

COUNCIL MEETING

OCTOBER 9, 2023

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

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: Kyle Bauer, Misty Boes, Tom Bordenaro, LaVern Dirxx, Carolyn Siemann and JJ Schreck. Absent: None. Mayor Mark Beardmore 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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Mayor Beardmore read a proclaiming declaring October 8 – 14, 2023, as Fire Prevention Week throughout the City of Carroll and urge all citizens to educate themselves and others around them about safe cooking practices and to participate in the many public safety activities and efforts of Carroll’s fire and emergency services throughout the year. No Council action taken.

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It was moved by Bordenaro, seconded by Schreck, to approve the following items on the consent agenda: a) minutes of the September 25, 2023 Council meeting, as written; b) bills and claims in the amount of \$1,291,230.61; c) the following licenses and permits: Renewal of Class “C” Retail Alcohol License with Outdoor Service – *Don Roy’s, Inc. (dba The Hub/Piranha Club)*, Renewal of Class “E” Retail Alcohol License – *Fareway Stores, Inc. #409*, Renewal Class “C” Retail Alcohol License with Catering Privilege – *Hy-Vee Market Café*, New Class “B” Retail Alcohol License – *Hy-Vee Fast & Fresh*, New Special Class “C” Retail Native Wine License – *Full Swing Golf LLC*, Resolution No. 23-80, Allowing Cloud Nine, LLC (dba Lucky Wife Wine Slushies) to Sell Alcoholic Beverages in Graham Park, and New Special 5-day Class “C” Retail Alcohol License with Outdoor Service (October 20, 2023) – *Lucky Wife Wine Slushies*; d) Acceptance of Tobacco Settlement Agreement with Sparky’s One Stop; e) bid from Haley Equipment for a new small utility tractor for the net trade amount of \$7,968.19; and f) bid from Van Wall Equipment for a new front mount mower, cab, and blower for the net trade amount \$35,799.00. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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There were no oral requests or communications from the audience.

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It was moved by Bauer, seconded by Siemann, to approve Resolution No. 23-81, Making Award of the Construction Contract for the Water Distribution Main Replacements – 2023 Project Groups A & B to Jet Drain Services, LLC at their bid price of \$523,910.00. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Schreck, to approve Change Order No. 2 to the Adams Street Reconstruction Project in the amount of a decrease of \$19,225.69. The effect of the proposed Change Order No. 2 on the project is as follows:

Original Contract	\$3,550,680.08
Change Order No. 1	(4,984.97)
Proposed Change Order No. 2	<u>19,225.69</u>
Contract with Change Orders	<u>\$3,564,920.80</u>

On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Bauer, to accept the report of bid opening and approve Resolution No. 23-82, Making Award of the Construction Contract for the City of Carroll – 2023 Municipal Golf Course Booster Pump Station Project to Synergy Contracting, LLC at their bid amount of \$568,002.00. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Dirkx, to approve Resolution No. 23-83, Authorizing Temporary Transfer of Surplus Funds from the Carroll Sewer Utility Fund to the City of Carroll and Authorizing Advancement of Costs for an Urban Renewal Project and Certification of Expenses Incurred by the City for Payment Under Iowa Code Section 403.19. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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At 5:44 p.m. Mayor Beardmore opened a public hearing on the voluntary annexation request from Ziegler Carroll, LLC and Carroll County, Iowa. Wayne Hilbert, Principal Architect with CNH Architects (representing Ziegler Carroll, LLC) addressed Council on this issue. Mayor Beardmore closed said public hearing at 5:57 p.m.

It was moved by Bordenaro, seconded by Dirx, to approve Resolution No. 23-84, Voluntary Annexation of Land (approximately 30 acres described as Lot 1 of the Northeast Quarter of the Northeast Quarter, EXCEPT Lot A of Lot 1 of said NE ¼ NE ¼; and Lot 1, EXCEPT Lot A thereof, of the Irregular Survey of the NW ¼ NE ¼, ALL IN Section 22, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa, EXCEPT the right of way of the State of Iowa; Lot A of Lot 1 of the NW ¼ NE ¼ of Section 22, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa; and Lot A of Lot 1 Northeast Quarter Northeast Quarter, Section 22, Township 84 North, Range 35 West of the 5th P.M., Carroll County, Iowa) Adjacent to the Western Boundary of the City of Carroll into the Corporate Limits of the City of Carroll. On roll call, all present voted aye. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Bauer, to go into closed session at 5:58 p.m. to pursuant to Iowa Code 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Schreck, to go back into open session at 6:35 p.m. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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It was moved by Bordenaro, seconded by Bauer, to adjourn at 6:36 p.m. On roll call, all present voted aye. Nays: None. Abstain: None. Absent: None. Motion carried 6-0.

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Mark E. Beardmore, Mayor

ATTEST:

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Laura A. Schaefer, City Clerk