

The Dallas Center City Council met in regular session September 13, 2022, at 7:00 pm. Mayor Beyer called the meeting to order and led the Pledge of Allegiance. Council members present included Amy Strutt, Angie Beaudet, Daniel Willrich and Ryan Coon. Ryan Kluss was present via Zoom/telephone. Also present were City Administrator Cindy Riesselman, City Attorney Ralph Brown and City Engineer Bob Veenstra.

Mayor Beyer amended the agenda to move item 10 - \$2,900,000 General Obligation Local Option Sales and Services Tax Capital Loan Notes, Series 2022 (Swimming Pool Project) to new item 7. Motion by Willrich, 2<sup>nd</sup> by Coon to approve the amended agenda. Motion passed 5-0.

Public Comments - Bob Haxton stated his concerns regarding the park land in the Neighborhood. Julie Becker stated her opposition to the new Dallas Center Pool and the Neighborhood park land. Merle Baer stated his concerns with the new street shoulders and the trees being trimmed by Mid-American Energy. Bob King announced that we received the \$10,000 tree grant for 82 trees. King asked for assistance with planting trees on October 1<sup>st</sup>. There will be a ribbon cutting ceremony at the Burnett Complex on October 5 at 6:00 pm. Brent Aldrich stated his concerns regarding the location of the 10<sup>th</sup> Street storm siren.

Willrich stated 449 hours of law enforcement service was provided (320 hours are required) which is 40% above the agreement. Fire also had 2 calls and EMS responded to 26 calls. Motion by Coon, 2<sup>nd</sup> by Beaudet to approve the consent agenda [Approve minutes of August 9<sup>th</sup>, August 14<sup>th</sup>, and August 17<sup>th</sup> Council meetings; August Treasurer's Report, Balance Sheet, and Budget Report; August Law Enforcement, Fire/Rescue, Compliance and Water Reports; Approve reappointment of Thomas Strutt to the Planning and Zoning Commission, term expires October 1, 2027; Approve reappointment of Laurie Hart to the Planning and Zoning Commission, term expires October 1, 2027; Approve reappointment of Sandy Gannon to the Board of Adjustment, term expires October 1, 2027; Approve street closing request of Dallas Center-Grimes Schools for Homecoming celebration and parade on September 16, 2022; Approve sidewalk and parking stalls closure for the 8<sup>th</sup> Anniversary Event for Studio S on October 6, 2022; Approve street closing request for Percival/Ash intersection for neighborhood block party on October 15, 2022; Action to approve Lydia Hofland as a fire department volunteer effective September 14, 2022, pending background check; Action to approve Matthias Funk as a fire department volunteer effective September 14, 2022, pending background check; Action to approve Daniel Wagner as a fire department volunteer effective September 14, 2022, pending background check; Approve invoices for payment (review committee Willrich and Coon)]. Motion passed 5-0.

Mayor Beyer held a swearing in ceremony for Goober Voelker who received the honor of Dallas Center Dog Mayor during the Dallas Center Fall Festival.

Travis with Piper Sandler provided an update on negotiations for the \$2,900,000 General Obligation Local Option Sales and Services Tax Capital Loan Notes, Series 2022 (Swimming Pool Project). Proposals were accepted today but there were varied results. Travis suggested setting a special meeting later this week to allow for time to finalize and lock in rates as well as working through any outstanding questions. A special meeting was set for Friday morning at 7:30 am to approve. Motion by Willrich, 2<sup>nd</sup> by Coon to defer action on Resolution 2022-77 until Friday, September 15<sup>th</sup> at 7:30 am. Motion passed 5-0.

#### **Drainage District No. 76 –**

City Attorney Brown gave a brief explanation and history of Drainage District 76 (DD76). Public Works Director Slaughter discussed the emergency work that has been done so far with DD76 in the amount of \$18,000. City Engineer Veenstra explained that the Dallas Center City Council will now be the Trustees of the District. Veenstra also laid out the process and jurisdiction of drainage districts. The process will be to assess homeowners in the DD76 to cover upcoming repairs and maintenance. All costs, including attorney and engineer fees, can be rolled back into assessments.

