

MAQUOKETA CITY COUNCIL MEETING

Tuesday, September 8, 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

Motion by Barker, seconded by Kean approving the consent agenda consisting of the agenda, August 17th minutes, bills, July monthly financials, tree trimmer license renewals filed by Gil's Tree Service LLC and Steines Tree Service, new tree trimmer licenses filed by JC Tree Service, LLC and ECON Tree Service, renewal Class "C" Liquor License, outdoor sales and Sunday sales filed by Jackson County Fair Association, new Class "B" beer license, brew pub, living quarters, outdoor service and Sunday sales filed by Maquoketa Brewing, establishment/license ownership change filed by Perxactly and outdoor service area filed by La Casa De Pancho. Motion Carried 7-0

Richard Eugene Stimmel spoke in the audience requesting Council define whether they had passed a mandate or a resolution because the media said it was a mandate and Mayor Schwenker stated the resolution was a recommendation.

Nancy Kilburg of the Maquoketa Art Experience reported they will be having youth classes with family participation. They will be making scare crows and line them up along the green space from October 3rd to October 28th.

Heidi Kuhl reported that the City will be getting ready for three public hearings for USDA financing based off of the revenue from utilities.

Motion by Collister, seconded by Holm going in to closed session pursuant to Iowa Code 21.5(1)(C) to discuss strategy with counsel in matters that are presently in litigation where its disclosure would be likely to prejudice or disadvantage the position of the City in that litigation. Motion Carried 7-0

Open session resumed at 6:34.

Motion by Collister, seconded by Barker to approve EMC's Settlement agreement in the case of Steines V. City of Maquoketa, Et Al. Motion Carried 7-0

Motion by Lyon, seconded by Kean approving third reading of Ordinance No. 1176, entitled, "An Ordinance To Adopt A Complete Building Code For The City of Maquoketa Code of Ordinances". Motion Carried 5-2 Nay: Woodward, Kuhlman

Motion by Lyon, seconded by Kean approving the first reading of Ordinance No. 1177, entitled, "An Ordinance To Amend The Code Of Ordinance Of The City of Maquoketa, Iowa By Amending Provisions Pertaining To Signs". Motion Carried 7-0

Motion by Collister, seconded by Lyon authorizing repairs to recirculation pump in the amount of \$9,375 by Mississippi Valley Pump. Motion Carried 7-0

Motion by Lyon, seconded by Barker authorizing repairs to bushings and shock chlorination to Well #5 in the amount of \$69,631 by Cahoy Pump. Carried 7-0

Ellenz reported that the City received \$22,201 from FEMA for damage from last years flood. He stated he would like to use it for the 5th Street Boat Ramp.

Motion by Collister, seconded by Barker approving quote from Seven Hills Paving in the amount of \$23,520 to pave the North 5th Street Boat Ramp, Parking Lot and Driveway.
Motion Carried 7-0

Smith reported that the City received a \$1 million grant for the South Main Bridge. He stated the City will be responsible for 34% of the project and the County will be responsible for 66%. The design engineering will be the City and the construction engineering will be the County.

Collister questioned if the City has a total cost. He stated the agreement reads that if the City signs the project with proceed.

Smith reported the City will take the lead on this project and it should cost between \$1 and \$1.5 million.

Motion by Collister, seconded by Lyon approving a 28E Agreement between Jackson County and the City of Maquoketa for the Construction of the New South Main Street Bridge, pending legal review. Motion Carried 7-0

Motion by Lyon, seconded by Holm approving August's invoice from Bolton and Menk for Platt Street Final Design Work in the amount of \$16,795.65.
Motion Carried 6-1 Nay: Collister

Woodward questioned how many final design invoices there were and Ellenz explained the project was bid as a not to exceed amount and Bolton and Menk just submit invoices up to that amount.

Nic Hockenberry reported that the City needs to authorize signing the formal Catalyst Grant agreement. The City received \$100,000 and this is a one to one match.

Woodward questioned if someone was moving in to the Mitchell Maskrey building and Heiar reported that it would be commercial space with apartments on top.

Motion by Barker, seconded by Lyon authorizing the Mayor to sign the Community Catalyst Building Remediation Grant Contract between the City for Mitchell Maskrey.

Motion by Collister, seconded by Lyon approving Resolution No. 2020-54, entitled, "Resolution Fixing Date For A Public Hearing On The Proposal To Enter Into A Development Agreement With GT Development, LLC And Providing For Publication Of Notice". Motion Carried 7-0

Motion by Lyon, seconded by Barker authorizing Mayor to sign the engagement letter from Ahlers Cooney for the Water Revenue Capital Loan Notes (USDA) in the amount of \$1,533,000.

Motion Carried 6-1 Nay: Collister

Motion by Lyon, seconded by Holm approving Resolution No. 2020-55, entitled, "Resolution Fixing Date For A Meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$1,533,000 Water Revenue Capital Loan Notes Of The City Of Maquoketa, State of Iowa, and Providing For Publication Of Notice".

Motion Carried 6-1 Nay: Collister

Motion by Lyon, seconded by Kean authorizing Mayor to sign the engagement letter from Ahlers Cooney for the Sewer Revenue Capital Loan Notes (USDA) in the amount of \$1,777,000.

Motion Carried 6-1 Nay: Collister

Motion by Barker, seconded by Woodward approving Resolution No. 2020-56, entitled, "Resolution Fixing Date For A Meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$1,777,000 Sewer Revenue Capital Loan Notes Of The City Of Maquoketa, State Of Iowa, And Providing For Publication Of Notice".

Motion Carried 6-1 Nay: Collister

Motion by Lyon, seconded by Kean authorizing Mayor to sign the engagement letter from Ahlers Cooney for the Stormwater Revenue Capital Loan Notes (USDA) in the amount of \$2,914,000.

Motion Carried 6-1 Nay: Collister

Council will wait until closer to Halloween to discuss trick or treat.

Motion by Barker, seconded by Woodward adjourning at 7:16 p.m.

All Ayes

Don Schwenker, Mayor

ATTEST:

Gerald Smith, City Manager