

# CITY OF SIGOURNEY, IOWA

## MINUTES OF REGULAR CITY COUNCIL MEETING OF WEDNESDAY, NOVEMBER 7, 2012

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, November 7, 2012 with Mayor Pro tem Schultz presiding and the following Council members answering roll call: McLaughlin, Hornback, Ballensky and Johnson. Council member Conrad arrived at 6:12 p.m. Others present were: Randy and Janet Stichter; Dawn Bragg; Don Northup, Water / Wastewater / Pool Supervisor; Brent Gilliland, City Services Director and Building Inspector; Adam Clark, Assistant Police Chief; Allan Glandon, Police Chief; and Angie Alderson, City Clerk.

Mayor Pro-tem Schultz called the meeting to order at 6:00 p.m. Council member Hornback moved, seconded by Council member McLaughlin, to approve the tentative agenda. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved.

Council member Hornback moved, seconded by Council member McLaughlin, to approve the minutes from the October 17, 2012 regular Council meeting. Upon the roll being called the following voted Ayes: McLaughlin, Schultz, Hornback and Johnson. Nays: None. Abstain: Ballensky. Motion approved. *(Council member Ballensky abstained as he was unable to attend the October 17, 2012 regular Council meeting.)*

Council member McLaughlin moved, seconded by Council member Johnson, to approve the remaining items on the consent agenda: accounts payable claims totaling \$45,896.72; Memorial Hall Commission accounts payable claims totaling \$3,804.01; City Clerk and City Treasurer September 2012 financial reports; payroll expenses, other miscellaneous expenses, ACH and monthly transfers for September 2012; refund on liquor license application for the Cathouse Saloon at 101 West Marion Street in the amount of \$308.75; resignation of Tami Gilliland; resolution no. 2012-11-01 approving 2012 tax increment financing for Sigourney Prairie View Subdivision Urban Renewal 54001 – Section 403.19 Certification TIF. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved.

**Public Hearing(s):** Mayor Pro tem Schultz announced it was the time and place set for a public hearing regarding the proposed budget amendment for fiscal year ending June 30, 2013. Council member Hornback moved, seconded by Council member McLaughlin, to open the public hearing. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved and the public hearing was opened at 6:05 p.m.

Mayor Pro tem Schultz stated the proposed City budget amendment for fiscal year ending June 30, 2013 was published according to the law on October 24, 2012. Mayor Pro tem Schultz asked the City Clerk if she had received any written or oral objections to the proposed budget amendment. City Clerk Alderson stated she had not received any objections.

Mayor Pro tem Schultz asked the public if they had any questions or input regarding the budget amendment. Hearing none Mayor Pro tem Schultz asked for a motion to close the public hearing. Council member Johnson moved, seconded by Council member Hornback, to close the public hearing regarding the proposed budget amendment for fiscal year ending June 30, 2013. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved and the public hearing was closed at 6:06 p.m.

Council member Ballensky moved, seconded by Council member Hornback, to approve resolution no. 2012-11-02 for proposed budget amendment for year ending June 30, 2013. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved.

Council member Ballensky moved, seconded by Council member Hornback, to set the time and date for a public hearing regarding proposed activities relevant to application for Community Development Block Grant (CDBG) Funds as Wednesday, November 21<sup>st</sup> at 6:00 p.m. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Johnson. Nays: None. Motion approved.

**Other City Business:** Mayor Pro tem Schultz stated Randy and Janet Stichter were present to review updated information regarding wood burning devices. Mrs. Stichter talked about the outdoor wood burning boilers in town and especially the one in her neighborhood. She presented information regarding these devices and current health related issues. Mrs. Stichter showed the Council three video clips of the smoke from the outdoor boiler in her neighborhood as she cited data from studies conducted as well as manufacturer's guidelines she has researched. Mrs. Stichter explained the health concerns due to the low temperature burn and she would like to see these devices

banned from the City. She talked about the smoke limiting the outdoor activities her family is able to participate in due to the smoke gathering on her property especially on her deck and around her hot tub. Mrs. Stichter stated that she has talked with health professionals and they agree with her that the chemicals in the smoke from these devices are very harmful and should be banned. Mrs. Stichter had previously brought in information that was copied and given to the Council members to review at a later time.

