\$ 395.00
MCDERMOTT, LINDSAY	SERVICES-L	\$ 300.60
MCGRAW, KRISS	REFUND-CH	\$ 372.00
MEIKE, CAIDEN	UMPIRE-PR	\$ 135.00
MEISTER, BARBARA	REFUND-PR	\$ 30.00
MESTAD, TRAVIS	REFUND-CH	\$ 53.74
MIDAMERICAN ENERGY COMPAN	UTILITY-CH,W,ST,PD,PR,L	\$ 4,515.94
MIDWEST BREATHING AIR L.L	SERVICES-F	\$ 219.70
MIDWEST SAFETY COUNSELORS	SERVICES-W	\$ 265.00
MILLER, LOGAN	UMPIRE-PR	\$ 315.00
MYERS-COX CO	CONCESSIONS-PR	\$ 5,810.39
NEJDL, MICHELLE	PHONE ALLOWANCE	\$ 45.00
NISSEN, THOMAS	PROGRAMS-L	\$ 320.00
NORTHEAST IA NUISANCE ANI	SERVICES-AC	\$ 1,895.00

OELWEIN PUBLISHING COMPAN	PUBLICAT-L	\$ 338.04
OFFICE EXPRESS OFFICE PRD	SUPPLIES-L	\$ 262.86
OFFICE TOWNE INC	SUPPLIES-PR,PD	\$ 1,384.60
OVERDRIVE INC.	EBOOKS-L	\$ 3,400.00
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	\$ 99,189.70
PEPSI-COLA GEN. BOT. IN	CONCESSION-PR	\$ 2,288.27
PORTZEN CONSTRUCTION, INC	SERVICES-PR	\$ 2,540.27
POWERDMS INC.	SERVICES-PD	\$ 2,822.25
PRECISION PLUMBING, HEATI	SERVICES-W,A	\$ 463.00
PREMIER ANIMAL WELLNESS	SERVICES-AC	\$ 43.00
PRINSCO INC	SUPPLIES-SW	\$ 1,004.11
PUFFETT, JACOB	UMPIRE-PR	\$ 315.00
PURCHASE POWER	POSTAGE-ALL	\$ 270.99
RACOM CORPORATION	SUPPLIES-CH	\$ 127.50
RAY O'HERRON CO.	TRAINING-PD	\$ 2,270.00
RECK, BRENT	PHONE ALLOWANCE	\$ 45.00
REED, NOLAN	UMPIRE-PR	\$ 375.00
REED, RANGER	UMPIRE-PR	\$ 985.00
RINNIKER, AJ	UMPIRE-PR	\$ 90.00
ROBINSON, CLINT	REIMBURSE-W	\$ 197.95
ROTTINGHAUS, ANDY	UMPIRE-PR	\$ 90.00
RYAN EXTERMINATING INC	PEST CONTROL-CH	\$ 69.85
RYDELL AUTO GROUP	VEH MAINT-PD	\$ 180.04
S & K COLLECTIBLES	SHIPPING-W	\$ 39.82
SCHARS, ERIC	TOURNEY FEES-PR	\$ 200.00
SCHMITZ, MATTHEW	PHONE ALLOWANCE	\$ 100.00
SCOTT, JACE	UMPIRE-PR	\$ 105.00
SIDLES, JAKE	UMPIRE-PR	\$ 1,520.00
SIDLES, LUCAS	UMPIRE-PR	\$ 165.00
SIGNS & MORE	SIGNS-PR	\$ 463.40
SOUKUP, BRETT	PHONE ALLOWANCE	\$ 45.00
STATE FARM	BENEFIT-CH,ST,W	\$ 32.72
STATE HYGIENIC LABORATORY	LAB ANALYSIS-W	\$ 14.50
STATE STREET BANK & TRUST	ICMA-RC \$ PRE	\$ 5,904.64
STRAND ASSOCIATES	SERVICES-W	\$ 106,060.00
SUPERB CLEANING SERVICES	BLDG MAINT-L	\$ 1,850.00
T & W GRINDING & COMPOST	SERVICES-ST	\$ 8,143.00
TASC	FLEX MEDICAL	\$ 1,356.71
TOYNE	EQUIP-F	\$ 69.37
TRAVELERS	INSURE-CH	\$ 2,706.00
TROTT TROPHIES	SUPPLIES-PR	\$ 900.00

