The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, August 12, 2024.

### OPENING/ROLL CALL

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

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 Hanna, second by Council Member Moore to approve the agenda as presented for the regular meeting held August 12, 2024. Ayes: All. Absent: Huston.

#### **PROCLAMATIONS**

Mayor Bleichner read a proclamation declaring September 23 - 29, 2024, as National See Tracks? Think Train ® Week. He also read a proclamation declaring August 23 - 24, 2024, as Poppy Days.

### CONSENT AGENDA

Motion by Council Member Prusator, second by Council Member O'Loughlin to accept and approve the consent agenda that approves the following: 1) The minutes of the July 22, 2024, Regular Meeting. 2) The minutes of the August 5, 2024, work session/special meeting. 3) Independence BrewBQ Special Class C Retail Alcohol license application effective August 23, 2024, through August 27, 2024. Ayes: All. Absent: Huston.

### **FINANCIALS**

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

| ACCESS SYSTEMS LEASING    | EQUIP CONTRACT-ALL        | \$<br>1,528.41  |
|---------------------------|---------------------------|-----------------|
| ACCO                      | CHEMICALS-PR              | \$<br>5,457.95  |
| ACE HARDWARE              | SUPPLIES-ST,PR,W,F,PD     | \$<br>4,821.58  |
| ADP                       | FED/FICA                  | \$<br>75,877.12 |
| ALLEN OCCUPATIONAL HEALTH | SERVICES-F,ST,W           | \$<br>170.00    |
| ALTORFER INC              | EQUIP MAINT-W             | \$<br>4,972.00  |
| AMAZON CAPITAL SERVICES   | SUPPLIES-PD,CH.F          | \$<br>4,604.48  |
| AMERICAN TEST CENTER INC  | SERVICES-F                | \$<br>1,750.00  |
| APPLIANCE PLUS OF INDEPEN | EQUIP-PR                  | \$<br>1,978.20  |
| ASCAP                     | FEES-CH                   | \$<br>442.75    |
| ASSURITY LIFE INSURANCE   | ASSUR CRIT ILL            | \$<br>461.34    |
| AVFUEL CORPORATION        | MISC EXP-A                | \$<br>21,688.34 |
| BAGBY'S AUTOMOTIVE        | VEH REPAIR-PR             | \$<br>755.28    |
| BANK IOWA                 | FEES-CH                   | \$<br>50.00     |
| BEAM INSURANCE ADMIN LLC  | VSP-BEAM GROUP IA00505    | \$<br>452.64    |
| BEATTY, ROBERT            | PHONE ALLOW               | \$<br>50.00     |
| BEENBLOSOM, NATHAN        | VOLUNTEER-F               | \$<br>250.00    |
| BLACK HAWK CO HEALTH DEPT | SERVICES-PR               | \$<br>418.00    |
| BLAD, CHRISTIAN           | VOLUNTEER-F               | \$<br>678.57    |
| BLEICHNER, BRAD           | PHONE ALLOW               | \$<br>100.00    |
| BODENSTEINER IMPLEMENT 01 | MISC EXP-A,PR             | \$<br>2,059.27  |
| BOWMAN, RICHARD           | VOLUNTEER-F               | \$<br>187.50    |
| BRUENING ROCK PRODUCTS IN | ROAD ROCK-PR              | \$<br>322.33    |
| BUCHANAN COUNTY ECONOMIC  | DUES-CH                   | \$<br>17,585.60 |
| BULS, JANET L             | INSTRUCTOR-PR             | \$<br>348.75    |
| BUTLER, JOHN R            | PHONE ALLOW               | \$<br>50.00     |
| CABELL, TRENTON           | PHONE ALLOW               | \$<br>50.00     |
| CARD SERVICES-VISA        | MISC EXP-A,B,CH,F,PD,PR,W | \$<br>13,396.51 |

