

REGULAR CALLED CITY COUNCIL MEETING

Tuesday, April 16, 2019 – 5:00 P.M.

Council Chambers – Denison, Iowa

The second regular City Council Meeting of the City of Denison, Iowa was held pursuant to law on the above date and hour; Mayor Pro-tem Mahrt, called the meeting to order at 5:00 p.m. with the following members present: CURNYN, GRANZEN, LOESCHEN, MAHRT, OKKER Absent: Mayor Beymer

PLEDGE OF ALLEGIANCE Mayor Pro-tem Mahrt lead the Pledge of Allegiance.

MOTION TO APPROVE Motion Loeschen/Okker to approve the agenda.
AGENDA Ayes: 5 Motion carried.

MOTION TO REMOVE Motion Granzen/Curnyn to pull the Franck & Sextro invoice as a
FRANCK & SEXTRO INVOICE separate item to be discussed after consent agenda then approve the
AS A SEPARATE ITEM, THEN following items on the consent agenda: a) approve and waive the
APPROVE CONSENT AGENDA reading of the minutes for 4/2/19; b) approve the bills as presented; c)
approve cash & activity reports for Mar. 2019; d) approve budget
report for Mar. 2019; e) approve liquor license(s) for Cronk's Café; One
Stop (pending dram); and Beer Thirty (pending dram); f) approve
cigarette permit for Beer Thirty. Ayes: 5 Motion carried.

MOTION TO APPROVE Granzen discussed Franck & Sextro invoice. He said he thought that
FRANCK & SEXTRO INVOICE council & mayor should go to administration to get answers to
questions, rather than going directly to the city attorney's office to keep
attorney fees down. If administration can't answer, they can contact
the attorney's office. Consensus of council agreed. Motion
Granzen/Loeschen to approve Franck & Sextro invoice. Ayes: 5 Motion
carried.

PUBLIC FORUM Rachel Desy, with Women In Business Impact Organization, spoke about
Crawford County Beautification Day, which will be a week this year. It
kicks off on Mon, Apr. 22nd on Earth Day. A few of the projects include
WESCO adopting Tuckers Park, Mosaic adopting Washington Park, Local
Boy Scout group adopting Union Park; Phil Nichols has already made
improvements to the Santa House and there is a work day scheduled at
the dog park on Fri., Apr. 26th.

Rod Bradley – The Denison newspaper, in an editorial last Fri., stated
that deflection has been the name of the game, Bradley does not
consider anything that has happened over the last 4 months to be a
game. Also not a deflection, but rather an attempt to bring to light
things that happened in the fashion that they did and he, as well as
several others in the community, think were done as an abuse of power
and authority and in direct violation of City policy. City had issues last
year that needed to be addressed but the correct processes needed to
be used and not abused. The Mayor acted in direct violation of City
ordinances and policies, against council. The digital research should've
been done by an outside third party, not by Mayor. The Mayor can not
enter into contracts, only council. Bradley takes issue with the paper
referring to Blazek as Asst. City Attorney. No where does it name such a
position in ordinances, nor does it say the City Attorney can delegate
that authority. He also takes issue with the paper saying that council is

now so afraid of its own shadow it couldn't even get enough votes to enter into closed session to discuss the issue of the changing insurance bonding at the last meeting. There are only certain reasons to enter closed session and the insurance discussion is not one of them. Bradley agrees that council does need to have a closed session meeting with the insurance appointed attorney now that the lawsuit has been filed. If it truly was an emergency to add the closed session to the last agenda, why hasn't there been a special meeting or why is the closed session not on the agenda tonight? The answer is because the council only wanted to enter closed session to privately discuss the insurance, which is not allowed. Bradley has lived in Denison for 38 years and has never seen a mayor or city attorney conduct themselves in direct conflict with council direction. He asked council to take control of their house. Bradley is glad to see a few items on the agenda tonight moving things in the right direction and he hopes that council will continue working together to move forward and begin putting some of these issues behind us.

Granzen told Bradley he appreciates everything he has done and continues to do.

