

CITY OF SIGOURNEY, IOWA  
MINUTES OF REGULAR MEETING OF  
WEDNESDAY, NOVEMBER 18, 1998  
7:00 P.M.

The Sigourney City Council met in regular session in the City Council Chambers of the Memorial Hall on Wednesday, November 18, 1998, at 7:00 P.M., with Mayor Pro tem Glandon presiding in the absence of Mayor Gosnell, and the following Councilmembers answering roll call: Ed Conrad, Rich Wilkening, Lyle G. Van Fleet, Douglas L. Glandon, Bob L. Mendenhall, and Jeffrey A. Winn. Others present, in addition to the City Clerk, were Allan Glandon, Mark Bruns, Vince Homan, Nick Hammes, Debi Flanders, Sharlene Bos, Don Northup, and Tony Bos.

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

Councilmember Conrad moved, seconded by Councilmember Wilkening, that the minutes of the regular postponed Council Meeting of November 5, 1998 be approved as submitted. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Vince Homan, Nick Hammes, and Debi Flanders, representing Main Street Sigourney, were in attendance, with Mr. Homan outlining to the group the assessment study to determine where they were after eight years: there was a lot of affirmation and supportive dialog expressed to their Board. Included with handouts was a list of the questions and answers of the assessment of present and past Board Members. Also included was a letter to the Mayor and Council requesting continued support of our community revitalization efforts, and detailing the Main Street Sigourney accomplishments, services, activities, and benefits, along with financial requirements. Mr. Homan thanked the Mayor Pro Tem and Council for their past and current support and requested continued financial support.

Councilmember Van Fleet introduced the Resolution and moved for its adoption to approve the Application of Bill Holm for Tax Abatement on a Garage Extension. The second was by Councilmember Conrad. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The Resolution was adopted.

William Schwenke, representing the Veterans' organizations, had submitted names to the City Clerk for appointment to the Memorial Hall Commission. The terms normally have been three-year terms, but reappointments weren't current, because of lack of input from the veterans, so consequently these recommended appointments are staggered over three years. Councilmember Winn moved, seconded by Councilmember Van Fleet, that the following be appointed to the Memorial Hall Commission:

	<u>TERM EXPIRING</u>
William Schwenke.....	07-01-2000
Craig Downing.....	07-01-2001
Harrison "Bud" Seip.....	07-01-2002
John Wilkening.....	07-01-2002

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

-2- Minutes of Sigourney City Council Meeting of November 18,  
1998

Chief Bos, of the Sigourney Police Department, reminded the Mayor Pro tem and Council that Darrin Schmitz had resigned as a full time officer and he had asked permission to hire a suitable replacement: he advertised for two weeks and is now recommending Mark Bruns, who has been a reserve officer with the Department for two years and holds an Associate degree in Criminal Justice from Indian Hills, although within the year he would be required to attend the Law Enforcement Academy. He also recommended that Mark be hired as a full time officer at \$9.25 per hour for 60 days probationary period, and upon completion of probation the rate be changed to \$9.54 per hour. Councilmember Van Fleet moved, seconded by Councilmember Winn, that Mark Bruns be hired as a full time police officer at \$9.25 per hour for 60 days probationary period, and upon satisfactory completion of probation the rate be changed to \$9.54 per hour. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Chief Bos also stated he had advertised and interviewed for a reserve officer position, which would technically be to replace Mark, and he would recommend Jared Nikkel, presently a student at Indian Hills, interned with the Iowa State Patrol, working part time as a security guard at Pioneer, and the background check is excellent and indicates that he is more than qualified; he would recommend hiring him at \$8.00 per hour for 60 days probationary period and then change the rate to \$8.81 per hour. He presently lives a few miles outside of the City toward Harper, but has indicated that he would move to Sigourney and would plan to do so during the time of his probation. Councilmember Van Fleet moved, seconded by Councilmember Wilkening, that Jared Nikkel be hired as a Reserve Police Officer at the rate of \$8.00 per hour for 60 days probationary period, and upon satisfactory completion of probation the rate be changed to \$8.81 per hour. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Under the Zoning Ordinance, Councilmember Van Fleet told the others that Darrell Conner is not interested in being an inspector. Councilmember Wilkening asked about running an ad for an inspector in the paper. Councilmember Mendenhall asked if the Commissioners shouldn't be the ones to hire the inspector. Mayor Pro tem Glandon indicated he would try to determine if Mayor Gosnell has talked with the Chairman or members of the Planning Commission to see if they would also serve as the Commissioners under the Zoning Ordinance.

