

# CITY COUNCIL WORK SESSION

Monday, October 02, 2023 at 5:00 PM Council Chambers - 331 First Street East AGENDA

## **RULES OF PROCEDURE**

Workshops are not Public Hearings. No member of the public or interested party has the right to make a presentation or address the Council on an item under consideration in a workshop or a study session.

During the City Council Work Session, the Council will primarily discuss and debate items intended to be formally considered at a future City Council Meeting. However, the Council may at any noticed meeting, including a City Council Work Session meeting, take action on any item shown on the posted agenda as a potential action item. The City Council Work Session meeting is a regular meeting of the Independence City Council.

## **MEETING OPENING**

Call the Meeting to Order

## **DEPARTMENT UPDATES**

- Department Report Building Codes
- 2. Department Report Streets
- 3. Department Report Airport
- 4. Department Report Utilities

# **NEW BUSINESS**

- 5. Wapsi Watershed Contribution
- 6. Transfer of Drone ownership
- 7. Council Topics
- 8. Mayor Topics
- 9. City Manager Topics

# **ACTION ITEMS**

- 10. Hartig Drug Liquor License Renewal
- 11. Hartig Drug Liquor License Amendment

# **ADJOURNMENT**

This agenda is subject to change.



TO: Matthew R. Schmitz, MPA - City Manager

**FROM:** Todd Sherrets – Building Official

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Department Report – Building Codes

The monthly meeting for Habitat for Humanity went very well. They explained how they have an abundance of funds to help out LMI families with assistance such as the LMI plan the city has adopted. This would allow for more and larger jobs to help these people out in a larger capacity.

I have invited PAWS for the November work session to educate the council, as well as any others in attendance, about the Trap, Neuter, Release program. PAWS is also raising money separately to contribute to the TNR program.

Tiny houses are on the rise as investors and contractors are looking to capitalize on some of the non-conforming lots in town. These go before Planning and Zoning prior to being sent to the Council for approval.

Permit violations are still prevalent in the city, and some of those violating the requirements are businesses that have been in business for years.

Soon the Board of Adjustment will meet to discuss a variance being requested by Bachman's tool and die for a possible future expansion onto the southeast portion of the existing building.

Nuisance properties are slow going as owners are not easy to reach. I suggest putting more lines in the water to get more chances at getting multiple problems cleaned up simultaneously.

The rear entries on multiple commercial buildings around downtown are in need of repairs. Notices will be sent out, with a reasonable time for completion and to attain funds for materials and labor.

The concrete at Brimmer Park is being monitored for movement of the retaining wall, and the City Manager is working on the RFQ for Engineering Services for the design of repairs or replacement of the wall.

Permits and inspections are steady, and we are hopeful that we will have the new permitting system up and running by the end of October or mid-November.



TO: Matthew R. Schmitz, MPA - City Manager

FROM: Brad Esch

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Department Report – Street Department

- Worked with Tschiggfrie Excavating on 2<sup>nd</sup> St. SE. curb and gutter, sidewalk project.
- Concrete and asphalt patching, Cold Patch pothole filling.
- Road edging touch ups.
- Final application for dust control.
- Roadside ditch mowing.
- Repairing storm sewer pipe and intakes for proper drainage.
- Dirt work in ditch, so that it can be mowed and maintained. Spread, leveled and packed road rock purchased by Independence Light and Power on the East-West portion of the nature trail.
- Recycled the asphalt grindings from the Street rehabilitation streets and resurfaced
   The Nature Trail that wraps around the field, The city's access road behind the
   swimming pool, parking lot at Lions Field and other needed areas.
- Worked with Park and Rec on several other projects and assisted other departments.
- Routine maintenance on equipment and day-to-day job duties.



TO: Matthew R. Schmitz, MPA - City Manager

FROM: Brett Soukup – Airport Manager

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Department Report – Airport

# Fuel Sales Update

100LL – 1,432 gal.

Jet A – 630 gal.

# Grounds:

- I was able to change the rollers on the top of the gate. When I took this all apart, Dan's
  overhead door sent the wrong parts for this project. I found out I was able to take each bearing
  off and went up to Napa to repair this.
- Darwin and I have been working on the fence around the outside boundary of the airport. Replacing some of the damaged posts and relocating the gates by the new apron.
- We have been doing some spot mowing around the lights and other places due to not having much rain the weeds are still growing.

