

The Sheldon City Council met in regular session on Wednesday, March 20, 2013 at 4:30 p.m. Mayor Katricia Meendering called the meeting to order. Roll call was taken. Present: Brad Hindt, Dave Popkes, Greg Geels, and Duane Seehusen. Absent: Ron Rensink. Also present: Todd Uhl, Lyle Bolkema, Micah Schreurs, Scott Wynja, and Arlene Budden.

There were no public comments.

A motion was made by Hindt and seconded by Popkes to approve the consent agenda with the following items:

- a. March 6, 2013 City Council Minutes, and the Minutes of the Boards and Commissions.
- b. Summary List of Claims, and the Claims of the Boards and Commissions.
- c. Financial Reports of February, 2013.

Roll call was taken. Ayes, all. Motion carried.

Mayor Meendering opened the public hearing at 4:30 p.m. on the Ground Storage Reservoir Repair Project. There were no oral or written comments. A motion was made by Seehusen and seconded by Popkes to close the hearing at 4:31 p.m. Roll call was taken. Ayes, all. Motion carried. A motion was made by Seehusen and seconded by Hindt to approve Resolution R13-4069, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHELDON, IOWA, APPROVING THE PLANS AND SPECIFICATIONS FOR THE SHELDON GROUND STORAGE RESERVOIR (GSR) REPAIR PROJECT, SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

The Council considered the bids for the Sheldon Ground Storage Reservoir Project. City Manager Wynja stated the City has received the following three bids: Champion Coatings \$138,087.00, Mongan Painting Co., Inc. \$139,402.73, and TMI Coatings, Inc. \$204,640.00. The engineer's estimate was \$100,000. It is the recommendation of DGR Engineering to award the contract to the low bidder, Champion Coatings, Inc. DGR has also reviewed the individual components of the project. With the cost versus the potential benefit of an exterior coating, he believes the City should eliminate Bid Item #2 in the amount \$40,300. The contractor has agreed to a change order deducting this item from the project. Councilman Popkes suggested using foam to coat the reservoir to prevent further leaks. Public Works Director Uhl stated that they had coated the reservoir seven or eight years ago, and he agrees with the engineer that this item could be eliminated. The City will continue to do testing to monitor the situation. However, he will research that recommendation with the engineer. After discussion, a motion was made by Hindt and seconded by Seehusen to approve Resolution R13-4070, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHELDON, IOWA, ACCEPTING THE BID OF \$138,087.00 AND AWARDING THE CONTRACT TO CHAMPION COATINGS, INC. FOR THE SHELDON GROUND STORAGE RESEVOIR (GSR) REPAIR PROJECT, SHELDON, IOWA, CONTINGENT

UPON A SIGNED CHANGE ORDER No. 1 TO REMOVE ITEM #2 OF THE CONTRACT. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

A motion was made by Seehusen and seconded by Hindt to approve Change Order No. 1 to eliminate Bid Item #2 from the contract, as a deduct of \$40,300.00, for the SHELDON GROUND STORAGE RESEVOIR (GSR) REPAIR PROJECT, Sheldon, Iowa. Roll call was taken. Ayes: Seehusen, Hindt, Geels. Nay: Popkes. Motion carried.

Mayor Meendering opened the public hearing on the Housing Rehab Status Update. She provided the following information on the project. This status hearing is being held in accordance with the requirements of Section 508 of the Housing and Community Development Act of 1987 notifying the public of the status for the Sheldon Owner-Occupied Housing Rehabilitation Program. This public hearing is an opportunity for citizens of the community to comment on the progress, status, and activities that have occurred, to date, in the City's housing rehabilitation program. On June 22, 2011 the City of Sheldon was awarded a housing fund grant in the amount of \$297,500 to complete the rehabilitation of ten (10) homes in the City of Sheldon. The project location included only residential properties located within a target area bordered by Highway 60, Washington Avenue, Highway 18, and 16th Street. To date, the rehabilitation program has completed the rehabilitation on seven (7) properties. One Hundred percent (100%) of the funds benefited low to moderate-income homeowners. The rehabilitation program expended \$169,592 of the total grant award. Furthermore, the City has expended \$24,500 in local matching funds. A total of \$3,874 in contributions has also been made by four homeowners. It is anticipated that we will complete a total of eleven (11) properties. The project is anticipated to close out by September 30, 2013. The Mayor called for public comments on the project. There were no oral or written comments. A motion was made by Seehusen and seconded by Hindt to close the hearing. Roll call was taken. Ayes, all. Motion carried.

