

CITY OF SIGOURNEY, IOWA
MINUTES OF REGULAR COUNCIL MEETING OF
WEDNESDAY, MARCH 18, 1998

The Sigourney City Council met in special session in the Board Room of the Keokuk County Supervisors, Keokuk County Courthouse, at 6:30 P.M. Wednesday, March 18, 1998, and moved to the regular meeting at the Memorial Hall at 7:00 P.M., with Mayor Blake Gosnell presiding, and the following Councilmembers answering roll call: Lyle G. Van Fleet, Douglas L. Glandon, Bob L. Mendenhall, Jeffrey A. Winn, and Rich Wilkening. Councilmember Ed Conrad arrived at 7:20 P.M. Others present, in addition to the City Clerk, at the Courthouse, were: Joshua Smith, Michelle Smith, Kelli Reeves, Robert W. Stillwell, and Gini Garrett, and at the Memorial Hall: Scott Black, Casey Hinnah, Adam Hammes, Tom Hardesty, (with) Oskaloosa Herald, Gail Pilkington, Drew Sanders, Walter Waechter, Leo N. Yaeger, Bud Seip, Bernadine Gordon, John Gehrig, Doris Waechter, Kelli Reeves, Clarence W. Aldrich, Michael R. Wagler, Matt Holt, Kenneth D. Bucklin, and Debi Flanders arrived later.

Mayor Gosnell indicated the time and place of the special meeting was at the request of Robert Stillwell, who had requested approval of a temporary handicap accessible ramp at 110 North Main and because of inaccessibility of the Memorial Hall, he was unable to be present at the last meeting when the subject was on the agenda. Mr. Stillwell indicated he would like to move to the apartment across the street from the First Resources Work Center, but there is no handicap access, and if the City would allow a temporary wooden handicap accessible ramp, he could be moved by April 1st. Councilmember Glandon stated a definition of "temporary" is needed. It was also asked where he is living now. He said he is living in another rental of Billy Claywell where there is a plywood ramp that could be cut down to fit this entrance. Mayor Gosnell asked who is responsible for handicap accessibility and what plan the landlord has for making the entrance accessible. Mr. Stillwell stated that Billy Claywell told him he could not afford to make it handicap accessible. Michelle Smith spoke up and said that wasn't exactly the situation; that because of the close proximity of the apartment on North Main Street to the Work Center she had suggested that apartment would give him more self-sufficiency independent living because where he lives now he needs to depend on someone else for transportation.

Councilmember Glandon stated that structures on City owned sidewalks create a liability for the City. Mr. Stillwell asked about the First Resources ramp on the south side of the square. Mayor Gosnell replied that is a non-profit organization and that the City was guaranteed that when the University of Iowa Medical Study went in there that they would have first liability. Robert Stillwell then asked about the Stone Pony ramp. The Mayor told him that was a restructured entrance; that the lady who started the renovation on that building originally intended to make handicap apartments. Councilmember Van Fleet added that there had always been some type of ramp back entrance there from the time the building served as a furniture store-funeral home, and that the present ramp is merely an upgrade of what had existed. Councilmember Mendenhall asked about a drawing of what he has in mind for the location at North Main Street before Mr. Stillwell's request could be approved, and he also felt it is the landlord's responsibility, which has not been met. Councilmember Glandon further stated that "temporary" has not been defined, and that the City needs to have a long range plan as to structures on City property, considering the present historic preservation in the community and the square project. Mr. Stillwell said that temporary is only until the sidewalk is replaced and a permanent ramp is installed as a part of the sidewalk. Councilmember Wilkening asked him if he wants the temporary structure on City property, and he replied yes.

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Councilmember Glandon pointed out that the property owner is the one responsible to make accessibility to his own property. Mayor Gosnell reviewed City Attorney John Wehr's opinion of March 3, 1998 that the City has no legal obligation to permit these structures on City property. He also stated he had talked with Billy Claywell twice, but he had not come to either meeting nor submitted plans.

Councilmember Van Fleet said he doesn't really see how a handicap ramp could be put there without interfering with the alley. The Mayor and most of the Councilmembers had inspected the site and it was also suggested that if a ramp got him to the door that there might not even be the required room inside the door to maneuver his chair to shut the outside door and open the apartment door. Councilmember Glandon mentioned that if he remembers correctly from his ADA Guideline book, that considering this rise, that a ramp would need to be 28', and Councilmember Mendenhall stated the building width would be 22', so it doesn't sound like it will work. Mayor Gosnell indicated the Council really can't do anything until Billy Claywell gets some plans filed. Councilmember Glandon expressed his opinion that it would be the City's liability, and that if the landlord is taking rent money, he should be making an effort to comply.

