

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**COUNCIL CHAMBERS, JUNE 20, 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 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 06/06/23 Council meeting
- B. Claims List No.1292 in the amount of \$379,792.70
- C. Expenditure & Revenue reports for the month of May 2023
- D. Shelby County Sheriff Statistical Report for May 2023
- E. Approval of new Fire Department President, Zach Jensen
- F. Approval of FY 2023-2024 Cigarette / Tobacco / Nicotine / Vapor Permits

**3. PRESENT TO BE HEARD**

- a. Dan Murray - Animal Control

**4. PUBLIC HEARING**

- A. Regarding proposed sale of city-owned property, Lots 41-44 in G.H. Christiansen Subdivision in Harlan, Iowa to Michelle Vargas (*Roll Call Vote*)
  - 1. Motion to close hearing (*Roll Call Vote*)
  - 2. Resolution 2535 – Resolution for the sale and conveyance of city owned property described as Lots 41-44 in G.H. Christiansen Subdivision to Michelle Vargas for the price of \$4,000.00 (*Roll Call Vote*)

**5. OTHER BUSINESS**

- A. Ordinance 2023-03 An ordinance Amending Chapter 155 of the Code of Ordinances for the City of Harlan, Iowa pertaining to Adoption of Construction & Maintenance Codes – Second Reading with possible dispensing of Third Reading (*Roll Call Vote*)
- B. Resolution 2536 – Resolution Setting the Salaries for Appointed Officers and Employees of the City of Harlan for the Fiscal Year 2023-24 (*Roll Call Vote*)
- C. Review HHPC Downtown Upper Story & Façade Grant Completion and Award Request for 1016 6<sup>th</sup> Street. \$3,735.98. (*Roll Call Vote*)

- D. Receive and file Streets, Alleys, and Sidewalks Committee minutes from 6/13/23 *(Roll Call Vote)*
  - 1. Review request to allow for one handicap parking space at 7<sup>th</sup> & Market Street *(Roll Call Vote)*
- E. Review Permit for Parade from Shelby County Fair Corporation *(Roll Call Vote)*

## **6. OTHER REPORTS**

- A. City Administrator's Report
- B. Mayor's Report
  - 1. Reappoint Phil Perkins & Debbie Davis to the Planning & Zoning Commission for a 4-year term to expire 7/1/2027. *(Roll Call Vote)*
  - 2. Reappoint LaDonna Havick to the Parks & Recreation Board for a 4-year term to expire 7/1/2027. *(Roll Call Vote)*
  - 3. Reappoint Hope Chipman, Susan Finn and Connie Claussen to the Library Board for a 4-year term to expire 7/1/2027. *(Roll Call Vote)*
- C. Shelby County Sheriff's Update
- D. Shelby County Chamber of Commerce & Industry Update
- E. Harlan Municipal Utilities Update
- F. Public Comments

## **7. 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 20<sup>th</sup> day of June 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, Kyle Lindberg. Richard Petersen arrived at 5:18.

PRESENT ELECTRONICALLY: RJ Bielenberg

ABSENT: None

The City Clerk presented the agenda. It was moved by Kroger and seconded by Lindberg to approve the agenda, removing agenda item #3. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Lindberg. NAYS: None. Motion carried.

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 06/06/23 Council meeting
- B. Claims List No. 1292 in the amount of \$379,792.70
- C. Expenditure & Revenue reports for the month of May 2023
- D. Shelby County Sheriff Statistical Report for May 2023
- E. Approval of new Fire Department President, Zach Jensen
- F. Approval of FY 23/24 Cigarette / Tobacco / Nicotine / Vapor Permits

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

Council Member Petersen arrived at 5:18.

The Mayor announced that this was the time, date, and place for a public hearing regarding the proposed sale of city-owned property, Lots 41-44 in G.H. Christiansen Subdivision to Michelle Vargas for the price of \$4,000.00. The public hearing was opened at 5:19 p.m.

No oral or written objections were filed.

It was moved by Petersen and seconded by Bielenberg to close the hearing. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

Council Member Kroger introduced Resolution 2535 – a resolution for the sale of city-owned property, Lots 41-44 in G.H. Christiansen Subdivision to Michelle Vargas for the price of \$4,000.00. Council Member Lindberg 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. 2023-03 – an ordinance Amending Chapter 155 of the Code of Ordinances for the City of Harlan, Iowa pertaining to Adoption of Construction & Maintenance Codes – Second Reading. The changes include: 1) Replacement of Chapter 155.01 to bring current to 2018 Edition. It was moved by Rudolph and seconded by Petersen that Ordinance 2023-03 now be read for the second time and dispense of the third reading, to be placed on its final adoption. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried and the second, third and final reading of Ordinance 2023-03 was adopted.

Council Member Kroger introduced Resolution 2536 – a resolution Setting Salaries for Appointed Officers and Employees of the City of Harlan for the Fiscal Year 2023-24. Council Member Petersen seconded the motion. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried and the resolution was adopted.

It was moved by Lindberg and seconded by Bielenberg to approve the HHPC Downtown Upper Story & Façade Grant Completion & Award Request of Kevin Osborn for 1016 6<sup>th</sup> Street in the amount of \$3,735.98. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Kroger and seconded by Rudolph to receive and file the Streets, Alleys, and Sidewalks Committee minutes from 6/13/23. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Lindberg and seconded by Petersen to allow one handicap parking space at 7<sup>th</sup> & Market Street, on the east side of Milk & Honey. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Bielenberg and seconded by Schaben to approve the parade permit from Shelby County Fair Corporation. 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 Lindberg and seconded by Schaben to reappoint Phil Perkins and Debbie Davis to the Planning & Zoning Commission for a 4-year term to expire on 7/1/2027. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Petersen and seconded by Kroger to reappoint LaDonna Havick to the Parks & Recreation Board for a 4-year term to expire on 7/1/2027. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

It was moved by Bielenberg and seconded by Rudolph to reappoint Hope Chipman, Susan Finn and Connie Claussen to the Library Board for a 4-year term to expire on 7/1/2027. Roll call vote: AYES: Rudolph, Schaben, Kroger, Bielenberg, Petersen, Lindberg. NAYS: None. Motion carried.

Captain Butler with the Shelby County Sheriff's Office presented an update on law enforcement. The Sheriff's Office is now fully staffed.

Todd Valline with the Shelby Co. Chamber of Commerce & Industry presented an update. Hotel/Motel applications will be accepted through June 30, 2023.

There being no further business, the meeting was adjourned.

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Jane Smith, City Clerk

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Jay Christensen, Mayor

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