

CITY OF SIGOURNEY, IOWA
MINUTES OF REGULAR CITY COUNCIL MEETING OF
WEDNESDAY, MAY 4, 2022

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, May 4, 2022, with Mayor Morlan presiding and the following Council members answering roll call: Lentz (*via phone*), Tish, Conrad and McLaughlin. Others present were: Matt Walker, French-Reneker-Associates; Brad Grefe, Area 15 Regional Planning Commission; Jerry Wohler; Richard Fortney, Police Officer; Misty White (117 East Marion Street Property Owner); Tyler and Amanda Snakenberg (119 East Marion Street Property Owner); and Angie Alderson, City Clerk.

Mayor Morlan explained there is an emergency situation that needs to be discussed later in the meeting. This involves Barn Wired and Misty White's building. The roofs leak because of the rains we have had and the problems with trying to put a roof on those two buildings.

The meeting was called to order at 6:02 p.m. Council member McLaughlin moved, seconded by Council member Tish, to approve the tentative agenda. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member McLaughlin, to approve the following items on the Consent Agenda: minutes of April 20, 2022 Council meeting; Council accounts payable claims in the amount of \$50,095.93; Library accounts payable claims in the amount of \$9,201.71; Liquor License Application for Casey's Marketing Company (DBA: Casey's General Store #3396), 100 East Jackson Street, Sigourney, Iowa for Class E Liquor License, Class C Beer Permit, Class B Wine Permit; Class B Native Wine Permit; Change of Ownership for Casey's Marketing Company (DBA: Casey's General Store #3396), 100 East Jackson Street, Sigourney, Iowa; credit card report; and the time and place for the May 18, 2022 regular Council meeting will be at 6:00 p.m. at City Hall. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Public Hearing(s): Council member McLaughlin moved, seconded by Council member Conrad, to open the public hearing re: Proposed Street Improvements – Sigourney, Iowa – 2022. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved and the public hearing was opened at 6:03 p.m.

Matt Walker, French-Reneker-Associates, stated there is approximately 36 blocks of HMA asphalt paving throughout town. The majority of that will be on Skillman, Jefferson and Shuffleton Streets. There will also be one or two blocks here and there scattered throughout town. There is a completion date set for November 15. There will also be a little bit of patching and the work on sidewalk pedestrian ramps that will make them all ADA compliant.

Council member McLaughlin moved, seconded by Council member Conrad, to close the public hearing re: Proposed Street Improvements – Sigourney, Iowa – 2022. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved and the public hearing was closed at 6:06 p.m.

Council member McLaughlin moved, seconded by Council member Tish, to approve Resolution No. 2022-05-01 re: Approving the Proposed Drawings, Specifications, Form of Contract, and Estimated Cost for Proposed Street Improvements – Sigourney, Iowa – 2022. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Matt Walker, French-Reneker-Associates, stated the bid opening was held at 4:00 p.m. this afternoon. There was only one bidder which was Norris Asphalt Paving Company. In southeast Iowa Norris is the main large scale asphalt layer. The bid came in at \$1,570,552.50 and engineer's estimate was \$1,589,000.00. The numbers were all good and Mr. Walker would recommend the low bidder. Council member Conrad moved, seconded by Council member McLaughlin, to approve Resolution No. 2022-05-02 re: Bid Award for the Proposed Street Improvements – Sigourney, Iowa – 2022. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member Tish, to open the public hearing re: Status of Community Development Block Grant (CDBG) Funded Activities for Façade Improvements Project – 20-DTR-

005. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved and the public hearing was opened at 6:09 p.m.

Brad Grefe stated a public hearing was held on May 4, 2022, at 6:00 PM at City Hall in Sigourney, Iowa, for the purpose of updating the public on the status of the façade improvements project funded, in part, by the Community Development Block Grant (CDBG) program.

Bradley J. Grefe, the grant administrator from Area 15 Regional Planning Commission, reported that in September 2020, the Iowa Economic Development Authority (IEDA) awarded CDBG funds to the City of Sigourney for the purpose of making façade improvements to buildings on the south side of the Sigourney Square.

