

REGULAR SESSION – FEBRUARY 20, 2018

The City Council met in regular session at 7:00 p.m. on February 20, 2018 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll call the following members were present: Shirley Clark, Joe Gezel, Bob Kling, Greg Marchant, John Parker and Greta Southall.

Steve Kirby, 3111 W. 4<sup>th</sup> Avenue, spoke to the Mayor and Council opposing the Warren County Board of Supervisors building the Warren County Jail along R63. Mr. Kirby asked the City Council to deny annexing this land into the city and to pass a Resolution stating the jail would not be compatible to the Comprehensive Plan.

Item ‘G’ – resolution approving a memorandum of understanding between Warren County, Iowa and the City of Indianola for transportation and detention of arrestees and inmates was pulled from the consent agenda.

The consent agenda consisting of the following was approved on a motion by Clark and seconded by Kling. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Approval of agenda

February 5, 2018 Minutes

Applications - A renewal Class "B" Wine Permit, Class "C" Beer Permit and Sunday Sales Privilege for Dollar General Store - 1803 W. 2nd Avenue

Resolution No. 2018-25 setting March 19, 2018 as a public hearing of a request from Robin McCord Eyberg Et Al to rezone the West 1/2 of the Northwest 1/4 of the Northwest 1/4 AND the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 20, Township 76, Range 23, West of the 5th P.M., Indianola, Iowa AND the North 1/2 of the Southwest 1/4, Indianola, Iowa, from A-1 (agriculture) to M-2 (general industrial) the complete resolution may be viewed at the City Clerk’s Office

Resolution No. 2018-26 setting March 5, 2018 as a public hearing and first consideration of an amendment to C-2 (highway commercial) zoning to clarify permitted uses (the complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2018-27 setting March 5, 2018 as a public hearing and first consideration of an ordinance adding new section 90.2 "Private Water Wells" (the complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2018-28 naming depositories (the complete resolution may be viewed at the City Clerk’s Office)

Claims on the computer printout for February 20, 2018 and the January 2018 receipts

The following resolution entitled “A MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY, IOWA, AND THE CITY OF INDIANOLA FOR TRANSPORTATION AND DETENTION OF ARRESTEES AND INMATES” was approved on a motion by Southall and seconded by Parker. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-29

A MEMORANDUM OF UNDERSTANDING BETWEEN WARREN COUNTY, IOWA, AND THE  
CITY OF INDIANOLA FOR TRANSPORTATION AND DETENTION OF  
ARRESTEES AND INMATES

(The complete resolution may be viewed at the City Clerk's Office)

The February 2018 Treasurer's report was approved on a motion by Marchant and seconded by Parker. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. Whereupon the Mayor declared the motion carried unanimously.

Greg Edwards, President and CEO, presented the annual Catch Des Moines report.

It was moved by Marchant and seconded by Kling to approve the Council's nomination of Rene Soldwisch to the Board of Adjustment Commission – a term to begin immediately and expire December 31, 2022. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Mayor Shaw presented the Metro Advisory committee report.

A public hearing to approve and authorize the sale of real property for development located at 401 E. Euclid was held. There were no objections either oral or written.

Council member Marchant moved to adopt the following resolution entitled, "RESOLUTION MAKING THE FINAL DETERMINATION ON POTENTIAL SALE OF INTEREST IN REAL PROPERTY AND APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF INDIANOLA AND DOUGLAS F. DOWIE." Council member Parker seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-30  
RESOLUTION MAKING THE FINAL DETERMINATION ON POTENTIAL SALE OF INTEREST  
IN REAL PROPERTY AND APPROVING AND AUTHORIZING EXECUTION OF A  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF INDIANOLA  
AND DOUGLAS F. DOWIE

(The complete resolution may be viewed at the City Clerk's Office)

A public hearing was held to amend Chapter 155 Sign Code and various code sections concerning commercial business district. There were no objections either oral or written. Parker moved and Kling seconded to approve the first consideration of this amendment. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

The second consideration to amend Chapter 170 Subdivision Ordinance and Chapter 166 Site Plan Ordinance was held. There were no objections either oral or written. It was moved by Parker and seconded by Kling to approve the first consideration of this amendment. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

The following resolution entitled, "RESOLUTION APPROVING AND AGREEMENT WITH HENDERSON PRODUCTS IN AN AMOUNT OF \$62,175 FOR OUTFITTING THE 2018 FREIGHTLINER TANDEM TRUCK IN THE STREET DEPARTMENT," was approved on a motion by Southall and seconded by Marchant. On roll call the vote was, AYES: Southall, Parker, Kling, Clark and

Marchant. NAYS: Gezel. Whereupon the Mayor declared the motion carried.

