

CITY OF SIGOURNEY, IOWA
MINUTES OF REGULAR CITY COUNCIL MEETING OF
WEDNESDAY, SEPTEMBER 7, 2022

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, September 7, 2022, with Mayor Morlan presiding and the following Council members answering roll call: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Others present were: T.J. Blain, Norris Asphalt; Rodger Aller; Gail McLaughlin; Casey Jarmes, Sigourney News Review; Matt Walker, French-Reneker-Associates; Brent Gilliland, Director of Public Works II; Don Northup, Director of Public Works I; and Angie Alderson, City Clerk.

The meeting was called to order at 6:15 p.m. (*due to internet connection problems.*) Council member McLaughlin moved, seconded by Council member Clark, to approve the tentative agenda. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member Iosbaker, to approve the following items on the Consent Agenda: minutes of regular Council meeting of August 17, 2022; minutes of special Council meeting of August 23, 2022; Library accounts payable claims in the amount of \$8,520.87; Resolution No. 2022-09-01 re: Memorial Hall Commission Appointment – David Seaba; Community Betterment Projects: \$5,000.00 to fix sidewalks at Legion Park and \$6,000.00 for tree trimming; credit card report; and the time and place for the September 21, 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, Clark, Conrad, McLaughlin and Iosbaker. Nays: None. Motion approved.

Council member Conrad moved, seconded by Council member Clark, to approve the remaining item on the Consent Agenda: Council accounts payable claims in the amount of \$21,707.00. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin and Iosbaker. Nays: None. Abstain: Lentz. Motion approved. (*Council member Lentz abstained as she is on the Claims list to receive her utility deposit back.*)

Additional City Business: Council member Clark moved, seconded by Council member McLaughlin to approve the addition of a streetlight in the 700 block of Adair Street. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

City Clerk Alderson stated she put this before the Council again as the contract changed from what they had approved. The start date was changed. The amount of insurance required was changed from \$3,000,000.00 to \$1,000,000.00 which is what the City requires. As this is not what was approved by the Council on August 23rd, this needed to be addressed again. The contract amount was left out of the contract and has been added as well. Council member Tish moved, seconded Council member Conrad, to approve a contract with R.G. Construction for the 103 South Jefferson Street Upper Story Project. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Council member Iosbaker stated that he did not feel the liquidated damages clause in the contract with R. G. Construction for the 103 South Jefferson Street Upper Story project gave the City a lot of protection. But in the Development Agreement there are two clauses that do seem to give the City a moderate amount of protection in the event the project goes long, which he thinks is the big risk. That could put the City in a little bit of difficulty with the state. Council member Iosbaker explained that the items specifically stated Section 1 - Scope, Item G-1, Roman numerals iv and viii gave what he felt was a measure of protection. Council member Iosbaker moved, seconded by Council member Conrad, to approve Resolution No. 2022-09-02 re: Development Agreement with Larry Dietrich for the CDBG (Community Development Block Grant) Coronavirus Housing Conversion Program. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Council member Iosbaker stated progress is continuing on the website for SADC (Sigourney Area Development Corp.). They are going to start populating the website with actual data, etc. They are hoping to start in a few weeks. They have been very active with new businesses starting up.

Street and Sanitation: Matt Walker, French-Reneker-Associates, stated the City opened bids for the street project in approximately April 2022. The original contract had a completion date of December 15th, 2022. At the pre-construction meeting on August 23rd, Norris Asphalt asked to have the completion date of the project extended until the end of June 2023. Mr. Blain, Norris Asphalt, stated they it would still be in the fiscal year. At the pre-construction meeting there is not any authority to allow for this, so it had to come back to the City Council for discussion and decision. Mr. Walker summarized that there has been an extreme amount of HMA projects this

