



MINUTES

The Center Point City Council met in a Regular Session on Tuesday, September 12<sup>th</sup>, 2023, at 6:00 pm at the City Hall Council Chambers, 200 Franklin Street.

The meeting was called to order with the Pledge of Allegiance at 6:00 pm.

Council member Patric Engelken presided as Mayor pro-tem.

Council members present were Paul Mann, Patric Engelken, Nathan Schnell, Melissa McLaughlin. Absent: Mayor Traer Morgan and John Stuelke.

M/S Mann/McLaughlin To approve consent agenda. Aye: 4 Nay: 0 Abstention: 0 Absent: 1.

CLAIMS REPORT

Table with 5 columns: VENDOR, REFERENCE, AMOUNT, CHECK #, CHECK DATE. Lists various vendors and their claims for services like electrical engineering, printing, energy, sewer supplies, library books, etc.



*City of*  
**Center Point**

HAWKEYE FIRE & SAFETY CO	FIRE EXTINGUISHER INSPECTION	\$724.20	51912	9/12/2023
HEALTHIEST YOU	HEALTHIEST YOU BENEFIT	\$94.50	51913	9/12/2023
HEARTLAND SHREDDING INC.	SHREDDING SERVICES	\$40.00	51914	9/12/2023
IA DEPT OF REVENUE AND FI	SEWER AND WATER EXCISE TAX	\$768.80	1488	9/6/2023
IA DEPT OF REVENUE AND FI	SEWER AND WATER EXCISE TAX	\$2,128.43	1489	9/6/2023
INFRASTRUCTURE TECHNOLOGY	SERVER MAINTENANCE	\$686.58	51915	9/12/2023
INTERNAL REVENUE SERVICE	FED/FICA TAX	\$5,557.71	1475	9/1/2023
IOWA DEPARTMENT OF HUMAN	GARNISHMENT	\$76.54	1474	9/1/2023
IOWA LEAGUE OF CITIES	FY24 DUES	\$1,824.00	51916	9/12/2023
IOWA ONE CALL	UNDER GROUND LOCATION	\$36.00	51917	9/12/2023
IOWA STATE UNIVERSITY	CLERK SCHOOL	\$240.00	51918	9/12/2023
IPERS	IPERS- REGULAR	\$4,085.06	1479	8/27/2023
JOHN DEERE FINANCIAL	PW SUPPLIES	\$109.62	51919	9/12/2023
KIM HONN	WAKEMA RENTAL DEPOSIT REIMB	\$100.00	51920	9/12/2023
LEAF	COPIER LEASE	\$79.00	51921	9/12/2023
LINCOLN NATIONAL LIFE INS	LIFE INSURANCE	\$395.06	51922	9/12/2023
LINN CO-OP OIL COMPANY	GASOHOL	\$1,669.97	51923	9/12/2023
LINN NEWS-LETTER	PUBLICATIONS	\$341.27	51924	9/12/2023
MEARDON, SUEPPEL & DOWNER	CITY ATTORNEY FEES	\$900.00	51925	9/12/2023
MENARDS - MARION	WASTEWATER PLANT SUPPLIES	\$172.79	51926	9/12/2023
MICROBAC LABORATORIES, INC	WATER TESTING	\$135.75	51927	9/12/2023
MICROSOFT	FIRE MICROSOFT SUBSCRIPTION	\$450.00	1476	8/31/2023
MICROSOFT	FIRE MICROSOFT SUBSCRIPTION	\$450.00		
OVERDRIVE, INC	DIGITAL MEDIA ONLINE CONTENT	\$841.95	51947	9/12/2023
PARADISE LANDSCAPING	CEMETARY LAWN CARE	\$600.00	51928	9/12/2023
PEAK CONSTRUCTION GROUP INC.	FIRE STATION PAY APP #27	\$11,465.08	51929	9/12/2023
PETTY CASH	POSTAGE - PETTY CASH			
PITNEY BOWES GLOBAL FINAN	LIBRARY	\$31.17	51948	9/12/2023
RUDD SANITATION INC	POSTAGE MACHINE RENTAL	\$170.43	51930	9/12/2023
SAMANTHA DONAGHY	SEPT23 GARBAGE SERVICES	\$12,786.75	51931	9/12/2023
STEPHANIE TAKES	WAKEMA RENTAL DEPOSIT REIMB	\$100.00	51932	9/12/2023
TARA'S TIP TOP CLEANING	WAKEMA RENTAL DEPOSIT REIMB	\$100.00	51933	9/12/2023
TAYLOR'S TINS	CITY HALL CLEANING	\$290.00	51934	9/12/2023
TRIONFO SOLUTIONS, LLC	CUSTOM SHIELDS	\$368.00	51935	9/12/2023
SARAH TRITLE	BENEFITIS ADMINTRATOR	\$63.76	1481	9/10/2023
TRUGREEN PROCESSING CENTER	SEWER CELL PHONE REIMB	\$14.97	51936	9/12/2023
	FROSS PARK BALL FIELD	\$399.00	51937	9/12/2023



