

AGENDA
CITY COUNCIL MEETING
December 3, 2020
500 N. 20th Street
5:30 P.M.

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Mayor's Correspondence:
5. Citizen's Request.
6. Consent Agenda.
 - Minutes of the Council Workshop & regular City Council meeting of November 19, 2020;
 - Cash Receipts and Treasurer's Report for October 2020;
 - Approving a Liquor License for V's Restaurant & Brewpub Inc., 3461 Main Street, effective December 31, 2020 – Class B Beer Permit (includes Wine Coolers) with Outdoor Service and Sunday Sales;
 - Approving a Liquor License for Rascal's Pub & Grub, Inc., 820 Main Street, effective January 2, 2021 – Class C Liquor License with Outdoor Service;
 - Resolution approving an Urban Revitalization Tax Exemption for Steve Boley, 2316 McKinley, detached garage
 - Motion to pay bills and transfers listed in Register No.'s 5179-5180;

Old Business:

7. **Tabled Item:** Consider resolution approving fourth modification agreement to convertible promissory note.
 - (a) Motion to remove from table.
 - (b) Consider resolution approving fourth modification agreement to convertible promissory note. (Original motion)
 - (c) Consider resolution approving fourth modification agreement to convertible promissory note. (Modified agreement)

New Business:

8. Consider resolution approving the tree removal contract for 2021-2022.
9. Consider resolution setting a public hearing amending Title 20, Section 20.40.020 by adding microbrewery and brew pub as allowable uses and to add related definitions in Chapter 20.12 of the Keokuk Municipal Code.
10. Consider resolution setting a public hearing on the Fiscal Year 2022-2026 Capital Improvement Plan.
11. Boards & Commissions.
12. Staff Reports:
13. New Business:
14. Adjourn meeting.

MEETING MINUTES
COUNCIL WORKSHOP
November 19, 2020
5:30 p.m.

Present in person: Richardson, O'Connor, Altheide, Payne, Dade, Andrews, Marsden, Bryant.

Present by remote connection: Helenthal, Dunek

Absent: None

Staff present in person: O'Donnell, and Ludwig.

Staff Present by remote connection: R. Helenthal, Hinton, Weis, and Broomhall.

- 1) Discussed the AmJet loan. Mr. Roos was present by remote connection.
- 2) Discussed the Music Brings Life Concert proposal. KHS teacher Beth Deacon was present for questions.
- 3) Adjourned at 6:29 p.m.

MINUTES
CITY COUNCIL MEETING
November 19, 2020
500 N. 20th Street
6:30 P.M.

The City Council of the City of Keokuk met in regular session on November 19, 2020 at 500 N. 20th Street. Mayor Thomas L. Richardson called the meeting to order at 6:30 p.m. There were nine council members present, none absent. Mike O'Connor, Linda Altheide, Ron Payne, Devon Dade, Steve Andrews, Linda Marsden, and Roger Bryant were present in person. John Helenthal and Susan Dunek were present by phone. Staff in attendance: City Administrator Cole O'Donnell, City Clerk Jean Ludwig were present in person. Community Development Director Pam Broomhall, Bridge, Park, Cemetery and Sanitation Manager Bob Weis, Public Works Director Robert Helenthal and Police Chief Dave Hinton were present by phone. All measures will be by roll call.

MAYOR'S CORRESPONDENCE: Reminded everyone about using masks and social distancing. Read Small Business Saturday Proclamation.

Motion made by Bryant, second by Altheide to approve the agenda, including the consent agenda. (8) AYES, (1) ABSTAIN-Dunek, lost connection. (0) NAYS. Motion carried.

- Minutes of the Airport Commission meeting of October 12, 2020;
- Minutes of the Council Workshop & regular City Council meeting of November 5, 2020;
- Minutes of the Special Council meeting of November 10, 2020;
- **RESOLUTION NO. 180-20:** Approving a Liquor License for Pizza Hut, 3338 Main Street, effective December 20, 2020 – Class B Beer Permit (Includes Wine Coolers) and Sunday Sales;
- Motion to pay bills and transfers listed in Register No.'s 5176-5178;

Motion made by O'Connor, second by Bryant to approve the initial reading of an Ordinance repelling Code Sections 2.88.100 and 2.88.105.

ROLL CALL VOTE: (9) AYES – O'Connor, Altheide, Payne, Dade, Helenthal, Andrews, Marsden, Bryant and Dunek. (0) NAYS. Motion carried.

Motion made by O'Connor, second by Bryant to waive the second and third/final reading of an Ordinance repelling Code Sections 2.88.100 and 2.88.105.

ROLL CALL VOTE: (9) AYES – O'Connor, Altheide, Payne, Dade, Helenthal, Andrews, Marsden, Bryant and Dunek. (0) NAYS. Motion carried.

Motion made by Helenthal, second by Dade to adopt and give final approval of **ORDINANCE NO. 2011** Repelling Code Sections 2.88.100 and 2.88.105.
(9) AYES, (0) NAYS. Motion carried.

