

## MINUTES OF REGULAR COUNCIL MEETING MAY 28, 2024

The Shenandoah City Council met in regular session on May 28, 2024 at 6:00 P.M. in the Council Chambers of City Hall. Present were Mayor Roger McQueen and Councilmembers Rita Gibson, Jon Eric Brantner, Kim Swank, Toni Graham and Richard Jones. Also present were City Clerk Karla Gray, City Administrator AJ Lyman and City Attorney Mahlon Sorensen.

Gibson moved; Jones seconded approving the agenda. Passed unanimously.

At 6:02 P.M., the Mayor announced that this was the date, time and place for the public hearing on the Amendments to Chapter 115 [Cemetery Ordinance]. Oral comments were received by Rita Oberg, Chairman of Cemetery Board. No written comments were received in the Clerk's office.

The Mayor closed the Public Hearing at 6:20 P.M.

At 6:20 P.M., the Mayor announced that this was the date, time and place for the public hearing on the Authorization of a Loan Agreement and the issuance of not to exceed \$35,000,000 Sewer Revenue Capital Loan Notes [improvements and extensions to the Municipal Sewer utility]. Zero oral comments were made. One comment was received by email [Mayor McQueen's email] by Gregg Connell.

The Mayor closed the Public Hearing at 6:20 P.M.

Gibson moved; Brantner seconded approving the consent agenda that includes: Minutes of the May 14, 2024 Regular Meeting. Auto-renewal permit #LE0001687 Class C Retail Alcohol License (LC) for Fareway Stores, Inc. DBA Fareway Stores, Inc. #938 located at 1007 S. Fremont Ave. Passed unanimously.

Jones moved; Gibson seconded approving the Abstract of Claims #2024-22 for \$746,283.72. Passed unanimously.

Brantner moved; Gibson seconded approving the amendments to Chapter 115 [Cemetery Ordinance]; first reading. Passed unanimously.

Gibson moved; Jones seconded instituting proceedings to take additional action for the authorization of a loan agreement and the issuance of not to exceed \$35,000,000 Sewer Revenue Capital Loan Notes. Passed unanimously.

Brantner moved; Gibson seconded approving the lowest bid from MDX, LLC. in the amount of \$42,000.00 to demolish city owned properties located at 809 5<sup>th</sup> Ave., 301 College St., 212 E. Lowell Ave., and 211 W. Sheridan Ave. [Demo 2024-01]. [Other bids received were: Earth Services DBA Iowa Demolition-\$94,400.00; Watson Excavation-\$51,000.00; Dirt Innovations, LLC.-\$98,100.00 with one exception; Southwest Iowa Parking Lot Maintenance-\$47,250.00 with one exception]. Passed unanimously.

Gibson moved; Brantner seconded approving City Clerk to publish notice to solicit bids of City owned lots and/or House(s) available for purchase by sealed bids [All bids due by 10:00 A.M. – June 21, 2024]. Passed unanimously.

Brantner moved; Jones seconded approving City Clerk/Treasurer to publish notice to solicit bids of "Banking Services" [All bids due by 9:00 A.M. – June 21, 2024]. Passed unanimously.

Gibson moved; Brantner seconded approving Proposed Budget Amendments for FY 2024 and set a Public Hearing on June 11, 2024 at 6:00 P.M. Passed unanimously.

Brantner moved; Gibson seconded approving a resolution for letter of support for the submission of an IEDA application to the workforce housing tax credit program by Margaret Brady for two properties [Local City match of \$1,000 per unit]. Passed unanimously.

Brantner moved; Jones seconded approving Pay Application #3 in the amount of \$76,514.50 to Building Crafts for Shallow Wells No. 27 and 28 and authorize the Mayor to execute pay applications. Passed unanimously.

Brantner moved; Jones seconded approving Public Benefit Event application for New Beginnings Church on July 3, 2024. Passed unanimously.

Gibson moved; Brantner seconded approving a temporary exclusion of Chapter 93 to allow the Citizen to fill their pool with no penalty and no doubled water increase. On roll call, the votes with "Ayes" were Gibson and Brantner. "Nays" were Swank, Graham and Jones. Failed.

Brantner moved; Jones seconded approving a temporary exclusion of Chapter 93 to allow the Citizen to fill their pool with the doubled rate. On roll call, the votes with "Ayes" were Brantner, Jones, Gibson, and Swank. "Nays" were Graham. Passed.

Brantner moved; Gibson seconded approving Rates/Salaries for Part-Time Employees of the City of Shenandoah-Misc. Depts. #4 [List of wages are available at City Hall]. Passed unanimously.

At 7:06 P.M., Brantner made a motion to move the meeting into Closed Session according to Iowa Code 21.5, paragraph C, to discuss strategy with Council in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Gibson seconded the motion. On roll call, the votes were "Ayes" unanimously. The meeting moved into Closed Session at 7:06 P.M.

At 7:30 P.M., Swank made a motion to move the meeting out of Closed Session and return the Council meeting in Open Session. Jones seconded the motion. On roll call, the votes were "Ayes" unanimously. Mayor McQueen announced the meeting was back in Open Session at 7:30 P.M.

Gibson moved; Brantner seconded supporting the Movie Theatre and authorizing the City Attorney Sorensen, City Administrator Lyman and City Clerk Gray to re-negotiate contract with the Manager. Passed unanimously.

Citizens Opportunity to Address the Council—None.

Council/Committee Reports—Councilmember Brantner gave an update on Shenandoah Chamber & Industry Association. Councilmember Graham gave an update on the Shenandoah Public Library. Councilmember Brantner also thanked the Employees of Waste Management for attending the Council meeting and asked if they could send out more information on the bid proposal.

Items for Future Agenda—Public Hearing—Budget Amendment [June 11]. Selection of Solid Waste Collections Contract [June 11]. Public Hearing/Award of bid—WWTP project [June 25].

There being no further business, Jones moved, Graham seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 7:43 P.M. and to reconvene at the next regular council meeting on June 11, 2024, at 6:00 P.M.

s/s Roger McQueen, Mayor

s/s Karla Gray, City Clerk/Treasurer