Regarding the Square Sidewalk Improvement Special Assessment Project the following Resolutions, prepared by the bonding attorneys, were read by the Mayor Pro tem, and acted upon by the Council.

#### RESOLUTION ACCEPTING WORK

Councilmember Van Fleet introduced the following Resolution entitled "RESOLUTION ACCEPTING WORK" and moved its adoption. Councilmember Conrad seconded the motion to adopt. The roll was called and the vote was:

AYES: Conrad, Wilkening, Van Fleet, Glandon,  
Mendenhall, and Winn

NAYS: None

-3- Minutes of Sigourney City Council Meeting of November 18,  
1998

Whereupon, the Mayor Pro tem declared the following Resolution duly adopted:

Resolution Accepting Work

WHEREAS, on March 4, 1998, Sigourney, Iowa, entered into contract with John W. Sammons Construction, Inc. of Keokuk, Iowa, for the construction of the Sigourney, Iowa, City Square Sidewalk Improvement Project, 1998, within the City, as therein described; and

WHEREAS, said contractor has fully completed the construction of said improvements, known as the Sigourney, Iowa, City Square Sidewalk Improvement Project, 1998, in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on November 5, 1998;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SIGOURNEY, IOWA:

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been fully completed in accordance with the said plans, specifications and contract. The total contract cost of the improvements payable under said contract is hereby determined to be \$ 92,988.

Section 2. The total project cost including construction, engineering, legal and administrative costs is determined to be \$ 92,988.

PASSED AND APPROVED this 18th day of November, 1998.

RESOLUTION ORDERING PREPARATION OF FINAL  
PLAT AND SCHEDULE OF ASSESSMENTS

Councilmember Conrad introduced the following Resolution entitled "RESOLUTION ORDERING PREPARATION OF FINAL PLAT AND SCHEDULE OF ASSESSMENTS" and moved its adoption. Councilmember Van Fleet seconded the motion to adopt. The roll was called and the vote was,

AYES: Conrad, Wilkening, Van Fleet, Glandon,  
Mendenhall, and Winn

NAYS: None

Whereupon, the Mayor Pro tem declared the following Resolution duly adopted:

Resolution Ordering Preparation of Final

## Plat and Schedule of Assessments

BE IT RESOLVED that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Sigourney, Iowa, City Square Sidewalk Improvement Project, 1998, together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and 100% or \$ 92,988 of the whole amount of the cost of construction of said improvements shall be assessed against the benefited properties, but not in excess of the

-4- Minutes of Sigourney City Council Meeting of November 18,  
1998

mounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 18th day of November, 1998.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE  
OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF

Councilmember Van Fleet introduced the following Resolution entitled "RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF" and moved its adoption. Councilmember Winn seconded the motion to adopt. The roll was called and the vote was:

AYES: Conrad, Wilkening, Van Fleet, Glandon,  
Mendenhall, and Winn

NAYS: None

Whereupon, the Mayor Pro tem declared the following Resolution duly adopted as follows:

Resolution Adopting and Levying Final Schedule  
of Assessments, and Providing for the Payment Thereof

BE IT RESOLVED by the Council of the City of Sigourney, Iowa:

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the Sigourney, Iowa, City Square Sidewalk Improvement Project, 1998, within the City, under contract with John W. Sammons Construction Company, Inc. of Keokuk, Iowa, which final plat and schedule was filed in the office of the Clerk on the 5th day of November, 1998; said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY	PROPOSED FINAL ASSESSMENT	PROPOSED FINAL ASSESSMENT IF ANY	PROPOSED FINAL DEFICIENCY, ASSESSMENT IF ANY	CORRECTED FINAL CONDITIONAL DEFICIENCY,

