



**Agenda
City Council Meeting
Monday, April 18, 2022 – 6:00 p.m.**

**City Council Chambers
201 East Pleasant Street
Maquoketa, IA 52060**

The Monday, April 18, 2022, Council meeting may be attended thru Zoom as allowed by Section 21.8 of Iowa Code. Anybody that would like to attend the meeting may do so thru the following means, and the meeting will rebroadcast over the local access channel:

The public will have both video and audio disabled throughout the virtual meeting unless a request to address the City Council is made during the Public Participation section of the Agenda. Speakers are kindly asked to keep participation to 3 minutes.

Web link: <https://zoom.us/j/96488987917>
Phone call: 312 626 6799
Meeting ID: 964-8898-7917

- 1. Call to order**
- 2. Pledge of Allegiance**
- 3. Roll call**
- 4. Public Participation**
- 5. Presentations**
- 6. Consent agenda**
 - a. Minutes – April 4, 2022**
 - b. Bills Payable through March 18, 2022 in the Amount of \$273,320.47**
 - c. March financial reports**
 - d. Renewal liquor license, outdoor sales and Sunday sales filed by Bills Tavern**
 - e. Renewal beer permit filed by John Wagener Holding d/b/a Can City**

- f. **Renewal class "B" beer permit and outdoor sales filed by Jackson County Fair Association – Races**
- g. **Resolution extending agreement and contract for fire protection for City of Baldwin**

7. Public Hearings

- a. **NONE**

8. Old business

- a. **Ordinance amending Title 3, Chapter 3B, Section 23, pertaining to parking on snow routes of the Code of Ordinances of the City of Maquoketa, Iowa – second reading**

City Manager Summary: This Ordinance action sets into City Code the distinction between a normal \$7.50 parking ticket and a \$50.00 Snow Route Parking Violation as approved by City Council on the April 4th meeting. This is required in the City’s procedures and again will not take effect until October 2022 in the event a very unlikely snow emergency hits Maquoketa in late Spring.

Council support is recommended.

- b. **Ordinance amending Title 6, Chapter 4, Section 18, pertaining to water utility billing rates, of the Code of Ordinances of the City of Maquoketa, Iowa –second reading**

City Manager Summary: The next three action items are related and go into effect July 1, 2022 if passed on third readings. This Ordinance proposes adjustments of Water Utility Billing Rates for all usage classes in the following years:

FY2022-2023 (Effective July 1)	+7.5%
FY2023-2024 (Effective July 1)	+7.5%
FY2024-2025 & Subsequent Fiscal Years	+3.0%

Throughout the City of Maquoketa Budget Planning process, the City’s finances featured many positive signs. This includes a strong General Fund, General Fund CIP, Road Use and Local Option Sales Tax trends, etc. However, despite the City’s successes it was abundantly clear there were some issues to the long-term Capital planning success of the City.

Unfortunately, this Ordinance addresses those problems and is largely influenced by the rising cost of goods and services in the economy as well as a Water Fund Capital Reserve balance that flirted with dangerously low assets. Council action on March 21, 2022 allowed for the transfer of \$300,000 into the Water Fund out of the General Fund CIP.

This Ordinance was assumed into the Budget planning process and a requirement of the discussed budget assumptions before the Finance and Personnel Committee and the City Council.

Though this is a painful reality, the Ordinance proposal regarding Water rates and the next two items are a result of the data.

All usage classes will receive the increased adjustment including bulk usage classes in an effort to distribute impact on large businesses and not just on the City's residents and families. For example, users who receive more than 300 cubic feet of service are assessed an extra \$1.44 per 100 cubic feet of water used and users who use more than 100,300 cubic feet are assessed \$0.47 per 100 cubic feet of water. Most residents and families fall within 300 to 1000 cubic feet of water consumption per month.

It is important to understand that based on the City's current debt structure surrounding the City's utilities, the City's Bond Broker, Northland Securities, advised the City to increase rates by +20% (FY22-23) and +25% (FY23-24). This is factual and once a reality in the Budget planning process for the City. With the help of General Fund transfers as a result of increasing Local Option Sales Tax support and administrative cuts to budgets, the City was able to hold rate increases down to +7.5%. This is a best-case scenario and has been delivered to the City in combination with a property tax rate that has been held at 13.89 per \$1,000 assessed value.

