

The Palo City Council met in open session Monday, May 15th, 2023, at the Palo Community Center in the Council Chambers. Mayor Van Kerckhove led those present in the pledge of allegiance then called the meeting to order at 6:30 PM. Councilmembers present: Angie Brekke, Jen Welton, Kendra Klooster. Andrea Rahe was on the phone. Pete Hagstrom was absent. Others Present: Lenna Goodale, City Clerk; Clark Robertson, Public Works; Dan Morgan, City Attorney; Chris Philipp, Building Official; Michelle Cheever, City Engineer. Motioned by Welton, seconded by Klooster to approve the agenda. 4 Yeas, 0 Nay. Motion carried (4-0). Brekke confirmed with Goodale on account payable that Cedar River Plaza was for TIF rebate. Goodale stated yes. She also asked if the city is stocked with meters. Robertson stated the city has meters, no smart points. No time frame as when city will receive. Brekke motioned to approve the consent agenda. Welton second. 4 Yeas, 0 Nay. Motion carried (4-0).

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ABC DISPOSAL SYSTEMS, INC	WASTE	20,806.05
ALLIANT ENERGY	GAS & ELECTRIC	4,738.77
ALLISON GROFF	TRAINING MEETING TRAVEL	160.00
ALTORFER INC	CITY HALL GENERATOR	4,819.67
ANDERSON-BOGERT BRECKE INC.	ENGINEERING HOSE BIB	12,713.00 264.09
BRYAN MATSON	BARRICADE	28.08
CEDAR RAPIDS MUN. UTIL.	SEWER USAGE	17,477.49
CEDAR RIVER PLAZA CINTAS CORPORATION	TIF REBATE CITY HALL COMM CENTER	26,589.95 687.89
CYNTHIA STIMSON	MENTOR	85.19
DELTA DENTAL OF IOWA	DENTAL INSURANCE	204.90
DOORS INC	KEYS	282.48
EFTPS	FED/FICA TAX	3,052.47
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FIRE SERVICE TRAINING BUREAU	FD TRAINING	575.00
FUTURE LINE TRUCK EQUIPMENT	SANDER	403.72
GAZETTE COMMUNICATIONS, HUNTER LEAVEN	LEGAL PUBLICATION PER DIEM TRAINING	328.68 176.00
INTERSTATE BILLING SERVICE, IN	STREET SWEEPER	434.63
SIMMERING-CORY	ORDINANCE UPDATE	1,500.00
IOWA DEPARTMENT OF REVENUE	SALES TAX	199.14
IOWA DEPARTMENT OF REVENUE	WET TAX	1,482.93
IOWA ONE CALL	LOCATES	22.50
IPERS	IPERS	3,695.18
IPERS	IPERS ADJUSTMENT	(0.03)
ITS	TECHNOLOGY	544.00
JENNIFER SHAMBAUGH	PERMIT REFUND	40.00
JOSHUA DESPARD	MILEAGES/PER DIEM	798.90
KENWOOD RECORDS MGT INC.	RECYCLE BIN	15.90
MICROBAC LABORATORIES	TESTING	102.00
KOCH OFFICE GROUP INC.	COPIER	201.23
L.L. PELLING CO., INC.	PREMIX	108.30

