

## MINUTES

### CALL TO ORDER – ROLL CALL

PRESENT Mayor Jeff Jacque, Council Member Jim Gibbs, Council Member Jenni Ostwinkle Silva, Council Member Mike English, Council Member Mike Oberbroeckling, Council Member Tom Westhoff

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

Motion made by Council Member Ostwinkle Silva to approve July 17, 2023 agenda as presented

Seconded by Council Member Gibbs.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

### ORAL COMMENTS

Joe Ertl, 507 13th Avenue SE, read an article in the Telegraph Herald about adult entertainment and feels the laws are good. He wants to keep as is so all children are protected.

Nicole Link, 412 1st Avenue W, agrees with Joe's comments and will pray to protect the youth.

Lindsay Minnex, 1121 Woodland Dr, moved to Dyersville a few years ago because of Faith and Family. She also agrees with Joe Ertl's comments and if it is not broken don't fix it.

### APPROVAL OF CONSENT AGENDA

Motion made by Council Member Oberbroeckling to approve Seconded by Council Member English with pulling invoice in the amount of \$14,270.00 from Automatic Systems Co for further review.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**1. Approve Bills; 2. Approve Minutes** City Council Meeting - July 3, 2023; **3. Receive & File Minutes** Planning & Zoning Commission Meeting - July 10, 2023; **4. Receive & File Minutes** Parks & Recreation Meeting - July 12, 2023; **5. Receive & File Minutes** James Kennedy Public Library - June 13, 2023; **6. Blasting Permit** Bennett Explosives, Inc. - August 2023; **7. Fireworks Permit** 125th Anniversary Fire Department - August 12, 2023; **8. Authorize Mayor to Sign** Change Order No. 2 - Dyersville East Utility Extension 2022 Contract C Water Pumping Station - F.L. Krapfl, Inc. - \$650.72; **9. Authorize Mayor to Sign** Contract Payment No. 4 to F. L. Krapfl, Inc. in the amount of \$214,549.30 for Dyersville East Road Utility Extension 2022 Contract C Water Pumping Station; **10. Authorize Mayor to Sign** Change Order No. 1 - Dyersville East Utility Extension 2022 Contract E Water and Sewer - \$180,000.00; **11. Authorize Mayor to Sign** Contract Payment No. 5 to Top Grade Excavating, Inc. in the amount of \$175,410.49 for Dyersville East Road Utilities Extension 2022 Contract E Water and Sewer; **12. Authorize Mayor to Sign** Change Order No. 6 - Dyersville East Road Utility Extension 2022 Contract D Lift Station and Linear Sewer Onsite - Portzen Construction, Inc. - \$23,206.70; **13. Receive & File** Staff Report - Police - July 2023; **14. Receive & File** Staff Report - Parks & Recreation - July 2023; **15. Receive & File** Staff Report - Library - July 2023; **16. Receive & File** Staff Report - Public Works - July 2023; **17. Receive & File** Staff Report - City Administrator - July 2023; **18. Miscellaneous Correspondence** Keep Iowa Beautiful - June 2023; **19. Miscellaneous Correspondence** Retirement - Kim Benton Hermsen - August 19, 2023; **20. Miscellaneous Correspondence** James Kennedy Public Library - Librarian position. The following bills were approved for payment:

Access Systems	Lease	\$	491.77
Acco	Supplies	\$	3,368.15
Ace Homeworks	Supplies	\$	236.50
AireSpring	Phone	\$	329.01

