

**MINUTES  
CITY COUNCIL MEETING  
OCTOBER 20, 2016  
6:30 P.M.**

The City Council of the City of Keokuk met in regular session on October 20, 2016 at 6:30 p.m. in the City Council Chambers, 415 Blondeau Street, with Mayor Thomas D. Marion presiding and seven council members present, two absent: Ron Payne, Dan Winn, Sandy Pollitt, Roger Bryant, Susan Dunek, John Helenthal and Mike Moore. Mike O'Connor and Larry Mortimer were absent.

**CITIZEN'S REQUEST:** Stephanie Ewing spoke to the Council about updating ordinances regarding leashed and caged animals, and handed out a sample ordinance to the Mayor and Council members for consideration.

**CONSENT AGENDA:** Motion made by John Helenthal and seconded by Sandy Pollitt. Motion carried

- Minutes of the regular City Council meeting of October 6, 2016;
- Minutes of the Civil Service Commission meeting of October 6, 2016;
- Minutes of the Safety Committee Meeting of October 11, 2016;
- Renewal Liquor licenses – LD's Starlight Lounge, 529 S. 5<sup>th</sup> Street, Los Tapatios, 706 Main Street;
- Reappointment of Shane Etter, Joyce Park Commissions, term to expire October 1, 2022;
- Appointment of Donnie Merle Jones to the Joyce Park Commission, term to expire October 1, 2022;
- Appointment of Callie Peterson to the Historic Preservation Commission, term to expire September 19, 2019;

**RESOLUTION NO. 152-16**

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

**THAT**, the first reading of Ordinance No. 1959 which amends Chapter 13.10 of the Keokuk Municipal Code concerning Industrial Waste Pretreatment be approved.

MOVED BY DUNEK

SECONDED BY HELENTHAL

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
THOMAS D. MARION, MAYOR

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

**RESOLUTION NO. 153-16**

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

**THAT**, Ordinance No. 1960 be amended to modify the effective date from July 1, 2016 to July 1, 2017.

MOVED BY HELENTHAL

SECONDED BY WINN

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

**THAT**, the first reading of Ordinance No. 1960 amending the per car rate be approved.

MOVED BY HELENTHAL

SECONDED BY WINN

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
THOMAS D. MARION, MAYOR

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

**RESOLUTION NO. 154-16**

**WHEREAS**, Amendments to the Zoning Ordinance of the City of Keokuk must first hold public hearing before being adopted, pursuant to Iowa Code § 414.4 (2015) and Keokuk Municipal Code 20.88.010; AND

**WHEREAS**, Such an Amendment has been proposed to address issues related to the siting of Redemption and Recycling Centers within the City of Keokuk;

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

The City Council of the City of Keokuk, Iowa will hold a public hearing on November 3, 2016 at 6:30 p.m. in the City Council Chambers, 415 Blondeau Street, on proposed amendments to Chapter 20, the “Zoning Ordinance” of the Keokuk Municipal Code, regarding removing recycling centers as a permitted use within a C-2, General Commercial District, adding definitions and adding recycling centers and redemption centers as a special use within an M-2, heavy industrial district. The meeting will be a public meeting, and public notice will be given as required by Iowa Code §§ 362.3 and 414.4 (2015) and Keokuk Municipal Code 20.88.010.

MOVED BY POLLITT

SECONDED BY BRYANT

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

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THOMAS D. MARION, MAYOR

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

## **RESOLUTION NO. 155-16**

### **A RESOLUTION REGARDING THE COURTHOUSE BOND REFERENDUM**

**WHEREAS**, the City of Keokuk is a municipal government in Lee County; AND

**WHEREAS**, the Lee County Board of Supervisors has submitted a question to the voters of Lee County regarding a bond for a new courthouse outside of Fort Madison and Keokuk; AND

**WHEREAS**, the preliminary design for the new courthouse has many areas that need further review and design, due to the expedited consideration as was raised by the Board of Supervisors representatives at the Forum on the bond referendum held in Keokuk; AND