TRUE VALUE HARDWARE	SUPPLIES-L,PD,PR	\$ 657.40
ULINE	SUPPLIES-PR	\$ 283.88
UMB BANK NA	FEES-CH	\$ 1,050.00
US CELLULAR	UTILITY-B,L,PD	\$ 759.10
USA BLUE BOOK	SUPPLIES-W	\$ 60.60
VISU-SEWER INC	SERVICES-W	\$ 6,038.76
WALMART COMMUNITY	SUPPLIES-PR	\$ 474.71
WASTE MANAGEMENT	GARBAGE-PR,A,W	\$ 1,802.58
WELLMARK BCBS	INSURANCE-CH	\$ 240.40
WILSON, DAVID	UMPIRE-PR	\$ 380.00
YOUNGBLUT, BJ	EQUIPMENT-PR	\$ 900.00

**CLAIMS TOTAL \$560,340.50;** General Fund \$210,930.60; Library \$30,324.79; Hotel-Motel \$5,840.00; Streets Dept-Road Use \$31,995.48; Employee Benefits \$68,760.66; Economic Development \$2,857.64; Debt Service \$1,050.00; Parks & Rec Projects \$28,827.58; Cap Project-Airport \$1,768.41; Cap Outlay Savings/LOST \$4,773.35; Water Fund \$23,321.19; Sewer Utility Fund \$144,693.07; Storm Water \$1,936.54; Storm Water Projects \$175.00; Self Insurance \$2,919.58; Self Insurance-Enterprise \$166.61.

**REVENUES MONTH TO DATE TOTAL \$1,055,645.42;** General Fund \$154,318.17; Library \$37,239.57; Streets Dept-Road Use \$96,685.64; Employee Benefits \$9,509.93; Emergency Levy \$502.80; Tax Increment Financing \$9,532.26; Economic Development \$360,000.00; Debt Service \$12,579.07; Debt-Special Assessment \$7,946.00; Parks & Rec Projects \$10,781.00; Cap Project-Airport \$164,422.97; Cap Outlay Savings/LOST \$251.40; Water Fund \$44,897.09; Water Revenue Bond \$7,824.59; Sewer Utility \$66,790.46; Sewer SRF Sinking Fund \$7,996.66; Sewer Sinking Revenue Bond \$42,422.66; Storm Water \$7,050.27; Self Insurance \$13,547.17; Self Insurance-Enterprise \$1,347.71.

The May 2024 bank reconciliation, the June 2024 budgeted monthly transfers, and the revenues and expenses by department to date were available for council review and discussion.

#### **INDEPENDENCE 8TH AVE NW – IPF AREA STORMWATER IMPROVEMENTS PROJECT**

Mayor Bleichner stated, pursuant to the agenda, he will now convene a public hearing on the proposed plans, specifications, form of contract, and estimate of cost for the proposed Independence 8<sup>th</sup> Avenue NW – IPF Area Stormwater Improvements Project. City Clerk/Treasurer Lampe stated no written comments were received on this topic. Council Member Hanna asked if an update could be given on the work that is going on over there? Mayor Bleichner said an update can be given later. Mayor Bleichner closed the public hearing and stated City Clerk Lampe will note all comments in the record.

Council Member Huston with a motion to approve and authorize the Mayor to sign a resolution to finally approve and confirm the plans, specifications, form of contract, and estimate of cost for the Independence 8<sup>th</sup> Avenue NW – IPF Stormwater Improvements Project, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Huston, Hanna, Moore, Prusator, O’Loughlin, Jensen, and Weber.

**Resolution adopted and upon approval by Mayor assigned No. 2024-49 in the Official Book of Resolutions.**

Mayor Bleichner stated the bids for the project were received until 11:00 am on June 20, 2024, at City Hall. Crawford Engineering’s recommendation letter and bid tabulation from the twelve bids. Council Member Huston

asked why the price for item 17 for Eastern Iowa was so much lower than the other contractors? Brian Crawford, Crawford Engineering, could not give details on why their amount was lower, but did say they do their own concrete work and do not sub that work out. That could be why their amount for item 17 is lower than the other eleven contractors.

Council Member Jensen with a motion to approve and authorize the Mayor to sign the resolution awarding the contract for the Independence 8<sup>th</sup> Avenue NW – IPF Area Stormwater Improvements Project to Eastern Iowa Excavating and Concrete of Cascade, Iowa, in the amount of \$409,376.84, second by Council Member O’Loughlin. Council Member Hanna asked how the production was going. Jereb Pape, Plant Manager, replied the east side of the building is running well. There was a micro-issue with one piece of equipment that had happened last month but has since been fixed. They anticipate that production picks back up this week. Council Member Weber asked how the recent rains have impacted them? Mr. Pape said they have experienced issues on the west side with the rain but there is not any production work occurring on that side of the plant yet. Council Member O’Loughlin asked if the City had set aside \$330,000 for this project? City Manager Schmitz said \$300,000 was allocated for engineering, legal fees, and construction for this project. The remaining amount will be funded by IPF and an agreement will be presented at a future council meeting. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O’Loughlin, Jensen, Weber, and Huston.

