

CITY OF SIGOURNEY, IOWA

MINUTES OF REGULAR CITY COUNCIL MEETING OF

WEDNESDAY, JUNE 21, 2023

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, June 21, 2023, with Mayor Morlan presiding and the following Council members answering roll call: Iosbaker, Lentz, Tish, Conrad and McLaughlin. Others present were: Rodger Aller; Casey Jarmes, Sigourney News Review; Stuart Grossman, Sigourney Kiwanis; Jennifer Stout; Rodger Icenbice; Doug Glandon, Code Enforcement Officer; Don Northup, Director of Public Works I; Beckie Appleget, Office Assistant; and Angie Alderson, City Clerk.

The meeting was called to order at 6:00 p.m. Council member Conrad moved, seconded by Council member McLaughlin, to approve the tentative agenda with the exceptions of items 7-2, 7-3 and 7-4. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member Lentz, to approve the following items on the Consent Agenda: Minutes of the Regular Council Meeting of June 7, 2023; Council Accounts Payable Claims in the amount of \$47,213.26; City Clerk Financial Reports for May 2023; payroll expenses, miscellaneous expenses, ACH and monthly transfers for April 2023; Resolution No. 2023-06-02 re: Temporary Closing of Downtown Streets for Car Show; Resolution No. 2023-06-03 re: Temporary Closing of Streets for the July 4th Celebration; Resolution No. 2023-06-04 re: Temporary Closing for Manor House Event; Resolution No. 2023-06-05 re: Pool Personnel for the 2023 Swimming Season; Brent Gilliland to attend the 2023 Fall Conference in Dubuque and sponsored by the Iowa Rural Water Association at a cost of \$225.00 and to use the City's credit card for hotel accommodations and meals; Firewall Replacement – EOL Support through Access Systems and authorize the Mayor to sign the Statement of Work; Camera Project Storage System through Access Systems and authorize the Mayor to sign the Statement of Work; July 4th activities and related expenses; Liquor License Application for the Sigourney Golf and Country Club, 1103 200th Avenue, Sigourney, Iowa, for Class C Retail Alcohol License and Outdoor Service; Liquor License Application for Brothers Market 8 LLC (DBA: Brother's Market), 118 South Main Street, Sigourney, Iowa for Class E Retail Alcohol License; Liquor License Application for Brothers Market 8, LLC (DBA: Brother's Market Wine and Spirits), 110 South Main Street, Sigourney, Iowa, for Class E Retail Alcohol License; credit card report; and the time and place for the July 5, 2023 regular Council meeting will be at 6:00 p.m. at City Hall. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Iosbaker moved, seconded by Council member Tish, to approve the remaining item on the Consent Agenda: Community Betterment Projects with the exception of the request for the panoramic photos. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Additional City Business: Code Enforcement Officer Glandon stated on June 6th Adam Clark, Keokuk County Sheriff Deputy and Council member, came into City Hall. On the evening of June 5th, he received a call to the car wash on East Jackson Street. A dog had a lady backed up against the retaining wall and would not let her leave. It was acting aggressive. Officer Clark stated the dog was very aggressive toward him as well. He had to get his baton out and get the dog away from everyone. The dog then ran to the Jennifer Stout residence. Officer Clark went to Mrs. Stout's residence and talked to her about the animal not running at large. On June 6th Officer Clark told Code Enforcement Officer Glandon about the situation and gave Code Enforcement Officer Glandon all his reports on June 7th. Code Enforcement Officer Glandon took a nuisance report to Mrs. Stout on June 8th in the morning. The letter stated that it could not run at large and had to have its immunization tags on it at all times. He also informed Mrs. Stout that she needed to attend this meeting to discuss whether it would be deemed a vicious animal or not. Mrs. Stout stated that she had a paper from the Behavioral Health stating that her son needs the dog for his . . . and she stated that she babysits for a living. She has had this dog for three years and it has not bitten anyone. Mr. Icenbice (*Mrs. Stout's father*) stated they had gone camping last weekend and the people camping next to them had untangled the dog and put it in (*Mrs. Stout's*) camper because they thought it was too hot and the dog was not aggressive with them at all. The people had never been around the dog before. Mrs. Stout stated that when Officer Clark comes into her yard, the dog barks at him and then backs up. The dog is scared of people and has been since she was a puppy. Mayor Morlan stated Council member Clark could not be here today and the City does have an ordinance against vicious animals. Mrs. Stout stated the dog jumped over the fence late at night. Council member McLaughlin stated the report said the dog was being aggressive to the Police Officer and when he arrived the dog had the lady in a corner being aggressive and that is the issue. Mrs. Stout stated that she does have a paper stating that her son needs the dog for therapy. Council member McLaughlin stated that the City does have an ordinance and they are pretty strong on it. Council member McLaughlin also stated that the Council does not like to do this . . . Mrs. Stout and her father both stated the dog had not ever bitten anyone. Mrs. Stout babysits little children, and they pull on her ears, etc. and she does not bite them. Mrs. Stout also stated that she does have her shots and she must have lost her tags somewhere. Mayor Morlan stated he has heard rumors that this is not the first time the dog has been out and aggressive toward people. Council member Tish asked exactly what is to be decided tonight. Mayor Morlan answered that with a vicious animal, especially if it bites, the Council votes whether the dog stays in town or has to leave town. Council member Tish stated that the