Motion made by Payne, second by Dade to approve the following proposed **RESOLUTION NO. 181-20**: “A RESOLUTION AUTHORIZING THE SOLICITATION FOR BIDS AND SETTING A PUBLIC HEARING OF PLANS, SPECIFICATIONS, AND FORM OF CONTRACT FOR THE CITY HALL PROJECT.”
(9) AYES, (0) NAYS. Motion carried.

Motion made by Helenthal, second by O’Connor to approve the following proposed **RESOLUTION NO. 182-20**: “A RESOLUTION APPOINTING SEWER MAINTENANCE MANAGER AND SETTING SALARY.” (9) AYES, (0) NAYS.
Motion carried.

Motion made by Bryant, second by Marsden to approve the 2019-2020 Annual Urban Renewal Report. (9) AYES, (0) NAYS. Motion carried.

Motion made by Dade, second by Bryant to waive the building permit fees for renovations at the Hoerner YMCA. (9) AYES, (0) NAYS. Motion carried.

BOARDS & COMMISSIONS: Vacancies were reported on the Rand Park Pavilion Board, Grand Theater Commission and Board of Adjustment. First Report of Nomination of Judy McDonald to the Convention and Tourism Bureau. Three-year term to expire 12/31/23.

STAFF REPORT: O’Donnell gave an update on City Revenues.

There being no further business, Mayor Richardson adjourned the meeting at 6:49 p.m.

**CASH RECEIPTS FOR THE MONTH OF
October, 2020**

| | | |
|-------------------------------------|-----------|---------------------|
| General Fund | \$ | 1,257,030.71 |
| Park Maintenance/Improvement Totals | \$ | 1,376.05 |
| Road Use Tax | \$ | 93,227.27 |
| Employee Benefit Totals | \$ | 924,688.14 |
| Emergency Tax Levy Fund Total | \$ | 36,511.57 |
| Sales Tax Human Development Total | \$ | 117,755.31 |
| Tax Increment Financing Total | \$ | 573,562.28 |
| Economic Development Total | \$ | 32,657.62 |
| Debt Service Total | \$ | 301,516.43 |
| Capital Improvement Projects Total | \$ | 2,302.40 |
| Capital Equipment Purchase Total | \$ | 101,096.29 |
| Capital Project Total | \$ | 2,960.00 |
| Perpetual Care Total | \$ | 1,200.00 |
| WPC Maintenance/Operation Total | \$ | 381,799.60 |
| WPC Improvement Reserve Total | \$ | 16.74 |
| Sewer Improvement Reserve Total | \$ | 2,938.77 |
| Solid Waste Total | \$ | 69,960.66 |
| Internal Service Fund Total | \$ | 55,415.51 |
| TOTAL | \$ | 3,956,015.35 |