The City qualified for CDBG funds based on the HUD National Objective of “preventing or eliminating slums or blight”. A slum & blight inventory survey was performed by Area 15 Regional Planning Commission staff in July 2020 and the City Council passed a resolution designating the “slum and blight area” later that month. To qualify for the grant, at least 25% of the target area must be in “fair” or “poor” condition, and to qualify for the program a building must be designated as in fair or poor condition. There were nine parcels in the target area; zero were classified as good or excellent, five were fair and three were poor [100% qualify]. The ratings for each building are determined by applying a variety of criteria outlined by IEDA.

The original scope of work for the project was to rehabilitate the twelve facades on seven buildings. Major work items included: masonry repair, upper-level window repair/replacement, painting, and storefront repair/replacement. The City applied for and was awarded \$500,000 in CDBG funds. The City was to match the grant award with \$389,523 in local funds, comprised of both City funds and local property owner match (20% of the cost of construction on their building). The estimated cost of the project was \$889,523.

Two bids were received and the contract for construction was awarded RG Construction (Ottumwa, IA). Their bid of \$925,000.00 was higher than the estimates that had been developed prior to “pandemic pricing”. Similar projects bid at the same time had returned similar discrepancies and with the uncertainty of what we might get if we were to rebid, the contract was awarded at that price.

The overall scope of work has been reduced by one building comprised of three façades. Unfortunately, the cost of doing the work needed exceeded the owners’ ability to secure additional financing. As that building had a narrow scope of work to begin with, simply reducing the amount of work to be completed was not an option to “eliminate blight” and, therefore, the building was removed from the project. That cost adjustment reduced the overall construction contract to \$710,207.00, which is still higher than the original construction estimate for the larger project. As this construction budget was higher than expected, the owner match amounts also increased slightly, as well, in most cases. The overall grant project cost currently sits at approximately \$845,000, which includes a construction contingency; grant administration costs; architectural costs, and fees easement recording, asbestos testing, and public notices.

Construction began in November 2021. As of the April pay application, one building was approximately 50% complete, another was approximately 35% complete, and the remaining buildings were less than 15% complete each by scheduled cost. The project is expected to be complete by December 2022. Including pay application #6, the contractor has billed approximately 22% of the total contract amount, the architect (Curtis Architecture) had billed approximately 80%, and the grant administrator (Area 15 RPC) has billed approximately 30%. The CDBG contract end date is July 31, 2023.

Open for comments, concerns, and questions. No questions were asked during the hearing, but a discussion of some issues related to roof repairs followed on the agenda.

Approximately 12 people were in attendance.

Council member Tish moved, seconded by Council member Conrad, to close the public hearing re: Status of Community Development Block Grant (CDBG) Funded Activities for Façade Improvements Project – 20-DTR-005. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved and the public hearing closed at 6:14 p.m.

Mayor Morlan reiterated at the point in the Council meeting there would be discussion involving the properties located at 117 East Marion Street and 119 East Marion Street. Mayor Morlan stated he had been dealing with

this for two days. With the rain at the beginning of the weekend the buildings had flooding. There was plastic put down on the roof (at 119 East Marion Street), but there was flooding anyway. A lot of water leaked in, and the owners dealt with it. After talking with the contractor, they were going to get here and get on this right away. On Sunday night there was another three quarters of an inch rain. The building flooded even more causing more damage all the way to the basement. This damaged some of the inventory as well as both upstairs apartments. Currently the apartment at 117 East Marion Street sustained damage as well. The laundry room was damaged. The problem is the tenants cannot stay in the apartments, so they have to be put up somewhere else while things are repaired and taken care of. The roofer was here today, and he was going to do the roof. While he is on the roof looking at things, the parapet wall that is between 119 East Marion Street and 121 East Marion Street, the parapet part of it is literally falling apart. When some of the flashing was pulled out, the bricks would just fall out. The roofer told Mayor Morlan he could not do the roof until this was repaired as he has to be able to fasten his roof to that and there is nothing to fasten to. There is a pull-out test in order to get the warranty on the roof and that has to be repaired. Plastic was put back on the roof again and right now we know it has to be repaired and we know the 121 East Marion Street property itself has a lot of debris in the bottom of it. The question is how do we get a mason in there as he is going to have to repair both sides of the parapet wall. Mayor Morlan is not sure how he would repair the 121 East Marion side unless somehow, he can get in there and up to it. Mayor Morlan stated we are looking at a two or three step process: fixing the wall and then getting the roofer back in to take care of that. There needs to be some decisions made as how to do that.