dog did not bite, so the main issue is the dog was out without a leash and it did not have tags. She does understand the aggressiveness, but it did not bite. Mrs. Stout stated she thinks that the dog just had babies, so she is protective of her area because of her babies. Council member Tish asked, outside of rumors, has there been any official complaints about this dog. Code Enforcement Officer Glandon and City Clerk Alderson both stated they were unaware of any other official complaints. Council member Iosbaker asked Mrs. Stout if there were facilities there where the dog could be confined to the yard. Mrs. Stout stated she does have an area, but she needs to build it up higher. She is a big dog. She is a lab mixed with a husky and likes to jump. She is thinking that dog pushed against the gate hard enough the closure gave out. She will get it fixed. Council member Tish asked if the Council could allow the dog to stay but had to meet certain conditions. Council member Conrad responded that the letter from the Code Enforcement Officer Glandon did state that the dog could not run at large and had to have its immunization tags on – no exceptions. Council member Conrad stated that Mrs. Stout wasn't denying that the dog was at the car wash or aggressive, just that she had not bitten anyone. It does not matter if the dog has puppies or is an animal for your child – if you live in town there are certain restrictions. Council member Conrad asked Mrs. Stout if she could tell the Council that it is never going to get out or that she is going to take steps to make sure it is going to be fully enclosed and not get out and it will have tags on. If the dog is encountered again there should not be any question on whose dog it is and whether or not it has been vaccinated. Mrs. Stout stated she always sees other dogs running loose and asked why it is always her – ever since her husband passed away it seems like everything and everybody is hitting her up about this. She always sees other dogs running loose and Officer Clark lives behind her, and his dog is always in her yard – always. She asked if she could call the City on him even though he is a cop. Council member Tish stated that if she has a complaint to make, she needs to file it with the City. Mrs. Stout reiterated that Officer Clark's dog is always in her yard. Mrs. Stout was told she had to file a complaint or there was nothing the City could do. The City does not have a dog catcher to run around and keep dogs from running at large. If she files a complaint, it will be looked at and dealt with. Council member Conrad asked Mrs. Stout what steps she was going to take. Mrs. Stout stated that she and one of her friends were going to put like a cable thing to put her on a leash so she would not get over the fence or anything. Council member Conrad asked what she was going to do until that was in place and Mrs. Stout responded that she could stay in Mrs. Stout's house. Mrs. Stout stated she will bring the puppies in as well. The other option is the dog can go to her Dad's house for a little while. City Clerk Alderson stated that the City in the past has always given the dog owner ten days to have the dog removed, but she does not believe that is in the ordinance. Council member Conrad asked Code Enforcement Officer Glandon if he had filed a Municipal Infraction and Code Enforcement Officer Glandon responded he had only sent the letter and has not filed any charges. Council member Conrad stated that if this continues after the ten days, the dog is caught running at large or without tags, Mrs. Stout may get a ticket stating she owes the City money because her dog is running at large or isn't wearing its tags. Mrs. Stout stated that when she opens the door the dog sometimes gets away before she can get the leash on here. She usually goes to Dollar General or around the block and then comes back. Mrs. Stout was told to make sure the dog was not running at large. Council member Tish stated that we do have this complaint and if it happens again it will need to be addressed again. She added that as long as Mrs. Stout can keep the dog put up it should not be a problem. Council member Conrad moved, seconded by Council member Lentz, to send a ten-day notice to the dog owner providing that if the nuisance outlined in Code Enforcement Officer Glandon's letter (running at large and failure to have the vaccination tags) isn't addressed within that ten days that the next time the dog is out the owner is going to get a Municipal Infraction for violation. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member McLaughlin left the meeting at 6:25 p.m. as she had a Keokuk County Community Endowment Fund meeting to attend, and she is one of the City's representatives.