	STORM WATER QUALITY			
TSCHIGGFRIE EXCAVATING	IMPROVMNTS	\$185,726.29	51938	9/12/2023
UNITED RENTALS	UTV EQUIPMENT RENTAL	\$15.60	51939	9/12/2023
NEC CLOUD COMM. AMERICA	PHONE SYSTEMS	\$268.75	1484	9/1/2023
US CELLULAR	PHONE	\$372.46	51940	9/12/2023
USA BLUEBOOK	WATER CHEMICALS	\$443.96	51941	9/12/2023
USA COMMUNICATIONS	PHONE/INTERNET	\$365.78	51942	9/12/2023
USA COMMUNICATIONS	PHONE/INTERNET	\$8.64	51949	9/12/2023
WATER SOLUTIONS UNLIMITED	WATER CHEMICALS	\$822.82	51943	9/12/2023
WELLMARK INC	HEALTH INS	\$15,041.34	1485	9/1/2023
WELLMARK INC	HEALTH INS	\$15,041.34		
Accounts Payable Total		\$491,532.13		
Invoices: Paid		\$491,082.13		
Invoices: Scheduled		\$450.00		
Payroll Checks		\$18,734.86		
***** REPORT TOTAL *****		\$510,266.99		
GENERAL FUND		\$54,239.71		
PARKS CAPTIAL RESERVE		\$6,750.00		
FIRE CAPITAL RESERVE		\$173,295.00		
ROAD USE TAX FUND		\$5,083.45		
EMPLOYEE BENEFITS FUND		\$7,093.19		
CDBG MUSTANG LN				
APARTMENT		\$4,762.50		
FIRE STATION PROJECT		\$11,465.08		
WATER FUND		\$12,868.36		
SEWER FUND		\$15,709.29		
SEWER FACILITY PROJECT		\$6,524.50		
SEWER FORCED MAIN PROJECT		\$207.50		
SOLID WASTE		\$13,079.62		
STORM WATER CONSTRUCTION		\$199,188.79		
TOTAL FUNDS		\$510,266.99		

**August Treasurer's Report:**

Funds	Expenses	Revenues
General Fund	\$77,986.58	\$7,966.41
Road Use	\$64,763.06	\$28,677.45
Employee Benefits	\$13,928.65	\$0.00
Emergency Fund	\$0.00	\$0.00
LOST	\$0.00	\$43,955.36
TIF	\$0.00	\$0.00
Debt Service	\$0.00	\$0.00
Capital Projects	\$1,958.32	\$1,845.73
Perpetual Care Trust	\$0.00	\$0.00



Water	\$20,495.96	\$81,952.42
Sewer	\$307,274.53	\$128,381.91
Solid Waste	\$14,218.91	\$16,336.50
Storm Water	\$531,846.14	\$5,601.28
<b>Totals</b>	<b>\$1,032,472.15</b>	<b>\$314,717.06</b>
<b>Beginning Balance</b>	<b>\$8,842,617.12</b>	
<b>Outstanding Liabilities</b>	<b>-\$3,993.49</b>	
<b>Ending Balance</b>	<b>\$8,120,868.54</b>	

**Law Enforcement Report:** The Linn County Sheriff's Office reported 84 calls for service between 8/23/2023 and 9/12/2023. The 91 required hours were met. A brief discussion was held regarding locating encampments along the nature trail south of Iowa Street.

