

State Center City Council
Regular Meeting Minutes
December 20, 2017

State Center City Council met in regular session on Wednesday, December 20, 2017 in the City Hall Council Room. Mayor Quick called the meeting to order and asked everyone to rise for the Pledge of Allegiance. Roll Call: Mayor Quick, Councilors: Bunn, Darrow, Lively, Riemenschneider and Wilkinson. Absent: None. Others Present: Atty. O’Hare, Kristi Yates, Jeff Robinson, Phil Pitzen, Chief Bunn, Steve and Carrie Sodders, Chris Davis, Nick Frederickson, Haney Garcia, Carlos Portes, Jeff Hutton, Jim Eckhardt, Dick Postel, Terry Shaffar, Brett Nichols, James Jorgensen, Michelle and Addie Wilkinson and Clerk Bearden. Motion by Darrow, 2nd by Lively to approve the consent agenda. Motion passes 5-0. During public comment, D. Postel asked for clarification on who made the motion at Dec. 6th’s special meeting regarding action taken to change employee healthcare carriers. The article in the Mid Iowa Enterprise stated that Councilperson Bunn made the motion. Clerk Bearden’s published minutes stated that “The personnel committee, as a result of their 11.29.17 meeting, recommends accepting Ms. Bauder’s recommendations as stated constituting a motion and 2nd.” Clerk Bearden acknowledged that a motion was made but that Mayor Quick reminded council that a recommendation from a committee constitutes a motion and 2nd. Clerk Bearden interprets this to mean the original motion to be void and so wrote her minutes including the recommendation and vote only. Having the situation clarified, Mr. Postel said that he brought the topic up to ensure the council does not encounter any legal problems as a result and to make sure there had been no conflict of interest if Councilperson Bunn’s motion was motion of record. City Legal Counsel O’Hare stated that he did not see any conflict of interest if Councilperson Bunn had made the motion or by her vote. Mayor Quick addressed the council regarding the Kifer property at 107 5th Ave SE. When the Board of Adjustment approved a variance for a pergola at this address, an agreement to be signed by the property owners and the City was drafted by Atty. O’Hare. The agreement was to acknowledge by both parties that the pergola could, in the future be, in conflict with City work as the pergola allegedly is partially in the City right-of-way. To date the agreement has not been signed by the property owners. There was motion by Wilkinson, 2nd by Lively to table the topic until the property owners are informed of council’s intent to address the unsigned agreement and more information could be gathered regarding the situation. Motion passes 5-0. Lively introduced and moved to adopt Res. 18-27 approving of the State Center Fire/EMS department to take steps toward establishing a non-profit corporation for enhancement of emergency response capabilities and activities. Res. 18-27 is adopted 5-0 roll call. There has been a request for amendment to Chapter 9 Economic Development of the State Center Code of Ordinances to amend the State Center Development Assn. properties qualifying as “speculative shells” and therefore eligible for property tax abatement as long as properties are owned by the association. Wilkinson moved to approve moving forward with steps to amend the ordinance to remove 110-112 W Main and 108 W Main and add 120 W Main. Riemenschneider 2nd. After discussion regarding waiving readings to meet the Feb 1 exemption filing date, motion passes 5-0. The amended ordinance will be presented for action at the January council meeting. On recommendation of the personnel committee from the 11.29.17 personnel committee meeting, Jeff Robinson and Phil Pitzen were appointed Utility Superintendent and Public Works Director respectively. They were appointed as “acting” superintendent and director in August 2015. Recommendation passes 5-0. Nick Frederickson, ISG, spoke of punch list items and other issues that in order to complete and correct would delay the final project closing and acceptance and therefore possibly delay the assessment schedule implementation. Some of the items needing attention include the transition of pavement at 3rd St NW and 2nd Ave NW, ADA compliance checks and the crown of east end of project. The clerk stated that she is in favor dealing with the assessment delay in order to have completion and correction items be the priority. Councilor Riemenschneider introduced and moved to adopt Res. 18-28 approving payment in the amount of \$191,743.63 to Con-Struct for construction. 2nd by Lively, Res. 18-28 is adopted 5-0 roll call. Atty. O’Hare has drafted an agreement to be signed by the City and Mid States Milling to accommodate the mill’s request to forego the 10 foot drive approaches for the mill property in exchange for the mill pouring longer drives at their own expense in the spring. ISG provided some specifications to be included in the agreement. Motion by Darrow, 2nd by Lively to approve the agreement and get the draft to Mid States Milling for their approval. Motion passes 5-0. Lively introduced and moved to adopt Res. 18-29 approving of the Gutekunst Library Addition/Renovation project change order #4 adding an outdoor drinking fountain back into the project. The change order adds a cost of \$2,200.00 to the project bringing the total contract to \$1,307,031.50. Res. 18-29 is adopted 5-0 roll call. Both Phil Pitzen and Chief Bunn invited new mayor and council to stop and tour respective City properties. Jeff Robinson informed council that the solar array is operational and producing power. There is some tweaking of the system yet to be done. Wilkinson introduced and moved to adopt Res. 18-30 adding the previously approved solar interconnect application/agreement form to the current Electric Utility Policy. Lively 2nd; Res. 18-30 is adopted 5-0 roll call. Motion by Riemenschneider, 2nd by Darrow approving payment in amount of \$475.00 to Core & Main for water distribution valve. The claim needed clarification before presentation to council. Motion passes 5-0. Steve Lively welcomed the incoming council and mayor. Lee Wilkinson thanked outgoing council and mayor for their many dedicated years of service. Oaths were administered by Clerk Bearden to Steve Sodders, Mayor-elect and Brett Nichols, Terry Shaffar and Lee Wilkinson, Council-elect.