| CARROT TOR INDUSTRIES                              | ELACS CIL               | \$<br>375.96               |
|--|-------------------------|----------------------------|
| CARROT-TOP INDUSTRIES,<br>CHICKASAW COUNTY SHERIFF | FLAGS-CH<br>SUPPLIES-PD | \$                         |
| CHRISTIE DOOR CO, INC.                             | SERVICES-F              | \$<br>1,250.00<br>1,570.00 |
| CITY LAUNDERING CO INC                             | BLDG MAINT-PD           | \$<br>1,370.00             |
| CIVICPLUS  | WEBSITE FEE-ALL         | \$<br>6,695.57             |
| CLINTON, CHAR                                      | HOST-PR                 | \$<br>600.00               |
| CONSOLIDATED ENERGY CO                             | FUEL-ALL                | \$<br>6,312.42             |
| CORE & MAIN LP                                     | SUPPLIES-W              | \$<br>589.21               |
| CRAWFORD ENGINEERING & SU                          | SERVICES-ST,SW          | \$<br>6,344.00             |
| CY & CHARLEY'S FIRESTONE                           | SERVICES 51,5 W         | \$<br>272.00               |
| D & K PRODUCTS                                     | SUPPLIES-PR             | \$<br>1,020.00             |
| D & S PORTABLES INC                                | SERVICES-PR             | \$<br>4,900.00             |
| DANKO EMERGENCY EQUIPMENT                          | SERVICES-F              | \$<br>9,580.42             |
| DECKER SPORTING GOODS                              | SUPPLIES-PR             | \$<br>8,897.40             |
| DECKER, JASON                                      | VOLUNTEER-F             | \$<br>297.90               |
| DELGADO-CONNOR, TONY                               | VOLUNTEER-F             | \$<br>267.86               |
| DELTA DENTAL OF IOWA                               | DENTAL INSURANCE        | \$<br>4,273.50             |
| DIAMOND VOGEL PAINTS                               | SUPPLIES-ST             | \$<br>2,062.50             |
| DITCH WITCH  | EQUIP REPAIR-W          | \$<br>733.32               |
| DUGGER, BENJAMIN                                   | VOLUNTEER-F             | \$<br>116.07               |
| DUNLAP MOTORS INC                                  | TRUCK-ST                | \$<br>67,822.70            |
| EMPLOYEE BENEFIT SYSTEMS                           | SAFE-T FUND-ALL         | \$<br>6,069.30             |
| ERICKSON-DALE, TANNER                              | VOLUNTEER-F             | \$<br>339.29               |
| ESCH, BRAD   | PHONE ALLOW             | \$<br>50.00                |
| FANGMAN, TY  | VOLUNTEER-F             | \$<br>303.57               |
| FENNER, GORDY                                      | VOLUNTEER-F             | \$<br>89.29                |
| FISCHELS, AARON                                    | REFUND-PR               | \$<br>35.00                |
| FLETCHER-REINHARDT CO                              | SERVICES-ST             | \$<br>736.00               |
| FOLEY, TRAVIS                                      | PHONE ALLOW             | \$<br>50.00                |
| HAWKEYE ALARM SIGNAL COMP                          | SERVICES-F              | \$<br>190.00               |
| HAWKINS, INC.                                      | CHEMICALS-W             | \$<br>4,501.00             |
| HAYWARD, BLAKE                                     | PHONE ALLOW             | \$<br>50.00                |
| HOOKEM, WES  | VOLUNTEER-F             | \$<br>196.43               |
| HYDRITE CHEMICAL CO                                | CHEMICALS-W             | \$<br>1,305.08             |
| IA PEACE OFFICERS ASSOC                            | DUES-PD                 | \$<br>360.00               |
| INDEPENDENCE PLUMBING HEA                          | SERVICES-PR             | \$<br>338.02               |
| INRCOG   | DUES-CH                 | \$<br>3,274.56             |
| JACOBS, MORGAN                                     | VOLUNTEER-F             | \$<br>241.07               |
| JOHN DEERE FINANCIAL                               | SUPPLIES-PR,W,ST,A      | \$<br>1,116.71             |
| JOHNSON PLBG HEATING & AI                          | SERVICES-PR             | \$<br>551.50               |
| KILER, ANGELA                                      | PHONE ALLOW             | \$<br>50.00                |
| LAU, BRIAN   | PHONE ALLOW             | \$<br>50.00                |
| LEGALSHIELD  | LEG/ID 07122024 FAM     | \$<br>138.66               |
| LUMBER RIDGE HOME SOURCE                           | RENTAL-PR               | \$<br>83.00                |
| LYNCH DALLAS, PC                                   | LEGAL EXP-CH            | \$<br>1,836.60             |
| MAIN, TIMOTHY E                                    | INSTRUCTOR-PR           | \$<br>1,595.82             |
| MANATT'S INC                                       | CEMENT-W                | \$<br>1,410.75             |
| MAVERICK POWERSPORTS                               | EQUIP REPAIR-PR         | \$<br>787.80               |
| MAYNER, MATTHEW                                    | VOLUNTEER-F             | \$<br>26.79                |
| METLIFE  | MET ER LIFEAD&D         | \$<br>1,759.59             |
| MICROSOFT CORPORATION                              | FEES-ALL                | \$<br>50.41                |
| MIDWEST BREATHING AIR L.L                          | SERVICES-F              | \$<br>708.00               |
| MIDWEST RADAR & EQUIPMENT                          | EQUIP REPAIR-PD         | \$<br>328.00               |
| MSA PROFESSIONAL SERVICES                          | SERVICES-B,W,SW         | \$<br>4,380.00             |
| MYERS POLARIS                                      | SERVICES-W              | \$<br>189.99               |
| MYERS-COX CO                                       | CONCESSIONS-PR          | \$<br>1,641.77             |
|  |                         |                            |

