

**MINUTES OF REGULAR COUNCIL MEETING JUNE 12, 2018**

The Shenandoah City Council met in regular session on June 12, 2018 at 6:00 P.M. in the Council Chambers of City Hall. Present were Mayor Richard Hunt and Councilmembers Rita Gibson, Bob Burchett, Kim Swank, Toni Graham, and Aaron Green. Also present were City Clerk/Treasurer Karla Gray, City Administrator Jim Davey, and City Attorney Mahlon Sorensen.

Graham moved, Gibson seconded to approve 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 proposed budget amendments for FY 2018. No comments were made.

The Mayor closed the Public Hearing at 6:03 P.M.

Gibson moved, Swank seconded approving the consent agenda which included the minutes of the May 22, 2018 regular meeting. Passed unanimously. Gibson moved, Graham seconded approving renewal permit class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales for George R. Whitehill DBA Dirt's Place at 116 N. Blossom St. [July 1, 2018-June 30, 2019] and renewal permit Class C Liquor License (LC) (Commercial) with Sunday Sales for El Porton Mexican Grille Inc. DBA El Porton Mexican Grill at 506 S. Fremont St. [June 26, 2018- June 25, 2019] and renewal permit Class E Liquor License (LE) with Class B Wine Permit, Class C Beer Permit (Carryout Beer), Class E Liquor License (LE), and Sunday Sales for Wal-Mart Stores, Inc. DBA Wal-Mart #1683 at 705 S. Fremont St. [Pending Dram Shop] [July 15, 2018-July 14, 2019] and ownership change for permit LE0001708 for Wal-Mart Stores, Inc. DBA Wal-Mart #1683 at 705 S. Fremont St. and renewal permit Class C Native Wine License (WCN) with Outdoor Service and Sunday Sales for Wabash Wine Company, LLC DBA Wabash Wine Company at 800 W. Ferguson Rd. [July 15, 2018- July 14, 2019] and City Hall Employees to attend Payroll Law 2018 workshop on July 24, 2018 in Omaha, NE [K. Gray, J. Lambertsen] [City Vehicle]. Passed unanimously. Swank moved, Green seconded approving City Hall Employees to attend Iowa League of Cities Annual Conference on September 12-14 in Council Bluffs, IA [J. Davey, K. Gray] [City Vehicle]. Passed unanimously. Green moved, Swank seconded approving Councilmember to attend Iowa League of Cities Annual Conference on September 12-14 in Council Bluffs, IA [R. Gibson]. Green, Swank, Burchett, Graham with "Ayes" and Gibson "Abstained". Passed

Burchett moved, Gibson seconded to approve the Abstract of Claims #2018-23 for \$452,231.16 Passed unanimously.


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

**RESOLUTION APPROVING PROPOSED BUDGET AMENDMENTS FOR FY2018**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the proposed Budget Amendments for FY2018.

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

  
CITY CLERK

  
MAYOR

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

**RESOLUTION APPROVING 28E AGREEMENT BETWEEN THE CITY OF SHENANDOAH AND SHENANDOAH COMMUNITY SCHOOL DISTRICT [SCHOOL WILL UTILIZE BRICKER BUTTERFLY HOUSE AND AGREES TO PAY UTILITIES AND MAINTENANCE COST]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving a 28E Agreement between the City of Shenandoah and Shenandoah Community School District [School will utilize Bricker Butterfly House and agrees to pay utilities and maintenance cost].

## CONTINUED MINUTES OF REGULAR COUNCIL MEETING JUNE 12, 2018

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

  
MAYOR

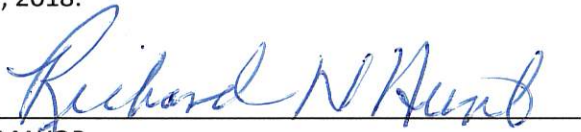
  
CITY CLERK

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

**APPROVING THE PROCLAMATION CELEBRATING THE 50<sup>TH</sup> ANNIVERSARY  
OF HOME RULE IN IOWA.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the proclamation celebrating the 50<sup>th</sup> Anniversary of Home Rule in Iowa.