Motion by Willrich, 2<sup>nd</sup> by Strutt to retain the services of Veenstra & Kimm, Inc. as the Drainage District's engineer on an as needed basis. Motion passed 5-0.

Motion by Coon, 2<sup>nd</sup> by Beaudet to retain the services of James C. Hudson of Pocahontas as the Drainage District's attorney on an as needed basis. Motion passed 5-0.

Motion by Coon, 2<sup>nd</sup> by Strutt to authorize city staff to start the process of preparing assessments for the emergency repair work of \$18,000 back to the property owners. Motion passed 5-0.

Motion by Willrich, 2<sup>nd</sup> by Beaudet to allow the engineer to survey the property and submit a report to the trustees. Motion passed 5-0.

Attorney Brown suggested the October agenda include action for the Council as Trustees to assess the property. The county will still act as "clerk" in this process and the County Auditor will still maintain the assessment role and send out the notices of assessment. Attorney Brown presented a petition from Mike McClure stating the problem on his property. Brown also explained the process and action of the Trustees, Attorney, Engineer and Homeowners going forward.

#### **Parks and Recreation Board –**

Werch also reported that new equipment is starting to arrive in Mound Park and the old playground equipment needs to be disposed of. Motion by Coon, 2<sup>nd</sup> by Beaudet to dispose of old playground equipment in Mound Park (slide and swings). Motion passed 5-0.

Mary Werch reported that the tree budget has been expended and they need additional funds as lightning struck a tree in Mound Park and it needs to be removed. Motion by Coon, 2<sup>nd</sup> by Willrich to approve an amount not to exceed \$1,500 for tree removal. Motion passed 5-0.

Bob King explained the details of the Community Attraction and Tourism Grant (CAT) which is due January 15, 2023. King received feedback from the Friends of the Pool and Rotary on their priorities and would like to receive feedback from Council as well. Coon suggested that a survey of the community be conducted.

#### **Planning and Zoning Commission –**

Engineer Veenstra explained the purpose of the plat of survey for Parcel 22-102 in Meadow View Acres Plat 1 is to modify a fractional lot that is tied to an adjacent lot. Motion by Willrich, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-73 – approving Plat of Survey of Parcel 22-102 of Parcel "AA" of the SW ¼ NE ¼ Section 1, Township 79 North, Range 27 West of the 5<sup>th</sup> P.M., Dallas Center. Roll call all ayes, motion passed.

It is the recommendation of the Planning and Zoning Commission that the 2022 Comprehensive Plan Update be approved by the Council. The Report can be viewed on the City's website. Motion to Coon, 2<sup>nd</sup> by Strutt to set public hearing on the 2022 Comprehensive Plan Update for October 11, 2022 at 7 p.m. Motion passed 5-0.

#### **Dallas Center Outdoor Community Swimming Pool Construction Project –**

Engineer Veenstra stated work is progressing and much of the pool shell is planned to be poured this fall and should take shape by the November meeting.

Motion by Coon, 2<sup>nd</sup> by Willrich to approve Pay Estimate No. 1 – Sande Construction & Supply Co. - \$175,750. Motion passed 5-0.

Motion by Willrich, 2<sup>nd</sup> by Coon to approve Resolution 2022-78 – approving Change Order No. 3 – Sande Construction & Supply Co. – correcting scrivener's error in construction contract that did not include the parking lot cost in the total contract cost and deleting the river rock both inside and outside the pool fence area and replacing rock with deck paving – no change to the cost of the Project. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Beaudet to approve agreement with MidAmerican Energy for service to new pool. Motion passed 5-0.

Mayor Beyer reported on expenditures from the Penny Burnett Trust. The wishes of the trust have been met and remaining monies will be used for recreational projects. Appreciation was shown for this generous gift from the Penny Burnett Trust.

