

The Sheldon City Council met in regular session on Wednesday, April 17, 2013 at 4:30 p.m. Mayor Katricia Meendering called the meeting to order. Roll call was taken. Present: Brad Hindt, Duane Seehusen, Greg Geels, and Dave Popkes. 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 Seehusen and seconded by Hindt to approve the consent agenda with the following items:

- a. City Council Minutes of April 3, 2013, and the Minutes of the Boards & Commissions.
- b. Summary List of Claims—City, Boards & Commissions.
- c. Financial Reports for March, 2013.
- d. Ambulance Uncollectible Accounts.
- e. Applications for Membership.
  - i. Fire Applicant Grant Hurley.
  - ii. SCAT Applicant Kaylin Schuetz.
  - iii. EMA Applicant Nicholas Vust.
- f. Request from Lee Reuvers for Controlled Burn on CRP Ground.
- g. Cemetery Land Lease for Two Years (2013 and 2014) to Shane Kleinwolterink.

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

Mayor Meendering opened the public hearing on the Preliminary Assessment Plat & Schedule for the 2013 Downtown Infrastructure Project. She informed the public about the rules that would be followed, allowing each person to have one time for comments in a three-minute allowance, and comments must be related to only this agenda item. She opened the floor up for public comments.

Al Kats- 311 9<sup>th</sup> Street, stated that originally he was for the project, but now he is against it. He asked if the Council felt the cost was fair and equal, and at that point he wanted that question answered. He also commented that the plan does not include enough parking, and this should be addressed before this project goes any farther.

Eileen Martens-owner of His & Her Hair since 1977, stated she is opposed to the project. This type of project is too big for a town the size of Sheldon. It will cost the small business owners too much, and it may force some of them out of business. She always wanted to have her business in Sheldon, but now she is not so sure. If the City is going to move ahead with this plan, they should look at a different way to finance it.

Phil Warnke-owner of Ben Franklin Store, commented he has conducted a survey with other small towns in the area that have done a similar project. Their businesses lost 25% to 30% in sales which could not be recouped, and some of them closed their doors

permanently. This project will cause economic hardship during construction. Adding the assessment is like adding insult to injury. He is for the project, he thinks Sheldon needs this in the downtown area, but he is opposed to the assessments.

Marv Van Riesen-resident of Sheldon and owner of A-1 Roofing, stated that he is a contractor for several of these business owners. The City is tearing up the sidewalks; they should be replacing them, not passing this cost onto the property owners. He also added that the public should be allowed to vote on this project.

Grant Weaver-432 9<sup>th</sup> Street, commented that the assessment is not fair. His is a residential property owner and this project provides no benefit to him.

Jon Locke-301 9<sup>th</sup> Street, stated that he and his wife Angela opened their hair salon a few years ago. He felt the project was a good idea, until he realized they would be assessed a cost. He added they are small business owners, and it takes a long time to become profitable. They feel as though the money for the project is being taken out of their back pocket.

Brandon Kats commented that the property owners don't know what they are really getting with this project. The Council is still discussing different parts within the project. They should take a step back and rethink this whole issue. He added that the parking problem on 9<sup>th</sup> Street is not really being addressed.

Lori Letner-209 ½ 9<sup>th</sup> Street, rents this space for her business. She commented that Sheldon needs this project to draw people to the downtown. However, this assessment is too much for the small business owners. As far as parking, maybe diagonal parking on one side would be feasible, and help solve the problem.

Roger Sterler-R&J New & Used, commented that business owners have told him that shutting down their businesses for four months would be devastating. They would lose sales and it takes a lot of work to get those customers back.

Mary Freeman-Hair Headquarters, sent in a written comment. See attached.

