

MINUTES OF REGULAR COUNCIL MEETING AUGUST 13, 2019

The Shenandoah City Council met in regular session on August 13, 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, Gibson seconded approving the agenda. Passed unanimously.

At 6:00 P.M., the Mayor announced that this was the date, time, and place for the Public Hearing on amending Section 14 of the Zoning Ordinance of 1982 pertaining to fence rules and regulations, first reading. Administrator Lyman stated Planning and Zoning met and recommended that they would like to add a sunset clause of 3 years on existing fencing. Mayor Hunt stated his appreciation of the uniformity of it. Zero oral comments were made and no written comments were received by Citizens.

The Mayor closed the Public Hearing at 6:02 P.M.

Gibson moved, Graham seconded approving consent agenda items 5A through 5I excluding item 5B consisting of the minutes from the July 23, 2019 Regular Meeting; renewal permit #BW0094964 Special Class C Liquor License (BW) (Beer/Wine) with Outdoor Service for Renay Cabbage DBA The Sanctuary Restaurant located at 207 S. Elm St. [Pending Dram]; ownership change for license #BC0021897 for Casey's Marketing Company DBA Casey's General Store #1712 located at 605 S. Fremont St. [Michael Richardson to Megan Elfers; President] [Jay Blair to Deborah Grimes; Vice President]; renewal permit #BC0021897 Class C Beer Permit (BC) with Class B Native Wine Permit and Sunday Sales for Casey's Marketing Company DBA Casey's General Store #1712 located at 605 S. Fremont St.; renewal permit #LE0002392 Class E Liquor License (LE) with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales for ROR, LLC DBA RocStop located at 1310 W. Sheridan Ave; renewal permit #LC0043749 Class C Liquor License (LC) (Commercial) with Sunday Sales for Sheri Christianson DBA Sheri's located at 504 W. Sheridan Ave; City Employee to attend Iowa Parks and Recreation Association from September 9-11, 2019 in Ames, IA [C. Tiemeyer] [City Vehicle]; and Christopher DeLong as a new Volunteer Fireman for the Shenandoah Fire Department. Passed unanimously.

Gibson moved, Green seconded approving consent agenda item 5B that consist of Airport Hangar Lease Agreement for Ben Hall [Hangar #4]. On roll call, the votes we "Ayes" Gibson, Green, Burchett and Graham. Swank "abstained" as Ben Hall is a family member.

Swank moved, Burchett seconded approving the Abstract of Claims #2020-03 for \$697,730.83 Passed unanimously.

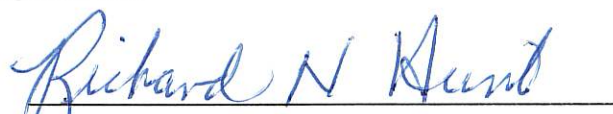
Graham moved, Swank seconded to amend Section 14 of the City Zoning Ordinance of 1982 pertaining to Fence rules and regulations as presented, first reading. On roll call, the votes were "Ayes" unanimously. Gibson moved, Graham seconded to waive the 2nd and 3rd readings. On roll call, the votes were "Ayes" unanimously. Graham moved, Gibson seconded to adopt the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION AMENDING SECTION 14 OF THE CITY ZONING ORDINANCE OF 1982 PERTAINING TO FENCE RULES AND REGULATIONS AS PRESENTED

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, amending Section 14 of the Zoning Ordinance of 1982 pertaining to fence rules and regulations as presented.

PASSED AND APPROVED this 13th day of August, 2019.


CITY CLERK



MAYOR

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 ACCEPTING THE PLANNING AND ZONING COMMISSION RECOMMENDATION
TO REZONE THE PROPERTY LOCATED AT THE CORNER OF ANNA CROSE HIGHWAY AND
A AVE TO RESIDENCE OFFICE FROM RESIDENCE DISTRICT
[P&Z VOTE WAS 7-0 TO REZONE THE PROPERTY ON JULY 31, 2019]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, accepting the Planning and Zoning Commission recommendation to rezone the property located at the corner of Anna Crose Highway and A Ave to Residence Office from Residence District [P&Z vote was 7-0 to rezone the property on July 31, 2019].

PASSED AND APPROVED this 13th day of August, 2019.