The Council discussed the Trilogy Development lot prices, and the installation of the sidewalks on the lots as part of the City's development of the area. Public Works Director Todd Uhl stated the engineer was including 5 ft. sidewalks as part of ADA Compliance, since there currently would be no driveways installed. City Manager Wynja also stated that the benefit of installing sidewalks as part of the initial development would provide a continuous walk path. However, there are more negative points to consider, such as the maintenance where there may be vacant lots in between private property. Maintenance would include mowing and snow removable. There could be potential liability for the City, working around private property near lawns, sprinkling systems, etc. Mr. Uhl also stated that the thickness between sidewalks and driveways varies, and the contractors have commented that it would be much more difficult to work around sidewalks that are already installed. They may have to tear out and replace them. After discussion, it was the consensus of the Council to delay any action on the Trilogy lots and the Covenants, and to bring this all back at the next regular meeting.

Derrick Anderson, Mc Clure Engineering Co., explained the process in determining the assessments for sidewalks, curb, and gutter for the Downtown Infrastructure Project. They contacted O'Brien County and obtained the assessed property value of each property in the Downtown Infrastructure Project. According to Iowa Code, the property owner cannot be assessed more than 25% of the value of a lot as shown by the plat and schedule of assessments. Any cost over this, is considered a deficiency, and must be subtracted out of the cost to the property owner. The sidewalk cost was figured according to the actual sq. ft. along the property; the curb and gutter cost was figured per linear foot. At this time, Phil Warnke asked to address the Council. It was his opinion that the property owners should not have to pay for a sidewalk that is being torn out and replaced by the City. He also stated that this project could cause hardship from loss of business to some of the business owners during the construction period. Mayor Meendering informed him that these and any other questions or concerns that he might have could be addressed at the public hearing. Councilman Geels suggested that the City should consider holding an informal meeting prior to the public hearing to discuss and answer the concerns of the business owners affected by the project. After discussion, a motion was made by Seehusen and seconded by Geels to fix the values for the Preliminary Plat and Schedule, using the assessed value of each property as obtained from the O'Brien County Auditor. Roll call was taken. Ayes, all. Motion carried. Mayor Meendering stated that she would discuss with City Manager Wynja and City Attorney Schreurs the possibility of holding an informational meeting with the public and the Council prior to the public hearing.

A motion was made by Hindt and seconded by Geels to approve Resolution R13-4071, A RESOLUTION APPROVING AND ADOPTING AN ESTIMATE OF COST, PLAT, AND SCHEDULE OF ASSESSMENTS CONCERNING THE 2013 SHELDON DOWNTOWN INFRASTRUCTURE PROJECT IN THE CITY OF SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

A motion was made by Seehusen and seconded by Geels to approve Resolution R13-4072, A RESOLUTION INTRODUCING PROPOSED RESOLUTION OF NECESSITY CONCERNING THE 2013 SHELDON DOWNTOWN INFRASTRUCTURE PROJECT IN THE CITY OF SHELDON, IOWA, AND SETTING PUBLIC HEARING THEREON, WITH THE HEARING TO BE HELD THE 17TH DAY OF APRIL, 2013 AT 4:30 P.M. IN THE CITY COUNCIL CHAMBERS, SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

The current cemetery ground lease has expired. City Manager Wynja stated that alfalfa has been planted on the land for the last several years, and the crop yield is becoming poor. After discussion, a motion was made by Seehusen and seconded by Geels to authorize the cemetery ground lease to be drafted for a period of two years, requiring the planting of beans in the first year and the planting of corn in the second year, and then alfalfa crops again beyond the two year period. Roll call was taken. Ayes, all. Motion carried. Public Works Director Uhl will advertise for bids on the cemetery ground, and the lease will be brought back to the Council for approval.

Press comments-none.

Council comments-Councilman Geels congratulated Ryan Van Marel for his "If I were Mayor" essay that appeared in the Iowa League of Cities magazine, the Cityscape.

Councilman Popkes stated that, in his opinion, business owners will benefit from the improvements and it is their responsibility to pay for their sidewalks as part of the Downtown Infrastructure Project.

Councilman Hindt congratulated the City Recreation Department and Recreation Director Curt Strouth for the successful basketball tournament that was held on Saturday, March 16, 2013.

Staff comments- Mayor Meendering congratulated the Sheldon ORABS for winning the Boys State Basketball Tournament.

A motion was made by Seehusen and seconded by Hindt to adjourn the meeting at 5:40 p.m. Roll call was taken. Ayes, all. Motion carried.

Arlene Budden, City Clerk/Treasurer/Finance Officer