

Regular Session – March 25, 2020

The City Council met in regular session at 6:00 p.m. on March 25, 2020, in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll call the following members were present: Heather Hulen, John Parker and Greg Marchant and present via phone: Bob Kling, Gwen Schroder, Greta Southall and Mayor Shaw. Absent: None.

Item K, Resolution approving the purchase of a 2020 Ford Explorer Utility vehicle for the Police Department in the amount of \$32,932 was pulled from the consent agenda on a request by Mayor Shaw.

Council member Kling moved to approve the consent agenda and Parker seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously. The consent agenda was as follows:

- Approval of Agenda
- February 27 and March 2, 2020 Minutes.
- A renewal Class B Wine, Class C Beer, Class E Liquor and Sunday Sales Privileges for DanLee Corp, doing business as Indy 66 #928, located at 1201 North Jefferson.
- Noise permit application for Indianola Classic Car and Truck Show and Shine for April 18, May 23, June 20, July 25, August 15 and September 19, 2020 from 4:00-7:00 pm.
- Noise Permit application for the Warren County Speedway on April 11, April 18, May 2, May 15, May 30, June 13, June 27, July 10, July 24, August 1, August 15, 2020, and possibly August 22 and August 29, from 6:00 pm to 10:30 pm.
- Noise permit application for Indianola Public Library's Summer Kickoff Party on May 28, 2020.
- Special event application for Indianola Public Library's Summer Kickoff Party to be held on May 28, 2020.
- Approval of a Sidewalk Use Agreement for Dhg Properties LLC, DBA West Hill Brewing Company, located at 219 W Salem Ave.
- Resolution 2020-63 setting a Public Hearing for April 20, 2020, regarding an amendment to Chapter 165 of the Code of Ordinances pertaining to bulk storage of petroleum products.
- Resolution 2020-64 approving agreement for Janitorial Services at City Hall, Activity Center and Library with A 6ft Geek.
- Resolution 2020-66 authorizing the submission of an Assistance to Firefighters Grant for the City of Indianola Fire Department for assistance in purchasing an aerial apparatus.
- Resolution 2020-67 authorizing the submission of a Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the City of Indianola Fire Department.
- Resolution 2020-68 approving the schedule of fees for the City of Indianola for Fiscal Year 2021.
- Prior and final approval on Urban Revitalization Designations.
- Resolution 2020-69 approving salaries.
- Claims on the computer printout for March 25, 2020.

Mayor Shaw asked why Ford Explorers were purchased for the Police Department instead of the Dodge Durangos the county was purchasing at a lower cost. City Manager, Ryan Waller, explained that the Durangos would not be produced after this year and that outfitting a new vehicle is more cost effective when using parts from the old vehicle of a similar model. Parker moved and Southall seconded a motion to approve Resolution 2020-65 approving the purchase of a 2020 Ford Explorer Utility vehicle for the Police Department in the amount of \$32,932.00. On roll call the vote was, AYES: Hulen, Parker, Kling, Marchant, Southall and Schroder. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

The Administrative and Policy Committee brought forth a timeline for consideration of the draft City Council Rules and Procedure document as well as the Codification Project. Council Member Marchant suggested a public hearing for the codification be set at the next meeting and that the Rules and Procedures document be approved at the same meeting as the final reading on the codification. All Council Members agreed.

Mayor Shaw thanked Ryan Waller and staff for locking down City Hall to keep everyone safe as well as the county and first responders from the City and county. He encouraged citizens to stay at home and practice social distancing. Mayor Shaw also mentioned that the Iowa Economic Development Authority will have grants for cities and small businesses to apply for according to an email he received.

A motion was made by Parker and seconded by Marchant to appoint Susan Glick to serve on the Indianola Municipal Utilities Board of Trustees from March 25 to June 30, 2020. On roll call, the vote was AYES: None. NAYS: Hulen, Parker, Kling, Marchant, Southall and Schroder. Whereas the Mayor declared the motion failed.

