

City Council
June 17, 2020
5:30 p.m.

The Atlantic City Council met in regular session in the Council Chambers at City Hall with Mayor Jones presiding. Council members present were: Behrens, Somers, McCurdy, Hartkopf, Casady, Garrett, and Brink. Absent: None.

Motion by McCurdy; second by Harktopf to approve agenda as posted. All ayes. Motion carried.

Council recited the Pledge of Allegiance.

Motion by Casady; second by Garrett to approve the consent agenda which included the following: Minutes of the June 3, 2020 City Council meeting; Cigarette Permits for WalMart Supercenter #3394, Fog Zone; Mechanical Devices permit for the Pines Steakhouse; Class C Liquor License with Sunday Sales for The Venue; Class B Native Wine Permit with Sunday Sales for Aunt B's; Special Class C Liquor License with Outdoor Service and Living Quarters for The Downtowner Cafe & Catering; and bills totaling \$215,280.01. All ayes. Motion carried.

Council discussed City Ordinances regarding the parking of large vehicles and trailers on private property. Police Chief Erickson discussed the process and asked the Community Protection Committee to review the ordinance to make it simpler. The issue of Halder being given a warning due to his utility trailer parked on a city street was investigated, and it was found Halder was actually parked on school property, based on a 1996 timeline of events for the vacation and disposal of Linda Drive where it intersections Lincoln Drive. According to the records, the north 22' of the property was sold to Dana Halder, the middle 22' of the property was sold to Atlantic Community School District, and the south 22' of the property was supposed to be sold to Jerry Jensen, however, there are no records to indicate that the south section was sold. The Mayor further stated that if Mr. Jensen was still interested in purchasing the south 22' of the property, he would need to pay fair market value. Dana Halder was present and advised the council that he was a Council member when the ordinance was amended and that it was written for large trailers, not small utility trailers. Council agreed that the ordinance needed review and asked the Community Protection Committee to meet to review. Council member Brink asked that no further warnings be issued until the committee reviewed the ordinance. Chris Neal was also present to dispute the warning he had received regarding his camper being parked in the front yard and requested that the council review the ordinance. Community Protection Committee will meet on June 23rd at 5:45 p.m.

Motion by Somers; second by Garrett to approve the second reading of Ordinance #989 "AMENDING THE CODE OF ORDINANCES OF THE CITY OF ATLANTIC, IOWA, BY AMENDING SECTION 55.11 THEREIN." Ayes: Somers, McCurdy, Hartkopf, Casady, Garrett, Brink, Behrens. Nays: None. Motion carried.

Motion by Brink; second by McCurdy to approve the first reading of Ordinance #990 "AMENDING THE CODE OF ORDINANCES OF THE CITY OF ATLANTIC, IOWA, BY

AMENDING MINORS, SECTION 46.02 OF THE CITY CODE.” Ayes: Brink, Behrens, Somers, McCurdy, Hartkopf, Casady, Garrett. Nays: None. Motion carried

At 6:02 p.m., Mayor Jones opened the public hearing on proposed amendment to the North Urban Renewal District. No comments were received. Motion by Hartkopf; second by Garrett to close the public hearing at 6:03 p.m. All ayes. Motion carried.

Motion by Hartkopf; second by Brink to approve Resolution #28-20 “TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND TO APPROVE AN URBAN RENEWAL PLAN AMENDMENT FOR THE NORTH URBAN RENEWAL DISTRICT.” Ayes: Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Abstain: McCurdy. Motion carried.

Motion by Somers; second by Behrens to approve the first reading of Ordinance #991 “PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE JUNE 2020 ADDITION TO THE NORTH URBAN RENEWAL DISTRICT, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA.” Ayes: Somers, Hartkopf, Casady, Garrett, Brink, Behrens. Nays: None. Abstain: McCurdy. Motion carried.

Motion by Hartkopf; second by Garrett to approve Resolution #29-20 “SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH THE WHITNEY GROUP, LLC, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS.” Ayes: Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Abstain: McCurdy. Motion carried.

