

MINUTES OF REGULAR COUNCIL MEETING OCTOBER 9, 2018

The Shenandoah City Council met in regular session on October 9, 2018 at 6:00 P.M. in the Council Chambers of City Hall. Present were Mayor Richard Hunt and Councilmembers Rita Gibson, Robert Burchett, Kim Swank, Toni Graham and Aaron Green. Also, present were City Clerk/Treasurer Karla Gray, City Administrator AJ Lyman and City Attorney Mahlon Sorensen.

Graham moved, Gibson seconded to approve the agenda. Passed unanimously.

At 6:01 P.M., the Mayor announced that this was the date, time, and place for the public hearing on the clarification and reaffirming the application of City Ordinance Chapter 136 Sidewalk regulations pertaining to Downtown Business District Sidewalks [First Reading]. Mayor Hunt gave a brief discussion on the sidewalk ownership concern. Hunt explained that Street Dept. and Park/Rec Dept. would like to continue to maintain sidewalks. Business owners would be responsible for routine day to day maintenance. Street Superintendent Todd Foutch recommends the City to remove snow from 4:00 P.M. to 4:00 A.M. and the Merchants would resume from 4:00 A.M. to 4:00 P.M. Swank felt that the current ordinance has worked and no need to make any changes. Police Chief Gray mentioned how they would enforce the ordinance on routine maintenance. He felt that the amendment should read what the "routine" maintenance consist of.

The Mayor closed the Public Hearing at 6:08 P.M.

Green moved, Gibson seconded approving the consent agenda which included the minutes of the September 25, 2018 Regular Meeting; and approving City Employees to attend Iowa Association of Municipal Utilities training from November 13-November 15, 2018 in Des Moines, IA [T. Martin, C. Sokolowski]. Passed unanimously.

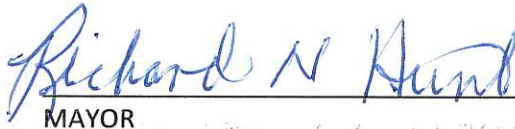
Swank moved, Burchett seconded to approve the Abstract of Claims #2019-07 for \$196,426.14 Passed unanimously.

Green moved, Burchett seconded to approve the following resolution. On roll call, the votes were Green, Burchett and Gibson with "Ayes" and Swank and Graham with "Nays". Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION AMENDING CITY ORDINANCE CHAPTER 136 SIDEWALK REGULATIONS
PERTAINING TO DOWNTOWN BUSINESS DISTRICT SIDEWALKS BY ADDING CITY WILL
MAINTAIN COMPLETED STREETScape PROJECTS DOWNTOWN AND BUSINESS/PROPERTY
OWNERS WILL MAINTAIN DAY TO DAY MAINTENANCE OF THE SIDEWALKS
[FIRST READING]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, amending City Ordinance Chapter 136 Sidewalk regulations pertaining to Downtown Business District Sidewalks by adding City will maintain completed Streetscape projects downtown and Business/Property owners will maintain day to day maintenance of the sidewalks [First Reading].

PASSED AND APPROVED this 9th day of October, 2018.


MAYOR


CITY CLERK

A discussion was held on approving BID proposal to demolish city owned properties located at the following properties; 311 N. Broad St., 308 N. Pear St. and 1115 W. Lowell Avenue. [Demo project 2018-02]. Councilmember Green shared concerns with the lower BID that was received. It was brought to the City's attention that the debris from past demolitions was not taken to the Page County Landfill. Councilmember Graham suggested that the City should request receipts from the Landfill on all City related business. Mayor Hunt, City Administrator Lyman and City Clerk/Treasurer Gray will follow up with the Page County Landfill to discuss what debris if any was hauled from the demolitions.

