

The Independence City Council met in regular session in the council chambers at 5:00 p.m., on Monday, February 26, 2024.

OPENING/ROLL CALL

Mayor Bleichner opened the meeting by calling the meeting to order with Council Members Weber, Huston, Prusator, O’Loughlin, and Jensen in attendance. Council Member Hanna via phone. Council Member Moore was excused.

This meeting was available for public attendance. The meeting was also broadcast on the local access channel.

APPROVE THE AGENDA

Motion by Council Member O’Loughlin, second by Council Member Jensen to approve the agenda as presented for the regular meeting held February 26, 2024. Ayes: All. Absent: Moore.

CONSENT AGENDA

Motion by Council Member Huston, second by Council Member Jensen to accept and approve the consent agenda that approves the following: 1) The minutes of the February 12, 2024, Regular Meeting. 2) Kwik Star #717 Class B Retail Alcohol License renewal effective April 1, 2024, through March 31, 2025. 3) Kwik Star #717 Class B Retail Alcohol License amendment for ownership updates effective April 1, 2024, through March 31, 2025. 4) Indee Cafe, LLC Class C Retail Alcohol License renewal that includes outdoor service effective January 23, 2024, through January 22, 2025. 5) The Trendy Tulip Special Class B Retail Native Wine License renewal effective April 15, 2024, through April 14, 2025. Ayes: All. Absent: Moore.

FINANCIALS

Motion by Council Member Weber, second by Council Member Prusator to approve the following bills for payment. Ayes: All. Absent: Moore.

ACCESS SYSTEMS LEASING	EQUIP CONTRACT-ALL	\$ 1,528.41
ADVANCE AUTO PARTS	SUPPLIES-B,PD,A	\$ 148.15
AMAZON CAPITAL SERVICES	MISC EXP-L	\$ 1,135.92
ASSURITY LIFE INSURANCE	ASSUR CRIT ILL	\$ 496.46
AVFUEL CORPORATION	MISC EXP-A	\$ 20,535.47
B & D SERVICES	REFUND-CH	\$ 2,858.75
BEAM INSURANCE ADMIN LLC	VISION PRETAX	\$ 439.58
BKC PROPERTIES, LLC	REFUND-CH	\$ 360,000.00
BLACKSTONE PUBLISHING	SUPPLIES-L	\$ 361.41
BOLTON & MENK, INC.	SERVICES-A	\$ 999.00
BRODART CO	SUPPLIES-L	\$ 480.24
BSN SPORTS, INC.	SUPPLIES-PR	\$ 139.55
BUCHANAN COUNTY HEALTH CE	SERVICES-CH,ST,W	\$ 11,392.06
BUCHANAN COUNTY RECORDER	DUES-W	\$ 23.50
BUCHANAN COUNTY SHERIFF	WAGES-PD	\$ 570.00
CARD SERVICES-LIBRARY	MISC EXP-L	\$ 183.26
CENGAGE LEARNING	BOOKS-L	\$ 171.78
CENTER POINT LARGE PRINT	BOOKS-L	\$ 88.32
DELTA DENTAL OF IOWA	DENTAL BENEFIT	\$ 4,213.20
DEMCO	SUPPLIES-L	\$ 346.05
EAST-CENTRAL IOWA R.E.C.	UTILITY-A,PR,ST,W,CH	\$ 3,051.66
ELECTRIC PUMP INC	EQUIP REPAIR-W	\$ 1,481.20
ELM TREE	REFUND-CH	\$ 1,958.25
ESCHEN'S CLOTHING	UNIFORM-W	\$ 112.50
FIRE SERVICE TRAINING BUR	TRAINING-FD	\$ 150.00
HILL, DREW	BASKETBALL-PR	\$ 180.00
HILL, JACKSON	BASKETBALL-PR	\$ 40.00
HILLTOP MOTORS INC	VEH REPAIR-PD	\$ 355.73
HOTSY CLEANING SYSTEMS	SUPPLIES-ST	\$ 80.00

