

June 15, 2020

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

The meeting was held in the Council Chambers and electronically for those that meeting in person was impossible or impractical due to COVID19 regulations.

The meeting was opened with the Pledge of Allegiance.

Members present: Emily Neal, Ross Hadley, Kirk Johnson, Andy Carlson, Steve Luse, Johanna Bergan, Randy Schissel.

Councilperson Luse requested consideration of the June 4, 2020 minutes be removed from the consent agenda.

Motion by Carlson, second by Bergan to approve the remaining items of the consent agenda as presented.

- a. Minutes of the June 1, 2020 council meeting
- b. Claims
- c. Renewal
- d. FY21 Cigarette Permits
- e. Renewal Class E Liquor License for Casey's General Store, College Dr., including Class B Wine, Class C Beer and Sunday Sales privileges
- f. Expanded outdoor service area for The Landing
- g. Resolution 3093, setting a date for a public hearing on a request for rezoning of property; *Tom and Barbara Massman, 1513 Laurel Drive parcel from A-1 Agricultural District to R-1 Single Family Residential District (July 20, 2020)*
- h. Resolution 3094, updating the City's Depository Resolution
- i. Resolution 3095, setting a date for a public hearing on granting a right-of-way easement with Mi-Energy for the airport (*July 6, 2020*)
- j. Resolution 3097, setting a date for a public hearing on a water tower lease for 911 Board communications equipment (*July 6, 2020*)

Roll call vote. All voting aye. Motion carried.

Councilperson Luse expressed concern regarding the following comment in the June 4 minutes:

"Councilperson Schissel stated the majority of the people supported Alliant. Believes there was erroneous information provided on both sides."

Actual verbatim language "The majority of the people supported Alliant. It doesn't matter because there was erroneous information on both sides, which made it very confusing."

He requested the comment be put in verbatim as stated by Councilperson Schissel. Councilperson Neal requested language be added that his comment was related to the 2018 vote.

Motion by Neal, second by Luse, to amend the minutes to reflect the actual language by Councilperson Schissel and that his statement is related to the 2018 referendum vote. Voting aye: Neal, Luse, John, Carlson, Hadley, Bergan. Voting nay: Schissel. Schissel stated he would agree with changing to reflect actual language but not with adding words he did not say. Motion carried.

This being the date and time for a public hearing on a request to rezoning the Downing Commercial Subdivision, 172 Ave parcel(s) from A-1 Agriculture to C-1 Highway Commercial and Scenic View Estates Subdivision from A-1 Agriculture to R-3 Multiple Family Residential the hearing was opened.

No public comment. The hearing was closed.

Ordinance 1250 approving the rezoning request for rezoning the Downing Commercial Subdivision, 172 Ave parcel(s) from A-1 Agriculture to C-1 Highway Commercial and Scenic View Estates Subdivision from A-1 Agriculture to R-3 Multiple Family Residential was introduced and read for the first time. Motion by Schissel, second by Carlson 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 proposal to grant a perpetual parking easement to Decorah Woolen Mill, L.P. the hearing was opened.

No public comment. The hearing was closed.

Motion by Hadley, second by Carlson, to approving Resolution 3096 granting a perpetual parking easement to Decorah Woolen Mill, L.P. Roll call vote. All voting aye. Motion carried.

This being the date and time for a public hearing to amend Chapter 15.04 Design Criteria the hearing was opened.

No public comment. The hearing was closed.

Discussion was held on the importance of education for property owners, the need for a matrix to assist with review of proposed projects and the importance of enforcement.

City Manager Bird stated a document featuring pictograms will be used to help define the code for applicants.

Ordinance 1251 approving the proposed amendments to Chapter 15.04 Design Criteria was introduced and read for the first time. Motion by Luse, second by Schissel to approve the first reading. Roll call vote. All voting aye. Motion carried.

Motion by Johnson, second by Luse, to table consideration of a site plan at 105 St. Lawrence Street, Quandahl Investment Properties, LLC, multi-family residential unit. Roll call vote. All voting aye. Motion carried.

Motion by Schissel, second by Carlson, to adopt Resolution 3087 approving the Bond Purchase Agreement for the sale of General Obligation corporate Purpose Bonds, Series 2020 with a 10-year amortization schedule. Roll call vote. All voting aye. Motion carried.

Motion by Luse, second by Neal to adopt Resolution 3088 approving the Bond Purchase Agreement for the sale of Taxable General Obligation Refunding Bonds, Series 2020B. Roll call vote. All voting aye. Motion carried.