LENNA GOODALE	MILEAGE-TRAINING	392.66
LINN COUNTY REC	STREET LIGHTS	261.46
LINN COUNTY SHERIFF'S	CONTRACT FOR SERVICES	10,164.96
LINOH2O LLC	CHORLRINE ANALYZER	7,565.00
LRS PORTABLES OF IOWA	MEMORIAL PARK	351.21
LYNCH DALLAS PC	LEGAL FEES	4,793.40
MENARDS SOUTH INC.	BARRICADS	382.78
MIKE LEAVEN	PER DIEM TRAINING	176.00
MILES WYATT	FD MILEAGE-TRAINING	489.56
MUNICIPAL SUPPLY, INC.	METERS	9,075.28
MUNSON ELECTRIC INC	SURGE PROTECTOR	2,500.00
NCL OF WISCONSIN INC	TESTING	320.29
PALO COMMUNICATIONS	PHONE/FAX/INTERNET	609.25
PLUNKETT'S PEST CONTROL INC.	FIRE DEPARTMENT ANNUAL	1,088.43
RELIANCE STANDARD	LIFE INSURANCE	79.80
SSC OF IOWA	FIRE DEPARTMENT	7,800.00
SPRAY-LAND USA	SPRAYER	131.70
IOWA FINANCE AUTHORITY	SEWER LOAN	127,098.75
STAR EQUIPMENT LTD	TREES	107.00
STATE CHEMICAL SOLUTIONS	CHEMICAL	1,599.99
STOREY KENWORTHY	UTILITY BILLS	1,219.26
STORM STEEL	STRAYER	84.04
TOP TIER ARBOR CARE	TREE REMOVAL	1,200.00
UHS PREMIUM BILLING	HEALTH INSURANCE	2,732.81
UMB BANK	GO BOND	151,882.50
UMB BANK	GO BOND	66,757.50
UMB BANK	GO BOND 2019A	29,920.00
UMB BANK	GO BOND 2019B	33,210.00
US BANK	SUPPLES	1,710.03
US CELLULAR	CELL PHONE	356.11
US POSTAL	POSTAGE	339.00
USA BLUEBOOK	SUPPLIES	328.24
WEX BANK	FIRE DEPT FUEL	549.36
Accounts Payable Total		567,814.48
Total Paid On: 4/28/23		10,137.03
Total Paid On: 5/12/23		9,053.28
Total Payroll Paid		19,190.31
***** REPORT TOTAL *****		587,004.79
GENERAL		74,164.26
ROAD USE		10,387.07

EMPLOYEE BENEFITS	2,095.15
DEBT SERVICE	308,359.95
ARPA	7,565.00
WATER	23,915.05
SEWER	160,518.31
TOTAL FUNDS	587,004.79

April 2023

General Fund	251,969.18
Road Use	15,761.39
Employee Benefits	14,181.47
L.O.S.T	10,833.07
TIF	99,212.30
Debt Service	120,420.80
ARPA	14,545.25
Water Fund	29,808.15
Sewer Fund	43,748.92
Total Revenue:	600,480.53

General Fund	50,226.06
Road Use Fund	12,345.87
Employee Benefits	4,298.31
Water Fund	34,827.61
Sewer Fund	26,700.82
Total Expenses:	128,398.67

Deputy Peces from Linn County Sheriff gave report. 87 required hours were met. 32 calls were received. No discussion had.

Mayor Van Kerckhove opened the agenda related audience comments at 6:33 pm. A resident at 201 Vinton St. addressed the community center fees on the agenda. Mayor closed comments at 6:34 pm.

Goodale gave the clerk's report. 40 penalties, 15 courtesy calls, 1 shut off. Had a meeting with Linn County Planning & Development to discuss Linn County doing city's permits/inspections. 98 Dale Lee Dr. outside nuisance has been completed. The city received a \$250 grant that was submitted for playground mats. Two food truck permits have been issued. The infrastructure meeting will be 5/26/23. We have two seats open for P&Z. Klooster asked Goodale how the calendar looks for community center events for this summer. Goodale stated that basketball rentals, weddings, baby showers, and birthday parties are on the calendar.

Robertson gave the maintenance report. Started mowing, sprayed weeds, patched Blairs Ferry Rd. and sweeping roads. Will be cutting down two trees that are in the ROW in the next couple of weeks. Started on walking trail. The ball fields were lazered and leveled. Will be finishing flushing for fire hydrants. Trees have been planted by well 2 from a grant the city received. The volleyball nets are up, had two-meter checks, trimmed trees. Will be meeting with LL Pelling for seal coat. The lawn mowers clutch went out and was fixed the same day which was under warranty. Brekke addressed the smart points. Robertson confirmed with Brekke smart points are on back order and will be installed once they come in. Robertson will call residents to make appointments. Philipp stated the inspection of meters will continue and that he is telling residents the smart point could take a couple of months. Meters will start reading usage once installed but will not be billed until smart point is installed therefore, could have a couple of months of usage on their bill.

