

CITY OF SIGOURNEY, IOWA
MINUTES OF REGULAR CITY COUNCIL MEETING OF
WEDNESDAY, APRIL 18, 2018

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, April 18, 2018 with Mayor Glandon presiding and the following Council members answering roll call: Landgrebe, Bender, McLaughlin and Schultz. Others present were: Austin Blythe; Danny Van Patten; Dan Moore; Rick Johnson; Amanda Smothers; Victoria Brownsworth and Spencer Wright; Tyler and Amanda Snakenberg; Charlie Comfort, News Review; Matt Walker, French-Reneker-Associates; Brent Gilliland, Director of Public Works II; Don Northup, Director of Public Works I; Richard Fortney, Police Officer; Aaron Kephart, Assistant Police Chief; Allan Glandon, Police Chief; and Angie Alderson, City Clerk.

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

Council member McLaughlin moved, seconded by Council member Schultz, to approve the following items on the consent agenda: Council accounts payable claims totaling \$48,995.03; Library accounts payable claims totaling \$7,604.79; City Clerk's Financial Reports for March 2018; payroll expenses, miscellaneous expenses, ACH and monthly transfers for March 2018; Resolution No. 2018-04-02 re: temporary street closing for Keokuk County Ambulance Service Bike Rodeo; and the credit card report. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Council member Landgrebe moved, seconded by Council member Bender to approve the remaining item on the consent agenda: minutes from the April 4, 2018 Regular Council meeting. Upon the roll being called, the following voted Ayes: Landgrebe, Bender and Schultz. Nays: None. Abstain: McLaughlin. Motion Approved. *(Council member McLaughlin abstained as she was unable to attend regular Council meeting on April 4, 2018.)*

Other City Business: Mayor Glandon asked Assistant Police Chief Kephart to explain the dog bite item on the agenda. Officer Kephart stated that a report was taken regarding a child bitten by a dog. He tried to catch the dog which was aggressive toward himself and another deputy that was assisting him. The dog did bite a 14-year-old girl on both hands. Officer Kephart was able to get in contact with Dan Moore (owner of the dog) who arrived on scene and caught the dog. Officer Kephart contacted public health. Dan Moore asked if there was a police report or any evidence. Amanda Smothers (mother of the child bitten) stated she had pictures of her daughter's hands, pictures of the dog in the Smothers yard and the bill from the hospital for the x-ray that was done on the daughter's hands. Mr. Moore asked if there were pictures of the two other dogs and Mrs. Smothers replied there were portions of them in the pictures. Mrs. Smothers stated that it was Mr. Moore's dog that was on her property and on her front porch. Mr. Moore asked if there was any provocation or the dog just came up and bit her. Mrs. Smothers replied there was a school bus stop in front of their house with three or four little kids waiting and the three dogs were circling the kids. Mrs. Smothers opened her front door and asked the kids if this was their dog and they all said no. They were standing on their front porch and the big dog (which she believes is Mr. Moore's dog) came up. Her daughter had her hands out in front of her and dog bit her hands. Mrs. Smother stated she called 911 immediately and stated it was a non-emergency call, however her daughter had been bitten by a dog that is on the loose. Mrs. Smothers stated that she was told several times by the officers involved that the dog was vicious, and it took them several hours to catch the dog. Mrs. Smothers stated that she lives on the north end of town and Mr. Moore on the south end of town and was unsure why the dog was at her house. Mr. Moore replied because of the other two dogs. Mrs. Smothers stated she believed it was City ordinance that the dog be removed when this happens. Council member Bender asked where the dog was located now, and Mr. Moore responded at home in a fenced in area. Council member Bender asked Mr. Moore what happened that day. Mr. Moore stated that for the past two weeks there have been two dogs (one possibly in heat) harassing his dogs. As his dog is not neutered he was wound up and eventually found a weakness in the fence and rooted a hole in the fence and got out. He is not sure when, maybe during the middle of the night. Mr. Moore has fixed the fence and intends to neuter the dog, so he doesn't have the urge to get out again. Council member Schultz asked if the dog was tested and Officer Kephart responded that he had confirmation from the vet's office that the dog was current on his rabies vaccination. The policy of Public Health is to allow the dog to be quarantined at the owner's house for ten days. Mrs. Smothers was asked to show the pictures to the City Council. Council member McLaughlin stated the problem she sees is that the dog did bite someone and the ordinance does state no vicious animals. Mr. Moore said he was hoping if the dog was neutered he might calm down some as he is kind of a dominant dog

