

June 20, 2022

The special meeting of the Decorah City Council was called to order by Mayor Borowski at 4:00 p.m.

The meeting was held in the Council Chambers and electronically.

Members present: Emily Neal, Randy Schissel, Steve Luse, Steven Zittergruen, Kirsten Olson, Ross Hadley (via zoom), Kirk Johnson (joined via zoom at 5:05 p.m.)

Motion by Olson, second by Neal to approve the consent agenda as presented.

- a. Minutes of the June 6, 2022, Regular Meeting, June 8, 2022, Work Session, and June 9, 2022, Work Session
- b. Claims
- c. Reappointment of Mark Muggli, Adrienne Coffeen, and Judy Vander Linden to Historic Preservation Commission
- d. Reappointment of Jarad Walter to the to the Telecommunications Board
- e. Renewal Class C Liquor License with Outdoor and Sunday Sales for Luther College Baker Commons
- f. Renewal Class C Liquor License with Outdoor and Sunday Sales for Luther College Dahl Centennial Union
- g. New Class C Beer with Outdoor Service for Water Street Deli
- h. New Class C Liquor License with Outdoor Service for Nordic Fest
- i. Renewal of Class E Liquor License with Class B Wine Permit, Class C Beer Permit and Sunday Sales for Casey's Store # 1591
- j. Amendment of Class E Liquor License with Class B Wine Permit, Class C Beer Permit and Sunday Sales for Casey's Store # 1591 Owner Update
- k. Vesterheim Special Permit July 7<sup>th</sup>, 2022

Roll call vote. Ayes: Olson, Neal, Schissel, Luse, Zittergruen, Hadley. Motion carried.

Schissel made a motion to approve the site plan for Bluffside Garden's, Zittergruen seconded the motion. The Council discussed the sidewalk situation on the property. Olson felt there was no need to require sidewalks on this side due to the sidewalk would go to nowhere. Neal thought if there is a second phase to this project, that it would give Council the opportunity to address the sidewalk discussion again. Roll call vote. Ayes: Schissel, Zittergruen, Neal, Olson, Luse, Hadley. Motion carried.

Consideration of approval for the police officer training reimbursement contract was discussed. The City Manager explained that when a new police officer is sent to Iowa Law Enforcement Academy training, the new hire signs a contract that states the employee will reimburse the city of costs associated with sending them to the academy if they decide to leave employment in the first four years. The new contract extends the contract from four years prorated to five years. The new contract adds language that requires the City remove federal minimum wage from the reimbursement. Luse made a motion to approve the new contract language, Olson seconded the motion. Roll call vote. Ayes: Luse, Olson, Neal, Zittergruen, Hadley, Schissel. Motion carried.

Hadley made a motion to approve Vesterheim's request to provide financial support for a Community Attraction and Tourism grant in the amount of \$5,000.00 per year for two years with the funds coming from the Hotel/Motel Tax funds. Luse seconded the motion. Roll call vote. Ayes: Hadley, Luse, Schissel, Zittergruen, Neal, Olson. Motion carried.

Hadley made a motion to approve Resolution 3279 that sets July 18, 2022, as the public hearing for the 2022 Pleasant Avenue Improvement Project. Neal seconded the motion. Roll call vote. Ayes: Hadley, Neal, Schissel, Olson, Luse, Zittergruen. Motion carried.

Schissel made a motion to approve Resolution 3280 approving the final plat for Brenton's subdivision, Neal seconded the motion. The City Manager explained that this needs to be done due to the parcel of land being split into three or more parcels. This does not obligate the City from having to accept or do any infrastructure for this property. Roll call vote. Ayes: Schissel, Neal, Luse, Zittergruen, Olson, Hadley. Motion carried.

Hadley made a motion to table the third reading of the conditional rezoning for Prairie Lakes Church due to not having full representation of Council to vote. Schissel seconded the motion. City Council discussed the procedural ramifications if they tabled the vote or if they followed through with the vote. Roll call vote. Ayes: Hadley, Schissel, Zittergruen. Nays: Neal, Olson, Luse. Motion failed.

Luse made a motion to approve the third reading of an ordinance to have a conditional rezoning for Prairie Lakes Church, Schissel seconded the motion. Roll call vote. Ayes: Schissel, Zittergruen, Hadley. Nays: Luse, Neal, Olson. Motion failed.

Luse made a motion to approve the second reading of Ordinance 1294 amending Chapter 15.04 regarding the C-3 design criteria, Zittergruen seconded the motion. Roll call vote. Ayes: Luse, Zittergruen, Hadley, Neal, Olson, Schissel. Motion carried.