**Resolution adopted and upon approval by Mayor assigned No. 2024-50 in the Official Book of Resolutions.**

## HEARINGS & ORDINANCES

Council Member Jensen with a motion to approve the second reading of the amendments to the Independence Zoning Ordinances, Article 5 Bulk Requirements, second by Council Member Huston. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O’Loughlin, Jensen, Weber, and Huston. Nays: Hanna. Council Member Prusator with a motion to waive the requirement of three considerations of this ordinance amendment prior to final passage, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Prusator, O’Loughlin, Jensen, Weber, Huston, and Moore. Nays: Hanna. Council Member Moore with a motion to have this ordinance that amends provisions to the Independence Zoning Ordinances, Article 5 Bulk Requirements be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Weber. The roll being called the following Council Members voted: Ayes: O’Loughlin, Jensen, Weber, Huston, Moore, and Prusator. Nays: Hanna.

**Ordinance adopted and upon approval by Mayor assigned No. 2024-584 in the Official Book of Ordinances.**

Council Member Huston with a motion to approve the first reading of an ordinance amending provisions pertaining to the Fines and Fees Schedule, second by Council Member Moore. Mayor Bleichner said this amendment is for Code Section 1.15 but specifically the fees for Code Section 70.02 Scheduled Violations. Council Member Hanna asked if this addresses the cameras by the school and by Dairy Queen? Police Chief Niedert says City Code will now match State Code. He did not remove the school zone identification for fines in the event the State Legislature would pass something in a future session that allows for fines to be different in a school zone. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, Moore, Prusator, and O’Loughlin. Nays: Huston. Council Member Prusator 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: Weber, Hanna, Moore, Prusator, O’Loughlin, and Jensen. Nays: Huston. Council Member Moore with a motion to have this ordinance, which amends provisions pertaining to the Fines and Fees Schedule, 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 Prusator. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Nays: Huston.

**Ordinance adopted and upon approval by Mayor assigned No. 2024-585 in the Official Book of Ordinances.**

## **RESOLUTIONS**

Council Member Moore with a motion to approve and authorize the Mayor to sign the resolution that approves additional monies being transferred between funds for Fiscal Year 2024, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, Weber, and Huston.

**Resolution adopted and upon approval by Mayor assigned No. 2024-51 in the Official Book of Resolutions.**

Council Member Huston with a motion to approve and authorize the Mayor to sign the resolution to endorse the Enterprise Drive Trail Phase 2 Project for grant funding, second by Council Member O'Loughlin. 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. 2024-52 in the Official Book of Resolutions.**

## **OTHER BUSINESS**

Council Member Hanna with a motion to approve the MHI Plat of Survey, contingent upon the easement to protect the City's waterline, 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 Huston with a motion to approve the renewals for the identified businesses for Fiscal Year 2025, second by Council Member Jensen. Council Member Weber stated earlier he has a conflict of interest and will be abstaining from the vote for this item. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Huston, Hanna, Moore, and Prusator. Abstain: Weber.

Council Member O'Loughlin with a motion to approve and authorize the Mayor and City Clerk/Treasurer to sign the agreement for covenants and restrictions and for the recording fees to be added to the previously approved claims listing, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Huston, Hanna, Moore, Prusator, and O'Loughlin.

## **REPORTS**

The following comments were heard from Council and Staff: Huston – All is good. Hanna – Volunteers are still needed for the beer tents on July 4<sup>th</sup>. O'Loughlin – Complimented the Mayor for the work done on Saturday, June 22<sup>nd</sup>. Mayor – The ribbon cutting at the inclusive park was done since the last meeting. Every time he drive by, he sees children playing on it. The Downtown Open House was held in the rain, and there was lots of positive talk of what was done. City Manager – An update on the 2024 Street Rehab project was given. The 2024 IA League of Cities Conference will be in Sioux City this September. If anyone is interested in attending, please let him or Susi know to get the registration and lodging completed as soon as possible. The Buchanan County Community Foundation awarded a \$10,000 grant for the boat dock at Triangle Park. George Lake deserves kudos for this, and he has been applying for other grants for that park.

**ADJOURNMENT**

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

Whereupon Mayor Bleichner declared the meeting adjourned at 5:29 p.m.

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Brad Bleichner, Mayor of the City of Independence, Iowa

ATTEST:

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