IA DEPT OF REVENUE	SALES TAX-W	\$ 7,232.56
IA DIVISION OF LABOR	BOILER INSPECT-CH,W	\$ 80.00
INDEPENDENCE CHAMBER OF C	DUES-CH	\$ 1,500.00
INDEPENDENCE LIGHT & POWE	UTILITIES-ALL	\$ 27,901.61
INRCOG	SERVICES-CH	\$ 537.28
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$ 25,520.95
IPERS	IPERS-PROTECTIV	\$ 32,817.42
IVERSON, ADE	BASKETBALL-PR	\$ 45.00
J. ROBERT HOPSON INC.	SERVICES-CH	\$ 550.00
JENSEN MANUFACTURING SOLU	EQUIP REPAIR-W	\$ 19.26
KEYSTONE LABORATORIES INC	LAB ANALYSIS-W	\$ 17.00
KILER, CHASE	BASKETBALL-PR	\$ 125.00
LEGALSHIELD	FAM LEG & IDENT	\$ 138.65
LL PELLING COMPANY	REPAIR-ST	\$ 953.40
LYNCH DALLAS, PC	SERVICES-CH	\$ 2,813.50
MCGRAW'S CARPETS	SERVICES-F	\$ 3,389.10
METLIFE	MET ER LIFEAD&D	\$ 1,387.56
MIDAMERICAN ENERGY COMPAN	UTILITY-CH,L,PD,PR,ST,W	\$ 6,479.25
NORTHERN ESCROW, INC.	SERVICES-CH	\$ 25,001.60
OFFICE TOWNE INC	SUPPLIES-F,PD	\$ 175.35
PALMER, CARTER	SNOW REMOVAL-L	\$ 120.00
PAYROLL CHECKS	TOTAL PAYROLL CHECKS	\$ 79,557.55
PITNEY BOWES GLOBAL FINAN	EQUIP LEASE-CH	\$ 315.48
PRECISION PLUMBING, HEATI	SERVICES-F	\$ 568.97
PRINT EXPRESS	PRINTING-L	\$ 1,022.12
PURCHASE POWER	POSTAGE-B,CH,W	\$ 541.98
SIDLES, JAKE	BASKETBALL-PR	\$ 45.00
SIMMERING-CORY IA CODIFI	CODE UPDATES-CH	\$ 264.00
STATE FARM	BENEFITS-CH,ST,W	\$ 63.65
STATE STREET BANK & TRUST	ICMA-RC \$ PRE	\$ 6,861.58
STEINBRON, JOE	REFUND-CH	\$ 592.50
STOREY KENWORTHY - MATT P	SUPPLIES-L	\$ 225.59
STRAND ASSOCIATES	SERVICES-W	\$ 332,350.00
SUPERB CLEANING SERVICES	BLDG MAINT-L	\$ 1,850.00
TASC	FLEX MEDICAL	\$ 2,182.50
TREASURER-STATE OF IOWA	STATE TAX	\$ 7,604.35
US CELLULAR	PHONE-B,L,PD	\$ 854.08
WALMART COMMUNITY	SUPPLIES-L	\$ 408.82
WASTE MANAGEMENT	GARBAGE-PR	\$ 407.26
WELLMARK BCBS	HEALTH BENEFIT	\$ 42,256.04

**CLAIMS TOTAL \$1,028,296.41;** General Fund \$187,213.14; Library \$27,016.47; Hotel-Motel Tax \$1,500.00; Streets Dept-Road Use \$27,975.99; Employee Benefits \$1,098.54; Economic Development \$390,948.38; Cap Project-Airport \$999.00; Cap Outlay Savings/LOST \$4,543.90; Water Fund \$18,911.64; Sewer Utility Fund \$368,089.35.

**REVENUES MONTH TO DATE TOTAL \$601,944.04;** General Fund \$178,009.94; Library \$35,018.17; Streets Dept-Road Use \$62,449.15; Employee Benefits \$8,067.95; Emergency Levy \$386.00; Tax Increment Financing \$5,339.46; Debt Service \$10,848.41; Cap Project-Street Improvement \$20,379.60; Parks & Rec Project \$349.09; Cap Outlay Savings/LOST \$49,174.93; Water Fund \$71,046.51; Water Revenue Bond \$7,824.58; Sewer Utility \$79,013.67; Sewer SRF Sinking \$7,996.67; Sewer Sinking Revenue \$42,422.67; WWTP Replacement Fund \$6,917.04; Storm Water \$8,155.16; Self Insurance \$8,380.58; Self Insurance-Enterprise \$164.46.

The February 2024 budgeted monthly transfers and the revenues and expenses by department to date were available for council review and discussion.

**HEARINGS & ORDINANCES**

Council Member O’Loughlin with a motion to approve the first reading of an ordinance that amends provisions



pertaining to Public Health and Safety – Discharging Weapons, second by Council Member Huston. Mayor Bleichner read current city code section 41.11(1) and explained this amendment is saying firearms would not be allowed to be used for hunting within city limits. Council Member O’Loughlin asked if a person did not want firearms allowed, then a person would need to vote yes to this amendment and no to the next one? Mayor Bleichner said that is correct. Council Member Jensen asked if this would apply to a person defending themselves in their home? Council Member O’Loughlin said that would be self-defense. City Clerk/Treasurer Lampe said that is something different and this amendment deals with hunting within city limits. Mayor Bleichner provided background about the property owned by Mr. Henderson where individuals hunt geese and previous discussions about hunting within city limits. Council Member Huston asked if there was a way to issue an exemption for those individuals who want to hunt that property. Council Member Prusator said that is what would be done already in the current code. Mayor Bleichner stated this amendment says hunting within city limits with firearms would be eliminated if this amendment is approved. Council Members O’Loughlin and Hanna made comments that there are other ways to deter waterfowl without having to use firearms. Council Member Jensen asked what requests have been previously come before Council for permission. City Clerk/Treasurer Lampe stated there have been four requests for bowhunters and three requests for firearms that she could recall. The roll being called the following Council Members voted: Ayes: Hanna and O’Loughlin. Nays: Huston, Prusator, Jensen, and Weber. Absent: Moore.