| NAPA AUTO PARTS           | SUPPLIES-F,ST,W               | \$   | 143.03     |
|---------------------------|-------------------------------|------|------------|
| NEJDL, MICHELLE           | PHONE ALLOW                   | \$   | 50.00      |
| NICK'S FAMILY GROCERY     | CONCESSIONS-PR                | \$   | 7,479.86   |
| NICOLAS, ROY              | VOLUNTEER-F                   | \$   | 205.36     |
| NORTHEAST IOWA RC&D       | FEES-SW                       | \$   | 5,000.00   |
| OELWEIN PUBLISHING COMPAN | PUBLICAT-B,CH,PD              | \$   | 634.00     |
| OFFICE TOWNE INC          | SUPPLIES-A,F,PD,PR            | \$   | 834.76     |
| P & N CORPORATION         | FUEL PROFITS-A                | \$   | 1,272.57   |
| PAYROLL CHECKS            | PAYROLL CHECKS                | \$ 2 | 204,247.91 |
| PEPSI-COLA GEN. BOT. IN   | CONCESSION-PR                 | \$   | 314.16     |
| PITNEY BOWES GLOBAL FINAN | EQUIP LEASE-PR                | \$   | 167.64     |
| PRECISION PLUMBING, HEATI | SERVICES-PR                   | \$   | 802.25     |
| PRINT EXPRESS             | MISC EXP-CH,W                 | \$   | 1,511.10   |
| PURCHASE POWER            | POSTAGE-PR                    | \$   | 214.99     |
| RATCHFORD, DANIEL         | VOLUNTEER-F                   | \$   | 339.29     |
| RECK, BRENT               | PHONE ALLOW                   | \$   | 50.00      |
| REICKS, DREW              | VOLUNTEER-F                   | \$   | 330.36     |
| REXCO EQUIPMENT, INC      | VEH REPAIR-PR                 | \$   | 129.25     |
| RICK RATCHFORD, INC.      | SERVICES-PR                   | \$   | 8,597.76   |
| RJS WELDING LLC           | SERVICES-ST                   | \$   | 100.00     |
| ROMAN, ANDREW             | VOLUNTEER-F                   | \$   | 696.43     |
| RYDELL AUTO GROUP         | VEH MAINT-PD                  | \$   | 333.95     |
| S & K COLLECTIBLES        | SHIPPING-W                    | \$   | 205.54     |
| SCHMITZ, MATTHEW          | PHONE ALLOW                   | \$   | 100.00     |
| SIGNS & MORE              | SERVICES-CH,ST,PR,PD          | \$   | 2,243.04   |
| SIMMERING-CORY IA CODIFI  | CODE UPDATES-CH               | \$   | 2,241.00   |
| SIMMONS, JENNIFER         | VOLUNTEER-F                   | \$   | 125.00     |
| SIMMONS, TAYLOR           | VOLUNTEER-F                   | \$   | 125.00     |
| SOUKUP, BRETT             | PHONE ALLOW                   | \$   | 50.00      |
| SPAHN & ROSE LUMBER COMPA | SUPPLIES-PR                   | \$   | 431.80     |
| SPEER FINANCIAL INC       | SERVICES-CH                   | \$   | 500.00     |
| STAR EQUIPMENT, LTD       | EQUIP-ST                      | \$   | 10,345.00  |
| STATE STREET BANK & TRUST | MISSIONSQUARE ICMA RC BENEFIT | \$   | 17,791.48  |
| SUPERB CLEANING SERVICES  | BLDG MAINT-PR                 | \$   | 2,670.00   |
| T MOBILE                  | PHONE-PD,F                    | \$   | 752.98     |
| TASC                      | FLEX MEDICAL                  | \$   | 2,553.42   |
| TESTAMERICA LABORATORIES  | LAB ANALYSIS-W                | \$   | 2,432.27   |
| THE LIFEGUARD STORE INC.  | SUPPLIES-PR                   | \$   | 370.70     |
| TILL, BRODY               | VOLUNTEER-F                   | \$   | 160.71     |
| TREASURER-STATE OF IOWA   | STATE TAX W/H PAYABLE         | \$   | 8,609.71   |
| TRUE VALUE HARDWARE       | SUPPLIES-AC,F,PR,ST,W         | \$   | 388.92     |
| US CELLULAR               | PHONE-B,PD                    | \$   | 351.21     |
| VERIZON WIRELESS          | PHONE-CH,PD,PR,F              | \$   | 172.74     |
| VISU-SEWER INC            | SERVICES-W                    |      | 171,609.00 |
| WALMART COMMUNITY         | SUPPLIES-PR,W,ST              | \$   | 705.99     |
| WASTE MANAGEMENT          | GARBAGE-A.G,PR,W              |      | 48,893.55  |
| WELLMARK BCBS             | HEALTH BENEFIT                |      | 42,716.47  |
| WOLF, JACOB               | VOLUNTEER-F                   | \$   | 517.86     |
| WULFEKUHLE, JORDON        | VOLUNTEER-F                   | \$   | 142.86     |
| ZIMMER & FRANCESCON INC   | EQUIP REPAIR-W                | \$   | 1,663.34   |
| ZIMMERLY, MIKE            | VOLUNTEER-F                   | \$   | 8.93       |
|                           |                               | Ψ    | 0.75       |