A motion was made by Seehusen and seconded by Geels to close the hearing. Roll call was taken. Ayes, all. Motion carried. A motion was made by Popkes and seconded by Geels to approve Resolution R13-4081, A RESOLUTION OF NECESSITY 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. City Attorney Schreurs explained that by passing this resolution the Council is allowing the bid letting phase, acknowledging that the project is proper and the assessment of property benefits that property. Councilman Hindt added that the community needs to look at the long range picture.

Mayor Meendering opened the public hearing on the \$2,860,000 General Obligation Capital Note, Series 2013. Scott Stevenson, financial consultant with Ruan Securities,

stated that the City is considering the sale of bonds to finance the various projects that are part of our 12/13 budget, and projects that are planned for 13/14 budget. Interest rates are very favorable right now, and it makes good financial sense to combine these three issues together. Marv Van Riesen asked how these bonds are being repaid, and stated that the general public should have the right to vote on this. City Manager Wynja informed him that Tax Increment Financing is being used for the Downtown Infrastructure and the Sheldon Crossing Development, and Essential Corporate Bonds are being used for the Capital Improvements. There were no written comments. A motion was made by Hindt and seconded by Seehusen to close the hearing. Roll call was taken. Ayes, all. Motion carried. A motion was made by Geels and seconded by Popkes to approve Resolution R13-4082, A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION AND ISSUANCE OF NOT TO EXCEED \$2,860,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried. The \$2,860,000 issue is for the Sheldon Crossing Development.

A motion was made by Hindt and seconded by Geels to approve Resolution R13-4083, A RESOLUTION RATIFYING, CONFIRMING AND APPROVING PUBLICATION OF NOTICE OF PUBLIC HEARING FOR THE ISSUANCE OF NOT TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

Mayor Meendering opened the public hearing on the \$2,500,000 General Obligation Capital Loan Note, Series 2013. This is the combined issue for the Downtown Infrastructure Project for \$1,570,000 and the Essential Capital Improvements for \$930,000. There were no oral or written comments. A motion was made by Popkes and seconded by Seehusen to close the hearing. Ayes, all. Motion carried. A motion was made by Seehusen and seconded by Hindt to approve Resolution R13-4084, A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND ISSUANCE OF NOT TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013. 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 R13-4085, A RESOLUTION APPROVING THE PRELIMINARY OFFICIAL STATEMENT FOR THE \$5,350,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2013. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

Mayor Meendering opened the public hearing to consider vacating easements in Trilogy Village, Sheldon Iowa. These easements no longer provide any benefit to the public, nor do they serve any public purpose. There were no oral or written comments. A motion was made by Hindt and seconded by Seehusen to close the hearing. Roll call was taken. Ayes, all. Motion carried. A motion was made by Hindt and seconded by

Geels to approve Resolution R13-4086, A RESOLUTION VACATING THAT PORTION OF 26<sup>TH</sup> AVENUE AND VARIOUS PUBLIC EASEMENTS LYING WITHIN LOTS 13 THRU 25, TRILOGY VILLAGE, SHELDON, IOWA, AND OUTLOT A & B OF THE REPLAT OF LOTS 1 THRU 12, TRILOGY VILLAGE, SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

Mayor Meendering opened the public hearing to consider the Final Plat of the Replat of Trilogy Village, Sheldon, Iowa. Marvin Uittenbogaard stated that he was concerned about the water drainage to his property, and to the property of his neighbor Wayne Reed. He asked how the City planned to take care of their backyards when the water comes from Country Club Road to the south. Public Works Director Todd Uhl commented that this issue is being addressed. Engineer Pat Bickett feels the road will change the path of the water, and the necessary correction will be included in the plans and specifications. There were no written comments. A motion was made by Hindt and seconded by Geels to close the hearing. Roll call was taken. Ayes, all. Motion carried. A motion was made by Seehusen and seconded by Hindt to approve Resolution R13-4087, A RESOLUTION APPROVING REPLAT OF LOTS 13 THRU 25, TRILOGY VILLAGE, SHELDON, IOWA, AND OUTLOT A & B OF THE REPLAT OF LOTS 1 THRU 12, TRILOGY VILLAGE, SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