A motion was made by Parker and seconded by Marchant to appoint Susan Glick to serve on the Indianola Municipal Utilities Board of Trustees from July 1, 2020 to June 30, 2026. The Mayor called for discussion on the subject of the Mayoral appointments to the Board.

Council Member Kling then moved to call the question and Marchant seconded. On roll call, the vote was AYES: Hulen, Parker, Kling, Marchant and Southall. NAYS: Schroder. Whereas the Mayor declared the motion to call the question passed.

On roll call for the nomination of Susan Glick to serve on the Board of Trustees from July 1, 2020 to June 30, 2026, the vote was AYES: None. NAYS: Hulen, Parker, Kling, Marchant, Southall and Schroder. Whereas the Mayor declared the motion failed.

Andrew Lent, Finance Director/City Clerk, presented the Fiscal Year 21 Budget. This being the time and place fixed for a public hearing on the matter of the Fiscal Year 21, the Mayor called for any oral comments to the approval of the resolution approving the proposed Fiscal Year 21 Budget. Mayor Shaw asked about the Capital Projects funds and expenditures. He asked if Council would consider not raising the tax levy because of how COVID-19 may affect the economy. Council felt the budget was a plan to address public safety staffing needs that won't go into effect until July 1. At that time, more information will be available on whether adjustments should be made. No other oral comments were offered, and the Deputy City Clerk reported that no written objections had been filed.

A motion was made by Kling and seconded by Marchant to approve Resolution 2020-70 approving the proposed Fiscal Year 21 Budget. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

This being the time and place fixed for a public hearing on the matter of a sign exemption request from Parker Signs & Graphics, Inc., on behalf of the Sunfield Mobile Home Park, located at 800 East Iowa Avenue, the Mayor called for any oral comments to the approval of the resolution accepting a sign exemption request from Parker Signs & Graphics, Inc., on behalf of the Sunfield Mobile Home Park, located at 800 East Iowa Avenue. No oral comments were offered, and the Deputy City Clerk reported that no written objections had been filed.

Council Member Parker recused himself from voting on the sign exemption requests from Parker Signs & Graphics, Inc on behalf of Sunfield Mobile Home Park citing a conflict of interest.

Southall made a motion and Hulen seconded to approve Resolution 2020-71 a sign exemption request from Parker Signs & Graphics, Inc., on behalf of the Sunfield Mobile Home Park, located at 800 East Iowa Avenue. On roll call, the vote was AYES: Hulen, Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Parker. Whereas the Mayor declared the motion passed.

This being the time and place fixed for a public hearing on the matter of a sign exemption request from Parker Signs & Graphics, Inc., on behalf of Fellows and Blake, located at 700 East 2nd Avenue, the Mayor called for any oral comments to the approval of the resolution accepting a sign exemption request from Parker Signs & Graphics, Inc., on behalf of Fellows and Blake, located at 700 East 2nd Avenue. No oral comments were offered, and the Deputy City Clerk reported that no written objections had been filed.

Council Member Parker recused himself from voting on the sign exemption requests from Parker Signs & Graphics, Inc on behalf of Fellows and Blake, citing a conflict of interest.

Resolution 2020-72 accepting a sign exemption request from Parker Signs & Graphics, Inc., on behalf of Fellows and Blake, located at 700 East 2nd Avenue was brought forward on a motion by Kling and seconded by Marchant. On roll call, the vote was AYES: Hulen, Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Parker. Whereas the Mayor declared the motion passed.

Deputy City Clerk, Jackie Raffety, read an email from Polly Glascock of 1715 E Iowa Avenue about the Iowa Avenue Paving Project. Ms. Glascock stated she does not want a 10-foot-wide bike trail on her property and feels she is entitled to compensation for that. She also asked about the Ash trees and sump pump pipe on her property. Dave Moeller, Snyder and Associates, said they can add the removal of the ash trees to the project as well as connecting her sump line to the proposed subdrain near the street. He also noted that the proposed trail is one foot inside the existing right-of-way.