(Rod Curtis, the architect for the grant, was called and put on speaker phone.) Jim Tometich who had previously done a structural engineering report on the 121 East Marion Street property was called to see if he would evaluate the wall and to see if the rest of it is structurally sound or not. Mayor Morlan stated he was able to look through a hole on the back side of the 121 East Marion Street property and that wall looks solid. Mayor Morlan reiterated that he is not a professional engineer, but to him the wall looks solid and straight. Mr. Tometich is not going to be able to get to Sigourney before Monday as he is on vacation. Mayor Morlan asked Mr. Curtis to fill the Council in as to what has been happening on his side of things. Mr. Curtis has been talking with the contractor, the roofer and everybody involved. Mr. Curtis stated the gable roof was removed over the top of 117 and 119 East Marion Street buildings to get back to the original historic roof situation of the buildings. In doing so, the contractor did not quite get the roof secured for the rain that occurred. There has been some damage from rain on the inside. The contractor is well aware of this and this morning the plan was to get the roof on to stop the rain from infiltrating the building and to dry it out from the inside up, which Mr. Curtis agreed with. Today when the roofer came to town the problem that occurred was the parapet wall. The parapet wall is a wall that extends above the roof line that is a shared party wall between buildings. The party wall that is in question is the wall that would be 121 East Marion Street building (*vacant and burned-out building*) and 119 East Marion Street building (*Barn Wired*). Mr. Curtis stated that the problem with the 121 East Marion Street building is that since it has been burned out it no longer has a main floor, second floor or a roof. The key component is it no longer has the horizontal push back of that party wall. In other words, the party wall can now fall into the basement of the 121 East Marion Street property. Some discussions and concerns about the structural integrity of that wall after the removal of the gable roof and the parapet wall in poor condition between the two buildings as to the best solution or the proper procedure. It felt best to get a structural engineer involved. Mr. Curtis stated he had made a phone call to a structural engineer that did the report for the 121 East Marion Street property. He is on vacation this week, but the plan is to get him on site early next week once he is back. In the meantime, the roofing contractor helped the general contractor to secure the roof of the 119 building as best as they could. He is not sure how they did it. They did take some extra steps beyond what was done before, but he is not sure exactly how they did that. The roofing company was gracious to help the general contractor to do this. Mr. Curtis stated he does not usually make contact with the general contractor's subcontractors, but he did do that today. He called the roofing company and talked to one of the managers. His position was that he really did not want his guys up on the roof without a structural engineering report. Between his discussion with the roofing company and his own worries about the building if the diaphragm of the 121 East Marion Street building not been burned out and was still intact with the second floor and the roof that party wall would really have no place to go. Typically, this situation just exists in the parapet above the roof and that is fairly easy to fix and something that is not uncommon. Because the 121 East Marion Street property does not have a building, Mr. Curtis felt a structural engineer should be consulted. Mr. Curtis stated that since they tried to put a roof on it today, he would not be surprised if the insurance company for the general contractor will make a claim that the roof would have been on the 119 building today had it not been for the situation of the 121 East Marion Street property. There may be some backlash relative to insurance liability to the owner of the 121 East Marion Street property, which he assumes is the City. There may have to be some discussions between the insurance companies before this is done. Mr. Curtis also talked with the mason subcontractor. Mr. Curtis stated Mayor Morlan, Angie (City Clerk) and himself had a conversation this afternoon. He thought maybe the mason could build the parapet wall if all we have is a parapet problem – which we do not know until the structural

engineer's report is provided to us – and if the parapet is the only problem. He asked the question to the mason that will be on site if he can build that parapet from one side. He said as long as there is no finished product. So as long as we wrap a membrane over the entire parapet wall on both sides which he assumes we will do if 121 East Marion Street property is a two-story building then he could do this on the side of the 119 building. Mr. Curtis stated that Jim was quick to point out there is some other damage on that particular wall down low that will need to be addressed. If those issues are not directly impacting the roof parapet perhaps, they could be done later. He has not seen those, so he does not know what condition they are in. Mayor Morlan thanked Mr. Curtis.

