

CITY OF SIGOURNEY, IOWA
MINUTES OF REGULAR CITY COUNCIL MEETING OF
WEDNESDAY, OCTOBER 6, 2021

The Sigourney City Council met in regular session in the Council Chambers at City Hall on Wednesday, October 6, 2021, with Mayor Glandon presiding and the following Council members answering roll call: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Others present were: Stephani Atwood; Micki and Larry Chmelar; Christie Iosbaker, Sigourney News Review; Gary Iosbaker; Amanda Kelly, Sigourney Librarian; Don Northup, Public Works Director I; Richard Fortney, Sigourney Police Officer; and Angie Alderson, City Clerk.

The meeting was called to order at 6:01 p.m. Council member Morlan moved, seconded by Council member McLaughlin, to approve the tentative agenda. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Council member McLaughlin moved, seconded by Council member Conrad, to approve the following items on the consent agenda: Minutes of Regular Council Meeting of September 15, 2021; Council accounts payable claims in the amount of \$53,713.46; Don Northup to attend the Iowa Association of Municipal Utilities Water/Wastewater Operator's Training Workshop for the 27th Annual Fall Conference on November 17-19, 2021 at a total cost of \$300.00 and to use the city's credit card to pay for hotel accommodations and meals; Liquor License Application for Grant Ranch, LLC (DBA: Grant Ranch) at 121 South Jefferson Street, Sigourney, Iowa; Tax Exemption Application for Casey and Amber Thompson on North Shuffleton Street (Resolution No. 2021-10-01); Community Betterment Projects; credit card report; and the time and place for the October 20, 2021 regular Council meeting will be at 6:00 p.m. at City Hall. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Additional City Business: Amanda Kelly, Sigourney Librarian, explained that "Little Free Libraries" are basically in addition to a public library, but they are not something citizens have to have a card for, citizens do not have to check out and are not fined for anything. They are basically a take one leave one type of system. They are in bigger cities, and she thinks these are a great idea. Ms. Kelly is writing a grant to purchase these but needs the City's permission to place these on city property. Some of the ideas were to put them up at Town Square Park and then the pool staff requested for one to be placed at the pool. The library staff will maintain, make sure they are not vandalized and make sure they are stocked. They will do everything. Council member Schröder asked if they would need books to fill these and Mrs. Kelly responded the library would always take donations. Council member Morlan asked what age levels they were looking for and Mrs. Kelly responded they are looking for everything. There will probably be three or four of each age group included to hit everybody. If they notice at the park there are a lot of young kids, they can put in more books for the age range that is getting hit the most. It is okay if books are not taken and not replaced, which is the whole point of this program. It will be an experiment in the beginning to figure out what age groups will be where. They are hoping to have a little bit of everything. Little Free Libraries is a nonprofit organization so these will be registered Little Free Libraries. It is a national registry. The kits are not free to get the actual libraries, but they will get a plaque stating it is registered with information on where to go, how to donate. If someone wants to donate books, they can take them to the library. The library will maintain and clean the Little Free Libraries. Council member McLaughlin asked about what Mrs. Kelly had in mind as far as these being on public property. Mrs. Kelly explained these will be on a post in the ground. She was thinking of placing these out by the pool, maybe on the opposite side of the park by the shelters and Town Square Park. Council member McLaughlin asked if the Public Works Department would have a say on where these went and Mrs. Kelly stated yes, they certainly can. They just want these placed on the property somewhere. Christie Iosbaker asked about the time frame. Mrs. Kelly stated the grant she is writing will get approved in April, so if the library receives funding from this it will be April. If they do not get all the funding from the grant, they do have money set aside for this. Mrs. Kelly stated that each one costs approximately \$500.00 including the posts. She is hoping to get four. She is open to ideas if anyone thinks there would be a good place for one. Christie Iosbaker stated that anyone can purchase and put these up. Mrs. Kelly explained that you can buy these as kits for organizations to put together and place. As the Library, they would like to host these. Council member Conrad moved, seconded by Council member Morlan, to approve the Sigourney Public Library placing "Little Free Libraries", up to four at this time, on City property. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Mayor Glandon explained the condition of the 121 East Marion Street building. The second floor and roof are now in the basement. Before anything can be done to clean up a structural engineer needs to look at this. Rod Curtis, Curtis Architecture, recommended Tometch Engineering, Inc. to help with this. The quote to come and look at the building is \$1,800.00. Council member Morlan asked if the building had been looked at for asbestos and