# Equipment:

Everything is in good condition.

# Miscellaneous:

- The new manhole lids are replaced at the fuel farm.
- The contractor came to do the dirt work from the South Apron expansion from last year. We are still waiting for them to come and do the seeding; the dirt work looks good. We are anticipating only needing to use about 200 feet of the Straw waddles around the edges.
- The North Apron project has gotten started, they've moved a lot of dirt. They are working on
  moving some of the utilities, so they'll be out of the way. We are waiting for quotes, so we know
  how much this is going to cost.



**TO:** Matthew R. Schmitz, MPA - City Manager

FROM: Travis Foley

**DATE OF MEETING:** October 02, 2023

ITEM TITLE: Department Report – Utilities

Sewer Collection – Visu Sewer will be in town towards the end of October to work on our annual sewer cleaning in the northeast side of town.

We will be out taking shots of manholes with our GPS unit and continuing to update our mapping system.

Water – We are planning to do a fall hydrant flushing in dead end/low flow areas to help with any rust issues. A flushing schedule will be posted, like it is in the spring, before this occurs.

We will be working on exercising valves around town this month. This helps to keep them working so they shut when needed.

Wastewater – We have been working on cleaning up the fence line around the wastewater plant and making repairs/adjustments to the fence where needed.

A few of us will be attending the WEF Tech conference in Chicago on Oct  $2^{nd} - 4^{th}$ . This is a national wastewater conference that will give us the opportunity to go around with the engineers and meet with manufactures and view multiple equipment options that will go into the new wastewater plant.



# CITY COUNCIL WORK SESSION MEMORANDUM

TO: City Council

FROM: Matthew R. Schmitz, MPA - City Manager

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Wapsi Watershed Contribution

## **DISCUSSION:**

The Upper Wapsipinicon Watershed Management Authority has submitted a request for additional funding of \$4,400 in FY 2024, which would bring the total funding authorized to \$5,000 annually. The original funding request and the additional funding request are attached for review.

# **RECOMMENDATION:**

Staff recommends discussion of this topic. No action is needed at this meeting, as any decision items needed would be brought forward to a City Council meeting for approval.

To Upper Wapsipinicon River Watershed Management Authority Board Members:

RE: Fiscal Year 2024 Upper Wapsipinicon River WMA donation request

Dear Sir or Madam,



In 2015, 32 political cities, counties and soil and water conservation districts in the Upper Wapsipinicon River Watershed came together as a board to reduce the risks of flooding and to improve and protect water quality in the Upper Wapsipinicon River Watershed. Since that time, dozens of projects have been implemented across the watershed to move toward these goals. As a part of the State-wide lowa Watershed Approach Project, we helped the lowa Flood Center prove their flood prevention models in the entire watershed, while at the same time proving to ourselves that implementation of private and public structures in a watershed can reduce flooding. Our UWRWMA Board is active in the state WMAs of lowa organization, which advocates for dedicated state funding for WMA plan implementation.

The UWRWMA Board stresses the need for coordination and technical assistance to guide and inform the efforts of our multijurisdictional group. Northeast lowa RC&D has provided exceptional coordination and technical assistance in the past. As a nonprofit, the RC&D was able to provide coordination, technical assistance and will help us secure project funding by writing and helping us write state, federal and private grants. However, funding to support coordination efforts will expire at the end of fiscal year 2023.

The UWRWMA Board feels that continued *coordination and technical assistance is vital for several reasons*. 1) There are now 28 WMAs. WMAs are the way of the future. 2) In lowa, state and federal partners and funders recognize the importance of the WMAs and are discussing continued allocation of dedicated funding to *active* WMAs. At the same time, they are also discussing that WMAs will need to demonstrate local support. Several WMAs now pay for ongoing coordination and technical assistance through voluntary member contributions. 3) The UWRWMA Board has engaged in a learning process since its formation and as a result has become one of the most respected and knowledgeable group of watershed advocates in lowa. 4) We currently have momentum that would be difficult to regain if lost. 5) Without coordination and technical assistance, we are unlikely to develop new projects and secure future grants.