year and he is guessing that Norris is overloaded and are trying to push some projects to next spring if possible. Mr. Blain stated that they are not planning to come in and out of working on the project, but it does happen sometimes. When they get here, they would like to stay and finish as that is what works best for them as well. They may go ahead and do the concrete patches this year. Mr. Blain has allowed for 20 working days on this project and usually starts around mid-April. There was discussion regarding whether the project could be completed (sidewalks and everything) by the end of the fiscal year. Mr. Blain stated the sidewalk contractor did not seem to think it would be a problem. There would be 90 handicap ramps to be placed on sidewalks. Mr. Walker outlined the options: one is to not accept the request, two can some of the work be done this year and then finish in the spring and three just move it all the way back. If some of the work is done this year, we do not want to mill all the HMA streets and let them go over the winter. Mr. Blain stated that even if they did that it would be very late in the season. Mr. Walker stated he did not think waiting over the winter would cause too much deterioration of the streets at least not enough to cause an issue. Mr. Blain did not think it would change the scope of the work. Don Northup, Director of Public Works I, stated in April through June the City goes through a lot of cold mix filling potholes. That could add up. Northup asked what the chances were of being the first project in the spring. Mr. Blain stated he would look to see if that would work. Council member Clark asked about the concerns of the unforeseen problems that might arise. Mr. Walker stated there may be some additional patching, but it would be there regardless most likely as no one knows what winter will do to a street. Mr. Blain explained the process and possible problems. Council member Clark asked what would happen if the City does not approve the extension. Mr. Blain responded that honestly, he would struggle to get it done, but they would do it the best they could. Council member Tish stated that it was indicated that if the project is extended it is likely that it might not be done by the extended date either. Mr. Blain stated the sidewalk contractor did not seem to think it would be a problem. Once Norris gets started paving and the sidewalk contractor gets right behind them putting the sidewalks in, both would be in town and it should go by pretty quick, but the City would have to be one of the first projects. It was explained that you do not want the sidewalks put in before the asphalt is done. Mr. Blain stated he is hoping to start a week earlier next spring around April 7th or so. Council member Clark asked what happens if the project is not completed by the extended date. As there is not a grant involved and the City has the money to pay for the project, there is nothing to prevent the City from allowing a date extension. The Public Works Department has concerns about filling potholes and then the street gets milled, and it is wasted. City Clerk Alderson did remind the Council that they borrowed money and it has to be spent within three years on the project it was borrowed for, but that should not be an issue. Northup stated he thought Norris Asphalt and the sidewalk contractor working together would be the ideal situation. Council member Clark moved, seconded by Council member Lentz, to approve the extension of the contract with Norris Asphalt Paving Co., LC for the Proposed Street Improvements – Project No. 21-144 – Sigourney, Iowa – 2022 until June 30, 2023. Upon the roll being called, the following voted Ayes: Clark, Conrad, McLaughlin, Iosbaker, Lentz. Nays: Tish. Motion approved.

Council member Iosbaker stated he had received a call from George Killian. Mr. Killian was inquiring about the possibility of a plaque being erected in memory of Paul Peiffer, who was a Vietnam veteran. Mr. Killian would pay for everything if the City Council would allow him to erect a sign on Stuart Street near where Mr. Peiffer lived. Council member Iosbaker shared Mr. Peiffer's story with the City Council as he was told. Council member Iosbaker was taken with Mr. Killian's interest in Mr. Peiffer and his desire to see him recognized. This may set a precedent in the long term. Council member McLaughlin stated we would want to honor all veterans and not leave anyone out. This is just to put up a sign, not rename the street. The Council discussed whether this should be on the same signage as the street signs or a separate sign. It was brought up that this is the City's terrace, but someone else maintains it and would have to mow around it, etc. Council member Conrad agreed that Mr. Peiffer's story is incredible, but he is not in favor of just hanging signs. Council member Conrad moved, seconded by Council member McLaughlin, to not place a sign on Stuart Street and designate as a memorial street in Paul Peiffer's name. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin and Lentz. Nays: Iosbaker. Motion approved.

Council member Clark reviewed the Ordinance for Stopping, Standing or Parking Prohibited in Specific Places. There were additional items added to this per citizen complaints. There was discussion of the definition of a motor truck and weight. Council member Clark stated he thought the intention of the Ordinance is for a truck that has freight greater than one ton in it not the weight of the truck itself. Council member Clark moved, seconded by Council member Iosbaker, to approve the first reading of Ordinance Title III – Community Protection, Chapter 3 – Traffic Code, 3-3-28 Stopping, Standing or Parking Prohibited in Specific Places. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Water and Wastewater: Brent Gilliland, Director of Public Works II, stated there are three collectors in town that read the water meters. They collect the data and send it to City Hall. The collectors are currently on cellular –

