

**MCGREGOR CITY COUNCIL
REGULAR MEETING
NOVEMBER 15, 2017 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, November 15, 2017** at City Hall with Mayor Brooks presiding. Before opening the meeting Mayor Brooks administered the oath of office to re-elected incumbents Hallberg, Halvorson and Carroll. Sander administered the oath for re-elected Mayor Brooks. 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.

Mayor Brooks asked the council to pull the invoice for Clayton County Secondary Roads for individual discussion later in the meeting. Carroll moved, seconded by Echard to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes October 18, 2017 c) Bills and Claims as presented for period October 19, 2017 through November 15, 2017 Expenditures: City- 91,269.84 (\$96,915.32 – less \$5,645.48 Secondary Roads bill), Library – \$2,644.73, October Revenues - \$341,628.16 d) Treasurer's Report for October, 2017 e) Liquor license renewal - Latino's and Josie's River Queen Roll call vote: Ayes – All. Motion carried.

Hearing of Delegations: None

Police report: Chief Bogdonovich was in attendance and reviewed the report he had provided to the mayor and council. The report showed calls for service from January 1, 2017 to date. Operations report: Pat Jones informed the council they had worked on Christmas lights in triangle park and have been getting equipment ready for snow.

Attorney Schuster brought the mayor and council up to date on the status of the dispute regarding the library trust. EMC will defend the city in the declaratory judgment filed as the McGregor Public Library. It is assumed that the library's goal if they are successful is to be able to transfer the funds to a non-profit that will be able to invest the trust in more aggressive/ but less safe types of investments. Public funds may not be invested outside of the state and have limitations on the types of investments that can be made. Council directed the clerk to request the library board be in attendance at the December 20 meeting.

Echard moved, seconded by Hallberg to approve the 1st reading of Ordinance 11-01-2017 Amending Provisions Pertaining to Fireworks. The ordinance bans all fireworks within the city limit except novelties and by permit issued by the city council. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to waive the three reading requirement. Roll call vote: Ayes – Echard, Hallberg, Muehlbauer, Halvorson. Nays : Carroll. Motion carried. Hallberg moved, seconded by Echard to approve final passage of Ordinance 11-01-2017. Roll call vote: Ayes – Halvorson, Hallberg, Muehlbauer, Echard. Nays – Carroll. Motion carried. Ordinance effective upon publication. Halvorson moved, seconded by Hallberg to approve the first reading of Ordinance 11-02-2017 Amending Code of McGregor by Adding Chapter 28, City Tree Board. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Halvorson to waive the three reading requirement. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve final passage of Ordinance 11-

02-2017. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Hallberg to appoint city tree board members as recommended by Mayor Brooks to staggered terms as required by ordinance. Joe Brooks, Sandy Beisker terms ending 11-15-2020, Dan Keyes, Deb Scott terms ending 11-15-2019, Maria Brummel, Morris Weller, terms ending 11-15-2018. Roll call vote: Ayes – all. Motion carried.

Council considered the request made by Marquette for an amendment to the easement area that had been previously approved. Mayor Brooks was concerned about the plan to put a culvert and actual 14 foot gravel road over the lots owned by McGregor where the evacuation route would end near Eagle Drive. When originally proposed there was to be no alteration to McGregor lots except adding gravel in the event of an emergency. This could potentially invite ATVs and snow mobiles to travel the road and become a nuisance to the neighboring property owners. Mayor Bruer was present to answer questions and informed the council that the road is necessary to allow fire trucks access to the route. Halvorson moved, seconded by Carroll to approve Resolution 08-11-2017 Proposing Disposal of an Interest in Real Property in the Form of an Amendment to the Emergency Evacuation Easement Agreement Filed with Clayton County Recorder's Office as Instrument No. 2015R03151 and set a public hearing date for December 20, 2017 at 6:30 p.m. Roll call vote: Ayes – all. Motion carried.