The UWRWMA Board unanimously agreed to ask each UWRWMA city, county and soil and water conservation district member for an annual *voluntary* financial contribution. In order for the UWRWMA to reach our annual goal, we are asking each member entity to *voluntarily* contribute *\$600* annually, for coordination and technical assistance from the RC&D. Our goal is to, raise at least *\$18,000/year* for continued coordination from Northeast Iowa RC&D. This funding will allow the RC&D to have dedicated funding to pay a part-time UWRWMA Coordinator to conduct the following tasks identified in **Attachment A**, which is included with this letter.

We are sending you this letter because we want to remind your board to consider donating to the Upper Wapsi WMA for FY2024. We truly appreciate your participation and support in our continued effort in the Upper Wapsipinicon River Watershed. If you would like to talk to an existing Board member about the role Northeast Iowa RC&D currently plays, or about the Upper Wapsi WMA in general feel free to contact any of the people below.

John Kurtz, Independence City Councilman, WMA Board	Tori Nimrod or Ross Evelsizer, Northeast Iowa RC&D, Upper
Chair	Wapsi WMA Coordinators
Email: <u>jkurtz@indytel.com</u>	Email: tori@northeastiowarcd.org ross@northeastiowarcd.org
Phone: 319-240-1937	Phone: 563-864-7112

You may send your financial contribution to Northeast Iowa RC&D at PO Box 916 Postville, IA 52162 or your representative may deliver your contribution to the UWRWMA Board at the next WMA meeting. If you need to be invoiced, please contact RC&D.

Sincerely,

John Kurtz, UWRWMA Board Chair

# **Attachment A**



The **UWRWMA Coordinator**, hired through Northeast Iowa RC&D will be responsible for the following tasks as time and funding allow.

# Goal Amount: \$18,000/year

# • Task 1: Coordinate and Facilitate UWRWMA Quarterly and Annual Board Meetings

- Work with UWRWMA Board Chair to develop and distribute agendas, which are by law required to be publicly posted by members
- o Record and distribute UWRWMA Board minutes
- Help the UWRWMA Board track and manage appointed representatives, reappointments, and contact information
- Task 2: Coordinate and Facilitate UWRWMA Executive Committee and Other Committee Meetings as Assigned

# Task 3: Support and Represent the UWRWMA Board at Statewide Meetings and Conferences

- o Prepare and provide supporting materials and presentations for UWRWMA Board members as needed
- o Attend and present on behalf of the UWRWMA Board as needed
  - Attend meetings as the UWRWMA Coordinator: WMA Coordinators from all Iowa WMAs are asked to attend and report or present at WMAs of Iowa meetings and Iowa DNR statewide WMA meetings (the WMA Coordinator is a designated voting member)
  - Attend and present as needed at other statewide meetings held by partners, including but not limited to meetings of potential funders for WMAs, SWCDs, cities and counties.
  - Attend and present at other conferences (Conference organizers who bring together our partner entities such as ISAC, Iowa League of Cities, Iowa Water Conference, etc., have asked us to develop presentations and present at their conferences.)

# • Task 4: Website Maintenance for www.upperwapsi.org, the UWRWMA's Main Communication Method

- Post agendas and minutes, news and events relevant to the UWRWMA or Iowa WMAs
- o Maintain website functionality and update data and maps as needed

# Task 5 Grant Identification (up to 2 per year)

- o Research and identify grants that fit priorities of the UWRWMA Board as detailed in the Resiliency Plan
- Maintain a Data Base of potential grants for the UWRWMA Board
- Distribute information about potential grants to the WMA members at WMA Board meetings
- o Work with UWRWMA Board and/or committees to identify specific priority grants

#### • Task 6 Grant Proposal Development and Coordination

- Work with the UWRWMA Executive Committee to identify priority project goals, areas, and potential partners for specific grants
- o Identifying and secure matching funds for grants as needed
- o Develop proposal narratives and required documents to complete and grant applications
- O Submit grant applications through state and federal grant submission programs and other means

## Task 7: Coordinate Yearly Upper Wapsipinicon River Watershed water sampling efforts

- Includes cost of analysis for 21 sampling sites throughout the Upper Wapsipinicon River Watershed
- o Work with UWRWMA Partners in each county to continue water sampling efforts by organizing volunteers
- o Develop a yearly water quality report from water sampling data results
- Update water quality database on the Upper Wapsi WMA website.