Mayor Glandon responded the cleanup guys have stated they will handle it as if it is asbestos laden. It is not safe to be in the building to take samples. There are two quotes from asbestos contractors: Environmental Edge and McKee Construction. They have both looked at the building and their concern is trucking to the landfill and fees. Once the structural engineer gives the city their report on what needs to be done and then they go ahead to clean up, if there is a difference on the quotes for the cleanup, then we will talk with the Finance Committee. The Finance Committee has talked about remediating the problem in the past. Council member Morlan asked what the city is trying to do with the building – keep the front façade. Council member Conrad answered the structural report will tell the city what can be done with the building. The report will tell the city what is sound and what is not and then that will help the city know what needs to be done to take care of issues. Mayor Glandon stated that both of the quotes were made assuming the front wall would stay. The asbestos tar would still be cleaned off of it and whatever else. There are concerns regarding the party walls and making sure they are supported. Council member Schultz moved, seconded by Council member McLaughlin, to approve proceeding with the structural engineering report for 121 East Marion Street and authorizing the Mayor to sign. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Mayor Glandon explained there has been a lot of back and forth with the contractor regarding a contract for the Façade work. One applicant has decided to not participate, and the numbers had to be revised to accommodate this. Once the contractor has been retained, there will be a contract that will need to be revised for approval. Council member McLaughlin moved, seconded by Council member Morlan, to approve resolution no. 2021-10-02 re: bid award for the Proposed Façade Improvements – Phase 1 – Sigourney, Iowa – 2021. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Mayor Glandon discussed the public hearing regarding 105 South Jefferson Street. This is part of the process to apply for a CDBG (Community Development Block Grant) COVID-19 for upper story housing conversion. This grant application would ask for four apartments. The city has already put money into the design. Larry Chmelar asked if there were any special contingencies related to the COVID-19 the city would be required to do for this funding. Mayor Glandon stated that the city has been helping with architecture fees and then \$5,000.00 per grant as their match. Council member Conrad moved, seconded by Council member McLaughlin, to set the date and time for the public hearing regarding the application to the Community Development Block Grant (CDBG) COVID-19 Fund for Upper Story Housing Conversion through the Iowa Economic Development Authority (IEDA) as October 20, 2021, at 6:00 p.m. at City Hall. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad and McLaughlin. Nays: None. Motion approved.

Mayor Glandon explained a new grant through the Iowa Economic Development Authority (IEDA) (Downtown Resource Center) for a downtown housing grant for upper story rehabilitation. This grant could be up to \$300,000.00 for upper story rehabilitation. This grant is for cities under 30,000 population and there can only be one application per city. There does not have to be an environmental review and there are not any SHPO requirements. The deadline for submitting for the application is January 31, 2022. There will be architecture fees that will have to be paid up front before the application can be submitted. Council member Conrad moved, seconded by Council member Schultz, to approve the application for Iowa Economic Development Authority (Downtown Resource Center) for a Downtown Housing Grant for Upper Story Rehabilitation. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Council member Morlan moved, seconded by Council member Schröder, to approve the display ad for snow removal bids. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

There was no report for Sigourney Area Development Corporation (SADC).

Streets and Sanitation: Mayor Glandon informed the Council that we are running out of garbage bags and need to place an order. Orders are out at least 16 weeks. We are looking at a generic bag that we might be able to use. The City Clerk is going to ask for a sample to be sent and will get the information to the Council as she gets it. The cost per case for large bags is increasing \$35.00. The drawstring bags will say something generic and will be \$68.00 per case. As they are generic, they can be made quickly. The question is do we want to order some of the drawstring bags and try them or order some and then go ahead and order our yellow bags as well.

Water and Wastewater: City Clerk Alderson explained the Low-Income Household Water Assistant Program. This is a two-year program that citizens have to qualify for using an income rate table as the guideline. The city would not be involved in any of that portion. Water, sewer and related charges will be paid, but sanitation will not be paid. The software used by the city just puts a credit on the utility accounts, we don't have a way to credit a particular line account. There are balance adjustments we can do, that would allow staff to move amounts to different line accounts. City Clerk Alderson called and asked more questions, including what happens when the utility account holder does not pay the sanitation portion of the monthly bill as technically the city could still shut off the water. The lady I spoke with stated that she did not know we would need to follow the contract. City Clerk Alderson has a concern that the contract states that City will not turn off the account if we are called and told that the payment is coming. We already do that and that is not a problem. Today she was told that there may be a portion that will be allotted to help with the sanitation portion. The utility account owner is responsible for making application and making sure the payments are here on time. SEIDA has asked that we help get the word out. We are responsible to send a receipt to SEIDA and keep track of payments. Council member McLaughlin moved, seconded by Council member Conrad, to approve the agreement for the Low-Income Household Water Assistance Program. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Council member Schultz moved, seconded by Council member Conrad, to set the date and time for a public hearing for the status of funding activity for the CDBG (Community Development Betterment Grant) for the proposed Wastewater Lagoons Improvement Project as October 20, 2021, at 6:00 p.m. Upon the roll being called, the following voted Ayes: Schultz, Morlan, Schröder, Conrad, and McLaughlin. Nays: None. Motion approved.