TREASURER'S REPORT
CALENDAR 10/2020, FISCAL 4/2021

| HOL FUND# | TITLE | LAST REPORT ON HAND | EXPENSES | REVENUE | BALANCE |
|--------------|-------------------------|------------------------|--------------|--------------|---------------|
| 001 | GENERAL | 290,330.61- | 823,743.98 | 1,257,030.71 | 142,956.12 |
| 002 | PARK MAINT/IMPROV | 393,631.83 | .00 | 1,376.05 | 395,007.88 |
| 082 | POOL RESERVE | 1,070.00 | .00 | .00 | 1,070.00 |
| 087 | PUBLIC WKS EQUIP REP | 12,800.78 | .00 | .00 | 12,800.78 |
| 110 | ROAD USE | 946,143.49 | 104,384.51 | 93,227.27 | 934,986.25 |
| 112 | EMPLOYEE BENEFIT | 1,028,699.18 | .00 | 924,688.14 | 1,953,387.32 |
| 119 | EMER - TAX LEVY | 33,399.67 | .00 | 36,511.57 | 69,911.24 |
| 121 | SALES TAX - HUMAN DEV | 702,150.65 | .00 | 117,755.31 | 819,905.96 |
| 122 | SALES TAX - INFRASTRUCT | .00 | .00 | .00 | .00 |
| 125 | TAX INCREMENT FINANCING | 54,639.95 | 7,630.20 | 573,562.28 | 620,572.03 |
| 160 | ECONOMIC DEVELOPMENT | 34,423.69- | 6,962.56 | 32,657.62 | 8,728.63- |
| 167 | LIBRARY TRUST | 52,219.87 | 53.96 | .00 | 52,165.91 |
| 168 | GRAND THEATRE RESERVE | 1,051.17 | .00 | .00 | 1,051.17 |
| 169 | MARY E TOLMIE FUND | 82,832.41 | .00 | .00 | 82,832.41 |
| 200 | DEBT SERVICE | 505,216.72 | 150,331.25 | 301,516.43 | 656,401.90 |
| 301 | CAPITAL IMPROV PROJECTS | 335,677.66 | .00 | 2,302.40 | 337,980.06 |
| 302 | RIVERFRONT BARGE | 109,113.17 | .00 | .00 | 109,113.17 |
| 303 | CAP EQUIP PURCHASES | 1,110,800.54- | 79.04 | 101,096.29 | 1,009,783.29- |
| 304 | CAPITAL PROJECT | 11,617.55- | 3,087.00 | 2,960.00 | 11,744.55- |
| 500 | PERPETUAL CARE | 495,561.56 | .00 | 1,200.00 | 496,761.56 |
| 610 | WPC MAINT/OPERATION | 3,532,319.72 | 160,785.02 | 381,799.60 | 3,753,207.88 |
| 611 | WPC IMPR RESERVE | 88,035.18 | .00 | 16.74 | 88,051.92 |
| 612 | SEWER MAINT EQUIP REPL | 4,562.39 | .00 | .00 | 4,562.39 |
| 613 | WAT POL CONTR CAP | .00 | .00 | .00 | .00 |
| 614 | SEWER IMPROV RESERVE | 2,369,413.12- | 81,753.84 | 2,938.77 | 2,448,228.19- |
| 617 | CDBG SWR POINT REPAIR | 1,157,219.40 | .00 | .00 | 1,157,219.40 |
| 670 | SOLID WASTE | 946,882.45 | 50,147.35 | 69,960.66 | 965,097.72 |
| 671 | SOL WAS EQUIP PRELACE | .00 | .00 | .00 | .00 |
| 672 | CAP PROJ REMEDIAL | .00 | .00 | .00 | .00 |
| 690 | MUNICIPAL BRIDGE | 2,482,728.28 | 28,458.19 | .00 | 2,454,270.09 |
| 810 | INTERNAL SERVICE FUND | 5,714.03 | 55,673.39 | 55,415.51 | 5,456.15 |
| | Report Total | 9,155,084.05 | 1,473,090.29 | 3,956,015.35 | 11,636,284.65 |

RESOLUTION NO.

WHEREAS, Application has been made by V's Restaurant & Brewpub Inc. for a Class B Beer Permit (includes Wine Coolers) with Outdoor Service & Sunday Sales for V's Restaurant & Brewpub Inc., 3461 Main Street; **AND**

WHEREAS, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

WHEREAS, such an investigation has been conducted.

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

THAT, V's Restaurant & Brewpub Inc. has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class B Beer Permit (included Wine Coolers) with Outdoor Service & Sunday Sales for V's Restaurant & Brewpub Inc., 3461 Main Street, effective December 31, 2020, be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 3rd day of December, 2020.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: _____
THOMAS L. RICHARDSON, MAYOR

ATTEST: _____
JEAN LUDWIG, CITY CLERK

RESOLUTION NO.

WHEREAS, Application has been made by Rascal's Pub & Grub, Inc. for a Class C Liquor License for Rascal's Pub & Grub, Inc., 820 Main Street; **AND**

WHEREAS, Iowa Code Chapter 123 and Section 4.16.030 of the Keokuk Municipal Code require that the City Council conduct a formal investigation into the good moral character of the applicant; **AND**

WHEREAS, such an investigation has been conducted.

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

THAT, Rascal's Pub & Grub, Inc. has been found to be of good moral character and meets the requirements of Section 123.40 of the Code of Iowa; and that the Class C Liquor License with Outdoor Service for Rascal's Pub & Grub, Inc., 820 Main Street, effective January 2 2021, be approved and endorsed to the Iowa Alcoholic Beverage Division.

Passed this 3rd day of December, 2020.

CITY OF KEOKUK, LEE COUNTY, IOWA

By: _____
THOMAS L. RICHARDSON, MAYOR

ATTEST: _____
JEAN LUDWIG, CITY CLERK

RESOLUTION NO.

WHEREAS, The City Council of the City of Keokuk has adopted provisions for Urban Revitalization Tax Exemption and;

WHEREAS, Applications have been submitted;

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

An Urban Revitalization Tax Exemption for the following homeowners be approved:

- Steve Boley, 2316 McKinley, detached garage

Passed this 3rd day of December, 2020.

Thomas L. Richardson, Mayor

Attest: _____
Jean Ludwig, City Clerk

November 16, 2020

Honorable Mayor, City of Keokuk
P. O. Box 400
Keokuk, IA 52632

Honorable Mayor:

Please accept this application for urban revitalization tax exemption (as adopted by City Ordinance No. 1716) for my improvement project located at **2316 McKinley Avenue.**

As per the guidelines set forth in Section 404, of the Iowa Code, which deals with applying for an exemption, please find in the succeeding paragraphs the following information:

- Nature of the improvement
- Cost of the improvement
- Estimated date of completion
- Tenants that occupied the owner's building on the April 1, 2001
- Elected exemption as prescribed by ordinance

My project is (describe in detail): **Garage**

The estimated cost of the completed project is **\$11,795.00** and it will be completed on, **November, 2020.**

The tenants that now occupy the property are the same tenants that occupied the property on April 1, 2001, or I am the owner-occupant, or:

Because my building is a new building, there were no tenants occupying my building on April 1, 2001.