Council Member Weber with a motion to approve the second reading of an ordinance that amends provisions pertaining to Public Health and Safety – Discharging Weapons, second by Council Member Prusator. Council Member Prusator asked if this was the time to say the code needs to mention the property requesting to be hunted. City Manager Schmitz said any modifications would require the process to start over. City Clerk/Treasurer Lampe said most people include the area they want to hunt in their request already. City Manager Schmitz said the City could create a form requiring future hunting requests include the area being hunted and when the request is brought to Council for approval includes the map. The roll being called the following Council Members voted: Ayes: Prusator, Jensen, Weber, and Huston. Nays: Hanna and O’Loughlin. Absent: Moore.

## RESOLUTIONS

Council Member Huston with a motion to approve a resolution approving the contract and performance and/or payment bonds for the 2024 Street Rehabilitation Project, to authorize the Mayor to sign the resolution, and to authorize the City Manager to sign the contract, second by Council Member O’Loughlin. The roll being called the following Council Members voted: Ayes: Prusator, O’Loughlin, Jensen, Weber, Huston, and Hanna. Absent: Moore.

**Resolution adopted and upon approval by Mayor assigned No. 2024-14 in the Official Book of Resolutions.**

## OTHER BUSINESS

Council Member Prusator with a motion to approve Change Order #1 for the 2023 2<sup>nd</sup> Street SW Bridge and 8<sup>th</sup> Avenue SW Pedestrian Bridge Rehabilitation Project with an increase to the contract in the amount of \$23,520.00 and to authorize the City Manager to sign the change order, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: O’Loughlin, Jensen, Weber, Huston, Hanna, and Prusator. Absent: Moore.

## REPORTS

The following comments were heard from Council and Staff: O’Loughlin – Encouraged people to support local businesses that hold a fish fry on Fridays. Prusator – It was great to see everyone outside this last weekend on the trails within the City. Huston – He has been walking on the trails and talking to people from outside of Independence that are also using them. Heard the Fire Department had a great turn out for their soup supper. He isn’t sure if it is one day in March or the whole month of March to help prevent fraud. City Manager – March 13<sup>th</sup> is when Department Heads will be here from 8:00 am until noon for Council Members to come in and find out more about each department. If four Council Members would like to attend, a notice will need to be posted as it would be a possible quorum. The Chamber banquet is this Saturday and if any Council Members would like to go, please contact him by noon tomorrow so the Chamber can be notified. The grinder at the Hood Lift Creek Station by the hospital was pulled during a recent inspection and was found to be inoperable. He authorized staff to get the part ordered as it has an eight-week lead time and needs to be repaired. Mayor – The Fire Department believes 500 people were served at their soup supper. Mentioned the recent vandalism at the Frisbee Golf Course and the three Free Little Libraries. Encouraged residents to say something if they saw something.

## POTENTIAL CLOSED SESSION PER IOWA CODE 21.5(1)(j)

City Manager Schmitz confirmed the request of the closed session with the City Attorney prior to the meeting. City Attorney Herman stated it is appropriate to go into closed session. Council Member O’Loughlin with a motion to enter into closed session per Iowa Code 21.5 (1)(j); to discuss the purchase or sale of particular real estate at 5:38 p.m., second by Council Member Jensen. The roll being called the following Council Members voted: Ayes:

O'Loughlin, Jensen, Weber, Huston, Hanna, and Prusator. Absent: Moore. Those invited into the closed session were the following: Council Member Weber, Council Member Huston, Council Member Hanna, City Manager Schmitz, Mayor Bleichner, City Clerk/Treasurer Lampe, Council Member Prusator, Council Member O'Loughlin, and Council Member Jensen.

At 5:59 p.m., Council Member Huston made a motion to enter back into open session, second by Council Member Jensen. The roll being called the following Council Members voted: Ayes: Jensen, Weber, Huston, Hanna, Prusator, and O'Loughlin. Absent: Moore.

#### ADJOURNMENT

Motion by Council Member Jensen, second by Council Member O'Loughlin to adjourn. Ayes: All. Absent: Moore.

Whereupon Mayor Bleichner declared the meeting adjourned at 5:59 p.m.



Brad Bleichner, Mayor of the City of Independence, Iowa

ATTEST:



Susi Lampe, IaCMC, IaCFO, City Clerk/Treasurer of the City of Independence, Iowa