Public Works Director Slaughter reported: on the issues with Drainage District 76; a manhole will need to be installed to be able to work on the storm sewer issues behind Stine and Pioneer properties; intakes are in place and they are ready to pour street back on Sycamore. Slaughter responded to concerns regarding the shoulders of streets and stated the reclaimed materials are being used by Grimes Asphalt to create a solid base to build up the shoulder of the new roads and it helps to hold the asphalt in place. He also reported Grimes Asphalt will come back to complete more warranty work on Hatton south of Walnut; the low manhole has been taken care of on 11<sup>th</sup> and Laurel; excess fill dirt from the pool is being used to building up area for future maintenance building; a final walk through was completed with Larsen Development for the Cross Country Estates, Plat 6 development; and furnishings for the Walnut Streetscape project are being placed along Walnut Street. Slaughter highlighted that a lot of locates and tree watering will need to happen for 82 trees to be planted and finding water tanks and the manpower to plant and water 82 trees will be a challenge.

#### **Highway 44 Distribution Main Replacement- Phase 1 –**

Engineer Veenstra reported that this project has been broken down by priority. Priority 1 will be the area with the most breaks and Priority 2 will be the area west of the McClure farm. The project will have an extended completion date to possibly get a better pool of contractors and to manage increasing prices.

Motion by Willrich, 2<sup>nd</sup> by Coon to approve Resolution 2022-74 – ordering construction of the Project and fixing a date for public hearing thereon (October 11, 2022 at 7 p.m.) and taking of bids therefor. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-79 – approving Amendment to Engineering Agreement for the Project. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Strutt to approve Resolution 2022-75 – providing for acquiring perpetual and permanent water main easements and temporary construction easements across certain properties for the Project. Roll call all ayes, motion passed.

#### **The Neighborhood Plat 2 – First Phase –**

Engineer Veenstra received the construction plans and gave an overview of the utilities.

Motion by Willrich, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-83 – approving construction plans. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Coon directing Attorney Brown to draft a resolution finalizing the Capital Improvement Program subject to discussed changes. Motion passed 5-0.

Motion by Willrich, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-80 – proposing the sale of retired Well No. 8 site containing .23 acres to adjacent property owners Derek and Melody Stodden and setting a public hearing thereon for October 11, 2022 at 7 p.m. Roll call all ayes, motion passed.

Motion by Coon, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-81 – proposing the granting of an easement to Spurgeon Manor, Inc. for the placement of a monument sign in the 10<sup>th</sup> Street right-of-way and setting a public hearing thereon for October 11, 2022 at 7 p.m. Roll call all ayes, motion passed.

#### **Amendment Two Area of the Dallas Center Urban Renewal Project**

This area expired by its terms on June 30, 2022.

Motion by Willrich, 2<sup>nd</sup> by Strutt to approve Resolution 2022-76 – terminating the Amendment Two Area and ending the Amendment Two Area. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Coon on Ordinance No. 581 – repealing Ordinance No. 277 which provided for the division of taxes levied on taxable property in the Amendment Two Area, first reading. Roll call all ayes, motion passed. Motion by Willrich, 2<sup>nd</sup> by Coon to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 581 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Coon, 2<sup>nd</sup> by Beaudet on Ordinance No. 573 – providing for a stop sign at the intersection of North Star Lane and Prairie Lane and for no parking on the east side of North Star Lane south of Prairie Lane, first reading. Roll call all ayes, motion passed. Motion by Coon, 2<sup>nd</sup> by Kluss to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 573 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Beaudet on Ordinance No. 577 – pertaining to alcoholic beverage control, first reading. Roll call all ayes, motion passed. Motion by Kluss, 2<sup>nd</sup> by Coon to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 577 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Coon, 2<sup>nd</sup> by Beaudet on Ordinance No. 578 – pertaining to All-Terrain Vehicles, first reading. Roll call all ayes, motion passed. Motion by Coon, 2<sup>nd</sup> by Kluss to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 578 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Willrich, 2<sup>nd</sup> by Beaudet on Ordinance No. 579 – amending Code provisions pertaining to floodplain management and updating reference to revised flood insurance rate maps dated December 15, 2022, first reading. Roll call all ayes, motion passed. Motion by Willrich, 2<sup>nd</sup> by Strutt to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 579 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Coon, 2<sup>nd</sup> by Willrich on Ordinance No. 580 – amending City Code Section 92.02 to provide for a bulk user charge for the use of construction water, first reading. Roll call all ayes, motion passed. Motion by Coon, 2<sup>nd</sup> by Strutt to waive 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance No. 580 making it effective upon publication. Roll call all ayes, motion passed.

