

October 1, 2018

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

The meeting was opened with the Pledge of Allegiance.

Members present: Randy Schissel, Andy Carlson, Steve Luse, Kirk Johnson, Johanna Bergan, Dan Bellrichard, Ross Hadley

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

Sarah Shambrook, Field Director, Marsy's Law for Iowa, explained this law is an effort, in the state, to bring constitutional protection to victims of crime. She encouraged locally elected officials to endorse Marcy's Law when speaking with elected state officials.

Stephanie Fromm, Winneshiek County Economic Development/Decorah Jobs, reviewed their activities and accomplishments this past year.

Motion by Bergan, second by Hadley, to approve the consent agenda items as presented.

- a. Minutes of the September 17, 2018 meeting
- b. Claims
- c. Renewal Class E Liquor License for Decorah Mart including Class B Wine, Class C Beer and Sunday Sales Privileges
- d. PPE #3 – Dry Run Box Culvert - \$131,617.85
- e. Consider Resolution 2928, a resolution authorizing and approving the Series 2018C Loan Agreement with Mi Energy, providing for the issuance of a General Obligation Note, Series 2018C and providing for the levy of taxes to pay the same

Roll call vote. All Voting aye. Motion carried.

City Manager Bird announced Menards representative, Tyler Edwards, has requested any action on Menards' rezoning request be tabled pending possible changes to the site plan and rezoning request.

Mayor Borowski opened the scheduled public hearing on Menard's rezoning request.

Tim Wagner, 505 Franklin, voiced concerns about changing weather patterns and locating in the floodplain. Believes we need to protect the floodplain.

Mayor Borowski clarified a previous submitted letter the Winneshiek County Council of Mayors was not unanimously supported as previously reported. Not all county Mayors were at the meeting when support was discussed and approved.

Cliff Bullerman, 1649 Viking Hills Road, referred to the 2016 flood saying a cement box culvert, east of Lynch's processing plant, was plugged with logs and branches, blocking the water from going through. When it exploded a massive amount of water came flooding into Freeport. Had that culvert not been plugged, the water would have flowed through as designed and there wouldn't have been the flooding there was.

The flood study showed there would be minimal impact on the river. We need to address and consider the economic boost to Decorah and surrounding communities. These opportunities do not come along every day.

Dennis Magnuson, 907 W. Pearl, doesn't believe Menards would go somewhere else. Decorah is the hub of an economic center. He stated there are many places where Menard's is not adjacent to a big box store. Believes it would have a negative impact on other business.

Mayor Borowski read letters from Dan Voss and Karl Jacobson voicing support for rezoning.

Cindy Simpson, 2570 Golf View Rd., felt Menards will be a good community partner and would definitely make an economic impact. A lot of residents are in favor of this and believes it will positively impact local business.

Joann Hagen, 402 E. Main St., stated this is not about Menards – it's about the floodplain. The residents of Freeport and increased rainfall should be paramount in your minds.

Mayor Borowski closed the public hearing.

Motion by Johnson, second by Carlson to table consideration of the rezoning request.

As there is no action item regarding Menards on the agenda the motion and second were withdrawn.

This being the date and time for a public hearing rezoning property; Echo Development and Randall Olson, Decorah Business Park, Sweet Parkway property, a parcel from annexation to R-3 Multiple – Family Residential District, and a parcel from C-5 Office Park Commercial to R-3 Multiple – Family Residential District the hearing was opened.

Corey Henke, Echo Development representative, explained the project and the site selection. There are not a lot of building sites readily available for building or large enough for this type of development. The national trend is to build multi-family housing near places of influence and TG has become a place of influence. The dynamics of business parks are changing across the country as well.

Cliff Bullerman, 1649 Viking Hills Road, stated his belief that the Business Park was developed for business. He is concerned about the amount of the tax rebate requested and reminded the council Menards isn't asking for anything.

Stephanie Fromm, Winn. Co. Economic Development, gave a brief background of the business park. It was developed in hopes of attracting large employers. Today it is mostly office and retail with approximately 123 acres remaining. This particular site is on the east side of the park is off the beaten path and probably not the first choice for a business. They worked to find another location but, for various reasons, keep coming back to this spot.

Harlan Satrom, 402 Upper Broadway, member Decorah Jobs and Winneshiek Co. Economic Development, spoke of how TG is a game changer. The housing study shows the need for additional housing. He encouraged the Council to support this project.

Dennis Magnuson, 907 W. Pearl, pointed out the substantial difference in what Echo Development is asking and what Menards is asking. He questions the amount of the tax abatement. Doesn't believe the industrial park should have residential property and hopes others weigh in.

Mayor Borowski closed the public hearing.

Ordinance 1227 approving the requested rezoning; Echo Development and Randall Olson, Decorah Business Park, Sweet Parkway property, a parcel from annexation to R-3 Multiple – Family Residential District, and a parcel from C-5 Office Park Commercial to R-3 Multiple – Family Residential District was introduced and read for the first time. Motion by Luse, second by Bergan to approve the first reading. Roll call vote. All voting aye. Motion carried.

This being the date and time for a public hearing on a proposed amendment to the Plan for the 2014 Decorah Housing Urban Revitalization Area the hearing was opened.

