

May 1, 2017

The regular meeting of the Decorah City Council was called to order by Mayor Don Arendt at 5:45 p.m.

The meeting was opened with the Pledge of Allegiance.

Members present: Randy Schissel, Andy Carlson, Steve Luse, Charles Lore, Gary Rustad and Kirk Johnson.

Member absent: Dan Bellrichard

Motion by Rustad, second by Luse to approve the agenda as presented. Roll call vote. All voting aye. Motion carried.

Public Comments

There were no public comments.

Motion by Rustad, second by Carlson, to approve items on the consent agenda items as follows:

- a. Minutes of the April 17, 2017 meeting
- b. Claims
- c. Consider special event application for 2nd Annual Logan's Hope 5K Run, Saturday, June 17, 2017
- d. Fire Dept street closing request – Ice Cave Road, Julian, Summer and Monroe Streets for fund raiser May 6, 11:00 – 1:00 p.m.
- e. Consider Special event application for Relay for Life event on June 15, 2017
- f. Consider Special event application for Reefuel, Wednesday, June 21, 2017
- g. Renewal Class B Beer Permit for Pulpit Rock Brewery including Sunday Sales and Outdoor Service Area
- h. Renewal Class C Beer Permit for Kwik Star including Sunday Sales
- i. Renewal Class C Liquor License for Good Times including Outdoor Service Area, Sunday Sales and Catering privileges
- j. Approve settlement with Casey's General Store for first offense tobacco violation
- k. Consider 28E upper Iowa watershed management authority agreement amendment
- l. Consider **Resolution 2789** a preliminary resolution for the construction of the city of Decorah 2017 Street and Alley Improvement Project within the city of Decorah

Roll call vote. All voting aye. Motion carried.

This being the time and date for a public hearing regarding the proposed FY17 budget amendment the hearing was opened.

City manager Bird reviewed the reasons for a budget amendment and noted a few specific expenses in FY17 that necessitated the budget amendment. He noted the purchase of the new aerial fire truck at \$900,000, August 2016 flood related repairs and maintenance, new roof and HVAC on the municipal building at \$58,000 and \$174,000 from the Hwy 9 water and sewer project. Bird noted monies to cover the unbudgeted expenses come from grants, reimbursements, bond proceeds or cash on hand.

Bird stated there were no comments received at city hall regarding the budget amendment.

Motion by Schissel and second by Carlson to approve Resolution 2787 adopting the FY17 budget amendment. Roll call vote. All voting aye. Motion carried.

This being the time and date for a public hearing on the plans/specifications, estimate of cost and consideration of bids for the 2017 Park Street / Short Street Storm Sewer and Street Improvement Project the hearing was opened.

Rustad called on Lindsay Erdman to review the project. Erdman stated the project is a phase I of II for redevelopment and improvements for the area behind the new hotel. He stated this work is primarily storm water work with a little street work and that most of the final street work would be in phase II next summer.

Erdman noted that Short Street south of Hwy 9 will be widened to accommodate a bike lane such as on the north. Luse asked for more detail regarding that issue and Erdman noted the bike lane would extend to the new intersection with Park Street. Erdman noted the engineer's opinion of cost was \$320,486.70 and the one lone bid from Skyline Construction was \$337,907.91. Erdman noted this amount would still fit in the budgeted amount.

There were no public comments regarding this project.

Motion by Luse and second by Rustad to approve Resolution 2788 approving the plans/specifications of the 2017 Park Street/Short Street Storm Sewer and Street Improvement Project and accepting the bid for same. Roll call vote. All voting aye. Motion carried.

Motion by Carlson and second by Schissel to approve the third and final reading of Ordinance 1199 authorizing Declaration of Civil Emergencies and Orders of Mandatory Evacuation in the event of Civil Emergencies placing ordinance on its final adoption. Roll call vote. All voting aye. Motion carried.

Mayor Don Arendt read the following statement during this point in the meeting.

At the last city council meeting Mr. Scott accused the city council and city of not following proper procedure. This is my response to his questions. Sometimes I am somewhat confused about who I am talking to. Is it Mr. Scott, a news blog or Mr. Answer Man?

The question about the personnel committee. The personnel committee is comprised of all council members, so it is a moot point to say a personnel committee should have been held. At the last meeting the council had the opportunity to discuss the IT position a regular meeting.

Now as to the overall question of committee functions. The committees are a council organizational structure made by the mayor. Our standing committees consist of four members and are open posted meetings with documentation because a quorum is present. As a mayor I could decide to have committees consisting of three members and therefore not subject to open meeting law regulations. A committee can refine an issue before it comes to the council. Sometimes this is more efficient. Committee functions were defined when I became mayor 11 years ago. Some cities do not have committees and operate with work sessions. There are no rules on these matters. A number of the personnel issues were discussed at the budget meeting in January, and it functions as work session, is properly posted open to the public.

