

**MCGREGOR CITY COUNCIL  
REGULAR MEETING  
JULY 21, 2021 6:30 P.M.**

The MCGREGOR CITY COUNCIL met in Regular Session at 6:30 p.m. on **Wednesday, July, 2021** at City Hall with Mayor Troester presiding. The meeting was called to order at 6:30 p.m. followed by the pledge of allegiance. Council members in attendance: Carroll, Halvorson, Echard, Scott, and Hallberg.

Scott moved, seconded by Halvorson to approve the Consent Agenda by one motion a) Agenda as listed b) Regular Meeting minutes June 16, 2021, Special Meeting minutes June 21, 2021 c) Bills and Claims as presented for period June 17, 2021 through July 21, 2021 - City- \$269,298.50, Library - \$1,002.29, June 2021 Revenues - \$309,772.24, June 2021 Expenses - \$330,478.15 d) Treasurer's Report for June 2021 e) Liquor License Application NE Iowa Marina Gas Docks (DBA McGregor Marina), Backwoods Temporary Privileges 1<sup>st</sup> St– Fireman's Fish Fry – August 21, 2021. Roll call vote: Ayes – all. Motion carried.

Hearing of Delegations: No comments received.

Police Report – electronic speed sign data was provided to the council. Highway speed sign is ordered.

Mayor Troester opened a scheduled public hearing to take comments regarding the planning and zoning recommendation to amend the W-2 Waterfront Mixed Use District to increase the maximum height of structures to fifty (50) feet. No comments were made and the hearing was closed. A second scheduled public hearing was opened to take comments regarding the planning and zoning recommendation to approve a request to rezone the property located at 110 Front St. (former Holiday Shores property) from W-1 Waterfront Commercial/Recreational to W-2 Waterfront Mixed Use (with restrictions). No comments were made and the hearing was closed.

Prior to action on the Ordinances related to the two public hearings, Mayor Troester introduced Michael Kramer, developer for the condominium project, and Cyle Erie, engineer. A brief power point presentation was made and the floor was opened for questions following. Maria Brummel asked for clarification on why the height was changed to 50 feet instead of just three stories. The engineer explained that it will most likely be between 45 and 50 to allow space for higher ceilings. No more than three stories will fit in the allowed height. Samples of architectural styles that could be used to complement the historic downtown were presented. Project design will begin following approval of the ordinances with marketing of condominium sales to follow.

Carroll moved, seconded by Scott to approve the first reading of Ordinance 07-01-2021 Amending Chapter 165 McGregor Zoning Ordinance to increase the maximum height of structures in the W-2 Waterfront Mixed Use District to fifty (50) feet. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Scott to waive the three reading requirement. Roll call vote: Ayes – Hallberg, Echard, Scott and Halvorson. Nays – Carroll. Motion carried. Halvorson moved, seconded by Scott to approve final passage of Ordinance 07-01-2021. Roll

call vote: Ayes – all. Motion carried. Echard moved, seconded by Halvorson to approve the first reading of Ordinance 07-02-2021 Amending Chapter 165 McGregor Zoning Ordinance – Rezoning the (S ½) of Fractional Block (9); the (S26) feet of the (N ½) of Fractional Block (9) and Lot (1) of the Front Steet, Town of McGregor – Trilogy Partners LLC from W-1 Waterfront Commercial/Recreational to W-2 Waterfront Mixed Use (with restrictions). Roll call vote: Ayes – all. Motion carried. Scott moved, seconded by Halvorson to waive the three reading requirement. Roll call vote: Ayes – Halvorson, Echard, Scott, Hallberg. Nays – Carroll. Motion carried. Scott moved, seconded by Halvorson to approve final passage of Ordinance 07-02-2021. Roll call vote: Ayes – all. Motion carried.

The final reading of Ordinance 05-01-2021 to Prohibit Outdoor Furnaces was on the agenda. Mayor Troester directed comments to Anne Kruse, not representing, but speaking on behalf of the operators of Backwoods Restaurant. He expressed his frustration with the lack of professionalism and the misinformation on her facebook page that inferred the city was targeting Backwoods. He provided photos of the smoke and affected neighboring business. He explained that it was his responsibility to address a serious health hazard and to follow through on the complaints. His research of outdoor furnaces found that many are prohibiting these units because of the smoke that pollutes and is very hazardous to breath. Several conversations were held with the owners in early winter, with no action on their part to correct the situation. Following the approval of the second reading at the June meeting the owners were offered Business Enhancement grants to make improvements to the building – perhaps look into solar or insulate the building. He encouraged all those attending the council meeting to pitch in to help install insulation in the building. Kruse made a request on behalf of Backwoods to table the final reading for three months to allow time to get the DNR to conduct air quality tests and to make recommendations to improve the operations. When asked who was going to be responsible to follow through on this and to obtain the necessary reports from the DNR – Kruse stated she would be that person. Scott moved, seconded by Halvorson to table Ordinance 05-01-2021 for 90 days (October 20 regular meeting) at which time air quality reports with recommendations and proposed actions will be presented to the council as they consider the final reading. Roll call vote: Ayes – Carroll, Halvorson, Echard, Scott. Abstain – Hallberg. Item tabled.