Andrew Lutter gave the fire department report. 14 calls; 8 medical, 3 mutual aid, 2 false alarms and 1 brush fire. The Iowa Fire Service Training Bureau supplied a burn trailer. The department will be using the trailer for live training tomorrow night. The fire department will be sending out communications either tonight or tomorrow. When the communication is ready, they would like the city to share the information because of the smoke.

Mayor Van Kerckhove didn't have anything new to add to the mayor's report.

Dean Brehm gave Duane Arnold Solar I & II update report. Overview status, building electrical permits have been received. Storm water pollution prevention elements are installed. Inspections will be ongoing. Lay down yard activities have started. Office trailers have been delivered onsite. Upcoming activities: seeding vegetation management plan is being procured and brought to the site for storage. Seeding across the site has started. Continuing of the array grading. Should have permanent power connections to the office trailers end of May. Access driveway for the design will be under construction. The remote crossing construction has started and will wrap up shortly. The completion of the substation pad will be completed shortly. Brehm added he will be sending an invitation to council members for a site tour on Friday May 26th at 2:00 pm.

Jeremy Drees at 4542 Dry Creek Ln submitted an agenda request pertaining to his culverts and drainage issues. Philipp informed the council that the culverts are on the city's property line that is creating erosion. Drees stated the water sits and doesn't drain for the last 13 years. Cheever suggested looking at the development plan that was designed before the city starts digging. Cheever will contact Matt Shock, the developer engineer. More discussion was held. Motioned by Welton, seconded by Klooster to move forward analyzing the culverts in the Dry Creek Estates. Welton second. 4 Yeas, 0 Nay. Motion carried (4-0).

Mayor Van Kerckhove opens the public hearing at 6:51 pm. No discussion had. Closed public hearing at 6:52 pm. Motioned by Brekke, seconded by Welton to approve **RESOLUTION 051523A, FOR THE ANNEXATION AGREEMENT & SEWER SERVICE WITH CEDAR RAPIDS**. 4 Yeas, 0 Nay. Motion carried (4-0).

Goodale explains the processes of applying for permits with Linn County starting June 1, 2023. Permits will start with Linn County, they will send Zoning information for Philipp to approve, once the city's fees have been paid, Linn County start the permit process through them. Motioned by Welton, seconded by Brekke to approve **Resolution 051523B 28E Agreement Linn County Planning & Development Building Inspections**. 4 Yeas, 0 Nay. Motion carried (4-0).

Some discussion had regarding **Ordinance No 54-2023 An Ordinance Repealing and Replacing Chapter 155 "Building Regulations and Repealing Chapter 156 "Electrical Regulations", Chapter 157 "Mechanical Regulations", Chapter 158 "Plumbing Regulation" and Chapter 159 "Fire Regulations" of the Code of Ordinances of the City of Palo, Iowa**. Brekke motion to approve the first reading of Ordinance 54-2023. Welton seconded. 4 Yeas, 0 Nay. Motion carried (4-0). Brekke motion to suspend the rules requiring Ordinance No. 54-2023 two readings prior to final approval. Klooster second. 3 Yeas, 1 Nay. Motion carried (3-1) Rahe Nay. Brekke motion to approve the final passage and adoption with respect to **Ordinance No. 54-2023 AN ORDINANCE REPEALING AND REPLACING CHAPTER 155 "BULIDLING REGULATIONS" AND REPEALING CHAPTER 156 "ELECTRICAL REGULATIONS", CHAPTER 157 "MECHANICAL REGULATIONS", CHAPTER 158 "PLUMBING REGULATION" AND CHAPTER 159 "FIRE REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF PALO, IOWA**. Klooster second. Roll call. Motion carried (3-1) Rahe Nay.

