



Tentative Agenda

ROBINS CITY COUNCIL
TUESDAY, NOVEMBER 21ST, 2023
5:30 P.M. @ ROBINS CITY HALL

(ONE OR MORE MEMBERS OF THE COUNCIL MAY BE ATTENDING VIA ELECTRONIC DEVICE)

AGENDA:

1. Call the Meeting to Order
2. Pledge Allegiance to the Flag.
3. Roll Call
4. Approval of the Agenda
5. Consent Agenda:
 - a. Approval of the November 6th, 2023 Meeting Minutes.
 - b. Approval of Bill Submitted
6. NEW BUSINESS
 - a. Resolution No. 2311-3, Approving a Contract for Legal Services.
 - b. Resolution No. 2311-2 Finally Adopting the Proposed Plan for the Robins Urban Revitalization Area.
7. OLD BUSINESS
 - a. First Reading Ordinance No. 2303, Designating an Area of Robins, Iowa as the Robins Urban Revitalization Area.
8. MOTION TO ADJOURN

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ROBINS CITY COUNCIL MINUTES OF THE NOVEMBER 6th, 2023

Mayor Hinz called the meeting to order at 7:00 p.m. in the Robins City Hall on Monday, November 6th, 2023. Following the Pledge of Allegiance to the Flag, roll call was taken with Council Members Marilyn Cook, JD Smith, Dick Pilcher, Roger Overbeck and Dave Franzman present, along with staff members Lisa Goodin, Deputy Clerk; Superintendent of Public Works/Building Official Mike Kortenkamp; Planning and Zoning Administrator Dean Helander; Attorney Holly Corkery; Police Captain Gary Manhart; City Clerk/Treasurer Lori Pickart and 3 guests. Cook moved to approve the Agenda, Franzman seconded and all voted aye.

COUNCIL REPORTS

- ⇒ Mayor Chuck Hinz noted the closure on W. Main Street is over and the street is back to open.
- ⇒ Streets Coordinator JD Smith noted the grinding and crack sealing will begin on North Center Point Road in the very near future, along with crack sealing on other city streets.
- ⇒ Parks Coordinator Dave Franzman noted he attended the Hindu Temple Ground Dedication which will well attended. He added the Temple will draw people from Waterloo to Iowa City. He noted 15-20 member households live in Robins.
- ⇒ Public Works Coordinator Roger Overbeck noted the first leaf pickup went well with the contractor collecting 23.58 tons of leaves. He noted the second round will occur later in November.
- ⇒ Public Safety Coordinator Dick Pilcher noted the Police and Fire reports were included in the packet.
- ⇒ Finance Coordinator Marilyn Cook noted the City has completed the 5th month of FY '24. She noted a budget amendment will be needed further into the year.
- ⇒ The Engineer's Report was included in the packet.

CITIZEN COMMENTS

- ⇒ Agenda Comments - none
- ⇒ Non-Agenda Comments - Todd Roberts, 420 Michelle Avenue, noted there has been nothing done with the sinkhole in his back yard adding it has settled. He said he received a couple texts from the contractor, but they never showed up.
- ⇒ Joe Suchan asked the Council for an update relating to the Stamy Road Trail. Mayor Hinz noted he has sent a letter to Dave Stamy who lives at 500 Stamy Road, noting the City has spent time and energy reviewing documents back to 1872. He added the County claims there is a right away located on the property going North to South from Tower Terrace to the existing Stamy Road; but the formal document has be misplaced over the years. He noted the city will not be adding the trail on Stamy Road, but are continuing the trail along West Main St.
- ⇒ Tyler Turner, 655 S. Troy Road asked the city not to dump dead deer in the South Troy Park as it smells. He noted the culvert on South Troy Road is not done as it looks terrible and is not acceptable.

CONSENT AGENDA

- ⇒ Pickart asked to have the invoice for the first round of leaf pickup added to the list. Franzman moved to approve the Consent Agenda which contained the Minutes of the October 16th meeting; the Financial Report; and the List of Bills as amended. Pilcher seconded and all voted aye.

NEW BUSINESS

- ⇒ Overbeck moved to approve Resolution No. 1123-1, approving the Class B Wine Permit; Class C Beer Permit (carryout beer); and Class E Liquor License, including Sunday Sales. Franzman seconded and all voted aye.

OLD BUSINESS

- ⇒ Mayor Hinz noted the FY '24 Capital Improvement Plan is included in the packets. He asked everyone to review the document and think of items which need to be added or removed, noting this is the first step in creating the FY '25 Budget.

Franzman moved to adjourn at 7:45 p.m., Smith seconded and all voted aye.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

Lori Pickart

From: registration@iowaleague.org
Sent: Monday, November 13, 2023 3:38 PM
To: lori@cityofrobins.org
Subject: Your MLA Workshop registration and payment is complete.