Director of Public Works I Northup stated that starting October 11th for two weeks they will be flushing hydrants. Bill Halleran, Fire Chief contacted Northup and asked for some flow testing. This is done every five years. There is a lot of paperwork that the fire department has to do pertaining to the City's distribution system. It also affects the ISO ratings for insurance. The better the distribution system is, the better the numbers that affect the citizens household insurance.

Public Safety: Mayor Glandon stated that he has been listening to a lot of misinformation regarding the police department. All Council knows that last July (2020) there was a federal complaint filed against the City of Sigourney Community Police Department. This was through the US Department of Labor Veteran's Affairs Division. The complaint was an applicant for the Police Chief job claiming that they did not get the job because as a veteran it would take too much paperwork to fire them if it was ever time to terminate them. All the Council members were in the closed Council meeting when the attorney our insurance company hired to represent us stated to not do anything permanent and the Mayor has not. The Mayor did participate in a lot of phone calls and emails for the next two or three months with the attorney and ended up talking with three attorneys. There was a lot of stuff back and forth and there was some questioning of two Council people. When it was all done about the third week of September 2020, the investigator sent an email saying he was closing the file. Mayor Glandon called the attorney and asked what that meant and what is the finding. The attorney responded that he didn't know that Mayor Glandon is seeing everything the attorney can see. Mayor Glandon stated that he would file a FOIA request, and the attorney had this filed. In December Mayor Glandon received this and when he read what he could read that was not redacted, he called the attorney and asked again what was going on. Mayor Glandon stated that again he could not see what the whole deal is. The attorney stated that Mayor Glandon was seeing the same thing the attorney could see. Mayor Glandon asked what the city should do, and the attorney stated that it is done, but there could be a two-year statute of limitations on this. Mayor Glandon stated we are only halfway through the statute. In February of 2021 Mayor Glandon called the attorney and asked how long he had to keep quiet about this and the attorney suggested at least a year. Mayor Glandon stated that he has been backstabbed to much that he has had it. In the investigation two untruths were told about him: that he said he would never hire a veteran because it took too much to fire them, and he would not hire a female chief of police. What he does not like is supposedly Council member Schultz said Mayor Glandon had said these things and Mayor Glandon does not believe that. Council member Schultz stated there was information that was circulated that was all news to him. Unfortunately, there were pieces of information that were elaborated on by those that really didn't know what the facts were that surrounded any of it. Then the rumor mill went from there. It is very unfortunate that this turned into something like this. There is a two-year statute of limitations on this and that is the kind of thing that you have to back off of and let it run out. Mayor Glandon stated that in the email to the complainant the very last sentence said, "you may at your own expense pursue a lawsuit against the City of Sigourney in a court of competent jurisdiction." This complaint included not hiring a female chief of police. There is other stuff that went on during those first two weeks of July. After reading the information Mayor Glandon went

