

**MCGREGOR CITY COUNCIL
REGULAR MEETING
SEPTEMBER 21, 2016 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, September 21, 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 August 17, 2016 and Special Meeting minutes August 26, 2016 c) Bills and Claims as presented for period August 18, 2016 through September 21, 2016 Expenditures: City- \$696,869.58, Library – \$889.05, Revenues - \$640,651.96 d) Treasurer's Report for August, 2016 e) Appointments – Historic Preservation Commission – Dave Kneer, Maureen Wild, Bob Clark – Terms ending 09-30-2019 , Housing Committee for Owner Occupied Grant – Harold Brooks, Lynette Sander, Mark Groom, Charles Carroll f) New Liquor Licenses– Steve's Silver Dollar and Backwoods g) Cigarette Permit – Steve's Silver Dollar. Roll call vote: Ayes – All. Motion carried.

Hearing of Delegations: No comments received.

Police Report: Nothing new to report.

Members of the Mar-Mac Rescue Squad were present to request assistance towards the purchase of training simulators. The request was for \$1,045.88, which is half of the total cost. Carroll moved, seconded by Echard to approve the request of \$1,045.88 to the Mar Mac Rescue Squad. Roll call vote: Ayes – all. Motion carried.

Hallberg moved, seconded by Echard to go into closed session pursuant to Iowa Code section 21.5(c) to discuss strategy with counsel in matters that are presently in litigation where disclosure would be likely to prejudice or disadvantage the position of the governmental body in litigation. Roll call vote: Ayes – all. Motion carried. The council entered closed session at 6:40 p.m. The council re-entered open session at 7:11 p.m.

The council reviewed a request from Steve's Silver Dollar for a temporary use permit for the smoking area and trash receptacle enclosure located on the small parking lot east of his building. The one-time fee for reimbursement of attorney fees, administrative time and recording fees is \$225. The council discussed the condition in the permit that requires the front door be used as a fire exit only. There was disagreement as to this condition being left in. Carroll moved, seconded by Echard to grant the permit for the temporary use area, the annual fee being \$100, the prorated first year fee being \$75 and the language regarding the front door to remain in the permit. Roll call vote: Ayes – Carroll, Echard, Halvorson. Nays – Hallberg and Muehlbauer. Mayor Brooks stated that the owner may come back to the council to request deletion of the requirement to use the side door as the entrance to the business if he finds this to be a hinderance to his business.

Council discussed the status of the nuisance abatements that had received letters from the attorney. Some work has been completed, however, there are still many areas that show little progress. A response is requested that provides a timeline for cleaning up the properties. Hallberg moved, seconded by Echard to direct the attorney to prepare follow up letters to the properties that he had sent nuisance letters to giving the property owners a completion date and requesting a timeline for completion of various parts of the nuisances. Roll call vote: Ayes – all. Motion carried. A request for consent to establish a new urban renewal district in the Breezy Pointe Sub-division was considered. The request is required for development within the two-mile boundary of the city. Hallberg moved, seconded by Echard to give consent for the urban renewal district. Roll call vote: Ayes – all. Motion carried.

Following recent blockages of railroad crossings by standing trains, Sander sent an email to a railroad employee who supervises the railroad police. The response received requested that those who witness the blockage contact the phone number listed at the crossing providing the crossing number, engine number if possible, and time and duration of the blockage. This will help to resolve the situation. The council discussed problems with the parking areas around Gazebo Park that are being used to park trucks and trailers not leaving parking space for park users. They reviewed code sections 69.11 and 69.10 for potential modifications or to determine if the ordinance is adequate but is not being enforced by the police department. The clerk will discuss further with the city attorney and will either bring an ordinance revision to the next meeting or will make the police department aware of the situation and request that citations be issued.

The final hotel feasibility study was provided to the council. The report concluded that construction of a mid-scale quality, 40-50 room hotel would be economically feasible. A hotel on the river would attract more destination travelers and would benefit the community with increased tourism. The council was provided with sample ordinances for a city deer hunt. Pikes Peak has not committed to re-establishing a managed hunt on their property. The council concurred that it would not be effective to have a hunt in McGregor if the state ground was not also included. They directed the clerk to email Rylan Rettalick informing him that the city would not establish a hunt until such a time as the state ground is opened for a managed hunt.

Carroll moved, seconded by Halvorson to approve the contract with HR Green for engineering the 4th St. bridge and A St. inlet projects for an amount not to exceed \$50,000. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve Pay Request #6 FEMA Storm water control project – Pirc Tobin - \$583,901.80. Roll call vote: Ayes – all. Motion carried. The council discussed a cost estimate for treating seven ash trees for emerald ash borer. Six of the trees are located in city parks and one is located in the boulevard on Ann St. Echard moved, seconded by Hallberg to contract with EAB Consultants LLC to treat six trees located in the parks, but not the boulevard tree in the amount of \$574. Roll call vote: Ayes – all. Motion carried.

Quotes were reviewed for a new skid loader. Quotes came from John Deere, Bob Cat and Caterpillar. The 2007 NH skid, 2012 NH tractor and Kuhn Krause mower were considered for trade against the new skid. Rough mowing cost estimate of \$1,700 was given to do all of the dams and several other areas of minimal mowing if the mower is traded. Echard moved,

seconded by Halvorson to purchase the new 2015 Bob Cat S650 T4 with bucket for \$58,367.00 less trade in of \$55,867 making the cost \$2,500. Roll call vote: Ayes – all. Motion carried. Asphalt quote from River City paving for six patches was considered. Two patches will be billed to MMU for water related work. One patch is being reviewed for possible inclusion in the FEMA project. Echard moved, seconded by Hallberg to approve a not to exceed estimate for \$7,042.60 with west main and rest room patches billed to the utility. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve a quote for window replacement at the library in the amount of \$5,072. Roll call vote: Ayes – all. Motion carried. Muehlbauer moved, seconded by Hallberg to approve the 2015-2016 annual financial report. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Carroll to approve Resolution 02-09-2016 Proposing Disposal of the North half of Lot 9 in Block 18 of James McGregor Jr.'s Addition to McGregor to Pat and Julie Mullarkey and setting a hearing date on Wednesday, October 19, 2016 at 6:30 p.m. Roll call vote: Ayes – all. Motion carried.

Mayor report: He is awaiting a response from Charlie Zahn regarding the potential to cross train the public works employees to be able to handle the water operations when the current operator retires. The mayor asked about trimming trees and shrubs below his house that extend into the traveled portion of the street. Clerk will review the ordinance and look at the items in question to determine the next step. Council reports: Councilman Echard noted the recent heavy rain has eroded an area on A Street where it dumps into the storm sewer. He asked that council look at the two no parking spots on A St. near the Frater building requested they be removed. Both are located in front of the parking area of the Frater building and if parking is allowed on both spots there would be no access to the building parking. Council will look at before next meeting. He expressed concern about the empty buildings on main st. Council woman Hallberg announced two upcoming Turner Park fundraising activities. On November 12th a chili cook-off will be held at the Methodist Church and on December 3, a tour of homes will be held in conjunction with the festival of trees. Clerks report: The city was represented by four people at the Preservation Summit. CDBG monitoring visit has been completed with no issues. HR Green engineers will be here next week to meet to discuss options to alleviate the issues that continue on Ash St. where construction had taken place in the FEMA project.

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

Harold W. Brooks

Mayor

Attest:

Lynette L. Sander
City Administrator