3G. 3G is phasing out as of January 1. If the City buys three new collectors, it will cost approximately \$30,000.00. Since we have MCG in town, we have the option of adding a landline to the collectors and pay the monthly bill of \$75.00 per collector. There are three addressed poles. We will be putting internet to each one of these poles that will read the data, collect it and send it to City Hall instead of using cell. Council member Iosbaker moved, seconded by Council member Conrad, to approve the documents with MCG and authorize the Mayor to sign the Service Transition Letter, Account Authorization Form and MCG Business Release of Liability for: 206 West Jackson Street, 23078 Highway 149 and 518 South Jefferson Street. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Director of Public Works I Northup stated that MIDCO Diving and Marine Services is a company the City has used in the past. The City has a 50,000 gallon retention basin on the north side of the water plant. The retention basin collects the oxidized iron and manganese. It changes it from basically a liquid form to a solid. That solid form floats down to the bottom of the retention basin and changes into orange mud. Every other year we have to clean the retention basin out and we hire MIDCO to essentially vacuum all of the orange substance out and put it in the retention pond. There is an operational procedure that is done. The City can drain the retention basin or turn the emergency well on, but the City really has no way to get the sludge out. Everything it touches it stains. They would have to turn everything (wells) down the night before to drain the retention basin and then they still have to pump it out. It is late into the evening before they can get it all cleaned. It is a nasty mess. DNR approves this. Council member Iosbaker moved, seconded by Council member McLaughlin, to approve a contract with MIDCO Diving and Marine Services for a 2022 Tank Maintenance Project. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Director of Public Works I Northup stated that he has been asked a lot if the wells are drying up, etc. Every month they do drawdowns to see where the water tables are at when the wells are not on and compare this to the measurement of where the water tables are when the wells are on. This monitors and tells them if there is a well problem, pump problem, and how everything is doing. The wells have dropped a couple of feet during all this, but during the wintertime the snow melts down and regenerates the wells and they come up. When there are issues with the dry weather the wells do drop, but the City's wells are fine and there are not any water issues.

Matt Walker stated this pay estimate for Boomerang is for electrical work, sight seeding and eroded control measures for last month. A punch list walk through was done last week to address quite a few items. Once these are fixed another walk through will be done. They started filling the SAGRs last week and hopefully both will be full later this week. Functioning wise it is getting close to being complete. Council member McLaughlin moved, seconded by Council member Iosbaker, to approve Pay Estimate No. 19 from Boomerang Corp. for Proposed Wastewater Treatment Plant Improvements – CDBG #19-WS-009 – Sigourney, IA – SRF #CS192087001. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Public Safety: Council member Clark updated the Council on the Police Department which includes updating everyone in the City as to what is going on. The Public Safety Committee does not want anyone to think that nothing is being done. Council member Clark moved, seconded by Council member Conrad, to approve the public safety article. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Council member Clark stated that the Public Safety Committee would like to create a position for a Code Enforcement Officer. Basically, a position that would enforce the City's municipal infractions throughout the City. Anything that would be in the City's code that could be addressed under municipal infractions. That would entail the nuisance and abatement stuff, parking, etc. There are complaints, but not a way to take care of these things. They are trying to create a position that would have one person whose job would be to handle these problems. This would be a full-time position. The thought is there is enough work to have a full-time person do this right now as they will be actively going out to look for violators. They also talked about possibly moving the rental inspections into this position as well. They are trying to do something to address the problems. This would not be a police officer position. This position would provide benefits. The Public Safety Committee is recommending using one of the police vehicles after the markings have been removed. Council member Conrad asked about the historic pay range for police officers when we had a full force. Council member Clark stated this will not be a desirable position. There will be confrontation. If the pay scale is low, the Committee is afraid there might not be any interest. Mayor Morlan stated that we have ordinances, but no one to enforce them at this time. The idea is that we are trying to enforce the ordinances throughout the City. The Committee is still looking for a police department but can take their time. Council member Conrad moved, seconded by Council member Iosbaker, to approve a

display ad for a Code Enforcement Officer. Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

Council member Clark stated that the State of Iowa has revamped their UTV Ordinance and would like the City's Ordinance to mirror that of the State. Cities are no longer allowed to require a City permit. UTVs only (not to include ATVs, 4-Wheelers and golf carts) to be driven on the primary streets within the corporate City limits (Main Street and Jackson Street). The headlights have to be turned on when using the primary extension roads. The State is not putting a regulation on hours of operation, so they can be driven day or night. The UTVs should be equipped with headlights, taillights, brake lights, rearview mirror and horn. UTVs are subject to all the speed limits within the City but cannot exceed 35 miles per hour per State code. The changes include removing city parks and any other land owned by the City unless permission is granted by the City Council. The proposal also removes all the City permitting section and revoking a permit. Council member Iosbaker moved, seconded by Council member Lentz, to approve the first reading of Ordinance Title III – Community Protection, Chapter 15 – Utility Trail Vehicles (UTVs). Upon the roll being called, the following voted Ayes: Tish, Clark, Conrad, McLaughlin, Iosbaker and Lentz. Nays: None. Motion approved.

City Clerk: City Clerk Alderson reviewed the Outstanding Obligation Report.

Public Input: There was no public input.

The meeting was adjourned by acclamation at 7:35 p.m.

Jimmy Morlan, Mayor

ATTEST: _____
Angela K. Alderson, City Clerk