

**MINUTES OF REGULAR COUNCIL MEETING APRIL 28, 2020**

The Shenandoah City Council met in regular session on April 28, 2020 at 6:00 P.M. in the Council Chambers of City Hall. Present were Mayor Richard Hunt. Councilmembers attended by Electronic means were Rita Gibson, J. Eric Brantner, Kim Swank, Toni Graham and Cindy Arman. Also present were City Clerk Karla Gray and City Administrator AJ Lyman. City Attorney Mahlon Sorensen also attended by electronic means. The Council Meeting was held via Zoom/Telephone Conference system due to the COVID-19 Pandemic and the guidelines of social distancing and no public gatherings of more than 10 people.

Gibson moved; Graham seconded approving 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 adoption of a Revenue Purpose statement regarding use of revenues from SWIFT Fiber Optic Cable, Telephone and Internet fees pursuant to Chapter 364.2(4)(f) of the Iowa Code [Noted in FY19 audit]. Zero oral comments were made and no written comments were received in the Clerk's office.

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

Graham moved, Gibson seconded approving the consent agenda items that includes the minutes of the April 14, 2020 Regular Meeting; renewal permit #LC0005240 Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales for Shenandoah Iowa Lodge #1122 DBA B.P.O. Elks #1122 located at 709 S. Fremont St.; renewal permit #LE0001687 Class E Liquor License (LE) with Class B Wine permit and Class C Beer Permit (Carryout Beer) for Fareway Stores, Inc. DBA Fareway Stores, Inc. #938 located at 1007 S. Fremont St.; and March 2020 Treasurer's Report. Passed unanimously.


Swank moved; Gibson seconded approving the Abstract of Claims #2020-20 for \$134,040.20. Passed unanimously.

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

**RESOLUTION APPROVING THE ADOPTION OF A REVENUE PURPOSE STATEMENT REGARDING USE OF REVENUES FROM SWIFT FIBER OPTIC CABLE, TELEPHONE AND INTERNET FEES PURSUANT TO CHAPTER 364.2 (4)(F) OF THE IOWA CODE [NOTED IN FY19 AUDIT]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, adopting a revenue purpose statement regarding use of revenues from SWIFT Fiber Optic Cable, Telephone and Internet Fees pursuant to Chapter 364.2 (4)(f) of the Iowa Code. [Noted in FY19 Audit].

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

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

**RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF CAPITAL LOAN NOTES AND PROVIDING FOR A METHOD OF PAYMENT OF THE NOTES [GPRE RAILWAY/THEATRE RENO/REFUNDING OF THEATRE-VARIOUS NOTE]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving and authorizing a form of loan agreement and authorizing and providing for the issuance of Capital Loan Notes and providing for a method of payment of the Notes [GPRE Railway/Theatre Reno/Refunding of Theatre-Variou Note].

CONTINUED MINUTES OF REGULAR COUNCIL MEETING APRIL 28, 2020

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

  
MAYOR

  
CITY CLERK

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

**RESOLUTION APPOINTING PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT AND APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT [CBOC INFRASTRUCTURE/DEMO]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, appointing Paying Agent, Note Registrar, and Transfer Agent and Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the execution of the agreement [CBOC Infrastructure/Demo].

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

  
MAYOR

  
CITY CLERK

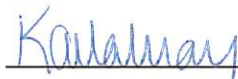
Graham moved; Gibson seconded approving the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE, AND LEVYING A TAX TO PAY THE NOTES [CBOC INFRASTRUCTURE/DEMO]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving and authorizing a form of loan agreement and authorizing and providing for the issuance, and levying a tax to pay the notes [CBOC Infrastructure/Demo].

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

  
MAYOR

  
CITY CLERK

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

**RESOLUTION AMENDING CHAPTER 112 OF THE CODE OF ORDINANCES TO INCLUDE SWIFT SERVICES FRANCHISE FEE AND SET A PUBLIC HEARING ON MAY 12, 2020 AT 6:00 P.M.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, amending Chapter 112 of the Code of Ordinances to include SWIFT Services Franchise Fee and Set a Public Hearing on May 12, 2020 at 6:00 P.M.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

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 THE SOLICITATION OF BIDS FOR PAINTING AND GROUTING OF THE WILSON AQUATIC CENTER POOL**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the solicitation of bids for painting and grouting of the Wilson Aquatic Center Pool.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

Swank 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 SHENANDOAH DISASTER RELIEF FUND POLICY AND PROCEDURES**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving Shenandoah Disaster Relief Fund Policy and Procedures.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

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

**RESOLUTION APPOINTING TONI GRAHAM [CITY COUNCIL MEMBER]; BRIAN STEINKUEHLER [SHENANDOAH BUSINESS REPRESENTATIVE]; RUSTY HUNTER [SHENANDOAH SERVICE/NON-PROFIT ORGANIZATION REPRESENTATIVE] TO THE SHENANDOAH DISASTER RELIEF FUND REVIEW COMMITTEE**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, appointing Toni Graham [City Council Member]; Brian Steinkuehler [Shenandoah Business Representative]; Rusty Hunter [Shenandoah Service/Non-Profit Organization Representative] to the Shenandoah Disaster Relief Fund Review Committee.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING APRIL 28, 2020

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kauaunani  
CITY CLERK

Richard N. Hunt  
MAYOR

Gibson moved; Graham seconded approving the following resolution. On roll call, the votes were Gibson, Graham, Brantner, and Arman with "Ayes" and Swank with "Abstain". Whereupon the Mayor declared the resolution duly adopted.

