

Regular Meeting Shell Rock City Council
June 4, 2024

Mayor Mike Klinefelter called the June 4, 2024, regular session of the Shell Rock City Council to order at 7:00 pm in the Council Chambers at 802 N Public Road, Shell Rock, Iowa with the Pledge of Allegiance. Councilors present: David Beenen, Adam Fox, Jared Krull, and Garrett Schuldt. Absent: Mark Berglund. Others present: Mike Tellinghuisen, Bruce Toenjes, Jessica Meyer, Don Bonzer, David Lehman, Matt Mohn, Don Wood, Kevin Rust, Tim Vannordstrand, Fehr Graham rep, Butler County Engineer, Intercog rep, and Railroad rep.

Motion by Beenen seconded by Schuldt to approve the agenda. Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion by Schuldt seconded by Fox to approve the consent agenda that included: Minutes of the May 7 and May 22, 2024, council meetings, the Payment of the Bills, the Financial Reports for May 2024 and Special Class C 5 Day Retail Alcohol License effective July 3rd for the 4th of July Committee pending dramshop approval. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Discussion was held with Iowa Northern Railway, Intercog, and the Butler County Engineer about a possible partnership in a rail crossing project. The council will organize a workshop to discuss further.

Mayor Klinefelter opened the public hearing at 7:23 pm for the purpose of public comment on the proposed budget for the City of Shell Rock for the fiscal year July 1, 2024, through June 30, 2025. There were no oral or written comments or objections. Mayor Klinefelter closed the public hearing at 7:24 pm.

Motion Schuldt seconded by Fox to approve Resolution 010-2024 A resolution approving and adopting of Budget and Certification of City Taxes for Fiscal Year 2024-2025 with transfers and new fund lines. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Mayor Klinefelter opened the public hearing at 7:25 pm for the purpose of public comment on the 2024 Street Improvements Project #24-299. There were no oral or written comments or objections. Mayor Klinefelter closed the public hearing at 7:26 pm.

Motion Beenen seconded by Krull to approve Resolution 011-2024 A resolution to award bid and approve construction contract for the 2024 Street Improvement Project to the lowest responsible bidder, Vieth Construction Corporation of Cedar Falls, Iowa with a bid of \$538,386.54. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Mayor Klinefelter opened the public hearing at 7:28 pm for the purpose of public comment on the application to rezone an area from "C-2" Commercial District to "M-1" Light Industrial and/or Manufacturing. There were no oral or written comments or objections. Mayor Klinefelter closed the public hearing at 7:26 pm.

ORDINANCE NO. 396 was introduced by Schuldt seconded by Fox for its first reading AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, PROVIDING FOR REZONING OF AN AREA

FROM "C-2" COMMERCIAL DISTRICT TO "M-1" LIGHT INDUSTRIAL AND/OR MANUFACTURING. WHEREAS, a public hearing has been held on June 4, 2024, regarding the proposed change of zoning, after published notice; and

WHEREAS, the Planning and Zoning Commission of the City of Shell Rock, Iowa, after published notice and public hearing on May 29, 2024, has recommended that the property be rezoned from the classification of "M-1" to "C-2". NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SHELL ROCK, IOWA:

SECTION 1. That the following described real estate situated in the City of Shell Rock is hereby rezoned from its classification of "C-2" Commercial District to "M-1" Light Industrial and/or Manufacturing for all said property: Description of the Property to be Rezoned:

That part of Lot 8 of the Shell Rock Industrial Park Subdivision, Shell Rock, Iowa, described as follows:

Beginning at the Northwest corner of said Lot 8; thence Easterly along the North line of said Lot 8 170 feet; thence Southerly to the South line of said Lot 8, point being 160 feet Easterly of the Southwest corner of said Lot 8; thence along said South line Westerly 160 feet to the Southwest corner of said Lot 8; thence Northerly along the West line of said Lot 8 to the Point of Beginning, And Lot 9 of the Shell Rock Industrial Park Subdivision, Shell Rock, Iowa

SECTION 2. That the official zoning map of the City of Shell Rock, Iowa is hereby amended to show and identify the herein described property as rezoned.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Schuldt seconded by Fox to suspend rules to proceed to second reading of Ordinance Number 396. Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

ORDINANCE NO. 396 was introduced by Fox seconded by Beenen for its second reading AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, PROVIDING FOR REZONING OF AN AREA FROM "C-2" COMMERCIAL DISTRICT TO "M-1" LIGHT INDUSTRIAL AND/OR MANUFACTURING. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Beenen seconded by Krull to suspend rules to proceed to third reading of Ordinance Number 396. Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

ORDINANCE NO. 396 was introduced by Beenen seconded by Schuldt for its third reading AN ORDINANCE AMENDING THE ZONING ORDINANCE OF SHELL ROCK, IOWA, PROVIDING FOR REZONING OF AN AREA FROM "C-2" COMMERCIAL DISTRICT TO "M-1" LIGHT INDUSTRIAL AND/OR MANUFACTURING. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Matt Mohn, Fire Chief reported on a possible mutual aid agreement.