Motion by McCurdy; second by Behrens to approve Resolution #30-20 “APPROVING AND ACCEPTING A PERMANENT EASEMENT FOR STORMWATER DETENTION BASIN FROM THE FOLLOWING PROPERTY OWNERS: JAY & JENNIFER MILLER.” Ayes: McCurdy, Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Motion carried.

Motion by Brink; second by McCurdy to approve Resolution #31-20 “AUTHORIZING FINAL TRANSFERS FOR FY 2020.” Ayes: McCurdy, Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Motion carried

Motion by Brink; second by Garrett to table a request from Fireside Lounge to close the alley behind Fireside Lounge to 7th street for a Street Dance on Saturday, July 11, 2020 from 8:00 A.M. to 11:00 P.M. to July 1st in order to receive further clarification. All ayes. Motion carried.

Motion by Garrett; second by McCurdy to approve the first reading of Ordinance #992 “AMENDING THE CODE OF ORDINANCES SECTION 41.13(9)(F) OF CHAPTER 90 ENTITLED FIREWORKS.” Ayes: Garrett, Brink, Behrens, Somers, McCurdy, Hartkopf, Casady. Nays: None. Motion carried.

Motion by Somers; second by Garrett to waive the rules and proceed with the second reading of Ordinance #992. All ayes. Motion carried.

Motion by Brink; second by McCurdy to approve the second reading of Ordinance #992 “AMENDING THE CODE OF ORDINANCES SECTION 41.13(9)(F) OF CHAPTER 90 ENTITLED FIREWORKS.” Ayes: Brink, Behrens, Somers, McCurdy, Hartkopf, Casady, Garrett. Nays: None. Motion carried.

Motion by Behrens; second by Somers to waive the rules and proceed with the third reading of Ordinance #992. All ayes. Motion carried.

Motion by McCurdy; second by Garrett to approve the third reading of Ordinance #992 “AMENDING THE CODE OF ORDINANCES SECTION 41.13(9)(F) OF CHAPTER 90 ENTITLED FIREWORKS.” Ayes: McCurdy, Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Motion carried.

Motion by McCurdy; second by Somers to approve Resolution #32-20 “SETTING THE DATES FOR FIREWORKS USE IN THE CITY OF ATLANTIC.” Ayes: McCurdy, Hartkopf, Casady, Garrett, Brink, Behrens, Somers. Nays: None. Motion carried.

Motion by Brink; second by Behrens to approve Resolution #33-20 “AUTHORIZING INTERNAL ADVANCE FOR FUNDING OF URBAN RENEWAL PROJECT.” Ayes: Brink, Behrens, Somers, Hartkopf, Casady, Garrett. Nays: None. Abstain: McCurdy. Motion carried.

Motion by Garrett; second by Somers to reappoint Don McLean to the Library Board. All ayes. Motion carried.

Motion by Brink; second by Hartkopf to appoint Becky Osbourne to the Library Board. All ayes. Motion carried.

Motion by McCurdy; second by Hartkopf to appoint Buffy Barrs to the Library Board. All ayes. Motion carried.

City Administrator Lund reported that it had been a busy couple of weeks – processed approximately 30 building permits; worked on end of fiscal year transfers.

Mayor Jones announced fireworks will be at the well fields on July 3rd; parking by the soccer fields; clean up personal trash; there will be no concessions. He also announced the drive in movie sponsored by the Chamber on June 20th.

City Council Reports: Somers- Personnel & Finance; Hartkopf- Airport; Casady- AMU; Garrett- Planning & Zoning, Chamber; Brink- CPC, Library, CADCO, Park & Rec.

Council Member Casady reported that he had received a letter from a resident that was unhappy with the pool’s decision to remain closed for the summer. Mayor Jones advised that he had addressed the issue with the letter’s author. He also called for volunteers to form a committee to address pool improvements.

Council Member McCurdy remarked on the niceness of the Schildberg bathhouse.

Council Member Garrett voiced that she wanted to see the savings from painting the pool this summer be put towards pool improvements.

Motion by Behrens; second by McCurdy to adjourn at 6:38 p.m. All ayes. Motion carried.

David R. Jones, Mayor

ATTEST: _____

Barb Barrick, City Clerk