Luse made a motion to waive the third reading and adopt Ordinance 1294 amending Chapter 15.04, Zittergruen seconded the motion. Ayes: Luse, Zittergruen, Hadley, Neal, Olson, Schissel. Motion carried.

City Manager Goedken explained that the water and sewer rates are being brought back to Council due to an error in calculations. The rate increase would stay the same that was voted on before: water rates at 8% increase and sewer rates at 4% increase. The correction is being made in the actual dollar amounts that are spelled out in the ordinance. Luse made a motion to approve the first reading of Ordinance 1295, Olson seconded the motion. Roll call vote. Ayes: Luse, Olson, Zittergruen, Neal, Hadley. Nays: Schissel. Motion carried.

Olson made a motion to waive the second and third reading and adopt Ordinance 1295, seconded by Luse. Roll call vote. Ayes: Olson, Luse, Zittergruen, Hadley, Neal. Nays: Schissel. Motion failed due to needing six out of the seven votes.

Neal made a motion to approve the first reading of Ordinance 1296 approving the sewer rates at a 4% increase, Olson seconded the motion. Roll call vote. Ayes: Neal, Olson, Luse, Zittergruen, Hadley. Nays: Schissel. Motion carried.

Neal made a motion to waive the second and third reading of Ordinance 1296 and adopt, Olson seconded. Roll call vote. Ayes: Neal, Olson, Luse, Hadley. Nays: Zittergruen, Schissel. Motion failed due to needing six out of the seven votes.

The City Council had previously approved \$80,000.00 to purchase a leaf vac. The Street Department has found a used leaf vac for \$87,500.00. The request is for the additional \$7,500.00 to come from the electric franchise sustainability funds to finalize the purchase. Hadley made a motion to approve the additional funds coming from the electric franchise fee sustainability funds, Luse seconded the motion. Roll call vote. Ayes: Hadley, Luse, Schissel, Neal, Olson, Zittergruen. Motion carried.

Mayor Borowski has made three appointments to the Library Board: Andi Beckendorf, Allie Scott, and Maria Leitz. Olson made a motion to approve the three appointments, Neal seconded. Roll call vote. All voting ayes. Motion carried.

Mayor Borowski has appointed Brad Wicks to the Planning and Zoning Board. Schissel made a motion to approve the appointment of Brad Wicks, Olson seconded the motion. Neal feels that there is a stronger candidate, Laurie Meinholz, due to her connection with the downtown businesses. Olson feels that Brad Wicks has a great amount of experience and that would be beneficial for Planning and Zoning. Zittergruen feels that Laurie has a great perspective that is lacking on the Planning and Zoning Board. Councilmember Luse would like to see gender equity on the Board. Hadley felt it would be beneficial to have a member of the downtown business district on the Board. Roll call vote. Ayes: Schissel, Olson, Johnson. Nays: Hadley, Neal, Zittergruen, Luse. Motion failed.

City Attorney John Anderson read aloud the Council Rules of Procedure relating to a Motion to Reconsider, to include who may make a motion to reconsider and the timing of a motion to reconsider.

Luse made a motion to reconsider the vote on the second and third reading and adoption of Ordinance 1296 regarding the sewer rates, Neal seconded the motion. Roll call vote. All voting ayes. Motion carried.

Neal made a motion to waive the second and third readings and adopt Ordinance 1296 regarding the sewer rates, Zittergruen seconded. Roll call vote. All voting ayes. Motion carried.

Neal made a motion to reconsider the vote to waive the second and third readings and adopt Ordinance 1295 regarding the water rates, Luse seconded the motion. Roll call vote. All voting ayes. Motion carried.

Neal made a motion to waive the second and third reading and adopt Ordinance 1295 regarding water rates, Olson seconded the motion. Roll call vote. All voting ayes. Motion carried.

Schissel made a motion to reconsider the vote on the third reading on the Prairie Lakes Church, Johnson seconded the motion. Olson spoke regarding a planning and zoning class that he has taken, and, in the class, it was explained that variances should happen infrequently, maybe once or twice a year. Olson does not feel that they should be doing this lightly. He also feels that a lot of work has gone into going through our ordinances and bringing them up to date and does not feel that we should just be throwing away all that work and money that has been done. Roll call vote. Ayes: Schissel, Johnson, Olson, Zittergruen, Hadley. Nays: Neal, Luse. Motion carried.

Schissel made a motion to approve the third reading and adopt Ordinance 1293 approving conditional rezoning for the Prairie Lakes Church, seconded by Johnson. Roll call vote. Ayes: Schissel, Johnson, Zittergruen, Hadley. Nays: Olson, Luse, Neal. Motion carried.

Meeting adjourned at 5:32 p.m.

Keri Sand  
City Clerk-Finance Officer