**Citizen Comment:**

Resident Roger Moore approached the Council wanting to clarify that there was a misunderstanding about his family and him being accused of stealing diapers from the library food pantry. He stated the diapers were being used by family members.

Residents Josh Fossum, Cameron Erickson, Kenneth Hartney, Mike McSweeney, Mark Randall, Mark Nall, Gary Fike and Carrie Knight all addressed the council about the recent enforcement of the city code of ordinances regarding having a maximum size can of 35-gallons on both trash and recycling.

Topics included:

- 35-Gallon can is not large enough for larger families.
- Unlimited recycling, communication is unclear (unlimited, but there is a size restriction).
- Enforcement has not been done till now; residents resided here for 20+ years have always used a larger can.
- Residents have invested money in cans and now must replace them within an inadequate time frame.
- Damage to garbage cans, with no responsibility.
- 35-gallons is not the industry standard size trash bag, 40-gallons is standard garbage bag size.
- Linn County cities have larger garbage cans than Center Point and there cans are provided by the contractors.
- Communication coming from the City and Rudd is different.
- Lighter cans cannot hold up to the wind and the residents want larger, sturdier cans.
- If recycling is unlimited and weighs less, why can larger cans not be used.

**Public Hearing:** None

**Petitions and Communications:**

Lori, Rudd Sanitation, responded to the questions and frustration of the residents. Lori said it started with neighbors calling in asking why they had to use 35-gallons and others did not. Lori contacted Administrator Taylor, the decision was made to provide a warning on August 24th, the week of August 31 & September 1 they tagged but collected oversized cans, and on the September 7 & 8 route, they tagged but did not collect oversized cans.

Rudd's response:



- Rudd must follow weight limits set by workman's compensation for their employees. This is maxed out with a 35-gallon can, as a 50 gallon can weigh up to 200lbs.
- Recycling is unlimited, you can place out as much as you want, just the can size cannot exceed 35-gallons.
- Rudd tagged 125 garbage cans in Center Point out of 950 homes.
- Rudd does not weigh garbage cans, if the 35-gallon can takes two employees to lift it they will not collect.
- 35-Gallon trash cans are the industry standard, cities such as Cedar Rapids, Hiawatha, and Marion and most all rural Linn County use 35-gallon trash cans.
- The City and Rudd have considered universal cans, it was decided not to proceed as the cans cost around \$100 each and the cost would be passed on to the residents.
- Damaged cans can be reported to Rudd, they will take initiative to correct the situation if Rudd is the reason can was damaged, most cases are cans blowing around or into the streets and getting hit.

Discussion was held with Rudd Sanitation asking for direction from the Council on how to address these issues. Council Member Schnell said that is unfair to make every citizen pay for universal cans, there is some value in allowing us to pick out our own cans, he said he appreciates this little bit of flexibility. Schnell said that he believes the issue is that it was more of a surprise to everyone that the ordinance was now being enforced. Rudd requested the council to consider allowing more time for transition to the 35-gallon cans. A survey was conducted 12 months ago, the survey asked residents that for \$1 additional monthly charge to include another 35 gallon can, the survey was neutral, and council agreed to stay with (1)- 35 gallon can. Council member Engelken said there is a disconnect; the ordinance has never changed; the problem is that the ordinance was never enforced. Council member McLaughlin said that we are going to have to find a way to find peace, Rudd said that if we do go out to vote again, please enforce the 35-gallon can, as this is standard through Linn County, and they will not collect any larger cans. The 35-gallon cans for recycling is the sticking point, since recycling is unlimited. Rudd stated that the problem with the larger containers for recycling is that they are lightweight and will blow everywhere when dumping, also the trucks are split 60/40, 60 percent garbage, 40 percent recycling, so the mouth of the can is larger than the intake of the truck, allowing more recycling to be dumped outside of the truck.