Hi Lori - Here's what the League has received:

Entry ID: 56500
Transaction Type: One-Time Payment
Payment Method: visa
Payment Status: Paid
Transaction ID: pi_3OC7lcJ46q8CFXrS1AkmzxVH
Payment Amount: \$1,320.00
Payment Date: November 13, 2023

001-620-6230

Online Registration - Credit Card Required

Organization

Robins

Workshop Attendees



Attendee Information

Is this person new to city government?

- Yes

Attendee Name

Leigh Cook

Attendee Email

leighwalkercook@gmail.com

Title

Council Member

Organization

Robins

MLA Event Selection

Special Handling

None

Order

Product	Qty	Unit Price	Price
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RESOLUTION NO. 2311-3

A Resolution approving a Contract for Legal Services

WHEREAS, the City of Robins currently has a Contract with Lynch Dallas, P.C. located in Cedar Rapids, Iowa, and

WHEREAS, Lynch Dallas, P.C. has notified the need to adjust their hourly rates beginning July 1, 2024.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Robins, Iowa hereby approves the attached Contract for Legal Services, beginning July 1, 2024.

PASSED AND APPROVED, this 21st day of November, 2023.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

Lori Pickart

From: Holly Corkery <hcorkery@lynchdallas.com>
Sent: Wednesday, November 08, 2023 12:56 PM
To: chuck.hinz@cityofrobins.org; Lori Pickart
Cc: Douglas Herman
Subject: City Attorney Rate Increase
Attachments: CONTRACT FOR LEGAL SERVICES 11.8.23.docx

Hello Chuck and Lori,

We write to notify you that Lynch Dallas, P.C. will be adjusting its standard hourly rates for City Attorney services effective July 1, 2024, to \$200 for shareholder attorneys, \$185 for associate attorneys, and \$125 for paralegals/legal assistants.

To accommodate existing clients like Robins, we propose implementing this rate adjustment over time with an initial adjustment to \$185 for shareholder attorneys, \$175 for associate attorneys, and \$115 for paralegals/legal assistants effective July 1, 2024 followed by a subsequent adjustment to \$200 for shareholder attorneys, \$185 for associate attorneys, and \$125 for paralegals/legal assistants, effective July 1, 2025.

We have attached an updated Contract for Legal Services for the City's review, which reflects these changes. You will also notice we propose billing at an attorney's usual hourly rate for travel time, plus reimbursement for mileage at the federal rate, moving forward. This is standard for the industry. Additionally, we propose in Paragraph 7 new language concerning periodic rate adjustments which would not require the City to execute a new contract each time it becomes necessary to revisit our rates.

Lynch Dallas, P.C. prides itself on providing our municipal clients the best possible service at reasonable rates. Having compared our rates to others in the market and facing continually increasing operating expenses, we have concluded the proposed rate adjustment is both necessary and reasonable. Please present the attached Contract for Legal Services to City Council for approval. Let us know if you have any questions, or if you would like to discuss.

Sincerely,

Holly Corkery

Holly A. Corkery
Attorney
Lynch Dallas, P.C.
526 Second Ave S.E.
P.O. Box 2457
Cedar Rapids, Iowa 52406-2457
Phone: 319-365-9101, ext. 130
Fax: 319-365-9512
Email: hcorkery@lynchdallas.com
Website: www.lynchdallas.com

This electronic message transmission, including attachments, is covered by the Electronic Communications Privacy Act, U.S.C. Sections 2510-2521, is confidential and is legally privileged under the attorney-client work privilege. The

CONTRACT FOR LEGAL SERVICES

IT IS AGREED between the City of Robins, Iowa ("City"), and Lynch Dallas, P.C. ("Attorneys"), as follows:

1. **LEGAL SERVICES.** Lynch Dallas, P.C. will serve as City Attorney and will provide legal services on an as-needed basis.

2. **EXPENSES.** In addition to payment for fees, the City shall reimburse Attorneys for reasonable expenses incurred on behalf of the City, including but not limited to computer-aided legal research, federal mileage rate for travel, cost of securing records or documents, photographs, hospital records, medical reports, medical examinations, filing fees, court costs, depositions, expert witness fees, and other reasonable expenses incurred by Attorneys for the City. In the case of very large expenses, the City may be required to pay said expenses directly or in advance. Any unpaid expense will be billed periodically by Attorneys and will be paid by City upon billing. Any unused expense money advanced to Attorneys by the City shall be refunded to the City.