Upon approval of my application for tax exempt status, the exemption schedule as specified in Section 404.3, subsection 3: ".....qualified real estate is eligible to receive a one-hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years."

I hope you find this application acceptable. Please let me know if you need additional information.

Sincerely,



Property Owner(s) Signature

APPLICATION FOR URBAN REVITALIZATION EXEMPTION

Pursuant to the provisions of Iowa Code Chapter 404 and Ordinance 1716 of the City of Keokuk, application is made for an Urban Revitalization Tax Exemption. This application to be filed with the City of Keokuk by February 1, of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed for taxation.

Property Owner Name: **Steve Boley**
Property Owner Address: **2316 McKinley Avenue**
Address of Residential Property Claimed for Exemption: **2316 McKinley Avenue**

All qualified real estate is eligible to receive a one-hundred percent exemption from taxation on the actual value added by improvements. The exemption is for three years.

1. If applicable, describe in detail the new construction for which an exemption is claimed:
garage
2. If applicable, describe in detail the reconstruction of existing buildings or structures:
3. Was prior approval given by the City Council for this exemption?
Yes: (by Res. No. _____) No:
4. Estimated costs of the improvements? **\$11,795.00**
5. Estimated or actual date of completion? November, 2020
6. Please provide the names of tenants that occupied the building on April 1, 2001. See Iowa Code Section 404.6 with regard to relocation expenses of tenants.

I hereby swear that the information presented on this application and all attached supporting documents are true, correct and complete.

Steve R. Boley Sr.
Signature of Applicant

Property Owner
Title

11-20-2020
Date

FOR ASSESSOR USE ONLY

I have examined this application for urban revitalization tax exemption and hereby certify \$ _____ of the 20__ final taxable value qualifies for urban revitalization tax exemption.

Assessor Signature

Date

PAYMENT OF THE FOLLOWING CLAIMS FOR THE CITY ARE APPROVED AND CLAIMS FOR THE LIBRARY AND AIRPORT ARE ACKNOWLEDGED FOR THE PURPOSE OF PAYING THE SEMI-MONTHLY BILLS FOR THE COUNCIL MEETING OF DECEMBER 3, 2020.

REGISTER NO. 5179

| | | | |
|---------------------------------|-------------------------------|----|-----------|
| GATE CITY PUBLISHING | PUBLICATIONS | \$ | 393.51 |
| GRAY QUARRIES, INC | ROADROCK | \$ | 842.32 |
| JIM BAIER, INC | RETURN CREDIT | \$ | (125.00) |
| LAWSON PRODUCTS, INC. | SUPPLIES | \$ | 38.49 |
| J & S ELECTRONICS BUSINESS, INC | MAINTENANCE AGREEMENT | \$ | 80.63 |
| KONE INC. | ELEVATOR REPAIRS/MAINT | \$ | 2,188.04 |
| S. J. SMITH WELDING SUPPLY | TANK RENTAL | \$ | 112.50 |
| IDEAL READY MIX COMPANY, INC | CONCRETE SAND | \$ | 2,512.18 |
| TASKE FORCE, INC. | TEMPORARY HELP | \$ | 1,065.00 |
| BAKER & TAYLOR BOOKS | BOOKS KEOKUK PUBLIC LIBRARY | \$ | 439.36 |
| MCFARLAND-SWAN OFFICE CITY | LIBRARY SUPPLIES | \$ | 139.95 |
| ALLIANT | ELECTRIC BILL | \$ | 5,899.26 |
| NEWBERRY, INC | TOWING | \$ | 225.00 |
| CENTURY LINK | SERVICE | \$ | 180.13 |
| GREAT RIVER REGIONAL WASTE | INTEGRATED WASTE SERVICES | \$ | 9,044.26 |
| PILOT GROVE SAVINGS BANK | DECEMBER RENT | \$ | 3,500.00 |
| TRUCK REPAIR, INC | PARTS | \$ | 63.77 |
| VAN METER INDUSTRIAL | PARTS/SUPPLIES | \$ | 15.48 |
| KEOKUK CONTRACTORS, INC | LABOR/MATERIALS @ WPC | \$ | 5,478.76 |
| DIAMOND CONSTRUCTION COMPANY | COLD PATCH | \$ | 878.60 |
| GATE CITY SEED COMPANY | LIBRARY SUPPLIES | \$ | 14.99 |
| HY-VEE, INC. | SUPPLIES | \$ | 66.41 |
| LEE COUNTY HEALTH DEPARTMENT | HOLDING TANK INSPECTION 2020 | \$ | 150.00 |
| PER MAR SECURITY SERVICES | SECURITY MONITORING | \$ | 138.48 |
| NORTH CENTRAL LABORATORIES | LAB SUPPLIES | \$ | 50.17 |
| KEOKUK AREA MEDICAL EQUIPMENT | MEDICAL EQUIPMENT | \$ | 69.53 |
| FASTENAL COMPANY | PARTS/SUPPLIES | \$ | 113.29 |
| JAMES K. NEFF | LABOR/MATERIALS | \$ | 181.82 |
| POEPPING, STONE, BACH ASSOC. | PROFESSIONAL SERVICES | \$ | 694.64 |
| PETE BENSON | TOOL ALLOWANCE | \$ | 70.80 |
| WAL-MART COMMUNITY/GEGRB | SUPPLIES | \$ | 436.80 |
| TOTAL SOLUTIONS, INC. | IT SERVICES FIRE DEPT | \$ | 60.08 |
| O'REILLY AUTOMOTIVE INC. | PARTS | \$ | 1,162.93 |
| SYNCB/AMAZON | LIBRARY SUPPLIES | \$ | 259.44 |
| MEDIACOM | SERVICE | \$ | 429.68 |
| ELECTRONIC ENGINEERING | REINSTALL RADIO | \$ | 228.24 |
| COMPASS MINERALS AMERICA | SALT FOR SNOW REMOVAL | \$ | 7,456.32 |
| LCL FARMS INC. | BIO SOLID TRUCKING/SPREADING | \$ | 17,510.00 |
| RELIABLE PEST SOLUTIONS | PEST CONTROL | \$ | 261.54 |
| BRITE-WAY WINDOW SERVICE | SERVICE KEOKUK PUBLIC LIBRARY | \$ | 78.00 |
| C.H. MCGUINNESS CO., INC. | LABOR/MATERIALS/TRAVEL | \$ | 3,477.15 |
| TWO RIVERS VETERINARY CENTER | ANIMAL SERVICES | \$ | 277.15 |

