

**MCGREGOR CITY COUNCIL  
REGULAR MEETING  
NOVEMBER 16, 2016 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, November 16, 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.

Echard moved, seconded by Hallberg to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes October 19, 2016 and Special Meeting minutes November 2, 2016 c) Bills and Claims as presented for period October 20, 2016 through November 16, 2016 Expenditures: City- \$283,580.30, Library – \$4,544.32, Revenues - \$505,095.29 d) Treasurer's Report for October, 2016 e) Liquor License Renewals – Latinos and Josie's River Queen. Roll call vote: Ayes – All. Motion carried.

Hearing of Delegations: Dan Gingerich presented a drawing and cost estimate for a retaining wall and corrective measures on the Lisa Scarff property. Ms. Scarff had contacted the city regarding a commitment made in 2009 by the city council to provide \$2,000 towards placement of a retaining wall adjacent to Center Ave. which was constructed for the Ohmer Ridge Sub-division. Mayor Brooks confirmed with the city attorney that the previous motion was still valid so that the item would not have to be placed on the agenda for re-approval. Council was in agreement and encouraged Mr. Gingerich to complete the work yet this fall if possible.

Police Report: Holiday Train is scheduled for December 4 to arrive at 2:45 p.m. and a start time of 3:00 p.m. Officer was asked to relay to the department that they need to sit near the school to slow down semi traffic. Operations Report: Street Superintendent Jones informed council that the city shop insulation, fire retardant paint and gutter work has been completed. The crew is getting snow removal equipment prepped and has repairs to make to the gator. They also assisted with decorating Triangle Park.

Attorney Schuster provided a status report of the nuisance abatements. Most are progressing slowly. Council was asked to visit the area that Bunge was to repair. The work completed was not what Bunge had stated they would do, however, it will be difficult now to do the work they had originally committed to. Council felt that adjacent property owners will need to contact Bunge for any additional work they would like to see done. Other nuisances still in progress will be contacted again in the spring as they still have much to correct.

The Ohmer Ridge Sub-division covenants were discussed. Mayor Brooks and Sander had visited with the city attorney regarding ideas to revise some of the requirements of the covenants to encourage lot sales. Council was asked to bring ideas to the December meeting for further consideration. Bunge lease and maintenance agreement assignments had not been completed for two locations when Bunge took over the McGregor elevator from AGRI Industries. DOT leases the staging area to McGregor who in turn leased to AGRI Industries. City attorney will take steps to get a new lease or assignment in place to protect against liability and inform Bunge they will be responsible for the legal costs. Chief Bogdonovich had sent the clerk a copy of the

language for trailer parking that is in Marquette's ordinance. Muehlbauer moved, seconded by Hallberg to table discussion of the trailer parking ordinance until a future date. Roll call vote: Ayes – all. Motion carried.

Carroll moved, seconded by Muehlbauer to approve Resolution 01-11-2016 authorizing disposal of real property to Pat and Julie Mullarkey, North half of Lot 9, Block 18 JMJ addition. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve Resolution 02-11-2016 Authorizing Temporary Use Permit – Steve's Silver Dollar for smoking area and trash receptacle. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Muehlbauer to approve Resolution 03-11-2016 authorizing internal advances of funds in the amount of \$126,237.70 for payment of urban renewal projects. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve Resolution 04-11-2016 obligating the city to appropriate funds for payment of TIF debt for 2017-2018 in the amount of \$252,770. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Echard to approve Resolution 05-11-2016 approving an amendment to the 28E agreement to provide fire protection for the City of McGregor. The amendment will set the base year percentage of cost for McGregor at slightly over 35%. Roll call vote: Ayes – all. Motion carried.

Halvorson moved, seconded by Echard to approve Resolution 06-11-2016 Proposing Disposal of an interest in real property – Trudo boundary line adjustment – and scheduling a public hearing for December 21, 2016 at 6:30 p.m.. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Muehlbauer to approve the plat of survey for Lot A of Addition No. 1. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Hallberg to schedule a public hearing for December 21, 2016 at 6:30 p.m. for proposed vacation of a portion of River Street right of way. Roll call vote: Ayes – all. Motion carried.

Halvorson moved, seconded by Hallberg to approve the first reading of Ordinance 11-01-2016 Amending Code of Ordinances Updating Permit and Administrative Fees. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to waive the three reading requirement for Ordinance 11-01-2016. Roll call vote: Ayes : Echard, Halvorson, Muehlbauer, Hallberg. Nays: Carroll. Motion carried. Halvorson moved, seconded by Hallberg to approve final passage of Ordinance 11-01-2016. Roll call vote: Ayes – all. Motion carried. Ordinance approved and in effect following publication.

Hallberg moved, seconded by Echard to approve the first reading of Ordinance 11-02-2016 Amending Code of Ordinances Adding Chapter 153 Fences. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to waive the three reading requirement for Ordinance 11-02-2016. Roll call vote: Ayes – Halvorson, Hallberg, Muehlbauer, Echard. Nays – Carroll. Motion carried. Echard moved, seconded by Muehlbauer to approve final passage of Ordinance 11-02-2016. Roll call vote: Ayes – Muehlbauer, Echard, Halvorson, Hallberg. Nays – Carroll. Motion carried. Ordinance approved and in effect following publication.

Muehlbauer moved, seconded by Carroll to contribute \$250 to the MFL MarMac After Prom Party. Roll call vote: Ayes – all. Motion carried. Sander provided the council with a preliminary list of projects that may be considered for the next urban renewal plan amendment. Some potential projects for consideration are admin and professional support for urban renewal, turner

park improvements (splash pad, restroom, concession stand), Main St. corridor & lift station, housing trust fund and housing programs, blighted property restoration, other economic development initiatives. Echard moved, seconded by Halvorson to approve an annual pump maintenance contract in the amount of \$1,200. Roll call vote: Ayes – all. Motion carried. No action on the pipe replacement at main lift station pending FEMA disaster consideration for eligibility.

Mayor Brooks asked the council if they would like to appoint a finance committee to do preliminary budget work then bring it to the council. Council consensus was that they would prefer to have the budget workshop as had been done in the past. Sander informed the council that she had attended the FEMA Disaster 4289 meeting in Elkader. An application has been submitted for public assistance for the pedestrian bridge and lift station pump . Mitigation work may be possible to increase the pipe size at the main lift station but costs estimates will need to be obtained to determine if that work could be completed with this funding. The base map that HR Green has been working on with city property locations has been returned for final review. The Sullivan Opera House survey is now on line and will also be available in hard copy at the library, city hall, chamber, and MMU.

Echard moved, seconded by Halvorson to approve Pay request #8 – FEMA Storm water control project – Pirc-Tobin, \$199,206.25. Roll call vote: Ayes – all. Motion carried.

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

Harold W. Brooks  
Mayor

Attest:

Lynette L. Sander  
City Administrator