

The Dallas Center City Council met in regular session June 13, 2023, at 7:00 pm. Mayor Beyer called the meeting to order and led the Pledge of Allegiance. Council members present included Ryan Kluss, Amy Strutt, Ryan Coon, Angie Beaudet and Daniel Willrich.

Mayor amended section 12a of the agenda to read \$2,375.00 instead of \$2,375.50

Motion by Kluss, 2nd by Willrich to approve the amended agenda. Motion passed 5-0.

Public Comments

Julie Becker made comments about pool spending, the Dallas Center mural, and her litigation status.

Jimmy Navarro, the artist painting the Dallas Center mural, stopped by to introduce himself and provide an update to the council.

Bob King mentioned that Rotary will put up flags for flag day and leave flags along trail until after the BACoon Ride.

Mike Buckalew asked the council to consider installing signs along Highway 44 by the bike trail indicating that vehicles should not stop along the highway to allow bicyclists to pass (per State Code).

Willrich stated 368 hours of law enforcement service were provided (320 hours are required) which is 15% above the agreement. Motion by Coon, 2nd by Beaudet to approve consent agenda: [Approve minutes of May 9th regular meeting; May Treasurer's Report, Balance Sheet, and Budget Report; May Law Enforcement, Compliance and Water Reports; Approve hiring Nicole Luebke as a 1st year lifeguard at \$12.50/hour. All lifeguard hires pending lifeguard certifications and all hires pending background checks with start date of June 14, 2023; Approve Board & Batten's request for street closing for the BACoon Ride event on June 17, 2023; Approve Sugar Grove Goods outdoor liquor license for an outdoor beer garden for the BACoon Ride event on June 17, 2023 pending Dramshop Review; Approve Board & Batten's request to place a sign along the trail in the evenings and on the weekends; Approve Escoffier LLC/ dba Five Points Class C Retail Alcohol License with Catering Privileges, pending dramshop review and receipt of required documentation; Highway 44 Distribution Main Replacement – Phase 1 - action to approve Pay Estimate No. 2 – Max Smith Construction, LLC - \$132,088.95; Outdoor Community Swimming Pool Construction Project – action to approve Payment Application No. 10 – Sande Construction and Supply Co. - \$681,093.19; Approve reimbursement to Devon Hawbaker for sidewalk installation at 1607 Ash Street in the amount of \$84; Approve reimbursement to Josh Tiffany for sidewalk installation at 705 14th Street in the amount of \$16; Approve cigarette license for Casey's General Store effective July 1, 2023; Approve cigarette license for Dollar General Store effective July 1, 2023; Approve invoices for payment (review committee Strutt & Coon)] Motion passed 5-0.

City Attorney Ralph Brown recounted the Iowa Court of Appeals decision upholding the Dallas County District Court's denial of Julie Becker's litigation against the Dallas Center Board of Adjustment. Brown also communicated that Becker has filed an application with the Iowa Supreme Court to review the Dallas County District Court's decision.

Mayor's Proclamation – declaring Friday, June 16, 2023, as Mary Werch Appreciation Day in recognition of the many contributions she has made to our community.

Parks and Recreation Board

Motion by Coon, 2nd by Willrich approving the request to renew the City's membership in Iowa Parks. Motion passed 5-0.

Public Works

Public Works Director Brian Slaughter reported that the public works department has completed the following tasks: new mulch put down along Walnut Street; install new electric outlets at the base of the street lamps along Walnut Street; ongoing street patching; pool maintenance as needed; dust control on Fair View Drive; continued work on the lead pipe inventory; and Highway 44 water main completion except for restoration.

Motion by Kluss, 2nd by Beaudet to approve Grimes Asphalt proposal for street maintenance and repair in an amount not to exceed \$297,000 for FY24 and authorizing payment of the invoice upon receipt possibly using some LOST funds. Motion passed 5-0.

Motion by Kluss, 2nd by Coon to approve disposing of items no longer required by the City including items located in the east end of the roller skating rink building in Mound Park. Motion passed 5-0.

Highway 44 Distribution Main Replacement- Phase 1 Engineer's Report

City Engineer Bob Veenstra reported project is completed except for seeding and restoration which will be completed in a couple of months.

Dallas Center Outdoor Community Swimming Pool Construction Project

Engineer Veenstra reported project is progressing toward completion. There are several things that need to be completed in time for the state inspection on June 22nd.

Motion by Kluss, 2nd by Willrich to approve Change Order No. 6 – Sande Construction & Supply Co. – increasing the contract amount by \$1,620. Motion passed 5-0.