REGISTER NO. 5180

| | | | |
|--------------------------------|--------------------------------|----|-----------|
| WEST CENTRAL FS INC. | BULK OIL | \$ | 751.85 |
| ANC PEST SOLUTIONS INC. | SERVICE @ DEPOT | \$ | 150.00 |
| ACCO | POOL SUPPLIES | \$ | 144.00 |
| WINDSTREAM | SERVICE | \$ | 475.33 |
| DARKSIDE TINT & GRAPHIX | MATERIALS | \$ | 40.00 |
| RNJ'S DISTRIBUTION INC. | WATER + FUEL SURCHARGE | \$ | 37.00 |
| OVERDRIVE, INC. | LIBRARY SUPPLIES/MATERIALS | \$ | 266.98 |
| LIBERTY UTILITIES MIDSTATES | SERVICE | \$ | 556.96 |
| DIANNE STANLEY | MONTHLY MANAGER FEE @ GRAND | \$ | 342.25 |
| INTERSTATE BILLING SERVICE,INC | PARTS | \$ | 118.78 |
| ARMSTRONG TRACTOR LLC | PARTS/LABOR | \$ | 80.87 |
| TSS | DRUG TESTING SERVICES | \$ | 388.00 |
| IDENTIFIX INC | ANNUAL SUBSCRIPTION | \$ | 1,428.00 |
| QUINCY MEDICAL GROUP | MEDICAL SERVICES | \$ | 356.14 |
| SMITH & SON | FIRE DEPT SUPPLIES/MATERIALS | \$ | 55.00 |
| PREMIER ELECTRICAL LLC | LABOR @ ANIMAL SHELTER | \$ | 302.53 |
| GREAT LAKES BOAT CO. | SUPPLIES/MATERIALS KVEC | \$ | 123.09 |
| RICOH USA, INC. | KEOKUK PUBLIC LIBRARY | \$ | 127.74 |
| JANICE LINDNER | REIMBURSE GRAND THEATER | \$ | 150.50 |
| J.P. COOKE CO. | ANIMAL SHELTER SUPPLY/MATERIAL | \$ | 174.60 |
| JOSEPH FIERCE | GRAND THEATER JANITORIAL | \$ | 206.00 |
| STEVEN R LONG | CITY HALL JANITORIAL SERVICE | \$ | 300.00 |
| IOWA ONE CALL | ONE CALL SERVICES | \$ | 279.50 |
| PATRICK EWING | MMPI 2 PROCTORING | \$ | 910.00 |
| QUADIENT LEASING USA, INC | POSTAGE METER LEASE | \$ | 734.10 |
| LIVE VOICE | ANSWERING SERVICE | \$ | 344.73 |
| PATTY BEST | REFUND DEPOT RENTAL | \$ | 200.00 |
| RICHARD LOFTON | OAKLAND CEMETERY SPACES | \$ | 150.00 |
| | | \$ | 75,353.65 |



COUNCIL ACTION FORM

Date: December 3, 2020

Presented By: O'Donnell

Subject: AMJET Agreement Modification Agenda Item: _____

Description:

At the Work Session of November 19, 2020, the Council offered AMJET an extension of the maturity date on the economic development loan to November 3, 2021. Additionally, the Council offered an adjustment of the per annum interest rate from five percent (5%) to one percent (1%). Paul Roos, AMJET CEO, has agreed to this offer. Action on this item would be as follows:

1. Motion to remove original motion to approve from the table.
2. A "NAY" vote on the original motion, defeating the original resolution.
3. A motion to approve the new resolution and fourth modification agreement.

