

MAQUOKETA CITY COUNCIL MEETING
Monday, October 7, 2019

Mayor Schwenker called the regular session of the Maquoketa City Council to order at 7:00 p.m. with six members present.

Present: Kean, Lyon, Collister, Kuhlman, Barker, Horan

The group recited the Pledge of Allegiance.

Motion by Collister, seconded by Kuhlman approving the consent agenda consisting of the agenda, September 16, 2019 minutes, bills. Renewal class "C" beer permit, native wine and Sunday sales filed by Kwik Star #212, renewal class "C" liquor license, outdoor sales and Sunday sales filed by Perxactly and monthly financial reports for September. Motion Carried 6-0

Mayor Schwenker opened the public hearing regarding the proposed sale of real property for the west side of North 2nd Street. There were not written or verbal comments. Motion by Collister, seconded by Horan closing the public hearing. Motion Carried 6-0

Mayor Schwenker opened the public hearing regarding proposed vacation of portion of 2nd Street right of way north of Platt Street and South of James Street. There were no written or verbal comments. Motion by Collister, seconded by Barker closing the public hearing. Motion Carried 6-0

Mayor Schwenker opened the public hearing regarding proposed vacation of portion of James Street right of way east of Niagara Street and west of 2nd Street. There were no written or verbal comments. Motion by Barker, seconded by Horan closing the public hearing. Motion Carried 6-0

Motion by Collister, seconded by Barker approving Resolution No. 2019-74, entitled, "Resolution Authorizing Sale of Real Property (2nd Street)". Motion Carried 6-0

Motion by Barker, seconded by Collister approving the first reading of Ordinance No. 1157, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of 2nd Street Right Of Way North Of Platt Street And South Of James Street." Motion Carried 6-0

Motion by Collister, seconded by Lyon suspending the rules and proceeding to the second and third reading of Ordinance No. 1157. Motion Carried 6-0

Motion by Lyon, seconded by Barker approving the second reading of Ordinance No. 1157, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of 2nd Street Right Of Way North Of Platt Street And South Of James Street."
Motion Carried 6-0

Motion by Collister, seconded by Kean approving the third reading of Ordinance No. 1157, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of 2nd Street Right Of Way North Of Platt Street And South Of James Street."
Motion Carried 6-0

Motion by Collister, seconded by Lyon approving the first reading of Ordinance No. 1158, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of James Street Right Of Way East Of Niagara Street And West Of 2nd Street."
Motion Carried 6-0

Motion by Collister, seconded by Lyon suspending the rules and proceeding to the second and third reading of Ordinance No. 1158. Motion Carried 6-0

Motion by Barker, seconded by Kean approving the second reading of Ordinance No. 1158, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of James Street Right Of Way East Of Niagara Street And West Of 2nd Street."
Motion Carried 6-0

Motion by Barker, seconded by Kean approving the third reading of Ordinance No. 1158, entitled, "An Ordinance Providing For The Vacation And Conveyance Of That Portion Of James Street Right Of Way East Of Niagara Street And West Of 2nd Street."
Motion Carried 6-0

Motion by Collister, seconded by Lyon approving the first reading of Ordinance No. 1159, entitled, "An Ordinance Repealing Section 4-1-7A Chapter 1 Title IV (Dangerous Animals) Of The Code Of Ordinances Of The City Of Maquoketa, Iowa And Replacing With New Section 4-1-7A Chapter 1 Title IV To Be Titled Problematic And Vicious Animals."
Motion Carried 6-0

Motion by Collister, seconded by Kuhlman accepting Jacob Baker's resignation from Fourth Ward Council position. Motion Carried 6-0

Discussion was held regarding filling the 4th Ward Council vacancy by appointment or special election. Barker stated the cost of a special election would be \$1,200. She questioned what the process is to fill the appointment.

Schwenker stated if Council decides to appoint then an advertisement will be put in the paper but if Council decides on an election it will go to the County.