Gibson moved, Graham seconded to table the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly tabled.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING OCTOBER 9, 2018

RESOLUTION TABLING BID PROPOSAL TO DEMOLISH CITY OWNED PROPERTIES LOCATED AT THE FOLLOWING PROPERTIES; 311 N. BROAD ST, 308 N. PEAR ST. AND 1115 W. LOWELL AVENUE. [DEMO PROJECT 2018-02]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, tabling bid proposal to demolish city owned properties located at the following properties; 311 N. Broad St., 308 N. Pear St. and 1115 W. Lowell Avenue. [Demo project 2018-02].

Tabled this 9th day of October, 2018.

Kaulamway
CITY CLERK

Richard N Aund
MAYOR

Gibson moved, Green seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE SALE OF CITY OWNED PROPERTY [PARCEL LOCATED WEST OF THE EAGLES AERIE #3849 DESCRIBED AS LOTS 827 AND 828] TO THE EAGLES AERIE #3849 IN THE AMOUNT OF \$2,000.00 [MONTHLY PAYMENTS OF \$200.00 COMMENCING NOVEMBER 1, 2018]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the sale of city owned property [parcel located west of the Eagles Aerie #3849 described as lots 827 and 828] to the Eagles Aerie #3849 in the amount of \$2,000.00 [Monthly payment of \$200.00 commencing November 1, 2018]

PASSED AND APPROVED this 9th day of October, 2018.

Kaulamway
CITY CLERK

Richard N Aund
MAYOR

Gibson moved, Green seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE REQUEST OF PROPOSALS FOR THE REPAIR OF THE LEGACY III THEATRE'S FAÇADE AND ROOF AND DIRECTING THE CITY CLERK TO PUBLISH REQUEST FOR PROPOSALS

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the request of proposals for the repair of the Legacy III Theatre's façade and roof and directing the City Clerk to public request for proposals.

PASSED AND APPROVED this 9th day of October, 2018.

Kaulamway
CITY CLERK

Richard N Aund
MAYOR

Gibson moved, Graham seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE REQUEST FROM ST. MARY'S CHURCH FOR 2 ADDITIONAL DESIGNATED HANDICAP PARKING SPACES WEST OF THE RAMP [SOUTH SIDE OF WEST THOMAS AVENUE]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the request from St. Mary's Church for 2 additional designated Handicap Parking Spaces West of the ramp [South side of West Thomas Avenue.

PASSED AND APPROVED this 9th day of October, 2018.

Kavanaugh
CITY CLERK

Richard N. Hunt
MAYOR

Gibson moved, Swank seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE REQUEST FROM THE VALLEY NEWS FOR AN ADDITIONAL DESIGNATED HANDICAP PARKING SPACE WEST OF SHENANDOAH'S BEST CHOICE HARDWARE STORE [NORTHEAST CORNER OF ELM ST. AND SHERIDAN AVENUE]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the request from the Valley News for an additional designated handicap parking space west of Shenandoah's Best Choice Hardware Store [Northeast corner of Elm St. and Sheridan Avenue].

PASSED AND APPROVED this 9th day of October, 2018.

Kavanaugh
CITY CLERK

Richard N. Hunt
MAYOR

Gibson moved, Graham seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE REQUEST FROM THE SANCTUARY RESTAURANT FOR 1 DESIGNATED HANDICAP PARKING SPACE WEST OF THE MAIN ENTRANCE DOOR [NORTHEAST CORNER OF SOUTH ELM ST. AND 5TH AVENUE]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the request from the Sanctuary Restaurant for 1 designated handicap parking space West of the main entrance door [Northeast corner of South Elm St. and 5th Avenue]

PASSED AND APPROVED this 9th day of October, 2018.

