

MAQUOKETA CITY COUNCIL MEETING  
Monday, February 1, 2020

Mayor Don Schwenker called the regular session of the Maquoketa City Council to order at 6:00 p.m. with six members present via Council Chambers & Zoom Chat.

Present: Kean, Woodward, Collister, Kuhlman, Holm, and Barker  
Lyon present at 6:05 p.m.

Motion by Collister, seconded by Kuhlman approving the consent agenda consisting of the agenda, January 18<sup>th</sup> council meeting minutes, and bills. Motion Carried 6-0

Collister stated that the Personnel Committee met and everything seems to be in order so Smith will not need to be in the office from February 2, 2021 until February 19, 2021, but does still need to remain assessable. Smith will turn in keys and phone on or before February 19, 2021.

Motion by Kuhlman, seconded by Holm accepting Resignation of City Manager, Gerald Smith effective February 21, 2021. Motion Carried 7-0

Schwenker wanted to thank Smith for all his has done for the City of Maquoketa and wished him well in his new endeavors.

Collister stated that the Personnel Committee met and it was a consensus of the group to make the recommendation appointing Mallory Smith as Interim City Manager effective February 1, 2021. Pay has not been discussed, but the Finance and Personnel Committee plans to meet February 2, 2021 at 3:00 p.m. to discuss pay, job descriptions, and other business.

Motion by Kuhlman, seconded by Lyon appointing Malloy Smith as Interim City Manager effective February 1, 2021. Motion Carried 7-0

Mayor Schwenker opened the Public Hearing regarding Maximum Property Tax Dollars for City of Maquoketa FY 2021/2022 Budget.

Schwenker stated that this Maximum Property Tax Levy is the City making its best guess that we will not exceed this Max Tax Levy. The State made these changes about year and a half again stating that cities need to set the Max Tax Levy rate before preparing for the budget. Once the Max Tax Levy is set, we will put in the budget numbers and come up what the Tax Levy will actual be.

There were no written comments regarding Maximum Property Tax Dollars for City of Maquoketa FY 2021/2022 Budget.

Motion by Collister, seconded by Lyon closing the Public Hearing regarding Maximum Property Tax Dollars for City of Maquoketa FY 2021/2022 Budget. Motion Carried 7-0

Richard Stimmel asked about the snow/ice removal and just where citizens are supposed to put the snow/ice for both business and residential. Stimmel referenced Ordinance No. 6-13-23.

Frank Ellenz, Public Works stated that regarding the downtown businesses will need to put the snow/ice in the gutter line of the street. Residential can put snow/ice on their property or the boulevard. Ellenz stated please don't put snow/ice back in the streets.

Schwenker stated that the Public Works Department is doing a great job on the snow removal. They are both effective and efficient. Schwenker also stated that Public Works are doing the best they can with that amount of snow we have been getting.

Motion by Barker, seconded by Woodward approving the second reading of Ordinance No. 1180 – An Ordinance Amending the Code of Ordinances of The City of Maquoketa, Iowa Adding New Chapter Regarding Operation of All-Terrain Vehicles and Off-Road Utility Vehicles. Motion Carried 7-0

Holm asked why is there a 10:00 p.m. time limit in the Ordinance. Schwenker stated that they are following Jackson County as they are the ones that set the time limit.

Motion by Collister, seconded by Kuhlman suspending the rules and proceeding to the third reading of Ordinance No. 1180 – An Ordinance Amending the Code of Ordinances of The City of Maquoketa, Iowa Adding New Chapter Regarding Operation of All-Terrain Vehicles and Off-Road Utility Vehicles. Motion Carried 7-0

Motion by Collister, seconded by Barker approving the third and final reading of Ordinance No. 1180 – An Ordinance Amending the Code of Ordinances of The City of Maquoketa, Iowa Adding New Chapter Regarding Operation of All-Terrain Vehicles and Off-Road Utility Vehicles. Motion Carried 7-0

Motion by Woodard, seconded by Collister reconsidering to approve Consultant, Upper Story and Commercial Interior Grant Application. Motion Carried 7-0

Collister stated that the Finance Committee talked about this last week. Collister didn't change his opinion on this and is not in favor, but glad people stepped up and supported it. The City budgets \$50,000 and last year alone we granted out \$100,000. JCEA sees this grant as a reimbursement. The committee for this doesn't really exists or was never codified.

Kean stated that there are two different issues, the committee and the application. We need look at this particular application based on how the program is now.

Barker stated that she went back to the comprehensive plan and it states, "to make the arts an important part of the community" and with Bob Osterhaus donating to the Art Experience, that would check that box. Also, the housing ranked #5 as in the comprehensive plan and this grant checks all the boxes. Barker stated we need to support this and it would be a great investment for the City.

Holm stated that the council really needs to support this as a citizen is willing to put in a half million dollars of his own money, donating the buildings to the Art Experience, and donating the rent from the four apartments to the Art Experience so it can survive in the future.

Kuhlman stated that he is in favor of supporting the downtown and the downtown is the heartbeat of the community.

Woodward stated that the Art Experience helped him when he first moved to Maquoketa, he had asked about film making and it really introduced him to a lot of people in the community. Woodward is in favor of supporting this and if we can not put our weight behind the 501 (c) 3, then what is the point.

Motion by Lyon, seconded, by Kean to approving Consultant, Upper Story and Commercial Interior Grant Application.

Motion Carried 6-1 Ayes: Kean, Woodward, Lyon, Kuhlman, Barker and Holm Nay: Collister

Motion by Woodward, seconded, by Holm un-tabling and approving Resolution No. 2021-07, entitled, "Resolution Approving Construction Contract, Upper Story Rehabilitation of The Maquoketa Art Experience Building."