**WHEREAS**, no detailed plans have been prepared or shared with the City of Keokuk for the preservation of the existing and historic courthouse in Keokuk; AND

**WHEREAS**, County Supervisor Chair Fedler was quoted in the Daily Gate City on September 21<sup>st</sup>, as saying that he is “not interested in the county spending a lot of money on them” referencing the existing courthouses; AND

**WHEREAS**, moving the Courthouse out of Keokuk will have a significant financial impact on the City of Keokuk; AND

**WHEREAS**, moving the Courthouse out of Keokuk will inconvenience the citizens of the City of Keokuk, AND

**WHEREAS**, moving the Courthouse out of Keokuk will require additional hours for the Police Department in both personnel and finances, as well as those of city officers and officials who are required to spend significant time in the courtroom; AND

**WHEREAS**, the preliminary design was crafted with limited or no input from defense attorneys, the county treasurer, the county assessor, the county attorney, and other significant personnel involved in the regular function of county offices and the county courthouses creating an abundance of opportunities for cost overruns as modifications are required that increase the total footprint of the building; AND

**WHEREAS**, the revenue cited as the method to avoid increasing taxes has not yet been proven reliable, and any cost beyond the \$8.5 million bond will create hardship on county services and/or county financial reserves; AND

**WHEREAS**, the purported financial savings almost assuredly will not be realized due to required maintenance, heating, cooling, furnishing, storage, and relocation to a new building, while not addressing the continued costs of the existing buildings or their demolition; AND

**WHEREAS**, the City of Keokuk does not have interest in acquiring an additional historic structure for preservation, which should remain the responsibility of Lee County; AND

**WHEREAS**, legal concerns have been raised about moving the courthouse and its services outside of the boundaries of the Cities of Fort Madison and Keokuk, due to the First Iowa General Assembly’s passage of a special law providing that district court and other county services in Lee County was to be held in both Fort Madison and Keokuk.

See, 1848 Acts, 1st G.A., extra session, ch. 52, §§ 1, 5, 6. These questions have not been answered or resolved; AND

**WHEREAS**, now preliminary plans for disposition of the courthouse properties are being shared without having gone through the required legal bid processes, and questions have been raised as to potential open meetings law violations during the last-second design process; AND

**WHEREAS**, Iowa Code § 68A.505 permits a governing body of a political subdivision of the state to expressing an opinion on a ballot issue through the passage of a resolution or proclamation.

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

**THAT**, the Keokuk City Council strongly condemns this bond referendum as having been ill considered due in part to the lack of consultation, collaboration, and communication.

**Further be it resolved that**, the City Council of the City of Keokuk encourages the Lee County Board of Supervisors to withdraw their support for the current proposal, and allow a more detailed plan to be constructed with the input of the Cities of Keokuk and Fort Madison to address the issues raised during this bonding process, and to allow a more nuanced plan to be filed before simply seeking public approval of a bond that will not cover the costs of the proposed courthouse.

**Further be it resolved that**, the Keokuk City Council believes that the Lee County Board of Supervisors has acted in bad faith in the oversights, misinformation, and carelessness in the preliminary design process, and the information provided to the public since the initial proposal at the August Board of Supervisors meeting.

MOVED BY HELENTHAL

SECONDED BY DUNEK

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
THOMAS D. MARION, MAYOR

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

**RESOLUTION NO. 156-16**

**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 4887-4889, Checks No. 129878-130003, in the amount of \$ 737,506.42, be approved.

MOVED BY HELENTHAL

SECONDED BY BRYANT

Passed this 20<sup>th</sup> day of October, 2016.

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

AYES – 7

NAYS – 0

ABSENT – 2

\_\_\_\_\_  
THOMAS D. MARION, MAYOR

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

Motion to adjourn the meeting made by Roger Bryant and seconded by Susan Dunek.  
Motion Carried.

Meeting adjourned at 6:50 p.m.