

October 17, 2022

The regular meeting was called to order by Mayor Borowski at 5:45 pm

The meeting was held at the City Council Chambers and electronically.

The meeting was opened with the Pledge of Allegiance.

Members present: Randy Schissel, Emily Neal, Kirsten Olson, Steve Luse, Steven Zittergruen, Ross Hadley, and Kirk Johnson

Karen Schluter of 608 Center Avenue, Decorah addressed the City Council regarding her boulevard trees at her rental property. She was contacted by Sam Hogenson, the City Forester, and told that the Autumn Blaze Maple trees are not allowed to be planted in the boulevard. She explained that she planted these trees about a month and half ago. She did not go through the boulevard program so this was all at her cost. She is asking Council to let her keep these trees in the boulevard. City Manager, Travis Goedken, explained to Council that it would take 2 Council members to put this on a future agenda.

Motion by Hadley and seconded by Olson to approve the consent agenda as presented.

- a. Minutes of the October 3, 2022, Regular Meeting
- b. Claims
- c. Tax Abatement for Living the Dream Properties-713 Rural Avenue-Remodel
- d. Resolution 3306 Setting a Public Hearing for Rezoning 920 Pleasant Avenue from R-1 Single-Family Residential District to R-2 Single to Four-Family Residential District for November 21, 2022

Roll call vote. All voting ayes. Motion carried.

Neal made a motion to approve Resolution 3307 accepting an easement from Kwik Star for 308 College Drive contingent upon staff approval of final easement agreement(s) on sidewalk, language regarding maintenance and closing on sale of property. Zittergruen seconded the motion. Roll call vote. All voting ayes. Motion carried.

Mayor Borowski opened the public hearing regarding vacating city owned easements regarding Kerndt's Rental, LLC Property on College Drive at 6:01 pm. No public comment. The public hearing was closed at 6:02 pm by Mayor Borowski. Neal made a motion to approve Resolution 3308 approving vacating city owned easements related to Kerndt's Rental Property, LLC at 302 and 308 College Drive contingent upon staff approval of final easement agreement(s) on sidewalk, language regarding maintenance, and closing on sale of property. Olson seconded the motion. Roll call vote. All voting ayes. Motion carried.

Mayor Borowski opened the public hearing regarding vacating city owned easements regarding Tiffani Henry and James Gehling owned property at 300 College Drive at 6:03 pm. No public comment. Mayor Borowski closed the public hearing at 6:04 pm. Neal made a motion to approve Resolution 3309 approving vacating city owned easements related to Tiffani Henry and James Gehling property at 300 College Drive contingent upon staff approval of final easement agreement(s) on sidewalk, language regarding maintenance, and closing on sale of property. Luse seconded the motion. Roll call vote. All voting ayes. Motion carried.

Hadley made a motion to approve the site plan for Wal-Mart online delivery and pickup addition, Johnson seconded the motion. Roll call vote. All voting ayes. Motion carried.

Schissel made a motion to approve the site plan for First Lutheran Church building addition and remodel. Hadley seconded the motion. Roll call vote. All voting ayes. Motion carried.

Johnson made a motion to approve the Sunflower Child Development and Discovery Center site plan, Schissel seconded the motion. Roll call vote. All voting ayes. Motion carried.

Luse made a motion to approve the acceptance of the IDOT GAVI Grant regarding the Decorah Municipal Airport. Olson seconded the motion. Roll call vote. All voting ayes. Motion carried.

The Council came to a consensus to have staff move forward working with McClure Engineering regarding the Decorah Municipal Airport terminal building and maintenance hangar project. The Council did indicate the concern with the potential cost of this project and wants staff to be aware of this going forward.

Dr. Laurie Meinholz of 209 East Water Street spoke regarding her building project at 209 E Water Street. She is having trouble with the back elevation and being able to install a fire escape that meets Decorah's building code. Mayor Borowski gave Dr. Meinhold instructions to have her architect work with the City Manager and the City Engineer on the rear elevation. Zittergruen made a motion to approve the Elvira Estates LLC C-3 Design at 209 E Water Street contingent on staff approval of the rear elevation. Luse seconded the motion. Roll call vote. All voting ayes. Motion carried.

Mark Lovelace of 305 Grove Street addressed the Council representing the Decorah Real Estate Fund. This investment group wanted to thank the Council for the opportunity to explore the concept of a

potential building that would address the parking and housing concerns of Decorah. At this time, the Decorah Real Estate Fund will be terminating the Memorandum of Understanding with Decorah. They hope to work with Decorah in the future on potential projects. Schissel made a motion to accept the terminating of the MOU with Decorah Real Estate Fund, Olson seconded the motion. Roll call vote. All voting ayes. Motion carried.

Luse made a motion to approve Resolution 3310 to set November 21<sup>st</sup> as the public hearing on the designation of the urban renewal area and on the urban renewal plan and project. Neal seconded the motion. Roll call vote. Motion carried.

Mayor Borowski opened the public hearing at 7:16 pm on amending Chapter 17.96 C-3 Central Business Commercial District related to principal permitted uses.

Kate Scott of 405 East Broadway Street spoke regarding the importance of small businesses in Decorah. She is in favor of the proposed changes to Chapter 17.96 that continues to have general retail and commercial businesses on the ground floor with potential parking structures under limited conditions.

Mark Muggli spoke representing the Historic Preservation Committee. The committee wanted the Council to be aware of three concerns that they have, which include:

- 1) Number of permitted parking structures in the C-3 area
- 2) Allowing side access from parking structures
- 3) Permitted uses at ground level also needs to include the side streets of Washington, Winnebago, and Court Street, along with Water Street in the downtown historic district

Mayor Borowski closed the public hearing at 7:23 pm.

The City Manager explained that the proposed ordinance includes addressing residential units and parking garages. This change to the ordinance would allow residential units to be above and below another permitted principal use. The parking garage change would be to require the front of the structure to be another permitted principal use other than parking. Council discussed the changes at length. Johnson made a motion to table the vote and move this to a work session, Schissel seconded the motion. Roll call vote. All voting ayes. Motion carried.

Schissel made a motion to approve the second reading of an ordinance amending sections 10.76.010, 10.76.020, 10.76.030, 12.44.010, and 12.44.050 related to snow removal. Neal seconded the motion. Roll call vote. All voting ayes. Motion carried. Schissel made a motion to waive the third reading and adopt Ordinance 1302 related to snow removal. Olson seconded the motion. Roll call vote. All voting ayes. Motion carried.

The City Manager and the City Engineer addressed the Council regarding the need to update the City's sidewalk ordinances. One of the concerns is to update Decorah's code to reflect federal code for ADA compliance. Another change would be to the subdivision ordinance to include that sidewalks need to be installed before the city would accept the subdivision. After Council discussion it was determined to address the sidewalk changes at the next Street Committee meeting.

Hadley made a motion to go into closed session regarding the lease with Bank of the West per 21.5(1)00(c) **To discuss strategy with council in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation** regarding the lease with Bank of the West at 8:00 pm, Johnson seconded the motion. Roll call vote. Ayes: Hadley, Johnson, Schissel, Olson, Zittergruen, Neal, Luse. Motion carried.

Schissel made a motion to go back into open session at 8:21 pm, Johnson seconded the motion. Roll call vote. All voting ayes. Motion carried.

Meeting adjourned at 8:23 pm.

Keri Sand

City Clerk-Finance Officer