

**MCGREGOR CITY COUNCIL
REGULAR MEETING
AUGUST 17, 2016 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, August 17, 2016** at City Hall with Mayor Brooks presiding. The meeting was called to order at 6:30 p.m. Mayor Brooks led the Pledge of Allegiance. Council members present: Hallberg, Echard, Muehlbauer, Carroll and Halvorson.

Muehlbauer moved, seconded by Hallberg to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes July 20, 2016 c) Bills and Claims as presented for period July 21, 2016 through August 17, 2016 Expenditures: City- \$699,646.43, Revenues - \$345,195.65 d) Treasurer's Report for July, 2016 e) Liquor license renewal – Pocket City Pub f) Temporary outdoor service area – Uncle Sam's Saloon for September 17, 2016. Roll call vote: Ayes – All. Motion carried.

Hearing of Delegations: Bob Wiemerslage expressed his satisfaction with the effectiveness of the FEMA storm water control measures up Center Ave. He asked if there was any solution to back yard fires that were left smoldering. With the high humidity in recent weeks the smoke lingers in the valley. He is not opposed to the campfires, has asked that they are extinguished at the end of the evening, but has had no results. Charlene Pallucci complemented the work crew for the trimming done between towns. Councilman Carroll reported problems with trains parking for periods in excess of 2 hours and blocking the access to the riverfront across from the US Fish and Wildlife building. Attorney Schuster explained that even when the police have issued a citation the railroad will commonly use the federal exemption defense. He suggested a letter be sent to the railroad explaining the situation and requesting their cooperation to resolve the situation. He will draft a letter from the Mayor.

Police Report: Chief Bogdonovich was in attendance. He informed the Council that a new reserve officer had just been hired. Operations Report: Street Superintendent Jones reported that most of the work at Turner Park has been completed. The drainage project was completed with one low spot that needs to be corrected where the volleyball court was removed. Mayor Brooks asked when seeding and mulching will be completed by Thornton Transportation. Vorwald will be completing the River Road lift station, manhole replacement on Main between 6th and 7th St. and work along main storm sewer over the next two to three weeks.

Mayor Brooks opened a scheduled public hearing for the status of funds for the CDBG hazard mitigation match grant. Diana Johnson from UERPC provided the following information: **(a) a general description of accomplishments to date:** The project is approximately 75% complete. Work on Ash Street, Garnavillo, and Center Street is complete. Catch Basin 1 is near complete with drainage structures installed and embankment started, but waiting for utility relocates to finish; Catch Basin 2 is 90% complete with storm structures, embankment and access ramp complete; Catch Basin 3 is 90% complete with storm structures, railings, access ramps and embankment complete. Seeding to be completed during seeding window. All trash racks have been installed to date. Catch basin 4 is graded and currently has fabric formed revetment being installed. Approximately 60% complete. Catch basin 5 is currently being graded and roughly

25% complete. **(b) summary of expenditures to date:** The latest pay estimate is current through July 30, 2016 and indicates that CDBG reimbursable construction expenditures are at \$405,726 in terms of work completed and engineering/administrative expenditures are at \$99,280. The total CDBG construction/engineering expenditures requested-to-date is at 100%. **(c) general description of remaining work:** The construction of the project is near completion and a final draw request will be needed once final costs are approved. Work is still needed to be completed for catch basins 4 & 5. Work on 4th and Buell Street has not started. **(d) general description of changes made to the project budget, performance targets, activity schedules, project scope, location, objectives or beneficiaries:** An original completion date was set for July 31, 2014, however the project has encountered several delays as a result of compliance requirements of various local, state and federal government agencies. Further complications have arisen with the potential that the Northern Long Eared Bat (NLEB), proposed endangered species, may nest in areas where trees needed to be cleared. Also, due to a large reduction in quantity of trash fence, the unit price was re-negotiated and a change order written. Center street has some additional pavement and intake replacement due to existing conditions and connection into the new drainage system. Temporary seeding was added to accommodate erosion control throughout the project. The final completion date has been extended and set for March 22, 2017. The contract should be closed before that. For more information on this project, feel free to contact Project Manager with HR Green, Inc., Timothy Cutsforth, 319-841-4000 or Diana Johnson, Upper Explorerland Regional Planning Commission, 563-382-6171. No public comment was given at the meeting and none had been received at city hall. Mayor Brooks closed the hearing.

Council considered a request to purchase city property made by Pat and Julie Mullarkey. The request is for the North ½ of Lot 9 in Block 18. The south half had been disposed of earlier to Mr. Fiddler. Carroll moved, seconded by Echard to authorize the attorney to proceed with the necessary paperwork and actions for the proposed purchase. Roll call vote: Ayes – all. Motion carried. Discussion took place regarding a citizen complaint about an electric line relocation that had been proposed by MMU in 2011. In June of 2011 the city had authorized the proposed location of the line across a portion of the Ohmer property. The proposed locations had been reviewed by the city engineer taking into account any future development on the city owned property. The relocation has not been completed due to private property owner concerns. The council asked the clerk to send a letter to the citizen explaining the situation and that his concerns should be taken to the MMU board meeting in September.

