

COUNCIL MEETING

OCTOBER 12, 2020

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

In support of Iowa Governor Kim Reynolds' proclamation declaring a State of Public Health Disaster Emergency in Iowa, the current COVID-19 situation made it "impossible and impractical" to meet in one location. Due to this the Carroll City Hall was closed to the public for the October 12, 2020 City Council meeting. However, the meeting was held telephonically. The public was able to hear and participate in the Council meeting by calling into a publicly posted toll-free 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. Members present: Misty Boes, LaVern Dirx, Clay Haley, Mike Kots and Carolyn Siemann. Absent: Jerry Fleshner. Mayor Eric Jensen presided and City Attorney Dave Bruner was in attendance via telephone.

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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 Kots, to approve the following items on the consent agenda: a) minutes of the September 28, 2020 Council meeting, as written; b) bills and claims in the amount of \$913,332.70; c) Resolution No. 20-80, Proposal of Certified Testing Services, Inc. for Construction Materials Testing for the Street Maintenance Facility Project; d) acceptance of the resignation of Volunteer Firefighter Marty Vanderheiden and the approval of Riley Bach as a member of the Carroll Volunteer Fire Department; and e) the Mayor's appointment, with Council approval, of Julie Perkins to the Library Board of Trustees for the unexpired term to expire December 31, 2022. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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St. Anthony Regional Hospital President & CEO Ed Smith and Chief Medical Officer Dr. Kyle Ulveling, M.D. addressed Council (via GoTo Meeting) about the COVID-19 situation in Carroll County during the oral requests and communications from the audience. No Council action taken.

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At 5:34 p.m. Mayor Jensen opened a public hearing on the proposed MidAmerican Energy Company Franchise Agreement. Mayor Jensen closed said public hearing at 5:38 p.m.

An Ordinance Repealing Ordinance No. 9506 and Granting to MidAmerican Energy Company, its Successors and Assigns, the Right and Non-Exclusive Franchise to Acquire, Construct, Erect, Maintain and Operate in the City of Carroll, Iowa, An Electric System and Communications Facilities and to Furnish and Sell Electric Energy to the City and its Inhabitants and Authorizing the City to Collect Franchise Fees for a Period of 20 Years was introduced by Council Member Kots.

It was moved by Kots, seconded by Haley, to approve the first reading and waive the second and third readings of said Ordinance. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

It was moved by Kots, seconded by Haley, to adopt said Ordinance No. 2011. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

At 5:40 p.m. Mayor Jensen opened a public hearing on a proposed revenue purpose statement regarding use of revenues from proposed electric franchise fees. Mayor Jensen closed said hearing at 5:44 p.m.

It was moved by Haley, seconded by Kots, to approve Resolution No. 20-81, Adopting Revenue Purpose Statement Regarding Use of Revenues from Proposed Electric Franchise Fees Pursuant to Iowa Code § 364.2(4)(f). On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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An Ordinance Amending the Code of Ordinances of the City of Carroll, Iowa by Amending Provisions Pertaining to Minors, Chapter 46.02, was introduced by Council Member Dirx.

It was moved by Dirx, seconded by Siemann, to approve the first reading and waive the second and third readings of said Ordinance. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

It was moved by Haley, seconded by Siemann, to adopt said Ordinance No. 2012. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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An Ordinance Amending the Code of Ordinances of the City of Carroll by Amending Provisions Pertaining to Cigarette and Tobacco Permits, Chapter 121.01, was introduced by Council Member Dirx.

It was moved by Dirxx, seconded by Haley, to approve the first reading and waive the second and third readings of said Ordinance. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

It was moved by Kots, seconded by Haley, to adopt said Ordinance No. 2013. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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An Ordinance Amending the Code of Ordinances of the City of Carroll by Amending Provisions Pertaining to Cigarette and Tobacco Permits, Chapter 121.07, was introduced by Council Member Dirxx.

It was moved by Dirxx, seconded by Boes, to approve the first reading and waive the second and third readings of said Ordinance. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

It was moved by Haley, seconded by Boes, to adopt said Ordinance No. 2014. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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An Ordinance Amending the Code of Ordinances of the City of Carroll by Amending Provisions Pertaining to Standard Penalty, Chapter 1.14, was introduced by Council Member Dirxx.

It was moved by Dirxx, seconded by Haley, to approve the first reading and waive the second and third readings of said Ordinance. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

It was moved by Kots, seconded by Haley, to adopt said Ordinance No. 2015. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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At 5:50 p.m. Mayor Jensen opened a public hearing on the proposed Amendment No. 1 to the Westfield Urban Renewal Plan. Mayor Jensen closed said public hearing at 5:53 p.m.

It was moved by Haley, seconded by Kots, to approve Resolution No. 20-82, Determining an Area of the City to be an Economic Development Area, and that the Rehabilitation, Conservation, Redevelopment, Development, or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City; Designating Such Area as Appropriate for Urban Renewal Projects; and Adopting Amendment No. 1 to the Westfield Urban Renewal Plan. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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At 5:54 p.m. Mayor Jensen opened a public hearing on the proposal to enter into a Development Agreement with BTC, Inc. Mayor Jensen closed said public hearing at 5:57 p.m.

It was moved by Dirkx, seconded by Haley, to approve Resolution No. 20-83, Authorizing Execution of a Development Agreement by and between the City of Carroll and BTC, Inc. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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It was moved by Dirkx, seconded by Kots, to waive City Policies No. 304 and 307 related to the sale of real property and approve the Request for Redevelopment Proposal for 224 N. Main Street. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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It was moved by Haley, seconded by Kots, to set Monday, October 26, 2020, as the date for a public hearing for the FY 2020/2021 Budget Amendment #1. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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It was moved by Dirkx, seconded by Kots, to accept the bids from the following contractors for the 2020 Ash Tree Removal Phase II Project:

Trenary’s Tree Care (Golf Course)	\$12,900.00
Snyder Tree Service (Cemetery)	\$22,000.00
Trenary’s Tree Care (Misc. Parks)	\$12,900.00
Snyder Tree Service (1205 N. Grant Rd)	\$950.00

On roll call, all present voted aye. Absent: Fleshner. Motion carried.

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It was moved by Kots, seconded by Boes, to accept the bid to purchase a stand-on mower from Haley Equipment at their bid price of \$5,750.00. On roll call, all present voted aye. Abstain: Haley. Absent: Fleshner. Motion carried.

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It was moved by Haley, seconded by Kots, to accept the bid to purchase a 2021 Ford F-550 Truck from New Way Ford at their bid price of \$52,409.00 less trade in of \$3,000.00 for a net price of \$49,409.00. Curt Langel, Champion Ford Sales Manager, addressed Council on this issue. On roll call, all present voted aye except Dirkx voted nay. Absent: Fleshner. Motion carried.

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Council recessed at 6:26 p.m.

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Council reconvened at 6:31 p.m.

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Council held a work session on Park and Recreation fees and Cemetery grave decorations. Parks and Recreation Director Jack Wardell presented information to Council during the work session. No Council action taken.

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It was moved by Haley, seconded by Kots, to adjourn at 7:33 p.m. On roll call, all present voted aye. Absent: Fleshner. Motion carried.

Eric P. Jensen, Mayor

ATTEST:

Laura A. Schaefer, City Clerk