Councilmember Van Fleet moved, seconded by Councilmember Mendenhall, that the matter of Robert Stillwell's request for a temporary handicap ramp be tabled until plans are filed, or April 1st. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, and Wilkening. Nays: None. The motion was approved. The Mayor said a letter will be directed to Billy Claywell.

At 6:55 P.M. Councilmember Van Fleet moved that the meeting be adjourned to the Memorial Hall. The second was by Councilmember Winn.

Councilmember Winn moved, seconded by Councilmember Van Fleet, that the agenda be approved as submitted. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Wilkening. Nays: None. The motion was approved.

Councilmember Van Fleet moved, seconded by Councilmember Wilkening, that the minutes of the regular Council meeting of March 4, 1998 be approved as submitted. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Wilkening. Nays: None. The motion was approved.

Scott Black, Casey Hinnah, and Adam Hammes, representatives of the Applied Communications Class, appeared before the Mayor and Council to offer to paint all the fire hydrants as a community service project. They have obtained from the Fire Department a map showing 105 hydrants. The Fire Department had suggested that the hydrants be painted red and that the tops be color coded to indicate the pressure in the mains. Engineer Bucklin suggested that the coding be done at a later time because some of the watermains have been upgraded since the Fire Department would have prepared a map. They were asked how many are in the class and when the painting would be done. There are 15 in the class and they will start as soon as possible in April, and the work will be done out of class time. The Mayor felt the City could supply the paint. Councilmember Winn moved, seconded by Councilmember Van Fleet, that the offer of the Applied Communications Class to paint the fire hydrants red be accepted, with the City supplying the paint. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn,

and Wilkening. Nays: None. The motion was approved. Councilmember Van Fleet told the boys to see him about getting the paint.

Drew Sanders, representing Main Street Sigourney, appeared before the Mayor and Council to give an update on that organization's activities and to advise that on March 31st and April 1st they will have a program review with Thom Guzman, Main Street Iowa Director, and Janet McCannon, consultant. Debi Flanders, Program Manager, arrived about this time. He also invited any of the City officials to attend the Governor's Main Street Iowa Awards banquet on April 17th in Des Moines. They are also coordinating plans for business breakfast get-togethers and the first one will be March 31st at Central Valley Bank basement with Ken Bucklin speaking about the Square Project. The City will be receiving the 1998 Contract Agreement from Main Street Iowa within the month and Mr. Sanders asked the Council to approve in advance the continuation of our affiliation with the State, and he also reviewed other printed data handouts. Councilmember Glandon introduced the Resolution and moved its adoption, that when the 1998 Contract Agreement is received from Main Street Iowa that the same be accepted and executed by the Mayor, under the same terms and conditions as the current Contract. The second was by Councilmember Van Fleet. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, and Wilkening. Nays: None. The Resolution was adopted.

Gail Pilkington, representing the Sigourney Chamber of Commerce, had distributed for the Mayor and Council a copy of the Business and Recycling sheet they had received from SEMCO Landfill requesting the cooperation of the Chamber and businesses in reducing our waste, with cardboard being a top priority and problem at this time. Gail was wondering how the Chamber could assist in reducing the businesses' cardboard, because if in fact SEMCO does double the tipping fees, as being considered, it would fall back on the citizens of Sigourney to pay the cost. Councilmember Glandon stated that some time ago Don Northup had talked with Ron Cox, of North English, who would be glad to have this recycled cardboard and he would be glad to leave a dumpster at the City yard specifically for that purpose. There was some discussion about the fact that people would dump other trash in it, and whether or not in fact the businesses would break down the cardboard boxes as required for recycling (that is the reason they are not recycling now.) Someone suggested that such a dumpster could be tarped overnight.

Councilmember Conrad arrived at 7:20 P.M.

Mrs. Pilkington further stated that the Chamber plans to relocate the Farmers Markets this summer, because of the Square Project, and that they are trying for the SADC lot across from the Memorial Hall, and if so, they may come back later and ask to have the one-half block of Jefferson Street, from the alley to Elm Street, closed during that period of time.

Councilmember Van Fleet introduced the Resolution, and moved for its adoption, to approve the Application of Kenneth and Susan Chance for Tax Exemption on a new residential house. The second was by Councilmember Conrad. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, Conrad, and Wilkening. Nays: None. The Resolution was adopted.

Councilmember Van Fleet moved, seconded by Councilmember Wilkening, that the Application of The Stone Pony Pub for renewal of their Class C Liquor License be approved. Upon the roll being

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called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, Conrad, and Wilkening. Nays: None. The motion was approved.

