

**MCGREGOR CITY COUNCIL
REGULAR MEETING
APRIL 15, 2020, 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, April 15, 2020** at City Hall with Mayor Lyle Troester presiding. The meeting was called to order at 6:30 p.m. Council members in attendance: Scott, Carroll, Halvorson, and Hallberg. Echard attended via Zoom. Due to COVID 19 guidelines released by the CDC, and federal and state government the meeting was held electronically to help combat the spread of the virus. Social distancing was in place for council in attendance. No public attendance was allowed, but access was provided via Zoom.

Hallberg moved, seconded by Scott to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes March 18, 2020 c) Bills and Claims as presented for period March 19, 2020 through April 15, 2020 - City- \$78,804.47, Library - \$665.61, March 2020 Revenues - \$91,756.10, March 2020 Expenses - \$109,397.86 d) Treasurer's Report for March 2020 e) Liquor License Renewals – Riverview. Roll call vote: Ayes – all. Motion carried.

Hearing of Delegations: No comments received electronically or at city hall. Police report: Working to maintain necessary supply of PPE. The first week there was some push back related to closures and gatherings however, the public is now following the guidelines.

Mayor Troester opened a scheduled public hearing to take comments on the proposed 2019-2020 budget amendment. No comments had been received at city hall, by any of the officials, or at the meeting. The hearing was closed.

Audrey Posten, editor of the North Iowa Times, explained to the council that the new owners of the North Iowa Times, Courier, Guttenberg Press and Clayton County Register have made the decision to merge the North Iowa Times and Clayton County Register. Posten will remain as editor of the North Iowa Times and will also assume the duties of the retiring editor of the Clayton County Register. All deadlines and publication days will remain the same and she will continue to cover the same area as she is now. Mayor Troester complimented Posten stating that she will be an asset to the new group.

Mark Davy, Davy Engineering, was in attendance via Zoom to answer questions regarding the planning and design for the Main Street Sewer Project. A submission for a second Planning and Design loan was reviewed. The amount of the second request is for the design stage of the project. Design will progress through the various phases should the project scope need to be completed as a phased approach due to funding constraints. This will be determined as plans are approved by the various agencies and a more accurate cost can be established. Scott moved, seconded by Echard to approve Planning and Design Loan application #2 in the amount of \$452,000. Roll call vote: Ayes – all. Motion carried. The amount will be added to the SRF Intended Use Plan in June. Davy said it is important to continue the design phase to be ready to go to bid yet this fall. Davy Engineering will waive interest charges on design billings until after the loan closes, which is approximately July 3.

Halvorson moved, seconded by Hallberg, to approve amendment #3 to the Davy Engineering Contract for the design phase of the Main Street Sewer Project for a total amended contract amount of \$579,000. Roll call vote: Ayes – all. Motion carried.

Council considered an offer to purchase lots 1 & 2, Block 2 of RWW II Sub-division. The lots had been combined to sell at a discounted price of \$8,000. An offer of \$5,000 was received through Allen Realty from Mike Jensen noting there would be additional costs to build due to the fact that there would need to be a septic system installed and the water main is some distance to run to connect. His intent is to construct a home on Lot 1 yet this year. Hallberg moved, seconded by Scott to approve the offer of \$5,000 for Lot 1 and 2, Block 2 of RWW II. Roll call vote: Ayes – all. Motion carried.

Carroll moved, seconded by Hallberg to approve Resolution 01-04-2020 approving Amendment #1 to the 2019-2020 Budget. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Carroll to approve Resolution 02-04-2020 Authorizing Transfer of Funds for Debt Service. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Scott to approve Resolution 03-04-2020 Authorizing Transfer of Incremental Tax Funds to Pay Debt Incurred in the Consolidated Urban Renewal District in the amount of \$52,589. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Scott to approve Resolution 04-04-2020 Authorizing Transfer of Funds (TIF) for Debt Service. Roll call vote: Ayes – all. Motion carried.