**The council and Rudd Sanitation agreed to allow residents till January 1, 2024, to use their current garbage cans, after January 1, 2024, garbage cans cannot exceed 35-gallons or they will not be collected. City staff will present a survey to the Council at the next meeting to be conducted with our residents regarding trash pickup options.**

Connie Payne, 1308 Main St., was unable to attend the meeting but requested council consideration in a reduction of the sewer bill due to a plumbing issue. Public Works Director Shoop provided council the reason behind the leak which was at no fault of the resident.

M/S Schnell/ Engelken To approve reduction in sewer charges for 1308 Main Street to the average usage. Aye: 4 Nay: 0 Abstention: 0 Absent: 1.

#### **City Department Reports were reviewed.**

Administrator Taylor said the Fross park paver project is almost complete, and the new Mustang Lane was poured last week. City staff, Linn County Sheriff, and Linn County Conservation are working on locating encampments and trespassing along the Cedar Valley Nature Trail. There will be some trespassing charges passed on this week and we will do what we can to help the individuals seek shelter and food.



Clerk/Finance Director Tritle advised council of the upcoming budget amendment, the \$5.2 million dollars is a pass thru of the CDBG grant monies for the Mustang Lane apartment complex, \$86k is for water controls that need to be purchased for the wastewater treatment plant and the water plants to communicate, this will be paid for with fund balance. \$150k is for the Fire Department air packs, this money is already available the packs were expected to be here in FY2023, so they were not listed as an expenditure on FY2024 budget. Clean up days is fast approaching, staff is moving clean up day to the Compost Site, this allows us for more room and shelter from the wind. Clean up days will be held Friday, September 29<sup>th</sup> from 8 am till 4:30 pm and Saturday, September 30 from 8 am till noon.

Parks Director Anderson said that he is working on getting finalized quotes for ballpark lights, he has made this a goal to get at least one field lit by next year. He has received mostly positive feedback on the dog park, he is currently working with CPU Industrial class to build activity sets for the dog park.

Public Works Director Shoop said that they are currently draining the lagoons at the north treatment plant, and they hope to drain the other one soon, this is all in conjunction with the new wastewater treatment plant.

Chief Felton said this Saturday is a move in day for our Fire Department!! They will meet at the old station at 8:30 am to collect their belongings and head to the new station. They have a small crew so they're not sure if the department will be carrying their gear or putting it in a truck, but there will be a procession.

**New Business:**

M/S McLaughlin/Mann To approve Resolution 2023-107. A resolution to set the public hearing for the FY24 Budget Amendment #1 for the 26<sup>th</sup> day of September 2023 at 6:00 pm.

Roll Call:

Aye: Schnell, McLaughlin, Engelken, Mann

Nay: None

Abstention: None

Absent: Stuelke

Public Works Director said that we are looking at raising rates since they are so outdated and not worth the public works time, he said that they are going to keep the hook up fee the same, and are going to insert a deposit of \$1,500, and the bulk water rate of \$50 per 1,000 gallons or any part thereof.

M/S Schnell/McLaughlin To approve Resolution 2023-108. A resolution to approve changes to the Utility Policy- Bulk Water.

Roll Call:

Aye: Schnell, Engelken, Mann, McLaughlin

Nay: None

Abstention: None

Absent: Stuelke

M/S Mann/McLaughlin To approve Resolution 2023-109. A resolution to set Public Hearing for the disposal of city property, steel building located at 1025 Franklin Street for the 26<sup>th</sup> day of September, 2024 at 6:00 pm.

Roll Call:

Aye: McLaughlin, Engelken, Mann, Schnell



Nay: None  
Abstention: None  
Absent: Stuelke

Schnell asked if the mower needs to be replaced since the pricing has increased and its spending taxpayers' dollars. Shoop said they get used pretty hard and, therefore it takes about 2 years to get 1,000 hours on, this particular mower is 4 years old.