**RESOLUTION APPOINTING J. ERIC BRANTNER AND KIM SWANK TO THE SHENANDOAH COMMUNITY FORUM COMMITTEE**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, appointing J. Eric Brantner and Kim Swank to the Shenandoah Community Forum Committee.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kauaunani  
CITY CLERK

Richard N. Hunt  
MAYOR

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

**RESOLUTION APPROVING THE REQUEST FROM FRATERNAL ORDER OF EAGLES #3849 FOR 2 DESIGNATED HANDICAPPED PARKING SPACES [FRONT OF THE MAIN BUILDING]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the request from Fraternal Order of Eagles #3849 for 2 designated handicapped parking spaces [front of the main building].

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kauaunani  
CITY CLERK

Richard N. Hunt  
MAYOR

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 THE SALE OF CITY OWNED PROPERTY LOCATED AT W. CLARINDA AVE. AND S. CENTER ST. TO MICHAEL CHURCHILL [\$100.00] AND SET A PUBLIC HEARING ON MAY 12, 2020 AT 6:00 P.M.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the sale of City Owned property located at W. Clarinda Ave. and S. Center St. to Michael Churchill [\$100.00] and set a public hearing on May 12, 2020 at 6:00 P.M.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kaulamoy  
CITY CLERK

Richard M Hunt  
MAYOR

Swank 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 SALE OF CITY OWNED PROPERTY LOCATED AT 201 E. VALLEY AVE. TO JP FOWLER [\$600.00] AND SET A PUBLIC HEARING ON MAY 12, 2020 AT 6:00 P.M.**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the sale of City Owned property located at 201 E. Valley Ave. to JP Fowler [\$600.00] and set a public hearing on May 12, 2020 at 6:00 P.M.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kaulamoy  
CITY CLERK

Richard M Hunt  
MAYOR

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

**RESOLUTION APPROVING THE EXTENSION OF COVID-19 MEASURES TAKEN BY THE CITY**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the extension of Covid-19 measures taken by the City.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kaulamoy  
CITY CLERK

Richard M Hunt  
MAYOR

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 RATIFYING AND APPROVING RATE/SALARIES FOR PART-TIME/SEASONAL EMPLOYEE OF THE CITY OF SHENANDOAH – CEMETERY MOWER**

**WHEREAS**, the following position(s) and rate increase(s) have been recommended by Cemetery Board, City Administrator, Cemetery Sexton, City Council and

**WHEREAS**, the position and rate set forth will be amended in the FY 2020 adopted budget, so

## CONTINUED MINUTES OF REGULAR COUNCIL MEETING APRIL 28, 2020

**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:
Jason Falk	Cemetery Mower	\$11.50/hr.

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, ratifying and approving rate/salaries for Part-Time/Seasonal Employee of the City of Shenandoah-Cemetery Mower.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

Gibson moved; Brantner seconded approving 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 FULL-TIME EMPLOYEE OF THE CITY OF SHENANDOAH – WASTEWATER OPERATOR**

**WHEREAS**, the following position(s) and rate increase(s) have been recommended by City Administrator, Wastewater Superintendent, City Council and

**WHEREAS**, the position and rate set forth will be amended in the FY 2020 adopted budget, 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:
Tyler McCoy	Wastewater Operator	\$20.05/hr.

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, ratifying and approving rate/salaries for Full-Time Employee of the City of Shenandoah-Wastewater Operator.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 2020.

Kavanaugh  
CITY CLERK

Richard W Hunt  
MAYOR

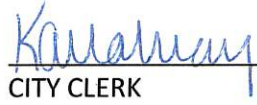
For Citizens Opportunity to Address the Council—None


For Council/Committee Reports— City Administrator Lyman gave a brief update on a couple nuisance properties and Iowa DNR Tree Survey. Councilmember Swank also noted that in the survey that there were 17 trees that were marked for immediate removal. Swank also mentioned that the Park Board will meet by Zoom.

Items for Future Agenda—Public Hearing [May 12]-Chapter 112 of the Code of Ordinances; Public Hearing [May 12]-Sale of City owned property at W. Clarinda Ave. and S. Center St.; Public Hearing [May 12]-Sale of City owned property at 201 E. Valley Ave; City Wide Clean-up dates [May 26]

## CONTINUED MINUTES OF REGULAR COUNCIL MEETING APRIL 28, 2020

There being no further business, Gibson moved, Brantner seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:32 P.M. and to reconvene at the next regular council meeting on May 12, 2020, at 6:00 P.M.

  
CITY CLERK

  
MAYOR