Motion Carried 6-1 Ayes: Kean, Woodward, Lyon, Kuhlman, Barker and Holm Nay: Collister

Motion by Collister, seconded by Woodward un-tabling and approving Payment for Miscellaneous Charges in The Amount Of \$16,167.44 To MMEU. Motion Carried 7-0

G. Smith stated that this is the City's share with MMEU regarding the licensing with the Mueller reading system.

Motion by Lyon, seconded by Woodward approving Resolution No. 2021-08, entitled, "Resolution Approving the Maximum Tax Dollars from Certain Levies for The City's Proposed Fiscal Year 2021-2022 Budget." Motion Carried 7-0

Motion by Lyon, seconded by Barker approving Resolution No. 2021-09, entitled, "Resolution Fixing Date for A Meeting on The Authorization of a Loan and Disbursement Agreement and The Issuance of Not to Exceed \$1,200,000 Sewer Revenue Capital Loan Notes of The City of Maquoketa, Iowa." Motion Carried 7-0

G. Smith stated that these funds are for the planning design grant for the treatment plant. Smith stated that this is SRF funding and no payment is scheduled until the project is fully completed, which is three years out

Motion by Lyon, seconded by Kean approving Resolution No. 2021-10, entitled, "Resolution to Establish A Public Hearing For 2018 Community Development Block Grant Downtown Revitalization Grant." Motion Carried 7-0

Motion by Lyon, seconded by Holm approving Resolution No. 2021-11, entitled, "Resolution Declaring an Official Intent Under Treasury Regulation 1.150-2 To Issue Debt to Reimburse the City for Certain Original Expenditures Paid in Connection with Specified Projects." Motion Carried 7-0

G. Smith stated that this is for Public Works Street Sweeper and Tractor request that was already approved by Council.

Motion by Collister, seconded by Woodward approving Resolution No. 2021-12, entitled, "Resolution Approving Maquoketa Fire Department Officer Pay." Motion Carried 7-0

Motion by Barker, seconded by Kean approving January's Invoice for The Platt Street Final Design Work to Bolton And Menk In the Amount Of \$828.80.

Motion Carried 6-1 Ayes: Kean, Woodward, Lyon, Kuhlman, Barker and Holm Nay: Collister

Motion by Kean, seconded by Lyon to approving January's Pay Estimate for Work Performed on The Platt Street Project to Tschiggfrie In the Amount Of \$27,645.00.

Motion Carried 6-1 Ayes: Kean, Woodward, Lyon, Kuhlman, Barker and Holm Nay: Collister

G. Smith stated that this is the mobilization bill and has been approved by the IA DOT.

Motion by Lyon, seconded by Woodward to approving Repairs on An Influent Pump in The Amount Of \$15,560.00 To Mississippi Valley Pump. Motion Carried 7-0

Motion by Woodward, seconded by Kuhlman approving Discussion and Possible Motion to Approve Event Application and An Application to Exceed Noise Limit for The Maquoketa Speedway During The 2021 Race Season. Motion Carried 7-0

Motion by Collister, seconded by Woodward approving Discussion and Possible Motion to Approve Event Application and An Application to Exceed Noise Limit for The Jackson County Fair. Motion Carried 7-0

Motion by Collister, seconded by Barker approving an Existing Sidewalk to Nowhere At 701 W Summit Street to Expire Two Years from Approval Date. Motion Carried 7-0

Schwenker asked Frank if this was something that the Council already authorize to tear out.

Ellenz stated that Public Works haven't had the time to tear it out yet.

Smith had nothing to report for the City Manager Report.

Kuhlman stated skate park ramps are finally done and off to paint. Kuhlman will be working 12 hours shifts at John Deere, so he will have to do the Zoom Meeting for the upcoming Council Meetings. Kuhlman also stated that the Parks Committee will be meeting February 9, 2021 at 5:30.

Holm was asked if there was a chicken Ordinance.

Schwenker stated that this was already brought up and it was a public safety issue and never went any further.

Woodward stated that he received a few phone calls from citizens about not being notified of the snow being on the sidewalk too long and then being billed for snow removal.

Brad Koranda, Police Chief stated citizens have 24 hours from the time the snow stops to shovel the sidewalk.

Kuhlman stated that one of his tenants also got a bill, but that it was because of another citizen calling in and complaining.

Barker stated that she had a citizen call her in regards to getting a snow abatement in the mail. The citizen was new to Maquoketa and didn't know the ordinance and didn't want to pay the invoice. Barker asked if the City could put the ordinance along with the invoice so that citizens know what it is. Barker asked also if the ordinance could be put on social media as a reminder.

Karen Rubel, Local Access stated all Council Members need to be telling citizens to please sign up for the emergency alerts. Rubel also made a suggestion to put the reminder on the utility bill.

Motion by Collister, seconded by Woodward accepting Charles Sagers Resignation from The Property Maintenance Board.  
Motion Carried 7-0

Schwenker recognized Jerry Bowen for 30 plus years of service to the Maquoketa Fire Department. Schwenker mentioned Bowmen's service to the community in and that in many ways he will be greatly missed.

Schwenker read a proclamation recognizing April 30, 2021 as Arbor Day. Schwenker wanted to urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Motion by Collister, seconded by Kuhlman adjourning at 6:55 p.m.

All Ayes

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Don Schwenker, Mayor

ATTEST:

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Mallory Smith, Interim City Manager