Mike Tellinghuisen, Public Works Director reported that 129 radio read meters are installed. The pool VFD needs to be replaced and the blower at the lagoon also needs to be replaced.

Bruce Toenjes commented that the Sherriff should be contacted about speeding along E Water Street.

Mayor Klinefelter appointed John Holden and Kelly Zart to full term Library Board appointments beginning July 1, 2024. Motion by Krull seconded by Schuldt to approve appointments. Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Discussion was held on keeping the building at the Water Tower.

Don Wood addressed the council concerning trampoline anchoring regulations and requested updates to the City code to enforce secure anchoring. City Attorney, Bruce Toenjes advised that was unnecessary due to state law already providing this. A article will be included in the July newsletter.

Motion Schuldt seconded by Fox to open a new business checking account. This account will be primarily used for pool transactions. Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

ORDINANCE NO. 397 was introduced by Beenen seconded by Fox for its first reading AN ORDINANCE DELETING PROPERTY FROM THE TAX INCREMENT FINANCING DISTRICT FOR THE SHELL ROCK URBAN RENEWAL AREA OF THE CITY OF SHELL ROCK, IOWA, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Shell Rock, Iowa (the "City") previously enacted an ordinance providing for the division of taxes levied on taxable property in the Shell Rock Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Shell Rock Urban Renewal Area in the City was designated a "tax increment district"; an

WHEREAS, the City Council now desires to decrease the size of the "tax increment district" by deleting certain property; BE IT ENACTED by the City Council of the City of Shell Rock, Iowa:

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Shell Rock Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings: "Deleted Property" shall mean certain real property situated in the City and legally described as follows: Lot 9 of the Shell Rock Industrial Park Subdivision, Shell Rock, Iowa, And That part of Lot 8 of the Shell Rock Industrial Park Subdivision, Shell Rock, Iowa, described as follows: Beginning at the Northwest corner of said Lot 8; thence Easterly along the North line of said Lot 8 170 feet; thence Southerly to the South line of said Lot 8, point being 160 feet Easterly of the Southwest corner of said Lot 8; thence along said South line Westerly 160 feet to the Southwest corner of said Lot 8; thence Northerly

along the West line of said Lot 8 to the Point of Beginning. Subject to restrictions, easements, covenants, ordinances, and limited access provisions of record and not of record

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Shell Rock Urban Renewal Area. No division of property tax revenues as provided under Section 403.19 of the Code of Iowa shall be done with respect to the Deleted Property without further action by the City Council.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Schuldt seconded by Fox to approve Resolution 012-2024 A Resolution deleting property from the Shell Rock Urban Renewal Area. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Schuldt seconded by Beenen to approve Resolution 013-2024 A Resolution Setting Date for a Public Hearing on designation of the expanded Shell Rock Urban Renewal Area and on the Urban Renewal Plan Amendment for July 2, 2024, at 7:00 pm. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Krull seconded by Fox to approve Resolution 014-2024 A Resolution Setting Pool Fees and Wages. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Schuldt seconded by Krull to approve Resolution 015-2024 A Resolution Setting Wages. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Motion Krull seconded by Beenen to approve Resolution 016-2024 A Resolution Setting Firework Dates and Times. July 3rd 9 am – 10 pm; July 4th 9 am – 11 pm; July 5th 9 am – 10 pm; July 6th 9 am – 11 pm. Roll Call Vote: Ayes- Fox, Beenen, Krull, and Schuldt. Absent- Berglund. Nays- None. Motion carried 4:0.

Discussion was held on Tree Ordinance.

Motion by Schuldt to adjourn at 8:15 pm.

Mike Klinefelter, Mayor

ATTEST:

Jessica Meyer, City Clerk

EXPENDITURES

ALLISON HARDWARE & FLORAL	SERVICE CALL	70.00
AT&T	LONG DISTANCE	15.41
BAKER & TAYLOR	BOOKS	140.35
BARNES & NOBLE, INC	LIBRARY SUPPLIES	501.72
BMC AGGREGATES L.C.	ROADSTONE	251.61
BOOK SYSTEMS INC.	LIBRARY SERVICES	795.00
BUTLER BREMER COMMUNICATIONS	PHONE	796.66
BUTLER COUNTY COMPUTERS	LAPTOP	2,495.00
BUTLER COUNTY SOLID WASTE	SOLID WASTE DISPOSAL	4,870.00
CAPITAL ONE	COMM BEAUTY	96.01
CITY LAUNDERING CO.	FLOOR MATS	199.18
COMM FOUNDATION OF NE IOWA	GRANT RETURN	4,500.00
CREATIVE PLANNING TECHNOLOGY	IT SERVICES	8,389.42
CUSB	HEALTH SAVINGS	1,204.15
INTERNAL REVENUE SERVICE	FED/FICA TAX	2,848.00
ELAN FINANCIAL SERVICES	POOL & OFFICE SUPPLIES	2,710.42
FEHR GRAHAM ENGINEERING	STREET ENGINEERING	11,220.00
FELD FIRE	FIRE SUPPLIES	311.50
FIDELITY SECURITY LIFE	VISION INS	45.54
GFC LEASING - WI	COPIER LEASE	199.88
GORDON FLESCH COMPANY	IMAGES+	157.41
GREEN, MICHAEL	FOOD	66.03
HAWKINS, INC.	WASTEWATER SUPPLIES	679.88
HUNEMILLER, JESSICA	MILEAGE	479.72
IA DEPT OF REVENUE	WATER EXCISE TAX	899.89
IOWA PRISON INDUSTRIES	STREET SIGNS	175.78
JENDRO, INC	GARBAGE COLLECTIONS	12,219.81
JENKINS, SHARON	BEAUTIFICATION SUPPLIES	151.18
JOHN DEERE FINANCIAL	PARK SUPPLIES	327.13
KWIK TRIP INC.	FUEL	385.99
LINCOLN SAVINGS BANK	GO BOND 2015B PRINCIPAL	10,335.49
LONG IMPRESSIONS	POOL UNIFORMS	697.33
MICROBAC LABORATORIES INC	TESTING	770.50
MIDAMERICAN ENERGY CO	ELECTRIC & GAS	5,003.06
MILLER HARDWARE	KEYS	22.63
MILLER WINDOW	WINDOW CLEANING	98.00
MORT'S PLUMBING & HEATING	DE WINTERIZE POOL	540.00
MUNICIPAL PIPE TOOL CO.	SEWER	448.00
MUNICIPAL SUPPLY INC.	SMART POINT 81	21,178.50
NAGLE SIGNS INC.	CEMETERY SIGN	543.30
NELSON & TOENJES	LEGAL SERVICES	1,058.38
NORTON TREE SERVICE	TREE REMOVAL	1,000.00
ORKIN	PEST CONTROL	63.99

P & K MIDWEST	FUEL FILTER	27.58
POOL TECH	POOL SUPPLIES	8,885.24
U.S. POSTAL SERVICE	POSTAGE	550.66
RELIANCE STANDARD LIFE INS CO	LTD INS	326.44
RYAN EXTERMINATING	PEST CONTROL	90.17
SCI CONCRETE INC.	CEMETERY HYDRANT	3,716.00
SPEER FINANCIAL INC.	MSRB 2023	325.00
SQUARE	SQUARE FEES	44.55
TITAN MACHINERY	FILTERS	200.03
ULINE	HAND DRYER	653.42
UMB BANK NA	BOND POOL	240,630.00
US CELLULAR	TELEPHONE	588.85
WAVERLY HEALTH CENTER	MEDICAL	936.00
WAVERLY NEWSPAPERS	PUBLICATION	337.94
WAVERLY TIRE COMPANY	CALCIUM-CHLORIDE	54.00
WELLMARK BLUE CROSS	GROUP INSURANCE	2,592.20
WELLS HOLLOW LANDSCAPING	BALL DIAMOND SPRAY	296.40
WHKS & CO	BRIDGE INSPECTION	2,100.00
WILLSON, JAMES	BEAUTIFICATION SUPPLIES	312.25
PAYROLL CHECKS		16,997.42
***** REPORT TOTAL *****		378,626.00

EXPENDITURES BY FUND

GENERAL	56,766.47
ROAD USE TAX	12,504.77
DEBT SERVICE	250,965.49
WATER	25,860.59
SEWER	10,225.24
LANDFILL/GARBAGE	22,303.44
TOTAL FUNDS	378,626.00

REVENUE

GENERAL	78,732.10
ROAD USE TAX	14,440.09
EMPLOYEE BENEFITS	2,844.37
LOCAL OPTION SALES TAX	10,857.95
TIF WILLOW TREE	2,126.11
TIF IV INDUSTRIAL	-
LOW TO MODERATE	1,359.31
DEBT SERVICE	7,314.92
CAPITAL PROJECTS	653.04
EMERGENCY SERVICES BLDG	525.00
WATER	12,957.99
WATER DEPOSITS	200.00

WATER DEPRECIATION	80.57
SEWER	17,849.56
SEWER DEPRECIATION	51.22
LANDFILL/GARBAGE	13,483.45
**** REVENUE TOTAL ****	163,475.68