back and pieced the timing together. (Pastor) Welsh was at the July 15, (2020 Council meeting) and there are things he said that can be pieced back in. On the 10th of July (2020) Mayor Glandon received an email from an applicant stating that it was a bunch of crap for us to be working with the Sheriff's Department to try to get police protection. At the time the Mayor was doing this, the City had no police protection. Two police officers had resigned and one was away at basic. There was not any police protection as reserves could not be used without an officer being available according to ILEA (Iowa Law Enforcement Academy). We have a Deputy Sheriff that is also a reserve, but they could not be used. Mayor Glandon was nailed from three different directions, and he is not happy about it. He has been asked quite bit about what the city is going to do. He cannot do anything as his hands are tied. Mayor Glandon asked if there were any questions. Council member McLaughlin asked where does that put us as far as our law enforcement whether we continue with the county or whether we start advertising again. Mayor Glandon responded that there is a 28E Agreement with the County and they answer calls. When people complain to the Mayor, he asks them what is the complaint and he has never had anybody tell him what the complaint is other than they do not see the car. Mayor Glandon stated that complaints involve not seeing the police car, but people say they do see the Sheriff's Department car patrolling. The reports (from the Sheriff's Department) show the city is getting coverage. Council member McLaughlin stated that she has heard that citizens want to see local law enforcement, they want their own police. Mayor Glandon asked how this was supposed to be done without lawsuits. Council member McLaughlin asked if that bound the city for a couple of years and Mayor Glandon responded yes unless he sticks his neck out. Mayor Glandon asked how much do we want to spend in legal costs. Council member McLaughlin stated she is just asking as she does not know the full story and she does appreciate what Mayor Glandon is saying. Mayor Glandon stated he would not name names, but on the 15th (July 2020) a petition was sent to the City and on the 16th (July 2020) he received a phone call from the federal investigator telling him that this complaint had been filed and he would be getting legal notification. On the 21st of July (2020) Mayor Glandon received legal notification from the investigator, which was with the US Department of Labor Veteran's Affairs Division. This is a federal telling him what the complaint was and moving forward Mayor Glandon immediately called the City's insurance agent and forwarded him the email. The agent stated he was passing this on to the head office in Des Moines. The head guy called and stated they had already hired a law firm in Des Moines to represent the city. Later Hugh Cain (attorney with Hopkins and Huebner, P.C.) called and stated he had seen the email. Mayor Glandon forwarded the attorney a timeline that he had generated of what has happened to that point. Mayor Glandon ended up submitting 119 pages of documentation of what had been going on. Brent Hinders was assigned to represent the city and he spent a ton of time with Mayor Glandon on the phone and through email. Mayor Glandon stated that he contacted Joni Ernest's office asking for her help in getting the unredacted report on the FOIA. She looked into this, and she can't get anything because anyone that is a whistle blower or complainant does not have to be exposed. Nothing said and this is where we are at, his hands are tied. This is why he talked to the Sheriff and that is when we ended up with a 28E Agreement. The Sheriff's Department protected Siquorney for two months without pay. They can do up to eighty a week, but the biggest bill the city has seen from them has been eighty for a month not a week. Council member McLaughlin stated she has been told that they cannot enforce any laws because they don't have all the ordinances. Mayor Glandon asked which ordinances did they want to be enforced. Council member McLaughlin stated this is what she heard when the golf cart issue came up. Mayor Glandon stated that we are working on recodifying the ordinances and then they will get a copy, but then again Mayor Glandon has had to take care of things that were not taken care of. He gets phone calls, and he has to go take care of things. Council member McLaughlin asked if this was things not being taken care by the Sheriff's Department and Mayor Glandon responded no this would be from our own Police Department. These things have been going on for four years, people parking blocking mailboxes. Our Police Department has never done anything about this. These are across from driveways, and he has measured, and they are less than twenty feet, and it is in our ordinances that you have to leave twenty feet. There are semis parked on City streets. He has pictures of the Police Department car sitting at the Chief of Police house and there is a semi parked. There is an ordinance and out at SADC there are semis parked. Everyone working just drove by. Mayor Glandon went to the Sheriff's office, found out who owned the trailers, and they were removed. Currently there is a semi parked on City streets three days a week. Mayor Glandon stated this has been a pain in his backside to handle all of this. Mayor Glandon asked if there were any further questions. Council member McLaughlin asked if that wouldn't be a HR problem and Mayor Glandon responded that HR is going to be having a big discussion as he found out more stuff today to be talked about. Mayor Glandon stated that he is trying to be careful because when the feds were involved in it, it had him on edge and the problem is he did not do anything. Council member Schultz stated that he did not enjoy it either and he was interviewed as well. Mayor Glandon stated that he had not said those things. Council member McLaughlin stated this past year, and a half has been a mystery and Mayor Glandon responded that it has been a mystery because the attorney told him to keep his mouth shut. He should have stayed quiet until next February, but he has been getting jumped constantly about this. So he is putting it out there and there is a reason why it is happening. He thinks the people involved in this thought it was funny when they first did it and it just morphed into something way bigger.