In regard to an agenda item. The agenda is formulated on Thursday before city council meetings. It is created with the city clerk, city manager and mayor. We have hired our administrators to guide and give recommendations to the council. As set out in council procedures, when two city council members request an agenda item it will be added to the agenda regardless of committee discussion.

Reference was made by Mr. Scott that recently the city council operated in violation of the open meeting law in regard to a committee meeting held to discuss changing responsibilities in the fire department. The meeting was properly posted and some public attended the meeting other than council members. The violation accusation was filed by Mr. Scott and his blog with the Iowa Public Information Board. The complaint was dismissed by the board. There was no retraction or correction on the news blog. Once accused, you are guilty. Again the accusation was insulting to the city, was underhanded, and incorrect. Credibility comes with the truth.

I personally want to commend The Decorah Newspaper for accurate and thorough coverage of city council meetings.

Discussion was held on Resolution 2786, authorizing notification to the County of the intent to withdraw from 28E IT Agreement.

Lorraine Borowski, 404 Pleasant Hill, spoke about the benefits of the MetroNet and the financial savings of having organizations partner for networking and technology. She noted that the MetroNet has accomplished many of its original goals.

Rustad asked for an update regarding the county's letter presented at the April 17 meeting. Bird noted he was in negotiations with county representative to resolve the matter and draft an equipment related agreement.

Motion by Luse and second by Johnson to approve Resolution 2786 notifying the County of the intent to withdraw from 28e agreement. Roll call vote. Aye – Luse, Johnson, Rustad, Carlson, Schissel. Nays – Lore. Motion carried.

Motion by Luse and second by Rustad to approve hiring of an information technologies staff position. Lore asked if this action would add another staff position to city hall. Bird noted it would be a city-wide position offering support to all city departments.

Roll call vote. Aye – Luse, Rustad, Johnson, Carlson, Schissel. Nays – Lore. Motion carried 5-1.

Staffing levels for the Fire Dept. was opened for discussion

Johnson noted current engineer / driver Phil Hardy will retire in July. He noted after several discussions regarding the position he believed a replacement should be hired but changes to the city code should be made so that all three engineers would then report to the city manager.

There was general conversation about the proposal and the fire department's proposal to hire the third engineer but then create a fire supervisor position that would have administrative responsibility over the department and staff.

Motion by Johnson and second by Schissel to approve hiring of a third driver and amending the city codes to have all three positions report to the city manager. After further discussion and clarification of the intent of the motion, Schissel rescinded his second. Luse then seconded Johnson's motion. Roll call vote. Aye – Johnson, Luse. Nays – Lore, Rustad, Schissel, Carlson. Motion failed.

Eric Sovern, 207 Hollihan Street, and president of the Decorah Volunteer Fire Association, addressed the council and noted the department provides excellent service to the community and acknowledged the current administrative report is not efficient. He also noted that reporting through the city manager does not clarify the situation as it leaves additional questions about which driver engineers might have certain responsibilities and he questioned whether the city manager being the direct report was best for the city as there was not a precedent for it.

Lore asked Sovern how many men were trained to run the trucks. Sovern reported the three engineers and five relief drivers.

Johnson noted a recent house fire and the resident expressed appreciation for the department's response time.

Schissel asked how the working arrangements of the fire department supervisor would be structured and saw benefits to having a department head type position.

Luse noted he would make a decision based on facts and wanted to see facts related to this issue, especially response times from other cities compared to Decorah.

Herb Hageman, 300 Pleasant Hill Drive spoke and noted that he believed the staff reporting is important and believed a fire department supervisor would handle the issues most appropriately.

Lore asked why the council could not just hire the third driver and then select a supervisor from that pool. Bird asked at what salary range and that a job description would need to be created. City Attorney Zahasky noted that the position would become supervisory and non-union.

Motion by Rustad and second by Schissel to approve hiring of a third driver and creating a fire department supervisor position and appointing one of the three engineers to that position. Roll call vote. Aye – Rustad, Schissel, Lore. Nays – Luse, Johnson, Carlson. Motion failed.

Rustad advised the personnel committee meet to continue the discussion.

Johnson noted that this seemed like the perfect time to continue discussions.

There were no further comments and the Mayor asked for a motion to adjourn.

Meeting adjourned on motion.

A handwritten signature in blue ink, appearing to read "Chad A. Bird".

Chad A. Bird
City Manager