City Manager Bird explained the amendment and how it specifically applies to this project.

It lays out an abatement schedule, of the actual value added, for all qualified real estate as described in the Urban Renewal District Subdistrict as follows:

Years 1 – 4	90% exemption
Years 5 – 7	80% exemption
Years 8 – 10	70% exemption

Developer agrees to \$3,000,000 minimum assessed valuation per building with 4 units to be built over time. Units to be built as the developer determines occupancy levels are met. Developer has agreed to provide 4 LMI apts. per building.

No public comment. The hearing was closed.

Motion by Hadley, second by Luse, to approve Resolution 2927 adopting the proposed amendment to the Plan for the 2014 Decorah Housing Revitalization Area.

Councilperson Schissel has reservations being as we already have a plan that's working with our local developers. We've seen some areas where buildings have been purchased and housing has been put in. Wonders why we want to give away everything to an out of town developer. This is just way too steep to get a return on our investment. We're not creating any jobs or business – it's just housing. We are getting no return.

Councilperson Luse questioned if any developers had put in multi-family housing under our current plan. City Manager Bird responded no.

Councilperson Hadley stated this has been done in other communities. They are not re-inventing the wheel here.

Councilperson Carlson said it could create workforce housing for other businesses to come to town. We need more people moving to Decorah – this may help.

Councilperson Bellrichard believes it is too much of a discount and opens up the business park to more of this type of development. Is that really what we want?

Bird stated any type of qualifying project, within that modified area, would be eligible for this abatement but it still has to be in a R-3 zone. Any area not R-3 would be subject to rezoning.

It was pointed out the Council can deny a rezoning request. Decorah Jobs has the option to not sell property and there are the RISE Grant qualifications to consider.

Bellrichard stated he still has concerns over the amount of the abatement. Think we need to be careful about taking these first offers.

Councilperson Luse stated he doesn't believe our current plan, offering \$40,000 per unit, is very compelling to developers. Supporting the housing project is dire.

The Mayor called for the vote. Voting aye: Hadley, Luse, Carlson, Bergan, Johnson. Voting nay: Schissel, Bellrichard. Motion carried.

Ordinance 1228 amending Ordinance 1214 Designating an Area of Decorah, Iowa as the 2014 Decorah Housing Urban Revitalization Area was introduced and read for the first time. Motion by Bellrichard,

second by Carlson, to approve the first reading. Roll call vote. Voting aye: Bellrichard, Carlson, Luse, Hadley, Bergan, Johnson. Voting nay: Schissel. Motion carried.

Consideration of the Echo Development site plan was opened for discussion. Bird noted the Planning and Zoning commission requested numerous changes, which the developer has provided for, as follows: changes to the sidewalk plan, requiring sidewalks along the street, intended to reflect connectivity along the ROW; a detail for the lighting; a building side elevation; and provision for bike parking.

The development also has an open application pending before the Board of Adjustment for a variance from the off-street parking and loading provisions of the code. Code requires 360 parking spaces (for all four buildings) the developer is seeking a variance to reduce the number of spaces to 244 based on the number of single and studio units.

Motion by Hadley, second by Luse, to approve the site plan. Roll call vote. All voting aye. Motion carried.

This being the date and time for a public hearing on vacation and conveyance of a portion of City ROW/Kerr Drive the hearing was opened.

No public comment. The hearing was closed.

Ordinance 1229 vacating a certain parcel of Kerr Drive in the NW quarter of the SW quarter and SW quarter of the SW quarter of Section 21, Township 98, Range 8 West of the 5<sup>th</sup> PM in the City of Decorah, Iowa was introduced and read for the first time. Motion by Johnson, second by Schissel, to approve the first reading. Roll call vote. All voting aye. Motion carried.

Motion by Bellrichard, second by Hadley, to adopt Resolution 2926 approving the conveyance of city ROW of a certain parcel of Kerr Drive in the NW quarter of the SW quarter and SW quarter of the SW quarter of Section 21, Township 98, Range 8 West of the 5<sup>th</sup> PM in the City of Decorah, Iowa to Stanley Engineered Fasteners.

Roll call vote. All voting aye. Motion carried.

City Clerk, Tr Hemesath questioned approval of conveyance prior to full adoption of the ordinance. City Manager Bird stated the resolution is written subject to final approval of the ordinance.

Ordinance 1224 approving rezoning of 1006 Woodside Court to R-2 Single-Four-family residential district was introduced and read for the third time. Roll call vote. All voting aye. Motion carried.

Ordinance 1230 amending Chapter 10.36 re-specifying the limitations of the prohibitions of certain noises and disturbances created by trucks within the City was introduced and read for the first time. Motion by Bellrichard, second by Luse, to approve the first reading. Roll call vote. All voting aye. Motion carried.

Motion by Bellrichard, second by Carlson to waive the second and third readings and place the ordinance on its' final adoption. Roll call vote. Voting aye: Bellrichard, Carlson, Bergan, Hadley, Johnson. Voting nay: Schissel, Luse. Motion failed.

Meeting adjourned on motion.



Wanda Hemesath, MMC  
City Clerk, Tr.