RESOLUTION NO. 2018-31  
RESOLUTION APPROVING AND AGREEMENT WITH HENDERSON PRODUCTS IN AN  
AMOUNT OF \$62,175 FOR OUTFITTING THE 2018 FREIGHTLINER TANDEM TRUCK IN THE  
STREET DEPARTMENT

(The complete resolution may be viewed at the City Clerk's Office)

It was moved by Marchant and seconded by Parker to approve the following resolution entitled, "RESOLUTION APPROVING AN AGREEMENT IN THE AMOUNT OF \$8,460 WITH HENDERSON PRODUCTS FOR THE PUSHER AXLE INSTALLATION FOR THE STREET DEPARTMENT". On roll call the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: Gezel. Whereupon the Mayor declared the motion carried.

RESOLUTION NO. 2018-32  
RESOLUTION APPROVING AN AGREEMENT IN THE AMOUNT OF \$8,460 WITH HENDERSON  
PRODUCTS FOR THE PUSHER AXLE INSTALLATION FOR THE STREET DEPARTMENT

(The complete resolution may be viewed at the City Clerk's Office)

Upon the final consideration of an ordinance amending the Municipal Code of the City of Indianola, Iowa, Chapter 61, Traffic Control Devices and Chapter 69, Parking Regulations, Parker moved and Kling seconded to adopt ORDINANCE NO. 1585 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 61, TRAFFIC CONTROL DEVICES AND CHAPTER 69, PARKING REGULATIONS". On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

A motion was made by Parker to approve change order number two in an amount of \$159,975.00 for the Morlock Lift Station and Force Main Improvements. Kling seconded the motion to adopt. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Council member Southall moved and Parker seconded to approve change order number two in an amount of \$15,620.22 for the Pickard Park Storage and Concession Building. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Southall to approve change order number four in an amount of \$40,344.76 and for the 2017 Drainage Repairs and the following resolution entitled, "RESOLUTION ACCEPTING FINAL COMPLETION OF THE 2017 DRAINAGE REPAIR PROJECT AND RELEASE OF RETAINAGE FUND IN AN AMOUNT OF \$8,151.28 IN 30 DAYS". On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

RESOLUTION NO. 2018-33  
RESOLUTION ACCEPTING FINAL COMPLETION OF THE 2017 DRAINAGE REPAIR PROJECT  
AND RELEASE OF RETAINAGE FUND IN AN AMOUNT OF \$8,151.28 IN 30 DAYS

(The complete resolution may be viewed at the City Clerk's Office)

Fire Chief Greg Chia presented the RFP for EMS Billing Services. It was the consensus of the Council to moved forward with the RFP process.

Council member Marchant requested that Council do away with any future RFP presentation from staff. All RFP's will still be posted on the City's web site, the Iowa League of Cities Web Site and the link on the City's web site will be forward to the Mayor and City Council. It was the consensus of the Council that presentation of RFP's for budgeted projects are no longer necessary.

Fire Chief Greg Chia presented an application for assistance to the firefighter's grant for Self-Contained Breathing Apparatus. It was the consensus of the Council to moved forward with this application.

Street Superintendent Jason Entyre presented the snow and ice procedure and policy.

Marchant moved and Southall seconded to approve the following resolution entitled, "RESOLUTION APPROVING SALARIES." On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-34  
RESOLUTION APPROVING SALARIES

(The complete resolution may be viewed at the City Clerk's Office)

It was moved by Clark and seconded by Parker to enter into closed session in accordance with Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Marchant and seconded by Parker to return to regular session. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 9:19 p.m. on a motion by Marchant and second by Parker.

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Kelly B. Shaw, Mayor

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Diana Bowlin, City Clerk