Council member McLaughlin stated that she lives in the same area as Mr. Moore and the dog has been loose without being aggressive before, but it only takes once. Mr. Moore stated that when he first got the dog, the dog figured out how to dig under the fence and it took Mr. Moore a while to get that re-enforced so he couldn't get out. Every once in while something winds him up and he roots a hole where it has been hit with a lawn mower and Mr. Moore doesn't catch it in time. Usually he sticks around the neighborhood. Council member Landgrebe stated that the Council has been consistent. Council member McLaughlin stated it might be the best dog in the world, but the Council does not break away from this. Council member Schultz asked Mr. Moore if he was familiar with how the Council dealt with these situations and Mr. Moore replied that it was automatic expulsion, which would be a death sentence for the dog. Council member McLaughlin asked if there was anyone out of town the dog could seek shelter with and Mr. Moore replied not really no. Council member Schultz stated it is impossible for the Council to make exceptions. Council member Schultz stated that the fact of the matter is if there is a dog running loose and someone gets bit the Council does not require the dog be put down, just removed from the City limits. Mr. Moore asked about the other two dogs that have been running loose for at least two weeks. Council member Schultz responded that the Council has not had complaints regarding those dogs. Mr. Moore stated it was the loose dogs that caused his dog to get out. Mr. Moore also stated that his dog does not like strangers and it will be hard to place him elsewhere. City Clerk Alderson stated a letter is sent to the owner giving them ten days to relocate the dog out of town and then they need to let the Police Department know where the dog is and contact information. Council member Schultz moved, seconded by Council member Bender, to follow the past procedure to send the dog owner a letter giving them ten days to relocate the dog outside of City limits and notify the Police Department of this location. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Austin Blythe was present to talk about an event he is hosting at the Keokuk County Expo on Saturday, April 21st and requesting a liquor license be granted to Danny Van Patten (Van Hamm LLC dba Neighbors Gas and Grill). Mr. Blythe stated he felt it was in the best interest of the event to have Van Hamm LLC do the liquor license otherwise they will have to do BYOB. If people are allowed to bring in as much alcohol as they want, then they can drink as much alcohol as they want. It is riskier on the insurance for the event. Austin stated he has over 21+ wrist bands, general admission wrist bands that are bright blue and VIP wrist bands that are gold. There will be event security which is hired out of Havoc out of Des Moines. There will be three security officers coming down as well as four more security officers (volunteering their time as they are friends of Mr. Blythe) that do the events in Des Moines. They will be watching for green wrist bands and if people are drinking without them on then they will be forced to leave. Mr. Blythe feels Van Hamm LLC should be granted their liquor license as a vendor as that will be the only way to get a wrist band where they are vending at and it is a lot better way than BYOB which is risky on everyone's part by being able to bring in as much alcohol as they want. Danny Van Patten stated there will be responsible people with him checking wrist bands and ids and doing the serving. Council member Bender asked how many people were expected and Mr. Blythe stated on his event page there are 223 people going and 500 to 600 interested. Mr. Blythe is guessing this will be a 300 to 400 people event. Council member Schultz asked what hours alcohol will be served. Mr. Blythe answered the hours will be once the Expo is opened at 3:45 p.m. and shut down would be at 1:30 a.m. like a normal bar. Last call would be 1:30 a.m. and that would give people time to sober up until the end of the event. Mr. Van Patten stated the alcohol would be removed from the premises after they were done serving. Council member McLaughlin asked how long the event would run and Mr. Blythe stated until 7:30 in the morning, which would give people plenty of time to sober up. Mr. Blythe also stated that once the main headliner is done, they will turn the music down. The event is in-doors and doors will be closed. Mr. Blythe feels that once the music is turned down that it should not bother any of the neighbors. Mr. Blythe stated that he has contacted the Sheriff's Office numerous times on the phone and once in person, but no one has contacted him. He would like to invite them to put an off-duty officer on the premises and is still willing to talk about this. Officer Kephart explained that the Sheriff's Office and the Police Department are two different entities. Mr. Blythe stated that he has been working on this event for eight months. He has had a few events in Des Moines and put all his money from the Des Moines events into this event. There will be a lot of people here and a lot of his friends are traveling from out of state to perform. Mr. Blythe stressed that this is all a positive thing and he has done everything he can to make this legitimate. Council member Schultz asked what ages are invited to this event and Mr. Blythe responded 18 plus. Council member Schultz asked where it had been changed and Mr. Blythe stated he had made a big poster about it last week and put it on his Facebook page. Council member Schultz pointed out that his Facebook page still shows 17 as the age limit. Mr. Blythe stated he would have to pay to have a new logo created and he stated that he keeps putting up posts that 17-year-olds will not be allowed, and ids will be checked at the door. Council member Schultz asked how many of the participants would be under 21 and Mr. Blythe responded about 40% and maybe less with the 17-year-olds not included. Mr. Blythe stated he

changed this once the approval of the liquor license was moved back and by not including 17-year-olds he doesn't have to worry about curfew. Mr. Van Patten stated that all his help has been through the IPACT training for serving alcohol. Council member Bender moved, seconded by Council member McLaughlin to approve the liquor license application for Van Hamm LLC (DBA: Neighbors Gas and Grill) at 22400 220th Avenue, Sigourney, Iowa for Class C Beer (BB) (Includes Wine Coolers) and Sunday Sales. Upon the roll being called, the following voted Ayes: Bender and McLaughlin. Nays: Landgrebe and Schultz. Mayor Glandon voted no to break the tie. Motion failed.

