

MINUTES OF REGULAR COUNCIL MEETING AUGUST 28, 2018

The Shenandoah City Council met in regular session on August 28, 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 6:01 P.M., the Mayor announced that this was the date, time, and place for the public hearing on the sale of City owned property located at 102 N. Webster [K. McNew, \$2,000.00]. No comments were made.

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

At 6:02 P.M., the Mayor announced that this was the date, time, and place for the public hearing on the proposed amendment of City Ordinance Traffic and Vehicles Chapter 69 Parking Regulations by adding no parking zone 68. Harrison St. on the East side from E. Nishna Rd. North to the Harrison St. driveway of Windsor Manor at 601 Harrison St. [First Reading]. Mayor asked the Police Chief if this amendment should be removed. Police Chief Gray stated that he had spoken with Fire Chief and the Ambulance Service Director last week. They commented that there is no concern for their Vehicles to travel that road. Citizen Liz Trippler also agreed with the Ambulance Director and Fire Chief and also stated that it is a wider street compared to others in the City. No other comments were made.

The Mayor closed the Public Hearing at 6:05 P.M.

Swank moved, Burchett seconded approving the consent agenda which included the minutes of the August 14, 2018 Regular Meeting; July 2018 Treasurer's Report; Renewal permit Class E Liquor License (LE) for Fareway Stores, Inc. DBA Fareway Stores, Inc. #938 at 1007 S. Fremont St.; Renewal permit Class B Beer Permit (BB) (Includes Wine Coolers) with Sunday Sales for C & K Enterprises, Inc. DBA Pizza Hut of Shenandoah at 106 S. Fremont St.; City Hall Employees to attend Association of Rural and Small Libraries Annual Conference from September 12-15, 2018 in Springfield, IL [Carrie Falk, Joy Stortvedt] [City Vehicle]; and City Hall Employees to attend Iowa Library Association Annual Conference October 3-5, 2018 in Cedar Rapids, IA [Carrie Falk, Carole Daily] [City Vehicle]. Passed unanimously.

Burchett moved, Gibson seconded to approve the Abstract of Claims #2019-04 for \$166,224.02. Passed unanimously.

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 APPROVING THE ON THE SALE OF CITY OWNED PROPERTY LOCATED
AT 102 N. WEBSTER [K. MCNEW, \$2,000.00]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the sale of City owned property located at 102 N. Webster [K. McNew, \$2,000.00].

PASSED AND APPROVED this 28th day of August, 2018.



MAYOR




CITY CLERK


Swank moved, Gibson seconded to deny the following resolution. On roll call, the votes were "Ayes" unanimously. Gibson moved, Burchett seconded to waive 2nd and 3rd readings. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly failed.

RESOLUTION DENYING THE PROPOSED AMENDMENT OF CITY ORDINANCE TRAFFIC AND VEHICLES CHAPTER 69 PARKING REGULATIONS BY ADDING NO PARKING ZONE 68. HARRISON ST. ON THE EAST SIDE FROM E. NISHNA RD. NORTH TO THE HARRISON ST. DRIVEWAY OF WINDSOR MANOR AT 601 HARRISON ST. [FIRST READING]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, denying the proposed amendment of City Ordinance Traffic and Vehicles Chapter 69 Parking Regulations by adding No Parking Zone 68. Harrison St. on the East side from E. Nishna Rd. North to the Harrison St. Driveway of Windsor Manor at 601 Harrison St.

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK

Gibson moved, Graham seconded to approve the following resolution. On roll call, the votes were "Ayes" unanimously. Gibson moved, Graham seconded to waive the 3rd reading. On roll call, the votes were "Ayes" unanimously. Graham moved, Gibson seconded to adopt the resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly adopted.

RESOLUTION APPROVING THE PROPOSED AMENDMENT OF CITY ORDINANCE TRAFFIC AND VEHICLES CHAPTER 69 PARKING REGULATIONS BY ADDING NO PARKING ZONE 67. SYCAMORE ST. ON THE EAST SIDE FROM W. SHERIDAN AVENUE SOUTH TO THE ALLEY [NORTH OF THE ARMORY]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving a proposed amendment of City Ordinance Traffic and Vehicles Chapter 69 Parking Regulations by adding No Parking Zone 67. Sycamore St. on the East Side form W. Sheridan Avenue South to the Alley [North of the Armory].

PASSED AND APPROVED this 28th day of August, 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 APPROVING FINAL DISPOSAL OF REAL PROPERTY LOCATED AT 109 PIERSON TO RICK NOOK IN THE AMOUNT OF \$2,000.00 [PUBLIC HEARING WAS HELD ON JANUARY 8, 2018]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the final disposal of real property located at 109 Pierson to Rick Nook in the amount of \$2,000.00 [Public Hearing was held on January 8, 2018].

