

**MINUTES OF REGULAR COUNCIL MEETING APRIL 9, 2019**

The Shenandoah City Council met in regular session on April 9, 2019 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.

Burchett moved, Graham seconded approving the agenda. Passed unanimously.

Graham moved, Gibson seconded approving consent agenda items consisting of minutes from the March 26, 2019 Regular Meeting; and minutes from the April 2, 2019 Special Meeting. Passed unanimously.

Burchett moved, Green seconded approving the Abstract of Claims #2019-19 for \$331,198.07. Passed unanimously.

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

**RESOLUTION APPROVING NEGOTIATED PROFESSIONAL SERVICE CONTRACT WITH VEENSTRA AND KIMM FOR THE WATER TREATMENT PLANT PROJECT.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving negotiated professional service contract with Veenstra and Kimm for the Water Treatment Plant Project.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

  
MAYOR

  
CITY CLERK


A discussion was held on the unsafe building located at 301 W. Clarinda Ave. Assistant Chief Tom Johnson stated that the property has since been demolished and removed from the premise. No action necessary.

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

**RESOLUTION APPROVING APPLICATION FOR FY 2020 AIRPORT STATE FUNDING PROGRAM FOR A NEW HANGAR AND ACCESS TAXIWAYS [CITY COMMITS TO PROVISION OF FUNDS AS LOCAL MATCH]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving application for FY 2020 Airport State Funding Program for a new hangar and access taxiways [City commits to provision of funds as local match].

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

  
MAYOR

  
CITY CLERK

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

**RESOLUTION APPROVING NOTICE OF ASSIGNMENT FROM BANKERS TRUST COMPANY TO UMB BANK AS PAYING AGENT FOR ALL GENERAL OBLIGATION DEBT AND AUTHORIZE EXECUTION OF DOCUMENTS.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving Notice of Assignment from Bankers Trust Company to UMB bank as paying agent for all general obligation debt and authorize execution of documents.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

  
MAYOR


  
CITY CLERK

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

**RESOLUTION APPROVING A RESOLUTION FOR USE AND ACCESS TO LAND NORTH AND WEST OF THE PARK VIA THE LANE THAT NOW PROVIDES ACCESS TO MANTI PARK AND SET A PUBLIC HEARING ON APRIL 23, 2019 AT 6:00 P.M. [PARK BOARD APPROVED 4-0]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving a resolution for use and access to land North and West of Park via the lane that now provides access to Manti Park and set a Public Hearing on April 23, 2019 at 6:00 P.M. [Park Board approved 4-0].

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

  
MAYOR

  
CITY CLERK

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

**RESOLUTION APPROVING A PAY REQUEST [SETTLEMENT AMOUNT AS AGREED UPON] TO LIBERTY MUTUAL IN THE AMOUNT OF \$816,382.62 FOR WATER TREATMENT PLANT**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving pay request [settlement amount as agreed upon] to Liberty Mutual in the amount of \$816,382.62 for Water Treatment Plant.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

  
MAYOR

  
CITY CLERK

A minor discussion was held on approving the amendment of Chapter 92 of the Code of Ordinances pertaining to water rates. Water Superintendent Tim Martin presented the Council with several options for rate increases. City Administrator Lyman mentioned that the rates have not been increased for several years. Rate increases would cover increased production costs and the Water Treatment Plant debt.

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

**RESOLUTION APPROVING THE AMENDMENT OF CHAPTER 92 OF THE CODE OF ORDINANCES PERTAINING TO WATER RATES AND SET A PUBLIC HEARING DATE ON APRIL 23, 2019 AT 6:00 P.M.**

## CONTINUED MINUTES OF REGULAR COUNCIL MEETING APRIL 9, 2019

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the amendment of Chapter 92 of the Code of Ordinances pertaining to water rates and set a Public Hearing date on April 23, 2019 at 6:00 P.M.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

A small discussion was held on approving the amendment of Chapter 99 of the Code of Ordinances pertaining to sewer rates. Mayor Hunt informed the Council that the rate increase for sewer is for the upcoming Wastewater Improvements that were mandated by the Iowa Department of Natural Resources.

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

**RESOLUTION APPROVING THE AMENDMENT OF CHAPTER 99 OF THE CODE OF ORDINANCES PERTAINING TO SEWER RATES AND SET A PUBLIC HEARING DATE ON APRIL 23, 2019 AT 6:00 P.M.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the amendment of Chapter 99 of the Code of Ordinances pertaining to sewer rates and set a Public Hearing date on April 23, 2019 at 6:00 P.M.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

A discussion was held on approving and adopting the Small Cell Design Guideline to describe objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetic and character of the immediate area regarding a list of criteria set forth in the guideline. Attorney Sorensen stated that the FCC is changing from large towers to smaller/closer towers. If the city has a policy in place, the City would be able to have control on placement and aesthetics.

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

**RESOLUTION APPROVING AND ADOPTION OF SMALL CELL DESIGN GUIDELINE TO DESCRIBE OBJECTIVE, TECHNICALLY FEASIBLE CRITERIA APPLIED IN A NON-DISCRIMINATORY MANNER THAT REASONABLY MATCH THE AESTHETIC AND CHARACTER OF THE IMMEDIATE AREA REGARDING A LIST OF CRITERIA SET FORTH IN THE GUIDELINE.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving and adopting the Small Cell Design Guideline to describe objective, technically feasible criteria applied in a non-discriminatory manner that reasonably match the aesthetic and character of the immediate area regarding a list of criteria set forth in the guideline.

PASSED AND APPROVED this 9<sup>th</sup> day of April, 2019.

Kaulamany  
CITY CLERK

Richard N. Hund  
MAYOR

For Citizens Opportunity to Address the Council—None.

For Council/Committee Reports—Library Chamber Coffee [Carrie Falk, Director], Falk stated that the Library has over 122 Volunteers. Library will be hosting the next coffee on Wednesday, April 10 at 10:00 A.M. to show their appreciation.

Items for Future Agenda—Public Hearings-Use and access agreement to 2190 Manti Rd, Public Hearing-Chapter 92-Water Rates, Public Hearing-Chapter 99-Sewer Rates.

There being no further business, Burchett moved, Gibson seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:29 P.M. and to reconvene at the next regular council meeting on April 23, 2019 at 6:00 P.M.

Kaulamany  
CITY CLERK

Richard N. Hund  
MAYOR