Council discussed the Turner Park Splash Pad Project. Through last month's meeting and prior to the current social distancing rules all of the design, bid letting and selection of a contractor had taken place. Council felt it was best to keep moving forward with the project and that having something positive at the end of the summer would be a good thing for the community. Scott moved, seconded by Halvorson to approve Resolution 05-04-2020 approving the bid from Vorwald Enterprises, Monona in the amount of \$221,852.84 for the Turner Park Splash Pad. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Scott to approve Resolution 06-04-2020 Approving the Contract and Performance/Payment Bonds for the Turner Park Splash Pad. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Echard to approve Resolution 07-04-2020 Agreeing to Apply for Financial Assistance with the USDA Rural Development to finance Main Street Sewer Project. Roll call vote: Ayes – all. Motion carried.

A request from the executor of the Moe Joe Kautman estate was reviewed by the council. The request had been discussed by the McGregor Housing Committee and a recommendation provided to the council. The request asked to have the promissory note/mortgage for Owner Occupied Housing Rehabilitation costs in the amount of \$21,753.30 forgiven. The mortgage/promissory note was written for a term of five years and reduces annually on the anniversary date of the mortgage by 20%. The clerk researched previous program recipients whose names had been brought up during the committee meeting that had not fulfilled the term of their mortgages. It was noted that their amount due back to the city had been prorated for the time in the home as dictated by the mortgage/promissory note. Funds returned in these instances are used to assist other LMI home owners to rehabilitate their houses, for down payment assistance, and other similar purposes that serve to improve housing stock in McGregor. The

committee made the recommendation to waive an amount prorated for the six months that Moe Joe was in the home. During that meeting the committee looked at the value of the home on Beacon, \$95,509, there was no other mortgage against the property, and how previous requests had been addressed. After discussions Carroll moved, seconded by Scott to waive \$2,175.30 of the amount of the promissory note with the remaining \$19,578 due back to the city. Roll call vote: Ayes – Scott, Halvorson, Carroll, Hallberg. Nays: Echard. Motion carried. A question was raised to the city attorney following the roll call vote as to repayment. City attorney Mike Schuster provided a recommendation to address the concern. Scott moved, seconded by Carroll to amend the previous motion to add language relative to repayment as follows: Waiver of the \$2,175.30 is contingent upon the debt being repaid prior to closing of the estate. Roll call vote: Ayes: Scott, Halvorson, Carroll, Hallberg. Nays: Echard. Motion carried.

Mayor Troester read a proclamation for May is Preservation month. The proclamation calls upon people of the City of McGregor to celebrate the history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as people. Council discussed the chamber's request to reschedule the Arts and Crafts Fair to either June 27 & 28 or possible the weekend of July 4. Council was fine with either date and asked that when the decision is made to come back to the council. Some of the council asked if there was any plan to try to bring more vendors outside again. McManus asked the council whether they wished to continue to follow the State Forester's recommendation to limit vendors and other high traffic activities in Triangle Park to reduce compaction to the maple trees. Most felt the bouncy house was ok and some lighter uses, but did not want to go against the recommendation of the forester. There are many suitable activities that are a good fit in the park.

After discussion with the city attorney, an agenda item was added with less than the 24 hour required posting to address waiving late fees on sewer, storm sewer, and garbage. McManus had suggested beginning of the COVID-19 health emergency that MMU consider waiving penalties for late payment of utilities. MMU had not informed the city of its intent to discuss at their meeting on April 13. MMU bills all of the city's utilities as well, and the intent was to cooperatively waive penalties on city utilities should MMU Board determine it would waive its water and electric penalties. The attorney opinion states that he believes good cause exists in view of the fact the clerk was not made aware that MMU had decided to waive its penalties and the City Council's intent has always been to have a uniform policy in the COVID-19 emergency with regard to City of McGregor delinquent utility penalties, whether an MMU utility or a City utility. Halvorson moved, seconded by Carroll to approve waiving penalty assessment for late payment of garbage, sewer, and storm sewer during the COVID-19 emergency in cooperation with MMU until such time as MMU determines it will re-instate penalty assessments. Roll call vote: Ayes – all. Motion carried.

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

Lyle J. Troester, Mayor:

Attest:

Lynette L. McManus, City Administrator