

MAQUOKETA CITY COUNCIL MEETING
Monday, August 3, 2020

Mayor Schwenker called the regular council session of the Maquoketa City Council to order at 6:15 p.m. with seven members present via Zoom Chat.

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

Don Schwenker stated there was an item P added to the agenda, due to the city applying for a grant for an emergency sewer project for Dearborn and Quarry.

Josh Collister questioned the 24-hour rule on changing the agenda.

Gerald Smith stated they were within the boundaries due to the emergency and deadlines for the added item.

Motion by Kean, seconded by Barker approving the consent agenda consisting of the agenda, July 20 minutes, bills and Renewal Class "C" Beer Permit and Sunday Sales Filed by Kiwk Star #894. Motion Carried 7-0

Gerald Smith stated the USDA grant for Platt Street project has an update on the funding gap. There will be a special council meeting held to vote on the Mayor entering into an agreement to work on the grant. The funding gap will hopefully be filled by the USDA grant. If there is an application filled, there is a poverty rate entrance into the grant which means a lower interest rate. Funds will be tapped after other funding have gone into effect. There is a short timeline for the funds to be obtained, the deadline is August 7th, 2020. Gerald is hoping to have a special city council meeting on Wednesday to approve the grant application. The infrastructure of the city will have a shelf life of 80 to 100 years and will only bring benefit to the city.

Kevin Kuhlman questioned when does the city have to pay this back, does the federal government tell us how much we have to pay and when.

Gerald Smith stated they do not have to use the grant until next year, but they have to take advantage now to get the good interest rate.

Kevin Kuhlman questioned if going forward will the payment amounts be able to be in the budget and will the city have to raise the rate on water bills to help pay for the grant.

Gerald Smith stated it is something to watch for with inflation but there is a schedule already built to raise the water rates in effect. Gerald asked for a consensus on the meeting for Wednesday August 5th at 7:00 a.m.

Kuhlman, Holm, Lyon, Barker, Woodward, and Kean all stated yes, Collister stated no.

Motion by Lyon, seconded by Kean approving the second reading of an ordinance to adopt a complete building code for the City of Maquoketa Code of Ordinances. Motion Failed 3-4
Ayes: Kean, Lyon, Barker Nays: Woodward, Kuhlman, Collister and Holm

Motion by Collister, seconded by Holm approving Resolution No 2020-46 entitled, "Resolution Approving Outdoor Dining/Food Service, Alcohol Service/Consumption." Motion Carried 7-0

Mallory Smith stated the REAP grant applications require council action and REAP board approval. There is already approval from the REAP board.

Motion by Collister, seconded by Kuhlman approving Resolution No 2020-47 entitled, "Resolution Approving the REAP Grant Application for Improvements to Horseshoe Pond Park and Campgrounds." Motion Carried 7-0

Dan Holm questioned if this change order was for the extra trim needed around buildings.

Mallory Smith stated partly, the change order gives and takes from the project since some owners dropped out and added one more owner.

Motion by Lyon, seconded by Woodward Approving Change Order #1 submitted by Tricon Construction Group for Façade Rehabilitation in The Amount Of \$18,298.34. Motion Carried 6-1
Ayes: Kean, Woodward, Lyon, Kuhlman, Barker, and Holm. Nay: Collister

Mallory Smith stated this change order adds one business owner to the project, where two business owners have dropped out. The new owner will still be responsible for the same cost share as those that withdrew from the project. The city has to pay a quarter, the business owner has to pay a quarter and the state grant covers the rest, which is half.

Motion by Lyon, seconded by Kean Approving Change Order #2 submitted by Tricon Construction Group for Façade Rehabilitation in The Amount Of \$59,275.32. Motion Carried 6-1
Ayes: Kean, Woodward, Lyon, Kuhlman, Barker, and Holm. Nay: Collister

Motion by Woodward, seconded by Kuhlman Approving Payment of Invoice #1219 For Design and Construction Administration in The Amount Of \$5,915.74 To 563 Design. Motion Carried 6-1
Ayes: Kean, Woodward Lyon, Kuhlman, Barker, and Holm. Nay: Collister

Motion by Lyon, seconded by Barker Authorizing the Mayor to Execute A Cooperative Agreement Between the City and The Iowa Department of Transportation Regarding The \$3,600,000 Of IADOT Funds Being Contributed to The Plat Street Reconstruction Project. Motion Carried 6-1
Ayes: Kean, Lyon, Kuhlman, Barker, and Holm. Nay: Collister

Nathan Woodward questioned what trail system the grant was referring to.

Don Schwenker stated it is to connect the new bridge south of town on main street. When the new bridge is built it will include a pathway that connects to the Summit Street path.

Motion by Barker, seconded by Kuhlman approving Resolution No 2020-48 entitled, "Resolution to Approve the City of Maquoketa To Accept Grant Funding Support for The Establishment and Connection of a Trail System to Connect the S. Main Street Bridge. Motion Carried 7-0

Nathan Woodward questioned what the sander was and used for.

Jon Hopson stated there are two amounts depending on what happens when they take the sander into the shop. If the repair shop can salvage the older parts it will be cheaper, if the repair shop has to order new then they will have to go with the more expensive route. The sander is used for ice prevention in parking lots and sidewalks.

Motion by Collister, seconded by Holm, Approving Payment for Repairs to The Sander in The Amount Of \$4,066.99 and \$6,095.99 To Henderson's. Motion Carried 7-0

Nathan Woodward questioned if the bear creek cottages are complete.

Don Schwenker stated the cities portion was to complete the street and utilities.

