

Minutes of the Regular Meeting of the City Council of the City of Manchester, Iowa
Monday, November 27, 2023

Mayor Behnken called the meeting to order at 5:00pm. The meeting began with the Pledge of Allegiance.

Roll call of members present: Dean Sherman, Mary Ann Poynor, Bill Scherbring, Linda Schmitt, Tania Bradley. Absent: None.

Motion by Schmitt, seconded by Bradley to approve the agenda as presented. On call of roll: Ayes: Schmitt, Bradley, Sherman, Poynor, Scherbring. Nays: None. Motion carried.

Mayor Behnken presented Lead Dispatcher Jessica Kelly with a Service Commendation for her actions during a 911 call on November 7, 2023.

Public Input

Brad Davis, 1100 West Main Street, addressed the Council expressing concern about mobile vendors and asked the Council to consider implementing regulations on when and where mobile vendors can operate. Joel Reinert, 1202 West Main Street; John Kelchen, 205 West Main Street; and Roger Zearley, 121 South Franklin, addressed the Council expressing their support for the comments made by Davis.

Consent Agenda

- 3.1 Approval of the minutes of the November 6, 2023 Committee of the Whole meeting and the November 13, 2023 Regular City Council meeting
- 3.2 R-100-2023 Resolution Approving Bills
- 3.3 Acknowledge Receipt of City Reports & Minutes: minutes of the November 20, 2023 Parks & Recreation Commission meeting
- 3.4 Liquor License Applications: Renewal Application for On Premise Liquor License for Onie's Wooden Nickel at 312 South 1st Street
- 3.5 Approve the appointment of Janet Giannini to the Library Board of Trustees
- 3.6 Ordinance 009-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Failure to Assist, second consideration and adoption
- 3.7 Ordinance 010-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Fiscal Management, second consideration and adoption
- 3.8 Ordinance 011-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Abandoned Vehicles, second consideration and adoption
- 3.9 Ordinance 012-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Liquor License and Cigarette and Tobacco Permits, second consideration and adoption
- 3.10 Ordinance 013-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Adding Provisions Pertaining to Low Speed Electric Bicycles and Fully Controlled-Access Facilities, second consideration and adoption
- 3.11 Ordinance 014-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Peddlers, Solicitors, and Transient Merchants, second consideration and adoption
- 3.12 Ordinance 015-2023 An Ordinance Amending the Code of Ordinances of the City of Manchester, Iowa, by Amending Provisions Pertaining to Public Disorder, second consideration and adoption
- 3.13 R-102-2023 Resolution Approving Fiscal Year 2023 Street Finance Report
- 3.14 R-103-2023 Resolution Approving Annual Financial Report for Fiscal Year Ended June 30, 2023

3.15 R-104-2023 Resolution Approving Annual Urban Renewal Report, Fiscal Year 2023

3.16 R-105-2023 Resolution Obligating Funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of Annual Appropriation Tax Increment financed obligations which shall come due in the next succeeding Fiscal Year

3.17 Acknowledge receipt of unpaid nuisance mowing fees and approve the certification to the Delaware County Treasurer for collection on property taxes

3.18 Approval of the Consent Agenda

Motion by Sherman, seconded by Scherbring to approve the Consent Agenda. On call of roll: Ayes: Sherman, Scherbring, Poynor, Schmitt, Bradley. Nays: None. Motion carried.

