

**REGULAR CALLED CITY COUNCIL MEETING**  
**Tuesday, May 2, 2023 – 5:00 P.M.**  
**Council Chambers – Denison, Iowa**

The regular council meeting of the City of Denison, Iowa, was held pursuant to law on the above date and hour. Mayor Soseman called the meeting to order with the following members present: Granzen, Logan, and Miller. Absent: Curnyn and Garcia

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| PLEDGE OF ALLEGIANCE                                       | Mayor Soseman led the pledge of allegiance.   |
| PUBLIC HEARING –<br>FRANCHISE ORDINANCE<br>FOR BLACK HILLS | <p>5:00 p.m. Public Hearing was held on the proposed amendment to the Code of Ordinances of the City of Denison, Iowa, to extend the term of the franchise ordinance for Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy for natural gas sold in Denison, Iowa. Flaherty stated there were no written objections. Joe Lally, stated that Black Hills is a retailer and not a provider. He is not happy that Black Hills costs are passed on to the consumers. He believes the company is lagging in customers service and cost controls. He is also not happy about the polar vortex charges. Soseman declared the hearing closed.</p> <p style="text-align: right;">Motion by Logan, seconded by Miller, to approve the agenda.<br/>Motion carried unanimously.</p>   |
| CONSENT AGENDA<br>APPROVED                                 | Motion by Miller, seconded by Logan, to approve the following items on the consent agenda: a) approve and waive the reading of the minutes for 03/28/2023 Special Council meeting, 04/18/2023 Second Regular Council meeting, and 04/18/2023 Planning Session; b) approve the bills as presented; c) approve cash & activity report; d) approve liquor licenses for: Beer Thirty Denison, One Stop Shop, Oasis Night Club; e) motion to re-appoint Corey Curnyn to the Crawford County Area Solid Waste Agency Commission; f) approve a bi-weekly wage of \$2,268.97 for Aarick Clausen as a Certified Police Officer effective 04/22/2023; g) approve the hire and hourly wage of \$28.36 for Nathan Christensen as a Part-Time Police Officer effective 04/26/2023; and h) approve the hire and hourly wage of \$28.36 for Jacob Musfeldt as a Part-Time Police Officer effective 04/26/2023. Motion carried unanimously. |
| NO CITIZEN INPUT   | There was no citizen input.   |
| PARKS AND REC REPORT                                       | Kempfert, Parks and Recreation Director, stated he is collecting items for the silent auction for trivia night.   |
| LIBRARY REPORT   | Walley, Library Director, stated the board is seeking restitution for the broken windows.   |
| PD REPORT  | M. Flaherty, Co-Interim Police Chief, reported the department is taking applications, setting up electronic warrants, and working on equipment upgrades. The Officers have been working on public   |

PD REPORT (CONT'D)	outreach including distributing stickers and door check cards, and attending school events.
PUBLIC WORKS REPORT	Martens, Public Works Director, stated the nitrogen dryer was installed at Boulders, but is unusable until the soffit leaks are fixed. Quotes are currently being obtained. He is working with Denison Municipal Utilities (DMU) regarding the transformer powering the pool. The transformer is unique and the cost to keep one in stock would be expensive for DMU.
DURAPATCHER	<p>Granzen inquired when the durapatcher will be returned and if the Department can split shifts so it could be running longer during the day to maximize the street repairs.</p> <p>Garcia arrived at 5:11 p.m.</p>
FIRE DEPARTMENT REPORT	Snowgren, Fire Chief, stated the Fire Station is currently being tuckpointed.
NAT'L FORSTER CARE MONTH PROCLAMATION	Soseman read and signed the National Foster Care Month Proclamation.
DENISON FFA IOWA DEGREE PROCLAMATION	Soseman read and signed the Denison FFA Iowa Degree Proclamation.
ENGINEER'S UPDATE	Terry Crawford gave the engineering update. He stated that two bids were received for the Safe Routes to School Trail: Howrey Construction, Inc, \$647,914.50; and Ten Point Construction Company, Inc, \$429,516.96. Ten Point Construction Company was the low bid, which was approximately \$61,400 under the engineers' estimate. Crawford stated that all requirements have been met but he has not received the IDOT contract.
RESOLUTION #2023-31 AWARD OF CONTRACT FOR THE WEISS FAMILY SAFE ROUTES TO SCHOOL TRAIL	Resolution #2023-31 was introduced Making Award of Contract for the Weiss Family Safe Routes to Schools Trail. Motion by Garcia, seconded by Logan, to approve Resolution #2023-31 contingent on receiving the IDOT paperwork. Motion carried unanimously.
GARY HOGAN, SR BLACK HILLS OPS MGR	Gary Hogan, Sr. Black Hills Operations Manager for Western Iowa, stated the polar vortex charge was eliminated in March. He discussed Black Hills emergency response protocols and procedures. Granzen is concerned with response time during an emergency. Hogan stated that life safety is always first and property is second. Black Hills must have qualified employees respond to calls. Four employees in the area are qualified, and the local supervisor has the authority to shut off.

