

MAQUOKETA CITY COUNCIL MEETING
Monday, May 4, 2020

Mayor Schwenker called the regular session of the Maquoketa City Council to order at 6:00 p.m. with seven members present.

Present: Kean, Woodward, Lyon, Collister, Kuhlman, Barker, Holm

The group recited the pledge of allegiance.

Mayor Schwenker informed Council that the public hearing regarding the Community Development Block Grant could not be held before 7:00 p.m.

Motion by Kean, seconded by Barker approving the consent agenda consisting of the agenda, April 20th regular minutes and April 27th special minutes, bills, renewal class "C" liquor license, outdoor service area and Sunday sales filed by Fraternal Order of Eagles, Aerie #3866, renewal class "B" beer permit and Sunday sales filed by Pizza Hut #4336.

Motion Carried 7-0

Members of the building code committee spoke regarding the work that has been done to create a building code. Mark Beck stated as the chair of the committee he has wanted a building code since 1999. As a former fire chief, he is interested in this from a life safety standpoint. He encourages Council to move forward with the ordinance.

Matt Winegar reported that he has been in the trade business for over 20 years and he has seen shoddy plumbing, electrical and building work. This code is needed for quality work and will weed out people who should not be doing the work. He urged Council to approve the code. He stated it is a good starting point and Council could discuss anything else they would like added.

Doug Schnoor reported people get the product they are paying for and it can be inspected more closely.

Scott Wirth stated he was a contractor for 20 years in town. He stated that though costs will go up, the committee is not trying to overcharge anyone. He recommended Council move forward with the ordinance.

Paul Dotterweich stated he is a graduate from Maquoketa High School and is in the construction business. He stated he does some inspections for Clinton and is more than happy to help with inspections in Maquoketa. He stated a code is beneficial to a community and holds a contractor accountable.

Mallory Smith stated the group just wanted to give an update on the Code. The ordinance will be presented at the next meeting. It is a standardized international building code. She encouraged Council to call with questions.

Kuhlman questioned if he would be able to work on property himself and then call the inspector. Dotterweich reported that a license is required to do work unless the property owner is working on his own home. He stated at some point the inspector will get to know workmanship and may make an exception.

Winegar stated the Council will have the final decision on this ordinance.

Kuhlman stated he would like to see a copy of the ordinance prior to having it on the Council agenda.

Schwenker reminded Council that last time the Council tried to adopt a code it got so watered down that it was no good.

Beck stated this is not intended to prohibit someone from doing their own work but it would require a permit and inspection.

Mallory Smith and Charlie Sagers reported on an upcoming ordinance for a vacant building registry to help identify and track empty buildings. Sagers stated this will help with the rundown buildings in town.

Smith reported she is also working on a junk dealer ordinance.

Motion by Barker, seconded by Kean approving the third reading of Ordinance No. 1165, entitled, "An Ordinance Amending The Code Of Ordinances Of The City Of Maquoketa, Iowa By Amending Provisions Pertaining To Off Street Parking In The Central Business District." Motion Carried 7-0

Motion by Barker, seconded by Kean approving the second reading of Ordinance No. 1166, "An Ordinance Amending Title VI Physical Environment, Chapter 4 Water System, Section 11 When Payable – Late Payment Penalty Of The City Code Of Ordinances." Motion Carried 7-0

Motion by Kean, seconded by Holm approving the second reading of Ordinance No. 1167, entitled, "An Ordinance Amending Title VI Physical Environment, Chapter 3 Sewer User Fees, Section 51A, Billing Late Charges Of The City Code Of Ordinances." Motion Carried 7-0

Discussion was held regarding Together We Build. Collister stated he has had positive and negative feedback about the topic.

Barker stated she has received a mixture of positive and negative comments. She stated it is a good project and people are passionate about it but she is not ready to say yes to spend City money on this. She stated the City's last budget meeting was difficult and Council had to turn down requests for police and fire. She questioned if the City could add a line item in the budget for matching grant funds.

Schwenker stated the group is just looking for a pledge to be able to apply for a grant.

Kuhlman stated he has had good and bad feedback but he agreed with Barker about the City not being able to fully fund various departments. He stated he is concerned about how COVID19 will effect the City's budget. He likes the project but it is a want, not a need.

Collister stated the Council will willy-nilly give money out for other projects and he does not see that \$5,000 over 5 years is a problem.

Kuhlman questioned if the City could give less than \$25,000 but was told no.

Kean questioned if the City could spread the \$25,000 in a different way rather than \$5,000 over 5 years and Cornelius reported that would be okay.

Holm stated he heard good and bad comments but feels this project will be good for the City.

Kuhlman stated it is direct competition with other businesses in town.

Barker stated it is a great project and she will support it privately but she would rather the City do an in-kind contribution.

Lyon stated he strongly supports the project.

Motion by Collister, seconded by Woodward approving City match of \$25,000 over 5 years to the Together We Build Project. Motion Carried 5-2

Ayes: Kean, Woodward, Lyon, Collister, Holm Nay: Kuhlman, Barker

Discussion was held regarding the solid waste/recycling program. Woodward stated it feels like the City is kicking small business people in the teeth.

Holm reported that Dittmer will offer four jobs to people in town. He stated small business would keep the commercial properties and trailer parks.

Lyon stated there was a process followed to determine the City's needs and everyone was invited to participate.

Holm reported that a lot of people will save money and it is a way to control cans at the curb for 5 days because they are only picking up Thursday and Friday.

Schwenker listed the name of people who provided comments not in favor of the change. He then listed the names of the people who had comments in favor.

Collister stated he received a lot of comments but once he explained the situation people seemed to be more in favor.

