

August 2, 2021

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.

The meeting was opened with the Pledge of Allegiance.

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

Motion by Schissel, second by Luse, to approve the consent agenda with the change noted in red.

- a. Minutes of the July 19, 2021 meetings
- b. Claims
- c. Resolution 3206 accepting the Airport Driveway Project as complete and authorizing final payment
- d. Change Order #2 Airport Driveway Project: \$6,388.92
- e. Renewal Class C Liquor License, Corner Bar including Sunday Sale - **Outdoor Service Area Denied**
- f. Contract with Hinson Consulting for City Clerk, Finance Officer search not to exceed \$9,800

Roll call vote. All voting aye. Motion carried.

Renewal of Class C Liquor License for Roscoes including Sunday Sales and Outdoor Service Area was opened for discussion.

Chief Smutzler reviewed the history of calls associated with this establishment, including under-age drinking, noise and disturbances in the parking lot. These problems have been escalating over the past year. In January 2021, Law Enforcement met with ownership regarding these concerns advising they had to do a better job.

City Clerk, Tr Hemesath advised the city code prohibits a liquor license being timely filed. Considerable discussion was held with Zittergruen saying he would like the opportunity to speak with owners before taking action.

Motion by Zittergruen to table. Motion died for lack of second.

Motion by Hadley, second by Johnson, to deny. Roll call vote. Voting aye: Hadley, Johnson, Schissel, Luse. Voting nay: Carlson, Zittergruen. Motion carried.

This being the time and place for a public hearing regarding Ordinance 1278 amending Chapter 5.28 Rental Inspections and Rental Permit Fee Exceptions, the hearing was opened.

Proposed ordinance adds the following language to Section 5.28:

Paragraph H to Section 5.28.020

H. State-Inspected Properties. All properties required to be regularly inspected for health and safety standards by the State of Iowa, including nursing homes, assisted living facilities, hotels, and bed and breakfast inns, are exempted from regular inspections. Owners of properties claiming exemption under this provision must furnish a copy of the most recent State inspection report is requested by the City Zoning Administrator to verify the exemption.

Paragraph E to Section 5.28.060

E. All provisions of Chapter 5.28 shall be enforced in a similar manner for long-term and short-term rental units, including inspections, except no rental permit or inspection fee shall be charged for short-term rental units.

These changes are being proposed to comply with state code regarding state-inspected properties and short-term rental units.

No public comment. The hearing was closed.

Ordinance 1278 amending Chapter 5.28 Rental Inspections and Rental Permit Fee Exceptions was introduced and read for the first time. Motion by Schissel, second by Luse to approve the first reading. Roll call vote. All voting aye. Motion carried.

Motion by Hadley, second by Zittergruen, to waive the second and third readings and place the ordinance on its' final adoption. Roll call vote. All voting aye. Motion carried.

This being the time and place for a public hearing on the plans and specifications for the 2021 Street Improvement Program-Asphalt Overlays, the hearing was opened.

No public comment. The hearing was closed.

Motion by Luse, second by Carlson, to adopt Resolution 3205 approving the plans/specs, form of contract and award the bid to Skyline Construction - \$261,794.71. Bid is less than 1% above the Engineer's estimate. Roll call vote. All voting aye. Motion carried.

Ordinance 1264 approving a request for rezoning of property; Allan Dahlen and Helen Wise, Co-Executors of the Estate of Arnold G. Dahlen, and Allan J Dahlen and Patricia J Dahlen, for land along Old Stage Road and in Section 14 and Section 23, Township 98 North, Range 8 West of the Fifth P.M., all within the City of Decorah, Winneshiek County, Iowa parcels from F-1 Floodplain to C-4 Shopping Center Commercial, was introduced and read for the third time. Motion by Schissel, second by Luse, to approve the third and final reading, placing the ordinance on its' final adoption. Roll call vote. All voting aye. Motion carried.

Motion by Hadley, second by Luse, to adopt Resolution 3204 approving an amendment to the 2016 Chapter 28E Fire Protection Agreement. Changes include annual payment amount increasing from \$40,000 to \$44,000 and 1-yr agreement expiring June 30, 2022. Roll call vote. All voting aye. Motion carried.

Motion by Zittergruen, second by Carlson, to adopt Resolution 3207 approving submittal of a grant application to the FEMA Hazard Mitigation Assistance Program for generators at the following locations:

Minowa Heights Booster Station
Industrial Park Booster Station
Well 1 & 2, Pump House, Storage shed
Ridge Road Booster Station
Ronan Booster Station

Rosendahl Lift Station, Valley View Dr.
City contribution - \$36 450. Roll call vote. All voting aye. Motion carried.

Motion by Zittergruen, second by Carlson, to adopt Resolution 3208 approving submittal of a grant application to the FEMA Hazard Mitigation Assistance Program for a generator at the Decorah Public Library. City contribution - \$12,300. Roll call vote. All voting aye. Motion carried.

Consideration of parking changes at the following locations was opened for discussion:

1. Painter Street/Fifth Ave
2. Heivly Street/North Alley
3. Center Ave

Pete Blodgett, West Side Dental, stated there has never been an accident at the Painter St/Fifth Ave intersection. He will be penalized by losing 3 spots in front of their building.

Mr. Blodgett also spoke for Pete Espinosa, owner of The Landing and Pulpit Rock Brewery, who was unable to attend. He stated both businesses are growing and are popular places. He would appreciate city support.

Patrick McDermott stated there are employees from 3 locations parking there. Everyone's business will be affected by this and limiting parking will create more problems elsewhere.

Don Rude, owner Don's Towing, 223 College Dr., was supportive of removing these parking spaces. It is very difficult to get trucks in and out. There are blind spots trying to get onto 5th Ave. Safety concern needs to be a priority.

Motion by Hadley, seconded by Johnson, to table location #1 and to approve locations 2 and 3 with three being just during school hours.

Concerns were raised regarding Heivly St/North Alley in regards to parking for residents living above downtown businesses.

Councilperson Johnson asked if residents on Center Ave knew this action was being considered. After considerable discussion Johnson withdrew his second, followed by Hadley withdrawing his motion.

Motion by Schissel, second by Johnson, to table and refer to the Street Committee for further discussion. Roll call vote. All voting aye. Motion carried.

Meeting adjourned on motion.



Wanda Hemesath, MMC
City Clerk, Tr.