Mayor Morlan asked if the Council should proceed with a motion to start the process with the engineer coming. City Clerk Alderson stated that on the agenda is an item to state a plan of action to secure the 121 East Marion Street property. The second item is to engage with a structural engineer. City Clerk Alderson stated if the City has to clean the 121 East Marion Street property, they need to understand how the bid threshold will work. Does the City need to go out for bid, can the City just hire someone or maybe there is an emergency clause that would allow the City to hire someone to get it cleaned out so we can work. City Clerk Alderson stated she is understanding that may not have to be done to repair the parapet wall. Mr. Curtis stated if it is only the parapet wall and the structural engineer gives them the assurance the rest of the wall is structurally sound, then yes, it is possible. We need to go through the structural engineer first. Mr. Curtis reminded us that the mason said he could work from one side if there is not any aesthetics that are concerned. Council member Tish asked if we would get the report back quickly and Mr. Curtis responded that he believed he would as Mr. Tometich knows this is an emergency for the City. City Clerk Alderson stated she was not sure if the Council could proceed with a plan of action. She reminded Mayor Morlan that she had given him a copy of the minutes from last October and November when the Council had discussed this. Council member Tish stated the general contractor had opened a claim, but that Amanda Snakenberg had not. Ms. Snakenberg stated they had not, but they did hear from the general contractor's insurance company today. Council member Tish asked Misty White if she had filed a claim and she stated that she had not. Ms. White stated that they (the adjustor) were coming to her building in the morning, but they are basically wanting them to contact their own insurance companies and pretty much told her that their contractor does not have good insurance. That is the reason she is here as they will only do replacement costs so basically not put her building back to the same condition. Ms. White used an example of having ten-year-old carpet they are not going to replace that but take the value of that and the same with the dry wall that is falling off her walls, etc. Mr. Snakenberg stated they will depreciate everything out. Ms. White stated she was told there will not be a value. Ms. Snakenberg stated because this is just a liability policy. Council member Tish asked the City Clerk about the City's insurance. City Clerk Alderson stated she has talked with the City's agent and was told that until someone sues the City or talks about suing the City then at that point, he would file a claim on the behalf of the City. Ms. Snakenberg stated that the building owner contracts are with the City not with the contractor. Council member Tish stated with the rains coming we cannot get the engineer here until early next week and it is supposed to rain the next two days and the contractors are – technically what happens if the plastic fails over the next day or two. Ms. White stated that the contractors have moved on down the road. The contractors left before she left her office today. Ms. White state that her issue is everything is about the 119 and 121 Street properties, and she would like to know why there is no roof on her building. No one is alleging that there is any kind of problem with the parapet wall between the 117 and 119 properties. She is not understanding why her roof was not put on if that was the plan for today. Now it is going to have two more days' worth of rain. Council member McLaughlin stated that she heard the roofs were secure. Mayor Morlan stated there are two layers of plastic up and Council member Tish commented there is standing water in these buildings. She does not feel they are anywhere near secure. Ms. Snakenberg stated she has been putting her tenant in a hotel bouncing them back and forth because the hotel in town is booked for the weekends. She also stated that this is the second time they have put up plastic and she had extensive water damage both times. The roofers were assisting this morning, but they ended up leaving early and left the general contractor's employees to finish the rest up. She has not seen what the "rest" was and who did what. Council member Tish stated there is extensive damage to the interior of the buildings and into the apartments and walls. There is water coming out of the electrical outlets. This is down into her business and has ruined merchandise clear down into her basement. Mayor Morlan stated the roofers did move to the west side as they want to continue with the roofs. We do have access to the 119 building as the contactor still has his lift there and so we can get up there. Ms. White asked if there was a reason or explanation why her roof was not put on? Mayor Morlan stated there is a question about the parapet wall between the two buildings. Ms. White stated she thought the issue was between the 121 and 119 buildings. Mayor Morlan stated that also the wall between the 117 and 119 buildings. Ms. White stated that no one has told her that, so a structural engineer is coming to look at the wall between the 119 and 117 properties. Mayor Morlan stated that is right, that the structural engineer will look at the wall between their building as well. Mayor Morlan stated they took some of the capping off the parapet wall between their (117 and 119) buildings and the bricks were just loose and sitting on there. Ms. White reiterated that she did not hear anything about that