Discussion had on Philipps roll as inspector going forward. Motioned by Welton, seconded by Brekke to approve **Resolution 051523C 28E Agreement Linn County Planning & Development Rental Inspections**. 4 Yeas, 0 Nay. Motion carried (4-0).

Discussion had on Ordinance No. 55-2023 AN ORDINANCE REPEALING AND REPLACING CHAPTER 147 "RENTAL HOUSING REGULATIONS". Goodale explained that the process will not change. Landlords will still need to register their rental property annually. The change is Linn County will be doing all the rental properties inspections and renewal will be every two years instead of five years. Linn County will send reminder letters to residents. Brekke motion to approve the first reading of Ordinance No 55-2023 An Ordinance Repealing and Replacing Chapter 147 "Rental Housing Regulations" of the code of Ordinances of the City of Palo, Iowa. Welton second. 4 Yeas, 0 Nay. Motion carried (4-0). Brekke motion to suspend the rules requiring Ordinance No. 55-2023 two readings prior to final approval. Welton second. 3 Yeas, 1 Nay. Motion carried (3-1) Rahe Nay. Brekke motion to approve the final passage and adoption with respect to **Ordinance No. 55-2023 AN ORDINANCE REPEALING AND REPLACING CHAPTER 147 "RENTAL HOUSING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF PALO, IOWA**. Welton second. Roll call. Motion carried (3-1) Rahe Nay.

Discussion had on Property maintenance Ordinance. Goodale explained under Property Maintenance Ordinance, this allows Linn County to inspect any buildings that the city has requested. This does not pertain to nuisance property, only buildings. Klooster asked how many rental properties the city has. Goodale said 22. Welton motion to approve the first reading of **Ordinance No 56-2023 An Ordinance Adopting New Chapter 156 "Property Maintenance" to the code of Ordinance of the City of Palo, Iowa**. Brekke second. 4 Yeas, 0 Nay. Motion carried (4-0). Welton motion to suspend the rules requiring Ordinance No. 56-2023 two readings prior to final approval. Brekke second. 2 Yeas, 2 Nay. Motion died for lack of majority vote (2-2) Klooster and Rahe were both Nay.

Motioned by Klooster, seconded by Brekke to approve **RESOLUTION 051523D, Setting Public Hearing for Zoning District Changes and Official Zoning Map on June 19, 2023, at 6:30 pm at City Hall**. 4 Yeas, 0 Nay. Motion carried (4-0).

Discussion had. Motioned by Brekke, seconded by Welton to approve **Resolution 051523E A Resolution approving the joint agreement between the City of Center Point, Iowa and the City of Palo, Iowa** regarding use of the Urban Renewal Tax Revenue Fund.

4 Yeas, 0 Nay. Motion carried (4-0).

Motioned by Klooster, seconded by Welton to approve the Zoning & Site Application with additional fees.

Motioned by Brekke, seconded by Welton to approve EP Electric Pump quote for \$9,015.

3 Yeas, 1 Nay. Motion carried (3-1). Klooster Nay.

Discussion had. Brekke would like to postpone Catalis-GovOffice Renewal Website until the next council meeting. She requested Goodale to send council other cities that is using Catalis-GovOffice. Welton second. 4 Yeas, 0 Nay. Motion carried (4-0).

Morgan asks Mayor to have the floor. Morgan wanted to clarify the **Ordinance No 54-2023 An Ordinance Repealing and Replacing Chapter 155 “Building Regulations “and Repealing Chapter 156 “Electrical Regulations”, Chapter 157 “Mechanical Regulations”, Chapter 158 “Plumbing Regulation” and Chapter 159 “Fire Regulations” and Ordinance No. 55-2023 AN ORDINANCE REPEALING AND REPLACING CHAPTER 147 “RENTAL HOUSING REGULATIONS”** that due to the absent of councilmember Hagstrom. We lack the sufficient $\frac{3}{4}$ vote. With Rahe nay to waive the readings. The first reading has passed, however future readings of those ordinances will have to go to the second and third readings.