Carroll moved, seconded by Echard to approve the second reading of Ordinance 06-02-2021 Chapter 91 Storm Water Drainage System Utility Fees. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve the second reading of Ordinance 06-03-2021 Chapter 99 – Sewer Service Charges. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Scott to set a hearing date for August 18, 2021 at 6:30 p.m. to review an application for a State Revolving Fund (SRF) loan and to provide the public contents of an environmental information document and the City’s project plan – for the Main Street and wastewater treatment plant (WWTP) infrastructure. Roll call vote: Ayes – all. Motion carried. Echard moved, seconded by Scott to approve Resolution 01-07-2021 to Fix a Date August 18, 2021 at 6:30 for a Public Hearing on Proposal to Enter into a Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount Not to Exceed \$297,500. Roll call vote: Ayes – all. Motion carried.

Echard moved, seconded by Halvorson to approve Resolution 02-07-2021 Authorizing Submission of a UMGC Grant for Phase II Splashpad Equipment. Roll call vote: Ayes – all.

Motion carried. Carroll moved, second by Scott to approve the Annual Debt Report for FY ended June 30, 2021. Roll call vote: Ayes – all. Motion carried. Hallberg moved, seconded by Echard to approve Resolution 04-07-2021 Requesting Funding from the American Rescue Plan. Roll call vote: Ayes – all. Motion carried. Scott moved, seconded by Echard to approve Pay Request #4 FEMA alternate project – Midwest Concrete, Inc - \$140,798.23. Roll call vote: Ayes – all. Motion carried. Halvorson moved, seconded by Echard to approve Amendment #1 to Contract with HR Green for FEMA Disaster 4334 in the amount of \$8,580. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Halvorson to approve a use permit for the Fireman’s Fish Fry – August 21, 2021 – 1<sup>st</sup> St. Roll call vote: Ayes – all. Motion carried. Carroll moved, seconded by Scott to approve the lowest of three bids for 2021-2022 heating season LP at an amount of \$1.38 per gallon for 9,500 gallons. Roll call vote: Ayes – all. Motion carried. The council considered an offer to purchase Lot 12 of Ohmer Ridge sub-division. The offer was not accepted and no additional action was taken.

Council considered an proposed agreement from Schuster and Mick for providing legal services as city attorney. The agreement removes the retainer for meetings and billing will be done on an hourly basis. Scott moved, seconded by Hallberg to approve the proposed agreement for services. Roll call vote: Ayes – all. Motion carried. The council considered a proposal for replacement computers. The business that had quoted previously is no longer in business. Carroll asked that we ask for a quote for 16GB memory rather than the 8GB quoted. Council discussed hiring a part-time as needed employee to assist with mowing and snow shoveling and to do other odd tasks that come up. Council felt it was a good idea but wanted to limit the number of hours. Clerk will discuss with the grounds/facilities maintenance employee to determine number of hours required and any other specifics.

Duane Boelman informed the council of discussion that had taken place at Historic Preservation meetings. The United Methodist Church has closed and the church conference is willing to donate the building to the city in the interim while a non-profit can be formed to accept the building permanently. Joe Brooks has been talking with the church officials and had received an memorandum of understanding for the city’s consideration. The document had not been given to the city by HPC yet, so the council was not able to review. All costs to hold the building would be covered by Mr. Brooks. McManus stated an agreement would need to be signed to ensure the city had no liability issues during the holding period. Mr. Brooks has been looking into uses for the building to generate revenues such as community space, auditorium space for conferences, weddings, office space for cemetery records etc. Council felt it was worth looking into what the city would require as far as insurance and also an agreement between Mr. Brooks and the city. They will consider the memorandum of understanding at the August meeting.

No updates on the Knapp Trailer Park nuisance. Council considered a recommendation for approval of three business enhancement grants for Nauti Marina LLC for dock and walkway replacement at three separate locations of the marina. Hallberg moved, seconded by Echard to approve three \$5,000 grants upon completion and inspection of the project. Roll call vote: Ayes – all. Motion carried.

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

Lyle J Troester, Mayor

Attest:

Lynette L. McManus, City Administrator