Schwenker reviewed the comments in the "chat" section of the meeting. Someone questioned what would happen to the current cans and could the City re-open DAC.

Kuhlman questioned if Dittmer would open a recycling center in Maquoketa and Lyon reported that Dittmer will hire four new people and park trucks in Maquoketa but will not have a recycling center.

Schwenker questioned the weight of the trucks and was told they will weigh less than the current trucks.

Scott Dittmer reported that they will have four new trucks and they will be lighter trucks. He stated they just built a recycling facility in Dubuque and it cost \$7 million. He stated it does not make sense to make a facility in Maquoketa because of the amount of recycling involved. He said the containers will be brand new and residents will never have to by a trash can again. He stated they will try to work with residents that have trouble bringing cans to the curb.

Barker questioned Carr how the administrative portion of the billing would work. Carr stated it would be up to Council to decide where the garbage fee would fit in the payment distribution. She stated payment is applied to each item in a specific order.

Barker questioned what if someone did not pay their garbage fee and Carr responded that the payment is applied to the account in a specific order. The City posts the door for shutoff if the past due balance is over \$30. If it is under \$30, the balance is carried over to the next month. That next payment will pay off the past due and then be applied to the new bill.

Woodward questioned if citizens could stay with their current provider and Carr reported that the bids were based on a certain number of customers and the price would be higher if there were less customers.

Holm and Lyon stated this is how it is done in other City's and there should not be a problem.

Kuhlman questioned if the fees would go up after five years and Gerald reported there is a cost of living increase allowed over the five years and would be negotiated in the final contract.

Barker questioned what would happen if a building has water but is vacant and Carr reported there will need to be discussion at Council level about this.

Motion by Lyon, seconded by Barker approving the first reading of Ordinance No. 1168, entitled, "An Ordinance Adding Chapter 5D Collection Of Solid Waste And Recyclable Materials." Motion Carried 6-1

Ayes: Kean, Lyon, Collister, Kuhlman, Barker, Holm

Nay: Woodward

Mayor Schwenker opened the public hearing regarding to solicit comments on the City's application to the Community Development Block Grant to the Iowa Economic Development Authority Housing Program for Homebuyer Assistant at 7:00 p.m. The Council discussed the need to provide assistance to income-qualified homebuyers in the Bear River Cottages Subdivision. The application proposes that the City will provide up to \$3,500 for closing costs, up to \$300 for a home inspection, and up to \$15,000 for down payment assistance to five households. It is anticipated the application will be submitted no later than May 15, 2020. The proposed project will be in the amount of \$104,000 including all activities. The City is requesting \$104,000 in CDBG funds. 100% of the funds will benefit low-to-moderate income persons. By design, no displacement will occur. If displacement is necessary, the City will comply fully with the Uniform Relocation Act and Section 104(d). Motion by Lyon, seconded by Kean closing the public hearing. Motion Carried 7-0

Motion by Lyon, seconded by Kean approving Resolution No. 2020-22, entitled, "Resolution Approving Community Development And Housing Needs Assessment." Motion Carried 7-0

Motion by Barker, seconded by Kean approving Resolution No. 2020-23, entitled, "Resolution Authorizing Submission Of The CDBG Application." Motion Carried 7-0

Motion by Woodward, seconded by Collister approving Resolution No. 2020-24, entitled, "Resolution Setting May 18, 2020 As Public Hearing Date Regarding Amendment Of 2019-2020 City Budget." Motion Carried 7-0

Motion by Kean, seconded by Holm approving Resolution No. 2020-25, entitled, "Resolution Correcting A Change Of Street Name." Motion Carried 7-0

Motion by Kean, seconded by Holm approving the first reading of Ordinance No. 1169, entitled, "An Ordinance Amending Title III, Chapter 17 – Civil Penalty – Of The Code Of Ordinances Of The City of Maquoketa." Motion Carried 7-0

Motion by Barker, seconded by Kean approving the first reading of Ordinance No. 1170, entitled, "An Ordinance Amending Title III, Chapter 6 (park regulations) Of The Code Of Ordinances Of The City Of Maquoketa, Iowa." Motion Carried 7-0

Discussion was held regarding the lease agreement with Jackson County regarding the Fairgrounds softball fields. Holm questioned if campers would be able to park by the playground equipment again this year.

Gerald reported that the City had a 15-year agreement with the County and it expires this month so he has it on the agenda.

Lanny Simpson stated she was not aware this was on the agenda but she would look in to this.

Smith reported it had been sent to the County Supervisors for approval.

Motion by Holm, seconded by Woodward approving lease agreement with Jackson County for Fairgrounds softball fields. Motion Carried 7-0

Motion by Barker, seconded by Kean approving Resolution No. 2020-26, entitled, "Resolution Setting Dates Of Consultation And A Public Hearing On June 5, 2020 On A Proposed Amendment No. 3 To The Maquoketa Amended And Restated Unified Urban Renewal Plan In The City of Maquoketa, State of Iowa." Motion Carried 7-0

Motion by Barker, seconded by Kean approving Resolution No. 2020-27, entitled, "Resolution Determining The Necessity And Setting Dates Of A Consultation And Public Hearing On A Proposed Western Avenue Residential Urban Renewal Plan For A Proposed Urban Renewal Area In The City Of Maquoketa, State of Iowa." Motion Carried 7-0

Kuhlman questioned when the parks could be opened and Smith reported they would be opened when the Governor authorized it.

Motion by Barker, seconded by Kuhlman adjourning at 7:41 p.m. All Ayes

Don Schwenker, Mayor

ATTEST:

Gerald Smith, City Manager