CLAIMS TOTAL \$871,808.78; General Fund \$243,582.80; Library \$8,693.68; Hotel/Motel Tax \$19,764.08; Streets Dept-Road Use \$17,639.74; Employee Benefits \$22,959.42; Cap Project-Street Improvement \$4,970.00; Parks & Rec Projects \$5,375.40; Cap Outlay Savings/LOST \$110,967.67; Water Fund \$22,064.63; Sewer Utility Fund \$198,879.26; Storm Water \$5,045.93; Storm Water Projects \$1,374.00; Self Insurance \$5,984.35; Self Insurance-Enterprise \$84.95. The payrolls for July 22, 2024, July 26, 2024, and August 9, 2024, are not included in

the fund breakdown due to a payroll conversion.

**REVENUES MONTH TO DATE TOTAL \$109,392.07**; General Fund \$24,295.36; Library \$282.24; Economic Development \$35,145.00; Water Fund \$15,261.73; Sewer Utility \$26,444.11; Storm Water \$2,253.93; Self Insurance \$5,669.70; Self Insurance-Enterprise \$40.00.

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

The Fiscal Year 2024 Outstanding Debt Obligation report was presented to the Council.

### **HEARINGS & ORDINANCES**

Council Member Jensen with a motion to set a public hearing on August 26, 2024, at 5:00 pm for consideration of an ordinance amending water and sewer rate charges within Section 1.15 – Fines and Fees Schedule of the Code of Ordinances of the City of Independence, Iowa, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Absent: Huston.