Motion by Coon, 2nd by Strutt to approve Change Order No. 7 – Sande Construction & Supply Co. – eliminates the \$20,000 contingency allowance with payment being made based on the original contract award amount and the net change from Change Order Nos. 2 through 7. Motion passed 5-0.

Cross Country Estates Plat 6 Low Pressure Sewer Project

Engineer Veenstra reported that Concrete & More has completed the project and only final clean up remains.

Motion by Coon, 2nd by Kluss to approve Partial Payment Estimate No. 2 (Final) – Concrete & More, LLC - \$2,375.00. Motion passed 5-0.

Motion by Kluss, 2nd by Coon to approve Partial Payment Estimate No. 3 (Retainage) – Concrete & More, LLC - \$2,619.50 to be paid 31 days following acceptance of the Project. Motion passed 5-0.

Motion by Coon, 2nd by Strutt to approve Resolution No. 2023-21 – acceptance of the Project. Roll call all ayes, motion passed.

City Engineer – Other Matters

Engineer Veenstra will be meeting with Charles Goodall from Skye View Estates next week which could lead to conversation about sanitary sewer.

Veenstra presented options for the council to consider regarding the streets in Cross County Estates and Country Living Estates. To capture the TIF base from January 1, 2022, the city needs to commit to certify the debt by November 30 of 2023.

Drainage District No. 76

Engineer Veenstra reported on the repair and maintenance of damaged structures and the need for the dredging of silt and debris in the open channel.

Motion by Kluss, 2nd by Coon to accept the Report of the Engineer. Motion passed 5-0.

Motion by Coon, 2nd by Beaudet to approve Resolution 2023-30 - ordering construction of the 2023 Repairs and Maintenance for Drainage District No. 76 Project. Roll call all ayes, motion passed.

Motion by Coon, 2nd by Strutt to accept proposal of Dan Brubaker Enterprises in the amount of \$7,900 to install and replace 30-inch dual wall tile. Motion passed 5-0.

Motion by Coon, 2nd by Beaudet to accept proposal of Daugherty Construction, LLC in the amount of \$16,500 to dredge silt and debris in the outlet channel. Motion passed 5-0.

Motion by Strutt, 2nd by Kluss to approve Resolution 2023-31 – levying an assessment of \$30,000 to pay the costs of the 2023 Repairs and Maintenance for Drainage District No. 76 Project with the balance of the amount not expended for the Project being retained as a sinking fund to pay future maintenance and repair expenses. Roll call all ayes, motion passed.

Cross Country Estates Plat 6 Address Correction

Motion by Kluss, 2nd by Beaudet to approve Resolution 2023-32 – correcting the addresses of all lots in Cross Country Estates Plat 6 from “Northstar Lane” to “North Star Lane” (to correct an error on the Final Plat). Roll call all ayes, motion passed.

Red Lion Dallas Center Solar, LLC

Mayor Beyer reported that he and Ralph have been working with Tim Whipple at Ahlers & Cooney, who used to be general counsel for MidAmerican. Beyer outlined the specifics of the final agreement between Red Lion Solar and the City of Dallas Center.

Motion by Coon, 2nd by Beaudet to approve Resolution 2023-33 – approving Solar Power and Services Agreement and authorizing Mayor to sign the Agreement on behalf of the City. Roll call all ayes, motion passed.

Motion by Kluss, 2nd by Strutt to approve Resolution 2023-34 – proposing a lease agreement with Red Lion Dallas Center Solar, LLC (“Red Lion”) that grants Red Lion the rights to use and access the various City Premises identified in the Solar Power and Services Agreement as provided in Sections 2.04(a) and 4.01(i) of the Agreement, and setting a public hearing on the proposal for 7 p.m. on July 11, 2023. Roll call all ayes, motion passed.

Council’s Compensation Committee

Motion by Willrich, 2nd by Coon to approve the recommendations of the Compensation Committee on establishing city employee compensation effective June 24th for payroll dated July 12, 2023 as follows: Brian Slaughter \$42.47/hr, Brett Kaszinski \$31.42/hr, Josh Tiffany \$26.52/hr, Cindy Riesselman \$41.19/hr, April Scrivner \$22.05/hr, Michele Schaben \$27.95/hr, Rochelle Cory-Shivvers \$22.37/hr, Tina Cantrell \$17.19/hr, Kathy Pantzar \$13.52/hr, Chloe Bennett Bircher \$13.31/hr, and Sheila Miller \$13.00/hr. Motion passed 5-0.