– it was mainly just 121 and 119 not her side. City Clerk Alderson asked Mr. Curtis if he could attest to why Ms. White's roof was not done today. She asked if anyone had indicated to him that there are issues with the parapet wall between the 117 and 119 buildings. Mr. Curtis stated he had not heard that there were issues with that parapet wall. They will naturally wrap all the way around and over the top of that wall. Certainly, they will want it solid for the warranty. If it is not, they will have to work on that wall as well, but he has not heard anything relative to a problem on that parapet. City Clerk Alderson asked if he knew or could find out why the roofers did not go ahead and do the roof on the 117 building. Mr. Curtis stated that he did not know why. He does know they were going to work from west to east originally and Mr. Grooms (the general contractor) asked because of the water situation at 117 particularly that they jump to that one first and work their way over to 119. He does not know why the decision was made to not go ahead and do 117. Ms. Snakenberg stated there was no way they were ready. They told the roofers yesterday they were one hundred percent ready to come lay the roof this morning and the contractors were still up there this morning, and the roofers were waiting on the ground for two hours this morning and it still was not ready, and they ended up taking their crew up there to help finish getting it ready. When that happened is when they found out about all these other problems. Mayor Morlan stated he was up on the roof, and he saw it. The party wall has a tar cap that is over it (the wall between the 117 and 119 properties) and they had taken a section off and the bricks were just loose in there. It was stated that was going to have to be looked at as well and repaired and that is why the roof at 117 was not done either. Mr. Fortney stated the difference is there is not a diaphragm issue on the 117 building and the Mayor agreed, but until the roofer has a solid wall, he cannot attach anything to it. Mr. Fortney asked if the mason was on site today and Mayor Morlan responded no. Mr. Curtis stated the mason that he talked to today stated he was going to try to be here early afternoon tomorrow to look hoping he could get on the roof. Mayor Morlan stated it would not be a problem to get him on the roof. Ms. White stated she hoped she was not speaking out of turn, but she would like to know who is going to cover the remainder of the costs that their insurance very blatantly told her they were not covering today. She stated it almost sounded like they were wanting us to do the leg work of their own costs of repairs, finding the people to do it and all this other stuff. She would like some assurances, like was said yesterday, that it was going to be taken care of and make sure it is done and her big deal is one it should not cost her any additional money and two she needs to have as little disruption to her general practice as possible and that means her time. That is why she is at this Council meeting as she wants the assurances that basically despite what this insurance adjustor has told her – sorry about your bad luck, but you own an old building, basically – that she is going to have her costs covered – she just wants her building put back into at least as good a situation as it was they decided to rip off a roof in the middle of a rain storm. Mayor Morlan stated the first priority is to get that repaired and buttoned up and then the rest of this can be discussed, but we have to get this sealed up. Ms. White stated that is why she was puzzled by why she did not have a roof today. Ms. White stated she did not want to necessarily notify her own insurance company. The insurance company or adjustor that she had spoke to was trying to tell her that it is routine for contractors to only carry a liability and a replacement only policy for damages they cause, and she argued with him as she had just sued somebody for someone else for the replacement and fixing. The adjustor also argued that she would not have replacement value and she does have replacement value if her insurance will cover this although they may not as it is the negligence of somebody else. The adjustor even argued that point that he did not believe she had replacement. She had pulled her policy and she does have. This is concerning to her about this general contractor indicating that the insurance that the standard is standard and that makes her question whether the other contractors that are going to be utilized also have this kind of insurance or if they are going to be suitably covered. She asked if this was a conversation that had taken place prior to hiring these folks. Mr. Fortney asked if there were minimums that CDBG requires. Ms. White stated that is what she is guessing. Ms. White stated the City Clerk had sent her the policy and the policy said \$1,000,000.00, but that is not necessarily what they are explaining that to be – yes, they have that, but are they going to pay it – no because it is an actual cash value policy. Ms. Snakenberg stated that if we did some quick math on her building there is going to be a lot of change not covered even though they just redid the back apartment. They should not have anything there that will not be the same price. Council member Tish asked if this was \$1,000,000.00 per event or per building. Ms. White stated she thought this was \$1,000,000.00 per occurrence. Council member Tish then stated that the buildings would then be put in together. Mr. Snakenberg stated he did not care if they used used dry wall to make it look like it did before. Ms. White stated that is her issue as well. Mr. Snakenberg stated before all this they had rental able apartments and now they do not, is the bottom line. Ms. White stated she is not sure what hers looks like as her tenant does not like to complain. Mr. Fortney stated not only did they have rental able apartments, they had a business, they had employees and they had rental income and merchandise. Ms. White stated that was other thing she had asked him about and she was told she needed to secure a mitigation firm and do this, etc. She told him she makes \$175.00 an hour, so who is going to pay her to hunt down a mitigation firm for something she did not do. Mayor Morlan stated this is a whole different situation and we need to get an engineer here and we need to get a mason here. Council member Tish pointed out that the agenda says discussion and possible discussion and plan of action to secure 121 East Marion Street. City Clerk Alderson apologized that