Mayor Meendering opened the public hearing to consider lot prices and authorize the sale of lots in Trilogy Village, Sheldon, Iowa. Marv Van Riesen asked how the lot prices were determined. City Manager Wynja informed him that the installation of the infrastructure was part of the formula so they would recoup the City's cost in the development. There were no written comments. A motion was made by Popkes and seconded by Hindt to close the hearing. Roll call was taken. Ayes, all. Motion carried. A motion was made by Seehusen and seconded by Hindt to approve Resolution R13-4088, A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN REAL ESTATE IN THE REPLAT OF TRILOGY VILLAGE OWNED BY THE CITY OF SHELDON, IOWA, BY SALE, AND ESTABLISHING AFFORDABLE HOUSING WITH THE LOT-PRICING SCHEDULE, as proposed in R13-4075 Resolution of Public Notice. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

The Council held the first reading to consider an amendment to the cemetery ordinance. The City has received a number of requests from families to allow upright markers in the designated flush area of the East Lawn Cemetery. The Cemetery Board has recommended that upright markers be allowed throughout the platted cemetery ground. According to Cemetery Board Member Glen Goedken, also owner of Goedken's Monuments, there are more people who prefer upright markers. City Manager Wynja also stated that there are approximately 250 lots in this area between Block 417 – 496, and they could potentially be sold before the City would have to open up a new area. Councilman Seehusen asked if there were any comments from families that specifically purchased flush markers, and now this would change those criteria. City Clerk Arlene Budden stated that there have not been any other comments received at this time. Councilman Hindt requested the public to consider this change, and contact the City

Office or their councilman if they have comments. After discussion, a motion was made Seehusen and seconded by Geels to pass on to a second reading an amendment to the East Lawn Cemetery ordinance, to remove Section 4 of the ordinance, allowing upright type markers throughout the cemetery. Roll call was taken. Ayes, all. Motion carried.

A motion was made by Hindt and seconded by Seehusen to approve Resolution R13-4089, A RESOLUTION APPROVING THE SALE OF LOT 3, BLOCK 5 IN THE REPLAT OF LOT 2 OF BLOCK 6 EXCEPT THE NORTH 50' THEREOF AND THE THIRD REPLAT OF OUTLOT 1, SCHEMPER ADDITION, SHELDON, IOWA TO DUANE AND AMY MUECKE IN THE AMOUNT OF \$20,980.00. Roll call was taken. Ayes: Hindt, Seehusen, Geels, and Popkes. Motion carried.

A motion was made by Seehusen and seconded by Popkes to set May 1, 2013 at 4:30 p.m. for a public hearing to consider the Final Plat of the First Replat of Outlot X, Sheldon Crossing Plat 1, Sheldon, Iowa. Roll call was taken. Ayes, all. Motion carried.

Public Works Director Todd Uhl informed the Council that due to the dry conditions the City's water capacity is down and we are pumping 350 Million GPM less water now than what it was at this time last year. Even though we have had a little moisture, we are still in a drought. He is asking the Council's support to issue a Water Watch requesting the residents of Sheldon to voluntarily conserve the use of water. In a Water Watch, we ask the residents not to use water for non-essential purposes. The Water Watch will be included in the next newsletter, and also explain what would be required if a mandatory watch was initiated.

Press comments-none.

Council comments-Councilman Hindt asked if at the next meeting the Council could discuss if there is a need for the 6:00 p.m. alarm test every night. He also thanked MidAmerican Energy Co. for the good job they did restoring electricity after the ice storm.

Staff comments-Mayor Meendering complimented the street crew for their good job cleaning up after the ice storm.

A motion was made by Seehusen and seconded by Hindt to adjourn the meeting at 5:45 p.m. Roll call was taken. Ayes, all. Motion carried.

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Arlene Budden, City Clerk/Treasurer/Finance Officer