MAYOR



CITY CLERK


Green 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 THE PROPOSAL OF OFFERING CITY OWNED PROPERTY FOR
PURCHASE AT PUBLIC AUCTION ON AUGUST 17, 2019.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the proposal of offering City owned property for purchase at Public Auction on August 17, 2019.

PASSED AND APPROVED this 13th day of August, 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 THE TRANSFER OF POSSESSION OF 1002 EIGHTH AVE PROPERTY
TO RORY O'HEARN SO HE CAN COMMENCE TEAR DOWN OF THE GARAGE, MOWING OF
PREMISES AND REHAB OF THE HOUSE AS PREVIOUSLY CONTRACTED ON JUNE 25, 2019 AS
THE CITY HAS OBTAINED TITLE TO THE PREMISES AND PREFERS IT TO BE REHABBED IN
LIEU OF DEMOLITION.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the transfer of possession of 1002 Eighth Ave property to Rory O'Hearn so he can commence tear down of the garage, mowing of premises and rehab of the house as previously contracted on June 25, 2019 as the city has obtained title to the premises and prefers it to be rehabbed in lieu of demolition.

PASSED AND APPROVED this 13th day of August, 2019.


MAYOR


CITY CLERK


Burchett 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 ADDITIONAL DUTIES TO CITY ADMINISTRATOR’S REGULAR DUTIES [IOWA COMMISSION OF VOLUNTEER SERVICE]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving additional duties to City Administrator’s regular duties [Iowa Commission of Volunteer Service].

PASSED AND APPROVED this 27th day of August, 2019.


MAYOR

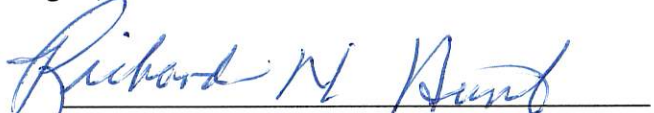

CITY CLERK


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 NEW PERMIT CLASS C LIQUOR LICENSE (LC) (COMMERCIAL) WITH SUNDAY SALES FOR EL PORTON HUERTA, INC. DBA EL PORTON MEXICAN GRILLE LOCATED AT 506 E. FREMONT AVE. [NEW OWNERS MARTHA AYALA/GISELLE AYALA]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving New Permit Class C Liquor License (LC) (Commercial) with Sunday Sales for El Porton Huerta, Inc. DBA El Porton Mexican Grille located at 506 E. Fremont Ave. [New owners Martha Ayala/Giselle Ayala].

PASSED AND APPROVED this 13th day of August, 2019.


MAYOR


CITY CLERK

A discussion was held on Citizen Schweikhardt’s request for one side street parking within the 800 Block of South Avenue. Assistant Chief Tom Johnson stated that they have monitored the parking on South Avenue for several days. Johnson said that South Ave. is a narrow street but felt that one side street parking isn’t necessary at this time. Johnson recommended to the Council to leave it as is and the department will continue to monitor the parking. Citizen’s Jason and Michelle Birt was in favor of the one side street parking as long as there was no parking on the North side. Citizen Schweikhardt stated that the homeowners on the North side drive and felt that no parking should be placed on the South side. Councilmember Green asked the Citizens to get a consensus from the neighbors and bring to the next Council meeting.

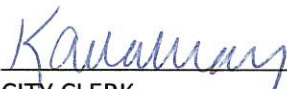
Green moved, Swank seconded tabling the following resolution. On roll call, the votes were “Ayes” unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION TABLING CITIZEN SCHWEIKHARDT’S REQUEST FOR ONE SIDE STREET PARKING WITHIN THE 800 BLOCK OF SOUTH AVENUE

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, tabling Citizen Schweikhardt’s Request for one side street parking within the 800 block of South Ave.

TABLED this 13th day of August, 2019.


MAYOR


CITY CLERK

For Citizens Opportunity to Address the Council—Citizen Manny Paez had a question about public intoxication laws and the local enforcement of said law. Mayor Hunt asked Assistant Chief Johnson to discuss the situation with the Citizen and resolve as able.

For Council/Committee Reports—Councilmember Swank stated the Christmas Committee has met and planning is underway.

Items for Future Agenda—1-sided street parking

There being no further business, Graham moved, Gibson seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:25 P.M. and to reconvene at the next regular council meeting on August 27, 2019, at 6:00 P.M.

Richard N. Hunt

MAYOR

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CITY CLERK