

CITY OF HARLAN – HARLAN, IOWA – September 6, 2016

The City Council of the City of Harlan, Iowa met pursuant to law and the rules of said Council in regular session in the Council Chambers in City Hall at 5:15 o'clock P.M. the 6th day of August, 2016. The meeting was called to order by Dave Miller, Mayor Pro-Tem in the Chair, and the following Council members were:

PRESENT: Dave Pedersen, Sharon Kroger, Greg Bladt, Dave Miller, Jay Christensen, and Mike Kolbe

ABSENT: None

The City Clerk presented the agenda. It was moved by Kolbe and seconded by Christensen to approve the agenda. The motion carried unanimously.

The Mayor Pro-Tem asked the Council members to state any conflicts of interest, as applicable.

It was moved by Bladt and seconded by Kroger that the following items contained in the Consent Agenda be approved and adopted:

All items listed under the Consent Agenda will be enacted by one motion with a roll call vote. There will be no separate discussion of these items unless a request is made prior to the time Council votes on the motion. Consent Agenda items may include any non-controversial subjects.

- a. Minutes of the 8/16, 8/17, 8/19, & 8/30/16 Council meetings
- b. Abstract No. 1128 in the amount of \$144,977.41
- c. Ownership change application (Change in Company officers) and renewal application from Shopko Hometown Store #682 for Class C Beer permit, Class B Wine permit, and Sunday Sales

A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried and the Consent Agenda items were approved and adopted.

It was moved by Kroger and seconded by Bladt to receive and file the 8/23/16 report of the Parks and Recreation Board. The motion carried unanimously.

It was moved by Kroger and seconded by Pedersen to move forward with the sponsorship project for Christmas Lighting displays at Pioneer Park. The motion carried unanimously.

It was moved by Christensen and seconded by Kolbe to approve the 8/24/16 report of the Streets, Alleys, and Sidewalks Committee. The motion carried unanimously.

Mayor Pro-Tem Miller introduced Ordinance No. 2016-05, entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLAN, IOWA (2006) CHAPTER 65 STOP OR YIELD REQUIRED BY A CHANGE TO §65.01", proposing permanent stop signs at 19<sup>th</sup> Street at Victoria – vehicles traveling north and south on 19<sup>th</sup> Street shall stop at Victoria Street; and Durant Street between 19<sup>th</sup> St. and 23<sup>rd</sup> St. – vehicles traveling east and west on Durant Street shall stop at the crosswalk between the Harlan Community Elementary School and Middle School/High School (between 19<sup>th</sup> and 23<sup>rd</sup> Streets).

It was moved by Kroger and seconded by Bladt that Ordinance No. 2016-05 be read for the first time. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously.

It was moved by Christensen and seconded by Bladt that the second and third readings of Ordinance No. 2016-05 be dispensed and that it be placed on its final adoption. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the ordinance was duly adopted.

Mayor Pro-Tem Miller introduced Ordinance No. 2016-06, entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLAN, IOWA (2006) BY ADDING A REGULATION TO §69.08 NO PARKING ZONES OF CHAPTER 69, PARKING REGULATIONS" by proposing no parking on the east side of 13<sup>th</sup> Street, from Durant Street to Baldwin Street.

It was moved by Kroger and seconded by Kolbe that Ordinance No. 2016-06 be read for the first time. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously.

It was moved by Kolbe and seconded by Kroger that the second and third readings of Ordinance No. 2016-06 be dispensed and that it be placed on its final adoption. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the ordinance was duly adopted.

It was moved by Bladt and seconded by Pedersen to approve modifying the end stall on Market Street at the northeast corner of 6<sup>th</sup> and Market intersection to comply with handicap parking, per approval by Rex Allen of IDOT. The motion carried unanimously.

It was moved by Kolbe and seconded by Pedersen to allow Dan and Tammy Murray 2110 7<sup>th</sup> St., Merle and Cleo Lawyer, 2108 7<sup>th</sup> Street and Mia Dammes 2114 6<sup>th</sup> St. until 6/01/2017 to complete their sidewalk installations on the 6<sup>th</sup> Street side of their properties. The motion carried unanimously.

It was moved by Kroger and seconded by Christensen to table action regarding No Parking on Hill Street on the south side between sign, between 3<sup>rd</sup> and 4<sup>th</sup> Streets. The motion carried unanimously.

It was moved by Kolbe and seconded by Kroger to approve the 9/02/16 report of the joint Personnel and Finance and Public Safety Committee. The motion carried unanimously.