should have been decision, but if the Council is not ready to make a plan of action . . . Council member Conrad stated they need to take every step possible to get this remedied regardless of whether it is the City's insurance, Groom's insurance, or Ms. White's insurance or Ms. Snakenberg's insurance. We need to say we are going to do what we can do and try to get it done as soon as possible. We have been trying to get people, but we cannot magically make people appear. He does not want to not say the City will not help out with other costs at this time, if there is a relocation as he does not know the costs, where people are being put up and what is available. We just need to do it and then fight about who is going to pay whatever else later. There is not any information available today to say who needs to do this. If the Council voted there is not any good information to make a decision on. He cannot make any of this information magically appear. Mayor Morlan stated that the next item was to engage in a structural engineer for 119 and 121 East Marion Street. City Clerk Alderson asked if this should include 117 East Marion Street as well. It was agreed that while the structural engineer was there, they should include 117 East Marion Street. Council member Conrad stated the City would pay for it and hash out the details later. Mayor Morlan stated the Council would need to have an emergency meeting next week as well to make decisions where to go from here. Council member Conrad stated if we had the structural engineer's report, we should schedule a Council meeting to take action. He believes all the insurance companies should be notified. The insurance companies will argue among themselves. City Clerk Alderson stated she would contact the City's insurance agent and update him on the situation from the City's perspective. The adjustor (contractor's insurance) is coming tomorrow at 10 a.m. Ms. Snakenberg stated Servpro is sending a consultant. She called them as that is what their insurance guy told her she had to do. She called them and they are going to be here at 10:00 a.m. to meet, but if the roof is not fixed, they are not going to want to do anything. Ms. Snakenberg stated she asked the insurance guy and Mr. Grooms about her back tenant because she has been bouncing them. Mr. Grooms asked her if she could find another apartment for him to live in and she said no all the apartments around here are full as this is a small community, and we have a housing shortage. He told her that was strange. Ms. Snakenberg stated she told him there is one coming available July 1st and he said that would not do them any good. Mr. Grooms stated this is a new situation that he is going to have to look into as normally he would have her find another apartment for the tenant and Grooms would pay you loss rent income. But the tenant does not have a place to cook, and they are eating their meals out. Mr. Grooms asked her about the closest town that would have apartments and she said 30 to 45 minutes away – Ottumwa, Oskaloosa, Washington. Mr. Grooms stated he did not know what they were going to do about that, he would have to make some phone calls. Ms. Snakenberg stated she has been paying the tenant's hotel currently and Grooms has stated to her they will cover this and reimburse her. She has sent her first \$500 and some for Sigourney's hotel this week and she has to move the tenant to Ottumwa starting tomorrow as the Sigourney's hotel is full on the weekends – almost every weekend. Once they start working on the front apartment the tenant will not be able to stay there either. Mayor Morlan stated that we will have to end this discussion and take care of matters at hand.