FINANCIAL

Is this a budgeted item? YES NO

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES NO CIP Project Number: _____

RESOLUTION NO.

A RESOLUTION APPROVING FOURTH MODIFICATION AGREEMENT TO CONVERTIBLE PROMISSORY NOTE

WHEREAS, a Convertible Promissory Note was executed between AMJET TURBINE SYSTEMS, LLC and LEE COUNTY ECONOMIC DEVELOPMENT GROUP, INC. on November 3 2010; and

WHEREAS, said note was financed by the City of Keokuk, Iowa in the amount of \$200,000; and

WHEREAS, a modification to the agreement was delivered and executed on December 23, 2017 extending the maturity date, adjusting the interest rate, and deleting the convertible provisions of the original note; and

WHEREAS, a second modification to the agreement was delivered and executed on October 30, 2018 modifying the maturity date; and

WHEREAS, a third modification to the agreement was delivered and executed on October 30, 2018 modifying the maturity date; and

WHEREAS, AMJET TURBINE SYSTEMS, LLC is requesting a fourth modification to the original agreement by extending the maturity date to November 3, 2010.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, that the Fourth Modification Agreement to Convertible Promissory Note between AMJET TURBINE SYSTEMS, LLC and LEE COUNTY ECONOMIC DEVELOPMENT GROUP, INC is hereby approved.

PASSED, APPROVED, AND ADOPTED this 3rd day of December, 2020.

Mayor –Thomas L. Richardson

ATTEST:

Jean Ludwig, City Clerk

RESOLUTION NO. _____

A RESOLUTION APPROVING FOURTH MODIFICATION AGREEMENT TO CONVERTIBLE PROMISSORY NOTE

WHEREAS, a Convertible Promissory Note was executed between AMJET TURBINE SYSTEMS, LLC and LEE COUNTY ECONOMIC DEVELOPMENT GROUP, INC. on November 3 2010; and

WHEREAS, said note was financed by the City of Keokuk, Iowa in the amount of \$200,000; and

WHEREAS, a modification to the agreement was delivered and executed on December 23, 2017 extending the maturity date, adjusting the interest rate, and deleting the convertible provisions of the original note; and

WHEREAS, a second modification to the agreement was delivered and executed on October 30, 2018 modifying the maturity date; and

WHEREAS, a third modification to the agreement was delivered and executed on October 30, 2018 modifying the maturity date; and

WHEREAS, AMJET TURBINE SYSTEMS, LLC is requesting a fourth modification to the original agreement by extending the maturity date to November 3, 2021 and a modification of the interest rate to 1% per annum retroactive to original execution date of the original note.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, that the Fourth Modification Agreement to Convertible Promissory Note between AMJET TURBINE SYSTEMS, LLC and LEE COUNTY ECONOMIC DEVELOPMENT GROUP, INC is hereby approved.

PASSED, APPROVED, AND ADOPTED this 3rd day of December, 2020.

Mayor –Thomas L. Richardson

ATTEST:

Jean Ludwig

THIRD MODIFICATION AGREEMENT

This Fourth Modification Agreement (this “Agreement”) is executed by and between AMJET TURBINE SYSTEMS, LLC, (the “Company”) and LEE COUNTY ECONOMIC DEVELOPMENT GROUP, INC. (the “Holder”) on this _____ day of _____, 2020, and upon the following terms and conditions:

WHEREAS, Company executed and delivered a Convertible Promissory Note dated November 3, 2010, in the original principal amount of \$200,000.00 (the “Note”) to Holder; and

WHEREAS, Company and Holder executed and delivered a Modification Agreement dated December 23, 2017 (the “Modification”), extending the maturity date, adjusting the interest rate, and deleting the convertible provisions of the original Note; and

WHEREAS, Company and Holder executed and delivered a Second Modification Agreement dated October 30, 2018 (the Second Modification), extending the maturity date; and

WHEREAS, Company and Holder executed and delivered a Third Modification Agreement dated October 30, 2019 (the Third Modification), extending the maturity date; and