Echard moved, seconded by Carroll to approve Resolution 01-11-2017 Authorizing the Filing of an Affidavit Explanatory of Title to Repudiate the Agreement for Boundary Line Adjustment Filed as Instrument No. 2016R03757 with the Clayton County Recorder's Office. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Halvorson to approve Resolution 02-11-2017 to Appoint Duane Boelman as Program Coordinator for Title VI of the Civil Rights Act of 1964. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Halvorson to approve Resolution 03-11-2017 Establishing Policy and Procedures for Issuance and Use of City of McGregor Credit Card. Roll call vote: Ayes – all. Motion carried. Muehlbauer moved, seconded by Hallberg to approve Resolution 04-11-2017 Establishing Petty Cash Funds at City Hall and McGregor Public Library. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Echard to approve Resolution 05-11-2017 Authorizing Internal Advances of Funds for Payment of Urban Renewal Projects – total \$108,780. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Hallberg to approve Resolution 06-11-2017 Approving 2018-2019 TIF Certification in the amount of \$184,734. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Muehlbauer to approve Resolution 07-11-2017 Affirming Fees Paid to MMU for Utility Billing Service. Roll call vote: Ayes – all. Motion carried.

Council reviewed the wastewater street maintenance job description which included revisions to time line for obtaining Grade I and Grade II wastewater license and the attachment with requirements from the DNR. Halvorson moved, seconded by Echard to approve the revised job description. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve the five-year sewer maintenance contract with Municipal Pipe Tool with a minimum annual amount of \$2,000 in services. Roll call vote: Ayes – all. Motion carried.

No contractors had been able to get back to the street superintendent with quotes for the ADA crosswalk by the library and the A- Street inlet at the Rubidoux. All are finishing up work before

winter. Quotes will be brought to a future meeting. Proposals for the concept design consultation for the library expansion/community center were reviewed. Proposals were received from Genesis, Martin Gardner, FEH Design, and Straka Johnson. Halvorson moved, seconded by Muehlbauer to approve the contract with Martin Gardener for an amount not to exceed \$9,800 for services related to planning, conceptual design and renderings for the proposed library expansion/community center. Roll call vote: Ayes – all. Motion carried. The project is being funded with a grant from the Native Fund. Echard moved, seconded by Hallberg to approve a bid for crack seal for several streets in an amount not to exceed \$12,000. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Muehlbauer to approve Pay Request #2 for the Box Culvert Project to Progressive Structures in the amount of \$20,168.50. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve the final pay request for the Ash Street Project to Tschiggfrie Excavating in the amount of \$8,926.95. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Carroll to approve a donation of \$200 to the MFL MarMac After Prom Party. Roll call vote: Ayes – all. Motion carried. The council discussed bill received from the county for sand/salt mix. Prior to 2014 there had not been any charge for the sand/salt. A written agreement for maintenance, etc. has never been completed for the Eagle Drive, 138th St. and Cemetery Road streets which are not in city limits. The city is providing the end loader for the county's use, the city is sanding both the cemetery rd and eagle drive sections in the county. A simple arrangement should be developed for cost shares. Sander will schedule a meeting with county supervisor, the mayor and infrastructure committee to discuss.

Sander updated the council on the great attendance at the kick-off meeting for trails. There were 14 people in attendance to discuss the first section of trail that will be developed on land owned by the city adjacent to cemetery road and in a conservation easement. The group is planning a walk on Sunday, November 19 at 9:30 a.m. to lay out a preliminary trail with flags. A new program was previewed at the Elkader Opera House called Community Catalyst. A city must be the applicant and have a project that if completed will serve as a catalyst to jump start economic development. Maximum grant is \$100,000 with match or in-kind required. The pedestrian bridge has received approval and planning and procurement will begin soon. Community Disaster Loan application has been completed with assistance of FEMA accountants. The application is ready for signature and submission with a CDL loan amount of \$397,064.

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

Harold W. Brooks
Mayor

Attest:

Lynette L. Sander
City Administrator