Options available for deer management within the city limits were discussed. Sander has been working with Ross Ellingson from IA DNR to re-establish the hunt that was discontinued several years ago. The options would require ordinance revisions and could not start until the archery season of 2017. The council asked Sander to work with the IA DNR to determine whether or not they would allow permitted hunting on state ground that is located within the city limits and if they would qualify hunters as they had in the past.

The new owner of the Silver Dollar has requested reinstatement of the temporary use permits that expired in July. Those permits were for the enclosed smoking area and for the enclosure for trash receptacles. Sander had spoken with the owner, who may need additional space for placement of an LP tank if he replaces the furnace with a gas furnace. They will meet at the site

to discuss the use permit so all could be included on one permit. Council is in favor of the use permit with an increase in the fee which will be determined when approval is sought. Conditions may be considered to keep the permit in effect in subsequent years. Attorney Schuster provided an update to the council regarding the pending agreement for readjustment of the right of way for the Trudo property. The IDOT is not pleased with the proposed agreement. The attorney is trying to schedule a meeting with IDOT representatives, the mayor and city clerk to try to resolve the matter.

Echard moved, seconded by Muehlbauer to approve Resolution 02-08-2016 approving the FY 2016 Street Financial Report. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve Resolution 03-08-2016 approving the FY2016 Debt Report. Roll call vote: Ayes – All. Motion carried. Carroll moved, seconded by Hallberg to approve Resolution 04-08-2016 authorizing the ninth amendment for escrow for deed (Carole M. Stripe) with a payment in lieu of taxes of \$2,200. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Muehlbauer to approve Resolution 05-08-2016 authorizing transfers in the amounts of \$11,746.30. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Hallberg to approve Resolution 06-08-2016 approving 40% cash and/or in kind match for the CLG grant for the Sullivan Opera House. The amount is approximately \$2,300 with the draft application currently under review by the state. Roll call vote: Ayes – all. Motion carried.

Fall clean-up schedule was announced. Large item pick up will be on Monday, October 17. No electronics pick up is scheduled for this fall. There was poor response at the last offering of this service so it will perhaps only be offered every two to three years. Appliance pickup will be available curbside as in the past. Shredding service cost estimates were provided. Marquette has expressed interest in sharing with the cost to offer to Marquette residents as well. A Saturday works best for the shredding service. Contact will be made with the company to determine a date and we will coordinate with Marquette if they decide to proceed.

Quotes for LP for the 2016-2017 heating season were reviewed. Seven requests for quotes were sent out with five companies sending back a response. Muehlbauer moved, seconded by Echard to contract with Fauser Oil Company for 10,500 gallons at a prepay cost of .756 cents per gallon. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve Pay Request #5 – FEMA storm water control project – Pirc-Tobin in the amount of \$659,866.75. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Muehlbauer to approve HR Green professional services amendment No. 2 for engineering services for the FEMA Storm water project in the amount of \$15,000. Roll call vote: Ayes – all. Motion carried.

Several layouts for the new Turner Park sign were considered. The sign will be placed for visibility along the highway and will include donor recognition for Phases I-III on the side facing the park. Muehlbauer moved, seconded by Hallberg to approve layout 1A. Roll call vote: Ayes – all. Motion carried. A request for street closure for the fall Friends Helping Friends fundraiser was considered. A street dance is planned on the section of Dr. Smith St. adjacent to Uncle Sam's, food, auction and a run/walk. Hallberg moved, seconded by Carroll to approve the street closure for Saturday, September 17. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to schedule a special meeting for Friday, August 26 beginning at 4:30. Roll call vote: Ayes. Motion carried. The meeting is being held to assist with planning

equipment needs, building maintenance and future improvements for Turner Park. It will begin with a tour of the city shop on west main and move to the lower shop, sewer treatment plant and Turner Park. No decisions will be made at the meeting. Following the tours a family picnic will be held at Turner Park. A comparison of area police departments was presented to the mayor and council. The comparison was requested by Councilman Carroll at a previous meeting to assist with upcoming budgeting for the next fiscal year. Mayor Brooks encouraged the council to present their concerns to the two commissioners and if any additional information would be beneficial to contact Sander who will email the participating cities.

Mayor Brooks asked the Street Superintendent if he and the waste water operator would be interested in obtaining their water certification if an agreement could be reached with MMU. With the current water operator considering retirement within the next two years it would be a good time to begin sharing employees to help reduce both the city's and MMU's personnel costs. If an agreement could be reached, there is time to work with the current operator to learn the infrastructure and other historical information. This is something that is of interest to the city crew. The mayor will contact Chairman Zahn for preliminary discussions with subsequent presentation to the full board.

Sander informed the council that she and the mayor had accompanied HR Green engineers to look at the storm water project areas being considered. They spent several hours discussing options to control the water that enters Triangle Park area and methods to successfully move larger amounts of water into the storm sewer and off of the surface. Repair of some of the sections of brick was also discussed. The 4th St bridge reconstruction is a top priority. The engineer will provide plans and cost estimates for all of the projects separately so smaller projects can be done when money allows. The contract for engineering will be here for approval at the September meeting.

With business concluded, Echard moved to adjourn the meeting. Seconded by Hallberg. Ayes – All. Meeting adjourned.

Harold W. Brooks

Mayor

Attest:

Lynette L. Sander
City Administrator