

**Hartley City Council Meeting  
Regular Session  
October 10, 2016**

The regular meeting of the Hartley City Council was held Monday October 10, 2016 at 5:15 p.m. in the Hartley City Hall. Mayor John Lyman presided and called the meeting to order at 5:15 p.m. City Council Members present were: Jerry Olson, Ron Hengeveld, Mary Westphalen and Val Moermond. Absent: Roxann Swanson. Others present: Patty Anderson, Terry Hilbert, Jordan Kerr, Nick Pedley, Maureen Rawlings, Therese Lux, Marilyn Tesch, Brian Meyers, Curt Stoltz & sons, Barb LaCoure, Mary Barnes, Dale Barnes and Rita Lyman.

Hengeveld moved to approve the agenda. Seconded by Olson. Roll Call: Ayes. Hengeveld, Westphalen, Moermond and Olson. Nays. None. Motion carried 4-0.

Moermond moved to approve the consent agenda. Seconded by Westphalen. Roll Call: Ayes. Westphalen, Moermond, Olson and Hengeveld. Nays. None. Motion carried 4-0.

Council Member Moermond suggested that AED units be installed in the police cars, City Hall and Community Center. She said the cost could be \$1,200 to \$1,500 per unit.

Mayor Lyman opened a public hearing regarding the Hartley Code of Ordinance Update at 5:20 p.m. There were no oral or written comments received. Mayor Lyman closed the public hearing at 5:21 p.m.

Westphalen moved to approve the third reading of Ordinance No. 341, "AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA, EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE". Seconded by Moermond. Roll Call: Ayes. Westphalen, Moermond, Olson and Hengeveld. Nays. None. Motion Carried 4-0.

Hengeveld moved to approve the final approval of Ordinance No. 341, "AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA, EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE". Seconded by Olson. Roll Call: Ayes. Moermond, Olson, Hengeveld and Westphalen. Nays. None. Motion Carried 4-0.

**ORDINANCE NO. 341  
AN ORDINANCE ADOPTING THE "CODE OF ORDINANCES EXCLUDING CHAPTER 149  
PROPERTY MAINTENANCE OF THE CITY OF HARTLEY, IOWA"**

BE IT ORDAINED by the City Council of the City of Hartley, Iowa, that:

SECTION 1. Pursuant to published notice and following public hearing on the 10th day of October, 2016, so required by Sections 362.3 and 380.8, Code of Iowa, there is hereby adopted by the City of Hartley, Iowa, the "CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE."

SECTION 2. All of the provisions of the "CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE," shall be in force and effect on and after the effective date of this ordinance.

SECTION 3. All ordinances or parts thereof in force on the effective date of this ordinance are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided.

SECTION 4. The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the City or authorizing the issuance of any bonds of said City or any evidence of said City's indebtedness or any contract or obligation assumed by said City; nor shall said repeal affect the administrative ordinances or resolutions of the Council not in conflict or inconsistent with the provisions of "THE CODE OF

ORDINANCES OF THE CITY OF HARTLEY, IOWA EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE”; nor shall it affect the following ordinances specifically saved from repeal:

**URBAN RENEWAL**

| <b>ORDINANCE NO.</b> | <b>ADOPTED</b>   |
|----------------------|------------------|
| 149                  | January 4, 1988  |
| 185                  | November 1, 1993 |
| 270                  | July 1, 2002     |

**URBAN REVITALIZATION**

| <b>ORDINANCE NO.</b> | <b>ADOPTED</b> |
|----------------------|----------------|
| 186                  | July 5, 1994   |

**VACATION AND DISPOSAL OF STREETS**

| <b>ORDINANCE NO.</b> | <b>ADOPTED</b>  | <b>ORDINANCE NO.</b> | <b>ADOPTED</b>   |
|----------------------|-----------------|----------------------|------------------|
| 51                   | July 2, 1934    | 90                   | March 6, 1967    |
| 55                   | July 21, 1947   | 93                   | August 26, 1968  |
| 59                   | May 9, 1949     | 94                   | October 7, 1968  |
| 60                   | October 5, 1953 | 199                  | March 6, 1995    |
| 61                   | June 8, 1954    | 266                  | May 6, 2002      |
| 72                   | May 2, 1961     | 284                  | December 1, 2003 |

**STREET GRADES**

| <b>ORDINANCE NO.</b> | <b>ADOPTED</b> | <b>ORDINANCE NO.</b> | <b>ADOPTED</b> |
|----------------------|----------------|----------------------|----------------|
| 18                   | 1943           | 101                  | 1972           |
| 80                   | 1965           | 126                  | 1978           |
| 99                   | 1970           |                      |                |

nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Council or any other person or corporation; nor shall it affect any ordinance naming, establishing, relocating or vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance amending the official zoning map, establishing building lines, establishing and changing grades, or dedicating property for public use; nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance.

SECTION 5. The following ordinances, passed subsequent to the preparation of this code but prior to adoption of this code, are hereby adopted and made a part of this code. These are ordinances \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. Said ordinances shall be codified and incorporated in published copies of this code as supplements thereto following adoption of this ordinance.

SECTION 6. An official copy of the “CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE,” adopted by this ordinance, including a certificate of the City Clerk as to its adoption and the effective date, is on file in the office of the City Clerk, and shall be kept available for public inspection.

SECTION 7. The City Clerk shall furnish a copy of the “CODE OF ORDINANCES OF THE CITY OF HARTLEY, IOWA EXCLUDING CHAPTER 149 PROPERTY MAINTENANCE,” to the Judicial Magistrates serving the City of Hartley.

SECTION 8. This ordinance shall be in full force and effect from and after the publication of this ordinance, as required by law.

Mayor Lyman informed he is working on two nuisance properties. He wants to serve nuisance notices to 610 1<sup>st</sup> Street N.E. and 255 W. Maple Drive. It was a consensus of the City Council to declare both properties nuisances. Mayor Lyman will proceed with sending nuisance notices.

Moermond moved to approve Midwest Fire Change Order No. 1 \$3,671 for Fire Truck Equipment. Seconded by Hengeveld. Roll Call: Ayes. Olson, Hengeveld, Westphalen and Moermond. Nays. None. Motion Carried 4-0.

Hengeveld moved to approve Resolution No. 2016-46, "A RESOLUTION AUTHORIZING INTERNAL ADVANCE OF FUNDS FOR WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT". Seconded by Moermond. Roll Call: Ayes. Hengeveld, Westphalen, Moermond and Olson. Nays. None. Motion Carried 4-0.

Council Member Westphalen informed she, Mayor Lyman, Council Members Swanson and Olson and Patty Anderson attended the Iowa League of Cities Conference in September. There were several good topics covered for cities such as tax increment financing, campaign projects and how to start and set goals. She thanked the city employees on a good job during city-wide clean-up and with the recent rain storm.

Mayor Lyman informed there will be a Swimming Pool Task Force Committee meeting and asked Council Members to review the City committees they're on and make any suggestions for budget time.

Terry Hilbert provided an update on the South Central Water Main Replacement Project. The City Hall lawn will be seeded this fall and next spring there will be more landscaping. A new flag pole and light has been ordered for City Hall.

Westphalen moved to adjourn the meeting. Seconded by Moermond. Roll Call: Ayes. Olson, Hengeveld, Westphalen and Moermond. Nays. None. Motion Carried 4-0.

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John Lyman, Mayor

ATTEST:

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Patty Anderson, City Clerk/Administrator