City Clerk Alderson explained she is waiting for two invoices for the July 4th events and asked if she could print checks if she received the invoices by June 30th. Council member Conrad moved, seconded by Council member Lentz, to approve payment to the band assuming we get the invoice (*signed contract*), and it aligns with the contract. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Stuart Grossman, Sigourney Kiwanis President, updated the Council on the current status of the pavilion. Mr. Grossman reminded the Council that the County, City and Kiwanis Club had entered into an agreement for the Kiwanis Club to design, raise money for and build a pavilion on the southeast side of the square. This could be used as the center for several events that occur throughout the year. Currently the size and location has been marked out on the square and Mr. Grossman asked if anyone had been able to go see this and what they thought. Mr. Grossman explained the reasoning for the pavilion size. The first draft of the construction drawings was presented, and Mr. Grossman offered to leave these so they could be reviewed. Mr. Grossman had samples of different items such as the stone, fencing, roofing, etc. along with colors that have been selected or are being considered. A preliminary cost estimate has been done and to date \$40,000.00 has been raised toward the project. The initial cost estimates are around \$150,000.00 and he hopes this is high. The estimates are without any discounts or in-kind donations. Council member Tish and Mayor Morlan thanked Mr. Grossman for all the information.

City Clerk Alderson stated the Iowa Economic Development Authority Project Manager for the Upper Story grant at 103 South Jefferson Street conducted a monitoring visit. She visited the project and reviewed the paperwork with the City and Area 15 Regional Planning Commission (*the grant administrators*). The contract with Area 15 RPC needs some updated language in the form of an addendum. City Clerk Alderson stated the 90-day extension request has been granted, but the actual extension date will be until May 31, 2024. Council member Iosbaker moved, seconded by Council member Conrad, to approve an addendum to the to the contract for CDBG Administration Services for the Upper Story Project (20-CVN-009) at 103 South Jefferson Street, Sigourney, Iowa. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Council member Iosbaker moved, seconded by Council member Tish, to approve the Fair Housing Strategies for Communities Participating in the CDBG Program. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Rodger Aller, Grant Observer, stated on the south side of the square there are supposed to be some people coming to work on the windows at the 101 East Marion building. That is all the activity he has been aware of so far. Mayor Morlan stated he has talked with the owner of the 119 East Marion Street building and had asked if there were other items that needed to be taken care of and she told him there was somebody in there doing something earlier. On the Upper Story project R.G. Construction has hired a gentleman to get on top of the projects. This gives us someone to communicate with. There are twelve items left on the punch list, but they are at a standstill on some of them because of the discussion to change six of the doors. There is trim that needs to be put on the doors, but if they are changed then the trim would have to come off and then be put back on. There are a lot of things that are partially done, but not completely. Mr. Aller still does not know what is going to happen in the hallway. Mayor Morlan stated that after talking with the newly hired supervisor, he is going to put something together to be approved by the architect and contractor. There is still concern about the plaster falling from the ceiling and hitting someone. Mr. Aller stated he understands the gas meter issue has been solved. There was a discussion of doing another walk through. There was an issue with some black ash type stuff falling down in one of the bedrooms, but the contractors said they got that fixed. There is quite a crack between the brick and the sheet rock. There was an animal or something that got in and the chimney may need a cap to stop this from happening. Council member Iosbaker stated that regarding the Façade project we think the windows at 101 East Marion Street will be finished starting tomorrow. We are not sure if there is any more work to be done at 119 East Marion Street. Mr. Aller stated there are still some items that need to be addressed and/or finished. Council member Iosbaker asked how the projects were going to be finished. Mayor Morlan stated that he has talked with the architect and told him that the City is not happy with delays and everything that is going on. Mayor Morlan also talked with Becca at R.G. Construction and told her that we would really like the projects done. There was discussion of the walk throughs and punch list.

Council member Conrad moved, seconded by Council member Iosbaker, to approve Change Order 103 – No. 6 for the Upper Story Project at 103 South Jefferson Street, Sigourney, Iowa. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Council member Iosbaker reported for Keokuk County Economic Development. There is a lot of activity getting ready for the Car Show. There has been an inquiry into purchasing some property at the Industrial Park.

