

AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, MARCH 21, 2023, 5:15 P.M

The City Council will be meeting in the City of Harlan Council Chambers. This meeting is open to the public for in-person attendance. This meeting is also available electronically utilizing Zoom.com. The public can participate remotely via conference call by telephone or by audio on their own computer.

To participate by audio internet connection:

Join Zoom: Meeting ID: <https://us02web.zoom.us/j/85715158878>

To participate by phone: dial #1-312-626-6799 Meeting ID: 857 1515 8878

1. OPENING BUSINESS

- A. Call meeting to order
- B. Roll call
- C. Clerk presents agenda (*Roll Call Vote*)
- D. Conflict of Interest (state if applicable)

2. CONSENT AGENDA

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 3/07/2023 Council meeting and 3/9/2023 Public Forum
- B. Claims List No.1286 in the amount of \$98,029.65
- C. Expenditure & Revenue reports for the month of February 2023
- D. Police statistical report for the month of February 2023
- E. HMU Sewer & Landfill Reconciliation Report for January & February 2023
- F. Renewal Application for Hy-Vee Inc, dba Hy-Vee Wine & Spirits, Class E Retail Alcohol License
- G. Renewal Application for BW Gas & Convenience Retail, LLC dba Yesway #1009, Class E Retail Alcohol License
- H. Renewal Application for Veterans Memorial Auditorium Commission of Harlan, Class C Retail Alcohol License

3. OTHER BUSINESS

- A. Review Proposal for North 4th Street Bridge Evaluation, Structure Study and Replacement Options (*Roll Call Vote*)
- B. Review of Library's Collection Librarian job description (*Roll Call Vote*)
- C. Discussion and possible action to approve 28E agreement to share law enforcement services with Shelby County Sheriff (*Possible Action*)
- D. Resolution No. 2522 Setting Time and Place for a Public Hearing Date of 4-04-2023 for the Purpose of Considering the Maximum Tax Dollars from certain Levies for the City's Proposed Fiscal Year 2023-2024 Budget (*Roll Call Vote*)
- E. Ordinance No. 2023-02 An ordinance amending Chapter 69.08 of the Code of Ordinances for the City of Harlan, pertaining to No Parking Zones. The changes include: 1) No Parking on the east side of 19th Street, between Durant Street and Willow Street, between the hours of 12:30 p.m. to 4:00 p.m., Monday through Friday, during the school calendar year. Third and Final Reading (*Roll Call Vote*)
- F. Receive and file Insurance Committee minutes from 3/08/2023 (*Roll Call Vote*)
 - 1. Review recommendation to renew Property/Casualty & Workers Compensation Insurance with EMC (*Roll Call Vote*)

4. OTHER REPORTS

A. City Administrator's Report

B. Mayor's Report

1. Mayor Appointments

a. Reappoint Al Hazelton to the Veteran's Memorial Auditorium Commission for a 3-year term to expire 4/19/26 (*Roll Call Vote*)

b. Appoint Matt Worthey to the Veteran's Memorial Auditorium Commission for a 3-year term to expire 4/19/26 (*Roll Call Vote*)

2. Shelby County Chamber of Commerce & Industry Update

3. Harlan Municipal Utilities Update

4. Public Comments

5. ADJOURN

The public was offered to participate by Zoom audio internet connection or by phone.

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 at 5:15 o'clock P.M. the 21st day of March 2023. The meeting was called to order by Jay Christensen, Mayor in the Chair, and the following Council members were:

PRESENT: Jeanna Rudolph, Troy Schaben, Sharon Kroger, RJ Bielenberg, Richard Petersen, Kyle Lindberg.

ABSENT: None

The City Clerk presented the agenda. It was moved by Kroger and seconded by Petersen to approve the agenda. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

The Mayor asked the Council members to state any conflicts of interest, as applicable. Lindberg and Bielenberg stated they will abstain from Agenda Item 3. C., due to a conflict of interest.

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 03/07/23 Council meeting and 3/9/2023 Public Forum
- B. Claims List No.1286 in the amount of \$98,029.65
- C. Expenditure & Revenue reports for the month of February 2023.
- D. Police statistical report for the month of February 2023.
- E. HMU Sewer & Landfill Reconciliation Report for January 2023 and February 2023.
- F. Renewal Application for Hy-Vee Inc, dba Hy-Vee Wine & Spirits, Class E Retail Alcohol License
- G. Renewal Application for BW Gas & Convenience Retail, LLC dba Yesway #1009, Class E Retail Alcohol License
- H. Renewal Application for Veterans Memorial Auditorium Commission of Harlan, Class C Retail Alcohol License

It was moved by Lindberg and seconded by Rudolph that all items on the Consent Agenda be approved and adopted. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried, and the Consent Agenda items were approved and adopted.

Dave Sturm with Snyder & Associates joined via Zoom to review the proposal for the North 4th Street Bridge Evaluation, Hydraulic Analysis, Structure Study and Replacement Options. It was moved by Petersen and seconded by Kroger to approve the proposal for the North 4th Street Bridge Evaluation, Structure Study and Replacement Options. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion Carried.

It was moved by Bielenberg and seconded by Lindberg to approve the new Library's Collection Librarian job description. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion Carried.

Discussion was held regarding a 28E Agreement to share law enforcement services with the Shelby County Sheriff. The City of Harlan and Shelby County held a Public Forum on Thursday, March 9, 2023, at the Therkildsen Center. It was moved by Petersen and seconded by Kroger to approve the 28E Agreement to share law enforcement services with the Shelby County Sheriff. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Petersen. NAYS: None. ABSTAIN: Bielenberg, Lindberg. Motion Carried.

Council Member Kroger introduced Resolution No. 2522 setting the time and place of April 4, 2023, at 5:15 p.m. in the City Council Chambers for a public hearing for the purpose of considering the maximum tax dollars from certain levies for the City's proposed Fiscal Year 2023-2024 budget. Council Member Rudolph seconded the motion. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried and the resolution was adopted.

Mayor Christensen introduced Ordinance No. 2023-02 – An Ordinance amending the Code of Ordinances for the City of Harlan, Iowa by amending Chapter 69.08 of the Code of Ordinances for the City of Harlan, pertaining to No Parking Zones. The changes include: 1) No Parking on the east side of 19th Street, between Durant Street and Willow Street, between the hours of 12:30 p.m. to 4:00 p.m., Monday through Friday, during the school calendar year. It was moved by Lindberg and seconded by Schaben that Ordinance No. 2023-02 now be read for the third and final time. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried and the third and final reading of Ordinance No. 2023-02 was adopted.

It was moved by Kroger and seconded by Bielenberg to receive and file the Insurance Committee minutes from 3/08/2023. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Rudolph and seconded by Schaben to renew the Property, Casualty and Workers Compensation Insurance with EMC Insurance, effective April 1, 2023. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

The City Administrator presented his report.

The Mayor presented his report.

It was moved by Bielenberg and seconded by Lindberg to reappoint Al Hazelton to the Veteran's Memorial Auditorium Commission for a 3-year term to expire 4/19/26. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Schaben and seconded by Petersen to appoint Matt Worthey to the Veteran's Memorial Auditorium Commission for a 3-year term to expire 4/19/26. Roll Call Vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

There being no further business, the meeting was adjourned.

Jane Smith, City Clerk

Jay Christensen, Mayor

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