Motion by Strutt, 2<sup>nd</sup> by Beaudet to approve Resolution 2022-82 – approving Annual Financial Report for Fiscal Year 2021-2022. Roll call all ayes, motion passed.

Riesselman stated two of the three storm sirens have been installed and the invoice has been received. Council approved the contract for three sirens by Resolution 2022-25 in an amount not to exceed \$59,905 and the City has been awarded a reimbursement grant from FEMA for these sirens. Motion by Coon, 2<sup>nd</sup> by Beaudet to approve payment to Frontline Warning System in the amount of \$41,016.00. Motion passed 5-0.

Annexation Discussion/Update – Mayor Beyer and Councilwoman Coon indicated that they have started conversation with property owners.

The meeting adjourned at 8:51 pm.

Shellie Schaben, City Clerk

#### Claims

Access Systems Leasing	Copier	\$	355.36
Access Systems	Copier	\$	44.57
Agsourse Cooperative Svcs	Tests	\$	1,680.75
Arnold Auto Supply	Supplies	\$	336.28
Baker & Taylor Co.	Books	\$	541.72
Bay Bridge Administrators	Insurance	\$	100.42

Bomgaars	Supplies	\$ 31.98
Brown, Fagen & Rouse	Sept Serv	\$ 3,089.50
Centurylink	Aug Serv	\$ 782.34
Cfi	Supplies	\$ 1,552.00
Core & Main	Supplies	\$ 1,010.02
Culligan Water System	Sept Serv	\$ 22.16
Dallas County Treasurer	Aug Serv	\$ 18,538.69
Delta Dental	Insurance	\$ 38.60
Delta Dental	Insurance	\$ 627.20
Digital Stew Services	Aug Serv	\$ 279.30
Eagle Engraving, Inc.	Supplies	\$ 208.30
Eftps	Taxes	\$ 5,306.65
Eftps	Taxes	\$ 4,158.04
Emergency Medical Products	Supplies	\$ 175.48
Gatehouse- Db Iowa Holdings	Publications	\$ 894.72
Gis Benefits	Insurance	\$ 39.88
Gis Benefits	Insurance	\$ 42.02
Grainger	Supplies	\$ 121.06
Heartland Co-Op	Aug Serv	\$ 3,659.47
Hsa Cory, Rochelle	Hsa	\$ 100.00
Hsa Hofland, Joel	Hsa	\$ 50.00
Hsa Riesselman, Cindy	Hsa	\$ 290.00
Hsa Schaben, Michele	Hsa	\$ 100.00
Hsa Scrivner, April	Hsa	\$ 50.00
Hsa Slaughter, Brian	Hsa	\$ 200.00
Ipers	Ipers	\$ 5,790.32
Iron Mountain	Aug Serv	\$ 92.84
Jerico Services	Aug Serv	\$ 3,627.00
Johnson Controls Fire Protect.	Aug Serv	\$ 677.18
Lara Kallem	Cert Reim	\$ 50.00
Karen Mccleary	Aug Serv	\$ 675.00
Kielty, William	Cert Reim	\$ 250.00
Eddie Leedom	Aug Serv	\$ 588.48
Linde Gas & Equipment Inc.	Aug Serv	\$ 40.10
Manatts	Repairs	\$ 2,383.00
Menards	Supplies	\$ 934.43
Merrit Company	Supplies	\$ 228.09
Metropolitan Compounds, Inc	Supplies	\$ 449.77
Midamerican Energy	Aug Serv	\$ 8,395.49
Midamerican Energy	Aug Serv	\$ 494.76
Midwest Breathing Air Llc	Aug Serv	\$ 191.40
Minburn Communications	Aug Serv	\$ 54.99
Moss Bros, Inc	Supplies	\$ 183.60
Mueller Eiley	Cert Reim	\$ 175.00
Napa Auto Parts	Supplies	\$ 720.72
Nationwide Retirement Sol	Deferred Comp	\$ 450.00