Engineer Bucklin advised that Sammons, the contractor for the Square Project, will have two subcontractors, Atwood Electric and another one for concrete. The preconstruction meeting will be at 9:00 A.M. on Wednesday, April 1st, at the I.E.S. building, and prior to that there will be a meeting at French-Reneker's with the Contractor, and his subs, re scheduling. He also stated that he will review the project at the Main Street Community Breakfast on March 31st, and that the Contractor expects to start mid-April.

Councilmember Van Fleet advised that he has received five quotes on the tennis court, and that he only opened them to see if they were from the people he had sent the information to, that he did not look at the totals. He gave the resealed envelopes to Mayor Gosnell, who said he would need to get a legal opinion on the legality thereof. Councilmember Van Fleet also said he has ordered one dozen park benches.

Councilmember Glandon reviewed the proposal from L. L. Pelling Co. for the street work not finished up last year, which he would hope could be completed prior to July 1st. Councilmember Conrad moved, seconded by Councilmember Van Fleet, that the Proposal of L. L. Pelling Co., in the amount of \$8,665.27, be accepted. Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, Conrad, and Wilkening. Nays: None. The motion was approved.

Councilmember Glandon also reported that the Street Department has obtained literature regarding Telespar Sign Support Systems from Unistrut Division of Republic Electric Company, Davenport, which appears to be an innovative method of versatility, salvageability, easy installation, torsional stability, safety, and rapid replacement, and what they liked especially was that they may be spliced. It was also reported that the County is using them. Councilmember Mendenhall said he has observed a lot of County signs that are not standing. Councilmember Glandon thought that was perhaps because their's are not set in a wind stabilizer base like our's would be. Councilmember Glandon said that if the Council doesn't object, he would tell the Street Department that they may try a few of these sign supports, but they have to stay within the budget. He also reported that he has a quote from Bill Tremmel on storm sewer repairs. Further, he asked the Mayor if he had signed a prepared letter in regard to illegal dumping at the City Yard, and the response was yes.

Councilmember Wilkening reported he had talked with Ron Doubek who is getting quotes and arranging to correct the problem at the wells. Engineer Bucklin stated that G&R Miller Const. wants it to be drier to proceed with the Jackson-Laffer Watermain Project. Councilmember Glandon brought up the matter of whether they are on private property on this project, and as they are continuing up the highway they may have to replace some sidewalks. Mr. Bucklin replied that the sidewalks had been videoed prior to the time the project was started, because some walks are old to begin with, and that at times there will be only one lane of traffic on Highway 92 in the area of the project, and that no dirt is to go on the sidewalks. He also said he would remind Nick Hammes, French-Reneker's inspector, of those provisions. There was further discussion about moving pipes which have been placed in borings, and that a backhoe or other equipment should not be used to try to move a pipe. Mr. Bucklin said Bill Potts

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had talked with G&R Miller Const. today to emphasize that if the pipe cannot be moved in the boring with hand pressure on a bar, that they will be required to furnish the necessary couplers to connect the pipe.

Engineer Bucklin stated that on the Square Project that in order to isolate the square at times that two valves need to be replaced, using the "Hydra-Stop" method, a 8" near Shortstop, a 4" north and west, and a different type 6" valve at Ringgold, so that later the three valves at the base of the water tower may also be replaced. He submitted the work on changing these valves in the form of a Change Order in favor of G&R Miller Construction, so the valves may be changed before Sammons Construction starts the Square Project. The Change Order also agrees to an extension of that project until June 12th. Councilmember Van Fleet moved, seconded by Councilmember Winn, that Change Order No. 2, in favor of G&R Miller Construction, on the Laffer and Jackson Streets Watermain Improvements, be approved as follows:

Add the installation of one 8" gate valve under live pressure using the "Hydra-Stop" method at the agreed upon lump sum price of \$3,550.00

Add the installation of one 4" gate valve under live pressure using the "Hydra-Stop" method at the agreed upon lump sum price of \$3,400.00.

Add the installation of 6" gate valve on the existing main in Ringgold Street between Main Street and Jefferson Street at the agreed upon lump sum price of \$800.00

Add the removal and replacement of 10 S.Y. of pavement at the Contract price of \$42.00 per S.Y. = \$420.00

Add additional seeding, fertilizing, and mulching at the agreed upon lump sump price of \$170.00

Increases the Contract by \$8,340.00, and the completion time by 11 days to June 12, 1998.

Upon the roll being called, the following voted: Ayes: Van Fleet, Glandon, Mendenhall, Winn, Conrad, and Wilkening. Nays: None. The motion was approved.

The Mayor was notified that our application for a CDBG grant for a 1998 sewer project was not successful, so we will not be doing that project this year. Hopefully, we can re-file some of the application for another grant next year.