Council Member O'Loughlin with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 50.08 Adult Establishment, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, and Hanna. Absent: Huston. Council Member Weber with a motion that 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 be suspended, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Hanna, and Moore. Absent: Huston. Council Member Moore with a motion to have this ordinance that amends provisions pertaining to Section 50.08 Adult Establishment 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: O'Loughlin, Jensen, Weber Hanna, Moore, and Prusator. Absent: Huston.

### Ordinance adopted and upon approval by Mayor assigned No. 2024-586 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 Section 5.02 Bonds, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, Moore, Prusator, and O'Loughlin. Absent: Huston. Council Member Jensen with a motion that 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 be suspended, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Absent: Huston. Council Member Jensen with a motion to have this ordinance that amends provisions pertaining to Section 5.02 Bonds be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Absent: Huston.

# Ordinance adopted and upon approval by Mayor assigned No. 2024-587 in the Official Book of Ordinances.

Council Member Weber with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 5.06 Electronic Meetings, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, and Hanna. Absent: Huston. Council Member Jensen with a motion that 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 be suspended, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Hanna, and Moore. Absent: Huston. Council Member Hanna with a motion to have this ordinance that amends provisions pertaining to Section 5.06 Electronic Meetings 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: O'Loughlin, Jensen, Weber, Hanna, Moore, and Prusator. Absent: Huston.

## Ordinance adopted and upon approval by Mayor assigned No. 2024-588 in the Official Book of Ordinances.

Council Member Jensen with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 35.14 Fire Officials Authority, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, More, Prusator, and O'Loughlin. Absent: Huston. Council Member Moore with a motion that 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 be suspended, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Absent: Huston. Council Member Weber with a motion to have this ordinance that amends provisions pertaining to Section 35.14 Fire Officials Authority be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Hanna. The roll being called the

following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Absent: Huston.

### Ordinance adopted and upon approval by Mayor assigned No. 2024-589 in the Official Book of Ordinances.

Council Member Jensen with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 7.05(4) Fiscal Management, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, and Hanna. Absent: Huston. Council Member Moore with a motion that 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 be suspended, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Hanna, and Moore. Absent: Huston. Council Member Prusator with a motion to have this ordinance that amends provisions pertaining to Section 7.05(4) Fiscal Management 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: O'Loughlin, Jensen, Weber, Hanna, Moore, and Prusator. Absent: Huston.

# Ordinance adopted and upon approval by Mayor assigned No. 2024-590 in the Official Book of Ordinances.

Council Member Jensen with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 60.02 Pedestrians' Right-of-way, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, Moore, Prusator, and O'Loughlin. Absent: Huston. Council Member O'Loughlin with a motion that 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 be suspended, second by Council Member Weber. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Absent: Huston. Council Member Moore with a motion to have this ordinance that amends provisions pertaining to Section 60.02 Pedestrians' Right-of-way be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Prusator. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Absent: Huston.

# Ordinance adopted and upon approval by Mayor assigned No. 2024-591 in the Official Book of Ordinances.

Council Member Jensen with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 18.03 Publication of Minutes, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, and Hanna. Absent: Huston. Council Member O'Loughlin with a motion that 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 be suspended, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Hanna, and Moore. Absent: Huston. Council Member Jensen with a motion to have this ordinance that amends provisions pertaining to Section 18.03 Publication of Minutes 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, Hanna, Moore, and Prusator. Absent: Huston.

# Ordinance adopted and upon approval by Mayor assigned No. 2024-592 in the Official Book of Ordinances.

Council Member Moore with a motion to approve the first reading of an ordinance that amends provisions pertaining to Section 136.04 Sidewalk Liability, second by Council Member Weber. Council Member Hanna asked if the sidewalk liability change is regarding if a person falls on the sidewalk or if a person is not allowed to park on the sidewalk. City Manager Schmitz stated this does not mention anything about parking on the sidewalk. Cities used to be able to transfer the liability if a person trips on the sidewalk to the property owner for not properly maintaining the sidewalk. The Supreme Court has made it so cities can no longer do this. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, Moore, Prusator, and O'Loughlin. Absent: Huston. Council Member O'Loughlin with a motion that 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 be suspended, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Weber, Hanna, Moore, Prusator, O'Loughlin, and Jensen. Absent: Huston. Council Member O'Loughlin with a motion to have this ordinance that amends provisions pertaining to Section 136.04 Sidewalk Liability be placed on its final passage for adoption pursuant to Iowa Code Section 380.3, second by Council Member Hanna. The roll being called the following Council Members voted: Ayes: Hanna, Moore, Prusator, O'Loughlin, Jensen, and Weber. Absent: Huston.