M/S Mann/McLaughlin To approve Resolution 2023-110. A resolution to approve budgeted mower purchase for the Public Works Department.

Roll Call:

Aye: Engelken, Mann, Schnell, McLaughlin  
Nay: None  
Abstention: None  
Absent: Stuelke

M/S Mann/McLaughlin To approve Resolution 2023-111. A resolution to approve Fire Station change order #10 in the amount of \$2,795.65 for damaged concrete replacement.

Roll Call:

Aye: Schnell, McLaughlin, Engelken, Mann  
Nay: None  
Abstention: None  
Absent: Stuelke

M/S Mann/McLaughlin To approve Resolution 2023-112. A resolution to approve pay application #27 for the Fire Station in the amount of \$11,465.08.

Roll Call:

Aye: Schnell, Engelken, Mann, McLaughlin  
Nay: None  
Abstention: None  
Absent: Stuelke

M/S Mann/McLaughlin To approve Resolution 2023-113. A resolution to approve warranty deed execution for property pertaining to CP Assisted Living/Mustang Lane 2<sup>nd</sup> Addition.

Roll Call:

Aye: Engelken, Mann, Schnell, McLaughlin  
Nay: None  
Abstention: None  
Absent: Stuelke

M/S Mann/Schnell To approve Resolution 2023-114. A resolution to approve the sale of city property, lift station generator.

Roll Call:

Aye: McLaughlin, Engelken, Mann, Schnell  
Nay: None  
Abstention: None  
Absent: Stuelke



Discussion/Possible Action on the sale of Black Dirt. Public Works Director Shoop said that Council made a previous decision not to sell the black dirt. The current price of dirt can go as high as \$800 per tandem, and with the Mustang Lane wetland project he said that we have an extra 10k sq feet of black dirt. The council agreed to set up something and present to them for selling the dirt.

**Old Business:**

M/S Engelken/Schnell To approve 3<sup>rd</sup> Reading and Final Reading of Ordinance #509 Floodplain Management.

Roll Call:

Aye: Schnell, McLaughlin, Engelken, Mann

Nay: None

Abstention: None

Absent: Stuelke

M/S Engelken/Schnell To approve 2<sup>nd</sup> Reading of Ordinance #510 Sidewalks.

Roll Call:

Aye: Schnell, Engelken, Mann, McLaughlin

Nay: None

Abstention: None

Absent: Stuelke

**Citizen Comment:** Gary Fike, Central Ave., said that when they tore out the trees the truck kicked up the tar on the chip and sealing, Shoop said he is aware of this, and they are going to fix it. Fike then asked about street sweeper, we sold ours but contracted it out and they will sweep most likely after leaf pick up this year.

Mark Randall asked about the elderly community members regarding voting on social media for the new trash options, he recommended putting something in the newsletter and having residents put ballot in drop boxes.

Residents then asked if we could continue the Lewis Access Street lights more down the road in front of Casey's, this project is already budgeted for and hopefully will be done this fiscal year.

Cameron Erikson requested the council to review the 40% land usage rule in the zoning code, he said that his property is at capacity, but he wants to concrete his driveway. Council member Engelken said that he should go appeal through the Board of Adjustments, Erikson stated that he does not feel that he should pay \$200 to go to the Board of Adjustments, he believed the ordinance needs to be amended.

**Council Comment:** Council Member Mann said there was a siren committee meeting on the 28<sup>th</sup>, the emergency operating center which is currently on the Kirkwood campus will be moving out to Hwy 13. He said that the cost of the sirens is increasing and neither of Center Points two sirens are owned by the city and neither are within the city limits. There is some concern about replacement of the sirens, he said that they are about \$80,000 just for the siren, this does not include technical and electrical work. The city should consider saving up for replacement of the sirens.

**Mayor's Report:** None

M/S McLaughlin/Schnell To Adjourn the meeting at 7:30 pm. Aye: 4 Nay: 0 Abstention: 0 Absent: 1

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Sarah Tritle, City Clerk/Finance Director

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Patric Engelken, Council Member