

City Council
March 20, 2024
5:30 pm

The Atlantic City Council met in regular session in the Council Chambers at City Hall with Mayor Garrett presiding. Upon roll call, the following were present: Mayor Garrett, Ward 1 Council Kennedy, Ward 2 Council Behrens, Ward 3 Council McDermott, Ward 4 Council Sarsfield (via phone), Ward 5 Council Halder, At Large Council Brink, At Large Council Otte, Engineer Dave Sturm, City Administrator Lund, City Clerk Barrick. Absent: None.

Motion by Brink; second by McDermott to approve agenda. All ayes. Motion carried.

Those present recited the Pledge of Allegiance.

Motion by Otte; second by Halder to approve consent agenda as follows: Minutes of the March 5, 2024, City Council meeting; Minutes of the March 11, 2024 Special City Council Meeting; Special Class C Retail Alcohol Permit (5 day) for Lucky Wife Wine Slushies (Special Event at 511 Chestnut Street); Special Class C Retail Alcohol Permit (5 day) for Lucky Wife Wine Slushies (Special Event at YMCA); Special Class B Retail Native Wine Permit for Your Forte; Class E Retail Alcohol Permit for WalMart; Tree Trimmer Permit for Midwest Tree Service; Tree Trimmer Permit for Cornerstone Landscaping; January 2024 Clerk and Budget Reports; and bills totaling \$48,994.46. All ayes. Motion carried.

Public Forum: Vicki Cereze was present to voice concerns about junk and illegally parked vehicles in the city. She urged the city to become more aggressive in its attempts to clean up the city and stated that she felt the city had been run amuck with violators which was hurting the community.

At 5:35 p.m., Mayor Garrett opened the Public hearing to authorize submission of CDBG application for AMU Clearwell Water Project. No comments were received. Dani Briggs, SWIPCO, outlined the project and discussed requirements of the grant application. Motion by McDermott; second by Behrens to close the public hearing at 5:44 p.m. All ayes. Motion carried.

At 5:45 p.m., Mayor Garrett opened the public hearing on plans, specifications and Form of contract for the Atlantic splash pad. No comments were received. Motion by Behrens; second by Kennedy to close the public hearing at 5:46 p.m. All ayes. Motion carried.

Motion by McDermott; second by Otte to approve Resolution #17-24 "APPROVING PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE ATLANTIC SPLASH PAD." Ayes: McDermott, Sarsfield, Halder, Brink, Otte, Kennedy, Behrens. Nays: None. Motion carried.

Engineer Dave Sturm reviewed the bids for the Atlantic Splash Pad. Motion by Brink; second by Kennedy to approve Resolution #18-24 "MAKING AWARD OF CONTRACT FOR THE ATLANTIC SPASH PAD." Ayes: Brink, Otte, Kennedy, Behrens, McDermott, Sarsfield, Halder. Nays: None. Motion carried.

Presentation by Code Enforcement/Animal Control Manager Kris Erickson and Code Enforcement Officer Cole Lowary regarding Homes for Iowa program and code enforcement progress.

Motion by Brink; second by Otte to adopt the Memorandum of Understanding between the Nishna Valley YMCA and the City of Atlantic for Year 2024 management of Sunnyside Pool. All ayes. Motion carried.

Motion by McDermott; second by Behrens to approve Resolution #19-24 "SETTING THE DATE FOR PUBLIC HEARINGS AND ADDITIONAL ACTION ON PROPOSALS TO ENTER INTO GENERAL OBLIGATION LOAN AGREEMENTS AND TO BORROW MONEY THEREUNDER." Ayes: McDermott, Sarsfield, Halder, Brink, Otte, Kennedy, Behrens. Nays: None. Motion carried.

At 6:22 p.m., Mayor Garrett opened the public hearing on the proposal to enter into a general obligation solid waste management loan agreement. No comments were received. Motion by Halder, second by Sarsfield to close the public hearing at 6:23 p.m. All ayes. Motion carried.