City Administrator

Motion by Kluss, 2nd by Willrich to authorize and approve payment of final invoices for FY2023 pending review by the June review committee – Strutt and Coon. Motion passed 5-0.

Motion by Coon, 2nd by Beaudet to approve Resolution 2023-35 – transfer of ARPA funds to the Water Capital Improvement Fund for the Hwy. 44 Water Main Project. Motion passed 5-0.

Motion by Willrich, 2nd by Kluss to set public hearing for Fiscal Year 2023-2024 City budget amendment for 7 p.m. on July 11, 2023. Motion passed 5-0.

Council reports

Councilwoman Ryan Coon voiced a citizen’s concern about vehicles not obeying traffic signs and children’s safety now that school is out for the summer.

Mayor’s report

Ribbon Cutting for Swimming Pool on Friday, June 23, 2023 at 4:00 pm.

Motion by Kluss, 2nd by Willrich to hold a closed session to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the City in that litigation, pursuant to Iowa Code Section 21.5(1)(c). Roll call all ayes, motion passed.

Motion by Willrich, 2nd by Kluss to rise from closed session. Motion passed 5-0.

Motion by Willrich, 2nd by Strutt to adjourn. Motion passed 5-0.

The meeting adjourned at 8:22 pm.

Shellie Schaben, City Clerk

Claims

Access Granted Systems, LLC

Software

\$525.00

Access Systems Leasing	Copier	\$366.21
Access Systems	Copier	\$44.57
ACCO	Supplies	\$485.00
Accujet Ventilation Services	Sewer Lining	\$27,225.00
Agsource Coop Services	Test	\$1,549.75
Ahlers & Cooney, Pc	Attorney	\$5,239.00
American Underground Supply	Supplies	\$2,856.15
Ameriserv Radon Mitigation	Radon Mitigation	\$375.00
Arnold Auto Supply	Supplies	\$296.28
Rob Sand	Audit	\$6,205.28
Baker & Taylor Co.	Books	\$654.89
Baldon Hardware	Supplies	\$60.74
Bay Bridge Administrators	Insurance	\$150.63
Bomgaars	Equipment	\$251.96
Boyd Creative LLC	Hi-Viz	\$1,224.00
Brown, Fagen & Rouse	Attorney	\$3,066.00
Centurylink	May Serv	\$787.27
CJ Cooper & Associates	Testing	\$45.00
Cold Blooded Redhead LLC	Library Prog	\$336.50
Concrete & More, LLC	Sewer Install	\$2,375.50
Cover's Construction	Shelter	\$5,170.00
Crossroads Ag, LLC	Seed	\$283.50
Culligan Water System	Jun Serv	\$54.16
Gannett Holdings - Central	Subscription	\$46.80
Dallas County Treasurer	May Serv	\$18,538.69
Delta Dental	Insurance	\$68.43
Delta Dental	Insurance	\$686.37
Demco	Supplies	\$127.39
Devon Hawbaker	Sidewalk	\$84.00
Digital Stew Services	May Ser	\$298.30
Iowa Dept Of Transportation	SIGNS	\$907.65
Ed M Feld Equip. Co., Inc	Inspection	\$1,180.76
EFTPS	Taxes	\$4,231.83
EFTPS	Taxes	\$4,352.76
EFTPS	Taxes	\$4,330.00
Electric Pump	Repairs	\$503.00
Elite Electric & Utility	Repairs	\$3,349.68
Emergency Medical Products	Supplies	\$48.27
Fire Service Training Bureau	Training	\$50.00
Gatehouse- dba Iowa Holdings	Publications	\$976.69
Gatehouse- dba Iowa Holdings	Publications	\$334.08
GIS Benefits	Insurance	\$74.88
Gis Benefits	Insurance	\$9.31
Grainger	Repairs	\$11.58
Grimes Asphalt and Paving Corp	Supplies	\$805.50
Heartland Co-Op	May Serv	\$1,261.97
HSA Cory, Rochelle	HSA	\$100.00