Council member Conrad moved, seconded by Council member Tish, to engage a structural engineer, Jim Tometich, to do a structural analysis of the two parapet walls involved in this incident. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad reiterated that as soon as the City receives the report, we will schedule another meeting if necessary to address what needs to be done as soon as possible. Mayor Morlan apologized and stated this is the best we can do right now.

Council member Conrad reiterated that this was the portion of Marion Court that runs through Justin Abell's six lots and there are not any current utilities running through. Council member Conrad moved, seconded by Tish, to proceed with undeveloped platted Marion Court Street. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member McLaughlin, to not close the undeveloped platted Sigourney Blvd. Street between Warren Street and Pershing Blvd. Upon the roll being called, the following voted Ayes: Lentz, Conrad and McLaughlin. Nays: Tish. Motion approved.

City Clerk Alderson explained the resolution states the City has no need for this property, it does not deny any adjoining property owners' access to their property and setting the date and time for the public hearing. Council member McLaughlin moved, seconded by Council member Conrad, to approve Resolution 2022-05-03 to set the date and time for a public hearing for the proposed vacation of Marion Court as Wednesday, May 18, 2022 at 6:00 p.m. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Mayor Morlan asked Council member McLaughlin if she wanted to proceed with discussion to change the vicious animal ordinance as Council member Clark, Chairman of the Public Safety Committee, and Council member Iosbaker were both unavailable to attend the meeting. Council member McLaughlin stated the recommendation the Public Safety Committee was going to make to the Council was to not change the ordinance. This is tabled until the next Council meeting.

Jerry Wohler, Sigourney Kiwanis Representative, stated that starting on Friday, July 1st, Kiwanis would like to set up their beer tent where they have been the last few years on the east side of the square. They would like the streets to be closed off as they have done in the few years from the middle of the east side of the square from the north side to the south side. They would have the caution tape up so people can tell where the beverage garden is. They would also like to close off the streets starting at noon on Saturday and Sunday for Kiwanis activities. Mr. Wohler stated there may be other activities that may need the streets closed at other times. On July 4th, the Kiwanis will be serving sandwiches after the parade is over and run until approximately 2:00 p.m. There are also other planned activities until early evening on the fourth. They would also like to bring about twenty picnic tables to the square from Legion Park to have around the square in various places. The Kiwanis are asking for approval to have the beer tent. They will put wrist bands on everyone they know and card. Council member Tish moved, seconded by Council member Conrad, to approve the Kiwanis to have a beer tent as they have in years past with more details to come and follows standards set by insurance and legally anything else. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Council member Conrad asked what dates the invoice covered. City Clerk Alderson stated it is dated April 30, 2022. Council member Conrad moved, seconded by Council member McLaughlin, to approve the Application and Certificate for Payment No. 6 to R.G. Construction for the Sigourney CDBG Façade Improvement Phase I Project. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

There was not a Sigourney Area Development Corporation report available.

Park and Recreation: Council member McLaughlin stated she had gone out and looked at the slide at the swimming pool. The slide the City purchased malfunctioned. A new slide was ordered. The new slide was installed, but this was not the slide the pool ordered. Acco recognized this was not the slide ordered. This is a very sturdy slide. Personally, she would hate for Acco to have to come back, remove the slide and install another one. It is taking out a little more of the pool than originally thought, but Acco is granting the City a \$3,500.00 credit if we keep this slide. Council member McLaughlin recommends taking the \$3,500.00 discount Acco is offering and leave the slide as is. Council member McLaughlin moved, seconded by Council member Conrad, to accept the slide at the swimming pool as is with the credit of \$3,500.00 and pay the \$5,000.00. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

City Clerk Alderson showed the Council a sample card from The Design House to be used as a punch card at the swimming pool. The card is coated on both sides twice. If the cards are coated twice you cannot write on them, so they will only be coated twice on one side. The cards are not one hundred percent waterproof, but it would withstand some dampness. City Clerk Alderson reviewed the prices for the cards. Council member Tish stated she would like to keep the business in town and still would like to consider laminating the cards. Council member Tish moved, seconded by Council member Conrad, to approve working with Design House to get the pool punch cards designed. Upon the roll being called, the following voted Aye: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

City Clerk: Council member Conrad moved, seconded by Council member Tish, to set the date and time of May 18, 2022 at 6:00 p.m. for a public hearing for the City Budget Amendment for Fiscal Year 2022. Upon the roll being called, the following voted Ayes: Lentz, Tish, Conrad and McLaughlin. Nays: None. Motion approved.

