

**AMENDED AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, SEPTEMBER 17, 2024, 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 09-03-2024 Council meeting
- B. Claims List No.1322 in the amount of \$92,572.99
- C. Expenditure & Revenue reports for the month of August 2024
- D. Sheriff's Statistical Report for August 2024
- E. Renewal Application for Good Growing Enterprises, LLC, DBA Milk & Honey, Class C Retail Alcohol License

3. PUBLIC HEARING/PRESENT TO BE HEARD

- A. Regarding the proposal to vacate and sell Parcel 833102004001 platted North St. and Plum St., Block 4, Lot 6, 7, and platted alley all West of 7th St. in the City of Harlan, Iowa to Debra Dinesen Moore.
 - 1. Motion to Close Hearing (*Roll Call Vote*)
 - 2. Motion to Consider Vacating and Selling Parcel 833102004001 platted North St. and Plum St., Block 4, Lot 6, 7, and platted alley all West of 7th St. in the City of Harlan, Iowa to Debra Dinesen Moore for the amount determined in this public hearing, to be formalized by the passing of a Resolution at a later date once a Plat of Survey is obtained establishing legal descriptions for the aforementioned properties (*Roll Call Vote*)

4. OTHER BUSINESS

- A. Consider Recommendation from Planning & Zoning to Re-Zone the aforementioned property from the public hearing from A-1 to R-2 (*Roll Call Vote*)
- B. Receive and File Harlan Fire Department Minutes from 08-19-2024 (*Roll Call Vote*)
 - 1. Approve Changing Minimum Age for Membership From 19 Years of Age to 18 Years of Age (*Roll Call Vote*)
- C. Resolution No. 2578 – Approving Iowa Department of Transportation (IDOT) 2024 Street Finance Report and Authorizing the City Clerk to Sign Same (*Roll Call Vote*)
- D. Review Noise Variance Permit from Shelby County Speedway, Tiny Lund Night at the Speedway Starting on 09-20-2024 and Ending 09-22-2024 (*Roll Call Vote*)
- E. Review 2024 Homecoming Parade Permit for Friday, September 27th at 2:00 p.m. (*Roll Call Vote*)

5. OTHER REPORTS

- A. City Administrator's Report
- B. Mayor's Report
 - 1. Appoint Jenny Barnett to fulfill remaining term of Doug Hammer on HMU Board of Trustees expiring 11-30-2025 (*Roll Call Vote*)
 - 2. New Appointment of Rick Schaben to Planning & Zoning Commission for a term of 4 years to expire 07-01-2028 (*Roll Call Vote*)
- C. Shelby County Chamber of Commerce & Industry Update
- D. Harlan Municipal Utilities Update
- E. Shelby County Sheriff's Update
- F. Public Comments

6. 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 17th day of September 2024. The meeting was called to order by Jay Christensen, Mayor in the Chair, and the following Council members were:

PRESENT: Aaron Nippert, Troy Schaben, Sharon Kroger, Jennifer Kelly.

PRESENT ELECTRONICALLY: Kyle Lindberg

ABSENT: Richard Petersen

The City Clerk presented the amended agenda. It was moved by Lindberg and seconded by Kroger to approve the amended agenda with a change to item 5.B.1 changing term date to 11-20-2025. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. 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 09-03-2024 Council meeting
- B. Claims List No. 1322 in the amount of \$92,572.99
- C. Expenditure & Revenue reports for the month of August 2024
- D. Sheriff's Statistical Report for August 2024
- E. Renewal Application for Good Growing Enterprises, LLC DBA Milk & Honey, Class C Retail Alcohol License

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

The Mayor announced that this is the time and place for the public hearing regarding the proposal to vacate and sell Parcel 833102004001 platted North St. and Plum St., Block 4, Lot 6, 7, and platted alley all West of 7th St. in the City of Harlan, Iowa to Debra Dinesen Moore.

The Public Hearing was opened at 5:18 P.M.

It was moved by Kroger and seconded by Nippert to close the hearing at 5:22 P.M. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

It was moved by Kroger and seconded by Schaben to vacate and sell Parcel 833102004001 platted North St. and Plum St., Block 4, Lot 6, 7, and platted alley all West of 7th St. in the City of Harlan, Iowa to Debra Dinesen Moore for the amount determined in this public hearing, to be formalized by the passing of a Resolution at a later date once a Plat of Survey is obtained establishing legal descriptions for the aforementioned properties. Motion carried.

It was moved by Lindberg and seconded by Nippert to consider recommendation from Planning & Zoning to re-zone the aforementioned property from the public hearing from A-1 to R-2. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

It was moved by Schaben and seconded by Kroger to receive and file Harlan Fire Department minutes from 08-19-2024. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

It was moved by Lindberg and seconded by Schaben to approve changing the minimum age for membership from 19 years of age to 18 years of age. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

Council Member Nippert introduced Resolution No. 2578 – A Resolution Approving Iowa Department of Transportation (IDOT) 2024 Street Finance Report and Authorizing the City Clerk to Sign Same. Council Member Lindberg seconded the motion. Roll Call Vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried and the resolution was duly adopted.

It was moved by Kroger and seconded by Schaben to approve the noise variance permit from Shelby County Speedway for Tiny Lund Night at the Speedway starting on 09-20-2024 and ending 09-22-2024 at 2:00 a.m. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

It was moved by Schaben and seconded by Kroger to approve the 2024 Homecoming Parade Permit for Friday, September 27th at 2:00 p.m. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

The City Administrator presented his report.

The Mayor presented his report.

It was moved by Kroger and seconded by Schaben to appoint Jenny Barnett to fulfill remaining term of Doug Hammer on the HMU Board of Trustees expiring 11-20-2025. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger. NAYS: None. ABSTAIN: Kelly, due to conflict of interest - HMU employment. Motion carried.

It was moved by Nippert and seconded by Lindberg to appoint Rick Schaben to the Planning & Zoning Commission for a term of 4 years to expire 07-01-2028. Roll call vote: AYES: Lindberg, Nippert, Schaben, Kroger, Kelly. NAYS: None. Motion carried.

Updates were presented by the Shelby County Chamber of Commerce & Industry, Harlan Municipal Utilities, and the Shelby County Sheriff's Department.

There being no further business, the meeting was adjourned.

Ashley Schleis, City Clerk

Jay Christensen, Mayor

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