City Clerk Alderson updated the Council on Sigourney RAGBRAI. Contacts are being worked on for entertainment. Vendor and budget committees are in progress as well. There was a fundraiser in March that cleared \$1,000.00. Currently there is a brat fundraiser and orders are being taken until May 1st. Council member McLaughlin asked about transportation and City Clerk Alderson responded that 10-15 Transit is working with the Sigourney RAGBRAI Committee. Camping is being worked on for the bigger charter bus groups.

Council member Landgrebe moved, seconded by Council member McLaughlin, to approve the first reading of the Title III Community Protection . Chapter 6B RAGBRAI Ordinance. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved. Mayor Glandon requested with Council consensus that the second reading and waiving the third reading would be on the next Council agenda.

Council member Schultz asked if the liquor license application for Victoria Brownsworth dba Closing Time was going to be just a bar or would food be served as well. Ms. Brownsworth answered that for now this would be a bar only and if things went well she might consider food later. She would like to open on June 1st and be open on Friday and Saturday evening hours. City Clerk Alderson stated that the license does not include Sunday Sales and for that change to be made, she thought the application would have to be approved again. Ms. Brownsworth would like to change her application and the Council decided to table this until the application has been updated.

Amanda Snakenberg stated that she currently has a retail store and is going to add a coffee bar and wine, so she can sell bottles of wine to go out the door unopened. There is an area out back to put tables which will be fenced in as required. Council member Landgrebe moved, seconded by Council member Bender, to approve the liquor license application for Amanda Snakenberg (DBA: Barn Wired) at 119 East Marion Street, Sigourney, Iowa for Class B Native Wine Permit, Class C Liquor License (LC) (Commercial) and Outdoor Service contingent upon dram insurance approval. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Mayor Glandon explained that US Cellular would like to put a temporary wireless tower on the hillside at the compost site and will pay \$700.00 for this during RAGBRAI. The \$700.00 would go to the Sigourney RAGBRAI funds. Council member Schultz moved, seconded by Council member McLaughlin, to approve a license agreement with USCOC of Greater Iowa, LLC for a temporary wireless communications facility on City property. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

The Council discussed the retail grant program implemented by Sigourney Area Development Corp. on behalf of the City. Council member McLaughlin moved, seconded by Council member Schultz, to approve the recommendations from Sigourney Area Development Corp. for the Community Betterment retail grant funding program. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Mayor Glandon explained the zoning at the condominiums on North Shuffleton Street. There is some ground that the owners would like to have rezoned as a B-2 so the property can be sold to a business. C B & D Development does have an interested buyer at this time, but if this does not work out, they still want the change made. Rick Johnson with River Hills (the interested party) was present to answer any questions about what they might want to do. Mr. Johnson gave some background information on River Hills and what they are hoping to do in Sigourney. They will be offering medical, dental and behavior health in Keokuk County. River Hills is only talking about one medical provider and should not take away from the Keokuk County Medical Clinic. He does feel that people should have options. They are also required by the federal government that if they provide dental and behavioral health services that they have to provide medical services as well. If this clinic is opened it should bring a dozen new jobs to the community. Council member Schultz moved, seconded by Council member Landgrebe, to

approve the recommendation from the Planning and Zoning Commission regarding a request from C B & D Development Inc. for the rezoning of their property from a Class ~~R~~-4+ to a Class ~~B~~-2+ and the official zoning map to reflect the changes. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Park and Recreation: Director of Public Works I Northup explained the freezer at the swimming pool is too small for their needs. They are always out of the ice cream items. He would like to order an upright with twice the space for a cost of \$600.00. Council member McLaughlin moved, seconded by Council member Schultz, to approve purchase of a new freezer at the swimming pool. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Street and Sanitation: Director of Public Works I Northup stated a Department of Transportation (DOT) Preconstruction Meeting was attended by Director of Public Works II Gilliland, Matt Walker with French-Reneker-Associates and himself and it was brought up at the meeting why the City of Sigourney was doing the black top in the parking areas along North Main Street only to Elm Street. It was brought up that if it wasn't done now it would be hard to get anyone to come in later for a small area. The new area would include the parking on both sides of North Main Street from Elm Street to Jackson (Highway 149 and 92 Junction). Matt Walker stated that based off the bid and the agreement the City has with the DOT we are probably looking at around \$32,000.00. Once the milled surface is off they will be able to see what is below, which may mean some additional patching. There is \$10,000 allocated for patching. The price could be adjusted up or down. The financials for the Street Improvement Fund was discussed and the funds for this project would probably need to come from the Local Options Sales Tax Fund. Council member Schultz moved, seconded by Council member Landgrebe, to approve extending the Department of Transportation Project to include paving the parking from Elm Street to Highway 92. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Mayor Glandon stated it was time to discuss the standing 3% increase to the sanitation rates. City Clerk Alderson explained that if the Council wanted to do more than a 3% increase to the rates, the ordinances would need to be changed. If the Council wanted to do less this year a resolution would need to be passed. A 3% increase for the sanitation would be twenty-nine cents.