WHEREAS, the parties have agreed to extend the maturity date provisions of the Note and Modification upon the terms contained herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Whereas Provisions. The “Whereas” provisions of this Agreement are an integral part hereof and are incorporated by reference.
2. Amended Maturity Date. Paragraph 1 of the Note is hereby amended to read as follows: “The outstanding principal and accrued interest on this Note shall be payable, upon demand, at any time following November 3, 2021 (“Maturity Date”).”
3. Amended Interest Rate. Notwithstanding anything in the Note to the contrary, the interest rate provided for in the Note shall be equal to one percent (1%) per annum from the date of the Note until all amounts due under the Note are paid in full.
4. Counterparts. This Agreement may be executed in separate counterparts, all of which when taken together shall constitute one and the same agreement, and any party to this Agreement may execute this Agreement by signing any such counterpart. Any party’s signature or mark on or attached to this Agreement that is input electronically or represented as a digital signature or mark captured electronically and/or displayed in any

format on tangible media shall be binding upon the party making or applying the same in the same manner as an original signature.

5. Ratification. In all respects not modified by this Agreement, the parties hereby ratify and confirm the provisions of the Note and Modification Agreement.

IN WITNESS WHEREOF, the Company has caused this Fourth Modification Agreement to be signed in its name on the date written above.

AmJet Turbine Systems, LLC

By: _____
_____, its _____
(printed name) *(title)*

By: _____
_____, its _____
(printed name) *(title)*

Lee County Economic Development Group,

By: _____
_____, its _____
(printed name) *(title)*



COUNCIL ACTION FORM

Date: 11/23/20

Presented By: Robert Helenthal *R.H.*

Subject: Tree Removal Contract Agenda Item: _____

Description:

One (1) quote was received on Friday, November 20, 2020 at 4:00 P.M. for tree removal for a period of two years beginning January 1, 2021 and ending December 31, 2022. The quote was submitted by Thacher Tree Care of Fort Madison in the lump sum amount of \$900 for complete tree and stump removal and \$125 per hour for trimming of trees that are not completely removed.

I would therefore recommend that the Council consider the attached resolution awarding the Tree Removal Contract to Thacher Tree Care of Fort Madison in the amounts shown above.

FINANCIAL

Is this a budgeted item? YES NO

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES NO CIP Project Number: _____

RESOLUTION NO. _____

A RESOLUTION APPROVING THE TREE REMOVAL CONTRACT FOR 2021-2022

WHEREAS one (1) quote was received on Friday, November 20, 2020 for Tree Removal for a period of two years beginning January 1, 2021 and ending on December 31, 2022 and

WHEREAS the quote was received by Thacher Tree Care of Fort Madison, IA for complete removal of trees and stumps for a lump sum amount of \$900 and \$125 per hour for trimming trees that are not completely removed

NOW THEREFORE; BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA: that Thacher Tree Care of Fort Madison, IA be awarded the Tree Removal Contract in the amounts shown above.

Passed this 3rd day of December, 2020

Mayor – Thomas L. Richardson

Attest – Jean Ludwig



COUNCIL ACTION FORM

Date: November 30, 2020

Presented By: Broomhall

Subject: Set public hearing amendment Title 20 Agenda Item: _____

Description:

A petition was received to amend Title 20, Zoning, Section 20.40.020 to include micro breweries within a C-2 district. I would also like to include brew pubs, taverns and bars as the zoning code does not address these uses.

A public hearing is required pursuant to Iowa Code 414.4 on proposed amendments to zoning code, the City Planning Commission is also required to review and make recommendation to the City Council any amendments to the Zoning Code, they are scheduled to meet on December 7, 2020.

FINANCIAL

Is this a budgeted item? YES NO

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES NO CIP Project Number: _____

RESOLUTION NO.

A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT A PUBLIC HEARING ON A REQUEST TO AMEND TITLE 20, SECTION 20.40.020 BY ADDING MICROBREWERY, BREW PUB, TAVERN & BARS AS ALLOWABLE USES AND TO ADD RELATED DEFINITIONS IN CHAPTER 20.12 OF THE KEOKUK MUNICIPAL CODE

WHEREAS, a petition has been received to amend Title 20, Zoning, Section 20.40.020 by adding microbrewery, brew pubs, taverns & bars to C-2, General Commercial zoning district as allowable uses and amend Title 20, Chapter 20.12, Definitions, to related definitions.

WHEREAS, a public hearing shall be conducted by the City Council of the City of Keokuk on proposed amendments to the Keokuk Zoning Code pursuant to Iowa Code 414.4 and Keokuk Municipal Code Section 20.88.010.

NOW THEREFORE, BE IT HEREBY RESOVLED, BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA

That a Public Hearing on the proposed amendments to Title 20 be scheduled for 6:30 p.m., Thursday December 17, 2020 at Keokuk Community School District Administrator Offices, 500 N. 20th Street, and further a public notice of the time and place be given by publication in the Daily Gate City, a local paper of general circulation, as required by the Code of Iowa.

Passed this 3rd day of December, 2020.

