

COUNCIL MEETING

SEPTEMBER 27, 2021

(Please note these are draft minutes and may be amended by Council before final approval.)

The meeting was held telephonically or via Zoom web conferencing for those individuals who wished to attend remotely. The public was able to hear and participate in the Council meeting by calling into a publicly posted phone number.

The Carroll City Council met in regular session on this date at 5:15 p.m. in the Council Chambers, City Hall, 627 N Adams Street. Council Members present: Misty Boes, LaVern Dirx, Jerry Fleshner, Clay Haley, Mike Kots and Carolyn Siemann. Absent: None. Mayor Eric Jensen presided and City Attorney Dave Bruner was in attendance.

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The Pledge of Allegiance was led by the City Council. No Council action taken.

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It was moved by Haley, seconded by Siemann, to approve the following items on the consent agenda: a) minutes of the September 13, 2021 Council meeting, as written; b) bills and claims in the amount of \$469,210.85; and c) Renewal of Class “C” Liquor License with Sunday Sales – *Bloomer’s Inc.* On roll call, all present voted aye. Absent: None. Motion carried.

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There no oral requests or communication from the audience.

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An ordinance amending the Code of Ordinances pertaining to the Carroll Recreation Fees and Charges was introduced by Council Member Kots.

It was moved by Kots, seconded by Haley, to approve the first reading of said ordinance. On roll call, all present voted aye. Absent: None. Motion carried.

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An ordinance amending the Code of Ordinance pertaining to parking along Walnut Street was introduced by Council Member Fleshner.

It was moved by Fleshner, seconded by Haley, to approve the first reading of said ordinance. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Kots, seconded by Haley, to approve Resolution No. 21-63, Granting a Permanent Non-Assignable Consent to Wendl’s Weapons LLC to Discharge Firearms Within Its

Indoor Firing Range Located at 810 E. Highway 30, Carroll, Iowa. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Haley, seconded by Siemann, to approve Resolution No. 21-64, Property Development Agreement with Rowland Real Estate LLC for property located at 224 N. Main Street. On roll call, all present voted aye. Absent: None. Motion carried.

It was moved by Kots, seconded by Haley, to approve Resolution No 21-65, Subordination of Property Development Agreement for property located at 224 N. Main Street. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Fleshner, seconded by Haley, to approve Resolution No. 21-66, Appointing UMB Bank, N.A. of West Des Moines, Iowa, to Serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent, Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. On roll call, all present voted aye. Absent: None. Motion carried.

It was moved by Haley, seconded by Kots, to approve Resolution No. 21-67, Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance of \$3,325,000 General Obligation Refunding Capital Loan Notes, Series 2021A, and Levying a Tax to Pay Said Notes; Approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. On roll call, all present voted aye. Absent: None. Motion carried.

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At 5:43 p.m. Mayor Jensen opened a public hearing on the FY 21/22 Budget Amendment #1. Mayor Jensen closed said hearing at 5:44 p.m.

It was moved by Haley, seconded by Fleshner, to approve Resolution No. 21-68, Amending the Current Budget for the Fiscal Year Ending June 30, 2022. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Siemann, seconded by Haley, to approve Resolution No. 21-69, Agreement with JEO Consulting Group, Inc. for Professional Services (Basic Service - \$18,800, Additional Services - \$3,800 for additional survey & design and \$400 for each easement description and exhibit) for the U.S. 30 East Sanitary Sewer Extension Project. On roll call, all present voted aye except Boes and Kots voted nay. Absent: None. Motion carried.

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It was moved by Kots, seconded by Haley, to go into closed session at 5:52 p.m. per Iowa Code 21.5(1)(c) –to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the government. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Fleshner, seconded by Haley, to go back into open session at 7:37 p.m. On roll call, all present voted aye. Absent: None. Motion carried.

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It was moved by Fleshner, seconded by Haley, to adjourn at 7:37 p.m. On roll call, all present voted aye. Absent: None. Motion carried.

Eric P. Jensen, Mayor

ATTEST:

Laura A. Schaefer, City Clerk