# • Task 8: Grant Proposal Development for Member Entities (up to 3 per year)

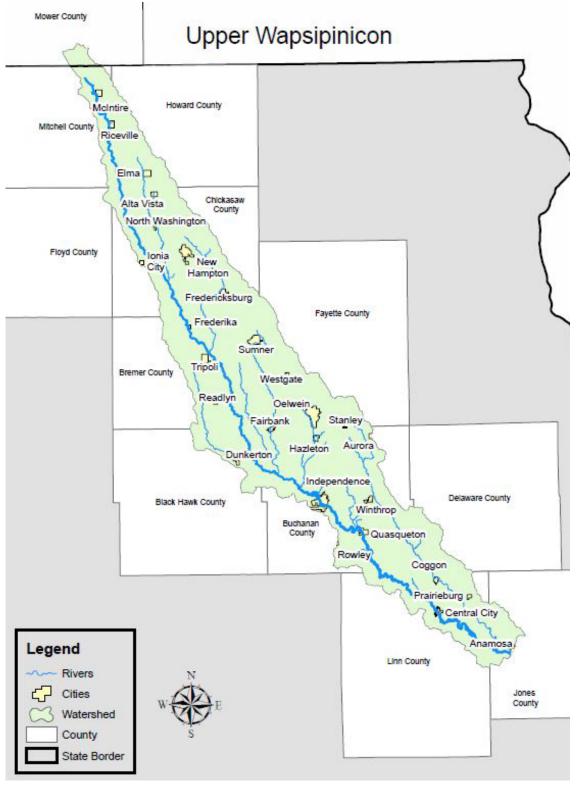
- Work with the UWRWMA member entities to identify priority project goals, areas, and potential partners for specific grants
- o Identifying and secure matching funds for grants as needed
- Develop proposal narratives and required documents to complete and grant applications
- o Submit grant applications through state and federal grant submission programs and other means

Note: Competing grant applications from WMA member entities will be prioritized by the WMA board



## • Task 9: Coordinate Watershed Outreach

- Develop presentations, and promotional materials for distribution by WMA Members and Watershed Coordinator
- o Develop a Quarterly Newsletter that outlines WMA tasks, watershed news and up-coming events.
- Attend City Council, Commissioner, and Supervisor meetings as requested to inform WMA member entities about WMA activities, implementation progress and partnership opportunities.
- Work with the WMA board to design, determine location and develop a funding strategy for watershed boundary signage throughout the Upper Wapsipinicon River Watershed.



To Upper Wapsipinicon River Watershed Management Authority Board Members: RE: 2024 Upper Wapsipinicon River WMA donation request

Item #5. **UPPER** WAPSIPINICON WATERSHED MANAGEMENT AUTHORITY

Dear Sir or Madam,

In 2015, 32 political cities, counties and soil and water conservation districts in the Upper Wapsipinicon River Watershed came together as a board to reduce the risks of flooding and to improve and protect water quality in the Upper Wapsipinicon River Watershed. Since that time, dozens of projects have been implemented across the watershed to move toward these goals. As a part of the State-wide Iowa Watershed Approach Project, we helped the Iowa Flood Center prove their flood prevention models in the entire watershed, while at the same time proving to ourselves that implementation of private and public structures in a watershed can reduce flooding. Our UWRWMA Board is active in the state WMAs of Iowa organization, which advocates for dedicated state funding for WMA plan implementation.

The UWRWMA Board stresses the need for coordination and technical assistance to guide and inform the efforts of our multijurisdictional group. Northeast Iowa RC&D has provided exceptional coordination and technical assistance in the past. As a nonprofit, the RC&D was able to provide coordination, technical assistance and will help us secure project funding by writing and helping us write state, federal and private grants. Thanks to WMA entities previous donations, last year coordinators were able to bring in an additional \$360,000 in grants for watershed improvements. Despite the efforts of the RC&D, funding to support coordination efforts will expire at the end of fiscal year 2023.

The UWRWMA Board feels that continued coordination and technical assistance is vital for several reasons. 1) There are now 28 WMAs. WMAs are the way of the future. 2) In Iowa, state and federal partners and funders recognize the importance of the WMAs and are discussing continued allocation of dedicated funding to active WMAs. At the same time, they are also discussing that WMAs will need to demonstrate local support. Several WMAs now pay for ongoing coordination and technical assistance through voluntary member contributions. 3) The UWRWMA Board has engaged in a learning process since its formation and as a result has become one of the most respected and knowledgeable group of watershed advocates in lowa. 4) We currently have momentum that would be difficult to regain if lost. 5) Without coordination and technical assistance, we are unlikely to develop new projects and secure future grants.