Ordinance adopted and upon approval by Mayor assigned No. 2024-593 in the Official Book of Ordinances.

### **RESOLUTIONS**

Council Member O'Loughlin with a motion to approve and authorize the Mayor to sign the resolution accepting and approving the preliminary plat of MBH Addition within two miles of the city limits of the City of Independence, Iowa, second by Council Member Hanna. City Manager Schmitz explained the property is located at the intersection of Golf Course Boulevard and 218<sup>th</sup> Street. Currently, it is one parcel with two houses on it. The preliminary plat purposes to divide the area into three parcels. Future agreements between the property owners will need to be made regarding driveway, water, and septic tank access. The roll being called the following Council Members voted: Ayes: Moore, Prusator, O'Loughlin, Jensen, Weber, and Hanna. Absent: Huston.

Resolution adopted and upon approval by Mayor assigned No. 2024-55 in the Official Book of Resolutions.

Council Member Prusator with a motion to approve and authorize the Mayor to sign the attached resolution outlining changes to longevity, second by Council Member O'Loughlin. The roll being called the following Council Members voted: Ayes: Prusator, O'Loughlin, Jensen, Weber, Hanna, and Moore. Absent: Huston.

Resolution adopted and upon approval by Mayor assigned No. 2024-56 in the Official Book of Resolutions.

#### **OTHER BUSINESS**

Council Member Prusator with a motion to authorize the City Manager and the Mayor to move forward with signing documentation relating to a letter of understanding with Teamsters Local 238 to implement these changes to longevity, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: O'Loughlin, Jensen, Weber, Hanna, Moore, and Prusator. Absent: Huston.

Council Member Jensen with a motion to approve and authorize the City Manager to sign the attached Wastewater Plant Design Contract Amendment No. 1, second by Council Member Moore. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Hanna, Moore, Prusator, and O'Loughlin. Absent: Huston.

#### REPORTS

The following comments were heard from Council and Staff: Hanna – Talked about the clean-up work going on at Oakwood Cemetery every other Saturday and encouraged people to come help clean stones. Asked if there were efforts in place to work on cleaning up buildings in the 200 block of 2<sup>nd</sup> Ave NE. Moore – Asked if he could be excused as he had another meeting to attend. He left at 5:28 pm. O'Loughlin – Asked for an update on 812 10<sup>th</sup> Street NE asbestos removal. Gave a shout out to the Independence Chamber for Meet Me on Main last Friday. Building Inspector – Spoke to Iowa DNR and OSHA about asbestos removal and the proper steps needing to be taken for work to be done at 812 10<sup>th</sup> St NE. The City will be starting the RFP process to get quote for asbestos abatement and then the Street Department will do the demolition work. He is working with property owners in the 200 block of 2<sup>nd</sup> Ave NE about getting things cleaned up. Jensen – Kudos to Council Members Hanna and Moore and everyone that is working to clean and repair headstones at Oakwood Cemetery. City Manager – The City is going through the remediation process for the property at 812 10<sup>th</sup> St NE. Fire Chief Hayward has scheduled a Fire Station Site Committee meeting to be held on Thursday, August 29<sup>th</sup> at 6:00 pm in Council Chambers. The Council Members that are on this committee are Weber, Hanna, and Prusator.

# **ADJOURNMENT**

Motion by Council Member Prusator, second by Council Member Jensen to adjourn. Ayes: All. Absent: Huston and Moore.

Whereupon Mayor Bleichner declared the meeting adjourned at 5:33 p.m.

| ATTEST:                  | Brad Bleichner, Mayor of the City of Independence, Iowa |
|--------------------------|---|
| Susi Lampe, IaCMC, IaCI  | FO,   |
| Assistant City Manager/C | ty Clerk/Treasurer of the City of Independence, Iowa    |