The Mayor opened the public hearing for the Iowa Avenue paving project and announced the public hearing is for objections and endorsements to the adoption of the proposed Resolution of Necessity for the construction of the East Iowa Avenue Paving Project in the City, pursuant to notice of the time and place of hearing duly published and mailed, and pursuant to prior action of the Council. Both written and oral objections will be received and considered by the Council at that time.

Mayor Shaw noted that Ms. Glascock's email had been read aloud and received by Council. No other oral comments were offered, and the Deputy City Clerk reported that no other written objections had been filed.

Parker moved to close the public hearing and Marchant seconded. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Resolution 2020-73 of necessity without amendments for the East Iowa Avenue Paving Project was brought forth on a motion by Marchant and seconded by Kling. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

A motion was made by Kling and seconded by Parker to approve Resolution 2020-74 approving and authorizing a loan and disbursement agreement by and between the City of Indianola, Iowa and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$17,059,000 sewer revenue capital loan notes, series 2020 of the City of Indianola, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said notes. On roll call, the

vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

City Manager, Ryan Waller started a discussion on an annexation request received from Jon F. and Mary H. Peterson. Jackie Raffety, Deputy City Clerk, read a letter from Matt and Jessica Sanford of 10876 Inwood Street regarding this issue. The Sanford's would like to receive a document of funding on any future development plans prior to the City moving forward with annexation. Council Member Parker asked how the annexation could affect properties that are currently businesses outside of City limits. Community and Economic Development Director, Charlie Dissell said that the request doesn't affect them, but it may if they are annexed in although their use would be grandfathered in. Council directed staff to move forward with exploring the request with the Planning and Zoning Commission and IMU.

A motion was made by Parker and seconded by Kling to approve the first consideration of an ordinance amending Chapter 99, sewer service charges, Indianola Code of Ordinances On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

A motion was made by Kling and seconded by Southall to approve the first consideration of an ordinance amending the recycling fees to account for the increase being implemented by Waste Management. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Resolution 2020-75 authorizing the temporary suspension of various administrative and penalty charges for city provided utilities was brought forward on a motion by Parker and seconded by Hulen. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

City Manager, Ryan Waller, received a request from Cabin Coffee to temporarily suspend construction on their new building, noting that their development agreement with the City specifies a timeline for construction to be completed. The Council said that in light of current events, it was okay to delay the construction.

Leisha Barcus, President/CEO of the YMCA of Greater Des Moines, has requested Council approval and leniency on a delayed rent payment from the Indianola YMCA because the YMCA is closed due to the Governor's Proclamation regarding COVID-19. Council Member Hulen recused herself from any discussion. Council permitted letting them pay late.

Waller then announced the hiring of Akhilesh Pal, who also goes by A.P., as the Public Works Director for the City of Indianola and thanked Bart Weller for stepping in until the position could be filled.

Marchant moved and Parker seconded to receive and file correspondence from February 28 and March 6, 2020, weekly updates provided by City Manager, Ryan Waller. On roll call, the vote was, AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Ryan Waller asked Council if they wanted to still hold the Study Session to view the presentation on proposed updates to the City's building, fire, mechanical, electrical, plumbing, fuel gas, liquefied petroleum gas, energy conservation and property maintenance codes or if they wanted to give direction to staff. Council agreed to forgo the study session and provided direction. The proposed updates will be brought forward to future meetings.

A motion was made by Marchant and seconded by Parker at 7:57 pm to go into closed session pursuant to 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: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Kling moved and Parker seconded to come out of closed session at 8:09 pm. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Meeting adjourned at 8:10 pm on a motion by Marchant and seconded by Parker.

Kelly B. Shaw, Mayor

Attest:

Andrew J. Lent, City Clerk