N O N E

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of \$50.00 or more shall be payable in ten (10) equal annual installments and shall

bear interest at the rate of nine (9%) percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than \$50.00, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 1999; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Clerk, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Keokuk County, Iowa

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Keokuk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in "The Sigourney News-Review", a newspaper printed wholly in the English language, published in Sigourney, Iowa, and of general circulation in Sigourney, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 18th day of November, 1998

Councilmember Van Fleet said he had nothing more to report on the Memorial Hall insulation. Regarding the Park & Recreation Committee, he reported that there is a possibility that the Park Shelter may be delivered next week; Alliant will set the pole and it is flagged; he said he had signed a Change Order, with no charge, for the west end of the building to change 8' OC spacing to leaving an approximate 20' middle space over existing concrete pad without posts; adjust end post to accommodate. He further stated that there have been tracks where someone has driven in the grass at the Park.

-6- Minutes of Sigourney City Council Meeting of November 18,  
1998

Mayor Pro tem Glandon said he has not yet seen the Engineer's drawing and specifications for when curbs and/or streets are sawed.

City employee Don Northup presented sales quotations regarding a Pup 6 CY. side loader refuse compactor body, to be placed on our chassis, for the amount of \$12,495.00, from Mid-Iowa Solid Waste Equipment Co., Inc., Johnston, IA, and a 7.5 cu yd capacity sideloading refuse packer, to be placed on our chassis, for the amount of \$16,486.00, from Eddy-Walker Equipment Co. He further told the Council that a new tonner truck will cost between \$23,00-\$25,000, so we are talking about \$35,000-\$36,000 for a new truck and packer for the recycling program. He further said that we desperately need to replace the current truck and that it would certainly be better to replace the packer at the same time rather than adapt it to a different truck. Councilmember Mendenhall asked the cost to refurbish the old packer. Mr. Northup replied \$1600-\$1700, perhaps even \$2000, and that it wouldn't fit just any kind of truck; they have also investigated using a flatbed trailer, but they would then need a ladder to load from the top; there would also be additional costs to adapt the old packer to the newer truck, so he estimated it would take \$30,000 to put it together, whereby with \$5,000-\$6,000 more we could have both the packer and truck new and under warranties. He had previously obtained quotes from both Mike Wagler and Jack Walker, but an automatic transmission with power take off would be required for most packers, which is not made by Chrysler. When you drive 60' and stop, you go through clutches quite fast, so that replacement expenses could also be factored in the estimated costs. Councilmember Mendenhall asked if he understood that a new truck would run \$23,000 and to use the old packer on that truck would cost approximately \$7,000.00? Don Northup replied yes, and for \$5,000-\$6,000 more they could have a new truck and a new packer. Councilmember Winn inquired about the demonstrator in Montana, but there was no update on that. Don Northup said Ron Cox recently looked at our truck and packer and will give us \$1,000 for the equipment we now have, and the Landfill may very likely soon say no more cardboard to the Landfill because we have a lot of businesses who are not recycling their cardboard. When it was determined that the recycling truck is only run four days a month, the Council overall felt that a new truck and packer would be expensive for such limited use. Don Northup also said Ron Cox will do the recycling for the City for \$5.00 per household per week. Mayor Pro tem Glandon said he ran those numbers and they are out of line. Councilmember Wilkening said he wonders if we could get by without a brand new truck. Mayor Pro tem Glandon asked Don Northup to have proposals at the next meeting from Wagler and Walker so we may decide. Councilmember Mendenhall said for him to ask about used trucks too. Councilmember Van Fleet also said he thinks we have to look at used trucks. It was also stated that Sigourney is caught because \$36,000 is a lot of money for four days a month, but a used truck might not have exactly what is needed, and the truck that is presently in use is a hazard and was used when the program was implemented and has been a danger for some time; in most cases when someone gets rid of a vehicle there is a good reason, and if the City plans to continue with its recycling program we need the best and safest equipment affordable. Councilmember Winn said that is a lot of money for four times a month. He also mentioned that Pioneer may be having some used trucks, with under 100,000 miles, for sale soon. They were reminded that a new chassis has a PTO as required, where all used trucks would not. Councilmember Wilkening said he is interested in checking into a used one. Mayor Pro tem Glandon said we have to get something. This will be on the agenda again at the next meeting.