Council support is recommended.

c. Ordinance amending Title 6, Chapter 22, Section 5, pertaining to storm water billing rates of the Code of Ordinances of the City of Maquoketa, Iowa – second reading

City Manager Summary: This Ordinance is similar in that it applies to the rates for the operation and maintenance of the storm water management facilities by applying a monthly rate on each residential, commercial, and industrial user in the City. The same rate increase is proposed:

FY2022-2023 (Effective July 1)	+7.5%
FY2023-2024 (Effective July 1)	+7.5%
FY2024-2025 & Subsequent Fiscal Years	+3.0%

The Council's action to approve this Ordinance will help the City sustain debt and operational obligations to process the City's storm drainage and properly allow run off without damaging City or private property.

Council support is recommended.

d. Ordinance amending Title 6, Chapter 3, Section 4, pertaining to sewer utility billing rates, of the Code of Ordinances of the City of Maquoketa, Iowa – second reading

City Manager Summary: Similar to the above Ordinance proposals, this action proposes the following increases on the below Fiscal Years:

FY2022-2023 (Effective July 1)	+7.5%
FY2023-2024 (Effective July 1)	+7.5%
FY2024-2025 & Subsequent Fiscal Years	+3.0%

The State of Iowa Department of Natural Resources (IDNR), as part of the larger Mississippi River watershed, has tightened environmental contaminant restrictions as a byproduct of the Wastewater cleaning process. These tight restrictions were discussed at City Council on May 18, 2020 with WHKS who serves as the engineering and design firm behind the Wastewater Treatment Plant project. In short, the City faces the following issues:

- The original construction of our current facility was completed in the 1950s. The structure is at or near 70 years old. Industry officials advise the useful structure life of Wastewater Treatment facility is around 50 years old. We've far extended the structure's capacity.
- The Wastewater Treatment facility underwent significant expansion and equipment upgrades in 1978, 1995, and 2001. The life expectancy of said upgrades was around 20 years, including the 1995 solids handling equipment upgrade. We are thus on pace and due for a full suite of equipment upgrades.
- Our existing equipment is certainly not capable of meeting IDNR's requirement of Wastewater byproduct reduction: Nitrogen (10 mg/L) & Phosphorus (1 mg/L). The deadline for compliance is December 2023.
- Financing debt of a new Wastewater Treatment Facility. The construction portion of the project was estimated on May 18, 2020 to be \$12,320,000. The financing of this project is assisted by an already awarded \$600,000 in CDBG funding for Wastewater Capital Projects and a significant State Revolving Fund loan in the amount of \$11,200,000 payable through a combination of sources including user rate increases.
- Most concerning to the 2021-2022 economy, construction costs have significantly increased due to material and labor shortages across the economy. \$11,200,000 will almost certainly not be the cost. Though shocking, a \$15,000,000 re-estimate might be expected when a final project cost estimation is delivered in the Summer of 2022.

For these reasons, Staff had to carefully plan to address the Community's need for a new facility while presenting a responsible solution for financing and budget management. A new facility comes with several amenities including less material and service costs for keeping an old facility running and increasing the City's capacity to process more water and waste if the community were to acquire additional industrial users or increase in population. Environmentally speaking, little to no contaminants will go into the Maquoketa River which will improve the river ecosystem.

This Ordinance allows for a rate increase that will substantially help drive the financing behind the new facility we've described.

Council support is recommended.

9. New Business

- a. Ordinance amending Title 3, Chapter 3b, Section 16 pertaining to designated snow route of the code of ordinances of the City of Maquoketa, Iowa – First reading**

City Manager Summary: This Ordinance action alters the City’s Code to accurately reflect the Snow Routes in the City of Maquoketa. Staff found the current Code map to be outdated. The Ordinance identifies all streets the City treats as a snow route and will allow for any enforcement action to be taken by Police or Public Works to be valid in the view of the City Code.

City Staff has further discussed how to best serve the Central Business District. The outcome of these discussions was to treat the Central Business District with first priority outside of regular business hours to not impede business. Additionally, the police have informally discussed not abusing parking violators if designated snow routes have already been cleared and an emergency is still in effect. This is a concern of the spirit of the ordinance vs. the letter, meaning what is intended compared to what is technical. Staff will treat vehicles with discretion and our City staff will remember we are here to serve the businesses, citizens, and visitors.

Council support is recommended.

- b. Resolution approving easement with MMEU for Mitchell Maskrey**

City Manager Summary: This Resolution sets an easement in the Northwest corner of the Mitchell Maskrey Mill property. This agreement with MMEU and private property owners has been authorized by all parties.

Council support is recommended.