Nelson Abigail	Cert Reim	\$ 314.19
Odp Business Solutions Llc	Supplies	\$ 305.96
Pion, Cara	Cert Reim	\$ 50.00
Plumb Supply Company - Wk	Supplies	\$ 9.78
Rhinehart Excavating, Inc	Supplies	\$ 887.01
Riesselman Alexa	Cert Reim	\$ 50.00
Cindy Riesselman	Mileage	\$ 165.00
Treasurer - State Of Iowa	Taxes	\$ 1,190.55
Treasurer - State Of Iowa	Taxes	\$ 2,461.43
Sande Construction Supply	Pool-Pay Estimate #1	\$ 175,750.00
Schwantes, Colby	Cert Reim	\$ 250.00
Shawhan, Addison	Cert Reim	\$ 253.94
Simmering-Cory/Iowa Codifi.	2022 Codification	\$ 2,165.00
Sprayer Specialties, Inc	Supplies	\$ 55.31
State Library Of Iowa	Aug Serv	\$ 70.00
Uhs Premium Billing	Insurance	\$ 496.12
Uhs Premium Billing	Insurance	\$ 10,239.08
Unplugged Wireless	Aug Serv	\$ 1,455.00
Usa Blue Book	Supplies	\$ 322.94
Veenstra & Kimm	Aug Serv	\$ 12,747.06
Verizon Wireless	Aug Serv	\$ 280.09
Victor Stanley	Supplies	\$ 24,497.00
Treasurer - State Of Iowa	Taxes	\$ 1,616.00
Waste Management	Aug Serv	\$ 22,463.17
Wells Fargo	Postage/Supplies	\$ 636.77
Buse & Vrieze Llc	Aug Serv	\$ 8,325.00
Ziegler Inc	Supplies	\$ 103.06
	Accounts Payable Total	\$ 338,038.14

General	108,637.61
Capital Improvement	1,241.50
Rut	5,259.13
T&A(Eb)	12,335.27
Cap Improve Pool	178,337.18
Water	16,238.43
Water Capital Out	4,709.00
Sewer	10,254.63
Storm District	1,025.39
Total Funds	338,038.14

#### Revenues

General Total	\$ 39,949.46
T&A(Ft) Total	\$ 3.32
T&A(Sc) Total	\$ 0.83
Capital Improvement Total	\$ 45.41

T&A (SI) Total	\$	10.59
Rut Total	\$	19,449.11
T&A(Eb) Total	\$	9.09
Local Option Sales Tax Total	\$	40,126.64
Tif Total	\$	2.74
Trees Total	\$	18,003.87
Burnett Project Total	\$	41.66
Debt Service Total	\$	10,520.70
Cap Improve Pool Total	\$	659,859.03
Cap Imprv-American Rescue Total	\$	132,833.55
T&A(B) Total	\$	0.77
T&A(Y) Total	\$	0.77
Water Total	\$	49,868.06
Sewer Total	\$	40,171.01
Storm District Total	\$	4,957.47
Total Revenue By Fund	\$	1,015,854.08