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

  
MAYOR


  
CITY CLERK

Swank moved, Green seconded to deny the following resolution. On roll call, the votes were "Ayes" unanimous. Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION DENYING CITIZENS REQUEST TO FORGIVE CURB STOP INVOICE IN THE  
AMOUNT OF \$160.00 [R. FERGUSON]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, denying citizen request to forgive curb stop invoice in the amount of \$160.00 [R. Ferguson].

PASSED AND APPROVED this 12<sup>th</sup> of June, 2018.

  
MAYOR


  
CITY CLERK

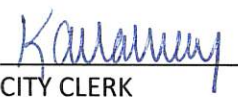
Swank moved, Green seconded to deny the following resolution. On roll call, the votes were Swank, Green, Graham with "Ayes" and Gibson, Burchett with "Nays". Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION DENYING CITIZENS REQUEST TO FORGIVE A PORTION OF A PREVIOUS  
TENANTS' WATER BILL [P. PETERSEN]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, denying citizen request to forgive a portion of a previous tenants' water bill [P. Petersen].

PASSED AND APPROVED this 12<sup>th</sup> of June, 2018.

  
MAYOR

  
CITY CLERK

Burchett 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 RATIFYING AND APPROVING RATE/SALARIES FOR SEASONAL EMPLOYEES OF THE CITY OF SHENANDOAH- PARK AND REC DEPT/WILSON AQUATIC CENTER**

**WHEREAS**, the following position(s) and rate increase(s) have been recommended by the City Administrator, Park/Rec Director, Park Board, Aquatic Director and

**WHEREAS**, the position and rate set forth have been included in the FY 2018 and FY 2019 adopted budgets, so


**WHEREAS**, be it resolved by the City Council of the City of Shenandoah, that the following position and rate be hereby ratified and approved as follows:

Name:	Position:	Amount:
Seth Hughes	Soccer Referee [6 games @ \$15.00/Games]	\$90.00 [one-time]
David Rendon	Soccer Referee [8 games @ \$15.00/Games]	\$120.00 [one-time]
Braden Knight	Soccer Referee [8 games @ \$15.00/Games]	\$120.00 [one-time]
Conner Henderson	Soccer Referee [8 games @ \$15.00/Games]	\$120.00 [one-time]
Samuel Martin	Soccer Referee [6 games @ \$15.00/Games]	\$90.00 [one-time]
Tylur Powell	Soccer Referee [2 games @ \$15.00/Games]	\$30.00 [one-time]
Kayla VanRite	Soccer Referee [8 games @ \$15.00/Games]	\$120.00 [one-time]
Brian Daoust	Tennis Coach	\$1,800.00 [one-time]
Marcia Johnson	Tennis Coach	\$1,200.00 [one-time]
Delaney Bopp	Tennis Coach	\$825.00 [one-time]
Trevor Finnegan	Tennis Coach	\$750.00 [one-time]
Madison Tillman	Pool Concessions/Manager	\$9.00/Hr.

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, ratifying and approving rate/salaries for seasonal employees of the City of Shenandoah- Parks and Rec. Dept./Wilson Aquatic Center.

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

  
CITY CLERK

  
MAYOR

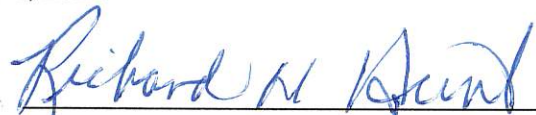
Swank moved, Gibson seconded to approve the following resolution. On roll call the vote was "Ayes" unanimous. Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION APPROVING MONETARY DONATION REQUEST BY THE SHENANDOAH HISTORICAL MUSEUM [\$1,000.00] EFFECTIVE IN FY 2019**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving monetary donation request by the Shenandoah Historical Museum [\$1,000.00] effective in FY 2019.

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

  
CITY CLERK

  
MAYOR

Gibson moved, Burchett seconded to approve the following resolution. On roll call the vote was "Ayes" unanimous. Whereupon the Mayor declared the resolution duly adopted.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING JUNE 12, 2018

**RESOLUTION APPROVING FIRST CHRISTIAN CHURCH'S REQUEST TO BLOCK OFF CHURCH ST. FROM THOMAS TO 5<sup>TH</sup> AVE AND THE ALLEY BEHIND ST. MARY'S PARISH HALL FOR ECUMENICAL VACATION BIBLE SCHOOL  
[JULY 15, 2018-JULY 17, 2018] [4:30 P.M-8:30 P.M]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving First Christian Church's request to block off Church St. from Thomas to 5<sup>th</sup> Ave and the alley behind St. Mary's Parish Hall for Ecumenical Vacation Bible School [July 15, 2018-July 17, 2018] [4:30 P.M-8:30 P.M].