The UWRWMA Board unanimously agreed to ask each UWRWMA city, county and soil and water conservation district member for an annual voluntary financial contribution. In order for the UWRWMA to reach our annual goal, we are asking the City of Independence to voluntarily contribute \$4,400 (\$5,000 annually), for coordination and technical assistance from the RC&D. Our goal is to, raise at least \$18,000/year for continued coordination from Northeast lowa RC&D. This funding will allow the RC&D to have dedicated funding to pay a part-time UWRWMA Coordinator to conduct grant writing services, water quality monitoring, and to facilitate WMA meetings.

We are sending you this letter because we want to remind your board to consider donating to the Upper Wapsi WMA for FY2024. We truly appreciate your participation and support in our continued effort in the Upper Wapsipinicon River Watershed. If you would like to talk to an existing Board member about the role Northeast Iowa RC&D currently plays, or about the Upper Wapsi WMA in general feel free to contact any of the people below.

John Kurtz, Independence City Councilman, WMA Board	Tori Nimrod or Ross Evelsizer, Northeast Iowa RC&D, Upper
Chair	Wapsi WMA Coordinators
Email: <u>JKurtz@co.buchanan.ia.us</u> Phone: 319-240-1937	Email: tori@northeastiowarcd.org ross@northeastiowarcd.org Phone: 563-864-7112

You may send your financial contribution to Northeast Iowa RC&D at PO Box 916 Postville, IA 52162 or your representative may deliver your contribution to the UWRWMA Board at the next WMA meeting. If you need to be invoiced, please contact RC&D.

Sincerely,

John Kurtz, UWRWMA Board Chair



# CITY COUNCIL WORK SESSION MEMORANDUM

TO: Matthew R. Schmitz, MPA - City Manager

**FROM:** Blake Hayward – Fire Chief

**DATE OF MEETING:** October 02, 2023

**ITEM TITLE:** Transfer of Drone ownership

#### **DISCUSSION:**

Buchanan County Emergency Management is seeking ownership of our DJI Matrice 300 Drone Equipment. In talking with Rick Wulfekuhle & Chris Hare, they would take over ownership of the DJI Matrice 300 Drone and equipment and house it at the Buchanan County Annex Building once their addition is complete. They will add it to the County insurance policy and take over the maintenance. Independence Fire along with all public safety agencies in the County will still have access to it and it will still be able to be deployed if requested, it will just be deployed from BCEMA instead.

History on the drone program; back when we started our drone program it was a joint effort between Law Enforcement, Fire, EMS, and EMA. When we wrote the grants, we had to have 1 sponsor agency to submit the grants under and Independence Fire chose to do that at that time. We received grants from Buchanan County Community Foundation, Black Hawk Gaming Association, Banklowa, and Alliance Pipeline. All funds were used to purchase our original drone. The current drone needs replacement batteries and with budget constraints we are currently unable to purchase the batteries at this time. BCEMA has a couple different funding options that they can use to purchase the needed batteries as well as have the staff to help maintain the equipment more efficiently.

## **RECOMMENDATION:**

Staff recommends discussion of this topic. No action is needed at this meeting, as any decision items needed would be brought forward to a City Council meeting for approval.

## BILL OF SALE AND INSTRUMENT OF ASSIGNMENT

This Bill of Sale and Instrument of Assignment (this "Bill of Sale") is made as of \_\_\_\_\_\_\_, 20\_\_\_\_\_ (the "Effective Date") by and between Buchanan County Emergency Management, a local County Government ("Purchaser") and the City of Independence, a local City Municipal Government ("Seller").