Bills Approved for Payment

| Vendor | Description | Amount |
|-------------------------------------|---------------------------------------|-----------|
| ALLIANT ENERGY | ELECTRICITY | 17,966.68 |
| AMAZON BUSINESS | SUPPLIES, EQUIPMENT | 1,447.49 |
| ARNOLD MOTOR SUPPLY LLP | PD CHARGER WIPER BLADES | 24.46 |
| BAKER & TAYLOR BOOKS | LIBRARY MATERIALS | 329.25 |
| BLACK HILLS ENERGY | HEATING FUEL | 949.74 |
| BROWWINICK LAW | LEGAL SERVICES | 425.00 |
| CEDAR & SALT MARKETING CO | MARKETING/WEBSITE | 2,500.00 |
| CITY LAUNDERING INC | BUILDING MAINTENANCE SUPPLIES | 130.52 |
| CONNOLLY CONSTRUCTION INC | PAY ESTIMATE #4, STORMWATER PROJECT | 1,867.00 |
| DAKOTA SUPPLY GROUP | HILDEBRAND DEVELOPMENT | 2,763.17 |
| DEL CO EXTENSION & OUTREACH | PESTICIDE APPLICATOR CLASS | 180.00 |
| DEL CO SOLID WASTE COMMISSION | OCTOBER 2023 LANDFILL | 1,026.50 |
| DELHI LUMBER | SHOP GARAGE DOOR/RETURN | -269.72 |
| DON & WALT LLC | REPAIRS, LIBRARY HVAC | 9,490.75 |
| EASTERN IA EXCAVATING & CONCRETE | PAY #4 (FINAL) SHELLY PARK RENOVATION | 18,984.07 |
| EDGE COMMUNICATION | PHONE MAINTENANCE | 91.97 |
| ENGINEERED EQUIPMENT SOLUTIONS | BLOWER BELTS | 1,293.09 |
| FAREWAY STORES INC | SUPPLIES | 50.73 |
| FEHR GRAHAM | ENGINEERING FEES | 15,117.75 |
| HALI-BRITE INC | ROTATING BEACON | 378.44 |
| HEIMS AWARDS | SUPPLIES | 45.00 |
| HERITAGE PRINTING INC | OFFICE SUPPLIES/COPY PAPER | 315.21 |
| HILLSIDE MANUFACTURING INC | ELECTRICAL POST | 60.30 |
| IA DEPT OF PUBLIC SAFETY | IA SYSTEM INVOICE | 4,164.00 |
| IACP | IACP MEMBERSHIP | 275.00 |
| INFRASTRUCTURE TECHNOLOGY | NETWORK SECURITY | 195.00 |
| J & R SUPPLY INC | MANHOLE ADJ RINGS | 650.00 |
| JANINE EHRLER | SEIBERT REFUND | 75.00 |
| JORDAN HOEPPNER | REIMB MILEAGE | 259.35 |
| KEYSTONE LABORATORIES INC | LAB TESTING | 45.00 |
| KLUESNER CONSTRUCTION INC | WOODLAND DR PATCH | 630.00 |
| KLUESNER SANITATION LLC | GARBAGE/RECYCLING | 25,748.80 |
| LANDSCAPES BY CHILDS PLAY INC | GROUNDS MAINTENANCE | 1,741.00 |
| MACQUEEN TRANS IOWA EQUIPMENT | WATER PUMP | 933.11 |
| MANCHESTER AREA CHAMBER OF COMMERCE | MEMBERSHIP DUES | 680.00 |
| MANCHESTER FIRE ASSOCIATION | REIMBURSE SUPPLIES, TRAINING | 1,158.91 |

| | | |
|---------------------------------------|---------------------------------------|------------|
| MANCHESTER SIGNS LLC | SIGNS | 536.75 |
| MAQUOKETA VALLEY ELECTRIC COOPERATIVE | STREET LIGHTING | 154.01 |
| MASTERPIECE CLEANING | CUSTODIAL | 800.00 |
| MES FIRE MUNICIPAL EMERG SVCS | FD TANK HOSE | 340.00 |
| MIDWEST WHEEL COMPANIES | SIGN | 72.00 |
| OVERDRIVE | LIBRARY MATERIALS | 355.88 |
| PALMER HARDWARE INC | SUPPLIES | 489.55 |
| PETERS & LONGMUIR PLC | LEGAL FEES | 1,281.39 |
| PRICE ELECTRIC INC | REPAIR & MAINTENANCE | 179.00 |
| REGIONAL MEDICAL CENTER | MINOR MEDICAL CLAIM | 131.00 |
| RICHARD MCCRABB | MOW E MAIN SHOP SITE | 70.00 |
| SCHUMACHER ELEVATOR INC | ELEVATOR MAINTENANCE | 235.00 |
| SHIRLEY PUTZ | REIMB TREE | 400.00 |
| STATE CHEMICAL SOLUTIONS | MOTEL LS TREATMENT | 326.20 |
| SUPREME GREEN INC | FD MOWING | 74.00 |
| TSCHIGGFRIE EXCAVATING | PAY #2 LIBRARY PARKING LOT PROJECT | 18,805.68 |
| WALMART | SUPPLIES | 360.29 |
| WINDSTREAM | DYANMIC IP/SIP TRUNKS | 708.64 |
| | TOTAL | 137,041.96 |
| | | |
| | Fund | Amount |
| | 001 - GENERAL | 51,360.35 |
| | 003 - HOTEL/MOTEL TAX | 2,500.00 |
| | 047 - HOLIDAY DECORATIONS | 67.21 |
| | 110 - ROAD USE TAX | 1,492.22 |
| | 168 - PARK GIFT & TRUST | 2,592.75 |
| | 171 - LIBRARY GIFT & TRUST | 23.89 |
| | 301 - CAPITAL PROJECTS | 28,086.46 |
| | 307 - WHITEWATER/RIVERFRONT PARK PROJ | 19,005.18 |
| | 310 - STORM WATER/WQI PROJECTS | 1,867.00 |
| | 320 - SUBDIVISION PROJECTS | 2,763.17 |
| | 324 - STREET PROJECTS | 14,117.75 |
| | 600 - WATER | 3,622.42 |
| | 610 - SEWER | 9,543.56 |
| | TOTAL | 137,041.96 |

Riverbend Pub & Grill Deck Request

Roger Zearley, one of the owners of Riverbend Pub & Grill, addressed the Council requesting permission to place a roof with solar panels over the deck on their property at 121 South Franklin Street. Zearley informed the Council that Riverbend had received a grant from the USDA to assist in the cost of placing solar panels on their building. Following discussion, the Council asked the City Attorney draft an amendment to the lease agreement with Riverbend to allow for the roof over the deck.