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

Kavanaugh  
CITY CLERK

Richard N. Hund  
MAYOR

Swank moved, Burchett seconded to approve the following resolution. On roll call the vote was "Ayes" unanimous. Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION APPROVING SEWER ADJUSTMENT REQUEST FOR 2007 ½ HWY. 59 IN THE AMOUNT OF \$24.22 FOR MAY 2018 SEWER CHARGES [RETRO SUNDAES]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving Sewer adjustment request for 2007 ½ Hwy. 59 in the amount of \$24.22 for May 2018 sewer charges.

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

Kavanaugh  
CITY CLERK

Richard N. Hund  
MAYOR

A discussion was held on the BNSF Railroad/Train noise throughout the City. Citizen Richard Baldwin addressed the council with his concerns. Baldwin commented saying the trains disturb nearby resident in the night and early mornings. Baldwin sees no reason why the whistle needs to be blown in the early morning hours at the unguarded crossings. Baldwin would like the Railroad to utilize a flagger. City Administrator Davey said that City Officials have no jurisdiction over the railroad because they are considered part of interstate commerce. Baldwin stated that he has seen several Cities that have passed noise ordinances to control the whistles during certain hours.

Green moved, Graham seconded to table the following resolution. On roll call the vote was "Ayes" unanimous. Whereupon the Mayor declared the resolution duly tabled.

**RESOLUTION TBLING BNSF RAILROAD/TRAIN NOISE COMPLAINT AND PLACE ON THE JULY 10, 2018 AGENDA [CITIZEN R. BALDWIN]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, to table BNSF Railroad/ Train Noise Complaint and place on the July 10, 2018 agenda [Citizen R. Baldwin].

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

Kavanaugh  
CITY CLERK

Richard N. Hund  
MAYOR

Burchett moved, Gibson seconded to approve the following resolution. On roll call the vote was "Ayes" unanimous. Whereupon the Mayor declared the resolution duly tabled.

**RESOLUTION APPROVING DEMOLITION OF CITY OWNED PROPERTIES ON THE FOLLOWING PROPERTIES: 102 N. WEBSTER AND 301 RANKIN CT. IN THE AMOUNT OF \$23,800.00 [SOUTHWEST IOWA PARKING LOT MAINTENANCE]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving demolition of City owned properties on the following properties: 102 N. Webster and 301 Rankin Ct. in the amount of \$23,800.00 [Southwest Iowa Parking Lot Maintenance].

PASSED AND APPROVED this 12<sup>th</sup> day of June, 2018.

Kavanaugh  
CITY CLERK

Richard N. Heind  
MAYOR

A Discussion was held on the review of MidAmerican Electric Franchise Fee and Natural Gas Franchise fee [Time frame has lapsed to impose Franchise Fee if necessary]. Swank moved, Gibson seconded to place on future agenda. Passed unanimously.

For Citizens Opportunity to Address the Council—John Petersen spoke on behalf of Paula Petersen on the denial of approving her request to forgive a portion of a previous tenant's water bill.

For Council/Committee Reports—Swank commented that there were over 400 in attendance on the pool opening day. Swank added that there are more baseball and softball teams than before and kids are enjoying the new playground equipment at McComb Park. Swank also mentioned that new Holiday decorations are needed and would like to discuss at the next meeting ways to fund the replacements.

Items for Future Agenda—FY 2018 Transfer of Funds [General/Debt Service], FY 2019 Full Time/Salary Employee Pay Rates, 4<sup>th</sup> of July Park/Rec proposed activities, Joan Hamilton Exception Request., Revolving Loan 2018-03, Wal-Mart sidewalk, Financing for Christmas decoration replacement, Franchise Fee, BNSF Railroad/Noise Complaint [July 10, 2018 agenda].

There being no further business, Graham moved, Gibson seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:47 P.M. and to reconvene at the next regular council meeting on June 26, 2018 at 6:00 P.M.

Kavanaugh  
CITY CLERK

Richard N. Heind  
MAYOR