Consideration of disposal of City owned real estate in the vicinity of the northwest corner of US Hwy 52 and State Hwy 9 was opened for discussion.

Councilperson Neal stated she would like to have storm water retention added to the list of stated conditions. Carlson questioned if council should establish what the proceeds will be used for before selling. Discussion was held on the advantage of a better taxable use for this property vs the need to sell it right now.

Sale of property shall be subject to the following conditions:

- a. Real Estate shall be used for commercial purposes;
- b. 18 months from date of conveyance of property from the City to submit and obtain approval of a site plan from the City;
- c. Development of the Real Estate (to include construction) to begin within 24 months from date of conveyance of property from the City;
- d. 36 months from date of conveyance of property from the City to complete the development of the Real Estate (the "Development Term");
- e. Use of TIF or real estate tax abatement will not be allowed;
- f. Developer may not re-sell or convey the Real Estate prior to the end of the Development Term or completion of the development project, whichever is later, without the consent of the City; and
- g. If developer does not complete the development project prior to the end of the Development Term, then the Real Estate, at the option of the City, will revert to the City. The City will re-purchase the Real Estate at 90% of the cash sale price the developer paid to the City, minus all costs incurred by the City to re-purchase the Real Estate. The City will have 5 years from the end of the Development Term to exercise this option, if the development project is not completed by the end of the Development Term.
- h. Project shall be designed and developed implementing best practices for storm water and sustainability practices as outlined in City Code and SUDAS specifications.

Motion by Schissel, second by Hadley to approve Resolution 3098 proposing to dispose of City owned real property in the vicinity of the northwest corner of US Hwy 52 and State Hwy 9, establishing requirements for the sale and development of said land, setting July 28, 2020, 5:00 pm as the date/time to receive proposals and August 3, 2020, 5:45 pm for a public hearing. Roll call vote. Voting aye: Schissel, Luse, Neal, Bergan, Hadley, Johnson. Voting nay: Carlson. Motion carried.

Motion by Carlson, second by Luse, to adopt Resolution 3099 approving initial members of the Decorah Sustainability Commission as follows:

Michelle Barness	2-year term expiring June 30, 2022
Ben Grimstad	2-year term expiring June 30, 2022
Molly McNicoll	3-year term expiring June 30, 2023
Brent Parker	3-year term expiring June 30, 2023
Ann Mansfield	4-year term expiring June 30, 2024
Jeremy Leitz	5-year term expiring June 30, 2025
Jim Martin-Schramm	6-year term expiring June 30, 2026

Councilperson Schissel questioned the potential of a conflict of interest with city staff being on a city board.

Attorney Anderson stated employees do have more risk running into a conflict of interest. The employee should review and know what they are getting into.

City Manager Bird express concern with a staff member helping to establish city policy.

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

Ordinance 1247 amending Chapter 8.20 related to Junk Vehicles was introduced and read for the second time. Motion by Neal, second by Luse, to approve the second reading. Roll call vote. All voting aye. Motion carried.

Motion by Schissel, second by Luse, to waive the third and final reading thereby placing the ordinance on its' final adoption. Roll call vote. All voting aye. Motion carried.

Proposed update of the City COVID19 Emergency Response Policy was opened to discussion. Motion by Schissel to approve the policy as presented. Motion died for lack of second. Significant discussion was held on the necessity of masks and if they should be required for all board/commission members.

Motion by Neal, second by Hadley, to approve the proposed policy as presented with the requirement masks must be worn by any non-employee entering the city municipal center. Roll call vote. All voting aye. Motion carried.

Councilperson Johnson, attending by ZOOM, left the meeting due to technical difficulties.

Motion by Bergan, second by Neal to amend the 2020 Farmers Market lease by expanding use of city property by closing Heivly St., between Court and River, Saturday mornings in communication with the coop. Roll call vote. All voting aye. Motion carried.


Motion by Hadley, second by Carlson to approve the Mayor appointment of Eric Sovern to the SSMID Board. Roll call vote. All voting aye. Motion carried.

Motion by Bergan, second by Neal, to approve the Mayor following appointments to the Library Board of Trustees:

New appointment:	Shannon Horton
New appointment:	Shanna Putnam Dibble
Re-appointment:	Cheryl Pellet

Roll call vote. All voting aye. Motion carried.

Meeting adjourned on motion.


Wanda Hemesath, MMC
City Clerk, Tr.