ORDINANCE #1557  
ESTABLISHES A  
FRANCHISE FEE FOR  
BLACK HILLS ENERGY

Ordinance #1557 was introduced to Establish a Franchise Fee for Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy for natural gas sold in Denison, Iowa. Motion by Garcia, seconded by Logan, to adopt Ordinance #1557. Motion carried unanimously.

TABLED ORDINANCE  
REPEALING ORDINANCE  
1338

Motion by Garcia, seconded by Miller, to table Ordinance Repealing Ordinance 1338 (2008) and Granting Black Hills/Iowa Gas Utility Company LLC d/b/a Black Hills Energy, a Delaware Corporation, its lessees, successors and assigns, a natural gas franchise and the authority to construct, operate, maintain, and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys, and other public places within the present or future corporate limits of the City of Denison, Iowa. Motion carried unanimously.

APPROVED QUOTE FROM  
AXON ENTERPRISE FOR  
PD BODY CAMERAS

Motion by Garcia, seconded by Miller, to approve the quote from Axon Enterprise, Inc, for body cameras, for the Police Department, in the amount of \$65,008.98, to be paid over a 5-year period. Motion carried unanimously.

RACOM PROPOSAL  
APPROVED FOR UNIT 5  
UPFIT

Motion by Granzen, seconded by Miller, to approve the proposal from Racom for Unit 5 Upfit in the amount of \$9,979.88. Motion carried unanimously.

NO AGREEMENT ON THE  
CHILDREN'S  
IMAGINATION STATION'S  
ARPA FUNDING REQUEST

Discussion was held on the Children's Imagination Station's ARPA funding request. Miller presented to the County and asked if they would split the \$25,000 request between the County, School, and City. The County denied the request. Garcia stated she is disappointed that an agreement could not be made. Council would like to use the remaining ARPA funds on street repairs and safety town.

RESOLUTION #2023-32  
WORKFORSE HOUSING  
TAX INCENTIVE FOR  
HEALTHY EFFICIENT  
HOMES

Resolution #2023-32 was introduced in Support of a Workforce Housing Tax Incentive Application to be Submitted to the Iowa Economic Development Authority (IDEA) by Healthy Efficient Homes, LLC. Motion by Garcia, seconded by Miller, to approve Resolution #2023-32. Motion carried unanimously.

CITY LOGO AND COLOR

Discussion was held on the City logo and color.

Curnyn arrived at 5:50 p.m.

Discussion continued on the City logo and color. Garcia recommends one logo for all departments. Blakely explained that the proposed logo was intended for the Uptown Improvement Committee. There is a guide to follow if the City is interested in using the logo. Council stated that if departments are interested in changing the logo, they should bring back their request to Council for consideration.

APPROVED BLUESPACE  
CREATIVE ESTIMATE OF  
BANNERS

Motion by Logan, seconded by Garcia, to approve the estimate from bluespace creative, inc, in the amount of \$7,201.00 for banners for the Uptown Improvement Committee. Motion carried unanimously.