- c. Resolution approving Platt Street Project change order #9 in the amount of \$82,399.94**

City Manager Summary: This Resolution authorizes an increase to the overall Platt Street Project by \$82,399.94 for the use of:

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Project	Description	Cost
Traffic Signalization	This item includes the addition of the video detection for the Westgate and Western Avenue intersections. (Add \$51,270.88) This item also includes a reconciliation of quantities previously submitted under the Traffic Signalization item that were incorrect (Decrease \$6,133.72).	\$ 45,137.16
Handhole Adjustments	Several handholes that had been installed on this project had to be adjusted due the changing of plan grades after installation of the handholes. The grade changes (from plan grades) were to make sidewalk and drainage features more functional.	\$ 1,146.72
Monument Junction Boxes	The circuits for the monument lights did not previously have dedicated junction boxes. These were provided to adequately route the circuitry and to better improve the City's ability to maintain the lighting systems in the future.	\$ 7,796.80
Conduit Boring Across Main St	This was completed to provide full connectivity of the empty communications conduit that is being provided on the project. This was not included in the original bid, but was part of the condition of the BUILD funding.	\$ 22,434.00
PCC Cold Weather Protection	This is a standard EWO (extra work order) item provided for in IDOT specs for when a contractor takes extra steps to provide protection for freshly poured concrete in cold conditions.	\$ 5,885.26
Total		\$ 82,399.94

These equipment modifications were in place prior to this Council action and predates the City's Purchasing Policy effected at the April 4 City Council Meeting. This means all items are final, installed, and work is complete.

The installation of the traffic signalization system allows all West Platt Street intersection detection systems to match and efficiently move traffic through the City which will prove to be a worthwhile investment over the life of the equipment and highway.

This Resolution is highly unique in that the order and work was completed before the City adopted a purchasing procedure and authorization for change order #9. There is a statement of need and benefit regarding the change order however this doesn't relieve the need to refer to Council for all change orders prior to any authorized request of the contractor. Staff asks for support of this item on the mutual understanding that this is not an avenue for future purchases.

Council support is recommended.

d. Resolution approving Platt Street Project change order #10 in the amount of \$106,343.48

City Manager Summary: This Resolution is a result of a year-end 2021 audit for materials and all other construction operations. This change order also captures Conoco Boring and alteration to the 2022 Detour Route which was not in the original plan submissions. These costs are actual at this point and an accurate estimation of services that need reconciled with the City Council in order to authorize required payments.

Council support is recommended.

e. Discussion and possible motion to authorize payment to Tschiggfrie Excavating in the amount of \$96,374.22

City Manager Summary: This motion and payment proposal wouldn't normally be included on this section of the agenda but is due to the previous two Resolutions. Prior to the April 4 City Council meeting, City Management didn't believe enough clarity had been reached with regard to Platt Street Change Order 9 & 10. Therefore, these two items were moved to the April 18 agenda and the normal Tschiggfrie Excavating payment has to be after a council approved vote in order to be included on the Council Bills Payable list.

Council support is recommended.

f. Resolution authorizing a Downtown Incentives Grant to Infinity Satellites LLC in a maximum amount of \$15,000

City Manager Summary: On April 6th, the Downtown Incentives Board considered and supported an Infinity Satellites LLC application to the City's Downtown Incentive Grant program. The Grant is based on the Upper Story improvements section of the program and will allow the business to drastically improve the electrical infrastructure of two residential units above the business. Upon successful completion of this project, two improved residential apartments will be added to the Downtown's growing portfolio of housing opportunities and the value of the building will increase.

The City allocates approximately \$90,000 annually in order to certify expenses against the City's TIF capacity. A chart breakout of the projects for FY2022-2023 are detailed below for reference:

APPLICANT	PROGRAM DESCRIPTION	PAYMENT DATE	COUNCIL-GRANTEE CONTRACT AMOUNT	Paid to Date FY 2022-2023	Remaining Obligation
Innovate 120, Inc. (Abbott)	Commerical Interior Grant		\$ 10,000.00		\$ 10,000.00
Makin'Copies & More!, LLC (Lenth)	Commerical Interior Grant		\$ 9,423.00		\$ 9,423.00
Infinity Satellite Systems LLC (Sokol)	Upper Story Renovation		\$ 15,000.00		\$ 15,000.00
		Total	\$ 34,423.00	\$ -	\$ 34,423.00
		Total Budget Left	\$ 55,577.00		

Council support is recommended.

10. Reports and Communications

- a. Council Member Reports**
- b. City Manager Report**

11. Executive Session

- a. None**

12. Adjournment