- 1. Conveyance of DJI Matrice 300 Drone. The Seller hereby sells, assigns, transfers, conveys, and delivers to the Purchaser the DJI Matrice 300 Drone and all appurtenant assets (collectively, the "Assets").
- 2. Free and Clear Conveyance. The Assets are conveyed to the Purchaser free and clear of all liens, claims, and encumbrances of any kind or nature, including, but not limited to, liens to secure payment, mortgages, and other security interests.
- 3. Purchase Price. The purchase price for the assets shall be One Dollar (\$1.00). The purchase price is payable by Purchaser to Seller within ninety (90) days from the Effective Date.
- 4. Assumed Liabilities. Upon the Effective Date, the Purchaser hereby agrees to assume title and risk of loss associated with the Assets except as set forth above.
- 5. As-Is Sale. EXCEPT AS SET FORTH ABOVE, THE ASSETS ARE BEING SOLD AS-IS AND SELLER MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AT LAW OR IN EQUITY, IN RESPECT OF THE ASSETS, INCLUDING WITH RESPECT TO REAL ESTATE RIGHTS OR ENVIRONMENTAL MATTERS, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. ALL OTHER REPRESENTATIONS OR WARRANTIES BY SELLER ARE HEREBY DISCLAIMED.
- 6. Limitation of Remedies, Obligations, and Liabilities. Nothing in this Bill of Sale, expressed or implied, is intended or will be construed to confer upon, or give to, any person other than Seller and Purchaser any rights, remedies, obligations, or liabilities.
- 7. Parties in Interest. This Bill of Sale shall be binding upon, inure to the benefit of, and be enforceable by Seller and Purchaser and their respective permitted successors and assigns.
- 8. Notices. Any notice between the parties related to billing and payment terms shall be given using the contact information set out below:

Buchanan County Emergency Management

Attn: Rick Wulfekuhle

210 5<sup>th</sup> Ave NE

Independence, IA 50644

Phone: 319-334-6411

City of Independence

Attn: Matthew R. Schmitz

331 1st Street E

Independence, IA 50644

Phone: 319-334-2780

- 9. Choice of Law. This Bill of Sale shall be governed by and construed in accordance with the law of the State of Iowa.
- 10. Entire Agreement. This Bill of Sale constitutes the entire agreement between the parties hereto with respect to the subject matter hereto and all prior negotiations are hereby merged herein.
- 11. Counterparts. This Bill of Sale may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall be deemed to be one and the same instrument.

IN WITNESS WHEREOF, the parties have duly executed this Bill of Sale as of the day first above written.

SELLER:
City Of Independence Iowa, an Iowa municipal government
By:
Name:
Γitle:
PURCHASER:
Buchanan County Emergency Management, an Iowa municipal government
Ву:
Name:



# CITY COUNCIL MEMORANDUM

TO: Matthew R. Schmitz, MPA - City Manager

FROM: Susi Lampe, IaCMC, IaCFO – City Clerk

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Hartig Drug Liquor License Renewal

# **BACKGROUND:**

I received an email on September 12, 2023, from Iowa ABD that Hartig Drug's renewal for their current location was ready for the City's review. I then emailed the Building Inspector, Fire Chief, and Police Chief to do their reviews and let me know if they approved of the renewal going to Council. This is being brought to Council for approval now to ensure that Hartig receives their license from Iowa ABD prior to their grand opening at their new location on Monday, October 9<sup>th</sup>.

# **DISCUSSION:**

Typically, these are placed on the Consent Agenda and there is minimal, if any, discussion.

# **RESULTS:**

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Engaging and Catalyzing Community. This item helps achieve that vision by supporting a business's plans for retail sales in the Community.

# FINANCIAL CONSIDERATION:

The City does receive a portion of the liquor license fees paid to Iowa ABD. The portion received varies depending on the business.

## **RECOMMENDATION:**

Staff recommend the approval of the Hartig Drug liquor license renewal.



# CITY COUNCIL MEMORANDUM

TO: Matthew R. Schmitz, MPA - City Manager

FROM: Susi Lampe, IaCMC, IaCFO – City Clerk

**DATE OF MEETING:** October 2, 2023

ITEM TITLE: Hartig Drug Liquor License Amendment

# **BACKGROUND:**

I received an email on September 12, 2023, from Iowa ABD that Hartig Drug's amendment for their new location was ready for the City's review. I then emailed the Building Inspector, Fire Chief, and Police Chief to do their reviews and let me know if they approved of the renewal going to the Council. This is being brought to Council for approval now to ensure that Hartig receives their license from Iowa ABD prior to their grand opening at their new location on Monday, October 9<sup>th</sup>.

## **DISCUSSION:**

Typically, these are placed on the Consent Agenda and there is minimal, if any, discussion.

# **RESULTS:**

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# FINANCIAL CONSIDERATION:

The City does receive a portion of the liquor license fees paid to Iowa ABD. The portion received varies depending on the business.

## **RECOMMENDATION:**

Staff recommend the approval of the Hartig Drug liquor license amendment.