Reimbursement of Expenses

Filing Fees	Actual Cost
Postage	Actual Cost
Mileage	Federal Rate (IRS)
Online Research (Westlaw®)	\$40.00/search (not to exceed one charge per research project)
Color Copies	\$0.60/page

3. **FEES.** Effective July 1, 2024, the City shall pay Attorneys for fees at the following hourly rates:

Shareholders	\$185.00
Associates	\$175.00
Paralegals/Legal Assistants	\$115.00

Effective July 1, 2025, the City shall pay Attorneys for fees at the following hourly rates:

Shareholders	\$200.00
Associates	\$185.00
Paralegals/Legal Assistants	\$125.00

The City shall be billed an attorney's usual hourly rate for travel time, plus reimbursement for mileage at the federal rate, as set forth above.

4. **BILLING.** The City shall be billed monthly for fees and expenses incurred in the previous month. Attorneys shall bill in increments of .1 (one-tenth) of an hour, and each entry shall be separately accounted and described. It is the City's responsibility to ask questions if a bill requires clarification. Bills shall be paid within thirty (30) days of receipt.

5. **PLACE OF PAYMENT.** All sums due shall be paid at Attorneys' office, Lynch Dallas, P.C., P.O. Box 2457, 526 Second Avenue SE, Cedar Rapids, Iowa 52406-2457.

6. **COMMUNICATION.** Consistent with the City's desire to balance the efficient control of legal expenses with the need for the City's politically elected leaders to be kept aware of important

developments, Attorneys shall use reasonable best efforts to ensure the Mayor and the City Council are appropriately informed of ongoing matters and questions are answered promptly. The City's point of contact with the authority to authorize legal work and advice shall be the Mayor unless or until additional authorization is provided by City Council.

7. **CONTINUING CONTRACT; RATE ADJUSTMENT.** This Contract shall continue in full force and effect without action of the parties. Considering the ongoing nature of this Contract, it may be necessary for Attorneys to periodically adjust hourly rates and/or expenses to account for changing market conditions. Attorneys shall submit hourly rate and/or expense adjustments to the City in writing on or before January 1 of the year during which the adjusted hourly rates and/or expenses will take effect, with such adjusted hourly rates and/or expenses to automatically take effect on July 1st of said year.

8. **DISCHARGE OR WITHDRAWAL.** The City shall have the right to terminate Attorneys at any time. The City will, however, still owe Attorneys any money due at the time the City gives notice of that decision including but not limited to advanced costs and the recoverable hourly rate noted above already expended on the City's behalf pursuant to this Contract. Attorneys have the right to withdraw from representing the City if: (a) the City insists upon pursuing an objective Attorneys deems to be imprudent; (b) the City makes representation unreasonably difficult or unethical; (c) the City fails to disclose information after being asked to do so or discloses false information; (d) the City fails to cooperate in pursuing its matters; (e) the City fails to pay fees or expenses when due; or (f) other good cause for withdrawal exists. Attorneys do not waive their right to withdraw even where they continue to represent the City after an event permitting withdrawal.

9. **RECORDS.** At the City's request upon termination, any documents furnished by the City will be returned promptly upon receipt of payment for outstanding fees and charges. Attorneys' files, including attorney work product, pertaining to the above referenced representation will be retained by Attorneys. For various reasons, including the minimization of unnecessary storage expenses, Attorneys reserve the right to dispose of any documents or other material retained by Attorneys following termination of this engagement in accordance with applicable industry standards.

10. **GENERAL PROVISIONS.** This Contract replaces all prior agreements between the parties and contains the entire agreement of the parties. This Contract shall not be amended except by a written instrument duly signed by the City and Attorneys. Paragraph headings are for convenience of reference and shall not limit or affect the meaning of this Agreement. Words and phrases herein shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender according to the context.

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CITY OF ROBINS, IOWA

LYNCH DALLAS, P.C.

Dated the _____ day of _____, 2023

Dated the _____ day of _____, 2023

By: Chuck Hinz, Mayor

By: Holly A. Corkery, Shareholder

Attest:

Lori Pickart, City Clerk

RESOLUTION NO. 2311-2

A Resolution Finally Adopting the Proposed Plan for the Robins Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Act") the City of Robins, Iowa (the "City"), may designate an area of the City as an urban revitalization area, if that area meets the criteria of Section 1 of the Act; and

WHEREAS, the City Council of the City did find and determine that an area within the City identified by previous resolution as the Robins Urban Revitalization Area (the "Area") meets the criteria of Section 1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, before designating any area to be an urban revitalization area, the City must prepare a draft plan (the "Plan") for such revitalization area and hold certain public hearings thereon; and

WHEREAS, after mailed and published notice thereof was given, as required by the Act, the City Council of the City did, on October 16, 2023, hold a public hearing on the designation of the Area and the adoption of the Plan therefor and considered all objections, comments, and evidence there presented; and

WHEREAS, the Act gives owners or tenants of property within the proposed Area thirty (30) days in which to petition for an additional public hearing; and

WHEREAS, no petition requesting an additional public hearing has been submitted to the City as of November 20, 2023, and it is now necessary to give final approval to the Plan and to the establishment of the Area;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Robins, Iowa, as follows:

Section 1. The Plan is hereby approved and adopted. Furthermore, the Area is hereby established pending adoption of an ordinance designating the Area as provided for in the Act.