Mayor Glandon stated that he would guarantee that the insurance company probably spent in the neighborhood of over \$20,000.00 representing the City. These claims could jack the rates. Mayor Glandon was asked where the flack was coming from, and he stated citizens. Mr. Chmelar also asked how long Sigourney had been without a chief and Mayor Glandon responded since June 1, 2020. Mr. Chmelar asked if the person resigned and took another job and Mayor Glandon responded that he took a job with the county Sheriff. The majority of officers in Sigourney end up at the Sheriff's Office as Deputy Sheriffs as it is more pay. Mr. Chmelar asked how many police officer's the city had and Mayor Glandon responded that at one time we had three and there is one now with no Police Chief. Mr. Chmelar asked about the 28E Agreement and Mayor Glandon responded that the agreement is with the Keokuk County Sheriff's Department through the Keokuk County Board of Supervisors. It is spelled out in the agreement exactly what the Sheriff's Department will do. The Sheriff's Department provides a list of the call they respond to, and they patrol randomly. Mr. Chmelar asked about the complaints/concerns the Mayor had received and wondered if any of the Council member had received any. Council member Morlan stated he has received several and Council member Schultz stated he has been asked questions and he asks if the complainant has a problem and they state no. People don't like change. Council member McLaughlin stated regarding the golf carts, until she brought it up, she understands that the Sheriff's Department had also acted on it. The City had put a notice in with the utility bills that we were going to start enforcing rules that were in place. It was being overlooked and young kids had gone rampant and there was a lot of abuse that wasn't appreciated. Mr. Chmelar asked if the biggest area of concern safety wise in the city is that the Sheriff's Department is monitoring or reacting to or getting calls for golf carts. Council member Conrad stated that he thinks it comes down to the main complaint is we don't have our own specific beyond one police officer. Mr. Chmelar asked if this is because of tax money that is supposed to be supporting the City of Sigourney for safety in Sigourney. Mr. Chmelar reiterated that the city is saying we can't really do anything at this point until the two-year time limit. Mayor Glandon stated that he is trying to be on the cautious side. Council member Conrad stated that Mayor Glandon isn't saying we can't, but he has been advised by legal professionals there is a risk to move forward with a different decision before the two-year statute of limitations on the individual claim runs out. Mayor Glandon stated that when everyone says we need our own police department before we had the 28E Agreement with the Sheriff's Department fourteen out of the sixteen cities in Keokuk County do not have any law enforcement. Currently thirteen do not. After the City of Sigourney did our 28E Agreement with the Sheriff's Department, Richland also got on board and signed a 28E. Mayor Glandon called communities in Washington, Johnson, Iowa, Poweshiek and Mahaska counties and every community that he talked to contracted with their county Sheriff's Office to provide law enforcement except Marengo and they have the same problem. They cannot retain officers just like Sigourney. Council member Schultz stated that retention is the bigger problem. Mayor Glandon stated that he was shocked the most after talking with the City Administrator in Tiffin and Johnson County takes care of them and they are three times the size of Sigourney. They are getting law enforcement at sixty percent of what our budget is, and they don't have problems. Mr. Chmelar asked if the Mayor felt the Keokuk County Sheriff's Department was responsive and Mayor Glandon responded that he does. Mr. Chmelar stated that it could be a problem if there is a contract with a sheriff's department and the sheriff's department could care less about the town/city. Mayor Glandon stated that one thing people do not realize right now is for example there was a Sheriff's Deputy killed in a shoot out a few years back. The Conservation Officers heard this on the radio and were there to help. Not long ago a felon came to Sigourney while being pursued out of Mahaska County. There were Highway Patrol bumper to bumper here as well as the SWAT out of Washington County being here within twenty to twenty-five minutes. Everyone claims there is no response, but when it is something serious there is a response. Council member Morlan stated that he had one resident tell him they had called as they needed some assistance, and it took thirty minutes for the Sheriff's Department to get there. Another one stated they called for assistance, and it took forty-five minutes. When you take a look at the Sheriff's Department and they have one, two or maybe three deputies covering the entire county – how quick is the response going to be. Council member Morlan stated he is aware of an incident where someone called in with sex abuse of a minor at 9:30 in the morning and the Sheriff's Department . . . Mayor Glandon told Council member Morlan to be very careful with that one. Council member Conrad asked if we were getting off the agenda and stating their personal views. Now the discussion has veered to whether or not we should have police and answering other questions. Questions can be asked later. If anyone disagrees to please let him know. Public Input is for people to say things. It is not to ask questions and have a discussion about any other item. It is to bring items up that could have been brought up to a committee or some other meeting or to ask a question at other times. This is all a recorded meeting. There are certain things we are supposed to do. We are supposed to decide what the City's position is and we are not supposed to just spout our own positions.

Human Resources: A Human Resources Committee meeting was set for Thursday, October 7th at 7:00 a.m.

Public Input: Council member Schröder stated he has had several people compliment the city on the current compost site. People are wondering if that will become the permanent compost site or once this project is

completed at the lagoons will the compost site be expected to return to its former location. Public Works Director I Northup responded that we do not know that yet. There are so many factors involved on where you can have a compost that we just do not know yet. The compliments were that it is very well situated, operated, clean and maintained. Council member McLaughlin stated she has heard the same thing. The only concern the person had was the dust control and the incline.

The meeting was adjourned by acclamation at 7:00 p.m.

Douglas L. Glandon, Mayor

ATTEST: _____
Angela K. Alderson, City Clerk