NORTH MAIN STREET  
OVERLAY

Discussion was held on a possible overlay on North Main Street from 2<sup>nd</sup> Avenue North to 4<sup>th</sup> Avenue North. Martens stated the proposed project is a temporary fix and will include milling two inches, an overlay, and curb replacement as needed. Martens stated that the project is estimated at \$60,000 but the price could change. Motion by Garcia, seconded by Miller, to receive bids for the Main Street-2<sup>nd</sup> Avenue North to 4<sup>th</sup> Avenue North project. Motion carried unanimously.

RESOLUTION #2023-33  
MEMBERS OF THE  
SAFETY GROUP WEST  
CENTRAL AGREEMENT

Resolution #2023-33 was introduced Agreeing to Become a Member of the Safety Group West Central Agreement for the City of Denison, Iowa. Motion by Garcia, seconded by Logan, to approve Resolution #2023-33. Motion carried unanimously.

MAYOR TO SIGN  
ADDITIONAL PARTIES  
MEMBERSHIP  
ADDENDUM TO CH 28E

Motion by Garcia, seconded by Logan, for the Mayor to sign the Additional Parties Membership Addendum to Chapter 28E Joint Intergovernmental Action Agreement Providing for Safety Group West Central. Motion carried unanimously.

RESOLUTION #2023-34  
IT USE POLICY

Resolution #2023-34 was introduced Approving the Information Technology Use Policy. Motion by Logan, seconded by Curnyn, to approve Resolution #2023-34. Motion carried unanimously.

ORDINANCE #1558  
AMENDMENT TO  
SECTION 105.17 FEES AND  
CHARGES

Ordinance #1558 was introduced Amending Section 105.17-Solid Waste Control and Recycling-Fees and Charges. Motion by Granzen, seconded by Miller, to adopt Ordinance #1558. Motion carried unanimously.

ANIMAL PROTECTION  
AND CONTROL PLUS  
DANGEROUS ANIMAL  
ORDINANCE WILL STAY  
AS IS

Discussion was held on the Animal Protection and Control plus Dangerous Animal Ordinance. Ellis, Code Enforcement Officer, recommends not changing the ordinance. M. Flaherty, stated the Police Department does not have the staffing to enforce the proposed ordinance. Motion by Miller, seconded by Logan, to leave the ordinance as is. Motion carried unanimously.

TABLED ORDINANCE  
AMENDING FEE  
SCHEDULE

Motion by Miller, seconded by Curnyn, to table the Ordinance Amending Fee Schedule. Motion carried unanimously.

MAYOR'S REPORT

Soseman reported that she needs Council members for the Police Chief task force. Garcia and Logan volunteered. She attended a Community Visioning meeting and sidewalks and trails were discussed. She was like Council to pursue the TAC grant application through Region XII for a sidewalk from 20<sup>th</sup> Street to the East End Apartments. She also attended a flood control meeting, Library Board meeting, Hometown Housing meeting, and the Welcoming America Conference in San Jose, California. She will be meeting

MAYOR'S REPORT (CONT'D)	with the Library to review their landscaping needs and DMU regarding the transformers in the bio-retention cells at the 14 <sup>th</sup> Street parking lot. Soseman reminded citizens of the upcoming City-wide cleanup.
FRANCHISE FEE SPREADSHEET	Hanson stated the franchise fee spreadsheet is ready and is only missing the County's addresses. He has completed the transition letter and must finish filing documents.
ENTER CLOSED SESSION	Motion by Miller, seconded Logan, to enter closed session at 6:35 p.m. per IA code 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property and to invite Ron Boysen into the closed session.
EXIT CLOSED SESSION	Motion by Curnyn, seconded by Miller, to exit closed session at 6:53 p.m., with no action taken. Motion carried unanimously.
ENTER CLOSED SESSION	Motion by Garcia, seconded by Logan, to enter closed session at 6:56 p.m. per IA Code 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Motion carried unanimously.
EXIT CLOSED SESSION	Moton by Miller, seconded by Logan, to exit closed session at 7:10 p.m., with no action taken. Motion carried unanimously.

There being no other business, the meeting adjourned at 7:10 p.m.

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Pamela Soseman, Mayor

ATTEST:

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Jodie Flaherty, City Clerk