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK


CONTINUED MINUTES OF REGULAR COUNCIL MEETING AUGUST 28, 2018

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 APPROVING SALE OF CITY OWNED PROPERTY LOCATED AT 301 RANKIN CT.
AND SET A PUBLIC HEARING DATE ON SEPTEMBER 11, 2018 AT 6:00 P.M.
[ROBERT/JUDY HILTON, \$3,100.00]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the sale of City owned property located at 301 Rankin Ct. and set a Public Hearing date on September 11, 2018 at 6:00 P.M. [Robert/Judy Hilton, \$3,100.00].

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK

A discussion was held by the Greater Shenandoah Historical Society's proposal on the sale of property to the City of Shenandoah [Land to the North of the American Nursery Products Warehouse on Harrison St]. Administrator Davey had met with members that expressed their concerns to sell the property for additional revenue funds. Davey brought it to the council to determine what direction they would like to take. Street Superintendent Foutch expressed his interest in the South section but felt the North two lots were not needed. Park/Rec Director Tiemeyer stated that the lots were swampy and couldn't be utilized for any recreational programs. Council member Green asked the Historical Society members in attendance if there were any other parties interested in the property. Member Joan Schebaum mentioned that another party was interested in the lots. Member Les Kirchert responded that he thought the City could use the lot for cremations. Cemetery Sexton Gibilisco commented that she has brought before her Cemetery Board a desire to have a space for pet cremations. Gibilisco also stated that the Museum offered the land to the City at no cost and the City refused their offer. Schebaum and Kirchert were unaware of the proposal as they stated that was before their term.

Burchett moved, Graham seconded to deny the following resolution. On roll call, the votes were "Ayes" unanimously. Whereupon the Mayor declared the resolution duly failed.

**RESOLUTION DENYING THE GREATER SHENANDOAH HISTORICAL SOCIETY PROPOSAL ON
THE SALE OF PROPERTY TO THE CITY OF SHENANDOAH [LAND TO THE NORTH OF THE
AMERICAN NURSERY PRODUCTS WAREHOUSE ON HARRISON ST.]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, denying the Greater Shenandoah Historical Society proposal on the sale of property to the City of Shenandoah [Land to the North of the American Nursery Products Warehouse on Harrison St.]

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK

A discussion was held on a Fundraiser request to paint Shenandoah Community Schools' Mustang Logo on Downtown business's sidewalks [Shenandoah Booster Club]. Parks & Rec Director, Tiemeyer stated several businesses have requested to paint the logo on the downtown sidewalks for Shen Fest. Councilmembers questioned how long these logo's would last as they were concerned on what the logos would look like over time. Tiemeyer stated that the 2 foot by 2 foot logo is done with spray paint and it would wash off over time. Gibson suggested placing the logos in downtown streets or intersections instead of the sidewalks. Swank motioned to allow the logos until football season is over with the Booster Club removing the paint. Davey commented that requesting the Booster Club to remove the paint would be an enforcement nightmare. Swank withdrew his motion. Green stated with all the what if's in this case, that this request should be denied.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING AUGUST 28, 2018

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

RESOLUTION DENYING THE FUNDRAISER REQUEST TO PAINT SHENANDOAH COMMUNITY SCHOOLS' MUSTANG LOGO ON DOWNTOWN BUSINESS'S SIDEWALKS [SHENANDOAH BOOSTER CLUB]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, denying the Fundraiser request to paint Shenandoah Community Schools' Mustang Logo on Downtown business's sidewalks [Shenandoah Booster Club].

PASSED AND APPROVED this 28th day of August, 2018.

VETOED ON
CITY CLERK 09/04/2018

VETOED ON
MAYOR 09/04/2018

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 APPROVING FY 2018 CITY STREET FINANCIAL REPORT TO IOWA DEPARTMENT OF TRANSPORTATION [DUE SEPTEMBER 30, 2018]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving FY 2018 City Street Financial Report to Iowa Department of Transportation [Due September 30, 2018].

PASSED AND APPROVED this 28th day of August, 2018.

Kavanaugh
CITY CLERK

Richard N. Hunt
MAYOR

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 APPROVING THE TRANSFER OF FUNDS FROM WILSON TRUST TO PARK PLAYGROUND CAPITAL PROJECTS IN THE AMOUNT OF \$19,538.30 [REMAINING 2017 WILSON TRUST DISTRIBUTION] AND DIRECTING CITY CLERK TO SIGN DISTRIBUTION LETTER TO WILSON TRUST TRUSTEES.]

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the transfer of funds from Wilson Trust to Park Playground Capital Projects in the amount of \$19,538.30 [Remaining 2017 Wilson Trust Distribution] and directing City Clerk to sign distribution letter to Wilson Trust Trustees].

PASSED AND APPROVED this 28th day of August, 2018.