Water and Wastewater: Matt Walker with French-Reneker-Associates explained the results from the sludge judge testing done at the sewer lagoons. Mr. Walker summarized the results, discussed the Iowa Department of Natural Resources (IDNR) requirements and answered questions from the Council. He also explained that when the current system was designed Sigourney was bigger, there was the assumption the industrial park would fill up faster and assumption that Louis Rich would be pumping all their waste to the lagoon system. Looking back the lagoons are way bigger than they needed to be. It is not a bad thing as it provides excellent quality of treatment. There is about 3 million gallons of sludge and Mr. Walker does not recommend removing this. It would probably cost 10 to 12 cents per gallon to remove, which is roughly \$300,000 to \$350,000. It is not necessary currently. The SAGR folks are providing the aerators and French-Reneker-Associates will let them know the depths of the sludge and make sure they don't recommend something different.

Council member Schultz moved, seconded by Council member Landgrebe, to approve pay estimate no. 3 to Drish Construction, Inc. for proposed storm sewer improvements . Jackson Street (Hwy 92/149) . Sigourney, IA (17-023/17-024). Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Director of Public Works I Northup explained the water quality report from the Iowa Department of Natural Resources (IDNR) that tells everything that happened last year, what was tested for and what the limits are. There were not any violations. Council member McLaughlin moved, seconded by Council member Bender, to approve the 2017 Water Quality Report. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Mayor Glandon asked the Council if they wanted to do something different regarding the 3% increase for the water and sewer rates. A 3% increase to the water would be fifty-four cents and to sewer would be sixty-eight cents. Council member Schultz stated he favors that decision made to do an automatic increase of 3% each year unless

it is not needed and so far, it is needed. Mayor Glandon stated that the City is not having to take out loans to do things. Maintenance, etc. is being handled annually and is a job well done.

Public Safety: Assistant Police Chief Kephart stated the sSTEP application provides for a grant that gives funding for specific equipment for vehicles or overtime wages (worked during a sSTEP wave). Council member Schultz moved, seconded by Council member McLaughlin, to approve submitting a sSTEP application through the Governor's Traffic Safety Bureau / Iowa Department of Public Safety. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

Finance: Council member Landgrebe moved, seconded by Council member Schultz, to approve the following Community Betterment Project: \$745.00 for National Night Out. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

The Council discussed a slide for the swimming pool. Council member McLaughlin has applied for a grant to help pay for this. Council member McLaughlin moved, seconded by Council member Landgrebe, to approve the following Community Betterment Project: \$22,000.00 for a new slide at the swimming pool. Upon the roll being called, the following voted Ayes: Landgrebe, McLaughlin and Schultz. Nays: Bender. Motion approved.

City Clerk Alderson explained the current Co-Op Agreement with Radix. All the minutes for the City are on-line and can be viewed through the City's web site. The cost for this has been \$300.00 a year. All the old minute books have been scanned and put on on-line. This is no longer going to be an option. There is a new system in place and it looks like it is going to cost us \$340.00 a month for this service. There are a lot more features available, but \$340.00 a month is a huge increase.

City Clerk: City Clerk Alderson is working on the budget amendment for Fiscal Year 2018. Council member Landgrebe moved, seconded by Council member Bender, to set Wednesday, May 16th, 2018 at 6:00 p.m. as the time and date for a public hearing for the City Budget Amendment for Fiscal Year 2018. Upon the roll being called, the following voted Ayes: Landgrebe, Bender, McLaughlin and Schultz. Nays: None. Motion approved.

The May 2, 2018 regular Council meeting will be held at City Hall at 6:00 p.m.

Public Input: There was not any public input.

The meeting was adjourned by acclamation at 7:11 p.m.

Douglas L. Glandon, Mayor

ATTEST: _____
Angela K. Alderson, City Clerk