Kavanaugh
CITY CLERK

Richard N. Hunt
MAYOR

Green moved, Graham seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING OCTOBER 9, 2018

RESOLUTION TO APPROVE SETTING A PUBLIC HEARING ON OCTOBER 23, 2018 AT 6:00 P.M TO AFFORD JOAN HAMILTON'S LEGAL COUNSEL TO PRESENT AN ORAL ARGUMENT AND PROVIDE AFFIDAVITS IN ORDER TO COMPLY WITH THE COURT ORDER [CITY ATTORNEY AND HIS CO-COUNSEL TO PRESENT THE POSITION OF THE CITY COUNCIL ALL TO COMPLY WITH COURTS DIRECTIONS. CITY ATTORNEY WILL ARGUE IN POSITION TO HAMILTON'S ATTORNEY]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving setting a Public Hearing on October 23, 2018 at 6:00 P.M to afford Joan Hamilton's legal counsel to present an oral argument and provide affidavits in order to comply with the court order [City Attorney and his co-counsel to present the position of the City Council all to comply with courts directions. City Attorney will argue in position to Hamilton's attorney].

PASSED AND APPROVED this 9th day of October, 2018.


MAYOR


CITY CLERK

Gibson moved, Graham seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO REQUEST DEMOLITION BIDS FOR CITY OWNED PROPERTY LOCATED AT 305 S. ELM STREET [KEENAN APARTMENTS]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, requesting demolition BIDS for city owned property located at 305 S. Elm St.

PASSED AND APPROVED this 9th day of October, 2018.


MAYOR


CITY CLERK

Graham moved, Gibson seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE ALLEY CLOSURE FROM ELM ST. TO MAPLE ST. [KID-FRIENDLY HAUNTED HOUSE/TRAIL ON OCTOBER 26 AND OCTOBER 27, 2018 FROM 5:00 P.M TO 10:00 P.M] [SPONSORED BY THE EAGLES AERIE #3849 AND HOLLY'S HOPE]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving alley closure from Elm St. to Maple St. [Kid-Friendly Haunted House/Trail on October 26 and October 27, 2018 from 5:00 to 10:00 P.M] [Sponsored by the Eagles Aerie #3849 and Holly's Hope].

PASSED AND APPROVED this 9th day of October, 2018.


MAYOR

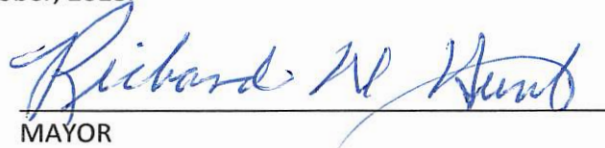

CITY CLERK

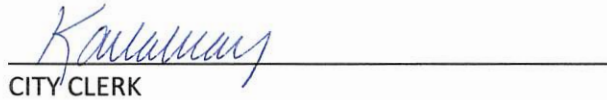
Burchett moved, Gibson seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TO APPROVE THE NEW BEGINNINGS CHURCH YOUTH GROUP REQUEST TO BLOCK OFF 6TH AVENUE BETWEEN MAPLE ST. AND SOUTH ELM ST. [OCTOBER 31, 2018; 5:00 P.M TO 8:00 P.M] [ANNUAL TRUNK OR TREAT EVENT]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the New Beginnings Church Youth Group request to block off 6th Avenue between Maple St. and South Elm St. [October 31, 2018: 5:00 P.M to 8:00 P.M] [Annual Trunk of Treat Event].

PASSED AND APPROVED this 9th day of October, 2018.


MAYOR


CITY CLERK

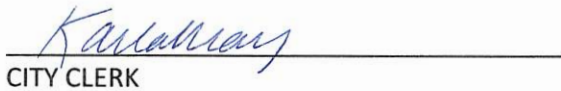
For Citizens Opportunity to Address the Council-None.

For Council/Committee Reports— Mayor Hunt stated that the City of Essex asked for assistance with their transition. Swank stated that Christmas lights have been ordered.

Items for Future Agenda—Armory Roof Repair Bid [Insurance Claim], Public Hearing-Sale of Property [Eagles], Public Hearing-Hamilton Case, New Street Light Request [Carter/Evergreen].

There being no further business, Burchett moved, Gibson seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:50 P.M. and to reconvene at the next regular council meeting on October 23, 2018 at 6:00 P.M.


MAYOR


CITY CLERK