

**MCGREGOR CITY COUNCIL
REGULAR MEETING
AUGUST 16, 2017 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, August 16, 2017** 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: Muehlbauer, Carroll, Echard, Hallberg, and Halvorson.

Echard moved, seconded by Muehlbauer to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes July 24, 2017 c) Bills and Claims as presented for period July 20, 2017 through August 16, 2017 Expenditures: City- \$113,850.26, Library – \$1,248.43, Revenues - \$99,786.39 d) Treasurer's Report for July, 2017 e) Liquor license renewal - Pocket City Pub and Temporary Outdoor Service Area – Backwoods – Sept 16. Roll call vote: Ayes – All. Motion carried.

Hearing of Delegations: No comments received.

Police report: Officer Steve Finney was in attendance and provided an update on delivery of the new squad car. It has been delivered and is in the process of being equipped for delivery within the next few weeks. He reported that the police department had put in an additional 40 hours of time during the tornado disaster. Mayor Brooks asked to have that info and road closure info put into a letter and provide that to the clerk for FEMA documentation. Operations report: Pat Jones informed the council that Ash St curb is nearly complete and work on milling and preparing the road for asphalt should begin on the 23 or 24th. 4th St. Box Culvert will begin next week with street closure and mobilization in process currently.

Mayor Brooks read a proclamation making the declaring the week of September 17-23 Boy Scouts of America Week in celebration of the Northeast Iowa Council of Boy Scouts of America's 100th year. Tom Sinclair, Troup Leader, accepted the proclamation on behalf of the council. Mayor, council and audience thanked him for his service and the leadership he has provided the scouts of McGregor/Marquette. Three Rivers FS provided a certificate dated July 29, 2017 making a donation to the City of McGregor of 300 gallons of fuel used to run the generators at St. Mary's during the tornado clean-up. The donation was made in memory of Roger Witter. The mayor and council expressed their thanks for the donation and extended their condolences to the family of Roger Witter.

Attorney Schuster provided an update of the status of resolving the issues related to the library trust investment account. Public funds must be invested locally and because the investments is held in Minnesota and was previously held in stock, the audit has contained a notation regarding the improper investment of these funds. Over the past several months there has been communication between an attorney hired by a friend's group member and the city attorney regarding the interpretation and ownership of the trust and there is still no resolution to the matter. Attorney Schuster stated that the group wants the city to turn the fund over to the friends group, which he in good conscience can not recommend as being legal. The matter needs to be decided once and for all instead of dragging out as it has been. The majority of the council

agreed that the funds are best held for capital projects, however, one council suggested the funds be used to fund the operations of the library instead of the city having to put additional money into the library at the end of each fiscal year. Council directed the attorney to send the Library Board a letter stating the funds need to be invested locally before October 1, 2017 to meet Iowa law for public entities.

Council reviewed the draft agreement for the shared street sweeper. The council felt it could perhaps be simplified and suggested instead of monthly reimbursements perhaps annually or biannually would be sufficient. The comments will be sent to Marquette for their consideration and the preparation of a final draft. Council person Hallberg had requested the council reconsider the Ordinance addressing short term rentals within the city. The understanding is that the ordinance was opposed by two council persons because of the one-time fee of \$25. Those in opposition to the ordinance agreed that was the only part of the ordinance that they did not agree with. The city attorney will redraft the ordinance omitting the fee for the September meeting.

Fred Petrie and Melanie San Fillippo have offered to donate the lot to the city located at 330 Main Street where their building was demolished following the tornado. They asked that the city pay for the street and sidewalk repairs and cost of capping the water and sewer. Sander informed the council she is awaiting a call from the DNR regarding any potential issues that may arise if the rubble is left in the basement and covered with sand and lime. A fair market value is to be obtained by the owners for their own use for tax purposes. The demolition will be completed the week of August 21 with some tile and concrete slab yet to be removed. Council expressed their interest in accepting the lot and directed the clerk to obtain any additional info needed prior to the September meeting so the resolution on tonight's agenda can be addressed then.