Motion by Lyon, seconded by Kean, Approving Payment for May/June And Final Pay Request for Work Complete in The Pocket Neighborhood in The Amount Of \$43,187.00 To Connolly Construction. Motion Carried 6-1
Ayes: Kean, Lyon, Kuhlman, Barker, and Holm. Nay: Collister

Motion by Barker, seconded by Kean, Approving Resolution No 2020-49 entitled "Resolution Accepting the Pocket Neighborhood Project as Complete and Authorizing Final Payment of Retainage. Motion Carried 7-0

Motion by Collister, seconded by Kuhlman Approving Payment for The New Public Works Ford Ranger Pickup in The Amount Of \$33,255.00 To Brad Deery's. Motion Carried 7-0

Josh Collister questioned if the plow truck was in the budget and if it will be traded in or new.

Jon Hopson stated they are adding the new plow truck to the public works fleet. The current truck will be used as a spare that wastewater can use. Public works will use the old plow as a back up and they are keeping the plows that go with it.

Motion by Collister, seconded by Holm Approving Payment for Plow Truck Upfit Accessories in The Amount Of \$106,475.00 To Henderson's. Motion Carried 7-0

Josh Collister questioned why the next three agenda items were the same for parts, valves, and hydrants.

Jeff Bodenhofer stated every year the water department stocks up on parts for the year. This year they did things differently, Jeff received 3 quotes and took the best price from each company. The water department saved \$700.00 doing it this way.

Motion by Holm, seconded by Lyon authorizing the purchase Of Parts, Valves and Hydrants in The Amount Of \$2030.01 To WinWater. Motion Carried 7-0

Motion by Collister, seconded by Kean authorizing the purchase Of Parts, Valves and Hydrants in The Amount Of \$6707.61 To Utility Equipment Company. Motion Carried 7-0

Motion by Collister, seconded by Kean authorizing the purchase Of for Parts, Valves and Hydrants in The Amount Of \$5830.00 To J&R Supply. Motion Carried 7-0

Motion by Collister, seconded by Holm approving Resolution No 2020-50 entitled "Resolution to approve emergency repairs, 384.103 Bonds authorized — emergency repairs. 1. A governing body may authorize, sell, issue, and deliver its bonds whether or not notice and hearing on the plans, specifications, form of contract, and estimated cost for the public improvement to be paid for in whole or in part from the proceeds of said bonds has been given, and whether or not a contract has been awarded for the construction of the improvement. This subsection does not apply to bonds which are payable solely from special assessment levies against benefited property. 2. a. When emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the city, the chief officer or official of the governing body of the city or the governing body shall make a finding of the necessity to institute emergency proceedings under this section, and shall procure a certificate from a competent licensed professional engineer or licensed architect, certifying that emergency repairs are necessary. b. In that event, the chief officer or official of the governing body or the governing body may accept, enter into, and make payment under a contract for emergency repairs without holding a public hearing and advertising for bids, and the provisions of chapter 26 do not apply. Motion Carried 7-0

Erica Barker stated the Public Safety Committee recommended 3 review board members; Judy Carr, Jenni Joos and Chris Berg; this review board has come out of the vicious animal ordinance requirement.

Motion by Collister, seconded by Kean Appointing Three Members to The Animal Review Committee. Motion Carried 7-0

Erica Barker stated the Public Safety Committee wants to create a Diversity Commission to continue the conversation on Community Equality and Inclusion. The Commission would be modeled after the Dubuque Humans Rights Commission, it would have 9 members serving 3 year terms. Erica will be working with Gerald and the attorneys to establish an ordinance.

Dan Holm stated he doesn't see many problems with diversity in the city, but thinks it would be great moving forward.

Kevin Kuhlman asked if there were members picked out for this already, response was no.

Jessica Kean stated it was a great and idea and will help keep the city moving forward.

Don Schwenker stated there has to be vacancies to fill, there will have to be the ordinance adopted then people can apply.

Consensus from City Council was yes to go ahead and work on the ordinance.

Erica Barker stated she was personally working on a group to bring awareness of COVID to the community. She has reached out to other members of the community, Curt Coleman from the Hospital and Hometown Pride, they are going to call the campaign Mask Up Maquoketa. They are going to recommend that people wear masks when maintaining social distancing isn't possible. Erica has been surprised there has been no city statement to reach out to regarding people wearing masks. Erica recommends a Resolution that will have the City Support the Mask Up Maquoketa Campaign.

Don Schwenker asked to define wear a mask in public places.

Erica Barker stated that the city can't require people and businesses to require masks, but to encourage businesses to require them. People are going to make their own decisions.

Jessica Kean stated as chair of Hometown Pride as she is on board with bringing the campaign to the table. Other cities are using the language of they recommend masks, where social distancing is not feasible. If the council kicks the campaign to Hometown Pride that would off load some of the council's actions, acknowledge that Hometown Pride is the face.

Don Schwenker stated he has no problem recommending wearing masks when social distancing isn't available the state doesn't require masks so its hard to make the statement and support to wear masks. He would hope all adults could decide whether or not to wear a mask. People have the right not to wear masks, but if a business requires a mask people don't have to right to defy that.

Motion by Collister, seconded by Woodward To Go Into Closed Session To Discuss Strategy With Counsel Regarding A Matter Presently In Litigation Or Where Litigation Is Imminent Where Its Disclosure Would Be Likely To Prejudice Or Disadvantage The Position Of The Governmental Body In That Litigation As Permitted By Iowa Code Section 21.5(1)(C). Motion Carried 7-0

Open Session resumed at 8:26 p.m.

Motion by Collister, seconded by Lyon adjourning at 8:28 p.m. All Ayes

Don Schwenker, Mayor

ATTEST:

Gerald Smith, City Manager