

**MINUTES  
CITY COUNCIL MEETING  
OCTOBER 6, 2016  
6:30 P.M.**

The City Council of the City of Keokuk met in regular session on October 6, 2016 at 6:30 p.m. in the City Council Chambers, 415 Blondeau Street. In the absence of Mayor Marion, Pro-Tem Susan Dunek called the meeting to order. There were seven council members present, two absent: Mike O'Connor, Dan Winn, John Helenthal, Larry Mortimer, Sandy Pollitt, Roger Bryant and Susan Dunek. Michael Moore, and Ron Payne were absent.

**Mayor's Correspondence:** Dunek invited everyone to attend the Lake Cooper Foundation Fall Festival on October 22, 2016. It is free to the public. She also mentioned the Lake Cooper Haunted House and said flyers with information for both events are available. O'Connor invited everyone to attend homecoming festivities at the high school this weekend.

**Citizen's Request:** Katherine Marion of 319 Franklin told the council of her concern about traffic on North 4<sup>th</sup> Street. She said due to lack of stop signs, heavy traffic travels through the neighborhood, many speeding. She asked if someone could address this issue and the loud trucks and motorcycles traveling Main Street.

**Consent Agenda:** Motion made by Mike O'Connor and seconded by John Helenthal. Motion carried.

- Minutes of the regular City Council meeting of September 15, 2016;
- Minutes of the September 30, 2016 Civil Service meeting;
- Renewal Liquor licenses - Knights of Columbus, 11 North 6<sup>th</sup> Street, Southside Boat Club, 625 Mississippi River Drive, Aldi's Inc., 3379 Main Street.

Now is the time and place for a public hearing for the proposal to enter into a Development Agreement with Keokuk Mills, LLC. A public hearing notice pertaining to the hearing was published in the Daily Gate City on September 26, 2016.

**OPEN HEARING:** The hearing was opened at 6:35 p.m.

**COMMENTS:** Steve Bisenius of LCEDG thanked the Council and County Supervisors for their support of the Keokuk Mills project. Aaron Burnett said the agreement is structured like the State's agreement and supplies the local match. Susan Dunek mentioned that Keokuk Mills re-opening of the foundry had recently received national attention in a trade publication. Dan Winn said Liberty Utilities used the foundry closing as a reason to raise gas rates. Re-opening the foundry may make a difference in the case.

**CLOSE HEARING:** The meeting was closed at 6:38 p.m. and the following resolution was adopted.

**RESOLUTION NO. 149-16**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF KEOKUK  
AND KEOKUK MILLS, LLC**

**WHEREAS**, by Resolution No. 96-08, adopted April 24, 2008, and which has twice been amended, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Amended and Restated Twin Rivers Urban Renewal Plan (the "Plan") for the Amended and Restated Twin Rivers Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan as amended, is on file in the office of the Recorder of Lee County; and

**WHEREAS**, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

**WHEREAS**, the City has received a proposal from Keokuk Mills, LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the City and the Developer, pursuant to which, among other things, the Developer would agree to own and operate its business at the Development Property and commit to hire and retain employees in the community; and

**WHEREAS**, the Agreement proposes that the City will make a forgivable loan to Developer in the amount of \$100,000, which sum shall be forgiven at the rate of \$20,000, per year, for five (5) years, under the terms and following satisfaction of the conditions set forth in the Agreement; and

**WHEREAS**, the Agreement proposes that the City will make a no interest loan to Developer in the amount of \$100,000, which sum shall be repaid in monthly installments, under the terms set forth in the Agreement; and

**WHEREAS**, one of the obligations of Developer relates to employment retention and/or creation; and

**WHEREAS**, Iowa Code Chapters 15A and 403 authorize cities to make loans and grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

**WHEREAS**, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403 of the Iowa Code taking into account any or all of the factors set forth in Chapter 15A, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes or which generate tourism-related activities.

- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and

**WHEREAS**, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to approve and authorize execution of the Agreement and has considered the extent of objections received from residents or property owners as to said proposed Agreement; and, accordingly the following action is now considered to be in the best interests of the City and residents thereof.

**NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF KEOKUK IN THE STATE OF IOWA:**

Section 1. That the performance by the City of its obligations under the Agreement, including but not limited to making of loans and grants to the Developer in connection with the development of the Development Property under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403 of the Iowa Code, taking into account the factors set forth therein.

Section 2. That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Mayor and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Agreement, the Mayor and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

PASSED AND APPROVED this 6<sup>th</sup> day of October, 2016.

MOVED BY O'CONNOR

SECONDED BY HELENTHAL

Passed this 6<sup>th</sup> day of October, 2016

ROLL CALL: O'CONNOR – AYE MOORE – ABSENT PAYNE – ABSENT WINN – AYE HELENTHAL – AYE MORTIMER – AYE POLLITT – AYE BRYANT – AYE DUNEK – AYE

AYES – 7

NAYS – 0

ABSENT – 2

ATTEST: \_\_\_\_\_  
JEAN LUDWIG, CITY CLERK

\_\_\_\_\_  
SUSAN DUNEK, MAYOR PRO-TEM

**RESOLUTION NO. 150-16**

**A RESOLUTION APPROVING THE FY 2016-17 STREET  
FINANCE REPORT**

**WHEREAS**, the Code of Iowa requires cities to prepare an annual Street Finance Report,  
AND

**WHEREAS**, said report shall be filed with the Iowa Department of Transportation, AND

**WHEREAS**, the Street Finance Report outlines and contains capital and maintenance  
costs for all public streets within the City of Keokuk, AND

**WHEREAS**, such report has been prepared in accordance with instructions from the  
Iowa Department of Transportation.

**NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF KEOKUK, IOWA:**

**THAT**, the Keokuk City Council has reviewed the 2016-17 Street Finance Report,  
prepared by City staff, and hereby approves the report, and authorizes and directs the City  
Clerk to file the adopted Street Finance Report with the Office of Local Systems for the  
Iowa Department of Transportation.

MOVED BY HELENTHAL

SECONDED BY WINN

Passed this 6<sup>th</sup> day of October, 2016

ROLL CALL: O'CONNOR – AYE      MOORE – ABSENT      PAYNE – ABSENT  
WINN – AYE      HELENTHAL – AYE      MORTIMER – AYE      POLLITT – AYE  
BRYANT – AYE      DUNEK – AYE

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
SUSAN DUNEK, MAYOR PRO-TEM

ATTEST: \_\_\_\_\_  
JEAN LUDWIG, CITY CLERK

**Committee Reports (Reports from council representatives).** Susan Dunek said the GRRWA received an award on October 4, 2016 from the Society of Solid Waste Operators for their outstanding facilities program in Iowa. They have purchased a solid waste shredder to help with operations at the landfill.

**New business:** Larry Haines of Donnellson spoke in place of Mary Van Pelt regarding building a new courthouse. He encouraged people to vote for the new courthouse. Several Councilpersons voiced various reasons for their opposition to building a new courthouse.

### **RESOLUTION NO. 151-16**

**WHEREAS,** the list of expenses have been presented to the Finance Committee for review and exceptions, if any, have been noted; now therefore,

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA:**

**THAT,** the semi-monthly bills as listed on Register Pages 4884-4886, Checks No. 129751-129877, in the amount of \$ 302,437.49, be approved.

MOVED BY BRYANT

SECONDED BY WINN

Passed this 6<sup>th</sup> day of October, 2016

ROLL CALL: O'CONNOR – AYE      MOORE – ABSENT      PAYNE – ABSENT  
WINN – AYE      HELENTHAL – AYE      MORTIMER – AYE      POLLITT – AYE  
BRYANT – AYE      DUNEK – AYE

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
SUSAN DUNEK, MAYOR PRO-TEM

ATTEST: \_\_\_\_\_  
JEAN LUDWIG, CITY CLERK

Motion to adjourn the meeting by Mike O'Connor and seconded by John Helenthal.  
Motion Carried.

Meeting adjourned at 6:55 p.m.