HSA Riesselman, Cindy	HSA	\$329.00
HSA Schaben, Michele	HSA	\$412.50
HSA Scrivner, April	HSA	\$50.00
HSA Slaughter, Brian	HSA	\$300.00
HSA Tiffany, Joshua	HSA	\$100.00
Hudson Law Firm	Attorney	\$70.00
IAMU	Dues	\$787.00
Iowa Finance Authority	Bond	\$130,950.00
Iowa Finance Authority	Bond	\$54,380.00
Iowa One Call	Locates	\$76.50
Iowa Prison Industries	Signs	\$112.00
Iowa State University	Library Prog	\$301.25
IPERS	IPERS	\$8,992.40
Iron Mountain	May Serv	\$98.35
Kevin Coble	Library Prog	\$325.00
Karen McCleary	Apr Serv	\$675.00
Karen McCleary	May Serv	\$675.00
Leaf	Copier	\$165.81
Eddie Leedom	May Serv	\$855.78
Linde Gas & Equipment Inc.	May Serv	\$41.44
Logan Contractors Supply Inc	Pocket Park	\$865.50
Manatts	Pocket Park	\$2,235.00
Max Smith Construction LLC	Hwy 44 Water Main	\$132,088.95
Menards	Supplies	\$441.30
Merrit Company	Supplies	\$80.53
Midamerican Energy	May Serv	\$5,403.69
Midwest Breathing Air LLC	Testing	\$768.01
Minburn Communications	Jun Serv	\$54.99
Moss Bros, Inc	Repairs	\$70.22
Municipal Supply Inc	Repairs	\$3,683.83
Nationwide Retirement Sol	Deferred Comp	\$225.00
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Nationwide Retirement Sol	Deferred Comp	\$225.00
ODP Business Solutions LLC	Supplies	\$56.42
Piper Sandler	Bond	\$750.00
Playaway Products	Books	\$518.90
Dallas Center Post Office	Rental	\$70.00
Rhinehart Excavating, Inc	Repairs	\$2,713.46
Treasurer - State of Iowa	Taxes	\$1,049.52
Treasurer - State of Iowa	Taxes	\$2,208.52
Sande Construction Supply	Pool Pay Estimate #10	\$681,093.19
Schaben, Shellie	Mileage	\$38.00
Science Center of Iowa	Library Prog	\$350.00
Sensus USA Inc.	Software	\$1,949.94
State Hygienic Laboratory	Testing	\$54.00
Swank Movie Licensing USA	License	\$397.00
Tiffany, Josh	Sidewalk	\$16.00

Uline	Supplies	\$64.03
UMB Bank Na	Bond	\$92,773.00
UMB Bank Na	Bond	\$179,128.75
UMB Bank Na	Bond	\$72,707.00
UMB Bank Na	Bond	\$116,646.25
United Rentals	Repairs	\$1,254.00
UHS Premium Billing	Insurance	\$958.86
UHS Premium Billing	Insurance	\$11,350.07
Unplugged Wireless	Supplies	\$85.00
USA Blue Book	Testing	\$1,283.24
Veenstra & Kimm	COMM POOL-GEN SERV	\$22,871.82
Verizon Wireless	May Serv	\$280.07
Vulcan Signs	Signs	\$170.00
Treasurer - State of Iowa	Taxes	\$1,806.19
Waste Management	May Serv	\$22,836.72
Waters Edge Aquatic Design	POOL C/A SERVICES	\$10,642.00
Wells Fargo	Supplies	\$1,380.69
Accounts Payable Total		<u>\$1,675,572.02</u>

General	\$95,247.37
Rut	\$4,880.96
T&A(Eb)	\$13,338.09
Debt Service	\$398,988.75
Cap Improve Pool	\$710,668.25
Cap Imprv-American Rescue	\$9,938.00
Water	\$137,416.86
Water Capital Outlay	\$137,632.50
Sewer	\$167,252.32
Storm District	\$138.92
Drainage District 76	\$70.00
Total Funds	<u>\$1,675,572.02</u>

Revenues

General Total	\$53,798.46
T&A(FT) Total	\$169.99
T&A(SC) Total	\$1,007.02
Capital Improvement Total	\$612.99
T&A(SL) Total	\$280.13
RUT Total	\$24,057.88
T&A (EB) Total	\$3,420.57
Local Option Sales Tax Total	\$52,419.11
TIF Total	\$1,944.72
Trees Total	\$53.22
Burnett Project Total	\$189.79
Debt Service Total	\$25,553.43
CAP Improve Pool Total	\$337,566.48

CAP Imprv-American Rescue Total	\$425.24
T&A(B) Total	\$10.80
T&A(Y) Total	\$10.69
Water Total	\$43,359.66
Sewer Total	\$35,598.19
Storm District Total	\$5,084.99
Drainage District 76 Total	<u>\$0.15</u>
Total Revenue by Fund	\$585,563.51