The Ordinance Amendment for Signs re No Parking for Snow Removal or Street Cleaning was read. Councilmember Conrad moved, seconded by Councilmember Wilkening, that the reading of the Ordinance Amendment for Signs re No Parking for Snow Removal or Street Cleaning be considered the second reading thereof toward adoption. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Councilmember Van Fleet moved, seconded by Councilmember Conrad, that the third reading of the Ordinance Amendment for Signs re No Parking for Snow Removal or Street Cleaning be waived and the Ordinance Amendment adopted. Upon the roll being called, the following voted: Ayes: Conrad, Wilkening, Van Fleet, Glandon, Mendenhall, and Winn. Nays: None. The motion was approved.

Don Northup, with the Street Department, showed the Council the proposed content and possible sizes of signs to be posted regarding the Ordinance Amendment. The signs will be posted where vehicles approaching the Square from each direction may see them back from the stop signs, and will work at all locations except a couple. There will be six cores that will need to be drilled, at \$75.00 each, and something determined as to sign location on Marion Street on the south side of Flanegin's Grill. Without voting action, the Council instructed Mr. Northup to order the smaller signs.

It was stated that the relocation of the watermain highway 149S is now completed.

Councilmember Conrad read to the group his draft letter on the Water/Sewer Committees' interpretation of Ordinance re multiple users on one line, and left the same for the Mayor's consideration. They feel there should be a sewer charge for each meter, and one service for every premise; that if the property owners disagree, then they may discuss the same with the Council and that the Council may grant exceptions for extenuating circumstances.

There was no Wastewater Committee report.

The October financial reports of the City Clerk and City Treasurer were not completed because the City Clerk's time has been spent on the Annual Financial Report to the State Auditor. She will expect to submit copies of the monthly, as well as the last fiscal year's annual, at the next meeting.

Councilmember Conrad said that Billy Claywell had called him to inquire about payment for the water damage in his basement apartment on North Main Street. The Mayor Pro tem told Councilmember Conrad to tell him that the contractor's insurance agent is handling those claims and that the City has nothing to do with the same.

Mayor Pro tem Glandon briefly told the rest of the Council that the M & P Utilities claim has been turned over to John Wehr as previously indicated, and he feels that contractor is merely trying to collect a bill they feel is owing, but he thinks the problem may be with GTE, who hired M & P, and asked the City Clerk to contact City Attorney John Wehr to ask that their "top dog" or "head of construction" come to a meeting to attempt to resolve this matter.

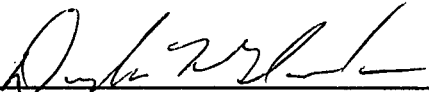
Mayor Gosnell had asked the City Clerk to obtain permission from the Council to go ahead and reimburse Dan Appleget for his services in removing trees or hangars as result of the June 29th storm, and which have been approved for payment under FEMA.



-8- Minutes of Sigourney City Council Meeting of November 18,  
1998

Mayor Pro tem Glandon explained all of that to the other Council members, and as of this date Sigourney TreeCare's invoices total \$7,770.00. Without voting action it was agreed the invoices should be paid immediately. Mayor Pro tem Glandon asked the City Clerk to send letters to both Dan Appleget and Ray Snakenberg reminding them of the December 31st deadline for completion of this tree work and that they need to get their invoices in prior thereto. Councilmember Van Fleet said that Verena Snakenberg had contacted him as to why the tree from her terrace was not removed by the City.

Councilmember Van Fleet moved for adjournment at 8:37 P.M. The second was by Councilmember Winn.

  
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DOUGLAS L. GLANDON  
MAYOR PRO TEM

ATTEST:

  
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CITY CLERK