Council member Conrad arrived at 6:12 p.m.

Mr. Stichter stated they appreciated the previous work done on the outdoor wood burning ordinance by the Council, but it still does not resolve their issues. Mayor Pro tem Schultz stated the situation is difficult as the boiler owned by Casey Clarahan is in compliance with the ordinance that was in place at the time and he did what the Council requested of him. Mrs. Stichter's concern is that there was not a 100 foot setback, which was the minimum setback suggested by the manufacturer.

**Park and Recreation:** Pool Supervisor Northup stated the liner is in and everything is done. He feels some of the changes made with this liner will make cleaning, etc. easier next summer. Supervisor Northup felt the people working on the liner were very knowledgeable and did a good job.

**Street and Sanitation:** Mayor Pro tem Schultz stated the Street and Sanitation Committee had met and discussed the issues involved with discharging the dumpsters at commercial locations. The Committee would like to go ahead and have a policy developed regarding these issues. The Council discussed having a grace period.

**Water and Wastewater:** Water Supervisor Northup stated all the properties on the West Jackson Street water main project are on the new line and the old line has been abandoned. They have one hydrant left to replace as it does not have a pumper port for fire protection or a valve on it. The seeding will be done next spring. There have been some sidewalks replaced and the lines have been flushed and he has not had any complaints.

**Public Safety:** Police Chief Glandon reviewed the statement given by a mail carrier that was bitten by a dog owned by Dawn Bragg. Dawn Bragg was present to talk about her dog. She stated the dog is nine years old and has never attacked anyone before. She has no clue as to what happened that morning as no one was home. She stated an officer called her and told her the front door to her apartment was open and her dog had bitten a mail carrier. She was asked to provide rabies records and quarantine the dog for 10 days. Ms. Bragg's front door was open and she is unsure why as her family was not home. They have had a lot of people in and out of their home and have never had a problem before. The dog is an inside dog and there has never been a complaint against it. The Council discussed the City's ordinance and being consistent in their decisions. Mayor Pro tem Schultz explained that the Council has been very consistent about asking a dog to be removed from the City limits after an incident. Ms. Bragg stated that her whole family would move, if the dog is asked to be removed from the City limits. Council member Johnson moved, seconded by Council member Conrad, to have a letter sent to Dawn Bragg requiring her dog to be moved outside the City limits within ten days of receipt of the letter and to notify the police of the whereabouts of the dog. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

There are approximately 43 more surveys needed to complete the LMI survey.

Mayor Pro tem Schulz reviewed a possible contract between the City and Area 15 Regional Planning Commission regarding the administration of a Community Development Block Grant (CDBG) for housing rehabilitation the City is applying for. Council member Hornback moved, seconded by Council member Ballensky, to approve a contract for grant application assistance with Area 15 Regional Planning Commission for preparation and submission of a CDBG housing rehabilitation application. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

Mayor Pro tem Schultz explained the next three (3) items were part of the grant application and needed Council approval for the Mayor to sign these.

Council member Ballensky moved, seconded by Council member McLaughlin to authorize the Mayor to execute the Federal Assurance Page for the CDBG housing rehabilitation application. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

Council member Hornback moved, seconded by Council member Johnson, to authorize the Mayor to execute the W-9 request for federal employer identification number and certification for the CDBG housing rehabilitation application.

Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

Council member McLaughlin moved, seconded by Council member Conrad, to authorize the Mayor to execute the Applicant/Recipient Disclosure/Update Report form for the CDBG housing rehabilitation application. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

The Council discussed the money available for the City's share of a local match for the Community Development Block Grant (CDBG) application for owner-occupied housing rehabilitation and what their best options were to help with funding for the qualifying projects. The discussion geared toward providing a maximum of \$16,000.00 as the City's local match with the general idea of spending \$2,000.00 per housing project and any unspent amount to be used toward any additional housing projects that may occur. Council member Johnson moved, seconded by Council member Hornback, to approve resolution no. 2012-11-03 authorizing submission of a Community Development Block Grant (CDBG) application for Owner-Occupied Housing Rehabilitation within a target area and for the City to provide a maximum of \$16,000.00 within no more than \$2,000.00 per property as a local match. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

The following projects have been approved by the Iowa Economic Development Authority regarding the Energy Efficiency and Conservation Block Grant: LED stop lights on the square, new windows for the front of City Hall, furnace at the shop and variable frequency drives at the lagoons. The City will not be using all of the money awarded, so there is a change order allowing for the money we do not use to possibly be used by another entity. Council member Conrad moved, seconded by Council member Johnson, to approve a charge order for Energy Efficiency and Conservation Block Grant (EECBG) decreasing it by \$22,924.00 and authorization of City Clerk to sign. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Ballensky, Johnson and Conrad. Nays: Hornback. Motion approved.

Police Chief Glandon explained a 28E Agreement that would allow for tobacco compliance checks with retailers within the City. These checks will be done whether our police department does these or an outside department does these. Council member McLaughlin moved, seconded by Council member Conrad, to approve the 28E Agreement for Tobacco Enforcement with Iowa Alcoholic Beverages Division. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

The Public Safety Committee met and discussed the police administrative assistant position. This is a part time position of 20 hours per week with no benefits. Council member Ballensky moved, seconded by Council member McLaughlin, to approve posting and/or advertising the police administrative assistant position. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky, Johnson and Conrad. Nays: None. Motion approved.

**Finance:** Council member Johnson reviewed the Finance Committee meeting held on October 24<sup>th</sup>. There were five (5) CDs renewed at MidWestOne Bank. The general fund is being monitored closely. October would be the 4<sup>th</sup> month into the fiscal year and 33% of the budget should be expensed or collected. The expenses are at 36% and revenues are at 39%. The budget process for fiscal year 2014 has started and departments will be making their reports. The health insurance has increased 14%. The Committee also discussed a possible pay decrease for the Mayor and Council.

Council member McLaughlin moved, seconded by Council member Conrad, to approve the following community betterment requests: \$750.00 for advertising for Relay for Life of Keokuk County; \$5,592.48 for a spare pole and globes for around the square; \$1,600.00 to rent machine to clean out storm sewers; \$214.57 to pay remainder of tactical vest purchase (*\$5,000.00 paid from Keokuk County Endowment Foundation Grant*); \$883.10 to pay for fundraising work done on Sports Park; \$2,500.00 to SADC to help pay for one time investment of \$25,000.00 for Keokuk County to become a member of the Regional Economic Development Investments Inc. administered by Area 15 RPC; and \$12,485.00 to re-roof the City Shop. Upon the roll being called, the following voted Ayes: McLaughlin, Schultz, Hornback, Ballensky and Conrad. Nays: None. Abstain: Johnson. Motion approved.

The health insurance has increased 14% and the dental insurance will remain the same as last year rates. There is enough in the budget to cover the health insurance increase for the remainder of fiscal year 2013. The increase will be approximately \$17.00 per month to each employee for a family plan and \$151.00 per month to the City for each employee having a family plan at the current 10% employee and 90% City split. There are currently ten employees

with a family plan. The representative from Wellmark will be at City Hall tomorrow to discuss our current health insurance plan and any options.

The Finance Committee discussed the possibility of decreasing the Mayor and Council pay rates. As the General Fund budget reduced most budgets by approximately 25% that a reduction to the Mayor and Council rates should also be considered.

**City Clerk:** The November 21, 2012 regular Council meeting will be held at City Hall at 6:00 p.m.

**Public Input:** There was no public input.

The meeting was adjourned by acclamation at 7:40 p.m.

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Randall D. Schultz, Mayor Pro Tem, City of Sigourney

ATTEST: \_\_\_\_\_  
Angela K. Alderson, Sigourney City Clerk