Iowa Flood Resilient Communities Cohort

City Manager Vick informed the Council that the City of Manchester has been invited to be a part of the Iowa Flood Resilient Communities Cohort. The Cohort is a pilot program for the State of Iowa to address flooding concerns in communities and investigate funding opportunities. Motion by Bradley, seconded by

Poynor to approve the City of Manchester's participation in the Iowa Flood Resilient Communities Cohort. On call of roll: Ayes: Bradley, Poynor, Sherman, Scherbring, Schmitt. Nays: None. Motion carried.

2023 General Obligation Bond Issue

Motion by Sherman, seconded by Schmitt to adopt R-106-2023 Resolution Authorizing and Approving a Loan Agreement, providing for the issuance of a \$500,000 General Obligation Corporate Purpose Bond, Series 2023A and providing for the levy of taxes to pay the same. On call of roll: Ayes: Sherman, Schmitt, Poynor, Scherbring, Bradley. Nays: None. Motion carried.

Motion by Scherbring, seconded by Bradley to adopt R-107-2023 Resolution Authorizing and Approving a Loan Agreement, providing for the issuance of a \$200,000 Taxable General Obligation Corporate Purpose Bond, Series 2023B and providing for the levy of taxes to pay the same. On call of roll: Ayes: Scherbring, Bradley, Sherman, Poynor, Schmitt. Nays: None. Motion carried.

2024 Street Improvement Project

Motion by Scherbring, seconded by Poynor to adopt R-108-2023 Resolution Approving Continuation of Services Agreement with Fehr Graham amending the Engineering Agreement for the 2024 Street Improvement Project. On call of roll: Ayes: Scherbring, Poynor, Sherman, Schmitt, Bradley. Nays: None. Motion carried.

Motion by Scherbring, seconded by Sherman to adopt R-109-2023 Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering the 2024 East Main Street Improvements Project. On call of roll: Ayes: Scherbring, Sherman, Poynor, Bradley. Nays: Schmitt. Motion carried.

Motion by Poynor, seconded by Bradley to adopt R-110-2023 Resolution Approving and Adopting Preliminary Plans and Specifications, Estimate of Cost and Plat and Schedule. On call of roll: Ayes: Poynor, Bradley, Sherman, Scherbring. Nays: Schmitt. Motion carried.

The proposed Resolution of Necessity covering the 2024 East Main Street Improvements Project was introduced. Motion by Scherbring, seconded by Sherman to set January 8, 2024 at 5:00pm as the date and time for a Public Hearing on the Proposed Resolution of Necessity. On call of roll: Ayes: Scherbring, Sherman, Poynor, Bradley. Nays: Schmitt. Motion carried.

Motion by Sherman, seconded by Poynor to adopt R-111-2023 Resolution to provide for a Notice of Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the 2024 East Main Street Improvements Project, and to Delegate Authority for the taking of bids therefor. On call of roll: Ayes: Sherman, Poynor, Scherbring, Bradley. Nays: Schmitt. Motion carried.

Approval of Special Exception to the City of Manchester Employee Handbook Section 4.3 Sick Leave, "Sick Leave Buyback" for Kathy Corkery to allow for payout of 25% of her sick leave at her retirement

Motion by Bradley, seconded by Schmitt to approve Special Exception to the City of Manchester Employee Handbook Section 4.3 Sick Leave, "Sick Leave Buyback" for Kathy Corkery to allow for payout of 25% of her sick leave at her retirement. On call of roll: Ayes: Bradley, Schmitt, Sherman, Poynor, Scherbring. Nays: None. Motion carried.

Construction Project Updates

Sam Ertl, Fehr Graham, and Jason Wenger, Burrington Group, updated the Council on construction projects in the City.

Reports

City Council and staff reports were given.

Motion by Schmitt, seconded by Sherman that the meeting adjourn at 5:57pm. On call of roll: Ayes: Schmitt, Sherman, Poynor, Scherbring, Bradley. Nays: None. Motion carried.

Connie Behnken, Mayor

Attest:

Erin Learn, City Clerk