It was moved by Kroger and seconded by Bladt that City Staff be directed to work with the City Attorney to send a letter to Sara Miller, 1411 Pine Street, regarding tree removal in the City easement. The motion carried unanimously.

Council member Pedersen introduced Resolution No. 2238, entitled "RESOLUTION SETTING DATE OF 9/20/16 FOR PUBLIC HEARING, REGARDING THE PROPOSED SALE OF CITY-OWNED PROPERTY, LOT 48, IN G.H. CHRISTIANSEN SUBDIVISION IN CITY OF HARLAN, IOWA" and moved its adoption. Council member Kolbe seconded the motion to adopt. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the resolution was duly adopted.

Council member Christensen introduced Resolution No. 2239, entitled "RESOLUTION SETTING DATE OF 9/20/16 FOR PUBLIC HEARING, REGARDING THE PROPOSED SALE OF CITY-

OWNED PROPERTY, LOT 36 AND 37, IN G.H. CHRISTIANSEN SUBDIVISION IN CITY OF HARLAN, IOWA” and moved its adoption. Council member Kroger seconded the motion to adopt. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the resolution was duly adopted.

Discussion was had regarding the possible amendment of Ch.155.01, more specifically, Section 503.2.1 of the 2012 International Fire Code (IFC), which currently requires an unobstructed width of 20 feet from curb to curb, to add an amendment to the IFC, reducing the width to 16 feet, for all streets in the City of Harlan with less than 28 feet of hard surface.

It was moved by Kroger and seconded by Bladt to set the date of 9/20/16 for public hearing regarding the amendment to Ch.155.01, to add an amendment to Section 503.2.1 of the 2012 IFC, to reduce the minimum required street width to 16’ from curb to curb, for all streets in the City of Harlan with less than 28 feet of hard surface. The motion carried unanimously.

It was moved by Kolbe and seconded by Christensen to pay Veenstra & Kimm engineering fees of up to \$5000 out of the Sewer Reserve Fund for the Inland Sea Project. The motion carried unanimously.

It was moved by Kolbe and seconded by Bladt to fund up to \$4000 for Police tactical vests. The motion carried unanimously.

The City Administrator presented his report.

It was moved by Kroger and seconded by Christensen to support Gettys and Smith attending the Iowa League of Cities Annual Conference, September 14-16. Ayes: Pedersen, Kroger, Bladt Miller and Christensen. Abstain: Kolbe, as he will be attending the conference as well.

The Mayor Pro-Tem presented his report. Miller stated a Mayor will be appointed at the next Council meeting 9/20/16, to fill the vacancy of Gettys, through 12/31/17.

It was moved by Kroger and seconded by Christensen that Ordinance No. 2016-04, amending Ch. 5. “OPERATING PROCEDURES” by repealing Subsections 1 – 5 and 7, of Section 5.12, concerning residency requirements for City of Harlan Employees, now be read for the second time. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously.

It was moved by Kolbe and seconded by Pedersen to dispense with the third reading of Ordinance No. 2016-04 and place it upon its final adoption. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the ordinance was duly adopted.

Council member Bladt introduced Resolution No. 2240, entitled “RESOLUTION APPROVING THE UPDATED EMPLOYEE HANDBOOK AND THE POLICE MANUAL FOR THE CITY OF HARLAN, IOWA” and moved its adoption. Council member Kroger seconded the motion to adopt. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the resolution was duly adopted.

Council member Pedersen introduced Resolution No. 2241, entitled “RESOLUTION SETTING DATE OF 9/12/16 AT 11:00 A.M. FOR A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED HARLAN URBAN RENEWAL PLAN IN THE CITY OF HARLAN, STATE OF IOWA” and moved its adoption. Council member Kolbe seconded the motion to adopt. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the resolution was duly adopted.

Council member Kroger introduced Resolution No. 2242, entitled “RESOLUTION APPROVING THE OFFICIAL STREET FINANCIAL REPORT FOR FISCAL YEAR 2015/16 and moved its adoption. Council member Christensen seconded the motion to adopt. A roll call vote was had which was as follows:

Ayes: Pedersen, Kroger, Bladt, Miller, Christensen, Kolbe

Nays: None

The motion carried unanimously and the resolution was duly adopted.

There being no further business, the meeting on motion adjourned.

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Jane Smith, City Clerk

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Dave Miller, Mayor Pro-Tem