Mayor Gosnell reviewed the status of the violation of ammonia levels at the lagoons by DNR standards and Ron is working with them to get a variable permit, which may involve samplings all the way to the Skunk River. Hopefully, that will be done within 30-60 days and then he will contact French-Reneker to develop the action plan. Engineer Bucklin added that the DNR standard was changed after the lagoons were constructed, and that Fairfield got fined \$5000 for noncompliance and ignoring the letters from DNR.

The matter of fees and costs to incorporate into the proposed updated Sigourney Zoning Ordinance was discussed at length. The original permit to build a structure was suggested at 1% of the total cost, with a minimum of \$25.00 and a maximum of \$100.00. Councilmember Glandon asked if that would be enough to cover costs of inspection, and that led to further discussion. Councilmember Mendenhall asked about the inspection(s). Councilmember Glandon's reply was that building codes suggest inspection

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when the foundation starts, after framing and interior electrical and plumbing and heating, and a final once over and certificate of occupancy. Then it was mentioned that the original permit fee would have to be for just a preliminary siting, as to set backs and heights, etc. That led to the subject of surveys and the cost thereof. Ken Bucklin said if the property pins are there it could be done for \$200.00, but if not, it could run into \$1000 or more. In Sigourney most have been surveyed, and most Banks require surveying. The Mayor and Council then wondered who would be qualified to do the required inspection(s). Without voting action they felt the fees would be okay for the original inspection by someone the City approves, and then the Planning & Zoning gets the plans on paper, and then it comes before the Council, where it is either approved or disapproved. Mayor Gosnell asked about an Indian Hills student intern as an inspector, whereas Ken Bucklin suggested the possibility of a retired individual who might serve part time. The Mayor brought up the question about the Planning & Zoning and if they need to meet regularly, should they also be paid. If someone were designated to approve the original permit and to see if it meets the parameters before it goes to the Planning & Zoning, then it would not require as much of their time. Mayor Gosnell asked about other costs. There would be two separate fee structures. There would be the initial site inspection fee and then if it proceeds there would be the building permit fee. Mayor Gosnell asked if anyone had any input on this matter.

Tom Hardesty spoke up and said he is with the Oskaloosa Herald and since he was unable to get answers during the day, he had about six questions he wanted answered. (This was irrelevant to the topic being discussed, and in that he did not submit his questions in writing, and in that the meeting was not tape recorded, the Clerk was unable to record his questions verbatim.)

Hardesty: What plans do you have for demolition of the Needham Building?

Mayor: There is no cost estimate and no date for demolition in that it is not City property and it is in the very preliminary stages of the City acquiring the same.

Hardesty: Not even after the 1992 complaint?

Mayor: I don't know what you are talking about.

Hardesty: If you don't remember the 1992 complaint, then you have a problem. Is the building referred to as the "Pit?"

Mayor: No!

Hardesty: Are you aware of any racial problem or "gang-like" activities or fighting in the basement of said building in Sigourney or in the schools?

Mayor: I understand there have been some problems and the Police Department is fully aware of the same and is responsible for such investigations.

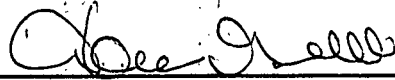
The Mayor returned to the Planning and Zoning discussion and asked if there was any input, and there was none.

Under "Ralph Bruns" on the agenda, Councilmember Van Fleet told the group that Bill Tremmel had talked with him Monday and that there has been a long standing dispute about the storm sewer from Ready Mix which Ralph Bruns thinks spills out on his property,

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except that it is plugged with concrete residue from washing out their trucks, and that Bruns has retained Tremmel to repair the same, but Tremmel wondered if it was in fact a City problem. Councilmember Glandon said he had talked with Mike Welter about the same and he showed him where the source of the intake is, and that Ralph Bruns had hired someone to put a culvert in and that is where the plug is; that Ralph has a number of pipes going different directions. Councilmember Glandon said that it is not the City's problem because of the source from Ready Mix, and that our storm sewer is taking water fine, and that Ralph got mad and told Bill to fix the problem. Mayor Gosnell added that Ralph had also called him last Wednesday and said there was no tile into our storm or sanitary sewers. Councilmember Glandon explained the area of pipes, etc., and that it was real fine and hard in Bruns' clean out, but he did not know if Ready Mix was still washing trucks there; the drainage is all from private property, so it is not the City's problem, and that Mr. Bruns needs to work it out with Ideal, not us.

Councilmember Conrad moved for adjournment at 8:43 P.M. The second was by Councilmember Winn.



MAYOR

ATTEST:



CITY CLERK