Denny Fineran – Thanked Granzen and Loeschen for not going into closed session at the last meeting. He reiterated that council needs to make up their own minds. He feels they should check with another lawyer – this should've never happened the way it did. You have a young attorney and a young mayor. Employees can give vacation and sick to other employees, it is allowed per policy. Lisa giving time to Cory was perfect. Council needs to put in time and do their homework. Ask yourselves before you approve spending – would you take it out of your own pocket? This wouldn't have happened under Fineran or Mahrt's watch as Mayor.

ORDINANCE #1500 AMENDING CHAPTER 21 PERTAINING TO SUPERVISORY AUTHORITY OF CITY MANAGER Ordinance #1500 was introduced amending Chapter 21 pertaining to supervisory authority of the City Manager. Motion Granzen/Loeschen to waive 2nd & 3rd readings. Ayes: 5 Motion carried. Motion Loeschen/Okker that Ordinance #1500 is adopted. Ayes: 5 Motion carried.

ORDINANCE #1501 AMENDING CODE OF ORDINANCES REGARDING HOW ITEMS CAN BE ADDED TO CITY COUNCIL AGENDA Ordinance #1501 was introduced amending code of ordinances regarding how items can be added to the agenda. Motion Loeschen/Granzen to waive the 2nd & 3rd readings. Ayes: 5 Motion carried. Motion Okker/Curnyn that Ordinance #1501 is adopted. Ayes: 5 Motion carried.

ORDINANCE #1502 AMENDING CODE OF ORDINANCES ADDING APPOINTMENT TO 911 BOARD TO MAYOR'S APPOINTMENTS AND APPROVED BY COUNCIL Ordinance #1502 was introduced amending code of ordinances adding the appointment to the 911 board to the Mayor's appointments to be approved by council. Motion Granzen/Loeschen to waive the 2nd & 3rd readings. Ayes: 5 Motion carried. Motion Granzen/Curnyn that Ordinance #1502 is adopted. Ayes: 5 Motion carried.

MOTION TO APPROVE FIREWORKS DISPLAY AGREEMENT Motion Loeschen/Okker to approve the Fireworks Display Agreement with J&M Displays. Ayes: 5 Motion carried.

MOTION TO APPROVE GENERAL MOWING CONTRACT	Motion Loeschen/Granzen to approve the general mowing contract to Phil's Lawn & Landscaping for 3 years. Ayes: 5 Motion carried.
MOTION TO APPROVE RFP FOR CITY ATTORNEY SERVICES	Motion Granzen/Loeschen to approve Request for Proposal (RFP) for City Attorney Legal Services. Ayes: 5 Motion carried.
MOTION TO APPOINT COUNCIL MEMBER LIAISONS TO EACH DEPARTMENT	Motion Granzen/Mahrt to appoint a council member as liaison to each department as follows: Fire Dept. - Loeschen; Library – Mahrt; Police Dept. – Loeschen; Boulders – Curnyn; Parks – Okker; City Hall – Granzen; and Public Works – Curnyn. Ayes: 5 Motion carried.
MOTION TO APPROVE CRAWFORD ATTENDING HUD MEETING IN DES MOINES	Motion Granzen/Okker to approve Crawford attending HUD meeting in Des Moines on Apr. 19, 2019. Ayes: 5 Motion carried.
MOTION TO APPROVE BEYMER ATTENDING ROGER BROOKS SUMMIT	Motion Curnyn/Loeschen to approve Mayor Beymer attending Roger Brooks Summit on April 30 & May 1, 2019 in Carroll, IA. Ayes: 5 Motion carried.
DISCUSSION ON HOUSING BOARD APPOINTMENTS	Discussion on housing board appointments. Consensus of council was to direct the city attorney to prepare an ordinance amendment to move the housing board appointments from the Mayor to the Council.
MAYOR REPORT	Mayor Pro-tem Mahrt reported that there is a new activity at the Aquatic Center. There is a gaga ball pit and it is a blast.
CITY MANAGER REPORT	Crawford reported that the N. 10 th St. contract had to be signed online and thanked Mahrt for coming in to take care of that in place of Beymer so we can keep the project going. Crawford is finalizing notes for the May 3 rd letting for 2019 Streets. He and Mahrt attended the DMU board meeting last night. DMU will not participate in the sewer and main extension.

There being no further business, the meeting was adjourned at 5:47 p.m.

Signed _____
Nathan Mahrt, Mayor Pro-tem

ATTEST:

Lisa K. Koch, City Clerk