Water and Wastewater: Council member Tish moved, seconded by Council member Lentz, to approve the third and final reading for Ordinance Amending Title VI – Physical Environment – Chapter 5 Utilities – Billing Charges (Sewer). Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Public Safety: Council member Lentz moved, seconded by Council member Tish, to approve the second reading for Ordinance Amending Title III – Community Protection – Chapter 9 Junk and Abandoned Vehicles. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

City Clerk Alderson stated the Public Safety Committee has not had an opportunity to review the mowing ordinance and would like the Council to let her know what they think. Council member Tish moved, seconded by Council member Conrad, to table the Item 8-2 Mowing Ordinance. Upon the roll being called, the following voted Ayes; Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

City Clerk Alderson stated there were no bids received from the nuisance property clean up and mowing ad.

Finance: City Clerk Alderson explained the end of year resolutions. The first one is authorizing the transfer of funds to sinking funds (debt service funds) as outlined in the resolution to pay for General Obligation and Revenue Bonds. Council member Iosbaker moved, seconded by Council member Conrad, to approve Resolution No. 2023-06-06 re: Authorizing the Transfer of Funds and Payments of General Obligation Bonds and Revenue Bonds for Fiscal Year

2024. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

City Clerk Alderson reviewed the next resolution. This is for transfers other than debt. There is usually only the Library transfer, but since the Public Works Department has decided to try to do the mowing themselves, it was estimated that an average of \$9,000.00 annually was spent on mowing contracts. These contracts were paid out of the General (Park) Fund and this transfer would put the \$4,500.00 into Road Use and \$4,500.00 into Sanitation for compensation. Council member Iosbaker moved, seconded by Council member Conrad, to approve Resolution No. 2023-06-07 re: Authorizing the Transfer of Funds for Fiscal Year 2024. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

City Clerk Alderson stated several years ago (FY 2012) after discussion with the auditors, the rental revenues and expenses were transferred to the Housing Fund (114). This fund has been overdrawn for several years and you cannot charge enough to cover all the expenses. Transferring monies to the Housing Fund from the General Fund was discussed. After the Code Enforcement position was implemented and Doug A. Glandon was hired, Council member Conrad asked if we could have the rental put into the General Fund instead of transferring monies each month/year. After talking with the auditors, it made sense to do this as long as the City keeps accurate records of what is Code Enforcement and what is Rental. The Housing Fund is now overdrawn by over \$9,000.00. On July 1, 2011 there was over \$22,000.00 in the Housing Fund. Over the years, rental and a few other things have used all the funds and are now overdrawn. City Clerk Alderson does not know if the Housing Fund balance should be at \$22,000.00, but she is proposing over a three-year period that \$8,000.00 be transferred from the General Fund to the Housing Fund. Council member Tish asked what expenses were pulled from the Housing Fund. City Clerk Alderson reviewed the revenues and expenses in general terms. Council member Conrad stated that this is an administrative cost as not all departments can support themselves. Council member Iosbaker moved, seconded by Council member Conrad, to approve Resolution No. 2023-06-08 re: Transfers to Housing Fund 114. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Council member Lentz moved, seconded by Council member Tish, to approve Resolution No. 2023-06-09 re: Transfer Rental Revenues and Expenses from the Housing Fund 114 to the General Fund 0001 under the Code Enforcement Umbrella. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

City Clerk Alderson stated that Council member Clark had explained the camera project at the last Council meeting. The Council had agreed to the \$150,000.00 to be committed for this project. This resolution outlines this commitment. If there are remaining funds at the end of the project, the Council can approve a resolution to uncommit those. Council member Iosbaker moved, seconded by Council member Conrad, to approve Resolution No. 2023-06-10 re: Commit \$150,000.00 to Camera Project. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

Public Input: Council member Lentz asked about the time limit for items on the agenda. She and Council member Tish agreed that Mr. Grossman was rushed off. They wanted it noted that they are in favor of following the rules but were not aware of a time limit for agenda items and they felt he was doing a good job of staying on task and should not have been rushed off.

Council member Tish moved, seconded by Council member Lentz, to adjourn the meeting. Upon the roll being called, the following voted Ayes: Iosbaker, Lentz, Tish and Conrad. Nays: None. Motion approved.

The meeting was adjourned at 7:25 p.m.

Jimmy Morlan, Mayor

ATTEST: _____
Angela K. Alderson, City Clerk