

CITY OF HARLAN – HARLAN, IOWA – April 18, 2017

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 18th day of April, 2017. The meeting was called to order by Kate Kohorst, Mayor in the Chair, and the following Council members were:

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

ABSENT: None

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

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

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 04/04/17 Council meeting
- b. Abstract No. 1143 in the amount of \$75,695.18
- c. Expenditure and revenue reports for the month of March, 2017
- d. Police statistical report for the month of March, 2017
- e. Renewal application Hy-Vee Food Store, 2003 Chatburn Ave, Harlan, Class B Wine Permit Class C Beer Permit (BC) Sunday Sales
- f. Application for Yesway # 1009, 618 Durant St, Class B Wine Permit Class C Beer Permit (Carryout Beer) Class E Liquor License (LE) Sunday Sales
- g. Tobacco Permit Pro-rated FY16/17
- h. Renewal Application for Old West Side Lounge, 1019-1021 7<sup>th</sup> St, Harlan, Class C Liquor License (LC) (Commercial) Outdoor Service Sunday Sales

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

A roll call vote was had which was as follows:

Ayes: Kolbe, Pedersen, Kroger, Miller, Christensen & Bladt for all items except item e. (Bladt abstained from item e, due to employment at Hy-Vee Wine & Spirits)

Nays: None

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

Owen Gerard with PFM was present to review the sewer enterprise fund cash flow analysis.

The Mayor announced that this is the date, time, and place for public hearing regarding the Award of Contract for the Harlan CDBG Façade Rehabilitation Project.

No oral or written objections were filed.

On motion by Kroger and seconded by Bladt, the hearing was closed. The motion carried unanimously.

Mayor Kohorst introduced Resolution No. 2277, entitled "A RESOLUTION AWARDED CONTRACT FOR THE HARLAN CDBG FAÇADE REHABILITATION PROJECT" to the lowest bidder, Cornerstone Community Contractors for \$490,000 as the base bid lump sum and up to \$292,285 for alternates, totaling \$782,285 and moved its adoption. Council member Miller seconded the motion to adopt.

A roll call vote was had which was as follows:

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

Nays: None

The motion carried unanimously and the resolution was duly adopted.

The City Administrator presented his report.

The City Clerk presented her report.

The Mayor presented her report and announced two proclamations:

- ARBOR DAY Proclamation - April 28<sup>th</sup>, 2017
- NATIONAL STUDENT NURSES DAY Proclamation - May 8<sup>th</sup>, 2017

Mayor Kohorst introduced Ordinance No. 2017-02 – **AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLAN, IOWA, 2006, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 160 FLOOD PLAIN REGULATIONS, SECTION 160.09(11) ACCESSORY STRUCTURES**

It was moved by Miller and seconded by Kolbe that Ordinance No. 2017-02 now be read for the first time.

A roll call vote was had which was as follows:

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

Nays: None

The motion carried.

It was moved by Bladt and seconded by Pedersen that the second and third reading of Ordinance No. 2017-02 be dispensed and that it be placed upon its final adoption.

A roll call vote was had which was as follows:

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

Nays: None

The motion carried and the ordinance was duly adopted.

Mayor Kohorst introduced Ordinance No. 2017-03 – **AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLAN, IOWA, 2006, BY AMENDING PROVISIONS PERTAINING TO CHAPTER 120 LIQUOR LICENSES AND WINE AND BEER PERMITS, SECTION 120.05(11) AGE TO REMAIN UPON A LICENSED PREMISE**

It was moved by Miller and seconded by Christensen that Ordinance No. 2017-03 now be read for the first time.

A roll call vote was had which was as follows:

Ayes: Kolbe, Pedersen, Kroger, Miller, Christensen (Bladt abstained due to employment at Hy-Vee Wine & Spirits)

Nays: None

The motion carried.

Discussion was held to amend Ordinance No 2017-03 as written, to exclude business establishments in which all sales of alcoholic beverages are consumed off site; amend permitted age not allowed to remain upon a licensed premise from 21 to 18 and to amend the permitted time from 10:00 p.m. to 9:00 p.m., barring any person under 18 to remain upon a licensed premise if over fifty percent (50%) of the dollar volume of the business establishment is realized from the sale of alcoholic beverages annually. An amended Ordinance will be introduced at the May 2, 2017 Council meeting.

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

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Jane Smith, City Clerk

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Kathleen Kohorst, Mayor

*“These minutes are as recorded by the Clerk and are subject to Council approval at the next regular meeting.”*