Public Input: Misty White asked the City Clerk if the City's insurance company needed a suit or just the threat of a suit and City Clerk Alderson responded she was of the understanding that if someone threatened to sue, she was to contact the City's agent. Ms. White stated she could assure us she was going to sue the City. She is not asking for her building to be made into a diamond, but she would like for it to be just as nice as it was before they decided to rip off her roof.

Council member Tish asked about discussing the situation with the drop off and pick up of kids at the Elementary school. The school superintendent indicated he is working closely with the City, Mayor and the Sheriff's

Department to resolve this and there is still not a solution. Council member Tish stated the City still has a Police Department and questions why it is not being utilized and why the City is defaulting to the Sheriff's Department. She would like to know why we are blocking or not allowing the City's Police Department to work. Mayor Morlan stated it is a scheduling problem and stated he has talked with the Sheriff's Department, and it has been indicated to him there is always a Sheriff's Officer available if there is something they need to go to in the City. Police Officer Fortney stated that is not the question, but just in the discussion he would like to know what the PD has not been involved. He further stated that he has been in meetings with the Mayor, but the PD has not be reached out to, nobody has reached out to him directly to ask him for his input on anything he has seen in the four years he has patrolled this City and the issues he has seen off duty with the stop sign violations, the no crossing guards, the fire lane violations. He stated that he has ten years of experience in law enforcement, other areas of public safety, military, a college education and he would like to know what more does it take to get his voice to the entities in the town. He would like to know why the existing Police Department is not even brought to the table. Mayor Morlan stated he should have done that, and he will include Officer Fortney in further talks. Council member Tish stated she is aware of different instances where the City Police Department has not been utilized. We still have a functioning Police Department. It may not be fully staffed, but it is not being utilized as it is. She stated she understands the Mayor wants the Police Department but is not even using it. Council member Conrad reminded the Council this is a time for listening only.

Officer Fortney stated he would like for it to be looked into as to who holds a policy on the stop signs on Highway 149 when they get turned and when they do not. He cited incidents related to this and other school stop signs and crossing guards. He feels this is getting worse over time and thinks it would be in the City's best interest and the open communications with the school that this gets addressed as to what has been established and that it is being followed before someone gets hurt. Mayor Morlan invited him to share his comments with the Public Safety Committee to address this situation.

Amanda Snakenberg stated that nothing has been done with her project and working with R.G. Construction. They have had to tear out and redo things and it is still not correct. R.G. Construction is short staffed, and they have had one guy working on her store the vast majority of the time. Tyler Snakenberg stated he would not pay R.G. Construction the last payment until things are the way they need to be. They say a lot of things that do not happen. Ms. Snakenberg talked about the spec book and there are a lot of questions. The new Mayor has been to the project site recently and is realizing the project is visibly not being done correctly. She is just wanting to make sure the rest of the Council members were aware of all the other issues that are going on. She is just curious as to what is going to happen since their contract is with the City. She thoroughly supports our City and Council, and this town means a lot to her. She just wants to know what the Council can do to help this with R.G. Construction. Ms. White stated that when payments are approved, she hopes someone is making sure R.G. Construction is meeting their benchmarks before the authorizations are made as that is the only incentive these people have to the things done on the timeline, they are supposed to get them done. There is supposed to be a schedule and both parties would appreciate it if someone would make sure all the benchmarks are being meant.

The meeting was adjourned by acclamation at 7:34 p.m.

Jimmy Morlan, Mayor

ATTEST: _____
Angela K. Alderson, City Clerk