Sheldon, Iowa City Council March 20, 2019

The Sheldon City Council met in regular session on Wednesday, March 20, 2019 at 4:30 p.m. Mayor protem Brad Hindt called the meeting to order. Roll call was taken. Present: Pete Hamill, Brad Hindt, Shawn Broesder, Tom Eggers, and Greg Geels. Also present: Todd Uhl, Attorney Micah Schreurs, Lyle Bolkema and Angela Beckman.

A motion was made by Hamill and seconded by Eggers to approve the agenda as presented. Roll call was taken. Ayes, all. Motion carried.

Public Comments: None.

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

* 1. Minutes of March 6, 2019, and the boards & commissions
  2. Summary list of city claims, boards & commissions.
  3. Financial reports from February, 2019.
  4. Change order #2 for the Airport snow removal equipment building in the amount of $89.82 to Larson Contracting.
  5. Setting April 3, 2019 at 4:30 p.m. for a public hearing to consider granting an underground electric easement at the water treatment plant to Mid American Energy.
  6. Pay request #10 for the wastewater treatment facility project in the amount of $1,414,337.50 to Hoogendoorn Construction.

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

Mayor protem Hindt opened the public hearing at 4:33 p.m. on the CDBG application on behalf of Village Northwest Unlimited. There were no oral or written comments. Mayor protem Hindt recited the Citizen Partation Plan: The need for the project was identified by Village Northwest Unlimited with assistance from the project architect, Cannon Moss Brygger Architects (CMBA), and the City of Sheldon in order to construct two new housing units on the Village Northwest Unlimited Campus. Furthermore, the need for this project was identified by due to the age of the current housing units that need to be replaced on the Village Northwest Unlimited campus. These homes being replaced are also necessary because they are totally handicap accessible and meet the physical needs of the Intermediate Care Facility-Intelectual Disability clientele.

The estimated funding for the project will be comprised of $600,000 in CDBG assistance and approximately $1,900,000 in local funding anticipated from local fundraising efforts and reserve funds. The total project cost is estimated to be $2,500,000. Application for CDBG funding will be submitted to the Iowa Economic Development Authority by April 19th, 2019. Persons benefiting from this project are considered to be limited clientele and are therefore presumed to have at least 51% of the clientele to be low to moderate income, per HUD”S definition, because their clientele includes persons with severe mental and physical disabilities. The portion of the CDBG funding that will benefit low-to-moderate income persons will be a maximum of $306,000.

No persons or businesses will be displaced as a result of the recommended project. In the event that any persons or businesses are actually displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended.

Village Northwest Unlimited will be constructing two new Intermediate Care Facility (ICF) homes for individuals with intellectual and physical disabilities on its campus located in Sheldon, Iowa.  Each home will be 5,000 square feet and serve 6 residents. These homes are designed and built to be totally handicap accessible.  Each person will have a private bedroom with a half bath.  Because of the physical and other medical needs of the people who live in ICF-ID homes these homes are designed with amenities to enhance the care environment for the person served while maintaining a welcoming “home-like” environment.

A motion was made by Hamill and seconded by Broesder to close the public hearing at 4:37 p.m. Roll call was taken. Ayes, all. Motion carried. A motion was made by Hamill and seconded by Eggers to approve the sub-recipient agreement for the Village Northwest CDBG application. Roll call was taken. Ayes, all. Motion carried. A motion was made by Eggers and seconded by Hamill to approve Resolution R19-4440A RESOLUTION AUTHORIZING APPLICATION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION; DESIGNATING A CDBG GRANT ADMINISTRATOR; AUTHORIZING THE MAYOR AND THE CITY CLERK TO SIGN THE APPLICATION AND RELATED MATERIALS; AND DESIGNATE A CONTACT PERSON ON BEHALF OF THE CITY OF SHELDON. Roll call was taken. Ayes, all. Motion carried.

Beckman reviewed the utility billing process. She stated that staff is requesting to educate the public that the reminder notices would be done away with. It was the consensus for staff to develop a billing process to be brought back to Council for consideration.

The first reading was held on Ordinance AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHELDON, IOWA, BY AMENDING PROVISIONS OF SECTION 115.04 PERTAINING TO CEMETERY RATES. Roll call was taken. Ayes, all. Motion carried.

Staff comments: Beckman stated that spring clean up flags will go on sale April 1.

Council comments: Geels asked where the discussion was at regarding fireworks at the Pavilion. Hamill stated that the Pavilion Board discussed it at their meeting in March, but will be discussing it in April because one of the parties that requested the fireworks would like to be present and couldn’t be there for the March meeting.

Council discussed the process for appointment of Mayor at the April 3, 2019 meeting. Hamill asked if Council could change from appointment of Mayor to having a special election. Attorney Schreurs stated yes. He continued to say that even if the Council appoints a Mayor, citizens have 14 days to petition for a special election. Also, if Council fails to appoint a Mayor within the required timeframe (40 days per Ctiy Code or 60 days per Iowa Code, a special election would be held, or Council can simply change their mind and decide to hold a special election. Eggers asked if the special election needed to be held within the 40 day timeframe. Schreurs stated no, and that election officials require at least 32 days to prepare, and an election could be held in early May. He also stated that the appointment of Mayor would serve until the next general election, however if a special election is held, the Mayor elected would serve the remainder of the Mayor’s term, which would be until December 31, 2021. After discussion, it was the consensus of the Council to follow Kooiker’s format of

* The appointment will occur at the very end of the April 3 meeting.
* Allow each candidate an opportunity to speak for up to 3 minutes.
* After all the candidates have spoken, the Council members can ask questions of the candidates.
* Each candidate will have 3 minutes to make a closing statement, and it will be in reverse order of the opening statements.
* The Council members will be given a ballot and will write the name of their preferred candidate on the ballot, and then the Council member shall sign the ballot. The ballots will be passed to the City Clerk, who will tabulate them in the presence of the City attorney.
* Note: I am not suggesting a secret ballot by the voting council members. What I am suggesting is a process where ballots will be used instead of “Motion to approve so and so” and “second”. Each ballot would be signed by the Council member so that each Council member’s vote will be known after the voting is over, but not during the voting.
* If a Council member chose to be a candidate for the position of Mayor, they will need to abstain from the voting.
* Regardless of minimum vote requirements, for the purposes of this procedure, three votes would be required. In the case of a “2 -1 -1 -1” vote, “2-1-1” or a “2-1” vote, the voting continues until there are 3 votes for a candidate.
* After a candidate has receive three votes, there would be a motion with a roll call to affirm the winner. Any prior ballots would be available for review at the end of the meeting by the candidates, media and public, and the results of those ballots would be printed in the minutes.
* The successful candidate will take office on April 15, 2019, which is 40 days after the vacancy occurred. (The oath does not need to be taken at Council meeting).

A motion was made by Geels and seconded by Broesder to adjourn at 5:06 p.m. Roll call was taken. Ayes: all. Motion carried.

Angela Beckman, City Clerk