Thomas L. Richardson, Mayor

Attest: _____
Jean Ludwig, City Clerk



COUNCIL ACTION FORM

Date: December 3, 2020

Presented By: O'Donnell

Subject: Set Public Hearing for FY 22-26 CIP Agenda Item: _____

Description:

Staff will be prepared to present the five year capital improvement plan (CIP) for FY 2022 through 2026 at the December 17th work session. As this is a budget related item, we are required to hold a public hearing prior to approval. Staff will request that approval be at the January 7th meeting to allow for any comments or revisions.

FINANCIAL

Is this a budgeted item? YES NO

Line Item #: _____ Title: _____

Amount Budgeted: _____

Actual Cost: _____

Under/Over: _____

Funding Sources:

Departments:

Is this item in the CIP? YES NO CIP Project Number: _____

RESOLUTION NO.

**A RESOLUTION SETTING PUBLIC HEARING ON THE FISCAL YEARS
2022 THROUGH 2026 CAPITAL IMPROVEMENT PLAN**

WHEREAS, the City of Keokuk, Iowa has prepared a five-year Capital Improvement Plan (CIP) for FYs 2022 through 2026; and

WHEREAS, prior to approving said CIP, a public hearing must be held to receive comments.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEOKUK, IOWA, a public hearing shall be held on December 17, 2020 at 6:30 PM in the Keokuk Community Schools Board Room, 500 N 20th St, Keokuk, Iowa.

BE IT FURTHER RESOLVED that the City clerk shall publish notice of said public hearing in a newspaper of general circulation.

PASSED, APPROVED, AND ADOPTED this 3rd day of December, 2020.

Thomas L. Richardson, Mayor

Attest: _____
Jean Ludwig, City Clerk



TO: Mayor and Council
FROM: Cole S. O'Donnell
DATE: December 1, 2020
RE: Committee Nominations

Vacancies

Rand Park Pavilion Board

Vacancy Term to Expire 10/22/20

GRAND THEATRE COMMISSION

Vacancy 11/05/23

Vacancy 11/05/23

Board of Adjustment

Vacancy 04/01/23

Second report on nominations (no vote required)

Convention & Tourism

(3 year term)

Judy McDonald Term to Expire 12/31/23



TO: Mayor and City Council
FROM: Cole S. O'Donnell
DATE: December 1, 2020
RE: Administrator's Report

1. General Fund Revenues: Good news and bad news again. Good news is that the \$243,770.62 LOST revenue received November 10th appears to be all surplus as we received the regular monthly payment of \$119,823.85 on November 24th. The receipt on the 10th is surplus.

The bad news. As expected, hotel/motel revenues are significantly down. The December payment is for the summer months' collections and was off by over \$36,000. To date, hotel/motel collections are down by \$66,677. Gambling revenues had been trending higher but have now leveled off. Additionally, there was no July disbursement. Revenues are down \$26,588 over the same time period last year. However, if the revenues remain consistent, we should expect the current deficit to remain about the same.

As a result of the additional LOST revenue and the expected revenue from the CARES Act funding, I have authorized capital expenditures to move forward in the General Fund.

2. City Hall Project: A pre-bid walk through was held November 30th. Four general contractors attended and at least one other is scheduling a different time. Interest is high for the project and should result in quality bids.
3. Music Brings Life: I have asked Jim Dennis to draft a revised contract for discussion. That contract will not be ready for this meeting and will also need to be submitted to the organizers for review.
4. FY 21-22 Budget: Staff is beginning to work on the FY 21-22 budget. The budget calendar is attached. Some issues that will need discussion include:
 - a. Additional market adjustments for non-union positions.
 - b. Additional funding for City Clerk salaries to allow for several months of on the job training with the current City Clerk.
 - c. Funding trends in relation to the pandemic.

December 2 – Budget workpapers distributed to Departments

December 14 – December 23 - City Department heads submit budgets and proposals to the City Administrator. Submit budgets no later than December 23.

December 28 – January 15 - City Department heads meet to discuss individual budgets with the City Administrator.

January 18 – January 29 – Budget Work Sessions with City Council. More work sessions will be scheduled if needed.

February 4 Council Meeting – Budget work session with council. Council orders notice of Public Hearing on Max Tax Dollars.

February 5 - Notice of hearing on Max Tax Dollars is published. Notice must be given not more than 20 days nor less than 10 days before date of the hearing.

February 18 Council Meeting – Public Hearing on Max Tax Dollars. Approve resolution. If more that 2%, must be approved by 2/3 of governing body.

March 4 – Council receives and adopts final proposed budget and orders notice of Public Hearing on final budget.

March 5 – Publish notice of Public Hearing on Final Budget. Notice must be given not more than 20 days nor less than 10 days before date of the hearing.

March 18 – Public Hearing on Final Budget. Adoption of Final Budget.

March 31 – Deadline to have budget to County Auditor and D.O.M.

April 10 – Last day to protest.

June 15th – Iowa Dept. of Management certifies taxes back to County Auditor.

July 1st – New Budget takes effect.