Section 2. The City Clerk is hereby directed to file a copy of this resolution and of the Proposed Plan with the Linn County Assessor.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved November 20, 2023.

Chuck Hinz, Mayor

Attest:

Lori Pickart, City Clerk/Treasurer

ORDINANCE NO. 2303

An Ordinance Designating an Area of Robins, Iowa, as the Robins Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act"), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the City Council of the City of Robins, Iowa, (the "City") has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the Robins Urban Revitalization Area, that:

(a) *The Robins Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.*

(b) *The economic development, redevelopment and promotion of commercial or industrial development in the Robins Urban Revitalization Area are necessary in the interest of the public welfare of the residents of the City, and the Robins Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.*

WHEREAS, pursuant to the provisions of the Act, the City prepared a proposed Urban Revitalization Plan (the "Plan") for the Robins Urban Revitalization Area and held a public hearing on the Plan for the Robins Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Plan for the Robins Urban Revitalization Area;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Robins, in Dallas County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, such property lying within the City and being described as follows:

All real property situated within the corporate limits of the City of Robins, Linn County, State of Iowa as of September 1, 2023.

is hereby designated as the Robins Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed and approved _____, 2023.

Chuck Hinz, Mayor

Attest:

Lori Pickart, City Clerk/Treasurer

First consideration: November 20, 2023

Lori Pickart

From: registration@iowaleague.org
Sent: Monday, November 13, 2023 3:38 PM
To: lori@cityofrobins.org
Subject: Your MLA Workshop registration and payment is complete.

Hi Lori - Here's what the League has received:

Entry ID: 56500
Transaction Type: One-Time Payment
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Payment Amount: \$1,320.00
Payment Date: November 13, 2023

001-620-6230

Online Registration - Credit Card Required

Organization

Robins

Workshop Attendees

Attendee Information

Is this person new to city government?

- Yes

Attendee Name

Leigh Cook

Attendee Email

leighwalkercook@gmail.com

Title

Council Member

Organization

Robins

MLA Event Selection

Special Handling

None

Order

Product	Qty	Unit Price	Price
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- Cedar Rapids			
Order Total — Include 2023-24 MLA Part One	1	\$80.00	\$80.00
MLA Part One Location: Saturday December 9 - Iowa City			
Order Total — Include 2023-24 MLA Part Two	1	\$60.00	\$60.00
Order Total — 2023-24 MLA Part Three	1	\$80.00	\$80.00
MLA Part Three Location: Saturday, April 6, 2024 - Cedar Rapids			
		Subtotal	\$1,320.00
		Total	\$1,320.00

Special Handling

None

Order

Product	Qty	Unit Price	Price
Include 2023-24 MLA Part One MLA Part One Location: Saturday December 9 - Iowa City	1	\$80.00	\$80.00
Include 2023-24 MLA Part Two	1	\$60.00	\$60.00
2023-24 MLA Part Three MLA Part Three Location: Saturday, April 6, 2024 - Cedar Rapids	1	\$80.00	\$80.00
Total			\$220.00

Billing Contact**Billing Email**lori@cityofrobins.org**Billing Contact**

Lori Pickart

Order

Product	Qty	Unit Price	Price
Order Total — Include 2023-24 MLA Part One MLA Part One Location: Saturday December 9 - Iowa City	1	\$80.00	\$80.00
Order Total — Include 2023-24 MLA Part Two	1	\$60.00	\$60.00
Order Total — 2023-24 MLA Part Three MLA Part Three Location: Saturday, April 6, 2024 - Cedar Rapids	1	\$80.00	\$80.00
Order Total — Include 2023-24 MLA Part One	1	\$80.00	\$80.00

Attendee Information

Is this person new to city government?

- Yes

Attendee Name

Mike Foley

Attendee Email

mdfoley@mdfoley.com

Title

Council Member

Organization

Robins

MLA Event Selection

Special Handling

None

Order

Product	Qty	Unit Price	Price
Include 2023-24 MLA Part One	1	\$80.00	\$80.00
MLA Part One Location: Saturday December 9 - Iowa City			
Include 2023-24 MLA Part Two	1	\$60.00	\$60.00
2023-24 MLA Part Three	1	\$80.00	\$80.00
MLA Part Three Location: Saturday, April 6, 2024 - Cedar Rapids			
Total			\$220.00

Attendee Information

Is this person new to city government?

- No

Attendee Name

Chuck Hinz

Attendee Email