CLAIMS APPROVED 12.20.17

AFFELDT, S	METER REFUND	17.85
AIR GAS	SUPPLY	95.35
ALLIANT	SERVICE	1,320.88
ARNOLD MOTORS	REPAIR/SUPPLY	333.23
ASTRA SECURITY	SECURITY	59.95
BEN'S TIRE	REPAIR/MAINT	125.00
NORTHERN TOOL	SUPPLY/EQUIP	434.47
BOUND TREE MEDICAL	FIRE/EMS EQUIP	842.66
BROWN SUPPLY	SUPPLY	205.31
CARPENTER UNIFORM	UNIFORM - HOWE	58.99
CASEY'S	FUEL	158.68
CID	SUPPLY	173.50
CSB-VISA	IDNR CERT	80.00
CSB-VISA	ELEC SUPPLY	891.96

CINTAS	SUPPLY	139.08
CON-STRUCT	3RD ST NW	191,743.63
CORE & MAIN	WTR DISTRIB	475.00
CRESCENT ELECTRIC	SUPPLY	56.87
ELECTRIC SUPPLY	SUPPLY	631.38
EXHAUST PRO	SKID LDR MAINT	1,160.00
FIERROS, A.	JANITOR	250.00
FREEDOM MAILING	ADDRESS UPDATE	40.70
GODFREY, M	AC REBATE	100.00
HALLS EQUIP	SUPPLY	187.50
HARRSION TRUCK CNTR	SUPPLY	122.16
HAWKINS	SUPPLY	20.00
HOMETOWN FOODS	SUPPLIES	7.28
IA DEPT REV	SALES TAX	5,724.00
IAMU	SAFETY PROGRAM	482.85
INTERSTATE BATTERY	SUPPLY	28.60
IOWA LAW ACADEMY	SERVICES	50.00
IOWA ONE CALL	LOCATES	24.30
IPI	STREET SIGNS	203.67
IA PUMP WORKS	REPAIR	415.00
IRBY	ELEC DIST SUPPLY	1,067.04
JAY-KEE TRAILER	REPAIR	451.96
IS GROUP	3RD ST NW	3,527.93
THEISENS	SAFETY SUPPLY	346.95
JR LAWN SERVICE	EQUIP RENTAL	150.00
KRIZ DAVIS	ELECTIC SUPPLY	408.60
LARSEN, W	CW REBATE	100.00
LEDFORD	SERVICE	325.00
MARSHALL COUNTY	ELECTION	1,870.15
MTOWN WATERWORKS	TESTING	56.00
MARSHALLTOWN, CITY	TESTING	220.00
MARTIN MARIETTA	ST SUPPLY	719.36
MCATEE TIRE	VEHICLE MAINT	79.50
MCMASTER-CARR	ELEC PLANT SPPLY	194.08
MENARDS	SUPPLY/MAINT	198.41
MID-IOWA ENTERPRISE	NOV CHARGES	698.24
WALTON WINDOW CLEAN	SERVICE	50.00
NEW CENTURY FS	FUEL/OIL	1,806.00
OHARE, K	LEGAL SERVICE	1,037.68
PARTNER COMM.	TELECOMMUNICTN	1,042.23
PAYROLL 11.17.17	PAYROLL	23,396.91
PAYROLL 12.1.17	PAYROLL	29,165.83
PAYROLL 12.15.17	PAYROLL	25,105.11
PENGUIN MANAGEMENT	SUPPLY	1,747.00
POSTMASTER	UTILITY POST/PRMT	235.21
RANDY'S PEST CONTROL	SERVICE	160.00
REGION 6	DUES	660.60

RICKEN TILING	TILE REPAIR	304.75
RPGI	PURCHASED PWR	73,531.09
SHERMCO	SOLAR PRJ	1,605.00
STAPLES	CITY HALL/PD SPLY	151.84
STAR EQUIP	SUPPLY	320.27
STONE SANITATION	SERVICE	264.90
TAPCO	STREET SIGNS	4,199.00
THORNBURY, J	EWH REBATE	75.00
TRISTATE LOCK	SUPPLY	6.00
US CELLULAR	SERVICE	408.86
USPS	PREPOST ENVLP	1,187.75
WALMART	SUPPLY/EQUIP	296.48
WESCO	ELECTRIC SUPPLY	148.15
XEROX	SERVICE	57.63
ZIEGLER	EQUIP RENTAL	720.00
TOTAL		384,756.36

APPROVED BY FUND

GENERAL FUND	25,569.04
ROAD USE	20,061.31
3RD ST NW CAP PRJ	195,271.56
WATER UTILITY	9,392.85
SEWER UTILITY	5,989.34
ELECTRIC UTILITY	125,005.89
SOLAR CAP PRJ	2,945.72
STORM WATER	<u>520.65</u>
TOTAL	384,756.36

There being no further business, Wilkinson moved to adjourn at 8:10 p.m. Lively 2nd; meeting adjourned 5-0.

Harlan Quick, Mayor

Attest:

Lori Bearden, Clerk