Kavanaugh
CITY CLERK

Richard N. Hunt
MAYOR

A discussion was held on the disposition of Property owned by City to be rehabbed or demolished at 508 Shugart. Attorney Mahlon Sorensen commented that the Council members and Neighbors have been patient in this project. Curtis Baucom has done a lot of work to the property. Curtis has come into some personal issues and decided to deed the property back to the City. Attorney Sorensen stated that two contractors felt that the property could be rehabbed. There is a foundation concern as the foundation walls are completely gone on two walls. Attorney Sorensen felt that since the


property is capable of being rehabbed, the City should sell the property to earn tax revenues on a dwelling instead of a lot. Attorney Sorensen suggested selling the property to the interested party for \$100 as the individual is planning to spend \$40,000 to \$50,000 into the house. City Clerk Gray inquired if this should be offered as a Public Bid. Sorensen stated the City could do a Bid but structure it differently to require financial backing from the interested parties. Attorney Sorensen also stated that the interested individual is Greg Wallin. He is a local business owner that is responsible and has the financial securities. Council Member Gibson motioned to sell the property to Wallin for \$100.00 and requiring the foundation to be fixed, fixing the exterior of the property, and cleaning the yard before winter and completing the interior within 12 months and setting a public hearing on September 11, 2018 at 6:00 P.M.

Gibson moved, Burchett 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 DISPOSITION OF PROPERTY OWNED BY CITY TO BE
REHABBED REQUIRING THE FOUNDATION TO BE FIXED, FIXING THE EXTERIOR OF THE
PROPERTY, AND CLEANING THE YARD BEFORE WINTER AND COMPLETING THE INTERIOR
WITHIN 12 MONTHS AND SETTING A PUBLIC HEARING ON SEPTEMBER 11, 2018 AT 6:00
P.M. [GREG WALLIN, \$100]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving the disposition of Property owned by City to be rehabbed requiring the foundation to be fixed, fixing the exterior of the property, and cleaning the yard before winter and completing the interior within 12 months and setting a public hearing on September 11, 2018 at 6:00 P.M. [Greg Wallin, \$100].

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK


A discussion was held on the Revolving Loan Fund Committee recommendation for Case #2018-04 [\$15,000.00 initial advance and reapply for additional \$10,000.00]. Administrator Davey commented the money would be used to purchase new equipment. Council Member Swank asked if the building was up to code. Davey replied that the building would be inspected and the individual is also receiving bank loans to get the building up to code.

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 APPROVING REVOLVING LOAN FUND COMMITTEE RECOMMENDATION FOR
CASE #2018-04 [\$15,000.00 INITIAL ADVANCE AND REAPPLY FOR ADDITIONAL \$10,000.00
IN THREE TO SIX MONTHS]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving Revolving Loan Fund Committee recommendation for Case #2018-04 [\$15,000.00 initial advance and reapply for additional \$10,000.00 in 3 to 6 months].

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK

A discussion was held on the contractor rate increase for Library Janitorial Services [Derek Dumler, old rate \$10.80/hr. to \$10.92/hr.]. Mayor Hunt commented that Dumler is a contractor and recently purchased Insurance. Library Director stated that the additional increase amounts to \$140 to offset that additional expense he incurred.

CONTINUED MINUTES OF REGULAR COUNCIL MEETING AUGUST 28, 2018

Green 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 APPROVING CONTRACT RATE INCREASE FOR LIBRARY JANITORIAL SERVICES
[DEREK DUMLER, OLD RATE \$10.80/HR. TO \$10.92/HR.]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving contract rate increase for Library Janitorial Services [Derek Dumler, old rate \$10.80/hr. to \$10.92/hr.].

PASSED AND APPROVED this 28th day of August, 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 APPROVING STREET CLOSURE FROM ALLEYWAY ON BLOSSOM ST. TO
LOWELL AVE. [110 N. BLOSSOM-116 N. BLOSSOM] [DIRT'S PLACE-FALL STREET PARTY ON
SEPTEMBER 29, 2018] [LIVE MUSIC/FOOD]**

BE IT HEREBY RESOLVED by the City Council of the City of Shenandoah, Iowa, approving street closure from Alleyway on Blossom St. to Lowell Ave. [110 N. Blossom-116 N. Blossom] [Dirt's Place-Fall Street Party on September 29, 2018] [Live Music/Food].

PASSED AND APPROVED this 28th day of August, 2018.


MAYOR


CITY CLERK

For Citizens Opportunity to Address the Council-None.

For Council/Committee Reports— Mayor Hunt thanked Attorney Sorensen for his research on the Recent Legislation Water Excise Tax and to remove the 1% L.O.S.T. to the City. Council Member Burchett stated downtown sidewalks have cracks and grass growing between the tiles and grass is covering the bike lane on Nishna. Council Member Swank expressed his concerns on the Railroad crossing on Sheridan for the upcoming Shen Fest Parade. Street Superintendent Foutch stated that they will spray paint the raised areas on the Railroad for the safety of the walkers.

Items for Future Agenda— Public Hearing-Sale of 301 Rankin Ct., Public Hearing-Rehab of 508 Shugart St.

There being no further business, Burchett moved, Gibson seconded to adjourn the meeting. The Mayor therefore declared the meeting adjourned at 6:59 P.M. and to reconvene at the next regular council meeting on September 11, 2018 at 6:00 P.M.


MAYOR


CITY CLERK