Hallberg moved, seconded by Halvorson to approve 02-08-2017 Authorizing Ridgewood West II Subdivision Tenth Amendment for Escrow of Deed with fee in lieu of taxes \$2,200. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to approve Resolution 03-08-2017 Authorizing Grant Application for Iowa Department of Transportation Sign Replacement Program for Cities. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Muehlbauer to approve Resolution 04-08-2017 Approving Annual Debt Report for the Fiscal Year Ended June 30, 2017. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Halvorson to approve Resolution 05-08-2017 Setting Date for Public Hearing on Urban Renewal Plan Amendment. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to approve Resolution 06-08-2017 Approving FY 2017 Annual Street Finance Report. Roll call vote: Ayes – all. Motion carried.

Muehlbauer moved, seconded by Hallberg to approve the 2017-2018 LP contract with Three Rivers FS to pre-pay 5000 gallons at the price of .979 per gallon. Roll call vote: Ayes – all. Motion carried. Approximately 3,500 gallons are still to be used from last year's contract with Fauser Oil C. They will honor the per gallon rate that was agreed to in the 2016-2017 contract. Maria Brummel made a request on behalf of the park board to dedicate Determination Park in memory of Dave Breitbach. Dave was instrumental in getting the park built writing grants, working on projects himself, and with two of his boys completing Eagle Scout projects there. Halvorson moved, seconded by Echard to approve the request from the park board. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Carroll to approve the park

board Fiscal Year Report for 2016-2017. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve the Dock Commission FY end report. Roll call vote: Ayes – all. Motion carried. Carroll asked that a dock commission member be present in the future to answer any questions regarding the report. Carroll moved, seconded by Hallberg to approve a use permit to close A street from 1st St to the alley on September 16th for the Friends Helping Friends Cancer Benefit street dance. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to approve transfer of a previous use permit for a motorcycle group stopping at Backwoods. The permit will be transferred to the B St/Main St parking lot on October 14, 2017 from 10a.m.- 2 –p.m. to park their motorcycles together as a group. Roll call vote: Ayes – all. Motion carried.

Sander reported that the pedestrian bridge has been inspected by a structural engineer to determine if the frame would be able to be used and the decking replaced. The report has not been completed, but the engineer stated the bridge is no longer safe and must be torn down. FEMA funds are still being held in the city's account that had been awarded for the south end of the bridge footing erosion. At the FEMA damage assessment review combining the two disasters for full replacement may be an option. Council reviewed current compensation rates for elected officials. If changes are to be made in compensation they must be completed prior to new terms beginning so this is the time when that must take place. Last changes were made in 2013 and council felt the rates should remain as is. Council discussed purchase of CBU mailboxes and did not feel they were interested at this time in purchasing the units.

Carroll moved, seconded by Echard to approve Final pay request for Owner Occupied Housing Program Loan #2 in the amount of \$14,052.00 to Meuser Lumber. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Echard to approve Pay request #1 for Owner Occupied Housing Program Loan # 1 in the amount of \$13,083 to Meuser Lumber. Roll call vote: Ayes – all. Motion carried. Sander gave the council a brief summary of the damage assessment discussions with Homeland Security and FEMA representatives. Conservative estimates for debris removal remaining are about \$85,000 and other damages that are not covered by insurance are approximately \$24,500. This is the city only – MMU was also visited by the assessment team. The current status of a federal declaration is that the governor made a request for the declaration for seven counties in Iowa and that has been sent to the president for his consideration.

Sander asked the council to consider establishment of a tree board in light of the many trees that have been removed or are severely damaged. If the city establishes a tree board as part of a city tree ordinance it may submit an application to become a tree city if it also has an annual forestry budget (in place already), and does an arbor day proclamation and observance. Mayor Brooks has provided a list of names that have been invited to become tree board members should the council determine it would like to proceed. Carroll stated he would like to be on the committee and it was thought that he would have to serve as a liaison from the council – participating but non- voting as Halvorson is on the Historic Preservation Commission. Council requested the ordinance be drafted and be on the September agenda for consideration.

Mayor Brooks extended his thanks for the many groups assisting the city during storm clean up. He acknowledged the police department and other law enforcement agencies, the fire department

and those departments from surrounding communities, the city crews and city staff, the utility crews, and businesses and residents who volunteered in any way to help get McGregor cleaned up and open for business. He thanked those who took the time to help their neighbors or maybe swept the street in front of their own or their neighbor's property. Richard Pallucci thanked the Mayor for everything he and others had done to make things come together so quickly.

Sander reported that the Restore McGregor Fund administrative board has been formulated and will meet next week to develop the administrative rules. Duane Boelman is working with the group and hopes that they will begin accepting applications within the next few weeks.

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