Alliant Energy	Electricity	\$ 5,749.47
American Legion Post 137	Renovation	\$ 8,329.64
Assoc for Rural & Small Libraries	Training	\$ 360.00
Axon Enterprise Inc	License	\$ 16,776.06
Bi-County Disposal Inc	Garbage / Recycling	\$ 26,525.70
Black Hills Energy	Natural Gas	\$ 1,149.91
Chemsearch	Supplies	\$ 440.70
City of Dubuque – WRRRC	Testing	\$ 493.00
Computer Doctors Inc	Computer Work	\$ 420.00
Crescent Electric Supply	Supplies	\$ 699.96
Decker Concrete	Supplies/Labor	\$ 25,277.40
Diamond Vogel	Primer/Paint	\$ 541.24
Dyersville Airport	Funding	\$ 7,000.00
Dyersville Commercial	Legal Notices/Ads	\$ 810.34
Eagle Point Energy 5	Solar Energy	\$ 4,328.08
Exvorte Engineering	Professional Services	\$ 412.50
Fareway Stores Inc	Supplies	\$ 9.98
Fenton, Ranger & Donna	Refund	\$ 100.00
Fuerste Carew Coyle Juergens PC	Legal Fees	\$ 1,954.00
Giant Wash	Uniforms/Floor Mats	\$ 69.59
Hall of Fame LLC	Development Agreement	\$ 22,328.21
Hansel Cleaning Services LLC	Cleaning	\$ 200.00
Hawkins Water Treatment	Supplies	\$ 2,906.93
Hefel Portable Services LLC	Contracted Service	\$ 280.00
Hefel, Rhonda	Refund	\$ 35.00
Helle, Jodi	Refund	\$ 100.00
Herbers, Tim	Reimbursement	\$ 150.00
Heritage Printing Co	Program	\$ 29.00
Hoopla by Midwest Tape	Program	\$ 259.34
Impact7G	Professional Services	\$ 20,000.00
Iowa Assn of Municipal Utilities	Training	\$ 3,824.91
Iowa Dept of Natural Resources	Permit	\$ 492.61
Iowa Law Enforcement Academy	Evaluation	\$ 150.00
J & J Lawn Care	Mowing Contract	\$ 13,025.71
J & R Supply	Supplies	\$ 1,370.00
Jam Systems & Midland Doors	Supplies	\$ 9,438.68
John Deere Financial	Supplies	\$ 102.69
Jumbo Visual Projection	Service	\$ 400.00
Just For You	Uniforms	\$ 726.53
Kanopy Inc	Program	\$ 30.00
Lange Sign Group	Sign	\$ 816.00
Maquoketa Valley Electric Coop	Fiber Optic	\$ 406.83
Microbac Laboratories	Testing	\$ 1,638.25
MM Mechanical	Supplies/Labor	\$ 4,417.79
Mr. Lock & Key	Supplies	\$ 16.95
Myers-Cox Company	Supplies	\$ 634.50
Nieman, Tim	Referee Fees	\$ 100.00
Overdrive	Electronic Media	\$ 1,812.92
Postmaster	Supplies	\$ 102.00
Proquest	Program	\$ 1,418.20
Quill Corporation	Supplies	\$ 208.38
Schrandt, Dawn	Program	\$ 37.48
Schueller Construction	Supplies	\$ 945.00

Schwan's Home Service	Concession Supplies	\$	494.75
Sherwin-Williams	Supplies	\$	990.34
Spahn & Rose Lumber Co	Supplies	\$	985.97
Streicher's	Uniforms	\$	84.00
SWG Inc	Supplies	\$	4,835.00
Tauke Motors	Vehicle Maintenance	\$	398.27
TJ Cleaning Services	Cleaning Services	\$	770.00
Tschiggfrie Excavating Co.	Labor/Supplies	\$	790.00
Verizon Wireless	Phone	\$	21.06
Werner, Ron	Referee Fees	\$	100.00
Willow Pear LLC	Development Agreement	\$	6,916.03
Windstream	Phone	\$	126.09
Wolf, Russ	Referee Fees	\$	100.00
Woodward, JoAnn	Reimbursement	\$	74.00

001 - General Fund	\$ 104,461.70
002 - Library Trust Fund	\$ 1,736.54
110 - Road Use Fund	\$ 3,840.97
112 - Trust and Agency Fund	\$ 200.00
128 - CDBG	\$ 8,329.64
135 - Dyersville TIF Dist Fund	\$ 29,244.24
301 - Capital Projects Fund	\$ 21,202.50
600 - Water Fund	\$ 11,384.16
610 - Sewer Fund	\$ 4,613.49
670 - Solid Waste Fund	\$ 25,949.18
Grand Total:	\$ 210,962.42

## **ACTION ITEMS**

**21. Ordinance No. 855** amending Chapter 127 of the Code of Ordinances of Dyersville, Iowa, by Amending Adult Entertainment Facilities. First Reading.

Motion made by Council Member Westhoff to table first reading until next council meeting for Assistant City Attorney, Ed Henry to clarify definitions Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**24. Resolution No. 51-23** awarding contract for the Bridge Deck Overlay-1st Avenue over Bear Creek 2023 Project

Motion made by Council Member English to approve Seconded by Council Member Gibbs.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**25. Resolution No. 52-23** approving a grant agreement between the Dubuque County Secondary Roads and the City of Dyersville for a Rural County Transportation Program (RCTP) Project

Motion made by Council Member Oberbroeckling to approve Seconded by Council Member Ostwinkle Silva.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**26. Resolution No. 53-23** approving an agreement for consulting services between the City of Dyersville and GOV HR USA, LLC.

Motion made by Council Member Ostwinkle Silva to approve Seconded by Council Member Oberbroeckling.

Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**27. Resolution No. 54-23** setting a public hearing to amend the zoning ordinance to adjust the number of members of the planning and zoning commission. Set Date for August 7, 2023 at 6:00 p.m.

Motion made by Council Member Oberbroeckling to approve Seconded by Council Member English.  
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

**28. Resolution No. 55-23** setting a public hearing to amend the zoning ordinance to adjust the number of members of the Board of Adjustment. Set Date for August 7, 2023 at 6:00 p.m.

Motion made by Council Member English to approve Seconded by Council Member Gibbs.  
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

## **COUNCIL COMMENTS**

## **ADJOURNMENT**

Motion made by Council Member English to adjourn at 7:37 pm Seconded by Council Member Westhoff.  
Voting Yea: Gibbs, Ostwinkle Silva, English, Oberbroeckling, Westhoff Nay: None Motion carried.

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Jeff Jacque Mayor

ATTEST:

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Tricia L. Maiers, City Clerk / Treasurer