Motion by Otte; second by Halder to approve Resolution #20-24 "TAKING ADDITIONAL ACTION ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION SOLID WASTE MANAGEMENT LOAN AGREEMENT AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME." Ayes: Otte, Kennedy, Behrens, McDermott, Sarsfield, Halder, Brink. Nays: None. Motion carried.

Motion by Brink; second by McDermott to table Resolution #21-24 "APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH BARB BARRICK TO TEMPORARILY PROVIDE CITY CLERK CONSULTING SERVICES FOR THE CITY OF ATLANTIC." All ayes. Motion carried.

Motion by Otte; second by Halder to approve Collective bargaining Agreement with the American Federation of State, County Municipal Employees Iowa Council 61. All ayes. Motion carried.

Motion by Brink; second by McDermott to appoint Rich Tupper as Acting City Clerk. All ayes. Motion carried. Mayor Garrett administered Oath of Office to Tupper.

Retail Coach contract extension was discussed. Motion by Brink to approve contract extension with Retail Coach in the amount of \$15,000 to be paid as follows: \$5,000 now; \$5,000 after a 3-month review and \$5,000 after a six month review. Motion died for lack of second. Motion by McDermott; second by Halder to table item until a new contract outlining those terms could be created. All ayes. Motion carried.

Council Members Brink and Otte reported that the Personnel and Finance Committee recommended the following for the Beautification budget: \$51,075 to be spent this fiscal year with \$21,459 to be budgeted for next fiscal year on signage and \$46,000 to be spent this fiscal year with \$25,000 to be budgeted for next fiscal year on Capital Improvements. They reported that at this time, the committee did not want to make a recommendation on the LOST Progress budget until more information was received from the director. Motion by Kennedy; second by Halder to approve the Personnel and Finance Committee's recommendations. All ayes. Motion carried.

Motion by Brink; second by Behrens to approve the updated retainer agreement with Otto, Lorence, & Wiederstein. All ayes. Motion carried.

City Administrator Lund:

- TAP Grant application for W. 22nd Street Trail has been submitted
- Budget numbers will be ready for Clerk to input into system before night is over

- April 3rd meeting Council will have state budget forms to review; regular budget books will be available at the April 17th meeting; did council want full print out or pdf's? Council preferred pdf's.
- SWIPCO has indicated that the draft proposal of the comp plan is ready.
- Will be on vacation from the 21st until the 27th
- Thanked Clerk Barrick for her years of service

Mayor Garrett presented Barrick with a plaque of appreciation. She noted that she had attended Local Leaders' Day in Des Moines and she and Council Member Otte had met with the Pacific Islander Women's Group.

Council Reports: Otte- Local Leader's Day, Personnel & Finance, Airport, EMS, CADCO; Kennedy- Local Leader's Day, AMU, Beautification, Park & Rec, Tourism; Behrens- Local Leader's Day, EMS; McDermott- Local Leader's Day, Library, Park & Rec; Halder – Chamber; Brink-CADCO, Personnel & Finance.

Motion by Brink; second by Halder to enter into closed session under Iowa Code 21.5(1)(c) "To discuss strategy with Counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. All ayes. Motion carried. Council entered closed session at 7:12 p.m.

Motion by Kennedy; second by McDermott to end closed session at 7:29 p.m. All ayes. Motion carried.

Council discussed nuisances with Erickson.

Motion by Behrens; second by Kennedy to enter Exempt Session Pursuant to Iowa Code Section 20.17(3) Providing for the Strategy Meetings of Public Employers for Collective Bargaining. All ayes. Motion carried. Council entered exempt session at 8:06 p.m.

Motion by McDermott; second by Kennedy to end Exempt Session at 8:24 p.m.. All ayes. Motion carried. Motion by Behrens; second by Otte to re-enter open session. All ayes. Motion carried. Council re-entered open session at 8:24 p.m.

Motion by Brink; second by Halder to adjourn at 8:25 p.m. All ayes. Motion carried.


Grace N. Garrett, Mayor

ATTEST:


Rich Tupper, Acting City Clerk