

The Sheldon City Council met in regular session on Wednesday, May 19, 2010 at 4:30 p.m. Mayor Katricia Rider called the meeting to order. Roll call was taken. Present: Brad Hindt, Duane Seehusen, Ron Rensink, Mark Postma, and Dave Popkes. Also present: Todd Uhl, Lyle Bolkema, Micah Schreurs, Scott Wynja, and Arlene Budden.

Public comments-none.

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

- a. City Council Minutes of May 5, 2010, and the minutes of the Boards & Commissions.
- b. Summary List of Claims for the City with additional claims as presented, and the claims of the Boards & Commissions.
- c. Financial Reports—April 2010.
- d. Renewal of Casey's General Store Beer Permit & Ownership Change.
- e. New Native Wine Permit for Prairie Moon Books.
- f. Renewal of Beer & Wine Permit for Family Table.

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

Mayor Rider opened the public hearing at 4:40 p.m. to consider amending the 2009/2010 Fiscal Budget. There were no oral or written comments. A motion was made by Rensink and seconded by Hindt to close the hearing at 4:41 p.m. Ayes, all. Motion carried. A motion was made by Popkes and seconded by Postma to approve Resolution R10-3958, A RESOLUTION AMENDING THE CURRENT BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2010. Roll call was taken. Ayes: Hindt, Seehusen, Rensink, Postma, and Popkes. Motion carried.

Mayor Rider opened the public hearing at 4:45 p.m. to consider the plat for Runger's Third Addition. Engineer Pat Bickett reviewed the preliminary plat, showing the whole area with the water mains, sewer lines, storm sewer, and detention ponds to slow down the flow of water. He stated that, as new development increased, this area would eventually need a sewer lift. On the final plat, Engineer Bickett discussed the proposed lots where the new planned development would be occurring showing the lot sizes and boundaries. He showed where easements would be needed for the utilities, and stated that no construction can take place within the easement that is 160' wide off of Country Club Road. City Manager Wynja read a letter the City received from Chozen & Saunders, Attorneys At Law, representing Mike and Bonnie Weaver opposing the plat, and the proposed location for O'Brien County Implement to relocate their business. In the letter, they stated this industrial development would have an adverse affect on their property that lays adjacent to the Runger Addition. After review of the preliminary and final plat, a motion was made by Seehusen and seconded by Hindt to close the hearing at 5:00 p.m. Ayes, all. Motion carried.

A motion was made by Rensink and seconded by Hindt to approve Resolution R10-3959, A RESOLUTION APPROVING THE PRELIMINARY PLAT OF RUNGER'S THIRD

ADDITION TO SHELDON, IOWA. Roll call was taken. Ayes: Hindt, Seehusen, Rensink, Postma, and Popkes. Motion carried.

A motion was made by Rensink and seconded by Seehusen to approve Resolution R10-3960, A RESOLUTION APPROVING THE FINAL PLAT OF RUNGER'S THIRD ADDITION TO SHELDON, IOWA. Prior to approving the motion, City Attorney Schreurs reminded the City Council that it should determine whether the proposed subdivision conforms to the applicable comprehensive plan, should consider the possible burden of the subdivision on public improvements, and should also consider how the interests of the proprietor, future purchasers, and the public interest can be balanced. The City Council has determined that this subdivision conforms to the 2004 Comprehensive Land Use Plan, and they have given consideration to the public improvements and the public interest when reviewing the proposed subdivision in conjunction with the approval of the subdivision. Roll call was taken. Ayes: Hindt, Seehusen, Rensink, Postma, and Popkes. Motion carried.

A motion was made by Rensink and seconded by Popkes to approve Resolution R10-3961, A RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING TAXABLE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2004, OF THE CITY OF SHELDON, STATE OF IOWA, DATED NOVEMBER 15, 2004, AND DIRECTING NOTICE BE GIVEN. Roll call was taken. Ayes: Hindt, Seehusen, Rensink, Postma, and Popkes. Motion carried. The \$450,000 bonds that are being called are from the \$1,535,000 Issue for financing the Sheldon Crossing, and the funds will be transferred from TIF to Debt Service for payment.

The Council held the second reading on the proposed amendment to the water and sewer ordinance for the fiscal year 2010/2011. A motion was made by Postma and seconded by Popkes to pass on to the third reading the proposed amendment to the ordinance for the water and sewer rates for fiscal year 2010/2011. Ayes, all. Motion carried.

A motion was made by Popkes and seconded Postma to approve Pay Estimate #4 to Peska Construction in the amount of \$58,444.00, for the Sheldon Regional Airport Hangar Building Project. Ayes, all. Motion carried.

SCDC Director Mark Gaul presented the Council with a TIF application for Hy-Vee, Inc. for the new construction of their 31,168 Sq.Ft. food store and a 1,800 Sq. Ft. convenience store. A motion was made by Rensink and seconded by Seehusen to approve the TIF application for Hy-Vee, Inc., with a 5-year sliding scale and an estimated rebate of \$161,262. Ayes, all. Motion carried.

The Council held a discussion on the current Nuisance Ordinance. The current process is to send a notice for a nuisance to be abated. If this is not done in a stated amount of time, the City abates the nuisance and assesses the costs to the property owner. According to City Attorney Schreurs' interpretation of the Code, the City may initially write a ticket as a municipal infraction for the nuisance, and then require the nuisance to be abated. A notice shall be given to a landowner, and a tenant if applicable. If the

nuisance is not abated, the City will abate the nuisance and assess the costs to the property owner. If there is a tenant on the property, the tenant is given the ticket for the municipal infraction, and the abatement costs are assessed to the landowner. After discussion, it was the consensus of the Council not to change the current nuisance ordinance, but to follow the process as allowed by the Code using municipal infractions and assessment of abatement costs.

Due to scheduling conflicts, a motion was made by Popkes and seconded by Postma to change the June regular Council meeting dates from the 1st and 3rd Wednesdays to Thursday, June 10, 2010 at 12:00 p.m., and Wednesday, June 23, 2010 at 4:30 p.m. Ayes, all. Motion carried.

A motion was made by Hindt and seconded by Postma to set June 23, 2010 at 4:40 p.m. for a public hearing on the plans and specifications on the 2010 Water System Improvements, and the taking of bids for such improvements. The sealed proposals received will be opened on June 22, 2010 at 1:00 p.m. and may be acted on at such later time and place as fixed. Ayes, all. Motion carried.

Press comments-none.

Council comments-Councilman Hindt thanked the Sheldon Community Ambulance Team (SCAT) for their service to the community.

Staff comments-City Manager Wynja informed the Council that the City's Housing Rehabilitation Grant application was not approved this year. We will reapply again next year. However, the O'Brien County Housing Trust Grant is available for those within O'Brien County that meet the specified criteria. Applications are available in the City Offices and at the SCDC office.

A motion was made by Seehusen and seconded by Hindt to adjourn the meeting at 5:19 p.m. Ayes, all. Motion carried.

Arlene Budden, City Clerk/Treasurer/Finance Officer