Motioned by Welton, seconded by Klooster to approve the fire department concrete pad for \$7,800 with SCC of Iowa. 4 Yeas, 0 Nay. Motion carried (4-0).

Discussion had on how smartcovers work. Robertson explained there is a float on the bottom of the sewer line. Then it goes on the manhole cover and hangs down. It calculates normal flow and I&I so then you’re able to pinpoint your I&I and the locations. It also tracks the weather. Motioned by Brekke, seconded by Klooster to approve the SmartCover System Renewal for \$2914.00. 4 Yeas, 0 Nay. Motion carried (4-0).

Brekke would like to postpone the Iowa Codification Online Ordinance to see other cities’ website for next month’s council meeting. Klooster second. 4 Yeas, 0 Nay. Motion carried (4-0).

Discussion had regarding adding a second yardie. Goodale will contact ABC Disposal to get more information for next month’s meeting. Motioned by Welton, seconded by Brekke to postpone ABC yard waste until next month. 4 Yeas, 0 Nay. Motion carried (4-0).

Agenda Request – Walking Trail in Dry Creek. Dan Williams and Bronson Taylor addressed the council with concerns regarding the walking trail in Dry Creek Estates. The council had in-depth discussions regarding the drainage easement. Cheever talked about the design process. Stated that she gave recommendations a couple of years ago to the homeowner on what they could do. She also said that maybe part of the trail system could install some wick drains or some rock then the water would sit in the rock and would not have weeds growing up. It would still serve the same purpose to detain the water. There are some options but without surveying the information, she can’t give a design recommendation at this time. Discussion was held regarding the trail and where it should end. Philipp stated that the city should not touch the drainage easements. City staff and city engineer will discuss more in depth and will get back to both homeowners.

Discussion had regarding general comments from last month’s meeting. The \$80 fee for renting the Community Center kitchen for a group that has been advocating against NextEra Energy. Mr. Mason would like the city to refund Ms. Myres, though Ms. Myres has not asked for the refund. The group was working under WLCG since the project affected Palo directly. The city doesn’t charge WLCG for rentals. Once Palo was not effective WLCG stopped hosting the meetings. Which is why the group was charged. Morgan stated the city has a 28E Agreement with WLCG. More discussion was held. Motioned by Welton, seconded by Klooster. 3 Yeas, 1 Nay. Motion carried (3-1). Brekke Nay.

Mayor Van Kerckhove informed council that the Water tower will need maintenance this year, but the good news is after the inspection the DNR said that we do not have to take the water tower out of service. The report shows the inspection summary.

Mayor Van Kerckhove informed the council on the Palo Housing Rehabilitation Progress Report. Five in construction and three in preconstruction meeting.

Mayor opens general audience comments at 8:33 pm. A resident at 201 Vinton St. addressed council on a list of items. He asked about mowing parks, concrete at the boat ramp, air in his water system, mowing by the maintenance shed, banners, photo books. Goodale addressed resident on his accusations against city staff regarding his photo books. Morgan informed the resident to contact Linn County Sheriff to make a report and they will investigate his claim. More discussion. Mayor informed resident that his time is up.

Non-Palo resident at 6547 Benton Linn Rd. He questions the council on the protocol to be added on the agenda regarding the agenda request must be turned in 7 days prior to the meeting. He also addressed the council on the audit report for June 30, 2019. He read the audit report to the council. He also requested an open records request regarding the fire department. Mayor closed comments at 8:46 pm.

No new business or old business.

Motioned by Welton, seconded by Klooster to adjourn at 8:47 pm. Respectfully submitted by Lenna Goodale, City Clerk.