Barker stated she is concerned there is a perception that Council is picking and choosing who will be appointed. If there is more than one applicant Council could be criticized for not letting the public vote.

Horan stated that if there were more than 50% of the term left he would vote for an election but since it is half way through he would prefer appointment.

Koranda stated that the terms of a special election have changed and there are only certain times of the year that they can be held.

Barker stated she is concerned that a Board and Commission application is not enough information.

Motion by Lyon, seconded by Horan filling 4th Ward Council vacancy by appointment.
Motion Carried 5-1 Nay: Barker

Horan stated he would be voting no on the construction payment for Bear River Subdivision because he does not agree with the project.

Motion by Lyon, seconded by Kean authorizing payment in the amount of \$56,213.87 to Connolly Construction for Bear River Subdivision Improvements.
Motion Carried 4-2 Ayes: Kean, Lyon, Kuhlman, Barker
Nay: Collister, Horan

Motion by Lyon, seconded by Horan approving Engagement Agreement with Ahlers Cooney Attorneys for Sewer Revenue Capital Loan Notes.
Motion Carried 6-0

Motion by Barker, seconded by Lyon approving Resolution No. 2019-75, entitled, "Resolution Fixing Date For A Meeting On The Proposition To authorize A Loan And Disbursement Agreement And The Issuance Of Notes TO Evidence The Obligations Of The City Thereunder."
Motion Carried 6-0

Motion by Lyon, seconded by Horan approving Agreement with FAA for a Special Flight Inspection on the Papis on Rwy 15 & 33 and a Commissioning Flight Inspection of the Reils & Mirls on Rwy 15 & 33 at Maquoketa Municipal Airport (KOQW) Maquoketa, Iowa.
Motion Carried 6-0

Schwenker reported that he had reviewed the old Council Committee structure and the new Committee of the Whole structure and amended the ordinance to be a combination of both. He reduced the previous Committees from 7 to 4. Each committee would have three Council members on it would meet as needed. This allows Council members to have more information on their various committees. He requested Council review the ordinance for the next meeting.

Collister stated he likes the committee structure.

Lyon stated this should go to legal for review.

Motion by Collister, seconded by Lyon to table Ordinance regarding Council committees to have reviewed by legal. Motion Carried 6-0

Ellenz reported he received three bids from Tandem Tire for tires for the 544 Loader. He stated he was waiting for one more quote but it did not come in.

Collister stated deadlines need to be given when asking for quotes.

Motion by Collister, seconded by Lyon approving quote in the amount of \$7,889.57 from Tandem Tire for tires for the 544 Loader. Motion Carried 6-0

Motion by Lyon, seconded by Horan authorizing repairs in the amount of \$7,334 for Street Sweeper. Motion Carried 6-0

Motion by Lyon, seconded by Horan allocating up to \$55,000 of Parks CIP for purchase and installation of new playground equipment at Grove Street Ballfields. Motion Carried 6-0

Mallory Smith explained that the City had started a mobile home district ordinance but the districts were not actually created. She is asking Council to direct the Planning and Zoning Commission to review the ordinance.

Motion by Collister, seconded by Lyon approving Resolution No. 2019-76, entitled, "Resolution To Direct Planning And Zoning Commission To Study And Make Recommendations Regarding A Proposed Amendment To The Zoning Ordinance." Motion Carried 6-0

Kuhlman reported there will be a meeting to review the final design for skate park ramps on Thursday at 4:00 p.m.

Kean reminded everyone of Maqtoberfest.

Horan thanks everyone for their condolences. He also reported he is getting complaints about handicap parking in municipal lots.

Motion by Collister, seconded by Kuhlman approving Mayoral appointment of Steve Morehead and Dave Felderman to the Sidewalk Committee. Motion Carried 6-0

Motion by Horan, seconded by Barker adjourning at 7:40 p.m. All Ayes

Don Schwenker, Mayor

ATTEST:

Gerald Smith, City Manager